



2021 STATE OF CIVIL SOCIETY REPORT
**DEMOCRACY UNDER
THE PANDEMIC**



In 2020, democratic freedoms came under renewed strain in many countries. The context was one of closing civic space in countries around the world, with attacks by state and non-state forces on the key civic freedoms, of association, peaceful assembly and expression, on which civil society relies. By the end of 2020, **87 per cent**⁷ of the world's people were living with severe restrictions on civic space, with some states using the pandemic as a pretext to introduce new restrictions that had nothing to do with fighting the virus and everything with extending state powers and reducing the space for accountability, dialogue and dissent. Typically, states extended their powers under the pandemic by increasing censorship, often making themselves the sole arbiters of truth about the pandemic and criminalising discussion of the pandemic by non-state

sources as 'fake news'; vastly extending surveillance, in the name of controlling the virus; and ramping up security force powers to criminalise and violently police breaches of pandemic regulations.

Wherever this happened, it made it harder to exercise democratic freedoms: not only people's ability to have their vote count in the year's many elections, but also their ability to express dissent, question and even mock those in power, and advance political alternatives. There should have been no incompatibility between fighting the virus and practising democracy, but sadly that was often the case, in a year that saw many flawed elections, and in which people risked repression when protesting to demand democratic freedoms.



Pro-democracy protest in Minsk, Belarus on 16 August 2020. Photo by Getty Images/Getty Images

ELECTIONS IN THE PANDEMIC YEAR

One of the key conditions of democracy is that there should be regular free and fair elections in which there is genuine choice and debate and incumbents stand a chance of losing. In 2020, there came another test, of holding elections during the pandemic where people did not feel they had to risk their lives to have their say. In every global region elections postponed until after viral peaks had passed: elections in at least **75 countries and territories**⁷ were reported to have been delayed. Some governments proved it was possible to hold elections in conditions that mitigated the risk of contagion. Such was the case in New Zealand and South Korea, where the smooth management of distanced and sanitised elections was consistent with governments' broadly efficient and effective pandemic response, which voters seemed to reward with increased support for incumbents.

But these were sadly rare examples. Sometimes the circumstances of the pandemic led to disputes about the timings of elections, with incumbents seeking variously to hurry votes to take place at times that suited them,



A woman has her temperature checked upon her arrival to cast her vote in the parliamentary election held on 15 April 2020 in Seoul, South Korea. Photo by Chung Sung-Jun/Getty Images

regardless of voter safety, as seemed to be the case in Poland, Singapore and Sri Lanka, or delay them to their advantage, as incumbent governments in Bolivia and Malawi were accused of doing. Some countries introduced bans on public meetings but political parties, particularly ruling parties, flouted them, as seen in Tanzania and Uganda. Where normal public campaigning was put on hold, ruling parties could gain a distinct advantage through their close connections with public media, leaving opposition parties trying to develop new online campaigning skills. In numerous cases – including the Dominican Republic and Poland – incumbents tried to capitalise on and politicise their role of leading pandemic response, albeit unsuccessfully in the Dominican Republic.

In many contexts the authorities made efforts to make voting safer, including through distanced queues, mask use and sanitisation of voting stations, but this was not always the case. There were mixed levels of experimentation with remote voting methods, which were sometimes met with distrust, particularly where incumbents felt they stood to lose from online or postal voting and so deliberately stoked suspicion. In the USA, for example, attempts to deny people alternate means of voting were nakedly partisan in nature, albeit unable to prevent change.

By the second half of 2020, at a time when the virus was in temporary retreat in many places, a **body of good practice**⁷ had emerged as to how elections could be held safely and securely under pandemic conditions, encompassing neutrality about any restrictions placed on political meetings, enhanced sanitation and safety checks, the provision of alternate voting means and extended voting times to reduce crowding, the dissemination of clear information on how to vote safely, and the avoidance of any last-minute changes that might confuse people or cause conflict. To not follow that practice became a largely political choice. In essence, the pandemic provided a stress test of the willingness and capacities of states to hold free and fair elections, and too often, performance was at best mixed.

In most countries civil society typically plays a major role around elections, including through educating voters and encouraging them to vote, putting advocacy asks to parties and candidates and observing and scrutinising the

conduct of the electoral process, including voting and vote counting. But under the pandemic, those roles were constrained, and in country after country, civil society was left frustrated by its inability to play a full and proper part. Once the pandemic is passed, civil society will expect to reclaim these roles and will not be content to stay on the sidelines.

When it came to election results, 2020 had it all: in some contexts – Dominican Republic and the Seychelles – elections marked an overturning of long-established orders as parties long confined to opposition won power. In Malawi, a change of government came only after legal action annulled the first unfair election result, marking an important landmark for upholding standards of free and fair elections. The defeat of President Trump in the USA offered hope that the toxic tide of right-wing populism and nationalism could be turned, but across Europe – not just in Poland but also in countries such as Serbia and Slovenia – far-right forces gained power and grew in confidence, sowing division and attacking civil society.

Elsewhere, as in Russia, Uganda and a swathe of West African states, including Guinea and Togo, voting offered only the most rudimentary rubber stamp on the intentions of entrenched rulers. Elections sometimes came after presidents rewrote constitutions to enable their continuing power. Some elections, including in Belarus and Kyrgyzstan, were clearly stolen by incumbents refusing to submit to a democratic verdict, leading to protests that in Kyrgyzstan ejected those who had claimed victory, and in Mali unleashing anger that paved the way for a military coup. In too many places elections offered ceremony without substance, and when the mask slipped and people demanded proper democratic freedoms, brutal repression often ensued.

BELARUS: PEOPLE DECRY A STOLEN ELECTION

Alexander Lukashenko, President of Belarus, must have expected the August presidential election to be business as usual. After all, he has been president since 1994, when he won the country's first vote since the break-up of the Soviet Union. That was also the last Belarus election to be considered free and fair, as President Lukashenko quickly moved to consolidate his grip on power, earning the dubious label of 'Europe's last dictator'. Since he came to power, elections have been ceremonial, with very little real opposition permitted; in

the 2019 parliamentary election, not a single opposition candidate was able to win a seat.

But in 2020, not all went to plan as a credible opposition candidate emerged. Sviatlana Tsikhanouskaya had not planned to stand until her husband, pro-democracy activist Sergei Tikhanovsky, was arrested in May shortly after announcing his intention to run in the election and his candidacy was duly turned down. He was arrested again later in May while campaigning for his wife and remains in detention at the time of writing. With no prior political experience, Sviatlana Tsikhanouskaya stepped forward and offered an unusual threat to President Lukashenko, running as an outsider with a campaign that caught the popular imagination. Lukashenko must initially have sensed no threat from a candidate unused to campaigning, but came to realise he had underestimated her. Tsikhanouskaya's campaign galvanised dissent that might otherwise have been only quietly expressed, helping people overcome their fear and giving them an opportunity to speak up, often for the first time. **Anger** at economic decline met with outrage at the government's handling of the pandemic, with the government having largely ignored the virus and failed to protect people. Lukashenko's response was to rig the election.

Ahead of the election, the government **arrested** several opposition candidates, **journalists and bloggers**, seeking to suppress dissent and evade scrutiny. Viktor Babaryka, who had been the opposition front-runner, had his candidacy blocked in June and was detained in July. Additional restrictions were placed on protests, making it easier for permission to be refused. Hundreds of people were detained in protests in the months leading up to the election, including journalists covering protests. Several members of Tsikhanouskaya's campaign staff were arrested before the election, while she went into hiding. As the vote went ahead, the internet was shut down in the capital, Minsk. The only opinion polls that were allowed were those run by the state. Voting went ahead without the presence of any credible international observers; the Council of Europe and the Organization for Security and Co-operation in Europe (OSCE) had accreditation denied when they tried to send observers, while observers from Azerbaijan and Russia, both allies of Belarus, were hardly likely to be neutral.

When the results were announced in Lukashenko's favour, Tsikhanouskaya **rejected** them, insisting she had won the vote. People knew the election had

been blatantly stolen. They knew that they and everyone they talked to had voted for Tsikhanouskaya; the official figures simply could not be right. Citizen efforts to monitor voting, including by posting and cataloguing photographs of filled-in ballot papers, backed this. The [Voice platform](#)¹ found vast disparities between the votes for Tsikhanouskaya it was able to track in over 20 per cent of voting stations and the official results, causing it to conclude that the election was fraudulent.

With this, a dam burst and a generation that had never been ruled by anyone other than Lukashenko awoke to the fact that there was nothing automatic about his rule and they did not simply have to accept it; once they started to oppose his continuing rule, anything seemed possible. As a result, those protesting numbered many more than the usual dissidents who the government must have felt comfortable it could round up and detain. [Nikolai Kvantaliani](#)¹ of the New Group association describes what was different this time:¹

One of the challenges of Belarussian elections was that we had had a dictator for more than 25 years, and we didn't expect anything different this time. This time we had more evidence of the fact that the election was flawed. And the way in which the government decided to oppress the candidates and the civilians who were protesting brought us to the hundred days of protests.

Many citizens believed in change, so a lot of people started to record violations at local polling stations. After the election, however, the president claimed he had received more than 80 per cent of the vote. Reality was a bit different: he probably only got less than 50 per cent, and there should have been a second electoral round, but because he is a dictator, he just went for it.

After the election, our colleagues decided to go the legal way and collected evidence that confirmed that the election was fraudulent. They brought all these heavy files to the prosecutor's office, but unfortunately nothing happened. So people went on strike to protest at the fact that the election had been neither free nor fair. Hundreds of thousands of

¹ Quotations cited in this chapter come either from interviews with civil society representatives or from a webinar convened by CIVICUS to enable a range of activists to contribute to this report. These are edited extracts. Full versions of interviews are available [here](#)¹. A recording of the webinar, 'The state of democracy: elections under the pandemic', is available [here](#)¹.

people gathered to protest, and were brutally repressed by the police, with more than 6,000 people detained, and many people tortured while in detention. People did not understand why the government behaved in this way, and protests increased. We had small community protests at the local and regional level as well as in Minsk, with people from different backgrounds and professions organising their own strikes.

Protests were sustained, in spite of attempts to suppress them with violence and detentions; the scale of the violence shocked even more people into joining protests. While President Lukashenko claimed that protests were being directed from abroad, the reality was of an organic movement encompassing multiple groups of people united by anger. During the campaign, when Lukashenko asserted that Belarus was not ready for a female president, women associated with two other opposition candidates [came together](#)¹ to campaign jointly with



Protesters continue to march through the streets despite the use of water cannon by police forces on 11 October 2020 in Minsk, Belarus. Photo by Jonny Pickup/Getty Images

Tsikhaneuskaya; the image of three young women leaders putting aside their differences to stand together resonated with the public, signalling the potential for a different style of rule. This solidarity was echoed in post-election protests led by women. In Minsk, hundreds of women dressed in white formed a **human chain**. In an indication of how widespread the protests were, workers in state companies, who the government normally expects to support it, or at least coerces support from, took part in strikes; in an unprecedented show of direct dissent, Lukashenko was **heckled** by workers while on a factory visit, a normally safe propaganda exercise. Journalists **walked out** of state media, unwilling to be the mouthpieces of government any more. Doctors protested against the widespread state violence.

Solidarity protests mobilised in other countries, including in **Estonia**, **Georgia** and **Finland**, where Belarussians were joined by Finns supporting their cause. A **human chain** across the Baltic states in August carried particular resonance, echoing the 1989 Baltic Way protests, when people in Estonia, Latvia and Lithuania joined hands to demand independence from the Soviet Union. With Lithuania hosting numerous exiles, including those it had granted political asylum to, Lithuanian civil society **supported** exiled Belarussians to establish civil society groups to keep up the fight for democracy and human rights. Belarus's ambassador to Slovakia broke ranks and **backed** the protesters.

Protests settled into a pattern of ongoing weekend mobilisations. People formed new **neighbourhood groups**, organised their communities and provided mutual aid, something that had been relatively rare in Belarus. People pooled childcare responsibilities and got into the habit of packing bags before heading for protests in case they were detained. In the face of censorship and repression, people found **creative ways** of showing their support for democracy, using the red and white colours of the old Belarussian flag. People flocked to support businesses that experienced state backlash for expressing their support for democracy, for example, by buying red and white flowers from a florist who had been detained.

We currently have groups who protest on different days of the week, and for instance on previous Sundays, people would gather in the central square and walk through the city centre, but this allowed the police to

be better prepared, because they would always take the same roads, and the police could block the protesters, kettle them and detain them. So recently we had local protests instead: people gathered in local squares and overall, it was the same amount of people, hundreds of thousands, but the police were disoriented, because they could not monitor all the local protests that were happening at the same time. It is important to adapt to what the police and the government are doing.

Civil society is mitigating the current repressive situation, and a lot of grassroots movements have been created. For example, voting took place in schools and teachers were involved, because they were forced to be part of the local election committees that manage the election; as a result, we now have a community of more than 10,000 teachers who support each other and defend teachers' rights against repression. And the same goes for doctors, pensioners, factory workers. A voluntary movement also rose in response to the repression. For instance, we have volunteers who meet people outside prison and provide them with food, we have lawyers who support detained protesters during court procedures, and people who translate news into many languages. The **Voice of Belarus** website is handled only by volunteers.

Every time we see the protests calming down, the government behaves in a way that society finds unacceptable, and protests continue. Recently, there was a case of a citizen who had gone out to protest for a free Belarus and was kidnapped by police in plainclothes and murdered. State officials didn't take responsibility. None of the cases of torture of detained protesters were investigated. We still hold peaceful protests but unfortunately the police are using brutal violence to repress citizens who are just protesting, not doing anything wrong.

The murdered activist was artist **Raman Bandarenka**, who in November died after being beaten by masked assailants, thought to be security force officers, before being taken away by the police. The use of disguised groups of officers to mete out violence became common as the protest movement continued. Thousands gathered to **mourn** Raman's death and the place where he was attacked turned into a memorial site where people left flowers, before the police destroyed the memorial and arrested those looking after it. Neighbourhood protests continued, but in February 2021 law enforcement officers, in a coordinated move, **raided** and searched the homes and offices

of dozens of civil society organisation (CSO) leaders, activists and journalists. Illegal **detentions** ⁷ continued, with reports that people were being tortured in detention.

Lukashenko has yet to fall. The security forces did not defect and take the side of the protesters, a decisive factor in other protest contexts. Although there were **reports** ⁷ of some officers quitting and going into hiding or exile, security force personnel largely stayed loyal to the government. In the early days of mass protests, Lukashenko was quick to **award** ⁷ a slew of medals to police and security officers, presumably seeking to lock in their loyalty. Officers were fed a diet of deliberate disinformation, which painted those protesting for democracy as dangerous, foreign-backed agitators bent on destruction. It was hard for members of the security forces to express opinions that differed from this official view.



Sviatlana Tsikhanouskaya delivers a speech in the European Parliament as she is awarded the Sakharov Prize for Freedom of Thought on 16 December 2020 in Brussels, Belgium. Photo by Thierry Monasse/Getty Images

Tsikhanouskaya, meanwhile, having wisely sent her children abroad ahead of the election, was forced to flee to Lithuania, fearing for her life. She announced the formation of a transitional Coordination Council with the aim of handling a transfer of power; in September, the European Parliament recognised this body as the interim representation of the people of Belarus, and a law passed in Lithuania recognised her as the elected leader. But many other states stopped short of this, instead calling for the election to be rerun under fairer conditions. The European Union (EU) imposed a series of **sanctions** ⁷ against Lukashenko and associated officials and **committed** ⁷ to moving a support package of €53 million (approx. US\$ 64.4 million) away from the government of Belarus to civil society.

Despite this international pressure, Lukashenko may well feel he has ridden out the protest peak. Certainly the world's attention, having fleetingly settled



Tens of thousands of people call on President Alexander Lukashenko to resign following the fraudulent election on 30 August 2020 in Minsk, Belarus. Photo by Getty Images

on Belarus, soon moved elsewhere. But in Belarus, there is a sense that there is no going back. Something has been broken, and the thirst for democracy will remain.

One of the problems for the current government is that we are past the point when it was possible to bring everything back to what it used to be. Its recent behaviour towards the international community and its own citizens will not allow the authoritarian regime to remain in place for another 10 years. The government will need to make a decision and eventually get rid of the dictator, and then we will be talking about the future, civil society and democracy in Belarus.

KYRGYZSTAN: POLITICAL OPPORTUNISM IN A TIME OF FLUX

By contrast, democracy protests achieved rapid impact in Kyrgyzstan, although with potentially troubling consequences. The country has long been considered more democratic than its Central Asian neighbours, but there were no surprises in the October parliamentary election: pro-government parties took a majority, in a landslide result that saw only 13 of the Supreme Council's 120 seats go to a party that consistently opposes the government. Many smaller opposition parties struggled to raise the high entry costs for standing or meet the seven-per-cent threshold required to win parliamentary seats. With proper election observation an impossibility, it soon became clear that pro-government parties had taken the opportunity to cheat. There were widespread allegations of **vote-buying** and ballot stuffing, and **videos** circulated showing such practices. The state was accused of abusing its resources to win support for pro-government parties. Journalists documenting practices of apparent election fraud were attacked.

Ulugbek Azimov of the Legal Prosperity Foundation describes the election:

Out of the 16 parties running for seats in parliament, only five passed the threshold required to get into parliament. Although then-President Sooronbay Jeenbekov publicly stated that he did not support any party, the one that received most votes – Birimdik (Unity) – was associated with him since his brother and other people from the

ruling elite were running on its ticket. The party that ended up second, Mekenim Kyrgyzstan (Motherland Kyrgyzstan), was also viewed as pro-government and was associated with the family of former high-ranking customs service official Raiymbek Matraimov, who was implicated in a high-profile media investigation into corruption published in November 2019. Jeenbekov's government ignored the findings of this investigation and failed to initiate a criminal case against Matraimov, despite public calls to this end.

It was predictable that Birimdik and Mekenim Kyrgyzstan would fare well in the election given the use of public resources and reported vote-buying in favour of their candidates. These two parties, which took part in a parliamentary election for the first time, received almost half of the votes and therefore an absolute majority of seats in parliament. The methods used by the two winning parties to secure control over parliament caused indignation among other parties that participated in the election, their voters and even apolitical people.

The election took place against the backdrop of growing discontent with the social and economic difficulties caused by the pandemic, as well as growing anti-government sentiments among the population.

Twelve opposition parties came together to reject the results. The fraud had gone too far, and people took to the streets as soon as the results were announced. Several thousand people, most of them young people, mobilised in the capital, Bishkek, and on 6 October people **stormed and occupied** government buildings, including the parliamentary building. This brought a violent police response.

The authorities had the opportunity to take control of the situation and resolve it peacefully, but they did not take it. Only in the evening of 5 October did then-President Jeenbekov announce he would meet with the leaders of the different parties that competed in the election. He set up a meeting for the morning of 6 October, but this turned out to be too late, as in the night of 5 October the peaceful protests devolved into clashes between protesters and law enforcement officials in Bishkek, ending with the seizure of the White House (the seat of the president and parliament) and other public buildings by protesters.

During the clashes, law enforcement authorities used rubber bullets, stun grenades and teargas against the protesters. As a result of the clashes, a 19-year-old young man was killed and more than 1,000 people needed medical attention, including protesters and law enforcement officials, with over 600 police officers injured.

Protest pressure quickly told. On 6 October, the election results were annulled. Opposition parties continued to **occupy** several government buildings and **insisted** that they were now in power, actions that President Jeenbekov denounced as a coup. Different forces competed to claim leadership. Protest groups **freed** some prominent imprisoned politicians from jail, including nationalist politician Sadyr Japarov and, briefly, former president Almazbek Atambayev, one-time ally turned bitter enemy of Jeenbekov. Prime Minister Kubatbek Boronov **resigned** and opposition parties tried to form a government, before Japarov's supporters prevailed and Japarov made the unlikely transition from prisoner to prime minister.

Protests and security force violence continued. There were episodes of mass looting. A state of emergency was declared and the army deployed in Bishkek. There was fear that a power vacuum was creating opportunities for organised **criminal groups** to gain in influence. Vigilante groups formed, and people **appointed** themselves to positions without any pretence of democratic process. Journalists were attacked and threatened, and internet and phone restrictions imposed. Protesters continued to call for Jeenbekov to resign, until he did so on 15 October, upon which Japarov declared himself acting president. Japarov then resigned to force a presidential election, held in January 2021, which he won overwhelmingly, commanding 79 per cent of the vote.

This was change, but it was not necessarily the change those protesters not aligned with Japarov had been demanding. Japarov seems firmly in the region's tradition of strong-arm leaders. Rarely in Kyrgyzstan has one person held so much power. Groups associated with Japarov used violence and threats during the turmoil of October. There is little in his track record that suggests much attention will be paid to tackling corruption. Many of those protesting demanded tough action on corrupt official Matraimov, alleged to have stolen circa US\$24 million, but while he was finally arrested after Japarov had taken power, and pleaded guilty, he was handed a tokenistic fine of around US\$3,000. This fell far short of the justice demanded.

A referendum held at the same time as the January 2021 vote endorsed a proposal to strengthen presidential powers and reduce parliament's role, although a low turnout was perhaps indicative of some dissent.

According to the results of the referendum, 84 per cent of voters supported a transition from a parliamentary to a presidential system of government.

Based on comparative experience, many lawyers and civil society activists do not view this change as negative per se, provided that a well-functioning system of checks and balances is put in place. However, they are seriously concerned that the authorities are attempting to push through the transition at an unjustifiably quick pace using questionable approaches and methods that do not correspond to generally accepted principles and established legal rules and procedures.

There were **concerns** too that, as in the October election, state resources had been mobilised to ensure an incumbent's victory, and the media had imposed a policy of self-censorship during the election period. There is still little representation of the opposition. While laws have been changed to make it easier for parties to stand and gain seats in the rerun parliamentary election, it is not due to be held until June 2021. The old parliament continues until then, even though in the eyes of many it lacks legitimacy. Meanwhile several draft laws on the freedoms of association and expression remain **under consideration**, including an NGO law, a trade union law and a law on misinformation. The continuing parliament, despite its lack of legitimacy, agreed a new **constitution** that the public endorsed in a **referendum** in April 2021, albeit on another low turnout only narrowly above the minimum threshold required to make the vote valid. Although some of the worst excesses of the draft constitution were improved following a fierce backlash, its increase of presidential powers raised fears of creeping authoritarianism.

The draft constitution granted the president practically unlimited powers, while reducing the status and powers of parliament to a minimum, thereby jeopardising checks and balances and creating the risk of presidential abuse of power. It also provided for a complicated impeachment procedure that would be impossible to implement in practice. Moreover,

while it did not mention the principle of the rule of law even once, the text repeatedly referred to moral values and principles. Many provisions of the current constitution that guarantee human rights and freedoms were excluded.

Because of harsh criticism, the authorities were forced to abandon their initial plans to submit the draft constitution to referendum on the same day as the presidential election and agreed to organise a broader discussion. To this end, a so-called constitutional conference was convened and its members worked for two and a half months, in spite of facing accusations that their activities were illegitimate. At the beginning of February 2021, the constitutional conference submitted its suggestions to parliament.

As a result of the discussion and proposals submitted by the constitutional conference, parts of the draft constitution were improved. For example, the reference to the principle of the rule of law was restored and significant amendments were made to the sections on human rights and freedoms, including with respect to protecting the freedom of expression, the role of independent media and the right to access information. But it remained practically unchanged with respect to the provisions that set out unlimited powers for the president.

In March 2021, parliament adopted a law on holding a referendum on the revised draft constitution, setting the date for 11 April 2021. This sparked a new wave of indignation among politicians, lawyers and civil society activists, who pointed out that this was against the established procedure for constitutional change and warned again that the concentration of power in the hands of the president might result in authoritarian rule.

The draft constitution has two other problematic provisions. One allows for restrictions to be imposed on any events that contradict 'moral and ethical values' or 'the public consciousness of the people of the Kyrgyz Republic'. These concepts are not defined or regulated, so they might be interpreted differently in different cases, creating the risk of overly broad and subjective interpretation and arbitrary application. This might lead to excessive restrictions on human rights and freedoms, including the rights to the freedoms of peaceful assembly and expression.

The other provision requires political parties, trade unions and other public associations to ensure the transparency of their financial and economic activities. Against the background of recent attempts to step up control over CSOs, there are concerns that it might be used to put pressure on them. On the same day that parliament voted in favour of holding a referendum on the draft constitution, some legislators accused CSOs of allegedly undermining 'traditional values' and posing a threat to the state.

Civil society activists continue to call on the current parliament, which in their eyes has lost its legitimacy, to dissolve and on the president to call a new election promptly. Activists are holding an ongoing rally to this end and, if their demands are not met, they plan to turn to the courts on the grounds of the usurpation of power.

There has also been little attempt to hold security force officers to account for the violence committed against protesters in October. Journalists and people who speak out on social media faced **harassment and intimidation** under the old regime and continue to do so under the new one, including for criticising the government's handling of the pandemic. **Women journalists** are particularly targeted with threats.

Protest energy did not entirely subside, since not all protesters were in the Japarov camp. From November, **marches** were held in Bishkek each Sunday calling for lawfulness, protesting at the proposed new constitution and the lack of legitimacy of the continuing parliament. Civil society continues to demand justice for activist **Azimjan Askarov**, who died in prison in July due to pneumonia, likely COVID-19-related. He had been denied proper medical attention or early release. Calls remain for an independent and impartial investigation of his death.

It seems that ultimately, in the time of political flux, opportunism rather than idealism prevailed. Politics in Kyrgyzstan still resembles less a contest between competing ideas on how the lives of people can be improved than a clash between parties organised to defend the interests of powerful men. Civil society will have to do its best to provide some of the scrutiny over expanded presidential power that the formal political system seems unlikely to provide.

RUSSIA: MANIPULATED VOTE CONFIRMS PUTIN'S POWER

Watching events in Belarus and Kyrgyzstan with keen interest would have been Russian President Vladimir Putin. As security forces remained loyal to the government in Belarus, Putin was not forced to make a difficult decision about whether to intervene to quash a movement for democracy across Russia's western border. Domestically, President Putin has not for a long time faced an election that risked denting his power, and after a vote held in June he could stay in power until 2036, if he so chooses.

The vote, which overwhelmingly endorsed a proposal to change the constitution, wiping the presidential terms Putin has already served from the slate, was often described externally as a referendum. But as Leonid Drabkin of Russian human rights organisation OVD-Info describes, the vote did not even comply with the formal criteria that would have allowed the government to describe it as such:

Referendum is not really the right word for it. The government never referred to the vote as a referendum; they called it a 'national survey'. But it is not even necessary to hold a referendum to change the Constitution – quite recently, when Russia conquered the Crimean Peninsula, the Constitution had to be changed to include an additional region of Russia, but no referendum was held; other mechanisms were used.

They could have gone the legislative way this time as well, but they wanted to have the changes legitimised by a supermajority of the population. However, they couldn't hold a referendum because it implied giving notice several months in advance, and rules only allowed people to vote from their home if they had a health issue. So they called this a 'national survey' instead, which is not regulated by any law, unlike a referendum, which should be conducted according to specific guidelines, so it allowed the government a lot of flexibility around dates and rules.

People in several regions were allowed to vote remotely by electronic means, which would not be a bad thing in itself, but presented additional opportunities for violations. A whole week of voting was added in advance of the actual voting day, which from a health perspective was a good decision, but added extra opportunities for fraud. And there was no

independent monitoring, so the results – an overwhelming 78 per cent in favour of reform – are not to be trusted.

Opposition activists denounced the size of the pro-Putin vote as fraudulent, pointing to opinion polls ahead of the vote that did not show such high levels of support. Alongside the extended voting term, large employers, closely linked to ruling interests, encouraged their employees to vote, and people were offered prizes for voting. Social media influencers reported receiving offers of bribes to urge their followers to vote. With a vote that clearly had the purpose of applying a layer of apparent legitimacy to President Putin's continuing power, it seemed the biggest fear of the organisers was not of losing, but of turnout being low; in any vote that is intended not to make a real decision but to legitimise existing power, having a high turnout is always a concern.



Protesters, many of them expatriate Russians, demonstrate against proposed constitutional changes outside the Russian Embassy in Berlin, Germany on 1 July 2020. Photo by Maja Hitij/Getty Images

In the vote, changes to term limits were bundled with a range of unrelated measures, including increases to pension and minimum wages and measures that seemed deliberately framed to galvanise conservative support bases by appealing to nationalistic sentiment and homophobia. Publicity ahead of the vote emphasised the other measures rather than the change in term limits.

I was quite angry about the possible changes to the Constitution, which included new provisions regarding term limits and not counting previous terms held by those already in office, which would allow President Putin to run again for two more six-year presidential terms, as well as a focus on 'traditional families', the introduction of patriotic education in schools, an explicit mention of faith in God and the statement that the Constitution stands above international law.

The vote's timing – after initial pandemic lockdowns had somewhat slowed the spread of the virus but before a second wave would bring fresh restrictions and with them economic downturn – also seemed opportunistic, suggesting that President Putin was seeking a prop to shore up his support ahead of some likely more challenging times to come.

While hundreds of people protested in Moscow in July following the announcement of the results, pandemic restrictions made it hard to mobilise opposition ahead of the vote. In recent years the authorities had made it progressively harder for people to come together to express dissent.

Before protesting, you need to let the local government know that you want to hold a meeting and you need their approval. In many cases, the process of seeking approval is unsuccessful. The very fact that there is this procedure to follow is a threat in itself. According to international standards, this is not how it should work.

You need to apply for authorisation in advance. How long in advance will depend on the region, but let's say you need to apply with seven days in advance, then wait for the permit to come through, and only then, if it does, you can hold your rally. This means that you are deprived of the means to react quickly when something serious happens, whether it's someone getting killed or doubts about election results. You cannot protest in reaction to events; you need to apply for a permit and wait

several days. However, the emotion and the energy that these events elicit tend to decrease with time, and it is highly likely that they will cool off in a week or two, which is precisely what the current legislation seeks to achieve.

If your rally is approved, most likely you won't be detained. But rallies about controversial issues are often not approved, and if you don't have authorisation and you rally anyway, you will probably be detained, then sent to a police station and then to court. When demonstrations are suppressed, you can also be beaten by police forces. It is not too frequent, but it sometimes happens that police officers hit protesters with their batons, or 'democratisators', as we call them.

If you are prosecuted and it's your first violation of assembly rules, you will only get fined, but if you are a repeat offender, you may be sent to jail for 10 to 15 days. If you are an activist, it is just a matter of time for you to get caught for a second or third time. Now, the system is absurd, because it implies that the nature of the offence changes when it's committed repeatedly: when you violate assembly rules for the first time, it is considered a misdemeanour and it's dealt with by the administrative court system, but when you violate them for the third time, it becomes a felony so it is dealt with through the criminal system, along with serious crimes such as murder and kidnapping.

On 10 March, the day that the proposal to cancel term limits was first made in the Duma, Russia's parliament, mass events involving more than 5,000 people were **banned** ⁷ in Moscow on pandemic grounds, making an application to hold a protest rally of around 50,000 people redundant. Protesting became even harder in December, when restrictions on civil society funding were **extended** ⁷ to assemblies, resulting in a ban on protests receiving funding either anonymously or from abroad. Single picket protests – an increasingly common protest response as people try to get round protest restrictions, as seen in **2019 climate protests** ⁷ – quickly rose as an alternative to complain about the term-limits move. A small protest against the constitutional changes also mobilised in St Petersburg in July, but was **halted** ⁷ on the grounds of blocking traffic. In contrast to these restrictions on gatherings, and as the number of Russian cases of COVID-19 infection passed 600,000, the government pressed ahead with its Victory Day **military parade** ⁷ in June, bringing thousands of people together in a patriotic show of military might on the eve of the vote. It seemed

clear that public events critical of the government would not be possible on pandemic grounds, but others, including a ceremonial vote, could go ahead.

The Russian government has used the pandemic as an excuse to violate human rights. Russia has been among the **worst-hit countries** in terms of COVID-19 infections and deaths, but it has also been one of only a few countries in Europe to allow people into football stadiums, cinemas and theatres; even the metro system, which is really crowded all the time, is functioning as always, while all rallies and protests have been prohibited, allegedly because of the pandemic.

Civil society understands better than the government all the negative impacts of COVID-19, and it does not intend to call for a big rally. All it wants is for people to be able to hold small demonstrations, even one-person protests or single pickets, which are supposed to be the only kind of demonstration we are allowed to hold without giving prior notice to



Repression through restrictive legislation, criminalisation, smears, violence and killings has intensified in Russia following the 2019 mass protests. Photo by Andrey Rudakov/Bloomberg via Getty Images

the authorities. That is one reason why single pickets have been on the rise over the past few years. But repression against them has been on the rise as well, and restrictions have also applied during the pandemic, even when they pose no threat to public health at all. In the first half of 2020, there were around 200 detentions of solo protesters, more than in any previous year. In fact, I was among those **arrested**, although not for reasons related to my work with OVD-Info. As a CSO we try to remain politically neutral, while I, as an individual civic activist, held a solo picket and was detained for it. I am now bringing my case to the European Court of Human Rights.

I was upset to see that nobody around me was angry enough. Major opposition parties and politicians didn't call for people to vote against reform, they just said nothing. They didn't even object to a vote under the pandemic. For me, this was a criminal decision, unnecessarily endangering dozens of millions of people by having them go out to vote in the midst of a pandemic. I am in an election committee and in every election I serve as a poll worker – I go to the local school and sit there all day looking for people's names on registries, handing them their voting papers, signing next to their names – but this time I didn't do it because I feared for my health. I didn't want to be in a room with so many people in the middle of a pandemic.

Civil society was not too active either. One of the best-known Russian CSOs, Golos, which focuses on voting monitoring, shed light on the issue, **denouncing** that the vote was rigged and the results were falsified. But civil society as a whole didn't really face the problem, and I think the pandemic might have something to do with it, because in normal times they would have rallied in protest, but right now the pandemic makes it extremely complicated.

Not everyone was silent. Alexei Navalny, long a thorn in the side of President Putin, was perhaps the most prominent opposition figure to denounce the vote. An anti-corruption activist who had repeatedly faced criminal charges and been blocked from standing in elections, Navalny was **poisoned** in August. Evacuated to Germany, he eventually recovered from a life-threatening attack. Tests showed he had been poisoned with **Novichok**, a deadly nerve agent that was developed in Soviet Russia and has only ever been used against **opponents** of Russia's rulers.



A woman holds a sign in Russian that reads 'We are Navalny' outside the hospital where Alexei Navalny is being treated on 24 August 2020 in Berlin, Germany. Photo by Sean Gallup/Getty Images

When Navalny returned to Russia in January 2021, he was immediately **detained** ⁷, and the following month sentenced to two years and eight months in jail. Large-scale protests were sparked both when Navalny was detained and sentenced, and when he shared a video showing an **opulent** ⁷ Black Sea palace, allegedly built for Putin at the state's expense. Mass **protests** ⁷ in solidarity with Navalny on 23 January 2021, embracing some 110 cities, saw some 5,000 people arrested. A similar number were **arrested** ⁷ in further protests held on 31 January 2021. When **further protests** ⁷ followed Navalny's sentencing, police used force, including electric shocks and beatings. Over 1,000 more people were detained, and many of those in detention were denied the most basic assistance, including water, food, medicines, a phone call and access to

lawyers. Some reported being tortured or otherwise badly treated while in detention, and several journalists covering the protests were **detained** ⁷. By March 2021, it was **estimated** ⁷ that at least 11,000 people in 125 cities had been detained, including at least 150 journalists. Those protesting included people who were not necessarily supporters of Navalny, who has a nationalist **background** ⁷, but could see the obvious injustice in his treatment and viewed it as indicative of an abusive state and dictatorial leader. People protested even if they believed that Russia does not need another charismatic nationalist leader as the answer to its problems.

The attempt to assassinate Navalny highlighted the deadly dangers that those who oppose President Putin's power can face. It takes considerable courage to stand up to Putin's authoritarian power. But there are still brave people who will keep finding new and creative ways of expressing dissent, and if there is hope for the future of Russian democracy, it is in these responses.

Human rights activists are like mushrooms after the rain: we multiply in reaction to human rights violations. After each new wave of repression, activism increases and new CSOs arise. OVD-Info was established in reaction to the repression of big protests that were held after parliamentary elections, and nine years later we are still growing. 2019 was a year of mass persecution and many promising projects were developed in reaction. For example, we now have a big Telegram chat, 'parcels to police stations', which is activated when someone is detained and needs water, food, a phone charger or any other essentials, and we coordinate so someone will go to that police station and deliver them to the detained person. This is a way for anyone to show solidarity. By participating in this, those who are afraid to rally can still make themselves useful without being at risk. We have another initiative, 'taxi for prisoners', through which people will volunteer to give you a ride or get you a taxi if you are under arrest and let go from the police station in the middle of the night, when there is no public transportation.

When I was detained earlier in 2020, I was fined, and I benefited from another initiative called 'picket man', which resorts to crowdfunding to pay the fine for you. There is always a new initiative to fight back against any rights violation, and as new restrictions are imposed, human rights activism is expected to increase.

UGANDA: HOPES FOR CHANGE DISAPPOINTED

Similarly facing few constraints on his continuing power is Uganda's President Yoweri Museveni, who has ruled the country since 1986 and started his sixth term following the January 2021 general election. Museveni has won successive elections characterised by increasing levels of violence, intimidation of opposition and voting fraud, having rewritten the constitution to erase term limits and remove the age limit that once would have forced him to retire.

In the 2021 election, Museveni however faced a credible threat to his continuing rule, in the form of singer and actor Bobi Wine, who was elected to parliament in 2017 and campaigns against Museveni's authoritarianism. His candidacy turned the presidential race into a clear choice: continuing autocratic rule under Museveni, or a change of direction under the leadership of a candidate young enough to be his grandson, whose lack of experience was presented as



People demonstrate in support of Bobi Wine's candidacy on 3 November 2020 in Kampala, Uganda. Photo by Luke Dray/Getty Images

an asset. Wine's candidacy provided a rallying point for those disaffected with Museveni: for people deprived of their civil and political rights, for the many young people struggling to find jobs and make a living, and for anyone who felt that 35 years under the same president was too much.

Speaking before the election, **Mohammed Ndifuna** [↗] of **Justice Access Point-Uganda** [↗] set out what made Wine an appealing prospect for many voters and a threat to the establishment:

Bobi Wine is a singer and actor who is also an activist and a politician. As a leader of the People Power, Our Power movement, he was elected to parliament in 2017.

Bobi's appeal among young people is enormous, and let's keep in mind that more than 75 per cent of Uganda's population is below the age of 30. This makes young people a significant group to be wowed. It is Bobi Wine who appears most able to galvanise young people behind his candidature. Although not an experienced politician, Bobi is a charismatic firebrand who has been able to attract not just young people but also many politicians from traditional political parties into his mass movement.

Bobi Wine, long known as the 'Ghetto President' [↗], has taken advantage of his appeal as a popular music star to belt out political songs to mobilise people, and his roots in the ghetto also guarantee him an appeal in urban areas.

Given the ongoing cut-throat fight for young people's votes, it is no surprise that the security apparatus has been unleashed against young people in an apparent attempt to stem the pressure they are exerting. Political activists linked to People Power have been harassed and, in some instances, killed. People Power's political leaders have been intermittently arrested and arraigned in courts or allegedly kidnapped and tortured in safe houses. In an apparent attempt to make in-roads into the ranks of urban young people, President Yoweri Museveni appointed three senior presidential advisors from the ghetto.

But the appointment of advisors was not Museveni's only response to the threat Wine presented to his continuing rule. The run-up to the election saw an evident intensification of repression. Bobi Wine was repeatedly targeted. In August, he was served with a **criminal summons** [↗] for alleged irregularities in

the paperwork he submitted to stand in the election. In November, shortly after the National Unity Platform party nominated him to stand as its candidate, he was **violently arrested**. The party's offices were raided in October and sealed off in November when Wine tried to launch his manifesto. Later that month he was detained for three days on the grounds of having exceeded crowd size limits imposed under pandemic regulations at an election rally. This arrest sparked **protests** that were met with security force violence, with dozens of people **killed**, many due to gunfire, and hundreds of arrests. In December, Wine's bodyguard, **Francis Senteza**, was killed after being run over by a military police truck as he tried to help journalists injured after the police fired teargas cannisters into a protesting crowd. **Violence** was routinely levelled against opposition supporters. Opposition rallies were targeted for police



Bobi Wine parades through crowds in the Kayunga District of Jinja, Uganda on 1 December 2020. Photo by Getty Images/Getty Images

action on the grounds of breaching pandemic rules, while ruling party events were often **allowed** to go ahead. And then following the announcement of the election results, Wine was placed under house arrest, with the military surrounding his house and denying visitors for over a week.

Wine was not the only one attacked for daring to offer political competition. In March, Henry Tumukunde, who had also declared his candidacy, was **arrested** on treason charges and denied bail until May. Curiously, while in other countries people were being released from detention to reduce the risk of COVID-19 infection, in his case the pandemic was used as an excuse to deny him bail. That same month, filmmaker Moses Bwayo was remanded for making a film about Bobi Wine. In April, TV reporter Samson Kasumba was **arrested** on the grounds of sedition and an opposition politician, Francis Zaake, was reportedly **tortured** by security forces after being arrested for distributing food parcels to people affected by the pandemic; Museveni claimed such actions were spreading the virus and ordered a crackdown, while those who protested against the state's slow and inadequate efforts risked arrest. Primary elections in September were marred by **violence**. In December, several journalists were **injured** while covering opposition events, including through police beatings and the firing of teargas cannisters. Such was the level of state violence against journalists that in December, over 100 journalists **walked out** of a media conference with military representatives over the military's failure to apologise.

These events came on top of a civic space crackdown sustained over years and characterised by the passage of numerous laws restricting CSO and media activity, raids on CSO offices and repression of most forms of protest. In August, the intrusive state went to ridiculous lengths to further limit criticism, when draft **regulations** were announced to make comedy performers sign a code of ethics and submit their scripts for approval, in retaliation for mockery of the government. 2020 saw several arrests of comedians, musicians and anyone who used their public platform to question or satirise government figures. In September, it was announced that anyone wishing to publish information online would need to apply for a licence; curbs on online expression were particularly concerning given the constraints on conventional campaigning during a pandemic election. In October, TV stations were **banned** from hosting politicians wearing red berets, a symbol of the National Unity Platform. In December, all foreign journalists were required to apply for **reaccreditation**.

Two days before the January vote, a nationwide internet **shutdown** ⁷ was imposed and access to social media and online messaging apps suspended.

On 7 September, the Uganda Communications Commission (UCC) issued a public notice stating that anyone wishing to publish information online needs to apply for and obtain a licence from the UCC before 5 October. This will mostly affect online users, such as bloggers, who are paid for published content. Obviously, this is meant to stifle young people's political activities online. And it is also particularly concerning because, as public gatherings are restricted due to COVID-19 prevention measures, online media would be the only method of campaigning allowed ahead of the 2021 election.

Civic space in Uganda may be characterised as harassed, stifled and starved. It would seem like civil society has been on a slippery slope of sorts, with things turning from bad to worse. For instance, CSOs have witnessed a wave of brazen attacks against their physical space in the form of office break-ins and broad-daylight workplace raids. In the meantime, there seems to be no let-up in the waves of attacks against CSOs, and especially against those involved in human rights and accountability advocacy. Over the past few years, an array of legislation and administrative measures has been unleashed against CSOs and others, including the Public Order Management Act (2012) and the NGO Act (2016).

The Minister of Internal Affairs has ordered all CSOs to go through a mandatory validation and verification process before they are allowed to operate. Many CSOs have not been able to go through it: by 19 October, only 2,257 CSOs had successfully completed the verification and validation exercise, including just a few that do mainstream advocacy work on governance.

Voting took place in an intimidating atmosphere, with soldiers and police patrolling the capital, Kampala, from where Wine drew much support, on foot and in armoured military vehicles, with the military particularly present in neighbourhoods where Wine voters were concentrated. The election's official results showed Museveni taking around 58 per cent of the votes to Wine's 35 per cent, but it was not only Wine who claimed fraud. Numerous credible election observers were **denied** ⁷ accreditation. The US government



People vote at a polling station in Kampala, Uganda on 14 January 2021. Photo by Luke Dray/Getty Images

cancelled ⁷ its mission when over 75 per cent of its accreditation requests were turned down, while the EU **decided** ⁷ not to send a mission on the grounds that its recommendations following the previous election had been ignored.

Civil society efforts to ensure a free and fair election met with state repression. In October, the activities of National Election Watch Uganda, a civil society coalition, were **suspended** ⁷ and in December the bank accounts of at least four CSOs that planned to observe the election were **frozen** ⁷ on money-laundering charges. On election day, police **raided** ⁷ a civil society observation centre, arresting at least 25 people. The African Elections Watch Coalition, which was able to deploy around 2,000 observers, reported clear irregularities, including tampering with ballot papers, missing ballot papers and the late opening of most voting stations. But despite the evidence, Uganda's neighbouring states were quick to congratulate Museveni on his win.

As well as Wine's house arrest, his party's headquarters were subjected to a **military raid**, as officials were meeting to plan a legal challenge to the results. In February, Wine **withdrew** his legal action, on the grounds that the judiciary was not independent and would not consider his claim fairly. Museveni seemed secure and Uganda had missed a chance to change. Sadly, this means Museveni's sixth term can only bring more of the same repression.

MALAWI: A HISTORIC FIRST FOR AFRICA

In contrast, Malawi's June presidential election broke new ground. For the first time, an African country saw a change in government resulting from an election that was rerun after its Constitutional Court **overturned** the original result. These events offered hope that safeguards to defend democratic freedoms are becoming stronger in Malawi.

Incumbent President Peter Mutharika claimed victory and a second term following the 2019 election, but widespread protests and legal action followed the announcement of the results, and the election was annulled by the Constitutional Court in February. As **Michael Kaiyatsa** of the **Centre for Human Rights and Rehabilitation** relates, civil society pressure played a key part in bringing about the decision to hold the election again:

I think it is fair to say that judges and civil society-led protests paved the way for the fresh presidential election to be held.

In the May 2019 presidential contest, the incumbent, Peter Mutharika, was declared winner. However, the opposition claimed the poll had been fraudulent. They cited, among other things, the alleged use of Tippex correction fluid to change vote tallies. Dr Lazarus Chakwera of the Malawi Congress Party and Dr Saulos Chilima of the United Transformation Movement petitioned the Constitutional Court, seeking to overturn the presidential election results. The two cited widespread irregularities, including the use of Tippex and missing signatures on some result sheets.

The Constitutional Court's historic ruling, later validated by the country's Supreme Court, represents a noteworthy illustration of the independence of the judiciary in Malawi's maturing democracy. However, key to the ruling was not only the independence of Malawi's judiciary but also months of civil society-led mass demonstrations. The protests were so

sustained and vigorous that they could not be ignored by key democratic institutions like the judiciary. The Human Rights Defenders Coalition, an influential civil society grouping, courageously brought thousands of people to the streets on a regular basis to campaign against the botched outcome of the 2019 election. This was particularly important because it significantly increased the pressure on the judiciary and other key democratic institutions to do the right thing.

This is not to underrate the role played by the judiciary. The judges really stood up to defend democracy. Prior to the Constitutional Court ruling there had been several attempts to bribe the judges to ensure that the ruling went in former President Mutharika's favour: one prominent banker was arrested in connection with the **bribery case**. There were also numerous threats to the independence of the judiciary prior to the rerun, including a government **attempt** to force out senior Supreme Court judges through early retirement just days before the rerun. The judges could have easily succumbed to such intimidation and ruled in favour of Mutharika, but they did not. Instead, they stood firm and delivered a radical judgement that has changed the way Malawi is governed.

In protesting against the 2019 result, people faced considerable danger, with **reports** of police brutality and gender-based violence against women protesters, and the state **continued** its attempts to suppress dissent and debate ahead of the new vote. In March, three protest leaders associated with the Human Rights Defenders Coalition were **arrested**; they had declared they would march on government headquarters in protest if the government did not pass legislation to enable the 2020 election. **Judges** faced criticism and harassment, sparking 'hands off the judiciary' protests. But crucially, there were instances of the army stepping in not to suppress protests, but to **protect** protesters and enable events to go ahead.

The rescheduled election was of course held during the pandemic, raising the fear that President Mutharika would use the growing crisis as a pretext to postpone the election and extend his stay in power. Civil society was at the forefront of urging that the election should be held safely rather than postponed. This came together with a concern that the government was not giving adequate support to the many people left without incomes under lockdown measures.

Civil society wanted the lockdown to be put on hold until the government could come up with some way to protect the country's poorest and most vulnerable people. Civil society groups were unhappy that the government did not outline a social safety net for vulnerable people during the lockdown, which prompted the Human Rights Defenders Coalition and other CSOs to seek a **stop order** from the court. It is a fact that many people in Malawi operate on a hand-to-mouth basis.

It is also important to note that the civil society challenge came after thousands of informal traders in the cities of Blantyre and Mzuzu and in districts like Thyolo had taken to the streets to protest against the lockdown with placards that read, 'We'd rather die of corona than die of hunger'. Many of these vendors are daily wage earners and a lockdown could have badly affected them. There was growing suspicion among civil society and the citizenry that the government was trying to use the lockdown to justify the cancellation or postponement of the election.

Holding the election under the pandemic presented a new range of challenges, and one of the problems was that parties routinely flouted the ban on large gatherings, even though doing so risked placing an even greater strain on the country's health infrastructure.

The experience in Malawi has shown that organising elections during a pandemic can be very challenging. The prevention measures outlined by the government do not allow gatherings of more than 100 people. However, most political parties ignored this restriction and held campaign meetings exceeding this number.

A key challenge faced by the Malawi Electoral Commission (MEC) during this fresh election was the need to put the health and safety of voters first while ensuring the integrity of the election. The MEC usually has a voter education budget that is utilised ahead of each election. However, given that this fresh election was not budgeted for earlier, the MEC faced financial challenges, which deepened as a result of the COVID-19 pandemic, which required the procurement of personal protective equipment (PPE), adding further budgetary constraints.

The MEC also experienced significant challenges with the production and distribution of voting materials. Malawi imports many election

materials from other countries. As Malawi was gearing up for the fresh election, many countries were on full or partial lockdown. This impacted on election preparations, as some suppliers found it difficult to transport goods internationally. Because of all this, there were significant delays in the printing of ballot papers, which was done in Dubai.

Another challenge was that political parties were not able to monitor the ballot printing process, as has always been the case, due to COVID-19 related travel restrictions. A further important consequence of the pandemic was the absence of international election observers. With international travel restrictions imposed worldwide, the ability of international observers to observe the election was dramatically restricted. And the pandemic affected voter turnout.

Turnout was lower, as unsurprisingly some people worried about the risk of infection decided to stay at home. Civil society was also less able to play its normal role in educating and mobilising voters.

There were worries that Malawians would not come out in their numbers to vote because of health concerns caused by the pandemic. These fears were partly realised. The voter turnout was lower than in the previous election. Of the 6,859,570 Malawians registered to vote in 2020, around 65 per cent voted. This was down from May 2019, when roughly 74 per cent of registered voters participated. But the low turnout could also be attributed to inadequate voter and civic education campaigns. Unlike in previous elections, most CSOs were unable to conduct civic and voter education due to resource challenges. The uncertainty of polling dates made it difficult for CSOs to mobilise resources. The MEC did not give people confidence that the election would take place within the stipulated 150 days. The official date for the polls was fixed only around two weeks before the election, so mobilising resources to conduct civic and voter education at such short notice was not easy.

However, it is also true that some Malawians may have avoided the polls because of the growing pandemic. By election day, there were 803 documented cases and 11 recorded COVID-19 deaths in Malawi so some people – possibly older people and those with pre-existing health conditions – may have stayed away.

When the votes had been counted, Malawi had a new president. A formerly divided group of opposition parties united behind the 2019 runner-up Lazarus Chakwera, who enlisted as his vice-presidential running mate Saulosi Chilima, who had split the opposition vote to come third in 2019. Unity accounted for the decisive 59 per cent of the vote obtained by the new president, against the 39 per cent retained by Mutharika.

Changes of president always offer opportunities for civil society advocacy and hopes for the development of more constructive relationships. These hopes are not always realised, as sometimes civil society finds little has changed other than the name on the door. In Malawi, the new president **vowed** to tackle corruption and launched investigations into some deals and suspended some contracts agreed by the previous government. Some prominent officials associated with the former regime faced police investigation and arrest, on charges related to corruption and violent conduct. President Chakwera **committed** to put into practice the Access to Information Act, which was passed in 2017 but has yet to be implemented. The new government also set out a budget containing a minimum wage increase, subsidies for small farmers, more funding for small business creation and the expansion of a scheme to encourage more women and young people to start businesses. However, President Chakwera faced criticism for the narrowness of this cabinet appointments, selecting most ministers from his home region, including six who are related to him. It is not clear whether he will continue his predecessor's policy of close relations with China, which invested heavily in big infrastructure projects in Malawi. Civil society will need to not just hope, but work to hold the new administration accountable.

One of the key expectations is that the new government will place the promotion and protection of human rights at the top of its agenda and strengthen the fundamental freedoms of all Malawians in line with international human rights standards. It is also hoped that the government will move to protect the space for civil society. The fresh presidential election took place amidst concerted government attacks on civil society and the judiciary. It is our expectation that the new government will fulfil its election promise to protect civic space and allow CSOs to operate freely.

In its 2019 election manifesto, the Malawi Congress Party promised to

support the operations of local and international human rights CSOs through a permissive and enabling policy and institutional and legislative framework and to facilitate the progressive development of a civil society that is fully capable of holding the government accountable and defending citizens' rights. It is our hope that the new administration will walk the talk on this promise and withdraw the oppressive NGO Act (Amendment Bill) of 2018, which contains a number of provisions that could pose a threat to CSOs' ability to operate.

TANZANIA: WHAT NEXT AFTER AN UNEXPECTED CHANGE?

Change came unexpectedly in Tanzania. President John Magufuli seemed all set to continue to dominate the country's politics. In the October election, he took 84 per cent of votes to win a second term, while his party, Chama Cha Mapinduzi (CCM), which in various incarnations has held uninterrupted power since independence in 1961, captured 261 out of 264 parliamentary seats, making Tanzania effectively a **one-party state**. But Magufuli did not have long to enjoy his triumph. He died in March 2021, reportedly of heart failure. Before then, he had not been seen for more than two weeks, and rumours swirled that he was in a Kenyan hospital, ill with COVID-19.

It may never be known whether it was indeed COVID-19 or a heart problem that killed Magufuli, but if it was the former, it would be grim irony indeed. President Magufuli presided over a policy of blanket pandemic denial, as one of the handful of rogue heads of state who outright denied scientific advice. The government stopped publishing data on COVID-19 cases in April 2020. It decided not to implement lockdowns or promote distancing and provided little testing. Magufuli discouraged mask use, instead urging the power of prayer against the virus, actively **encouraging** mass religious gatherings. His health minister promoted supposed herbal **cures** with no basis in science and by June Magufuli was **insisting** that, thanks to prayer, Tanzania was miraculously free of the virus.

Against official disinformation it became hard to circulate information grounded in reality. In March, the Tanzania Communications Regulatory Authority **warned** against the publication or dissemination of 'fake news' and 'disinformation' about COVID-19, which in practice meant that those who



President Magufuli's coffin arrives for a final service before a private burial is held on 26 March 2021 in Chato, Tanzania. Photo by Luke Dray/Getty Images

questioned the government's failure to take the pandemic seriously could expect punishment. In April, several media outlets were **fined** over their coverage of Tanzania's lack of pandemic response, while the online licence of the Mwananci newspaper was **suspended** for six months after it published a photo of President Magufuli surrounded by people without any distancing. In July, Kwanza Online TV was **banned** for 11 months after it reposted a health alert from the US embassy in Tanzania warning of the 'elevated risk' of the pandemic and pointing out that the government had stopped issuing statistics; the regulatory authority described this post as unpatriotic and impacting on security, unity and the economy. In an indication of how tightly online content is policed, even as harmless an act as **mocking** an old photo of the president, as comedian Idris Sultan did in May, produced the response of an arrest and charges of cyber-bullying.

For civil society, already squeezed by a barrage of restrictions, it was **difficult** to argue back against the government's denial. Self-censorship was understandable. Yet denial did not make the problem go away. Magufuli's death understandably made headlines; the sad loss of many others who paid with their lives for his refusal to act responsibly did not. By February 2021, Tanzania's **hospitals** were full of people with COVID-19 symptoms and the number of **funerals** skyrocketed. Several other high-level officials died, including **Seif Sharif Hamad**, vice-president of Zanzibar, or were reported to be ill. Still the denial continued. When people died or got ill, the cause was rarely given as COVID-19, in an echo of the times when people were always reported to have died from something other than HIV/AIDS. Even in his last weeks, although he finally advised people to wear masks, Magufuli **cast doubt** on vaccines and the government said it had no plans to accept them, while the rest of the world were clamouring for them. Even as he lay dying, people were **arrested** for sharing stories about the president's ill health.

Magufuli's insistence that he knew best and the rest of the world was wrong was characteristic of his highly personalised style of autocratic rule. There was no doubt that his populist approach, **nationalist** rhetoric and bluff persona played well with many voters, particularly in rural Tanzania. But it went hand in hand with an intolerance of dissent and dialogue, a lack of willingness to hear and consider other views that left little room for civil society. It was consistent with an approach that pursued economic development at all costs. Magufuli seemed keen to turn Tanzania into another Rwanda, with rapid economic development but suppressed human rights and minimal democratic freedoms. The economic slowdown that would have come with measures that took the pandemic seriously represented a threat to this plan, and so instead the cost was people's lives.

In line with Magufuli's view that political pluralism would only get in the way of his development plans, in 2019 a CCM politician **suggested** that the presidential election simply be scrapped and President Magufuli reappointed to save costs. Tanzania did not become a de facto one-party state by accident, but rather as the result of a concerted attempt to concentrate power and crush any form of opposition or dissent. In the October vote, the government displayed the full set of tactics available to distort the outcome of elections,

encompassing violence, intimidation, criminalisation of the opposition, ballot stuffing, an internet shutdown and the prevention of electoral scrutiny.

Chadema, the main opposition party, was repeatedly **targeted**, its leaders continually criminalised and harassed. The examples were enough to suggest a systematic attack. Defeated Chadema presidential candidate Tundu Lissu returned from exile to stand, having being **shot multiple times** in 2017. He was **banned** from campaigning for a week in October. Following the election, after he disputed the results and claimed widespread irregularities, he was subjected to hours of **police interrogation**. Several other Chadema leaders were **arrested** to prevent them taking part in planned protests to dispute the election results, **among them** party chair Freeman Mbowe, who had been **hospitalised** after being beaten in June and detained in March. They were accused of violent protests and planning arson attacks, and charged with terrorism-related offences. **Hundreds** of other Chadema supporters were reported to have been arrested.

In August, Chadema's northern offices were **firebombed**. In March, nine Chadema leaders were **convicted** of making seditious statements at a 2018 rally. Opposition activists were beaten, threatened and faced police harassment, and some opposition candidates were **prevented** from standing in the parliamentary election, meaning that in **28 constituencies** CCM was elected without competition. Political gatherings had been **banned** as far back as 2016, but in practice the ruling only applied to opposition rallies. Several members of another opposition party, the Alliance for Change and Transparency, were **arrested** in June for holding an unlawful assembly when they convened an internal meeting. One of its leaders was **detained** for 27 days. The continuing level of threats towards opposition leaders after the election was such that several fled into exile.

Voting took place in an atmosphere of intimidation and harassment with a heavy armed presence on the streets. In the semi-autonomous administration of Zanzibar, **violence** and arrests marked the days immediately preceding the voting. The military was deployed and there were reports that the police had **shot** several people dead ahead of voting, when they fired on opposition supporters who tried to stop the army distributing ballot boxes they believed were pre-filled.

As well as reports of **pre-filled ballot papers**, there were allegations of **ballot stuffing**, ballot-box snatching, repeat voting and the turning away of **opposition voters** from some voting stations. For scrutiny over claims of fraud, the election commission could not be trusted as it is **not independent**; its head is appointed and can be dismissed by the president. It was quick to certify the results, after which there is no possibility in Tanzanian law of mounting an appeal. Independent scrutiny was restricted through a range of means. Election observation was limited, with the government placing barriers in the way of registration and some observers **not allowed** to enter Tanzania, while opposition parties were not allowed to observe at some voting stations. Several major international media networks were not accredited to cover the election and some key international observers, such as the EU, were not invited. Ahead of the election, new laws **limited** international media's ability to cover events. The laws mandated broadcasters to seek permission from the government for their coverage seven days in advance and to work with a government-appointed representative while putting together their coverage. Online content regulations were further **tightened**, and on the eve of the election and immediately after, major social media networks were **blocked**.

In January 2021, four CSOs sought accountability for the violations by **suing** the government in the East African Court of Justice for the election violence, including the killing, disappearance, violent treatment and arbitrary arrest of opposition supporters and officials. But during the election period, civil society's potential to offer scrutiny and help voters participate fully was also constrained. The state's relationship with civil society was characterised by a **worsening** atmosphere of suspicion and intimidation since President Magufuli came to power in 2015. Threats, harassment and violence were buttressed by changes to laws to restrict civil society's scope of operations. The space was further constrained in June with the **passing** of a law that means that only those directly affected by a rights violation will be able to bring public interest lawsuits. The new law, passed after minimal deliberation, prevents CSOs taking legal action to hold the authorities to account for violations. The law also extends total immunity to the president and other leading officials.

The difficult environment for civil society was further indicated in June by a **raid** on the Tanzanian Human Rights Defenders Coalition as it was holding

a training activity on security and safety; the police insisted that only they could provide such training. In August, its bank accounts were **frozen** ↗ by the police, reportedly on government orders, forcing the organisation to suspend operations and postpone activities ahead of the election.

Following Magufuli's death in March 2021, Vice-President Samia Suluhu Hassan was quickly and somewhat unexpectedly sworn in as Tanzania's new president, becoming the country's first female leader. She inherited her party's hegemony, but her elevation may mark a change of style at least. Her apparently less personally domineering approach offered some hope that there might be a shift towards a more consensual and consultative form of governance. Although President Hassan may find her room to manoeuvre constrained by powerful rivals who fancied themselves as Magufuli's successor, an early encouraging sign came in April 2021 when she **ordered** ↗ that media outlets shut down for criticising the government be allowed to reopen.

Unexpectedly, Tanzania has an opportunity to become more democratic. Much more reform is needed, not least to deal with Magufuli's dismal pandemic **legacy** ↗, and civil society will be looking for more signs that President Hassan is prepared to open up civic space and restore the institutions that Magufuli systematically weakened. Given that many opposition leaders are in exile or detained and dissenting voices are missing from parliament, Tanzania needs an enabled civil society and diverse and free media to help scrutinise decision-making, put forward alternatives and foster debate.

BURUNDI: CHANGE IN NAME ONLY?

A similar twist of fate was in store for Burundi, which also changed presidents in dramatic circumstances in 2020, although the prospects of a break with the past are uncertain there too. Authoritarian President Pierre Nkurunziza, who presided over appalling human rights abuses designed to crush all opposition, somewhat surprisingly decided not to stand again after 15 years in power, even though the constitution he had changed in 2015 enabled him to do so. That constitutional rewriting to enable Nkurunziza to stand for a third term in 2015 had **triggered** ↗ mass protests that were brutally repressed.

But Burundi's beleaguered civil society activists, many of whom were forced to flee the country in fear of their lives, held little hope that his handpicked

replacement would make much difference, and expected Nkurunziza to continue to pull the strings from behind the scenes. The ruling party's new candidate, Évariste Ndayishimiye, duly won the May election, held in the midst of the pandemic and riddled with irregularities. But then in June, before the official end of his term, President Nkurunziza suddenly died, reportedly of a heart attack, although as in Tanzania, rumours persisted that he had fallen victim to COVID-19. This sudden turn of events prompted speculation that more space could open up for civil society under the new president.

A Burundian **civil society activist** ↗, who understandably asked to remain anonymous for security reasons, criticised the decision to go ahead with the election under the pandemic, for reasons of political convenience to the ruling party:

Civic space in Burundi has been closed since April 2015, due to the political unrest caused by the decision of President Nkurunziza to run for a controversial third term. This led to widespread violence that left at least 1,200 people dead and forced 400,000 to flee the country. Surprisingly, in March, as the pandemic was spreading in almost all African countries, the Burundian authorities opened space for political campaigns to be held ahead of the May presidential, parliamentary and municipal elections. One can conclude that civic space is still closed in terms of being able to express any open criticism about how the country is politically run, including criticism regarding the way the government handled the pandemic during the electoral period.

The decision of the Burundian authorities to allow election campaigns to proceed during a period in which many other African countries were taking measures of confinement to stop the spread of COVID-19 was viewed as denial of the reality of the pandemic to save the political interests of the ruling party, the CNDD-FDD (National Council for the Defence of Democracy-Forces for the Defence of Democracy), to the detriment of the public's health.

Despite fears of mass contamination, the election was rushed, at least in part, due to the opportunity to hold an electoral process in the absence of a sizeable number of independent and international observers who could denounce any irregularities. By doing so, given that the National Independent Electoral Commission was mostly composed of members of

the ruling party, the government ensured that it could manipulate the election results as much as it wanted.

The run-up to the election was **marred** by abuses and irregularities. In March, four out of 10 candidates had their applications to stand rejected; one was subsequently allowed to run on appeal. A few days later, Methuselah Nahishakiye, head of the opposition National Congress for Liberty Party, was **shot dead**; he had previously reported that the CNDD-FDD's violent youth militia wing, the Imbonerakure, had threatened to kill him. Other candidates were arrested. Violence and hate speech **flourished** as voting approached, and independent reporting on the election was systematically impeded, including through the arrests of journalists. On the day of the vote, prominent social media platforms, including Facebook, WhatsApp and Twitter, were **blocked**. There was no distancing in queues at voting stations, although people were instructed to wash their hands before joining the line.

Two months before the election, the United Nations (UN) Commission of Inquiry on Burundi **launched** an appeal to the international community, including the UN Security Council and regional institutions, to join forces to encourage the government of Burundi to reopen civic and political space, so that a free, transparent and credible election could be held. But on the day of the vote, the president of the UN Commission **stated** that the conditions to perform a credible and free election had not been met. International oversight was resisted: when election observers from the East African Community tried to attend, they were placed on a 14-day quarantine.

Unsurprisingly, given the tense atmosphere and multiple experiences of violations, many people were quick to doubt the official results. But the ruling party has a track record of brushing such accusations to one side, and self-censorship driven by fear of repression played its part in dampening down people's criticisms.

As soon as the Electoral Commission announced the results, opposition parties such as the National Council for Liberation, which came a distant second, **stated** in foreign media that the official numbers were not credible and were the result of massive fraud. The truth is that the

election was held in a context of continuing repression of the political opposition, independent media and civil society.

Low-key criticisms were made by others, including the Catholic Church, regarding incidents that marked the election processes. Others whispered, as it's not easy to make open criticisms, that election results were rigged. But that was it. Powerful members of the international community such as the governments of Belgium and the USA were fast to congratulate the elected president, and the East African Community congratulated Burundi for holding a 'peaceful and successful' election.

In my personal view, the outcomes of the election were eventually accepted because many feared that bloodshed could follow if an open rejection of the election results by the opposition was followed by street protests.

But then before the dust could settle, Nkurunziza passed and Ndayishimiye was immediately sworn in, starting his presidential term early. This raised the question of whether any potential had been opened up for reform by a new president unexpectedly unshackled from his domineering predecessor.

From a civil society perspective, the picture since has been mixed. **Concerns** were raised about President Ndayishimiye's inauguration speech. While he said much that people wanted to hear, including promising to reform the judiciary, hold abusive officials accountable, tackle corruption and protect victims and witnesses, and urging those in exile to return, he also used the occasion to denigrate human rights defenders and whistleblowers and assert that human rights restrictions are justified to preserve Burundian culture. He promised greater urgency on the pandemic, but also attacked people who refuse to get tested, potentially making them targets for violence. Two members of his new cabinet remain under international sanctions for their role in the 2015 violence.

While August saw the jailing of several police officers and Imbonerakure members for their role in the extortion of migrant workers, suggesting a possible step forward in challenging the worst abuses and impunity for these, the months following the election also saw cases of vandalism of opposition party offices. In September, the press conference of an opposition politician was **shut down** and he was **detained** on charges of trying to overthrow the

government, further prompting **concern** that little had changed. In February 2021 it was **revealed** that the previous June, 34 people in exile, including civil society leaders, journalists and lawyers, had been given life sentences in absentia following secret trials, news that will hardly encourage people to come home.

Some pretend to believe that the election of new leaders is synonymous with democracy. The outcome of the election helped Burundi change the faces of top leaders and show that the dictator who ruled us for 15 years is no longer leading the country. However, the human rights violations that took place during the electoral campaign, the appointment of officials under European or US economic sanctions for the human rights abuses they had committed and the political rhetoric describing some countries and their leaders as colonialists all show that democracy in Burundi still has a long way to go.

It is too soon to say whether the fact that Nkurunziza is out of the equation will allow the new administration to open up civic space and whether the new president will seize this opportunity. However, it is encouraging to see that the new president has already met with the leaders of other political parties, former Burundi presidents and Anglican and Catholic bishops, and has promised to promote dialogue. We are expectant to find out whether his words will turn into actions.

Some measures to fight against corruption and others abuses that President Ndayishimiye has taken since assuming office have allowed us to believe that the impunity that some local authorities enjoyed during Nkurunziza's administration might come to an end. At the same time, however, the Minister of Home Affairs has recently issued a note to halt the registration of all new CSOs and churches and the recognition of newly elected authorities of organisations, pending a new order. Such decisions are inconsistent with the change that is being sought. If maintained, they will hinder civil society from growing and becoming a legitimate and publicly recognised sphere.

In September, the UN Commission of Inquiry on Burundi **reported** that it had seen few positive changes since President Ndayishimiye took office and identified numerous rights violations that had been committed by Imbonerakure members and local officials with the aim of minimising opposition support. But

in November, the government moved to limit scrutiny; while the Commission of Inquiry's term was renewed for another year by the UN Human Rights Council (UNHRC) (see this report's chapter on civil society in the international arena), in November the government **ordered** the UN to close the office of its Special Envoy in Burundi, which the UN had hoped to continue for another year. The government said that the office was no longer needed as the situation is now 'calm and stable' and the election had marked a 'historic transition'.

Many outsiders seem keen to normalise relations with Burundi. Relations are being built with states to which the former president was hostile, including Rwanda and Tanzania. The government and the EU **resumed** political talks after a five-year suspension. But Burundi remains far short of even minimal standards of respect for civic space, democratic freedoms and the rule of law. Many remain in exile and face difficult conditions in neighbouring countries, such as in **Tanzania**, but are still too scared to return home. While some returned from Rwanda following the new president's inauguration, there were also reports that some returnees had been **disappeared**, while people still in exile remained targeted for **online hate speech**. Clearly, much more needs to happen if President Ndayishimiye is to be taken seriously as a leader of change.

WEST AFRICA: ANOTHER YEAR OF DEMOCRACY DENIED

Incumbents used elections to shore up their power across a swathe of **West African states**. In country after country, the practices were distressingly similar. Several incumbents, often of advanced age, refused to give up their grip on power; even if they did, no real alternative to the ruling-party candidate was on offer. Major sections of the public – often large, young, urban populations – demanded change, seeking a leader and style of government more in tune with their needs and values, and formed movements to seek change. Those movements were repressed. Violence was unleashed against protests. Leaders of movements seeking change and opposition politicians were jailed. Journalists were harassed and criminalised and social media was restricted. A flawed election was held. The incumbent or ruling party candidate prevailed. Often powerful outside states with vested interests – economic interests, or a willingness to overlook human rights abuses in favour of the notion of stability in a conflictual region –

rushed to call the election as free and fair and congratulate continuing power, or at least look the other way.

Amidst an established trend of **deteriorating civic space** in West Africa, events of the year made clear that much more needs to be done to hold presidents and the military to account, and to nurture high-level respect for democratic freedoms that speaks to the desires of the region's people to choose their leaders freely and demand more of them. More pressure needs to come from outside the region too – from regional and continental institutions, and from the global north states that invest in the region on the grounds of preventing conflict and combating terrorism – to ensure that democratic freedoms are respected and civil society is enabled rather than repressed. In a region marked by ongoing religious and ethnic conflict, frequent military intervention in politics and corruption, 2020 offered little encouragement that the light of democracy is burning brightly. What hope there is lies with the region's many young people who are mobilising to seek democratic and socially just alternatives.

GUINEA: TERM LIMITS ERASED

In Guinea, octogenarian President Alpha Condé won a third term in October, after pushing through a constitutional referendum in March that reset **presidential term limits** to enable him to run again. Following a tactic commonly seen with such referendums and related votes – as also seen in Russia – the term limits proposal was bundled in with a range of **other measures** that might be more popular and could be positioned internationally as liberalising, including measures to advance women's rights and benefit young people: changes the president could have pursued at any time in his two terms without erasing term limits. With the change duly sanctioned in a March vote **boycotted** by the opposition and **characterised by** lethal violence, detentions of activists and opposition figures, attacks on journalists, social media **blocks**, internet disruption and the withdrawal of key international observers, Condé pressed ahead. The March referendum seemed even more a ceremonial endorsement of Condé's position when it was revealed that the new constitution **contained** additional extensions of presidential power not contained in the draft people had voted on.

The climate in the run-up to the October election was violent. At least **12 people** were reported dead at a protest in April, with security forces using live ammunition and groups linked to the ruling party blamed. There were lethal **attacks** on mosques and churches. A broad movement, the National Front for the Defence of the Constitution (Front national pour la défense de la Constitution, FNDC), mobilised in 2019 to try to resist the third-term change, but several of its leaders were detained and planned FNDC protests were **banned**. And then in post-election violence over 20 people were **reported killed**, with the total likely higher, as once again security forces fired live ammunition at protesters. The pattern repeated itself, as again internet and phone connections were severely restricted, and journalists covering the opposition campaign were attacked. Like in Uganda, defeated opposition candidate Cellou Dalein Diallo was confined to his home and protests remained banned. President Condé undoubtedly got his way, but through a process that was hardly the semblance of democracy.

TOGO: A DYNASTY STRETCHES INTO ITS SIXTH DECADE

Togo's President Faure Gnassingbé, who inherited the presidency from his father in 2005, could relax secure in the comfort of a fourth term after winning the February election, ensuring the perpetuation of a family dynasty that has held power since 1967. As in Guinea, the constitution had been **reworked** in 2019 to enable him to run again, not just in 2020 but in 2025 if he wishes; the revised constitution also gives him broad legal immunity against ever being held to account. Key Togolese civil society groups were barred from observing the election, staff of the National Democratic Institute who were working with them were **kicked out** of the country and a planned electronic security system for the votes was scrapped. On election day, social media was **disrupted**. Following the election, the pattern of house arrest for a defeated opposition candidate was followed, as Agbéyomé Kodjo was **confined** to his home and accused of planning a coup after disputing the results. Two members of a human rights network who tried to observe his arrest were detained and teargas was used against a group of journalists covering the event.

Before and after the election there was extensive censorship and repression of dissent. In March three newspapers were **suspended** from publication when they accused France of supporting dictators in Africa and not supporting democracy in Togo; this was clearly a sensitive subject. The reporting of

corruption was another apparently taboo topic. In November, a newspaper editor was **found guilty** of defamation for publishing a story about embezzlement in the petrol import industry, and in December a journalist was detained and a newspaper **ordered to close** after reporting on government corruption. It was also **reported** that government critics were being subjected to surveillance, using the Pegasus software developed by an Israeli company that is only sold to states. Clearly, Togo remains a name-only democracy in which dissent is not welcome.

NIGER: MORE OF THE SAME OR AN OPPORTUNITY FOR REAL CHANGE?

Corruption was a sensitive topic in Niger too. Throughout the year those who reported on or sought accountability over a military procurement embezzlement scandal could expect repression. A leaked official audit report **stated** that the country had lost at least US\$137 million in corrupt arms deals, including as a result of deliberate overpricing, forged documents and the channelling of funds through fake companies. Exposure of the scandal was deeply embarrassing for the military, which has a history of staging coups, particularly given that many global north states have backed the government, which has positioned itself as a key regional bulwark in the fight against Islamist terrorism, including by hosting several foreign military bases. But such corruption is a legitimate source of anger in a country in which **over 40 per cent** of people live in extreme poverty.

In March, a **protest** over military corruption was dispersed with teargas and security force beatings, and three people died in a fire reportedly started by a teargas canister. Several people arrested at the protest remained in lengthy detention, with the final three **released** only in September. The protest had been prohibited under pandemic regulations, but protests hostile to the government had been repeatedly **banned** before the pandemic, suggesting that the virus was just the latest convenient pretext. April saw a leader of two anti-corruption organisations **summoned** for questioning on the grounds of defamation, while in June a **defamation charge** was also brought against journalist Samira Sabou, who posted on Facebook about military embezzlement; she was detained for **48 days**. Another journalist was **detained** in July for posting that companies involved in the embezzlement scandal were renegotiating payments to avoid prosecution. In January 2021,

investigative journalist Moussa Aksar was **summoned** on defamation charges for an article he published on military corruption the previous September. Further protests on corruption and poor governance were banned as the year went on.

But in one important respect, Niger bucked the trend. President Mahamadou Issoufou respected the constitutional two-term limit and did not stand again, perhaps mindful of the protests that had stopped his predecessor's third-term bid in 2010. His party remained in power with the election of President Mohamed Bazoum, who won February 2021's run-off vote, held after no candidate secured a majority in the first-round vote in December 2020.

The outcome was hailed as marked the country's **first** peaceful transfer of power, although at least two people were killed in opposition **protests** following the run-off vote, and 468 people were arrested as the defeated candidate rejected the result. The Observatory of the Electoral Process (*Observatoire du process électoral*), a civil society group, deployed thousands of election observers, who **reported** irregularities in the run-off vote, including vote buying, misappropriation of ballot boxes and voting cards, poor security, lack of knowledge of election procedures by officials, highly limited use of measures to prevent COVID-19 infection, illegal campaigning and the use of hate speech in campaigns. During the post-election protests, the internet was **blocked** for 10 days.

A peaceful change of presidency can be an important milestone, but only if it marks the start of a longer-term change of direction, and early indications are not promising. Civil society will press for more enabling conditions and an end to the repression. They will hope, if not expect, that some key negative aspects of President Issoufou's legacy are reversed, including the invasive **2020 law** on interception of communications and the 2019 cybercrimes law, which has numerous times been deployed to **suppress dissent**, including against people asking awkward questions about the outrageous military embezzlement, as well as the government's **pandemic response**. They will keep challenging the **impunity** that has so far seen no one called to account for military embezzlement. If the new administration reaches out to civil society and fosters constructive dialogue, it could prove that it is serious about consolidating its democracy in a region that is clearly backsliding.



Actor Ilou Barma Waziri and other protesters demonstrate in Brussels, Belgium for democratic change in Niger on 19 March 2021. Photo by Thierry Monasse/Getty Images

MALI: HOPES FOR A SWIFT END TO MILITARY RULE

Mali's military coup offered a warning sign that even flawed and formal democracy is not something that can be taken for granted. A much-delayed legislative election was finally held in the midst of the pandemic in March and April. Not only the virus but security concerns were a deterrent to participation, given the context of attacks by insurgent groups. In a sign of the security challenges, Soumaïla Cissé, then-leader of the Union for Republic and Democracy party, was **abducted** by an Islamist terrorist group, along with members of his team, while campaigning in March. He was held until October, as protests **called** for his release. The campaign was marked by further attacks, threats and intimidation by armed groups, and **marred** by allegations of vote buying. The announcement of the official results, which saw the ruling party gain seats beyond those announced in provisional results, were met with **protests** in multiple cities. At least **11 people** were killed when protests



Opposition candidates address their supporters after the release of two of their leaders from prison on 19 August 2020 in Bamako, Mali. Photo by John Kalapo/Getty Images

turned violent and were met with security force violence in July. Several journalists were **attacked** and detained while reporting on protests and social media was **restricted**. A broad coalition **formed**, including some CSOs, to call for the resignation of the president and prime minister and the dissolution of the government.

It was for these reasons that some people came to the streets to **celebrate** the fall of the government and arrest of the president and prime minister when the military took power in August. A **group** of senior military officers declared themselves to be the new government. In October a transitional government was **appointed**, with some civilians serving alongside military officers, and with the stated aim of holding elections after 18 months. However, this new administration was **dominated** by military personnel and people with connections to the military, including the new president and successive vice presidents. The African Union (AU) and Economic Community of West African

States (ECOWAS) were both commendably quick to act on the coup, with the AU suspending Mali's membership and ECOWAS imposing sanctions. Civil society, within Mali and throughout the region, knows that military intervention is never compatible with respect for human rights, and will be calling for the transitional government to make way for free and fair elections as soon as possible, and for key continental and West African institutions to keep up the pressure.

CAMEROON: RULING PARTY CONSOLIDATES POWER IN REGIONAL ELECTION

Cameroon held regional elections for the first time in December, but these did not appear to deepen democracy. Paul Biya has been Cameroon's president since 1982, making him the world's longest-running non-royal ruler and, at 88 years, Africa's oldest head of state, and he has stayed in office by minimising alternatives to his power. The ruling party positioned the vote as a devolution of power to the provincial level, but opposition groups denounced the elections, which were conducted not on the basis of one person, one vote but **indirectly**, through an electoral college constituted of regional delegates and traditional chiefs who elected regional councillors. Opposition groups claimed that the electoral college was stuffed with ruling party supporters, and some refused to stand. They saw the elections as an attempt to paper over the cracks caused by a **violent separatist conflict** in Cameroon's Anglophone regions. The conflict represented perhaps the greatest **threat** to President Biya's power during his long reign, and therefore has been brutally suppressed, with both sides responsible for civilian casualties; in April, a commission of inquiry reported that Cameroon's armed forces were **complicit** in the massacre of at least 21 civilians in Ngarbuh, in the Anglophone region, in February.

The announcement in October that elections would be held sparked opposition **protests**, which were, predictably, violently dispersed, with teargas and water cannon and over 500 arrests. Some of those arrested were beaten in custody and several were tried and prosecuted in military courts. In January 2021 it was **reported** that over 100 people arrested in the October protests remained in detention. In banning the protests, the government characterised them as an 'insurrection' and threatened that those involved would face the anti-terrorism law. Among those arrested were several opposition leaders, members of the Stand Up for Cameroon youth-led coalition and journalists

covering the protests. When voting went ahead, it unsurprisingly resulted in a ruling-party **landslide**, as it took nine of the 10 regions. Little challenge to central government power can be expected.

For many in the Anglophone areas, who have long felt themselves to be marginalised in a country where the levers of power are held by elites from the Francophone majority, the results did not speak adequately to their demands for autonomy. The calls for President Biya to give up his grip on power and for democratic freedoms to be extended for all will continue.

BENIN: AN ELECTION WITH MINIMAL COMPETITION

Incumbent President Patrice Talon won his second term in the April 2021 presidential election, unsurprisingly triumphing over minimal opposition. Changes to the electoral code made in 2019 meant that any candidate had to be backed by 10 per cent of members of parliament and elected mayors. But there are no opposition members of parliament; the national assembly that passed the amended electoral code had been chosen in an **April 2019 election** in which the president's exclusion of opposition parties was so total that only two pro-government parties were allowed to stand. President Talon, one of Sub-Saharan Africa's **wealthiest people**, reversed on a promise to serve only one term and has already tried to **overturn** term limits; such a skewed national assembly would offer no opposition if he attempted to do so in the future. People expressed their anger in 2019 by largely boycotting the sham vote, but alternate channels in which people might express their dissent at this dismal state of affairs were ruthlessly repressed, with a blanket ban on protests and internet disruption.

Local elections were held in May, **despite** the pandemic and in the face of an order by the African Court on Human and Peoples' Rights to suspend the election due to the exclusion of key parties. Opposition groups called for a boycott and **turnout** was again low. It was this election that led to the **situation** that there were neither enough members of parliament nor mayors to nominate an opposition presidential candidate. In any case, many of those who might have opposed him had gone into **exile** or been convicted on dubious grounds for serious crimes. In March 2021, another potential challenger, Reckya Madougou, was **detained** on what seemed fabricated charges; subsequently a judge from a special economic crimes court fled

Niger, citing political pressure to rule against critics of the president, including Madougou. Against this dismal backdrop, civil society efforts went into simply trying to insist on the bare minimum of standards for a democratic vote: a choice between at least two competing candidates. In September, 10 CSOs **came together** to launch the 'let me choose' ('laissez-moi choisir en 2021') campaign, demanding the repeal of the eligibility restrictions.

President Talon would, presumably, have found it too embarrassing to run unopposed, which would not have given the election the apparently legitimising veneer that even authoritarian leaders deem necessary. Out of 20 potential candidates who put their names forward, only two little-known figures were selected to offer a formal challenge by running against him. Opposition forces against called a boycott and **protests** preceded the vote, with reports of killings and security force violence, while civil society **reported** widespread harassment and intimidation of voters. The outcome in April 2021 was another unsurprising walkover triumph for President Talon, on a **turnout** reportedly much **lower** than the officially reported figure. Benin was once known in the region for enjoying established practices of multi-party democracy, but that now seems a distant memory under a president who evidently dislikes electoral competition.

CÔTE D'IVOIRE: HOPES DASHED FOR A NEW ERA

At one point, hope seemed likeliest in Côte d'Ivoire. In March, President Alassane Dramane Ouattara seemed to settle fears that he would run for a third term, **announcing** that he would not stand in the October presidential election. The announcement was warmly received. Respect for constitutional term limits and a peaceful transition would be progress for a country that was convulsed by violence following its 2010 election, when incumbent Laurent Gbagbo tried to claim victory following a vote most agreed he had lost; Ouattara, Gbagbo's opponent in that election, came to power after defeating him in a military campaign that resulted in the loss of over a thousand civilian lives. It seemed that Ouattara would be the first leader in Ivorian history to cede power peacefully.

Alas it was not to be. In August, Ouattara performed a screeching U-turn and announced that he would stand for an unconstitutional third term. The change of heart came after his preferred successor, Prime Minister Amadou

Gon Coulibaly, **died suddenly** in July. Ouattara positioned his candidacy as a 'sacrifice' but said he was responding 'to the call of my fellow citizens'. He asserted that his first two terms did not count towards the limit, since a new constitution had been adopted in 2016; this is the way term limits have been erased in country after country across the continent and around the world.

For the opposition, and for many in civil society, this seemed less democracy than a stealth coup. The announcement triggered mass protests, in which at **six people died** when violence resulted between security forces and protesters, with over 100 **injured** and at least 69 arrested. Protests in the following days were quickly **banned**, and when protesters set up barricades and lit fires, the police responded with teargas. Among numerous detentions were those of several female opposition supporters whose **protest** consisted of holding up the national flag and singing the national anthem. Further protests were **banned**, using the emergency powers that had been put in place to stop the spread of COVID-19. Youth groups supportive of the president tooled up with **machetes and clubs** to break up opposition protests. CSOs called for peace as the violence threatened to spiral out of control once more.

But CSO leaders were also targeted. In August, Pulchérie Edith Gbalet, coordinator of Ivorian Citizen Alternatives (Alternatives citoyenne ivoirienne) was **detained**, along with two colleagues, by armed men after she called for protests against the third term. Among the charges they faced were those of undermining public order and participating in an insurrectionary movement. CSOs came together to **call for** their release. Other human rights defenders were reported to have been arrested. The pre-election period saw worsening civic space, with many journalists feeling the heat of repression, including through numerous **heavy fines** on the grounds of publishing 'false news', for stories on corruption and extortion, and on hospital and prison conditions under the pandemic. Opposition activists who were active on social media received similar treatment.

Ouattara's volte-face threatened to draw attention away from a related problem, which was the sheer lack of electoral choice on offer. It was not only his decision to stand again that **dashed hopes** of renewal. Former prime minister Guillaume Soro, who from exile in France had announced his intention to stand, was ruled out after being handed a **20-year jail sentence**, in what his supporters said was a politically biased verdict. But competing with

Ouattara were former president Henri Konan Bédié, ousted in a coup in 1999, and Pascal Affi N’Guessan, former prime minister under Gbagbo. It seemed that this youthful country was not allowed to put forward any new politicians, but could only recycle the old ones already associated with failure.

The election was no contest, as the incumbent took 95 per cent of the vote after opposition candidates called for a boycott. Insecurity had meant that many voting stations were **closed** or shut down early, disenfranchising many people. But the vote also reflected a divided opposition, and the lack of a convincing alternative candidate who seemed to promise Ivorians anything better. Opposition candidates refused to accept the result, on the basis of alleged irregularities and a low turnout, and **announced** their intention to form a ‘transitional government’, although they did not seem capable of doing so. Further violent protests greeted the announcement of the result, with **over 50 people** reported killed. The opposition leaders who had rejected the results were **arrested**, detained and held incommunicado for several days.

As the dust settled, Ouattara remained in power, but no consensus had been reached, and the legitimacy of the now three-term president, who could even stand in the next election, can only have been damaged. The fear, in a country that remains **ethnically divided** along marked north/south lines, is that any conflict could rapidly escalate and become heated, polarising and violent; toxic hate speech and violence mobilised quickly along these lines during the campaign and following the announcement of the results. The rewards for incumbency, with power centralised and presidential circles ethnically tight, are powerful. But with power should come responsibility for bridging across divides and diffusing conflict, or Côte d’Ivoire will remain trapped in a destructive spiral.

Democracy is fragile, and confidence in democracy will not be built if yet another president goes down the road of imagining that only he has the wisdom to run his country. An opportunity to break with the past has been missed. New prospective leaders needed to emerge, but 40 out of the 44 people who applied to stand as presidential candidates had their applications **rejected**. Many young Ivorians who want to see their country change may take some convincing that the democratic arena is a place where they can assert alternatives and win breakthroughs.



People wait in line to vote in the presidential election in Colombo, Sri Lanka on 16 November 2019. Photo by Paula Bronstein/Getty Images

SRI LANKA: WHERE POWER IS A FAMILY AFFAIR

Even more than Togo’s, Sri Lanka’s politics have become a family business. The parliamentary election held in August further consolidated the Rajapaksa family’s grip on political power. The Sri Lanka People’s Freedom Alliance, formed around its main party, the Sri Lanka Podujana Peramuna (SLPP), led by Prime Minister and former President Mahinda Rajapaksa, won by a landslide. Capitalising on a divided opposition, the alliance took 59 per cent of the vote and 145 of the 225 parliamentary seats. Prime Minister Rajapaksa was one of five members of his family elected to parliament. His brother, Gotabaya Rajapaksa, became president in November 2019.

Governance by ruling families, in which close inner circles form around the levers of power, are never good for civil society. Where family rule prevails, public space becomes privately controlled; decision making is informal rather than institutional and often oriented towards the preservation of family power. Ruling families resist scrutiny and seek to pass on power as inheritance. Further, the Rajapaksa government's stridently nationalist stance and promotion of a narrow Sinhalese identity offers little room for ethnic and religious minorities. This makes Sri Lanka's ruling family an administration that is particularly hostile towards the idea of civil society's independent scrutiny of universal human rights.

Previous governments headed by Mahinda Rajapaksa as president had taken a hard-line stance towards civil society and were intolerant of dissent. The various Rajapaksa regimes worked to resist accountability over human rights violations committed in the country's civil conflict, which ran from 1983 to 2009. Gotabaya Rajapaksa, a former army leader, was minister of defence under his brother's presidency when the government brutally ended the conflict in a sustained military assault that brought numerous allegations of war crimes. Attempts to investigate these allegations and hold the perpetrators to account have been repeatedly rebuffed by Rajapaksa-headed administrations. In February, the government said it would no longer **cooperate** with **UNHRC resolution 30/1**, under which the previous, non-Rajapaksa, administration had committed to establishing an independent investigative mechanism to enable accountability over human rights violations during the conflict; the mechanism was never established. In a further sign of the government's refusal to take accountability over past crimes seriously, in March the president pardoned an army officer who had been found guilty of the murder of eight Tamil civilians during the conflict; the move was **condemned** by many Sri Lankan CSOs.

Following the November 2019 presidential election and in the run-up to the 2020 parliamentary election, civil society **reported** an intensifying climate of fear, with increasing instances of intimidation, threats and arrests. Journalists and human rights lawyers **experienced** smears and harassment. People were warned they were on government 'watch lists', and in reaction some fled the country or reined in their criticism. In what seemed a military power grab, a slew of military officers, serving and retired, moved into government roles formerly held by civilians. The NGO Secretariat, which regulates CSOs,

was, alarmingly, placed under the control of the defence ministry. Civil society also **noted** that the powerful and unaccountable presidential task forces that were set up were overwhelmingly staffed by Sinhala people, even when dealing with issues of relevance to Tamil and Muslim communities. The government dropped a process to repeal the draconian Prevention of Terrorism Act, which enables arbitrary and sustained detention and torture. Several CSOs reported being visited by intelligence officers who asked about their staff, programmes and funding, with CSOs in the north and north-east of the country, the areas most affected by the conflict, apparently particularly targeted.

Sandun Thudugala of the **Law and Society Trust** points to this deterioration of civic space since the Rajapaksa family took back power:

The situation got worse with the election of Gotabaya Rajapaksa. His election campaign, which was built on the ideas of Sinhala Buddhist supremacy, disciplined society and enhanced national security, was supported by an overwhelming majority, especially from the Sinhala Buddhist community. This result was seen as a mandate given to the government to undermine basic freedoms and civic space in the name of national security and development.

There have been signs of an increased militarisation of every aspect of society and the undermining of democratic institutions, such as the appointment of members of Presidential Task Forces – which are accountable only to the president – to handle key governance functions. There has been a clear message of unwillingness to cooperate with the state's international obligations.

There have been increased surveillance of civil society activities and arrests of social media activists. This has clearly reflected a trend of undermining civic freedoms and civic space before the election. The situation was exacerbated by the pandemic. The need to deal with the virus has been used as an excuse to increase militarisation and the concentration of power in the hands of the president.

At an election rally in July, Prime Minister Rajapaksa promised more of same, stating that the new government would increase its scrutiny of CSOs and the funding they receive from international sources. The government

announced it would investigate the registrations of CSOs made by the previous government.

The state seemed to view the pandemic through a similar lens: when COVID-19 struck Sri Lanka, seemingly the first response of the government was to suppress dissent. In April it announced that anyone who criticised the official pandemic response would face arrest. This apparently included online criticism of the appointment of Basil Rajapaksa, brother of the president and the prime minister, as head of the COVID-19 presidential task force; it was reported that a student's home had been raided for doing so. With the defence ministry leading the response, it seemed the key tactic to try to stop the spread of the virus was punishment of those deemed to be breaching emergency regulations. By August, over 66,000 people had reportedly been arrested.

Eager to hold the election, President Rajapaksa dissolved parliament in March, but the pandemic twice forced him to postpone the vote. This delay, combined with the increasing use of presidential task forces, had the knock-on effect of reducing the potential to scrutinise and question government actions. But the ruling party was keen to get on with the election, apparently less concerned about ensuring safe voting than seizing on the momentum generated by its presidential election win and capitalising on a divided opposition. The ruling party wanted to hold the election as soon as possible and argued against the Election Commission's decision to postpone it. Still, the delay clearly did it no harm, and restrictions on campaigning under the pandemic worked to its advantage. As seen with elections in other contexts, a greater reliance on media rather than in-person campaigning played to incumbent media privilege and connections.

The government wanted to conduct the election as soon as possible. It was willing to hold the election in April, as planned, even at the height of the pandemic. Almost all opposition parties were against holding the election in April. The Election Commission subsequently decided to postpone it to August due to the health risks it might entail. By August, the situation had got considerably better and there was no major opposition to conducting the election on 5 August.

Health guidelines were issued by the Election Commission, which imposed significant controls on election campaigning. No major rallies

or meetings were allowed, but the government and the main opposition parties violated these health guidelines by convening public rallies and other meetings openly, without any repercussions. It was clear that the parties with power had a clear advantage in overstepping certain rules. Additionally, candidates from major political parties, who had more money to use for electronic and social media campaigns, had a definite advantage over the others.

Due to its control over state media and the support it received from most private media, both electronic and print, the government had a definite advantage over the opposition during the election campaign. The smaller opposition political parties were at the most disadvantageous position, as they did not get any significant airtime or publicity in mainstream media. This surely impacted on the election results.

As in other contexts, holding an election during a pandemic also meant that civil society's role had to be much more limited than usual, and the consequence was a lower quality of public debate.

Apart from being engaged in election monitoring processes, the engagement of independent civil society in the election was minimal. This is a drastic change when compared to the 2015 election, in which civil society played a key role in promoting a good governance and reconciliation agenda within the election campaign. Divisions within the opposition and the COVID-19 context made it difficult for CSOs to engage effectively in the process. Some organisations tried to create a discourse on the importance of protecting the 19th amendment to the Constitution, which curbed presidential powers while strengthening the role of parliament and independent institutions and accountability processes, but didn't get any significant spaces within the media or any other public domains to discuss these issues.

The main opposition parties were divided, and their internal conflict was more prominent in the election campaign than their actual election messages. One of their major promises was to provide economic assistance for poor people who were most affected by the pandemic and lockdowns.

Issues such as the need to strengthen democratic governance systems, justice for war victims, longer-term solutions to ethnic issues or the root

causes of rural poverty, indebtedness and inequality were not highlighted during the election campaign by any of the major parties.

The result left the coalition just short of the **supermajority** it had sought to make major constitutional changes, but that hurdle was cleared by striking deals with minor parties. In October, parliament duly approved a raft of constitutional amendments to **expand** presidential power. Under the changes, the president has more power to dissolve parliament, can appoint and dismiss ministers and can hold ministerial positions. President Rajapaksa immediately appointed himself Minister of Defence and Minister of Technology, alongside his presidential role; there were still enough jobs to go round to appoint two more Rajapaksas to cabinet. Another **change** making it possible for people with dual citizenship to hold political office was seen as paving the way to enable another Rajapaksa to join the family firm.

The constitutional amendments also gave the president the **power** to appoint judges and authority over the election commission and commissions relating to the police, human rights and the investigation of corruption. Some amendments came after a Supreme Court **ruling**, following complaints brought by civil society and opposition groups, that in their original form four of the changes would have required approval at a referendum. But still the changes marked a clear consolidation of presidential power that will only make it harder to exercise oversight over government decisions.

The scenario was predictable as the new government continued to crack down on civil society at home and push back against international scrutiny. The tactics of fear the Rajapaksas applied during the last years of the civil conflict were rolled out again. Several human rights defenders lingered in lengthy detention and at serious COVID-19 risk, including former head of criminal investigations, **Shani Abeysekera**, who had implicated political leaders in human rights abuses, and prominent human rights lawyer **Hejaaz Hizbullah**.

The UN Secretary-General's September **report** on reprisals by states against people cooperating with the international system noted that Sri Lanka's government called civil society personnel in for questioning before and after visits to the UNHRC and subjected them to heightened surveillance. As of December, over 40 Sri Lankan CSOs had **approached** the UN Office of the High Commissioner of Human Rights to report harassment, surveillance and security

force security, including questioning of staff about their relatives abroad. CSOs reported being questioned about their advocacy plans ahead of the February meeting of the UNHRC.

Demands for justice, long unsatisfied, remain. On the International Day of the Victims of Enforced Disappearances in August, families of disappeared persons held protests in north and north-east Sri Lanka, despite some security force attempts to stop protests going ahead. People demanded international justice, since they know they will continue to be denied this domestically by a ruling family that still sees the end of the war as its own triumph.

SINGAPORE: RULING PARTY PUSHES AHEAD WITH PANDEMIC ELECTION

As in Sri Lanka, one of the key election controversies in Singapore was over the holding and timing of the election. The ruling People's Action Party (PAP), in power since Singapore became self-governing in 1959, insisted on pressing ahead, while opposition parties called for a postponement. When the election took place, it was with few concessions to the realities of the ongoing pandemic, apart from some extended voting times and a requirement to use hand sanitiser, explains human rights defender **Jolovan Wham**:

Opposition parties were largely against holding the election as the pandemic had not abated and it might pose a public health threat. They were also concerned that physical rallies and door-to-door visits would be disallowed, which would hinder their campaign efforts.

And indeed, it was more difficult to connect face to face with voters when a one-metre distance had to be maintained during walkabouts and door-to-door visits. Everyone had to give their speeches and connect with voters online.

Some changes were introduced so the election would proceed in the context of the pandemic. Voting time was extended by two hours to take the longer queues caused by social distancing into consideration. But the possibility of online voting was not discussed. And older people and those who were frail may have not participated for fear of getting infected with COVID-19.



Opposition candidates fan out across Singapore on walkabouts and door-to-door campaigning to meet voters ahead of the election. Photo by Suhaimi Abdullah/Getty Images

As with other elections held during the pandemic, issues of the management of the pandemic itself played a big role in the election debate. The government hoped to capitalise on public support for pandemic measures, raising fears that if voters rewarded the ruling party, the opposition could lose its representation. Opposition parties criticised the government's management of the pandemic, not least over the sensitive issue of the shortage of masks at a crucial stage. As the pandemic went on, initial international praise over what was seen as an efficient government response gave way to growing recognition of the lack of protection given to **migrant workers**⁷, many of whom live in cramped conditions that made them vulnerable to the virus. These and other issues were raised by the opposition in the run-up to the election.

For the PAP, the campaign revolved around smearing opposition candidates, accusing them of peddling falsehoods and of having nefarious agendas and engaging in character assassination. Scaremongering tactics were also used: the electorate were told that only the PAP could get Singaporeans out of the COVID-19 pandemic and that having more opposition members in parliament would thwart these efforts.

Opposition parties, on the other hand, focused on telling the electorate that they were in danger of being wiped out of parliament as they held fewer than 10 elected seats out of almost 90. Issues such as the high cost of living and immigration were other key issues raised by the opposition.

In response to criticism, the government fell back on one of its favoured tools to silence dissent, the Protection from Online Falsehoods and Manipulation Act (POFMA), a sweeping anti-'fake news' law. Ahead of the election, in February, the government used the POFMA to **target**⁷ the New Straits Review, when it asked Facebook to block the news outlet's page after it published a story on mask shortages. The POFMA was further deployed in the days before the election, as the government levelled a **battery**⁷ of 'correction directives' at news sites, opposition party Facebook pages and sites that reported on an opposition candidate's comments about COVID-19 outbreaks in migrant worker dormitories. The independent website New Naratif also faced police **investigation**⁷ over claims that its social media platform had hosted paid adverts for some candidates, in contravention of electoral law; New Naratif has repeatedly faced state harassment and been slurred for supporting foreign interests. All this could only have a chilling effect on the quality of electoral debate.

Jolovan Wham is no stranger to the Singapore government's repressive tendencies. In August, he served a 10-day prison sentence for organising an online discussion with Hong Kong activist Joshua Wong (see later in this chapter). He was **charged**⁷ again in November for holding an illegal public assembly, after staging two solo protests, one in support of a website facing defamation charges after reporting on corruption and the other in solidarity with two young climate activists who faced police investigation (see this report's chapter on economic and environmental activism).

When a single ruling party has long been in power, state and party tend to be closely intertwined, and in Singapore, the PAP maintains a tight grip on



Voters wearing protective masks queue to enter a polling station during the general election in Singapore on 10 July 2020. Photo by Suhaimi Abdullah/Getty Images

state institutions, including public media, which guaranteed the ruling party favourable coverage. Ahead of the election, the government was accused of **gerrymandering**⁷, redistributing some constituencies that the opposition had targeted. In normal times, the opposition would have tried to overcome these barriers by holding rallies and campaigning door to door, but in the context of the pandemic, they were confined to using social media.

The PAP's control of all public institutions is a major civic freedom issue. It means it gets to shape the political discourse according to its agenda and set the rules of the game to its advantage. For example, the elections department, which draws electoral boundaries, reports to the prime minister himself. Most civil society groups are afraid of engaging in the

election in a meaningful way for fear of being seen as 'partisan'. If a civil society association is associated with an opposition party, it may lose funding, support and patronage for its work.

A recent **report**⁷ by the ASEAN (Association of Southeast Asian Nations) Parliamentarians for Human Rights documented structural flaws that prevented the election from being fair, including the prime minister's broad powers over the entire electoral process without any effective oversight. The environment in which the Singaporean people were able to exercise their right to participate in public life was heavily restricted. Key opposition candidates had been targeted with lawsuits by members of the PAP, and voters in opposition-led constituencies fear reprisals for not voting for the PAP. Fundamental freedoms, which are intrinsically linked to free elections, are limited as the government controls the media and uses restrictive laws against dissenting and critical voices.

Opposition candidates and parties had to rely solely on social media to get their message out, because of unfavourable coverage by state media. They also had difficulty accessing voters because of the PAP's monopoly, manipulation and control of national grassroots groups, unions and organisations, on top of the difficulties involved in holding physical rallies in the context of the pandemic.

The final result, a ruling party win, was no surprise, but it fell short of a landslide victory. At just over 61 per cent, the PAP's share of the vote fell by over eight percentage points. As a result of its built-in advantages, however, it was able to secure 83 out of 95 parliamentary seats. In its best-ever performance, the opposition Workers' Party won 10 seats.

While hardly challenging the PAP's entrenched power, the result showed that dissent remains alive and indicates that opposition should be respected as having an important part to play in Singapore's democracy. The ruling party should acknowledge this and stop abusing its position. However, its continuing post-election use of the POFMA and apparent targeting of opponents suggested it was learning the wrong lessons from a result that was less overwhelming than it had hoped. In these difficult circumstances, civil society will need to keep urging the government to recognise the value of and make space for criticism.



Supporters of the Workers' Party celebrate an increase in their vote during the general election on 11 July 2020 in Singapore. Photo by Suhaimi Abdullah/Getty Images

SERBIA: AN AUTHORITARIAN TRAJECTORY

Serbia increasingly resembles a one-party state. Its parliamentary election, held in June after being postponed from April due to the pandemic, saw the lowest turnout in the country's post-Yugoslav history. The cause was less apathy than polarisation. As in Hungary and Poland (see below), a right-wing nationalist ruling party has won the loyalty of a section of the population by mobilising xenophobia and attacking civil society and independent media. Its discourse is reinforced by far-right anti-rights groups that seek to suppress dissent through slurs, smears and violent attacks. Those on the other side of the divide, including excluded groups and people who stand for human rights, are increasingly unrepresented in national discourse. This gulf was made clear when the main opposition coalition boycotted the election, stating that it would not be free or fair. While, given the ruling party's penetration of official media,

they were likely right, the boycott resulted not only in the low turnout but also a ruling party landslide, leaving it with few formal limitations on its power.

Maja Stojanovic [↗] of Civic Initiatives [↗] describes the political environment in which the election took place:

The 2020 election was the least democratic election we have had in 20 years and for us as civil society it is very important to say this, because the European Commission talked and issued reports and tried to be diplomatic, avoiding to mention the real problems in the country.

There was no free media: the media are highly polarised and there is a lot of control over the media, so only about five to 10 per cent of the media are able to report freely about issues in Serbia, and they don't have much of an audience. Voters were pressured by the ruling party, much more than at the last election in 2017. State officials actively campaigned from their official positions.

The main party of the opposition boycotted the election so now the national assembly is highly unrepresentative, with most members of parliament (MPs) supporting the ruling party and only six MPs out of 250 from opposition parties.

The pandemic influenced the election and the period before it, and we also had a really big protest after the election. There were a lot of issues connected to COVID-19 in the sense that each decision was somehow a balance between the democracy and the health of citizens. It was hard for civil society to reach a decision on how to react to the government's actions because we were not even sure if it was better for citizens to have or not have the election.

It was evidently not enough for the ruling party to have a captive public media that acted as its mouthpiece. It also needed to silence independent media. The year offered example after example of the state's systematic campaign of harassment against independent media. In January, the office of the Kolubarske.rs website was **broken into** [↗] and files relating to investigative journalism were searched. In the early months of 2020, ahead of the election, the independent TV channel N1, known for its professional standards and objective reporting, was forced **off air** [↗] due to a dispute with the state-controlled cable operator. It was also the subject of repeated government smears. As the dispute unfolded,

Prime Minister Ana Brnabic joined the fray, **accusing** N1 of spreading ‘fake news’ and **waging** a political campaign. N1’s website was subjected to attacks, including a distributed denial of service (DDoS) **attack** in January, in which bots sought to overwhelm the server to make the website inaccessible.

The ruling party and its outriders – even more extreme nationalist parties, conservative non-state groups, client media – continually targeted aggressive smears and slurs at journalists for saying things they did not like, or merely for seeking to hold them to account. Slurs commonly associated those under attack with foreign powers, including countries with predominantly Muslim populations such as Albania, Bosnia and Herzegovina and Kosovo, the breakaway nation to which Serbia remains opposed. Women journalists were disproportionately attacked. These smears and slurs came from the top. In July, President Aleksandar Vučić repeatedly **insulted** a TV journalist who asked him questions he did not want to answer. In November, he **accused** independent media of being funded by the opposition. In December, ruling party politicians, from the floor of the national assembly, lined up to **accuse** foreign media of being enemies of the state, foreign mercenaries and traitors.

As well as attacks by political leaders, smears and slurs often came through shadowy websites where stories were posted anonymously. In March, the Independent Association of Journalists of Vojvodina – Serbia’s northern region and most diverse area, with some autonomy from the capital – was **accused** on far-right websites of being a ‘separatist organisation’ and an ‘enemy of Serbia’. The Prismota.net portal proved a regular source of smears. In May it **listed** the names of several civil society leaders as ‘foreign spies’. In August it **accused** the Centre for Ecology and Sustainable Development, which had criticised the electricity industry, of being informers of foreign services who were working against economic development in Serbia, including Chinese investment. It accused them of cooperating with intelligence services in Bosnia and Herzegovina. Other stories accused civil society groups of spreading anti-Serbian propaganda and of corruption. Investigative journalist Brankica Stankovic was **smearred** with false claims of racketeering.

Another attack came in July, when the government’s anti-money laundering directorate **published** a list of organisations and people under suspicion of money laundering or terrorist financing, and asked banks to investigate their transactions. Many of those on the list were known critics of the government,

including a raft of CSOs and independent media organisations. The intention seemed clear. The law was being **misused** to pressure dissenting voices, which the government’s attempt to position the move as necessary compliance with the regulations of the international Financial Action Task Force did nothing to disguise. Over 270 organisations and individuals came together to **highlight** this abuse and its impact on democracy. In November, three UN special rapporteurs **accused** the government of abusing its anti-money laundering and anti-terrorism financing obligations to stifle civil society.

Online attacks were reproduced in real-world threats and violence, including numerous death threats and, during the election, attacks on TV crews reporting from polling stations. Given that ruling party figures are a key source of the verbal attacks that create the conditions for threats and violence, those at risk knew they could not rely on the state for their protection. **Surveillance** of media was another concern.

The ruling party also used its control of state funding bodies to its advantage. Independent media bodies complained that committees that determine the distribution of state funding were **stuffed** with ruling party supporters, something that could also fuel self-censorship. Independent media complained about their inability to access local-level funding and the **refusal** of many local officials to speak to them. The state’s ostracism of independent media was emphasised during the pandemic, with the media **denied** essential data and frozen out of press conferences, along with threats of dire legal consequences for anyone spreading non-official information. Police harassment and violence from unidentified groups duly followed when journalists tried to report on COVID-19 stories.

Following the election, the government further made its position clear when it **abolished** the Office for Cooperation with Civil Society, which had been formed to enable civil society consultation in national and local decision-making processes. The move came with no consultation. Pretty much the government’s first reaction to the pandemic had been to **suspend** the awarding of government contracts and make CSOs ineligible for movement permits during emergency restrictions.

Given the lack of opposition in the national assembly and the inability to express dissent through most media, street protest became one of the few

means of holding the government to account. In July, pent-up pressure broke when the government's announcement of the reintroduction of a curfew brought spontaneous demonstrations in the capital, Belgrade, which quickly grew in numbers to become a **mass protest** that lasted for several days and spread to other cities. The state's response was violence and disinformation. The police used teargas and rubber bullets, while violence was also exerted by mysterious plainclothes groups, towards journalists as well as protesters. **Ivana Teofilović** of Civic Initiatives describes the protests:

The protests that came after the election seem to point towards further political polarisation and a deepening of the political crisis, as a large number of people lack representation and feel deprived of the right to elect their representatives without fear through a free and democratic election.

The immediate reason for the mass and spontaneous gathering of citizens in July was the announcement of the introduction of another 72-hour ban on movement. After the president's press conference ended, dissatisfied people began to gather in front of the national assembly. Although the immediate reason was dissatisfaction with the management of the COVID-19 crisis, people also wanted to express their unhappiness about numerous other government measures and their impacts, and particularly with the conditions in which the parliamentary election was held.

In response, security forces used unjustified force in dozens of cases and exceeded the powers entrusted to them by law. Their violent response to spontaneous peaceful assemblies was a gross violation of the right to the freedom of peaceful assembly and an unwarranted threat to the physical integrity of a large number of protesters. The protests were marked by the use of a **huge amount of teargas**, which was indiscriminately thrown into the masses of peaceful demonstrators. As a result, many protesters had health issues for days afterwards. Apart from the fact that unjustifiably large quantities of teargas were used, the public's attention was captured by the fact that the teargas fired was past its expiry date.

The media and citizens also reported and documented many cases of police brutality, including that of **three young men** who were sitting quietly on a bench and were repeatedly beaten by a gendarmerie officer with a baton. In another incident, a **young man** was knocked to the

ground and hit with batons by 19 officers, even though two members of the Ombudsman's Office were on duty near the scene, precisely to control the conduct of the police. Additional disturbances and acts of violence were perpetrated by a large number of **individuals in civilian clothes**. At the time it could not be determined whether they were police in civilian clothes or members of parapolice forces or criminal groups, but many clues point to them being members of hooligan groups connected with the authorities and working on their orders.

Many media workers behaved professionally and reported objectively on the protests, often becoming victims of police brutality or attacks by members of hooligan groups infiltrated among protesters to incite rioting. According to the **Association of Journalists of Serbia**, as many as 28 journalists were attacked while covering protests, and 14 suffered bodily injuries, which in six cases required urgent medical attention.

However, media outlets that are close to the government either ignored or distorted the real picture of the protests by disseminating lies about who organised, funded and participated in them and by ignoring or denying cases of obvious police brutality. Journalists, analysts and civil society activists who publicly supported the protests and spoke critically about the government and the president were often the target of tabloid campaigns, and were smeared by the holders of high political office in an attempt to discredit their work.

Violent police reaction, indiscriminate brutality, non-objective reporting and government retaliation further motivated people to protest. As a result, people took to the streets in even greater numbers in the following days. Protests also began to take place in several other Serbian cities besides Belgrade, including Kragujevac, Nis, Novi Sad and Smederevo.

This aggressive response to protests is nothing new in Serbia, and activists in other protest movements have faced repeated attacks. They include Dobrica Veselinović of the Don't let Belgrade D(r)own movement, which protests against harmful urban development and environmental damage, and seeks to promote people's participation in planning and environmental decision-making. The youthful movement increasingly criticised Serbia's creeping authoritarianism, including by holding pot-banging protests under the pandemic lockdown. This, and its opposition to economic development projects pushed by the ruling party, made it a target. Dobrica Veselinović faced regular judicial harassment

and criminalisation, which in 2020 included ⁷ being fined for organising a protest following the deaths of construction site workers and being summoned for questioning after taking photos of the presidential building. These were among over 30 such proceedings against the movement's activists for holding or participating in public meetings. Similar efforts at repression were levelled against activists and leaders of the 1 of 5 Million movement, which from 2018 onwards mobilised mass protests against Serbia's growing authoritarianism and numerous scandals of misgovernance.

In a situation of minimal parliamentary opposition, actions outside the formal political sphere to scrutinise government actions, hold the authorities to account and advance alternative policies became more important than ever. They are also more difficult, with civil society divided and facing attacks. Still, Maja Stojanovic concludes, it will fall to civil society to defend democracy.

There is polarisation within civil society, because there are GONGOs – government-organised non-governmental organisations – that are clearly politicised, and then there is the authentic civil society. Within independent civil society there is also a big struggle because there is a recognition that this is an authoritarian regime in many respects, so the biggest debate is around whether we should cooperate with the government and if we are providing legitimacy to the government if when we cooperate, or if it's okay to try do something a little bit better for the citizens as a whole. So I would say that polarisation is between those two angles: should we cooperate or stay united and remain critical of the government for the sake of democracy?

I would say that civil society needs to monitor the government and that we are the keepers of democracy. No party or the government can make democracy sustainable. After 2000 we have had issues with the erosion of democracy, I think that in Serbia, as well as in Bosnia and Herzegovina and Montenegro, we need to keep civil society on its toes, and we need to make sure that citizens know when the political parties cross red lines. I think we need a global discussion on these red lines because this happens in a lot of countries where there is attack on democracy and there are potential risks regarding social networks. So we need to see what is the right way for activists and civil society to act so that there is no erosion of democracy and human rights.

POLAND: A TIGHT STRUGGLE BETWEEN TWO CONTRASTING VISIONS

Deep polarisation is also entrenched in Poland. The incumbent president prevailed in the presidential election, but only narrowly, as the country appeared poised between two very different visions of its future. Increasingly, it seems there are two Polands: a Poland of reactionary politics, and a Poland of resistance; a Poland of tradition, nationalism and religious values, narrowly defined, and a Poland where people are rising up to demand rights and forge a country where people are free to be who they are, difference is respected and dissent is accepted. These faultlines could be seen clearly during 2020 in the moves by ultra-conservative forces to further restrict already heavily constrained abortion rights, and the fierce and determined women's protests that mobilised in response (see this report's chapter on challenging exclusion), and in the presidential election held in June and July. The forces of nationalism, ultra-conservatism and bigotry won this round, but it was close, and many people will continue to insist that another Poland is possible.

The election saw the incumbent, President Andrzej Duda, running notionally as an independent but backed by the ruling Law and Justice party (PiS), face the challenge of Rafał Trzaskowski, politically liberal Mayor of the capital, Warsaw, and candidate of the Civic Platform party. While in Poland the prime minister has much more power than the president, the presidency is neither a ceremonial nor politically neutral position and comes with some key powers, including a legislative veto and the authority to appoint judges. A more liberal president could play a key role in reining in the excesses of PiS, which in 2019's parliamentary election maintained its control of the Sejm, Poland's main parliamentary chamber.

As in several of the countries covered in this report, the timing of the election was controversial. Unlike many other European states, Poland did not declare a state of emergency, which would have automatically caused the election, originally slated for May, to be postponed. PiS presumably wanted to stick to the schedule to build on the momentum of its increased 2019 vote, take advantage of strong poll leads and exploit its media dominance; it may also have hoped that response to the unfolding crisis would mobilise patriotism behind the incumbent, capitalising on the ability of the president, as head of state, to attend events and position himself in a positive light while opposition



A woman holds a sign that reads 'Scandal' at a distanced protest against the proposed postal voting method in Warsaw, Poland on 7 May 2020. Photo by Omar Marques/Getty Images

candidates were subject to travel restrictions. Delay might have meant frustration at the impacts of emergency measures and accompanying economic downturn would chip away at the incumbent's lead. However, an alternative proposal by some pro-government forces to extend the president's term by two years was equally unpalatable to many.

Attempts to proceed regardless met with **opposition**⁷. In March, Civic Platform's then-candidate, Małgorzata Kidawa-Błońska, **announced**⁷ she was suspending her campaign and called for a boycott of the election; she stood down as a candidate in May once the election had finally been postponed. Opinion polls showed significant opposition to the voting going ahead. A petition to postpone the election attracted over 300,000 signatures, and a grassroots campaign mobilised using billboards to question the ruling party's determination to proceed. Even in April, at a time when educational institutes and parks were closed, borders were sealed and non-essential travel was

prohibited, parliament **voted**⁷ for the election to go ahead, with the stipulation that ballots would be distributed to people entirely by mail. This sudden change in voting methods, just weeks before the planned election, raised concerns about the security of the process and capacity of the postal system to cope, which were heightened when it **emerged**⁷ that postal authorities were apparently attempting to gather voter data by insecure means. Voting methods such as early voting, ballot mailouts and postal voting – also a heated topic in the USA – are not inherently insecure and can enhance participation, but they need rigorous and politically neutral safeguards and high public trust, and these are unlikely to be forthcoming when a new practice is introduced at short notice in pre-existing conditions of political polarisation.

Only on 6 May, four days before the vote was supposed to go ahead, was the first round of voting pushed back, to 28 June. Małgorzata Szuleka⁷ of the Helsinki Foundation for Human Rights Poland⁷ describes the concerns civil society had with the timing of the election and the circumstances in which it went ahead:

The election was originally scheduled for May and organising it posed a huge legal problem because there was no legal mechanism to postpone it. The only way to reschedule it was to announce a state of emergency, as provided for by the constitution. From a constitutional perspective, an official declaration that the country was experiencing an epidemic would give the government the prerogative to introduce the state of emergency. However, the government did not follow this process. The election was rescheduled and the run-off vote between the two leading candidates was held on 12 July on very dubious legal grounds. However, this wasn't questioned by the government majority or the opposition.

CSOs first pushed the government to organise the election in a proper way, urging it to announce a state of emergency. Once this didn't happen, CSOs tried to raise the issue of international monitoring, mainly in terms of fairness and financing of the campaign. The problem was that the election was expected to be free but not fair. Public media was biased towards President Duda and extremely critical and unprofessional towards any opposition candidate. Even though no state of emergency had been declared, many fundamental rights such as the freedoms of assembly and access to information were limited. These were major concerns.

The organisation of the campaign involved sanitary measures regarding social distancing and mask use. But these provisions were not fully respected on both sides. For campaigning purposes, the government loosened some restrictions; for example, even though mask use was mandatory, pictures were published of the prime minister not wearing one in public. Also of concern was the fact that many public authorities engaged in political campaigning alongside President Duda. Public institutions were instrumentalised by ruling politicians. The government security centre, responsible for coordination and information in case of natural calamities or danger, sent out mass text messages on election day. Every voter received a message that said that people over 60 years old, pregnant women and people with disabilities could vote without waiting in line. This might have been used to mobilise the core electorate of the ruling party. This is just one example, but it could be an indication of the role played by official institutions to tilt the playing field in favour of PiS.

State media bias presented a serious problem, in a campaign where most people were stuck at home and highly reliant on the media to get their information. The public television service, Telewizja Polska (TVP), consistently **lauded** ⁷ President Duda and presented his challenger as an enemy of Poland. One study found that up to 19 June, 97 per cent of coverage of Duda on TVP's main news programme presented him in a positive light; Trzaskowski received much less coverage and 87 per cent of it was negative. A presidential debate broadcast by TVP was framed around the ruling party's agenda, with questions focusing on its key campaigning issues of opposition to LGBTQI+ rights and migrants and support for religious education. The OSCE, which **monitored** ⁷ the election, found that TVP had 'failed in its legal duty to provide balanced and impartial coverage' and had 'acted as a campaign vehicle for the incumbent'.

As if such favourable coverage was not enough, the ruling party's **attacks** ⁷ on independent media and **foreign media** ⁷ intensified as its lead in the polls narrowed. Gazeta Wyborcza, an independent media outlet, was subjected to **lawsuits** ⁷ brought by ruling-party politicians and state-owned companies over its coverage, with the clear aim of sapping its energy and resources by tying it up in endless legal defence. In May, a popular song in which the head of the ruling party was criticised was **censored** ⁷ and then removed from public radio, sparking a silent protest by journalists.



A woman holds a banner that reads 'Pride not prejudice' at a protest for LGBTQI+ rights ahead of the 2020 presidential run-off election in Krakow, Poland. Photo by Omar Marques/Getty Images

Public media coverage was absolutely unfair. The rest of the coverage, mainly by private media, was relatively good; it definitely was not as bad as public media coverage, which was used for propaganda and enhanced President Duda's campaign.

One of the **complaints** ⁷ brought to the Supreme Court specifically referred to media coverage. It stated that public television supported the incumbent while systematically discrediting his rival, and that public institutions and officials repeatedly violated correct conduct by supporting only one of the candidates. But the problem with the entire institution of election complaints is that you need to prove not only that the alleged irregularity happened, but also that it had an impact on the election results. In presidential elections such as this one, this is very difficult to prove. Additionally, the electoral code doesn't regulate the work of the media, so it's hard to make the legal claim that the media

should operate differently. And if you do, it is also difficult to prove that particular coverage of a particular candidate, or the lack of coverage, resulted in a particular election result. We can intuitively assume this, particularly in view of such tight results, but it is very difficult to create a solid legal case.

Ahead of the election, the government also predictably stepped up its assault on civil society, using attack lines identical to those honed in Hungary and Russia. In May, the environment minister **stated**⁷ that the government was considering a law to make CSOs declare any foreign sources of funding. Following the election, legislation was duly **proposed**⁷ to make declarations mandatory above a low threshold, with fines and derecognition available as potential punishments. This proposed law was similar to Hungary's, which in 2020 the European Court of Justice found to be in breach of EU law.



A man holds a sign that reads 'Constitution' during a distanced anti-government protest on 3 May 2020, Constitution Day, in Wrocław, Poland. Photo by Omar Marques/Getty Images

Despite all the incumbent's advantages, when the first-round vote was held, the results were much closer than earlier polling had indicated, suggesting that the election had in part become a verdict on the government's handling of the pandemic. Turnout was significantly higher than in 2015, with first-round turnout at roughly 65 per cent, up from 49 per cent, and second-round turnout at approximately 68 per cent, up from 55 per cent. The mailing of ballots may well have increased participation, and turnout might also have reflected a sense, in a polarised context, that this election mattered.

Going into the run-off vote, President Duda's reaction to his dwindling lead was to intensify rhetoric designed to appeal to a culturally conservative support base. The election **highlighted**⁷ all the divisions between the two Polands: between east and west, cities and villages, younger and older people, and more and less educated people. Although these are broad generalisations, as in other recent European elections, they provided a fairly good indication of people's voting preferences. To appeal to one side of this divide, President Duda amplified crudely homophobic appeals, along with the **vilification**⁷ of George Soros as an enemy funder, a tactic linked to anti-Semitism commonly deployed by far-right politicians. At a rally, President Duda described LGBTQI+ rights as an ideology worse than communism, and Trzaskowski was attacked for **supporting**⁷ LGBTQI+ rights as Mayor of Warsaw. It appeared President Duda wanted to pretend the election was a referendum on same-sex marriage.

Out of all possible campaign issues, President Duda chose to focus on stoking homophobia. The campaign took place in a context of a years-long backsliding of the rule of law, in the middle of a crisis of relations between Poland and the EU, during a huge healthcare challenge and on the verge of an economic crisis that will affect everyone in Poland. But none of these issues were the focus of the political campaign and public discussion. President Duda mainly spoke about LGBTQI+ people posing a threat to our Christian traditional heritage, equating homosexuality with paedophilia. The issue was narrowed down to this divisive, outrageous and dehumanising narrative by the PiS party. It was a very pragmatic move from PiS spin doctors because it mobilised the very core of the electorate. All of a sudden LGBTQI+ groups and communities became the scapegoat for everything that is wrong in Poland. It is outrageous how much this issue was politicised and how it was used to dehumanise this minority group. It was painful and heart-breaking to watch.

Sadly, it worked, just about. In the July run-off vote, President Duda prevailed, albeit narrowly, at roughly 51 per cent to 49 per cent. The even split summed up Poland's polarisation, while given the thin margin, opposition and civil society groups brought legal challenges, including over the role of the media, the part played by state officials in the ruling party's campaign and the scheduling of the vote, as well as the apparent loss of many votes cast by Polish citizens living abroad. However, in August Poland's Supreme Court **upheld** [↗] the results. This was not surprising, given that the ruling party has consistently interfered in and politicised judicial appointments.

There seemed no attempt by the ruling party to build bridges after the election. While President Duda's win may have seemed to reaffirm PiS power, its majority in the Sejm rests on a **coalition** [↗] of different conservative parties. Identity politics offers one means of **papering over** [↗] coalition differences, including on pandemic response and the economic downturn. Having pushed a hard line for electoral gain, the government faces expectations by hardcore supporters to deliver; it is difficult to retreat from extreme positions, particularly as other conservative groups move even further right and exert pressure. Following its narrow presidential win, PiS therefore targeted abortion rights and the Council of Europe's Istanbul Convention on domestic violence (see this report's chapter on challenging exclusion), along with continued attacks on civil society as a key source of pluralism, rights advocacy and government scrutiny.

The campaign was far from the end of it. In June, the PiS party targeted LGBTQI+ people. In July, it targeted **victims of domestic violence** [↗] by starting discussion on withdrawing from the Istanbul Convention. In August, it proposed to register CSOs that are **financed from abroad** [↗]. Now I don't know who is going to be their next enemy. It's not only about being homophobic but rather about this governing majority always needing an enemy to confront or blame.

As for the more expansive vision of Poland, much may depend on whether the temporary unity forged during the election period among those who oppose the government and those who at least want to rein in its power can hold as a longer-term alliance determined to scrutinise the government and uphold rights. As in Hungary, people are urging the EU to take a stronger lead in a country that benefits strongly from EU funding, but Hungary and Poland are pushing back against EU rule of law provisions (see this report's

chapter on civil society in the international arena). Polish civil society will do what it can, but following an election that tantalisingly offered the promise of reversing the tide of regression, many in civil society are understandably dismayed and fearful.

We just entered a phase in which there will be no elections for the next three years so we can expect a huge consolidation of power and the government doing everything that it dreams of, such as creating pressure on CSOs, further polarising the media, targeting specific minority groups and escalating the conflict with the EU. We can expect all of this to happen over the next three years. I think the crisis of democracy and human rights in Poland will deepen.

SLOVENIA: A RIGHTWARD TURN FOR THE WORST

Polarisation is also on the march in Slovenia, driven by another right-wing populist who gained power in March. The outgoing government had been relatively open to civil society, and civil society had enjoyed some positive partnerships. But all that changed when the minority centre-left-led government collapsed in a dispute over healthcare funding, allowing Janez Janša to become prime minister at the head of a new coalition government. Janša and his Slovenian Democratic Party (SDS) had been kept out of government despite winning more seats than any other party in the June 2018 election because other parties had shied away from its extremist views.

Brankica Petković [↗] of the **Peace Institute** [↗] gives the background:

This is the third time that Janez Janša has become prime minister; he is very persistent and sees himself as destined to save Slovenia from leftist and liberal values. In 2021 Slovenia celebrates 30 years of independence since the disintegration of Yugoslavia, and for most of those years we have been under centre-left governments. These dynamics have been particularly frustrating for Janša and the SDS, who tend to blame the media, which they see as left-leaning and controlled by former communists, for the fact that they are not able to gain power more often.

Janša has a conspiratorial mindset and has claimed that he was arbitrarily sent to prison so that the election could be stolen from him. In fact he was in prison because of a judicial verdict in a corruption case, which the Constitutional Court eventually revoked on appeal, mainly on the grounds that there wasn't sufficient evidence against him.

The SDS used to be a right-wing party but is increasingly considered, especially by external, European observers, to be a far-right party. We have not yet accommodated to this shift, because we've historically identified it as a right-wing party, but they have indeed gradually moved further to the right. The values they advocate are strongly against migrants' rights and promote racist ideology, and the methods they use increasingly place them on the far right of the political spectrum.

The centre-left political block in general is unstable: we have had many centre-left governments, but more often than not the parties in centre-left governments have been new parties that kept appearing and disappearing from the political scene, and their members of parliament and office holders tended to be quite inexperienced. The SDS on the other hand is constant, stable, guided by party discipline and Janša's incontestable leadership, and has a number of experienced politicians, particularly members of parliament.

For years, non-governmental organisations (NGOs) have been under attack from Janša, the SDS and their affiliated media, which consider NGOs and mainstream media as their enemies.

If this situation sounds reminiscent of Hungary, with a right-wing populist leader demonising migrants and LGBTQI+ people and attacking CSOs as a source of destabilising liberal values, this is no coincidence. Prime Minister Janša and Hungary's Prime Minister Viktor Orbán are closely aligned. Orbán's key tactic of media dominance, using it as a platform to shift discourse, foster polarisation and attack opponents, is being replicated in Slovenia, with Hungarian support. Hungarian media companies linked to Orbán have been busy buying Slovenian counterparts and set up a media group dedicated to disseminating government propaganda.

As they blamed the media for their political failure, they formed their own media group. This is not a cheap undertaking, so they ended up in

a partnership with a Hungarian media businessman with close ties to Orbán. The content the media in this group produce is highly biased and unprofessional. What they do is not journalism but propaganda, either to promote Janša or to run smear and character-assassination campaigns against figures of the opposition and civil society. These media outlets treat human rights organisations, LGBTQI+ rights organisations and environmental organisations as enemies of the people, as 'privileged' and as 'parasites'.

Janša's connection with Orbán is not limited to their common media business ally; they have strong political and personal connections as well. They celebrate each other, come to each other's election rallies. They are



A protester participating in a peaceful anti-government protest displays his anti-fascist bicycle in central Ljubljana, Slovenia on 31 July 2020. Photo by Matic Zorman/Getty Images

very similar politically, and the strategies they use to attack NGOs and the media are also similar. Janša is using social media, particularly Twitter, for his political communication and attacks. He is obsessively and aggressively engaged in tweeting, day and night. Polarisation is the modus operandi of Janša and the SDS.

Fortunately, this discourse does not circulate much in mainstream media, which are mostly professional in their reporting. The government has tried to snatch control of the public broadcasting company and to starve the national press agency, but has so far failed. This may change if Janša stays in power long enough. There are also some possible scenarios for taking control of some commercial mainstream media by the ruling party if the owners agree to enter into such deals in exchange for some big government contracts or other business opportunities. But for the time being hate and propaganda are, apart from social media, restricted mostly to fringe media outlets directly controlled by the ruling party. These propaganda media are however becoming more popular because the Prime Minister appears there and shares their content, and the mainstream media cover what the Prime Minister does and says, so in that way they are entering the news cycle.

Throughout the year, Janša also **attacked** ↗ independent media, including by positioning them as an obstacle to pandemic response; threats from non-state groups towards independent journalists duly followed. One woman journalist told **her story** ↗ of how she had been called a 'prostitute' by Janša, and when she filed a lawsuit, faced an onslaught of online attacks.

As well as vilifying independent media, the new government smeared CSOs and set out to starve them of funds. State grants on key issues such as civic education, migrants' and refugees' rights and work to combat disinformation were stopped on the grounds that the money was needed for pandemic response. The emergency package passed by the government in March contained no support measures for CSOs, and only after lobbying were CSO staff allowed to access the same individual assistance schemes available to private sector employees. The government also tried to **abolish** ↗ its NGO Fund.

Several NGOs had contracts signed with previous governments, for projects promoting the equality of migrant children in schools and so on,

but the current government decided not to honour them. As soon as it came to power, it sent letters to the concerned NGOs, including the Peace Institute, stating its intention to annul those contracts, and when NGOs refused to sign, they simply withheld the funds. These are small grants, up to €10,000 (approx. US\$12,200), but they are vital for human rights NGOs to do their work.

The government also tried to obstruct other funding channels. The previous government established an NGO Fund to support the professionalisation of NGOs and increase the availability of project funding. The NGO Fund is made up of the allocation of 0.5 per cent of income tax. This fund was the result of many years of advocacy by the national civil society umbrella organisation, but about two years after it was established, the new government tried to dismantle it through provisions included in a COVID-19 emergency legislative package.

The government is also withdrawing other forms of support for civil society. For instance, the building where we have our offices is owned by the Ministry of Culture and has been home to 20 NGOs working in the fields of human rights and independent culture since 1997. After 23 years, they want to evict us. Prime Minister Janša, his party and their media are, on a daily basis, portraying the organisations in this building as privileged and as parasites, and they openly claim they will deprive us of offices and public funds.

The **eviction decision** ↗ came on the same day that a new pandemic curfew was imposed in response to a fresh wave of infections; the timing seemed a deliberate provocation. A similar move saw the **forced eviction** ↗ of an alternative community that had for years occupied a disused bicycle factory, in January 2021. These attacks on artists and independent cultural groups seemed no accident; the government could be accused of wanting only its official version of national identity, culture and history to prevail, and not the diversity, debate and dissent that comes with independent cultural expressions. Environmental CSOs also faced a more hostile environment. Used to participating in planning and scrutiny processes under previous administrations, environmental CSOs began to be excluded, with the pandemic offering a ready pretext to restrict participation. Proposed law changes, announced in January 2021, would **prevent** ↗ them disputing planning decisions.

Environmental NGOs have specifically been attacked. We used to have high standards of civil society participation in the processes surrounding the **Aarhus Convention**⁷ on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters. But the current government has infiltrated COVID-19-related legislation with measures aimed at obstructing participation. We have a Minister of the Environment who was, before that, a manager at a state-owned hydroelectric plant and is expressing a lot more interest in promoting investment and building power plants than in taking care of the environment. He uses his current position in the government as a platform to stop environmental NGOs. Having introduced those restrictions on participation into emergency legislation, he is now trying to also enshrine them in regular environmental legislation.

Environmental NGOs brought a complaint and the Constitutional Court put those provisions on hold. For the time being, they have litigated successfully to preserve their rights, but the government has continued to insert similar restrictions in other bills that are now up for parliamentary consideration.

People mobilised quickly to protest against the new government. Media reports⁷ about favouritism in the awarding of contracts for PPE and ventilators, and related high costs, helped fuelled protest anger. Regular protests⁷ were held on Fridays in the capital, Ljubljana, and spread to other parts of Slovenia. Each week before the main protest a different group came to talk about their specific cause, such as women's rights, labour rights and the environment. Protests included cycle-based protests as a way of protesting safely when pandemic restrictions were more severe, and the bicycle became a protest symbol. Further protests with an artistic focus were held outside the Ministry of Culture to express anger at the government's decision to cut cultural funding as part of its pandemic response, while in July, hundreds of media workers gathered outside the national assembly to protest⁷ against a package of media laws under debate, which would divert state funding away from the public broadcaster to other media outlets and give the government more say in key media appointments.

Thousands of people – 5,000, 10,000 – mobilised in Ljubljana, with smaller numbers in other cities. Most people went out to protest in indignation

in the face of corruption allegations. Many also protested against the restrictions faced by environmentalists, the attacks on journalists and media, the dire situation of cultural workers and civil society, and judicial independence. So in broad terms, these were protests in defence of democracy.

Starting in October, however, a second wave of COVID-19 infections was declared and a curfew was imposed, schools closed and public life became almost non-existent. People were scared because of the spike in infections and deaths, so protest organisers announced the end of massive protests, while encouraging individual actions instead. There have been public performances on Fridays, demonstrations by small groups of people and car demonstrations. Bicycles are a symbol of our protests, so some people put a bicycle on top of their car, or even giant stickers with images of bicycles, and drive around in protest.



People on bicycles participate in anti-government protests in July 2020 in Ljubljana, Slovenia. Photo by Matic Zorman/Getty Images

People's determination to protest met with a tide of government restriction, with the government using the pandemic as a pretext. Those protesting were likely to risk fines, while there were also reports of police **beating** protesters. It was in part to try to avoid heavy fines that people organised car-based protests, sounding their horns, and individual walking protests, carrying protest signs on umbrellas.

When people go out to protest, the government, particularly the Prime Minister and Minister of the Interior, not only dismisses them and portrays them as criminals – it even uses people's personal data to smear them – but also polices them excessively and obstructs their gatherings. On Friday evening streets and squares are surrounded by police vehicles and horses, with helicopters hovering above, in an attempt to intimidate people. To those who still go out to protest, they issue fine after fine for violating pandemic measures. Legislative packages meant to fight the pandemic introduced steep increases in fines to individuals to €400 (approx. US\$490) for 'gathering'. Repeat protesters have had to pay thousands of euros in fines already.

People who have been fined are now disputing the fines and bringing the police to court on discrimination grounds, as the police are quite selective: they only stop and fine the people who are driving in protest. Clearly, none of this is about stopping COVID-19: it is about stopping people from protesting.

In the face of repression and to stop polarisation taking hold, civil society will have to continue to work together to make a renewed case for the value of civil society and its contribution to democracy. Another strategy that has already had some success is to try to exploit divisions in the ruling coalition.

One thing that we do is take advantage of the fact that the SDS is not ruling alone; there are three other smaller parties in the ruling coalition. If they don't all vote together, they cannot pass legislation. Therefore, the advocacy strategy focuses on influencing coalition partners, and it sometimes works.

USA: TRUMP DEFEAT, BUT A TOXIC LEGACY

The election that gripped the world, in circumstances of unprecedented polarisation, was of course that of the USA. In the end, President Joe Biden and Vice-President Kamala Harris were inaugurated peacefully and without disruption on 20 January 2021, as President Trump begrudgingly vacated centre stage. The shocking events of **6 January**, when a mob galvanised by Trump's baseless claims of electoral fraud stormed the US Capitol, marked a culmination of Trump's campaign of lies and denial, but it also took the sting out of it. There was a sense even among many on the right that Trump had finally gone too far, and that the USA's sense of itself as an orderly, elegantly procedural democracy was at risk. In the fallout, Trump had to commit to not disrupting the transfer of power. On 20 January 2021, career politicians, people who talked and acted like conventional politicians, were sworn in, and many people breathed a sigh of relief. More than anything, it just felt good that the Trump presidency was over.

Trump had been swept aside in an election characterised not by fraud but by unprecedented levels of participation. Turnout stood at circa 67 per cent, up from 56 per cent in 2016, and at its highest level since 1900. Biden received the most votes any presidential candidate has ever received. The high turnout reflected in part people's enhanced ability to vote by mail and vote early in response to the pandemic, a change that was bitterly contested at every turn by Trump and his supporters, even to the point of **sabotaging** the postal service. It also indicated a determination by many to mobilise to defeat Trump, not necessarily out of any great enthusiasm for Biden and his platform, but from a desire to stop outrageous human rights abuses and return to a more rules-based form of governance. Behind Biden's 81,268,924 votes lay a tremendous effort to mobilise voters usually excluded for being poor, Black, or members of other excluded groups, through increasingly rampant processes of voter suppression. In the key state of Georgia, for example, initiatives to mobilise Black voters may have made the difference in delivering the state and then its senators to Biden (see this report's chapter on the global struggle for racial justice). Civil society **took to the courts** to defeat Trump's attempts to stop people voting and then stop votes being counted; this was a familiar method of holding the administration accountable for organisations such as the American Civil Liberties Union, which filed almost **400 cases** against Trump during his time in office.

Efforts to elect more women continued to pay off. While Biden's election marked a return to politics as normal, some things were new. Kamala Harris became the first female Vice-President and first African-American and Asian-American person to hold the office. Behind this headline, more women were **elected** to Congress than ever before, reflecting the fact that more women had stood for office. Extensive civil society efforts to encourage women's political participation, not just as voters, but as decision-makers, were beginning to pay off (see this report's chapter on challenging exclusion). Clearly there is yet more to do, as still only just over a quarter of congressional seats are held by women, but the direction of travel seemed a positive one.

The election was mostly peaceful. The security force violence that throughout 2020 mobilised against Black Lives Matters protests was largely absent, although there were scattered incidents, such as the police **disruption** of a Get Out the Vote event in North Carolina in which members of George Floyd's family were taking part; the police used pepper spray and arrested at least 12 people who were peacefully encouraging people to use their vote. There were also some at times violent clashes between participants in pro-Trump and anti-Trump protests, including at a **counter-protest** organised against a Trump rally in California in October. In Portland, Oregon, at least 11 people were arrested in **post-election protests** and the police declared all gatherings in the city to be unlawful. On 14 November, tens of thousands of Trump supporters **marched** in a show of force in Washington, DC to express their support for the false fraud claims, and some violent **clashes** between protesters and counter-protesters resulted.

As the votes were counted, which in some places was a lengthy process due to state laws that prohibited the early counting of ballots received before election day, hostile and aggressive pro-Trump protests gathered outside counting centres, sometimes **armed**, variously insisting that the counting be stopped or that all votes be counted, depending on what would best suit Trump. Some cities witnessed the grim spectacle of white Trump supporters intimidating mostly Black vote counters, to the point that the police had to provide **protection** to enable vote counters to work safely. But although Trump and his acolytes did all that they could to overturn the results, election officials and even many Republican state governors held their nerve and put their constitutional responsibilities first. Despite four years of systematic undermining and personal rule, the institutions of democracy just about held firm.



Protesters hold an anti-Trump banner in Black Lives Matter Plaza during the 2020 presidential election in Washington, DC on 3 November 2020. Photo by Eric Lee/Bloomberg via Getty Images

Once the vote was finally called for Biden, US civil society could start to think about the post-Trump future. Many saw possibilities that had been closed off before potentially open up, as the Biden administration committed to rolling back many of Trump's moves that had removed opportunities for civil society to engage in dialogue, hold the state accountable and undertake advocacy, including a commitment to restore some **key environmental regulations** and return the USA to a series of international arenas from which Trump had withdrawn (see this report's chapter on civil society in the global arena).

But of course the situation remains one of profound polarisation. Some 74,216,154 people voted for Trump, meaning that after four years of misrule, over 11 million more people voted for him in 2020 than in 2016. There is a large section of US society who liked what Trump did and saw his presidency as a success. Many Trump supporters simply refused to accept Biden's victory and can be expected to continue to view his presidency as illegitimate. With this

section of the population, Trump's insistent lies about election fraud worked: despite the lack of any evidence, in January 2021, **three in 10** Americans still believed that the election had been characterised by rampant fraud, and it is hard to see what will change their minds.

A series of Republican senators lined up to **condemn** the Capitol insurrection and withdraw their support for the spurious fraud claims. But when Trump was impeached for a second time for his role in mobilising the insurrection, many of those who had condemned the violence still voted to acquit. Mitch McConnell, who had been Senate leader until the Democratic Party took control, voted to acquit Trump but then **gave a speech** holding him 'practically and morally responsible' for the riot. Behind this clearly contradictory position, framed around a technicality, lurked an acknowledgement of a political reality: Trumpism has taken control of the Republican Party and any Republican politician who wants to progress needs to work with that force. Only seven Republican senators voted to convict Trump, and they faced instant **backlash** from Republicans in the states they represent, including formal censure from their state parties and promises that they would face pro-Trump challengers in future primaries. With the impeachment vote having failed, Trump is free to run again in 2024, but whether he chooses to or not, the chances are that the candidate that wins the Republican nomination will be the one that most strongly speaks to the Trump support base. Trump has been defeated, but Trumpism has not.

Even as it works to build constructive links with the Biden administration, civil society will do so within an atmosphere of sustained polarisation. Trump politicised everything he touched, including every aspect of a pandemic that as a result of his mismanagement has at the time of writing killed over half a million of his country's people, and the toxic discourse he marshalled lingers. Social media is still awash with hate speech and disinformation, even after key platforms took action against Trump, too late, fact-checking his outrageous lies and then banning him only once his grip on office had started to slip. Conspiracy theories such as QAnon, which had predicted that the Biden inauguration could not happen, proved endlessly **malleable** and reshaped for those determined to believe in them. Trump **increased his support** among white working-class supporters, and also with some Latinx people in some key states, such as Florida. In Congress, practices of bipartisanship have long been dynamited by the Republican Party, and Biden and Harris can expect to face



As she recites her poem 'The Hill We Climb' at the presidential inauguration on 20 January 2021, youth poet laureate Amanda Gorman signals hope for change in the USA. Photo by Rob Carr/Getty Images



A feminist collective holds a protest at a colonial statue to call for Indigenous women's perspectives to be taken into account ahead of the election on 12 October 2020 in La Paz, Bolivia. Photo by Gastón Brito/Getty Images

spurious impeachment calls at every turn. Trump ensured that the Supreme Court is packed with hardline conservatives, which means that long after he is gone, his toxic agenda will linger.

For the next elections, including midterm votes in 2022, much will depend on what progress can be made to reverse the tide of voter suppression; people should not again have to overcome the many obstacles they faced in trying to cast their votes in 2020. This is still an almighty struggle: at the time of writing, several states were intensifying voter suppression efforts, including in the key state of **Georgia**⁷, where a law was passed to make it even harder to vote. These efforts need to be resisted and civil society needs to be supported and enabled so that it can help combat disinformation, overcome hatred and diffuse polarisation. Democracy must survive not just Trump but also his legacy.

BOLIVIA: A NEW OPPORTUNITY TO BUILD A STRONGER DEMOCRACY

It sometimes seemed that Bolivia's general election would never be held. First scheduled for May, like many others it was postponed due to the pandemic, rescheduled for September. But before that date could be reached, in July the election was pushed back again until October. In a deeply polarised country, the suspicion, certainly among many supporters of the former ruling party, the Movement for Socialism (MAS), was that the right-wing interim government wanted to delay the election as long as possible, presumably in the hope of buying time to improve its ailing fortunes and to push through more of its agenda. The interim government had **come to power**⁷ in questionable circumstances in November 2019, following the resignation of President Evo Morales after a disputed election; it had acted not as a caretaker administration but as though it had a powerful mandate, seeking to dismantle Morales' legacy.

A commitment to hold the election on 18 October only came after **protests**⁷ greeted July's announcement of postponement. Over 100 roadblocks and other forms of protest were **reported**⁷ to have taken place across Bolivia. Indigenous and campesino movements and trade unions associated with MAS were prominent in the protests, in some cases using dynamite to block mountain passes. The interim government threatened to deploy the military to remove roadblocks, on the grounds that they were obstructing the movement of vital

medical supplies. There were reports of violence between pro-MAS and anti-MAS groups, and instances of security forces using teargas against protesters.

Two weeks of protests came to an end when Interim President Jeanine Áñez signed a law mandating that the election would be held by 18 October. But there seemed little prospect of reconciliation in the news that several protest leaders faced criminal charges on such serious grounds as sedition and terrorism, and that **arrest warrants** had been issued for five of them. If the blocking of roads at a time when medical services needed to move quickly and the country was struggling to cope with the pandemic symbolised Bolivia's dysfunction, the aggressive pursuit of protest leaders seemed to epitomise its polarisation.

After all the disagreements, when the election was held, it resulted in a commanding MAS win. In 2019, the circa 10-point lead Morales claimed over main opposition challenger Carlos Mesa, thus narrowly avoiding a run-off vote as he sought a fourth presidential term, had sparked the furore over alleged irregularities that led to Morales' resignation. But in 2020, the result was beyond doubt. MAS candidate Luis Arce won around 55 per cent of the vote, far ahead of Mesa's 29 per cent. Interim President Áñez withdrew from the race in September, when opinion polls showed her placed a distant fourth. MAS also won a majority in both parliamentary houses. The new senate had a **majority** of women members. Encouragingly, Mesa and Áñez were quick to **accept** the result. International observers **declared** that they had not seen any fraud. While there were some protests, these were small and mostly involved far-right groups, and did not cross into the mainstream.

But the election could not on its own heal deep political divisions in Bolivia. **Cristian León** of **Asuntos del Sur** suggests that Bolivia remains pulled between two opposing camps formed on broad identity lines, marked by a determination not to understand or engage with the other:

This deepening chasm is the result of a social fracture and a racialisation of politics, which intensified after the electoral crisis of October 2019, combined with the lack of intermediation mechanisms. The current scenario is based on the ethno-racial construction of the 'other' and on class confrontation.

In this sense, the project of a plurinational Bolivia under the leadership of a popular leader, which had resulted in the relative displacement of several elites, has had clear consequences. During the time that this project lasted – for Morales' 14 years in office – ethnic and racial discrimination came to be perceived as politically incorrect and were legally punished, since a law was passed against all forms of discrimination and racism. However, this formal change did not consolidate as part of the political culture. During the Morales administration, displaced elites, several of them from the urban upper classes, had to migrate or go into exile – in some cases due to political persecution – and promoted their political projects from the margins, since they had no real opportunity to regain state power. But as soon as MAS weakened, all that dormant structure was soon reassembled, bringing back the remnants of all discourses.

Bolivian parties are not strong, not even MAS, which continues to be a corporatist structure of popular movements with a single, very strong leader. The consequence of this is the absence of debate about ideas and the lack of renewal of leadership. If MAS had generated a new leadership for the 2019 elections, its project would have probably continued as strongly as in 2014 and would not have been worn down along with Morales' attempts to secure a new term.

But the other parties have the same problem. The candidates who competed in the 2019 election were basically the same who had competed in 2004, before Morales' first term. The lack of institutionalisation is often conducive to radicalism and polarisation. It also turns parties into catch-all parties, and as a result progressive and ultra-conservative ideologies, right-wing policies and left-wing world views, coexist within the same party. Politics ceases to be a competition among alternative projects to lead the government and becomes a confrontation with an 'other' that is a racial construct.

We will continue in a state of transition until a wide and renewed political force emerges, hopefully characterised by a more acute political intelligence than current contenders have exhibited this time around.

It will take more than the election result going undisputed to bring people together, and evidence of polarisation continued. This included the **online sharing** of lists of activists and journalists who were believed to be critical of MAS and so were vilified as 'right-wing people who must be judged and



A woman votes during the general election on 18 October 2020 in La Paz, Bolivia. Photo by Gastón Brito Miserocchi/Getty Images

lynched by society’, in the words of one Facebook group that published the list. Some perceived as being opposed to MAS received death threats. MAS supporters confronted people who held a **sit-in** outside the legislative assembly in October against a proposal to remove the need for key laws to be passed by a two-thirds majority, a change that obviously would benefit MAS. Anti-MAS groups also mobilised threats: in November, members of anti-MAS youth groups **threatened** journalists covering their protest against the election results.

Morales’ return from exile in December saw his supporters **attack** and threaten journalists reporting from the airport. Morales still casts a long shadow over Bolivia’s politics, and many will be waiting to see if President Arce proves himself to be his own leader.

Some evidently positive news on this front was offered by the decision by the new president to **establish** a commission of experts to prepare proposals on

judicial reform, as judicial independence had long been compromised through political interference. The new government offered hope that impunity over at least one notorious human rights abuse would be challenged, when it **invited** a group of international human rights experts to examine the massacre of two groups of pro-MAS protesters in November 2019; the group’s preliminary report **found** serious indications that extrajudicial killings had taken place.

But the polarisation continued. While in February 2021 an amnesty granted to people detained during the 2019 political crisis reportedly benefited over a thousand MAS supporters, the following month former Interim President Áñez was **arrested** on terrorism and sedition charges, and warrants were issued against other interim government members, accused of taking part in a coup. While there must be accountability over human rights abuses, the fear was the Bolivia would remain locked in a **cycle** of retribution, where one side in office would use the machinery of criminal justice to persecute the other.

In such a difficult context, where anyone who is not for MAS is assumed to be against them, it is difficult for civil society to operate and work together across the divide. The need is still to build bridges and find common ground, however hard that may be. Following a much-delayed election, the struggle should be on to build a stronger democracy.

DOMINICAN REPUBLIC: CIVIL SOCIETY’S PUSH FOR HIGH ELECTORAL STANDARDS

The Dominican Republic’s election processes in 2020 were contested, sometimes chaotic and influenced by the context of COVID-19, but resulted in change. As in Poland, the ruling party candidate tried to win electoral favour by positioning himself in a positive light as the leader of pandemic response. But the outcome was a rare defeat for the ruling party, in an election that, despite the pandemic, was characterised by strong civil society engagement and determination to ensure good electoral conduct.

Civil society mobilised in response to presidential primaries held by the ruling Dominican Liberation Party (PLD), bitterly fought as the outgoing president, standing down after two terms, attempted to secure power for his heir of choice and block a rival from winning the candidacy. Having observed these manoeuvrings, civil society came together and offered a joint response,

the **Citizen Manifesto**⁷, to ensure that whoever won, electoral outcomes would truly represent voters' choices. Citizen Manifesto was launched as a civil society-led multi-stakeholder initiative to monitor the 2020 municipal, legislative and presidential elections, and to promote the consolidation of democratic institutions. **Hamlik Chahin**⁷ of Citizen Manifesto and **Addys Then Marte** of **Alianza ONG**⁷, a network of Dominican CSOs, describe the origins of the initiative:

The primaries were highly contested and there was a lot of manipulation. They left a bitter taste among the citizenry: faced with the possibility that fraud had been used to thwart a primary election, many wondered what would become of the national election.

It was then that many CSOs began to think about what to do: we connected with each other and with political actors, we shared information and our assessments of the situation. We decided to express our concern and demand fixes from the institutions and entities responsible for organising elections, starting with the Central Electoral Board (JCE) and also the Superior Electoral Tribunal and Attorney General's Office, which are responsible for prosecuting crimes and irregularities. This is how the **Citizen Manifesto**⁷ initiative began to form. It included actors from the business, religious, labour, union and peasant sectors. We campaigned to draw the attention of society to the need to defend and monitor the process of democratic institutionalisation ahead of elections. And above all, we advocated with political figures. We met with party representatives, and as a result the Citizen Manifesto had the support of all sectors. This turned us into direct interlocutors of the JCE.

The series of 2020 elections that would culminate in the choice of a new president got off to a rocky start. For the election in February, new technology was introduced; it did not work. When the technology went down, people took to the streets to protest.

In the municipal election, a new dual voting system was used for the first time, which consisted of a fully electronic voting system for urban areas and a manual system for rural areas. As a consequence of the Citizen Manifesto's requests to bring some guarantees and certainty to the

process, the electronic voting system also had a manual component in the stage at which the ballots were counted; we also successfully demanded that the vote counting process be recorded and a fingerprint and QR code capture system be introduced.

Although security measures were strengthened, there were serious problems with the implementation of the new software. On 16 February, several hours after the vote had started, the JCE discovered that there was a problem with around 60 per cent of the electronic voting machines and decided to suspend the municipal election.

This caused a crisis of confidence, and thousands of people took to the streets in almost daily protests. On 17 February, a demonstration outside the JCE headquarters demanded the resignation of all JCE members. Discontent also affected the government, as many protesters believed it had tried to take advantage of machines not working properly. On 27 February, Independence Day, a massive **demonstration**⁷ was held to demand the investigation of what happened and urge greater transparency in the electoral process.

Diaspora protests⁷ in support of democracy were seen in cities across the USA, including Chicago, Los Angeles and New York, and in Canada, France, Mexico, Spain and the UK, among other countries.

The postponement meant that to vote in the rescheduled municipal election, eventually held in March, people had to risk conditions of rising COVID-19 infections. As the emergency continued, legislative and presidential elections were pushed back to July. Civil society stepped in to try to ensure the voting conditions were as safe as possible.

The municipal election was rescheduled and held on 16 March, and electronic voting was not used. By then the pandemic had already begun but suspending the election a second time was not an option. That is why the Dominican Republic declared its state of emergency quite late: the government waited for the election to take place and three days later passed a state of emergency and introduced a curfew.

In April, as the situation continued, the electoral body decided to postpone the national elections until 5 July, after consulting with political

parties and civil society. There was not much margin for manoeuvre because sufficient time was needed for the eventuality of a run-off election, which would have needed to take place before 16 August, when the new government should be inaugurated. Of course, there was talk of the possibility of a constitutional amendment to postpone inauguration day, and civil society had to step in to deactivate these plans and help put together an electoral process that included all necessary sanitary measures.

As civil society we tried to force the introduction of adequate sanitary measures. We urged the JCE to follow the recommendations of the World Health Organization and the Organization of American States to convey the certainty that the necessary measures would be taken and the election would take place. It was a titanic effort, because we have not yet had an effective prevention and rapid testing policy in the Dominican Republic; however, it turned out to be possible to impose **sanitary protocols**⁷, including disinfection and sanitation, the distribution of protective materials and physical distancing measures.

The ruling party did not, however, take an equally responsible approach. Instead, it tried to the emergency restrictions imposed under the pandemic to its advantage, seizing opportunities to promote its candidate and taking advantage of its privileged media access while closing down avenues for the opposition.

The great outbreak of COVID-19 has not happened exclusively because of the elections; it seems to be above all the result of two-and-a-half months of disorganised and irresponsible campaigning carried out mainly by the incumbent party. The government tried to profit from the pandemic and the limitations imposed by the state of emergency. However, this may have played against it. The waste of resources in favour of the official candidate was such that people resented it. It was grotesque: for instance, just like in China, the measure of spraying streets with disinfectant was adopted, but while in China it was a robot or a vehicle that went out on the streets at night and passed through all the neighbourhoods, here we had an 8pm parade by a caravan of official vehicles, complete with sirens, flags, music – a whole campaign show. People resented it, because they saw it as wasting resources for propaganda purposes instead of using

them to control the pandemic effectively.

The conditions for campaigning were very uneven, because public officials enjoyed freedom of movement beyond the hours established by the curfew and opposition parties complained that the incumbent party could continue campaigning unrestricted while they were limited to permitted hours. Access to the media was also uneven: propaganda in favour of the official candidate was ubiquitous, because it was one and the same as government propaganda. In this context, a specific ad caused a lot of discomfort: it said something like ‘you stay home, and we will take care of social aids’, and included images of the official candidates for president and vice-president.

The pandemic was used politically in many ways. At one point the fear of contagion was used to promote abstention; a campaign was launched that included a drawing of a skull and said, ‘going out kills’. While we were campaigning under the message ‘protect yourself and get out to vote’, the government’s bet was to instil fear among the independent middle class, while planning to get its own people out to vote en masse. The negative reaction they provoked was so strong that they were forced to take this ad down after a couple of days.

The state was absent from most policies implemented against the pandemic and left the provision of social aid and prevention in the hands of the ruling party candidate. Often it was not the government that carried out fumigations but the candidate’s companies. It was jets from the candidate’s aviation company, not state or military planes, that brought back Dominican citizens stranded abroad. The first test kits were brought from China by the candidate, with of course large propaganda operations.

And yet despite all these attempts to skew the vote in its favour, the PLD lost after 16 years in power. In the previous election, the president’s vote stood at around 62 per cent, but in 2020 support for his nominated successor collapsed to only around 37 per cent. Votes for the main opposition candidate, Luis Abinader of the Modern Revolutionary Party, leapt from 2016’s 35 per cent to almost 53 per cent, winning him the presidential race without need of a run-off vote. People had signalled their determination for change, a demand that had long been building. For civil society, the transfer of power offered an encouraging sign of the robustness of democratic institutions, which civil

society has worked to nurture and defend, and the hope that a change at the top might create some opportunities for more significant breakthroughs.

Faced with the fact that a single party had ruled during 20 of the past 24 years, citizens showed fatigue and searched for alternatives. Citizens expressed themselves not only through mobilisation and protest, but also through a process of awareness raising that took several years. Very interesting expression platforms emerged, such as the digital medium Somos Pueblo (We are the People), whose YouTube broadcasts played a very important role. With the government campaigning on the streets and citizens isolated by the pandemic, creative strategies were also employed to overcome limitations and protest without the need to leave our homes, such as through cacerolazos (pot-banging actions).

The interest in participating to bring about change was reflected in the election turnout, which exceeded 55 per cent. Although well below the 70 per cent average recorded in the elections held over the past decade, the figure was noteworthy in the context of the pandemic. Given the incumbent government's mismanagement of the pandemic, people have high hopes in the new government. If we can overcome this challenge, the times ahead may bring positive change in terms of strengthening institutions and deepening democracy.

SEYCHELLES: AN UNPRECEDENTED CHANGE AT THE TOP

If the ruling party's defeat in the Dominican Republic was rare, in October something unprecedented happened in Seychelles: for the first time, the opposition won a presidential election and there was a peaceful transition of power. The United Seychelles party had, under various names, dominated Seychellois politics since a coup in 1977, one year after the country achieved independence from the UK, and stayed in power when multi-party elections returned in 1993. But the 2020 election result saw Wavel Ramkalawan **defeat** the incumbent, Danny Faure, by roughly 55 per cent to 44 per cent of the vote. It marked the culmination of a dogged campaign by Ramkalawan, who had stood in every presidential election since 1998 and came second five times, losing by only 193 votes in 2015. The new president's party also gained 25 of the National Assembly's 35 seats, increasing the

parliamentary majority it first won in 2016 and giving the incoming leader a powerful mandate.

This rare change created space to reckon with the human rights abuses committed following the coup, during a 13-year period in which all parties but the ruling party were banned. This was a time that saw killings and disappearances for which no one was held to account; Truth, Reconciliation and National Unity Commission **hearings** held in 2019 and 2020 meant that memories of the abuses committed by those in the ruling party were fresh in people's minds. In his acceptance speech Ramkalawan, an ordained **Anglican priest**, spoke of the need for **reconciliation and unity**, and encouragingly, the defeated incumbent attended the speech to signal his acceptance of the result.

Michel Pierre of **Citizens Engagement Platform Seychelles** characterises the result as a necessary change that built upon and expanded recent processes of reform:

For the past four years, President Faure came up with a new style of leadership. First, when he was inaugurated he stepped down from the leadership of his party, stating that he was willing to work for all the people and wanted to put politics out of the government, and started to introduce innovations such as the Anticorruption Commission and the Truth, Reconciliation and National Unity Commission.

We spent 13 years as a one-party state. During that time, people were deported or intimidated. There was a lot of frustration. After the introduction of a multi-party system people started to create their own political parties and to participate in the democratic processes. All these frustrations and the things that happened during the one-party regime, and during the reconciliation session that was broadcast live on television, meant people felt frustrated, people saw how young people were treated, and these were the main reasons why people thought that after 43 years of the same party in power it was time for a change.

While cases of COVID-19 infection in Seychelles were low, with only 149 cases recorded by the time of the election, the pandemic was a key issue of debate, given its impact on **tourism**, a vital source of employment and

income. **Corruption** ↗ and related complaints of patronage, cronyism and state inefficiency also emerged as campaign issues. Offering a reminder that in reality there are no island paradises, on top of this the country continued to face the significant social problems and economic costs caused by **heroin addiction** ↗. Per capita, Seychelles is said to have the highest level of heroin addiction in the world, with between 5,000 to 6,000 of the country's circa 94,000 population addicted to the drug. The incoming president will also face the question of where to stand in relation to China's and India's ongoing **struggle** ↗ for regional influence, following controversies over the outgoing administration's proposal to cede control of one of Seychelles' 115 islands to India to use as a naval base.

Pandemic measures meant that rallies were not possible and social media became the key campaigning space; in another innovation, for the first time a TV debate was held between the candidates. Health workers and people in outer islands were able to vote early. Despite the challenges, voting took place in a calm atmosphere.

I think people were free. The media was free to participate in the elections. It was a real democratic process. The election was well contested; around 80 per cent of people participated and voted, and it was a really calm and peaceful process. People observed the different health protocols in place, wearing masks and keeping distance. Of course, there were weaknesses, because the Electoral Commission was very new, its secretariat was really new, so there were some loopholes within the process, but these did not affect the results.

Political change after long periods of one-party rule can signal opportunities for civil society to push forward ideas and forge new partnerships, but also dangers. In several countries that have undergone rare political change, there have been examples of civil society becoming uncritical of new administrations and failing to scrutinise the government's performance properly. This can be exacerbated if civil society's leaders move into government posts, which can both strip civil society of its leadership and leave it open to accusations of partisanship. Seychellois civil society will try to build on recent practices of constructive engagement with the former administration to play its role in post-pandemic recovery and explore the potential created by the change in power.

Civil society signed a memorandum of understanding with the former government so we could participate and bring discussions to the table. We also had a meeting with the new president, and he assured us that we would get the support of the government and would work together, especially with the economic crisis that we are facing. We agreed that we would work together for the benefit of the country, and we have come up with programmes to assist the health ministry so that citizens can be educated about COVID-19 and health protocols. It has been a really fruitful process and the new president agreed to create a new office for the former president so that he could continue contributing with his expertise and knowledge.

We have been watchdogs, freely sticking to our position and consulting the public about changes that are happening in Seychelles, and that has been the case since the former government was in power. It will continue. We are monitoring how things are going. Seychelles being a very small country, and having a single state television outlet along with a single private one and a few radio stations, we manage to make our voice heard. We take a position regarding all the changes that are taking place. The government is open and they want us to tell them if anything is wrong and contribute to the development of public policy.

NEW ZEALAND AND SOUTH KOREA: EFFECTIVE PANDEMIC PERFORMANCE REWARDED

In contrast, incumbents prevailed in New Zealand and South Korea, but they did so in unquestionably free and fair elections. In both cases, the government's effective and consensus-building pandemic performance seemed a key factor in people's political choices.

South Korea was the first country to hold a national election during the pandemic, with its legislative election taking place in April. A lower level of participation might have been expected, given that people were voting a time when the pandemic was unfolding and little was understood about COVID-19. In February, South Korea was second only to China for the number of COVID-19 cases. In response, the government introduced an approach that

included testing, tracing and quarantining, which became **recognised** as the international standard and won high levels of public buy-in. As a result, COVID-19 deaths per capita were among the **lowest** in the world and heavy, long-term lockdown measures and the associated economic impacts were avoided.

The result was a rare election, in the early days of the pandemic, that was able to go ahead as planned, without postponements and safely, with stringent measures in place, including distanced queueing and the requirement to wear masks. At voting stations people were issued with hand sanitiser and disposable gloves and had their temperature checked; those with a high temperature voted in special quarantined booths that were disinfected after each use. People unable to vote in person due to quarantine were able to vote postally in advance, or in early votes set up at quarantine stations; around a quarter of people **voted** in these ways. Importantly, the authorities provided clear **information** on how to vote, including by text messages to people in quarantine. To enable remote election observation, live streams were provided from voting stations.

As a result of these measures, there was no infection spike, and cases continued to fall in the weeks following the election. This is not to say the election was without challenges: many South Koreans living in other countries were unable to cast their voters as usual. But while, given the conditions and restrictions, turnout might have been expected to fall, it increased, from 58 per cent in 2016 to just over 66 per cent in 2020, the highest turnout in such elections since 1992.

The high turnout may have reflected public confidence in the comprehensive sanitary measures put in place for voters, as well as the fact that, for the first time, 18-year-old people were able to vote. The election results also suggested approval of the government's handling of the crisis. Pre-pandemic polls had suggested declining support for President Moon Jae-in's Democratic Party, but the outcome was a **landslide** in which the Democratic Party and its sister party, Platform, claimed 180 seats in the 300-seat legislature, winning the largest majority since the restoration of democracy in 1987. In an encouraging sign, **57 seats** were won by women, the highest-ever level, showing the impacts of gender quotas in helping to address the structural exclusion of women from political representation.

Of course, the dominance of any single party in any country's politics is not necessarily a positive, and civil society will have to work to ensure that checks and balances on executive power are maintained and there is proper oversight of government decisions. Some CSOs have been accused of being too close to and uncritical of the ruling party, partly in reaction to the gross corruption and abuse of office of the previous president, right-winger Park Geun-hye, who following widespread **mass protests** was impeached in 2017 and sentenced to jail in 2018. There are still urgent issues that concern and divide civil society, including an increasingly strident conservative **backlash** over LGBTQI+ rights (see this report's chapter on challenging exclusion).



Vote counting is under way at a gym in Seoul, South Korea on 15 April 2020. Photo by Kyodo News via Getty Images

New Zealand was another country where effective pandemic response was evidently rewarded in an overwhelming election win for the ruling party. New Zealand's voting system makes it incredibly rare for one party to win an outright majority, but that happened in October, when the Labour Party led by Prime Minister Jacinta Ardern won 65 of the 120 seats in the House of Representatives, 19 up from its 2017 election total. Perceptions of effective pandemic performance seemed a key factor; before COVID-19 struck, opinion polls had indicated a tight race between Labour and the main opposition National Party.

New Zealand is the only member state of the Organization for Economic Cooperation and Development (OECD), the club of the world's biggest economies, with a lower per capita COVID-19 death rate than South Korea. The government received international acclaim for its quick and decisive action in limiting the spread of the virus, which included border closures and a national lockdown, combined with clear messaging, extensive testing and financial support for people and businesses affected by lockdown measures. As her country's leader, Jacinta Ardern garnered praise for her calm and empathetic approach. As a result, while the election had to be postponed from September to October due to a small surge in infections as lockdown measures eased, by October, when many global north countries were having to reapply emergency measures in the face of a second wave of infections, restrictions on social gatherings in New Zealand had been eliminated. At the time of writing, New Zealand had recorded only 26 COVID-19 deaths.

Anne Tolley⁷, a former National Party minister and member of parliament, points to the huge role the pandemic response played in deciding the election:

New Zealand has a long history of free and fair elections and this election was no different in that respect, but it was different in that it was dominated by the COVID-19 pandemic. This changed things for the government and for civil society. To explain this, we need to go back to what happened when the pandemic hit and the government's actions to control the pandemic. New Zealand is an isolated island so we had a huge advantage over countries that share land boundaries. From a very early stage in 2020, our government took control of the situation, using a high-trust model with very simple messaging to explain to people that they

had to stay at home, that they had to keep themselves and others in the community safe and that by doing that, we could beat the virus. There were daily media briefings from both the Director General of Health and Prime Minister, and wide use of social media, which got directly into people's homes. Within this community of five million, this high-trust model was extremely successful.

While New Zealand had a lot of advantages going into the election, this was still not an election conducted by conventional means, and its organisation brought challenges.

I represented for 15 years an electorate that contained many isolated and small communities, a population that is 50 per cent Māori and 50 per cent of European heritage, and from an election point of view, as I was retiring, we would have normally selected the candidate in January or February, but because of the restrictions a candidate couldn't be selected until the end of June for a September election. This happened to a number of candidates in several parties and around the country, because you couldn't have meetings of more than 10 people and you couldn't have a good selection process using technology, because in small, isolated communities not everyone has internet access.

Of course that in comparison to other countries, the risks to democracy were moderate, but there were risks to think about. As we came into the election, we had further lockdowns which then prevented any meetings. This has risks for civil society, as it stops it from taking part in normal democratic processes.

Julie Haggie⁷ of **Transparency International New Zealand**⁷ also points to some concerns, including over digital divides and the extensive use of advance voting, which offered a sensible way of avoiding crowds at voting stations but potentially brought the risk of reducing the time and space for meaningful debate:

We had more people voting than we had in previous elections. We had more people voting ahead of the election; advance voting was 60 per cent of the total vote, which really squeezed the amount of space for public debate.

There was a bit of a digital divide for people engaging. I saw a lot of online events run by civil society; we ran a session on polarisation and a session on education where there was a lot of questions to parliamentarians. But unless you're able to actually access those there was a large chunk of the population who really didn't have that connection. And they're the ones who need to have the connection on the ground with their local politician. I think that the heart of democracy is on the ground, so the challenge now is to get politics back moving on the ground at the regional and local levels.

We managed to have a pre-election meeting. We didn't know if we were going to be allowed but at the last minute we were, and politicians were there and they said that was basically one of the only events they were able to go to that had more than 40 people. Because even when it opened up people weren't going because they were worried about COVID-19.

As in South Korea, the challenge for civil society now is that, while many will find themselves agreeing with the values of the government, they still need to play the classical civil society role of holding the government to account and upholding the space for dissent as an essential component of democracy between elections. With the opposition in disarray and a rare majority government, there are, Anne Tolley suggests, dangers:

When the government is so highly trusted it has complete autonomy. Now, for the first time in over 20 years we have one party dominating our government and with complete control.

We have a very extraordinary politician as our Prime Minister, as the world is aware. She has huge communication skills and she has developed, with the Director General of Health, huge trust from a health perspective. This created a dilemma for civil society regarding what is more important – do we challenge the government over big borrowing and big spending, and anything else we would normally challenge the government over, or do we put our health ahead of all of that because that's the most important thing?

In a positive post-election sign that suggested it might still be inclined to listen to other viewpoints, rather than governing alone as it could have done, Labour

forged a cooperation agreement with the Greens, one of its former coalition partners, who will continue to hold two cabinet roles. For Julie Haggie, the diversity among those elected also offers hope; New Zealand now has one of the world's most **diverse** ⁷ parliaments, with almost half of its members women and many LGBTQI+ people among its ranks, as well as significant Māori and Pacific Island representation; the cabinet also has a high representation of women and Māori people:

We ended up with a single party rather than the coalition government we've had for a number of years. But within that single party there is a huge amount of diversity, with a lot of women leaders which means that there are now 50 per cent female members of parliament. Representation of LGBTQI+ and ethnic communities has increased, and a lot of members of parliament are newcomers who had never been members before.

In terms of our political makeup, going back to one-party government is not ideal because we you get more debate at the table and more tensions when you've got a coalition. But on the other hand, in terms of diversity it was great.

For civil society, part of the role now will also entail pushing New Zealand to build on this strong recognition of diversity and its enhanced global reputation to play a stronger international leadership role: in leading the fight against climate change, which threatens many of its Pacific Island neighbours and in the promoting rights of women, LGBTQI+ people, Indigenous peoples and other excluded groups. The opportunity is there, through constructive dialogue and partnership, for civil society to push the government of New Zealand to demonstrate exemplary practice, above and beyond its lauded COVID-19 response.

Both New Zealand and South Korea showed that more than one model of effective pandemic response was possible. While states such as China and Vietnam mobilised well-rehearsed routines of authoritarian control, fear-based policing and surveillance to control the virus, New Zealand and South Korea showed that an effective response could equally be offered in democracies, with relatively open civic space, and that the holding of free and fair elections could present no barrier to controlling the virus. They proved was no contradiction between democracy and sound pandemic management.

NORTH KOREA: A DIVISIVE ISSUE FOR SOUTH KOREA'S CIVIL SOCIETY

South Korea's civil society is also divided on policy towards the other, authoritarian half of the Korean peninsula. In July, alarm bells sounded when the government **revoked** ↗ the registration of two CSOs working on human rights in North Korea and announced that 289 other CSOs would be subjected to administrative reviews. In December, the practice of CSOs dropping leaflets over North Korea was **banned** ↗ and new limits were placed on loudspeaker broadcasts at the border; civil society groups filed a constitutional challenge to these changes. With the government seeking to build diplomatic bridges with North Korea while CSOs that work on North Korea continue to take a strongly critical stance on the country's **appalling** ↗ human rights record, the issue is a controversial one.

Ethan Hee-Seok Shin ↗ of the **Transitional Justice Working Group** ↗ is among the critics of the South Korean government's treatment of civil society groups that expose North Korea's abuses, and points to a polarisation of civil society on this issue:

The Moon Jae-in government has displayed worryingly illiberal tendencies in its handling of groups that it views as standing in its way, such as North Korean human rights and escapee groups, who have faced increasing pressure to stay silent and cease their advocacy.

The government appears to have succeeded in its goal of sending a clear signal to North Korea that it is ready to accommodate its demands in return for closer ties, even if it means sacrificing some fundamental principles of liberal democracy. The government has also sent a clear signal to North Korean human rights and escapee groups with the intended chilling effect.

Civil society in South Korea is unfortunately as polarised as the country's politics. Most CSOs are dominated by progressives who are politically aligned with the current Moon government. The progressives are relatively supportive of the human rights agenda but are generally silent when it comes to North Korean human rights because of their attachment to inter-Korean rapprochement.

Most North Korean human rights groups are formed around North Korean escapees and the Christian churches of the political right that passionately characterise leftists as North Korean stooges. Many are also generally hostile to contemporary human rights issues such as LGBTQI+ rights.

The largely progressive mainstream CSOs have not been on the receiving end of persecution by the government led by President Moon; on the contrary, prominent civil society figures have even been appointed or elected to various offices or given generous grants. Some do privately express their dismay and concern at the government's illiberal tendencies, but few are ready to publicly raise the issue because of the deep political polarisation.

In the light of this alignment of civil society, and given the overwhelming nature of the ruling party's election win, international institutions may become a more important arena for accountability and human rights oversight, including in relation to North Korean issues.

The ruling party won the parliamentary election by a landslide, thanks to its relative success in containing the pandemic. The opposition is in disarray. All this has emboldened rather than humbled the government, and its illiberal tendencies are likely to continue. Due to the severe political polarisation, ruling party politicians and their supporters are not likely to pay much heed to domestic criticism.

The voice of the international community will therefore be crucial. It is much more difficult for the government to counter concerns raised by international CSOs as politically motivated attacks. Country visits to South Korea by the UN Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion and Expression, UN Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association, and UN Special Rapporteur on the Situation of Human Rights Defenders would be excellent opportunities to internationalise the issue and put pressure on our government.

DEMOCRACY BEYOND ELECTIONS

In countries where voting counts for little, people took to the streets to demand democratic freedoms, insisting that their voices should count. In Myanmar, the military coup was an affront to democracy, erasing from the slate the November election that had made clear how limited the public's support for the military is. People offered civil disobedience in resistance, but the military's role was lethal. Thailand's resurgent democracy movement also took on military might, albeit disguised as civilian rule, and for the first time confronted anti-democratic royal power. The brutality that can result when people threaten entrenched power has however been seen in Hong Kong, where China vindictively crushed those who stood up to it. Such deep setbacks make clear that the fight for democracy can be a long one, and a decade on from the great wave of protests that swept the Middle East and North Africa, people in Algeria and Lebanon continued to demand the revolution they have so long been denied. That protest can work was demonstrated in Chile, where people overwhelmingly endorsed a proposal to develop a new constitution, through processes of deliberative democracy. As a result of taking to the streets in large numbers in 2019, Chileans now hold their future in their hands.

Beyond elections, civil society continued to find new ways to defend democratic freedoms. Trump fell but deep currents of division remained, and across a swathe of countries the forces of right-wing populism and nationalism worked to foster hatred and polarisation wherever they could. The worldwide wave of anti-mask, anti-lockdown and anti-vaccine protests became the latest front in the struggle, showing the destructive power of disinformation, hate speech and conspiracy theories. But civil society fought back. Around the world, activists deployed networked approaches and innovative tactics to fight back against the far right's attacks on democracy, protect democratic gains and express democratic aspirations. In Italy, the youth-driven Sardines movement pushed back against bigotry, mobilising creativity and spreading joy to combat the rise of divisive anti-rights forces who stoked homophobia and scapegoated migrants and refugees. K-pop fandom emerged as a flexible response to the far right, pointing to the fluidity and diversity of contemporary civil society. Often in the face of incredible odds, civil society is working to keep democracy alive.

PANDEMIC DENIAL: A NEW OPPORTUNITY FOR RIGHT-WING POPULISM

The pandemic was part of the context amid which campaigns for democracy mobilised, and often it was the pretext for state repression of democratic freedoms. The crisis challenged people in many ways. Anyone could catch the virus, but poorer people and members of excluded groups were disproportionately at risk of contracting it, and faced greater struggles in accessing healthcare and support. Lockdown regulations that halted or slowed economic activity similarly impacted most on already disadvantaged groups. Many people who earned little were denied their usual sources of income and not provided with adequate safety nets. Almost everyone experienced unprecedented restrictions on their freedom of movement and ability to interact with other people. Many political leaders made mistakes that directly impacted on people's lives and livelihoods, or were neglectful in the choices they made or failed to make. In some countries political leaders made clearly self-serving decisions, or used the pandemic as a pretext to crack down on rights for reasons that had nothing to do with fighting the virus.

There was, in short, much to be unhappy about, and 2020 saw many protests in direct response to the impacts of the pandemic and the pandemic response of states, including by workers and trade unions demanding better social protection and safer workplaces, along with many protests at the slowing of economic activity. Many protests asserted the urgent and immediate interests of those protesting, such as small business owners, transport workers and healthcare professionals, and protests could make contradictory demands about reducing or restarting activity. In these and many other protests of 2020, people took extra precautions where they could, such as distancing and mask use, to try to mitigate the infection risks associated with crowds.

The disruption of the pandemic made demands for political, economic and social change more urgent, and opened a window where it might just become more possible to advance alternatives and seek better, more socially just, equal and rights-respecting post-pandemic societies. In isolation, people might

come to appreciate communal life more, and resolve to be kinder and more respectful in their interactions with others.

But at the same time, the highly charged circumstances of the pandemic provided an opportunity for all that is most troubling about modern-day politics to reassert itself. As many people struggled in unprecedented lockdown conditions and were deprived of their real-world interactions,

misinformation, disinformation and **conspiracy theories**⁷ thrived. Alongside, sometimes mingled with, protests that asked legitimate questions, there were protests against mask use, vaccination and the rollout of 5G, as well as blanket opposition to any emergency restrictions.

Not all these protests were directly mobilised by right-wing populist political forces, but often, opportunistically, they joined on to these protests and made



A banner placed in front of Republican headquarters in Washington, DC, USA in August 2020 urges President Trump to stop denying the science behind the pandemic and climate change. Photo by Jemal Countess/Getty Images for Climate Power 2020

them their own. This kind of protest was often strongest in contexts where far-right forces were already most active, in Europe and North America. Far-right groups that have mobilised in recent years against migrants and refugees and women's and LGBTQI+ rights, in denial of the reality of climate change and in support for narrowly defined nationalism quickly took on and asserted a new set of beliefs in relation to the pandemic. Far-right politicians seized upon pandemic denial opportunistically, as a way of recruiting support and keeping themselves in the spotlight. Conspiracy theories were the flexible threads linking reactions to the pandemic that defied rationality together. In some cases, pandemic denial came from the top, as prominent politicians, including President Trump and President Jair Bolsonaro in Brazil, and their right-wing media outriders, made space and visibility for conspiracy theorists, bringing what should have been fringe voices into the mainstream, giving them platforms and legitimacy, helping them recruit supporters.

Pandemic deniers were capable of asserting, at different times, that the virus was a hoax, or that it was deliberately manufactured in a laboratory, or that it was a natural occurrence but not a serious threat to human health and life. They questioned whether people were really dying of the virus and disputed officially reported figures of cases and fatalities. People previously not known for taking mental health seriously asserted that the mental health impacts of emergency restrictions were worse than the physical health benefits. They asserted that masks were their own sources of infection and respiratory problems. By denying the seriousness of the virus and defying the rules put in place to prevent its spread, pandemic deniers made it more likely that the virus would spread and emergency measures would need to last longer. Many who opposed lockdowns also campaigned against the vaccinations that seemed to offer the best way out of restrictions. In many European countries, which saw a fall in the numbers of cases and a consequent easing of restrictions during the northern hemisphere summer before infections rose again, people insisted there was no second wave and therefore no need for lockdown measures to be reimposed.

While many people recognised they had limited knowledge about a novel and emerging situation and wanted to debate, put their concerns across and learn more, pandemic deniers were certain in their conspiracy theory conclusions, brooked no discussion and were not open to persuasion. They used social media platforms not to debate, but to spread disinformation. While many

people did their best to comply with emergency rules and understood that some impacts on their lives were inevitable for the protection of those most vulnerable to the virus, strangers whose lives they did not want to put at risk, others prioritised an extreme interpretation of their individual freedom over the health and safety of communities. Many people's genuine concerns about the impacts of emergency regulations were manipulated by others who refused to comply with restrictions simply because they were restrictions, and because they were imposed by the state. Some viewed with suspicion, and therefore resisted, any measure that looked like state intervention, which they viewed as limiting of liberty or as part of a conspiracy, particularly when associated with left-of-centre governments or parties. States were accused of using the pandemic as a cover to impose communism or world government.

Conspiracy theories brought people to the streets in numerous locations. They inspired anti-lockdown protests in **Melbourne**, Australia in September; that same month, protests in **Montreal and Vancouver**, Canada, saw many displaying **QAnon symbols**. Far-right flags were flown during a **student protest** against the closure of university dormitories in Serbia in July, and a student who called for the flags to be lowered received online abuse. Anti-5G protests were seen in multiple contexts, including **the Netherlands**, **North Macedonia** and the UK, where multiple 5G phone masts were **attacked**, including one providing vital communication connections for an **emergency hospital**. In a sign of growing extremism, as a new variant of the virus struck the UK badly in December and the healthcare system came under unprecedented strain, pandemic deniers insisted that hospitals were **empty** and assembled **outside hospitals** to insist that the virus was a hoax, heartbreakingly for the healthcare workers fighting to save lives inside. These were fringe views – UK **opinion polls** throughout the year showed broad and enduring support for lockdown measures – but they attracted attention far beyond the numbers of people involved.

In the USA, the pandemic and response were entirely politicised and polarised, as Trump supporters associated anti-viral measures with the opposition. There were many mobilisations of pandemic denial, including mass rallies. In one notorious example, hundreds of people, many brandishing guns, made their way into the state capitol building in **Lansing, Michigan** in April, while a debate on the extension of lockdown regulations was taking place, following a pro-Trump rally. Similar tactics were seen in **Salem, Oregon** in December,

where a group of protesters, among them members of the far-right Patriot Prayer group, attempted to force their way into the state capitol building during a debate on pandemic measures.

Protests on the pandemic often turned violent, particularly when security forces intervened to enforce emergency measures, and fringe elements sometimes stirred violence. In Prague, capital of Czechia, as second-wave restrictions were introduced, an **anti-lockdown protest** in October mobilised against bar and restaurant restrictions and the banning of sports contests. While the protest was legal, it rapidly grew in numbers and many remained after protest organisers called off the event, refusing to wear masks and throwing objects at the police, who in turn responded with excessive force, including teargas and water cannon. In Poland, what started as a series of **protests** by business owners over the lack of adequate support under emergency measures quickly became a bandwagon for far-right groups and conspiracy theorists, including **those opposed to 5G**, with violent clashes between protesters and police. In Ireland, anti-mask protesters turned their violence against **counter-protesters**: in one incident in **September**, a far-right anti-mask protester was arrested after assaulting an LGBTQI+ activist who was part of a counter-protest.

Conspiracy theories position mainstream media as a source of disinformation and lies, so it was no surprise that pandemic deniers targeted journalists. In Canada, multiple journalists reported being **assaulted and threatened** while covering anti-mask protests, including in **Montreal and Quebec City** in July. In the Netherlands in October, the state broadcaster **removed** its logo from broadcast vans in response to threats and attacks against journalists by far-right groups, which increased significantly during the pandemic. The broadcaster also revealed it had started to deploy security guards with its journalists. The speaker of the Dutch parliament expressed **concern** at the impact of extremists on the safety of parliamentarians and staff, who were subject to regular harassment at daily protests outside the building.

Protests in Germany throughout the year also displayed this common hallmark of attacks on and threats against **journalists**. While Germany received some international praise for its response to the pandemic, and even though polls throughout the year showed high levels of public support for the government's cautious position, people **mobilised** in large numbers to defy regulations, with

violence resulting when police tried to break up protests for non-compliance with pandemic regulations. Around 38,000 people assembled in Berlin in August, sending some chilling historical echoes by **storming up the steps** of the Reichstag, Germany's parliament, while displaying far-right symbols, while 20,000 people crammed themselves into a central square that was supposed to accommodate 5,000 in **Leipzig** in November.

While the far right was to the fore in organising protests in Germany, including the Alliance for Germany party and associated right-wing extremist groups, far-left groups also played an active part in protests, showing how extreme fringes at apparently different ends of the political spectrum could be brought together by support for conspiracy theories and opposition to authority. Similarly, both far-right and far-left groups, including right-wing populist party Vox, were blamed for a series of **violent protests** in Spain in October.

Conservative faith leaders also sometimes played a role in mobilising pandemic denial. In Croatia in April, journalists were **physically attacked** while covering a far-right protest in support of a priest who went ahead with an Easter service in defiance of lockdown rules. Similarly, in Montenegro in May, **violent protests** mobilised after the police arrested a bishop of the Serbian Orthodox Church who had broken lockdown rules to hold a religious procession.

2020's pandemic denial mobilisations demonstrated how flexible and opportunistic extremist political groups are, and how capable they are of using any event that comes along as a means to recruit support and advance their agendas. It also offered a reminder of how malleable, absorptive and influential conspiracy theories are. For many of us, the pandemic was a test of our ability to do our best and accept some sacrifices in the common interest. Many people did what they could, putting into practice the same values – solidarity, compassion and humanitarianism – that motivate civil society. But some rejected those values, and extremist groups encouraged selfishness and recklessness. The phenomenon of pandemic denial showed how extremism and polarisation continue to run rife in many political systems and have real-life impacts on people's lives and wellbeing. It demonstrated how even aspects of life on which there is broad public consensus can become politicised and influenced by groups on the political fringes and proved the scale of a problem that still has to be addressed.

K-POP FANDOM: AN EMERGING ACTIVIST FORCE?

More positively, in 2020 an activist force emerged and made an impact from a direction few might have expected. As thousands took to the streets in the USA and across the world to protest against police brutality and systemic racism (see this report's chapter on the global struggle for racial justice), networks of fans of South Korean pop music, **K-pop**, applied their digital skills in virtual mobilisations, supporting and amplifying the Black Lives Matter movement, and making other vital demands for human rights and political change. Across the internet in 2020, K-pop fans adeptly deployed tweets, posts and hashtags to spread information, protect protesters, amplify excluded voices and derail racist rhetoric.

The K-pop fanbase has often been viewed through a dismissive and problematic lens, patronisingly characterised as comprising impressionable young women and girls with no real understanding of political issues, a stereotype that devalues young people's influence on and engagement with culture and politics. There are perhaps few classical definitions of civil society that would recognise K-pop fans as a civil society movement.

K-pop fans are sadly familiar with being othered and excluded. The **majority** are women and they are a highly diverse and globalised community, encompassing many Asian, Latinx, Black and LGBTQI+ people. Feeling ostracised from the larger American and mainstream pop narrative, K-pop fans have formed resilient networks, using social media to develop solidarity across time zones and continents. Facebook, Instagram, TikTok, Reddit and Twitter are all employed, with Twitter a particularly important tool to express opinions and mobilise support. K-pop Twitter users are known to have a major influence and impact on the platform; for example, fans of the popular boyband BTS have set numerous records for the greatest number of tweets and fastest time they can get subjects trending.

These social media skills, strong networks and high commitment to online participation transferred readily to mobilising support for human rights demands. One month into the 2020 wave of Black Lives Matter protests, the **Dallas Police Department** appealed to the public to submit video clips of protest activity. Soon after, a viral tweet called for K-pop enthusiasts to flood the police app with fancams – videos focused on a K-pop performer. This action rendered the app useless, preventing the police accessing footage that could potentially endanger protesters.

Another action by K-pop fans that captured the headlines came during the early stages of the US election campaign, when K-pop fans and TikTok users – a key emerging platform for activism – united and registered for President Trump's **Tulsa rally** in Oklahoma with no intention of attending, inflating the campaign's expectations of crowd size and then deflating them with an abysmal turnout of just over 6,000 people, a public humiliation for a politician who loved to boast about the size of his crowds. Many fans applied the same skills they use to respond to the high demand for K-pop concert tickets, setting up numerous email accounts to maximise their chances.

K-pop fans also worked to stymie campaigning by far-right accounts through '**hashtag derailment**', which involves the co-opting of divisive social media hashtags. In 2020, K-pop fans hijacked white supremacists' attempts at generating trending tags for White Lives Matter, MAGA and QAnon, as well as other pro-police hashtags. K-pop fans ensured the hashtags were entirely consumed with tweets about music, their favourite K-pop artists, fancams and links inviting people to donate to support Black Lives Matter, drowning out the voices of white supremacists.

K-pop fans' activism has made an impact in diverse places. In **2018**, K-pop fans rallied online in support of youth protests to promote better road safety standards in Bangladesh. A **report** released by the government of Chile in 2019 blamed the widespread anti-government protests (see below) on 'international influences', placing K-pop fans alongside Russian news networks and Spanish celebrity activists. The government accused K-pop fans of making inflammatory comments against the police force, which was violently deployed against protesters.

Beyond their internet activism, in 2020 K-pop fans pooled together to raise **support** for COVID-19 relief. As numerous K-pop concerts were cancelled due to the pandemic, many fans opted to donate their ticket refunds towards relief efforts and organisations around Asia. In June, BTS fans launched a fundraiser to **#MatchAMillion** following the music group's US\$1 million donation towards Black Lives Matter, surpassing their target in under 24 hours. In Thailand, K-pop fans turned their collective focus on the country's **democracy protests** (see below), raising close to US\$100,000 to support the movement. Funds raised by K-pop fans were used to purchase protective equipment for protesters, including helmets, raincoats, gloves and goggles. A large part of the

donations went to Thai Lawyers for Human Rights, a civil society group that provided pro bono legal assistance to more than 90 arrested protesters.

This is not to say the community does not face its own challenges. Despite the valiant efforts of many fans to support the struggle against police brutality and systemic racism, there are still active issues of internal racism and xenophobia within the expansive K-pop fan community. Black K-pop fans have often faced attack for criticising K-pop artists for **cultural appropriation**⁷. They have faced online harassment and are still routinely silenced by others in the fan community.

After much organising and internet protest action during 2020, the fandom is divided on the question of what to do next. K-pop activism is leaderless. But

what was demonstrated during 2020 was the ways in which skills, networks and cultures that are active in one sphere have potential to turn towards activism when a galvanising issue comes along. The actions of K-pop fandom show the need for a dynamic and ever-refreshed understanding of what and who civil society is and how it achieves change.

Like so many of the movements described in this report, it is a youthful movement. There is a new generation rising and insisting on justice, fairness and respect for difference. The current political mobilisation of K-pop fans is ultimately an extension of the fight of many young people against racism, sexism and all other forms of discrimination, their firm belief that a better world can be built, and their confidence in their ability to bring about change.



People attend a K-pop dance class in Korea Town in New York City, USA, on 17 October 2020. Photo by Noam Galai/Getty Images

ITALY: SARDINES MOVEMENT CAPTURES IMAGINATIONS

Italy saw mobilisations of pandemic denial, including a protest of around 2,000 people against 'healthcare dictatorship' in Rome in September, while violent clashes came at protests in October, along with threats against journalists covering protests. In contrast, Italy's Sardines movement, which first mobilised in late 2019 to take a public stance against the right-wing populist League Party, complied with restrictions and so chose not to hold mass gatherings. This was a challenge because the movement's tactic had been to encourage people to cram themselves, like sardines, into public squares to make the highly visible point that it is not just far-right politicians who can mobilise popular support. The movement did so ahead of the January 2020 regional election for the legislative assembly of the Emilia-Romagna region, which centres around the city of Bologna. But as the pandemic gripped Italy, the Sardines had to find alternative approaches to keep pushing back against far-right forces.

Andrea Garreffa, one of its founders, relates the origins of the Sardines movement:

Regional elections were scheduled for 26 January in Emilia-Romagna, our home region. There was a big wave towards the far right, represented by the League party and its leader, Matteo Salvini. There were very scary signs about the general political situation in Italy.

As the election approached, my friends and I started thinking of a way to speak up and warn the League that the game was not over yet. We wanted to make this extremely clear, both to far-right parties and to all citizens looking for a stimulus to empowerment. The League party had just won in Umbria and was announcing itself as the winner in Emilia-Romagna as well; they counted on this victory to destabilise the coalition government and return to power. We wanted to do something to stop that narrative.

The last time Salvini had come to Bologna he said that Piazza Maggiore, the main town square, could host up to 100,000 people, in an attempt to claim that was the number of people who attended his rally – something that is physically impossible, as only up to 30,000 very tightly packed

people could actually fit into the square. In a way, we also wanted to draw attention to the information on the news and make sure he wouldn't be able to cheat.

Our idea was to organise a flash mob-style demonstration on Piazza Maggiore, on the same day as Salvini's rally, and we named it '6,000 sardines against Salvini' because our aim was to gather around 6,000 people and our tactic was to show we were many – so we used the image of crowds of people squeezed together like sardines in a shoal.

The message spread quickly, online and by word of mouth, and momentum built as a result of an approach to organising that engaged people directly and offered a means for those who might have been feeling powerless to take a stance. When people got together for the first time in late 2019, there was a sense that a collective power had been unleashed.

In the few days we had to organise it, we set the main narrative and prepared some templates that could be customised so each person was free to express themselves and be creative. Ours was a message that anybody could understand, and the actions required were something that anybody could do. We wanted to get rid of all the negative feelings linked to existing political parties, so the initiative was inclusive from the very beginning. It wasn't linked to any party but rather open to anybody who shared its core values of anti-fascism and anti-racism.

We sent out an invitation, not just through Facebook, but more importantly, we went out to the streets to distribute flyers and talk to people, so people could understand that the event was real and it was actually going to happen. Word of mouth worked incredibly well; in my opinion, this reflected a very strong need among people to do something to ensure Salvini did not win in Bologna and in Emilia-Romagna.

On the night of 14 November 2019 we found ourselves surrounded by this incredible crowd – the media reported there were 15,000 people – and we couldn't quite believe it. Nobody knew what was going to happen.

At 8.30 pm we played a song by Lucio Dalla, 'Com'è profondo il mare' – 'how deep is the sea'. In one part of the song, the lyrics say that we are many, and we all descend from fish, and you cannot stop fish because you cannot block the ocean, you cannot fence it. This built up a lot of

emotion, and people even cried because it was very powerful and could not believe it was happening for real. Older people felt young again, living emotions they thought lost forever. Young kids had the opportunity to participate in a massive and joyful party, which made them question the fact that politics is all boring and unemotional.

I think the whole wave that came afterwards was born that first night. It built up from that initial emotion. We were not 6,000 but many more, and we sent out the message that the game was far from over and Salvini could not yet claim victory. This was key: whatever sport you play, if you enter the field thinking you are going to lose, you'll lose. This was the general mood among left-wing parties and progressive citizens. We did what we could to make 'our team' believe in itself and its chances of victory. We may say that the Sardines movement is all about building self-confidence in the progressive side of politics.

From this initial successful mobilisation, momentum developed. Images of the mass gathering spread on social media and focused national and international attention on the regional election. As they started receiving comments and requests of advice, the Sardines organisers connected with activists across the country and the world. People in Rome followed their example.

We shared our experience and explained to anyone who contacted us how we set everything up in just six days: how we requested the permits for the gathering and for playing the music, how we took care of people, those things. We then organised all the information to share with whoever wanted to do something similar somewhere else. We spent hours and days on the phone with people from all around Emilia-Romagna, and then from other regions, until the movement was so big that we were able to announce a massive demonstration to be held in Rome in December 2019.

For the Rome event we didn't even have to do much, because there were people in Rome organising the demonstration by themselves, and we were invited to attend as guest speakers. That was actually a strength, because this wasn't people from Bologna organising an event for Rome, but people from Rome organising themselves, mobilising their friends and neighbours and inviting people to join.

The Sardines achieved their first goal: they prevented the far right from reaching power in Emilia-Romagna. Although people in the region had long supported parties of the left, support for right-wing parties had grown, and The League and its allies had high hopes. But although they increased their seats in the January election, the centre-left coalition held on to power, taking around 51 per cent of the vote compared to the right-wing coalition's roughly 44 per cent. Particularly significant was a massive increase in turnout, suggesting the Sardines movement had helped raise the stakes and persuaded people of the importance of voting.

Right before the elections, on 19 January, we organised a big concert in Bologna, aimed at encouraging electoral participation. We didn't want to pressure people to vote for this or that party, but rather encourage participation. Indifference had prevailed in the previous regional elections, and only 37 per cent of potential voters made use of their right. The higher turnout we achieved this time around, when 69 per cent of people voted, was by itself a victory of democracy.



Members of the Sardines movement take part in a distanced protest on 17 September 2020 in Bari, Italy. Photo by Donato Fasano/Getty Images

As well as having local resonance, the message and methods of the movement crossed borders. In Finland, the Baltic Herring Movement formed, initially as a reaction against hate speech towards refugees, quickly moving from its online beginnings into real-world protests. In February, almost a thousand people turned up for a ‘fish mob’ protest in the capital, Helsinki, far outnumbering a small far-right counter-protest. Connections between the Sardines and other movements, including youth, student, women’s, LGBTQI+, climate and environmental movements, quickly grew across Europe and globally. And when the pandemic hit, the Sardines sought other ways to maintain connections and mobilise solidarity, embracing grassroots action.

We invited people all over Italy to focus on the local level because it was the only thing they could do. Many people in Bologna put their energy at the service of others, for instance by going grocery shopping for those who couldn’t leave their homes and getting involved in countless local initiatives, movements and associations. We encouraged this, because it was never our goal to replace existing organisations, but rather to revitalise activism and involvement in public affairs.

But we did ask people to stay in touch, so we would have calls and organise specific events. For example, for 25 April, Liberation Day, we launched an initiative in which we shared clips from movies showing resistance to fascism and Nazism during the Second World War and invited people to project them out of their windows and onto neighbouring buildings, and film the event. We collected the recordings and put them together into a video that we disseminated on social media. Our core message was that we could all be present even if we could not physically get out.

In early May we organised a symbolic flash mob in Bologna’s Piazza Maggiore: instead of people we lined up around 6,000 plants, which we went on to sell online. Our volunteers delivered them by bike, and all the funds we collected went to the local municipality, which had committed to invest the full amount, matched one to one with its own funds, to support cultural events over the summer. Before delivering the plants, we staged an artistic performance on the square; then we moved the plants around to draw the shape of a bicycle on the floor. As a result of this initiative, we not only marked our presence in a public space but also channelled about €60,000 (approx. US\$69,800) towards cultural events.

Later on, people from all over Italy either replicated the initiative or told us they were interested in doing so.

And then one day the municipality told us that they had some unused plots of land that could potentially be turned into garden blocks and offered them to us. We organised volunteers who wanted to work on them so now these have become garden blocks in which vegetables are grown. People who invest their time and effort to work in these gardens keep half the produce for themselves and give the other half to communal kitchens that help people who cannot afford to buy food.

We organised our first School of Politics, Justice and Peace. We held it in a small town, Supino, because it better fitted the model of local self-organisation that we want to promote. We invited people who are involved in the political arena to interact with activists in their twenties. The idea was to merge those worlds to create the kind of communication that social media platforms lack. We want to create opportunities for



A woman wears a protective mask with the Resistance symbol during a protest against Matteo Salvini on 3 October 2020 in Catania, Italy. Photo by Fabrizio Villa/Getty Images

progressive people to meet with others and talk, not necessarily to find the solution to a specific problem but to make sure that there is a connection between people with decision-making power and people who are interested in participating and changing things, but don't really know how.

Even under lockdown, we thought of Bologna as a lab where we could implement and test our ideas and encourage other people to do the same, by either replicating our initiatives or trying something different to see what happens. If you try things that are potentially replicable and easy for others to implement, and many people follow through, then you can achieve change on a considerable scale.

Experiences as diverse as those of K-pop fandom and the Sardines showed that there is not one formula for fighting to reverse the tide of right-wing populism and nationalism. Combinations of response methods, encompassing online mobilising, mass protests and the modelling of community-level alternatives will all be part of the mix as societies open up again. Far-right forces will move on to some other issue once the pandemic has receded, seizing on some new development to spread disinformation, conspiracy theories and hate speech and stoke outrage. Civil society movements, new and old, must keep honing their skills to fight back with compassion and solidarity, making new connections and using diversity as a strength.

CHILE: A FUTURE OF MORE AND BETTER DEMOCRACY

The power of protest was vindicated when Chile went to the polls in 2020. Chile was home to **mass protests in 2019**⁷, initially triggered by a rise in public transport fares, which led to an outpouring of frustration at soaring economic and social inequality, a neoliberal economic system that was failing many and an out-of-touch political elite that seemed unprepared to listen to any demands for change. The protest movement refused to settle for weak compromise and demanded a new constitution authored by a democratic process, since the old one, dating from the period of dictatorship in 1980, **entrenched**⁷ the role of the market and furthered inequalities, including in education, healthcare and pensions. Pressure paid, and in November 2019 protesters won a commitment from the government, backed by all major parties, to hold a referendum on a new constitution.



Sustained protests against inequality and exclusion are repressed with water cannon in November 2019 in Santiago, Chile. Photo by Marcelo Hernandez/Getty Images

The referendum was due to be held in April, but had to be postponed until October. When it finally went ahead, the results offered a resounding affirmation of protesters' demands. An overwhelming 78 per cent of voters supported the proposal for a new constitution, and 79 per cent said the process to develop the constitution should be led by a constitutional convention of directly elected members rather than a mixed model in which elected politicians would make up half of the convention. The result was **celebrated**⁷ by the many young people and people from excluded groups who played a major role in protests and then **turned out**⁷ in numbers to vote.

For **Marcela Guillibrand De la Jara**⁷ of the Chilean Volunteer Network (Red de Voluntarios de Chile) and **Now It's Our Time to Participate**⁷, the direct line from protests to the polls highlighted the power of what people can achieve collectively:

In October 2019, Chile reactivated its political and social life, collectively and throughout its territory. Citizens took to the streets to meet, to speak and take part in politics, as they had not done for a long time. This is how specific and unconventional participatory experiences emerged, locally rooted and with a local identity, mixed with expressions of discontent and frustration towards the structural inequality that had developed and manifested in our country for a long time.

Although technically what gave rise to this opportunity was an agreement between various political groupings, this historic constituent moment was achieved by citizens.

With the pandemic creating a long gap between the November 2019 commitment to hold a referendum and the October 2020 vote, civil society worked to keep people engaged and motivated. Civil society mobilised, mostly online, to encourage participation and safe voting.

We had localised quarantines for more than five months due to the pandemic, and the organisations with which we interact had their attention focused mainly on the survival of their programmes and supporting their target populations, since economically the pandemic hit them very hard. For our part, we stayed connected with them and we worked together to offer them a platform that contains citizenship training materials.

We launched Now It's Our Time to Participate, an initiative of the New Social Pact (**Nuevo Pacto Social**) network, which brings together just over 700 CSOs. The initiative seeks to guarantee the training of citizens and citizen participation in the context of the constituent process. Our focus is on activating citizens, providing them with training tools and jointly generating spaces for participation and dialogue to regain prominence in decision-making in our country. For this, in the run-up to the referendum, we organised a range of key content in several sections – citizen participation, constitution and constituent process – that we made available to citizens and CSOs through our **web platform**, as well as on social media and through other means. On the basis of this content we developed a range of training options that include accessible materials in various languages, such as Aymara, Mapudungun and Rapa Nui, as well as in Creole.

Civil society was highly influential when it came to the detail of the constitutional convention to be elected in May 2021: in a ground-breaking move that should set a global precedent for constitution-making processes, civil society's demand for gender parity became law in March, giving rise to hope that the new constitution will unlock progress on women's rights.

Civil society has made historic progress on gender issues. Various social organisations that have long worked very hard to promote and defend women's rights pushed the demand for gender parity in the constituent process, and managed to impose it thanks to the echo they found among various political groups represented in Congress.

Further, 17 of the convention's 155 seats are designated for Indigenous representatives, nationally chosen by a vote of Indigenous people and structured to represent Chile's different Indigenous groups. This represents another result of committed civil society engagement, and something of a breakthrough in Chile, which had previously offered no official constitutional recognition of Indigenous identities and the need for Indigenous representation. Chile's Indigenous Mapuche community has long been marginalised, and the dangers Mapuche people face when trying to speak out were exemplified in August, when a peaceful Mapuche occupation of local government buildings in the La Araucanía region ended with a **violent attack** by **extremist groups**, which included arson attacks on the community's vehicles. Tensions continued in the region afterwards, with police repressing further Mapuche protests.

Police brutality is an enduring problem in Chile, and the need for change was further signalled by the repressive and violent **response** to a series of protests in the months that preceded the vote. In April a small **protest** greeted the postponement of the referendum, and although people distanced and wore masks, five people were detained on charges of violating emergency rules. A protest against police brutality later that month was also repressed, violently, with the police using teargas and water cannon and detaining over 60 people. On International Workers' Day in May, over 50 people, including union leaders and several journalists, were detained at union-led protests, and again teargas and water cannon were used. The months of lockdown saw people hold **pot-banging protests against hunger** and the lack of the state's social support by those left with nothing to live on; these also produced a **violent** police response.



A protester walks on Alameda Avenue in Santiago, Chile, holding a placard that reads 'Murderers' during an anti-government protest on 20 November 2020. Photo by Marcelo Hernandez/Getty Images

In further **protests** in the run-up to the referendum, in September around 400 people **protested** against inequality in Plaza Dignidad, in the capital, Santiago, a site of some symbolism as the main location of the 2019 mass protests. The event, which marked the restart of larger-scale protests that had temporarily been halted due to the pandemic, was met with the same police violence that characterised the state's initial response in 2019, as the police again used water cannon and arrested at least 20 people. At protests days later to mark the anniversary of the 1973 military coup the police also used water cannon and teargas, with **over 100 people** reported to have been detained amid violent clashes. A further protest the following month was again responded to with excessive force. A police officer was caught on camera **pushing** a 16-year-old protester off a bridge and into a river, causing multiple fractures. In a year when around the world people had heightened awareness of and resistance to violent policing (see this report's chapter on the global struggle for racial justice), this event sparked further protests against police brutality

and calls for police accountability; the officer responsible was charged with attempted murder. But excessive force, including teargas and water cannon, was again used against a subsequent **Mapuche Resistance** march to demand Indigenous rights.

In October, on the anniversary of the start of the 2019 protests, people marched again. The day initially had a festive air, as people celebrated how far the movement had come and looked forward to the referendum, but later the day descended into **violent clashes** between protesters and police, with 580 people reported detained. Protests in December to **demand** the release of the many people detained during 2019 protests also led to violent clashes, with at least seven protesters detained after some protests set up roadblocks.

Protests continued into 2021 as a proposed bill to grant amnesty to those arrested or convicted during the 2019 protests made little progress. Another **proposed bill**, developed by opposition politicians in collaboration with Eyes of Chile Foundation, a CSO that supports victims of eye trauma, attempted to stop the police using gas projectiles and pellets. In 2019, around **460 people** were reported to have experienced eye injuries, often causing visual impairment as a result of the police using these weapons against protesters. Clearly, **police reform** is needed, and civil society will keep pushing for change on the issue of entrenched police hostility towards protests and the impunity that often prevails.

Despite the challenges, both of the pandemic and the police repression of protests, civil society continued to engage following the October referendum, encouraging people's informed participation in the May 2021 vote to select the convention's members, and in its subsequent drafting and ratification process. The convention will make decisions by a two-thirds majority and will have a year to draft a new constitution, which will then be put to another referendum in 2022.

Those who took to the streets and then to the polls in such numbers will continue to engage with the aim of ensuring that the new constitution reflects the aspirations of those who brought the process about. The removal of a constitution imposed as an enduring legacy of a brutal dictatorship must not be the end of a change, but rather the beginning of a process of deeper political, social and economic transformation. Its relevance could go further

than Chile, as protesters in other Latin American countries are watching with interest and making demands that their country takes a similar path (see this report's chapter on economic and environmental activism). Long characterised as the testing bed of economic neoliberalism in Latin America, Chile now has the chance to be a laboratory of an entirely different kind.



People wait in line to vote on the constitutional referendum on 25 October 2020 in Santiago, Chile. Photo by Claudio Santana/Getty Images

MYANMAR: DEMOCRACY DENIED

Myanmar's November general election, which resulted in another resounding win for the National League for Democracy (NLD), had its flaws. The main problem was the inability of some people to vote, in a context of continuing conflict and rights violations and a worsening pandemic. Voting was **cancelled** in areas experiencing conflict, in which groups excluded on the basis of their ethnicity are concentrated, affecting an estimated **1.5 million people**. Rohingya people, the subjects of decades of exclusion and in recent years a sustained campaign of genocidal violence, were largely unable to make their voices heard or stand in the election, given that they continue to be denied citizenship and therefore the vote, while many have been forced into exile by conflict. This meant that roughly **2.6 million people** – almost five per cent of Myanmar's population, drawn mostly from excluded ethnic groups – were reportedly denied the most basic of democratic rights, of being able to cast a vote.

None of this, however, cast doubt over the fact that the NLD won the election or that it remained **popular** with many people in Myanmar, particularly among the country's majority Bamar population. And none of these legitimate criticisms of the electoral process were what motivated the army to stage its February 2021 coup.

The army claimed electoral fraud, but its case was spurious. Many of the circa five per cent of the population excluded from voting would likely not have voted for the NLD, but it is unlikely they would have chosen the army's party either, since it is the same army that has for years been killing them, violating their rights, destroying their homes and forcing them to flee. What was behind the army's refusal to accept the results of the vote was a straightforward unwillingness to give up the habit of power. Myanmar's military ran the country from its 1962 coup until the 2015 election, when a democratic vote at last held and respected and the NLD swept into office. But strong military restraints on civilian power remained: the army retained power to appoint 25 per cent of all legislative seats and control of key ministries, effectively holding a veto over further constitutional change. Not content with holding its designated seats and enjoying considerable economic power, the army had its own party, which stood in the election only to see its vote and number of elected seats decline. Instead of reflecting on its poor electoral

performance the army gave up on masquerading as a democratic player and retreated to its dictatorial tradition.

The public reaction was defiance. Hundreds of thousands of people protested in any way they could. A non-violent civil disobedience **movement** quickly arose, involving many groups who had not previously taken part in protest. Trade unions called **nationwide strikes** and boycotted military-owned businesses, effectively **shutting down** the economy, insisting that normal work could not continue against the backdrop of military rule. Women's groups mobilised, including on International Women's Day, and the 'Hunger Games' three-finger salute of Thailand's democracy movement (see below) was quickly adopted as a signal of opposition to the coup. People stamped on **pictures** of the military leader, Min Aung Hlaing. The military could surely no longer pretend that its lack of popularity, as indicated by the election, was anything other than real.



People hold up the three-finger salute during a protest against the military coup, outside the Myanmar embassy in Tokyo, Japan on 7 February 2021. Photo by Yuichi Yamazaki/Getty Images

Speaking shortly after the coup had taken place, **Bo Kyi** of the **Assistance Association of Political Prisoners** (AAPP) described the circumstances of the coup and the public's reaction:

On 1 February 2021, the military arrested the leader and de facto head of state Aung San Suu Kyi and other senior figures from the ruling NLD. The military also detained NLD officials and civil society activists in various parts of Myanmar and cut telecommunications and the internet. Following the coup, AAPP has been documenting arrests of political prisoners while activists across Myanmar have mobilised a **civil disobedience movement** against the coup.

The civil disobedience campaign by public service workers, activists and wider society spread fast across the country and enjoys overwhelming support. Demonstrations have grown so rapidly across Myanmar because not long ago, in November, people voted for a democratic government, and when parliament intended to convene the military seized illegitimate power through a coup. Just like that, a decades-long desire for democracy was taken away from the people of Myanmar.

People **reacted** by striking pans and honking vehicle horns in the capital in nightly protests meant to 'drum out evil spirits', symbolically exposing the immorality of the military coup and displaying their dissatisfaction. The escalation of the protests, led by a new generation of activists, students, teachers and public servants, resulted in a general strike on 8 February. These actions reflected the intensification of people's desire for a civilian democratically elected government.

Predictably, the civil disobedience movement encountered harsh repression. Even before the coup civic space had increasingly deteriorated, with **numerous constraints** on the freedom of expression, including internet blackouts in Rakhine State, censorship and the use of defamation lawsuits to silence journalists, while protesters, activists and journalists had long risked state violence, arrest and detention. Once in power, the military intensified the clampdown. Further **internet** shutdowns were imposed and the military toughened existing laws, including internet laws, **criminalising** criticism of the coup and the military government. Many **journalists** were arrested and subjected to violence when reporting on protests.

AAPP has been documenting detentions in relation to the protests, and has found that the authorities are targeting protesters across the country and committing arbitrary acts of persecution to suppress dissent. We are afraid that counter-protesters will be used to create instability, and once a riot is instigated, the military will crack down on peaceful protesters.

The military has not acted in a way which shows respect for human rights or the rule of law in past, so we cannot expect that it will do so in the future. The military junta's attempt to undermine the legitimacy of the 2020 election is a clear example of this. We are seeing the military use a 'divide and rule' policy to create a climate of fear once again. The military will provide favours to some ethnic parties and groups in order to isolate and oppress the NLD. This is a cause of great concern for marginalised individuals and groups in society.

The military junta has disrupted social media communication such as Facebook and Twitter and shut down internet communication again on 6 and 7 February. This is a serious problem because communications, both domestic and with the international community, are vital to ensure human rights abuses do not occur. There is a real worry that if there is a full blackout, protesters will be even more vulnerable.

Since the early hours of 1 February, the military rounded up and detained democratically elected lawmakers and other officials and arrested civil society leaders and activists in an attempt to stifle dissent. We still do not know where some of the recently detained are, and there are real concerns for the health and condition of some of the older ones, as well as regarding former political prisoners with health problems resulting from the torture and poor conditions they experienced while incarcerated. The treatment that these prisoners receive defies any international and domestic law standards. If this coup is not overturned, there will be many more political prisoners.

While international attention seemed fixated on the detention of NLD leader Aung San Suu Kyi, behind her there were countless others. The numbers of those thrown into jail quickly reached **four figures**⁷, with reports of torture in detention. Those who stepped forward knew they had to be brave, as the army had already proved the brutality it is capable of in places like Rakhine State. Taken aback by the scale of protests the coup had unleashed, now the army turned its guns on citizens of the same ethnicity as them. Protesters

faced rubber bullets, teargas and water cannon, as well as violent attacks from groups supporting the military.

When other measures failed to stop the public's opposition to the coup, the military **used lethal force**⁷ on numerous occasions and in multiple locales, including sub-machine gun fire. At the time of writing, hundreds of people are reported to have been killed; by mid-April 2021, AAPP monitoring put the death toll at **over 700**,⁷ including more than 40 children, with **over 80 people**⁷ reported killed in a single military assault against protesters who had put up barricades in the city of Bago in April 2021. In March 2021, Thomas Andrews, the UN Special Rapporteur, **stated**⁷ that the military was likely committing crimes against humanity.



Relatives and supporters make the three-finger salute during a funeral for protesters shot dead by security forces on 5 March 2021 in Yangon, Myanmar. Photo by Stringer/Getty Images

ROHINGYA VOICES MUST BE HEARD

International calls for the return of democracy must keep in sight the ongoing denial of the rights of Myanmar's Rohingya people. A key test of any future democratic society must be that Rohingya rights are enabled rather than repressed. A first step is to listen to Rohingya people. Canadian-based Rohingya activist **Yasmin Ullah** ⁷ relates her work to raise international awareness and make sure that Rohingya voices are heard:

I'm a daughter of someone who has fought for the rights of Rohingya for decades. I had this feeling that I also needed to do something or else my family and my people would be in jeopardy and our history would be erased altogether. I started organising protests and events to educate people about who Rohingya are, because in Canada there has been very minimal coverage and no attention to the issue. I started to connect with a lot of people; there is a small Rohingya community here that I worked with. We travelled to meet members of parliament together, in Ottawa. We came up with strategies to engage policymakers and the general public, and we moved to museums that are directly or indirectly working on issues of mass atrocities, like the Canadian Museum of Human Rights.

We got a little bit of media attention around that we used to convey an idea of urgency, and eventually we were able to push for an exhibition and brought together a pool of people who settled as refugees in Canada to share their own stories. We started to be recognised as part of the fabric of Canadian society in a way we were never recognised in Myanmar.

A lot of other things started to happen. We got images of the exodus captured by a Canadian photographer, showing lines and lines of people crossing the borders into Bangladesh. There were some objects like ID cards as well as cultural artefacts to show who the Rohingya are in terms of identity. The exhibition was launched in 2019 and stayed on throughout 2020. We also worked on the project called Genocide Learning Tool, for high school students to learn about the Holocaust as well as what happened to the Rohingya. We worked on public awareness and lobbied the government, constantly calling our members of parliament to make sure they heard our most recent updates.

In 2019 the Canadian parliament passed a motion defining what happened to Rohingya as genocide. The Canadian government then committed CA\$300 million

(approx. US\$240 million) to support the Rohingya in Bangladesh and elsewhere. We also asked the Canadian government to initiate a process against Myanmar at the International Court of Justice, which it didn't. But it committed to intervene, along with the Netherlands, in the case against Myanmar brought by The Gambia alleging violations of the Convention on the Prevention and Punishment of the Crime of Genocide (see this report's chapter on civil society at the international level).



Rohingya people in a refugee camp in Bangladesh watch on TV as the International Court of Justice brings charges of genocide against Myanmar in January 2020. Photo by Allison Joyce/Getty Images



People beat metal utensils in protest against the military government on 4 February 2021 in Yangon, Myanmar. Photo by Stringer/Getty Images

Facing this lethal response to protest, and unable to win a highly unequal contest of violence, people started to find other, more subversive ways to keep up the pressure. Economic strikes and boycotts continued, at considerable personal cost to people with few resources. People daubed red paint in protest as a symbol of the blood spilled by the army, along with subversive graffiti. They held flash mob protests that made them less of a target. Through their continuing actions, they made clear that the military might now have power, but it did not have authority. But such was the mismatch in power that democracy protesters also needed international support.

Around the world, one of the key factors behind the success of popular rebellions against authoritarian control is often the ability of protesters to split a section of the military away from supporting dictators and towards enabling protesters, even if only passively, by agreeing not to intervene. But there seems little prospect of that happening in Myanmar, where military power remained entrenched even as democracy returned, and the military has years of experience of repression and impunity. The military had only reluctantly given up some of its power in 2015 because economic pressure on Myanmar meant military rule was no longer affordable. International pressure – political but perhaps even more importantly, economic – is now crucial. Other states, and the international system, must make Myanmar a pariah and refuse to cooperate with a dictatorship soaked in blood.

In March, ASEAN called for the return of democracy, but **stopped short** of condemning the military violence, reflecting the hostility towards democratic freedoms of several of its members. South Korea **suspended** defence and security cooperation, but China's government, which has invested heavily in Myanmar and worked with **both sides**, predictably said and did **little**. Several states outside the region responded to the coup. The EU imposed **sanctions** on the military and withdrew some aid. The government of Australia **suspended** military cooperation and New Zealand **suspended** all high-level contact and imposed a travel ban on military leaders, as did **Canada**. The UK government also imposed travel bans and **froze** military assets. The government of the USA **imposed** trade sanctions and sanctions on military leaders.

The UN Security Council, after much negotiation, issued a tame **resolution** in February 2021, which stopped short of describing what

had happened as a coup. In March, a **statement** ↗ by the President of the Council condemned the violence against peaceful protesters and voiced concern at restrictions on medical personnel, civil society, unions and journalists, but the Council essentially seemed to put its trust in ASEAN to lead the engagement.

Civil society demanded stronger international action: over 130 CSOs came together to call for a global **arms embargo** ↗ to deny the military continued access to the instruments of lethal repression. Advocacy also focused on the UNHRC, with mixed results. While the UNHRC reacted commendably quickly to the coup by holding a special session in February 2021, the resolution ultimately approved was weaker than many in civil society had been pushing for; it seemed the price of adopting a resolution by consensus, rather than risking it going to a vote that, given the significant presence of rights-abusing states on the Council (see this report's chapter on civil society in the international arena), might have been lost, was to water it down. A further resolution **renewed** ↗ the mandate of the UN Special Rapporteur on Myanmar and asked him to assess the situation following the coup. The resolutions will at least keep Myanmar on the UNHRC's agenda, but civil society will keep pushing for more.

If there had been stronger accountability and oversight over past human rights violations, impunity might not have become so entrenched. If the military had been held to account for its past crimes against humanity, it might not find it so easy to kill civilians now. It should now be abundantly clear that there is no future version of Myanmar's democracy that involves an accommodation with military power. The army cannot be appeased, as Aung San Suu Kyi tried to do, but rather must be dismantled.

Further, if Myanmar's democratic society had been more inclusive of all of its peoples, it might also have been stronger. When democracy is restored, there should be no more **whitewashing** ↗ of genocide, as Aung San Suu Kyi stood accused of doing in December 2019. A cessation of military power is needed, and those who committed gross crimes must be held to account, but the democracy that Myanmar must return to should be one in which there is no tolerance of human rights abuses, regardless of which section of the population they are visited upon. The ultimate riposte to military rule must be a truly inclusive democracy.



Anti-government protesters rally ahead of Lunar New Year on 19 January 2020 in Hong Kong. Photo by Anthony Kwan/Getty Images

HONG KONG: DREAMS OF DEMOCRACY BRUTALLY CRUSHED

In 2019, Hong Kong's **democracy protesters** ↗ caught the global imagination with their campaign to demand human rights and uphold the country's special status as an entity distinct from mainland China. But in 2020, China's vast machinery of authoritarian repression was rolled out to crush this brave dissent.

When Hong Kong became a Special Administrative Region in 1997, it was on the commitment, written into Hong Kong's Basic Law, that the 'one country, two systems' principle would apply until 2047, enabling Hong Kong to retain its own authority over domestic, legal and economic affairs and, supposedly, extend voting rights. But 2020 will be remembered as the year in which the 'one country, two systems' principle was abandoned unilaterally by the Chinese state and Hong Kong's autonomy was effectively erased.

While the world was distracted by the pandemic, and secure in the knowledge that its asymmetric economic relationships would buffer it from international pressure, the Chinese state pressed ahead with the introduction of a **National Security Law**⁷, passed in June. The new law's **criminalisation**⁷ of broadly stated offences such as sedition, subversion, terrorism and threats to national security gave ample scope for the authorities to crack down on Hong Kong's democracy movement. The changes enabled mainland Chinese security forces to operate throughout Hong Kong. They targeted foreign dissidents too, enabling people to be charged for offences in Hong Kong even if not resident there, and to be charged with collusion with foreign powers if engaged in international advocacy. The law was so broad that any citizen of any country could be arrested when visiting Hong Kong if they had criticised the governments of China or Hong Kong.



Protesters rally against the National Security Law in Hong Kong's Mongkok district on 27 May 2020. Photo by Billy H.C. Kwok/Getty Images

In the final triumph of the hated extradition bill that had provided the flashpoint for the 2019 protests, the new law also enabled people living in Hong Kong to be tried in mainland China. The government moved to set up a new **national security agency**⁷ in Hong Kong, positioning Chinese authoritarianism at the heart of the territory.

Independent human rights researcher **Patrick Poon**⁷ describes the intent of the new law, and its early effects:

The National Security Law, imposed by the Chinese government without any consultation or legislative oversight, empowers China to extend some of its most potent tools of social control from the mainland to Hong Kong. The law includes the creation of specialised secret security agencies, allows for the denial of the right to a fair trial, provides sweeping new powers to the police, increases restraints on civil society and the media and weakens judicial oversight.

The new law undermines Hong Kong's rule of law and the human rights guarantees enshrined in Hong Kong's de facto constitution, the Basic Law. It contravenes the International Covenant on Civil and Political Rights, which is incorporated into Hong Kong's legal framework via the Basic Law and expressed in its Bill of Rights Ordinance.

The Chinese government's intention is to use the National Security Law to curb advocacy and support for independence as more people, especially young people, have increasingly embraced Hong Kong's autonomy and their identity as Hongkongers. Although Hong Kong's Basic Law enshrines a high degree of autonomy, the Chinese government apparently regards calls for autonomy and self-governance as a 'danger to national security'.

The National Security Law has seriously infringed Hong Kong people's freedom of expression and is intensifying self-censorship in the city. Under the Law, people who advocate for independence, as well as politicians and prominent figures who support foreign governments' sanctions on Hong Kong and Chinese officials who are responsible for enacting the Law, have been the target of the arbitrary arrests. The government is obviously attempting to scare off others not to follow these people's calls.

Independent media have also been affected by the crackdown. The **arrests**⁷ of Jimmy Lai, media mogul and founder of popular local

paper Apple Daily, and senior executives in his company, signify the government's attempt to punish news media that are critical of it. Reports about criticism against the National Security Law and calls for sanctions by foreign government officials become the excuse for the crackdown on independent media. This will have long-term impact on Hong Kong media, even further intensifying self-censorship for some media outlets.

Civil society has reacted strongly against the Law because the process to enact it violated the principle of the rule of law and procedural justice in Hong Kong, and the vague and broad definitions of various provisions of the Law exceed the normal understanding of law in the city. Pro-China politicians and government officials have been trying hard to justify the Law, but their arguments are preposterous.



Protesters hold up pieces of blank paper to voice dissent without displaying newly forbidden political slogans at a demonstration in a mall in Hong Kong on 6 July 2020. Photo by Billy H.C. Kwok/Getty Images

The introduction of the new law brought back the protests that had **continued** into early 2021 but then paused due to the pandemic. But this time the authorities had much greater scope to repress them. Several of the organisers of the annual 4 June **vigil** on the anniversary of the Tiananmen Square massacre, in which thousands of people defied a ban by participating, were arrested. After scuffles broke out at an otherwise peaceful protest later in June, 53 people were **arrested**. Permission was denied for the march traditionally held on 1 July to commemorate the handover of Hong Kong from the UK, and when thousands gathered in defiance, further arrests followed.

The first person **arrested** under the new law that day was a man whose protest was to hold up the Hong Kong independence flag. He was one of **370 arrests**, 10 under the new law, and after that the arrests simply piled up. If protesters sought to test the readiness of China to use its new powers, they soon got their answer. A state that has made Xinjiang Province a vast **prison camp** seemed equally prepared to jail as many Hongkongers as it took to silence their demands for democracy.

The law had been introduced ahead of the election for Hong Kong's Legislative Council, initially planned for September. In July, Hong Kong's Chief Executive, Carrie Lam, who is firmly in the pocket of the Chinese state, **announced** that the election would be postponed for a whole year, to September 2021, with the term of the current Council extended until then. The pandemic was the reason provided, but the obvious **suspicion** was that this allowed more time to root out dissidents. The space the Council provides had become more contested following the mass **Umbrella Movement** protests in 2014; several of the young leaders associated with those protests won seats in the 2016 election. Pro-democracy candidates had also stormed to victory in the 2019 District Council election, and the authorities must have feared a repeat at the Legislative Council level in 2020. The decision to postpone came after pro-democracy parties held **primary votes** in July that had been deemed illegal, but which offered an opportunity for 600,000 people to express their defiance by voting, and endorsing in particular young activists.

Ultimately the stalled election ploy ended the democracy movement's ambitions of winning control of the Legislative Council and stemming the tide of repression. Ever since the 2016 election, pro-democracy Council members had faced a war of attrition in which several of them were

excluded for breaches of rules. In November, the Chinese state determined that anyone who supports Hong Kong's independence, does not accept China's sovereignty over Hong Kong or is deemed to be cooperating with foreign powers or endangering national security would be barred from the Council, and on that basis immediately **disqualified** ↗ four pro-democracy members. In response, 15 other pro-democracy members resigned, leaving the Council devoid of opposition with 27 vacant seats. They knew it no was no longer possible to use the space to resist repression, and gave up legitimising an institution that had decisively become just another instrument of the Chinese state's control. That they had been right to do so was shown in March 2021 when the Chinese government **changed** ↗ Hong Kong's Basic Law, drastically cutting the number of directly elected Legislative Council members.

Along with the new National Security Law, the postponement of the election was viewed as part of the government's strategy to neutralise the pro-democracy movement. Just prior to the announcement that the election was being postponed, 12 opposition candidates were **disqualified** ↗ from running, and four young former members of a pro-independence student group were arrested under the National Security Law for their pro-independence posts on social media.

The postponement of the election created some conflict among the pro-democracy camp, with some calling for keeping up the fight in the Legislative Council and others urging a boycott over the government's decision to postpone the elections. From the government's decision to disqualify some pro-democracy candidates for their political views, it is clear that the government doesn't want to hear any opposition voices in the legislature.

As repression intensified, many people understandably adopted defensive strategies to try to protect themselves from the reach of the Chinese state. As soon as the new law was passed, the pro-democracy Demosisto party immediately **disbanded** ↗; other campaign groups **ceased operating** ↗ in Hong Kong, although some expressed hope of continuing abroad. In response to increasing internet restrictions, people scrambled to **erase** ↗ their digital footprints and delete social media files. People tried to adopt more subtle protest tactics, such as putting up walls of blank notes in place of 2019's

'Lennon walls' that hosted notes about people's demands for democracy, or holding up blank signs rather than signs bearing slogans.

In such ways, people tried to keep alive a protest space and stay on just the permitted side of the law. But the problem they faced was that the law was so broad it was no longer clear where the line was; **almost anything** ↗ could be considered illegal. What was clear is that the state would decide where the line was, and early indications were grim. Merely singing the song 'Glory to Hong Kong', an unofficial pro-democracy anthem, was ruled to be going too far; in July, school students were **banned** ↗ from singing it. In December, even a student protest against online graduation ceremonies – denying students an opportunity to make a pro-democracy gesture at a real-world ceremony – led to eight **arrests** ↗. Broad self-censorship could only be encouraged by such actions.

A youthful activist generation was confronted with a **choice** ↗ people should never have to make, between falling silent, facing jail or fleeing abroad. Several **leading dissidents** ↗, among them Nathan Law, former Legislative Council member and one of the young figureheads of the pro-democracy movement, sought to continue their activism from the UK. Exiled activists set up an **advice platform** ↗, Haven Assistance, to offer help for Hongkongers seeking to flee. But still the pain of exile included disconnection from family and friends and continuing **threats** ↗. Not everyone managed to escape: **12 young activists** ↗ who faced charges attempted to flee to Taiwan by boat in August but were stopped by coastguards. In December, at a closed and perfunctory trial held in mainland China, 10 of the 12 received jail **sentences** ↗ of up to three years; the other two, being aged under 18, were returned to the Hong Kong police for custody, having already spent more than four months in jail. In January 2021, 11 further people were **arrested** ↗ on charges of helping the escape attempt.

More may follow in Nathan Law's footsteps. An estimated 5.4 million of Hong Kong's approximately 7.5 million population have the right to **live in the UK** ↗, following changes introduced by the British government in January. The Chinese state characterised this extension of residency rights as an unwarranted interference in its domestic affairs and **threatened** ↗ countermeasures against the UK; it made clear that it saw all those living in Hong Kong as Chinese nationals indistinguishable from any other, and in January 2021 said it would **no longer recognise** ↗ the British National (Overseas) Passport that many Hongkongers

hold. A similar offer by the Australian government to allow visa-holders from Hong Kong to stay for longer and potentially become Australian citizens was also criticised as interference.

This was the usual double standards from a Chinese state that is increasingly interventionist abroad. The Hong Kong government was even happy to enlist foreign support in its propaganda war, handing a multimillion dollar contract to a UK-based public relations company in a bid to improve its international reputation. Chinese students in Australia were mobilised to institute a backlash against an academic who called for international pressure on China over its Hong Kong violations; the university caved in and deleted critical social media posts. Presumably facing pressure, the Asia-Pacific regional head of the UK-headquartered HSBC multinational bank endorsed China's new powers in Hong Kong.



Pro-democracy activists hold a banner in support of protest leaders on trial outside a court in Hong Kong on 1 April 2021. Photo by Anthony Kwan/Getty Images

The authorities went on to take an ever bolder approach towards arresting and imprisoning democracy movement leaders, as if to show that a high profile could offer no protection, and doubtless with the aim of robbing what was left of the movement of its leaders. In December, former Demosisto leader Joshua Wong, who had repeatedly experienced arrest, was sentenced to 13 and a half months in jail and put into solitary confinement for organising an unauthorised protest in 2019. Fellow Demosisto activists Agnes Chow, with a 10-month sentence, and Ivan Lam, with a seven-month sentence, were jailed. That same month, Tony Chung, who had been a leader of the Studentlocalism pro-democracy group, was handed a four-month sentence for insulting the Chinese flag, with a further trial on a national security charge to come.

Mass arrests and imprisonments continued into 2021, as the Chinese state intensified its crackdown and extended its powers. At the time of writing, media leader Jimmy Lai was back among those stuck in detention. Although he was released on bail in August, and people found a subversive way to express their support by buying shares in his media company, causing the share price to soar, he was arrested again on alleged fraud charges in December and returned to jail. He now faces foreign collusion charges and in February 2021 was arrested while in jail on further charges of aiding the 12 activists who tried to escape to Taiwan. In March 2021, along with activist Lee Cheuk-yan, Lai pleaded guilty to one charge of taking part in an unauthorised assembly, and faces five years in jail.

The climate is now one of fear, and the concern is that the Chinese state will make it harder for pro-democracy activists to go into exile, forcing people who cannot leave into silence. As China's erasure of Hong Kong's special status nears completion, pressure will increasingly fall on foreign governments to take a tougher line. The EU's trade deal with China, which will go before the European Parliament for ratification, has and will continue to be a key focus of international advocacy, as civil society calls for stronger human rights guarantees, in relation both to Hong Kong and Xinjiang. In March 2021, Hong Kong democracy activists called on the EU not to ratify the deal. Those Hong Kong activists lucky enough to be in exile rather than in jail will continue to try to keep up the pressure from a distance.



A young girl with an Algerian flag painted on her face sits on her father's shoulders at a mass demonstration against President Abdelaziz Bouteflika in Paris, France, on 17 March 2019. Photo by Omar Havana/Getty Images

ALGERIA: DEMANDS FOR FUNDAMENTAL CHANGE CONTINUE

Algeria's democracy movement has also experienced a long struggle. Ten years on, across the Middle East and North Africa, the dreams of the many brave people who rose up in that great wave of revolt usually referred to as the 'Arab Spring' **have overwhelmingly not been realised**. In Algeria, the limited form of democracy on offer still stops far short of people's expectations.

In a victory for civic action, the Hirak protest movement **rose up** in 2019 and forced longstanding President Abdelaziz Bouteflika out of office when he tried to run for a fifth term. But the change failed to meet people's demands, as political and military elites were careful to keep their grip on control. Protesters wanted a complete overhaul of the political order, but all they got was a new president, Abdelmadjid Tebboune, who was firmly of the establishment and had served his time in past governments. He was elected in November 2019 on a low turnout as many people signalled their disaffection by staying away from the polls or spoiling their ballots.

President Tebboune made the right noises about being willing to listen to the protest movement, but actions belied words. When the pandemic struck hard, Hirak activists did their civic duty and, putting protests on hold, **reorganised** to help provide PPE to hospitals and food supplies, working with local authorities whenever possible. But the state did not respond with similar compassion. Rather the state seemed to see the pause in protests as an opportunity to try to repress the movement and suppress dissent.

When around 5,000 prisoners were pardoned and released in March to help prevent the spread of the virus in jails, no imprisoned Hirak leaders were among them. Instead, the government kept sending activists to jail, filling the spaces freed up with people it disagreed with.

In April, Abdelouahab Fersaoui, head of the Youth Action Rally (Rassemblement actions jeunesse) received a one-year **sentence** for 'attacking the national territory' and 'inciting harm to national defence'. He had posted Facebook posts criticising the repression of Hirak protesters and calling for democracy. Democracy activist Amira Bouraoui has been arrested numerous times. She was sentenced to jail in June, before being released pending an appeal, but

in November was handed a new **three-year sentence**. Another key Hirak figure, Karim Tabbou, received a **one-year sentence** in March, before being **released** on bail in July. He was given a further one-year **suspended sentence** in November. There were reports of people in jail experiencing torture and other forms of ill treatment. Journalists were not spared. In August journalist Khaled Drareni received a **three-year sentence** for his reporting on the Hirak movement. In November, another journalist, Said Boudour, who also defends the rights of migrants and political prisoners, was sentenced in absentia to **one year in jail**.

As part of the **onslaught** on the freedom of expression, in April the government approved an ominously vague **new law** criminalising the spreading of 'fake news', and at least six independent news websites were **blocked** in April and May. New restrictions on CSOs were **introduced** in April, limiting the ability of CSOs to receive and use funding from abroad and criminalising non-compliance.

Clearly the government had no intention of adhering to President Tebboune's earlier promises of dialogue. Little wonder then that a referendum on constitutional changes, held in November, prompted concern. What was on the ballot was clearly not the transformation protesters sought. The changes introduced some positive reforms, including presidential term limits and some new powers for parliament and the judiciary, but also more controversial measures, notably an extension of military powers, enabling the army to be deployed beyond the national territory. Algeria's army enjoys extensive power and expressed its support for the changes. But those who did not share the army's enthusiasm were less able to have their say, as opponents of the changes were **blocked** from campaigning and prevented from holding public meetings. Given the crackdown on dissent in the months up to the vote, it was hard to mobilise.

Ahead of the referendum, 31 CSOs came together to **condemn** the repression. The protest movement insisted that the changes relating to the presidency, parliament and judiciary were cosmetic, designed only to give Algeria the semblance of being a functioning democracy. They risked whitewashing the crackdowns for international consumption, making radical reform less likely. When the referendum was held, just as in the presidential election the year before, people expressed dissent in the only way many could. They stayed

at home. The changes were passed, but on a historically **low turnout** of only around 24 per cent.

In 2021, people took to the streets again to articulate their demands in a way they cannot do at the ballot box. On the second anniversary of the start of the HIRAK protest movement, **thousands** turned out to protest. Days of protests followed, in the biggest numbers since those 2019 mass mobilisations. People **called for** an end to the military's power, and for the sweeping away of the entire ruling elite. Weekly protests continued at the time of writing.

On the anniversary of the start of the HIRAK movement, President Tebboune acknowledged its role in bringing about the change that brought him to power, and presumably to spare blushes over hypocrisy, **released** around 60 imprisoned HIRAK activists in the days ahead of the anniversary. But an estimated **70 activists** remained in jail, and people will demand more than lip service. As protests resurged, the government further showed that change has not gone far enough, when it **proposed** a law that will make it easier to strip someone of their citizenship, including on grounds such as harming the interests of the state and undermining national unity, charges that have often been levelled at imprisoned protesters. The fear is that the new law would enable the state to render people stateless for expressing dissent, including those who do so after having fled to other countries for their safety.

Moves such as these undermine some warm words on the anniversary of protests. They show why people will continue to demand real democracy so that they can hold their decision-makers to account and express dissent without fear of losing their liberty.

LEBANON: DEADLY BLAST FUELS DEMANDS FOR CHANGE

The road towards genuine democracy has proved long and hard in Lebanon too. Lebanese people's demands for fundamental change did not start with the devastating explosion that ripped through the port area of the capital, Beirut, in August. A protest movement had **arisen** in October 2019, when anger over a proposed WhatsApp tax quickly grew into a wide-reaching mass movement asking profound questions about widespread unemployment, economic failure and everyday dysfunction, identifying not just the current

government but the entire political system as corrupt, self-serving and incapable of delivering change.

The burgeoning of the movement, characterised by its many young and female leaders and its bridging across the sectarian lines that have long enabled political deadlock, brought a rapid reversal of the unpopular policy that had initially given rise to action, and then the resignation of the prime minister. But the fundamental change that many sought, of a completely new government free of party ties, and a sweeping away of a corrupt and failed political class tied to a discredited system of sectarian politics, remained denied.

Protests therefore **continued** into 2020, including against the government's budget, power cuts and bank restrictions imposed in response to a currency crisis and spiralling inflation, and they continued to be met with state violence and arrests. The momentum only came to a pause when the pandemic hit.

Many protesters and organisations then committed to redirecting their energies towards fighting the pandemic, in the certain knowledge that the government would not be up to the task, while promising to return to campaigning once the emergency had passed. People still did what they could to continue to voice their anger, even as pandemic emergency measures were applied. In March activists formed a **human chain**, distanced and wearing masks and gloves, around the Palace of Justice to protest against the politicisation of judicial appointments. But the government seemed to be using the pandemic as a pretext to clear up an inconvenient protest when at the end of March it arrested protesters who had occupied a square in the centre of Beirut since October 2019 and forcibly **destroyed and removed** protesters' tents, even though people had committed to sanitising their tents regularly.

Amidst this simmering discontent, and as the pandemic was placing even greater strain on an already failing economy and crumbling systems of healthcare and social support, the explosion was immediately understood as emblematic. At least 200 people lost their lives and 7,500 were injured; had a lockdown not been in place, leaving public spaces empty, the toll could have been much higher. An estimated 300,000 people were left homeless as buildings as far as 10 kilometres away were damaged. Because the blast largely destroyed grain silos, existing food shortages were worsened, while warehouses storing essential medications were also destroyed and several hospitals were

so severely damaged they had to close. A state had proved unable to fulfil its most basic functions: safeguarding the lives of its people and meeting their fundamental needs, including of food, shelter and healthcare. Meanwhile its collapsing economy would be further tested by the loss of essential port facilities through which much trade passes.

The explosion, one of the largest non-nuclear explosions in history, was emblematic because it had been entirely avoidable. This was no act of God. Its origins lay in human neglect and maladministration. The ammonium nitrate that exploded had been seized from a ship and stored in a unsuitable warehouse in 2014. And there it stayed, despite **numerous alerts** to the government that the situation was dangerous; those messages appeared to have gone unanswered.

Lina About Habib, a feminist activist based in Beirut, speaks of her experience of the explosion, and of people's immediate response, which was to volunteer to help, knowing that the government would do little to help them:

The Beirut explosion happened on 4 August, at around 6.10pm Beirut time. I was at home and I had known for an hour that there was a huge fire at the Beirut port. When the fire started getting bigger the sky was blackened by fumes. I was looking out, and the first thing I felt was a very scary earthquake-like feeling, after which it took a split second for a huge explosion to happen. Glass shattered all around me. It took me a couple of minutes to understand what had just happened. The first thing everyone did was call family and close friends just to make sure that they were okay. Everybody was in a state of disbelief. The explosion was so powerful that each one of us felt like it had happened right next to us.

Individuals took to the streets in an attempt to help others. Nobody trusted that the state would help in any way. The state was responsible for what had happened. People took the responsibility for helping each other, which meant addressing immediate problems such as clearing rubble from the streets and talking to people to find out what they needed, including shelter and food. About 300,000 people had become homeless and lost everything in a split second. There was an extraordinary reaction by ordinary people to help: people with brooms and shovels started clearing rubble and distributing food and water. Anger turned into solidarity.

These acts of solidarity and care have also been criticised. The main criticism has been that such acts are unhelpful because they relieve the state from fulfilling its obligations and performing its duties. I understand this critique, but I don't agree with it. To me, the acts of solidarity performed by civil society and ordinary people were our main success stories: stories of power and resistance that we should talk about. We need to highlight the immediate response provided individually by people who themselves had been hurt or had lost a lot. Migrant worker communities, who live in dire conditions of exploitation, racism and abuse, went out there to clear the rubble and help others. I don't think we should ignore the significance of these acts of solidarity.

The government quickly declared a national day of mourning and a state of emergency, and promised an inquiry, but people did not believe that any inquiry in the hands of the Lebanese state could tell them anything. Civil society **called** instead for an impartial and independent investigation. The government launched a compensation fund for those affected, but it **required** an immense amount of documentation and navigation of complex bureaucracy for people to apply; it became just another symbol of dysfunction.

The voluntary clean-up was quickly joined by protests, as people demanded the fall of the government and its replacement under a new electoral system. When thousands of people **protested** on 9 August, the violence was as predictable and disproportionate as that seen before the explosion, as security forces **responded** to people throwing rocks – amply available amid the rubble of the blast – reportedly with live ammunition, rubber bullets and teargas; some journalists as well as protesters needed hospital treatment. **Metal pellets** were used against another protest on 1 September and 20 people were reported **injured**. A government that had killed and injured people through neglect was now doubling down on the offence by hospitalising still more. The state of emergency, extended until the end of 2020, was imposed in a context where protests were already regularly subjected to violent repression and the government was **increasingly restricting** the freedom of expression. It vastly extended military powers, including to prevent gatherings, censor publications and try civilians in military courts, with little prospect of accountability over the military's actions. Several protesters were put on military trials.

Just as the impacts of the explosion could have been worse without the pandemic lockdown, so pandemic restrictions may have given the government some cover from even more widespread protests.

On the Saturday following the explosion there were people protesting on the streets. I was there and I was scared because of the deployment of violence by the security forces.

In the face of so many calamities, the only reason why people are not massively on the streets is because of the pandemic. This has been a gift for the regime. It has imposed curfews, broke up the tents set up by the revolutionaries at Martyrs' Square and arrested and detained people, all under the guise of wanting to protect people from the virus. But of course, nobody is duped. The levels of contagion are increasing rather than decreasing. It doesn't help that the regime is so corrupt that we basically don't have any functioning health services.

The constraints created by the pandemic and the fears for one's health are seriously limiting people's actions against the regime, but I don't think this is going to stop the revolution. People have had enough. People have lost everything. And when you push people's backs to the wall, there is nowhere else to go but forward. The regime will continue to use brutal force, it will continue to lie and mismanage funds and resources, but this is becoming totally unacceptable to an increasingly larger proportion of the population.

In the days following the blast and as people protested, ministers and members of parliament started to resign, as politicians looked to distance themselves from the government, making clear that reform was not possible within existing structures. Then came the resignation of the entire cabinet and Prime Minister Hassan Diab, appointed only in January after the previous office-holder stepped down in response to protest pressure; in resigning, Diab **blamed** the disaster on 'chronic corruption'.

But this did not mean that protesters' demands had been met. The failed political system remains in place, and in a further sign of the paralysis that characterises Lebanon's politics, having resigned, the prime minister and cabinet were asked to stay on as caretakers until a new government could be formed. Government formation in Lebanon is a complex process involving



Hundreds of paper lanterns arranged in the shape of the Lebanese flag are lit to mark one month since the explosion in Beirut, Lebanon on 4 September 2020. Photo by Marwan Tahtah/Getty Images

negotiations and trade-offs between the political representation guaranteed to different sectarian groups, a process that offers ample opportunities for patronage. An attempt to appoint a new prime minister and cabinet **collapsed** in September, and at the time of writing, months after resigning, Diab remains Lebanon's prime minister. Just as the system withstood the 2019 protests, it seemed that even 2020's devastating explosion could leave nothing unscathed bar the political elite.

The regime hasn't done anything significant in response to the explosion. Sending the army to distribute food aid packets is in no way significant. They even refused to give food aid items to non-Lebanese people who were affected. This exposes the various layers of corruption, bigotry and mismanagement that are at interplay here.

There hasn't been any responsible government response. I would not even call what we have a government, but rather a regime. It is a corrupt dictatorship, an authoritarian regime that continues to pretend to be democratic and even progressive. The regime says it embodies reforms, but it never follows through. For instance, 10 days into the revolution, in October 2019, the president addressed the nation and promised an egalitarian civil family law, which feminist activists have been demanding for decades. This came as a surprise, but it turned out that it wasn't serious, as nothing has been done about it. The authorities just say whatever they think people want to hear, and seem to be convinced that the public is too ignorant to notice.

So we need to position the response to the explosion against the background of the recent uprising. The government's response to the revolution has been to not acknowledge the problems that people were pointing at: that it had emptied the public coffers, that it continued to exercise nepotism and corruption and, worst of all, that it was dismantling public institutions. The only government response has been to close the space for civil society and attack the freedoms of association and expression and the right to protest. I've lived in this country for most of my life, including through the civil war, and I think there hasn't been a crackdown on freedoms of the magnitude we are seeing right now under this regime. We have never witnessed people being summoned by the police or general security because of something they said or posted on social media. This is exactly what the regime is doing and continues to do. The president is acting as if there was a *lèse-majesté* law and is not accepting any criticism; people who criticise him are paying with their freedom.

As well as political institutions, sectarian factions divide up shares of control of key economic assets – including the port at the centre of the explosion – enabling grand corruption. The opportunities for graft if reconstruction is controlled by the same forces will be immense. So distrustful of the government were many people that offers of assistance from abroad that came in the immediate aftermath of the disaster were a mixed blessing. Donors quickly pledged ⁷ over US\$300 million in emergency aid, but people did not believe their government could be trusted to use the help, and anticipated corruption. Local civil society insisted that they must be directly included, and be enabled to exercise accountability over money that goes to government.



Protesters wave a Lebanese flag and hold nooses, a symbol of public anger against the government, on 4 September 2020 in Beirut, Lebanon. Photo by Marwan Tahtah/Getty Images

We need to lobby the international community on behalf of the Lebanese feminist movement so that the Lebanese regime is held accountable for every cent it receives. To give an example, we received about 1,700 kilograms of tea from Sri Lanka, and the tea has disappeared; it appears that the president distributed it among the presidential guards. We need influence and pressure from the international community to hold this regime accountable.

I want to emphasise the point that international aid should not be without conditions, as the ruling regime lacks transparency and accountability. Of course it is not up to civil society to rebuild, or to reconstruct the infrastructure. But if any cent has to go to the regime, then it must be given with conditionalities of transparency, accountability and due diligence. Civil society must be empowered to play a watchdog role. This means that CSOs must have the voice and the tools for monitoring. Otherwise nothing is going to change. International aid will vanish; it will only help the regime prolong its rule while the city remains in ruins.

Protests continued, **marking** the first anniversary of the start of the mass movement in October, with marches in downtown Beirut and other cities. But at the time of writing the deadlock also remained. While the prime minister and three former ministers were **charged** by the prosecutor investigating the blast in December, people remain cynical about the prospect of real punishment, or scrutiny of the power brokers who put the prime minister in place.

It might appear that nothing has changed. But people have changed. The hunger for revolution has only intensified, and many people have gone past a point of no return, where nothing less than an entirely new political system and an economy that works for everyone will do. Any hope for change has come not from elites and institutions but from civil society. Inclusive movements and new leaders have arisen, and people have found ways to challenge their own exclusion. The only real wealth of Lebanon is in its people, who must be trusted to create its future.

I believe that street mobilisation has been successful on several levels. One can disagree and point out that the regime is still in power, and this may be true; it will take a long time for it to fall. But one immediate success of the protests is that they shattered a taboo. There was a kind of halo or sanctity around certain leaders who were believed to be untouchable. Now it's obvious that they don't enjoy that protection any longer. Although the regime is not ready to concede, they are just buying themselves some time.

The way I see it, a major gain has been the leadership role played by feminist groups in shaping the country that we want, the rights and entitlements we are claiming and the form of government that we want. Alongside 40 feminist organisations we have released a **charter of demands**. We put our heads together and have stated what humanitarian reconstruction needs to look like from a feminist perspective and are using this as an advocacy tool for the international community. The way we are intervening indicates that this crisis should be handled with a feminist vision.

Additionally, for the first time the LGBTQI+ community has been part and parcel in shaping the reform process, the transition process and again shaping the country we want, regarding both the form of state and human relations. And the voice of the migrant community has been amplified as well. To me, these gains are irreversible.



A woman confronts a member of the army during anti-government demonstrations on 8 August 2020 in Beirut, Lebanon. Photo by Marwan Tahtah/Getty Images

PERU: OUTRAGE SPARKED BY PRESIDENT'S OUSTING

In a year of many protests in which people called on heads of government to resign, Peru offered a more unusual sight in November, as tens of thousands of people **protested** ⁷ against the removal of the country's president.

President Martin Vizcarra, who had served as a vice president, was sworn in as president in March 2018, after the president he had served resigned due to corruption allegations. But Vizcarra's term itself ended prematurely in November 2020 when he was impeached and removed from office, on the vague grounds of 'moral incapacity' in relation to corruption charges.



Protesters hold signs that read 'He is not my president' at a protest against newly appointed interim president Manuel Merino on 12 November 2020 in Lima, Peru. Photo by Renzo Salazar/Getty Images

Peruvians are sadly used to corrupt politicians: **every recent president** ⁷ has faced allegations, and many members of congress who voted to remove Vizcarra have also been accused of corruption, while enjoying parliamentary immunity that President Vizcarra tried to remove. Vizcarra's initial replacement as president, Manuel Merino, who formed a right-wing government, had also faced corruption allegations in the past.

Vizcarra gained some popularity by ruling as a non-partisan leader, and his attempts at reform and fighting corruption had threatened powerful entrenched interests. His ousting was viewed by many as a coup, and the corruption charges as potentially fabricated. **Rafael Barrio de Mendoza** ⁷ of **Grupo Propuesta Ciudadana** ⁷, a consortium of Peruvian CSOs, describes the immediate source of protest anger, and the deeper structural disconnect between Peru's politicians and its people:

The immediate cause was the decision by a parliamentary majority to force out President Vizcarra, using a mechanism that had been scarcely used in the past and whose content and process involve a wide margin of discretion. The publication of accusations against Vizcarra was carried out in a sequence that proved to be planned, and a feeling prevailed that they were instrumentalised by the so-called 'vacating coalition'. Although there is some controversy regarding the quality of the evidence brought forward about the crimes Vizcarra is accused of, allegedly committed during his term as governor of the Moquegua region five years ago, a consensus formed in public opinion that these accusations could have been credibly pursued after the end of his presidential term, given that general elections had already been called for April 2021.

But from a more structural point of view, the political crisis was the expression of the maturing of a crisis of political representation, which made it apparent that there were few organic links between politicians and citizens' sensibilities and that we have a precarious and cartelised system of political representation, in which a myriad of illegal, informal and oligopolistic interests have resisted successive generations of reforms – educational, judicial, fiscal and political – aimed at regulating them. Revelations of corruption involving much of the political establishment, including the **Lava Jato/Odebrecht** ⁷ case and the **White Collars** ⁷ case, which uncovered a widespread network of corruption within the judicial

system, resulted in a consensus that the management of public affairs had irretrievably deteriorated. At the same time, the relative effectiveness of the financial measures taken against the political leaders involved in these cases fuelled the prospect of a cleansing of the political class and the possibility of cultivating a transition to a better system of representation.

To a certain extent, the populist link that Vizcarra established with this sensitivity – sealed with the constitutional dissolution of the previous Congress, in which former President Alberto Fujimori’s party had a majority – was the factor that sustained his government, which lacked parliamentary, business, media, or trade union support. Vizcarra’s removal was experienced as the comeback of a constellation of interests that had experienced a setback as a consequence of prosecutors’ work and recent education, political and judicial reforms.

Institutional conflict arose due to the precarious character of a political system that included a new Congress with multiple caucuses but none of them of the president’s party and a president who enjoyed popular support but lacked institutional backing, and whose legitimacy was therefore sustained on his versatile management of public debate through a combination of political gestures, the recruitment of competent technicians in key positions and a calculated exercise of antagonism with Congress on key issues such as education, political and judicial reforms.

Certain people who had survived the dissolution of the previous Congress managed to reposition themselves in the new one and conduct, alongside some media outlets, a campaign seeking to undermine Vizcarra’s popularity by levelling accusations of corruption in unclear cases. These were the dynamics that fed the institutional conflict.

Polls showed people overwhelmingly opposed Vizcarra’s ousting, and believed the motivations to be self-interested. In opposition to the change, a non-partisan movement of young protesters, who had long been assumed by older generations to be politically disengaged, sprang up. There was a stark and highly visible **generational divide**⁷ between the ranks of young protesters and the cabinet of mostly older, time-served politicians appointed by the replacement president. The movement was broader than Vizcarra’s support base, indicating a more widespread dissatisfaction with the political order in Peru, even among those who may have been dubious about Vizcarra.



A protester lights fireworks during a demonstration in Lima, Peru on 12 November 2020. Photo by Renzo Salazar/Getty Images

Daily protests spread⁷ from the centre of Lima, the capital, to its suburbs and then other towns and cities. The newly mobilised protesters worked simultaneously in online and offline spaces, borrowing protest tactics from some of the world's other great recent mobilisations.

At first, demonstrators protested against the removal of President Vizcarra and against the inauguration of Merino. A subsequent survey by Ipsos showed that just over three quarters of the population agreed with the protest against President Vizcarra's removal and that at least two million people mobilised in one way or another or took an active part in the protests.

The demonstrations were led mostly by young people, between 16 and 30 years old, who did most of the organising and produced the protest's repertoires and tactics. The generalised mood of weariness was embodied by the so-called 'bicentennial generation', who are digital natives and, for the most part, disaffected with conventional politics. This is also a generation that is embedded in virtual communities mediated by digital platforms. This partly explains the speed with which organisational forms emerged that were efficient enough to produce repertoires, coordinate actions, document protests and shift public opinion. The mediation of social media and the use of micro money transfer applications led to a decentralised organisation of the protests, with multiple demonstrations taking place in different locations, a variety of converging calls and a diversity of repertoires and channels for the rapid transfer of resources.

In previous urban mobilisations, the coordination mechanisms provided by social media had been tested, but these demonstrations had been led by conventional groups, such as social movements, political parties and trade unions. On this occasion, new activist groups were formed, including to deactivate teargas projectiles and provide medical relief, which are similar to mobilisation techniques tested in other scenarios, such as the Hong Kong protests and the Black Lives Matter protests in the USA. This speaks of the emergence of global protest learning spaces.

In part, it was the health emergency that conditioned the composition of the protests, which were mostly made up of young people, while also encouraging the dissemination of new repertoires, such as 'cacerolazos' (pot banging), 'bocinazos' (horn blowing) and digital activism among those more reluctant to take to the streets.

For its part, organised civil society provided a unified response to the president's removal and the new regime that resulted from it. Their response ranged from expressing concern and demanding accountability to openly condemning the establishment of the new administration. The mass protests and repression they faced fuelled this shift in most of civil society. Many CSOs played an active role in framing the conflict, producing a narrative for international audiences and putting pressure on the state actors with whom they interact.

The protests began on 9 November, followed by daily demonstrations, and reached their peak on 14 November, when the Second National March took place. The 14N mass mobilisation was fuelled by the sudden awakening of a fed-up feeling that ran through society and was particularly intense among young people. Hence its exceptional character in terms of its scope, magnitude, level of organisation and the rapid adoption of a non-partisan citizen identity, which could only be partly explained by the existing support for Vizcarra, as it far exceeded it.

The state's response to this wave of protest was excessive force, including the use of lead pellets, **glass marbles**⁷ and teargas canisters. Two people were killed. People in Lima were experiencing a level of violence that normally only those who stand up for environmental, land, Indigenous and labour rights in rural Peru are exposed to. February, for example, had seen several people **injured**⁷ by security forces during a protest by Indigenous people against a proposed mine development in a national park. Violent police **repression**⁷ was offered in response to a protest and strike by mine workers in July as people sought the release of solidarity funds for workers affected by the pandemic, while worse still, in August three Indigenous protesters were **killed**⁷, reportedly shot with firearms, by the police at a protest demanding medical care and compensation from a Canadian oil company operating in Peru. In farm worker **protests**⁷ that unfolded in late November and December, several people were killed, with the police reportedly using firearms.

The state's response to the pandemic was also heavily oriented around security force action, including tens of thousands of arrests, and the use of teargas and multiple detentions as a tactic to repress **trade union protests**⁷ against unemployment and poor working conditions, along with the detention of journalists under pandemic regulations and the use of water cannon against protesting **health workers**⁷. Peru had **one of the worst**⁷ COVID-19

experiences, with at times the world's highest per capita death rates and oxygen shortages⁷, and one of the most severe economic impacts; this experience too, evidencing a dramatic failure of governance, gave rise to protests.

Alarming in this context, a **new law**⁷ passed in the early days of the pandemic in March, the Police Protection Act, extended police protections from prosecution and removed a legal requirement that the police's use of force must be proportionate; the new law could only have emboldened the police to use force, including against the November protests.



Protesters march with a giant national flag against the removal of President Martín Vizcarra outside the Justice Palace in Lima, Peru on 14 November 2020. Photo by Beto Barón/Getty Images

But the killings of the protesters in November were an outrage too far. They spurred further protest anger, with **vigils and marches**⁷ demanding justice for those killed and injured. That anger brought a quick response. President Merino stepped down in the wake of the deaths, following the resignation of most of his cabinet. He had been president for only five days.

14N culminated with the death of two young protesters who were hit by lead bullets. Merino had taken over on 10 November and formed a radically conservative government. The nature of his cabinet quickly revealed itself through the authorisation of severe repression of the protest, particularly in Lima. After the first days of police violence, the president of the Council of Ministers congratulated and guaranteed protection to the police squads involved. The deaths that took place on 14N resulted in overwhelming citizen pressure, triggering a cascade of disaffection among the few political supporters sustaining the regime. As a result, by midday on 15 November Merino had resigned.

Merino was replaced, as Peru's third president within the space of a week, by Francisco Sagasti, a self-described centrist who had opposed the impeachment of Vizcarra. He dismissed several top police officers and appointed a new police chief, saying that there would be no impunity for police abuses.

Notwithstanding these welcome initial moves, demands for change continued, and seemed to find some expression in the April 2021 general election. That 18 candidates stood in the presidential election gave some indication of political fragmentation, and despite this apparent array of choices, many people were reported to have cast **blank votes**⁷ as an indicator of their disaffection and belief that any winner would be complicit in the same corruption seen in previous leaders. In such a fragmented field, no candidate got close to the 50-per-cent target, but the **surprise leader**⁷ was a left-wing teacher and union leader from rural Peru, Pedro Castillo, who went into the June 2021 run-off vote. There he will face a right-wing candidate, Keiko Fujimori, daughter of the former dictatorial President Fujimori, who perhaps inevitably was already facing corruption allegations. A battle seemed set up not just between left and right but between rural and urban, and outsider and establishment, offering competing ideas of Peru's future.

Many of those protested will be hoping more than anything for a break from the corruption. The need for change was demonstrated yet again in February 2021 when it was **revealed**⁷ hundreds of politicians, senior officials and other well-connected people had received vaccinations early, before even healthcare workers had been inoculated. Wearingly for protesters, those who had pushed to the front of the queue included the health minister who had presided over Peru's pandemic disaster and, most gallingly of all, **Vizcarra**⁷. Just as predictably, the journalist who broke the vaccine corruption story received **death threats**⁷. It seemed that more than a change of presidents was needed. In Peru as in Guatemala (see this report's chapter on economic and environmental activism), some started to draw on the example of Chile to demand sweeping constitutional change.

The space generated by the mobilisation was populated by a number of heterogeneous demands, ranging from the reinstatement of Vizcarra to the demand for constitutional change to pave the way out of neoliberalism, including citizen-based proposals focused on the defence of democracy, the continuity of reforms, the injustice of the repression, and the insensitivity of the political class regarding the pandemic health emergency. Ferment for these demands continues to exist.

THAILAND: DEMOCRACY PROTESTS DEMAND A RECKONING WITH ROYAL POWER

The thirst for democracy remains unsatisfied in Thailand too. The country's **March 2019 elections**⁷ had been presented by the state as marking a return to democracy after five years of military rule, but the reality was that people's demands for democracy were thwarted as the military kept a tight hold on the levers of power. The military formed its own parties and pressured people to vote for them, repressed free debate and, crucially, maintained its powers of appointment over every seat in the upper house of the legislature. Junta leader and army chief Prayut Chan-o-cha put aside his military uniform and donned a civilian suit to continue as prime minister. The pseudo-civilian military government then worked to consolidate its victory by further repressing the parties and activists that had dared to stand against it, while people continued

to protest against the ongoing dictatorship and call for true democracy. In 2020, demands for democracy were sustained and people started to ask radical questions not just about government power but also about the power of the monarchy.

In February, the government continued its attack on democracy when it **dissolved**⁷ the Future Forward party, a new party that had attracted the votes of many young people in 2019. Using an alleged breach of laws on party donations as a pretext, 16 Future Forward leaders were banned from involvement in politics for 16 years, and its elected members of parliament were given 60 days to join a new party. Future Forward founder Thanathorn Juangroongruangkit remained subject to multiple criminal investigations and charges.

The move was met with protests, in a signal of the demonstrations for democracy that would continue throughout the year, and that would be constantly met with state repression. **Piyanut Kotsan**⁷ of **Amnesty International Thailand**⁷ gives the background to the protests and the state's response:

As well as dissatisfaction with the management of the pandemic and anger at the fact that the pandemic was being used as an excuse to suppress dissent, protesters questioned the dissolution of Future Forward. Young people in particular voiced their opinions regarding political uncertainty and the ways the government had abused their rights and compromised their future. They pointed out that after the first Emergency Decree, which was ostensibly introduced to protect people's lives and aimed to limit only the right to the freedom of movement, additional regulations and announcements had been issued, revealing the government's aim to limit people's right to peaceful assembly and expression. Thus, a wide range of repressive tactics was observed in 2020, and this trend appears to be continuing into 2021, as emergency laws and the charges brought as a result have not yet been lifted.

Protesters are demanding an end to harassment against the people and arbitrary government power, and calling for the prime minister to step down, for parliament to be dissolved, for a new constitution to be drafted and for the monarchy to be reformed. The monarchy is shielded from criticism by the *lèse-majesté* provision, so these are

quite radical demands. Some groups have even **proposed** a list of 10 recommendations concerning monarchical reform and have demanded that these provisions are enshrined in the new constitution.

Among protesters are people who had engaged in earlier protests, following the 2014 coup. However, most protest leaders now are young university students, and many children are participating in the protests. As a result, four children have been charged with serious crimes, including *lèse-majesté*, which prohibits defaming, insulting, or threatening the royal family, and sedition, a vaguely defined offence that may apply to anyone sharing their political views. These offences carry long prison sentences.

The government response has not complied with the law. Most of its actions are aimed at suppressing and limiting people's rights to peaceful assembly and expression. Both judicial harassment and physical harassment are used to prevent people from engaging with protests and other kinds of gatherings. As of 14 February 2021, at least 358 people have been prosecuted in 198 cases.

The pattern for the year was set early, in January, when the 'Run Against Dictatorship' was held, with at least 10,000 people running in a park in the capital, Bangkok, to call for democratic freedoms. Some runners ran in fancy dress and many gave the 'Hunger Games' three-finger salute, an enduring symbol of democracy used ever since the military took power in 2014. Similar runs were held in other cities, while government supporters organised their own run, which was much less well attended. Several of those helping to organise runs faced **threats and harassment**, and lead organiser, university student Thanawat Wongchai, was subject to police questioning for his role in a Future Forward event.

The restrictions applied against the pandemic caused mass protests to be paused for a spell. The sweeping powers the government gave itself were retained even when it was clear the virus had been contained; the suspicion was of course that the emergency laws suited the government because it gave it even more tools to repress dissent. During the pandemic, the government's social media surveillance and censorship **intensified** and people who criticised the government's pandemic response were criminalised. Meanwhile two pro-democracy activists were **arrested** in May for holding a remembrance service on the sixth anniversary of the military coup, even though participants wore

masks and thermal scanning technology was used to detect anyone who might have a high temperature.

In defiance of the restrictions, protests surged back in June, sparked by the abduction of pro-democracy activist **Wanchalearm Satsaksit**. Video footage showed him being snatched from his home in exile in Cambodia by an armed group. Several Thai democracy activists who were living in exile in neighbouring countries have disappeared in recent years, and some have subsequently been found dead. Wanchalearm's whereabouts remain unknown to this day. His abduction provoked a storm of **solidarity** and calls for investigation on Twitter, a flyposting campaign showing photos of the missing activist and other disappeared people, and a protest outside Cambodia's embassy against its presumed complicity in the abduction.

Four students were **arrested** for tying white ribbons, another symbol of the democracy movement, to Bangkok's Democracy Monument. The government seemed to understand the importance of symbols too, as it was **reported** that it was not only people who were disappearing, but also statues, which commemorated the leaders of the 1932 revolution that marked the curbing of absolute monarchical power. The government seemed even to be trying to erase the recognition that Thailand has a long history of struggle for democracy.

The following month, **several thousand** young people took to the streets to call for a new constitution, fresh elections and the scrapping of restrictive laws. And then something unprecedented happened, as protesters started to call into question the monarchy's continuing influence in Thailand. This was truly dangerous territory. Thailand's *lèse-majesté* laws, prohibiting any criticism of the monarchy, are the **strictest** in the world, with jail sentences of up to 15 years for those found guilty of royal defamation. They offer a tool that the government, in both its military and pseudo-civilian form, have deployed to repress dissent in recent years, making Thailand one of the few countries in the world where monarchical influence is increasing.

While the previous king, Bhumibol Adulyadej, reigned for over 70 years and seemed to be widely and genuinely respected, his successor, Vajiralongkorn, is less popular. He has spent most of his life outside Thailand and enjoys both a vast personal fortune and something of a playboy reputation. One of his first acts after taking the throne was to assume direct control of the crown property

bureau, with a reported value of around US\$40 billion. Even after becoming king, he spent much of his time living in a palatial villa in **Germany**⁷. But this distance has not stopped him intervening in Thai political life. When the military rewrote the constitution in 2017, the king asked for and was granted **changes**⁷ in clauses relating to royal power. In 2019, he took direct control of two military regiments. The king has been accused of being too close to the military and unsupportive of democracy, while the ruling party has been keen to promote what it characterises as traditional Thai values in which, as its removal of monuments to democracy hints, respect for the monarchy is prized

above democratic freedoms. The two have become increasingly associated and identified as part of the same problem by many of those calling for democracy.

So when protests started to demand changes to monarchical power, as well as the resignation of the prime minister and fully democratic elections, the battle lines seemed drawn. At a protest in August, in which many participants donned **Harry Potter attire**⁷ and waved wands, identifying themselves as forces of good fighting the evil of the government, speakers openly called for a reversal of the laws that had expanded the king's powers. This was, it is thought, the



Pro-democracy protesters hold up a three-finger salute during a rally on 24 March 2021 in Bangkok, Thailand. Photo by Getty Images

first time such demands had been publicly spoken. There was a sense that a taboo had been bust. Soon after, a protest group **called for** the legalisation of criticism of the monarchy, a curb on the king's ability to interfere in politics and a cut to the king's budget. When **tens of thousands** of protesters took to the streets of Bangkok on 16 August, demands for the dissolution of the government and constitutional change went hand-in-hand with a call for monarchical reform. If Thailand needed to embrace democratic practices, then people recognised that this had to entail a renegotiation that gave them a greater say over fundamentally undemocratic royal power.

Protesters started to lampoon and parody the king, and satirise his lavish lifestyle. Protesters became increasingly **brash** and even vulgar in their language, challenging the conservatism that meant that hitherto a special royal vocabulary rather than everyday speech had to be used just to talk about the monarchy. Anger at the king's luxurious living and wealth intensified as people saw elite groups receiving special treatment under the pandemic, while inequality increased and the government failed to give adequate support to those most affected by the pandemic and economic downturn.

The three-finger salute continued to circulate as an easy way of signalling support for democracy and identifying fellow supporters. Students made the same gesture at the daily playing of the national anthem in schools. They were part of a **youthful** movement, involving many of those who had supported Future Forward only to see the party repressed and their votes count for little, but also even younger people, including those of school age: people not yet old enough to vote but seeing an obvious unfairness and demanding change for the first time. The 'Bad Student' movement **mobilised** young people to demand democracy and a curbing of monarchical power, and also a modernisation of the education system, calling for less strict school rules and a change in the military-style approach to education. The movement called attention to sexual and physical abuse in schools, and demanded rights for girls and LGBTQI+ students. Young people drew a parallel between political authoritarianism and the authoritarianism they experience in education, including through a pro-nationalist and pro-monarchy curriculum, and connected demands for democracy with the need for rights for excluded groups. They were met with predictable repression, with **reports** of police going into schools, questioning and intimidating students and also seeking to put pressure on students' families.

Students were punished merely for wearing white ribbons or giving the three-finger salute.

In September, protesters marched towards the royal palace to **deliver** a letter calling for limitations on royal power, another unprecedented act. Protesters wore **t-shirts** referring to Germany, alluding to the king's usual place of residence. In October, protesters occupying a space opposite Government House greeted a **royal motorcade** with the three-finger salute when the king made a rare visit to Bangkok. As protests progressed, Thailand's protesters started to express **common cause** with those demanding democracy in Hong Kong, and **borrow tactics** from the 2019 Hong Kong protests. Solidarity protests were held in Taiwan, Europe and North America.

The boldness with which people seemed prepared to defy the risk of a lengthy jail sentence to criticise the king offered a new challenge for the government. But its reaction was consistent with its track record, as it began to **arrest** activists from August onwards. Presumably not wanting to offer further fuel to anti-monarchy sentiment, protesters were initially not charged under lèse-majesté laws, but for breaching pandemic rules, and for serious charges such as sedition. In the following months, as protests continued unabated, the criminalisation of protesters **escalated**: at least 90 people were **arrested** between 13 and 21 October alone. On 15 October, the government declared a further severe state of emergency, on top of its existing restrictions, banning gatherings of five or more people in Bangkok and the publication of news and online messages that could, as broadly stated, create fear, damage public morale or affect national security; these additional restrictions were **lifted** on 22 October. The government resorted to transport shutdowns and the physical blocking of protest sites, including with barbed wire fences, to try to prevent protests going ahead. A protest on 13 October was broken up with police violence. Another on 16 October saw police charge protesters with batons and shields and use **water cannon** containing a dye to enable them to identify and arrest protesters; in response, some protesters started wearing **hard hats and goggles** as a precaution.

Alongside this harassment of protesters, journalists were targeted, and social media expression was further **restricted**. Livestreaming of protests and the posting of selfies taken at protest sites were deemed illegal. International networks, including the BBC, were blocked from Thailand's main cable

network. In October, the government obtained a court order to **close down** all online activity by Voice TV, which is critical of the government; the decision was overturned by a higher court the following day. The government also tried to block the Telegram messaging app and asked key social media platforms, including Facebook and Twitter, to censor content. In August, Facebook **blocked** a group with over a million members where people discussed the monarchy. Pro-government forces also seemed to be trying to manipulate public opinion via social media: in November, a **vast web** of fake Twitter accounts was revealed that amplified pro-monarchy messaging and discredited democracy campaigners.

Protests **came to a head** in November when members of parliament debated proposed constitutional changes, following a petition signed by around 100,000 people. By this stage, a sizeable **counter-movement** in support of the monarchy had also mobilised, with many wearing yellow as a symbol. To some extent this was indicative of a polarisation that was partly generational and partly between those who supported the ruling party and those who opposed it. Some counter-protesters were undoubtedly organised by the ruling party, but some were also motivated by the sentiment that protesters had gone too far and were behaving disrespectfully towards an institution they had been taught to respect all their lives.

On 17 November, after parliament **rejected** the proposal backed by protesters to replace military-appointed senators with elected politicians and remove the protections in the constitution against monarchical reform, these two opposing groups **clashed** outside parliament, and security forces used teargas, pepper spray and dyed water cannon. The police failed to separate the two groups and were accused of helping pro-monarchy protesters. Six people were reported to have been shot and **over 50** were reported injured, many through teargas inhalation, in the worst violence seen in response to the protests. The following day, at least 10,000 people **marched** on police headquarters, firing water pistols and spray paint at it to protest at its violent repression of protest, and carrying the large inflatable ducks that had become another popular **protest symbol**.

The stakes were raised when protesters shifted their protest focus to the headquarters of the Siam Commercial Bank, in which the king owns almost a quarter of shares, **calling for** greater scrutiny over royal funds, demanding

the **return** of public funds taken under the king's direct control and asserting their right as taxpayers to have a say. The next protest venue was a **march** on the royal guard barracks, as protesters demanded that the king give up some of his control over the armed forces. Protesters turned copies of their statement, in which they accused the king of expanding his royal prerogative and called the prime minister a 'royal puppet', into paper planes and flew them towards the riot police who lined up to guard the barracks.

Now the gloves were off, and restrictions on protests and then violence having failed to halt the protest momentum, the state's temporary restraint on its use of lèse-majesté laws came to an end. The government summoned **12 activists** to face charges, many of them amongst the best-known faces of the pro-democracy movement. That number rose to **37 people** by the end of 2020, including people as young as 16, many of them for acts of parody or expressions of sarcasm on social media that would be considered trivial in any other sphere. In early 2021, the government was reported to be considering **expanding** its jails to hold its growing numbers of political prisoners, which is hardly the act of a healthy democracy. In January 2021, the government also said that lèse-majesté charges would be added to its campaign of repression against Thanathorn Juangroongruangkit, after the opposition politician **criticised** Thailand's approach towards producing a COVID-19 vaccine. Predictably enough, the government chose a company owned by the king's crown property bureau to manufacture the doses.

As 2020 turned to 2021, there was no indication that the demand for change would dissipate. Protesters had learned a lot about their country. They had mounted a bold, creative and colourful campaign that mobilised the power of satire and memes and laughed in the face of undemocratic power, and they had received the response of attempted repression from a dour and defensive regime. A generation of enthusiastic young people were pitting their hopes for change against those seemingly intent on defending an archaic and anachronistic institution. They had begun to confront the power enjoyed by an absentee monarch who has somehow still been able to extend his tentacles of influence into seemingly every aspect of the country's political, economic and military life. There has been, to date, a lack of real dialogue, because one side wants key questions of reform and modernisation to be on the table and the other wants these to remain strictly taboo. But now that the taboo has been broken, there may be no going back for Thailand's democracy movement.



A percussion band of anti-government protesters performs during a rally in front of the Royal Thai Police Headquarters on 23 February 2021 in Bangkok, Thailand. Photo by Sirachai Arunrugstichai/Getty Images