LABOUR RIGHTS VIOLATIONS
BY THE MILITARY IN MYANMAR
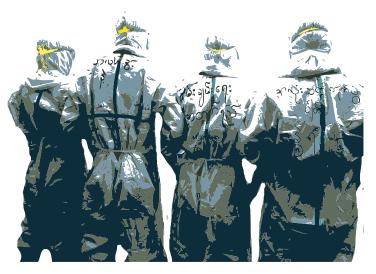
The people of Myanmar endured brutal military rule and human rights violations before gaining partial democracy in 2015. On the 1st February 2021, a new government was due to be sworn in. Instead, the **Tatmadaw** (military of Myanmar) instigated a coup, arresting political leaders and ending civilian rule in Myanmar. It is ruling the country as the State Administration Council (SAC).

Health workers across at least 70 hospitals began strike action against the military coup and demanded restoration of the elected government. Since then, trade union organisations and workers from all sectors, including public administration, have refused to work and joined a nationwide **Civil Disobedience Movement** (CDM).[1] Thousands of civilians have taken to the street under the banner of the CDM against the junta.

To maintain illegitimate rule, the military have used lethal weapons, including live ammunition, automatic weapons, hand grenades and heavy explosives against peaceful protesters.

More than **5,000 people have been arrested** or detained and at least **812 people have been confirmed killed** by the military, according to the Assistance Association for Political Prisoners (AAPP).[2]

A National Unity Government (NUG)[3] consisting of elected parliamentarians, anti-coup protest leaders and representatives of ethnic organisations was formed on April 16, 2021.[4]

Repression against workers and unions

Unfair dismissal and suspension:

- Thousands of civil servants across ministries and government departments have been fired from their jobs by the military regime for participating in the CDM.

- Hundreds of private sector workers, including in factories have been sacked without notice.

- At least 998 railway workers, 1,962 university staff and lecturers, and several hundred bank workers have been suspended or dismissed for taking part in the CDM.

- It is estimated that approximately 20,000 teachers have been dismissed and 125,000 may face dismissal or arrest for participating in strike action.

Arbitrary arrest and detention under Penal Code 505 A:

- As of May 15, 82 journalists have been arrested, of which 46 remain detained.

- State forces were deployed to arrest 22 unionists, including Mi Mi Aung and Juty Aung leaders of Building and Wood Worker's Federation of Myanmar (BWFM-CTUM) and leaders at the union offices and factories. Seven members of Myanmar Transport Federation are on the arrest list.

Case:
Arrest and detention of STUM Director

Around 40 military officers were deployed to arrest the Director of Solidarity Trade Union of Myanmar (STUM), Daw Myo Ay at Shwe Pyi Thar on April 15. She was charged under Penal Code 505A for participating in CDM, leading protests, and encouraging civilians and civil servants to join the CDM and faces up to 3 years in prison. Daw Myo Aye was denied bail and was brought to the court in Insein for hearings on May 6, 13 and 20. Daw Myo Aye remains detained with severe health problems and limited access to medical facilities.

Case:
Arrest and imprisonment of union leader in Hmawbi township

On February 18, union leader Ko Nyi Nyi Su, from the Myanmar Industry Craft Service-Trade Unions Federation (MICS-TUsF) was arrested. After the court hearing on March 4 he was sent to the notorious Insein Prison.

Health workers and health system under attack:

- The military has targeted healthcare workers and has been using violence against doctors at hospitals to prevent them from treating emergency patients.

- The Tatmadaw has issued 360 arrest warrants for health workers, and at least 215 doctors have been charged under the Penal Code 505 A.[5] Some of them have been sentenced to three years in prison.

- Health workers are being arrested whilst treating injured patients. Doctors found to be treating any patients free of charge have been fined or arrested.

- The military has also been looting medical supplies and donations, seizing ambulances and vandalising funeral houses to suppress their resistance.[6]

Raiding and eviction of railway workers:

- The Tatmadaw has evicted 1,600 households of railway workers from government housing, leaving them homeless. The military also raided the shelter of 25 families of railway workers provided by the CDM.[7]

Extrajudicial killing of workers:

- After the Martial Law was imposed on March 14th, the army opened fire on peaceful protestors. Twenty year old nursing student, Thinzar Hein, was shot dead while trying to attend to injured protesters in Monywa on March 28th. At least one other nurse, two doctors, one union leader, and four bank workers have been killed during crackdowns by the military.

Case:
Union leader killed in South Dagon

After martial law was imposed on March 14, the army opened, fire killing at least one worker and one villager at Xiang Jia Factory. Action Labor Rights (ALR), a labour organisation based at Htee Hlaing Housing, organised a union at Xiang Jia. On March 21, around three trucks of soldiers were deployed at Htee Hlaing Housing around midnight searching for union officers. On March 28-29 the military ambushed protesters in South Dagon Industrial Zone, killing Nay Lin Zaw, a union leader of AD Furniture (Wood Processing) and a member of Myanmar Industry Craft Service-Trade Unions Federation (MICS-TUsF). The army interrogated neighbours around the MICS office regarding the activities and people at the 'labour office' and deployed soldiers in front of the MICS office.

Case:
Mine worker killed in Myonwa

Chan Myae Kyaw, a dump truck driver at SinoHydro copper mine and a member of the IndustriALL's affiliate Mining Workers' Federation of Myanmar (MWFM) was shot multiple times and killed by the soldiers on 27 March in a demonstration in Monywa.

Deprivation of the Rights of Freedom of Association:

The Tatmadaw declared 16 labour organisations illegal. They have raided the houses of union leaders and confiscated money and other private property. Arrests, detention, extrajudicial killing, and unlawful termination of workers involved in strike action has violated the right to Freedom of Association.

Since illegally seizing power, the military has violated a range of internationally agreed standards including ILO Convbention on Freedom of Association and Protection of the Rights to Organise, 1948 (No. 87), the UN Universal Declaration of Human Rights and the core UN conventions. The attacks on health-workers violate provisions of the Geneva Convention and a range of other agreements affirmed in UN Security Council Resolution 2286 (2016).[8]

On 24th April the military regime agreed to the Five-Point ASEAN Consensus calling for an end to the use of violence. Yet persecution of workers and peaceful protestors continues.[9]

We call on the UN and all governments to recognise the National Unity Government and to sever any diplomatic ties and working relationship with SAC.

Global Union Federations urge the UN and international community to support workers and unionists in Myanmar, refuse to recognise the illegitimate SAC and help end oppression and violence by the military regime without delay.

Notes
1   See CDM website: https://www.mmcdm.org/
2   AAPP's daily briefing in relation to the military coup, May 21, 2021. https://aappb.org/?p=15194
3   See NUG's website: https://www.nugmyanmar.org/en/
4   Radio Free Asia (April 16, 2021). Parallel Myanmar Government Launched to Challenge Military Junta. https://www.rfa.org/english/news/myanmar/crph-government-04162021185851.html
5   According to Myanmar Doctors for Human Rights, as of May 4, 2021
6   Ibid.
7   Frontier Myanmar (March 10, 2021). Police, soldiers forcibly evict more than 1,000 rail workers and their families. https://www.frontiermyanmar.net/en/police-soldiers-forcibly-evict-more-than-1000-rail-workers-and-their-families/
8   Resolution 2286 (2016) /adopted by the Security Council at its 7685th meeting, on May 3, 2016. https://digitallibrary.un.org/record/827916?ln=en
9   Chairman's Statement on the ASEAN Leaders' Meeting, April 24, 2021. https://asean.org/storage/Chairmans-Statement-on-ALM-Five-Point-Consensus-24-April-2021-FINAL-a-1.pdf