Analysis on Freedom of Expression Situation in Four Years under the Current Regime

The following figures are part of the key findings from Athan's forthcoming report "Freedom of Expression in Four Years under the Current Regime".

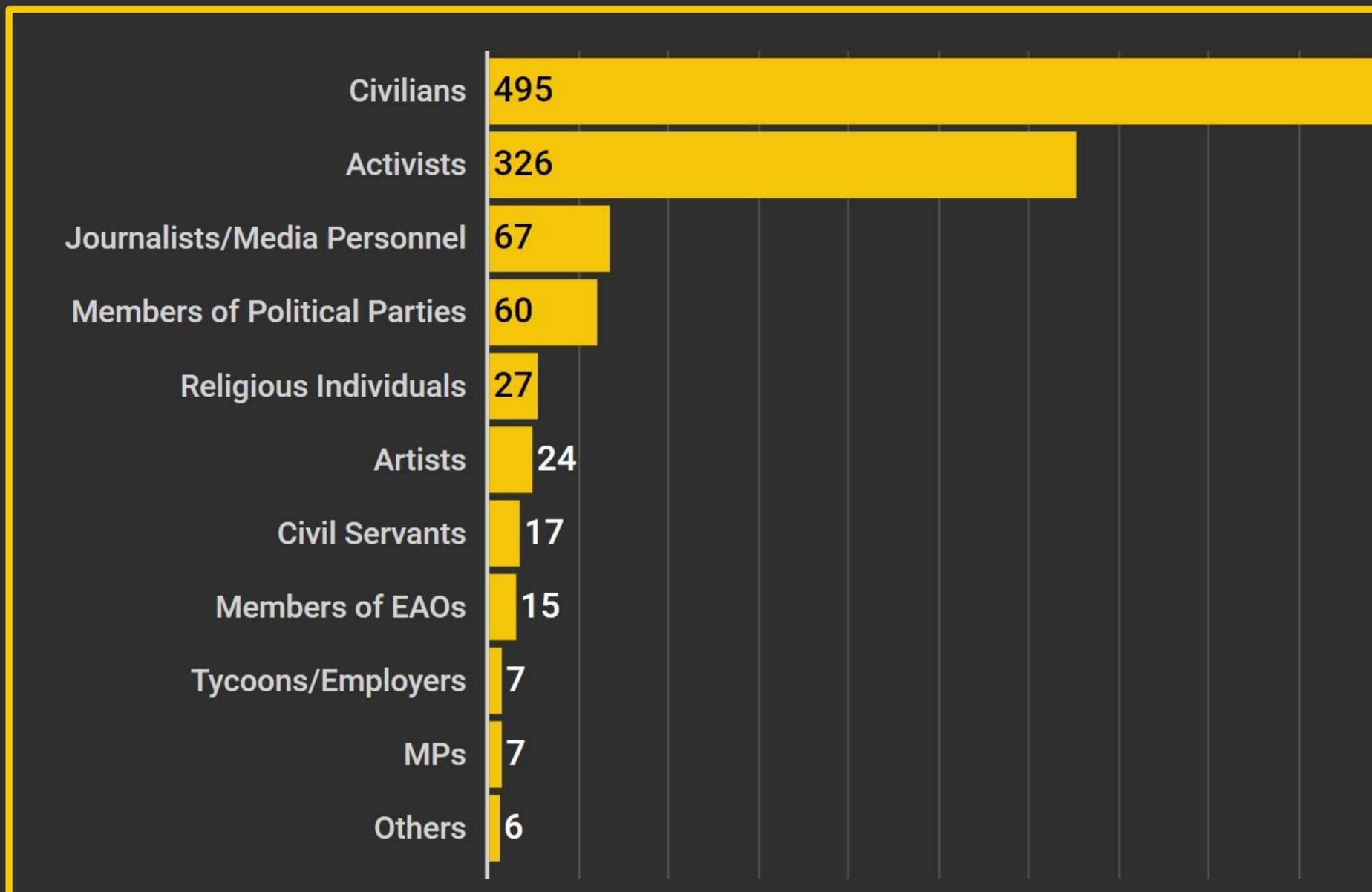## Analysis I. Violations

539 Lawsuits   1051 Individuals

There are at least 539 lawsuits, in which several laws and legal provisions that are repressive to freedom of expression were used, against no less than 1,051 individuals.
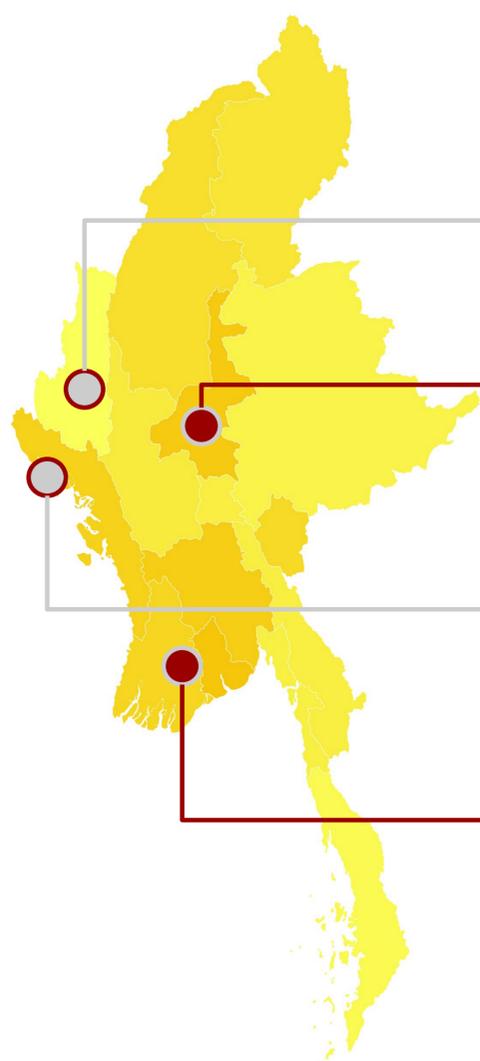
Athan – Freedom of Expression Activist Organization

Analysis II. Victims

Victim Type	Count
Civilians	495
Activists	326
Journalists/Media Personnel	67
Members of Political Parties	60
Religious Individuals	27
Artists	24
Civil Servants	17
Members of EAOs	15
Tycoons/Employers	7
MPs	7
Others	6

[Chart – Proportion of lawsuits based on the types of victims]

Chin State is the only area where no such lawsuits are found.

Mandalay Region has the second highest number of free expression violations in the whole country.

Rakhine State has the highest about of cases of free expression violations among all States in the country.

Yangon Region is ranked at the top with the highest number of free expression violations in the whole country.
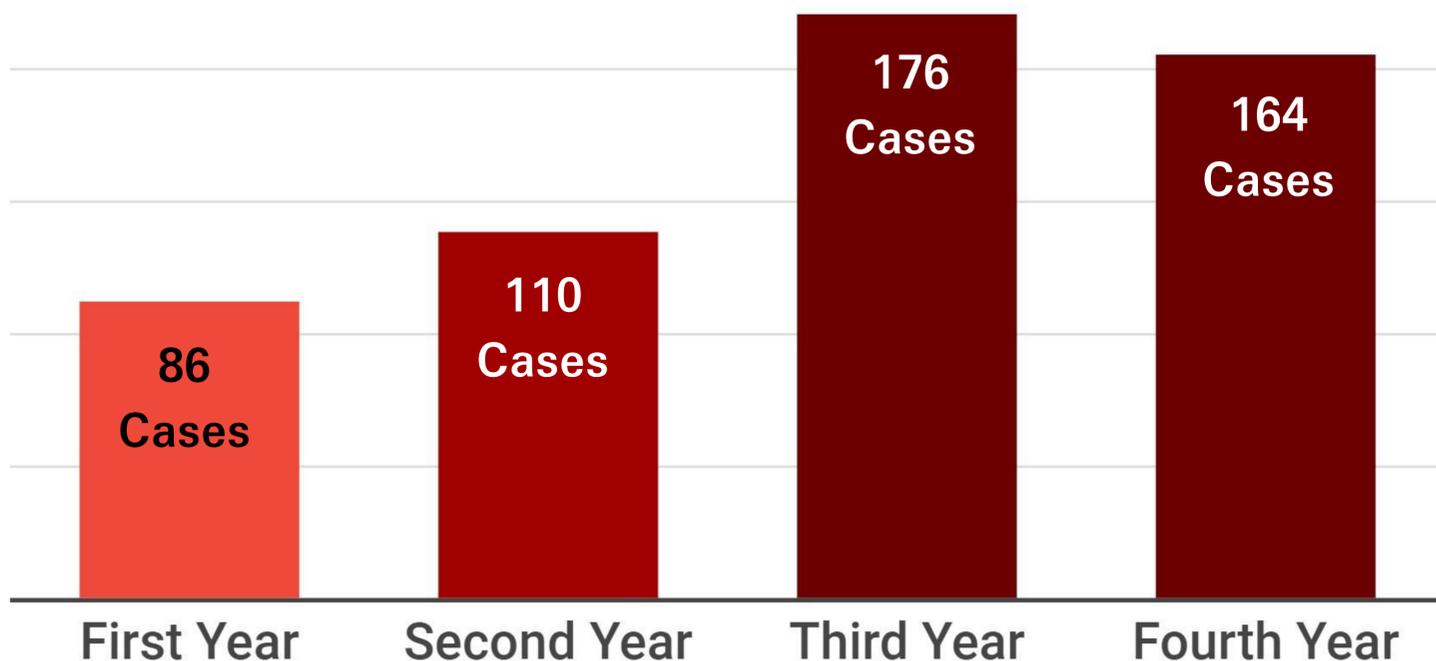
[Chart – Significant facts of Regions and States]

Analysis III: Prosecutions

	1st Year	2nd Year	3rd Year	4th Year
Telecommunications Law	63	60	61	45
Peaceful Assembly and Peaceful Procession Law	9	13	48	21
Law Protecting the Privacy and Security of Citizens		5	15	34
Section 505(b) of Penal Code	4	11	13	12
Section 500 of Penal Code	4	3	4	3
Section 505(a) of Penal Code	1		3	8
Unlawful Associations Act	1	4	3	4
Counter-Terrorism Law				8
Section 114 of Penal Code			2	5
Offences relating to Blasphemy from Penal Code		1	4	2
Section 505(c) of Penal Code		1	5	
Sedition from Penal Code	1	1	1	3
Other criminal laws and legal provisions	6	11	17	19

[Chart – Comparison of lawsuits under several laws year by year under current regime]

[Chart – Increasing number of lawsuits year by year]

- First Year: 86 Cases
- Second Year: 110 Cases
- Third Year: 176 Cases
- Fourth Year: 164 Cases

Analysis IV: Government's Violations

Lawsuits filed by the
government officials such as police officers
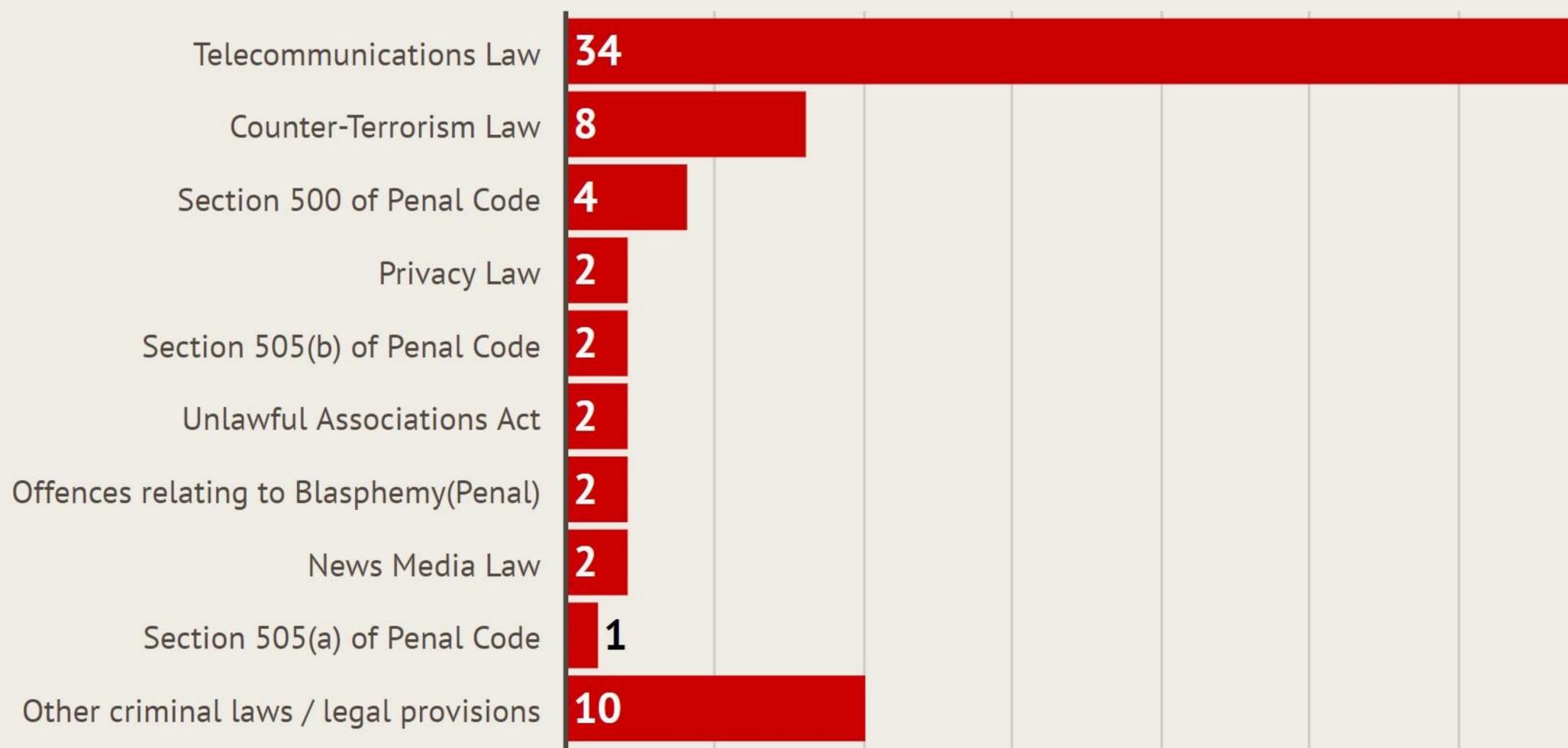and civil servants, violating freedom of expression

251

Lawsuits filed by political parties and
pro-government individuals over criticism of government

8

Lawsuits filed by political parties, civil servants and
other individuals over criticism of the State Counsellor

19

Law	Count
Telecommunications Law	34
Counter-Terrorism Law	8
Section 500 of Penal Code	4
Privacy Law	2
Section 505(b) of Penal Code	2
Unlawful Associations Act	2
Offences relating to Blasphemy(Penal)	2
News Media Law	2
Section 505(a) of Penal Code	1
Other criminal laws / legal provisions	10

[Chart – Number of government's lawsuits and several laws used in the lawsuits,
in a manner of freedom of expression violations]
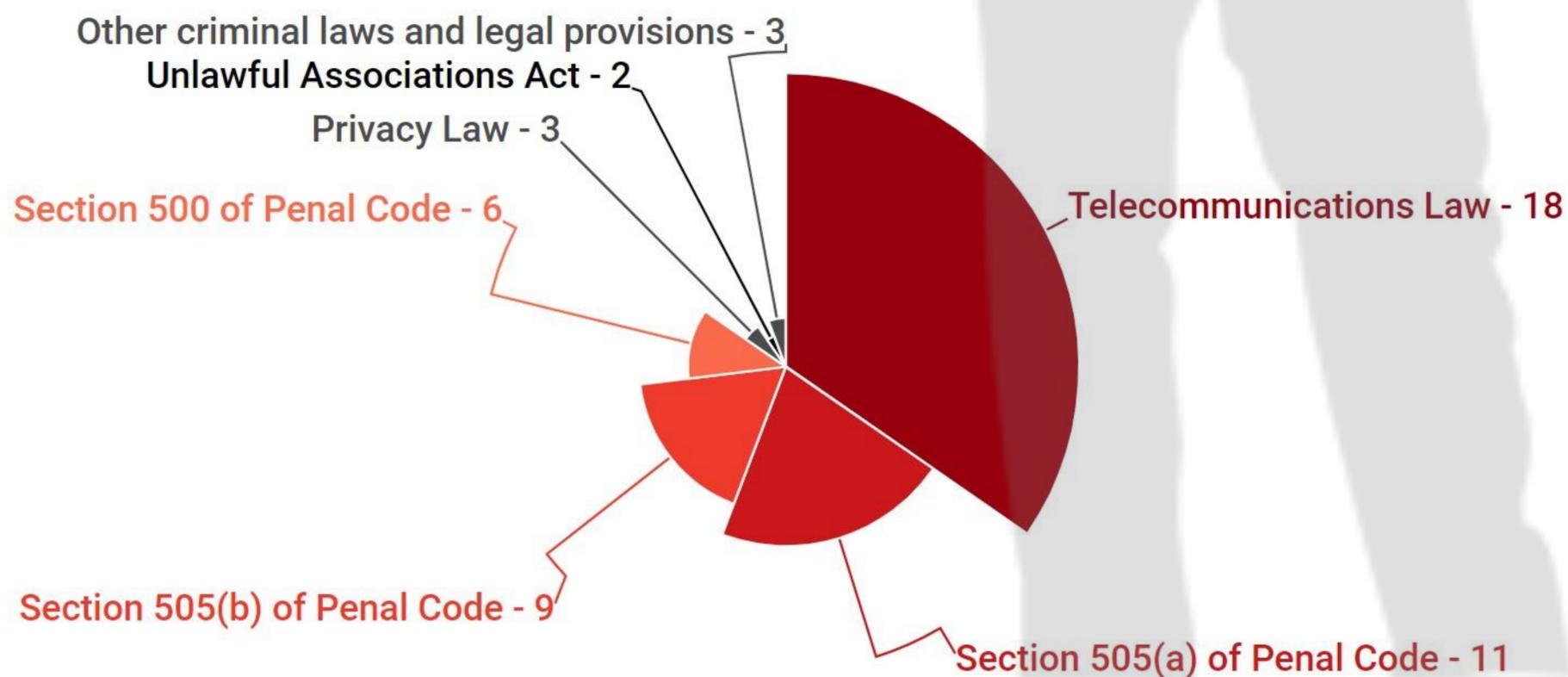
Lawsuits filed by the Tatmadaw

52

Lawsuits filed by the third-party complainants

14

Tatmadaw filed 52 lawsuits violating freedom of expression in the past four years. In some cases, the Police filed lawsuits against individuals for criticising Tatmadaw or exercising the right to protest instead.

52%   **48%**

● Offline ● Online

48% of the Tatmadaw's lawsuits is against criticism of the Tatmadaw on social media and other digital platforms while 52% is against offline criticism.
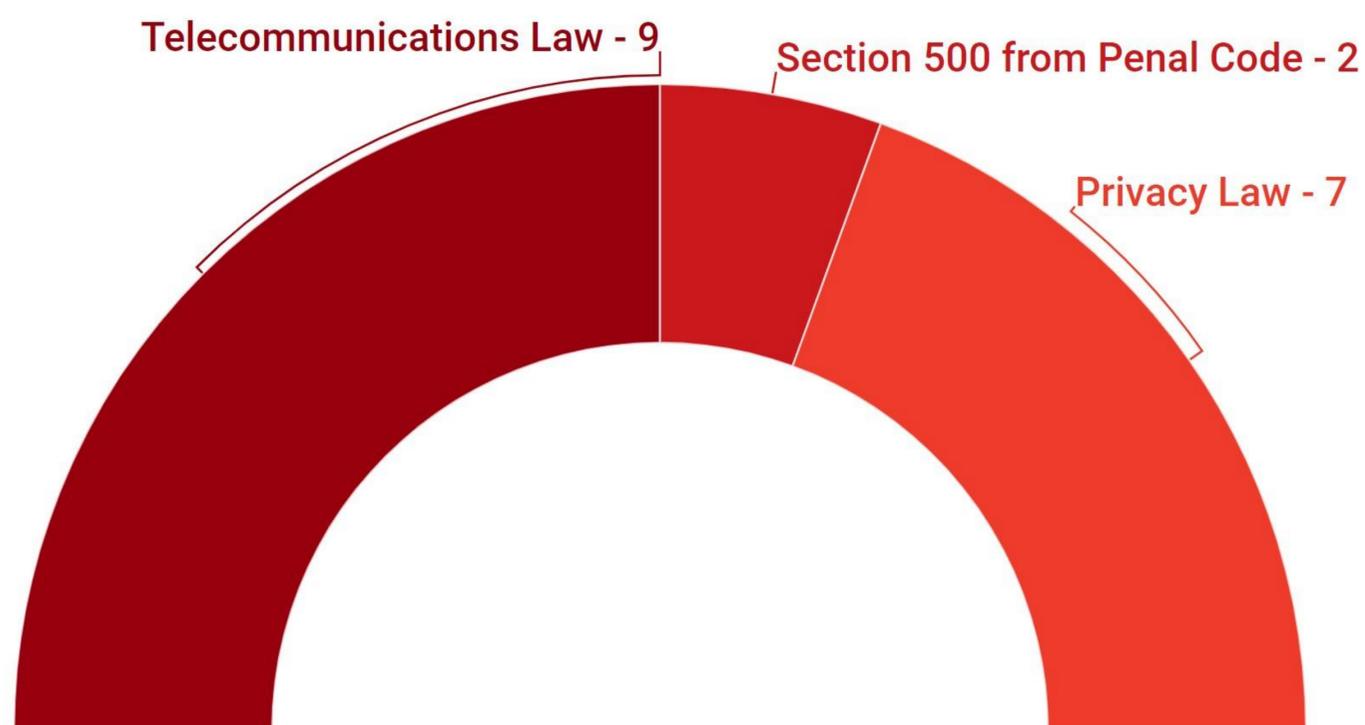
Other criminal laws and legal provisions - 3
Unlawful Associations Act - 2
Privacy Law - 3

Section 500 of Penal Code - 6

Telecommunications Law - 18

Section 505(b) of Penal Code - 9

Section 505(a) of Penal Code - 11

[Chart - Number of the Tatmadaw's lawsuits and several laws used in the lawsuits]

Analysis VI: Parliamentarians' Violations

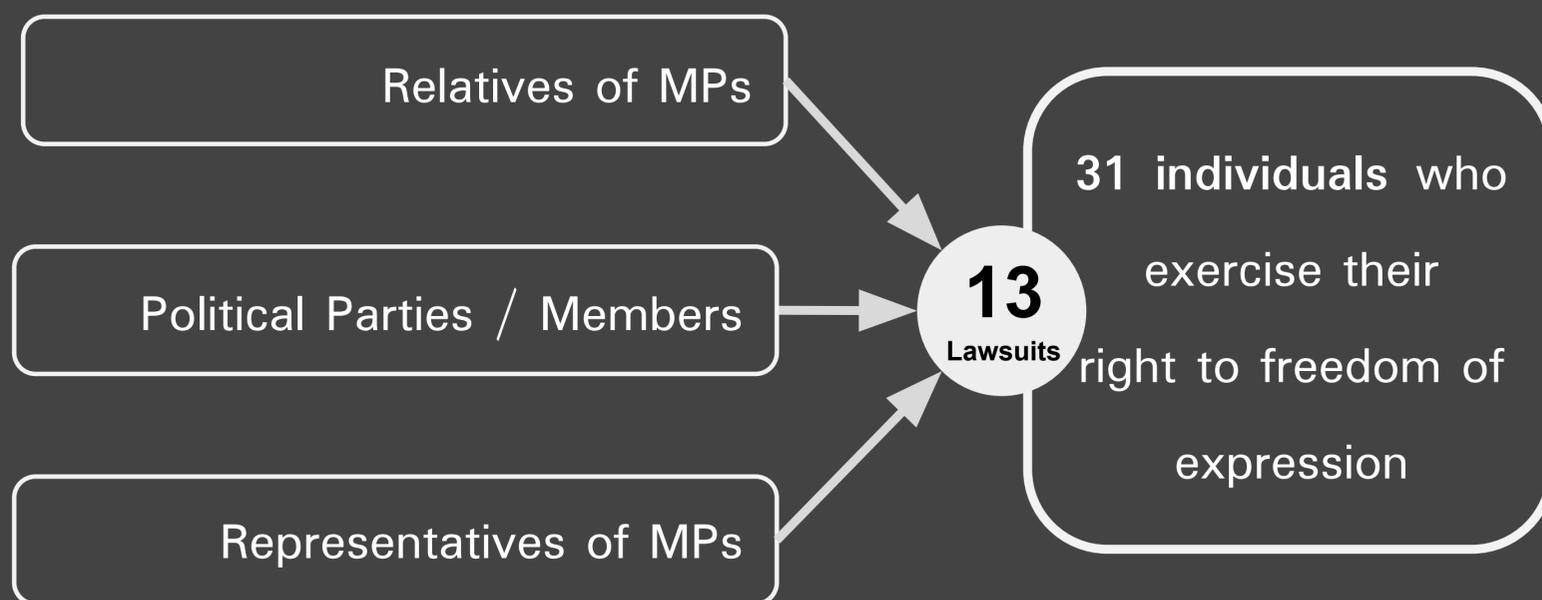| 14	→	18	→	35
MPs		Lawsuits		Civilians

14 parliamentarians used defamation laws to file lawsuits against 35 individuals. Some were sentenced to two-year imprisonment.

Telecommunications Law - 9

Section 500 from Penal Code - 2

Privacy Law - 7

[Chart – Number of the MP' lawsuits and several laws used in the lawsuits]

31 individuals faced 13 lawsuits filed by third-party complainants because they criticized, protested or sent complaints against parliamentarians.
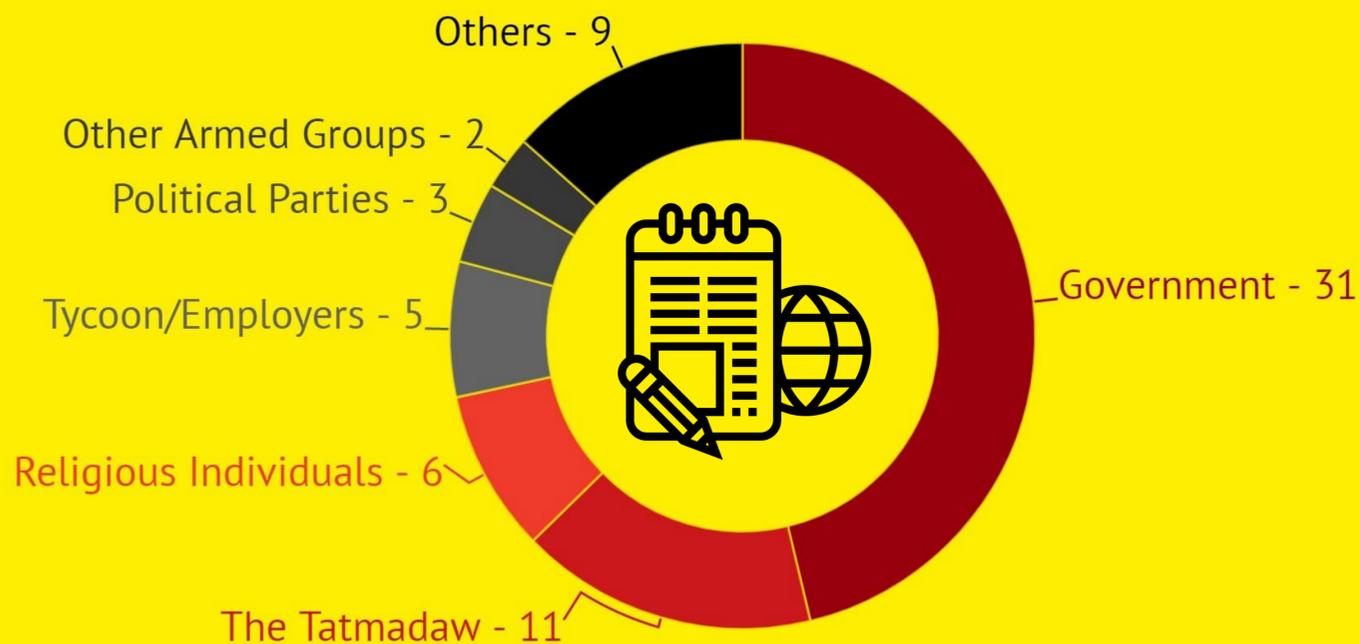
Relatives of MPs

Political Parties / Members

Representatives of MPs

13 Lawsuits

31 individuals who exercise their right to freedom of expression

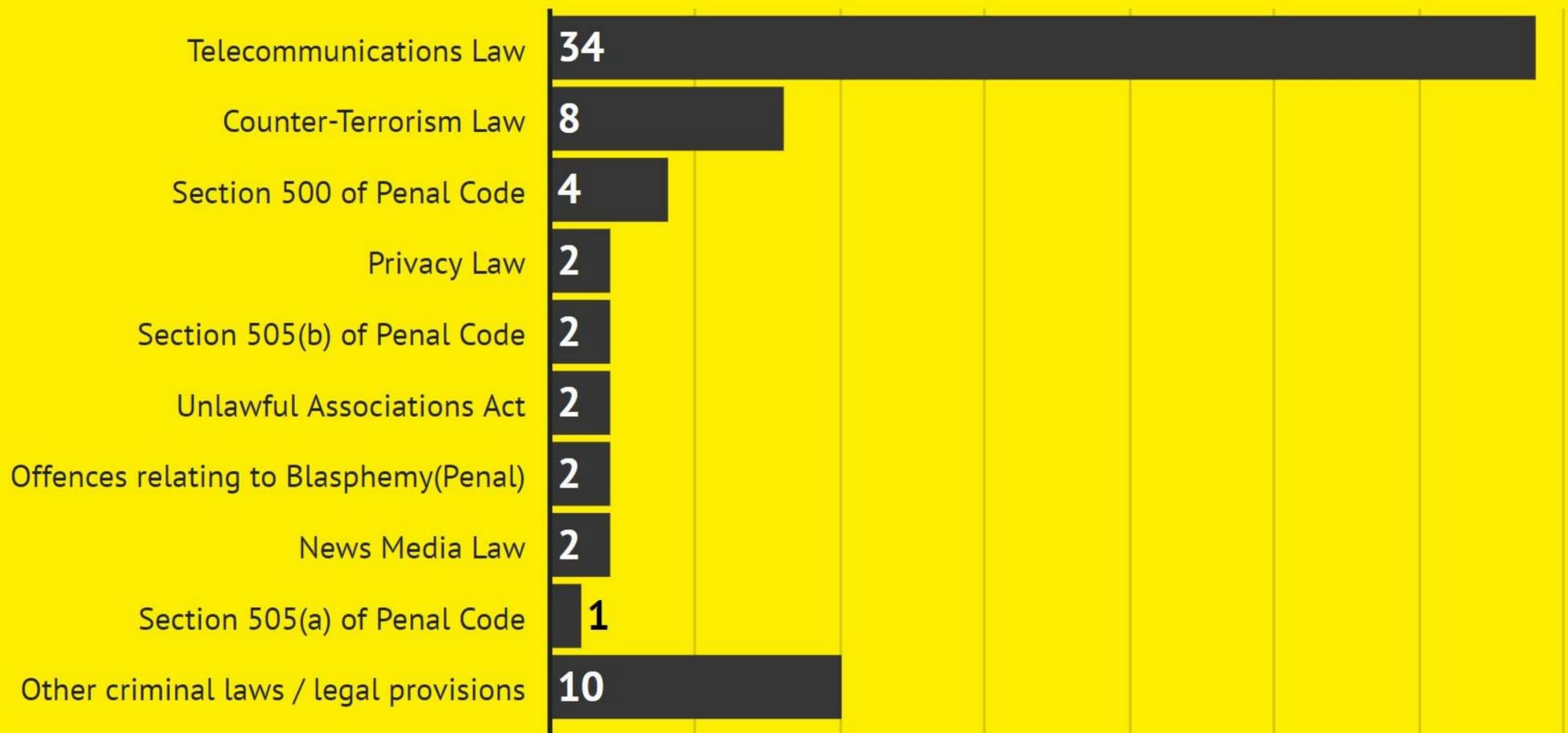There are dozens of violations of media freedom under the current regime. There are 67 lawsuits against 67 journalists.

Ko Nanda, Channel Mandalay journalist was prosecuted and sentenced to two years in prison for covering protests in 2019. He is still in prison.

67 Journalists

67 Cases

*Note –
In some cases, more than one journalist have been sued. We also found that a journalist has been sued for more than one lawsuit.*

Others - 9
Other Armed Groups - 2
Political Parties - 3
Tycoon/Employers - 5
Religious Individuals - 6
The Tatmadaw - 11
Government - 31

*[Chart –
Types of complainants against journalists and number of lawsuits]*

Law	Number
Telecommunications Law	34
Counter-Terrorism Law	8
Section 500 of Penal Code	4
Privacy Law	2
Section 505(b) of Penal Code	2
Unlawful Associations Act	2
Offences relating to Blasphemy(Penal)	2
News Media Law	2
Section 505(a) of Penal Code	1
Other criminal laws / legal provisions	10

[Chart – Number of the lawsuits in which journalists are prosecuted, and laws are used in the lawsuits]