

Junta imposes enforced conscription in desperate move to offset losses

- The illegal junta abruptly imposes enforced conscription in a desperate attempt to offset to mass defections, surrenders, and battlefield losses.
- The 2010 “People’s Military Service Law”, based on an old 1959 law, targets men aged 18-35 and women aged 18-27, requires them to serve up to five years. “Professionals” up to age 45 also targeted.
- The junta sets a 5-year jail term for objectors and evaders.
- The move occurs weeks after the fall of Laukkai and other significant battlefield losses, and adds to prior orders recalling retired military to duty, training soldiers’ children, and assigning military duties to soldiers’ wives.
- Panicking civilians are leaving or are seeking to leave the country. Security forces are already demanding bribes and ransoms from those who do not want to join up.
- Meanwhile, ASEAN and other states have failed to respond decisively to the move, which will prolong armed conflict, and spark fresh waves of refugees fleeing the country.

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The junta announces draft

On 10 Feb 2024, 10 days after it had extended its “state of emergency,” the junta announced that it would immediately put into force “The People’s Military Service Law” (N° 27/2010). The law would **force selected men aged 18-35 and women aged 18-27** to serve up to two years in the regime’s military. Men up to age 45 and women up to age 35 with professional qualifications such as **doctors and engineers would be called to serve up to three years**. The **length of the service would be extended to five years given the extended “state of emergency.”**¹

It was reported that civil servants, students, caregivers for elderly parents, drug users in rehab, and those receiving medical treatment would receive “temporary deferments.”² Anyone who refused to serve the junta’s military after being drafted would face a five-year jail term. By-laws for the practical enforcement of the draft had yet to be determined at the time of the announcement.³

¹ The Guardian (11 Feb 2024) Myanmar’s junta declares it will enforce military service laws for young people; GNLM (11 Feb 2024) Date set for People’s Military Service Law to come into force; RFA (12 Feb) Young Burmese dismiss junta military draft order

² Nikkei Asia (14 Feb 2024) ‘I’d rather cut off a few fingers’: Myanmar’s draft fuels popular backlash

³ RFA (12 Feb 2024) Young Burmese dismiss junta military draft order

An old specter: the draft law's origins

The conscription law used by coup leader Min Aung Hlaing was originally enacted by in 1959 General Ne Win, three years before he staged Burma's first coup.⁴ Although forced military service had been a common occurrence in Burma under past regimes, no procedure had been formulated to put the law into action nor was it ever put into force in its original form.⁵

In November 2010, the junta under Than Shwe amended the conscription law as the "People's Military Service Law."⁶ However, it was done so silently and independent media did not report of the amendment until January of 2011, when the 2008 constitution came into force. The regime had likely put the new law into place to **shield itself from judicial scrutiny** carried by the 2008 constitution, which outlawed forced labor, and **denied conscripted individuals a legal basis to complain.**⁷ The Than Shwe regime ultimately did not enforce the amended conscription law, neither did the quasi-civilian government under Thein Sein, or the NLD government.

Battlefield losses, defections

Coup leader Min Aung Hlaing's desire to activate the conscription law had been apparent since the first extension of the junta's "state of emergency." On 2 Feb 2022, he said, at meeting of senior regime officials, that implementation of the conscription law was "a must." The junta boss' mention of the conscription law was likely a reaction to the junta's already growing combat losses and defections.⁸

The move took place just weeks after the junta suffered significant battlefield losses including the 5 Jan fall of Laukkai (N. Shan State), at which **six Brig. Generals and 2,395 troops, including 266 officers surrendered** alongside junta forces to the Myanmar National Democratic Alliance Army (MNDAA).⁹

Also, during 3 – 17 Jan, a total of **382 junta soldiers fled to India** when Arakan Army (AA) troops took control of 3 camps.¹⁰

The enforced conscription order adds on to prior initiatives taken to offset military defections, conservatively estimated at 14,000 since 2021¹¹, in addition to desertions.

Soldiers' children & wives drafted, retirees recalled

In April 2021, the junta began to force the children of soldiers over the age of 15 to undergo military training.¹² In 2022 the junta ordered the wives of mid-ranking officers to undergo military training.¹³

On 13 Feb, junta boss Min Aung Hlaing signed into effect the "**Reserve Forces Law**", also enacted in 2010. The law would require former regime military personnel discharged or retired in the last five years to serve five years in the reserve forces starting from the date they exited active duty. The junta could extend their service for unspecified amount of time. Those who failed to serve in the reserve forces would face three years in jail, a fine, or both. The coup leader claimed that veterans had asked him to enforce the law.¹⁴ A junta veteran who joined the reserve forces said that some were **eager to serve again because they could make money by illegally searching vehicles** on highways.¹⁵

Near instantaneous civilian backlash

Unsurprisingly, the newly enforced conscription law was met with a major backlash by Burma's civilian population. A majority of young people felt anger and fear at the prospect of conscription and **many expressed their intentions to flee the country or even join resistance forces.**¹⁶

⁴ Irrawaddy (14 Feb 2024) Myanmar Junta Forms Panel to Oversee Nationwide Military Conscription;

⁵ Child Soldiers International (2001) Child Soldiers Global Report 2001 - Myanmar

⁶ Myanmar SPDC (4 Nov 2010) <http://tinyurl.com/33uk9bc7>

⁷ DVB (10 Jan 2011) Burma introduces military draft

⁸ Myanmar Now (4 Feb 2022) NUG says Min Aung Hlaing's conscription plan shows regime's weakness

⁹ Irrawaddy (8 Jan 2024) Myanmar Junta Detains Generals Who Surrendered to Resistance in Laukkai

¹⁰ Irrawaddy (4 Jan 2024) AA 'Days' From Taking Myanmar's South Chin State as Another Junta Outpost Falls; Irrawaddy (18 Jan 2024) Another 278 Myanmar Junta Troops Flee to India

¹¹ The Guardian (29 Jan 2024) 'Why should I kill our own?': Thousands of soldiers surrender as Myanmar junta shaken by rebel advances

¹² Irrawaddy (7 Dec 2021) Myanmar Regime Makes Military Training Compulsory for Soldiers' Children

¹³ Irrawaddy (11 Jan 2022) Myanmar Regime Orders Mid-Ranking Officers' Wives to Undergo Military Training

¹⁴ Irrawaddy (14 Feb 2024) Myanmar's Depleted Military is Sending Retired Soldiers Back to The Frontline

¹⁵ Myanmar Now (23 Feb 2024) Myanmar junta tries to re-enlist veterans back into military

¹⁶ RFA (12 Feb 2024) Young Burmese dismiss junta military draft order; Nikkei Asia (14 Feb 2024) 'I'd rather cut off a few fingers': Myanmar's draft fuels popular backlash

Some people interviewed by Nikkei Asia said they were prepared to injure themselves in order to be exempted from the draft. Single women considered hasty marriages while men considered joining the monkhood to secure an exemption.

Middle class respondents said they would be willing to pay any necessary amount to dodge conscription. On the other hand, those unable to buy their way out of the draft had already resigned themselves to the possibility of forced military service. A locally based business executive said that their staff members were scared. They added that the junta will initially focus on people in smaller towns who would not be able to buy their way out of the draft rather than on Yangon office workers.¹⁷

Junta lays out conscription plan, fails at damage control

On 13 Feb the junta's spokesperson Zaw Min Tun attempted to quell public backlash and gave an interview to the BBC's Burmese service.¹⁸ He said that **the draft would commence in April** after Burma's new year's holiday and that it would **target 5,000 people a month**.¹⁹ He claimed that, because Burma had over 3,000 wards and 60,000 villages, one or two people per ward would be drafted.²⁰ During 14-15 Feb, Zaw Min Tun told junta newspapers that the regime aimed to conscript up to 50,000 people per year.²¹ He added that **conscription would continue "for many years"** even under successive "governments."²²

On 13 Feb, the junta stated it had formed an 18-member national level body to oversee the enforcement of the conscription law. The statement added that the central body would establish conscription branches at the township, district, and state and region levels. Moreover, the statement highlighted that the junta would **impose five-year prison terms to those who attempted to evade the draft by injuring themselves or making themselves sick**. The junta would still force those convicted of evasion to serve in the military after imprisonment. The junta's conscription board would also grant permanent exemptions to people at its discretion, which would imply that **those with enough money or connections** in the junta could get out of conscription. The junta's deputy PM and defense minister Tin Aung San and the regime military's Chief of General Staff Maung Maung Aye would act respectively as chair and deputy chair of the conscription body.²³ The EU has sanctioned both men.²⁴

On 14 Feb, the junta assigned 15 senior police officials to oversee each state and region's conscription drive. One of the officials previously held the position of Naypyidaw council member while the other 14 held positions as state and region transport ministers. A police officer in the Civil Disobedience Movement said that regime had transferred the officials to implement the law and suppress democracy activists.²⁵

On 15 Feb, in Yangon, around 100 junta backers held a rally in support of the conscription law. The rallies were reportedly spread across six townships.²⁶

On 16 Feb, coup leader Min Aung Hlaing **ordered textile factories in Yangon and Bago regions to produce 140,000 uniforms**. A factory worker in Hlaingthaya (Yangon Region) said that the junta ordered the factory to produce around 10,000 uniforms before the end of April.²⁷

On 20 Feb it was reported that the junta has **ordered government offices to make lists of staff eligible for the draft** and submit them by 21 Feb.

¹⁷ Nikkei Asia (14 Feb 2024) 'I'd rather cut off a few fingers': Myanmar's draft fuels popular backlash; Irrawaddy (14 Feb 2024) Military Conscription Sparks Furious Backlash in Myanmar

¹⁸ BBC (14 Feb 2024) “လက်နက်တပ်ဆင်ပေးမှုမှာ ပိုစနစ်ကျအောင် ပြည်သူ့စစ်မှုထမ်းဥပဒေကို ဆောင်ရွက်တာဖြစ်ပါတယ်” - စစ်ကောင်စီပြောခွင့်ရ ဗိုလ်ချုပ်ဇော်မင်းထွန်း

¹⁹ Reuters (14 Feb 2024) Myanmar junta plans to implement mandatory military service in April, media say; RFA (14 Feb 2024) Myanmar youths go into hiding to avoid getting forced into battle

²⁰ RFA (14 Feb 2024) Myanmar youths go into hiding to avoid getting forced into battle

²¹ RFA (15 Feb 2024) Young people scramble to leave Myanmar as military conscription looms

²² Irrawaddy (15 Feb 2024) Myanmar Junta Steps Up Forced Conscription

²³ Irrawaddy (14 Feb 2024) Myanmar Junta Forms Panel to Oversee Nationwide Military Conscription; Nikkei Asia (14 Feb 2024) 'I'd rather cut off a few fingers': Myanmar's draft fuels popular backlash

²⁴ Irrawaddy (22 Jun 2021) EU Sanctions Myanmar Junta Cabinet Ministers, Attorney General; Al-Jazeera (21 Feb 2023) EU imposes new sanctions on military-ruled Myanmar

²⁵ RFA (16 Feb 2024) Junta's top cops to lead conscription drive

²⁶ DVB (19 Feb 2024) Arakan Army claims military is losing war; CPJ calls for investigation into death of journalist in Arakan State

²⁷ DVB (21 Feb 2024) Chin National Front calls to resist conscription law; Thai PM warns Burma nationals to enter legally

Responses to the conscription law

During 13-15 Feb, the NUG²⁸, CRPH²⁹ NUCC³⁰, Confederation of Trade Unions Myanmar (CTUM)³¹, and General Strike Coordination Body (GSCB)³² issued statements opposing the junta's enforcement of the conscription law. All four statements noted that the Min Aung Hlaing's junta was illegal and had no authority to enforce the conscription law.

The NUG said that the public had no obligation to comply with conscription and that it would “take all necessary measures” to prevent the junta's draft. The NUG added that it would hold accountable junta members and affiliates that participated in implementing conscription. The CRPH warned that conscription would cause a large wave of migration and urged the UN, regional and international governments to offer protection to people affected by the junta's draft. The NUCC urged called on the international community, most notably ASEAN, to hold the junta accountable and to provide humanitarian assistance to those fleeing to other countries.

The GSCB raised concerns that the conscription law would openly permit arbitrary abduction and forced recruitment with impunity.

The CTUM said that the conscription **fell under the definition of forced labor** and urged the ILO to implement article 33 of the ILO's constitution at the 350th session of the Governing Body in March. Article 33 would allow the Governing Body to recommend to the International Labor Conference any action necessary to ensure that the junta complies with recommendations outlined in Commission of Inquiry report (Oct 2023).³³

On 18 Feb, the Mon State Federal Council (MSFC), announced that it would **provide security to young people who came to their territory to evade junta conscription**. An MSFC member elaborated that the group would provide food and accommodation for a limited period and connect interested youths to armed resistance groups.³⁴

On 20 Feb, the founding members of the Special Advisory Council – Myanmar (SAC-M) said that the enforcement of the conscription law **reflected the junta's desperation, illustrated coup leader Min Aung Hlaing's willingness to destroy an entire generation, and that the UN and ASEAN would be complicit** with the junta should they allow conscription to take place.³⁵

On 21 Feb, Tom Andrews the UN Special Rapporteur on Burma said that the junta “remained extremely dangerous” although it was “wounded” and increasingly desperate. He added that the junta used the conscription law to justify and expand its use of forced recruitment. He called on the international community to provide humanitarian aid to those affected by conflict and to support pro-democratic forces.³⁶

As of writing of this brief the Association of South East Asian Nations (ASEAN) **has not released a statement** to address the enforcement of the conscription law.

Forced recruitment, abductions, arrests already in progress

The junta and its allies have not waited until April to begin pressing civilians into forced military service. Locals in Htantabin Township (Bago Region) reported that, shortly after the conscription law was announced, the junta had abducted young people who remained in Za Yat Gyi city.³⁷

In Kachin State, locals reported that pro-junta militias have been emboldened by the junta's conscription law and have intensified their forced recruitment. Militias have taken pedestrians and people gathered by village administrators, demanded up to MMK 1 million to release captives, and even detained women or elderly family members to force the men of the household into joining them.³⁸

²⁸ NUG (13 Feb 2024) <http://tinyurl.com/mte2f3yd>

²⁹ CPRH (13 Feb 2024) အကြမ်းဖက်စစ်အုပ်စုက တရားမဝင်ပြဋ္ဌာန်းလိုက်သည့် ပြည်သူ့စစ်မှုထမ်းဥပဒေနှင့်စပ်လျဉ်း၍ ထုတ်ပြန်ကြေညာချက်;

³⁰ NUCC (15 Feb 2024) <http://tinyurl.com/y9v2rkan>

³¹ CTUM (13 Feb 2024) <http://tinyurl.com/ecj7ae8t>

³² GSCB (14 Feb 2024) <http://tinyurl.com/nhax2ja7>

³³ Myanmar Now (23 Oct 2023) The war against Myanmar workers

³⁴ Than Lwin Times via BNI (20 Feb 2024) Mon State Federal Council Calls on Youth to Reject Military Conscription and unite with the revolution; Mon State Federal Council (18 Feb 2024) <http://tinyurl.com/mr3d8h3j>

³⁵ SAC-M (20 Feb 2024) Forced conscription: the junta's depraved attack on Myanmar's future

³⁶ UN OHCHR (21 Feb 2024) Myanmar: Military junta even greater threat to civilians as it imposes military draft, warns UN expert

³⁷ RFA (14 Feb 2024) Mass arrests in Myanmar spark fear over conscription laws

³⁸ RFA (13 Feb 2024) Emboldened by draft law, pro-junta militias press civilians into taking up arms

On 11 Feb, in Monywa Township (Sagaing Region), regime troops arrests around 50 young people. During 12-13 Feb, in Thanlyin Township (Yangon Region), junta forces arrested at least 35 youths, which included 15 that the regime arrested during overnight guestlist inspections.³⁹ Overnight during 18-19 Feb regime forces carried out a second round of arrests,⁴⁰ Junta media claimed that reports of the arrests were false and that junta's General Administration Department was taking information for the national census.⁴¹

On 13 Feb, in Tada-U Township (Mandalay Region), junta troops arrested four men aged 23-24 on a commuter bus from Yangon. The whereabouts of the four men were unknown and locals believed the junta had conscripted them.⁴²

During 15-16 Feb, Shwebo Township (Sagaing Region), junta forces arrested a total of 50 young people at two checkpoints on the highway going to Kachin State.⁴³

On 16 Feb, in Pobbathiri Township (Naypyidaw Region), plainclothes junta personnel arrested 6 young people between 16 and 18 years old. Junta personnel reportedly overheard the youths expressing out loud their wish to not be conscripted, confiscated their phones, and arrested them. Sources said the regime transferred the youths to an interrogation center later that night.⁴⁴

Rohingya drafted

On 17 Feb, in Kyaukpyu Township (Arakan State), administrators at the Kyauk Ta Lone **Rohingya IDP camp collected a list of at least 150 men between 18 and 55 years old.** The junta reportedly expected those on the list to report for conscription within a week or face arrest.⁴⁵ On 19 and 20 Feb, in Buthidaung Township, the junta **arrested around 100 Rohingya villagers.** The junta also pressured Rohingya residents of Sittwe and Maungdaw Townships and reportedly **demand that larger villages hand over 100 people for conscription and that smaller villages give 50.** Legal experts commented that the conscription law did not apply to Rohingya people because they did not have citizenship status.⁴⁶

The rush to leave, 2 dead in visa crush

The conscription law caused people to rush to obtain passports and visas.

On 15 Feb, young people who wished to leave Burma began queuing at the Thai embassy in Yangon to apply for a visa.⁴⁷ By the morning 16 Feb, up to 2,000 people queued at the embassy. Prior to the announcement of the conscription law the embassy saw less than 100 applicants per day.⁴⁸ The Thai embassy released a statement that it would cap the number visa applicants at 400 per day.⁴⁹

On 16 Feb, at the Thai-Burma in Phop Phra district (Tak Province), Thai soldiers arrested 27 young people from Burma. The youths had come from Myawaddy (Karen State), located across the border from Mae Sot (Tak Province) with the help of people smugglers.⁵⁰ On 19 Feb, Thai PM Srettha Thavisin said that Burmese nationals entering Thailand illegally would face legal action.⁵¹ During 12-20 Feb, Thai police arrested over 100 Burma nationals who attempted to cross the Thai-Burma border.⁵²

On 19 Feb, at the Mandalay passport office in Aungmyay Thazan Township (Mandalay Region), nearly 5,000 people who had queued overnight cause a crowd crush that killed two women and seriously injured another.⁵³

³⁹ RFA (14 Feb 2024) သန့်လျင်မှာ လူငယ် ၂၅ ဦးထက်မနည်း ဖမ်းဆီးခံရ

⁴⁰ Mizzima (20 Feb 2024) Spring Revolution Daily News for 20 February 2024

⁴¹ GNLM (19 Feb 2024) Fake news circulates Tatmadaw forcibly arrests youths in Thanlyin by inspecting guest registration check

⁴² RFA (13 Feb 2024) Emboldened by draft law, pro-junta militias press civilians into taking up arms

⁴³ DVB (19 Feb 2024) Arakan Army claims military is losing war; CPJ calls for investigation into death of journalist in Arakan State

⁴⁴ Myanmar Now (20 Feb 2024) Military detains six teenagers for dissenting on conscription

⁴⁵ Narinjara (21 Feb 2024) 150 individuals from Kyaukphyu camp forcefully enrolled into military service

⁴⁶ RFA (22 Feb 2024) Myanmar's military recruiting Rohingya at displaced camps

⁴⁷ RFA (15 Feb 2024) Young people scramble to leave Myanmar as military conscription looms

⁴⁸ The Straits Times (16 Feb 2024) Thousands in Myanmar seeking to leave after junta announces draft

⁴⁹ Bangkok Post (17 Feb 2024) Thai embassy curbs visas amid conscription exodus

⁵⁰ The Nation (16 Feb 2024) Myanmar youths flee to Thailand to escape military draft of 5,000 monthly

⁵¹ Bangkok Post (19 Feb 2024) PM warns Myanmar nationals over illegal entry

⁵² RFA (22 Feb 2024) Fleeing conscription, over 160 Myanmar nationals in custody at Thai borders (Irrawaddy (22 Feb 2024) Thai Police Round Up Myanmar Citizens Fleeing Conscription

⁵³ Irrawaddy (19 Feb 2024) Passport Stampede Claims Two Lives as Conscription Panic Grips Myanmar; Myanmar Now (19 Feb 2024) Two women trampled to death as thousands attempt to enter Mandalay passport office

It was reported that line sitters and passport office staff would sell spots in the queue for between MMK 200,000 and 800,000 and that office staff would take bribes to expedite applications. The Mandalay passport office had limited applications to 2,000 a day.⁵⁴

Junta conscription poses even greater threat to women

In 2013, the Burma army under Thein Sein’s quasi civilian government, began recruiting women, although with strict physical requirements. The military at the time stated that it would not send women to the frontlines.⁵⁵ In Sep 2022, it was reported that the junta had begun recruiting women for combat duty amid escalating losses against resistance forces.⁵⁶ Although, on 20 Feb, it announced that women would be exempted from the draft until further notice⁵⁷ the junta has shown its willingness to place women in the line of fire.

The junta has a long-documented history of forcibly recruiting civilians as human shields, mine sweepers, and porters.⁵⁸ The regime would likely use new recruits in similar roles⁵⁹ and expose them to a culture of abuse and torture.⁶⁰

In Aug 2023, the Independent Investigative Mechanism for Myanmar (IIMM) reported that the junta had increased its use of sexual violence in addition to other war crimes in the previous year.⁶¹ The junta has continued its use of sexual and gender-based violence with impunity,⁶² especially towards women press-ganged into the junta’s service.⁶³

The junta’s demonstrated pattern of violence and abuse strongly indicates that forcibly recruited women would be at acute risk of gender-based violence at the hands of junta superiors.

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⁵⁴ Irrawaddy (19 Feb 2024) Passport Stampede Claims Two Lives as Conscription Panic Grips Myanmar; Myanmar Now (19 Feb 2024) Two women trampled to death as thousands attempt to enter Mandalay passport office

⁵⁵ The Guardian (16 Oct 2013) Burmese army recruits female soldiers as it struggles to tackle rebel groups

⁵⁶ Irrawaddy (12 Sep 2022) Women Recruits Being Trained for Combat Roles by Myanmar Junta

⁵⁷ Nikkei Asia (22 Feb 2024) Myanmar military exempts women from draft for now

⁵⁸ ILO (4 Oct 2023) Towards Dignity and Freedom in Myanmar – para. 164

⁵⁹ Nikkei Asia (14 Feb 2024) 'I'd rather cut off a few fingers': Myanmar's draft fuels popular backlash

⁶⁰ Myanmar Now (22 Dec 2023) Myanmar army uses sham job announcements to trap young men into military service; AFP via Straits Times (4 Feb 2016) Myanmar army probes training abuse video

⁶¹ Al Jazeera (8 Aug 2023) 'Dramatic increase' in Myanmar war crimes, UN probe finds;

⁶² Southeast Asia Globe (5 Oct 2022) As the crisis in Myanmar continues, no justice for victims of sexual violence; VOA (2 Apr 2023); Women Seen Targeted by Myanmar Forces With 'Rape and Other Violence'

⁶³ KHRG (19 Jun 2022) International Day for the Elimination of Sexual Violence in Conflict