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Letter dated 28 May 2021 from the Permanent Representative of Myanmar to the United Nations addressed to the Secretary-General

More than 115 days have passed since the military coup in Myanmar on 1 February 2021, and the people of Myanmar have been living under intense fear. Right after the military coup, millions of people from various walks of life came out on the streets all over the country and expressed their disappointment with the military coup and demanded the immediate and unconditional release of all unlawful detainees, the return of State power to the people and the restoration of democracy in Myanmar. Subsequently, the military and security forces have brutally cracked down on the peaceful protest movement and have committed countless and irrational atrocities and serious human rights violations against the people continuously. From 1 to 26 February 2021, eight innocent civilians were killed by the military.

On 26 February 2021, I delivered a statement at the General Assembly's informal meeting on Myanmar. In knowing about the further intensification of continued inhumane and brutal acts by the military, in my statement, I appealed to the international community to take the strongest possible action to immediately end the military coup. In the 90 days after that appeal, over 800 people, including many young people and children as young as a 7-year-old girl, were murdered. The people of Myanmar pointed out that, if the international community, including the United Nations, had taken decisive and timely action against the military, it would have prevented the loss of over 800 innocent lives of civilians.

The military and the State Administrative Council continued to ignore the calls from the international community to end the violent acts, but committed further atrocities amounting to possible crimes against humanity. I would like to recall my letter to you, dated 15 May 2021, calling for urgent attention to the situation in Mindat, Chin State. In addition to the information provided in that letter, the

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conditions there in the following days have not gotten better and civilians continue to suffer from disproportionate crackdowns and attacks by the military.

I would like again to draw your kind and urgent attention to the current alarming situation in Myanmar, in particular in Demoso and Loikaw of Kayah State. No longer able to tolerate the irrational torture and inhumane treatment by the military, the Karenni People's Defence Force (PDF) in Kayah State has launched an armed resistance during this week. Although the clashes occurred between the security forces and the Karenni PDF, the military used heavy artillery in residential areas in the downtown areas, causing injuries and deaths, as well as damage to private houses and religious facilities. News reported that the military even used tanks and fighter jets during the clashes in those townships, causing more intense clashes between the two sides and leaving people with no choice except to flee from their homes to a safer place.

Like everyone in this modern world, the people of Myanmar want a peaceful and prosperous democratic nation. To this end, we are determined to end the illegitimate military rule and to restore democracy. On the other hand, my fellow citizens in Myanmar are now trying their utmost to defend their own lives and the lives of others from the brutalities, inhumane acts and crimes against humanity by the military.

As you have correctly mentioned, the military coup is not acceptable in this modern world, and the coup must fail. However, regardless of the strong determination of the people of Myanmar to end the military dictatorship and to restore democracy in Myanmar, their efforts alone would not be strong enough to make it happen when the military possesses an arsenal of lethal weapons.

Witnessing all the sufferings of the people of Myanmar under the vicious and inhumane acts of the military, it is most urgent that the international community take effective collective measures to prevent any possible crimes against humanity from happening and the emergence of a potential regional humanitarian crisis. The United Nations High Commissioner for Human Rights rightly warned that Myanmar is heading towards a "full-blown conflict". Although I thank all countries who imposed targeted sanctions against the military, strong, decisive and unified measures are imperative and needed immediately. The lack of such actions by the international community will further encourage the military to continue committing inhumane and brutal acts against civilians and will result in the further loss of lives of innocent civilians in Myanmar.

In this regard, I would like to reiterate the strong will of the people of Myanmar, who are ready to pay any cost to end the murderous military junta and to restore democracy in Myanmar. Therefore, I wish to appeal again to the international community and the United Nations, by pursuing the principle of responsibility to protect, to take decisive action without further delay against the military to protect the people of Myanmar from crimes against humanity.

I hereby transmit the weekly information update on the current situation in Myanmar as at 24 May 2021 and the legal perspective information sheet of 22 May 2021, for your kind attention (see annexes I and II).*

I kindly request the present letter and its annexes be circulated as a document of the General Assembly, under agenda items 34 and 72 (c), and of the Security Council.

(*Signed*) Kyaw Moe **Tun**
Ambassador
Permanent Representative

* Circulated in the language of submission only.

Annex I to the letter dated 28 May 2021 from the Permanent Representative of Myanmar to the United Nations addressed to the Secretary-General

Legal perspective information sheet
22 May 2021, Permanent Mission of Myanmar, New York

Preface

The purpose of publishing this information sheet is to increase the awareness of people over the Crimes Against Humanity committed by the military junta terrorists on a daily basis and to keep record of their brutal acts for future reference and proceedings. Committed crimes are selectively stated in this information sheet due to space limitations.

Arbitrary Detention and attacking Protesters

On the morning of 13th May, in Nabule Region, Dawei Township in Tanintharyi Region, junta forces cracked down on protests, arresting four civilians who were not participating in the protests. This morning in Taunggyi Town, Shan State, the junta crackdown on protests and 4 youths were arrested. In Yangon, the junta brutally cracked down a protest in Yankin Township whereas the police chased the protesters with motorbikes and 7 youths were arrested despite their peaceful demonstration.

On 17th of May, in Tanintharyi Region, a protest in Dawei was violently cracked down by the junta forces using civilian vehicles and injured many protesters. In this crackdown, seven civilians were arrested and one was shot with a rubber bullet. Demonstrations were cracked down by brutal tactics and inhumane manners. In fact, demonstration is the only way for people to voice their opinions. The right to assembly and freedom of expression are fundamental rights laid down in the Article 19 of the Universal Declaration of Human Rights as "Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers". Moreover the ASEAN Human Rights Declaration provides that every person has the right to freedom of opinion and expression, including freedom to hold opinions without interference and to seek, receive and impart information, whether orally, in writing or through any other medium of that person's choice. In this regard, the military is clearly violating all the moral principles both regional and international.

Torture and Murders

On 15 May, in Kho Yaung Village, Tangyan Township, Shan State, the Hsipaw Township NLD parliamentary candidate Sai KanNyunt was beaten to death and his body was found with stab wounds. NLD members are continuously being persecuted on a daily basis. On 16th of May, junta forces opened fire in Tedim Town, Chin State and resulted 2 youths killed. In South Dagon Township, Yangon Region, the junta returned the rotting body of a man who was arrested on May 14. In order to get permission to cremate his body, medical papers had to be signed under the clause stating that the person die from pre-existing health conditions. His body was not only returned but baring many wounds on the body, severe bruises on the face, swollen mouth and broken teeth clearly demonstrated evidence of torture. The junta closely followed the funeral ensuring no photos were taken. Under junta control, children have also been severely oppressed. On the night of 18th May, in Bago City, Bago Region, two 14-year-old children and an 18-year-old young man were brutally beaten and arrested. According to AAPP's documentation, a total of 73 under-aged children

have been detained and 53 have been killed. On 19 May, in Taungdwingyi Township, Magway Region, a former village administrator, and five other villagers were arrested, beaten and interrogated by junta forces. The village administrator was left dead, and the other five civilians sustained serious injuries. The Universal Declaration of the Human Rights provides that everyone has the right to life, liberty and security of person and prohibit torture or to cruel, inhuman or degrading treatment or punishment in Article (3) and (5) respectively. Moreover the detainees do not get the right to defend before the martial court and are sentenced to death and lifetime imprisonment without solid evidences and legal grounds.

War Crimes

Mindat

The clashes between the military and the Mindat People's Defence Force have resumed in Mindat Town, Chin State, where the junta has been shelling the town with heavy artillery, attacking by helicopters, Fighter Jets and China made unmanned vehicles drones. In addition, the junta brought in nearly a thousand more troops and repeatedly fired heavy artillery shells. The junta troops entered the town and opened fire on civilians. Civilians were injured including children and have not been able to get medical treatment. More than 15 youths were taken as hostage and used as human shields when the junta came into the city. They were arresting all the men in Mindat Township. Not only the doors of houses were being broken into, but people were also beaten in the houses and arrested. Their actions had resulted in the death of a member of the Mindat People's Defense Force, and injury to four other civilians on 15 May. A 10 year-old girl who was hiding inside a house was also shot on 17 May by the junta troops. Houses and shops have been heavily damaged by the junta troops' heavy artillery and raids. Since 18 May, junta started cutting of water supply to Mindat and blockade all the entrances to Mindat in order to stop food and water supply from donors.

Talope

On 12th May, in Talote Town, Myingyan Township in Mandalay Region, a Technology College student, who was shot and detained whilst defending against the military, died at the interrogation center. Interrogation under this terrorist regime is known to be notorious. So it is assumed that the student died after being tortured, and from a lack of medical attention after his gunshot wound.

Resistance against the junta is accelerating by the People's Defense Forces around the country. The junta had been using all illegal means to supress the resistances. Since not all the inhabitants are not directly taking part in the hostilities, the belligerent parties must refrain from attacking civilian objects and avoid using strategy that could harm the civilian population. The international law is prohibited to execute any acts which cut off supplies that would prevent heeding basic need of population who were not directly taking part in the hostilities.

There is a practice which recognizes that a civilian population in need is entitled to receive humanitarian relief essential to its survival, in accordance with international humanitarian law. The Fourth Geneva Convention recognizes the right of protected persons and the Additional Protocols implicitly recognizes the entitlement of a civilian population in need to receive humanitarian relief as they require that relief actions "shall be undertaken" whenever a population is in need.

Ref.: Assistance Association for Political Prisoners (AAPP)

Annex II to the letter dated 28 May 2021 from the Permanent Representative of Myanmar to the United Nations addressed to the Secretary-General

Weekly updates on current situation in Myanmar (24-5-2021)

Deaths and Arbitrary Arrests

As of 24 May 2021, according to the Assistance Association for Political Prisoners (AAPP), a total of 5,408 people have been arrested whereas 4,301 people are still under detention, 1,841 people been issued with warrants and 824 people ruthlessly murdered by the military since 1 February 2021 when the military unleashed systematic and targeted attacks and violence against innocent civilians.

Already more then 110 days have passed since the coup, the military terrorist group has not stopped its inhumane acts and arbitrary arrests against the unarmed civilians until today.

The Junta's Brutal Acts

According to the credible reports, the families of those injured and arrested are often not notified of the arrest of the victim, or of any injuries and are often only contacted after the death of the victim. Whether the people arrested were given access to the medical treatment are still unknown even to their families. According to the news, a man, who was arrested during guarding the ward as a volunteer, and who was facing trial inside prison, died on 19 May, from insufficient medical care for his diabetes.

On 17 May, a young man was shot and detained with his wounds as junta forces raided a restaurant in Bago region. His family were notified five hours later that he was dead. A similar case occurred at night on 18 Mayin Pyay Township, Bago Region. It is that a man who was going home from barber shop was shot and taken away by junta forces. In the following morning, his family were informed to collect the dead body.

Youths and underaged children were also among the victims arbitrarily arrested by the junta forces. At night on 18 May, two 14-year-old children and an 18-year-old young man were beaten and arrested in Bago Region.

On 19 May 2021, in Taungdwingyi Township, Magway Region, a former village administrator, who worked under the NLD government of Sithar Gyi, and five other villagers were arrested, beaten and interrogated by junta forces. The village administrator was left dead, and the other five civilians sustained serious injuries.

On 20 May, at night, junta forces arrested a third-year university student majoring in Botany at Dagon University at a house in Mayangone Township, Yangon. According to the news, neighbours reported that this student was severely beaten while being arrested.

On 21 May, the junta troops shot and crashed the car in which two Kachin youth activists Seng Nu Pan and Lun Zung together with two other youths were riding. Afterwards, all of them were arbitrarily arrested.

On 21 May 2021, a 15-year-old and a 17-year-old kids from Myeik, Tanintharyi Region were arrested and charged under Section 505(a)(c) of the Penal Code. Also, at that night, in South Dagon Township in Yangon Region, a final year medical student

and a final year college student from the Myanmar Mercantile Marine College were arrested by an excessive number of junta troops.

On 22 May 2021, U Soe Myint Htein, an NLD Secretary of Yangon Region, was arrested at home in Hlegu Township, Yangon Region together with his wife and another person. Although his wife and the other being arrested were released, Soe Myint Htein remains under detention.

Continued murders by the Junta

At the night of 16 May, junta forces opened fire in Tedim Town, Chin State. Two youths from Tedim Town were killed. The death of one of the two victims is still under investigation. On 17 May at night, a civilian was shot dead in Daik-U Township, Bago Region.

On 17 May 2021, in South Dagon Township, Yangon, the family of a male victim who was arrested on 14 May received the dead body of the victim. According to the news, in order to get permission to cremate his body, his family had to sign the medical papers which stated the cause of death was from pre-existing health conditions, where, on the other hand, many wounds, bruises and injuries on the dead body showed that he was under the severe torture before his death. News also stated that the junta closely followed the funeral so that no photos on the dead body was taken.

On 19 May 2021, in Lay village, Okshitpin Town, Pantaung Township in Bago Region, a motorcycle mechanic was killed, and another man was shot and left wounded.

On the night of 19 May, in Chaung Gyi village, Thabeikkyin Township, Mandalay Region, a young man was killed after the junta chased, arrested, beat him in the face and shot him in the abdomen.

A civil servant, involved in the Civil Disobedience Movement (CDM) was shot to death on 20 May, during the clashes in Mindat Town, Chin State.

On 21 May 2021, at the Daw Ngan Khar intersection, Demoso Township, it is reported that one of two men on a motorbike who drove away from being checked was shot and killed.

The Junta's Irrational Acts

Destroying private properties: On 16 May 2021, the security forces raided the IELTS English training school in Muse Township in Shan State to find a wanted individual. As they could not find the warranted person, they destroyed materials inside the school. On 17 May 2021, junta troops stormed local shops and threatened to shoot the owners in Ka Myaing village, Thayet Chaung Township in Tanintharyi Region.

Extortion and bribery: It was reported that parents of detained children were asked to pay more than 5 million kyats (USD$3037) to the junta to release their child. However, their children have still not been released even after the payment was made.

Taking hostages: Lately, the junta forces is taking family members of the individuals in the warrant lists as hostages to arrest those individuals more frequently. On 16 May, at night, when the junta troops could not find a wanted man in Phang Fa Village, Chaungzon Township, in Mon State, his father was taken instead. On 19 May 2021, a wife, child and stepmother of a wanted activist from Seikkan village in Paungde Township, Bago Region were arrested when that activist was not found.

The Junta's Crackdowns against protests

In recent days, the military terrorist group cracked down the protests in Myanmar by crashing the motorbike rallies or the protestors with the civilian vehicles and injuring many protestors as well as the civilians around the area, and arresting the injured people.

On 17 May 2021, a protest in Dawei, Tanintharyi Region was violently cracked down by security forces in the civilian vehicles. As those vehicles crashed into protesters, many protestors were injured and among them, seven civilians were arrested and one was shot with a rubber bullet.

On 19 May 2021, in Thaketa township, Yangon Region, three civilians were arrested when the polices forces used motorbikes and cracked down the civilians as they gathered for a university student protest.

Strikes against the military

Despite the serious crackdowns and arrest of the junta forces, the civilians around the country continue to express their desires for democracy and against the military coup. In addition to the protests on the streets, civilians perform different strikes including Flash strike, turn off light strike, tea shop strike, artist strike, etc. and posted on social media.

Clashes between the military forces and People's Defense Force (PDF)

Following massive raids in Mindat Town on 16 May, the junta terrorists used heavy artillery and live ammunition across Mindat Town at that night. As similar engagement occurred on 17 May 2021, where the junta group fired heavy artillery, mortar shells and bombed into residential areas. The houses across the town were destroyed and a 10-year-old girl who was hiding inside a house was shot and remains in a critical condition. According to the news, junta troops have been violently damaging houses and shops, and looting goods. In addition to this, displaced civilians who have been hiding in the jungles are in desperate need of food, shelter, and medical supplies.

On 17 May, at night, the junta forces cut off the supply of drinking water in Mindat Township, Chin State. It was followed by cutting off electricity and telephone lines. By cutting off these facilities to the town, as the military tactics, the junta tried to make the locals become weaker and unable to regroup and resist. It is unacceptable on the humanitarian ground and pushes the people at extremely vulnerable situation.

On 21 May 2021, a clash occurred between the military and Chin Defense Force (CDF-Mindat) at BueKunn Village in Mindat Township Chin State.

Amongst the regions that are fighting back against the junta, Chin State is the one which is most targeted by these terrorists. Chin state has faced heavy attacks and severe repression by the junta. Fighting continues between the Chin National Defense Force (CNDF) and the junta. Although the weapons and forces of both sides are not equal, people are defending themselves against terrorism and atrocities of the junta with anything they can use as a weapon.

In Kanpetlet town, junta troops camped out at school and police station, forcing almost the entire town to flee. Junta troops raided Loklung village, close to Hakha Town, again forcing the entire village to flee. These civilians remain on the run.

In the evening of 16 May, in Hakha township, Chin state, there was a clash between the Chin State Defense Force (Hakha) (CDF-Hakha), and the junta terrorists.

Moreover, a 10-year-old child was killed in the bombing in Tedim Township, Chin State on 19 May 2021. News also reported that 6- and 10-years old kids were injured in the explosion.

On 23 May 2021, in Moebyel in Shan State bordering with Kayah State, the incident of firing civilian houses with artillery shells, destroying houses and injuring two civilians by the military terrorist forces was followed by the clash between the military and People's Defense Force (PDF). This armed resistance has resulted in the death of at least 20 police. According to the local media, the police station was then burned down and four security forces were taken into custody. In addition, it is also stated that the military and security forces killed one civilian and five PDF members were injured during the clash.

On that day, in Demoso Township in Kayah State, it is reported that two youths who were bringing food for those fleeing from town were shot dead by the military forces and the military took away those dead bodies.

In response to the military atrocities, the armed resistance by the Karenni People Defense Force (PDF) in Kaya State has caused the death of 40 security forces in one day.

On 24 May 2021, in Loikaw in Kaya State, the military fired artillery shells into a Christian Church where the villagers are taking refuge due to the armed conflict. This attack caused the death of four civilians.

International Pressure on the Illegitimate Military Group

In response to the Military's continued brutal repression of the people of Myanmar, on 17 May 2021, the U.S announced additional sanctions against 16 Myanmar officials and family members, in which thirteen of the individuals are key members of the Military regime and the rest three are adult children of previously designated military senior military officials.

On the same day, in addition to the sanctions previously imposed, the UK also announced sanctions on Myanmar Gems Enterprise (MGE), a state-owned enterprise under the military.

Aligning with the actions of the U.S and UK, Canada imposed additional sanctions against 16 individuals and 10 entities under the Special Economic Measures (Burma) Regulations.

On 21 May 2021, a joint statement by Save the Children, UNESCO and UNICEF alarmed that Education in Myanmar is at risk as over 12 millions of Children and young people have not had access to learning for more than a year, and called for safe environment for children to continue their learning.

On 23 May 2021, in response to the announcement of the military-appointed Chairman which the Union Election Commission (UEC) may dissolve the National League for Democracy (NLD), the European Union (EU) stated that the proposal of UEC would show the junta's blatant disrespect for the will of the people of Myanmar. The EU also reiterated that the Myanmar General Election held in November 2020 represented the will of the people, and will continue to denounce all the attempts to overturn the will of the people.