



**Urgent Appeal to the Special Rapporteur on the Situation of Human Rights in Myanmar on the
Enforcement of the People's Military Service Law**

Submitted by: Asian Forum for Human Rights and Development (FORUM-ASIA)

The Asian Forum for Human Rights and Development (FORUM-ASIA) requests your urgent intervention in the following situation in Myanmar.

Name of Defender/Organisation: FORUM-ASIA (on behalf of a network of Burmese/Myanmar youths)

Country: Myanmar

Issue: Reactivation of 2010 People's Military Service Law on 10 February 2024¹

Date of Fact Sheet: 23 February 2024

Background:

On 10 February 2024, the Myanmar junta activated for the first time a decade-old conscription law that subjects young men and women to at least two years of military service. This decision came as the junta struggled to crush the growing forces of anti-military ethnic armed groups and its allied resistance forces across the country.

[Evasion of conscription](#) warrants three to five years of imprisonment. Meanwhile, faking illness or disability to evade conscription is punishable by up to five years in prison. The law also creates a loophole for the junta to extract bribes from individuals—especially affluent families—seeking to evade conscription. Meanwhile, the junta shows no leniency towards the less privileged, also exploiting them for monetary gain.

If summoned, all men ages 18 to 35 and women ages 18 to 27 will be required to serve in the military for up to two years. Certain professions—such as doctors and engineers—will have extended service terms of three years, with higher age limits of 45 for men and 35 for women. During a state of emergency, the terms of service can be prolonged for a maximum duration of five years.

¹ The People's Military Service Law - SPDC Law No. 27/2010 (unofficial translation in English)
https://www.burmalibrary.org/sites/burmalibrary.org/files/obl/docs16/2010-SPDC_Law2010-27-Peoples_Military_Service_Law-en.pdf

Certain categories, such as civil servants, students, those taking care of elderly parents are eligible for [temporary deferments](#). Exemptions are guaranteed to various groups, including members of religious orders, married women, persons with disabilities.

Since [16 February 2024](#), over 1,000 individuals have queued outside the Thai embassy in Yangon, seeking visas in hopes of leaving Myanmar. And as of 22 February 2024, over 7,000 citizens have submitted visa applications, as reported by the [Bangkok Post](#). The Thai embassy has increased the daily availability of online queue tickets to 800, according to embassy spokeswoman Kanchana Patarachoke. The number of applications is expected to keep rising. Likewise, many young people have attempted to flee to neighbouring countries unofficially, putting them at great risk of human trafficking.

On 21 February 2024, the decision to [recruit women](#) was seemingly scrapped. However, individuals from civil society organisations questioned the veracity of the information as some youths have already been conscripted despite the junta's announcement that conscription would only commence in mid-April after the traditional Thingyan New Year celebration.

Testimonies of Burmese Youth regarding the Conscription Order

FORUM-ASIA reached out to youths from Yangon to learn how the forced conscription order has impacted their lives:

'Ever since the conscription law came out, I have been living every day in fear of the kidnappings conducted by the military. Many of us are feeling very lost and uncertain of our future and whether we should fight back or flee.'

The constant fear of getting kidnapped while commuting to and from work has resulted in me resigning from a foreign start-up company that I have been working with for the past year. They would not allow us to work virtually from home or abroad, or even reduce work hours to help accommodate us during these difficult times. This added up to my stress as well since they did not seem to understand or empathise with the dire situation that we are facing.'

I have also been avoiding going out with friends even in broad daylight, which is new to me, as I felt that all my sense of security and freedom are now lost. This has taken a huge toll on my mental health to the point where I felt a huge empty cloud in my head and heaviness in my body. This makes it difficult for me to verbally express my problems and feelings. There is so much I can think of, but I could only express them to a certain extent.'

- SYL, age 23

'I feel angry. Not only are they targeting individuals who are officially recognised as citizens of Myanmar, but now they are also targeting minorities such as the Rohingya even though they have been rejected as citizens and never recognised as one.

I feel angry about the barbaric inhumanities of the military. I feel angry about the lack of awareness and consistent outrage in the international community. I feel angry about the lack of action and silence by the international authorities.

I feel angry about how many civilians have no choice but to choose between fighting for or against the military when they should not have to fight at all.

I feel angry about how many civilians have no choice but to choose between leaving their home and struggling to live or staying home and waiting to die.

It has and will continue to impact my rights and freedom—as a civilian and as a woman living in Myanmar—to feel safe from violence, exploitation, and deprivation. I am constantly in fear of being subjected to arbitrary arrests, conscription, and the dangers to follow. So much so that I find myself having repetitive paranoia towards people and my surroundings both indoors and outdoors. I do not talk much, and I dress down to make myself as unnoticeable and unappealing as possible. I experience panic attacks at the slightest sound resembling anger, thinking that the military is coming to forcefully take me away.

It has and will continue to impact my rights and freedom to seek and access resources to further my education and livelihood. I feel depressed and hopeless when it comes to the future of my education and career aspirations as opportunities—such as scholarships, migrational privileges, etc.—have either been limited, withheld, or made inaccessible as a person of Burmese nationality.

In short, the conscriptions and Myanmar's political situation as a whole has and will continue to impact my rights and freedom of choice in terms of mobility, life, safety, protection, privacy, expression, and many more.'

- Helianthus Oo, age 26

'The sudden announcement of the conscription order led me to witness unfair bribery at the embassies (to leave the country) as a result of exceptionally long queues due to panic departures. This has led to corruption, eg. police seizing spots by force and charging ridiculous amounts of money to spots.

As a result, we had to wake up at ridiculous hours in the morning despite not having any guarantees of securing a spot for our visa applications.

I also feared discrimination when going abroad to escape conscription, at being looked down upon as runaway refugees, both by civilians and especially authorities responsible for immigration procedures and other matters relating to the social situations of the nation which support we would be counting on.

This has led to multiple sleepless nights, heightened emotions, near all-out brawls, and outright desperation at times, causing me physical and mental stress.

As somebody who has been formally diagnosed with obsessive compulsive disorder, drastic and immediate adaptations are not the easiest things in the world to carry out. I constantly fear for my safety when going outside. I fear random kidnappings and seizures potentially happening on the road or at home through organised overpowering raids. All these can get very unpredictable, causing me paranoia. There is a chance that it could affect me on any given day.

I have already even encountered this in front of my very eyes on multiple occasions. While on the road, I have seen the seizure of children that do not even meet the age limits for conscription as well as that of elderly people that have well exceeded the age limit.

As a 19-year-old Burmese man, I would be—for lack of a better word—a prime target should I let my guard down. So long as I am heavy enough to trigger a landmine or be in a position advantageous to the military junta, I would not dismiss my chances of becoming a potential meat shield.'

-XTH, age 19

Impacts of the law:

- Military service requirements would disrupt the youth's education, potentially hindering their academic advancement as well as prospects for higher education and career growth.
- Mandatory military service exposes the youth to the physical dangers of combat and perilous environments. Likewise, forced conscription could lead to stress, trauma, psychological strain, and other mental health risks.
- The law is expected to significantly affect the country's human resources, as it is prompting many young people to flee Myanmar.
- Neighbouring countries already grappling with the Myanmar refugee crisis are expected to face even more challenges, further destabilising the region and the ASEAN.
- Young people who are determined to avoid conscription might resort to poorly devised exit strategies—including illegal means at the cost of their lives.
- The law enables military officials to extort money from detained youths seeking to be released.

- Human rights defenders eligible for conscription may be targeted if they decline to join the army and/or attempt to evade conscription.
- Out of the 14 million Myanmar citizens eligible for conscription, 7.7 million are women. Drafted women are at a great risk of sexual violence, considering the Myanmar military’s notorious track record of gender-based discrimination and sexual violence against women.²
- The law would perpetuate the cycle of armed conflict in Myanmar by encouraging young people to resort to violence instead of peacefully pursuing democratic solutions.

The incidents documented below details how the forced conscription order has created an environment of desperation leading to an exodus of youths to neighbouring countries, leaving them without legal protection and placing them at great risk of human trafficking and refoulement. The order has also been forced upon Rohingyas at camps for internally displaced people (IDP), which could further aggravate inter-ethnic and religious tensions and heighten the already fragile vulnerability of the Rohingyas.

Date and incidents:

Date	Description of events
12 - 20 February 2024	In the eight days following the announcement of the enforcement of the People’s Military Service Law, Thai authorities have apprehended 167 individuals on Thailand’s southern and western borders who were attempting to flee Myanmar, according to the Joint Action Committee on Burmese Affairs, a migrant assistance organisation. https://www.rfa.org/english/news/myanmar/custody-02222024114118.html and https://www.irrawaddy.com/news/burma/thai-police-round-up-myanmar-citizens-fleeing-conscription.html

² PANDEMONIUM: The Conscription Law and Five Negative Potential Consequences <https://isprmyanmar.com/op-20/>

16 February 2024	<p>Several young Myanmar nationals have been detained in Thailand's border province of Tak after attempting to escape mandatory military conscription. Soldiers from the Ratchamanu Task Force—stationed in Tak's Mae Sot district—detained 27 young Myanmar nationals, comprising 13 men and 14 women, near a stream in Phop Phra district. These youths claimed to have journeyed from Myawaddy, a city in Myanmar across the border from Mae Sot district in Tak. They managed to enter Thailand through the assistance of human smugglers, using a natural route along the porous border. Earlier that week, another 27 young individuals from Myanmar, consisting of 11 men and 16 women, were apprehended by the border task force while hiding in a forest in Phop Phra district, Tak.</p> <p>https://www.nationthailand.com/thailand/general/40035628</p>
19 February 2024	<p>Two women lost their lives due to suffocation in a crowded pre-dawn queue at a government passports office in Mandalay. The tragic incident occurred as several thousand individuals, aiming to depart the country in the coming weeks, were tightly packed inside a fenced-in area. These fatalities underscore the prevalent anxiety preceding the military junta's imminent enforcement of the mandatory conscription legislation. A third person was treated for a leg injury at the Mandalay Public Hospital.</p> <p>https://www.rfa.org/english/news/myanmar/mandalay-passport-deaths-02212024155032.html</p>
19-20 February 2024	<p>The military took a census of Rohingya muslims at the Kyauk Ta Lone IDP Camp in Kyaukphyu Township, Rakhine State and compiled a list of over 160 people deemed eligible for conscription. The military is reportedly using the promise of freedom of movement within Kyaukphyu Township as an incentive. Furthermore, around 100 Rohingyas youths within the age of conscription from Buthidaung villages in Rakhine State were arrested.</p> <p>https://www.rfa.org/english/news/myanmar/recruiting-02222024174652.html</p>

20 February 2024	<p>The military junta arrested around 600 civilians following their arrival in two airports in Rankine from Yangon. According to family members and sources civilians were detained as the junta military questioned their willingness to join the resistance. https://www.rfa.org/english/news/myanmar/arrests-02202024170219.html</p> <p>14 youths from Ywa Thar Yar village in Rakhine State were arrested at the checkpoint in Shwe Pyi Thar township. Until now, they remain unreachable. Concerns arose among their relatives regarding potential forced recruitment. https://www.rfa.org/english/news/myanmar/youths-02262024145455.html</p>
22 February 2024	<p>The Military Council gathered Rohingya youth for training in Buthidaung and other villages. One youth stated that the military regime promised them citizenship upon completing military training and pledged to provide them with weapons to safeguard their villages. https://twitter.com/Minshshs/status/1760692328673812782</p>
27 February 2024	<p>The police and junta troops gathered 107 Muslims between the ages of 18 to 35 at the camp's warehouse—at the Kyauk Ta Lone IDP camp for internally displaced persons in Rakhine's Kyaukphyu township—after collecting their personal details. They were warned that any refusal to join military trainings would result in fatal beating and that escape attempts would lead to the removal of their families from the camp. https://www.rfa.org/english/news/myanmar/camp-02282024153748.html</p>



Further information:

Essential information	Useful information
Name of alleged victim/s: Burmese/Myanmar Youths	Nationality: Burmese/Myanmar youth between the ages of 18 to 35 for men and 18 to 27 for women may be conscripted into the military for a two-year service period. However, specific professional fields—such as medical doctors and engineers—have extended age limits, with men eligible until 45 and women until 35, requiring a three-year term of service.
Action by authorities No action has been taken by authorities since the junta is unlawfully acting as state actors.	Actions taken by human rights organisations 13 February 2024 The National Unity Government issued a statement regarding the Conscription Law, affirming their commitment to thwart the junta's efforts to implement mandatory conscription by any means necessary. (https://progressivevoicemyanmar.org/2024/02/13/statement-on-the-conscription-law/) 19 February 2024 The Asian Forum for Human Rights and Development (FORUM-ASIA) issued a media line condemning the forced conscription of Myanmar youth as ordered by the military junta on 10 February 2024. FORUM-ASIA urged the international community to intervene in the junta's practice of forcibly conscripting the youth. https://forum-asia.org/?p=39033 20 February 2024 The New Myanmar Foundation issued a statement regarding Myanmar's Conscription Law enforced by the military regime. They called on the

	<p>international community to coordinate collective efforts to exert pressure on the military regime to abolish mandatory conscription and to provide assistance to vulnerable populations affected by this policy.</p> <p>https://www.facebook.com/photo?fbid=335406316125933&set=pcb.335410839458814)</p> <p>22 February 2024</p> <p>A coalition of non-governmental organisations organised a youth-led press conference entitled ‘Resisting the Junta’s Illegal Conscription Looming in Myanmar.’ The event aimed to counteract the negative impacts anticipated from the junta's conscription law, including increased violence, fatalities, and exacerbated social and ethnic divisions in Myanmar, with a particular focus on the youth affected by the military service mandate.</p> <p>https://drive.proton.me/urls/30WP1MYH5W#DwZekjSGODJe)</p> <p>22 February 2024</p> <p>The ASEAN Parliamentarians for Human Rights (APHR) strongly condemned the decision by the Myanmar military to enforce a national conscription law. They called on ASEAN member states and the wider international community to help provide access, including visas and educational opportunities, to Myanmar youth who want to flee to other countries ahead of the draft.</p> <p>https://aseanmp.org/2024/02/22/southeast-asian-mps-condemn-myanmars-newly-enforced-national-conscription-law/)</p> <p>27 February 2024</p> <p>The co-organisers of the press conference ‘Resisting the Junta’s Illegal Conscription Looming in Myanmar’ released a statement following, where the speakers offered their organisations’ stances, reflections and advocacies on the situation.</p> <p>https://twitter.com/peoplesgoal2022/status/176235245861619732)</p>
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	<p>1 March 2024</p> <p>The Karen Human Rights Group (KHRG) strongly denounced the junta’s forced conscription order and urged the international community to promptly intervene to protect civilians.</p> <p>https://www.khrg.org/2024/03/statement-condemnation-enactment-conscription-law-military-junta-burmamyanmar)</p> <hr/> <p>International Pressure on Myanmar</p> <p>13 February 2024</p> <p>The National Unity Government issued a statement on the military junta’s effort to implement the conscription law. They urged the United Nations, ASEAN, as well as Southeast Asian and world leaders d to take urgent measures to effectively thwart the military junta’s forced conscription order.</p> <p>https://progressivevoicemyanmar.org/2024/02/13/statement-on-the-military-juntas-effort-to-implement-the-conscription-law/)</p> <p>21 February 2024</p> <p>The Special Rapporteur on the situation of human rights in Myanmar issued a statement on how the Myanmar’s military junta became an even greater threat to civilians as they imposed military draft.</p> <p>https://shorturl.at/byAB3)</p> <p>1 March 2024</p> <p>397 civil society organisations urged the UN Security Council (UNSC) to promptly intervene to secure peace and stability in the region after the Myanmar military junta unlawfully imposed the conscription law.</p> <p>https://progressivevoicemyanmar.org/2024/03/01/security-council-must-act-now-as-myanmar-military-juntas-forced-conscription-endangers-peace-stability-and-human-security-in-myanmar-and-the-region/)</p>
<p>Requested actions from FORUM-ASIA:</p>	

- For the international community to closely monitor the situation and raise awareness about the human rights violations associated with mandatory conscription.
- For the international community to support grassroots initiatives and local organisations working to alleviate the impact of mandatory conscription on affected communities.
- For the international community and the UNSC to exert greater pressure on Myanmar's military regime to abolish its mandatory conscription.
- For the UNSC to adopt a binding resolution under Chapter VII of the UN Charter which enforces targeted sanctions, a comprehensive arms embargo against the junta, refers the crisis in Myanmar to the International Criminal Court, and establishes an ad hoc international criminal tribunal.
- For ASEAN member states and the international community to ensure the protection and welfare of those fleeing conscription, including facilitating access to visas and educational opportunities in other countries.

Who is submitting this information?

Mr. Cornelius Damar Hanung

Asian Forum for Human Rights and Development

(FORUM-ASIA)

East Asia and ASEAN Programme / Programme Manager

JAKARTA OFFICE C/O KontraS Jalan Kramat 2

No. 7, Senen, Jakarta Pusat 10420 Indonesia

hanung@forum-asia.org, ea-asean@forum-asia.org