

Background

On 1 February 2021 Myanmar's military, known as the Tatmadaw, seized control of the government in a coup, declaring a nationwide state of emergency and martial law over 64 out of 330 townships. The coup abruptly ended Myanmar's fragile political reform, reversing a decade-long transition towards civilian governance. Aung San Suu Kyi, Myanmar's de facto leader, was arrested and sentenced to 33 years in prison, signalling a return to authoritarian military rule. The Tatmadaw's return has been accompanied by escalating violence and severe restrictions on democratic freedoms, including the suppression of civil society, media and dissenting voices. The situation for ethnic and religious minorities has worsened significantly, with the military conducting brutal campaigns of airstrikes and ground offensives targeting ethnic minority regions, particularly Chin, Kachin, Karen, Karenni and Rakhine states.

The current crisis has resulted in significant humanitarian challenges, including mass displacement, widespread repression, and severe human rights abuses, particularly affecting Myanmar's ethnic and religious minorities. According to the Assistance Association for Political Prisoners (AAPP), over 29,000 people have been arrested in the four years since the coup, with over 22,000 still imprisoned today.¹ In mid-2024 the United Nations (UN) estimated that more than 18.6 million people required humanitarian assistance, a nearly 20-fold increase since February 2021, and over three million civilians have been displaced. In May 2024 the UN Office of the High Commissioner for Human Rights (OHCHR) reported that at least 32 religious leaders including monks, nuns, pastors, and imams had been killed throughout the country since the coup. Freedom of religion or belief (FoRB) remains highly restricted, with arbitrary detention, discriminatory treatment against religious minorities in detention facilities, and the conversion of churches into military camps further highlighting the junta's discriminatory practices.

The situation remains dire, with internet shutdowns affecting 13 out of Myanmar's 14 states.² Meanwhile, the regime's planned elections for 2025 are considered both illegal and illegitimate.

Religious minorities, especially Christian and Muslim communities, have grown more vulnerable following the April 2025 earthquake. For many years since the 1990s, discriminatory legal and extra-legal measures have prevented these groups from building or properly maintaining their places of worship, causing many religious buildings to be structurally unsafe before the earthquake. The earthquake resulted in avoidable deaths particularly

among the Muslim community as it struck some mosques during Friday prayers. These deaths could have been avoided if appropriate maintenance or upgrades had been permitted. Though military officials' initial post-disaster assessments omitted the destruction of mosques, the earthquake caused significant damage to mosques, churches, and Buddhist religious structures. The military also continues to carry out airstrikes in regions populated by ethnic and religious minorities which have been impacted by the earthquake, asserting that they are aiming at armed resistance. This action only heightens the risks to civilian communities.

The growing territorial influence of the Arakan Army (AA) in Rakhine State has raised new concerns for the Rohingya community. The AA's seizure of Rohingya properties, evictions based on unproven assertions of 'terrorist links',³ and ban on the use of the term 'Rohingya'⁴ reflect troubling patterns of ethnic targeting and systematic displacement.

The US Secretary of State has consistently designated Myanmar as a Country of Particular Concern (CPC) since 1999, reaffirming this status in 2023 due to escalating violations against religious minorities amid the military coup. The ongoing situation amid the coup highlights the urgent need for immediate and coordinated international efforts to alleviate the suffering of the people of Myanmar.

Legal framework

Myanmar's legal framework provides a culture of impunity for the military's human rights abuses while systematically discriminating against ethnic and religious minorities. The 2008 constitution grants Buddhism a 'special status' and fails to effectively prevent and protect the policies and practices that discriminate against religious minorities under the guise of protecting Buddhism. The 1982 Citizenship Law further compounds this discrimination by categorising citizenship based on ethnic lineage, leading to the gradual exclusion of Rohingyas and other minorities who are not recognized as a part of Myanmar's ethnic nationalities, through restrictive verification processes favouring certain ethnicities.

Moreover, a set of restrictive laws, passed in 2015 under the guise of 'protecting race and religion', impose strict restrictions on religious conversions and interfaith marriages, further reinforcing systemic discrimination, particularly against women and religious or ethnic minorities. Additionally, Myanmar's military regime is exploiting vague 'blasphemy' provisions in the country's penal code to target and prosecute individuals, particularly from minority religious groups, under accusations of 'insulting' Buddhism. Such practice creates an atmosphere of fear, discrimination, and restricted freedoms of expression and religion or belief.

1 Assistance Association for Political Prisoners (Burma), accessed 12 May 2025 <https://aappb.org/>

2 #KeepItON, 'Shrinking democracy, growing violence: Internet shutdowns in 2023', May 2024 <https://www.accessnow.org/wp-content/uploads/2024/05/2023-KIO-Report.pdf>

3 Rohingya Vision, 'AA Forcibly Evicts Rohingya from in Buthidaung', 12 February 2025 <https://rohingyavision.com/aa-forcibly-evicts-rohingya-from-in-buthidaung/>

4 Rohingya Khobor, 'Arakan Army (AA) Bans Rohingya Identity, Threatens Severe Punishment', 3 March 2025 <https://rohingyakhobor.com/arakan-army-aa-bans-rohingya-identity-threatens-severe-punishment/>

Article 28 of the 2011 by-laws on Military Conscription, enacted by Order No. 27/2011 of the Ministry of Defence, outlines exemptions depending on religious status under the 2010 People's Military Service Law and the 2011 by-laws: 'Members of the Sangha (Buddhist monks and novices), members of Christian clergy (priests), and members of Hindu clergy (Brahmins and ascetics) shall be exempted from military service.'

Notably missing from this list are Muslim religious leaders, which effectively allows the military to conscript them. The law and by-laws establish an explicit form of religious discrimination by excluding any process for appeal, religious registration, or discretionary review. This exclusion is considered *de jure* discrimination since it explicitly denies Muslim religious leaders the same exemptions given to their counterparts in other religions.

Targeting of Christians and churches

Religious intolerance in Myanmar is closely linked to the rise of militant Buddhist nationalism, a movement that primarily targets Muslims but has also extended its reach to Christians and other non-Buddhists, especially following the military coup.⁵ Christian communities in Myanmar, particularly in Chin, Kachin, Karen, and Karenni states, have faced severe persecution following the coup, with a marked increase in airstrikes and military offensives against these regions. Civilian homes, churches, and community buildings have been targeted, with the UN reporting a 141% increase in airstrikes against civilian locations and a 380% rise in the destruction of structures.⁶ According to Altsean Burma, 743 airstrikes were reported between January and June 2024 alone,⁷ exceeding the total number for 2023. Churches have been bombed, pastors murdered, and entire villages set ablaze. The International Commission of Jurists (ICJ) reports that the military regime has destroyed over 132 religious buildings, including numerous churches, and established military bases on at least 110 religious properties across the country.⁸ In some states and regions, religious buildings have been converted into military camps used for interrogation and detention.

Denial of religious practices in detention

The OHCHR has documented the arrest of 147 religious figures across Myanmar, including 125 monks and nine pastors, with 124 remaining in detention, primarily for participating in anti-coup protests.⁹ Detainees, including religious leaders, have been denied the right to practice their faith, exemplified by a Rohingya Muslim woman forced to sleep next to a toilet,¹⁰ despite her religious need for a clean environment to pray in every day, while other Muslim detainees have been punished for fasting during Ramadan.¹¹

Christian clergy are reportedly often denied group prayers or spiritual observances, while Buddhist monks are forced to disrobe and wear prison uniforms, violating their religious identity. In addition, monks are also prevented from undertaking fundamental practices, such as shaving their heads, which holds significant religious meaning. This denial of religious observances constitutes a form of psychological torture and reflects the junta's broader strategy to diminish religious identity among detainees.

Imprisonment of Reverend Dr Hkalam Samson

The case of Reverend Dr Hkalam Samson, a prominent former chairman of the Kachin Baptist Convention (KBC), and Chairman of the Kachin National Consultative Assembly, exemplifies the targeted harassment of Christian leaders. He was arrested on 5 December 2022 at Mandalay International Airport on dubious charges under Section 17/1 of the Unlawful Association Act, Section 52(a) of the Terrorism Act for terrorism allegedly for his engagements with the Kachin Independence Organization, an ethnic resistance armed group, and Section 505 (a) of the Penal Code for inciting opposition against the military junta. During the arrest, his Bible was reportedly confiscated and labelled as evidence. He was held in Myitkyina prison without contact with his family, despite this being allowed for other prisoners.

He was later sentenced to six years imprisonment in a closed-door prison trial without legal representation. Though released in April 2024, he was re-arrested without valid reasons within 24 hours of release and then released again in July 2024. Despite being allowed to attend church services, the regime continues to monitor his activities

5 Global Centre for the Responsibility to Protect, 'Statement by Ms. Alice Wairimu Nderitu, Special Adviser on the Prevention of Genocide, and Ms. Mò Bleeker, Special Adviser on the Responsibility to Protect, on the escalation of violence in Myanmar', 29 July 2024 <https://www.globalr2p.org/resources/statement-on-the-escalation-of-violence-in-myanmar/>

6 OHCHR, 'Myanmar: High Commissioner details severe violations amid shocking violence' 6 March 2023 <https://www.ohchr.org/en/statements-and-speeches/2023/03/myanmar-high-commissioner-details-severe-violations-amid-shocking>

7 Altsean Burma, 'Burma coup watch for the month of June 2024', 12 July 2024 https://drive.google.com/file/d/1kBwpXs0f-MQ_s1o-nRIK-R-Pk2F_lSk/view

8 International Commission of Jurists, 'Myanmar: ICJ publishes an update to its October 2022 report on the violations of the right to freedom of religion or belief since coup d'état in Myanmar', 29 June 2023 <https://www.icj.org/resource/myanmar-icj-publishes-an-update-to-its-october-2022-report-on-the-violations-of-the-right-to-freedom-of-religion-or-belief-since-coup-detat-in-myanmar/>

9 Report of the United Nations High Commissioner for Human Rights, 'Situation of human rights of Rohingya Muslims and other minorities in Myanmar', 18 June 2024 <https://documents.un.org/doc/undoc/gen/g24/084/78/pdf/g2408478.pdf>

10 International Commission of Jurists, 'Unseen and Unheard: Violations of the Human Rights of Women Deprived of Liberty in Myanmar Briefing Paper', June 2024 https://www.icj.org/wp-content/uploads/2024/07/Briefing-Paper_Violations-of-the-Human-Rights-of-Women-Deprived-of-Liberty-in-Myanmar-1.pdf

11 Myanmar Now, 'Jailed Myanmar Now reporter put in solitary confinement after starting fast for Ramadan', 6 May 2021 <https://myanmar-now.org/en/news/jailed-myanmar-now-reporter-put-in-solitary-confinement-after-starting-fast-for-ramadan/>

closely according to CSW's follow up with his daughter and lawyer in March 2025.

Violence against Muslims

The Tatmadaw's anti-Muslim stance, which predates the coup, has continued with sporadic violence, including the closure of mosques, destruction of property and increased targeted arrests. Persecution is exacerbated by an extremist nationalist ideology, which has fuelled violence and systemic discrimination against Muslims throughout the country. However, the most severe abuses have been directed at the Rohingya community.

The Rohingya crisis

The Rohingya, a predominantly Muslim ethnic minority group, faced a brutal military clearance operation in 2017, which was widely recognized as genocide. Following the crackdown in 2017 over 700,000 Rohingya were forced to flee to Bangladesh amid mass killings, widespread sexual violence and village burnings. Since the coup, their situation has further deteriorated.

In November 2023 the breakdown of a ceasefire between the Tatmadaw and the Arakan Army, an ethnic Rakhine Armed Resistance Group, worsened exacerbating pre-existing problems such as severe movement restrictions, mass detentions and the denial of essential services including food, education and healthcare, with increased violence, while adding new layers of suffering, including forced recruitment of Rohingya men and boys,¹² often with the promise of citizenship, and heightened hate speech. The humanitarian crisis has spiralled, with over 327,000 Rohingya newly displaced since the conflict's resurgence in 2023, and 400,000 people facing acute food shortages due to blocked cross-border aid and ongoing violence, according to the UN Office for the Coordination of Humanitarian Affairs (OCHA) in Myanmar.¹³ The regime has also restricted aid and movement in Rakhine State.

Sexual and gender-based violence (SGBV)

Following a pattern similar to the 2017 atrocities against the Rohingya, the military has systematically weaponised rape and sexual violence as tools of collective punishment. These abuses are prevalent in both conflict zones and detention facilities. Gender-based violence (GBV) in detention further complicates the relationship between freedom of religion and torture. Women and LGBTQ+ people are more vulnerable to abuse, including sexual violence committed

by prison personnel. Women from religious and ethnic minorities are often made to undertake forced labour under threats of sexual assault. Women prisoners, for instance, are reportedly forced into humiliating work, with allegations of sexual harassment and violence, therefore reflecting the systematic impunity that obstructs redress channels. The Independent Investigative Mechanism for Myanmar (IIMM) observed a disturbing pattern of torture and sexual assault in detention facilities in Rakhine State in particular.¹⁴

Ongoing international accountability mechanisms

As Myanmar continues to face severe ForB violations amid the ongoing military coup, various international accountability mechanisms have emerged. The International Criminal Court (ICC) is investigating allegations of forced deportation and persecution from the 2016-2017 military operations against the Rohingya, utilising its jurisdiction through Bangladesh, despite Myanmar not being a party to the Rome Statute.

Concurrently, the International Court of Justice (ICJ) is examining a case filed by the Gambia alleging genocide against the Rohingya, with provisional measures already in place to prevent further atrocities. In February 2025 an Argentine court issued historic arrest warrants for Senior General Min Aung Hlaing of the military junta and 24 other senior military officials for their participation in the genocide against the Rohingya.¹⁵

However, these initiatives primarily focus on the Rohingya, leaving significant gaps in addressing the broader abuses faced by other ethnic and religious minorities in Myanmar amid the ongoing coup. This urgent need for comprehensive justice and accountability measures is highlighted by the recent rejection of the Chin Human Rights Organization's attempts to hold the military junta accountable for war crimes against places of worship in Chin State under universal jurisdiction in the Philippines.¹⁶

Recommendations

To the European Union and Member States:

- Intensify efforts to seek a global application of a ban on aviation fuel for military use, a global arms embargo and further targeted sanctions against the military and its enterprises, in order to cut off all sources of revenue which keep this regime afloat.

¹² Report of the United Nations High Commissioner for Human Rights, 'Situation of human rights of Rohingya Muslims and other minorities in Myanmar', 18 June 2024

¹³ ReliefWeb, 'Myanmar Humanitarian Update No. 40', 16 August 2024 <https://reliefweb.int/report/myanmar/myanmar-humanitarian-update-no-40-16-august-2024>

¹⁴ Independent Investigative Mechanism for Myanmar, Statement at the 57th Regular Session of the Human Rights Council, 9 September 2024 <https://iimm.un.org/en/statement-57th-regular-session-human-rights-council>

¹⁵ Burmese Rohingya Organisation UK, 'Argentina court issues international arrest warrant for Min Aung Hlaing – A historic step towards justice for Rohingya genocide', 14 February 2025 <https://brouk.org.uk/argentina-court-issues-international-arrest-warrant-for-min-aung-hlaing-a-historic-step-towards-justice-for-rohingya-genocide-2/>

¹⁶ Benar News, 'EXPLAINED: Why is a group in Myanmar seeking to try the junta in the Philippines?', 27 August 2024 <https://www.benarnews.org/english/news/philippine/universal-jurisdiction-08272024144649.html>

- Consider funding support for Myanmar's National Unity Government and the diaspora community to advocate for a return to democratic rule in Myanmar.
- Continue to apply Magnitsky-style sanctions against human rights abusers (individuals and entities) in Myanmar, in consultation with civil society and the diaspora community.
- Provide cross-border humanitarian assistance through well-established local civil society groups to ensure aid reaches the displaced peoples of Myanmar along its borders without being misappropriated, misused or hindered by the military regime. Urge the Indian government to allow humanitarian actors to deliver aid along the Myanmar/Indian border, including to the Myanmar refugees in makeshift camps along the Indian border.
- Take a coordinated approach with other UN member states, agencies, and Special Envoys to ensure that in all dialogues and exchanges with Myanmar human rights are raised and demands made that Myanmar fulfils its human rights obligations.
- Urge the Indian and Thai governments not to deport Myanmar refugees back to Myanmar.
- Support efforts to strengthen and better resource the UNHCR to accelerate applications for Myanmar nationals in countries where they are at risk of deportation to Myanmar.
- Support initiatives by civil society organisations and legal experts seeking to analyse evidence indicating crimes against humanity, war crimes and genocide, and explore options for accountability and justice.
- Call for a global arms embargo and continue to impose robust, targeted sanctions against the Myanmar military and military-owned enterprises.
- Take a coordinated approach with other UN member states, agencies, international institutions including the EU, and Special Envoys to ensure that in all dialogues and exchanges human rights are raised.
- Increase international pressure on the Myanmar military to remove blocks to humanitarian access in the ethnic states and areas affected by the earthquakes and increase cross-border humanitarian aid to those in most need in the ethnic conflict areas.
- Urge the Indian government to allow humanitarian actors to deliver aid along the Myanmar/Indian border, including to the Myanmar refugees in makeshift camps along the Indian border.
- Support efforts to strengthen and better resource the UNHCR to accelerate applications for Myanmar nationals in countries where they are at risk of deportation to Myanmar.
- Support initiatives by civil society organisations and legal experts seeking to analyse evidence indicating crimes against humanity.

To the United Nations and Member States:

- Urge the OHCHR, and all relevant UN mechanisms, including the Special Procedures, to include a robust analysis of the situation of freedom of religion or belief in their reporting on Myanmar, addressing the vulnerabilities and violations faced by minority religion or belief communities and those seeking to defend them.
- Ensure the UN Independent Investigative Mechanism for Myanmar, the Special Rapporteur on the situation of human rights in Myanmar and other relevant mechanisms are fully resourced and equipped to fulfil their mandates.
- Urge Member States to strengthen their cooperation with the ICC and ICJ and other accountability mechanisms to hold Myanmar's military accountable for crimes against humanity, including religious persecution.

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