

STATUS OF HUMAN RIGHTS & SANCTIONS IN MYANMAR

FEBRUARY 2024 REPORT

Summary. This report reviews the February 2024 developments relating to human rights in Myanmar.

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I. Coup, Crackdown on Protests and Civilian Resistance

The Myanmar military government has recently taken controversial measures to replenish its forces. The United States Institute of Peace estimates that the military only has around 150,000 personnel with 70,000 in active combat after losing at least 30,000 personnel since the February 2021 coup.¹

The Myanmar government enacted a national conscription law on February 10, which calls all men ages 18-35 and women ages 18-27 to serve in the military for up to two years.² The age ranges are extended for those with specialist expertise, such as doctors and engineers. Men ages 18-45 with such expertise and women ages 18-35 with such expertise are summoned to military service for up to three years.³ The duration of military service can be extended for up to five years during a state of emergency (which is currently the case).⁴ Temporary deferments can be granted to students, civil servants, those who are taking care of elderly parents, those receiving medical treatment, drug addicts currently undergoing rehabilitation treatment and those currently imprisoned.⁵ Exemptions can be given to married women, members of religious orders, persons with disabilities, those exempted by the conscription board and those declared to be permanently unfit for military service by the Myanmar military medical assessment board.⁶ Evasion of military service can be punished with 3-5 years in prison.⁷

The government has formed conscription committees and announced plans to call up the first batch of conscripted soldiers in April with a goal of recruiting up to 50,000 new soldiers per year.⁸ The Myanmar Overseas Employment Agencies Association has also been ordered to suspend recruitment drives and has stopped accepting job offers from abroad.⁹

The enactment of the conscription law led to a mass exodus of young adults throughout the country and there has been an increase in passport and visa applications. Nearly 5,000 people lined up at the Myanmar passport office in Mandalay region on February 19, leading to a stampede that caused the deaths of two women.¹⁰ The number of passport applications has been limited to 200 per day in Mandalay.¹¹ More than 1,000 people lined up at the Thai embassy in Yangon region on February 16,¹² even though only 400 visas are granted per day at that location.¹³

The military regime also enacted the Reserve Forces Law on February 13, which calls veterans back to active duty.¹⁴ According to a military spokesman, only veterans who resigned or retired from active service over the past five years will be called back to active service.¹⁵ Those who are recalled will be required to serve in reserve forces for five years, but the duration of service can be further extended as needed.¹⁶ Those who evade recall into service can be sentenced to up to three years in prison or fined.¹⁷

Other recent measures taken by the Myanmar government to replenish military forces include forcibly recruiting Rohingya men in displacement camps¹⁸ and recalling deserters and soldiers who were “absent without leave.”¹⁹

II. Political Developments

A. Rohingya Refugee Crisis

Al Jazeera reports that the United Nations Office of the High Commissioner for Refugees (“UNHCR”) will close its Colombo, Sri Lanka office in December 2024 because most of the people displaced internally during Sri Lanka’s civil war have returned to their native homes.²⁰ Sri Lanka is currently home to hundreds of refugees, including Rohingya refugees, who are desperate to settle permanently outside of Myanmar.²¹ As Sri Lanka is not a signatory to the 1951 UN Refugee Convention and its 1967 protocol and there is no domestic law or mechanism to handle refugees or asylum seekers on the island, Sri Lanka has only been a transit point for refugees until the UNHCR helps them to resettle in another country.²² The UNHCR is the only organization in Sri Lanka that has handled the process of registering refugees and filing applications on their behalf with other countries for permanent settlement.²³ It has also offered them monthly allowances and scholarships for children to attend school.²⁴ Refugees are legally barred from working in Sri Lanka, forcing them to rely on the UNHCR allowance or donations from charities.²⁵ Refugees and asylum seekers now fear that they will be stranded in Sri Lanka when the UNHCR wraps up its operations.²⁶ Some refugees have been unable to leave Sri Lanka for nearly a decade or more because their applications have been rejected by host countries.²⁷

Nikkei Asia reports that Bangladesh is facing intensifying pressure to accept more Rohingya refugees fleeing conflict in Myanmar, a burden the government in Dhaka insists it cannot bear as the country already hosts over a million Rohingya refugees.²⁸ At a meeting of the National Task Force on Forcibly Displaced Myanmar Nationals in Dhaka on February 14, the UNHCR’s representative, Sumbul Rizvi, asked Bangladesh to accept 900 Rohingya people, according to officials in Bangladesh’s Foreign Ministry.²⁹ Sources familiar with the talks said Foreign Secretary Masud Bin Momen refused this request.³⁰ Mostafa Mohammad Sazzad Hossain, a spokesman in Dhaka for the UNHCR also vowed that the UNHCR and its partners would offer support in assisting new arrivals.³¹

Bangladesh also continues to attempt to repatriate refugees back to Myanmar.³² In February, around 330 Myanmar nationals, including at least 100 Rohingya refugees, crossed into Bangladesh to escape attacks by the Arakan Army (“AA”).³³ Hossain, a spokesman for the UNHCR, emphasized the crucial need to allow civilians to seek and access safety and pointed out that denying access to safety further exposes them to risks.³⁴ Despite these concerns, the Bangladeshi government remains steadfast in its position, citing existing challenges, and Myanmar repatriated the latest wave of Myanmar nationals on February 15.³⁵

At the 2023 Global Refugee Forum, the Australian government committed \$235 million in humanitarian assistance from 2023 to 2025 to meet the needs of Rohingya refugees in Bangladesh and their host communities and for broader humanitarian assistance in Myanmar, including support for Rohingya in Rakhine State.³⁶ Japan has also announced a \$2.7 million funding commitment to Rohingya refugees and their host communities in Cox’s Bazar, Bangladesh.³⁷

B. Corruption

The *Irrawaddy* previously reported in November 2023 that ex-Lieutenant General Soe Htut, who was home affairs minister as well as a member of the ruling State Administration Council, was sentenced to five years in prison on corruption charges by a military court.³⁸ The

Irrawaddy now reports that Soe Htut was recently diagnosed with colon cancer and was moved from prison to house arrest.³⁹

C. International Community / Sanctions

On January 31, the United States announced new sanctions “taking aim at entities and individuals with links to Myanmar’s military regime, shortly after the junta extended a state of emergency and further delayed elections.”⁴⁰ These fresh sanctions were imposed on two entities and four individuals “closely associated with Burma’s military regime.”⁴¹ In a joint statement released by the U.S. Department of State, the United States announced that it “condemn[ed] in the strongest possible terms the [Myanmar] military regime’s ongoing atrocities and human rights violations,” called upon “the UN to strengthen its efforts on Myanmar including via the timely appointment of a Special Envoy and a Resident Coordinator” and urged UN Member states to “maintain their support to address urgent humanitarian needs in Myanmar.”⁴²

Also on January 31, the European Union released a statement marking the third anniversary of the February 2021 coup calling for “increased international preventive action, including an arms embargo in order to cease the sale and transfer of arms and equipment” to Myanmar.⁴³ The statement further announced that “[i]n the absence of progress in Myanmar, the EU stands ready to adopt further restrictive measures against those responsible for the serious human rights violations taking place in the country and for undermining democracy and the rule of law.”⁴⁴

Additionally, on January 31, Amnesty International released new evidence suggesting that Myanmar’s military “is using new tactics to import aviation fuel” to evade sanctions passed by the UK, the U.S., the EU and others last year.⁴⁵

On February 1, the United Kingdom imposed further sanctions against two Myanmar military divisions responsible for “carrying out serious human rights violations” and two state-owned enterprises which “provide economic resources and support to the Myanmar security forces.”⁴⁶ Alongside these fresh sanctions, Foreign Secretary David Cameron released a statement announcing that the UK was “increasing pressure on the Myanmar military to stop its brutal repression of the Myanmar people.”⁴⁷

On February 5, nine member states of the UN Security Council issued a joint statement calling on “the Myanmar junta to cease its attacks on civilians and civilian infrastructure and release all political prisoners including President Win Myint and State Counselor Aung San Suu Kyi.”⁴⁸

On February 21, the UN Special Rapporteur on the situation of human rights in Myanmar, issued a warning about the escalating threat posed by Myanmar’s military junta.⁴⁹ He urged states to “strengthen and coordinate measures to reduce the junta’s access to the weapons and financing it needs to sustain its attacks on the people of Myanmar.”⁵⁰

On February 23, Thai Foreign Minister Parnpree Bahiddha-nukara said that he expects the delivery of Thai humanitarian assistance to displaced people inside Myanmar to begin by the first week of March.⁵¹ He further said that this assistance will initially come in the form of food

and medical supplies with delivery being overseen by the Red Cross Society of Thailand and Myanmar.⁵²

III. Civil and Political Rights

A. Freedom of Speech, Assembly and Association

The junta regime arrested at least three people for posting on Facebook about the silent strike marking the third anniversary of the 2021 coup and sealed off more than 90 jade shops in Mandalay for participating in the strike.⁵³ Kyaw Soe Oo, a local teacher, was arrested for a Facebook post urging others to participate in the strike.⁵⁴ A young man who goes by the name “Kyaw Saw Lin” was arrested after sharing a post showing photos of deserted streets in Mandalay during the silent strike.⁵⁵ A teenage girl was arrested for uploading portraits of herself wearing a white blouse to show that she had participated in the white campaign on the anniversary date and making an anti-regime hand gesture.⁵⁶

On February 4, Yin Moe, a political prisoner arrested in 2021 and sentenced to six years in prison for defamation under Section 505(a) of the Penal Code, died at the age of 35 due to a lack of adequate medical attention during her imprisonment.⁵⁷

Junta troops reportedly killed two political prisoners in detention, Noble Aye and Lay Khwin, who were arrested in January for allegedly carrying weapons for resistant forces.⁵⁸ The 49-year-old Noble Aye opposed military rule after the 2021 coup and was previously jailed twice, first in 1998 for protesting against the then regime and again in 2007 for participation in the Saffron Revolution.⁵⁹

On February 8, the military arrested 18-year-old Yun Sandi Maung for posting comments online about a video showing two resistance fighters burned to death in Magway Region.⁶⁰ Yun Sandi Maung shared information about the atrocity online along with a prayer for the deceased.⁶¹ She was allegedly beaten as she was taken from her home in Mandalay’s Chanmyathazi Township.⁶² Pro-junta social media accounts allegedly targeted another woman from Mandalay who changed her profile picture to a blank page to mourn the victims, calling for her arrest.⁶³ It is unknown whether or not the woman has been arrested.⁶⁴

B. Freedom of the Press and Censorship

The junta regime revoked the license of *Toemyit Publishing*, a publishing house known for publishing political books, for violating Section 8 of the 2014 Printing and Publishing Law by publishing books that allegedly harm national security, the rule of law and community peace and tranquility.⁶⁵ It is believed that the decision was triggered by the latest *Toemyit* publication, “Mindset Revolution” by Dr. Aung Khin, which is critical of the military regime in Myanmar and argues that society needs to change its mindset to create a democratic society.⁶⁶

In late January, seven political prisoners including journalist Myat Thu Tan were tortured and killed in military custody in Mrauk-U, Rakhine State.⁶⁷ On February 5, the AA found their bodies buried in a bomb shelter at a military camp.⁶⁸ Myat Thu Tan (also known as “Phoe Thiha”) was arrested in September 2022 and awaited trial on charges of “disseminating false

information” and “inciting hatred” under Section 505(a) of the Penal Code.⁶⁹ The journalist reported for several Myanmar media outlets, including *Democratic Voice of Burma*, *7 Day News*, *The Voice Journal*, and *Western News*.⁷⁰ Myat Thu Tan is the fifth Myanmar journalist to be killed by the junta since the 2021 coup.⁷¹

A February 23 *Voice of America* article addresses the ongoing danger of working as an independent journalist in Myanmar.⁷² Many Myanmar journalists have gone into exile since the military coup. The journalists who remain in Myanmar often take day jobs to provide cover, maintaining a secret, second life hidden from friends and family.⁷³ “The level of courage and commitment demonstrated by journalists working in Myanmar is just stunning and inspiring,” United Nations Special Rapporteur Tom Andrews told VOA.⁷⁴

IV. Economic Development

A. Economic Development—Legal Framework, Foreign Investment

Economic attaché Quyang Daobing of the Chinese Embassy in Myanmar recently met with junta investment and commerce officials to advance China’s investments in the country.⁷⁵ The attaché and his team spent two days in the Myanmar capital Naypyitaw holding separate talks with officials of the Investment and Foreign Economic Relations Ministry and the Commerce Ministry on January 30 and 31.⁷⁶ The Chinese Embassy said the two sides exchanged comprehensive views on cooperation on China-Myanmar megaprojects, the safety of Chinese citizens employed by those projects and matters related to improving the quality of the China-Myanmar Economic Corridor and Belt and Road Initiative, among other things.⁷⁷

Yunnan Province Governor and Chinese Communist Party deputy committee secretary for Yunnan Province, Wang Yubo met junta leader Min Aung Hlaing on February 20 to discuss the possibility of restoring border trade and the flow of goods between Myanmar and Yunnan.⁷⁸ The anti-regime offensive known as Operation 1027 has disrupted Myanmar’s border trade routes with China. Border trade through Chin Shwe Haw, Muse, Pansai, Monekoe and Jinsanjiao has been halted as a result.⁷⁹ Amid pressure from China, the Brotherhood Alliance held talks with the regime and agreed to a ceasefire on January 11. As part of the truce, the two sides agreed to reopen vital Myanmar-China trade routes over which the ethnic armed groups have taken control.⁸⁰

Myanmar’s border trade with Thailand has continued to slump as years of fighting and junta restrictions continue to take their toll.⁸¹ Border trade totaled \$4 billion in the 11 months from April 1 to February 16, down from \$4.6 billion in the same period for the 2022-23 fiscal year, according to data from the junta-controlled Commerce Ministry.⁸² Trade was hit when the regime, starved of hard currency, adopted various measures to control imports and export earnings. Initially, exporters were required to convert 65 percent of their export earnings to kyat at the official exchange rate set by the junta-controlled Central Bank of Myanmar.⁸³ This was later reduced to 50 percent.⁸⁴

B. Economic Development—Infrastructure, Major Projects

There have been no material updates since the prior report.

C. Land Seizure

There have been no material updates since the prior report.

V. Peace Talks and Ethnic Violence

A. Ethnic Violence

Following the Ta'ang National Liberation Army ("TLNA") seizure of Kutkai town, northern Shan State in early January, the TLNA had begun installing an administration in the district level town.⁸⁵ On February 4, around 50 Kachin Independent Army ("KIA") troops entered Kutkai after going through a TLNA checkpoint, saying they were passing through. However they stayed in town to celebrate Kachin Revolution Day on February 5, without notifying the TLNA, and allegedly demanded that KIA flags be flown around the town, which were subsequently removed by the TLNA.⁸⁶ There were indications that a number of KIA troops were planning to advance on Kutkai as a result, which led the TLNA to reinforce its troops as Kutkai is an important town in the trade route with China.⁸⁷ Also in Kutkai are troops from the other two members of the Brotherhood Alliance, the Myanmar National Democratic Alliance Army and the AA.⁸⁸

The Myanmar junta retook the town of Mongmit after the KIA withdrew in late January but the KIA still maintained control of Mabein as of early February.⁸⁹ Martial law was declared by the military junta in Mongmit and 27 civilians were killed in Mongmit Township by junta airstrikes and shelling to retake the town.⁹⁰

Later in February, as fighting continued as part of Operation 1027 and the failed cease-fire, the AA urged ethnic Rakhine people to move to areas under its control in Rakhine State and to leave cities under the Myanmar junta control, such as Yangon and Mandalay.⁹¹ However, on February 29, Myanmar junta forces shelled a bazaar in the Rakhine State capital of Sittwe, killing 12 civilians and injuring almost 80 others.⁹² Further, the AA released a confession video of Myanmar junta soldiers and police in Mrauk-U Township admitting to involvement in the execution of seven Rakhine civilians, including a former journalist and rapper, which occurred in late December.⁹³

The AA recently captured significant military outposts and bases in Rakhine State. The AA seized two military battalion headquarters in Mrauk U and Kyautaw townships on February 5.⁹⁴ The AA also reportedly captured the headquarters of two military units in Minbya Township, Rakhine State as well as a guard outpost along the border with Bangladesh in Maungdaw Township on February 6.⁹⁵ The military seized another military outpost in Maungdaw Township on February 19.⁹⁶ On February 27, the AA reportedly took control of the last major military regime stronghold in Minbya Township when it captured the 9th Central Military Training School.⁹⁷

B. Peace Talks

There have been no material updates since the prior report.

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- ² The Irrawaddy, February 12, 2024: <https://www.irrawaddy.com/opinion/analysis/six-key-points-about-myanmars-newly-enforced-conscription-law.html>.
- ³ *Id.*
- ⁴ *Id.*
- ⁵ *Id.*
- ⁶ *Id.*
- ⁷ *Id.*
- ⁸ The Irrawaddy, February 15, 2024: <https://www.irrawaddy.com/news/burma/myanmar-junta-steps-up-forced-conscription.html>.
- ⁹ The Irrawaddy, February 15, 2024: <https://www.irrawaddy.com/news/burma/overseas-employment-suspended-as-myanmar-junta-activates-military-conscription.html>.
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- ¹² Channel News Asia, February 16, 2024: <https://www.channelnewsasia.com/asia/myanmar-impose-military-service-people-leave-yangon-thailand-junta-coup-4128826>.
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- ¹⁵ *Id.*
- ¹⁶ *Id.*
- ¹⁷ *Id.*
- ¹⁸ The Irrawaddy, February 23, 2024: <https://www.irrawaddy.com/news/burma/rohingya-men-in-myanmar-are-being-forcibly-recruited-by-the-juntas-military.html>.
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- ²⁰ Al Jazeera, February 2, 2024: <https://www.aljazeera.com/news/2024/2/2/fear-grips-refugees-after-unhcr-says-it-will-close-sri-lanka-operations>.
- ²¹ *Id.*
- ²² *Id.*
- ²³ *Id.*
- ²⁴ *Id.*
- ²⁵ *Id.*
- ²⁶ *Id.*
- ²⁷ *Id.*
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- ³⁰ *Id.*
- ³¹ *Id.*
- ³² *Id.*
- ³³ *Id.*
- ³⁴ TFIGlobal, February 21, 2024: <https://tfiglobalnews.com/2024/02/21/bangladesh-defies-trend-stands-firm-against-rohingya-influx/>
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⁵¹ Thai PBS World, February 23, 2024: <https://www.thaipbsworld.com/parnpree-expects-humanitarian-aid-to-myanmar-to-begin-in-early-march/>.

⁵² *Id.*

⁵³ The Irrawaddy, February 2, 2024: <https://www.irrawaddy.com/news/burma/myanmar-junta-arrests-youths-for-posting-about-silent-strike-on-facebook.html>.

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⁵⁵ *Id.*

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⁵⁸ The Irrawaddy, February 17, 2024: <https://www.irrawaddy.com/news/burma/two-myanmar-political-prisoners-killed-in-bago.html>.

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⁶² *Id.*

⁶³ *Id.*

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⁷² Voice of America, February 23, 2024: <https://www.voanews.com/a/cover-jobs-offer-some-protection-for-myanmar-s-lone-reporters/7499967.html>.

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⁷⁷ *Id.*

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⁹¹ The Irrawaddy, February 29, 2024: <https://www.irrawaddy.com/news/burma/at-least-12-civilians-killed-scores-injured-as-myanmar-junta-forces-shell-bazaar-in-sittwe.html>

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⁹³ The Irrawaddy, February 29, 2024: <https://www.irrawaddy.com/news/burma/myanmar-junta-captives-confess-to-rakhine-executions.html>

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⁹⁶ The Irrawaddy, February 21, 2024: <https://www.irrawaddy.com/news/war-against-the-junta/myanmar-junta-loses-more-bases-troops-in-four-days-of-resistance-attacks-2.html>.

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