



(English Translation. Original in Japanese)

1 February 2021

Statement

Strong concern regarding the Myanmar military's declaration of a state of emergency The Japanese government must do more for true democratization in Myanmar

Today, 1 February 2021, the Myanmar military declared a state of emergency and announced that it had seized power. It is reported that State Counselor and Foreign Minister Aung San Suu Kyi, President Win Myint, and many other senior government officials have been taken into custody by the military, and that Vice President Myint Swe, a former military officer, will serve as interim president, while Commander-in-Chief of the Myanmar Armed Forces Min Aung Hlaing will oversee all legislative, executive, and judicial affairs. It has also been reported that telephone and internet access for ordinary citizens in the capital city of Nay Pyi Taw has been cut off, and that the communication situation in Yangon, the largest city in the country, is unstable.

While the military claims that there were irregularities in the results of last November's general elections and that it will investigate them, the UN Secretary-General, in a statement on January 28, called on all parties to respect the results of the November elections.¹ The removal of elected representatives from their positions by military means is contrary to the principles of democracy and must not be accepted.

The Japanese government has provided significant assistance to Myanmar to date. The accumulated total of Japanese ODA to Myanmar up to fiscal 2017 (since ODA began in the 1950's) is 1,136.8 billion yen in loans, 322.962 billion yen in grant aid, and 98.416 billion yen in technical assistance². In the context of the transition to civilian government beginning in 2011, in 2013, Japan cleared approximately 176.1 billion yen in overdue charges that were accumulated over the past 20 years, and refinanced 198.9 billion yen in overdue debts as part of debt forgiveness on the occasion of resuming yen loans.

We welcome the Japanese government's press release today "The internal situation in Myanmar (Statement by Foreign Minister MOTEGI Toshimitsu)." It calls for the release of the detained, including State Counselor Aung San Suu Kyi, and strongly urges the Myanmar military to swiftly restore Myanmar's democratic political system.

The Japanese government's Development Cooperation Charter declares that "[s]table development through 'quality growth' will not be achieved unless the rights of individuals are guaranteed, people can engage in economic and social activities with a sense of safety, and the society is managed equitably and stably. With a view to solidifying the foundations for such development, Japan will provide assistance so as to share universal values such as freedom, democracy, respect for basic human rights and the rule of law as well as to realize a peaceful, stable and secure society."³

The actions of the Myanmar military are a challenge to these universal values, and are undemocratic actions that ignore the will of the people of Myanmar expressed in the election. The Japanese government should

¹ <https://www.un.org/sg/en/content/sg/statement/2021-01-28/statement-attributable-the-spokesperson-for-the-secretary-general-myanmar>

² <https://www.mofa.go.jp/mofaj/area/myanmar/data.html#section5> (in Japanese)

³ <https://www.mofa.go.jp/files/000067701.pdf> p.6

continue to make strong efforts to support true democratization.

Upon examination, however, even after the “transition to civilian governance” in Myanmar, the military was not under the supervision of the government. The national audit body has no authority to audit the defense budget, and Article 20(b) of the current Constitution, enacted in 2008, stipulates that “The Defense Services has the right to independently administer and adjudicate all affairs of the armed forces.” Ministries and agencies related to safety and security are also controlled by the military. In addition, the current constitution was enacted by the military regime at the time. Though it was supposed to be a transition to civilian government, the constitution designates a quota of 25% of the seats of parliament for the military. Although national elections have been held since 2015 and parliamentary sessions have been held, the approval of more than 75% of the members of the upper and lower houses of parliament is required to amend the constitution, effectively enabling the Myanmar military to wield authority independent from the government.

The current situation shows us that not only Japan, but the international community as a whole, has failed to respond adequately to Myanmar’s democratization efforts, particularly as they relate to the Myanmar military, which has been accused of many human rights violations. The U.N. Independent International Fact-Finding Mission on Myanmar explains in its report released on 5 August 2019, “The economic interests of the Myanmar military,”⁴ that revenue it earns from foreign and domestic business deals enhances its capacity to inflict severe human rights violations. Transparency of revenue and expenditures from the military’s defense budget and other businesses owned by the Myanmar military is an essential factor for democratization in Myanmar.

The Japanese government should review its ODA assistance to Myanmar until the situation in the country normalizes, the democratization process gets back on track, and civilian rule is truly established. If Myanmar's armed forces refuse to respond to calls to normalize the situation, ODA (other than humanitarian assistance) should be immediately suspended in accordance with the Development Cooperation Charter. Public loans that are not ODA should also be reviewed immediately, and the possibility of suspension should be included in consideration.

In addition, as Mekong Watch has repeatedly pointed out, the Japanese government should immediately investigate whether or not public funds that are not ODA, such as those through the Japan Bank for International Cooperation (JBIC) and the Japan Overseas Infrastructure Investment Corporation for Transport and Urban Development (JOIN), have benefited the military in Myanmar, and take measures to cut off these sources of income.

⁴ https://www.ohchr.org/Documents/HRBodies/HRCouncil/FFM-Myanmar/EconomicInterestsMyanmarMilitary/A_HRC_42_CRP_3.pdf