



## “Democratization” has not hurt the military

Burma made significant strides toward democracy from 2011 to 2020, with widely-praised elections in 2015. However, the 2008 Constitution preserves tremendous power for the military, which is allocated 25% of parliament seats (in addition to those filled by the military-aligned Union Solidarity and Development Party).<sup>1</sup> Constitutional reform requires at least 75% of parliament to vote in favor.<sup>2</sup>

The Tatmadaw has maintained its grip on the domestic economy, amassing huge private wealth through its business conglomerates: Myanma Economic Holdings Public Company Ltd (MEHL), whose patron group, shareholders, and board are composed of military personnel; and Myanmar Economic Company (MEC), which is owned and controlled by the Ministry of Defense.<sup>3</sup> Its business portfolio includes sectors as diverse as telecommunications, banking, mineral extraction and production, hotels, and tobacco manufacturing, and the companies’ profits—including through contracts with international business and investors—are used to shore up military operational costs.<sup>4</sup>

The Tatmadaw’s declaration of a state of emergency on 1 February 2021, alleging massive voter fraud in the 2020 national elections, is the strongest demonstration yet of the power it holds. Vice president Myint Swe (whose position of military-appointed Vice President is mandated under the constitution)<sup>5</sup> became President (by virtue of President Win Myint’s detention), and transferred all executive, legislative, and judicial powers to Min Aung Hlaing, citing Sections 417–18 of the Constitution.<sup>6</sup>

### Burma’s spending priorities reflect the military’s power

The Defense budget has almost tripled since 2011–2012, and now accounts for 10.42% of Burma’s budget.

Meanwhile, the budgets for the Ministry of Education (MoE) and the Ministry of Health and Sports (MoHS) remain low. The defense budget for 2019–2020 (MMK 3.37 trillion) was roughly triple the MoHS budget (MMK 1.172 trillion), and roughly the same as MoHS plus MoE (MMK 2.685 trillion).<sup>7</sup>

*2019–2020 Defense budget is 280% of 2011–2012 Defense budget*

Year	Overall Budget (Trillion kyat)	Defense Budget (Trillion kyat)	Year to Year % Difference	Defense % of Overall Budget
2011–2012	7.6	1.20	N/A	15.79%
2012–2013	13	1.90	+ 58.33%	14.62%
2013–2014	16.7	2.20	+ 15.79%	13.17%
2014–2015	19.5	2.30	+ 4.55%	11.79%
2015–2016	20.8	2.70	+ 17.39%	12.98%
2016–2017	23.6	3.30	+ 22.22%	13.98%
2017–2018	20.6	3.19	- 3.33%	15.49%
2018–2019	24.4	3.24	+ 1.57%	13.28%
2019–2020*	32.34	3.37	+ 4.01%	10.42%

\*Proposed for 2019-2020

The Irrawaddy (22 Jul 2019) Myanmar Military Proposes Larger Budget for ‘Stronger’ Armed Forces; Myanmar Government 2018-2019 FY Year End Report; The Irrawaddy (22 Oct 2019) Tracking the Myanmar Govt’s Income Sources and Spending

### Where will the funding go?

Burma increased its foreign borrowing by USD 0.68 billion in 2020 in light of the pandemic, including USD 1.7 billion in concessional borrowing, and secured an additional USD 1.68 billion for 2021, including USD 1.5 billion in concessional borrowing.<sup>8</sup> The COVID-19 Economic Relief Plan (CERP),<sup>9</sup> which has a USD 2.5 billion price tag, is funded in large part by these foreign loans.

<sup>1</sup> Republic of the Union of Myanmar (2008) Constitution of the Republic of the Union of Myanmar, Sections 109,141

<sup>2</sup> Republic of the Union of Myanmar (2008) Constitution of the Republic of the Union of Myanmar, Section 436

<sup>3</sup> Independent International Fact-Finding Mission on Myanmar (5 Aug 2019) The economic interests of the Myanmar military

<sup>4</sup> Independent International Fact-Finding Mission on Myanmar (5 Aug 2019) The economic interests of the Myanmar military

<sup>5</sup> Republic of the Union of Myanmar (2008) Constitution of the Republic of the Union of Myanmar, Section 60

<sup>6</sup> Myanmar Times (1 Feb 2021) Myanmar announces state of emergency

<sup>7</sup> The Irrawaddy (22 Jul 2019) Myanmar Military Proposes Larger Budget for ‘Stronger’ Armed Forces; Myanmar Government 2018-2019 FY Year End Report; The Irrawaddy (22 Oct 2019) Tracking the Myanmar Govt’s Income Sources and Spending

<sup>8</sup> Asian Development Bank (Aug 2020) Proposed Countercyclical Support Facility Loan; Republic of the Union of Myanmar: COVID-19 Active Response and Expenditure Support Program

<sup>9</sup> Republic of the Union of Myanmar (27 Apr 2020) Overcoming as One: COVID-19 Economic Relief Plan

With the Commander-in-Chief making spending decisions during the state of emergency, there is concern that this funding will not help residents of Burma, but will support the military's domestic agenda instead.

The government's priorities were illustrated in December 2020 when it moved forward on purchasing two military aircraft from Jordan for MMK 52.29 billion (USD 38.6 million);<sup>10</sup> whereas in January 2021 it began soliciting public donations to fund COVID-19 vaccinations.<sup>11</sup> On 22 January, Russia announced the sale of radar stations, self-propelled short-range air-defense systems, and unmanned aerial systems to the Tatmadaw, likely for tens of millions of dollars.<sup>12</sup>

### **Undermining a comprehensive COVID-19 response**

In January 2020, The Committee for Preventing, Containing and Treating COVID-19 was formed, involving the State Counsellor, cabinet ministers, and permanent secretaries.<sup>13</sup>

On 30 March, the Coronavirus Disease 2019 Containment and Emergency Response Committee was formed in parallel, led by Vice President Myint Swe (the military appointee).<sup>14</sup> It includes representatives from the Ministry of Defense, Ministry of Home Affairs, Ministry of Border Affairs (three Tatmadaw-led ministries), and Office of the Commander-in-Chief; it has no representative from MoHS.<sup>15</sup> This committee appears to be focused on maintaining law and order during the pandemic, asserting that "Legal actions have been taken in 26 cases for spreading false news [...] and 14,577 cases for breaching the COVID-19 rules."<sup>16</sup> The existence of multiple, potentially contradictory national mechanisms authorities has directly eroded the resources, efficiency and coordination required for the country's health response.

Several respondents raised concerns about the government tying COVID-19 relief aid for EAOs to their participation in the official peace process. The government's manipulation of essential aid as leverage in the peace process would exacerbate pandemic-related threats.

### **Cutting lifelines**

The military shut down communication channels nationwide on 1 February 2021,<sup>17</sup> in an expansion of practical restrictions on speech and the exchange of information. In late March 2020, the government ordered phone/internet providers in Myanmar to block access to websites it accused of spreading fake news about COVID-19. The list allegedly contains 230 websites, including ethnic news outlets in Rakhine State and elsewhere. This increases concerns that public health information is not reaching communities there, and that human rights documentation is not getting out. In August, Justice for Myanmar, a website that exposes military economic interests, was blocked.

State-enforced internet blackouts in Rakhine and Chin States have prevented around one million people in nine townships from access

*"In Kyaukme [northern Shan State], over 15,000 people protested after the Tatmadaw killed villagers. The government said these people were gathering during pandemic and punishing them for that. So we can say that Covid is also being used to fight against people talking about justice, protesting harmful practices and projects."*

-Shan civil society representative

<sup>10</sup> The Irrawaddy (18 Dec 2020) Myanmar's Purchase of Planes From Jordan a Sign of Things to Come

<sup>11</sup> The Irrawaddy (6 Jan 2021) Myanmar Appeals to Public to Help Fund Purchase of COVID-19 Vaccines

<sup>12</sup> Janes (25 Jan 2021) Myanmar to acquire Pantsir-S1 SHORAD systems, radar stations, and Orlan-10E UASs from Russia; Mizzima (22 Jan) Russian Defense Minister Sergei Shoigu arrives in Naypyitaw

<sup>13</sup> Mizzima (14 Mar 2020) COVID-19 prevention and containment committee set up and led by Myanmar State Counsellor

<sup>14</sup> Progressive Voice (Jun 2020) A Nation Left Behind: Myanmar's Weaponization of COVID-19

<sup>15</sup> Progressive Voice (Jun 2020) A Nation Left Behind: Myanmar's Weaponization of COVID-19

<sup>16</sup> Republic of the Union of Myanmar, Ministry of Information (22 Oct 2020) COVID-19 Control and Emergency Response Committee holds 3rd coordination meeting online

<sup>17</sup> Myanmar Times (1 Feb 2021) Myanmar announces state of emergency

or sharing information since 2019.<sup>18</sup> In August 2020, the government reinstated only 2G internet service in the townships, still too slow for basic connectivity.<sup>19</sup>

Many communities, particularly in Rakhine State, suffer serious restrictions on their freedom of movement, further hurting their ability to work, eat, and get necessary healthcare.<sup>20</sup>

### **Attacking instead of helping**

The Tatmadaw has actively hurt communities during the pandemic. It attacked health workers and undermined humanitarian aid corridors (August and October, 2020, respectively).<sup>21</sup>

In April 2020, the Tatmadaw ordered the shutdown of four Karen National Union (KNU) health screening posts; in May, it burned down two more; and in June it destroyed another; this all despite the KNU being a party to the Nationwide Ceasefire Agreement (NCA).<sup>22</sup> In June, the Tatmadaw burned down at least one Kachin Independence Organization health screening post, despite having declared a ceasefire in Kachin State.<sup>23</sup> A Rakhine State COVID-19 checkpoint was burned down, and shelling and restrictions on movement and information in Rakhine and Chin States prevented basic safety measures.<sup>24</sup>

During 2020, there were at least 1,024 incidents of direct attacks on civilians or armed clashes that failed to adequately protect them. These took place in 13 of 14 States and Regions, resulting in at least 242 civilians deaths, another 706 injured, and over 14,000 forcibly displaced.<sup>25</sup> In Kayin State:

*Since the end of January, when knowledge of the virus threat was already widespread in Burma, government forces have been shelling villagers in Mutraw township almost every day. 13 Battalions of the Burma Army have pounded 1,700 Karen people in 11 villages with hundreds of 60mm and 81mm mortar rockets and burned over 500 acres of their farmlands as part of their “cease-fire” operations. Karen villagers desperately searching for food outside their villages have been shot dead, or arrested and tortured.<sup>26</sup>*

Respondents mentioned killings in Tanintharyi Region, in Kyaukme, Shan State, in Nagaland, and in Kayin State, where a women was robbed and killed by soldiers in her home.<sup>27</sup> Respondents expressed concern that the military has exploited the pandemic to advance its positions in Kayin, Shan, and Rakhine States.<sup>28</sup>

### **How attacks hurt health**

Government restrictions have made it difficult for local groups to engage in community-strengthening efforts. CSO representatives in Myitkyina explained that they cannot conduct training or awareness-raising because of COVID-19 restrictions; gathering 0–20 people in a space for training requires prior consent from the General Administration Department (GAD).<sup>29</sup> NGOs have also been prevented from conducting humanitarian aid, reported an interviewee from Shan State.<sup>30</sup> Another respondent said it was

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<sup>18</sup> These are Ponnagyun, Myauk-U, Kyauktaw, Minbya, Maungdaw, Buthidaung, Rathedaung, Myebon, and Paletwa Townships.

<sup>19</sup> Telenor (9 Sep 2020) Blocking of websites in Myanmar (Updated 9 September 2020)

<sup>20</sup> See Independent Rakhine Initiative (Mar 2020) Freedom of Movement in Rakhine State

<sup>21</sup> Myanmar Now (11 Aug 2020) Tatmadaw detains healthcare workers near Rakhine’s Ann township; The Irrawaddy (28 Oct 2020) One Killed, Three Hurt as Myanmar Navy Sinks Boat Carrying ICRC Relief Goods in Rakhine State

<sup>22</sup> KPSN (Jun 2020) Virus Warfare: Burma Army destruction of Karen community defences against Covid-19

<sup>23</sup> Kachin News Group (24 Jun 2020) Burma Army Destroys KIO COVID-19 Screening Point

<sup>24</sup> Arakan Rohingya National Organisation (1 May 2020) “Leaving no one behind” amidst genocide: the Myanmar government’s response to Covid-19 in Rakhine State.

<sup>25</sup> Armed Conflict Location & Event Data Project (ACLED) Data Export Tool, available at <https://acleddata.com/data-export-tool/>. The sub event types from ACLED that are included here are Abduction/forced disappearance, Air/drone strike, Armed clash, Arrests, Attack, Grenade, Looting/property destruction, Sexual violence, and Shelling/missile/artillery attack. The “Abduction/detention” column in the table includes ACLED sub-events categorized as Abduction/forced disappearance and Arrests. The “Property destruction/seizure” column in the table contains exclusively ACLED sub-events categorized as Looting/property destruction.

<sup>26</sup> KPSN (17 Apr 2020) COVID-19 Response in Burma exposes glaring double standards

<sup>27</sup> ALTSEAN-Burma (Aug 2020) confidential field interviews 2001, 2003, 2007

<sup>28</sup> ALTSEAN-Burma (Aug 2020) confidential field interviews 2004, 2007

<sup>29</sup> ALTSEAN-Burma (Aug 2020) confidential field interview 2010

<sup>30</sup> ALTSEAN-Burma (Aug 2020) confidential field interview 2005

difficult for aid groups to get funding because larger international donors simply channel their aid through Naypyitaw.<sup>31</sup> According to an NGO worker in eastern Kachin State, travel restrictions prevented her organization from conducting its normal NUTRITION, WASH, and FSL activities.<sup>32</sup> A Rohingya respondent reported that NGOs in Sittwe have been instructed by the government not to engage in “unnecessary” programmatic activities, such as trainings.<sup>33</sup> In Kayah State, one respondent reported, civil society groups have actually been prohibited from providing aid—including related to COVID-19—without prior government consent.<sup>34</sup>

A Shan respondent explained that IDPs in Loi Kaw Wan, Shan State have felt threatened and had their movement restricted by the deployment of around 1000 troops, on the pretext of drug eradication; this prevented them from planting rice during the rainy season.<sup>35</sup> Respondents voiced concern that movement and information restrictions allow the Tatmadaw to act without oversight.<sup>36</sup> Ta’ang respondents expressed concern that rapes, killings, and other abuses by the military will get less visibility because movement restrictions prevent people from reporting and prevent journalists from documenting events.<sup>37</sup> They also expressed concerns that: (1) villagers fearful of violations cannot escape as easily because of movement restrictions; (2) armed groups have settled down during villages, where they have taken food and supplies from villagers and committed other human rights violations; and (3) newly displaced IDPs will not be able to socially distance or keep safe.<sup>38</sup>

Extensive qualitative research on communities in Myanmar has shown strong ties between militarization and poor health outcomes. This is worrisome in the many areas with ongoing conflict.

- Food insecurity for displaced families increased, from an average 2.12 months/year in which families did not have enough to eat, to 8.8 months.<sup>39</sup>
- The risk of death was increased 50% for infants and 40% for children <5yo in households that experienced a human rights violation the preceding year. Children in such households had almost twice the risk of suffering from severe malnutrition.<sup>40</sup>
- Families that had to flee their homes for security reasons at least once in the previous 12 months had 2.4 fold higher risk of child (<5yo) deaths.<sup>41</sup>
- Households that reported seeing Myanmar army or Border Guard Forces were 5.7 times more likely to report moderate or severe household hunger and 12.5 times more likely to report that a household member was sick and not able to get treatment.<sup>42</sup>
- Adults had a 1.7-fold risk of having malaria in families that suffered seizure or destruction of their food supply within the past year.<sup>43</sup>

At present, it is unclear how the state of emergency will affect people across Burma. Particularly in the case of IDPs and those in ethnic areas, the Tatmadaw was the main source of their current vulnerabilities.

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<sup>31</sup> ALTSEAN-Burma (Aug 2020) confidential field interview 2007

<sup>32</sup> ALTSEAN-Burma (Aug 2020) confidential field interview 2012

<sup>33</sup> ALTSEAN-Burma (Aug 2020) confidential field interview 2014

<sup>34</sup> ALTSEAN-Burma (Aug 2020) confidential field interview 2006

<sup>35</sup> ALTSEAN-Burma (Aug 2020) confidential field interview 2007

<sup>36</sup> ALTSEAN-Burma (Aug 2020) confidential field interviews 2004, 2005, 2007

<sup>37</sup> ALTSEAN-Burma (Aug 2020) confidential field interview 2005

<sup>38</sup> ALTSEAN-Burma (Aug 2020) confidential field interview 2005

<sup>39</sup> Physicians for Human Rights (Oct 2015) Forced Displacements and Destroyed Lives around Upper Paunglaung Dam in Shan State, Myanmar

<sup>40</sup> The Burma Medical Association, National Health and Education Committee, Back Pack Health Worker Team and ethnic health organizations serving the Karen, Karenni, Mon, Shan, and Palaung communities (Oct 2010) *Diagnosis: Critical: Health and Human Rights in Eastern Burma*

<sup>41</sup> Back Pack Health Worker Team (2006) *Chronic Emergency: Health and Human Rights in Eastern Burma*

<sup>42</sup> Davis et al. (2015) *Militarization, human rights violations and community responses as determinants of health in southeastern Myanmar: results of a cluster survey*

<sup>43</sup> Back Pack Health Worker Team (2006) *Chronic Emergency: Health and Human Rights in Eastern Burma*