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URGENT CALL FOR ACTION: ONE YEAR INTO MYANMAR COUP, GROWING IMPUNITY & INTERNATIONAL INDIFFERENCE

On 1 February 2021, the Myanmar military staged a coup d'état and declared a state of emergency. The nullification of the November 2020 election result, and the detention and replacement of civilian government leaders with the “State Administration Council” (SAC) sparked nationwide protests by millions of people calling for democracy and the restoration of the civilian government. The exercise of freedoms of expression and assembly by peaceful protesters has been met with the use of unlawful and excessive force and a lethal crackdown by the Myanmar military. Since then, 1,503 people including women and children have been killed, with 11,838 arbitrarily arrested.

Thousands of individuals including elected officials, civil servants, lawyers, human rights defenders, activists, have been arbitrarily arrested and detained, and forcibly disappeared. Members of the security forces have committed widespread and targeted sexual and gender-based violence including rape against women and girls, especially from ethnic minorities. The military and police systematically targeted human rights defenders and protestors, committing torture and other acts of ill-treatment in its various interrogation centres and prisons. In the past year, more than 120 journalists have been detained and three have been killed, 284 healthcare workers have been arrested, 113 hospitals raided, and 31 healthcare workers have been killed. According to the Independent Investigative Mechanism on Myanmar, the preliminary evidence collected since the coup shows a widespread and systematic attack, amounting to crimes against humanity.

Further, restrictions on the movement of humanitarian workers and aid convoys from reaching persons in need, especially during an ongoing global pandemic, have escalated the humanitarian catastrophe. According to the United Nations, 14.5 million people in Myanmar including five million children require urgent assistance.

The Myanmar military has initiated sham legal proceedings without observing due process or fair trial procedures against protestors and political opponents. The conviction of State Counsellor Aung San Suu Kyi for the possession of unlicensed walkie-talkies, the “incitement of public unrest” against the military, and violating Covid-19 restrictions, alongside President Win Thin, is just one such example. More than 759 people have been subjected to false charges and baseless convictions, including the sentencing of 118 people *in absentia*, and 84 sentenced to death by military courts since 1 February 2021.

The Myanmar junta is using military tactics and is targeting individuals taking no part in any hostilities across various regions of Myanmar. It has carried out indiscriminate and disproportionate artillery shelling and bombardment of Karen (Kayin) and Karenni (Kayah) State and neighbouring regions for the past months violating international humanitarian and human rights law. On 24 December 2021, over 40 people were killed by the Myanmar military in Karenni State, including children and humanitarian workers. Abuses committed in a military offensive unleashed by the Tatmadaw in Chin State and Sagaing and Magway Regions in

October – November may also constitute crimes against humanity and war crimes. These attacks have forced over [400,000 people](#) to flee their homes resulting in widespread internal displacement and over 32,000 have fled across borders to India and Thailand, as well as Indonesia.

The recent military offensives in Chin and Karenni States echo the Myanmar junta's 'clearance operations' and 'scorched earth' campaign against the Rohingya in 2017. In Rakhine State, Rohingya persons face increasing unjustifiable [restrictions on their freedom of movement](#), arbitrary arrests and stricter punishments on the attempts to flee the state, and intimidation by the security forces. Similarly, Rohingya residing in Bangladeshi refugee camps face [heightened security risks, forced relocation to Bhasan Char island](#), and restrictions on access to [education](#), livelihood, and movement.

Despite multiple targeted economic sanctions by the [United States](#), [United Kingdom](#), [Canada](#), and [the European Union](#), the military-owned and controlled companies involved in timber and the natural oil and gas industries, continue to engage in business and generate revenue. The protracted supply of weapons from various countries to junta [despite calls for a global arms embargo](#) is contributing to the commission of mass atrocities.

The military junta has shown utter disregard and failed to implement the 2021 ASEAN-led Five-Point Consensus. The existing non-cooperation and restriction placed on the ASEAN Special Envoy to meet detained former leader Aung San Suu Kyi go against the agreed consensus. The January 2022 visit to Myanmar by Cambodian Prime Minister Hun Sen, the new Chair of ASEAN, broke with the diplomatic isolation of Gen. Min Aung Hlaing established at the 38th ASEAN Annual Summit and endorsed by other ASEAN members. The visit signalled an attempt to accord legitimacy to the military junta despite limited progress in achieving the goals of the consensus, including repeated violations of the junta's self-declared ceasefire. There are serious doubts regarding the effectiveness and commitment of ASEAN to address Myanmar's human rights and humanitarian catastrophe.

The continued inaction on the part of the UN Security Council – the world body tasked with maintaining international peace and security – has bolstered the confidence of the Myanmar military and has entrenched impunity. This inaction includes a failure to refer the situation in the country to the International Criminal Court. The political, economic, humanitarian, and health crises that is facing Myanmar will continue to deteriorate if no meaningful action is taken soon.

The Asia Justice Coalition expresses its grave concern regarding crimes being committed by the Myanmar military and the inaction of the international community. It calls upon:

- The Myanmar junta to immediately end all violations of international law including torture, targeted killings, enforced disappearance, and release all arbitrarily detained persons, and quash wrongful convictions.
- The military to stop ongoing attacks and military operations across the country which entail systematic gross human rights and international humanitarian law violations that may amount to war crimes and crimes against humanity.
- The military junta to facilitate safe, rapid, and unimpeded humanitarian access including full protection, safety and security of humanitarian and medical personnel.

- The Bangladesh government to stop forcible relocation of refugees to Bhasan Char Island and respect the freedom of movement, livelihood, and education of the Rohingya.
- ASEAN to press for the swift and effective implementation of the Five-Point Consensus.
- The UN Security Council to impose a global arms embargo on Myanmar's security forces including a prohibition on security assistance and the sale of dual-use technology, and targeted sanctions on junta leaders, military-owned companies such as timber, oil, and natural gas companies.
- The UN Security Council to urgently refer the situation in Myanmar to the International Criminal Court for a full investigation.
- Given its role in the United Nations Security Council and influence in the region, China must pressure the Myanmar military to stop international law violations.
- Neighbouring countries, including India, Thailand, Indonesia, Bangladesh, to provide protection, support, and humanitarian and legal aid to all refugees fleeing Myanmar, and to authorize emergency cross-border aid to internally displaced people in Myanmar.
- All countries to use all avenues and diplomatic channels at their disposal in pursuit of justice and accountability for the people of Myanmar, including civil and criminal legal actions based on the principle of universal jurisdiction.

This statement is also endorsed by the Center for Victims of Torture.