

MYANMAR AND THE RESPONSIBILITY TO PROTECT

PHOTO COVER PAGE:

Rohingya Muslims from Myanmar walk to Balukhali refugee camp, Bangladesh, October 2, 2017. Credit: Suvra Kanti Das

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EXECUTIVE SUMMARY

More than two months after the 1 February coup, the situation in Myanmar remains volatile and violence could escalate further as the Tatmadaw defies international calls for restoration of the democratically elected civilian government and intensifies its crackdown using lethal weapons against civilians participating in civil disobedience activities. The widespread support for anti-coup protests in the country, as demonstrated by continuing civil disobedience movement and daily rallies in major urban centres, indicate that the Tatmadaw's heavy crackdown has not been effective in intimidating the public into submission. In fact, the junta and its security forces are now increasingly seen as a terrorist regime by the population in general and cannot be trusted. Instead, the ousted civilian government represented by the Committee Representing Pyidaungsu Hluttaw (CRPH) is considered as the legitimate government by civilians protesting against the coup that must be restored. Violence against unarmed protestors may already constitute crimes against humanity.

Notwithstanding the 5-point consensus during the ASEAN leaders' meeting held in Jakarta on 24 April, which among others, called on the Tatmadaw chief to stop the violence, the risk of further atrocity crimes remains very high. In fact, a couple of days after the ASEAN meeting, four more people were reportedly killed in Myanmar by security forces, bringing the total to 753 deaths since the coup on 1 February. Also, the number of people arrested has reached 4,484 with over 3,400 still detained. At this point, it is not clear what ASEAN is willing and able to do if the junta fails to comply with the 5-point agreement. On 27 April, the State Administrative Council (SAC) chief announced that the junta will give careful consideration of the 5-point consensus agreement once political stability in Myanmar has been restored.

Meanwhile, ASEAN and the rest of the international community sooner than later will have to make

a choice between the junta's SAC and the National Unity Government as the legitimate authority in Myanmar that must be recognised. This issue has serious implications for the wellbeing of Myanmar's people.

Amidst the continuing violence in Myanmar, all governments should:

- 1. Exert pressure on the junta to stop its heavy crackdown on civilians supporting the anti-coup protests by:
 - a. Reminding the Tatmadaw regime of Myanmar's obligations under international humanitarian and human rights law;
 - b. Voicing criticism and concern in the United Nations General Assembly and Human Rights Council;
 - c. Demanding that the UN Security Council adopt measures to fulfil its responsibility to protect including:
 - Condemning the junta's violence and demanding its immediate cessation;
 - ii. Imposing targeted sanctions;
 - iii. Referring the situation in Myanmar to the ICC
 - d. Imposing targeted sanctions on high-level members of the military regime;
 - e. Imposing an arms embargo;
 - f. Suspending international financial assistance and aid to government and government-related projects.
 - g. Demanding that Myanmar grant unfettered humanitarian access to affected areas

- 2. Support calls by the International Independent Mechanisms on Myanmar to gather evidence of human rights violations and atrocity crimes being committed by the Tatmadaw security and police forces against civilians and pursue accountability for these crimes;
- 3. Demand that ASEAN suspend Myanmar's membership for failure to comply with the 5-point consensus reached during the ASEAN leaders summit until and unless the Tatmadaw halts its use of lethal weapons against unarmed civilian protesters, release all detainees including leaders of the ousted NLD government, restore the parliamentary government elected in November 2020, allow access to humanitarian assistance to all affected communities, and allow an international and independent panel to investigate atrocities committed by the Tatmadaw and police forces as part of accountability measures mentioned above;
- 4. Seriously consider providing moral and material support and assistance to the National Unity Government (NUG) recently created by the CRPH with other ethnic minority groups under an interim federal democracy charter, with a view towards ultimately recognising it as the legitimate government in Myanmar that should occupy the country's seat in the United Nations; and
- 5. Support local and international efforts by civil society groups in calling for an end to violence and use of lethal weapons against civilians, restoration of democratically elected civilian government, use of arms embargoes and sanctions against the junta, stop in trade and investments ties with businesses linked to the Tatmadaw, including oil and gas explorations, and pursue accountability for human rights violations and atrocity crimes committed by the Tatmadaw.

Overview

On 1 February, the Myanmar military led by Army Commander-in-Chief Min Aung Hlaing staged an unconstitutional power grab against the civilian government and declared a one-year state of emergency. It set up the State Administrative Council (SAC) and detained top NLD leaders including State Counsellor Aung San Suu Kyi. The army chief, who was scheduled to retire middle of the year, justified his putsch by claiming 'widespread election fraud' in the November 2020 elections, which was overwhelmingly won by the NLD. Criminal charges were filed against Suu Kyi for allegedly smuggling communications equipment following a military raid in her house and the NLD headquarters in Yangon.1 More trumped-up corruption charges were subsequently filed against her by the junta, which could keep her in jail for several years if convicted, thereby denying her the right to run for political office.

Access to mobile and internet services throughout Myanmar have been intermittently cut even in an effort to deny the international community live news feeds of what have been going in the country. Longer internet and mobile service disruptions were reported after martial law was declared by the junta in a number of townships in Yangon following the burning of Chinese-owned factories on 13 March. Military commanders were empowered by the SAC with administrative, judicial, and military powers in Yangon against those who commit any of the 23 offenses and face penalties including death and indefinite jail terms.²

As nation-wide protests against the coup grew, the Tatmadaw resorted to night-time warrantless arrests of suspected activists and protesters, forcing civilians to organise neighbourhood watch to prevent security forces from undertaking arbitrary arrests. Following the junta's decision to release some 23,000 persons in jail, unconfirmed reports claim that some of the released prisoners were undertaking mob attacks against protesters by setting houses on fire even as it is alleged that they were being used by the military to infiltrate protesters to instigate violence.³

Atrocity Crimes

More than a month since the coup, the junta's atrocity crimes against civilians and other vulnerable populations in Myanmar increased significantly as the police and military forces cracked down heavily on unarmed peaceful protesters in major cities in the country. As of 27 April, over 753 people have been killed by Tatmadaw troops and the police using military-grade weapons and snipers, as well as seriously injuring others through the use of rubber bullets, stun grenades, and batons. The deadliest day happened on 27 March during the Tatmadaw's celebration of Armed Forces Day when over 160 civilians were killed across the country. In Mandalay, security forces from the 33rd Light Infantry Division who were linked to the killing in 2017 of 10 Rohingya men and boys in Inn Dinh in Rakhine state were deployed in the crackdown against striking shipyard workers that resulted in two civilians killed and a number seriously injured. Some 20 trucks full of military troops arrived in Yadanarbon shipyard to stamp out protesters using catapults, water cannons, rubber bullets, and live rounds. The security forces reportedly fired on unarmed civilians without warning and arrested a number of protesters.4

Increasingly, security and police forces have resorted to tactics that not only violate human rights but may also be considered as crimes against humanity. The Myanmar-based Assistance Association for Political Prisoners (AAPP) documented the following crimes committed by Tatmadaw and police forces since the coup, which were also reported in the media and by civil society groups:5

- refusal to give access to medical treatment and meet with relatives to those who were injured, arrested, and detained;
- use of torture and other inhumane acts against those arrested and detained, leading to death or serious injuries;⁶
- looting and destroying public and private properties on a daily basis;⁷
- intimidating, verbally abusing, and treating unarmed civilians as criminals⁸ or combatants⁹;
- destruction of residential houses and private vehicles;¹⁰

- occupying schools,¹¹ attacking and raiding hospitals,¹² and threatening health workers participating in protests;¹³ and
- violence against women through intimidation, threats of or actual use of force, and shooting and killing women, including those who are pregnant.¹⁴

Security forces have also targeted charity organisations in Myanmar that provide medical treatment, funeral services, and food to poor citizens. A number of their rescue volunteers and humanitarian aid staff have been physically attacked by slapping, kicking, and hitting them with weapons, and detained by Tatmadaw forces. Meanwhile, in a joint statement by Save the Children, UNESCO, and UNICEF on 19 March, it was pointed out that security forces have reportedly occupied over 60 schools and university campuses in 13 states and regions in Myanmar. In one incident, two teachers were beaten by security forces and left others injured. 16

As of 27 April, more than 4,400 people have been arrested and arbitrarily detained as the SAC pursued protesters by conducting night-time raids of residences, shutting down businesses and local media companies, as well occupying schools and hospitals. Many of those arrested and detained were tortured while in custody. Accordingly, two NLD members who were arrested by the military were tortured and later died while in custody. There were also reports of missing or disappeared persons who participated in the anti-coup protests in the country. As of 18 March, about 547 out of 770 students arrested by the military regime are still being detained for taking part in the anti-coup protests, which include a number of high school students. Of these, some 400 students have been charged by the junta while more than a dozen students have gone missing.¹⁷ As of 19 March, a total of 40 journalists have been arrested by the junta, 22 of whom were released and 18 are still detained.¹⁸ Human Rights Watch reported on 2 April that hundreds have forcibly disappeared in Myanmar as the AAPP could confirm the location of only a small fraction of over 2,5000 detainees.19

Overall, the growing isolation of the Tatmadaw within and outside Myanmar could force the junta to adopt more desperate and brutal measures against unarmed civilians who remain defiant despite the military's violent crackdown. This could only increase further the risk of atrocity crimes in the country given that Min Aung Hlaing continue to give in to pressures from ASEAN, the UN, and the rest of the international community for the junta to stop violence against civilians. In fact, the UN Special Envoy on Myanmar, Christine Schraner Burgener, said that she was informed by a member of the junta that the regime is prepared to endure any sanctions and political isolation that will be imposed by the international community.²⁰

Civil Disobedience Movement

Notwithstanding the junta's heavy crackdown against anti-coup protesters, the public remained defiant and sustained their daily protest rallies. More students, teachers, government employees, workers in transportation, banking, and factories, as well as religious groups joined the civil disobedience movement (CDM). Despite the junta's orders and intimidation, many government employees and private bank staff refused to return to work. Doctors and health workers, as well as engineers have also joined daily protests across the country. The junta also evicted a number of striking railway workers from their government housing for refusing to go back to work. Since February, majority of railway employees in Mandalay and Yangon joined the CDM by refusing to work for the junta. Following the ASEAN leaders meeting in Jakarta on 24 April, Myanmar activists have called for more protests as they criticised the consensus agreement between the junta chief and ASEAN.²¹ They also urged people to stop paying electricity bills and agricultural loans, as well as prevent their children from attending school.²²

Meanwhile, hundreds of policemen, fire brigade, and military troops also deserted and joined the civil disobedience campaign, with some of them fleeing to India²³ and territories controlled by ethnic armed organisations in Myanmar. More than 600 police officers have reportedly joined the CDM, with only Rakhine state reporting no protests by officers.²⁴ Meanwhile, over 24 diplomats based

in various Myanmar missions abroad have joined the CDM and refused to work with the junta. This includes embassy staff in the US, UK, Japan, Switzerland, Italy, and France.²⁵ The anti-coup protest by Myanmar diplomats abroad was spearheaded by the country's permanent representative to the UN, Kyaw Moe Tun, on 26 February when he denounced the coup before the General Assembly and appealed to the members of the UN 'to use any means necessary to take action against the Myanmar military' and restore democracy.²⁶

Accordingly, anti-coup protesters in Myanmar and the diaspora have called on the UN to intervene under the Responsibility to Protect (R2P) principle amidst continuing crimes against humanity being committed by the junta. The ousted NLD government, which is represented by Committee Representing Pyidaungsu Hluttaw (CRPH), has called on the UN Security Council to employ R2P to save Myanmar by implementing arms embargo, targeted sanctions on all business enterprises connected to the Tatmadaw, condemning the use of force by the military, and bringing the perpetrators of atrocity crimes to justice through existing international accountability mechanisms.²⁷ Accordingly, the CRPH has hired an international legal team to examine closely Article 12.3 of the Rome Treaty that would allow the ICC to exercise jurisdiction with regard to crimes against humanity committed by the junta. This move presumes that the CRPH will be eventually recognised as the legitimate government of Myanmar.28

The junta has outlawed the CRPH and its associates and has issued an arrest warrant for its Special Envoy, Dr. Sasa after it charged him with high treason. The CRPH has supported calls for civil disobedience and endorsed the civilians' right to self-defence against violent crackdown by the junta.²⁹ Apparently, the heavy crackdown by the junta has forced many protesters to use molotov cocktails, sling shots, and firebombs against security forces.³⁰ On 15 April, CRPH declared a National Unity Government (NUG) following its announcement of an interim federal democracy charter that replaces the Tatmadaw-drafted 2008 Constitution. Accordingly, the NUG will steer the resistance against the junta, "direct public administration, support civil disobedience movement actions, and advocate for international recognition."³¹ The viability of the NUG in the medium- to long-term will certainly depend on the level of international support and assistance it could muster to undermine the Tatmadaw's unity and effectively bring an end to the junta's rule.

Looming Humanitarian Crisis

Amidst the continuing heavy crackdown by the Tatmadaw against protesters in major urban centres, a looming humanitarian crisis in Myanmar could exacerbate suffering of many civilians in the country, particularly its vulnerable populations. With the economy virtually in shutdown, prices of basic commodities have increased significantly. The general strike has kept banks closed and made cash scarce, which effectively prevented businesses from paying millions of their employees. Up to 90 percent of national government activity has ceased and factories are idled.³² Accordingly, the government health system in Myanmar has practically collapsed even as security forces have occupied 36 hospitals throughout the country, with some patients being evicted from these hospitals.33

The World Food Program (WFP) recently warned that rising food and fuel prices risk undermining the ability of poor families to feed themselves. An estimated 360,000 people in Myanmar rely on food aid and other humanitarian assistance, with most of them internally displaced in conflict areas in the country for more than a decade.34 Some 8,000 Karens have been displaced following recent Tatmadaw offensive in southeastern Myanmar. The military has aggressively expanded its reach in Karen state since 2017 by building bases and roads in order dominate the area which has been controlled by Karen National Liberation Army (KNLA).35 Following the Tatmadaw's airstrike on KNU-controlled territories on 28 March, over 10,000 civilians fled to safety along the border with Thailand, which prompted Thai border forces to stop the exodus of refugees. The government in Bangkok was criticised by human rights advocates for pushing back the refugees into Myanmar as the Tatmadaw continued with their airstrikes. However, the Thai prime minister denied forcing back the refugees into Myanmar.³⁶

More people will be displaced in the country as the Tatmadaw continue to conduct counter-insurgency operations against ethnic armed groups in Karen, Kachin, and Chin states, which could then lead to increased outflow of refugees to Thailand, Bangladesh, and India. In fact, Thai authorities are bracing for a surge of refugees following the coup and has set aside areas to shelter over 43,000 people in Mae Sot district.³⁷ The humanitarian crisis situation in Myanmar is further complicated by the ongoing pandemic. COVID-19 testing in Myanmar has declined significantly since the coup and mass vaccination is nowhere in sight.³⁸

Regional and International Responses

Expressions of deep concern over the escalation of violence in Myanmar following the coup were made by various stakeholders at the international and regional levels. The UN Security Council issued two press statements: the first one in February and another one in April as violence in Myanmar continued to escalate despite calls for the Tatmadaw to stop the use of lethal force against protesters. On 4 February, the Security Council issued a press statement that called for the release of Suu Kyi and the importance of adherence to democratic institutions and processes, as well as respect for human rights and the need to refrain from the use of violence. It also expressed support for ASEAN and its chairman's statement issued on 1 February.39 Amidst increasing violence by the Tatmadaw on peaceful protesters, the Security Council adopted a presidential statement on 10 March that called for a reversal of the coup, condemned the violence against peaceful protesters, and called for 'utmost restraint' by the military. It also underscored the importance of adhering to 'democratic institutions and processes' and called for the release of detained NLD leaders including Suu Kyi and President Win Myint.⁴⁰ The statement, however, failed to condemn the coup and the use of possible measures or sanctions if the situation in Myanmar deteriorates further, which were in the original draft circulated by the UK. China, Russia, India, and Vietnam reportedly objected to these provisions in the previous draft.41

On 1 April, the UN Security Council issued another press statement that reiterated its condemna-

tion of the use of violence against protesters and the increasing deaths of civilians, even as it again called on the Tatmadaw to exercise restraint. The statement, however, failed to condemn the coup and dropped the threat of possible future action (including sanctions)—which were in the original draft by the United Kingdom—as China insisted on removing these in the statement. Russia, for its part, insisted on including a call "on all sides to refrain from violence"42 The press statement was issued following closed Security Council meeting in which the UN Special Envoy on Myanmar warned of the possibility of a civil war "in unprecedented scale" in the country and urged the urged the body to consider "significant action" to reverse the coup and restore the democratic order.⁴³ For his part, China's UN ambassador warned against "one-sided pressure" and calls for sanctions and other coercive measures, as these would only aggravate tension and confrontation among protagonist in Myanmar. He urged all parties to engage in dialogue that could de-escalate the situation and advance the democratic transition in Myanmar.⁴⁴ En route to the ASEAN leaders meeting in Jakarta, the UN Special Envoy made a stop in Bangkok in an attempt to visit Myanmar but was unsuccessful. However, she was able to meet with the junta leader in Jakarta following the ASEAN leaders' meeting where the latter defended the February coup and reiterated his claim of widespread election fraud in the November elections. She was also told by the Tatmadaw chief that he is not ready to receive her for a visit in Myanmar anytime soon.45

At the regional level, the ASEAN Chairman's Statement issued on 1 February emphasized the importance of adhering to democratic principles, including the protection of human rights, respect for fundamental freedoms, and the rule of law. Four representatives of the ASEAN Inter-Governmental Commission on Human Rights (AICHR) from Indonesia, Malaysia, Singapore, and Thailand also issued a joint statement expressing their individual positions on the situation in Myanmar, which echoed the ASEAN Chairman's Statement and underscored the importance of upholding the principles of the ASEAN Charter and the protection of human rights, fundamental freedoms, and rule of law.

As the junta continued with its heavy crackdown on protesters, ASEAN foreign ministers held a virtu-

al special meeting on 2 March to assess the bloc's response to the situation in Myanmar. This came in the aftermath of a meeting in Bangkok between Indonesian Foreign Minister Retno, her Thai counterpart, and the junta-appointed foreign minister Wunna Maung Lwin.⁴⁷ Earlier, Retno clarified that Indonesia was not supporting the junta's plan to call fresh elections after reports circulated that she was endorsing the idea, which was met with strong criticisms from anti-coup protesters in Myanmar. During the informal ministerial meeting, four members-Indonesia, Malaysia, the Philippines, and Singapore—called for an end to the use of lethal force and violent crackdown against unarmed protesters in Myanmar and for the release of Suu Kyi and other detainees. The Philippines' foreign minister called for the restoration of status quo ante 48 while the Thai foreign minister called for dialogue and building of trust to bring a resolution to the political crisis in the country.⁴⁹ A Chairman's statement issued after the special meeting of ASEAN foreign ministers called on all parties in Myanmar to refrain from engaging in further violence and to exercise utmost restraint, even as they also called for them to engage in constructive dialogue. However, the statement only noted 'some calls for the release of political detainees' and for the UN Secretary General's Special Envoy on Myanmar 'to engage all parties concerned.'50

Notwithstanding expressions of grave concern by ASEAN members, the junta in Myanmar continued with its violent crackdown against unarmed protesters and carried out atrocity crimes with impunity. This prompted Indonesian President Joko Widodo to call for an emergency summit of ASE-AN leaders, which was supported by his Malaysian counterpart, as the situation in Myanmar continued to deteriorate.⁵¹ Prior to this, the Indonesian defence minister also expressed deep concern over continuing violence in Myanmar during the virtual 18th meeting of ASEAN defence chiefs, which was attended by the Tatmadaw chief and leader of the junta.⁵² As the protagonists in this political crisis harden their respective positions, it appears that ASEAN's attempts at mediation to find a peaceful solution to the conflict is unlikely to succeed.

On 24 April, ASEAN leaders met with Min Aung Hlaing in Jakarta, which resulted in the 5-point con-

sensus on the crisis in Myanmar, to wit: 1) an "immediate cessation of violence in Myanmar and all parties exercise utmost restraint"; 2) "constructive dialogue among all parties concerned shall commence to seek a peaceful solution in the interest of the people"; 3) a Special envoy of the ASEAN chair shall be appointed "to facilitate mediation of the dialogue process, with assistance of the Secretary-General of ASEAN"; 4) "ASEAN shall provide humanitarian assistance through the ASEAN Humanitarian Assistance (AHA) Centre"; and 5) the special envoy and delegation shall visit Myanmar to meet with all parties concerned."53 According to some reports, the release of detainees was included in the draft consensus and raised by ASE-AN leaders during the meeting but did not make it to the final agreement. It was in fact recognised by ASEAN member states as a prerequisite for any meaningful dialogue.54 It significant to note that the consensus agreement failed to include accountability for atrocities committed by security forces since the coup in February. As well, the Chairman's statement neither identified a specific timeline for implementing the consensus agreement nor said anything about what ASEAN will do if the junta fails to comply with any or all consensus points. On 27 April, the junta chief announced that the SAC will give careful consideration of the 5-point consensus agreement once stability in Myanmar has been restored.⁵⁵ This does not augur well for immediate cessation of violence in the country and clearly indicates that Min Aung Hlaing is unwilling to cooperate with ASEAN in accordance with the agreed consensus points until stability is restored in his own terms.

Meanwhile, Prime Minister Mahn Winn Khaing Thann of the National Unity Government of Myanmar on 27 April issued a statement following the ASEAN leaders' meeting. Specifically, he thanked the leaders of Indonesia, Malaysia, and Singapore for consistently calling for the release of political detainees and for reiterating the same during the Jakarta meeting. However, he expressed regret that the NUG was not invited to brief its ASEAN counterparts to give a clear picture of what is happening on the ground in Myanmar. With regard to cessation of violence, he stressed that the violence in the country is one-sided and is being committed

only by one party. On the call for "constructive dialogue among all parties concerned, he urged the ASEAN delegation who will visit Myanmar to engage with the NUG, representatives of the CDM, and ethnic armed organisations "to ensure that all voices against military rule in Myanmar are heard by ASEAN interlocutors." With regard to the humanitarian mission to Myanmar, he stressed that "humanitarian assistance alone does not provide a solution to the root causes" of the current situation in the country. 56

For its part, various civil society groups across the region condemned the overthrow of the civilian government, called on the junta to restore the democratically elected civilian government, and denounced the use of force by security troops against demonstrators who were peacefully protesting against the coup.⁵⁷ Some parliamentarians in the region have called for suspension of Myanmar's membership in ASEAN or expulsion from the organisation if the junta refuses to backdown.⁵⁸ In Malaysia, 59 parliamentarians called for suspension of Myanmar in ASEAN until and unless the Tatmadaw stops killing unarmed civilians protesting against the coup.⁵⁹

Before the ASEAN leaders' meeting in Jakarta, a number of civil society groups in the region expressed concern over the invitation extended to junta chief Min Aung Hlaing as it would be tantamount to recognising the legitimacy of the SAC. Statements were issued by several groups urging the ASEAN leaders to invite the National Unity Government of Myanmar to the meeting and recognise it as the legitimate representative of the Myanmar people. While the parallel National Unity Government said that it welcomed the 5-point consensus of ASEAN leaders, it also stressed that the junta should be held to its promises to the regional organisation.

Meanwhile, the US announced that it will impose additional sanctions against the military in Myanmar, including those against Min Aung Hlaing's two adult children and the six companies they own or control. However, stronger measures sought by activists in order to deprive the junta of revenues from oil and energy companies were not included in the sanctions.⁶² For its part, New Zealand decided to suspend high level military and political engagement with Myanmar and stated that it does not recognise the junta as a legitimate government.⁶³ Australia followed suit and suspended all engagement with the Tatmadaw as it denounced the coup and violence against the protesters.⁶⁴

The European Union (EU) foreign ministers met on 22 February to review the bloc's relations with Myanmar and examine avenues to exert pressure on the junta, including suspension of preferential trade treatment for products coming from the country.65 On 22 March, the EU announced targeted sanctions against 11 high ranking military officials that included Tatmadaw chief Min Aung Hlaing as well as the new chairperson of the Union Election Commission for his role in cancelling the results of the November 2020 elections.66 measures include travel ban and asset freezes, as well as forbidding EU citizens and companies from making funds available to these individuals and entities. Earlier, the EU also suspended its support for development projects in Myanmar in order to avoid providing financial assistance to the junta.⁶⁷

Accordingly, some investors from Japan, Thailand, and Singapore have temporarily suspended business dealings with Myanmar in light of anticipated Western sanctions that may be imposed against the junta. The Asian Development Bank (ADB) on 11 March temporarily suspended funding for government projects in Myanmar even as it expressed deep concern over the deteriorating situation in the country.

Conclusion

The situation in Myanmar remains volatile and violence could escalate further as the Tatmadaw defies calls by various stakeholders within and outside Myanmar for restoration of the democratically elected civilian government even as it intensifies its crackdown using lethal weapons against civilians participating in civil disobedience activities. International and/or regional mediation efforts in order to jumpstart a dialogue between the junta and the NLD leadership are unlikely to yield results unless meaningful pressure is brought to bear. It is for that reason, that it is imperative that international actors do all they can to increase pressure, including;

- 1.Exert pressure on the junta to stop its heavy crackdown on civilians supporting the anti-coup protests by:
 - a.Reminding the Tatmadaw regime of Myanmar's obligations under international humanitarian and human rights law;
 - b.Voicing criticism and concern in the United Nations General Assembly and Human Rights Council;
 - c.Demanding that the UN Security Council adopt measures to fulfil its responsibility to protect, including:
 - i.Condemning the junta's violence and demanding its immediate cessation;
 - ii.Imposing targeted sanctions;
 - iii.Referring the situation in Myanmar to the ICC
 - d.Imposing targeted sanctions on high-level members of the military regime;
 - e.Imposing an arms embargo;
 - f.Suspending international financial assistance and aid to government and government related projects; and
 - g.Demanding that Myanmar grant unfettered humanitarian access to affected areas

- 2.Support calls by the International Independent Mechanisms on Myanmar to gather evidence of human rights violations and atrocity crimes being committed by the Tatmadaw security and police forces against civilians, and pursue accountability for these crimes; and
- 3.Demand that ASEAN suspend Myanmar's membership until and unless the Tatmadaw halts its use of lethal weapons against unarmed civilian protesters, release all detainees including leaders of the ousted NLD government, restore the parliamentary government elected in November 2020, allow access to humanitarian assistance to all affected communities, and allow an impartial international panel to investigate atrocities committed by the Tatmadaw based on the above recommendation.
- 4.Seriously consider providing moral and material support and assistance to the National Unity Government (NGU) recently created by the CRPH with other ethnic minority groups under an interim federal democracy charter, with a view towards ultimately recognising it as the legitimate government in Myanmar that should occupy the country's seat in the United Nations; and
- 5.Support local and international efforts by civil society groups in calling for an end to violence and use of lethal weapons against civilians, restoration of democratically elected civilian government, use of arms embargoes and sanctions against the junta, stop in trade and investments ties with businesses linked to the Tatmadaw, including oil and gas explorations, and pursue accountability for human rights violations and atrocity crimes committed by the Tatmadaw.

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