



## **Joint statement by Front Line Defenders, FORUM-ASIA, and ASEAN Parliamentarians for Human Rights**

### **Two years after Myanmar's military coup, human rights violations continue to escalate**

Two years after the Myanmar military launched a coup on 1 February 2021, civil society organizations strongly condemn the ongoing human rights violations, and call for accountability and the restoration of a legitimate government. The attempted coup breached Myanmar's constitution and international law, and was met with massive and largely spontaneous protests that illustrated the lack of meaningful support for the junta among the people of Myanmar. To date, sustained opposition among the population has denied the junta full control over the country, despite an escalation in brutality. There are many well-documented cases of the military committing atrocities, including strong evidence of war crimes and crimes against humanity.

In this context, human rights defenders are more vulnerable because of their work and their visibility, and their safety in both Myanmar and neighbouring countries continues to deteriorate.

As of 30 January 2023, local human rights monitoring group Assistance Association for Political Prisoners (AAPP), has documented a total of 2,901 killings, 17,525 arrests of political prisoners with 13,719 still detained, and a total of 101 individuals on death row, including at least nine women human rights defenders. The real number is likely several times higher, due to the difficulty of documenting facts on the ground. The Penal Code, particularly sections related to treason, defamation and statements causing public disorder, is being widely used by the military junta to curtail freedom of expression and stifle dissent.

The military's use of torture and other forms of cruel, inhuman and degrading treatment against detainees, including human rights defenders, political dissidents, journalists and civilian protesters, has been well documented. The executions of Phyo Zeya Thaw, a former member of the National League for Democracy, and prominent democracy activists Kyaw Min Yu, Hla Myo Aung and Aung Thura Zaw in July 2022, represented an escalation in the junta's human rights violations to suppress pro-democracy movements.

Many human rights defenders in Myanmar have been forced into exile, where they continue to face numerous challenges. These range from the insecurity of living in refugee camps, to the fear of being tracked, arrested and deported back to Myanmar due to the lack of legal documents, and the challenges of ongoing trauma. Those human rights defenders who have valid travel documents face the impossibility of renewing their passports or requesting visa extensions in neighbouring countries once they expire.

Alongside human rights defenders, journalists are among those most at risk, as documented by the Committee to Protect Journalists (CPJ). Many are detained under Article 505(a) of the Penal Code, an anti-state provision that broadly penalises "incitement" and "false news", both ill-defined terms in law and arbitrarily interpreted by martial or military-influenced courts to hand down two- and three-year sentences.

The already dire situation of the Rohingya remaining in Myanmar has been further exacerbated in this context. As the military continues its violent campaign against any form of resistance, including

by conducting airstrikes against ethnic areas and villages, over a million people have been displaced internally, and approximately 50,000 new refugees have fled to neighbouring countries as of November 2022. The attempted coup has also added to existing challenges to safe, voluntary, dignified and sustainable return of Rohingya refugees to their places of origin or choice in Myanmar. At the same time, all minority communities in Myanmar continue to bear the brunt of the junta's ongoing violence in the country. The significant escalation of violence by the junta against ethnic communities in Myanmar bears hallmarks of the grave atrocities against Rohingya.

In this sense, the killing of Rohingya human rights defender and community leader [Mohib Ullah](#), killed in Cox's Bazar on 29 September 2021, is illustrative of the risks that many human rights defenders members of ethnic communities, incur.

On the 2<sup>nd</sup> anniversary of the coup, FORUM-ASIA, Front Line Defenders and ASEAN Parliamentarians for Human Rights (APHR) urge the international community to:

- Stand in solidarity with the people of Myanmar, including by increasing financial support for human rights defenders and civil society organizations in the country and in exile;
- Systematically and publicly call out violations against human rights defenders, request their immediate and unconditional release, and access to human rights defenders in detention; denounce the violation of fair trial rights, the use of military tribunals, and call to ensure access of family members and lawyers to those detained;
- Recognise the precarious situation that many human rights defenders in exile face and ensure access to visas and other necessary travel documentation, as well as schemes for safe passage or temporary relocation in third countries;
- Deny the junta any recognition or legitimacy as representatives of the people of Myanmar. This should include denying it access to international fora or meeting with its representatives;
- Denounce the upcoming elections planned by the junta as a brazen attempt to legitimize the coup, recognising the increased risks for the population and in particular human rights defenders and journalists if elections were to go ahead;
- Take necessary measures towards accountability for genocide against Rohingya, and well documented war crimes and crimes against humanity as well as widespread and systematic human rights violations against the people of Myanmar, including those in exile in neighbouring countries, by referring Myanmar to the International Criminal Court or setting up an ad hoc tribunal. Support Gambia in its case against Myanmar for the Rohingya genocide at the International Court of Justice, as well as initiatives to make the military accountable in national courts, such as Argentina and Germany most recently, using the principle of Universal Justice.
- Impose a comprehensive global arms embargo and coordinated, targeted sanctions against the Myanmar military, its leadership and associates as well as businesses affiliated the military.