

Human Rights Now Statement Following the Coup d'État in Myanmar

Human Rights Now (HRN), a Tokyo-based international human rights NGO, joins the international community in strongly condemning the coup in Myanmar by its military, the Tatmadaw, and its illegal detention of civilian leaders and activists, including National League for Democracy (NLD) leader Aung San Suu Kyi, President Win Myint, and other senior NLD officials around the country.

The Tatmadaw seized power over the government early Monday morning and in a later statement announced that it has imposed a one year state of emergency in the country, an unjustified move made unconstitutionally under the very rule it claims to be implementing (Article 417 of the 2008 Myanmar Constitution), which immediately suspended the parliament and all state-level assemblies and transferred all government authority to Senior Gen. Min Aung Hlaing, the Tatmadaw leader. The Tatmadaw has also cut off all independent media and lines of communication in areas of Myanmar.

The coup is the culmination of weeks of rising tensions by the Tatmadaw and its proxy political party, the Union Solidarity and Development Party (USDP), which contested without evidence the results of the 8 November 2020 elections which NLD won by an overwhelming majority. It also follows years of impunity by the Tatmadaw, in which it has committed grave and widespread crimes without consequence against Rohingya, Kachin, Arakan, and other minority ethnic populations in Myanmar, which have led to accountability processes starting at the International Court of Justice (ICJ) and International Criminal Court (ICC). The Tatmadaw's actions during the coup have also violated human rights, including the rights to liberty and security of person, freedom of expression, association, access to information, and the right to vote.

Recommendations To promote democracy, rule of law, and respect for rights in Myanmar, HRN calls on:

- 1) The Tatmadaw to immediately release all persons detained as part of its coup, respect the results of the 8 November 2020 election, and restore the government to its non-emergency constitutionally required state.
- 2) The Japanese government to revise its vague stand compared to the US and European countries and take a clear, forceful, and zero-tolerance position against human rights abuses in Myanmar, including this coup, and to cease Official Development Assistance to Myanmar except for humanitarian support. The government of Japan, as a long economic supporter of the Myanmar government through ODA and promoting private sector Foreign Direct Investment, despite the risk of this benefiting the Tatmadaw even as it committed widespread atrocities, has a responsibility to promote democracy and respect for rights in Myanmar.
- 3) Japanese and other global companies with business relations with the Tatmadaw to cut such ties until the 2020 election results and rights are respected in Myanmar, as well as to cut any ties or likely contributions to the Tatmadaw through their business relations discovered after conducting or reviewing human rights due diligence in the current circumstances in line with the UN Guiding Principles on Business and Human Rights.
- 4) The international community to implement targeted sanctions against the Tatmadaw, its officers, and their economic interests and any other appropriate forms of pressure to end its emergency rule, as well as to support all accountability mechanisms against the Tatmadaw, including the ICJ, ICC, and other international processes, to finally end its culture of impunity.