



**Hell Hound at Large in Burma:**  
**Objection against the Threat of Myanmar Army**  
**to Increase the Momentum of Civil War in Kachin, and Eastern and Northeastern Parts**  
**of Shan States, In Additional to Rakhine State, Amidst the Peril of the COVID-19**  
**in the Entire Country**  
**(Legal Analysis)**

**Introduction**

Today, almost all human beings and states have serious concerns about how to survive and fight against COVID-19—making it the most critical issue globally. While this global pandemic will undoubtedly bring an incredibly high death toll exacerbated by insufficient public healthcare systems, other severe negative consequences have also emerged: For instance, *inter alia*, humanity, human dignity, human expectations, and human rights are being challenged in connection with inefficient, belated, unfair and opaque management of some governments as well as the rising economic recession; and the lives of those in marginalized societies—including internally displaced persons (IDPs), refugees, returning refugees and migrant workers, poor social strata, low-income workers and farmers, and those living hand to mouth for daily survival—are being desperately threatened. Cumulatively, these consequences mean that global peace is now seriously challenged.

On April 3, 2020, the International Monetary Fund (IMF) declared that the entire global economy might come to a standstill. Common estimation has arisen that the overall period to fight against COVID-19 may take for several months. During this period, other unexpected negative consequences might also transpire.

For instance, surveillance control, not on coronavirus but on movements of people and political opponents may be expanded, in a way, *inter alia*, that people's smartphones are monitored; racial, ethnic, political and religious hatred may be motivated and fueled; and facts to engage in scapegoating—whether of a person, group, or country—related to outbreaks of disease may be fabricated;<sup>1</sup> and other related and unrelated actions, events, may be politicized, and so on.

In addition, rather than attempting to create a self-motivated and well-informed population, such regimes could activate centralised monitoring and harsh punishments<sup>2</sup> for

---

<sup>1</sup> Donald G. McNeil Jr., “Finding a Scapegoat When Epidemics Strike” *The New York Times* (31 August 2009) <<https://www.nytimes.com/2009/09/01/health/01plague.html>> accessed 4 April 2020.

<sup>2</sup> Yuval Noah Harari, “The World after Coronavirus” *Financial Times* (20 March 2020) <<https://www.ft.com/content/19d90308-6858-11ea-a3c9-1fe6fedcca75>> accessed 6 March 2020.

those who violate instructions of the regime by rhetorically articulating the fight against COVID-19, like the case in the Philippines.<sup>3</sup> The stated situations that fail to meet the minimum Rule of Law standards might occur more frequently during this crucial period than before it.

In the context of totalitarian countries, at this crucial period, authoritarian regimes and groups<sup>4</sup> could fortify power using their resources or with those collected from the World Health Organization (WHO) and international community; usurping state-funds and state-buildings, coronavirus patients may be treated to gain their political advantage, instead of undertaking treatment in the name of the civilian government; partisans and loyalists, rather than the general public, may be facilitated selectively; freedom of expressions may be denied more than before; and, armed conflicts be deepened.

One of the top WHO officials stated by implication that the coronavirus emanated from nature. Indeed, the endless historical fight between nature and humans continuously rages unabated, and the abuses of nature by human beings are ubiquitous. It is now therefore time to adjust the needs of human beings to suit protection of nature globally. In this regard, the role of just laws; effective, impartial and efficient law enforcement institutions; and legal guarantees for the fair sharing of benefits arising from nature within a state, between states, and among global entities is a sine qua non.

COVID-19 comes much more than just a serious question of disease that can be treated by surgeons, nurses, and other professional medical experts alone. The fight instead lies between the virus and the respective societies and/or states that normally focus on “state interests”, “state protection,” and the “dignity of the state,” and in which, in fact, unfair, unjust and unethical individual interests are elevated against the interests of all others. Accordingly, COVID-19 might be primarily caused by the negative aspects of globalization with the underpinnings of over-competitiveness, extreme nationalism, and authoritarianism.

These stated causes have resulted in underlying societal issues. Such issues include non-compliance with the Rule of Law, socio-economic inequality, flaws in public healthcare systems, environmental degradation, corrupt political systems, socially or politically divided communities, insufficient social welfare systems, unfair income distribution among both individuals and between central governments and states’ governments, hegemony of one social strata or state institution over all others, local people’s lack of power to fuel community development, information and communication technology management issues, and so on.

These factors constitute characteristics representing a weak state structure, regardless of whether that state is rich, poor, developed, or technologically advanced. The weaker the state structure, the less ability the state has to resist COVID-19. During the period of fighting the virus, people must be empowered; the weak structures of each respective state must be reformed, and global solidarity, based on community solidarity, must be sought while maintaining state sovereignty which primarily focus on the welfare and security of people, aiming to facilitate the emergence of a new world order. Therein, humanity; the effective, fair, and transparent governance; accountability; love; and peace will prevail while expanding community solidarity into global solidarity that extends beyond the COVID-19 crisis period.

---

<sup>3</sup> Christina Capatides, “Shoot Them Dead: Philippine President Rodrigo Duterte Orders Police and Military to Kill Citizens Who Defy Coronavirus Lockdown” *CBS News* (2 April 2020) <<https://www.cbsnews.com/news/rodrigo-duterte-philippines-president-coronavirus-lockdown-shoot-people-dead/>> accessed 6 April 2020.

<sup>4</sup> In the case of Burma, Myanmar Army or Tatmadaw and other associated groups

This analysis paper introduces a brief partial background of the civil war in Burma, examines the suffering of people from a legal aspect, elaborates on the definition of “state sovereignty” based on international law and the United Nations Charter, highlights the criminalization of the media as an unjust action that hinders the peace-seeking process, describes public security as a value to be protected by the government based on the responsibility aspect of sovereignty, contrasts Burma with some countries able and unable to minimize the COVID-19 death toll of their people, and uncovers five challenging issues for Burma in fighting against COVID-19. Finally, this analysis concludes with recommendations to make the above societal values a reality while ensuring the peace-seeking process continues.

### **A Brief Partial Background of the Civil War**

Tatmadaw or the Myanmar Army (hereinafter the MA), neglecting the recommendation of the UN Secretary General for global ceasefire to primarily deal with the peril of COVID-19,<sup>5</sup> has recently provided the Kachin Independence Organization (KIO) an ultimatum, threatening that the two towns in the KIO controlled area will be attacked if it continues harboring the Arakan Army (AA) in its territories in the northern part of the country.<sup>6</sup>

Following the bilateral ceasefire agreement made between the then ruling military regime and the KIO in October 1994, the military imposed pressure on the KIO to expel the ABSDF, a democratic armed organization, from the latter’s territory. Aiming to facilitate long-term efforts for peace, the KIO complied with the pressure of the MA.<sup>7</sup> Unfortunately, during the 17 years long ceasefire period, no progress was made toward a genuine peace. Due to malpractice and abusive actions of the MA, which amounted to commission of series of war crimes,<sup>8</sup> KIO’s trust was seriously damaged.<sup>9</sup>

Later, after violating the stated bilateral agreement, the MA fought against the KIO in June, 2011. The KIO then again accepted the ABSDF in its controlled territories and the groups combatted the military regime together. The KIO may not forget this past experience. As such, it is highly unlikely for the KIO to conduct such behavior again.<sup>10</sup> If so, war in Kachin State may not be avoided and it may also be expanded to Shan State thereby increasing the momentum of civil war.

An MA fighting surge against the AA in Rakhine State during February 2020 resulted in numerous civilian casualties, adding to the deteriorating humanitarian situation in the

---

<sup>5</sup> Daniel Dickinson, “COVID-19: UN Chief Calls for Global Ceasefire to Focus on ‘the True Fight of Our Lives’” *UN News* (23 March 2020) <<https://news.un.org/en/story/2020/03/1059972>> accessed March 31, 2020.

<sup>6</sup> Lawi Weng, Myanmar Military Warns KIA: Drive Out AA or Face Attack, *The Irrawaddy*, (31 March 2020) <<https://www.irrawaddy.com/news/burma/myanmar-military-warns-kia-drive-aa-face-attack.html>> accessed 2 April 2020.

<sup>7</sup> Interview with a central committee member of the KIO at Laiza, in October, 2012.

<sup>8</sup> Legal Aid Network, Analysis of Peace Seeking Process from the Aspect of the Rule of Law and Human Rights (2): Demand for Taking Urgent Legal Action on Murder Case of the KNU Soldier, (1 October 2014): <https://drive.google.com/file/d/1fi0yX-ziJEVDYQ7vNCKHnwwTy4hB9dn8/view?usp=sharing>

<sup>9</sup> *Ibid.*, (n.7)

<sup>10</sup> “*KIO rejects pressure imposed by the Tatmadaw to not accept the AA [translated title]*” *Voice of America* <https://burmese.voanews.com/a/aa-onflict-kio/5351512.html?nocache=1&fbclid=IwAR04g9SWHesvUiYsqdBDF632rQ7unTKp098-JoltLtEykbN2mDrYE568-xw>

conflict-driven region<sup>11</sup> in western Burma. Despite this, the MA is far from annihilating the AA in Rakhine State. Then, it might have intention to destroy the main base of AA in Laiza and in other parts of the KIO controlled territory. If this military offensive is successful, the MA might have achieved two objectives: one is that human, material and ammunition resources, collected by AA from Kachin and Shan States, would have been to a noticeable extent cut; another is that, to sign the NCA, the pressure on the KIO would have been effectively imposed. In regard to the EROs, the MA normally practices multi-strategies, but focusing on “war”.

Given the above, the MA identified the KIO as a culprit to justify the forthcoming expanded attack in Kachin State. Even prior to this, while the spread of COVID-19 started to gain momentum, the MA furthered military offensives against the Ta-ang National Liberation Army (TNLA),<sup>12</sup> Myanmar Nationalities Democratic Alliance Army (MNDAA), also known as Kokant Army, and the Revolutionary Council of the Shan State (RCSS),<sup>13</sup> despite the RCSS being one of the signatories to the Nationwide Ceasefire Agreement (NCA). In fact, the military-dominated government, particularly the MA, is clearly seeking war, not peace, by falsely justifying violence in various territories across the country.

In support of this war strategy during the stated period, the MA has already established a new military base in northern Shan State by forcing hundreds of villagers to build it (see figure below).<sup>14</sup> This war strategy is connected with “Our Three Tasks”<sup>15</sup> and highly accentuated by the military-dominated government and the MA, particularly in all so-called peace-seeking processes. Of those X, the perpetuation of sovereignty, which is State Sovereignty, will be scrutinized via international law while no existing domestic law addresses this issue.

---

<sup>11</sup> Human Rights Watch, *Myanmar: Civilians Caught in Surge of Fighting; Internet Shutdown, Aid Blockage Worsens Humanitarian Crisis in Rakhine State* (4 March 2020)

<<https://www.hrw.org/news/2020/03/04/myanmar-civilians-caught-surge-fighting>> accessed 31 March 2020.

<sup>12</sup> Bertil Lintner, “New Age Rebels Winning the Fight in Myanmar” *The Asia Times* (25 February 2020)

<<https://asiatimes.com/2020/02/new-age-rebels-winning-the-fight-in-myanmar/>> accessed March 31, 2020.

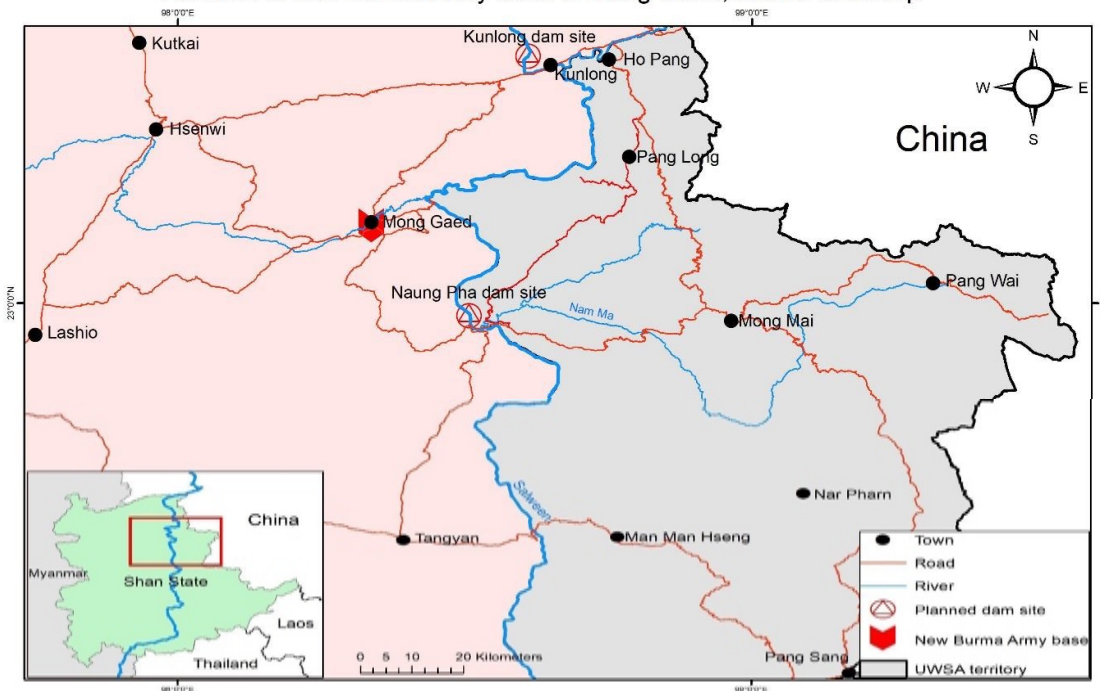
<sup>13</sup> Lawi Weng, “Fighting Continues in Shan State Between Myanmar Military and RCSS” *The Irrawaddy* (3 March 2020) <<https://www.irrawaddy.com/news/burma/fighting-continues-shan-state-myanmar-military-rcss.html>> accessed 31 March 2020.

<sup>14</sup> The Shan Human Rights Foundation, *Hundreds of Villagers Forced to Build New Burma Army Tactical Command Base East of Lashio near Salween River* (24 February 2020)

<<https://shanhumanrights.org/eng/index.php/385-hundreds-of-villagers-forced-to-build-new-burma-army-tactical-command-base-east-of-lashio-near-salween-river>> accessed 31 March 2020.

<sup>15</sup> The 2008 Constitution, Article (6) (a)(b)(c): Non-disintegration of the union, non-disintegration of national solidarity, and perpetuation of sovereignty.

Location of new Burma Army base in Mong Gaed, Lashio township



(The above map is copied from a report issued by the Shan Human Rights Foundation<sup>16</sup>)

## Legal Analysis

(1) To maintain international peace and security,<sup>17</sup> the United Nations Charter recognizes the sovereign equality of all Members<sup>18</sup> vis-a-vis State Sovereignty. However, recognition of State Sovereignty cannot be regarded as a blank check for every state as states must respect the principle of equal rights and the self-determination of their peoples.<sup>19</sup> Perpetual sovereignty of the state must be undertaken, in addition to defending the state from the aggression of other countries, by protecting the welfare of and providing security for its people.

Providing security for the people is the most fundamental task of sovereign States and the UN protects sovereign nation states because of what they do for their people: “What we seek to protect reflects what we value. The Charter of the United Nations seeks to protect all States, not because they are intrinsically good but because they are necessary to achieve the dignity, justice, worth and safety of their citizens.” ----- Security for individuals always comprises both: security against threats from others as well as from the State and its forces.<sup>20</sup>

(2) Instead, the MA is constantly creating various dangers for the people, including criminalization against media. The police, which operate under the command of the MA, has sued Nay Myo Lin, founder and editor of Voice of Myanmar, a Mandalay-based local news

<sup>16</sup> The Shan Human Rights Foundation (n.14).

<sup>17</sup> Charter of the UN, Article 1(1).

<sup>18</sup> Charter of the UN, Article 2(1).

<sup>19</sup> Charter of the UN, Articles 1(2) and 55.

<sup>20</sup> Doris König, Peter-Tobias Stoll, Volker Röben, Nele Matz-Lück (eds.), *International Law Today: New Challenges and the Need to Reform*, ISBN 978-3-540-75204-2 Springer Berlin · Heidelberg · New York, (July 2007) 12:

outlet, for his interview with Khaing Thu Kha, the AA spokesperson, on charge of violating the Counter-Terrorism Act on 31 March 2020.<sup>21</sup> Analogous action was also taken against Khine Myat Kyaw, chief editor of Narinjara, a local news outlet in Rakhine State.<sup>22</sup> In addition, a blockage very recently targeted the websites of three BNI member news organizations based in Rakhine State and Karen State.<sup>23</sup> The blockage has been expanded to 221 websites.<sup>24</sup> These actions are not only detrimental to the freedom of expression but also unfair, illegal, and unjust.

(3) Undoubtedly, the MA has continued to violate international law, international human rights laws, and humanitarian law, neglecting the security and welfare of the people<sup>25</sup> even during a critical period of fighting against the global threat of COVID-19. In the context of Burma, COVID-19 has become a major national cause.

(4) The Chinese military participated in the fight against COVID-19, as public security threats,<sup>26</sup> under the leadership of the Chinese government which led the entire country with a spirit of camaraderie, sacrifice, and community solidarity in the face of a life and death challenge to support humanity.<sup>27</sup>

(5) Conversely, the Myanmar Army does not focus on public security threats. Rather, albeit a State Institution, operating with public funds, the MA merely attempts to protect its own interests as a top priority. While the entire country is under a life and death challenge, it does not consider the public security threats caused by this global disease. On 1 April 2020, the MA rejected calls for ceasefire amid the rising number of COVID-19 cases in the country.<sup>28</sup> If the Myanmar Army increases momentum of a civil war during this crucial period, the plight of civilian ethnic nationalities, particularly the IDPs in almost all ethnic States/Provinces, will be doubly exacerbated.

---

<sup>21</sup> Kyaw Ye Lynn, “Myanmar Journalist Faces Life Sentence over Interview” *World Asia Pacific* (31 March 2020) <<https://www.aa.com.tr/en/asia-pacific/myanmar-journalist-faces-life-sentence-over-interview/1786508>> accessed 31 March 2020.

<sup>22</sup> Ibid.

<sup>23</sup> BNI Multimedia Group, “Press Release on Burmese Government Blockage of Three Member’s Online News Sites, Including Those Based in Rakhine State and Karen State” (31 March 2020) <[https://drive.google.com/file/d/1BUXdNTEB9D8dSO\\_f9RxLpU\\_\\_Ui5Jol7q/view?usp=sharing](https://drive.google.com/file/d/1BUXdNTEB9D8dSO_f9RxLpU__Ui5Jol7q/view?usp=sharing)> accessed 31 March 2020.

<sup>24</sup> Matthew Bugher, Myanmar: Immediately lift ban on ethnic news websites, Article 19, ( 1 April 2020): <<https://www.article19.org/resources/myanmar-immediately-lift-ban-on-ethnic-news-websites/>>

<sup>25</sup> Human Rights Council, Report of the Special Rapporteur on the situation of human rights in Myanmar, forty third session, (24 February to 20 March 2020):

<<https://reliefweb.int/sites/reliefweb.int/files/resources/un%20hrc%20myanmar.pdf>> accessed 5 April 2020.

Karen Peace and Social Network, *Burma Army Kills Karen Community Leader Shopping for Food*, 2 April 2020:<<https://docs.google.com/document/d/1V7lrUkqRawQrcoS10F7MNSbLMESEVvF4KYmUqAiDQHM/ed it?usp=sharing>> accessed 5 April 2020.

<sup>26</sup> Xinhua, China vows to advance int'l military cooperation against threats like COVID-19, 02 March 2020 <[http://www.xinhuanet.com/english/2020-03/02/c\\_138835662.htm](http://www.xinhuanet.com/english/2020-03/02/c_138835662.htm)> accessed 1 April 2020.

<sup>27</sup> The News International, *China fights back COVID-19*, (17 February 2020):

<<https://www.thenews.com.pk/print/615079-china-fights-back-covid-19>> accessed 2 April 2020.

<sup>28</sup> Myanmar Times, Tatmadaw rejects call for ceasefire during pandemic, (2 April 2020):

<<https://www.mmtimes.com/news/tatmadaw-rejects-call-ceasefire-during-pandemic.html>> accessed 2 April 2020.

(6) It is now time for the MA to rise up with the spirit of humanity, discarding grudges, greed, and prejudices. Furthermore, it must also dispel the misconception that only when there is a complete lack of fighting, there is peace. COVID-19 threat is irrelevant to war but it has challenged global peace. To deal with it effectively, the responsibility of a government, in connection with good governance, under State Sovereignty, needs to be addressed. With the underpinning of other societal issues<sup>29</sup> already transpired in a respective state, good governance practiced in connection with sovereignty during this crucial period plays an instrumental role.

The responsibility aspect of sovereignty is twofold: First, to respect the welfare, dignity and human rights of people within the state, and secondly to meet their obligations to the international community.<sup>30</sup>

(7) Having adopted the responsibility aspect of sovereignty as stated above, the MA should join hands with all other Ethnic Resistance Organizations (EROs), regardless of whether the latter are signatories to the NCA, to collectively fight against COVID-19 and bring peace in another way. To this end, instead of engaging in threats, the MA should at minimum study the actions of the KIO government, which controls several hundreds of kilometers long territory along China-Burma border. That territory can be regarded as the front line of Burma which deters the spread of coronavirus virus from China. The KIO government has been battling COVID-19 alongside the Kachin women organizations and other NGOs for all local ethnic nationalities with limited resources since the first week of February 2020, while the military-dominated government has been idle in Nay Pyi Daw.

(8) Meanwhile, without needing to order nation-, province-, and even city-wide lockdowns, South Korea, in which good governance is in place, has effectively navigated its war against COVID-19, pushing its infection-to-mortality ratio to below 1%.<sup>31</sup> In addition to widespread testing, contact tracing, and early treatment, South Korea's guiding principles are speed, transparency, innovation, and voluntary civic participation.<sup>32</sup>

(9) In terms of speed, the country conducted more than 10,000 test a day, with the capacity to conduct 20,000 daily,<sup>33</sup> analogous to the capacity of Germany, a renown federal country which practices optimum centralization, rather than rigid centralization. Similar to Singapore, Germany exercises effective, prompt, accountable and transparent governance while implementing the responsibility aspect of sovereignty. To date, unlike Italy, Spain and France, Germany's case fatality rate is at about 1.0%; this low rate is accredited to its widespread testing.<sup>34</sup> In Burma, only a few hundreds of people have been tested. Canada

---

<sup>29</sup> See footnote 30.

<sup>30</sup> Markus Benzin, *Sovereignty and the Responsibility to Protect in International Criminal Law, International Law Today: New Challenges and the Need to Reform*, ISBN 978-3-540-75204-2 Springer Berlin · Heidelberg · New York, (July 2007) 12:

<sup>31</sup> Andrew Salmon, "South Korea Reveals How to Win COVID-19 War" *The Asia Times* (28 March 2020) <[https://asiatimes.com/2020/03/south-korea-reveals-how-to-win-covid-19-war/?fbclid=IwAR24j7Rd0ahb3yMbBWW0EJUjKfF68PL\\_cmn-EBi3Jws5FceMyoHAKk2gjKg](https://asiatimes.com/2020/03/south-korea-reveals-how-to-win-covid-19-war/?fbclid=IwAR24j7Rd0ahb3yMbBWW0EJUjKfF68PL_cmn-EBi3Jws5FceMyoHAKk2gjKg)> accessed 31 March 2020.

<sup>32</sup> *Ibid.*

<sup>33</sup> *Ibid.*

<sup>34</sup> Billy Perrig, *Why Is Germany's Coronavirus Death Rate So Low?* *Time*, 30 March 2020. <<https://time.com/5812555/germany-coronavirus-deaths/>> accessed 1 April 2020.

and Georgia Conducts widespread diagnostic tests. Taiwan, Singapore and S.Korea manage to slow rate of infections.<sup>35</sup> Although Thailand also deals with the global disease properly and rather efficiently, poor people have more concern about hunger rather than the disease.

(10) In Burma, overall situation is much more dire. Unfortunately, a about two weeks ago, over 23,000 Burmese workers returning from Thailand re-entered the country, passing through very tiny tests. The benefit of testing is that the infected persons can be identified and quarantined from others to be treated separately, thereby effectively deterring the spread of the disease. Due to a lack of not only resources but also effective governance, a large majority of those Burmese workers were virtually helpless. Without sufficient testing in place, they were free to return to many parts of the country. That situation has caused serious concern that the virus has already spread throughout the country.

(11) In attempting to fight against the COVID-19, Burma faces altogether five challenging issues: (1) the term, “perpetuation of sovereignty” is mistakenly defined and applied empirically; (2) under the 2008 Constitution, efficient, fair and transparent governance can never be practiced as, apart from others, the government is divided into two parts, the civilian and the military; (3) In spite of having rapid escalation of Coronavirus in the world, comprehensive strategy along with valuable concepts – such as human rights, humanity, solidarity, cooperation, camaraderie, community spirit, etc. – lack in Burma. (4) no serious public debate nor conversation exists regarding how COVID-19 or similar perils can be prevented or responded to effectively in the long run, addressing related underlying societal issues; (5) the Myanmar Army has been abusing state fund by undertaking “war strategy” rather than seeking a genuine peace in accord with international law.

(12) The fight against the spread of COVID-19 requires a huge amount of funding and effective management. Without sufficient state funds, all required materials—such as venues for quarantine and medical treatment; beds; personal protective equipment (PPE) for surgeons, nurses, and other medical workers; medicines; ventilators; masks; communication devices; proper diets; and so on—cannot be secured or created as urgently and immediately as they will surely be needed.

## Recommendations

1. The Myanmar Army must immediately terminate fighting against the Ethnic Resistance Organizations (EROs) and spend a significant amount of its state-funded military budget—along with financial interests arising from the two State business enterprises, Myanmar Economic Holding Ltd. and Myanmar Economic Corporation—on the health security and welfare of all ethnic nationalities in the entire Union.
2. In all ethnic States/Provinces, the government must allow humanitarian assistance to flow freely into conflict zones as required for the IDPs, returning refugees and other civilians needing protections from the perils of COVID-19. In addition, the order provided by the government, by which such assistance and access to the IDPs in Kachin and northern Shan States are prohibited, must be withdrawn immediately.
3. The military dominated government must immediately stop the criminalization of the media and set free all reporters, journalists, and rights activists—including the three youths in Myitkyina who exercised their freedom of expression just to highlight crucial conditions

---

<sup>35</sup> Aljazeera television broadcasting, 5 April 2020.



regarding the peril of COVID-19—from being indicted by the authorities invoking draconian laws.

4. The Myanmar Army must instantly cease increasing serious human rights violations against civilians in Rakhine State and grant access to local and foreign media and national and international human rights and legal organizations.
5. The Government's Central Command Center to Control Coronavirus (CCC) must practice transparent policy, including, *inter alia*, the spending of state-funds and other funds donated by the international community and individual donors, and establish a comprehensive strategy. The CCC must also elaborate on how many people will be tested per day; how required medical equipment and other hospital materials to be primarily used for coronavirus will be prepared and made available; how the economic survival of ordinary people—particularly elderly people, women, and children—will be resolved<sup>36</sup> if a lockdown is imposed; in the absence of an imposed lockdown, how the rapid spread of the disease will be deterred; and how much funding will be shared with the health departments of ethnic States/Provinces, including EROs which have been dealing with this global disease.
6. In addition to those in Naypyidaw, emergency hospitals should be established in other parts of the country, such as Yangon, Mandalay, and ethnic States/Provinces wherein human beings also inhabit.
7. No State Institution, particularly the Myanmar Army, or any political party, should misuse the COVID-19 issue for its political advantage. Contributions from the EROs, as non-State actors, should also be encouraged.
8. Actualizing community solidarity should be prioritized. Afterwards, global solidarity—which accentuates humanity—should be sought while maintaining state sovereignty, which primarily focus on the welfare and security of people.

Adopting these recommendations will ensure that the perpetuation of state sovereignty becomes meaningful as such actions will not only facilitate the peace-seeking process but also align with international practice, norms and laws.

Legal Aid Network (LAN)

6 April 2020

For detail information, please contact:

Mr. Aung Htoo, Human Rights Lawyer and Founder of Legal Aid Network  
Head Office: Mai Ja Yang, Kachin State, Burma/Myanmar

Website: [legallaidnetwork.org](http://legallaidnetwork.org)

E.mail: [legallaidnetwork@gmail.com](mailto:legallaidnetwork@gmail.com)

Phone: (46) 76 1156 215

---

<sup>36</sup> On behalf of the State, the government shall comply with Article 12 (1)(2) para (c) and (d) of the International Covenant on Economic, Social and Cultural Rights (ICESCR), to which Burma has already ratified agreement on 6 October 2017.

