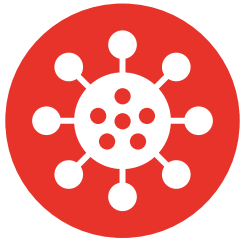




The Global State of Democracy IN FOCUS

Special Brief, December 2020



Taking Stock of Regional Democratic Trends in Asia and the Pacific Before and During the COVID-19 Pandemic

Key facts and findings

- Prior to the outbreak of the COVID-19 pandemic, countries across Asia and the Pacific faced a range of democratic challenges. Chief among these were continuing political fragility, violent conflict, recurrent military interference in the political sphere, enduring hybridity, deepening autocratization, creeping ethnonationalism, advancing populist leadership, democratic backsliding, shrinking civic space, the spread of disinformation, and weakened checks and balances. The crisis conditions engendered by the pandemic risk further entrenching and/or intensifying the negative democratic trends observable in the region prior to the COVID-19 outbreak.
- Across the region, governments have been using the conditions created by the pandemic to expand executive power and restrict individual rights. Aspects of democratic practice that have been significantly impacted by anti-pandemic measures include the exercise of fundamental rights (notably freedom of assembly and free speech). Some countries have also seen deepened religious polarization and discrimination. Women, vulnerable groups, and ethnic and religious minorities have been disproportionately affected by the pandemic and discriminated against in the enforcement of lockdowns. There have been disruptions of electoral processes, increased state surveillance in some countries, and increased influence of the military. This is particularly concerning in new, fragile or backsliding democracies, which risk further eroding their already fragile democratic bases.
- As in other regions, however, the pandemic has also led to a range of innovations and changes in the way democratic actors, such as parliaments, political parties, electoral commissions, civil society organizations and courts, conduct their work. In a number of countries, for example, government ministries, electoral commissions, legislators, health officials and civil society have developed innovative new online tools for keeping the public informed about national efforts to combat the pandemic. And some legislatures are figuring out new ways to hold government to account in the absence of real-time parliamentary meetings.
- The consideration of political regime type in debates around ways of containing the pandemic also assumes particular relevance in Asia and the Pacific, a region that houses high-performing democracies, such as New Zealand and the Republic of Korea (South Korea), a mid-range performer (Taiwan), and also non-democratic regimes, such as China, Singapore and Viet Nam—all of which have, as of December 2020, among the lowest per capita deaths from COVID-19 in the world. While these countries have all so far managed to contain the virus with fewer fatalities than in the rest of the world, the authoritarian regimes have done so at a high human rights cost, whereas the democracies have done so while adhering to democratic principles, proving that the pandemic can effectively be fought through democratic means and does not necessarily require a trade off between public health and democracy.
- The massive disruption induced by the pandemic can be an unparalleled opportunity for democratic learning, change and renovation in the region. Strengthening democratic institutions and processes across the region needs to go hand in hand with curbing the pandemic. Rebuilding societies and economic structures in its aftermath will likewise require strong, sustainable and healthy democracies, capable of tackling the gargantuan challenges ahead.

1. Introduction

The COVID-19 pandemic initially broke out in the Asia and the Pacific region in late 2019, with the first cases in Wuhan, China reported in December 2019 and the first death in January 2020. The pandemic started in the most democratically diverse region of the world, since half the countries in Asia and the Pacific are formally classified as democracies and the other half as non-democratic regimes, including both hybrid and authoritarian regimes.¹ Among the democracies, the region is home both to older high-performing and mid-range democracies and to ‘third-wave’ democracies, with varied levels of democratic performance. The region’s authoritarian regimes include absolute monarchies, communist one party states, autocracies and classical authoritarian states. After Africa and the Middle East, Asia and the Pacific is home to the largest share of countries that have not experienced democracy at any point since the advent of the so-called ‘third wave’ of democratization in the mid-1970s. Furthermore, it is a region in which—in contrast to other parts of the world—both democratic and some hybrid and authoritarian governments have been capable of delivering economic growth and development. This has offered a distinctively Asian perspective on debates over regime legitimacy and effective governance, a feature that renders it a good place from which to consider the wider relationship between democracy and development (Przeworski et al. 2012).

Countries across Asia and the Pacific already faced a range of democratic challenges prior to the pandemic’s outbreak in late 2019. Chief among these were the following: continuing political fragility, violent conflict, recurrent military interference in the political sphere, enduring hybridity, deepening autocratization, creeping ethnonationalism, advancing populist leadership, democratic backsliding, shrinking civic space, the spread of disinformation, and weakened checks and balances.

It is thus within a context characterized by democratic heterogeneity, and a combination of deepening autocratization and rising democratic retrenchment, that the COVID-19 pandemic has

About this *GSoD In Focus*

This *GSoD In Focus* provides a brief overview of the state of democracy in Asia and the Pacific at the end of 2019, prior to the outbreak of the pandemic, and assesses some of the preliminary impacts that the pandemic has had on democracy in the region in 2020. This overview is part of a series of 5 *GSoD In Focus* reports that analyse global democratic trends and those in several regions of the world (Africa and the Middle East, Asia and the Pacific, Europe, and Latin America and the Caribbean). It serves as an interim analysis in the gap year before the next issue of International IDEA’s biennial *Global State of Democracy (GSoD) Report*, scheduled for the end of 2021.

The pre-pandemic democracy assessment (section 2) is based on the Global State of Democracy (GSoD) Indices with data from 2019 (International IDEA 2020b). The methodology and conceptual framework of the GSoD Indices can be found in the [Methodology](#) section of *The Global State of Democracy 2019* (International IDEA 2019). The GSoD Indices are built around a [conceptual framework](#) of democracy developed by International IDEA and which centres on 5 core attributes considered essential for healthy democracies: (1) Representative Government; (2) Fundamental Rights; (3) Checks on Government; (4) Impartial Administration; and (5) Participatory Engagement. The 2019 GSoD Indices offer a valuable baseline for understanding the pre-pandemic democratic context. However, given the disruptive nature of the COVID-19 pandemic and the responses by governments to contain the spread of the virus, it is likely that the democratic status of some countries will have changed as a result of more recent developments. Such changes will not be reflected in the GSoD Indices until the next update in 2021.

The review of the state of democracy during the COVID-19 pandemic in 2020 (section 3) is organized around these 5 attributes of democracy, and uses qualitative analysis and data of events and trends in the region collected through International IDEA’s [Global Monitor of COVID-19’s Impact on Democracy and Human Rights](#), an initiative co-funded by the European Union. The Global Monitor is a digital platform that tracks the democracy and human rights impacts of measures implemented to curb COVID-19 across 162 countries in the world. The Global Monitor is based on a [methodology](#) developed by International IDEA, and uses secondary sources and information from other trackers (International IDEA n.d.a). While the data in this brief reflects the global situation in November 2020, for monthly updated information and data, visit the [COVID-19 Global Monitor Asia and the Pacific summary](#).

swept across the region. As in many regions of the world, the pandemic has both intensified and deepened a range of pre-existing challenges and unleashed new ones, with the stringent measures aimed at containing and combating the pandemic's public health impact triggering the most severe global economic downturn since World War II. The crisis conditions engendered by the pandemic risk further entrenching and/or intensifying the negative democratic trends observable in the region prior to the COVID-19 outbreak.

The consideration of political regime type in debates around ways of containing the pandemic also assumes particular relevance in Asia and the Pacific, a region that houses high-performing democracies, such as New Zealand and the Republic of Korea (South Korea), a mid-range performer (Taiwan), and also non-democratic regimes, such as China, Singapore and Viet Nam—all of which have, as of December 2020, among the lowest per capita deaths from COVID-19 in the world. While these countries have all so far managed to contain the virus with fewer fatalities than in the rest of the world, each of these countries has adopted strategies to curb the pandemic that are fundamentally different in terms of their democratic impact. And, like other regions, Asian governments have had to wrestle with difficult policy choices in responding to the pandemic, balancing restrictions to protect health (including isolation, lockdowns etc.) with the impact they will have on economic well-being.

As in other regions, the pandemic has also led to a range of innovations and changes in the way democratic actors, such as parliaments, political parties, electoral commissions, civil society organizations and courts, conduct their work. In a number of countries, for example, government ministries, electoral commissions, legislators, health officials and civil society have developed innovative new online tools for keeping the public informed about national efforts to combat the pandemic. And some legislatures are figuring out new ways to hold government to account in the absence of real-time parliamentary meetings.

Therefore, the massive disruption induced by the pandemic can also be an unparalleled opportunity for democratic learning, change, innovation and renovation in the region. Strengthening democratic institutions and processes across the region needs to go hand in hand with curbing the pandemic. Rebuilding societies and economic structures in its aftermath will likewise require strong, sustainable and healthy democracies, capable of tackling the gargantuan challenges ahead.

This *GSoD In Focus* aims at providing an updated overview of the state of democracy in Asia and the Pacific at the end of 2019, prior to the outbreak of the pandemic, based on the Global State of Democracy (GSoD) Indices data from 2019 (section 2). The 2019 GSoD Indices offer a valuable baseline for understanding the pre-pandemic democratic context. However, given the disruptive nature of the COVID-19 pandemic and the responses by governments to contain the spread of the virus, it is likely that the democratic status of some countries in the region will have changed as a result of more recent developments. Such changes will not be reflected in the GSoD Indices until the next update in 2021.

This report (section 3) will also seek to 'take the pulse' of democracy in the region during the pandemic, analysing some of the democratic trends observed and the likely effect of COVID-19-curbing measures on democracy 10 months into the pandemic. The 2020 data is drawn from the [Global Monitor of COVID-19's Impact on Democracy and Human Rights](#) (International IDEA 2020a). The pandemic analysis focuses on the key challenges to and opportunities for democracy observed during the pandemic. Some of these impacts directly relate to measures implemented to curb the pandemic. However, some developments may not be directly attributable to the measures but may have been exacerbated or deepened by the situation posed by the pandemic. Others simply relate to domestic political processes taking place in countries. The analysis will seek to disentangle and unpack these in a succinct overview geared towards policymakers, civil society organizations and other democracy stakeholders.

The events and country cases mentioned throughout the brief are illustrative and are not intended to be exhaustive. Likewise, given the fluidity of the situation since January 2020 and the rapid pace of measures, some of the events mentioned here may yet have changed by the time of publication. However, it is still valuable to show the evolving nature of the pandemic response and its preliminary impact on democracy in the region during this historic time.

This Special Brief is a preliminary reflection offered by International IDEA as input into the debate on the impact of COVID-19 on democracy in Asia and the Pacific, 10 months into the pandemic. While identifying potential new avenues of research and pinpointing some key issues for policymaking, it also offers international, regional and national policymakers and civil society organizations (the main target audience for this review) an open invitation to provide their own proposals for ways in which these can best be addressed, to enrich the understanding of the multiple ongoing democratic transformations in the region under this unprecedented time in history. These external inputs will feed into the forthcoming *Global State of Democracy (GSoD) Report*, planned for release in 2021.

2. The democratic landscape in Asia and the Pacific prior to the COVID-19 pandemic

Pre-pandemic democratic landscape in Asia and the Pacific based on the GSoD Indices



Opportunities for democracy

- **The Asia and the Pacific region has experienced a significant democratic expansion in the past 4 decades.** The number of democracies has doubled (from 7 to 15). This expansion has been driven by democratic transitions, with 12 countries becoming democracies for the first time since 1975.
- **The older democracies in Asia and the Pacific have proven resilient.** Of the 7 democracies in 1975, 5 have remained uninterruptedly so to the present day: Australia, India, Japan, New Zealand and Papua New Guinea. Of the 12 countries that became democracies after 1975, all but 2 remain democracies, and half have not had any undemocratic interruptions.
- **Of all the early third-wave democracies from the mid-1970s, South Korea and Taiwan have made the most advances.** Of the post-2000 democracies, Timor-Leste stands out for its democratic gains since achieving independence in 2002, reaching high levels of Representative Government in 2016. In addition, South Korea, Sri Lanka and Taiwan record high levels of Representative Government.
- **The region's democracies come in many shapes and forms.** A total of 8 democratic performance patterns can be discerned among the region's democratic regimes. Of the democracies in 2019, 3—Australia, New Zealand and South Korea—were classified as high performing, scoring high on all 5 GSoD attributes, and 10 were classified as mid-range democracies. Japan, also an older democracy, performs high on all attributes except Participatory Engagement.
- **The region has made significant advances in strengthening its electoral processes and institutions in the past decades,** although a number of challenges remained when the pandemic hit the region in early 2020. In 2019, prior to the outbreak, more than half (9) of the region's democracies displayed high levels of electoral integrity (referred to in the GSoD Indices as Clean Elections), while 40 per cent had mid-range levels. High levels of electoral integrity could be found not only in 3 older democracies (Australia, Japan and New Zealand), but also in 5 early third-wave democracies (Indonesia, Mongolia, South Korea, Sri Lanka and Taiwan) and a newer democracy (Timor-Leste).
- **Overall, the democratization process in Asia and the Pacific has led to an expansion of civil liberties over the past 4 decades,** with the regional average for the GSoD attribute increasing from a low of 0.39 (out of 1) in 1980 to a mid-range of 0.49 in 2019.² In 2019, most countries in the region scored in the mid-range on Civil Liberties, 6 countries had a high performance on Civil Liberties, and 8 countries (either hybrid or authoritarian regimes) suffered from low performance levels.
- **There have been significant gains in gender equality in the Asia and the Pacific region in recent decades, although significant challenges remained prior to the outbreak of the pandemic.** Asia and the Pacific has moved from borderline low levels of Gender Equality in 1975 to mid-range levels in 2019 (0.54). In 2019, 5 countries in the region had reached the critical minority point of 30 per cent women's representation in the legislature: New Zealand (41 per cent), followed by Timor-Leste (39 per cent), Nepal (33 per cent), Australia (31 per cent) and Uzbekistan (32 per cent) (IPU 2020a).

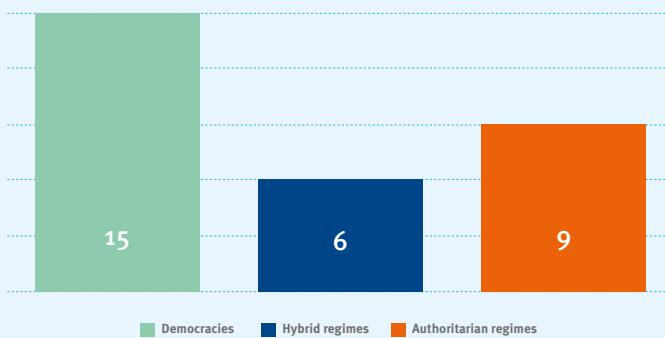


Challenges to democracy

- **In 2019, half the countries in Asia and the Pacific remained hybrid or authoritarian regimes.** In 2019, the region comprised 6 hybrid and 9 authoritarian regimes (see Figure 1). The proportion of non-democratic and democratic regimes has not changed in the past 10 years. After Central Asia, South East Asia has the largest share of authoritarian and hybrid regimes in the region, while South Asia also has 3 hybrid regimes.

FIGURE 1

Regime types in Asia and the Pacific (2019)



Source: International IDEA, *The Global State of Democracy Indices, 1975–2019, 2020b*, accessed 30 October 2020.

- **Of the world’s hybrid regimes, 20 per cent are located in Asia and the Pacific.** Hybrid regimes are countries that combine democratic and non-democratic characteristics. They tend to hold regular elections, although these are not considered to be fully competitive.
- **Of the current set of 6 hybrid regimes, only Bangladesh and Pakistan have ever been categorized as democracies in the 43 years covered by the GSoD Indices.** Singapore has never fully transitioned to democracy and has been an uninterrupted hybrid regime for the past 43 years. Malaysia was the region’s other most persistent hybrid regime and transitioned to democracy for the first time after the 2018 elections ended the ruling party’s 60-year monopoly on power. However, in early 2020, the prime minister resigned, and a new coalition involving the old ruling party took charge of government, putting a break to what had seemed like a democratic transition for the country.
- **In some countries, hybridity has evolved into authoritarianism and countries have suffered deepening autocratization.** For example, Cambodia, which never fully transitioned to democracy, has suffered from deepening autocratization in recent years. This is the term used in the GSoD Indices to refer to hybrid or authoritarian regimes that have experienced significant declines on at least 3 of their democratic aspects over the past 5 years.
- **Non-democratic regimes in the region are persistent.** After Africa, Asia and the Pacific is home to the largest share of countries that have never experienced democracy during the global third wave of democratization in the mid-1970s. A total of 12 countries (40 per cent of the region) have never experienced democracy. Of these, 7 have alternated between periods of hybridity and authoritarianism, and Singapore has

consistently remained a hybrid regime. Central Asia is the only subregion that has never undergone a process of full democratic transition, and where there are no democracies. In East Asia, China and the Democratic People’s Republic of Korea (North Korea) persist as authoritarian regimes, while South East Asia is home to 3 non-democratic regimes: Brunei Darussalam, the Lao People’s Democratic Republic (Laos) and Viet Nam.³

- **The expeditious growth of China’s alternative development model provides a politically significant counter-narrative to liberal democracy norms in Asia and the Pacific and beyond, and therefore continues to play an important role in understanding the region’s changing democratic landscape** (Benner 2017). The model has been reinforced under President Xi Jinping, who has been criticized for strengthening authoritarianism within the overall context of unchallenged Communist Party rule, moving away from a more collective leadership towards greater personalized rule (Shirk 2016). In this context, 2 developments achieved prominence during 2019 and in early 2020: Beijing’s moves to significantly curtail Hong Kong’s legal autonomy under the existing ‘2 systems, 1 country’ rubric; and heightened repression of ethnic Uighurs and Kazakhs in China’s north-western Xinjiang region.
- **Despite the resilience shown by a number of third-wave democracies in the region, democratic fragility still posed challenges to representative government in a number of countries prior to the outbreak of the pandemic.** The 2 democracies that returned to democracy after experiencing undemocratic interruptions (Nepal and Sri Lanka) provide a clear indication that such gains remain fragile and need consolidation to avoid repeated regression. Indeed, 2 countries (Bangladesh and Pakistan) have recently retreated into a state of hybridity, while a third (Thailand) experienced a full democratic breakdown from 2014.
- **In some countries, the military consistently contributed to restricting representative government prior to the pandemic.** The military’s political role partly explains the democratic fragility that characterizes some countries in the region (Bangladesh, Fiji, Myanmar, Pakistan and Thailand). In all these countries, historically, military forces have played a pivotal role in politics, either as active members of legislatures (Myanmar and Thailand), or by endorsing—or withdrawing support for—elected civilian authorities, thereby continuing to inhibit both popular control and political equality. Indeed, authoritarian resurgence has been a constant threat to new democracies in the region, particularly in South East Asia.
- **Populism, ethnonationalism and nationalist discourse was on the rise in the region prior to the pandemic, as was the infusion of religion into politics.** Increasingly, resurgent nationalism and nascent populism have challenged the Asia and the Pacific region’s democratic expansion and consolidation. Some Asian politicians have been described as having populist characteristics, the most well-known being Rodrigo Duterte in the Philippines, but also Narendra Modi in India—in the latter case, with a significant Hindu-nationalist bent. Since 2013, and under the tenure of these political leaders, both countries are considered to be democratically backsliding. In China, President Xi, under the slogan of ‘realizing the great rejuvenation of the Chinese nation’, has also successfully mobilized nationalist sentiment to consolidate political power and legitimize his uncontested leadership (Rudd 2018).

- **Rising nationalism, and in particular ethnonationalism, has led to the infusion of religion in politics in a number of countries, including India, Indonesia, Pakistan and Sri Lanka.** Such tendencies contribute to the weakening of democracy by undermining secularism and pluralism, increasing societal polarization and, in the worst cases, heightening conflict.
- **Ethnonationalism, conflict and democracy interact in numerous ways.** Historic and re-emerging ethnonationalism is also at the core of deep-seated pockets of conflict in Asia and the Pacific. Beyond their impact on geopolitical stability, these conflicts also undermine democratic principles and erode respect for human rights, heighten democratic fragility and reduce prospects for democratic consolidation. Across the region, ethnonationalist conflict encompasses continuing violence in older democracies, early and new third-wave democracies⁴ (including India, Myanmar and Sri Lanka) and authoritarian regimes (including China), among others.
- **Even hybrid regimes and authoritarian regimes present wide variations in performance, and some in the region have a relatively well-performing public administration in comparison with some newer democracies.** A country such as Singapore, which is classified as a hybrid regime because it does not hold fully competitive elections, nonetheless demonstrates high levels of Impartial Administration, high levels of Basic Welfare and the lowest levels of corruption in the world, outperforming democracies such as Australia and New Zealand in this respect. Viet Nam, classified as an authoritarian regime on account of being a 1-party state, has mid-range levels of Impartial Administration and of Basic Welfare. China, which is also classified as an authoritarian regime, performs in the mid-range on Impartial Administration and, since 2016, has high levels of Basic Welfare. This performance, despite an absence of democratically elected government, is atypical for non-democratic regimes, but may explain part of these countries' apparent success in fighting the pandemic.
- **Prior to the outbreak of the pandemic, in recent years there have been notable attempts to undermine civic space throughout Asia and the Pacific.** In countries such as Cambodia and Thailand, the shrinking of civic space had occurred in the context of a general democratic breakdown. In other cases, it had occurred in a context of democratic backsliding (as is the case in India and the Philippines) or erosion, explained by the rise of nationalist political parties, and justified by arguments of national sovereignty and security, law and order and responses to terrorism. In Bangladesh and Pakistan, the restrictions on civic space have been aimed specifically at limiting the space for opposition and manipulating electoral processes.
- **In the context of different forms of democratic backsliding and shrinking civic space, the Asia and the Pacific region has experienced a number of attacks on media freedom and integrity in recent years.** Under the guise of countering disinformation, freedom of both offline and online speech has been subjected to severe restrictions in many countries in the region. With the advent of dedicated online disinformation campaigns, the cross-regional threat to media integrity has become both more pervasive and harmful. This, in turn, constitutes a serious threat to democracy, which thrives on a diversity of media perspectives—critical and otherwise—in order to monitor state performance and hold the state to account for its actions. In 2019, 10 countries in the region had high levels of Media Integrity, with Japan, New Zealand and South Korea among the top 25 per cent in the world, while 8 countries had low levels (all of them hybrid or authoritarian regimes). Countries that have suffered significant declines in Media Integrity in the past 5 years include: Australia (still in the high range of performance), China, India, Nepal, Pakistan and the Philippines.
- **In some countries, the protection of human rights was already weak prior to COVID-19.** A total of 14 countries had low levels of Personal Integrity and Security, of which 3 (India, Myanmar and the Philippines) are democracies. Moreover, 6 countries had seen significant declines in Civil Liberties in the past 5 years—3 of which are democracies (Australia, declining within the high range; and India and the Philippines, both backsliding democracies). In Cambodia, these declines occurred in a context of deepening autocratization.
- **A challenge affecting the region prior to the outbreak of the pandemic relates to the use and abuse of elections as a legitimizing façade by weak or non-representative governments, such as hybrid and authoritarian regimes.** All countries in the region, even non-democratic regimes such as China, conducted some form of elections at some level of government, even if these could not be considered clean, competitive or fair and thus scored low on the Clean Elections aspect. In fact, 10 of the region's hybrid and authoritarian regimes were among the bottom 25 per cent of countries in the world that scored poorly on quality of elections.
- **Intimidation and violence were persistent features of political contests in many countries in the region prior to the pandemic.** In particular, countries such as Afghanistan, Bangladesh, Cambodia, Pakistan and Papua New Guinea all displayed high levels of electoral violence. Political violence, particularly at the local level and during the election period, has also been a problem in the Philippines (see, for example, Maitem and Navales 2019).
- **Despite some advances, improvements in gender equality have not kept pace with the rest of the world.** For example, both Latin America and the Caribbean and Africa have advanced at a faster rate in the last 4 decades than Asia, and the regional average on Gender Equality is now below the global figure (although it was slightly above the world average in 1975). The Asia and the Pacific region also has the second lowest share of female legislators (20 per cent in 2020) in the world after the Middle East (17 per cent). At the country level, the percentage of female legislators ranges from 0 per cent in Papua New Guinea to 41 per cent in New Zealand. In older democracies, such as Japan and South Korea, women represent only 10 per cent and 19 per cent of their parliaments respectively (IPU 2020a). The democracies of the Pacific Islands are among the countries with the lowest share of women legislators, and the only countries in the world with no women in parliament (Micronesia, Papua New Guinea and Vanuatu).
- **Attacks on institutions central to the integrity of functioning democracies represented a significant challenge to democracy in the region prior to the pandemic. Institutions under attack include the judiciary, the court system, electoral commissions, parliaments and institutions fighting corruption.** According to the GSoD Indices, Asia and the Pacific scored 0.47 on Judicial Independence in 2019, below the world average (only Australia, New Zealand and South Korea saw high scores). In the 5 years preceding the pandemic, Pakistan, the Philippines and Viet Nam had seen significant declines in Judicial Independence.
- **A number of Asian countries suffered from high levels of corruption prior to the outbreak of the pandemic.** This situation was compounded by weak judicial systems lacking the capacity to combat corruption. Weakened checks on governments further undermine efforts to combat corruption. According to the GSoD Indices, Impartial Administration is the attribute of democracy on which the Asia and the Pacific region records its lowest performance, particularly on Absence of Corruption. Almost half of the countries of the region have high levels of corruption, the highest share in the world after Africa and the Middle East. Of these, 9 rank among the bottom 25 per cent in the world: Bangladesh, Cambodia, Kazakhstan, Kyrgyzstan, Laos, Nepal, North Korea, Pakistan, Papua New Guinea, the Philippines, Tajikistan, Thailand, Turkmenistan and Uzbekistan.

67 per cent of countries in the region have implemented measures to contain the pandemic that present concerns from a democracy and human rights perspective

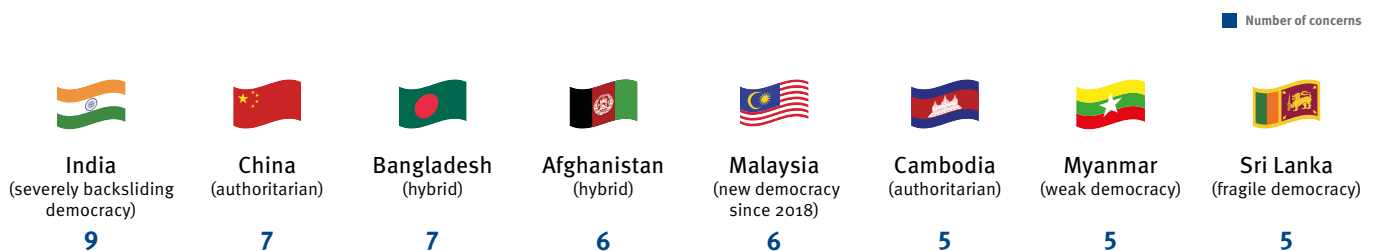
3. Democracy in Asia and the Pacific during the COVID-19 pandemic: Challenges and opportunities

Responses to the COVID-19 pandemic have acted to magnify and stress-test countries' pre-existing democratic strengths and weaknesses. Overall, the democratic and human rights impact of the pandemic in Asia and the Pacific presents reasons for concern. International IDEA's Global Monitor of COVID-19's Impact on Democracy and Human Rights (2020a) shows that, globally, since the start of the pandemic in January 2020 up to the end of November 2020, 61 per cent of countries have implemented measures to curb COVID-19 that present concerns from a democracy and human rights perspective. In Asia and the Pacific, the share of countries having implemented measures that could be viewed as concerning stands above the global average, at 67 per cent (20 countries) of the region. 'Concerning' developments or measures are defined as those that violate human rights or democratic benchmarks because they are either disproportionate, unnecessary, illegal or indefinite. Developments or measures that are 'potentially concerning' or 'to watch', on the other hand, *may lead to such violations* if enforced or maintained over time (for the full methodology, see [International IDEA n.d.a](#)).

Of the 20 countries in the world with the greatest number of concerning developments, almost half (8) are in the Asia and the Pacific region, with Bangladesh, China and India topping the list, followed by Afghanistan, Cambodia, Malaysia, Myanmar and Sri Lanka.

FIGURE 2

Countries in Asia and the Pacific region with the highest number of concerning democracy developments during COVID-19 pandemic



Almost half the region's democracies (7 out of 15 countries) have implemented measures that are concerning, but such measures have been more common in the non-democratic regimes (13 out of 15 countries). On average, the non-democratic regimes in the region had more COVID-19-related measures and developments that presented concerns from a democracy and human rights perspective (on average 3 per country compared with 2 for democracies).

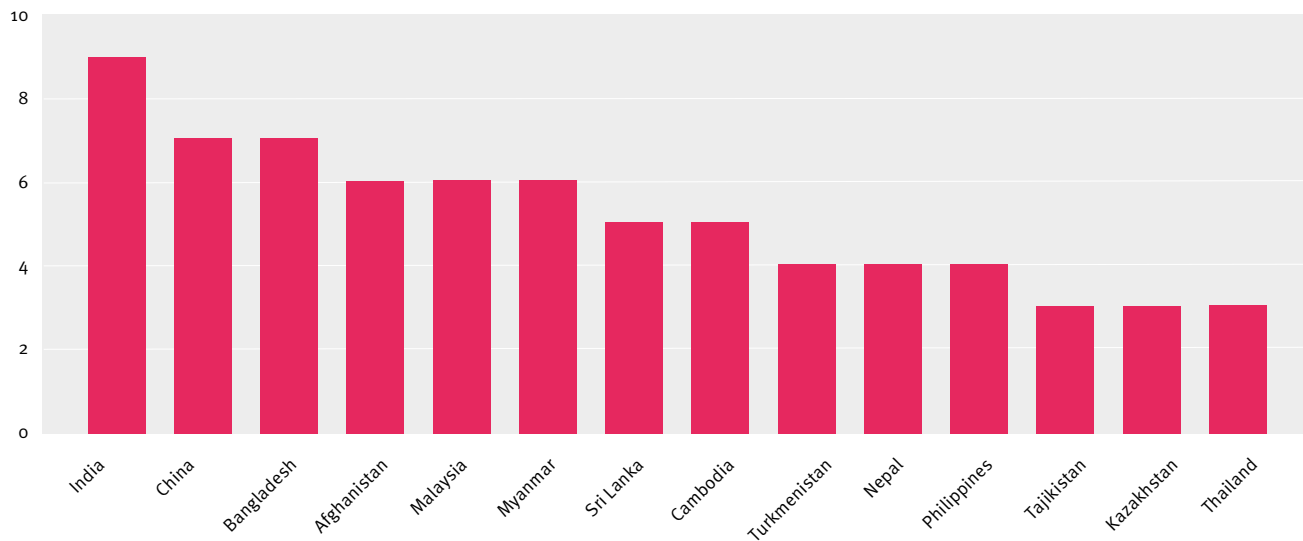
While China and Bangladesh are the non-democratic regimes with the most concerns, others include Afghanistan, Cambodia, Kazakhstan, Tajikistan, Thailand and Turkmenistan. The democracies with most concerns include the backsliding democracy of India, topping the list of all countries in the region, with 9 types of concern. Other democracies with developments of concern include Malaysia, Myanmar, Nepal, the Philippines and Sri Lanka, with the Philippines being a backsliding and weak democracy since 2019. The countries with the lowest level of concern were the democracies of Australia, Japan, Mongolia, New Zealand, Papua New Guinea, South Korea, Taiwan and Timor-Leste, although all except Taiwan had developments to watch from a democracy and human rights perspective, with Australia topping the list with 11.

Ten months into the COVID-19 pandemic, the Asia and the Pacific region has been applauded for its effectiveness in keeping the pandemic under relative control. Of the 30 countries with the lowest fatality rates from COVID-19 in the world, more than a third (11) are in Asia and the Pacific (Brunei, China, Malaysia, New Zealand, Papua New Guinea, Singapore, South Korea, Sri Lanka, Taiwan, Thailand and Vietnam). However, these countries have all adopted radically

different strategies from a democracy and human rights perspective. They include examples of high-performing democracies such as New Zealand, South Korea and Taiwan, which have kept the pandemic at bay while adhering to democratic and human rights principles, and other countries, including both authoritarian and hybrid regimes, which have done so at a high democratic and human rights cost. International IDEA argues that the world stands to learn from the success cases where the pandemic has effectively been brought under control in a way that also respects and fulfils democratic and human rights principles.

FIGURE 3

Concerning democracy developments during pandemic in Asia and the Pacific, by country



Source: International IDEA, *Global Monitor of COVID-19's Impact on Democracy and Human Rights, 2020a*, accessed 19 October 2020.

BOX 1

The use of states of emergency (SoEs) and emergency legislation as a tool to curb the pandemic

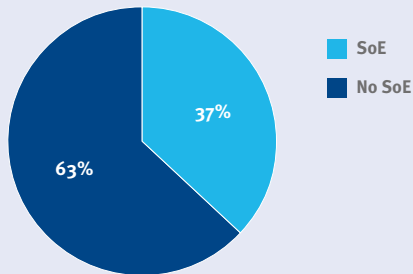
Across the Asia and the Pacific region, the onset of the COVID-19 pandemic during the first few months of 2020 resulted in the declaration of states of emergency (SoEs) of differing degrees of stringency. Since January 2020, 37 per cent of countries (11) in Asia and the Pacific declared a national SoE in order to curb the pandemic. This is significantly less than the global average of 59 per cent.

However, reflecting global trends, more democracies than non-democratic regimes declared SoEs in the region. Almost half the democracies (7 out of 15) have declared an SoE, compared with only 2 of the 6 hybrid regimes (Kyrgyzstan and Uzbekistan) and only 2 of the 9 authoritarian regimes (Kazakhstan and Thailand). The longest one is the State of Calamity in the Philippines, which was extended until September 2021, making it the longest COVID-19-related SoE in the world. Other long SoEs in Asia and the Pacific are in the Solomon Islands, which by October 2020 had lasted for 9 months, similar to Australia's Human Biosecurity Emergency, which is in effect until December 2020. Thailand's SoE is also among the longest, in effect until 31 October 2020, which in October was reinforced with more severe restrictions on assembly in Bangkok in response to mass protests shaking the capital (BBC News 2020f).

However, while SoE declarations may not have been used as frequently as in other regions, a number of ordinary laws have been passed or used, of which application has been similar to emergency laws. Moreover, SoE legislation, in terms of what it actually enables, varies widely from one country to another in the region. Some countries, such as Sri Lanka, did not declare an SoE, as that would have necessitated parliamentary endorsement, which would in turn have required recalling the legislature, which was dissolved in early March 2020 pending elections initially scheduled for late April (Al Jazeera 2020b). Instead, President Rajapaksa both appointed a series of Presidential Task Forces, formally answerable to him alone, and declared a series of lockdowns and curfews whose legality and constitutionality have been questioned. In India, the Constitution only allows an SoE to be declared when 'the security of India or of any part of the territory thereof is threatened, whether by war or external aggression or armed rebellion' (Constitution of India, article 352). The government therefore used the Disaster Management Act 2005, which instituted a nationwide lockdown (with 4 hours' notice) and gave extensive powers to the executive. By the end of November 2020, more than half (7 of the 11 countries) that had declared SoEs in Asia and the Pacific had lifted their SoE.

FIGURE 4

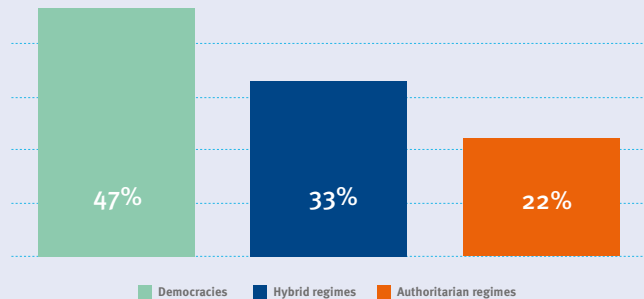
Countries in Asia and the Pacific that have declared a state of emergency



Source: International IDEA, Global Monitor of COVID-19's Impact on Democracy and Human Rights, 2020a, accessed 19 October 2020.

FIGURE 5

Declaration of states of emergency in Asia and the Pacific, by regime type



Source: International IDEA, Global Monitor of COVID-19's Impact on Democracy and Human Rights, 2020a, accessed 19 October 2020.

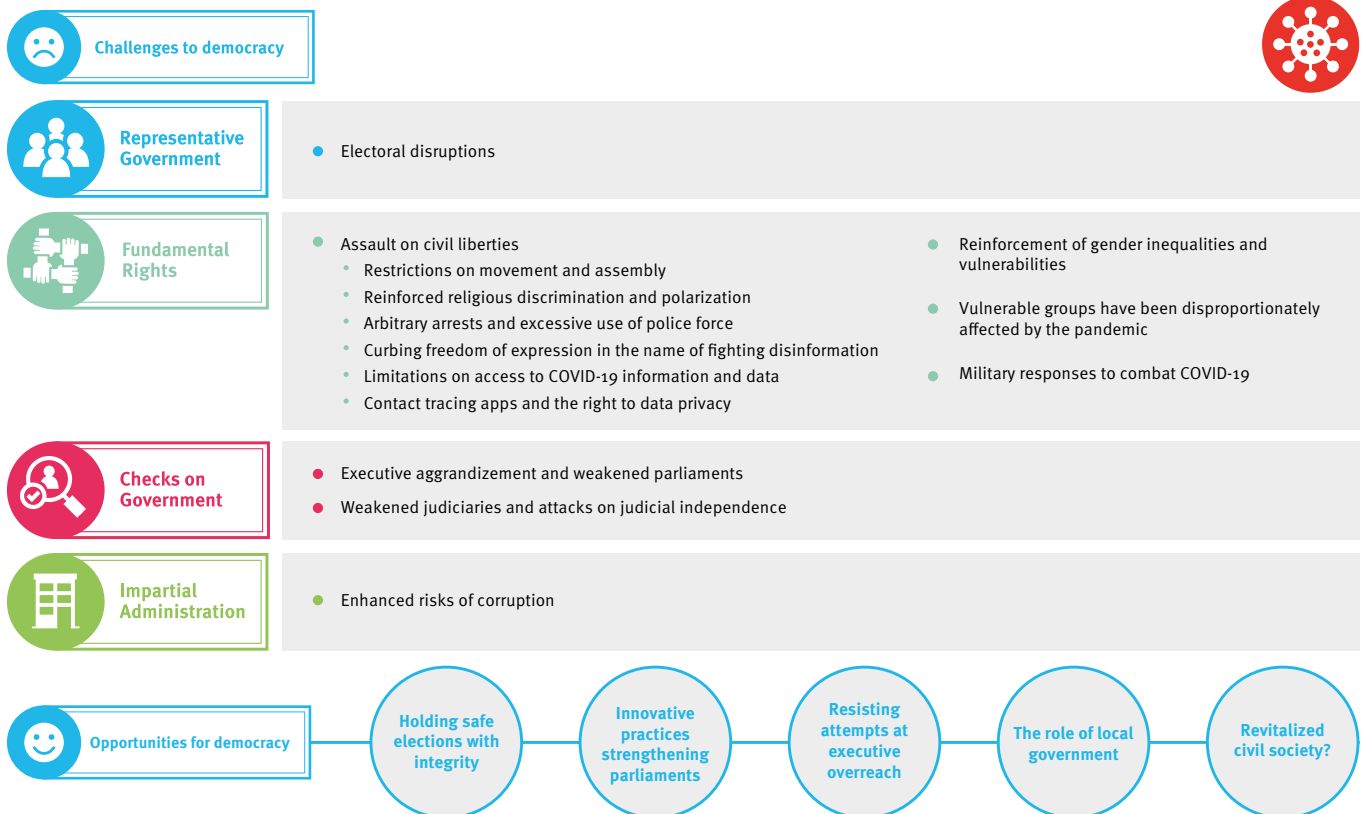
Challenges to democracy

3.1. Challenges to democracy

The following key challenges to democracy during the COVID-19 pandemic have been identified and are organized around the 5 attributes of democracy of the Global State of Democracy conceptual framework: (1) Representative Government; (2) Fundamental Rights; (3) Checks on Government; (4) Impartial Administration; and (5) Participatory Engagement.

FIGURE 6

Challenges and areas of opportunities for democracy in Asia and the Pacific under the COVID-19 pandemic





3.1.1. Representative Government



Challenge 1. Electoral disruptions

The ability for citizens to choose their political leaders within a constitutionally defined timeframe constitutes the core of the democratic process ([International IDEA 2020c](#)). Elections are key to holding governments accountable for their actions and vital for citizens to voice their concerns and choose representatives. Since the early stages of the COVID-19 pandemic, however, countries have faced unprecedented pressure regarding whether to hold or postpone scheduled elections, resulting in controversies in either case. Striking a balance between these 2 choices is not an easy call ([Spinelli 2020](#)). The decision to either hold or postpone elections during a pandemic requires several considerations, as officials grapple with the multiple challenges involved.

First, holding elections as originally scheduled may jeopardize public health and safety. Elections are large social events and bring millions of people together, making it difficult to maintain social distance between voters. Special voting arrangements may become necessary, posing new impediments to the transparency of the electoral process and added financial and administrative pressures ([Democratic Audit 2020](#)). Pandemic restrictions on movement and assembly also present challenges for campaigning and fundraising ([International IDEA 2020d](#)). Taken together, these factors may well result in significant operational complications and delays.

Another perceived challenge is that holding elections in times of crisis may help alter the policy agenda as public debate shifts away from political party platforms and manifestos towards a policy focus on a single major issue and/or event ([International IDEA 2020c](#)). Voter turnout is also likely to be affected ([International IDEA 2020g](#)). Elderly voters and those with underlying health conditions may decide to stay away from the polls as a precaution, thereby introducing significant new turnout inequalities among the electorate, with significant implications for inclusive voting practices (James and Asplund 2020). In response, however, some countries have managed to accommodate elections as planned, by establishing alternative voting arrangements. These include widespread advance and/or postal voting, mobile voting or home and institution-based voting, and spreading elections over several days, with South Korea and most recently New Zealand hailed as good practice examples in this respect (see Opportunity 1 in Section 3.2) ([International IDEA 2020c](#)).

Many countries have national procedures that allow for the postponement of elections in certain circumstances. From a public health perspective, moreover, postponing an election might seem necessary in order to mitigate the risks of spreading the virus. However, in polarized contexts, this decision can also lead to a democratic or institutional breakdown. In particular, it can be used as a pretext for repressive leaders to increase their power while restricting democratic rights (IFES 2020; [James and Asplund 2020](#)).

As the region with the second most elections scheduled for 2020 (after Europe), Asia and the Pacific had planned to hold a total of 48 electoral processes between February and December

BOX 2

Postponement of elections in Hong Kong

In Hong Kong, Beijing has exploited the opportunity offered by the pandemic lockdown to fasten its grip over the territory. In April 2020, opposition activists were arrested, and the central government then pushed through a new national security law outlawing what it terms ‘treason, sedition and secession’ in the territory (Thiessen 2020). In a further attempt to quash pro-democracy activism, ahead of elections scheduled for September 2020, in late July authorities announced the disqualification of 12 activist candidates from running for office, allegedly for having advocated for independence, solicited ‘intervention’ by foreign governments and/or opposed the new security law (Yu 2020). The following day it was announced that September 2020 elections would be postponed for a year, ostensibly on public health grounds.

2020, of which 24 were national elections and 24 subnational (1 electoral process involved both). Over three-quarters (76 per cent) of those elections were scheduled to be held in the democracies of the region and one-quarter in hybrid (7 elections) and authoritarian regimes (2 elections).⁵

As of mid-October 2020, contrary to the global trend, which saw more countries postponing than holding elections on schedule, more than half (56 per cent or 27 elections) of polls in Asia and the Pacific were or are due to be held on schedule, compared with less than half being postponed (44 per cent or 21 elections) (see Figure 7). Of these, 9 countries postponed their elections and later held them during the pandemic. Examples of countries proceeding with elections during the pandemic include: Bangladesh, where by-elections were held in July; India, where indirect elections to the Council of States were held in June; Sri Lanka, where parliamentary elections were held in early August; Autonomous Bougainville, Papua New Guinea, where a general election was held in August ([RNZ 2020](#)); and Kyrgyzstan and New Zealand, which had parliamentary elections in October. By early October, national elections had been held on schedule in 12 countries: 5 democracies (Australia, Japan, Mongolia, South Korea and Taiwan); 4 hybrid regimes (Bangladesh, Kyrgyzstan, Myanmar and Singapore); and 1 authoritarian regime (Tajikistan). Elections are forthcoming as originally planned in 3 countries (American Samoa, Australia and Palau). Examples of countries where elections have been postponed and are yet to be held include: Hong Kong, where legislative council elections have been postponed until September 2021; and Pakistan, where no new date has been set for by-elections. Local or regional elections have been postponed in 7 countries in the region due to COVID-19.

The Asian trend of proceeding with elections during the pandemic has been enabled by countries' rapid adoption of special voting arrangements to ensure voters' and poll workers' safety during the pandemic. However, not all elections in the region have been without challenges. There have been concerns about

BOX 3

Myanmar 2020 elections

Despite a growing number of COVID-19 infections and strict prevention measures that affected campaigning and voting procedures, general elections were held in Myanmar on 8 November 2020. As anticipated, the ruling National League for Democracy (NLD) led by Aung San Suu Kyi secured an overwhelming majority, winning 82 per cent of the elected seats in Myanmar's bi-cameral Union Legislature and subnational assemblies. The military holds a quarter of the seats at both levels. Although the result was initially challenged by the military-proxy Union Solidarity and Development Party (USDP) and the election commission was criticized for a number of missteps, international and domestic observers largely commended the electoral process, which saw a record turnout and some improved procedures following earlier recommendations. The number of elected women has increased slightly to 17 per cent.

The Union Election Commission's decision to cancel the vote in a range of conflict-affected areas due to security concerns—a larger number than expected due to the flare-up of ethnic conflicts in recent months—resulted in the exclusion of an estimated 1.5 million prospective voters. By-elections can only be held in a year and after improvements of security conditions. Rakhine state has seen escalating conflict between Myanmar's security forces and the 'Arakan Army', an armed ethnic organization which has emerged only in recent years, and is also home to the country's minority Rohingya Muslim population, most of whom were excluded from voting due to displacement or restrictive and discriminatory citizenship provisions. The election system itself, which features extreme levels of malapportioned constituencies, compounds the country's considerable governance challenges. As one analyst commented, 'The winner-takes-all electoral system amplifies the sense of marginalization, leading some minorities to be increasingly disillusioned with electoral democracy', this in turn opening up the possibility that they will 'choose insurrection or insurgency instead' (Horsey 2020).

BOX 4

Parliamentary elections in Kyrgyzstan

Contested parliamentary elections were held on schedule in the hybrid regime of Kyrgyzstan on 4 October 2020. Of the 14 competing parties, only 4 passed the threshold for entry into parliament, of which 3 have closed ties with the incumbent government. Mass protests broke out, with demonstrators accusing the government of rigging the elections, leading the Central Electoral Commission to invalidate the results and call for new elections before 6 November 2020. The protests were met with violence, resulting in at least 700 injured and 1 reported death. The President resigned on 15 October after declaring a state of emergency ([Al Jazeera 2020d](#); [BBC News 2020c](#)).

electoral integrity in those hybrid and authoritarian regimes that have proceeded with elections during the pandemic (Bangladesh, Kyrgyzstan and Tajikistan). The campaign for regional by-elections in Malaysia both disenfranchised COVID-19-infected people and led to the spread of infection (Loheswar 2020). Severe disruption of the democratic process has taken place in Hong Kong, with a unilaterally imposed 1-year postponement implemented in a context of tightening mainland grip of power over the territory.

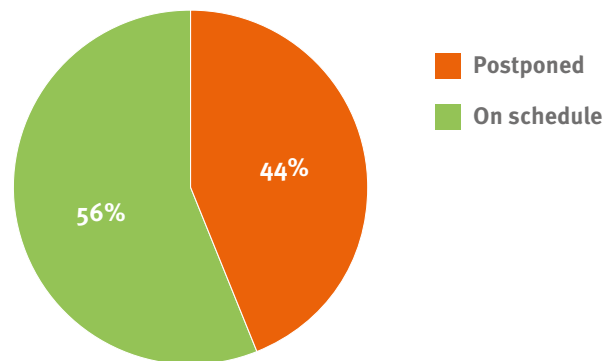
BOX 5

Regional by-elections in Malaysia

The Sabah State Assembly election was held on 26 September 2020. The usual COVID-19 spread mitigation measures of wearing face masks, wearing gloves, social distancing and temperature checks were applied (Malay Mail 2020). However, unlike other by-elections, polling station opening hours were not extended and COVID-19-positive people were not allowed to vote (Malaysiakini 2020; CodeBlue 2020). Political campaigns did not respect the social distancing guidelines, which led to the spread of infections throughout the country; 10 politicians tested positive for COVID-19 as a result, among others (Su-Lyn 2020).

FIGURE 7

Elections in Asia and the Pacific, 2020



Source: International IDEA, 'Global overview of COVID-19: Impact on elections' [multimedia report], 2020e, accessed 5 November 2020.

TABLE 1

National and subnational elections in Asia and the Pacific, 2020

	National	Subnational	Total
Held on schedule	Australia Bangladesh Japan Kyrgyzstan Mongolia Niue Singapore South Korea Taiwan Tajikistan Vanuatu	Australia x 3 India Japan Malaysia x 3 Taiwan x 2	21
Upcoming on schedule	American Samoa Myanmar Palau	Australia x 2	5
Postponed then held	Bangladesh Papua New Guinea India Kiribati New Caledonia New Zealand Sri Lanka	Australia Bangladesh Autonomous Region of Bougainville Guam India x 2 New Zealand	14
Postponed and rescheduled	Hong Kong Solomon Islands	Australia Indonesia New Zealand	4
Postponed with no new date	Pakistan	India Kyrgyzstan Maldives	4
Total	24	24	49

Source: International IDEA, 'Global overview of COVID-19: Impact on elections' [multimedia report], 2020e, accessed 5 November 2020.



3.1.2. Fundamental Rights



Challenge 2. Assault on civil liberties

Civil liberties in the region have continued to be impacted—and in some instances undermined—during the pandemic, with the majority of governments taking measures to temporarily restrict civil liberties in order to fight the pandemic—with restrictions, in particular, on assembly, movement and worship, but also on freedom of expression. In countries such as Japan, for example, restrictions on economic freedoms (e.g. forced closure of business) have also been met with concern. Some of the measures, such as extended lockdowns and public curfews, can be justified in public health terms—provided they are implemented within constitutionally defined states of emergency and limited in scope and duration. However, beyond lockdowns and curfews, in countries across the region, citizens have been arrested, experienced excessive police force and/or received criminal charges, simply for publicly voicing criticism of their government’s handling of the crisis.



Freedom of
Movement

Restrictions on movement and assembly

Freedom of Movement. All countries in the region have placed temporary restrictions on freedom of movement during the pandemic, and only 37 per cent of those restrictions have been implemented within constitutionally defined states of emergency. The remaining countries have applied other types of legislation in order to impose restrictions. At least 13 countries (democracies, hybrid and authoritarian regimes) have put in place a national lockdown and 10 countries (43 per cent) have put in place regional or local lockdowns. Only Europe has a larger share of countries with national lockdowns (50 per cent). By the end of November 2020, restrictions on freedom of movement remained in place in at least 21 countries in the region.



Freedom of
Association
and Assembly

Freedom of Assembly. Restrictions on freedom of assembly have been placed by 25 out of 30 countries in the region due to the pandemic, from full prohibitions to restrictions on the size of public gatherings. The only countries that have not are Malaysia, Papua New Guinea, the Philippines and Uzbekistan. Information is not provided for North Korea, where freedom of assembly was already prohibited prior to the pandemic. By the end of November 2020, restrictions remained in place in at least 17 countries in the region. Despite the restrictions, at least 25 countries (77 per cent) have experienced protests during the pandemic (see Opportunity 5 in Section 3.2).



Freedom
of Religion

Reinforced religious discrimination and polarization

Temporary restrictions on worship due to the pandemic have been placed by 20 out of 30 countries in Asia and the Pacific, ranging from closure of places of worship to limitations on the number of worshippers and opening days allowed. Most countries are still requiring physical distancing and other sanitary measures. By the end of November, restrictions remained in place in at least 5 countries.

Beyond restrictions on worship, concerns have been raised that religious discrimination and polarization has been reinforced during the pandemic. Out of 5 countries in the world with concerning developments in Freedom of Religion during the pandemic, 3 are in South Asia (India, Pakistan and Sri Lanka).

Since the outbreak of the pandemic in India, religious tensions have been further exacerbated, with social media campaigns accusing Muslims of spreading COVID-19 to the Hindu majority and encouraging a boycott of Muslim businesses. Reportedly, Muslim medical workers have been harassed, and Muslims have been denied healthcare ([Ellis-Petersen and Rahman 2020](#)). Concerns have also grown over increasing intolerance against Muslims in Sri Lanka during the pandemic (already high after the 2019 Easter bombings), with forced cremations of people dead from COVID-19 seen as violating their religious customs, and some media outlets openly blaming the Muslim community for spreading the disease ([UCA News 2020a](#)). Discrimination has also been reported against various religious minorities in Pakistan, who have reportedly been denied access to COVID-19 aid during the pandemic ([Abbas Mirza 2020](#)). Offline and online harassment of Muslim minorities in Nepal has also been reported, with accusations of such groups acting as 'super spreaders' of the virus ([The Kathmandu Post 2020a](#)).



Personal
Integrity
and Security

Arbitrary arrests and excessive use of police force

Some countries in Asia and the Pacific have adopted stringent measures to contain the pandemic, often coupled with arbitrary arrests and excessive use of force to enforce COVID-19 restrictions. Since the start of the pandemic, there have been alleged or confirmed reports of excessive police force in the enforcement of COVID-19 restrictions in at least half (15) the countries in the region, which is above the global average of 43 per cent. The excessive use of police force has occurred in hybrid and authoritarian regimes and democracies. In India, Prime Minister

Modi's televised announcement that the national lockdown was to be extended at least until early May sparked multiple public protests, notably by stranded migrant workers, who were dispersed violently by baton-wielding police in Mumbai and elsewhere (Reuters 2020b). In New Delhi in March 2020, police diffused an ongoing sit-in protest against the controversial citizenship law. Police bulldozers were used to move the protesters and destroy their sit-in camp (Reuters 2020a). In the region's other backsliding democracy, the Philippines, reporters have been attacked, detained and charged for allegedly spreading disinformation on the virus (Chua 2020). In Sri Lanka, in April alone, the police arrested more than 41,000 people for violating the curfew (*The New Indian Express* 2020). And in Afghanistan and Nepal, police brutality has been reported in the enforcement of lockdown rules (*Al Jazeera* 2020a; *myRepública* 2020). Other democracies where excessive police force has been reported include Japan and Malaysia.

Contact tracing apps and the right to data privacy

Another area of concern for fundamental rights is the use of some contact tracing apps, especially those that allow for geolocation or that poorly protect private data. At least 10 countries in the region have used contact tracing apps or mobile data to trace infections during the pandemic. Four of these countries have made tracing apps mandatory, including both authoritarian regimes, such as China and Kazakhstan, and democracies such as India (in the state of Kerala) and Malaysia. There are concerns that in authoritarian contexts such compulsory use of contact tracing apps will reinforce and further deepen state surveillance and could be used as a tool for political repression. China has, for example, deployed its vast existing digital surveillance system (which Freedom House refers to as 'digital authoritarianism') to track infections in the country (Huang, Sun and Sui 2020; *Shahbaz* 2018).

To date, Asian countries, in particular East Asian nations, have been at the forefront of the testing and deployment of technology intended to help prevent the spread of the COVID-19 pandemic. For technology tracking individuals' infection status, movements and contacts, effective deployment of tracing apps and their widespread adoption present dilemmas from a democracy perspective, including the compulsory versus voluntary use of the apps, appropriate digital infrastructure and data sharing between governments and app providers. In April 2020, an open letter from 300 leading academics in 25 countries highlighted fundamental risks to the right to privacy if contact tracing apps failed to incorporate 'Privacy by Design' principles and were not open, transparent, decentralized and voluntary (Gamvros and Ryan 2020).

BOX 6

COVID-19 contact tracing in Asia and the Pacific

Some examples of deploying contact tracing apps in the context of response strategies to the COVID-19 pandemic in Asia and the Pacific include **South Korea**, which has been widely praised for its efforts to flatten the pandemic. Following the MERS outbreak in 2015, South Korea relaxed its digital privacy laws to enable infection tracing. During outbreaks, authorities now have access to personal data without needing court approval (*Gallo* 2020). Private software companies have developed apps to supplement official contact tracing efforts. Examples include Corona 100m, which is the country's second most downloaded app, and CoronaMap. The first collects data that alert users to any diagnosed pandemic patient within a 100-metre radius along with their diagnosis date, nationality, age, gender and prior locations. CoronaMap identifies the locations of all diagnosed patients. **Taiwan**, similarly praised for its government's response to the pandemic, is thought to be the first country to have used mobile phone tracking to enforce quarantine (Huang, Sun and Sui 2020). In **China**, the focus has been on contact tracing. The Government partnered with 2 major companies, Alibaba and Tencent, to host health code systems on their widely used Alipay and WeChat platforms, the purpose being to control and monitor movements around China based on a user's risk profile. Users have to complete a questionnaire and are then allocated a QR 'health code' which is either green (low risk and free to move around), amber (at risk and obligatory quarantine for 7 days) or red (high risk and obligatory quarantine for 14 days). QR codes must then be scanned before entering public places. Access will be denied and the authorities alerted if the QR health code indicates the person is in quarantine. A number of privacy-related concerns have been raised in relation to China's tracking system, among others that confirmed and suspected cases are hosted on a centralized server accessible to authorities (*Mozur, Zhong and Krolik* 2020).



Already under severe strain prior to the pandemic, 23 out of 30 countries in Asia and the Pacific have imposed restrictions on the media during the pandemic, making it 1 of the 3 most affected aspects of democracy during the pandemic

Curbing freedom of expression in the name of fighting disinformation

Already under severe strain prior to the pandemic, freedom of expression in Asia and the Pacific has suffered further attacks during the pandemic. At least 23 countries in the region (or 77 per cent of countries) have passed laws or used existing ones to restrict freedom of expression during the pandemic. The measures and actions taken are considered concerning in almost all of these cases (82 per cent). This makes Asia and the Pacific the region where freedom of expression has suffered the greatest toll during the pandemic. Measures have often been justified with the argument of combating disinformation on the virus. Actions include journalists, news outlets, citizens, activists or opposition politicians being harassed, fined, detained, arrested, investigated or deported through criminal cases for spreading information or reporting on the virus. Although controlling contagion and the spread of false information are valid and necessary undertakings, criminalization, intimidation and attacks on freedom of expression and freedom of the press are not the solution. On the contrary, they are likely to undermine already fragile checks on some governments of the region, including both non-democratic regimes and weak, backsliding and fragile democracies.

Examples include Bangladesh and Cambodia, where members of opposition parties have been arrested for criticizing government handling of the pandemic. In Bangladesh, the government issued instructions for citizens to refrain from making negative remarks on social media on the handling of the pandemic and warned of punitive legal actions (Riaz 2020). Rights organizations have since denounced the increase in the arrest of journalists and online activists (Global Voices 2020). In Pakistan, a group of doctors was arrested in April after protesting over the lack of safety equipment with which to tackle the pandemic's spread (*The Guardian* 2020). In Malaysia, people posting critical comments on social media about the handling of the pandemic, and journalists with critical reporting, have been charged with spreading disinformation (Karim 2020). In China, numerous people speaking up against the government's handling of the pandemic have disappeared or been arrested, including doctors and journalists (Hernández 2020).

As part of the crackdown on freedom of expression during the pandemic, print and online media—already under strain prior to the pandemic—have suffered a toll since the start of the health crisis. In total, 83 per cent of countries in the region have imposed restrictions on media and in 18 of those countries, the restrictions are concerning. These actions are troubling as media plays a key role as an informal check on government. Restrictions on media freedom prevent the sharing of vital scientific information on the virus. Further, such restrictions hinder a healthy media debate and scrutiny about state performance in handling the pandemic and options to mitigate its economic effects.

Measures and actions have ranged from harassment of journalists, restrictions on access to information and shutdown of news sites, to criminalization and arrests. **Nepal**, for example, is one of the countries that has witnessed an increase in harassment of journalists during the pandemic. In addition, in April 2020, Nepal's Press Council shut down 17 online news portals for allegedly publishing disinformation related to COVID-19.

In the **Philippines**, assaults on the press have continued during the pandemic. Having clashed publicly with President Duterte over the draconian new security law passed a few days after a national lockdown came into effect in mid-March 2020, 3 months later veteran journalist and Rappler CEO Maria Ressa was found guilty of 'cyber-libel' for a story published by Rappler in 2012, some time before the relevant legislation had even been passed (BBC News 2020a).

In **Myanmar**, ahead of November elections, new media regulations have given opposition parties access to state media, both a new and a positive step. However, critics of the new regulations focus on the fact that broadcasts will have to be pre-approved by the Union Election Commission on the

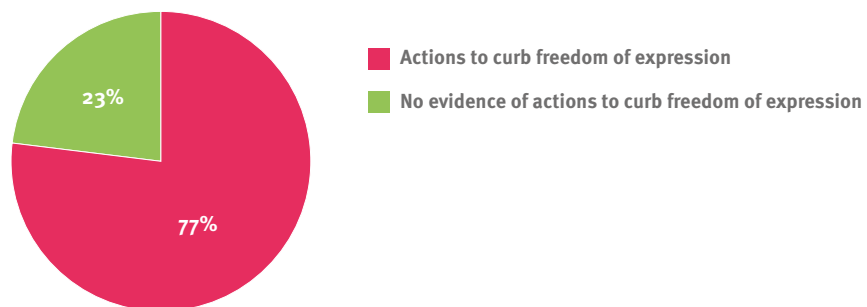
basis of what are deemed to be ‘overly broad and vague restrictions’ on what can and cannot be said on air, thereby hamstringing opposition political parties by ‘effectively prohibiting any criticism of the government, existing laws and the military’ (HRW 2020).

In **China**, in March 2020, the government expelled 13 US foreign correspondents, thereby inhibiting independent journalists’ room to report on the actual state of COVID-19 in the country. Moreover, since mid-August 2020, an Australian journalist and television anchor has been detained by Chinese authorities. She had shared social media posts on the origins of COVID-19 in Wuhan. Numerous people who have spoken publicly about the pandemic’s spread or criticized the government’s response to the pandemic have disappeared, including doctors and journalists. In addition, academics are reportedly facing increased harassment, censorship and interventions by universities and the police. Moreover, the Chinese Ministry of Science and Technology announced in early April that research on COVID-19 must obtain its approval prior to publishing, a measure that effectively prevents information sharing regarding the virus.

And in **Kyrgyzstan**, there is an absence of briefings on the virus, and information is not released to the media. Overall, while there is clearly pressure on all governments—democratic, hybrid and authoritarian alike—to release credible data regarding the pandemic’s impact, the inadequate responses of authoritarian regimes, in particular in Central Asia, in keeping their publics informed may fuel longer-term questions regarding popular views of their legitimacy. This point is borne out by the early October resignation of Prime Minister Kubatbek Boronov in Kyrgyzstan, after the Central Electoral Commission annulled parliamentary elections in response to widespread public protests and accusations of vote-rigging (Al Jazeera 2020c).

FIGURE 8

Countries in Asia and the Pacific taking actions to curb freedom of expression during the COVID-19 pandemic



Source: International IDEA, *Global Monitor of COVID-19’s Impact on Democracy and Human Rights, 2020a*, accessed 19 October 2020.

Limitations on access to COVID-19 information and data

Scientists and citizens face challenges in accessing reliable COVID-19-related information, data and statistics in many hybrid and authoritarian regimes. Cover-up of outbreaks of COVID-19 has been reported in countries such as China (Xinjiang) and Turkmenistan (which denied the existence of COVID-19 until May 2020, when it reported its first case). A recent CNN report revealed that early data on COVID-19 is likely to have been severely underreported by the Chinese Government in the first months of the pandemic, to downplay the severity of the outbreak (Walsh 2020). In authoritarian countries (e.g. Laos and Viet Nam), where media is severely curtailed, neither foreign nor domestic media have been able to independently verify government data on COVID-19 (Reuters 2020c), and 4 authoritarian regimes in the region do not officially disclose any data on COVID-19 mortality (Cambodia, Laos, North Korea and Turkmenistan).

4 authoritarian regimes in the region do not officially disclose any data on COVID-19 mortality (Cambodia, Laos, North Korea and Turkmenistan), while in Viet Nam, journalists have not been able to verify COVID-19 data

Challenge 3. Reinforcement of gender inequalities and vulnerabilities

Gender equality has been severely affected during the pandemic. In Asia and the Pacific, as elsewhere, the pandemic's advent has placed additional burdens on women as well as widened existing inequalities. The key challenges noted are: an increase in unpaid care and domestic workloads; restricting women's capacity to stay in the labour market; loss of employment due to lockdowns at home and abroad; lack of social protection; increase in female poverty; and rise in domestic violence during lockdowns.

Increase in unpaid care and domestic work.

Almost all countries (29 out of 30) in the region closed schools at some point during the pandemic, and, as of November 2020, they remained physically closed in 11 countries, with children expected to do home schooling (International IDEA 2020a). This has placed additional demands on domestic workload, which, in patriarchal societies, overwhelmingly falls on women (UN Women 2020a). These additional burdens are likely to affect women's capacity to stay in the labour market, be politically active (running for office, for example), and more broadly participate on equal terms in the economic and political sphere.

BOX 7

Impact of pandemic on women in Asia and the Pacific

- Women's share of unpaid care and household work has increased.
- Millions of female domestic and migrant workers, most of whom work in the informal sector, have lost their jobs or faced reduced work hours, with little or no access to social protection.
- Female poverty is expected to increase.
- Women are at increased risk of domestic violence.
- Women face restricted access to basic and mental healthcare (UN Women 2020a).

Loss of employment and reductions in working time. The International Labour Organization (ILO) estimates that globally, to date, more than 70 per cent of domestic workers have been affected by quarantine measures, including decreased economic activity, unemployment, reduction of hours worked or loss of wages (UN Women 2020a). Millions of women in the Asia and the Pacific region, including domestic and migrant workers, the majority of whom work in the informal sector, have also lost their incomes due to COVID-19. When this happens, they have little or no access to severance pay or social security (IOM 2020). Women make up more than half of migrant workers in the region, and their income plays a key role in national economies. The International Organization for Migration (IOM) estimates that job losses will result in an estimated 20 per cent decrease in international remittances sent this year (which is a reduction of around USD110 billion).

Increase in poverty. Central Asia and South Asia (and sub-Saharan Africa)—where together 87 per cent of the world's extreme poor live—will see the largest increases in extreme poverty in the world as a result of the pandemic, resulting in a disproportionate increase in female poverty and in the gender poverty gap, particularly in South Asia (UN Women 2020c).

Increase in domestic violence. As in other parts of the world, domestic violence against women and girls has increased in the region during lockdowns. Globally, 243 million women and girls between the ages of 15 and 49 had experienced sexual or physical violence in the year preceding the pandemic, including more than 37 per cent of all women in South Asia, 40 per cent in South East Asia and 68 per cent in the Pacific. Given economic, health, security and other stresses and shocks on women and girls resulting from the pandemic, this figure has likely increased (UNFPA 2020). Domestic violence hotlines/helplines have seen a sharp rise in calls in countries across the Asia and the Pacific region. In India, for example, a national hotline received 92,000 calls during the first 11 days of national lockdown in April, while domestic violence cases have reportedly doubled in Thailand during the quarantine period (UCA News 2020b).

Similar increases have been recorded in other countries, including Bangladesh, Malaysia and Singapore (*The Hindu* 2020a). In one county in Hubei, China, at the height of the lockdown, calls to women's shelters tripled. To date in 2020 in India, the National Commission for Women has registered 861 cases of domestic violence. In Nepal, 37 per cent of respondents (58 per cent male and 42 per cent female) in a survey conducted in 2 states found that incidents of violence against children had increased due to the COVID-19 lockdown. At the same time, the pandemic has also restricted access to healthcare (including mental healthcare) in a number of countries in the region, and access to justice has been limited due to lockdowns and closure of courts. UN Women (2020a) reports that in Asia and the Pacific, 60 per cent of women describe facing more barriers to seeing a doctor as a result of the pandemic.

Launching a report on the impact of COVID-19 on women in April 2020, UN Secretary-General António Guterres voiced what many feared would prove to be one of the COVID-19 pandemic's most deleterious impacts in the Asia and the Pacific region, as elsewhere: reversing the limited but important progress made to date on gender equality and women's rights. Guterres underscored the fact that women's leadership and contributions must be at the heart of COVID-19 resilience and recovery efforts.



Challenge 4. Vulnerable groups have been disproportionately affected by the pandemic

Vulnerable groups (including children, older people, people with disabilities, refugees, migrants and minorities) have been disproportionately affected by the pandemic, exacerbating existing societal inequalities. Poverty levels and socio-economic inequalities are expected to rise sharply as a result of the pandemic—the consequence of the combined effect of pandemic-related restrictions, a global recession and rising levels of unemployment. This will likely impact vulnerable groups disproportionately, further reinforcing existing inequalities.

Almost all countries in Asia and the Pacific covered by the GSoD Indices (29 out of 30) closed schools at some point since the start of the pandemic, affecting millions of children, who have lost out on both learning and school meals. By the end of November 2020, schools had reopened in 18 countries, while they remained closed or partially closed (or have once again closed after reopening) in 11 countries. Data shows that more than 220 million children in Asia and the Pacific have not been able to continue their education outside of the classroom (UNICEF 2020).

Migrants and refugees in the region have also been disproportionately affected by the pandemic, having poor or no access to healthcare and often being the target of xenophobic attacks, amplified on social media. Undocumented migrants in countries such as Malaysia have been arrested in efforts to curb the spread of the virus among those groups. This has increased the risk of infection in packed detention centres and has resulted in hiding and fear in migrant populations, diminishing the COVID-19 testing among those groups for fear of reprisals (Zsombor 2020). Reports of forced quarantine of both undocumented and returning migrants has also been reported in countries such as Kyrgyzstan. In countries such as South Korea, illegal migrants have been excluded from state-sponsored face mask distribution programmes, further increasing their vulnerability to the disease.

The position of **migrant workers**—and the remittances they bring—provides an important illustration of the manner in which the pandemic's economic impacts simultaneously mirror and magnify existing economic inequalities within the region. Countries such as Bangladesh, India, Indonesia, Nepal, Pakistan, the Philippines and Sri Lanka provide an important source of migrant labour for neighbouring states, Middle Eastern countries and beyond. Almost a year since the pandemic first struck, significant numbers of those labourers find themselves still stranded in their country of temporary employment, bereft of jobs, housing or alternative sources of income.

Almost all countries (29 out of 30) in the region closed schools at some point during the pandemic, and in 11 countries, they remained physically closed as of the end of November 2020. More than 220 million children in Asia and the Pacific are not able to do home schooling during this time

Domestic migrant labour forces have also been put in vulnerable situations. Notably in South Asian countries such as India and Sri Lanka, many migrant labourers have been on the receiving end of discrimination, police violence and lack of economic support in circumstances where their normal means of sustenance—daily wage labour—has effectively been wiped out by pandemic-related restrictions. In this context, reports of labourers forced to walk long distances to return to their villages of origin became commonplace in India at the start of the national lockdown.

LGBTI groups have also been particularly affected by the pandemic in several countries (such as China, Myanmar and the Philippines) and discrimination against LGBTI groups has been reported in enforcement of COVID-19 restrictions (Iyengar and Yu 2020; UN News 2020; Thoreson 2020). Domestic violence against LGBTI groups during lockdowns has been reported in some countries and many have faced loss of income and discrimination in access to healthcare (UNIC Yangon n.d.).

Ethnic and religious minorities have also been severely affected by the pandemic. Crammed forced labour camps for Uighurs in the Xinjiang region have been a fertile breeding ground for the spread of infection, and breakouts have allegedly been hidden by the Chinese Government, while people have reportedly been forced to take traditional Chinese medicine that is not scientifically proven to counteract the virus (Davidson 2020; Lew and Zhou 2020). With Rakhine state in Myanmar the focus of a second wave of COVID-19 in the country, discrimination against Rohingya has flared up again, as they face accusations of spreading the virus (Nachemson 2020).

Challenge 5. Military responses to combat COVID-19

The reliance on the military to manage the pandemic has resulted in the excessive use of force in several countries. The military, already an influential player and key factor in the democratic fragility of a number of countries in the region prior to the outbreak, has been given a significant role in the official response to the pandemic in several countries in Asia, including weak, backsliding and mid-range performing democracies, hybrid regimes and authoritarian regimes. This prominent role in fighting the pandemic can help to legitimize an expanded military presence in public life even after the pandemic is over and can undermine democratization in a region with a history fraught with autocratic and military rule.

Among the democracies, **Indonesia, the Philippines and Sri Lanka** stand out as examples. In Sri Lanka, the Presidential Task Force and related National Operation Centre established to spearhead the official pandemic response are headed by Tri-Forces Commander Shavendra Silva. The Task Force also includes a significant number of senior military figures. In practical terms, the armed forces were also centrally involved in policing the nationwide lockdown declared in April and lasting over 7 weeks. The potential perils stemming from this involvement were illustrated in May when a major new pandemic cluster was traced at a naval training camp where cadets had been allowed to go on home leave directly following curfew duty, with no checks or testing in between (*The Hindu* 2020b).

In the weak and backsliding democracy of the **Philippines**, similar concerns have been voiced with regard to President Duterte's use of retired generals as advisors and deployment of the military in the context of the national lockdown. The military has played a key role in enforcing community quarantine and it has been tasked with distributing vaccines, once available. Duterte himself noted in a speech: 'The backbone of my administration is the uniformed personnel of government' (Dizon 2020).

In **Indonesia**, a country ruled by a military regime for over 31 years before it transitioned to democracy in 1999, concerns were raised prior to the outbreak of the pandemic that the military was creeping out of the barracks and into the public arena. For example, in 2019 a proposal was

discussed to provide jobs to inactive officers in the civilian bureaucracy, which had democracy activists worried (McBeth 2019). These fears have increased as the military has been called in to reinforce police efforts to monitor public compliance with health protocols during the pandemic (Syakriah 2020).

In **Thailand**, the question of military involvement in the response to the COVID-19 pandemic assumes a somewhat different form. Following a 2014 military coup in which he himself played a central role, ex-Army Commander Prayut Chan-ocha became prime minister, a position he retained following 2019 elections widely viewed as flawed. Since then, as has often been the case in Thailand, his government has been closely aligned with the military. The armed forces have played a key role, alongside the police, in the enforcement of the national lockdown, retaining their behind-the-scenes role as guarantors of the current hybrid political dispensation.

For the region's authoritarian regimes, the military plays a key role in backing the regimes—pandemic or not. In **China**, this favour has been returned by promises that the first doses of a new widely tested vaccine would be given not to Chinese healthcare workers, but to military personnel. The choice of initial recipients for the vaccine is not accidental. In the research leading to the vaccine's production, as with a number of other Chinese medical trial initiatives in response to COVID-19, research and development companies sponsored by the People's Liberation Army (PLA) have played a central role (Financial Times 2020).



3.1.3. Checks on Government



Challenge 6. Executive aggrandizement and weakened parliaments

Parliaments across the Asia and the Pacific region have been severely disrupted by the pandemic.

Since early 2020, at least 11 countries have suspended parliamentary sessions at some point during the pandemic. This occurred most recently in South Korea in August 2020, after it emerged that a photojournalist who had been covering a ruling party meeting was subsequently confirmed to have contracted COVID-19 (Asia Times 2020). However, the South Korean Parliament quickly reconvened. Other countries in the region where parliaments have suspended sessions for limited periods of time during the pandemic are the following: Afghanistan, China, India, Nepal, Pakistan and Sri Lanka.

A trend that can be observed across the region is the shifting of decision-making power to the executive during the pandemic, with a potential accompanying weakening of parliamentary powers and oversight. Limitations on the continued operation of some parliaments has further compounded the challenge. The most notorious one might be the Philippines, where congress passed a law which authorized the president to exercise specific powers, for a limited time and subject to certain conditions, in order to implement policies pursuant to the declaration of a state of national emergency over the entire country. Both the manner in which this emergency legislation was rushed through congress and the expanded powers it gives President Duterte are subjects of critical media scrutiny and debate. In September, the state of emergency was extended for a year until 2021, making it the longest state of emergency during the pandemic (AP News 2020). In addition to this, other legislation has been passed by President Duterte during the pandemic, which enabled a crackdown on dissent and freedom of speech. The Anti-Terrorism Act signed by President Duterte in September expands the definition of terrorism and gives the government sweeping powers to arrest terrorism suspects without charge for weeks (McCarthy 2020).

There has also been limited parliamentary oversight of pandemic spending, which in some countries has become a slush fund with weak or no parliamentary oversight. In India, for

example, Prime Minister Modi set up a Citizen Assistance and Relief in Emergency Situations Fund, which is managed directly by the Prime Minister's office, with little or no parliamentary oversight (BBC News 2020b). The extended State of Calamity law in the Philippines will also allow the Philippine Government to draw emergency funds faster to address the pandemic (AP News 2020).

Executive aggrandizement has played out in the approval of states of emergency in some countries, where these were made by presidential decree or executive orders instead of going through parliamentary approval (e.g. Cambodia and Thailand). While in some countries, such as New Zealand and Taiwan, pandemic legislation was developed with close cooperation between the executive and legislature, in other countries, such as Myanmar, the Philippines and Sri Lanka, such collaboration has been noticeable for its absence. An example of where the legislature has effectively been bypassed is Myanmar, where the government's COVID-19 Economic Relief Plan was prepared by the executive with little if any involvement from the legislative branch. From a democracy perspective, it is therefore important to maintain a close watch on both aspects of the legislature's role in upcoming iterations of pandemic-related legislation across the region (INTER PARES 2020a).

In some countries, the pandemic has also been used as an opportunity to push through legislation that would not otherwise have passed parliamentary scrutiny. In Indonesia, concerns were raised that lawmakers were using the pandemic to try to rush through bills with minimal public scrutiny or debate, including a deregulation bill and a mining bill, which were among several pieces of legislation that failed to pass in 2019 in the face of mass street protests (Firdaus 2020). In late April in Nepal, Prime Minister K. P. Sharma Oli introduced 2 ordinances that sought to amend some provisions of the Political Party Act and the Constitutional Council Act while the House was in recess due to lockdown. However, after massive criticism from outside and inside the party, the ordinances were removed (*The Kathmandu Post* 2020b). And in the Philippines, the government signed the Anti-Terrorism Act, which potentially enables a crackdown on political dissent in the name of fighting terrorism (McCarthy 2020).

As with the pandemic's other major areas of impact on the democratic process, clear and legitimate health concerns need to be carefully calibrated against legitimate concerns over ensuring that the functioning of democratic institutions and processes is not fundamentally and/or irreversibly impacted by health-related emergency measures. In terms of international responses to the pandemic, a resolution adopted by the UN General Assembly in September 2020 underscores the central role of legislatures in responding to the COVID-19 pandemic (IPU 2020b).



Challenge 7. Weakened judiciaries and attacks on judicial independence **Access to justice has been severely affected by the pandemic.**

Both court activity and individuals' access to justice have been limited due to the pandemic and lockdowns. In at least 18 countries in Asia and the Pacific (60 per cent), access to justice has been severely restricted by the pandemic, in the form of either reduced working hours for courts, reduced number of caseloads, postponement of cases or complete closure of courts (International IDEA 2020a).

Overall, the regional trend during the pandemic is that the courts have been significantly less active in their role as a check and balance on executive power. Reduced operations of courts due to lockdowns could be one factor. In Nepal, for example, the Supreme Court has issued 23 rulings against various COVID-19-related government measures, such as management of quarantine facilities and repatriation of migrant workers, although many remain without enforcement (*The Kathmandu Post* 2020b).

In some countries in the region, the pandemic has also been used to further undermine and weaken judicial independence. While it is difficult to know if such attempts would have been made independently of the pandemic, the issue needs to be watched. For example, in Sri Lanka, an amendment to the Constitution was proposed by the government in September 2020. If passed, it will result in both a significant increase in presidential powers and weakening of both the legislature's and judiciary's oversight functions (Uyangoda 2020).



3.1.4. Impartial Administration



Challenge 8. Enhanced risks of corruption

International IDEA's COVID-19 Global Monitor reports alleged or confirmed instances of corruption related to COVID-19 procurement in at least 9 countries in the region during the pandemic

The pandemic has provided fertile breeding ground for corruption, a challenge that the region was already grappling with prior to the COVID-19 outbreak. Substantial resources have been mobilized to respond to the health and economic crises quickly and without proper planning and oversight, while many corruption prevention and enforcement mechanisms are also suspended due to the emergency; this has created significant opportunities for corruption. Corruption compromises the pandemic response, undermining much-needed trust in public institutions, squandering supplies and resources, and impeding their flow to those in need (World Justice Project 2020). The Global Monitor of COVID-19's Impact on Democracy and Human Rights (International IDEA 2020a) reports alleged or confirmed instances of corruption related to COVID-19 procurement in at least 9 countries in the region during the pandemic: Afghanistan, Cambodia, India, Japan, Kazakhstan, Malaysia, Nepal, Pakistan and the Philippines.

When it comes to the COVID-19 pandemic's impact on the presence—or absence—of corrupt political practices across the region, the chief area of concern stems from the opportunities for graft opened up by the often large sums of money involved in contracts for the supply of pandemic health-related equipment—ventilators, masks etc. In the Asia and the Pacific region, as elsewhere, governments have been slow—and in some cases, seemingly reluctant—to act to curtail and/or prevent corruption seeping through into this important arena.

There are, however, examples of initiatives to counteract this. For example, in India, the government set up a hotline for citizens to report items being sold above the recommended retail price (Transparency International 2020). And in terms of transparency, to date, at least 6 countries have set up websites or other online means to access COVID-19-related information (International IDEA 2020a).



Opportunities for democracy

3.2. Opportunities for democracy



Clean Elections

Opportunity 1. Holding safe elections with integrity

The Asia and the Pacific region offers several examples of elections carried out safely and with integrity during the pandemic. Of countries in the region that have held elections in 2020, **South Korea's** parliamentary elections held in mid-April may offer some important lessons for others, in particular with respect to measures that can be taken to enhance voter safety and ensure a reasonable turnout level. Despite fears that the pandemic would result in lower turnout, 61.2 per cent of the country's electorate voted, the highest turnout registered since 1996. A key factor in the high turnout appears to have been provisions for advance voting, a process first introduced in 2014. For the 2020 polls, a record 26.7 per cent of voters reportedly cast their ballots in advance of official voting day.

The Electoral Commission also enacted stringent measures to guarantee a safer voting environment for those casting their ballot through in-person voting at the 14,330 polling stations established nationwide. Measures included queuing outside polling stations, limiting crowding in voting areas, safe handling of election materials and special measures for COVID-19 patients, who had to wear protective equipment. The extraordinary measures adopted required an additional force of 20,000 poll workers to be deployed. Last-minute special measures were also introduced for voters quarantined at home, who were allowed to leave their place of confinement and vote at polling stations after official voting hours had ended.

In addition to introducing measures to facilitate the voting process, South Korea also established an out-of-country voting (OCV) operation. In the event, concerns over the safety of South Korean voters in countries with a higher diffusion of COVID-19 and the resulting inability to go out and vote under lockdowns and other strict restrictions of movement imposed by host governments, forced the Electoral Commission to cancel the planned OCV operations in as many as 55 countries, with some diplomatic missions also forced to shorten their voting periods. No major safety breaches or security incidents were reported on polling day, votes were counted and the results announced on schedule, with the main unresolved issue being the difficulties experienced by approximately 86,000 expatriate South Koreans in casting their votes abroad ([Spinelli 2020](#)).

Significantly, while in many countries the prospect of elections conducted during the pandemic has served to underscore prevailing divisions and tensions, in South Korea the sense of national crisis engendered by COVID-19 was leveraged by the authorities to project voting in the April 2020 elections as a form of civic duty. And in this, they were clearly successful. In the final opinion poll conducted before the elections, 86 per cent of South Koreans stated that they were 'paying attention' to the election, while 79 per cent claimed that they would 'certainly vote' (Kim 2020).

The July 2020 parliamentary elections in **Singapore** were held safely in the enduring hybrid regime, which for the first time in its history saw an opposition party gaining enough seats for the government to consider naming an official leader of the opposition ([Yadav 2020](#)). While it does not yet qualify Singapore as a democracy (the opposition only has 10 MPs), it is certainly an important milestone in the democratic history of this country.

The **New Zealand** elections in October 2020, dubbed the 'Corona election' (postponed by a month due to a rise in infections), were held safely throughout the country and saw the ruling Labour Party win a landslide victory and gain a majority in parliament for the first time since 1993, thanks in large part to the government's perceived successful handling of the pandemic ([BBC News 2020g](#)).



Opportunity 2. Innovative practices strengthening parliaments

Most parliaments in the region have continued functioning during the pandemic after the rapid development of new technological capabilities. However, throughout the Asia and the Pacific region, as elsewhere, the measures implemented to curb the spread of COVID-19 have included limitations on public gatherings and the closure of many workplaces. Therefore, given that parliaments are central governance institutions, with a primary function involving lively discussion and debate, they have been faced with a challenge across the region: ‘how can they continue their crucial work, at a time when scrutiny of government actions to tackle the crisis is vital, and demands from citizens are rising, while respecting the new limitations, safeguarding MPs and staff, and acting as a visible public role model?’ (Asia Foundation 2020).

The pandemic has forced parliamentary innovation, in particular digitalizing day-to-day operations across the globe, in order to be able to continue operating in the face of the health risks posed by the virus. This has been seen in Asia and the Pacific as well. Parliamentary procedures have been revised in a number of legislatures in order to both protect parliamentarians and staff, and streamline operations. Some parliaments have enabled proportionate attendance and voting according to parliamentary group size, so that activity can continue on a multiparty basis, without crowded plenary and committee rooms. Different mechanisms have been used to achieve this result. For example, in **Australia**, the system of ‘pairing’, where members from different parties who are unable to attend sessions agree to ‘cancel each other out’, was expanded to encourage members to participate in pairing to reduce the number of MPs in attendance ([INTER PARES 2020a](#)).

In **New Zealand**, a series of measures have been enacted to reduce the need for physical presence: notices of motions can be submitted electronically, the number of permitted proxy votes has been increased, and oral and urgent questions can be submitted electronically rather than in person ([INTER PARES 2020a](#)).

In the **Philippines**, parliament adopted guidelines for operating during the pandemic. A maximum of 25 MPs can be present; the rest follow the proceedings and can participate via video-conference. Committee meetings are conducted remotely. However, in a number of countries across the world—including in Asia and the Pacific—this shift towards parliamentary digitalization has been more slow to enact, and a total of 35 parliaments have had to suspend their sessions at some point during the pandemic, either for a specific period or indefinitely.

While many parliaments may have been sidelined in the early stages of the pandemic, they are retaking their oversight role in the latter stages of the pandemic. Some parliaments in the region have established COVID-19 parliamentary committees to monitor the government’s handling of the pandemic. This is the case in Indonesia, New Zealand, Pakistan and the Philippines.

Opportunity 3. Resisting attempts at executive overreach

While the region displays numerous examples of attempts at executive overreach during the pandemic, efforts to resist such attempts also need to be highlighted. Significant in this respect is the challenge in **Indonesia**’s Constitutional Court to a presidential decree on economic stimulus effectively allowing the state to spend unlimited amounts, which was endorsed by the House of Representatives in early May. Critics argue that the decree was unconstitutional as it grants immunity to government officials involved, increasing the potential for corruption (Crouch 2020).

More emblematic, perhaps, was the **Sri Lankan** Supreme Court’s May 2020 decision to reject hearing a set of petitions challenging President Gotabaya Rajapaksa’s attempt to hold parliamentary elections—originally due for April—in June. In the event, and despite heavy pressure from the government, the Election Commission successfully blocked the June proposal, arguing that more time was needed to finalize preparations for the elections (Srinivasan 2020). The elections were finally held in August 2020.



Opportunity 4. The role of local government

As the first line of governance—and in many contexts, effectively the only one with which many citizens have any direct contact—local governments have been at the forefront of official responses to the pandemic since the outbreak of COVID-19. Clearly, the nature of relations with central government has been critical to determining the quality and impact of their efforts to combat the pandemic. In democracies, such as New Zealand, South Korea and Taiwan, there is clear evidence of a joined-up/coordinated centre–local pandemic response.

Most innovatively, following COVID-19's advent, all government departments and local authorities in **Taiwan** were made responsible for addressing pandemic-related disinformation by providing a memetic online response based on what is known as the 2-2-2 principle—a response is required within 20 minutes, in 200 words or less, with 2 images attached. Alongside dog memes and pink face masks, one of the most successful such rapid responses to date has been one aimed at halting runs on toilet paper that featured a cartoon video of Premier Su Tseng-chang shaking his backside, accompanied by the caption 'We only have one pair of buttocks' (Nabben 2020).

As local governments are tasked with the community-level pandemic response, mayors and deputy mayors are key actors in ensuring that all official interventions are both gender sensitive and inclusive. Evidence indicates that this has been occurring at the ground level in Nepal: in many districts of the country, for example, there have reportedly been concerted efforts to establish separate quarantine facilities for women to ensure that they are both comfortable and safe. Furthermore, to address the increase in gender-based violence witnessed during the pandemic, some municipalities have established safe houses, dedicated health facilities and female police focal points to support victims of violence, while media outlets have generated awareness of the importance of reporting gender-based violence cases to local judicial committees (UN Women 2020b).

Opportunity 5. Revitalized civil society?

While the emerging picture in all too many countries in the region is of governments responding to—and in some cases, clearly exploiting—the pandemic to crack down on and otherwise restrict civil liberties, notably freedom of movement and expression, it is also equally true that, in a number of countries, heightened official intrusions into the civic sphere have been met with a vigorous response from civil society. Given the pre-pandemic context of a shrinking civic space, and with half of the countries in the region under lockdown at some point during the pandemic, Asian civil society has been remarkably vocal during the pandemic. Chiefly in response to both new and long-standing curtailments of democratic principles and institutions, and despite multiple restrictions introduced by governments in response to the COVID-19 pandemic, a number of countries have nonetheless been marked by sustained levels of public political engagement. At least 23 out of 30 countries have experienced protests during the pandemic, despite restrictions. Police have targeted protesters in Afghanistan, India and Nepal.

Protests have ranged from expressing dissatisfaction with the government's handling of the pandemic to calling for political reform. Significantly, the pandemic has not prevented civic activism in response to new or re-emergent democracy-related issues. In **Thailand**, the current wave of protests, the largest since the 2014 coup, are demanding fundamental democratic reform and have also touched on a hitherto taboo issue, namely the role of the monarchy in Thai politics, and to date at least they have persisted in the face of COVID-19 restrictions and intermittent government crackdowns (Parameswaran 2020). In **Kyrgyzstan**, anger over rigged 4 October elections that were eventually annulled by the country's Central Election Commission led to wide-scale public protest and the eventual resignation of Prime Minister Kubatbek Boronov. Although rival protesting factions have

since proved unable to agree on who should replace the prime minister, the resulting violence has led to President Sooronbay Jeenbekov calling a (temporary) state of emergency (BBC News 2020e). What all this shows, perhaps, is that—while certainly rendering activism and protest more challenging—pandemic conditions do not spell an end to civil society engagement in political life.

In some cases, such as **India** and **Indonesia**, protests have been directly pandemic related, notably over stringent, suddenly imposed lockdowns (India), economic policy measures enacted in response to the pandemic, such as abolishing sectoral minimum wage levels and, more widely, the mounting economic consequences of the pandemic for the population (Indonesia) (BBC News 2020d). In **Australia**, thousands took part in Black Lives Matter and pro-refugee protests and marches across the country in June, and in September an online anti-lockdown movement organized street protests which saw hundreds of people gathering (BBC News 2020h). In Myanmar, student protests against the government and the military and the Internet shutdowns in Rakhine state have been held, with arrests and prosecutions following (ICG 2020).

In the case of **Taiwan**, civic activism since the beginning of the pandemic has been focused not on protest but on efforts—in particular through online initiatives—to inform the population about the local availability of everything from face masks to toilet paper. Using what local digital activists describe as a ‘humour over rumour’ strategy to combat fake news and misinformation, and developing memes to spread public awareness of positive behaviours on the back of social media algorithms with viral potential, this approach has reportedly even managed to inject a note of humour into official communications on an otherwise sombre subject (Nabben 2020).

Finally, it is important to note that civil society’s role during the pandemic is not simply confined to being a locus of protest. In countries across the region where government has either effectively abdicated its responsibilities to its citizens during the pandemic, or been slow and/or inefficient in its response to the demands of the situation, civil society organizations and networks have played—and continue to play—an often critical role, notably in ameliorating the harsh effects of pandemic lockdowns and related constraints. Civil society organizations have provided basic food supplies, as well as medical and even financial relief, to vulnerable sections of the population.

Conclusion

Not least on account of lessons learned from the earlier SARS and MERS epidemics overall, to date the Asia and the Pacific region has done a solid job of managing the health crisis stemming from the COVID-19 pandemic. And while each country in the region has its specificities in terms of the pandemic’s governance impact, a number of regional patterns are nonetheless suggested by this analysis. On the negative side of the balance sheet, it is abundantly clear that, across the region, governments have been using the wider conditions created by the pandemic to expand executive power and in a number of instances to restrict individual rights as well. Whether these developments prove to be temporary or, as many suspect, more long term in their effects remains to be seen. Aspects of democratic practice that have already been significantly impacted by anti-pandemic measures include the exercise of fundamental rights (notably freedom of assembly and free speech). Some countries have also seen deepened religious polarization and discrimination. Women, vulnerable groups, and ethnic and religious minorities have been disproportionately affected by the pandemic and discriminated against in the enforcement of lockdowns. There have been disruptions of electoral processes, increased state surveillance in some countries, and increased influence of the military.

In overall terms, the region’s high-performing democracies appear to be coming through the pandemic relatively unscathed—some, such as Taiwan, have even been strengthened as a consequence. By contrast, authoritarian regimes, such as Cambodia and China, appear to have tightened their grip on power. The major sources of uncertainty, namely countries that have displayed strongly varying

democratic responses, are to be found among the region's weak- and medium-performing democracies (Indonesia, Malaysia, Myanmar, Sri Lanka). In all of these cases, the pandemic has played into domestic political processes that were already occurring before and during the pandemic, which have contributed in different ways to destabilize fragile democratic systems. In policy terms, it is critical that these do not end up falling on the wrong side of the democratic fence, not least as the pandemic's already severe socio-economic consequences become more acute over time. And, as one commentator notes, 'Much like the actual virus affecting people with underlying health conditions, the threat of reversal in democratic governance posed by the pandemic is more severe for democracies with an already compromised immune system' (Croissant 2020).

At the same time, it is equally clear that the pandemic has already ushered in—or is in the process of promoting—a number of positive and potentially significant democratic trends and innovations. To underline just a few examples, as a recent study notes: 'Civil society groups mobilizing responses on the front lines of the pandemic may reinforce democratic vitality at the local level. In some places, effective state responses may shore up trust in government or technocratic expertise. Electoral disruptions may spur needed innovations in election administration' (Brown, Brechenmacher and Carothers 2020).

Responding to this state of affairs, it is critical that democracy support organizations, donors and other related actors in the Asia and the Pacific region both 'identify entry points and interventions that can pre-empt long-term political damage and nurture potential gains', as the same analysis argues, and design and implement programmes that explicitly aim to address the wide-ranging democratic challenges raised by the pandemic and at all levels—national, regional and local. Such a path of action offers at least the hope that the global crisis ushered in by the pandemic may yet become a source of democratic innovation and renewal.

Abbreviations

GSoD	Global State of Democracy
ILO	International Labour Organization
IOM	International Organization for Migration
LGBTI	Lesbian, gay, bisexual, transgender and intersex
MERS	Middle East respiratory syndrome
NLD	National League for Democracy
OCV	Out-of-country voting
PLA	People's Liberation Army
SARS	Severe acute respiratory syndrome
SoE	State of emergency
UN Women	United Nations Entity for Gender Equality and the Empowerment of Women
USDP	Union Solidarity and Development Party

¹ Asia and the Pacific is the most populous region covered by the GSoD Indices. It includes 30 countries across 5 subregions: Central Asia, East Asia, South Asia, South East Asia and Oceania (which includes Australia, New Zealand and Papua New Guinea). As the GSoD Indices only cover countries with more than 1 million inhabitants, most Pacific Islands are not included, except for Papua New Guinea.

² On a scale from 0 (lowest) to 1 (highest). Low levels are 0–0.39, mid-range 0.4–0.7 and high above 0.7.

³ Not covered in the GSoD Indices.

⁴ The GSoD Indices refer to older democracies as those countries that became democracies before 1975. Third-wave democracies are those that transitioned to democracy after 1975, with the early ones transitioning between 1975 and 2000 and the newer ones transitioning after 2000.

⁵ Of the 50 countries in Asia and the Pacific, only 30 are covered in the GSoD Indices. The total percentage of regime types comprises only those 30 countries for which the GSoD Indices have political regime types.

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In 2018, International IDEA launched the new *GSoD In Focus* series. These short updates apply the GSoD Indices data to current issues, providing evidence-based analysis and insights into the contemporary democracy debate. This is a special issue in this series, focused on democracy during the COVID-19 pandemic.



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International Institute for Democracy and Electoral Assistance
Strömsborg, SE-103 34 Stockholm, Sweden
Tel: +46 8 698 37 00, info@idea.int, www.idea.int

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