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Letter dated 14 July 2021 from the Permanent Representative of Myanmar to the United Nations addressed to the Secretary-General

I am writing to you again to apprise you of the current worsening situation in Myanmar. More than 160 days after the unlawful coup, there is still no sign of easing the brutal crackdown and the violence committed by the military. More than 900 people have been killed, and some 200,000 people have been forced to flee their homes as a result of violent military raids.

I wish to underscore the deteriorating situation in my country with the new variant of the coronavirus disease (COVID-19). According to the World Health Organization, as at 9 July 2021, there have been 184,375 confirmed cases of COVID-19, with 3,685 deaths. Coronavirus-related deaths have reached the highest level in Myanmar since the outbreak began, and the number of infections has reached its peak. The highest daily average reported now is at 5,014 new infections on 12 July 2021. The health-care system under the regime has totally failed, and the military has no capability to tackle the health crisis unfolding across the country.

My country is now suffering a shocking surge in COVID-19 cases, and people are dying and suffering. The mismanagement and negligence of the military has put the country through a serious health crisis. Apart from the fact that there is not enough screening of the outbreak and testing capacity, we are seeing people having to line up to buy oxygen for their beloved infected family members. Nevertheless, the military has controlled and limited the supply of oxygen to the public and ordered oxygen plants not to sell or provide oxygen to the people. Such measures by the military have created a serious situation to many people in the nation. It is not acceptable to the people of Myanmar and it is clearly a grave violation of basic human rights. At this time, many COVID-19-infected patients in Myanmar are reportedly dying due to the unavailability of oxygen. This is a heartbreaking reality that they are currently facing.

While the rest of the world is adapting to the new normal wherein most people have been vaccinated, my fellow citizens in Myanmar remain unvaccinated and



desperately looking for oxygen tanks. The military has no concrete strategic plans to address the crisis and continues to circulate incorrect information which puts the people's lives at risk. The military has earned no trust from the people owing to their continued lies about the election result and their extensive human rights abuses against peaceful civilians.

The situation in my country is not getting any better and, regretfully, even getting worse. The World Food Programme has warned of the significant increases in food prices nationwide and has estimated that over 6 million people are severely in need of food aid. The situation in Myanmar can only be addressed through multilateral efforts, and to stop the killing of innocent civilians, urgent and decisive action from the international community is more than ever critical. There is not only a humanitarian catastrophe unfolding right now in Myanmar but also a public health crisis that utterly requires immediate attention and assistance, and decisive action from the United Nations and the international community. We are completely helpless as well as defenceless from the inhumane acts and heinous crimes committed by the military.

Since the coup, the military has launched a violent crackdown against anti-coup protestors – a terror that amounts to crimes against humanity. The military continues to repress freedom of expression and to arbitrarily arrest, targeting journalists, civil society leaders and anti-coup protestors. To add insult to injury, the soldiers have also taken family members as hostages when they cannot find those with arrest warrants. A 50-year-old father was arrested as they couldn't find his son, a student union member. The inhumane acts of the military are never-ending and are getting worse day by day.

I hereby transmit the weekly information update on the current situation in Myanmar as at 11 July 2021 and the legal perspective information sheet of 13 July 2021, for your kind attention (see annexes I and II).

I wish to reiterate that the people of Myanmar are helpless and crying for help, and we need urgent decisive action from the international community.

I kindly request that 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**
Permanent Representative

Annex I to the letter dated 14 July 2021 from the Permanent Representative of Myanmar to the United Nations addressed to the Secretary-General

Weekly updates on current situation in Myanmar (11 July-2021)

COVID-19 is surging in Myanmar

The arrival of the new variant of COVID-19 to Myanmar has become a humanitarian disaster. According to WHO, as of July 9, 2021, there are 184,375 confirmed cases of COVID-19 with 3,685 deaths. Since the outbreak, it is the most coronavirus-related deaths in Myanmar. Local infections are at an all-time high. The highest daily average is reported now at 3,666 new infections reported each day.

The virus testing has collapsed since the coup on February 1. The World Health Organization and the International Federation of Red Cross and Red Crescent Societies (IFRC) have warned of the growing outbreak. The healthcare system under the regime has totally failed, and the military has no capability to tackle the country's worsening situation. An outbreak of cases has devastated the country, and people are suffering deeply. The military has no trust from the people because it has circulated incorrect information as to the election result and their extensive human rights abuses against peaceful civilians. Many doctors and healthcare workers have refused to work for the military, while many others have been detained and arbitrarily arrested.

The mismanagement and negligence of the military have put the country through a serious health crisis. Under the civilian elected government, the government, private sectors, volunteers, and the people have worked together to control the disease.

It has been reported that there is no adequate screening of the outbreak and testing capacity. Additionally, the people must stand in line every day to purchase oxygen for their infected family members due to the military's disastrous management of the issue. During this pandemic, people are faced with unprecedented challenges. Myanmar is desperately looking for oxygen while the rest of the world adapts to the new normal where most people are vaccinated. In addition, the cost of masks, test kits, and other medical supplies has gone up. It is unlikely that the health crisis will improve without concrete plans, resources, and international cooperation.

The United Nations spokesperson announced that the major outbreak of COVID-19 would have devastating effects on people and the economy and stressed the importance of resuming essential healthcare services. The military must cease its violence, return power to the people, restore democracy in the country, and free all detainees before these things can happen.

Deaths and Arbitrary Arrests

According to the Assistance Association for Political Prisoners (AAPP), 6,611 people have been arrested. Furthermore, 5,173 people are still detained, 963 have been issued warrants, and 899 civilians have been killed by the military since February 1, 2021. Since then, the military has been committing systematic and targeted attacks and violence against innocent civilians.

160 days have passed since the coup; the military terrorist group nevertheless continues committing inhumane acts, arbitrary arrests, brutal beatings, and torture in detention with impunity.

The World Food Program estimates that in Myanmar, over 6 million people are severely in need of food aid. The United Nations Development Program (UNDP) forecasts that nearly half of the population could be forced into poverty by early 2022.

Military's Vicious Acts

Transports of food and supplies are restricted: The military fails to end all forms of violence against innocent people. Instead, it has accelerated acts of terrorism in many places across Myanmar. Due to the military's terrorist actions against the people, in Mindat, Chin State, there has been fighting between local resistance forces and the military. In Midat, there are food and medical supply shortages, so the army is restricting transportation to the area. Those displaced by the military's brutal attacks on entire villages were left without food, water, or medicine.

Arbitrary arrests and killing continue: Man ZarMyay Mon, a 28-year-old protest leader from Chaung-U, Sagaing Region, is facing five charges of incitement, and is being brutally tortured.

According to his family member, the interrogation had his fingers broken and seriously injured. In South Dagon Township, Yangon Region, Khin Kyaw, a ward-level executive of the NLD party, was shot dead on July 5.

A 12-year-old boy, Aung Swan Pyae, was arrested on July 6, and six others, including his family members in the Mandalay region. In response to resistance and peaceful protest, the troops constantly arrest children as part of their crackdown.

There is no end to the inhuman acts committed by the military. It has been reported that a 50-year-old father was arrested in Hlegu Township of Yangon Region. The soldiers couldn't find the student union member, so they arrested his old dad instead. Apparently, the old father had done nothing wrong. On July 6 night raid, the soldiers arrested at least 10 people. These arrested individuals have been subjected to enforced disappearance and cannot be contacted by their families.

As of 3 July, since the coup, 39 journalists have been detained, 6 imprisoned, and 3 injured. This includes one journalist who is a US citizen. Although the military released 49 journalists, 26 journalists have been issued arrest warrants. Moreover, the military has revoked the licenses of eight media companies.

Norwegian Telecoms operator Telenor left Myanmar

On July 8, Norwegian Telecoms operator Telenor announced the sale of its mobile operation in Myanmar to a Lebanese company for \$105 million. The company's withdrawal is a sign of the collapsing economy. Military authorities in Myanmar have reportedly forced telecom firms to install surveillance technology and prohibit telecom executives from leaving the country without permission. After the military cut off internet access, telecoms were forced to reduce their service. Telenor's exit signals the challenging operational climate currently prevailing in the country.

International Pressure on the Illegitimate Military Group

The UN Human Rights High Commissioner for Human Rights Michelle Bachelet informed the 47th session of Human Rights Council on 6 July that 240 attacks on healthcare facilities, medical personnel, ambulances, and patients had seriously hampered COVID-19 testing, treatment, and vaccination since the coup. She also urged all States to act immediately to give effect to the UN General Assembly's call to prevent the flow of arms into Myanmar. She highlighted that to free the people from military impunity and control, the National Unity Government and democratic civil society stakeholders must be brought into any political process.

Earlier this year, UN Special Rapporteur Tom Andrews warned that the international community is failing Myanmar's people. By laying down a new, unified Government framework, the National Unity Government has demonstrated its worth as a valuable resource and partner for UN member states. Additionally, he called to create a Myanmar Emergency Coalition, made up of nations prepared to stand with the people through meaningful, coordinated action.

It is clear that Myanmar is a crisis that requires coordinated action by the international community. The illegal attempt to take control of the country staged by the military has attacked the civilian population, which has clearly become widespread and systematic. Nearly 900 lives have been killed. Some 200,000 people have been forced to flee their homes due to violent military raids in neighborhoods and villages.

Annex II to the letter dated 14 July 2021 from the Permanent Representative of Myanmar to the United Nations addressed to the Secretary-General

Legal Perspective Information Sheet 13 July 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 terrorists on a daily basis and to keep a record of their brutal acts for future reference and proceedings. Committed crimes are selectively stated in this information sheet due to space limitations.

Junta Sponsored Crimes

Pyu Saw Htee, the Military's militia group, shot and killed a high school teacher and his wife in Myingyan Township on July 2. Moe Hein was a member of the National League for Democracy (NLD). Pyu Saw Htee also shot and killed U Khin Kyaw, a National League for Democracy (NLD) member from South Dagon Township in the Yangon Region, on the night of July 5. They then took his dead body to their headquarters.

Taking civilians as hostages

Theint Sandi Soe, a third-year university student, majoring in Law, was arrested as a hostage when the military terrorists did not find her father Soe Htay, a protest leader of Mogoke Town. Theint Sandi Soe suffered from rheumatoid arthritis and was refused medical treatment for this serious health condition. On July 6, Aye Min Thein, the father of Aung Khant Hphone, a Hlegu Township student union member, was also arrested when the terrorist junta did not find Aung Khant Hphone's home in Yangon Region's Hlegu Township. 68-year-old Saw Kyi and 13-year-old Zay Myo Satt, the mother and nephew of protester Kan Win from Pyin Gyi Village in Tanintharyi Region's Launglon Township, were arrested during the evening of July 6 as Kan Win attempted to evade arrest warrants despite military terrorists searched his home frequently for staging protests.

Myanmar is a state party to the International Convention against the Taking of Hostages. Such evidence proves that the terrorist military has continuously infringed the provisions contained in the said Convention. Hostage-taking is a violation of the core principles of International Law and the United Nations Declaration for Human Rights (UDHR).

Murders

On July 7, Aye Min, from Pauk Khone village, Kale Township in Sagaing Region, was shot dead in the head by terrorist junta's troops who came into Hto Mar Village near Kale Town. On the night of July 6, Ba Gyan, a civilian who was returning home from a farm by driving an Ox cart in Ywar Thit Gyi village in Hopin Town, Kachin State, was shot to death in the back for failing to stop his cart. On the morning of July 5, Thay Thay, a civilian, was shot in the stomach by junta troops and died on the spot when she was on the bike with her son at Kawlin Township in Sagaing Region.

Khant Ko Ko Maung was a CDM policeman from the traffic police force in Chan Aye Tharzan Township in Mandalay Region. On the evening of July 10, while

the terrorist military was arresting him in Kyi Kone in Patheingyi Township, he was struck from behind by gunfire and killed. A woman had been arrested for helping the CDM movement at the same time. The widespread and systematic murdering of civilians has never stopped, and the military terrorists are carrying out these atrocities intentionally. In fact, it is evident that attacks against peaceful protesters across Myanmar have progressively intensified. Article 3 of the Universal Declaration of Human Rights provides that everyone has the right to life, liberty, and security of person. The widespread and systematic attack directed against any civilian population means the breach of International Law and constitutes ‘Crime Against Humanity under article 7 of the Rome Statute.

Targeting on Journalists

One citizen journalist based in Pakokku City, Sagaing Region, Chit Min Hlaing, arrested and charged under Section 505(a) of the Penal Code in April, was sentenced to three years imprisonment. Moreover, Poet Thway Nay from Mandalay Region was sentenced to three years imprisonment under Section 505(a) of the Penal Code. Poet Thway Nay was shot and arrested because he drove protesters on his motorbike during the terrorist military cracked down on a protest in Mandalay on 27 March.

Arbitrary Detention

On July 4 in Mandalay, four people, including Myat Thu, a protest leader of the All Burma Federation of Student Unions (ABFSU), were arrested by the terrorist military’s troops while they were at home. Maung Maung and Kyi Thar Maung Maung, the father and younger brother of Khin Marlar Maung Maung, Constituency 2 Regional MP of Hlegu Township in Yangon Region, were arrested by the terrorist military on the night of July 6. In the early morning of July 6, the terrorist military’s forces raided a tea shop located in Ohn Pin Chan Village in Mandalay Region’s Sintgaing Township. They arrested the tea shop owner Min Thu Tun, his 12-year-old son Aung Swan Pyae, wife Tin Nwel Hlaing, the younger brother of Tin Newl Hlaing, and three waiters. Whereas no child shall be deprived of his or her liberty unlawfully or arbitrarily, it is clear that the military has ignored all these rules and continued their crimes. The military even detained a four-year-old girl in prison last month. Now, they have arbitrarily arrested a 12-year-old child. According to Article 37 of the Convention on the Rights of the Child, which Myanmar ratified, “the arrest, detention or imprisonment of a child shall be in conformity with the law and shall be used only as a measure of last resort and for the shortest appropriate period of time. From these incidents, it is clear that the military terrorists have no intention to abide by the International Treaties as a government and is not fit to represent Myanmar in the international community.

Two Critical Calamities

Myanmar reported 82 fatalities – the highest daily death toll since the military’s Feb. 1 coup – and 3,461 new COVID-19 cases, after 10,114 swab tests were carried out, according to the military-controlled Ministry of Health and Sports (MOHS). Several COVID-19 variants, including the more transmissible Delta variant, are included in these figures. Many believe the numbers are underestimated, both in deaths and in new infections.

Since the military terrorists have been arresting doctors and CSO and NGO leaders, the healthcare system of Myanmar had collapsed. Shortages of medical oxygen have been reported in the regions and townships highly affected by COVID-19, including the capital Naypyitaw, Yangon, Mandalay, Bago, and the Sagaing region’s Tamu and Kalay townships, with patients dying as they did not receive oxygen in time.

In Myanmar, many people have died from a lack of oxygen. Social workers and charity groups leading the response to the pandemic in Kalay town say that at least 600 people are believed to have died from coronavirus in the town within a month. Ko Htwar Gyi, a charity worker in Mandalay, says many people have died because they don't have access to oxygen at Mandalay Hospital. The death toll for yesterday was 23, and every day, about 10-11 bodies are buried. Some people die at home from lack of oxygen, he added.

The military's administrative council in Mandalay Region held a meeting with the owners of factories producing medical oxygen. According to social media, the owners were reportedly told to stop selling oxygen cylinders and refilling services on the private market and instead told to sell only to military hospitals, clinics, and quarantine centres controlled by the military-appointed Ministry. At a press conference on Monday, the Military spokesman Zaw Min Tun said that oxygen factories were told last week that oxygen cannot be sold to individuals and must be supplied to regime-controlled hospitals, clinics, and quarantine centers. Any individual seeking to refill empty oxygen cylinders will need a letter of permission from health officials. On July 12, a man called 'Phoe Sal' from 'Thone Khwa' township was tortured to death by junta troops while seeking oxygen for his family member who was in critical condition.

As always, the military fails to respect International Law, especially International Health Regulations. The military controlled Ministry is releasing incorrect figures about the pandemic to cover up their incapacity. Unfortunately, Myanmar people are now facing two critical calamities, COVID-19 and the military's attempted coup. International intervention is urgent and critical, and remains the most necessary element to resolve the crisis in Myanmar, especially before more innocent people in Myanmar encounter catastrophic social and humanitarian sufferings.

Ref: Assistance Association for Political Prisoners (AAPP)

: Irrawaddy
