

# BURMANISATION AND BUDDHISATION

**ACCELERATING THE DECLINE OF  
RELIGIOUS RIGHTS IN MYANMAR**



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**Accelerating the Decline of Religious Rights in Myanmar**

2023  
Asia Centre

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# CONTENTS

	<b>Page</b>
<i>Abbreviations</i> .....	V
<i>Executive Summary</i> .....	VI
<i>Acknowledgement</i> .....	VII
<b>1. Introduction</b> .....	<b>1</b>
1a. Methodology .....	1
1b. Burmanisation and Buddhisation in the Politics of Myanmar .....	1
1c. Adherence to International Human Rights Mechanisms .....	3
<b>2. Laws and Policies</b> .....	<b>6</b>
2a. Pre-coup Laws and Policies .....	6
2b. Post-coup Developments .....	9
<b>3. The Coup's Impact on Freedom of Religion or Belief</b> .....	<b>12</b>
3a. Targeting of Pro-federalism Ethno-religious Communities .....	12
3b. Damage, Destruction, and Occupation of Religious Sites .....	14
3c. Religious-based Arbitrary Detentions and Killings .....	15
3d. Persecution of Muslim Rohingyas .....	17
<b>4. Recommendations</b> .....	<b>18</b>
<b>5. Conclusion</b> .....	<b>19</b>
<i>Bibliography</i> .....	20

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# ACKNOWLEDGEMENTS

Human rights in Myanmar have been deteriorating rapidly since the 2021 military coup. That has added pressure on the rights of religious minorities, which were already in a weak state before the military takeover. Religious rights, especially that of minority communities, have been eroded drastically because the military junta, using its framing of national security and terrorism threats, has intensified its Burmanisation and Buddhisation policies as a security response.

The promotion of Burmanisation and Buddhisation to ensure the dominance of the Bamar culture and Buddhist religion, respectively, are not new policies and have been used widely by past governments. However, the application of these policies post-coup as a response to the junta-defined national security and terrorism threats has had severe consequences for ethno-religious minorities. We can expect such actions to negatively bear on human rights and religious freedoms as the junta has chosen to ignore the rights protection provisions in the national legal framework and has disengaged Myanmar from international human rights mechanisms.

To provide a contextual perspective to these human rights violations, research for this report included undertaking extensive desk research and conducting interviews with in-country human rights defenders to assess the post-coup impact of Burmanisation and Buddhisation on religious freedoms. Asia Centre is appreciative of the contributions of these defenders, whose names are not listed here to ensure their safety.

We are also grateful to the Asia Foundation for supporting the Asia Centre in bringing out this timely report.

Research for the report was led by Asia Centre's Pemtat Chanhom and Korbkusol Neelapaichit. The report was subject to a validation meeting with other researchers on Myanmar politics and human rights led by the Asia Foundation. Asia Centre's Research Manager, Dr Marc Piñol Rovira, thereafter internally reviewed the report before publication. This policy report is part of Asia Centre's FoRB Knowledge Hub to produce evidence-based research and increase advocacy for the religious rights of people in Southeast Asia.

Asia Centre dedicates *Burmanisation and Buddhisation: Accelerating the Deterioration of Religious Rights in Myanmar* to all communities whose religious freedoms are being curtailed. The Centre hopes this report and its recommendations will help raise awareness of the religious rights violations in Myanmar, advocate for these violations to stop, and improve freedom of religion or belief in the country.

Sincerely,



Dr James Gomez  
Regional Director,  
Asia Centre

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# ABBREVIATIONS

<b>ACMECS</b>	Ayeyawady-Chao Phraya-Mekong Economic Cooperation Strategy
<b>BIMSTEC</b>	Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation
<b>CAT</b>	Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment
<b>CLMV</b>	Cambodia, Laos, Myanmar and Vietnam
<b>CRPH</b>	Committee Representing Pyidaungsu Hluttaw
<b>CSO</b>	Civil Society Organisation
<b>EAO</b>	Ethnic Armed Organisation
<b>GSC-N</b>	General Strike Committee of Nationalities
<b>HRD</b>	Human Rights Defenders
<b>ICCPR</b>	International Covenant on Civil and Political Rights
<b>ICERD</b>	International Convention on the Elimination of All Forms of Racial Discrimination
<b>IDP</b>	Internally Displaced Persons
<b>INGO</b>	International Non-Government Organisation
<b>FoRB</b>	Freedom of Religion or Belief
<b>MRTV</b>	Myanmar Radio and Television
<b>NGO</b>	Non-Governmental Organisation
<b>NLD</b>	National League for Democracy
<b>NUCC</b>	National Unity Consultative Council
<b>NUG</b>	National Unity Government
<b>PDF</b>	People's Defensive Force
<b>RFA</b>	Radio Free Asia
<b>SAC</b>	State Administration Council
<b>SR</b>	Special Rapporteur
<b>UN</b>	United Nations
<b>UPR</b>	Universal Periodic Review
<b>USDP</b>	Union Solidarity and Development Party

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# EXECUTIVE SUMMARY

*Burmanisation and Buddhisation: Accelerating the Deterioration of Religious Rights in Myanmar* outlines how the 2021 military coup in Myanmar has accelerated the deterioration of rights, especially of religious minorities in the country.

Article 34 of the Myanmar constitution enshrines the right to freedom of religion or belief (FoRB) to ensure that religious freedom is respected for all citizens, regardless of their ethnic and religious background. However, the constitution also contains provisions that prioritise Buddhism, the dominant religion in Myanmar, over other religions.

Additionally, Myanmar's military has backtracked on the initial engagement by the earlier democratically-elected government in the mid-2010s to sign and ratify international human rights covenants like the ICCPR and ICERD. This further hinders the sustainability of freedom of religion or belief in the country, given its past and present limited or non-observance to international human rights standards.

Successive governments, both military and non-military, since colonial independence, have prioritised and promoted Bamar culture and Buddhism, known as Burmanisation and Buddhisation. However, this has severely limited the religious rights of non-Buddhist and non-Bamar individuals and communities.

Following the 2021 coup, Myanmar's State Administration Council has intensified pressure on the rights of ethnic and religious minority groups, through aggressive Burmanisation and Buddhisation policies. These policies are pursued through the following three measures: 1) using pre-coup legislation that is oppressive in nature and undermines the rights of ethno-religious minorities, 2) ignoring existing constitutional provisions that ensure the protection of freedom of religion or belief; and 3), refusing to implement the recommendations made via UN human rights mechanisms by member states. As a result, the military has not only stalled the democratisation process but regressed the country into an accelerated deterioration of human rights, including religious rights.

This report presents evidence of four main ways in which religious rights are being deteriorated in Myanmar: 1) targeting of pro-federalism ethno-religious communities; 2) damage, destruction and occupation of religious sites; 3) arbitrary detentions and killings of ethno-religious minorities; 4) persecution of Muslim Rohingya. Although these impacts are primarily felt by members of ethno-religious minorities, Bamar people and Buddhists have also been affected, especially if they support or are suspected of supporting those resisting the junta.

Given the rapidly deteriorating state of rights, especially that of religious minorities and the ongoing conflict that exists between the pro-democracy and pro-military groups, this report recommends the following multi-stakeholder actions: the international community should use its mechanisms to monitor, engage, and denounce FoRB violations and explore diplomatic ways to engage with Myanmar's leaders to review discriminatory laws and stop the violence. INGOs should collaborate with local groups by receiving first-hand accounts of rights violations for international dissemination and provide technical and financial support to them. Local civil society organisations should safely monitor and raise awareness among the population of their religious rights.

Collectively, these efforts can help improve the state of religious rights in Myanmar, particularly for members of minority groups, ensuring that they can practise their chosen religion without being targeted or harassed.

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# 1. Introduction

Since the military coup led by General Min Aung Hlaing in February 2021, human rights in general and the rights of religious minorities, in particular, have deteriorated rapidly ([Mendelson, 2022](#)). Under the junta, attacks on members of ethno-religious minorities have increased under the guise of national security and counter-terrorism efforts. The evidence indicates that although the freedom of religion or belief was already restricted before the coup, the military takeover has accelerated and further eroded the rights of ethno-religious minorities. The junta's policy tool to ensure national security and manage terrorism threats is an escalated implementation of the Burmanisation and Buddhisation policies. This has an impact on the religious freedoms of ethnic and religious minorities in Myanmar which this report examines.

## 1a. Methodology

Research for this report took place between February and May 2023 and consisted of four stages. In the first stage, desk research was conducted to review primary and secondary sources. The review of primary sources included data from United Nations (UN) human rights mechanisms, including Universal Periodic Review (UPR) reports on Myanmar, and also the Myanmar constitution and FoRB-related legal documents. Secondary sources included the review of reports produced by international organisations, democracy watchdogs, and CSOs working in the field of human rights and freedom of religion in Myanmar. The review of these primary and secondary data points was used to frame the study, narrow down the topic, and specifically examine how Burmanisation and Buddhisation policies post-coup impacted religious rights in Myanmar. In the second stage, to validate and extend the findings from the desk research, the Asia Centre team consulted with six informants from Myanmar who are human rights defenders (HRDs) in the area of freedom of religion. Due to security concerns and to ensure the safety of all informants and researchers, these consultations were conducted online from Bangkok. The identities of these six have been anonymised and all the information that could identify them has been removed from this report due to the aforementioned security concerns. In the third stage, the report findings were presented in a policy research roundtable as part of the Myanmar Regional Forum organised by the Asia Foundation on 23 March 2023, which validated the output of this report. Additionally, the Asia Foundation also reviewed this report and provided pertinent feedback. In the fourth stage, the Asia Centre team incorporated the relevant feedback, updated new developments and reviewed the final draft of this report prior to publication.

## 1b. Burmanisation and Buddhisation in the Politics of Myanmar

Burmanisation and Buddhisation are two interconnected policies that are important for the contextual understanding of FoRB in Myanmar in the colonial era and the years that followed the end of colonial rule in 1948. They also help us understand why the intensification of both policies post-2021 coup has led to an accelerated decline of FoRB in the country in the name of national security and counter-terrorism.

Burmanisation is a system whereby Bamar-dominated governments and junta regimes force members of ethnic minority groups in Myanmar to relinquish their ethnic identities such as culture, language and religion and, instead, adopt the dominant Bamar culture. Therefore, Burmanisation results in members of ethnic minorities being deprived of some of their fundamental rights like FoRB, even if they show resistance ([Gray, 2018](#)). Burmanisation's impact goes beyond FoRB and influences many other aspects of the lives of members of ethnic and religious minority groups, including education, economic development, and even reproductive rights. Burmanisation also suppresses the ethnic identity of many citizens, enforcing cultural assimilation and banning ethnic languages in education ([Burma Link, 2014](#); [Kramer, 2015](#)).

Buddhisiation involves encouraging people to convert to Buddhism ([Husarski, 2017](#)). Successive governments, including the junta after the 2021 coup, have attempted to Buddhise the population primarily with the use of laws that stress the supremacy of the Buddhist faith in relation to other religions. Furthermore, government authorities have developed close relationships with the Sangha or Buddhist monastic community, increasingly engaged with hardline nationalists monks, constructed large-scale Buddhist sites, and accused the political opposition of not being fully supportive of the Buddhist faith.



Burmanisation and Buddhisiation shed light on the rationale behind the resistance against British rule during the colonial era. The colonial-driven "disestablishment" of Buddhism from the state undermined the privileged position of the Buddhist majority. As a result, monks were among the first to rise against foreign rulers ([Herath, 2020](#)), thus, the defence of the Buddhist faith was a central theme during the struggle for independence ([Thant Myint-U, 2001](#)). Thereafter, subsequent civil society movements that fought for national identity and independence largely associated themselves with Buddhism, like the 969 Movement and the MaBaTha - which were also characterised by their anti-Islamic resentments ([Husarski, 2017](#)).

In 1948, after the country gained independence from Britain, efforts were made to promote a pluralistic coexistence among diverse religious and ethnic groups. However, successive regimes institutionalised and supported the Sangha, the Buddhist monastic organisation, thereby establishing Buddhism as an integral part of the country's national identity ([Leh, 2019](#)). The interpretation of Buddhism narrowed down to Bamar Theravada Buddhism and alternative interpretations of Buddhism were deemed deviant and considered distortions of the true essence of Buddhism ([Centre for Peace and Conflict Studies, 2010](#)). In 1988, the military assumed control of the country and subsequent Bamar-dominated military and non-military governments continued to implement policies that positioned Bamar as the dominant culture and as Buddhism the primary religion often at the expense of ethnic-religious minorities.

These developments, which have significantly eroded the rights of ethnic minority groups in the country ([Husarski, 2017](#)), also demonstrate that Burmanisation and Buddhisiation are pursued to address national security threats. With the 2021 coup, there has been a rise of new factions and a recommitment to the insurgency by long-established ethnic armed groups, leading to intense clashes in regions that had not witnessed significant conflict for many years. The opposition National Unity Government (NUG) has made attempts to rally both existing and newly formed non-state forces to their cause in order to overthrow the junta, but the outcomes have been mixed. The military regime is met with hostility from the majority of ethnic armed groups that view the current situation as a historic opportunity to realise their longstanding struggle for a federal system ([Crisis Group, 2022](#)).

Given the resistance presented by the ethno-religious minorities, the military junta perceives these groups as a threat to national unity and takes action to avoid the radicalisation of their members, particularly Muslims, who are frequently labelled as terrorists. The Arakan Rohingya Salvation Army (ARSA), also known as Harakah al-Yaqin, is an insurgent group in the Rakhine State that claims to represent the interests of the Rohingya Muslim minority in the country and protect the Rohingya population from human rights abuses and discrimination, including their religious rights. State authorities have designated ARSA as a terrorist group ([Frontier Myanmar, 2017](#)), although ARSA denies any links with terrorism. Nonetheless, this alleged

link between Muslim groups and terrorism has been generalised, framing all Muslims as terrorists ([Kironska and Peng, 2021](#)). This has been used to justify the implementation of Buddhisation and Burmanisation policies, prevent the radicalisation of members of the Muslim community, and increase national security.

While the constitution in Myanmar theoretically protects the religious rights of selected non-Buddhist religions and prohibits discrimination - as Chapter 2 of this report outlines - the reality is different. Burmanisation and Buddhisation efforts by the government serve to weaken ethnic identities and undermine the cohesion of ethnic groups, ultimately establishing the dominance of the Bamar over other ethnic and religious communities within the country. As a result, non-Buddhist people are often labelled as non-Myanmar people, reducing their religious freedoms. Members of non-Buddhist ethnic and religious groups, such as Catholics and Christian Chins, Karens, Kachins, and Muslim Rohingyas, have been specifically targeted by state authorities. For instance, the Christian Chin community has faced persecution, including the demolition of their places of worship, and many individuals have been coerced into converting to Buddhism ([UCA News, 2021](#)). The Muslim Rohingya community also exemplify the oppression faced by non-Buddhists, as they are frequently subjected to anti-Muslim rhetoric and sectarian attacks orchestrated by state-sponsored actors. The 969 Movement's propagation of fear about the spread of Islam, which fueled widespread religious violence, serves as a prominent illustration ([Bookbinder, 2013](#)). It also shows that in Myanmar, Buddhism and nationalism often go hand in hand.

The examples above show that Burmanisation and Buddhisation are two highly relevant policies that shape the current social, religious, and political identities in Myanmar. The price tag of these policies is high for minority groups, who are facing an accelerated deterioration of their religious rights and overall well-being, which has particularly intensified after the 2021 coup.

### 1c. Adherence to International Human Rights Mechanisms

The implementation of the Buddhisation and Burmanisation policies to shape the social and political fabric of the country is dissonant with several international human rights agreements and frameworks that Myanmar has yet to ratify. Such policies not only undermine the status of specific social groups within the country but have also been a cause for concern within the international community. As a result, numerous member states have raised the issue via UN mechanisms to repeatedly highlight the widespread FoRB violations in Myanmar.

As of June 2023, Myanmar has not signed or ratified the International Covenant on Civil and Political Rights (ICCPR), the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) ([Human Rights Committee, n.d.](#)). These international agreements specifically address issues related to FoRB. Article 18 of the ICCPR ([General Assembly, 1966a](#)) guarantees the right to freedom of thought, conscience, and religion, stating that "Everyone shall have the right to freedom of thought, conscience, and religion." The ICERD ([UN General Assembly, 1966b](#)) is a human rights mechanism concerning racial discrimination. Article 1 of the ICERD defines racial discrimination as "any distinction, exclusion, restriction, or preference based on race, colour, descent, or national or ethnic origin [...]."



As a member state of the United Nations, Myanmar has undergone a review of its human rights records through the Universal Periodic Review (UPR). This process provides Myanmar with an opportunity to demonstrate its fulfilment of human rights obligations and the measures taken to improve the state of human rights within its territory. The UPR reviews conducted in 2011, 2015, and 2020 ([OHCHR, 2021](#)) for Myanmar have specifically highlighted FoRB violations as a significant concern, urging Myanmar to address these issues.

During the first cycle, Myanmar's lack of engagement with international mechanisms to strengthen human rights, including FoRB, was emphasised. Several countries recommended Myanmar "engage more consistently with human rights bodies and mechanisms at the international level" ([Ibid.](#)). Other recommendations were tailored towards addressing religiously motivated attacks, particularly targeting members of minority ethno-religious groups. Slovenia, for instance, recommended that Myanmar "ensure that ethnic and religious minorities are granted fundamental rights and end discrimination against persons belonging to these minorities" ([Ibid.](#)). The international community also called for the protection of the rights of the multiethnic population in Myanmar, addressing ethnic violations ([Ibid.](#)). The recommendations from the 2011 cycle also reflected the international community's urgency in urging Myanmar to accede to core human rights instruments such as ICERD and ICCPR.

During the second UPR cycle in 2015, Myanmar had not yet embraced ICERD and ICCPR. However, the country made significant strides in addressing some of the challenges related to religion and ethnicity and started cooperating with international partners to achieve this goal after the National League for Democracy (NLD) won the 2015 general election with 58% of the votes and Myanmar explored the possibility of signing human rights treaties like the CAT ([UN, 2015](#)). These developments were positively received by the international community, considering the complex coexistence of ethnic and religious groups in Myanmar, which has posed challenges to the protection of FoRB. Myanmar also played an active role in hosting regional conferences and events that demonstrated its commitment to addressing religious issues, such as the BIMSTEC summit in 2014 and the 7th CLMV and 6th ACMECS Summits ([Ibid.](#)). These events marked a successful period in Myanmar's foreign relations, as heads of state and government came together to recognize the country's efforts in improving human rights and foreign relations.

The third UPR report was submitted to the OHCHR in November 2019, highlighting Myanmar's progress in implementing some of the recommendations from the previous UPR cycle in 2015. These include the release of political prisoners and the establishment of a national human rights commission. The report also acknowledges that the government took steps to improve the living conditions of people in remote and conflict-affected areas. However, a major concern raised in the report is Myanmar's failure to embrace international human rights covenants ([OHCHR, 2021](#)). Several UN member states urged Myanmar to sign and ratify ICCPR and ICERD, as well as fulfil its obligations under the Convention on the Prevention and Punishment of the Crime of Genocide. They also called for the adoption of laws and policies against discrimination based on ethnic, religious, linguistic, and cultural identity. This is particularly relevant because the OHCHR expressed concerns about laws and policies that perpetuate discrimination and exclusion based on citizens' religious and cultural backgrounds. The report notes that such laws have hindered the ability of minorities to enjoy their rights, contributing to a cycle of marginalisation and poverty.

Myanmar's responses to concerns about FoRB raised in the three UPR cycles deny any instances of discrimination and violence based on religion or race. In its National Reports submitted as part of the process, Myanmar asserts that its laws and policies are in line with international human rights standards. It also highlights non-legal measures such as interfaith dialogues and training programs at the local level conducted by civil society organisations in the country. While the Myanmar government expressed general agreement with the recommendations put forth by state parties to ensure FoRB and racial equality,

the adoption of the 'Race and Religion Protection Laws' contradicted Myanmar's official narrative (OHCHR, 2021). This set of laws, which includes the Religious Conversion Law, the Myanmar Buddhist Women's Special Marriage Law, the Monogamy Law, and the Population Control Healthcare Law, was ostensibly intended to promote freedom of religion. However, these laws are inherently discriminatory in nature since they prioritise the rights of Buddhists over the members of other religions. Further details on these four laws will be provided in Chapter 2.

UN Special Rapporteurs (SRs) - the mandate was first established in 1992 and was broadened in 2016 to work on priority areas such as technical assistance and capacity-building - have also drawn attention to the violations of human rights in Myanmar (OHCHR, n.d.) The SR on the situation of human rights in Myanmar highlighted the precarious situation faced by ethno-religious minorities who are engaged in conflicts with the military and pro-junta movements, resulting in a significant number of casualties and forced displacements (OHCHR, 2022). Similarly, the SR on FoRB identified numerous religion-based violations, indicating the country's failure to uphold international human rights standards. The report titled "Rights of persons belonging to religious or belief minorities in situations of conflict or insecurity" (A/HRC/49/44) (OHCHR, 2022), presented during the 49th Session of the Human Rights Council, documented a range of religion-based human rights violations in the country. The violations include genocide against the Rohingya, arbitrary detentions, torture, and murder of religious leaders and influencers from ethno-religious minorities, destruction of Christian churches and Islamic religious sites, forced conversions, sexual and gender-based violence against members of ethno-religious minorities, the Tatmadaw's practice of conflating entire religious minority communities with terrorists to justify violence against them and sow public distrust, and denial citizenship based on religion.

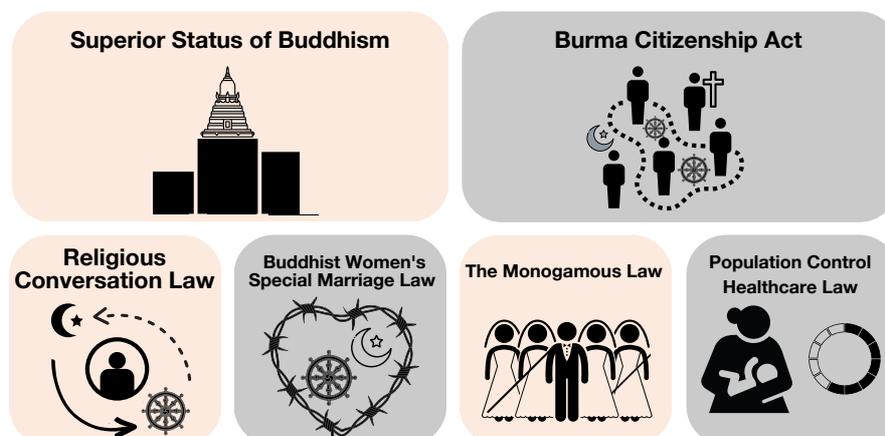
Myanmar has signed the Universal Declaration of Human Rights. However, it has not signed and ratified key human rights covenants like ICERD and ICCPR. This poses a challenge since compliance with these covenants is essential for strengthening FoRB. The international community has consistently expressed concerns about the harassment faced by members of ethno-religious minorities and has called on Myanmar to ratify and comply with these covenants to address these issues. However, as of June 2023, Myanmar has not taken this step, instead, following the coup, the junta has backtracked Myanmar from these covenants. Ratifying these covenants and aligning Myanmar's national legal framework with international human rights standards and improving the state of FoRB in the country is important as the current national legal provisions restrict religious freedom for many citizens. The next chapter outlines the key legal provisions in national legislation that restrict the right to religious freedom for many people in the country.

## 2. Laws and Policies

This chapter reviews Myanmar's legal framework and policies that impact FoRB in two parts. The first section reviews the laws and policies concerning the management of religion in the country that were passed before the 2021 coup. These legal measures include some protection for minority communities but also include laws that privilege the Bamar-Buddhists as well as a disadvantage and discriminate against non-Bamars and non-Buddhists. The second section of this chapter explores how since the 2021 military takeover, the junta regime has introduced several laws and intensified the promotion of Burmanisation and Buddhisation as a response to the resistance forces. The application of these laws, policies and practices post-coup, purportedly to deal with national security and terrorism threats, but end up accelerating FoRB violations in Myanmar.

### 2a. Pre-Coup Laws and Policies

Since gaining independence in 1948, the Myanmar constitution (2008) has included various legal regulations to safeguard FoRB within the country. Article 34 ensures freedom of religion. However, Article 360 acknowledges the special position of Buddhism as the predominant faith among the majority of citizens. The constitution also recognises Christianity, Islam, Hinduism, and Animism, and compels the Union to provide assistance and protection to these recognised religions (Article 362). Article 34 guarantees FoRB, and Article 348 prohibits discrimination based on religion, among other grounds. The provisions that promote the peaceful coexistence of different ethnic groups in the Union can be traced back to the Panglong Agreement (1947), which forms the foundation of Myanmar's nation-building efforts.



Despite the aforementioned legal provisions aimed at promoting peaceful coexistence among different religions, there have been numerous attempts by Bamar-dominated governments to establish the superiority of Buddhist Bamars through legislation. Myanmar's legal framework includes several provisions that elevate Buddhism above other religions. The Magna Carta of the Union grants special status to Buddhism "as the faith professed by the great majority of the citizens of the Union" (Article 361). The privileged position of Buddhism can be traced back to the Third Amendment of the Constitution Act (1961) and the Promotion and Support Act (1961), both championed by U Nu, the country's prime minister from 1960 to 1962. The former, although later repealed, designated Buddhism as the state religion, while the latter, still in effect, established government patronage of Buddhism.

Furthermore, there are specific legal provisions that lead to discrimination against members of other religions. The Burma Citizenship Act (1982) (Harvard Divinity School, n.d) specifically discriminates against

Rohingya Muslims and other religious minorities. This Act excludes Muslim and Hindu Myanmar of South Asian descent from obtaining full citizenship, limiting them to lower statuses such as Associate Citizenship and Naturalised Citizenship. As a result, they are denied equal rights compared to the Bamar majority and other officially recognised ethno-religious groups. The Act categorises Rohingya Muslims as non-citizens, disregarding their long-standing presence in the Rakhine state, and the Myanmar government views them as illegal immigrants from Bangladesh ([McPherson and Lewis, 2018](#)). Consequently, they are rendered stateless and stripped of their rights.

Another significant document outlining the religious rights of minorities is the Nationwide Ceasefire Agreement ([2015](#)) between the Myanmar Government and the Ethnic Armed Organisations (EAOs). This agreement aimed to establish lasting peace between the government and the EAOs. It acknowledges a certain level of autonomy for ethnic groups and delineates principles regarding FoRB in areas controlled by the EAOs. Chapter 1 of the agreement guarantees equal rights for ethno-religious minorities and emphasises the separation of state and Buddhism to prevent the exploitation of Buddhism for political purposes. In terms of ceasefire-related matters, Chapter 3 of the Agreement explicitly prohibits the use of religious sites as military outposts and the destruction of religious buildings. These provisions demonstrate a commitment to protecting religious freedoms and preserving religious sites during periods of ceasefire.

The year 2015 was also a pivotal moment that witnessed the enactment of ethno-religious discriminatory laws in Myanmar. Under the Thein Sein administration (2011-2016), the Parliament passed the 'Race and Religion Protection Laws,' comprising four provisions: the Religious Conversion Law, the Myanmar Buddhist Women's Special Marriage Law, the Monogamy Law, and the Population Control Healthcare Law ([Human Rights Watch, 2015](#)). These laws were promoted by Bamar nationalist Buddhist organisations, such as the Association for the Protection of Race and Religion, commonly known as Ma Ba Tha, the Buddhist nationalist 969 Movement, and the Committee for the Protection of Race and Religion. With several clauses directly conflicting with numerous Muslim cultural practices, these laws undermine the harmonious coexistence of religions in the country, particularly with the Muslim community ([Ibid.](#)). As shown below, these laws have raised concerns about safeguarding religious freedoms and preserving religious harmony within Myanmar.

Following the enactment of the Religious Conversion Law ([2015](#)), individuals in Myanmar who wish to convert to another religion are required to seek approval from the Registration Board. This Board is composed of a Township Religious Affairs officer, three members of the Township Administration, two local elders chosen by the Township, and two Education Officers. Before submitting a request, applicants must meet specific criteria, including being over eighteen years of age. Additionally, applicants are required to explain their reasons for wanting to convert to another religion to the Board.

Article 14 states that a conversion request may be rejected if it is deemed to be made with the intention of degrading or insulting the faith being targeted. The purpose of this elaborate process is to prevent coerced conversions. However, the composition of the Board, which may predominantly consist of Buddhist officials, raises concerns about the impartial examination of each case and potential interference by the state in individuals' right to practise their chosen faith. Non-compliance with the requirement for Board approval could lead to a two-year prison sentence, a fine not exceeding MMK200,000 (USD95), or both.

The Myanmar Buddhist Women's Special Marriage Law ([2015](#)) stipulates that a non-Buddhist man who marries a Buddhist woman must respect her Buddhist beliefs, allowing her to continue practising Buddhism. According to this law, the Buddhist wife is prohibited from converting to her husband's religion, while their children are free to follow any faith of their choice. Failure to adhere to these regulations can lead to divorce proceedings initiated by the wife. This law displays evident discriminatory intent,

particularly aimed at preventing Buddhist women from marrying men of other faiths, notably Islam. Additionally, it exhibits misogynistic characteristics. U Aung Myaing, Chairperson of the Theravada Dharma Network, justified the necessity of this law by claiming that Buddhist women lack the knowledge to protect themselves from Muslim men who allegedly marry local Buddhist women with the aim of converting them to Islam ([ICJ, 2019](#)). Violation of this law can result in imprisonment for up to three years and a fine of MMK 500,000 (USD 235).

The Monogamous Law ([2015](#)) has significant implications for marriage and religious freedom in Myanmar. It prohibits all forms of polygamous marriage, which was once commonly practised. The law was enacted with the aim of safeguarding Buddhist women in Myanmar from marrying non-Buddhist men. According to this law, individuals of any gender can be penalised by the state for engaging in extramarital relationships. In order to enter into a new marriage, one must first terminate their existing marriage. The Monogamous Law was proposed by the hard-line Buddhist group Ma Ba Tha, which accused Muslims of attempting to gain control of the country by "outbreeding" the Buddhist majority ([DW, 2015](#)). Individuals who are found guilty of having multiple spouses can face imprisonment for up to seven years ([ibid.](#)). This law demonstrates a clear intervention by the state in regulating personal relationships and reflects the influence of nationalist Buddhist groups in shaping legislation related to marriage and religious dynamics in Myanmar.

The final law among the Race and Religious Protection Laws is the Population Control Healthcare Law ([2015](#)). This law grants the government the authority to designate certain regions or states as special zones and impose a mandatory 36-month interval between pregnancies for women residing in those zones. The government justifies this law by asserting that it aims to safeguard the well-being of children. They argue that spacing out pregnancies ensures better access to socioeconomic resources and reduces the adverse effects of limited resources on children in areas plagued by extreme poverty. However, concerns have been raised regarding the potential negative impact of this law on ethnic and religious minority groups. There are apprehensions that it could be specifically employed against the Muslim Rohingya population in Arakan (Rakhine) State. Some segments of the population have expressed concerns about the rapid population growth of the Rohingya community ([Rakhine Investigation Commission, 2013](#)).

Many Rakhine people view the rapid population growth of the Muslim Rohingyas with great concern, perceiving it as a significant and imminent threat. This belief stems from the notion that all "Bengalis" (a derogatory term used to refer to the Muslim Rohingyas) are considered illegal immigrants, and there is a fear among the Rakhine community that their state may come under the control of the "Bengalis". Consequently, Rakhine communities and other Taing-Yin-Tha groups have expressed the desire for the government to implement family planning and birth spacing programs specifically targeting the "Bengalis". While the streamlined narrative surrounding this measure suggests that it aims to improve family planning, it primarily targets religious and ethnic minorities. Furthermore, it aligns with the ultra-nationalist and anti-Muslim agendas of certain religious groups, such as Ma Ba Tha.

This analysis of Myanmar's legal framework regarding FoRB reveals a mixed picture. On one hand, there are provisions that guarantee the freedom to practise one's religion or faith. However, on the other hand, there are numerous restrictions in place that specifically target Muslim communities, undermining their rights and creating disparities compared to the rights enjoyed by Buddhists. These legal provisions were already in existence prior to the 2021 coup, indicating that the legally induced challenges related to FoRB are not a recent development in the country. Nonetheless, following the 2021 coup, the junta has increased the pressure on members of ethno-religious minorities, often through the use of law and its definition of national security and terrorism, thereby accelerating the decline of religious freedoms in the country. This is shown in the next section.

## 2b. Post-Coup Developments

On 1 February 2021, the military staged a coup and seized control of the country, alleging electoral fraud in the 2020 election as justification. However, there was no evidence of fraud, and the National League for Democracy, led by Aung San Suu Kyi, won by a significant margin ([BBC, 2021a](#)). Minority and religious groups have been actively involved in resisting the new regime and supporting anti-coup movements ([Ratcliffe, 2022](#)), to which the military responds with violence. In this context of tension and violence, Burmanisation and Buddhisisation played an increasingly important role in accelerating the deterioration of FoRB in the country, especially among members of minority groups.



In October 2022, the State Administration Council (SAC) made amendments to the National Education Law (2014), which was initially enacted during the Thein Sein administration. These amendments aimed to marginalise members of minority groups who speak languages other than Burmese. The original law stated that the language of instruction in educational settings should be either Burmese or English (Article 43(a)). Additionally, it allowed for the use of other languages spoken by minority groups alongside English and Burmese, but only in primary education (Article 43(b)). However, with the recent amendment, educational institutions were effectively prohibited from using the native languages of minority groups for teaching ([BNI, 2022](#)). This decision caused a significant outcry among students, leading to protests in Yangon ([Mooney, 2014](#)). The amendment removed Article 43(b) entirely, making it mandatory for basic education to be conducted exclusively in the Burmese language ([BNI, 2022](#)).

On 11 May 2023, the military junta enacted a Weapons Law which details restrictions on gun ownership and usage, production and procurement, and the handling of government weapons ammunition. Sentences range from 5 to 10 years imprisonment, including life imprisonment or the death penalty ([Radio Free Asia, 18 May 2023](#)). The law has several implications aimed at removing weapons from the hands of the ethnic-religious resistance forces but also to legalise weapons in the hands of pro-junta militias. The Weapons Law compliments the earlier revival of a 1977 law by the junta on 31 January 2021 which analysts say will result in a more forceful attack on resistance forces ([Radio Free Asia, 13 February 2023](#)).

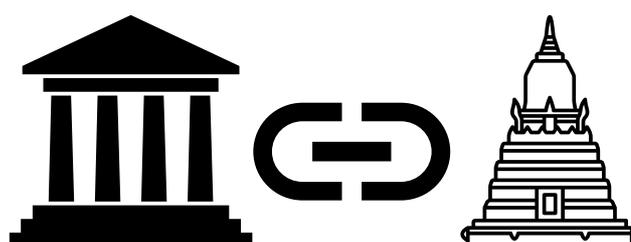
In addition to these laws, the military junta has been actively promoting Burmanisation and Buddhisisation within the country, intensifying its efforts through various state practices. One strategy has been to establish close relationships with influential monks, amplifying their voices and religious messages. This has created the perception that the Sangha, the Buddhist monastic community, supports the Tatmadaw and is closely aligned with the military ([United States Institute of Peace, 2023](#)).

Shortly after the coup on 1 February 2021, the state media reported that Min Aung Hlaing, the chairman of the SAC, paid a visit to one of the highly respected monks in Naypyitaw, aiming to strengthen the relationship between the junta and the monkhood ([Nikkei Asia, 2021](#)). Furthermore, many monks who were at the forefront of the Saffron Revolution in 2007, a series of monk-led protests against the military government at the time, have pledged their loyalty to Min Aung Hlaing. This shift in allegiance is a result of the Tatmadaw's long-term efforts to establish closer ties with religious figures. It has been reported that the military provided economic compensation and gifts to these monks as a way to secure their support. Consequently, monks' agenda that targets religious and ethnic minorities in the country who were previously active in democratic protests have chosen to remain silent and have not participated in the nationwide resistance movements against the coup, as requested by anti-coup groups ([Aung and Mcpherson, 2022](#)).

Furthermore, the military junta's engagement with hardline nationalist monks, particularly those associated with Ma Ba Tha, intensified after the 2021 coup. In the initial stages following the coup, the junta was hesitant to align itself with Buddhist nationalist monks. However, as the conflict persisted, their stance began to shift, and they moved closer to these monks. This shift is evident in the surprising release of Ashin Wirathu, a monk known for his Islamophobic preaching and leading role in the violence against the Muslim Rohingya in Rakhine State in 2012. The sedition charges against him were dismissed, indicating a change in the junta's approach ([BBC, 2021b](#)). On 3rd January 2023, during the commemoration of the country's 75th anniversary of independence from Britain, the junta awarded the controversial monk the title of 'Thiri Pyanchi' for his purported "outstanding work for the good of the Union of Myanmar" ([Al Jazeera, 2023](#)). This move by the junta further solidifies their alignment with nationalist monks and raises concerns about their promotion of an agenda that targets religious and ethnic minorities in the country.

On a separate occasion, in September 2021, army general and current Deputy Prime Minister Soe Win visited Moscow to handle an arms deal with a company associated with Sitagu Sayadaw ([GNLM, 2021](#)), a prominent monk who has been known to advocate for the genocide of the Rohingya, resulting in the death of thousands and the displacement of hundreds of thousands into neighbouring Bangladesh. In one of his speeches, he made the disturbing statement that killing non-Buddhists is permissible, as they cannot be considered human beings ([Fuller, 2017](#)). However, the junta denies allegations that it is providing weapons to monks for the purpose of fighting armed resistance groups.

Following the coup, the Tatmadaw embarked on various projects aimed at constructing large-scale religious sites to further reinforce its narrative. One significant example is the construction of the world's largest marble Buddha statue, despite the economic challenges posed by international sanctions ([Irrawaddy, 2022](#)). Additionally, news media has been extensively utilised to promote Buddhism and diminish the presence of other religions and minority faiths. In the aftermath of the coup, military-owned outlets such as Myawaddy Daily and MRTV have reported a significant increase in stories showcasing overt displays of military support for Buddhism, almost quadrupling in number ([United States Institute of Peace, 2021](#)).



Aligned with the emphasis on Buddhist legitimacy, there has been a concerted effort to discredit the political opposition by portraying them as deviant. Prior to the coup, the military painted Aung San Suu Kyi and the National League for Democracy (NLD) as "insufficiently supportive of Buddhism" ([Mendelson, 2022](#)), seeking to deter clergy support by creating concerns that the civilian administration was too liberal and secular. This narrative not only persists after the seizure of power but has intensified. In a speech delivered six months after the coup, Min Aung Hlaing claimed that devotees of Buddhism had become disillusioned with their faith during the previous five years, asserting that the junta orchestrated the coup to safeguard Buddhism, which had purportedly been undermined under the NLD government. This narrative of criticism extends beyond the NLD and encompasses the People's Defense Force (PDF) as well. Military-controlled media outlets have reported that the PDF is responsible for the deaths of numerous monks, alleging that the public, who identify as Buddhists, 'harbour deep hatred towards terrorist acts' ([Myaddy News, n.d.](#); [GNLM, 2022](#)).

Apart from laws, these examples reveal the purposes behind the heightened promotion of the Burmanisation and Buddhisational policies in Myanmar following the 2021 military coup. These policies aim to serve multiple purposes, including legitimising the military's takeover, prolonging its rule, and negating the voices and rights of those challenging the junta's political agenda. Pro-democracy groups, which include many individuals from religious and ethnic minorities, have been both rhetorically and physically targeted. Nonetheless, as shown in the first part of this chapter, the struggle for FoRB in Myanmar is not a new phenomenon. Even prior to the coup, the country's legal framework, while guaranteeing the freedom to practise one's religion, imposed severe restrictions on non-Buddhist citizens. The restrictive legislation and policies, which has become even more oppressive since the latest coup, has had a profound impact on FoRB in Myanmar, further curbing the religious rights of members of ethnic and religious groups. These impacts are explored in the next chapter.

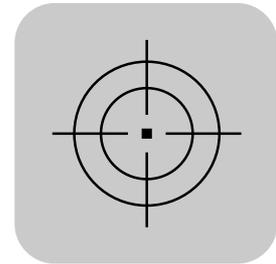
## 3. The Coup's Impact on Freedom of Religion or Belief

After analysing the laws and policies that affect FoRB in Myanmar in the previous chapter, this chapter outlines the consequences of the 2021 coup for FoRB. The intensification of the Burmanisation and Buddhisisation policies accelerated the violation of religious rights in four areas. First, pro-federalism ethno-religious communities have been targeted by the junta. Second, religious sites have been damaged, destroyed, and occupied. Third, members belonging to ethno-religious minority groups have been killed. Fourth, minority groups, in particular, the Muslim Rohingya, have been persecuted. Given the serious consequences, immediate action is needed to stop this systematic violation of religious rights.

### 3a. Targeting of Pro-federalism Ethno-religious Communities

Several ethnic groups in Myanmar have strongly defended the country's federal system, which grants a certain level of autonomy to its various states and regions. Since federalism allows some degree of self-governance within their respective states or regions, it is a way to address the needs of minority groups and protect their rights, including their religious rights. Burmanisation and Buddhisisation represent the antithesis of a federal model since these policies attempt to increase unity within the country by ensuring the supremacy of the Bamar culture and Buddhism, thus at the expense of the

religious rights of minority groups. Consequently, the parties or groups whose ideals align with federalism and advocate for the rights of minority groups, are more likely to be targeted by military groups. On the other hand, those whose values align with a unitary state are less likely to be attacked.



Some of the ethnic armed groups involved in the resistance against the Tatmadaw include the Chin National Army, Kachin Independence Army, and Karen National Liberation Army (Kapur, 2022). Additionally, some of these groups like the Chin National Front and the Lahu Democratic Union have publicly expressed their support for the National Unity Government (NUG) in their fight against the military regime. In the Chin State, the Christian Chin community is particularly vocal in calling for the abolishment

of the 2008 Constitution, which is seen as favouring the Buddhist Bamar majority (Regan, 2021). For example, the Kachin Independence Army actively collaborates with the pro-democracy movement and provides training to demonstrators, while at the same time engaging in armed conflict with the Tatmadaw (Ostwald and Yin Hlaing, n.d.). These ethnic armed groups play a significant role in the wider struggle for democracy and self-determination, aligning their efforts with the aspirations of the anti-coup movement. The Karen National Liberation Army (KNLA) has displayed the highest level of eagerness among the EAOs to actively engage with the NUG's efforts to establish a unified federal framework. This eagerness is evident through its participation in the National Unity Consultative Council (NUCC), which is a broad-based forum entrusted with the responsibility of drafting a new constitution for Myanmar (Loong, 2022).

Intensified calls for self-governance and an end to the Burmanisation and Buddhisisation policies have emerged as a result of concerns over the increased influence of the Buddhist-Bamar majority in Myanmar. These calls were consolidated into the 'Five-Point' demands by the General Strike Committee of Nationalities (GSC-N), an alliance of youth networks with



close ties to ethnic political parties and EAOs. These demands resonated with ethnic minorities and also gained approval among anti-coup individuals from the Baman community. Subsequently, the demands were endorsed by the Committee Representing Pyidaungsu Hluttaw (CRPH) ([Ostwald and Yin Hlaing, n.d.](#); [Lwin, n.d.](#)). As a result, putting an end to the Burmanisation and Buddhisation policies has become one of the central themes of the anti-coup movement, alongside the release of NLD leaders and the restoration of democracy.

In response to the efforts of ethnic minorities to challenge Burmanisation and Buddhisation, the junta has utilised military operations in regions where these minority groups are prominent to thwart their demands to put an end to these policies. As an example, areas with significant Christian communities have been particularly targeted by the military (Respondent 6). In the Kachin State, the Tatmadaw conducted airstrikes during an anniversary celebration of the Kachin Independence Organisation, the main political organisation representing the Kachin ethnic minority. This unfortunate incident resulted in the loss of eighty lives, predominantly ethnic Kachin civilians ([Peck, 2022](#)). In Kayah State, the Tatmadaw forces damaged or destroyed over 1,190 homes. By January 2022, these attacks had compelled 85% of the population in Kayah State's capital, Kayah, to flee the city. More than 180,000 Karennis, constituting 40% of the Karenni population, have become internally displaced persons (IDPs) ([KHRG et al., 2022](#)). Such attacks have not only caused immense harm but have also undermined ethnic minority groups that advocate for a federal union and demand an end to Burmanisation and Buddhisation.

By increasing its efforts to suppress efforts to defend the federal government, the junta infringes several provisions in the ICCPR. First and foremost, it infringes ICCPR's Article 1: "All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development." Self-determination recognises that different groups within a country may have distinct identities, aspirations, and interests that should be respected and accommodated. Therefore, it allows people and communities to determine their own political status, make decisions about their own governance, and freely pursue their economic, social, and cultural development.

In a federal system, self-determination can be facilitated by granting a certain degree of autonomy to subnational units. This allows different regions or communities within a country to exercise self-governance and make decisions that are relevant to their local context, including matters related to culture, language, education, and even aspects of their legal system. With accelerated Burmanisation and Buddhisation, these avenues for self-determination, which are particularly important in addressing the aspirations and demands of those with distinct ethnic and religious identities are not met. The junta's military operations to thwart efforts to end Burmanisation and Buddhisation also demonstrate a disregard for Article 362 of the Myanmar Constitution, which mandates the Union to "assist and protect the religions it recognizes to its utmost."

In this context, it is worth noting that the Tatmadaw has shown preferential treatment to EAOs and ethnic parties that do not actively campaign against the Burmanisation and Buddhisation policies, and more importantly, do not oppose the outcomes of the 2021 coup. Certain regions in Shan State and Wa State, which are dominated by the Shan State Progress Party, United Wa State Party, and National Democratic Alliance Army, have experienced relatively stable conditions and have not faced frequent attacks from the Tatmadaw. These groups also engage in regular discussions with the Tatmadaw ([Bangkok Post, 2023](#)). This difference in treatment is a deliberate strategy aimed at creating divisions among EAOs. According to one respondent, the military's objective is to keep ethno-religious groups fragmented, enabling the junta to maintain its grip on power (Respondent 3).

### 3b. Damage, Destruction, and Occupation of Religious Sites

Religious sites have become prime targets for the junta, with military operations aimed at damaging and often destroying them. Between February 2021 and May 2022, 92 places of worship were reported to have been damaged or destroyed in Kachin, Kayin, Kayah, Chin, Shan, Mon, Bago, Magway, Sagaing, Tanintharyi, and Yangon. Out of these 92 sites, 55 were Christian premises, 32 were Buddhist, and 5 were Islamic ([ICJ, 2022](#)). However, the actual number is believed to be much higher due to underreporting.



The data indicates a disproportionate targeting of Christian premises compared to Buddhist ones by the junta forces. This disparity is even more significant when considering the vast difference in the number of churches and temples in Myanmar. These attacks on religious sites predominantly occur in regions populated by ethno-religious minorities such as Kayah State and Chin State. The primary victims of these attacks are internally displaced persons (IDPs) seeking refuge in these facilities (Respondent 5). According to a human rights consultant and analyst (Respondent 3), Christians face restrictions on convening regular prayer sessions and are required to inform the authorities each time they organise such sessions. The junta has imposed extensive state surveillance on civilians, enabling the security forces to detect unauthorised Christian prayer sessions (Respondent 1).

In Kayah State, the security forces have carried out assaults on multiple Catholic churches, causing damage to as many as 24 churches and completely demolishing one. Three of these attacks involved airstrikes ([KHRG et al., 2022](#)). A notable incident occurred in May 2021 when junta forces shelled and fired upon a Catholic church where civilians had sought shelter following clashes between the Karenni PDF, the Karenni Army, and the junta forces. This resulted in the destruction of the church and the deaths of four civilians ([Irrawaddy, 2021a](#)). Additionally, heavy artillery fire, including mortar rounds, has reportedly destroyed seven Baptist churches and two Buddhist temples in the region.

The Christian Chin community in Chin State has also faced similar persecution. According to reports from RFA, as of August 2022, over 130 religious buildings, including 66 churches in Chin State, have been destroyed ([RFA, 2022](#)). Religious leaders from the Christian Chin and Karenni communities have observed that the junta forces deliberately target churches to hinder the practice of their Christian beliefs ([Ibid.](#)). Furthermore, the junta has been conducting regular military raids on places of worship, driven by the fear that these sites may serve as shelters for resistance forces. Over 45 religious sites have been raided, with the majority being Buddhist (24) and the second most targeted being Christian sites (13) ([ICJ, 2022](#)). It is important to note that the higher number of Buddhist temples compared to Christian churches in the country, hence the targeting of Christian sites indicates an overall higher hit rate on Christian places of worship.

Such military operations effectively obstruct ethno-religious minorities from freely practising their religion at these sites due to the fear of being arrested by the junta forces. In some cases, after the raids, the military forces do not vacate the premises but instead convert them into military bases. This tactic is employed when the troops intend to suppress anti-coup resistance located near the religious site. It is estimated that the State Administrative Council (SAC) has occupied more than 42 places of worship between February 2021 and May 2022 ([ICJ, 2022](#)).

Another tactic used by the junta is the planting of landmines near religious sites, particularly churches. In 2022, there has been a significant increase in casualties caused by landmines or unexploded munitions,

twith at least one person being killed or injured every day, marking a 40% increase compared to 2021. One incident in July 2022 involved a landmine that destroyed a Christian church in Kayah State ([Bangkok Post, 2023](#)). The damage, destruction, or occupation of religious sites through military attacks, which prevent civilians from practising their religion, violates several internal legislations in Myanmar. This includes a violation of Article 362 of the Constitution, which highlights the state's duty to protect religions. Moreover, such actions demonstrate the Tatmadaw's disregard for the provisions of the Nationwide Ceasefire Agreement, which explicitly prohibits the use of religious sites as military outposts and the destruction of religious buildings.

However, it is not just attacks on religious sites but also the entering of faith-based-run organisations. One example is an incident where junta troops stormed a church-run clinic and arrested eighteen healthcare workers, despite the absence of evidence suggesting their involvement in any anti-coup activities ([Mizzima, 2021](#)).

In addition, it must also be noted that Buddhist faith sites like temples have also been attacked and destroyed by members of the military or pro-military groups if they are perceived as being pro-democracy supporters or part of an anti-junta movement. Some Buddhist monks who are part of the Spring Revolution Sangha Network, which opposes the military junta, have stated that although the current military regime presents itself as the protector of Buddhism, it does not hesitate to attack and destroy Buddhist sites ([Lewis, 2022](#)) when these are perceived as “strongholds of anti-regime armed resistance” ([The Irrawaddy, 2022](#))

These attacks on religious sites cannot be justified under the international standards of FoRB. According to Human Rights Council resolution 6/37 ([2007](#)), states are obligated to make utmost efforts, in line with their national legislation and international human rights and humanitarian law, to fully respect and protect religious places, sites, shrines, and symbols. Additional measures should be taken when they are at risk of desecration or destruction (9(e)). The resolution also emphasises the right of all individuals to worship or assemble in connection with a religion or belief and to establish and maintain places for these purposes (9(g)).

These attacks on religious sites and non-religious sites of faith-based organisations in Myanmar clearly violate the rights and freedoms guaranteed under both national and international law undermining the principles of freedom of religion or belief.

### **3c. Religious-Based Arbitrary Detentions and Killings**

Anti-junta activities demanding the return of democracy have been relatively common after the 2021 coup ([The Guardian, 2021](#)). The movement extends to different parts of the country, including areas controlled by Ethnic Armed Organisations (EAOs), and includes members of the Buddhist Bamar majority and other ethnic and religious groups alike. As a result of the confrontation between junta supporters and other groups, including EAOs, there have been several casualties, including Bamar Buddhists and members of other minority groups.



However, members of ethnic minorities often perceive that they are more likely to be detained compared to their Buddhist-Bamar counterparts ([Burma Human Rights Network, 2022](#)). This perception arises from the long-standing and deeply rooted discrimination against ethnic groups by the Myanmar state (Respondent 2). Christian Karennis, for example, note that Tatmadaw troops tend to assume they are members of armed opposition forces. Common charges filed against them include affiliation with armed groups such as the

Karenni Army, Karenni Nationalities Defense Force, or PDF ([KHRG et al., 2022](#)). As a result, military troops target them based on their ethno-religious identity, often without tangible evidence of their alleged crimes.

In places like Kachin State, junta forces specifically target leaders of ethnic and religious minority groups (Respondent 4). There is evidence suggesting that torture is frequently used against non-Buddhist detainees. For instance, if security forces learn that a detainee is Muslim, they may force the detainee to commit acts that go against Islamic principles, such as swallowing lard. While some detainees may not face ill-treatment, those who appear to be of South Asian origin are reportedly more likely to be subjected to assault ([OHCHR, 2022](#)).

The coup has led to the extrajudicial killing of religious figures, with involvement from both security forces and state-sponsored paramilitary groups. Additionally, the junta has provided arms and training to villagers to assist in suppressing anti-coup movements (Respondent 3). In March 2021, junta forces allegedly killed two Muslim members of the NLD in detention. Their bodies showed signs of torture and were covered in blood, indicating they were tortured to death ([Irrawaddy, 2021b](#)). These two individuals were among the few Muslim members of the NLD. Christian figures are also targeted by the Tatmadaw, as evidenced by the reported shooting and mutilation of a Baptist pastor in Chin State in September 2021 ([Myanmar Now, 2021](#)).

Following the 2021 coup, religious practices in Myanmar have faced restrictions. Individuals who openly practise their beliefs are often accused of supporting armed resistance and consequently face severe reprisals, despite the fact that these accusations are often baseless. Religious leaders have expressed concern that authorities may misinterpret religious gatherings as anti-coup activities ([U.S. Department of State, 2022](#)).

An example of such restrictions occurred in June 2021 when security forces of the junta arrested three Christian pastors from Kachin State who organised a prayer for peace in Myanmar. They were charged under the Penal Code for incitement, which considers generating terror, disseminating false news, and advocating criminal actions against government officials as illegal. The pastors faced a potential prison sentence of up to three years. After being detained for five months, they were released in October 2021 ([Irrawaddy, 2021c](#)). Buddhist monks also encounter similar challenges when practising their religious beliefs. Reports indicate that in Mandalay, junta forces assaulted Buddhist monks for reciting the Tripitaka, as the forces considered it a demonstration against the State Administration Council (SAC) ([U.S. Department of State, 2022](#)).

The religious-based arbitrary detention and killing perpetrated by the Tatmadaw demonstrate a violation of international human rights standards. The ICCPR emphasises that all individuals are equal before the law and are entitled to equal and effective protection against discrimination, including discrimination based on religion. The ICCPR also states that the law should prohibit any form of discrimination and guarantee equal protection to all individuals (Article 26). Similarly, Article 5 of the ICERD compels states to eliminate racial discrimination and ensure that everyone, regardless of race, colour, or national or ethnic origin, has equality before the law.

These international human rights instruments clearly highlight the importance of non-discrimination and equality before the law, including in matters of religion. The Tatmadaw's actions, which target individuals based on their religious beliefs, directly contravene these principles and demonstrate a disregard for international human rights standards.

### 3d. Persecution of Muslim Rohingya

Human rights violations targeting Muslim Rohingyas based on their ethnicity and religion remain a key issue in the analysis of FoRB in Myanmar, especially after the escalation in violence that began in August 2017 (Respondent 5; [OHCHR, 2022](#)). In the initial weeks, in Rakhine State, an estimated 700,000 Rohingya people undertook perilous journeys to seek refuge in neighbouring Bangladesh, facing life-threatening conditions along the way. Before that, the region already hosted around 200,000 Rohingya refugees. As of July 2022, Cox's Bazar is home to over 925,000 Rohingya, according to the World Health Organization ([WHO, 2022](#)). Nevertheless, Bangladesh is not the sole destination where Rohingya have sought safety from the violence. Over 90,000 individuals have fled to Thailand, while more than 20,000 have sought refuge in India. Smaller groups have also found their way to neighbouring countries like Indonesia and Nepal. In 2022, the UN ([2022](#)) estimated that 630,000 Rohingyas are internally displaced in Myanmar, mostly located in crowded camps in Rakhine state, with some having been displaced multiple times ([ConcernUSA, 2022](#)).



Since the coup, the junta has arbitrarily detained over 2,714 Muslim Rohingyas, including 853 women and 145 children, with military courts sentencing them to at least two years in jail ([Refugees International and Women's Peace Network, 2023](#)). It has been reported that more than 135,000 Muslim Rohingyas and Kaman have been arbitrarily sent to detention camps, primarily in Bangladesh - including Kutupalong, Balukhali, Nayapara - since the ethnic cleansing campaign in 2012, where they are living in extremely dire conditions ([Human Rights Watch, 2022a](#)). These detention camps lack basic necessities, including education for children, healthcare, and sufficient food ([Human Rights Watch, 2020](#)). Furthermore, the absence of mosques in these camps restricts their freedom to worship, which contravenes resolutions such as the Commission on Human Rights resolution 2005/40 (paragraph 4 (d)), Human Rights Council resolution 6/37 (paragraph 9(g)), and General Assembly resolution 65/211 (paragraph 12 (g)). These resolutions urge states to ensure the right of all individuals to worship or assemble in connection with their religion or belief. The junta has also been constructing permanent facilities near the detention camps, reportedly to replace the existing makeshift camps, further perpetuating segregation and impeding the exercise of their freedom of religion and belief ([Human Rights Watch, 2022b](#)).

Violations against Rohingya people include arbitrary arrests and detentions, as well as increasing restrictions on their rights, such as limitations on travel outside designated areas. The junta requires them to obtain a temporary travel permit called Form 4, effectively treating them as foreigners in their own country ([Women's Peace Network, 2023](#)). The junta also continues to implement the National Verification Card process and conducts "citizenship scrutiny" ([Human Rights Watch, 2023](#)). Respondent 6 noted that women in the Rohingya community are particularly targeted and subjected to harsher treatment, highlighting the discriminatory nature of these practices based on gender and illustrating how religion is being used as a pretext to unjustly curtail the freedom of movement for Muslim minority groups like the Rohingya.

The continued suppression of rights by the junta has created significant obstacles for the Rohingya people to return to their homes. Additionally, the restrictions imposed by the Myanmar authorities have rendered them stateless, leaving them more vulnerable to FoRB violations.

## 4. Recommendations

This report has assessed the state of freedom of religion and belief (FoRB) in Myanmar following the 2021 military coup. It provides insights into the junta's policies of Burmanisation and Buddhisation and their impact on FoRB in the country. The analysis reveals that the military takeover has led to an intensification of the Burmanisation and Buddhisation policies to mitigate the junta's framing of national security and terrorism threats. This has resulted in an accelerated deterioration in the rights of religious minorities. To address this issue and improve the status of freedom of religion or belief in Myanmar, this chapter presents a set of recommendations aimed at the international community, INGOs, and CSOs.



### The International Community should:

- Increase its cooperation with INGOs and NGOs working on Myanmar to monitor, record and report on human rights violations, especially FoRB violations.
- Make use of international human rights mechanisms like HRC, SR, UPR and to denounce religious rights violations and increase awareness among members of the broader international community.
- Explore diplomatic measures to engage with some of the junta's closest regional allies like China and India to end the ongoing religiously motivated persecution, including religious-based violence, which includes putting an end to arbitrary detentions, attacks on religious sites, and persecutions

### INGOs Should:

- Work closely with trusted in-country individuals and organisations to obtain first-hand information on religious rights violations.
- Compile the received first-hand information into the reports to the international community and UN human rights mechanisms.
- Support CSOs through technical support and grants so that on-the-ground organisations can undertake the monitoring and public education work safely.

### CSOs Should:

- Report human rights violations, including religious rights violations, to international bodies and organisations to assist in the elaboration of reports and recommendations by the international community.
- Organise safe public education activities and provide verified information to citizens on their rights and responsibilities concerning religion to facilitate the peaceful coexistence of faiths.
- Continue to safely monitor and document human rights violations, especially concerning those FoRB.

## 5. Conclusion

Burmanisation and Buddhisation has been used post-2021 by the military junta as a security response to their framing of national security and terrorism threats. The increased Burmanisation and Buddhisation efforts, has accelerated the deterioration of religious rights in the country and thereby curbing freedom of religion and belief (FoRB) among members of minority groups.

This accelerated deterioration of religious rights in Myanmar takes place in a context of a broader human rights crackdown that also affects Buddhists and Bamar people, particularly those who oppose the ruling military junta. Therefore, the aftermath of the 2021 coup reflects a human rights crackdown that goes beyond an increased and accelerated restriction of the religious rights of minority groups.

This violation of religious rights is taking place regardless of the existence of several legal provisions safeguarding FoRB and recognising the religious rights of minority religions. Instead what has happened is a significant erosion of the constitutional provisions designed to protect freedom of religion and belief (FoRB) for all citizens. Additionally, junta's withdrawal of Myanmar's engagement with international human rights mechanisms like the ICERD and ICCPR has contributed to the creation of an environment of impunity for the junta to further regress FoRB. Hence, any new draft constitution and a democratically elected legitimate government must address both in terms of national and its alignment with international law.

Given the grip of the military junta and the unlikelihood of democratic change in regime in the short term, the rapid decline in religious rights is likely to worsen in the upcoming months. Hence, a collaborative and coordinated effort involving the international community, international NGOs, and CSOs that monitors, records, and calls out rights violations is a necessary diplomatic precursor to stop violence in the country and ensure religious rights for all citizens.

Burmanisation and Buddhisation are not new realities. Since independence, Myanmar has been ruled by Bamar-dominated governments that prioritised Buddhism, marginalising other religions and undermining diversity primarily with the use of oppressive laws. What is different this time is that after the 2021 coup, the military junta in Myanmar has intensified its implementation of aggressive Burmanisation and Buddhisation policies in response to perceived national security threats that jeopardise the country's unity. As a result, there has been a stiff and rapid decline in the rights of ethnic and religious groups that need urgent redress.

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Asia Centre is a civil society research institute that seeks to create human rights impact in the region. Asia Centre's work focuses on issues related to civil society, democracy, elections, freedom of expression, freedom of religion or belief and human rights. The Centre believes that knowledge toolkits built from evidence-based research on critical human rights issues are important for designing activities for stakeholder capacity strengthening and making informed policy interventions. With this aim, Asia Centre was established in Bangkok, Thailand in 2015 and a second branch was registered in 2018 in Johor Bahru, Malaysia. On 21 May 2021, the Centre was recommended by the Committee on Non-Governmental Organizations of the UN ECOSOC for a Special Consultative Status.

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