Myanmar: The return of the junta

On 1 February 2021, the Myanmar armed forces seized power and imprisoned Aung San Suu Kyi, de facto leader of the country since 2016. The coup threatens to derail Myanmar's progress towards democracy, which began in 2008 after five decades of brutal military rule. Huge protests have broken out in Myanmar, calling for the restoration of the elected civilian government. The EU is considering additional sanctions against the country.

Myanmar’s 2020 elections lead to a military coup

Myanmar’s parliament has a total of 664 seats, of which three-quarters (498) are elected and one quarter (166) allocated to representatives appointed by the armed forces. In the November 2020 elections, the ruling National League for Democracy (NLD) won 396 seats, equivalent to 80% of elected seats and 60% of all parliamentary seats – an even bigger majority than in the previous (2015) vote. Observers raised several concerns about the conditions under which elections were held – a biased media environment, and the exclusion of several large groups such as the stateless Rohingya – but did not find major irregularities in the conduct of the vote itself. Nevertheless, the military alleged widespread electoral fraud, though without producing convincing evidence to back its claims.

Early in the morning of 1 February, a few hours before the new parliament was due to be sworn in, the armed forces arrested NLD leader Aung San Suu Kyi and President Win Myint, as well as hundreds of NLD parliamentarians and supporters. Based on its unsubstantiated allegations of fraud, the military declared the elections invalid, and vested legislative and executive powers in a State Administrative Council comprising equal numbers of military officers and civilian politicians, chaired by General Min Aung Hlaing, head of the armed forces. Aung San Suu Kyi was charged with illegally importing radio equipment; both she and Win Myint now face criminal charges and are under house arrest. The military declared a one-year state of emergency, after which it says new elections will take place.

1962-2016: 54 years of military rule, then a democratic transition

Ever since seizing power in 1962, the Tatmadaw (military) has played a toxic role in a country which is racked by ethnic conflict and has become one of the poorest in Asia, despite its natural resource wealth. After a brutally suppressed uprising in 1988, elections were finally held in 1990, and won overwhelmingly by the NLD, but the army refused to recognise the results, and NLD leader Suu Kyi spent 15 years under house arrest. Both the European Union (EU) and the United States (US) adopted economic sanctions and arms embargoes. A return to civilian rule began with the adoption of a new constitution in 2008, leading to elections in 2010. The new government, formed by the pro-military Union Solidarity and Development Party (USDP) was nominally civilian, but in fact mainly comprised former generals. Nevertheless, political reforms persuaded the EU to lift its economic sanctions in 2013, although the arms embargo remained in place; the US followed suit in 2016. The NLD, which had boycotted the previous vote in 2010, won an overwhelming electoral victory in 2015. Although Suu Kyi was constitutionally barred from the presidency, in 2016 she became the country's de facto leader, with the title of State Counsellor.

2016-2021: Rights abuses continue under Suu Kyi, but her popularity remains intact

For decades, the Muslim Rohingya minority have endured persecution. Resented by most Burmese as illegal 'Bengali' migrants (although many are from families that have lived in the country for hundreds of years), most are denied citizenship, and live in apartheid-like conditions. Attacks on the community culminated in military 'clearance operations', killing thousands in 2016 and 2017. Over 700 000 fled to neighbouring Bangladesh, where they live in refugee camps with little prospect of ever returning home. In response, the EU adopted visa bans and asset freezes against 14 military officers, but did not bring back economic sanctions.

The 2008 military-drafted constitution makes it impossible for civilian authorities to hold the armed forces to account for such abuses: the commander-in-chief appoints the defence, home affairs, and border affairs
ministers, and soldiers are tried in military courts, guaranteeing them lenient treatment. The constitution can only be changed if over three-quarters of parliamentarians are in favour, giving military representatives a veto on amendments. While Suu Kyi may have been powerless to stop the atrocities, many argue that she could at least have spoken out against them; in fact, she remained silent. Noting her complicity in the violence, the European Parliament, which had awarded Suu Kyi the Sakharov Prize for human rights defenders in 1990, decided to remove her from the list of Sakharov laureates in 2020. Concerns about the plight of the Rohingya are not widely shared in Myanmar itself. Suu Kyi’s defence of military atrocities in December 2019 at the International Court of Justice earned her international condemnation, but the resounding NLD electoral victory in 2020 suggests that, if anything, it consolidated her reputation at home.

Implications of the military coup, and the ensuing protests

Given that the constitution gives the armed forces enormous political power and shields them from civilian oversight, the motives for the coup are unclear. With the world’s attention distracted by coronavirus and the Biden administration still finding its feet, military leaders may have felt it was a propitious moment to act. General Min Aung Hlaing’s personal ambitions were probably also a factor; he is due to retire from the armed forces in July 2021, and the poor electoral showing of the pro-military USDP party, which lost 8 of its 41 seats in the 2020 elections, made it unlikely that he could secure parliamentary backing to become president.

Protests against the coup initially took the form of people banging pots and pans, followed by doctors and teachers going on strike. The rallies which started on 6 February are the largest since the Saffron Revolution, which was put down by the military in 2007. This time, the military has responded by banning large public gatherings, restricting internet access and declaring martial law in several cities. The police are using increasingly forceful methods to break up protests: water cannon, rubber bullets, and live ammunition fired into the air. So far, 400 have been detained. The outcome is still in the balance; in 1988 and 2007, the armed forces showed that they will stop at nothing to quell discontent, and an equally bloody crackdown cannot be ruled out now. On the other hand, after several years of relative freedom, protestors are more determined than ever. Unlike previous uprisings (mobile phones were practically non-existent in Myanmar before 2011), social media are playing a key part in mobilising the current wave of protests, which show no sign of losing momentum.

International reactions

The EU, G7 and US were united in immediately condemning the coup, while calling on military leaders to hand back power to civilian authorities, and to release Suu Kyi and other detainees. US sanctions announced on 11 February will block Myanmar government access to US$1 billion of funds held in the US. China, which is a key ally of Myanmar and by far its main trade and investment partner, merely called on all sides to ‘appropriately handle their differences … and safeguard political and social stability’. Japan, India and most other Asian countries have also avoided strong statements. For its part, the Association of Southeast Asian Nations, which Myanmar belongs to, urged ‘dialogue, reconciliation and the return to normalcy’. A UN Security Council statement issued on 4 February, after China had blocked a more strongly worded text, emphasises the need to ‘uphold democratic institutions and processes’ and release all detainees.

EU foreign ministers are to consider their response at the meeting of the Foreign Affairs Council on 22 February. According to EU High Representative/Vice-President Josep Borrell in a speech to the European Parliament on 9 February, the three main options on the table are sanctions (in addition to the targeted sanctions adopted in 2018 against military officers for their role in atrocities against the Rohingya), a review of EU development aid to Myanmar (€688 million for 2014-2020), and cancelling the country’s privileged access to European markets under the ‘Everything But Arms’ (EBA) scheme. Benefiting from zero tariffs, Myanmar’s textiles industry is booming, and its exports to Europe have grown 19-fold since 2013. However, Borrell warned that EBA suspension would hurt the general population, in particular the 500 000 employees of garment factories, while having little effect on the military, whose economic interests are mostly in other sectors. He emphasised the importance of continuing dialogue with Myanmar’s leaders.

In its resolution of 11 February 2021 on Myanmar, the European Parliament urges the armed forces to hand power back to the civilian authorities led by Suu Kyi, and to release all detainees. It also calls for constitutional reforms and additional targeted EU sanctions against military leaders.

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