



# Democracy Derailed in Myanmar

## 2021

How the military junta has curtailed attempts for democratic reform in Myanmar



Photo - CHRO

# Introduction

Myanmar has been embroiled in decades of internal warfare in which the military junta has adopted strategies in an attempt to harness control over the civilian population. In 1962, the first military coup in the country established the beginning of a one-party rule. Armed control of Myanmar's affairs continued for twenty-six years until 1988 where nationwide People Power Uprisings called for an end to the Burmese way to socialism, in which the junta's economic policies had pushed millions to the brink of survival. From 1988 until 2011, the military regime ruled the country. President Thein Sein oversaw the beginning of reforms during his final years in power.

The Myanmar Generals have frequently deployed violent actions meant to weaken local resistance movements and to assert their dominance over ethnic populations. When the National League for Democracy (NLD) was elected in 2015, the military struggled to share power with the civilian government, and regularly committed human rights violations. Despite moments of international condemnation, the Myanmar junta has largely evaded accountability for their crimes.

The military-drafted 2008 Constitution has contributed to their merciless authority which regularly provided amnesty to soldiers who committed endless crimes against civilians. Many of those in power today are longstanding

Commanders in the Myanmar military. Their reign, which has spanned seven decades, has prevented meaningful pathways to transitional justice for the thousands who have been killed and injured in the Tatmadaw's pursuit for power.

Following years of authoritarian rule under the Myanmar junta, in 2015 the NLD won in a resounding landslide against the military-backed Union Solidarity and Development Party (USDP). NLD leader, Daw Aung San Suu Kyi, was victorious after years of house arrest and unyielding attacks on her party's members. The transition to democracy under a quasi-civilian government was slow but steady. It was challenging to advance and reform meaningful legislation due to the junta's effective veto power, with 25 percent of Myanmar's parliament seats reserved for unelected military Members of Parliament.

Undeniably, the NLD's first term failed to meet the expectations held by much of the population. After being persecuted by the Bamar figureheads who had ruled previously, Myanmar's ethnic people hoped for recognition of their struggle from the NLD, which failed to deliver on the party's promises for peace and reconciliation.

As the NLD governed and attempted to navigate the political, economic and social landscape of Myanmar's affairs, the military constantly sought to undermine the authority of Daw Aung San Suu Kyi and her party's decisions whenever possible.

At the end of the NLD's re-election campaign, the party won an even greater majority in the November 2020 General Election. To the Myanmar junta, this was unfathomable and unacceptable and something had to be done about it.

In the early morning hours of 1 February 2021, the military orchestrated a coup and claimed electoral fraud, despite not having any evidence of such. Senior General, Min Aung Hlaing, arranged the overthrow of the NLD and senior leaders were swiftly arrested and taken into military custody. Later that day, the junta announced that 24 NLD appointed ministers and deputies had been removed and 11 replacements had been named, including in finance, health, the interior and foreign affairs.<sup>1</sup> Democratically elected officials who managed to evade arrest by the junta's security forces were immediately forced into hiding for their safety and security. The junta officially annulled the NLD's victory several months later.<sup>2</sup>

What has followed since has been a remarkable show of unity against the backdrop of horrendous displays of systematic violence by the junta. The National Unity Government (NUG), was formed in exile by the Committee Representing Pyidaungsu Hluttaw (CRPH) in April 2021. The NUG is a mix of elected officials from the 2020 General election and long-time human rights advocates. Since its formation, the NUG has admitted to past failings as elected Members of Parliament under the NLD, particularly in response to the poorly handled Rohingya crisis.<sup>3</sup> In addition, the NUG has supported the growing resistance movement

in the country and sought to earn legitimacy from the international community and from groups like the Association of Southeast Asian Nations (ASEAN).

In response to the growing dissent against the junta, the Myanmar military designated the NUG, CRPH and civilian armed defense forces as 'terrorist groups.'<sup>4</sup> Under the Counterterrorism Law, anyone with suspected ties to the groups could face ten-years to life in prison if convicted.<sup>5</sup> The military truly believed that their coup would go unchallenged, but as the formation of more pro-democracy/anti-junta groups continues to emerge, it is proving to be exactly the opposite. Myanmar is a country which though vast in resources and diversity, has been oppressed by authoritarian leaders who have long squandered political dissent in exchange for more power, and profit.

This briefing paper by the Network for Human Rights Documentation – Burma (ND-Burma) will explore how increased militarization by the Myanmar Generals has manipulated the democratic transition in the country and derailed any attempts for meaningful peace and reconciliation. A series of events since the attempted coup will be analyzed which make clear that no matter how the junta defends their hold on power, they have no interest in any form of democracy. Their priority is to protect and preserve their wealth and state interests, even at the detriment of innocent civilians.

1. "Myanmar coup: Aung San Suu Kyi detained as military seizes control," BBC, 1 February 2021,

2. "Myanmar Junta Officially Annuls NLD's 2020 Election Win," The Irrawaddy, 27 July 2021

3. "Junta Brutality Gives Myanmar's Majority a Taste of Ethnic Minorities' Plight," Radio Free Asia, 23 April 2021 and "Myanmar National Unity Government Minister Acknowledges Rohingya Persecution and Offers Apology," Fortify Rights, 22 April 2021

4. "Myanmar Junta Declares National Unity Government, CRPH, Defense Forces as 'Terrorist' Groups," The Irrawaddy, 10 May 2021

5. Ibid

# Part 1: Increased militarization to squander dissent in urban and rural areas

With a history of repeated offensives against civilians and Ethnic Revolution Organizations (EROs) the Myanmar junta is no stranger to civil war. Never hesitating to pick up arms to defend the institution which is the Tatmadaw, the Generals and their soldiers have acted with brazen disregard for anyone who challenges or dismisses them. Even those with no affiliation or ties to resistance movements or political adversaries have been ruthlessly gunned down by junta soldiers, purely on unproven suspicions and racist attitudes.

The coup has not succeeded, much in part to the fighting spirit of Myanmar people who have overwhelmingly rejected the junta. Protests in the hundreds of thousands have sparked a nationwide Spring Revolution, which has even inspired Tatmadaw soldiers to defect at an unprecedented rate.<sup>6</sup> By the end of June, approximately 800 soldiers had abandoned their

posts and by the end of August the number had nearly doubled to around 1500.<sup>7</sup> As of September, the rate at which defections from the junta were taking place grew from 23 per day to 37.<sup>8</sup> Many stepped down as violence against unarmed, innocent civilians intensified.

During the height of protests between February and April, the junta showed little patience and quickly resorted to using excessive force against peaceful demonstrators. Tatmadaw soldiers responded with violence including the firing of live ammunition, rubber bullets, teargas and beating of protesters, as well as first responders. Urban areas of Myanmar's main cities including Yangon, Mandalay, Taunggyi (Shan State), Myitkyina (Kachin State), Hakha (Chin State) and others all became overwhelmed with soldiers in the streets attempting to violently squander dissent. Journalists were taken away, often physically assaulted before being thrown into police trucks.

6. "Atrocious Myanmar Army at Risk of Splitting: Army Defectors," The Irrawaddy, 28 August 2021

7. "Around 1500 soldiers have defected and joined the Civil Disobedience Movement since the coup," Myanmar Now, 17 August 2021

8. "Number of Police Joining CDM," – People's Embrace, 15 September 2021



Mya Thwe Thwe Khaing, 19, was the first civilian to be killed since the coup after being shot in the head in Naypyidaw on 9 February.<sup>9</sup> Since her death, over one thousand civilians have lost their lives to the Myanmar junta, including at least 75 children who have been murdered, and even gunned down in their own homes.<sup>10</sup>

In moments of crisis and desperation, bold individuals stood up in the face of injustice. A nun in Myitkyina, Kachin State was among those who begged the military police forces not to shoot protesters.<sup>11</sup> Yet, still the regime was unrelenting in their violence. In one of the bloodiest days exerted by the junta, over three dozen lives were lost during a crackdown in Yangon on 13 March.<sup>12</sup> Even political prisoners found ways to participate in the growing calls for an end to the junta's injustices.<sup>13</sup> Despite the violence, demonstrators

were not deterred and continued to bravely take to the streets with signs and chants calling for democracy and for the restoration of the democratically elected NLD. Each day, dozens more continue to be arbitrarily arrested and detained. In the evenings, warrantless arrests and abductions only add to the rising numbers of political prisoners.

Following months of growing disdain for the junta and unanswered calls to the United Nations (UN) and other international bodies to hold the military accountable for their actions, the people of Myanmar began forming local resistance groups to protect themselves against the regime.<sup>14</sup> Feeling like they were left with no other choice, people of all ages, genders and socio-economic backgrounds came together to train with EROs, who have also overwhelmingly rejected the



A memorial was erected in Yangon on Friday, 22 February, 2021  
(Photo : Reuters)

9. "Myanmar coup: Woman shot during anti-coup protests dies," BBC, 19 February 2021

10. "75 children killed, 1,000 detained since Myanmar coup: UN experts," Al Jazeera, 17 July 2021

11. "Nun begs Myanmar military police not to shoot protesters, video from northern state shows," South China Morning Post, 28 February 2021

12. "Myanmar protests: Demonstrators killed in bloody Yangon crackdown," BBC, 14 March 2021

13. "Protest breaks out at prison in Myanmar's biggest city," Bangkok Post, 23 July 2021

14. "Local uprisings emerge to challenge Myanmar's army," Reuters, 19 April 2021



Naw Beh Htoo, age 58, was wounded by an airstrike in Day Pu No in Karen State on March 27, 2021.  
(Photo : <https://www.freeburmarangers.org/>)

coup. The expansion of what became known as ‘People’s Defense Forces’ (PDFs) threatened the junta, and subsequently resulted in mass militarized operations particularly in rural areas.

State-sponsored violence has seen innocent people tortured, killed, raped and sexually assaulted, villages burned to the ground and more rampant rights violations. In ethnic areas, villagers have been forced to witness history continue to repeat itself. Twenty-thousand Karen people were forced into hiding following airstrikes – the first seen in twenty-years in the state – by the junta following attacks shortly after the coup,<sup>15</sup> resulting in 90% of the rural population being displaced in Mutraw District.<sup>16</sup>

Indiscriminate firing and artillery shelling have left villagers paralyzed by fear as Karen armed groups began plotting counter attacks. Despite

a ceasefire announced by the Tatmadaw on 1 April 2021, the junta has been attacking northern and south eastern parts of the state. As of August 2021, the Karen Women’s Organization and Karen Human Rights Group reported on increasing offensives in civilian areas, which included women in particular being used as human shields for the junta.<sup>17</sup> Women face many risks in custody of the regime given their reputation for using rape as a weapon of war in conflict.

Chin State’s Mindat township has also been devastated in the aftermath of the coup. As one of the first to establish a local militia group, the junta’s assaults were widespread and brutal.<sup>18</sup> With a population of less than 50 000 people along Chin State’s mountains, their resistance was admirable. Lethal force led to thousands fleeing and seeking shelter. The situation forced

15. “20,000 in Hiding in Karen State as Burma Army Airstrikes and Ground Attacks Continue to Kill Civilians,” Free Burma Rangers, 5 April 2021

16. “Regime airstrikes have displaced 90% of rural population in embattled Karen District,” Myanmar Now, 25 May 2021

17. “Karen Rights Groups Condemn Burma Army’s Use of Women as Human Shields Against Landmines and Attacks,” Karen Information Center, 8 September 2021

18. “Myanmar: The small embattled town that stood up to the army,” BBC, 22 May 2021



expectant mothers to flee for their lives and jeopardized the well-being of the elderly and young children due to a lack of access to health services.<sup>19</sup> Since the coup, the Myanmar junta has killed more than one-hundred Chin civilians including seven women and fourteen children.<sup>20</sup>

Residents in Chin State have also been subjected to privacy violations including security raids and the confiscation of properties including cell phones and motorbikes.<sup>21</sup> The Chinland Defense Force (CDF) and Chin National Army have been regularly fighting the junta. According to the CDF, there are between 30,000 and 50,000 IDPs but in the camps at least 15,000, though these numbers are growing steadily.<sup>22</sup>

In Sagaing region, civilians have been caught in the midst of the offensives. The military has used torture in their violent pursuit of soldiers affiliated with the resistance movement. Documentation by ND-Burma, the Assistance Association for Political Prisoners and Nyan Lynn Thit Analytica found that the 44th and 99th Light Infantry Division, including battalion 228th, have attacked almost every village in Kani Township, using some thousand troops in three different strategic divisions.<sup>23</sup> Civilians have been forced to flee to the jungle where they are in urgent need of food and humanitarian aid. Phone lines and Internet from Ooredoo and Telenor were

suspended between July and August in several villages in Kani Township, which only worsened the lack of security that locals felt.<sup>24</sup> The junta has raided townships in Sagaing with ample ammunition and tortured dozens of civilians to death to extract information and create terror.<sup>25</sup> Villages have also been burned to the ground.<sup>26</sup>

Women living in conflict-prone areas are also subject to the ongoing threat of attacks. On July 6, three civilians, including two children, were killed by an unexploded ordnance device in areas of Sagaing Region where tensions have been escalating between the regime and the People's Defense Force. A pregnant woman in Sagaing region was among those injured while fleeing attacks by the Myanmar junta. Soldiers began indiscriminately firing at those fleeing when she was shot in the leg. The clashes also resulted in a five-year-old girl being paralyzed after she was struck by shrapnel and did not receive adequate medical treatment in time.<sup>27</sup> High medical fees for the family have further complicated this situation.

Ethnic states have been plagued by the junta's violence for decades. Fighting in Kayah State has led to a quarter of the population being forcibly displaced since February.<sup>28</sup> As civilians challenge the status-quo of the junta, more and more innocent people are being arrested on suspicion of having ties to PDFs. By mid-September, nearly

19. "Myanmar women give birth in jungle as military lies in wait," Al Jazeera, 21 July 2021

20. "Tatmadaw Killed Over 100 Civilians in Chin State," Khonumthung News, 6 September 2021

21. "The need for urgent cross-border humanitarian response on the Western front," Chin Human Rights Organization, 12 September 2021

22. Myanmar's Military Blocks Supply Routes to 50,000 Refugees in Chin State Amid Renewed Fighting," Radio Free Asia, 9 August 2021

23. "Massacres in Kani Township, Yinmabin District, Sagaing Region," ND-Burma, the Assistance Association for Political Prisoners and Nyan Lynn Thit Analytica, 18 August 2021

24. Ibid

25. "At least 18 locals, including unarmed civilians, killed in Magway Region," Myanmar Now, 13 September 2021

26. "Junta soldiers torch 27 houses, murder civilian in Magway village," Myanmar Now, 13 September 2021

27. Five year old girl paralyzed by untreated shrapnel injury after military shelling in Kalay," Myanmar Now, 16 July 2021

28. "UN says estimated 100,000 people internally displaced in Myanmar's Kayah State due to violence," Hindustan Times, 8 June 2021

29. Civilians Arrested as Myanmar Military Cracks Down in Kayah State," The Irrawaddy, 14 September 2021

30 civilians had been detained by the junta.<sup>29</sup>

In Kachin State, civilians have been displaced due to increased clashes between the Kachin Independence Army (KIA) and state backed forces. Despite being well armed, the war is no doubt taking its toll on the junta who have seen mass casualties from civilian resistance groups and EROs seizing long-held Tatmadaw bases.<sup>30</sup> Villagers continue to be caught in the crossfire, including a young man who was shot on sight as he simply walked by the regime. The same day, the Myanmar Army indiscriminately fired shells which landed in a nearby village. At the beginning of September, a woman from Wu Yang was killed when artillery shells struck her village.<sup>31</sup>

The Tatmadaw is an institution in Myanmar which has long-held views that they are the protector of the state – and yet, they are consistently undermining civilian safety and security. Evidence of the horrors the junta is capable of is evident in the ash left behind the villages they have sent ablaze, and the lifeless bodies which they have unjustly tortured, killed and disregarded.

The human rights violations which have accelerated in the country since the coup indicate the regime is willing to do everything in their power to secure their hold. The well-documented ‘four cuts’ policy in which the Myanmar junta cuts off civilians and armed groups from recruits, food, information and aid is being used again to

isolate communities from any type of support.<sup>32</sup> However, unprecedented alongside their brutality is the people’s steadfast commitment to ensuring the regime does not succeed.

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30. “Junta Troops Killed in Civilian Attacks Across Myanmar,” The Irrawaddy, 10 September 2021

31. “Burma Army Extracts Bribes from Travelers In Kachin State,” Kachin News Group, 26 August 2021

32. Ibid



## Part Two: Fundamental freedoms denied

Freedom of expression has never been valued or protected by the Myanmar junta. With a backlogged history of using draconian and colonial era laws to safeguard the Tatmadaw's reputation, censorship is prized among the Generals who abuse the rule of law to persecute anyone who criticizes them. The Penal Code and the Telecommunications Law in particular have been used excessively in Myanmar to silence, intimidate and punish opponents of the junta.<sup>33</sup>

Since the attempted coup, the military's ability to disparage dissent has only emboldened them to change laws which criminalize free speech even further. Among the amendments the junta is using to persecute civilians who challenge their rule is the Law Protecting the Privacy and Security of Civilians. The suspension of several sections by the military have given the regime authorization for warrantless arrests, surveillance and seizure.<sup>34</sup>

Ongoing 'stop and frisk' tactics across communities in Myanmar have been legalized through these amendments. Junta soldiers who are stationed at checkpoints have received orders to confiscate any evidence of pro-democracy activities from civilians and to subsequently arrest, beat or

detain anyone who does not comply with their orders. As a result, civilians do not feel safe in an environment which has denied them of any sense of security. Youth in particular have been targeted.

Journalism is yet another element of a free and thriving democracy which is under attack by the junta. Women face great risks reporting in conflict-zones and high-tension scenarios where they are subject to sexual violence by the military. Their commitment to truth telling, regardless of the risks, is indicative of the integrity and courage in their work. The detention of Htet Htet Khine and all female detainees is all the more worrying given the treatment women have experienced behind bars. Female reporters who are incarcerated are more likely to be tortured through psychological warfare which includes being kept in dark rooms and threatened.<sup>35</sup>

The suppression of free speech, assembly and peaceful protest has been met with growing backlash by rights groups who advocate to protect spaces where civilians are liable for repercussions by speaking out against the state. Less than two weeks after the coup, Reporters

33. "Myanmar: Telecommunications Law," Article 19, 8 March 2017

34. "We have lost our private sphere," The infringement of privacy rights under the military junta in Mon State, Karen State and Tanintharyi region, The Human Rights Foundation of Monland, 15 September 2021

35. "Arrests, Torture, Beatings and Jail – Inside Myanmar's Daily Junta Reality," Karen News, 31 August 2021



People were arrested as security forces used tear gas, water cannons and live ammunition in Karen State as protesters were also beaten (Photo : karennews.org) March, 2021.

Without Borders stated: “Myanmar is back where it was ten years ago, before the disbanding of the junta in February 2011 allowed a free press to emerge.”<sup>36</sup> By September, the junta had arrested 87 journalists since February, and had only released just over two dozen in a general amnesty in June.<sup>37</sup> While in custody of the regime, journalists are political prisoners and subject to horrendous, degrading treatment including arrests, torture and daily beatings.

In April, the regime began publishing lists of wanted journalists who the junta accused of ‘spreading news to affect state stability.’<sup>38</sup> Those listed were also subject to charges under the colonial-era Section 505A of the Penal Code, which criminalizes anyone who publishes or shares information that is critical of the Myanmar Tatmadaw. The immediate threat to safety forced dozens of journalists to go into hiding. Thin Thin

Aung, a prominent women’s rights defender and founder of Mizzima news, was among those to be arrested not long after the junta released the wanted list. Civil society organizations including the Women’s League of Burma, have called for her release.<sup>39</sup>

Remarkably, one Myanmar journalist from the Democratic Voice of Burma live-streamed his arrest as police could be heard firing shots near his apartment in Myeik.<sup>40</sup> Before being taken away, he was heard saying: “help, help. They’re shooting at me.”<sup>41</sup> None of the journalists behind bars should have ever been imprisoned to begin with. The junta’s crusade against the free press is yet another stain on their legacy of discarded rights and freedoms.

The military has not hesitated to open fire on those clearly marked ‘press’ or even medics at

36. “Press freedom set back ten years in ten days” after coup in Myanmar,” Reporters Without Borders, 10 February 2021

37. “More Than Seven Dozen Reporters Arrested Since Myanmar Coup,” Radio Free Asia, 14 September 2021,

38. “Myanmar junta now publishing lists of wanted journalists,” Reporters Without Borders, 19 April 2021

39. See press release: “Women’s League of Burma calls on international support for the immediate release of Women’s Human Rights Defender Thin Thing Aung,” 9 August 2021

40. “Shots fired as Myanmar journalist live-streams police raid to detain him,” Reuters, 3 March 2021

41. Ibid

protests. A doctor affiliated with the Myanmar Doctors for Human Rights Network was on the frontlines in Yangon and recalled state-security forces specifically targeting female medics who were ‘just trying to do their jobs.’<sup>42</sup> Journalists in urban and rural areas have also been met with force during their reporting. A Frontier Myanmar reporter was shot on March 27 in Mandalay and who, in the midst of the chaos, did not receive medical treatment until three hours after.<sup>43</sup> This is the unfortunate new reality for many attempting to cover the protests and respond to civilian needs during the Spring Revolution. They risk their own protection in pursuit of the truth.

Activists have also been threatened for criticizing the leaders of the coup and the soldiers who have killed hundreds in their lawless quest for legitimacy. Human rights defenders are among the peaceful protesters, organizers and campaigners who have faced bullets and batons in the streets and in their homes for voicing their outrage. Many of those who have been vocal have been forced into hiding. Those arrested face charges under Article 50 of the Counterterrorism Law, which the junta uses to punish those who provide moral or monetary support to groups deemed ‘terrorists. If those wanted by the junta are not home during their raids, family members are often taken as hostages in their place.

To encroach further on fundamental freedoms, the junta has taken to cutting off the Internet. Shortly after the coup, civilians were without a

connection from late in the evening until early in the morning. For months it went on like this. In conflict areas, civilians are also under attack by repressive oversight including regular Internet blackouts and mobile outages, which threatens the safety of villagers who are seeking refuge.

In Kachin State, the tensions between the people and the junta are being felt in all corners of the State. Mobile services have been blocked in Hpakant since August 2021 without reason or any indication of when they would be resumed.<sup>44</sup> In several townships of Sagaing, Mandalay and Chin State following mounting militarization in the area, mobile internet and types of Wi-Fi have also been shut down.<sup>45</sup> The impacts of doing so make it virtually impossible for civilians to access news to prepare for the worst. The ‘blackouts’ make it easier for the junta to commit human rights violations without surveillance against innocent people. Not surprisingly, the fears of civilians have increased as a result of the extensive measures.<sup>46</sup>

Further, fundamental rights and freedoms are protected under the Geneva Convention which includes the right to hold opinions without interference and to obtain information and ideas through any media.<sup>47</sup> It also states that everyone is entitled to the freedom of peaceful assembly and association. The junta has overwhelmingly rejected and refuted those rights by making a mockery of the country through their adherence to what they claim is ‘disciplined democracy.’<sup>48</sup>

42. “Myanmar’s Coup Has Put Women in Harm’s Way,” *The Diplomat*, 3 September 2021

43. “In the line of fire: the deadly job of covering Mandalay’s protests,” *Frontier Myanmar*, 4 April 2021

44. “Myanmar Junta Cuts Internet Access in Hpakant,” *The Irrawaddy*, 24 August 2021

45. “Internet blackout hits parts of Sagaing and Mandalay,” *Myanmar Now*, 15 September 2021

46. “Anti-Junta Townships in Myanmar Fear Internet Shutdowns Signal Imminent Military Offensive,” *Radio Free Asia*, 16 September 2021

47. See Universal Declaration of Human Rights, United Nations

48. “Myanmar junta defends coup for a ‘disciplined democracy,’” *The Times of India*, 9 February 2021

Any government which uses violence to suppress basic rights and freedoms must be condemned in the harshest possible terms. It is unacceptable that civilians are fearing for their lives in the midst of a brutal, militarized civil war. Longstanding calls for their protection must be heard, and freedom of expression must not be used to derail civilian rights.





# Part 3: The Mismanaged COVID-19 Pandemic Response

The nationwide COVID-19 pandemic has taken a toll on populations in Myanmar. The most vulnerable have been hard-hit by the consequences of a slow, and ill-informed response to managing COVID-19. In Myanmar, vaccines for distribution were being ordered by the NLD who had purchased 1.5 million doses of Covidshield/AstraZeneca by the end of January 2021.<sup>49</sup> However, just days later, the junta attempted their coup – thereby derailing all pandemic response plans by the NLD. In many ways, their immediate quest for power over human rights, and by extension health rights, was one of the pinnacles of their sabotaging of the well-being of civilians.

As protests steadily followed, people donning face masks took to the streets to call for an end to military rule. The defiance was steadfast as hand sanitizers and masks were distributed to the growing, rallying crowds. The Myanmar soldier's presence at the protests included attacks against medics.<sup>50</sup> Ambulances have also been targeted since the coup as hospitals are overrun by troops to use as temporary bases. With hundreds of thousands of civilians displaced across the

country, the junta has deliberately blocked aid routes and even burned donated materials.<sup>51</sup> All of which is further evidence that the junta has no respect for human life. The COVID-19 pandemic has proved to be no exception.

A survey led by the NUG revealed that only 5 percent of civilians treated under the provision of junta medical services in hospitals received treatment.<sup>52</sup> Further, only 34 percent were provided with medical assistance by telephone or through social media and two thirds of COVID-19 related deaths did not have access to any adequate medical treatment.<sup>53</sup> Of those, 73% of deaths happened at home and 17% of deaths occurred at the government hospitals.<sup>54</sup> This blatant negligence in care is obvious in the daily records of COVID-19 related deaths and positive cases.

Health-workers who attempted to respond to the needs of those in crisis at their homes were vilified by the junta. Physicians for Human Rights documented violence against health care workers between February 11th and May 11th. Among their findings, more than 20 hospitals

49. "More than 380 000 in Myanmar receive COVID-19 vaccine," Myanmar Times, 5 February 2021

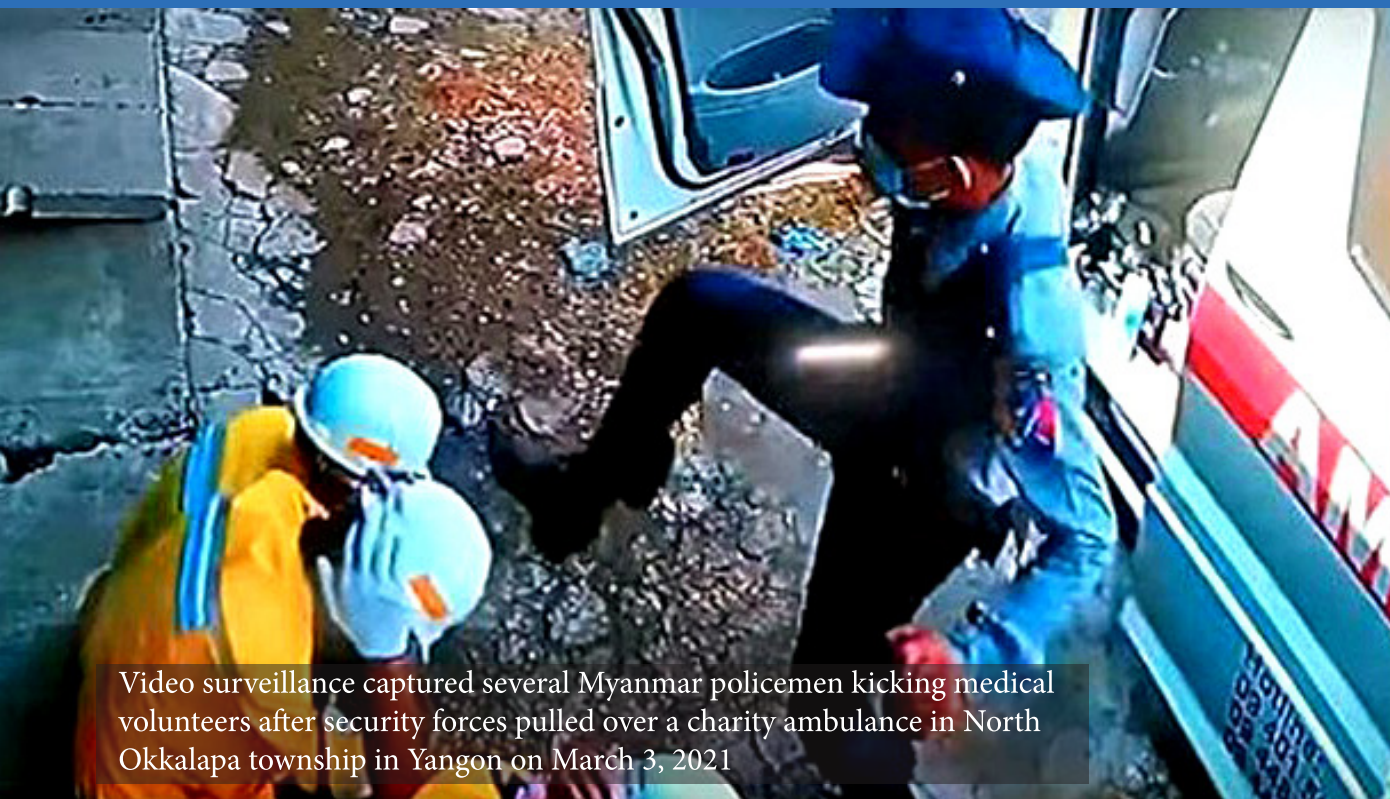
50. "Medics, Aid Volunteers Become Latest Targets of Myanmar Junta's Brutality," The Irrawaddy, 3 March 2021

51. "Many in Mindat still in need as junta imposes restrictions on distribution of UNCHR aid," Myanmar Now, 20 July 2021

52. See Ministry of Health, National Unity Government of Myanmar, 21 August 2021

53. Ibid

54. Ibid



Video surveillance captured several Myanmar policemen kicking medical volunteers after security forces pulled over a charity ambulance in North Okkalapa township in Yangon on March 3, 2021

were occupied by force by military personnel and in February alone, there were 178 incidents of reported attacks on health care workers.<sup>55</sup> In response to the military's carelessness, the NUG amped up their plans to roll out COVID-19 vaccines by preparing for 6 million doses from a program backed by the United Nations.<sup>56</sup>

Inflated costs of urgently needed medicine is also putting low-income families out of reach. The growing demand has forced some pharmacies to close because they have run out of supplies, while exacerbating already existing gaps in Myanmar's fragile health system.<sup>57</sup> With positive cases of COVID-19 rising daily, hospitals are over capacity. Patients have been turned away because of a lack of beds, oxygen cylinders and urgently needed medical equipment. In desperation, civilians have sought out suppliers of oxygen cylinders for

family members and friends in need. In response, junta soldiers shot at the lines of those queuing in selfish bids to claim remaining oxygen for the military.<sup>58</sup> Their actions, while disgraceful, are not surprising. The regime has always prioritized their own protection over those of civilians. When COVID-19 first hit Myanmar, the junta was among the first to have access to personal protective equipment.<sup>59</sup>

At the very beginning of the COVID-19 pandemic in early 2020, the United Nations Secretary General, Antonio Guterres, called for a global ceasefire.<sup>60</sup> The Myanmar junta refused to adhere to this call. As citizens attempted to navigate the new norms to protect themselves against the virus, while also suffering from economic losses as businesses were forced to close, the junta continued to commit human rights violations against the

55. See Research Brief by Physicians for Human Rights, "Violence Against Health Care in Myanmar: Three-month review," 25 May 2021.

56. "Myanmar's Shadow Government Plans COVID-19 Vaccine Rollout" *The Irrawaddy*, 27 August 2021

57. "As COVID-19 surges, prices of medical goods follow suit," *Frontier Myanmar*, 16 July 2021

58. "Soldiers Open Fire, Disperse Crowds Refilling Oxygen Tanks in Yangon," *Coconuts Yangon*, 13 July 2021

59. See ND-Burma report, "Rights in Reverse," August 2020

60. COVID-19: UN chief calls for global ceasefire to focus on 'the true fight of our lives' *UN News*, 23 March 2020

backdrop of growing fears. ND-Burma members reported an increase in Tatmadaw soldiers in civilian areas within the first few months of the pandemic.<sup>61</sup> Since the coup, military operations in civilian areas have only increased.<sup>62</sup> In conflict situations, where human rights are rampant, the needs for every day survival for civilians are even more pronounced. The Myanmar junta is acting far outside the bounds of rule of law. In practicing their lawlessness, they are protecting themselves and their interests, rather than those of the people.

While hospitals in urban and rural areas struggle with the influx of patients, those in conflict areas are forced to carry multiple burdens as they fear for their lives in ongoing civil war. There are an estimated 3 million people in Myanmar who are in urgent need of humanitarian support.<sup>63</sup> With internal displacement on the rise since the coup, and over 90 percent of the country impacted by COVID-19,<sup>64</sup> access to health care services in displacement camps or temporary shelters in the forest are non-existent. This has led to the most vulnerable, including the elderly and children, bearing the brunt of inadequate access to care.

Civil society groups have advocated for unfettered access to deliver much needed humanitarian aid to displaced populations.<sup>65</sup> Yet, those calls have largely gone unheard as community-based organizations on the ground and ethnic health care providers risk their lives to seek alternate routes for the provision of goods and services. As

the COVID-19 pandemic accelerates, so does the need for medical equipment and supplies for the health care of IDPs.

The COVID-19 pandemic has been weaponized by the junta. By failing to respond to the needs of civilians who desperately need care and vaccines, the junta has once again demonstrated a lack of compassion and willingness required to run a State. The right to health is a human right, and ensuring care is not deprived to those in need is ingrained in basic human rights legislation and institutions.

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61. See ND-Burma report, "Rights in Reverse," August 2020

62. "Fighting Seen Intensifying in Myanmar as Junta Deploys Troops to Ethnic Controlled Territories," Radio Free Asia, 25 August 2021

63. See Myanmar – Humanitarian Snapshot (August 2021), UNOCHA, 17 August 2021

64. "Myanmar: Responding to humanitarian needs in Northern Shan," Danish Refugee Council

65. "Stop the Weaponization of Humanitarian Aid by the Myanmar Military Junta," 488 Civil Society Organizations, 20 June 2021

# Conclusion

The gravity of what civilians are being forced to confront on a daily basis in Myanmar amounts to crimes against humanity. Nonetheless, the nationwide resistance has caught the generals off-guard. Indeed, the strength of the movement for the restoration of a democracy is in the hands of the people, though international pressure must remain on the junta.

In doing so, the interests of the people must be prioritized in all policies or intervention in Myanmar. Full transparency on any means of interference is essential to ensure the general public can access resources to meet their needs. Further, these channels must be made available through local organizations who have decades of expertise in navigating and managing the needs of their community. The NUG must also be consulted and recognized by the international community rather than risk legitimizing the illegal junta.

The war machine which has been unleashed by the junta knows no limits and no extremes. It is civilians who have been unfairly made to pay the price in the military's assault on democracy. On August 20, the NUG issued a statement which accepted jurisdiction of the International Criminal Court related to crimes committed in Myanmar

since the beginning of July 2002.<sup>66</sup> For many years, Myanmar's civil society has appealed to international rights bodies for action on the slow genocide of ethnic people. The junta has become accustomed to using their power to persecute rather than protect.

There is no rule of law in Myanmar or reliable transitional justice mechanisms which would hold the military accountable, so discrimination and attacks against continue with impunity. The assaults on life in Myanmar must be met with consequences. For too long soldiers have evaded accountability. The junta's intentional derailing of democracy has come at the expense of thousands of lives and growing calls to the international community for action.

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66. See National Unity Government of Myanmar, 20 August 2021



# Recommendations

## To the International Community

1. To recognize the National Unity Government of Myanmar as the legitimate governing body in the country and to work with democratically elected MPs, and long-time human rights defenders to determine the needs of people in Myanmar, and subsequently respond to those needs through trusted pathways.
2. To keep pressure on the regime for the unconditional release of all political prisoners.
3. To work with long-time, trusted civil society organizations in the provision of aid and materials to displaced populations across Myanmar and to offer any means of support expressed during this time.
4. To aid in the advancement of human rights documentation to be used as evidence by human rights groups on the ground in Myanmar to ensure the junta is held accountable for their crimes against humanity.
5. To support urgently needed vaccines and personal protective equipment in the midst of the COVID-19 pandemic to civilians in Myanmar.

## To Regional Leaders including ASEAN

1. To work with the National Unity Government of Myanmar and recognize the NUG as the legitimate body working for the people and urge the junta to relinquish their illegal seizure of power.
2. To reject the Myanmar junta's campaign of fear and violence being inflicted on the people.
3. To condemn the unlawful arrest and detention of political dissidents and to call on the junta for their immediate release.

## To the United Nations

1. For the UN Secretary-General of the United Nations to brief the United Nations Security Council on the devastating toll COVID-19 is taking on civilians in Myanmar and to call for a humanitarian response to address the growing gaps in the provision of vaccines and personal protective equipment. The COVID-19 Taskforce formed by the National Unity Government and Ethnic Health Providers must be supported as a reliable network to dispatch these materials.
2. For the United Nations Security Council to dispatch an urgently needed monitoring team to assess the human rights situation on the ground
3. To uphold UN protocol by putting pressure in the illegal junta to condemn the actions of the Myanmar Army and leadership responsible for the attempted coup and to end the cycle of impunity.

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Front cover, back cover photos :  
Homes set on fire by Junta terrorists in Thantlang, Chin State.



Photo- CHRO

## **How the military junta has curtailed attempts for democratic reform in Myanmar**



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