

**HEALTH IS A HUMAN RIGHT**

# How the Myanmar Junta is Violating Humanitarian Principles in their COVID-19 Response



## Introduction

In addition to a vengeful campaign of human rights violations committed by state-backed forces, the COVID-19 pandemic is threatening to increase the death toll in Myanmar. Health care workers working to control the spread of the pandemic and treat patients are being locked up by the junta. Myanmar needs health care workers now more than ever. Their expertise is critical to providing life-saving solutions. Yet, the military is choosing to preserve their self-interests instead of helping the country's heroic health professionals

Since the military junta seized power in a coup on February 1, disorder and chaos set the tone for their illegitimate rule. The junta's disregard for life amounts to crimes against humanity. In their pursuit for power, security forces have ruthlessly killed and tortured over 900 innocent civilians since the military coup. They have arrested and detained senior health officials and created a climate of fear for press freedom and civil rights. The growing threat of the pandemic and its impacts on civilians is being described as the 'perfect storm' by the United Nations.<sup>1</sup> There are currently over 200,000 cases of COVID-19 in Myanmar, and the numbers continue to rise daily. Aside from the ever-present tyranny of the state, citizens do not have access to life saving supplies, including oxygen and personal protective equipment.

The demand for health supplies has also driven the market price up, posing yet another threat to Myanmar's overwhelmed health care infrastructure. Civilians across the country are lining up in front of pharmacies waiting to purchase painkillers, cough medicine and multivitamin pills, all of which are in short supply and have nearly doubled in price. Face masks are in low supply with prices 'beyond the reach of everyday people.'<sup>2</sup> Funeral services are overwhelmed as hundreds of bodies are being registered daily at cemeteries and crematoriums. The majority are dying from a lack of oxygen.<sup>3</sup> The National Unity Government expressed concern at the junta's approach in handling the increase in cases in a statement which stated, "Myanmar people who are now going through the third wave of the pandemic, are seeing their health entitlements being denied by the regime."<sup>4</sup>

In this short briefing paper, the Network for Human Rights Documentation (ND-Burma) will draw upon the four humanitarian principles which refer to healthcare as a human right. In this context, the failings of the military junta will be highlighted. In their lack of response to the pandemic, they are willingly leaving behind the most vulnerable in society. While the military council is not a humanitarian agency, they're still equipped with the tools and resources to respond with concerned urgency. Health is a human right. But in Myanmar, the junta is stripping this right to access healthcare, treatment, and resources. .

## Overview of the Humanitarian Principles

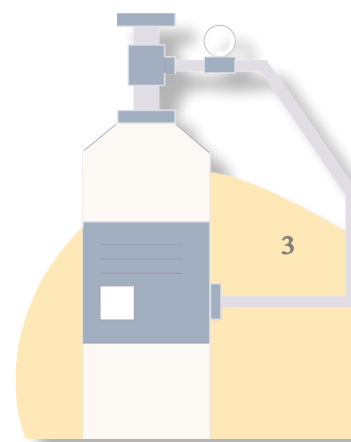
The four humanitarian principles are humanity, neutrality, impartiality and independence.<sup>5</sup> They are foundational in their application which derived from the work of the International Committee of the Red Cross, and national Red Cross/Red Crescent Societies.<sup>6</sup> These principles are also preserved in two General Assembly resolutions including resolution 46/182 and 58/114.<sup>7</sup> The principles are foundational for ensuring accountable and compassionate humanitarian responses in times of crisis.

### Humanitarian Principle #1: Humanity

*Human suffering must be addressed wherever it is found. The purpose of humanitarian action is to protect life and health and ensure respect for human beings.<sup>8</sup>*

The junta is making it more difficult to access supplies. Doctors in Myanmar have reported that the military has ordered oxygen, but has withheld it from private clinics and even prevented charities from giving it away.<sup>9</sup> The military has also prevented the general public from purchasing life-saving supplies, such as oxygen producers.<sup>10</sup> A military spokesperson even admitted that they had restricted and banned firms from selling oxygen to citizens and that Hospitals, clinics and quarantine centers were unable to take new patients.<sup>11</sup> The junta wants to control the oxygen coming into the country rather than health care institutions. According to the President of a medical charity in Mandalay, less than a third of the people in Myanmar who require oxygen can secure adequate supplies.<sup>12</sup> Some civilians who were donating oxygen reported that they received threats by the military if they continued to do so.

The Myanmar junta has long prioritized protecting their own invested interests which seek to advance their status socially, politically and economically. It's no surprise their response to the COVID-19 pandemic has been slow and selfish. Despite securing 6 million vaccines from China,<sup>13</sup> this is hardly enough for the population of over 54 million. They have shown a sincere lack of will to end human suffering in Myanmar, and how it exists in several forms. In addition to the pandemic, internal conflict between the military and ethnic armed organizations, is still raging in rural Myanmar. Instead of using the magnitude of the military junta, which has over 400,000 soldiers, to distribute supplies, and provide shelter, the junta instead has chosen to use their military to destroy civilian livelihoods.



In Myanmar, a shortage of oxygen has added a crippling layer to the already distressing crisis.<sup>14</sup> Communities in the country are coming together to donate supplies and share resources, including food, water and medicine. Medics and health workers, many of which are risking their lives to treat patients. Rather than coordinate efforts to meet the desperate need for oxygen, as well as vaccines and hospital supplies, the junta is downplaying the seriousness of the situation. Junta Commander in Chief, Min Aung Hlaing, said allegations of oxygen shortages were being hyped up to create a panic.<sup>15</sup> But not long after the military's denial, soldiers opened fire on a crowd in Yangon who were lining up for oxygen refills.<sup>16</sup> The military's refusal to meet the moment of this crisis is intentional. The attacks on life, and failure to take seriously the efforts needed to protect civilians in the midst of a global health crisis indicate the junta's glaring failure to adequately respond to the COVID-19.

### **Humanitarian Principle #2: Neutrality**

*Humanitarian actors must not take sides in hostilities or engage in controversies of a political, racial, religious, or ideological nature.<sup>17</sup>*

The Myanmar junta is taking sides in the COVID-19 pandemic in a political gamble to ensure their institutions remain intact. With assaults on anti-coup health workers on the rise, only 60% of Myanmar's Ministry of Health and Sports employees are working.<sup>18</sup> Fearing reprisals by the junta, medical doctors and first responders are working underground to treat at-risk patients.

With the Myanmar junta aligning themselves only with pro-military forces, the soldiers isolate populations with different political views and subsequently punish them for having them. There is a clear lack of neutrality at play. And it has created catastrophic impacts. The targeted violence has led to a lack of trust in military institutions. Therefore, it's not surprising civilians are hesitant to accept access to military-run medical facilities, should they be opened to the public.<sup>19</sup>

In areas where conflict is ongoing, healthcare is even more difficult to access. Medics have been unable to perform the full extent of their responsibilities for fear of attack by the junta. Since the coup, security forces have increased their attacks on medics by killing, arresting and detaining them. The junta has issued arrest warrants for 400 doctors, and 180 nurses, according to the Associated Press.<sup>20</sup> The attacks constitute crimes against humanity and are yet another example of the hostilities being waged against nearly all sectors aiming to dismantle the regime in Myanmar.

In the midst of a public health crisis, the military's actions are selfish and reprehensible. In retaliation for backlash against the junta's attacks on health workers, military spokesperson Major General Zaw Min Tun, told reporters at a press conference on April 9th, that it was the medics who are killing people: "If this is not a genocide, what shall I call it?"<sup>21</sup> This statement lacks credibility and demonstrates, a stroke of irony given the military's accusations of genocide against the Rohingya. Controversial statements such as these fail to prioritize the crisis at hand.

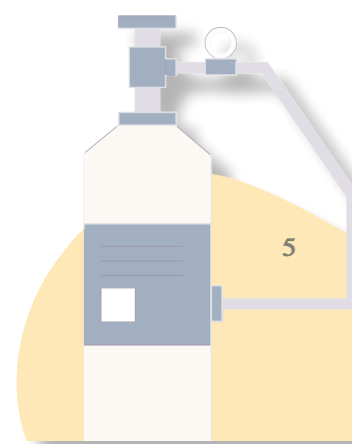
Urban and rural areas have been the site of targeted attacks by the junta in response to growing resistance to the coup. With Myanmar soldiers increasing their attacks in Chin, Kachin, Karen, Kayah and Shan States, hundreds of thousands have been displaced. The conflict has disadvantaged civilians living in these areas of reaching information or preventative care. By intentionally cutting off vulnerable populations and blocking response efforts by aid groups, the junta is sabotaging the principle of neutrality and good will to meet the needs of the most vulnerable.

### **Humanitarian Principle #3: Impartiality**

*Humanitarian action must be carried out on the basis of need alone. It should give priority to the most urgent cases of distress, make no distinctions on the basis of nationality, race, gender, religious belief, class or political opinions.*<sup>22</sup>

The junta's persecution of human rights defenders, particularly those affiliated with the Civil Disobedience Movement (CDM) is absolutely reprehensible. People involved in the anti-coup movement are serving lengthy prison sentences for their political activities and are therefore less likely to receive vaccines from the state.

The Myanmar junta has killed over 900 people since the coup. Several of the deceased were political dissidents who died after being tortured in detention. For the rights defenders still imprisoned, contracting the virus is another serious threat as prisons are hotbeds for the virus. Long-time rights defenders such as Thin Thin Aung, have been detained since April. She's one of the founders of the Women's League of Burma, and also a founder of the news site, Mizzima. Thin Thin Aung was already in critical condition when the police put her behind bars.<sup>23</sup>



Many others face a similar situation. Given the notoriously poor prison conditions and lack of healthcare in Myanmar, prisoner's health is unlikely to improve while in jail. At least 50 individuals detained in Myanmar's Insein Prison have been infected with COVID-19, the majority who constitute detained political leaders, doctors and press.<sup>24</sup> In a statement, the Assistance Association for Political Prisoners noted that the military is canceling prison visits and special court hearings because of COVID-19. They said that the junta is using the pandemic to keep lawyers from visiting their clients.

Long-held practises of Burmanization, which refers to the state preserving the status-quo of the Bamar in all social and political sectors, has created a system of discrimination against ethnic people. Their language, customs, and basic traditions have been held against ethnic groups through violent persecution by the Myanmar junta. But now the pandemic is being used as another tool to discriminate against ethnic people. More than ever, the junta is not responding to ethnic group's needs for care and support.

The United Nations Office for the Coordination of Humanitarian Affairs, estimates that there are 3 million people in need in Myanmar.<sup>25</sup> Yet the disregard for all lives in the country is paramount to how the junta is failing to act in line with humanitarian-based approaches.

#### **Humanitarian Principle #4: Independence**

*Humanitarian action must be autonomous from the political, economic, military or other objectives that any actor may hold with regard to areas where humanitarian action is being implemented.*<sup>26</sup>

The Myanmar junta is only interested in how their personnel will be impacted. The COVID-19 pandemic is no exception. By refusing to implement an urgent health focused response, the military is prioritising their own interests over the people.

In conflict affected areas of the country, the future of civilians has been severely altered by armed conflict, which has forced them off their land and to abandon their livelihoods. In being unable to separate when to end atrocities as they are happening, the military is emboldened to continue committing rights abuses. The junta leaders see the army as their vessel for power, and nothing, not even the threat of a global pandemic, can deter them from changing their approach to one of compassionate and coordinated cooperation with those who have different beliefs for the greater good.

In areas where civilian resistance armies have formed the junta has ramped up attacks. The army is set on destroying any groups which challenge their authority. In Chin State, for example, inhabitants have been forced to flee Mindat township once Chin civilians began taking up arms in self-defense. Clashes between the Myanmar junta and People's Defense Forces continued even as COVID-19 cases urged.

Further, despite a temporary ceasefire in Mindat, the transportation of life-saving materials has been blocked by the military. Medicine is not allowed in, and the junta is limiting food effectively choking off populations in need.<sup>27</sup>

## **Conclusion**

Health care infrastructure in Myanmar is also collapsing quickly. A staggering prediction estimates that the population of Myanmar will be “decimated” by at least 10 to 15 million at the end of COVID-19 in the country.<sup>28</sup> Civilians are forced to wait in lines to refuel oxygen for loved ones who have been denied access to hospitals. A sweeping sense of dread and despair is woven into the fabric of the junta's response. Rather than recognizing the growing numbers of cases, which have spanned hundreds of townships state-wide, the military has exercised violence. In just six months since they seized power, they have spurred the country into chaos.

Myanmar's army has long benefited from entrenched impunity. They have failed the people before. But now they do so again with their deadly negligence. ND-Burma calls for international recognition of the National Unity Government (NUG). The international community must work with the NUG, civil society organizations and health workers to ensure the prevention and cure of COVID-19. The Myanmar junta cannot be trusted to respond to the pandemic. It's clear that the junta has only one priority – to maintain their hold on power, no matter the cost.



## ENDNOTES

- 1 United Nations Human Rights Office of the High Commissioner, 14 July 2021: Myanmar: UN expert warns of “perfect storm” over COVID, calls for urgent international help
- 2 “As COVID-19 surges, prices of medical goods follow suit,” Frontier Myanmar, 16 July 2021
- 3 “Myanmar funeral services overwhelmed as COVID toll mounts,” Reuters, 15 July 2021
- 4 Statement on COVID-19 Response, National Unity Government of Myanmar, 14 July 2021. See in full; <https://mohr.nugmyanmar.org/wp-content/uploads/2021/07/covid-statement-en-1372021.pdf>
- 5 See Humanitarian Principles, United Nations Office for the Coordination of Humanitarian Affairs
- 6 Ibid
- 7 Ibid
- 8 Ibid
- 9 “As COVID-19 Rages in Myanmar, Army Hoards Oxygen, Doctors Say,” The New York Times, 15 July 2021
- 10 Ibid
- 11 “Myanmar unable to import badly needed medical supplies via border crossings with China,” Myanmar Now, 14 July 2021
- 12 “As COVID-19 Rages in Myanmar, Army Hoards Oxygen, Doctors Say,” The New York Times, 15 July 2021
- 13 Myanmar says will receive 6 million Covid vaccine doses from China,” France 24, 14 July 2021
- 14 “Battle for oxygen as coup-hit Myanmar faces its most severe Covid outbreak,” The Guardian, 14 July 2021
- 15 Desperate Myanmar residents’ queue for oxygen as COVID-19 cases surge,” Reuters, 12 July 2021
- 16 “Soldiers open fire, disperse crowds refilling oxygen tanks in Yangon,” Coconuts Yangon, 13 July 2021
- 17 See Humanitarian Principles, United Nations Office for the Coordination of Humanitarian Affairs
- 18 “Distrustful of junta, turned away by hospitals, Myanmar’s Covid-19 patients die at home,” The Straits Times, 13 July 2021
- 19 Ibid
- 20 “In Myanmar, the military and police declare war on medics,” Associated Press, 7 July 2021
- 21 Ibid



- 22 See Humanitarian Principles, United Nations Office for the Coordination of Humanitarian Affairs.
- 23 “Release Thin Thin Aung and all Women Human Rights Defenders in Burma/Myanmar,” The Women’s League of Burma, 18 April 2021
- 24 “Nearly 50 Held in Myanmar’s Insein Prison Now Infected with COVID-19,” Radio Free Asia, 16 July 2021
- 25 Myanmar Humanitarian Snapshot July 2021, UNOCHA, 16 July 2021
- 26 See Humanitarian Principles, United Nations Office for the Coordination of Humanitarian Affairs
- 27 “Transport of food, medicine restricted despite temporary ceasefire extension in Mindat,” Myanmar Now, 10 July 2021
- 28  
‘Everyone is dying’: Myanmar on the brink of decimation, Asia Times, 17 July 2021



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