

Introduction

CSW (Christian Solidarity Worldwide) is a human rights organisation specialising in the right to freedom of religion or belief (FoRB). This submission seeks to draw the Council's attention to the ongoing human rights violations taking place in Myanmar.

On 1 February 2021 the Myanmar army (Tatmadaw) seized power in a coup, bringing an end to civilian democratic rule and declaring a year-long state of emergency. The country's leader, Aung San Suu Kyi and other civilian leaders were placed under house arrest, and political power is now held by the commander-in-chief of the Tatmadaw, Min Aung Hlaing.

The years leading up to the coup saw very grave setbacks, with the fragile democratisation process increasingly undermined. The country had seen some limited positive political developments under the National League for Democracy's (NLD) governance since 2015, but concerns remained for the situation of human rights and democracy in the country. Ongoing and significant regression in some areas, particularly freedom of the press, freedom of expression and FoRB have been exacerbated by the coup.

The Tatmadaw already stands accused of severe violations of human rights against many ethnic and religious groups, including the Rohingya, Kachin, Shan, Chin, Karen and Ta'ang. Now, with the military coup, without even the veneer of democratisation, there are genuine concerns that they could escalate their operations against these groups.

Concerns for ethnic and religious communities

The crisis follows decades of severe persecution of the Rohingyas. The state continues to deny Rohingyas their citizenship rights as the discriminatory 1982 Citizenship Law remains in force, rendering them stateless and without right to vote, to move freely, or to access basic services.

In August 2017 the Tatmadaw launched attacks on Rohingya villages and civilians which resulted in over 700,000 people fleeing to Bangladesh, thousands killed, and hundreds of villages burned. Reports of the atrocities of mass violence perpetrated during this period include the burning of homes, schools and mosques, the

deliberate burning of people to death inside their homes, mass rape, torture, execution without trial, and the blocking of aid. The UN Special Rapporteur for human rights in Myanmar has repeatedly said that the violence against the Rohingya has the hallmarks of genocide.

In recent years, violations of FoRB and other human rights perpetrated against the majority Christian Kachin and Chin ethnic groups, most notably in Kachin and northern Shan states. Widespread conflict between the Tatmadaw and the Kachin Independence Army (KIA) has led to thousands of civilian deaths, and the displacement of over 120,000 people. In September 2018 the UN Independent International Fact-Finding Mission on Myanmar declared that the violations documented in Kachin and Shan states amounted to crimes against humanity and war crimes.

In addition, a movement of militant Buddhist nationalism has arisen which preaches hatred, principally of Muslims, but also threatens Christians and other non-Buddhists, and indeed affects Buddhists who attempt to oppose it.

The aftermath of the coup

In a concerning indicator of the potential implications for FoRB, CSW confirmed the arrest of at least three Buddhist monks within hours of the coup. Ashin Ariya Vansa Bivansa, known as "Myawaddy Sayadaw," and Ashin Sobitha were arrested in Mandalay, while Shwe Nya War was detained in Rangoon. On 3 February, it was reported that Ashin Sobitha had been sentenced to two years in prison. Myawaddy Sayadaw, a prominent Buddhist leader and vocal critic of both the military and the extremist Buddhist nationalist movement has been disrobed as a monk and is in prison. The three had previously been involved in leading the Saffron Revolution in 2007.

Church leaders have also been targeted. On 13 May, Father Columban Labang Lar Di of the Banmaw Diocese in Kachin State was arrested by military forces as he was travelling from Banmaw to Myitkyina. He was released on 17 May after repeated appeals from church leaders and members of the international community.¹

Violence has been particularly severe in the town of Mindat in the western state of Chin.² Ongoing clashes between the Tatmadaw and Myanmar's ethnic armies have resulted in the displacement of tens of thousands of civilians who are reported to be living in dire conditions.

¹ UCANews, 'Myanmar military release arrested Catholic priest', 18 May 2021, <https://www.ucanews.com/news/myanmar-military-release-arrested-catholic-priest/92501>

² RadioFreeAsia, 'New Clashes Between Myanmar's Military and Ethnic Armies Exacerbate Refugee Crisis' 20 May 2021

<https://www.rfa.org/english/news/myanmar/clashes-05202021195632.html>

Meanwhile in Karen State, according to the Free Burma Rangers (FBR), over 40,000 people have been displaced as of 23 April due to Myanmar Army attacks following airstrikes by the Myanmar army in northern Karen state.³ The airstrikes have targeted civilians, school and medical clinics and began on 27 March. Over 70,000 people are displaced in Arakan State, while over 100,000 remain displaced in Kachin State and northern Shan State.

In another incident, four civilians were killed and eight more were injured in a heavy artillery shell attack by the Tatmadaw on a Catholic church in Kayan Thar Yar village in Kayah (Karenni) State on 24 May, where elderly people and children were reportedly hiding after fleeing their homes following earlier attacks on their village.⁴

The shelling took place just two days after military forces raided a Karen Baptist Church in Insein, Yangon, on 22 May. The church pastor and two other young men were violently beaten and detained, the church was ransacked and its property destroyed.

These incidents mark the latest in a series of attacks on religious minorities which have taken place amid a wider crackdown on civilians in the aftermath of the coup.

Crackdown on protests

The coup sparked widespread national protests, marches and walk-outs, which have been met with a heavy-handed and violent response from the Myanmar army and police, involving water cannons, rubber bullets and live ammunition.

On 28 February, police and military forces used lethal force against protesters in locations across the country, resulting in the deaths of at least 20 people, with hundreds more beaten, arrested and injured.

The Assistance Association for Political Prisoners (AAPP) reports that the crackdown on civil society since the coup has resulted in at least 840 deaths, although the real death toll is believed to be higher.⁵ Additionally, nearly 5529 people have been arrested and approximately 4409 remain in custody, according to Yangon-based rights groups.

³ Free Burma Rangers, 'Killing, Airstrikes and Displacement Continue, With 25,000 People Displaced as the Burma Army Steps Up its Attacks in Northern Karen State', 27 April 2021, <https://www.freeburmarangers.org/2021/04/27/killing-displacement-continue-24500-people-displaced-burma-army-steps-attacks-northern-karen-state/>

⁴ Ministry of International Cooperation (MOIC), National Unity Government (NUG) of Myanmar 'URGENT REPORT', 24 May 2021,

Targeted Sanctions

The Tatmadaw is using such force against ethnic groups that it is creating a humanitarian crisis on its borders at the same time as using lethal force to crackdown on protests in the cities and towns. It is perpetrating grave human rights violations that may amount to war crimes and crimes against humanity, and the international community must act urgently to prevent this escalating further.

The sanctioning of individuals and the Myanmar Economic Holdings Public Company Limited (MEHL) and Myanmar Economic Corporation Limited (MEC) - two large conglomerate military-controlled companies that operate in many sectors of Myanmar's economy - is a welcome step by The Council of the European Union, and follows similar actions taken by the UK and US. The adopted sanctions specifically target the economic interests of the Tatmadaw. Restrictive measures, including asset freezes and travel bans, now apply to a total of 35 Burmese individuals. The individuals targeted by sanctions are all responsible for undermining democracy and the rule of law in Myanmar, and for repressive actions and decisions which have caused serious human rights violations. In addition, EU citizens and companies are forbidden from making funds available to the listed individuals and entities. These actions are much needed to deter further human rights violations.

Recommendations to the Myanmar army

- Release Aung San Suu Kyi and all other political prisoners immediately and without condition, taking steps to establish a path to dialogue and reconciliation.
- End violent and forceful crackdowns on anti-coup protesters, instead ensuring the fundamental freedoms of expression, and assembly and association are fully upheld.
- Allow unhindered access to the country for international humanitarian aid agencies, human rights monitors, media, UN representatives for the Fact-Finding Mission, and the UN Special Rapporteur for human rights in Myanmar.

<https://docs-eu.livesiteadmin.com/dc3e323f-351c-4172-800e-4e02848abf80/churches-attacked-myanmar-24.05.2021.pdf>

⁵The Assistance Association for Political Prisoners, Daily Update, 30 May 2021 https://twitter.com/aapp_burma/status/1398989427116941313?s=20

Recommendations to the international community

- Seek a UN Security Council resolution imposing a global arms embargo on the Tatmadaw, with targeted sanctions against Senior General Min Aung Hlaing.
- Respond to the urgent appeal from the ethnic nationalities, especially NGOs working with internally displaced peoples, for immediate cross-border humanitarian aid to access those who cannot be reached from inside the country.
- Impose targeted and robust sanctions against members of the Tatmadaw and their enterprises, whilst ensuring that these do not harm the people of Myanmar.
- Call for a nationwide ceasefire in Myanmar, especially during the current COVID-19 pandemic.
- Engage with the newly formed National Unity Government of Myanmar.