

Myanmar Risk: Very High/Ongoing

Atrocities in Myanmar continue unabated with military forces committing more war crimes against civilians even as the junta is increasingly facing stronger and better coordinated armed resistance from ethnic armed organisation (EAOs) and civilian armed resistance forces. The military regime is expected to carry on more air strikes in northern and central Myanmar that could exacerbate further the humanitarian crisis in the country.

The recent coordinated attacks by the Brotherhood Alliance of several EAOs and Peoples Defence Forces (PDF), codenamed Operation 1027, in late October saw the capture of several military bases in northern Myanmar's Shan state, forcing the military government to convene an emergency meeting of its national security council.¹ China expressed serious concern over the situation as the violence between junta forces and the EAOs spilled over into its border with Myanmar. Beijing confirmed that there were Chinese casualties in the fierce fighting along the border.² Muse border zone, which accounts for 70 percent of cross-border trade with China, has been shut down after the Brotherhood Alliance took control of the area following Operation 1027. It is estimated that the junta is losing USD 423,000 tax revenue per day after the resistance forces occupied the zone.³

The Brotherhood Alliance vowed to spread its resistance operation across the country in coordination with other EAOs and resistance forces. It claimed to have occupied 150 military regime positions and at least five towns since its operation on 27 October began, effectively blocking the junta's access to the border with China.⁴ Resistance groups have also occupied Kawlin and Kamphat towns in Sagaing Region as part of Operation 1027. Two junta bases in Mese Township in Kayah state along the border with Thailand were also reported to have been occupied following a joint operation by the Karenni Army and PDFs in its own Operation 1107. For his part, the National Unity Government's (NUG) Acting President Duwa Lashi La said that more towns would fall into rebel hands even as he praised the coordinated operations of anti-junta resistance forces.

As of 9 November, over 4,100 people were killed by military and pro-military militias in Myanmar since the February 2021 coup.⁵ In addition, there are close to 500 documented deceased persons whose identities remain unknown and needs to be verified. Of the more than 25,300 people arrested, there are still over 19,600 people in detention of which 8,037 are serving their sentences.⁶ More than 5,700 detained people were released by the government. Between 1 January to 9 November 2023, there were 19 women and 69 men who were killed by junta forces in Magway region.⁷

The humanitarian crisis in Myanmar continues to worsen as there are now nearly 2 million people internally displaced across the country, of which 1.7 million were displaced by clashes and insecurity since the February 2021 coup. The ongoing conflict along with monsoon flooding continue cause new displacement, civilian casualties, and destruction of civilian properties according to the latest report from the UN Office for the Coordination of Humanitarian Affairs (OCHA). It also noted the threat to civilians from explosive ordnance is spreading as new data show that landmine casualties have occurred in all states and regions except in Nay Pyi Taw.⁸ Intense fighting in Shan State between the Brotherhood Alliance and junta forces since the launch of Operation 1027 already displaced at least 50,000 civilians from their homes for over two weeks, according to UN sources.⁹

Meanwhile, ASEAN's Five-Point Consensus (FPC) remain unimplemented as the junta in Myanmar remain defiant of regional and international calls to halt its violent attacks against civilians. Laos is taking over as chair of ASEAN next year and it is unlikely to exert pressure on the military regime to comply with the FPC. In the last ASEAN Summit chaired by Indonesia, it was agreed that the regional organisation will skip Myanmar's turn as chair of ASEAN after Malaysia takes over in 2025 and the

Philippines will follow suit in 2026. Given the continuing crisis in Myanmar, the military regime is unlikely to push through with its planned general elections which has been postponed several times since the coup. It is doubtful that the junta will be able to hold it in 2025 as it has projected¹⁰ amidst weakening military effectiveness vis-à-vis attacks by resistance forces and shrinking control of territories in the country.

Recommendations

The Tatmadaw should:

- Immediately cease all violations of international humanitarian law.
- Ensure that those responsible for violations are held accountable.
- Take tangible steps to return authority to the democratic government.
- Fully comply and implement the FPC agreement with ASEAN leaders without preconditions.
- Allow the unrestricted delivery of and access to international humanitarian assistance to IDPs and other affected communities in conflict affected areas in Myanmar.

ASEAN and its members should:

- Impose more stringent measures on the military regime for its non-compliance with the FPC. These should include suspending Myanmar's membership of ASEAN and considering the recognition of the NUG as Myanmar's legitimate government.
- All members should uphold their commitment to the FPC even as they also explore alternative pathways in resolving the Myanmar crisis through engagement with various stakeholders.
- Engage directly with the NUG and other democratic actors in Myanmar.
- Ensure protection of refugees from Myanmar, including the Rohingyas, who are fleeing violence in Myanmar and who are victims of human trafficking.
- Oppose plans by the junta to hold general elections that excludes the participation the NLD and other democratic parties who are opposed to the coup and refuse recognition of any government that will be set up by the military regime after the conduct of such elections.
- Expand the delivery of humanitarian assistance given the collapse of Myanmar's economy that could bring close to half of the population below poverty line by expanding the mandate of the ASEAN Humanitarian Assistance (AHA) Centre and coordinating humanitarian response with independent humanitarian organisations within Myanmar.

All UN Member States should:

- Increase humanitarian support, in coordination with ASEAN and other independent humanitarian organisations working within Myanmar, to civilians suffering as a result of ongoing atrocity crimes and conflict.
- The UN Secretary General should immediately name a new Special Envoy to Myanmar who will work closely with ASEAN in implementing the FPC and explore other pathways in responding the Myanmar crisis

- Increase humanitarian assistance to Rohingya refugees.
- Expand and implement targeted sanctions against the Tatmadaw and its business holdings in Myanmar and call on other UN member states including those in ASEAN that continue to do

Notes

¹ “Myanmar Junta Summons Emergency Security Council to Discuss Losing Shan State Battles,” The Irrawaddy, 9 November 2023, from <https://www.irrawaddy.com/news/burma/myanmar-junta-summons-emergency-security-council-to-discuss-shan-defeats.html>, accessed on 9 November 2023.

² “Beijing Confirms Chinese Casualties in Myanmar Border Battle,” The Irrawaddy, 7 November 2023, from <https://www.irrawaddy.com/news/burma/beijing-confirms-chinese-casualties-in-myanmar-border-battle.html>, accessed on 7 November 2023.

³ Hein Htoo Zan, “Myanmar-China Trade Corridor Closed as Battle Rages in Northern Shan,” The Irrawaddy, 3 November 2023, from <https://www.irrawaddy.com/business/myanmar-china-trade-corridor-closed-as-battle-rages-in-northern-shan.html>, accessed on 9 November 2023.

⁴ “Brotherhood Alliance Vows to Spread Operation 1027 Across Myanmar,” The Irrawaddy, 9 November 2023, from <https://www.irrawaddy.com/news/burma/brotherhood-alliance-vows-to-spread-operation-1027-across-myanmar.html>, accessed on 9 November 2023.

⁵ Assistance Association for Political Prisoners (Burma) infographic, 9 November 2023, from <https://www.facebook.com/burmapoliticalprisoners>, accessed on 10 November 2023.

⁶ Ibid.

⁷ Ibid.

⁸ Myanmar Humanitarian Update, 2 October 2023, OCHA, from <https://www.unocha.org/publications/report/myanmar/myanmar-humanitarian-update-no-33-2-october-2023>, accessed on 10 November 2023.

⁹ “Fighting in northern Myanmar has displaced almost 50,000 civilians, says UN,” Straits Times, 10 November 2023, from <https://www.straitstimes.com/asia/se-asia/northern-myanmar-fighting-displaces-almost-50000-civilians-says-un>, accessed on 10 November 2023.

¹⁰ Agence France Press, “Myanmar junta ‘likely’ to hold polls in 2025: party officials,” The Guardian, 5 September 2023, from <https://guardian.ng/news/world/myanmar-junta-likely-to-hold-polls-in-2025-party-officials/>