



[Statement] One Year After the Coup, the Myanmar Junta and Military Continue to Commit Massive Human Rights Violations with Impunity

Today, 1 February 2022, is the one-year anniversary of the military coup in Myanmar, which in one day erased all of the progress the country had been making towards democracy over the last decade and has only led to mass protests, killings, and grave human rights violations throughout the country by the junta and Tatmadaw, Myanmar's military.

On 1 February 2021, the top military-affiliated official in Myanmar's parliament, Myint Swe, issued an emergency order, contrary to the constitution, bringing the government under the control of the Tatmadaw and its leader General Min Aung Hlaing for a period eventually extended to August 2023.¹ Over the last year, the junta has committed rampant serious human rights violations which continue today, including the arbitrary detention and arrest of hundreds of political opposition members and over 8,000 protestors; the ill treatment of those in detention including by beatings, mock executions, burnings, rape, and other sexual violence; the shooting and killing of over 1,000 protestors; the implementation of martial law and internet and mobile restrictions; the arrest of journalists and the stripping of independent media outlets' licenses; and other violations.²

In the same period, the Tatmadaw also greatly escalated its attacks in ethnic areas which, along with junta violence, have killed over 2,000 civilians, destroyed over 2,000 homes, and displaced over 300,000 people, likely constituting serious war crimes and crimes against humanity and creating a humanitarian disaster.³ Such violations continue today including the massacre of at least 35 civilians, including four children, attempting to flee the violence in Kayah (formerly Karenni) state on Christmas Eve 2021.⁴ The junta has also accelerated discrimination against minority ethnic groups, and in particular the coup has led to severe restrictions—on movement, education, and healthcare—as well as mass arrests and threats against Rohingya.⁵

Human Rights Now, a Tokyo-based international human rights NGO, strongly condemns the violence against civilians and grave human rights violations committed by the Myanmar junta and Tatmadaw. While the junta has claimed that democracy and peace will return to Myanmar soon, it has proved time and again that nothing it says or does can be trusted except its will to cause more suffering to the people of Myanmar. The junta's declaration of a ceasefire with ethnic groups on 8 January was immediately followed by over a dozen artillery attacks and airstrikes on the city of Loikaw, displacing well over 100,000 people, the Tatmadaw killing of four teenagers in Tanintharyi region, and the killing of 10 people, including a 13-year-old child, reportedly used by the Tatmadaw as human shields in Chin State.⁶ Moreover, the junta's commitment to multiparty democratic elections in August 2023 will be a worthless promise under the conditions the junta is presently creating, in which a majority of NLD members are still in detention and the junta and Tatmadaw are eliminating any voice of opposition by arrest or killing.

In June 2021 the UN Security Council urged states to "prevent the flow of arms" to Myanmar. However, it failed to pass a resolution legally requiring sanctions and a weapons embargo, and it is important that

it do so. The government of Japan has also made serious missteps that have only encouraged the junta. It has given very weak criticisms of the junta, failed to implement sanctions that other states are implementing, and failed to suspend ongoing infrastructure projects in Myanmar, only committing to avoiding new non-humanitarian projects with the junta.⁷ On January 12 Japan's Foreign Minister praised the aforementioned January 8 ceasefire agreement made after Cambodia's dictator Hun Sen's visit, despite Hun Sen's own violations in Cambodia and the significant Tatmadaw violence that followed the toothless agreement.⁸ The government has also not taken enough Myanmar refugees, and refugee applicants which have gotten temporary residence status only received a quite restrictive status ("emergency evacuation measures"), not the more appropriate and humanitarian-focused "humanitarian considerations" status.

Japanese businesses have also been reluctant to bring pressure against the junta. According to the Japan External Trade Organization (JETRO), about 70% of Japanese companies investing in Myanmar will either maintain or even expand their Myanmar operations, with only 6.7% withdrawing from the country or moving to another country.⁹

Human Rights Now continues to protest the Myanmar junta's illegal coup and the grave human rights violations that continue to be perpetrated by it and the Tatmadaw with impunity. We call on the junta and Tatmadaw to:

- Immediately end all violence against civilians and to ensure accountability for it;
- Respect the outcome of the 2020 election and restore the constitutionally elected government to power;
- End the arbitrary arrest of and attacks on political opposition members from the National League of Democracy and National Unity Government and their supporters;
- Provide humanitarian assistance to all displaced people in Myanmar.

We ask all states, including Japan, to implement rigorous sanctions including an arms embargo against the junta.

We request the UN Security Council to hold an immediate plenary meeting on Myanmar to adopt a resolution for an arms embargo and financial sanctions against the junta, and we request relevant international organizations, including the Human Rights Council, to conduct an independent investigation and take effective measures to facilitate and ensure accountability for the violence.

We finally call on all transnational businesses to end any business in Myanmar that could support the junta or Tatmadaw.

¹ On 1 February 2021, the date the newly elected parliament members from the National League of Democracy (NLD) were being seated after winning a decisive victory over the military party in the 2020 election, the top military-affiliated official, Myint Swe—who was illegitimately appointed acting president after the elected president and vice president were arbitrarily arrested that morning—declared the election results void due to allegations of “fraud”, despite having no proof and despite the election being declared fair by Myanmar's own election monitors. <https://www.pacemyanmar.org/mmobservers-statement-eng/>. He then issued an emergency order bringing the government under Tatmadaw control, first under a State Administrative Council then later effectively under the control of Min Aung Hlaing, the Tatmadaw's commander-in-chief; and first for one year, then later extended to August 2023.

² Following the coup, the new junta began to arbitrarily detain and arrest NLD members, eventually detaining 649 members, of whom at least 489 remain in detention, including NLD leader Aung San Suu Kyi and President Win Myint, who were recently sentenced to four years of prison each on politically-motivated charges. <https://www.rfa.org/english/news/myanmar/detainees-01032022212032.html>; <https://www.irrawaddy.com/news/burma/myanmar-junta-sentences-suu-kyi-and-president-u-win-myint-to-four-years-in-prison.html>. What remains of the rightfully elected members of the deposed government has reformed as the National Unity Government (NUG), which carries broad public support. When millions of citizens began demonstrations throughout the country protesting the coup, police began arbitrarily arresting and even shooting protesters with firearms. According to the Myanmar NGO AAPP, as of 25 January 2022, the junta has arrested, charged or sentenced 8,788 people and killed 1,493. <https://aappb.org/>. Multiple opposition figures have died in detention, and many more have reported being tortured or subject to ill treatment in detention, including by beatings, mock executions, burnings, rape, and other sexual violence. <https://www.hrw.org/news/2021/03/09/myanmar-urgently-investigate-nld-officials-death-custody>. The junta also placed multiple townships under martial law, restricted internet and mobile access and websites, and arrested more than 98 journalists, at least 46 of whom remained in detention, as well as stripped the media license from at least five independent outlets. <https://twitter.com/netblocks/status/1371277902633971715?s=20>; <https://aappb.org/>; https://www.voanews.com/a/east-asia-pacific_myanmar-military-strips-five-media-companies-licenses/6203033.html

³ Over the last year, the Tatmadaw has greatly escalated its attacks in ethnic areas throughout the country, with indiscriminate and large-scale attacks by artillery and airstrikes killing civilians, damaging property, and displacing over 320,900 people, adding to the 340,000 already displaced. <https://reliefweb.int/report/myanmar/myanmar-humanitarian-update-no-14-17-january-2022>. One monitoring NGO reports that since the coup 2,164 civilians have been killed, 2,265 houses destroyed, and 33 townships targeted for airstrikes by the junta and Tatmadaw, likely constituting serious war crimes and crimes against humanity. <https://twitter.com/DrSasa2222/status/1482693428458954757>. The Tatmadaw's attacks have also created a humanitarian disaster, with the UN reporting more than 3 million people in need of "life-saving" aid by the end of 2021 and 14.1 million projected to need aid of some form in 2022. <https://reliefweb.int/report/myanmar/myanmar-humanitarian-update-no-14-17-january-2022>.

⁴ <https://www.unicef.org/press-releases/unicef-condemns-reported-killing-least-35-people-including-four-children-and-two>

⁵ <https://www.nytimes.com/2021/04/30/world/asia/myanmar-ethnic-minority-coup.html>;

<https://www.aljazeera.com/news/2022/1/6/rohingya-myanmar-restrictions-on-freedom-of-movement>

⁶ <https://www.theguardian.com/world/2022/jan/14/burmese-flee-bombardment-as-junta-makes-example-of-city-of-loikaw>;

<https://myanmar-now.org/en/news/junta-troops-kill-four-teens-after-coming-under-attack-near-tanintharyi-village>;

<https://myanmar-now.org/en/news/bodies-of-10-civilians-used-as-human-shields-discovered-in-matupi>.

⁷ <https://www.bloomberg.com/news/articles/2021-06-19/japan-s-refusal-to-sanction-myanmar-over-abuses-undermines-biden-s-strategy>. States which implemented sanctions include the US, UK, and Australia, Canada, as well as the EU. ASEAN also took the unprecedented step of excluding Myanmar's participation in an October meeting because it failed to meet its five-point commitment; but with Cambodia chairing ASEAN in 2022, the organization is expected to turn a blind eye to Myanmar's abuses, given that the Cambodian prime minister is himself committing mass violations against his own country's civil society. <https://mainichi.jp/english/articles/20220122/p2g/00m/0in/022000c>.

⁸ <https://www.japantimes.co.jp/news/2022/01/12/national/japan-praises-cambodia-leader-myanmar/>. This was in sharp contrast to Malaysia's top diplomat which more constructively noted that the meeting should not have happened and did no good to ongoing mediation efforts between ASEAN and the junta. <https://asia.nikkei.com/Spotlight/Myanmar-Crisis/Malaysia-says-Hun-Sen-s-Myanmar-visit-did-no-good>

⁹ <https://english.kyodonews.net/news/2022/01/7e3de89004f5-70-of-japan-firms-keep-expand-business-in-myanmar-even-after-coup.html>; <https://www.irrawaddy.com/news/burma/most-japanese-firms-investing-in-myanmar-remain-despite-coup.html>