

Myanmar Risk: Very High/Ongoing

Over two years since the February 2021 coup, the junta in Myanmar continues to commit atrocities against civilians and remains defiant of international and regional calls to put a stop to the violence against anti-coup protesters. As of 10 February 2023, close to 3,000 people have been confirmed killed as security forces continue with their crackdown in various parts of the country, although the actual number are likely much higher.¹ Over 13,800 people remain in detention, of whom 2,439 are serving their sentences. Post-coup death row prisoners now total 101, bringing to 143 the total number of people sentenced to death in the country.²

The military regime intensified its air strike campaigns against the civilian armed resistance forces in central and northern parts of Myanmar. In 2022, the Myanmar air force conducted at 688 air strikes in Sagaing, Chin, Kayin, Kachin, Mon, and Magwe regions even as fighting between junta forces and the combined resistance of the People Defence Forces (PDF) and Ethnic Armed Organisations (EAOs) continue. The twelve-fold increase in air attacks compared to 54 in 2021 killed 460 people including children across the country.³ For the last two years, a total of 722 air strikes were conducted by the junta in these areas.⁴ Apart from air campaigns, security forces also committed arson attacks against civilians, bringing close to 50,000 houses destroyed in Sagaing, Magwe, and Chin states.⁵

Two years after the coup, more than 1.2 million people have been internally displaced in Myanmar as of 23 January 2023, according to the UN Office for the Coordination of Humanitarian Assistance in Myanmar (UNOCHA Myanmar). This brings the total of internally displaced people across the country to 1.5 million, of which 330,000 have been displaced in Rakhine, Kachin, Chin, and Shan even before the coup.⁶ Almost a third of the the population of Myanmar (or 17.6 million) is estimated to be in humanitarian need in 2023. OCHA Myanmar reported that severe access constraints and drastic underfunding are continuing challenges faced by humanitarian workers in the country but noted that they were able to deliver life-saving assistance to more than 3.9 million people in 2022.⁷ More restrictions are being imposed by the junta such as new registration requirements for humanitarian non-government organisations in the country.⁸

Over the past two years, the military regime faced growing and intensified armed resistance to the coup across the country and extended its emergency rule for another six months beyond the two-year limit provided for by the constitution.⁹ The junta also extended martial law in 37 townships where it is facing strong armed resistance and postponed its planned general elections in August 2023 indefinitely.¹⁰ In his conference room paper for the upcoming 52nd session of the UN Human Rights Council, the Special Rapporteur on the Situation of Human Rights in Myanmar asserted that the junta's State Administrative Council (SAC) controls less than half of the country's territory since the coup, with very limited access in Chin and Rakhine States, as well as receding ability to exercise control over Kayin and Kayah States.¹¹ Accordingly, PDFs have also substantially challenged SAC's control in Sagaing, Magway, and parts of the Mandalay Regions even as the junta expects the civilian armed resistance forces to strengthen its capabilities and operational strength this year.¹² It is significant to note that it is in these territories where the Myanmar air force conducted over 700 air strikes since the coup.

Given its decreasing effective control of the country and inability to suppress the anti-coup resistance, the military regime is likely to commit more atrocities against civilians. It will continue to also defy international and regional calls to stop the violence and disregard the ASEAN's Five-Point Consensus (FPC), which Minh Aung Hlaing agreed to with the ASEAN leaders in April 2021. Despite additional targeted sanctions imposed by the US, UK, and Australia against the junta chief and his military and business associates, the SAC is unlikely to yield to international pressures for the release of Aung San Suu Kyi and other political detainees. As in the past two years, it will continue to deny access to both

the UN and ASEAN Special Envoys to meet with Suu Kyi and other NLD leaders. Under Indonesia's chairmanship of ASEAN this year, the junta chief is likely to protest any moves of the regional bloc to engage with the National Unity Government (NUG) and oppose the recognition of NLD-appointed permanent representative to the United Nations. Meanwhile, the junta will rely heavily on the support of Russia, China, and other "allies" of the regime to sustain itself in power, including de facto recognition of the junta and provision for military weapons to suppress the anti-coup resistance.

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.
- Engage directly with the NUG and other democratic forces in Myanmar.
- Oppose plans by the junta to hold general elections that excludes the participation the NLD and other democratic parties and refuse recognition of any government established by such elections.
- Cooperate with the UN special envoy to coordinate more fully in exploring options to break the current stalemate in Myanmar, giving priority to delivery of humanitarian assistance to affected communities in the country, including food, medical and health services, and assistance to the growing number of internally displaced peoples before and after the coup in 2021.
- 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 contributions for the delivery of humanitarian assistance, in coordination with ASEAN and other independent humanitarian organisations working within Myanmar.
- Further expand and implement targeted sanctions against the Tatmadaw and its business holdings in Myanmar.
- Ensure compliance of UN and ASEAN member states to the resolution adopted by the General Assembly in 2021 calling for arms embargo against Myanmar.

References

¹ Assistance Association for Political Prisoners (Burma) Daily Briefing in Relation to the Coup, updated 10 February 2023, from <https://www.facebook.com/burmapoliticalprisoners>, accessed on 13 February 2023.

² Ibid.

³ “The Blood-Soaked Years Under Myanmar’s Junta in Numbers,” The Irrawaddy online, 1 February 2023, from <https://www.irrawaddy.com/news/conflicts-in-numbers/two-blood-soaked-years-under-myanmars-junta-in-numbers.html>, accessed on 13 February 2023.

⁴ Ibid.

⁵ Ibid.

⁶ “Myanmar Humanitarian Update No. 26”, 2 February 2023, from https://reliefweb.int/report/myanmar/myanmar-humanitarian-update-no-26-2-february-2023?_gl=1*16zpxj*_ga*MTc0MTc5NzkyMi4xNjc2MjQ4ODMw*_ga_E60ZNX2F68*MTY3NjI0ODgzMC4xLjEuMTY3NjI0ODg4OS4xLjAuMA.., accessed on 13 February 2023.

⁷ Ibid.

⁸ Ibid.

⁹ “Myanmar military expands martial law in strongholds of resistance,” Al Jazeera online, 4 February 2023, from <https://www.aljazeera.com/news/2023/2/4/myanmar-military-expands-martial-law-in-strongholds-of-resistance>, accessed on 13 February 2023.

¹⁰ Ibid.

¹¹ “Illegal and Illegitimate: Examining the Myanmar military’s claim as the Government of Myanmar and the international response”, Conference room paper of the Special Rapporteur on the situation of human rights in Myanmar, 27 February-31 March 2023), A/HRC/52/CRP.2, 31 January 2023, p. 25.

¹² Ibid.