

The Asia Pacific Partnership for Atrocity Prevention (APPAP) Members Statement on Myanmar

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The Asia Pacific Partnership for Atrocity Prevention (APPAP) is an alliance of organisations working to promote human rights and support atrocity prevention in the region.

The undersigned members of APPAP express grave concern over the coup staged by the Tatmadaw on 1 February against the elected civilian government, which overwhelmingly won the elections in November 2020. The failure of the civilian government to address the military’s allegation of “widespread election fraud” served as a pretext for staging the putsch, which it claimed is in accordance with the military-drafted 2008 Constitution.

After denying coup rumours the week before, the Tatmadaw staged the power grab on the day the new Parliament was scheduled to open. An [early morning raid](#) was carried out and senior NLD party officials including State Counsellor Aung San Suu Kyi and President Win Myint were detained. Arbitrary detention of civilians, including pro-democracy activists, have continued since. As NLD leaders and other civilians were detained, access to mobile phone and internet communication was shut down, TV and radio stations were unable to broadcast, and soldiers were deployed outside city hall in the main city of Yangon.

The potential for widespread violence involving civilians is strong, and given the Tatmadaw’s previous atrocities against civilians, the Rohingya, and other marginalised groups, the risk of the military again targeting particular groups with impunity under the pretext of state security is cause for alarm.

The Tatmadaw ignored the UN Secretary General’s call for electoral disputes to be resolved through established legal mechanisms; so too the [warning](#) last week from nations like Australia, New Zealand, the United Kingdom, and the United States not to “impede Myanmar’s democratic transition”. These states and other members of the UN have since issued strong statements of condemnation of the coup. For its part, the US will reportedly review its [position](#) on sanctions against Myanmar.

The coup contravenes the principles of the ASEAN Charter and is a setback to Myanmar’s Roadmap to Democracy, which it promised to ASEAN. The Chair of ASEAN, Brunei Darussalam, underscored the principles in the ASEAN Charter such as “adherence to the principles of democracy, good governance, and respect for and protection of human rights and fundamental freedoms.” It also called for “dialogue and reconciliation, and a return to normalcy in accordance with the will and interests of the people of Myanmar.” While ASEAN members expressed deep concern over the situation, some members viewed the coup as an internal affair of Myanmar and invoked the organisation’s non-interference principle.

Clearly, the coup staged by the Tatmadaw is a setback to the democratisation process in Myanmar and will no doubt further increase the risks of atrocity crime in the country. The emergency rule declared by the military solidifies its grip in the country without accountability, which could lead to an escalation of violence in conflict areas and systematic violation of human rights throughout Myanmar. This threatens to intensify the pre-existing impacts on regional human security resulting from atrocity crimes in the country.

Elections can act as a trigger for violence and further atrocity crimes; when post-election disputes turn to violence and a military takeover, the likelihood of atrocities as well as attacks against perceived enemies and marginalised groups is heightened further. The military regime's 4-month ban on all international and domestic [flights](#), including humanitarian flights, exacerbates this threat.

APPAP warned prior to the November 2020 election, in its [Declaration on Myanmar](#), of a range of issues relating to the prospect of free and fair elections. These included a lack of transparency, arrests of government critics, and banning of foreign media. In addition, various minorities including the Rohingya were denied the right to vote even as elections were cancelled in parts of Rakhine and neighbouring states where ethnic armed groups were fighting government forces.

The Tatmadaw's emergency rule will have serious implications for the repatriation of Rohingya refugees in Bangladesh, the temporary ceasefire with the Arakan Army (AA) in Rakhine, and the peace negotiations with other ethnic armed organisations in various parts of the country. In addition, it may undermine both domestic and international efforts to hold the Tatmadaw accountable for atrocity crimes committed by soldiers against the Rohingya and other minorities in Rakhine in August 2017. It is unlikely that the military government will cooperate with the International Court of Justice (ICJ) and the International Criminal Court (ICC) in genocide and atrocity crimes cases filed against Myanmar.

The Responsibility to Protect principle obligates all states to protect their populations from atrocity crimes, including war crimes, ethnic cleansing, crimes against humanity and genocide.

APPAP **urges** the Myanmar military to:

1. Immediately stand down and respect the results of the election, allow the new Parliament to re-open with elected MPs, and ensure any election disputes are dealt with through proper legal processes;
2. Release all civilians from arbitrary detention;
3. Restore access to mobile phone and internet communications;
4. Lift the ban on flights, especially humanitarian ones;
5. Prevent violence against civilians, including sexual and gender based violence;
6. Uphold the responsibility to protect Myanmar's populations from atrocity crimes; and
7. Refrain from persecution or attacks against vulnerable groups including ethnic and religious minorities.

APPAP **calls on** the international community, through ASEAN, the UN Security Council, and other international bodies, as well as democratic nations of the world to:

1. Exert pressure on the military to release detained individuals and to stand down, and restore the democratically elected civilian government;
2. Implement protection strategies to prevent the escalation of violence and the commission of atrocity crimes;
3. Develop and coordinate responses to the situation in Myanmar through diplomatic, economic, and security relations, including support for civil society and local efforts in peacebuilding and protection of vulnerable populations;
4. Hold the military accountable for violations of human rights and other atrocity crimes; and
5. Liaise with social media companies to ensure disinformation campaigns by the Myanmar military and related parties are monitored and curtailed, especially those that involve hate speech and incitement to violence.

For further information, please contact: Professor Alex Bellamy,

Director, Asia Pacific Centre for the Responsibility to Protect E: a.bellamy@uq.edu.au

Signatories:

Asia Pacific Centre for the Responsibility to Protect
ASEAN Parliamentarians for Human Rights
Asian Muslim Action Network (AMAN) Indonesia
ALTSEAN-Burma
ASPIRE Network
Belun Timor
Cambodian Institute for Cooperation and Peace
Center for International Law, Korea National Diplomatic Academy
Centre for Non-Traditional Security – Nanyang Technological University
Center for Peace and Justice (CPJ), BRAC University
Centre for Strategic and International Studies (CSIS)
DC-Cam
Department of Political Science, Ateneo de Manila University
Global Centre for the Responsibility to Protect
The Habibie Centre
Human Rights Working Group Indonesia
Humaniti Malaysia
Institute for Asia Human Community (AHC), Waseda University
Institute of Human Rights and Peace Studies, Mahidol University
Initiatives for International Dialogue, The Philippines
Institute for Peace and Democracy (Bali)
The Peace Advocates for Truth, Healing and Justice (PATH)
Research Centre on the United Nations and International Organizations
Research Initiatives Bangladesh
Statelessness Network
Women's Peace Network
The Seagull: Human Rights, Peace and Development
Beyond Borders Malaysia