



Union of Myanmar Citizen Association-Japan

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Human Rights Now

Open Letter of Inquiry

[English translation of the original letter in Japanese.*]

26 March 2021

Prime Minister, H.E. Yoshihide Suga
Minister of Foreign Affairs, H.E. Toshimitsu Motegi
Minister of Justice, H.E. Yoko Kamikawa

Union of Myanmar Citizen Association-Japan
Human Rights Now

We, the Union of Myanmar Citizen Association-Japan and Human Rights Now, ask the following questions to the Japanese government. In light of the urgency of the situation, please respond by 1 April 2021.

Please be aware that this letter of inquiry and all responses (including a lack of response) will be made public through websites and press conferences.

Question 1: What is the Government of Japan's current understanding of the rapidly deteriorating situation in Myanmar in which the Myanmar military is using force, including shootings, in response to demonstrations (civil disobedience movement) taking place throughout Myanmar? According to media reports, more than 200 civilians have been killed, including children, and thousands have been arrested.¹ Please explain clearly what the Japanese government's understanding of the current situation is.

Question 2: The Government of Japan has stated that "The Government of Japan once again strongly urges the Myanmar military to release those who are detained including State Counsellor Daw Aung San Suu Kyi and to swiftly restore Myanmar's democratic political system."² What specific actions have been

* [The original letter in Japanese is available at: <https://hrn.or.jp/news/19583/>. Citations to translated versions or equivalent articles in English have been added in brackets.]

¹ <https://www.cnn.co.jp/world/35168009.html> (in Japanese) [English: <https://edition.cnn.com/2021/03/17/asia/myanmar-blackout-military-martial-law-intl-hnk/index.html>]

² https://www.mofa.go.jp/press/release/press3e_000176.html (in English)

taken for this purpose? What have been the results? What is the “unique role of Japan” that the Japanese government has asserted that it has?³

Question 3: As a reason for the coup, the military has claimed that there were irregularities in the 2020 general election. However, Mr. Yohei Sasakawa of the Nippon Foundation, who headed an election observer mission, recognized the elections as free and fair. The Japanese Ministry of Foreign Affairs also issued a statement saying that the elections were fair. What is the Japanese government's current position on the military's claims of election irregularities?

Question 4: Does the Government of Japan recognize the Committee of Representatives of the *Pyidaungsu Hluttaw* (CRPH), which comprises members of parliament elected by the people in the 2020 general election, as an official state institution of Myanmar? If not, for what reason do you not recognize it as such?

Question 5: There are reports that UN Ambassador Kyaw Moe Tun, who criticized the military *coup d'état* on March 18th this year, has been charged with treason.⁴ Is it correct that the Japanese government still recognizes UN Ambassador Kyaw Moe Tun as the official ambassador of the Myanmar government? If not, for what reason do you not recognize him as such?

Question 6: The U.S. government has announced a policy, for humanitarian protection, to grant "Temporary Protected Status" (which allows an 18-month stay and application for employment) to Myanmar citizens already staying in the United States.⁵ In light of the *coup d'état* and humanitarian considerations, is the Japanese government also considering granting citizens of Myanmar who are currently living in Japan similar status? If not, for what reasons are you not considering this?

Question 7: Is it true that the National Defense Academy of Japan accepts Myanmar military officers for education? If so, should this not be stopped immediately? It has been pointed out that the International University of Japan is also accepting Myanmar military officers. Is this true? Should not such defense cooperation between Japan and Myanmar be suspended until democracy is realized in Myanmar? If it is not to be suspended, what are the reasons?

Question 8: The U.S. government has imposed economic sanctions on Myanmar's Ministry of Defense and major companies and individuals associated with the military, including additional sanctions banning the export of U.S. products and tightening restrictions on the export of items to Myanmar that could be used for military purposes. The governments of the United Kingdom and Canada, as well as the European Union, have also imposed economic sanctions and frozen funds for the military, thereby increasing pressure on the military that is using force against civilians. Why does the Japanese government refrain from cooperating with other countries in imposing economic sanctions on the military, such as freezing the funds of companies and individuals involved in the military and restricting exports? If it is an issue with the current legal system, are you considering taking necessary legislative measures in the future?

³ <https://www.sankei.com/photo/story/news/210304/sty2103040014-n1.html> (in Japanese) [The English translation of the title is “Mr. Kato, ‘Japan Playing a Unique Role’ in the Situation in Myanmar”].

⁴ <https://www.news24.jp/articles/2021/03/19/10842281.html> (in Japanese) [English: <https://www.irrawaddy.com/news/burma/myanmar-military-regime-dismisses-un-ambassador.html>]

⁵ <https://www.cnn.co.jp/usa/35168047.html> (in Japanese) [English: <https://edition.cnn.com/2021/03/12/politics/biden-administration-tps-burmese-nationals/index.html>]

Question 9: According to media reports, the Japanese government has not imposed economic sanctions because it believes that "a situation that makes Myanmar reliant on China should be avoided." Is there such a diplomatic policy in place? Would this diplomatic policy not be inconsistent with the Japanese government's "value oriented diplomacy based on universal values of freedom, democracy, fundamental human rights, rule of law, and market economy" (human rights diplomacy)?⁶

Question 10: It is said that anti-Chinese sentiment among citizens in Myanmar is growing and that a boycott campaign is underway, so that if the Myanmar military relies on China, it will face further opposition. What is the rationale for the Japanese government's claim that criticizing the Myanmar military's use of force against unarmed civilians by sending a strong message that includes economic sanctions would make the Myanmar military reliant on China? If the Japanese government has a "unique pipeline"⁷ to the Myanmar military and has established a certain level of trust, should that not be all the more reason for the Japanese government to send a strong message to correct the mistakes of the military and encourage change toward the restoration of democracy?

Question 11: It has been pointed out that the Official Development Assistance (ODA) projects to Myanmar currently being implemented by the Japan International Cooperation Agency (JICA) and the projects currently being financed and invested in by the Japan Bank for International Cooperation (JBIC) and Japan Overseas Infrastructure Investment Corporation for Transport and Urban Development (JOIN) in relation to Myanmar are linked to supporting financing for the military.⁸ In response to these allegations, has the Japanese government suspended all aid and projects except for those for humanitarian purposes, and is it conducting a fact-finding investigation to determine whether companies related to the military are involved in the projects or whether the implementation of the projects has brought economic benefits to the military? If so, will the results of the investigation be made public? If an investigation is not to be done or the results are not to be made public, what are the reasons for not doing so?

Question 12: Japan's Kirin Holdings Company Limited has indicated its intention to terminate its partnership with Myanmar Brewery Company Limited, a company affiliated with Myanmar's national army. In light of the Japanese government's Development Cooperation Charter and the UN Guiding Principles on Business and Human Rights, what kind of investigation is the Japanese government conducting into the actions of Japanese companies operating in Myanmar? In case Japanese companies request it, is there any plan to provide them with the necessary support to break ties with the military? Please inform us.

⁶ https://www.mofa.go.jp/mofaj/gaiko/free_pros/index.html (in Japanese) [English: <https://www.mofa.go.jp/policy/pillar/index.html>]

⁷ <https://www.tokyo-np.co.jp/article/90508> (in Japanese) [English: <https://english.kyodonews.net/news/2021/03/129456e8b817-japan-sticking-by-myanmar-foreign-minister-despite-backlash.html>]

⁸ http://www.mekongwatch.org/PDF/rq_20210304.pdf (in Japanese) [English: http://www.mekongwatch.org/PDF/rq_20210304_Eng.pdf]