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REPORTING ON MYANMAR'S COVID-19 FIRST WAVE AND ITS IMPACT ON CIVIC AND POLITICAL SPACE

A MEDIA MONITORING REPORT
FROM 1 JAN - 30 SEPT 2020

ABOUT ACTIONAID

ActionAid is a feminist organization that uses a human rights-based approach to ensure that the voices of the most vulnerable, particularly women and youth, are heard. ActionAid is working with communities across the world to develop solutions that help people adapt to climate change impacts and build resilience. ActionAid is working with civil society organisations and networks across the world to protect civic and political rights.

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ACRONYMS

AA	Arakan Army		**KPSN**	Karen Peace Support Network
AAM	ActionAid Myanmar		**LGBTQI**	Lesbian, gay, bisexual, transgender, questioning (or queer), intersex
AFP	Agence France-Presse			
ASEAN	Association of Southeast Asian Nations		**MNCW**	Myanmar National Committee on Women
BNI	Burma News International		**MNHRC**	Myanmar National Human Rights Commission
CARE	Cooperative for Assistance and Relief Everywhere		**MoHS**	Ministry of Health & Sports
CERP	COVID-19 Economic Relief Plan		**NCA**	National Ceasefire Agreement
COAR	Center for Operational Analysis and Research		**NDAA**	National Democratic Alliance Army
COVID-19	Coronavirus Disease (caused by severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2)		**NDML**	Natural Disaster Management Law
			NDSC	National Defence & Security Council
			NGO	Non-Governmental Organisation
CSO	Civil Society Organisation		**NLD**	National League for Democracy
DVB	Democratic Voice of Burma		**RCSS**	Restoration Council for Shan State
EAO	Ethnic Armed Organisations		**NMSP**	National Mon State Party
GAD	General Administration Department		**NRPC**	National Reconciliation and Peace Center
GBV	Gender-Based Violence		**PACE**	People's Alliance for Credible Elections
GoUM	Government of the Republic of the Union of Myanmar		**PPE**	Personal Protective Equipment
			SSA	Shan State Army
HRFM	Human Rights Foundation of Monland		**TNLA**	Ta'ang National Liberation Army
ICCG	Inter-Cluster Coordination Group		**UEC**	Union Election Commission
IDP	Internally Displaced Person		**UN**	WomenUnited Nations Entity for Gender Equality and the Empowerment of Women
IHR	International Health Regulations (issued by the WHO)			
ILO	International Labour Organisation		**UNCDF**	United Nations Capital Development Fund
IOM	International Organization for Migration		**UNDP**	United Nations Development Programme
KDHW	KNU Department of Health and Welfare		**UNHRC**	United Nations Human Rights Council
KIA	Kachin Independence Army		**UNOCHA**	United Nations Office for the Coordination of Humanitarian Affairs
PCCDL	Prevention and Control of Communicable Disease Law		**UNOHCHR**	Office of the United Nations High Commissioner for Human Rights
KIO	Kachin Independence Organisation			
KNU	Karen National Union		**UPC**	Union Peace Conference
KNOW	Karenni National Women's Organisation		**USDP**	Union Solidarity and Development Party
			UWSA	United Wa State Army
			WHO	World Health Organisation

KEY POINTS IN THIS REPORT

INTRODUCTION

» Civic rights and civic space were already in steep decline in Myanmar, before the arrival of COVID-19.

» Vague and overbroad legislation with defamation clauses are frequently used to silence critics of the government, representing an attack on freedom of expression. Protesters are denied freedom of assembly.

» Civil society, even before pandemic, has been significantly hampered in its ability to support marginalised and vulnerable communities, due to restrictions of movement and association that often target particular ethnic minority groups.

THE LEGAL FRAMEWORK FOR THE COVID-19 RESPONSE

» The government has not formally declared a state of emergency in response to the COVID-19 pandemic.

» Most of the response measures fall under the Prevention and Control of Communicable Diseases Law (PCCDL) and the Natural Disaster Management Law (NDML). A revised PCCDL is currently before parliament that may increase penalties for violations of the law.

» As shown below, both the PCCDL and the NDML are used in response to the pandemic in conjunction with other restrictive pieces of legislation, to punish critics of the government response.

GOVERNMENT RESPONSE MEASURES

» Myanmar's response to COVID-19 initially began with restrictions on travel and testing regime focus on international arrivals, such as migrant workers and other repatriates.

» After some initial resistance, the Tatmadaw eventually announced a ceasefire, however this would not apply to the conflict in Rakhine and southern Chin State, and reports suggest sporadic fighting continues elsewhere too.

» Widespread 'lock-down' measures were sporadically introduced following the World Health Organisation's (WHO) announcement of a global health crisis and the first confirmed case in Myanmar on 23rd March.

» The government has formed high level committees to coordinate the response, however coordination with non-state actors has been lacking, with reports even suggesting deliberate government and military actions to frustrate Ethnic Armed Organisations' (EAO) own healthcare response.

» A COVID-19 Economic Response Plan was developed by the government to try to ease the economic fallout from the pandemic. The plan has been viewed as lacking detail, however, and with insufficient focus on the very poorest – despite government plans to make a one-off delivery of food parcels to poorer families.

» By late July, most restrictions were lifted and social and economic life in Myanmar largely returned to normal, albeit with restrictions on international travel remaining in place.

IMPACT ON CIVIC SPACE

» Civic space refers to the conditions or circumstances that allow groups or individuals to exercise their basic civic rights without any restrictions.

» Civil society groups in Myanmar have expressed concerns about the impact of the pandemic and the government's COVID-19 response measures, which have restricted CSOs' ability to carry out monitoring, advocacy and service delivery.

» Humanitarian organisations have been particularly concerned about their ability to operate under new restrictions, especially in areas affected by conflict.

» Freedom of speech appears to be under particular threat, and the pandemic response has seen increasing use of laws incompatible with freedom of expression to close down any criticism of the government, including through defamation lawsuits, website blocking and internet shutdowns.

» Workers have been especially negatively impacted by the virus, however workers' rights and the freedom of labour unions to negotiate for these impacts to be mitigated have been restricted. Companies appear to be using the pandemic as cover to lay-off union representatives, with no recourse from the government.

IMPACT ON CONFLICT AND THE PEACE PROCESS: A MISSED OPPORTUNITY FOR TRUST-BUILDING?

» In spite of provisions for government and EAO coordination in the NCA and through a new coordination committee, in reality there appears to be little evidence that the pandemic is being used as an opportunity build trust between these groups.

» EAOs, and their health organisations, have significant capacity to respond to the public health crisis, and have mobilised to provide personal protective equipment and implement containment strategies, for example.

» There has been minimal cooperation between EAOs and the government or the Tatmadaw on combatting the spread of the virus, however controlling international border crossings has been one area of exception.

» The fourth 21st Century Panglong Conference was impacted by the virus but has been widely viewed as a missed opportunity.

IMPACT ON THE ELECTION AND POLITICAL RIGHTS

» The Union Election Commission (UEC) has confirmed its intention to go ahead with the planned elections on 8th November. Some political parties have been accused of using the pandemic as an opportunity, by using high visibility of party personnel or logos while distributing relief.

» Campaigning for the elections has moved to a significant extent to online platforms, due to limitations on gatherings preventing more traditional campaign events and rallies. However, there is significant evidence that the ruling party is benefiting from this change such as through censorship of opposition party platforms on state media, or through use of defamation laws to stop criticism.

» Election day is likely to be significantly impacted by the pandemic, and some are predicting a much lower turnout than in past elections. Concerns have also been raised about the ability of independent observers to operate freely on election day, risking the free and fair nature of the process.

IMPACT ON VULNERABLE POPULATIONS

Impact on Women

» The COVID-19 pandemic has had a disproportionate impact on women, who continue to be disproportionately left out of decision-making processes; faced increasing domestic and other gender-based violence and have an increased burden caring for unemployed family members. The majority of Myanmar's garment factory workforce (90%) are women.

» Despite this, the government response to the pandemic includes no provisions specifically targeted at meeting women's needs.

» Lockdowns and related economic impacts appear to be resulting in a marked increase in domestic and other gender-based violence, as reported by civil society organisations. Quarantine centres lack gender separated facilities and are a particular cause for concern.

» Women continue to face a significant lack of access to justice, with government officials deliberately downplaying the scale of the gender-based violence (GBV) problem.

» With a healthcare system under strain, child and maternal health are at risk, and women may be avoiding seeking support during pregnancy due to fears of contracting the virus. At the same time, most of frontline healthcare workers are women, and so face a disproportionate risk of becoming infected.

Impact on Migrant Workers

» Migrant workers are particularly vulnerable to the pandemic, as they have been returning to Myanmar in high numbers, no longer able to work abroad and support their families through remittances.

» Returning migrant workers face quarantine on their return, often in very poor facilities where there is high risk of shortages of food, crowded sleeping areas and high temperatures.

» Whilst some industries in neighbouring countries are reportedly starting to invite migrant workers back, numbers are likely to be minimal due to a deep recession in Thailand, for example, and fears of the ongoing outbreak in Myanmar.

» Returning migrant workers may face being

ostracised in their communities on their return and place a new burden on families already struggling to cope. The strain of the situation is harming the mental health of workers and there have been suicides reported.

Internally Displaced People and other Conflict-Affected Communities

» Particularly affected by the pandemic are communities and internally displaced people living in camps in Rakhine, Chin, Kachin and northern Shan states. Humanitarian actors have renewed calls for access to these communities, as government has done little to support internally displaced persons (IDPs).

» Rakhine civilians are particularly impacted by ongoing conflict, internet restrictions and threat of arbitrary arrest for alleged association with the - Arakan Army (AA). This further impact freedom of movement and humanitarian support for conflict-affected communities.

» The first case of COVID-19 infection in Rakhine State was identified on 18th May which added a sense of urgency to the dangerous conditions in Rakhine. Hate speech on Facebook has increased against the Rohingya.

» Civilians continue to face injury and death from armed clashes, human rights abuses, displacement and food shortages due to conflict that exacerbates the healthcare situation. IDPs who are fleeing fighting face the risk of being left without any shelter.

» The hundreds of thousands living in IDP camps and informal IDP settlements across Myanmar are at greater risk of an outbreak, since many people live in close quarters, and often in unsanitary conditions with limited access to clean water for handwashing and limited ability to socially distance or stay at home.

» IDPs also face significant limitations in their ability to earn a livelihood, given severe restrictions on their movement exacerbated by COVID-19 policies.

» Myanmar government officials have raised that the identification of COVID-19 cases in the refugee camps in Cox's Bazaar "could delay" Rohingya repatriation.

EXECUTIVE SUMMARY

When COVID-19 was declared a global pandemic, governments around the world enacted laws, polices, administrative measures and other rules to control its spread. In some cases, these laws, policies and other measures infringed on basic human rights, disproportionately affected marginalised or otherwise vulnerable populations, or were used as a pretence to restrict political opposition or target critics of the government. In Myanmar, civic space was already under threat from repressive laws, an abusive military, a growing ultra-nationalist movement and a democratically elected government with strong authoritarian influences (Stokke, Vakulchuk, & Øverland, 2018; Wehrling & Rønberg, 2020). Thus, many in Myanmar became concerned that COVID-19 restrictions would be used to further tighten civic space and target minority populations. ActionAid Myanmar conducted this media monitoring study in order to map the laws and policies put in place to address COVID-19, and to monitor and document whether those laws and policies are discriminatory or used in a discriminatory manner or in a way that infringes on civic space and fundamental human rights. The study uses secondary sources, namely traditional and social media. A second phase of the study also included key informant interviews.

The Government of the Republic of the Union of Myanmar (GoUM) has primarily relied on existing legislation to exact policies and orders to combat COVID-19. The two main laws in use are the Prevention and Control of Communicable Diseases Law and the Natural Disaster Management Law. These laws give significant authority to the Ministry of Health and Sports (MoHS), which can also delegate power to other government officials. Both laws have been invoked in bringing criminal charges against people for disobeying orders including mandatory quarantines and the ban on gatherings of five or more people. In May, a new Bill on Prevention and Control of Communicable Diseases was introduced in Parliament, which would among other changes criminalise spreading false information about a pandemic. The response from the GoUM was slow at the beginning of the pandemic and characterised by denial and invocation of cultural and religious factors to explain an alleged lack of positive cases. When cases were confirmed in Myanmar, measures to close businesses, cancel large gatherings and institute quarantines were largely conducted by state/region and township authorities. In some cases, this allowed local flexibility but, in the absence of national guidelines, some areas experienced stricter lockdowns with fewer cases while some more affected areas had fewer restrictions. For instance, Magwe Region had some of the strictest lockdown policies but few cases, while at one point residents of Insein Township, which had the highest number of cases in the country, expressed concerns about the lack of strict lockdown measures.

The socioeconomic fallout from the various response measures has been harsh, and support from the government has been slow and piecemeal. A one-time distribution of food and other essential items to needy households during the Thingyan holiday was criticised for poor implementation, while subsequent support measures have yet to be implemented. Plans to send cash assistance through mobile money systems have also led to concerns that those systems do not reach the most vulnerable. Labour unions, particularly those representing factory workers, have struggled to negotiate for workers' rights to health and safety precautions given the ban on gatherings. In turn, union members have faced dismissals of their suggestions, disregard for their formal disputes, and suffered from intimidation and arrests of demonstrators due to Covid-19 (Teacircleoxford, 2020).

Civil society organisations (CSOs) have halted most activities, though many have tried to respond to the needs brought on by the pandemic, including by coordinating and delivering aid and by assisting particularly vulnerable populations, including women at risk of domestic violence. Activists and civilians continue to face restrictions on their freedom of speech, as critics of the government's response have been prosecuted and convicted. Restrictions preventing access to conflict areas has reduced organisations' ability to deliver humanitarian aid and awareness-raising campaigns in Kachin, Rakhine and Chin states.

On-going conflict seriously reduces health awareness-raising and response, particularly in Rakhine and southern Chin States but also in Kachin and northern Shan States. Military attacks and displacement in

Rakhine State make it difficult to respond to health concerns, and displacement camps around the country face high risks of an outbreak due to crowded living conditions. In addition, many migrant workers returning from abroad are returning to conflict-affected areas, at times even to IDP camps. This increases risk while adding to the population in need of humanitarian assistance.

While COVID-19 may have been an opportunity for trust-building and cooperation in the peace process, in fact there have been tensions between the Myanmar military and ethnic armed organisations (EAOs), over EAOs' health workers' work. The Myanmar military declared a ceasefire to combat the virus, but the ceasefire does not include Rakhine and southern Chin State, where the worst of the current conflict is occurring. In addition, government, and military efforts to reach out to EAOs with awareness-raising materials and donations of aid have not led to more concrete collaboration. If more cooperation is not forthcoming, the crisis will represent a missed opportunity for trust-building.

In many ways, Myanmar's response to COVID-19 fits into an existing pattern of unequal application of the law, restrictions on freedom of speech and political dissent, and a focus on photos and meetings instead of substantive cooperation with EAOs. The health crisis has led to an economic crisis, inescapable but exacerbated by the GoUM's lack of sufficient, timely support for vulnerable communities. Meanwhile, key freedoms like freedom of speech and access to conflict areas to provide humanitarian aid continue to erode.

It is important to continue to monitor the implementation of COVID-19 laws and policies to document their impacts on basic rights. This report offers reflections on the first wave of the coronavirus outbreak in Myanmar and hopes to contribute lessons for civil society and government in response to the rapidly emerging second wave.

1 INTRODUCTION

Myanmar is facing a surge in the spread of COVID-19. At the end of September there have been 13,373 recorded infections and 310 deaths (Worldometer, 2020). The majority of these have been in Yangon, following an initial spike in Rakhine State. Some have described the mounting toll as a 'second wave'. In spite of the current situation, the 'first wave', beginning on 23rd March with Myanmar's first recorded case, was relatively mild compared to regional comparators (Association of Southeast Asian Nations (ASEAN) (Médialab Sciences Po, 2020). From March to the end of July, Myanmar recorded only 353 cases and 6 deaths. Reasons suggested for Myanmar's seeming success at avoiding an outbreak on the same scale as many others included the relatively limited level of testing, resulting in significantly under-estimated figures. Nonetheless, government-introduced restrictions and public health measures had, until now, been widely praised for the relatively limited impact of the disease on Myanmar.

Measures introduced by governments around the world to control the disease, by their very nature, tend to entail restrictions on the freedoms and rights normally enjoyed by citizens – in particular the freedoms of movement, assembly and expression. In states where the institutions and norms of democracy have yet to take root, there is a risk that governments may be tempted to use a crisis to justify new laws or other actions intended to further silence or limit the freedoms of their detractors. This risk is heightened during a period of political flux, such as during an election.

It is important that states put in place sufficient checks and balances on the use of temporary or emergency powers – to ensure that limitations on rights and freedoms do not become more permanent. Institutions – notably parliaments, the media and civil society – play an essential role in holding governments to account and preventing or mitigating against such abuses of power.

Myanmar goes to the polls on 8th November 2020. The latest surge of COVID-19 arrived just as parties began their election campaigns on 8th September 2020 (Myanmar Times, 2020), marking a period of heightened political interest. It is an important moment in time for us to look back at how government responded to the pandemic during the earlier wave of transmission, in order for us to understand what may come next.

This paper looks specifically at how the government response to COVID-19 has impacted on civic space and vulnerable populations in Myanmar.

Before the emergence of COVID-19, civic space in Myanmar was already shrinking. There is a legitimate fear that the pandemic might be used as a pretext for further suppressing civil society through indefinite suspension of hard-won civic and political rights. Whilst no State of Emergency has been formally declared – largely because an official state of emergency requires the civilian government to hand power to the military-controlled National Defence and Security Council (NDSC) under the 2008 Constitution – Myanmar history shows us how emergency measures can easily erode civic rights and freedoms (Hindstrom, 2012).

One of the country's leading English-language political magazines has raised concerns that 'combatting the coronavirus by shutting down the country … would cede greater power to Myanmar's armed forces' (Tun, 2020). The fast-approaching elections of November 2020 introduce a further risk that state authorities may use restrictions to influence the outcome of the poll. This report finds that pre-existing trends of closing civic space have been exacerbated by the COVID-19 response. Attitudes and practices of repression have limited the ability of civil society to monitor and respond to conflict and COVID-19 crisis, especially in conflict areas; women's organisations face difficulty supporting women affected by gender-based violence during movement restrictions; and labour unions are unable to protect their members and other factory workers against labour rights abuses.

On 30 January 2020, the World Health Organisation (WHO) declared COVID-19 a "global emergency" after the worldwide rate of infection and fatality rose exponentially since first identified in Wuhan, China in December 2019 (New York Times, 2020). On 7th March 2020, the WHO appealed to world leaders for the implementation of robust containment protocols to be put in place to slow down the spread to allow time for the search for effective treatments and a viable vaccine[1]. In response, most countries progressively sealed borders and imposed lockdowns.

The head of the WHO in Myanmar credited the Myanmar government with an earlier positive outcome, saying that "Myanmar started very early" and took a "whole-

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1   On the 23rd January, China imposed a lockdown in Hubei in an effort to quarantine and contain the outbreak of virus.

Ta'ang residents of an IDP camp in Kutkai Township wait to receive nutrition support for their children at a clinic
Photo Source: Hkun Lat, Frontier

of-government" approach that included suspension of flights, cancellation of the annual Thingyan public holiday, banning large gatherings and putting in place lockdown measures (Kyaw Phyo Tha, 2020).

However, the Government of Myanmar's early response arguably lacked a coherent national-level 'shut-down' policy – being mostly implemented by subnational authorities; COVID-19 testing was limited, mainly targeted to international arrivals such as returning migrant workers; and health screening and quarantine facilities lacked proper management. Preventive efforts were in many places further challenged by continuously shrinking civic space, preventing civil society organisations (CSOs) from supporting their communities due to COVID-19 restrictions and ongoing conflicts. In particular, COVID-19 impact has heightened the vulnerabilities of certain populations, including women and conflict-affected communities, which the government response has largely failed to recognise.

This paper investigates COVID-19-related media reports to assess whether civic space in Myanmar was one of the casualties of the virus. The paper asks whether COVID-19 has served as a pretext for denying citizens freedom of expression, association, and other civic rights. Under international law, states have an obligation to ensure that States of Emergency or any other emergency responses are proportionate, necessary, and non-discriminatory, as well as temporary and 'provided by law'[2]. Suspending civil liberties, including freedom of movement and freedom of assembly, in the context of COVID-19 may be legitimate in order to slow the spread of the pandemic (UNOHCHR, 2020b). These measures vary in each context, but many contain common elements including quarantines, travel bans/restrictions, lockdowns and/or curfews.

Any emergency powers or other special restrictions must be temporary and evenly applied. Measures used should not be extended after the pandemic is brought under control or re-purposed to further close space for civil society. Power must not be abused, extended or serve to centralise power (UNOHCHR, 2020a; Amnesty International, 2020b; Amnesty International, 2020d; Hunt, 2020; Article 19, 2020b).

Respect for human rights and human dignity should not be treated as optional while responding to a crisis. Instead, the response itself should be based on respect for human rights, a principle that should be reflected at all the stages (Amnesty International, 2020d). At the same time, government must use its power and voice responsibly to correct misinformation about how the virus spreads, and publicly reject any stigma or blame directed towards marginalised or vulnerable groups.

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2   Article 4 of the International Convention on Civil and Political Rights (UNOHCHR, 1976); UNOHCR Emergency Measures and COVID-19: Guidance (UNOHCHR, 2020b).

2 METHODOLOGY

This report was compiled based on a review of a selection of online media reporting in Myanmar relating to the government's response to COVID-19 from January 2020. Over time, as key themes emerged relating to civic space and the impact of the pandemic response on vulnerable Myanmar population, content was selected more purposively and supplemented by other sources, such as research reports and press releases from Non-Governmental Organisation (NGOs), research institutions and others. Monitoring data were further validated through four individual interviews and a roundtable discussion with five civil society organisations involved in the on-the-ground responses to COVID-19 in Rakhine, Kachin, Kayah and Kayin States and on the Thai-Myanmar border.

Media monitoring was focused on Myanmar-based English-language news media, international news media coverage of Myanmar, local, national and international NGO reports and press releases, and a limited review of Burmese-language news and social media.[3] A list of the media outlets covered is in the table in Annex 1.

Media and other sources were reviewed weekly and compiled into a monitoring spreadsheet, and a weekly call was held between the researcher and relevant ActionAid staff to identify and discuss trends and share other sources and information. Media reports of specific incidents were verified through at least one other independent source, and trends and analysis were validated with other secondary sources.

The monitoring was conducted from April to July 2020, and covers the period from January to July 2020, with some updates in August. Therefore, the report does not cover this 'second wave', but rather takes a backward-look at how Myanmar responded to, and how the media reported on, the first wave. The aim is to provide reflections for civil society and policymakers on future response measures.
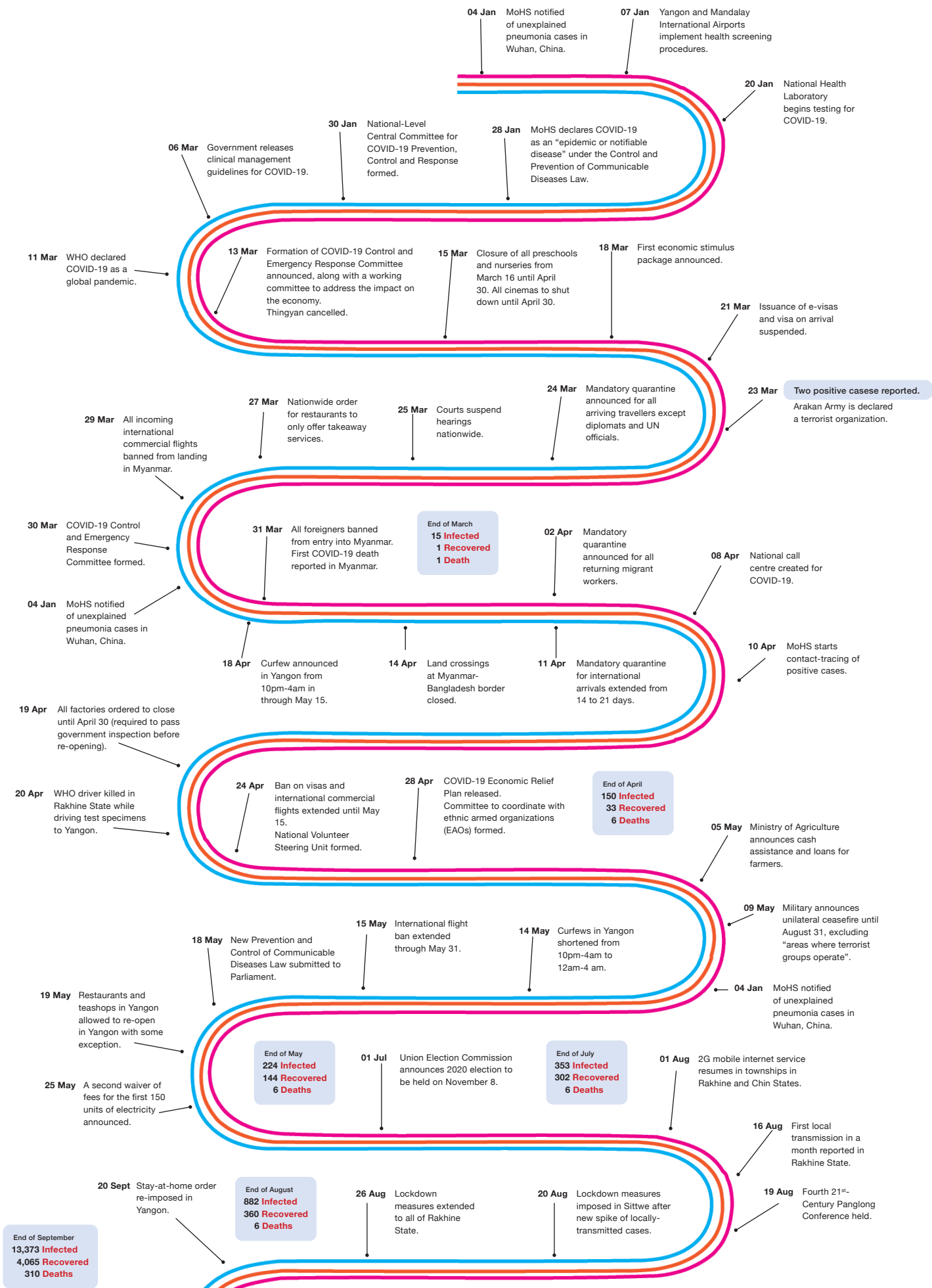
This paper also does not seek to pass judgment on the efficacy of the Government of Myanmar's response measures from a public health or economic perspective. Instead, the focus of the paper is on the impacts of these measures on civic space and human rights, vulnerable populations, the peace process, and the election.

This report is intended to raise and analyse important trends in the media coverage of Myanmar's response, and draw conclusions about the impact on civil space and human rights. Limitations of the research include the following:

- Resource limitations meant only a limited amount of monitoring of Myanmar language sources could be carried out. Since only a very small proportion of the Myanmar population access English-language media, and often even bilingual outlets report the same story differently in English or in Burmese, caution should be exercised when drawing general conclusions. Further, English-language outlets may be perceived to carry a Western bias.

- As a media monitoring project, the report is limited in its ability to cover the impact of the COVID-19 response on vulnerable groups in Myanmar under-represented in the media, including LGBTQI individuals and people with disabilities. This was mitigated through validation of findings against other research from NGOs and other organisations with a special interest in protecting the rights of these groups.

- Whilst providing a good snapshot of events, and the public and media perceptions of those events, using reportage as a source to inform public policy carries limitations. For example, a journalist's reports of an event is a reflection of their standpoint based on gender, ethnicity, age etc; analysis of media reports does not reveal whether the reports are true or not; reporters rarely revisit a story weeks or months later to assess long-term impacts; and often with online sources authorship can be difficult to determine, sometimes raising questions about the credibility of sources. Again, the use of other secondary sources such as research papers from Non-Governmental Organisations (NGOs) provided a way to validate and contextualise media output.

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3   From May-mid-June 2020, the monitoring was supported by ActionAid staff who provided summaries of news in English and Myanmar language sources.

2.1 TIMELINE FOR COVID-19 CASES AND RESPONSE

04 Jan MoHS notified of unexplained pneumonia cases in Wuhan, China.

07 Jan Yangon and Mandalay International Airports implement health screening procedures.

20 Jan National Health Laboratory begins testing for COVID-19.

28 Jan MoHS declares COVID-19 as an "epidemic or notifiable disease" under the Control and Prevention of Communicable Diseases Law.

30 Jan National-Level Central Committee for COVID-19 Prevention, Control and Response formed.

06 Mar Government releases clinical management guidelines for COVID-19.

11 Mar WHO declared COVID-19 as a global pandemic.

13 Mar Formation of COVID-19 Control and Emergency Response Committee announced, along with a working committee to address the impact on the economy. Thingyan cancelled.

15 Mar Closure of all preschools and nurseries from March 16 until April 30. All cinemas to shut down until April 30.

18 Mar First economic stimulus package announced.

21 Mar Issuance of e-visas and visa on arrival suspended.

23 Mar Two positive casese reported. Arakan Army is declared a terrorist organization.

24 Mar Mandatory quarantine announced for all arriving travellers except diplomats and UN officials.

25 Mar Courts suspend hearings nationwide.

27 Mar Nationwide order for restaurants to only offer takeaway services.

29 Mar All incoming international commercial flights banned from landing in Myanmar.

30 Mar COVID-19 Control and Emergency Response Committee formed.

04 Jan MoHS notified of unexplained pneumonia cases in Wuhan, China.

31 Mar All foreigners banned from entry into Myanmar. First COVID-19 death reported in Myanmar.

End of March
15 Infected
1 Recovered
1 Death

02 Apr Mandatory quarantine announced for all returning migrant workers.

08 Apr National call centre created for COVID-19.

10 Apr MoHS starts contact-tracing of positive cases.

11 Apr Mandatory quarantine for international arrivals extended from 14 to 21 days.

14 Apr Land crossings at Myanmar-Bangladesh border closed.

18 Apr Curfew announced in Yangon from 10pm-4am in through May 15.

19 Apr All factories ordered to close until April 30 (required to pass government inspection before re-opening).

20 Apr WHO driver killed in Rakhine State while driving test specimens to Yangon.

24 Apr Ban on visas and international commercial flights extended until May 15. National Volunteer Steering Unit formed.

28 Apr COVID-19 Economic Relief Plan released. Committee to coordinate with ethnic armed organizations (EAOs) formed.

End of April
150 Infected
33 Recovered
6 Deaths

05 May Ministry of Agriculture announces cash assistance and loans for farmers.

09 May Military announces unilateral ceasefire until August 31, excluding "areas where terrorist groups operate".

04 Jan MoHS notified of unexplained pneumonia cases in Wuhan, China.

14 May Curfews in Yangon shortened from 10pm-4am to 12am-4 am.

15 May International flight ban extended through May 31.

18 May New Prevention and Control of Communicable Diseases Law submitted to Parliament.

19 May Restaurants and teashops in Yangon allowed to re-open in Yangon with some exception.

25 May A second waiver of fees for the first 150 units of electricity announced.

End of May
224 Infected
144 Recovered
6 Deaths

01 Jul Union Election Commission announces 2020 election to be held on November 8.

End of July
353 Infected
302 Recovered
6 Deaths

01 Aug 2G mobile internet service resumes in townships in Rakhine and Chin States.

16 Aug First local transmission in a month reported in Rakhine State.

19 Aug Fourth 21st-Century Panglong Conference held.

20 Sept Stay-at-home order re-imposed in Yangon.

End of August
882 Infected
360 Recovered
6 Deaths

26 Aug Lockdown measures extended to all of Rakhine State.

20 Aug Lockdown measures imposed in Sittwe after new spike of locally-transmitted cases.

End of September
13,373 Infected
4,065 Recovered
310 Deaths

See Annex 2 for detailed timeline

3 MYANMAR'S SHRINKING CIVIC SPACE AND RIGHTS UNDER THREAT

3.1   FREEDOM OF EXPRESSION

After an initial opening in 2011 and subsequent reforms, restrictions on civic space and fundamental rights have increased[4]. The Myanmar authorities use a combination of colonial and more recent laws to tightly control criticism and dissent, especially on sensitive topics such as ethnic conflict; and discrimination against religious minorities (UNHRC, 2018; PEN Myanmar, 2017). A suite of laws containing overbroad defamation clauses are most commonly employed by authorities to target individuals, media publications and organisations who criticize the government or military. These include the Telecommunications Law (2013), the Official Secrets Act (1923), the Privacy and Data Protection Law (2017) and the Penal Code (1861). The civilian government and the Hluttaw elected in 2015 has made no efforts to change this legal framework.

Furthermore, restrictions amounting to censorship remain in place. For example, in March 2020, the Ministry of Transport and Communications ordered telecommunications companies in Myanmar to block 2,147 websites, including 67 websites the government accused of contributing to the spread of "fake news" (Telenor, 2020). The "fake news" sites included many ethnic media organisations who report on conflict from the ground (Article 19, 2020c). The order to block these sites was accompanied by the harassment and arrest of journalists and editors working on ethnic conflict, including the arrest of Voice of Myanmar website editor Nay Myo Lin on terrorism charges (Reporters Without Borders, 2020).

In May 2020, Athan, a freedom of expression activist organisation, released a report on freedom of expression under the National League for Democracy (NLD)-led government. Their research found at least 539 civil and criminal cases that were repressive to freedom of expression, affecting at least 1,051 individuals (Athan Myanmar, 2020). In addition, to limit the freedom of expression, criminal charges are often brought against peaceful protesters[5], labour organisers, journalists, and artists for violations of repressive laws meant to silence criticism and dissent.[6]

In addition to government action that restricts freedom of speech (UNHRC, 2018; PEN Myanmar, 2017), highly-mobilised ultra-nationalists contribute to this repression through harassment and violence against activists and human rights defenders on social media and in person, with frequent interference from the state (UNHRC, 2018).

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[4]   See for example Athan Myanmar's Analysis on *Freedom of Expression Situation in Four Years under the Current Regime* (Athan Myanmar, 2020); paras 71-72 of the report of the UN Independent International Fact-Finding Mission on Myanmar, "Report of the Independent International Fact-Finding Mission on Myanmar" (UNHRC, 2018); and the CIVICUS Monitor with records the following national civic Space ratings: 43 rated as Open, 42 rating as Narrowed, 49 rated as Obstructed, 38 rated as Repressed & 24 rated as Closed (CIVICUS, 2020).

[5]   See, e.g., Progressive Voice's Time to Hear Our Voices (Progressive Voice, 2018); and Amnesty International's "'I Will Not Surrender' (Amnesty International, 2020b).

[6]   See, e.g., Paras. 15-19 of the Special Rapporteur's report on the Situation of Human Rights in Myanmar, "Report of the Special Rapporteur on the situation of human rights in Myanmar", UN Human Rights Council, UN Doc. No. A/HRC/43/5; and CIVICUS, "Severe Restrictions to Fundamental Freedoms Persist in Myanmar", Statement to the 41st Session of the Human Rights Council Interactive Dialogue on the Report of the UN Special Rapporteur on the Situation of Human Rights in Myanmar (CIVICUS, 2019).

3.2 FREEDOM OF MOVEMENT AND RIGHTS TO LIVELIHOODS, SAFETY AND SECURITY

Shrinking civic space also affects civil society response to conflict and accompanying human rights violations. Humanitarian, peacebuilding and developmental access to conflict-affected parts of Rakhine and Kachin States is severely limited, preventing aid from reaching vulnerable populations and making information about the situation in those conflict areas difficult to obtain and disseminate (UNOCHA, 2019; INGOs in Myanmar, 2019). In addition to the above-mentioned legal repression, those who work in conflict areas are subject to arrests and charges of association with unlawful organisations[7] and/or terrorism[8].

3.3 FREEDOM OF ASSOCIATION

For all national and international NGOs in Myanmar, bureaucracy can hamper their ability to operate freely. Whilst the Association(s) Registration Law (2014) makes formal registration voluntary for national civil society organizations (CSOs), in reality unless organisations are registered they may be denied access to certain areas and refused meetings with government officials or members of parliament (MPs). There are fears that such bureaucratic restrictions are tightening under the pretences of guarding against money laundering or combating terrorism.

In ethnic areas, the Unlawful Associations Act (1908) threatens civilians who receive prevention and treatment services from Ethnic Armed organisations (EAOs). Article 17/1 of this law prohibits contact with an organisation declared "unlawful" (Assistance Association for Political Prisoners, 2020b). While it has yet to be used during COVID-19, civilians in southern Shan State have been threatened not to receive support from medics from the Restoration Council of Shan State/Shan State Army (RCSS/SSA) (Seng Phoo, 2020). Any legal action based on these threats would presumably be based on the Unlawful Associations Act, which has in the past been used against civilians interacting with EAOs. Many non-

ceasefire EAOs including the Ta'ang National Liberation Army (TNLA) and Kachin Independence Army (KIA) are involved in providing COVID-19 prevention and treatment, often through their medical departments and/or in cooperation with community medical organisations. Invocation of this law against civilians benefiting from these efforts would be damaging not only to public health but to the peace process (see below on peace process).

3.4 FREEDOM OF ASSEMBLY

The Peaceful Assembly and Peaceful Procession Law (2011, amended in 2014 & 2016) means that protesters must notify locals authorities of their intentions, including their sources of funding and planned messaging. Protests are routinely prevented or stopped if they are perceived as critical to the current regime. Local authorities routinely use the law's vague provisions to stop protests for ambiguous reasons. In conjunction with rules on size of gathering brought in to prevent the spread of COVID-19, freedom of assembly is facing a significantly increased threat. Whilst the events of non-majority ethnic groups are halted and protesters arrested, such as in the case of the mid-August Karen Martyrs Day event in Yangon (Karen News, 2020a), large gatherings linked to government officials do not seem to attract any punishments (Min Wathan, 2020c).

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7   See, e.g., Aung Theinkha and Thinn Thiri Kachin Police Arrest NGO Worker for Alleged Ties to Ethnic Militia (Radio Free Asia, 2018); and Ashley South Protecting Civilians in the Kachin Borderlands, Myanmar: Key Threats and Local Responses (South, 2018).

8   See, e.g., Khin Myat Myat Wai NGO Worker Shot at Checkpoint Faces Counter-Terrorism Charge (Khin Myat Myat Wai, 2019); and Myanmar Charges Journalist Under Terrorism Law, Blocks News Websites (Reuters, 2020a)

4 THE LEGAL FRAMEWORK FOR THE COVID-19 RESPONSE

Since the announcement of the first domestic case of COVID-19 on 23rd March, the Government of the Republic of the Union of Myanmar (GoUM) has not introduced new legislation granting formal emergency powers to the state in response to the epidemic. This is likely because a State of Emergency, as defined under the 2008 Constitution (Article 201 and Chapter XI – Provisions on State of Emergency), would require handover of full executive, legislative and judicial power to a military controlled National Defence and Security Council (NDSC). Instead, the public health response to COVID-19 has been carried out under existing legislation.

A combination of the Prevention and Control of Communicable Disease Law (1995, amended in 2011; PCCDL), the Natural Disaster Management Law 2013 and existing repressive laws like the Telecommunications Act 2013, Unlawful Association Act 1908 and sections of the Penal Code 1861 have formed the legal framework for enabling the COVID-19 response, including punishing those who violate government orders or those who question or criticise the response (Eleven News Media, 2020b). Policies enacted under these laws include restrictions on gatherings of 5 or more people, "Stay at Home" orders for specific townships and quarantine requirements for anyone returning from abroad (Batchelor & Nay Yan Oo, 2020; Arnold, 2020; Eaint Thet Su, 2020; Bloomberg, 2020). According to a Ministry of Health and Sports (MoHS) 'Health Sector Contingency Plan', State/Regional Governments should develop response plans, coordinate with relevant stakeholders and carry out other response tasks (Ministry of Health and Sports, 2020).

4.1 PREVENTION AND CONTROL OF COMMUNICABLE DISEASES LAW (PCCDL)

On 28th February, 2020, MoHS declared COVID-19 an "epidemic or notifiable disease" under the PCCDL, invoking the powers in the law to take public health measures (Eleven News Media, 2020b). When an infectious disease is "notified" by the MoHS, the PCCDL grants the Ministry broad powers of quarantine, inspection, disinfection, investigation and other measures, 'in conformity with International Health Regulations (IHR) issued by the World Health Organisation'[9]. The MoHS can also delegate authority to issue a quarantine order to 'an organisation or officer'[10].

The MoHS warned the public that family members and employers can face fines and/or imprisonment for not reporting cases (Eleven News Media, 2020b). Penalties for not complying with measures taken by the MoHS to control an outbreak include a fine of up to 5,000 kyats (approx. US$ 3.3), increasing to imprisonment of up to one month and/or a fine of up to 30,000 kyats (approx. US$ 20) for a head of household or health worker who fails to report someone with the disease, and imprisonment of up to 6 months and/or a fine of up to 50,000 kyats (approx. US$ 33.33) for violating quarantines or other related restrictive orders.[11] This type of criminalisation may cause people to avoid getting tested and can increase public stigma, as was observed in the application of similar laws related to HIV/AIDS around the world (Helfand, 2020). It may also encourage speculation, for example on social media, about the whereabouts of suspected patients, and may fuel a pre-existing junta-era tendency towards neighbourhood surveillance the spread of rumours – representing a threat to the right to privacy and data protection.

Amendments introduced in a draft bill, which would replace the 1995 PCCDL, would further restrict speech related to communicable diseases. A provision in the proposed bill allows the MoHS to delegate powers to prohibit expression that could cause 'public panic'[12]. In addition, the amendments include provisions for

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9   Prevention and Control of Communicable Disease Law, Arts. 11-14.

10   Prevention and Control of Communicable Disease Law Art. 14.

11   Prevention and Control of Communicable Disease Law Art. 17.

12   See Article 20 of the Prevention and Control of Communicable Diseases Bill (2020) (Pyidaungsu Hluttaw, 2020); and ARTICLE 19 COVID-19 Response (Article 19, 2020d).

cooperation between the MoHS and international organisations during global health emergencies, creates a central committee to respond to communicable disease outbreaks, and increases fines for violations of the law to a maximum of six months' imprisonment. People who intentionally spread a communicable disease face between one and three years in prison under the proposed amendments. The Bill was passed by the Lower House on 28th May and sent to the Upper House (San Yamin Aung, 2020b). It remains to be seen whether the government will pursue the enactment of this legislation in the final parliamentary session of the current term, which takes place after the November elections. Given most of the response to COVID-19 has been corralled under existing legislation, passage of this new law may not be deemed a priority.

4.2 NATURAL DISASTER MANAGEMENT LAW (NDML)

In addition to the specific PCCDL, the Natural Disaster Management Law 2013 (NDML) is also used in legal proceedings enforcing bans on gatherings and to control information posted on social media. Given that the law includes 'outbreak of contagious disease' in its definition of natural disaster, it applies to the COVID-19 situation, though its relationship with the PCCDL is unclear.[13]

In practice, this law gives additional, restrictive authority, particularly in relation to social media, and the State Counsellor has even referred to using this law, and its steeper penalties, to discourage violations (Zaw Zaw Htwe, 2020h). Article 27 prescribes penalties for 'misinforming about the natural disaster for the purpose of dread'. This article has already been used against individuals for posting information about the spread of COVID-19 and for criticizing the government's response (Amnesty International, 2020c; Article 19, 2020a). While combatting false information is important during a pandemic, in such an evolving situation it is likely that some contemporaneous posts on social media may turn out to be false, even if they were not intended to misinform. Indeed, the government's own spokesperson earlier claimed that '"lifestyle and diet" protected Myanmar citizens from the infection' and that

'limited credit card usage in the country stopped the virus from spreading' – presumably claims that he would now admit are discredited (Nachemson, 2020). Criminal liability for private individuals posting false information on social media could have a counterproductive effect if it prevents civilians from posting useful information about the situation in their communities.

The NDML has also been used for other breaches of COVID-19 regulations. A township court in Sagaing Region sentenced a man to six months in prison under the NDM Law for leaving quarantine early, while charges were brought under this law against people leading Christian and Muslim religious gatherings in Yangon and Mandalay, and two couples who held wedding ceremonies in Sagaing Region (Zarni Mann, 2020a). As with many laws in Myanmar, penalties are applied inconsistently depending on the status or position of the person accused. For example, Chief Minister of Yangon Region Phyo Min Thein faced accusations of violating government rules on the size of gatherings but faced no legal consequences (Myat Thura, 2020b).

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13   See The Ananda Bill Analysis: Prevention and Control of Communicable Diseases Law: 'the existing [PCCD] law says it overrides the Myanmar Public Health Law (1972); however, it is unknown about whether it also overrides other laws like the Natural Disaster Management Law (2013)' (The Ananda, 2020); and Zarni Mann: Different Laws Applied to Myanmar COVID-19 Restrictions Lead to Inconsistent Punishments for Violators (Zarni Mann, 2020a).

A volunteer checks the temperature of a visitor at the entrance to Sittwe General Hospital in Rakhine State on August 24

Photo Source: Hkun Lat, Frontier

5 GOVERNMENT RESPONSE MEASURES

In January, the MoHS formed a team and launched a website to provide information to the public about suspected cases and testing results (Nan Lwin, 2020a), though with limited testing many still questioned the numbers[14]. Government officials, including Zaw Htay, acknowledged doubts about the lack of cases but threatened to take action against 'fake news' about the virus's spread (Robertson, 2020).

In February, the initial response strategy focused on incoming travellers, particularly those coming through the international airports. Testing was limited to "suspected cases", in practice travellers returning from overseas with symptoms, and those who had contact with confirmed cases. Each test had to be approved by a central committee in Naypyidaw, and only 300 people had been tested by the time the first case was identified (Reuters, 2020b). As late as mid-February, no domestic labs in Myanmar could perform the test. Myanmar did

not start testing in domestic labs until 21st February (Aung Phay Kyi Soe, 2020c). While initially testing could only be done at one lab in Yangon, by late May, the government was reportedly working to develop ability to test in Mandalay, Mawlamyaing, Taunggyi and Lashio (UNOCHA, 2020a).

On 21st March, Myanmar suspended issuance of all types of visas, and required mandatory 14-day quarantine for all travellers from areas deemed at-risk.[15] On 24th March, Myanmar began requiring a health certificate and 14-day quarantine for all international arrivals, and on 29th March banned the entry of all international flights. However, as late as 26th March, border crossings with China were still open despite pleas from Kachin civil society and political parties to close the border (Kachin News Group, 2020b).

Echoing the United Nations Secretary-General's call for a global ceasefire to combat the pandemic, between

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14   See, e.g. Laignee Barron Experts Fear Coronavirus Going Undetected in Southeast Asia, TIME Magazine (Barron, 2020); and Bertil Lintner Myanmar in Denial with Zero COVID-19 Cases Asia Times (Lintner, 2020).

15   Despite calls to close land borders, including demonstrations in Kachin State calling on the government to close the border with China, land border crossings by foreigners were only banned on March 19. Myanmar nationals were still able to cross. See more at Kachin News Group: Myitkyina Protesters Call on Government to Close Border Gates Amid Coronavirus Scare (Kachin News Group, 2020e).

Firefighters disinfect a street in Sanchaung township, Yangon to prevent the spread of Covid-19
Photo: Mar Naw, Myanmar Times

late March and early April many EAOs, civil society and diplomats called for a ceasefire across Myanmar to enable collaboration in preventing and responding to the virus (Karen National Union, 2020; Gomes, 2020; Sai Wunna, 2020a; Diamond & Hoelzl, 2020). However, the military insisted that a ceasefire was inappropriate because the EAOs would not respect it (Sai Wunna, 2020c). Instead, conflict intensified, particularly in Rakhine State (see Impact on Conflict and the Peace Process below). While the Myanmar military finally declared a ceasefire from 9th May to 31st August (first extension until 30th September on 24th August, most recent extension until 31st October), it does not include conflict with "terrorist organisations" including the Arakan Army (Nyein Nyein, 2020d; Sai Wunna, 2020b).

5.1 SUB-NATIONAL RESPONSE FOR COVID-19 PREVENTION

The national-level government response increased after the WHO declared COVID-19 a global pandemic on 11th March. This response included cancelling Myanmar New Year (Thingyan) festivities, scheduled for mid-April, a ban on gatherings of more than 5 people, mandatory quarantine for travellers and closure of schools,

colleges, and universities. The Ministry of Social Welfare announced the closure of all preschools and nurseries effective from 16th April (Aung Phay Kyi Soe, 2020d).

Once the first case in Myanmar was reported on 23rd March, many states and regions, and even townships and villages, put measures in place to avert infection transmission. Yangon region closed kindergartens, cinemas and nightclubs, while Mandalay urged restaurants and tea shops to only offer take-away (Kang Wan Chern & Yee Ywal Myint, 2020). Neighbourhoods self-quarantined by setting up barriers and checkpoints (Kyaw Ye Lynn, Ye Mon, & Naw Betty Han, 2020). Health workers and family members of confirmed cases were pressured by neighbours to move out of their homes and at times kicked out of housing by landlords (Zarni Mann, 2020d). Many rural areas, particularly those anticipating a high number of returning migrants, set up community quarantines for returnees, often very basic bamboo shelters (Kyaw Ye Lynn, Ye Mon, & Naw Betty Han, 2020).

Initially, the lack of a coherent national-level 'shut-down' policy led to confusion and gaps in enforcement. For instance, residents of Insein township in Yangon expressed concerns about a relative lack of 'shut-down'

A food delivery worker traveling on an empty road in Yangon, Myanmar
Photo: Irrawaddy

measures despite Insein having one of the highest numbers of cases (Duwun News, 2020).[16] Conversely, strict measures in Magwe region, which has only seen one confirmed case, have caused considerable economic damage in an already-impoverished state (Ei Lay, 2020). Reports from Yangon and Mandalay suggests that the various local authorities – including ward and township administration, the GAD and the city development committees – were unsure who was responsible for enforcing restrictions closing businesses. Thus, it was reported that many restaurants and bars continued to operate and serve eat-in diners (Eaint Thet Su, 2020), further exacerbating the risk of COVID-19 spread.

5.2   NATIONAL COMMITTEES FORMED TO COORDINATE RESPONSE

Two high-level committees were formed to deal with the crisis. The Central Committee on Prevention, Control and Treatment, established in January and elevated to national level on 13th March, is made up of 22 members including Union Ministers and other high-level representatives, chaired by Aung San Suu Kyi (Office of the President, 2020b). This committee has been the primary authority cited in terms of implementing and removing restrictions such as closing restaurants and requiring facemasks in certain cities.

On 27th April, a coordination committee was established with the purpose to work with EAOs in EAOs controlled areas to prevent, restrain and treat those with COVID-19 (Nyein Nyein, 2020f; Kachin News Group, 2020c). EAOs' proximity along the border with Thailand and China has positioned them as key actors in screening and building awareness about COVID-19, providing healthcare to migrant returnees and related coordination and collaboration. Termed as a 'task force', the committee consists of four members, all male, reflecting the lack of women representation. The committed is led by the vice-chairman of the National Reconciliation and Peace Center (NRPC) (Nyein Nyein, 2020f).

On 30th March, the inter-ministerial COVID-19 Control and Emergency Response Committee was formed. This committee is considered the country's first-ever joint civil-military 'Emergency Response Committee' led by

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16   At the time of publication of this previous article, Insein had 44 confirmed cases, the highest number of any township in the country. See Aung Phay Kyi Soe Myanmar Reports One New COVID-19 Positive Case, Another Recovering (Aung Phay Kyi Soe, Myanmar Reports One New COVID-19 Positive Case, Another Recovering, 2020e)

military-nominated Vice President (Kyaw San Wai, 2020). The committee has powers to investigate and quarantine returnees, enforce community quarantines and social distancing initiatives as necessary, and 'to take action in accordance with the existing law against the people who spread misinformation' (Office of the President, 2020a). With 10 members, this committee has mostly military or former military members, including the Ministers of Defence; Border Affairs; Religious Affairs and Culture; Transport and Communication; and Labour, Immigration and Population – as well as the Chief Coordinator of the Office of the Commander-in-Chief of the Defence Services. While this committee might be seen as evidence of mutual cooperation between civilian and military arms of government during an emergency, its establishment is more likely a strategic decision by the government to avoid declaring a State of Emergency and triggering the formation of the military-controlled National Defence and Security Council (Hall, 2020; Nan Lwin, 2020b).

5.3 COVID-19 ECONOMIC RELIEF PLAN

Lockdown measures have caused significant economic hardship. To address the economic impact of the COVID-19 crisis, on 4th April 2020, the Myanmar Government released its economic response plan: 'Overcoming as One: COVID-19 Economic Relief Plan' (CERP) (Government of the Republic of the Union of Myanmar, 2020b). Myanmar is to receive 2 billion USD in aid for the implementation of CERP (Thiha Ko Ko, 2020). The plan has been praised for its consideration

of key economic issues and for being closely related to existing economic priorities (Myo Pa Pa San & Aung Thiha, 2020) and criticised for lacking detail and realistic planning for implementation; for the risk of excluding those who need help most; lack of details in allocating fund across states and region and; lack of clear accountability measures for allocation of private sector loans (Mi Chan, 2020; Nai Banya Mon, 2020).

In mid-April, the government conducted food distribution during the Thingyan holiday. However, this effort was criticised for lacking clear criteria or an implementation strategy, often relying on local General Administration Department (GAD) officials to identify beneficiaries with no guidance. Government-led cash transfers finally started in late July, with millions of vulnerable families receiving 20,000 kyat (US$15) with expectations of a second payment of the same amount in August (Htin Lynn Aung, 2020). Households are reportedly identified using the list of households who had received the aid package during the Thingyan distribution, which was criticised in some places for being arbitrary or otherwise unfair (Htin Lynn Aung, 2020). Community-based volunteer groups have raised funds and distributed food to the most vulnerable, including Food Not Bombs in Yangon, but the supply is far from sufficient to meet the demand. Perhaps the most extreme documented example of the harsh impact of COVID-19 response measures on the most economically vulnerable, was the report of a 42-year-old waste collector in Magway region who reportedly died of starvation at a highway bus station after waste recycling businesses were forced to close (Ei Lay, 2020).

COVID-19 Economic Relief Plan

The plan consists of 7 goals, two of which relate to macroeconomic policy and easing the impact of COVID-19 on the private sector, including support for farmers and other small agricultural-related business and, 'cash or lending support to smallholder farmers'. Goal 3 seeks to ease the impact on labourers and workers, containing two sub-categories: extending unemployment benefits through the Social Security Board and 'implement labour-intensive community infrastructure projects' to provide employment for people laid off or returning migrants. Goal 4 focuses on easing the impact on households, and mostly contains short-term policies, half of which are listed as already completed. Similarly, Goal 5 relates to promoting mobile financial payments and e-commerce, of little benefit for vulnerable populations without internet, mobile phones and other necessary infrastructure. Goal 6 aims at establishing extensive health care systems strengthening strategies. Though these reforms intend to promote healthcare systems through increased government spending and regulation under the health sector contingency plan, the "immediate" nature of the most of these reforms pose a question on timely and successful reforms. Goal 7 aims to increase access to COVID-19 response financing through budget relocation to all government entities (max 10% for COVID-19 response fund), improving budget flexibility and responsiveness and increasing access to COVID-19 related development financing, all of which are already started (Government of the Republic of the Union of Myanmar, 2020b).

Shuttered stores at Yuzana Plaza, which is normally one of the busiest shopping centres in Yangon

Photo Source: Khun Lat, Frontier

5.4 EASING OF RESTRICTIONS

Most domestic restrictions were lifted in Myanmar by late July, and other measures like the ban on public gatherings were eased (San Yamin Aung, 2020c). Around 6,500 out of 7,153 high schools re-opened in July, though reopening of primary and middle schools was delayed from August until at least September. Universities, however, remain closed (Mizzima, 2020a; Thazin Hlaing, 2020). Despite the easing of restrictions, government has retained certain measures to curb the spread of infection. For instance, a 12am-4am curfew remains in effect (Zarni Mann, 2020b). On 12th August, the MoHS announced that fewer than 30 people can now meet for outdoor gathering following the guidelines.

The National Level Central Committee on Prevention, Control and Treatment of COVID-19 continues to provide detailed procedures to be followed by foreigners entering Myanmar, including the requirement to quarantine at home for one week and supply evidence of 'absence of COVID-19 infection' before boarding the aircraft, then to complete one week of facility quarantine in Myanmar and one week of home quarantine (Government of the Republic of the Union of Myanmar, 2020). International borders remain closed to all but Myanmar nationals and foreigners holding valid visas and special authorisation to enter the country. Any arriving Myanmar nationals or foreigners are also required to comply with a detailed quarantine process (Ministry of Foreign Affairs, 2020).

Commuters wearing face masks amid concerns over the spread of the COVID-19 coronavirus make their way on bikes in the Hlaing Tharyar township on the outskirts of Yangon on May 16, 2020

Photo Source: Sai Aung Main/AFP

6 IMPACT ON CIVIC SPACE

Civic space refers to the conditions or circumstances that allow groups or individuals to exercise their basic civic rights without any restrictions (Malena, 2015). This report uses civil society as an umbrella term which includes a broad range of actors that operates under the civic space. Civil society is the autonomous arena of voluntary actions centred around shared interests, purposes and values and is distinct from state, business and family (Merkel & Lauth, 1998; Paffenholz & Spurk, 2006). Civil society in Myanmar includes community-based organisations and volunteers, journalists, religious organisations, labour unions, NGOs, INGOs, welfare organisations, women's group and other voluntary associations. These organisations depend on human rights associated with 'civic space' – freedoms of assembly, association and expression, the latter including free access to information. The increasingly restricted civic space in Myanmar (see Legal Framework above) combined with the impact of the pandemic and the government's response measures, have restricted CSOs' ability to carry out monitoring, advocacy and service delivery during the COVID-19 response.

6.1 IMPACT ON CIVIL SOCIETY

Civil society activities have been mostly halted due to restrictions on gathering and movement, with most organisations following 'work from home' policies (Quadrini, 2020). These restrictions have limited civil society's ability to monitor and respond to urgent needs, especially in rural, non-Bamar and conflict affected areas, including hindering responses to domestic violence and provision of food and other aid to communities in need (Quadrini, 2020). For instance, the Human Rights Foundation of Monland (HRFM), a Mon civil society organisation, needed to negotiate permission to travel to different villages in order to conduct research monitoring the impact of COVID-19 in rural communities and among internally displaced persons (IDPs) in Mon State (Human Rights Foundation of Monland, 2020). Journalists have also faced challenges reporting on COVID-19 and the government's response, unable to travel to cover stories and unable to get responses from the appointed spokespeople (Hein Thar, 2020). CSOs interviewed for this research mentioned being unable to reach rural communities to give aid and needing government permission to distribute supplies at quarantine sites and IDP camps[17].

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17   ActionAid Roundtable Discussion with Five CSOs, August 2020.

Rakhine University Students hold placards during a protest against the internet shutdown in Sittwe, Rakhine State, Western Myanmar, 22 February 2020
Photo Source: Nyunt Win/EPA

Civil society across the country has raised concerns about the Myanmar authorities' COVID-19 response measures. On 28th March, a group of 251 civil society organisations released a joint statement expressing that unchecked power during a time of emergency has potential to erode democratic values, and cautioned that solutions pay no regard to values based on human rights, human dignity, democracy and justice will aggravate ongoing suffering, and make the future recovery efforts difficult (Mizzima, 2020d). Another group of civil society organisations in late May issued a statement calling on the Myanmar National Human Rights Commission (MNHRC) – a government-appointment committee already facing criticism and calls for reform (International Commission of Jurists, 2019) – to monitor and protect human rights during the COVID-19 response, a role that is particularly important given the barriers to CSOs filling their usual monitoring, documentation and advocacy roles (Progressive Voice Myanmar, 2020d). The MNHRC's actions during the pandemic appear limited to issuing a statement welcoming the GoUM's pardon of over 24,000 prisoners during the Thingyan holiday period.[18] A group of 204 CSOs issued a joint statement in late May calling for, among other measures, a pause on investments and land confiscation under the Vacant, Fallow and Virgin

Lands Law (2012, amended 2018) during the COVID-19 period (Myanmar Civil Society Organizations and Networks, 2020).

Humanitarian organisations still deliver aid to conflict-affected, displaced and other vulnerable populations, and other CSOs are conducting awareness-raising activities and providing support, especially in rural areas where government programs have yet to reach (Quadrini, 2020). Organisations such as Food Not Bombs in Yangon have increased their existing efforts or reoriented their activities to provide food or cash for homeless and other vulnerable populations in Yangon, such as street vendor and cycle rickshaw drivers, attempting to fill gaps left by government assistance.[19] In conflict-affected areas however, civil society still operates under the threat of arrest under counter-terrorism legislation (in Rakhine and southern Chin States) or the Unlawful Associations Act (for more on access to conflict-affected areas, (see Impact on Conflict and the Peace Process below). Many CSOs from Kachin and community leaders have commented that the Unlawful Associations Act prevents them from attending meetings and cooperating with government officials to address COVID-19, including coordinating to support quarantine migrant workers returning from

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18   It is customary to pardon and release prisoners during this holiday period, though the 2020 release was larger than usual in order to address overcrowding in the context of COVID-19. (Ministry of Information, 2020, p. 6).

19   Food Not Bombs – Myanmar (Facebook Page) (accessed May 22, 2020): https://www.facebook.com/fnbmyanmar/

China (Nan Lwin Hnin Pyint, 2020b). In addition, travel restrictions in Rakhine, Chin, Kachin and northern Shan states prevent civil society from accessing and providing aid to conflict-affected communities. The Joint Strategy Team (a group of 10 civil society organisations in Kachin and northern Shan States) in a statement called for immediate, unimpeded humanitarian access to all IDPs and conflict-affected communities in Kachin, Shan, Rakhine and Chin States, to allow civil society to effectively respond to COVID-19 and humanitarian needs (Joint Strategy Team, 2020b; New Mandala, 2020; Mizzima, 2020c; Amnesty International, 2020c; Akademie, 2020). The Joint Strategy Team stressed the importance of a localised humanitarian response and called for more support to community-based organisations already working on the ground.

6.2 FREEDOM OF SPEECH AND ACCESS TO INFORMATION

The COVID-19 crisis has exacerbated a trend of Myanmar Government limitations of people's right to exercise freedom of speech. For instance, Amnesty International have reported that Facebook users have been sued under the NDML for posts about community spread of coronavirus before the first case was confirmed (Amnesty International, 2020c). In June, another Facebook user was sued with for spreading misinformation and was sued under section 68(a) of the Telecommunication law (Nay Yaing, 2020). Similarly, in May a Facebook user was sued with Penal Code Article 124(a)[20] for posting that Aung San Suu Kyi and other government officials were not following their own social distancing guidelines. In Karenni State, the state government recently issued a ban on "speeches, writing, posters" and other forms of speech deemed defamatory for the government (Zue Zue, 2020). While COVID-19 was cited as the pretext for the ban, activists worry that it applies to all speech, significantly expanding restrictions in the NDML and Telecommunications Law (which only covers online speech) (Zue Zue, 2020).

Access to information is crucial in public health emergencies to promote knowledge about the disease, relevant prevention measures, and government rules and regulations. COVID-19 has been used as an excuse to restrict access to information, with orders issued to telecoms companies to block 221 websites, including many ethnic news organisations, due to "fake news stories about COVID-19" (Phyu Phyu Kyaw, Xynou, & Filasto, 2020). In late May, the chief editor of a newspaper based in Karen State was convicted of violating Article 505(b) of the Penal Code for publishing information that may cause public fear or alarm, and sentenced to two years' imprisonment. They were convicted for reporting a death due to COVID-19 in Karen State, which later turned out to be untrue (Toe Wai Aung, 2020). In Kachin state, the Deputy Director of the State's Department of Religious Affairs filed a case against three young artists under section 296(a) of the Penal Code for painting graffiti reported to defame Buddhism. The Legal Aid Network in a statement said that the graffiti was painted to raise public awareness of COVID-19[21]. The graffiti was later removed along with a (forced) apology by the artists.

The Telecommunications Law, one of the most frequently used laws to punish free speech in recent years, was invoked in the blocking of a number of websites for reasons including alleged fake news about COVID-19[22]. The Ministry of Communications and Transport in late March 2020 ordered mobile internet service providers to block more than 200 websites and online pages accused by the Ministry of promoting fake news. However, among the websites blocked are also ethnic media outlets which provide crucial reporting on conflict-affected areas, including Development Media Group, Narinjara and Karen News (Htun Htun, 2020). The Telecommunications Law was also the basis for the internet shut-down which affects eight townships in Rakhine and Chin States.[23] This shut-down, while significantly pre-dating COVID-19, severely impacted the ability of people living in those areas to receive accurate information about the outbreak and preventive measures. On 1st August, 2020, the Ministry of Foreign Affairs announced that the shutdown would

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20   Penal Code Article 124(a) criminalises communication which may bring "hatred or contempt" against Myanmar's government or otherwise "excites or attempts to excite disaffection" toward the government.

21   Legal Aid Network statement, 3rd May 2020.

22   While the government included fake news about COVID-19 as one of the general justifications for blocking the sites, no specific examples were given nor was it specified which sites were blocked for fake news and which for child pornography or any of the other justifications given (Htun Htun, 2020; Telenor, 2020).

23   Mobile internet was cut off in nine townships in July 2019 and restored to one (Maungdaw) in May 2020 (Ei Ei Toe Lwin, 2020).

Workers of the General Enterprises garment factory protest in Yangon.
Photo Source: Mar Naw, Frontier Myanmar

be maintained but that 2G services would be available in the affected townships (ACAPS, 2020a). According to NGO workers and journalists on-the-ground in those areas, prevention measures are almost non-existent and awareness of the virus is very low (Slotkin, 2020; Nan Lwin Hnin Pwint, 2020a). Even with the restoration of 2G services, people on the ground in those townships report that even basic messaging services are so slow that they are almost impossible to use, so information remains very difficult to obtain (Lei Lei, 2020b; Khin Myat Myat Wai, 2020).

On 21st June, students and activists across Myanmar called on the government to end its one-year internet shutdown in parts of Rakhine and Chin States (San Yamin Aung, 2020a). Using social media campaigns to highlight the anniversary of the internet blockage, civil society groups called for restoring internet connectivity so that civilians can access information about COVID-19 and ongoing conflict, as well as continue their education and maintain contact with relatives. A statement was issued by 110 organisations and 5 individual activists calling for an end to the shutdown, which impacts approximately 1.4 million people and is the longest internet shutdown in the world (Progressive Voice Myanmar, 2020b). Diplomatic missions also raised concerns about the continuing blackout and the blocking of ethnic news websites (San Yamin Aung, 2020a; Nan Lwin Hnin Pwint, 2020a).

In addition, internet and mobile phone access continues to be threatened across the country as the Directorate of Communications has issued a reminder that SIM cards not registered by 30th June were deactivated on 1st July (Yee Ywal Myint, 2020).

6.3 IMPACT ON LABOUR RIGHTS AND LABOUR UNIONS' FREEDOM OF ASSOCIATION

Many factories have been closed (Ko Shwe Thein, 2020; Hay Man Pyae & Zaw Ye Thwe, 2020) leading to widespread job losses, while workers have reported poor working conditions in factories that remain open (Radio Free Asia, 2020b; Hay Man Pyae & Zaw Ye Thwe, 2020; Clean Clothes Campaign, 2020; Glover, 2020). Myanmar's strategy for attracting investment is based on the competitiveness of low labour costs, so factory workers have long been bearing the brunt of this approach to economic policy, now aggravated by COVID-19 crisis (Ye Yint Khant Maung, 2020). Restrictions on assembly and expression have limited unions' ability to protect workers, and many owners have been accused of taking advantage of the pandemic to fire union leaders and members while retaining non-union staff (Minn Watham, 2020; Paton, 2020).

Despite the announcement by Central Committee on Prevention, Control and Treatment of the Coronavirus Disease that people with no regular income would receive support from the government, factory workers who lost their jobs did not receive food aid (Ye Yint Khant Maung, 2020). In April, the Ministry of Labour, Immigration and Population pledged to provide 40% of workers' salaries in factories awaiting health inspections, but this was limited to employees registered with the Social Security Board, which has very limited reach in Myanmar (Hall, 2020). Across Myanmar 1.5 million workers are registered and half of them are working in Yangon Region (Tint Zaw Tun, Min Wathan, & Myat Thura, 2020).

As factories re-opened in May after a shutdown over Thingyan, many workers were forced back without adequate protections, risking outbreaks in factories and among workers who often live in close quarters. Some factories reportedly ignored the government's shut-down order and continued to operate in April (Zaw Zaw Htwe, 2020c) and other factories did not arrange measures for health protection, such as workers being provided masks and hand sanitizer (Hall, 2020; Zaw Zaw Htwe, 2020b).

COVID-19 related restrictions on assembly have prevented workers and unions from responding to labour concerns including job losses that target union leaders/members and unsafe working conditions. Workers' unions are crucial to protecting workers' rights and safety, particularly in the context of a pandemic. Unions can negotiate with employers for better protections for workers, from ensuring their health is protected in the context of a pandemic to negotiating pay and other support for workers when factories are closed for public health reasons. However, some factories have taken the opportunity of the crisis to target union activities (Hall, 2020). Some factories have allegedly focused cut-backs on union members in order to prevent labour organising in their factories, firing all union members while retaining all non-members or closing down to avoid labour disputes (Minn Watham, 2020). Targeting unions is enabled by bans on public gatherings, criminalising strikes and other important union actions which in normal circumstances would be used by union members to protest unlawful restrictions on their organising, in addition to above-mentioned health, safety and remuneration protections.

Workers and union leaders in at least two factories have been charged under the Natural Disaster Management Law and the Prevention and Control of Communicable Diseases Law for illegal gatherings while protesting unsafe working conditions and claiming full wages while factories were closed due to COVID-19 (Zaw Zaw Htwe, 2020j). Meanwhile, public support appears to have swung against workers, with social media users critical of striking workers, saying it's "not the time" for such action (Ye Yint Khant Maung, 2020). However, some guesthouse owners where garment workers often live have reduced or cancelled rents during the pandemic to support workers (Zaw Zaw Htwe, 2020d).

Labour rights have suffered significantly in this crisis. Without exceptions or alternatives to strikes and other mass action, workers are unable to claim their rights, including the right to safe working conditions. Factories have targeted union members for firings, with no repercussions from the government. Lack of government action to promote negotiation between employers and unions during disputes, combined with the public opinion against workers, leaves them on their own without the leverage to force negotiations with factory owners and their related, often multinational companies. In one step to start filling the gap left by lack of legal protections and government-led support, the European Union has announced a support fund specifically for female garment factory workers affected by COVID-19 in Myanmar (Nyein Nyein, 2020a).

7 IMPACT ON CONFLICT AND THE PEACE PROCESS: A MISSED OPPORTUNITY FOR TRUST-BUILDING?

The Nationwide Ceasefire Agreement (NCA)'s Article 25 provides for tasks to be implemented during the 'interim' period that includes carrying out programs and projects in coordination with signatories to NCA.[24] This provision offers a broad framework for service provision as a tool to strengthen collaboration and cooperation among signatories, especially during emergencies. However, it is yet to yield meaningful outcomes in conflict affected areas.[25]

The COVID-19 crisis has been touted as an opportunity for trust-building between parties to the peace process, as cooperation is necessary across the country (Traill & Si Thura, 2020). However, the committee formed to coordinate with EAOs has been criticized for offering only awareness-raising materials and donations, and not practical cooperation (Progressive Voice Myanmar, 2020c; Kachin News Group, 2020c). The committee lacks a concrete roadmap, and it is unclear how much budget has been allocated for its work.

Many EAOs in Myanmar exercise some system of administration and governance in areas they control, including providing public health services (International Crisis Group, 2020). They may have their own health systems or rely on/cooperate with community-based organisations that provide healthcare to local communities. These various organisations are broadly referred to as 'ethnic health organisations' (EHOs). For most of the EHOs' existence, the Myanmar government has refused to recognize them as legitimate health care providers, and in the past has even arrested ethnic health workers and charged them under the Unlawful Associations Act.[26]

EHOs operate in EAO-controlled and mixed-administration areas. They can reach populations that the government health system cannot, both in terms of their geographical reach as well as because they may be more trusted by the communities they serve and speak a common language. Cooperation between the Myanmar government, military, EAOs and EHOs is crucial therefore, to ensure that the COVID-19 response does not leave out non-Bamar, conflict-affected populations (Kantarawaddy Times, 2020; Traill & Si Thura, 2020).

EAOs and EHOs have often created their own plans and preparedness systems for the COVID-19 response in the territories they control. For instance, the Kachin Independence Army (KIA) formed a COVID-19 Response Committee in mid-March with members from the KIO and civil society and implemented awareness-raising and distribution of Personal Protective Equipment (PPE). KIO health workers have received training from Chinese medical personnel, and the KIO has a laboratory at its headquarters in Laiza, supported by Chinese medical teams, that is capable of testing for COVID-19 (Kyaw Lin Htoon, 2020b). While their available resources vary, others including the Karen National Union (KNU), Restoration Council of Shan State (RCSS), United Wa State Army (UWSA), National Democratic Alliance Army (NDAA) and Ta'ang National Liberation Army (TNLA) have been conducting awareness-raising, health checks and implementing movement control measures in their areas (Kyaw Lin Htoon, 2020b).

In their statement on 26th March, the KNU said its Department of Health and Welfare (KDHW) had sent

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24   Projects under this provision range from health, education and socio-economic development of civilians, environmental conservation, efforts to preserve and promote ethnic culture, language, and literature, matters regarding peace and stability, and the maintenance of rule of law in the said areas, receiving aid from donor agencies both inside and outside the country for regional development and capacity-building projects and eradication of illicit drugs.

25   EAOs, however cautioned CSOs and GoUM not to interpret the interim arrangement as "convergence of the services and mechanism" with GoUM as it is directly related with unresolved longstanding conflicts and ethnic politics. (South, Schroeder, Jolliffe, Non, & Shine, 2018).

26   While the law has not been used against ethnic health workers in recent years, its history of use causes mistrust and fear among EHO workers, and it remains a tool for the military or government officials. (Davis & Joliffe, 2016, pp. 35-36)

instructions for preventative measures based on WHO guidelines to all townships under its control, as well as its armed units. The KNU had a few COVID-19 test kits before the first confirmed case was reported in Myanmar on 23rd March but they were all allocated for testing returnees from Thailand. According to the head of the KDHW, they would refer suspected cases to government hospitals. The KNU's preventative measures include establishing 49 screening points in the seven districts under its control. Each of these health checkpoints has been supplied with WHO-recommended health packages that included temperature testers, gloves, face masks, high-quality hand gel and more. Similarly, RCSS, has across Shan State established COVID-19 response committees at the village tract level with the assistance of civil society groups and government health department officials. The RCSS confirmed that it receives no foreign aid and relies on organisational funds and domestic donors. TNLA, a non-signatory to NCA has decided to hand over any patient with COVID-19 symptoms to the Union government health department citing a lack of resources to treat coronavirus patients itself. UWSA reportedly shut all border checkpoints (temporarily) with China on 26th March and is focusing on health education and prevention to combat COVID-19. NDAA, which also shares a border with China in eastern Shan State, has said it began taking preventative measures in its territory around Mong La in January, shortly after China reported the viral outbreak (Kyaw Lin Htoon, 2020b).

Observers and EAO leaders have found the Union Government's Committee to Coordinate with EAOs to Prevent and Respond to COVID-19 little more than window-dressing. Documented activities as of late May have been limited to sending letters and awareness-raising materials to EAOs and 'inviting them to cooperate' in fighting COVID-19 (Kachin News Group, 2020c). While little concrete action has come about following this invitation, the inclusion of the Arakan Army (AA) could be seen as a positive step towards their inclusion in other aspects of the peace process. On 11th and 12th May, the Committee met with the KNU and New Mon State Party (NMSP) to discuss cooperation, and the NMSP requested food and other aid for the 60,000

people living in its administrative areas (Myanmar News Agency, 2020).

Progress with on-the-ground cooperation up to August had been mixed. While there have been some examples of cooperation, often at state-level, there have also been ongoing tensions sometimes escalating to outright conflict.[27] For instance, in late April, EHOs have also reported Tatmadaw disruption of their work, including but not limited to the destruction of KNU (and possibly NMSP) health screening points and pressure on villagers in Shan State not to accept supplies from Shan armed groups (KPSN, 2020)[28]. In Karen State, the Tatmadaw's reported destruction of a screening point led to clashes between the KNU and Tatmadaw, causing further damage to the peace process (Karen News, 2020b). A similar incident occurred in June in Kachin State when the Tatmadaw allegedly destroyed a health checkpoint jointly operated by KIO medics and civilian health workers near the Myanmar-China border in Loije (Kachin News Group, 2020a). Despite the recognition of the role of EHOs in the MoHS's Health Sector Contingency plan, there has been little actual cooperation with EHOs (International Crisis Group, 2020). The Ethnic Health Committee, a group of EHOs, released a joint statement on 6th May welcoming the government's committee for coordination with EAOs, and called for increased support and cooperation to EHOs in the fight against COVID-19 (Progressive Voice Myanmar, 2020c).

An emerging area of cooperation between the Tatmadaw and EAOs is in closing informal border crossings and funnelling all returning migrants (and trade) through official crossings. The Thai-Myanmar border has traditionally been quite porous, and groups ranging from the Tatmadaw-aligned Border Guard Forces to EAOs control a number of crossings used by migrants, factory workers and for importing goods, while avoiding import restrictions and/or taxation (Naw Betty Han, Lawi Weng, & Dunant, 2020). Most – if not all – of these informal crossings have been shut down under COVID-19, with armed groups involved concerned that an outbreak linked to their territory could be damaging for their reputation and legitimacy (Naw Betty Han, Lawi Weng, &

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27 Reporting from the Mon News Agency, relying on villagers' reports, suggested that the military pressured the NMSP to remove a health checkpoint meant for returning migrant workers near the Three Pagodas Pass: Tatmadaw Pressures NMSP to Withdraw C-19 Medical Checkpoint Near TPP Border (Mon News Agency, 2020b). Later statements by the NMSP denied reports of military pressure, saying an NMSP checkpoint and a military checkpoint were both removed from a contentious area after mutual agreement. HURFOM: NMSP Says They Have Not Experienced Interference from Government and Military for Its COVID-19 Activities (Mon News Agency, 2020a)

28 Interview with member of an EHO, Mae Sot, Thailand (16 June 2020).

People check the voter list in Yangon
Photo Source: Mar Naw, The Myanmar Times

Dunant, 2020). Instead, Border Guard Forces and some EAOs including the KNU and NMSP are instructing almost all returnees to go through official channels (with occasional humanitarian exceptions), and Aung San Suu Kyi has instructed officials to accept all returnees, regardless of whether they left the country through official or informal channels (Naw Betty Han, Lawi Weng, & Dunant, 2020). Unsurprisingly, however, it does not appear that this instruction equally applies to the border with Bangladesh and Rohingya refugees looking to return home. The National-Level Central Committee for Prevention, Control and Treatment of COVID-19 announced on 10th June that legal action would be taken against anyone entering Myanmar through unauthorised entry points (National-Level Central Committee for Prevention, Control and Treatment of Coronavirus Disease, 2020). It remains to be seen whether this will result in reduced informal crossings after the borders reopen, and what impact that will have on communities who rely on frequent cross-border movement and on the power and control armed groups exercise in their territories of influence. However, this cooperation could also be a trust-building measure as it requires some coordination and agreement on a common process.

The fourth 21st Century Panglong Conference held on 19th-21st August ended with an agreement among participants to clarify misunderstanding clouding the implementation of the NCA. During the Union Peace Conference (UPC), an agreement was also made on principles to transform the current governance structure in union federal states (Nyein Nyein, 2020e). To comply with COVID-19 regulations, the number of participants in each delegation were reduced. However, hopes for an all-inclusive conference hit snags in late June as the Northern Alliance rejected a government proposal to hold talks via video call. On 21st July, the Alliance issued a statement indicating their willingness to participate, though during a press conference Presidential Spokesperson U Zaw Htay mentioned that COVID-19 would make it "difficult to include the Northern Alliance members" (Development Media Group, 2020a). In the end, the Northern Alliance, which includes the Arakan Army, the Kachin Independence Army, the Myanmar National Democratic Alliance Army and the Ta'ang National Liberation Army and other non-signatories (who were invited as observers) did not participate (Nyein Nyein, 2020e). The other non-signatories cited COVID-19 restrictions as their reason not to attend, though observers suggest that they boycotted talks because of non-inclusion of the Northern Alliance EAOs and because they were not allowed to participate as an alliance (Sai Wunna, 2020a).

8 IMPACT ON THE ELECTION AND POLITICAL RIGHTS

As of the end of August, the Union Election Commission (UEC) had announced that the 2020 election is moving forward as scheduled on 8th November, but uncertainties about campaigning guidelines in the context of COVID-19 has made many smaller parties, especially ethnically-based parties, concerned that larger parties will have an advantage in a campaign run mostly online and on traditional media (Ross, 2020; Kyaw Lin Htoon, 2020a; Min Wathan, 2020b). While the UEC has conducted mock voting exercises to ensure social distancing during the election itself, as of mid-August it was still preparing guidelines for campaigning and polling stations in the context of COVID-19 restrictions to movement and gatherings (San Yamin Aung, 2020c; Ross, 2020).

Some parties have experienced delays and other difficulties in preparations such as party meetings, trainings for candidates and policy development due to movement and gathering restrictions (Min Wathan, 2020a; Ross, 2020). Meanwhile, some have accused the NLD and the Union Solidarity and Development Party (USDP) of using the COVID-19 crisis to campaign, by putting their party logo on relief supplies (Abramian, 2020; Progressive Voice Myanmar, 2020a)[29]. Even without party logos, some in civil society have expressed concerns that the high visibility of NLD government officials in distributing relief will unfairly impact citizens' voting decisions[30]. Meanwhile, voter education has been reduced compared to previous elections due to restrictions on gathering and movement (Kyaw Lin Htoon, 2020a)[31].

The first step in the electoral preparation process was for the UEC to post the voter list and allow people to check their names and polling stations. For the 2015 election, voter lists were posted at the respective polling stations. COVID-19 crisis concerns necessitate avoiding the crowds that formed at polling stations in 2015, so the UEC announced in June it would post the voting roll online (Aung Loon, 2020). Instead, voter lists were posted at administrative offices across the country, and as of early August over 6.6 million people had checked the lists (Radio Free Asia, 2020c). Some CSOs report that many voters have not checked the list due to concerns about gatherings and COVID-19[32]. In Mon State alone, over 13,000 people applied to have their names added to the voter list between 15th July and 7th August, after they found they were missing from the list (Network Media Group, 2020b). Widespread reporting of errors led the UEC to extend the deadline for filing complaints (Radio Free Asia, 2020c). One challenge for the UEC in preparing the list is the tens of thousands of migrant workers who have recently returned, and who may or may not still be in the country during the election (Kyi Kyi Seinn, 2020).

If COVID-19 restrictions on gathering remain in place during the campaign period, parties will have to conduct campaigns mainly via social media and traditional media (Nay Yaing & Zeyar Tun, 2020). At a minimum, it is unlikely that large campaign rallies will be permitted. This could be a disadvantage for smaller, more locally based parties that lack the budget for media space but would be able to attract large crowds or otherwise generate public attention in their own areas. Ethnic parties have expressed concerns that they will not be able to engage with their primarily rural voters (Network Media Group, 2020a; Kyaw Lin Htoon, 2020a). It also disadvantages newer candidates, who cannot meet voters in person but lack name recognition for online campaigns. In addition, online campaigns would prevent many voters from learning about the relevant parties since they may lack access to internet. This is particularly true in the parts of Rakhine and Chin States that are currently under an internet blockade, but also applies to rural areas and communities or demographics where mobile phone ownership is lower, including among older voters. An election campaign held mostly on social media also increases the risk for candidate-related hate speech and fake news – an issue that was already a concern before the pandemic threatened to force campaigning online (Marston, 2020; Thiha Lwin, 2020).

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29   See, e.g., USDP Women Committee, Facebook Post (5 June 2020): https://www.facebook.com/USDP.women.committee/posts/284990656221330?__tn__=-R

30   ActionAid Roundtable with civil society organisations (25 August 2020).

31   ActionAid Roundtable with civil society organisations (25 August 2020).

32   ActionAid Roundtable with civil society organisations (25 August 2020).

Women walk past a vinyl banner displaying coronavirus protection information in Jinghpaw, a Kachin language

Photo: Ring Nu Awng/TNH

Due to limitations on large, in-person campaigns, the UEC announced on 23rd July that political parties would be allowed to give election speeches and explain party policies on state-owned television and radio. This is an important step to allow fair and equal campaigning. However, with this policy comes the requirement for pre-approval of all political broadcasts and broad prohibitions essentially prohibiting criticism of the government, military and existing laws (Human Rights Watch, 2020). These restrictions represent a form of censorship, placing extensive restrictions on opposition parties' use of state-owned media to freely explain their policies to the voters at a time when independent media organisations may be significantly hampered by movement restrictions. Social media is also not safe for parties presenting their case in opposition to the current government and its policies. Laws such as the Telecommunications Act and criminal defamation provisions have been used against civilians who criticize top government officials including Aung San Suu Kyi on social media (Athan Myanmar, 2020). There is a risk that opposition candidates could be targeted under these laws for explaining and defending their positions (Yaungchi Soe Naing, 2020).

COVID-19 restrictions and concerns will also have a great impact on election day. Parties and voter education organisations have also expressed concerns that COVID-19 could reduce voter turnout, both directly out of concern for catching the virus and indirectly due to the dire economic situation many in the country are experiencing (Kyi Kyi Seinn, 2020). Turnout may already have been lower even without a pandemic – a PACE Myanmar survey reported that 48% of respondents definitely intended to vote as of March 2019, compared to the 69.8% turnout in 2015 (People's Alliance for Credible Elections, 2020). Furthermore, COVID-19 measures will make independent monitoring more difficult. Movement restrictions may prevent monitors from reaching rural areas, and international travel restrictions appear likely to prevent foreign monitors and observers, though some international organisations are still trying to negotiate permission to travel to Myanmar (Ross, 2020). Depending on the distancing guidelines implemented, monitors may also have less access to the inside of polling stations than they usually have, limiting their ability to fully monitor the process (Ross, 2020). Finally, funding shortfalls due to donor shifts in priority to COVID-19 response have reportedly made it challenging for organisations to obtain sufficient funding for voter education and monitoring[33].

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33   ActionAid Roundtable with civil society organisations (25 August 2020).

9 IMPACT ON VULNERABLE POPULATIONS

While all people in Myanmar are at risk in the COVID-19 pandemic, and all have felt the economic impact of the response, not all people are affected equally, or in the same ways. During the media monitoring process this study focused on the emergent themes of disproportionate impact of the COVID-19 crisis on women, migrant workers, internally displaced people and people in conflict affected communities.

9.1 IMPACT ON WOMEN

The COVID-19 pandemic has had a disproportionate impact on women, but women have yet to benefit from any specific government policies targeted to their needs. In addition, women continue to be disproportionately left out of decision-making processes. Women have faced increasing domestic and other gender-based violence and have an increased burden caring for unemployed family members (UN Women, 2020; Hall, 2020). The majority of Myanmar's garment factory workforce (90%) are women, so the labour-rights violations discussed above mostly impact women, often young women (Jha, 2020). The COVID-19 Economic Relief Plan and Health Sector Contingency Plan do not include provisions targeted at addressing women's specific needs, with the exception of a mention in the Health Sector Contingency Plan of pregnant and lactating women as a vulnerable group to be considered in patient care guidelines (Ministry of Health and Sports, 2020; Government of the Republic of the Union of Myanmar, 2020b). In addition, local authorities enforcing restrictive measures reportedly de-prioritize responding to cases of domestic violence, telling women to stay home with their abusers or blocking them from reporting incidents or seeking safety during curfew or lockdown[34] (Hall, 2020).

Women in Myanmar are traditionally responsible for all care and household work. Stay-at-home orders and unemployment have added to the burden of many women because children are out of school and need more taking care of, and husbands and other family members are also spending more time at home and out of work (UN Women, 2020). Women also bear most of the responsibility for childcare and caring for sick and elderly in the family, as well as preparing meals. With children out of school and money for meals often unavailable, women face an increased burden to support the family, with little money. While women in Myanmar traditionally perform most of the unpaid, caring labour, some interviewees in a rapid assessment by CARE Myanmar reported that men are helping more with household work since they are unemployed (Swe Lei Mon, 2020b; Hall, 2020).

Women's organisations have reported an increase in family arguments and difficulties due to sharing small spaces, economic crisis and unemployment[35] (Swe Lei Mon, 2020b). In addition, groups responding to domestic violence and other complaints report an increase in cases from their usual load. Akhaya Women for instance, reported a 7.5-fold increase in case reports, which are mostly related to domestic violence, during lockdown in April and May (Khin Khin Mra, 2020). Legal Clinic Myanmar reported receiving twice as many domestic violence reports in May compared to January 2020 (Khin Khin Mra, 2020). A women's organisation working in Kachin State also reported increasing numbers of cases reaching their safehouses.[36] The chairperson of the Karenni National Women's Organisation (KNWO), Mie Mie, mentioned that reports of domestic violence received by her organisation have tripled during lockdown, from a previous average of 4 per month to 12 (Quadrini, 2020). KNWO is able to continue operating a domestic violence shelter, despite cutting down most other activities due to movement and gathering restrictions (Quadrini, 2020). However, some respondents in the CARE rapid assessment stated that case reports of domestic violence had decreased or stayed the same (Hall, 2020). It is difficult to know the extent of any increase, given existing factors preventing women from reporting, even before the pandemic. Many such factors may also decrease reporting during COVID-19. For instance, women may be less likely to report incidents whilst their husbands are at home and

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34   Interview with paralegal working in informal settlements in Yangon (16 June 2020)

35   Interview with legal aid volunteer, Yangon (16 June 2020)

36   Interview with civil society leader, Myitkyina, Kachin State (17 June 2020).

thus within likely hearing range of any phone call to a hotline (Khin Khin Mra, 2020). Women are also unable to report or seek shelter from instances of domestic violence during curfew hours[37].

There are also increased risks of gender-based violence (GBV) in quarantine centres, with people living in close quarters and with limited privacy (Hall, 2020). Some quarantine centres do not have separate facilities for men and women, and accessibility and privacy concerns about bathing spaces also present risks (Hall, 2020)[38]. Women affected by conflict are even more impacted, especially displaced women who have lost their homes and ability to fulfil these social roles and responsibilities, while being at increased risk of sexual violence in unsecured IDP camps with communal toilet and bathing facilities (Khin Khin Mra, 2020).

In addition to reported increases in GBV cases, COVID-19 restrictions have added barriers to an already-difficult process of seeking justice (Khin Khin Mra, 2020). One paralegal working in informal settlements in Yangon mentioned a case where a woman tried to open a case at the police station and the police suggested that she negotiate again with her husband because "relationship issues" are not the police's first priority during the COVID-19 crisis[39]. The CARE assessment found other organisations reporting de-prioritisation of domestic violence by police and courts, and delays in obtaining legal support (Hall, 2020). Organisations who usually provide assistance to survivors of domestic and other violence are also facing limited staffing capacity and movement restrictions due to COVID-19[40], though many have been able to keep shelters operating and adapt response services to hotlines (Hall, 2020). These limitations mean victims of such violence may be deprived of much needed immediate safety. This situation makes them more vulnerable. However, local and international women's organisations are continuing their support where possible, including through hotlines and dissemination of information online and through radio, television and SMS (Thu Thu Nwe Hlaing, 2020)[41].

There has been little apparent government response to domestic violence, despite a meeting of the Myanmar National Committee on Women (MNCW) meant to discuss the impact on women (Global New Light of Myanmar, 2020). In an article for the Myanmar Times, Director-General of the Social Welfare Department Daw San San Aye was quoted saying that her department is "unable" to collect data on domestic violence and that their hotline is open but there have been "no complaints" during lockdown (Swe Lei Mon, 2020b). Given the increasing numbers of complaints Akhaya reports, it seems more likely that women do not trust calling the government hotline; than there are no complaints to be made (UNDP Myanmar, 2020; Ei Cherry Aung, 2020).

Maternal and child health are also at risk during this pandemic. With movement restrictions and curfews, women in labour may be prevented from accessing healthcare (UN Women, 2020). In Yangon, regular health checks for pregnant women have continued, and services are available for childbirth at public hospitals[42]. However, in more rural and conflict-affected areas, health care is more difficult to access. In Kachin State, some pregnant women are reportedly too afraid of COVID-19 to seek healthcare during the pregnancy[43]. A woman in Ann township in Rakhine State reportedly died in childbirth out of fear of going through a Tatmadaw checkpoint (COAR, 2020a). Women have also given birth in quarantine centres, where some reportedly lack sufficient nutritious food[44]. Some areas of Myanmar have also experienced stock-outs of contraceptives due to supply chain disruption, which may lead to an increase in unwanted pregnancies (Hall, 2020). Other forms of necessary, on-going healthcare have reportedly been disrupted as resources shift to COVID-19 prevention. Respondents of CARE's rapid assessment reported having to find alternative sources of important care such as antiretrovirals to treat HIV and treatment for non-communicable diseases, which have a higher prevalence among women, especially older women (Hall, 2020).

Women are also playing key roles on the frontlines as health workers. Up to 75% of Myanmar's health force is female, and these women face increased risk of exposure and social discrimination (Hall, 2020). At least one female health worker involved in the response

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37   Interview with paralegal working in informal settlements in Yangon (16 June 2020).

38   ActionAid Roundtable with civil society organisations (25 August 2020).

39   Interview with paralegal working in informal settlements in Yangon (16 June 2020).

40   Interview with paralegal working in informal settlements in Yangon (16 June 2020).

41   Gender Based Violence Coordination Working Group, "GBV Coordination Working Group Meeting Minutes" (9 April 2020).

42   Interview with paralegal working in informal settlements in Yangon (16 June 2020).

43   Interview with civil society leader, Myitkyina, Kachin State (17 June 2020).

44   Interview with civil society leader, Myitkyina, Kachin State (17 June 2020).

had contracted COVID-19 by the beginning of August (Zarni Mann, 2020c). Many others have faced eviction or threats of eviction from their landlords out of fear of the virus, though this and other discrimination has reportedly reduced as people learn more about how the virus spreads (Zarni Mann, 2020d).

9.2 IMPACT ON MIGRANT WORKERS

Another vulnerable population facing economic hardship and stigma as spreaders of COVID-19 is migrant workers who return to Myanmar during the pandemic. The International Organisation for Migration (IOM) estimates that 141,710 migrants returned to Myanmar through border checkpoints from Thailand, China and Laos between 22nd March and 5th August, with an additional 9,492 returning from other countries via government return flights (International Organisation for Migration, 2020a). These returnees were quarantined in community quarantine centres in their home communities and/or near border crossing points. Many quarantine centres were reportedly overcrowded and under-supplied with food and medical supplies, and reports of violence, drugs and alcohol abuse emerged from centres across the country (Assistance Association for Political Prisoners, 2020a; Kaung Kant Lin, 2020). After quarantine, returnees went back to their home communities without jobs or financial support, and many families suffered due to loss of income and additional household members to care for (UNCDF, 2020).

Many other migrant workers have remained in their countries of destination, often jobless and without access to the social assistance programs those countries have put in place for their nationals. The spokesperson for the Aid Alliance Committee for Myanmar Workers mentioned that Thai companies are abusing the rights of migrant workers from Myanmar during the pandemic, including violating employment contract violations (Kyaw Soe Htet, 2020b).

9.2.1 Quarantine Facilities and Provisions

Returnees came in two phases, one from mid-March until 16th April, when Thailand closed its border crossings, and the second starting in May when the border re-opened for migrants to return to Myanmar. An estimated 30,000 returnees crossed at the Mae Sot-Myawaddy during the first period, before Thailand closed its border crossings and stopped inter-province travel. Many of those migrants were brought to their home states and regions where they underwent quarantine. An additional 16,900 migrant workers returned from China between 16th April and 13th May (UNOCHA, 2020a). Some of those returning from China were quarantined on arrival, but most continued on to their home communities in different states and regions (UNOCHA, 2020a). This travel pattern significantly increased the risk of spread of infection early in the pandemic.

On 17th April, the MoHS changed quarantine requirements from 14 to 21 days and added a 7-day home quarantine afterwards (Human Rights Foundation of Monland, 2020). Returnees from Thailand now quarantine in Karen or Mon States regardless of their place of origin, which would presumably better protect communities of origin and significantly slow the pace of returns. On 18th May, MoHS announced that three migrant workers recently returned from Malaysia had tested positive while in quarantine in government hospitals in Karen State and Tanintharyi Region (Aung Phay Kyi Soe, 2020a). Since then, as of early August, most positive cases have been identified in quarantine, either among returning migrant workers or others coming from abroad.

Across the country approximately 3,000 quarantine facilities were operational with over 19,000 returnees as of 10th August (UNOCHA, 2020b). According to the local authority, in Rakhine State alone, 244 community quarantine centres have been set-up hosting 1,430 people and more than 720 were in home quarantine. In Shan 360 facilities host approximately 1,100 people, in Kachin 430 facilities host nearly 525 people and in Kayin close to 360 facilities host over 2,340 people (UNOCHA, 2020b).

The risks of COVID-19 spreading from this mass movement of people is increased by the mixed administration of many border crossing areas, and coordination between state and non-state actors is crucial to managing the safe movement of returnees. Migrant workers come from, and are returning to, all parts of Myanmar but those who have been working in Thailand cross through checkpoints in Karen and Mon States (International Organisation for Migration, 2020b). Many returnees from Thailand and China have to travel through segments of EAO-controlled territory (Naw Betty Han, Lawi Weng, & Dunant, 2020). In response to flows of returnees traveling to and through conflict-affected areas, EAOs and associated EHOs have set

Facility Quarantine Center in Ma Oo Pin City
Photo Source: Frontier Myanar

up screening points and quarantine facilities in their territories (International Crisis Group, 2020).

Managing quarantine centres is reportedly difficult for the local authorities enforcing the rules and for the returnees staying there. CSOs and local officials have reported a lack of resources to manage these facilities and have called on the central government to provide support (Human Rights Foundation of Monland, 2020). Migrants who have left quarantine early or otherwise broken rules of behaviour while in quarantine (such as drinking alcohol or gambling) have been arrested and sentenced to terms of imprisonment (Assistance Association for Political Prisoners, 2020a).

According to a survey conducted by the International Labour Organisation (ILO), among migrants across Association of Southeast Asian Nations (ASEAN) 23% of those who returned to their countries of origin amid COVID-19 reported problems in quarantine including shortages of food, crowded sleeping areas and high temperatures (International Labour Organisation, 2020). Humanitarian partners have adapted their Humanitarian Response Plan to include support to 50,000 returning migrants to cover basic needs in quarantine, but have faced challenges due to the large number of quarantine facilities, the existence of some facilities in conflict-

affected areas inaccessible for humanitarian aid, and due to high needs among other vulnerable populations[45].

Movement restrictions and border closings in Thailand, along with negotiations between the Myanmar and Thai governments to manage a "second influx" of returnees, significantly slowed crossings from Thailand between 16th April and 22nd May. In the first half of May, only 250 returnees were allowed per day, in a process coordinated by the Myanmar and Thai governments (International Organisation for Migration, 2020b). After 22nd May, self-arranged returns were allowed and daily crossings increased significantly (International Organisation for Migration, 2020c). Returns peaked around early July, with returns through border gates on the Thai border reaching up to 1,000 per day. By late August, security has been further tightened with strict health check-ups at Thai-Myanmar border points (Wancharoean, 2020).

As Thailand re-opens, industries are reportedly calling some workers back, and an estimated 65,000 migrants have expressed a desire to re-migrate when possible, while an International Labour Organization (ILO) survey found that 62% of returnees in Myanmar planned to re-migrate (UNOCHA, 2020a). In mid-July, Thailand announced that despite international borders remaining

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45   Returning Migrants and the Myanmar HRP COVID-19 Addendum.

Myanmar migrant workers returing from Thailand
Photo Source: Mitv

closed, migrant workers who already have work permits or are already undergoing the formal, government-approved application process will be allowed to return, though they will be subject to a 14-day quarantine in state quarantine facilities (Bangkok Post, 2020b). This measure is still awaiting approval by the Thai Cabinet before migrant workers who already have work permits will be able to re-migrate (International Organisation for Migration, 2020b). However, since Thailand is experiencing the "worst economic recession in its history", it is unlikely that all migrant workers will be able to get their jobs back (Kaicome, 2020). The second wave of infections in Myanmar has also prompted caution by employers and health authorities in Thailand about re-starting labour migration (Bangkok Post, 2020a).

Despite so many official cases coming from quarantine centres, there remains risk of an outbreak if returnees are not adequately tested and quarantined. Reports recently emerged that Myanmar has only managed to test one-third of the 160,000 migrants who have returned and stayed at quarantine facilities since January (Angel, 2020). Myanmar's largest single-day increase in cases in the first wave of the pandemic came from quarantine centres in Karen State, where 23 people tested positive after having been deported from Thailand (Zaw Zaw Htwe, 2020g). Meanwhile, a health worker at a checkpoint on the China-Myanmar border in Kachin State tested positive for COVID-19 on 11th June

(Zarni Mann, 2020c; Kachin News Group, 2020d). The health worker, a 24-year old midwife, was working at a checkpoint performing medical checks for returnees and had no contact with a known patient. This raised concerns about having missed cases among returnees. After contact tracing, health workers tested 266 persons found to have come in contact with the patient, all of whom reportedly tested negative (Kachin News Group, 2020d).

9.2.2 Impact on Returnees and Communities

Most migrants left impoverished villages, and their remittances form a significant proportion of income for their families. Even if migrants have not returned, most are unable to send remittances, causing economic hardship for their families. According to a rapid assessment among returnees conducted by the IOM, around 65% of returnees' families are not receiving any remittances, and around 60% of returnees are in debt (International Organisation for Migration, 2020b). Returnees also represent increased food needs without being able to contribute to income-generation. However, many cannot afford rent and higher food prices in Thailand, Malaysia and elsewhere which leaves them with no choice but to go home, where they at least have shelter in their family homes. Reports of at least three returned migrants committing suicide in quarantine facilities in

Myanmar, and eight more Myanmar migrants committing suicide in Malaysia, emphasise the desperation facing returnees and their families (Human Rights Foundation of Monland, 2020; Eleven News Media, 2020a).

Conflict-affected communities with returning migrants face even more dire circumstances due to the double-burden of COVID-19 and conflict. The Human Rights Foundation of Monland (HRFM) documented three villages in New Mon State Party-controlled territory, whose residents are mostly IDPs, who are hosting 40-60 returnees each (Human Rights Foundation of Monland, 2020). Residents of these villages (including returnees) cut off from livelihood opportunities and government relief programs, struggle to meet their basic needs.

Returnees have faced stigma in their home communities, in addition to severe economic crisis. Returning migrant workers in quarantine represented some of the largest daily increases in the first phase of the pandemic (Zaw Zaw Htwe, 2020g), contributing to fear among communities receiving those workers (Ye Mon, Hein Thar, & Eaint Thet Su, 2020). Some respondents in the ILO survey of migrants mentioned above commented that they had experienced fear and discrimination from their home communities upon return (International Labour Organisation, 2020). In some cases, residents have pushed back against government plans to house returning migrants. In Tamu Township, Sagaing Region, civil society organisations and residents protested a plan from the regional government to house returnees from India in the municipal stadium (Zaw Zaw Htwe, 2020a). The township, on the Myanmar-India border, was set to receive 100 returning migrants who had been stranded in India after they lost work there. Residents protested the plan to house them in the municipal stadium, claiming it is too close to populated areas including a local market, and asked the regional government to find somewhere less populated for the quarantine centre (Zaw Zaw Htwe, 2020a). Residents of a town in Ayarwaddy Division also protested a planned quarantine centre in a school in their township in April 2020, and the leader of the protest was charged with unlawful protests under the Peaceful Assembly and Peaceful Protest Law (Assistance Association for Political Prisoners, 2020a).

Some of the economic response measures outlined in the CERP are targeted at returning migrants and their communities. One prioritisation criterion for planned 'cash for work' infrastructure development projects in highly impacted villages is 'high proportion of migrant workers returning from overseas' (San Yamin Aung, 2020d). The Myanmar Investment Commission also noted that state and region governments are looking for ways to match returnees' skills with job opportunities, including collecting data on returnees' skills (Tint Zaw Tun & Grafilo, 2020; Myat Thura, 2020a). However, the Director of Foundation for Education and Development says it is more important to first improve workers' daily wages and social welfare in Myanmar in general, noting that Thailand's minimum wage is 15,000 kyat compared to 4,800 in Myanmar, so migrants will likely re-migrate without sufficient support (Tint Zaw Tun & Grafilo, 2020). The Myanmar government has also worked with governments in Thailand, Malaysia, Jordan and beyond to repatriate stranded migrant workers including those who had been arrested for illegal entry (Zaw Zaw Htwe, 2020f; 2020k).

9.3 INTERNALLY DISPLACED PEOPLE AND OTHER CONFLICT-AFFECTED COMMUNITIES

All conflict-affected communities face a double-burden of ongoing conflict and COVID-19, restricting their movements and access to livelihoods. Particularly affected are communities and internally displaced people living in camps in Rakhine, Chin, Kachin and northern Shan states. For instance, approximately 107,000 people in Kachin are internally displaced and are living in 173 camps in the region (Jaw Tu Hkawng & Fishbein, 2020) . In addition to that, for years Myanmar's government has put restrictions on humanitarian access to KIO-controlled areas.[46]

These kinds of restriction in conflict affected areas have made people more vulnerable. For example, Rakhine, which has a dire economy and low-quality healthcare facilities is suffering from isolation and lack of proper response to COVID-19 (Mizzima, 2020b; Zaw Zaw Htwe, 2020i). In late June, a number of international actors released a statement calling on the Tatmadaw to grant access to conflict-affected areas for humanitarian response and to adhere to international humanitarian

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46   Jaw Tu Hkawng, Emily Fishbein, contributing writer Yuichi Nitta, "Myanmar's ethnic conflicts obstruct COVID-19 aid to minorities", Nikkei Asian Review, (May 3, 2020); https://asia.nikkei.com/Spotlight/Coronavirus/Myanmar-s-ethnic-conflicts-obstruct-COVID-19-aid-to-minorities

A trishaw driver rides along an empty street in what is normally one of the busiest areas of Sittwe on August 24

Photo Source: Khun Lat, Frontier

law (Nyein Nyein, 2020b).

Government response plans specific to conflict-affected communities and IDP camps have been limited to donations of supplies and have not included a specific assessment of how these communities experience COVID-19 differently and how their specific needs can be met. However, according to Rakhine state chief minister, Rakhine State has already spent US$748,000 to curb the spread of coronavirus (Zaw Zaw Htwe, 2020i).

IDPs in Rakhine State currently living in local schools[47] have been told they need to move before schools open. In Rakhine State, some IDPs staying in a high school in Kyauktaw have already been relocated to monasteries and community halls, which are more difficult accommodations because they do not have separate rooms and bathrooms like the schools (Development Media Group, 2020b).

9.3.1   Impact in Areas of On-Going Conflict

On-going conflict between the Myanmar military and the Arakan Army (AA) in Rakhine and southern Chin States has severely limited the COVID-19 response in those areas. The ceasefire declared by the Myanmar military

from 9th May does not cover conflict with the AA, which the military declared a terrorist organisation on 23rd March 2020. This has left Rakhine civilians vulnerable to arrest in conflict areas for alleged association with the AA. The threat of arrest further impacts freedom of movement and humanitarian support for conflict-affected communities. Journalists are also not able to contact or interview AA leaders after this designation (Reuters, 2020a).

Formal and informal restrictions on the freedom of movement within Rakhine State affect all communities, but are particularly targeted at Rohingya and have been described as "central to the continued persecution of the Rohingya population" (Independent Rakhine Initiative, 2020). Ethnicity, religion, residence in a conflict area and possession of legal identification all combine to make individuals more or less vulnerable to restrictions on movement (Independent Rakhine Initiative, 2020). These restrictions have the effect of preventing the free movement of humanitarian aid and conducting of health awareness-raising activities, preventing individuals from seeking medical attention, and reducing access to food, education and livelihoods. Rohingya especially suffer from these restrictions, given that fewer local humanitarian organisations or politicians support their basic needs. In addition, the pandemic had given

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47   Schools are also used as quarantine centres for migrant workers and other returnees across the country

the Myanmar government another reason to delay substantive measures to enable the return of Rohingya refugees in Bangladesh (Myat Thura, 2020c).

Internet blackouts and access restrictions mean that many communities in northern Rakhine and southern Chin States lack access to information about the pandemic, health care including testing and treatment facilities, and freedom of movement to seek safety and health care (Zaw Zaw Htwe, 2020i).

The first case of COVID-19 infection in Rakhine State was identified on 18th May which added a sense of urgency to the dangerous conditions in Rakhine (Aung Phay Kyi Soe, 2020b). Cases continued to increase in June and July due to the Rohingya refugees returning from Bangladesh via unofficial crossings. Public sentiment in Rakhine State is getting increasingly tense over these returnees[48] (COAR, 2020b; Development Media Group, 2020c). Many of these cases were identified after returnees spent a few days in their home villages without quarantining, since the official border crossing points are closed and thus people crossing do not get tested or quarantined immediately (Nyein Nyein, 2020c; COAR, 2020b).

Aung San Suu Kyi and the COVID-19 Protection, Control and Treatment Committee have both publicly warned that legal action would be taken against anyone crossing the border illegally (National-Level Central Committee for Prevention, Control and Treatment of Coronavirus Disease, 2020). District officials have also announced that anyone who accepts and does not report illegal returnees can also be punished under various laws (Nyein Nyein, 2020c). While hate speech against Rohingya returnees related to COVID-19 has been documented on Facebook, it mostly comes from users outside Rakhine State (COAR, 2020b). Within Rakhine State, most blame has been placed with authorities including Border Guard Police for failing to prevent informal returns and to quarantine returnees (COAR, 2020b; Nyein Nyein, 2020c). Some have also alleged that authorities have taken bribes to allow Rohingya to enter but have not subjected them to proper screening (COAR, 2020b).

Rohingya refugees trying to leave Bangladesh and Myanmar by sea have been turned away from numerous ports due to COVID-19 concerns (AFP, 2020; Septiari, 2020; Amnesty International, 2020a). In addition, traffickers have recently demanded payments from Rohingya families for the return of family members who have been stuck at sea since February (Reuters, 2020c).

The most recent upsurge of infection cases in August started in Rakhine (as of 16th August, 239 locally transmitted cases were found). The spokesperson of MoHS expressed that "we are very worried about this local transmission" (Zaw Zaw Htwe, 2020e). While the government has issued a "stay-at-home" order, cooking oil and rice were transported to Rakhine to ensure the sufficient food supply (Kyaw Soe Htet, 2020a).

9.3.2 Impact of Ongoing Violence on COVID-19 Response

Civilians continue to face injury and death from armed clashes, human rights abuses, displacement and food shortages due to conflict that exacerbates the healthcare situation. New displacement caused by conflict makes people unable to follow COVID-related movement restrictions and curfews, as they flee from attacks on their homes (Min Aung Khine, 2020). These incidents add to the fear that health workers and humanitarian organisations experience, reducing their activities even in the areas of Rakhine State that remain technically accessible. Dozens of local administrators in Rakhine State resigned in June due to security concerns (Lei Lei, 2020a; Radio Free Asia, 2020a), leaving many villages and townships without government administrators to administer COVID-19 response measures.

In many cases, the conflict directly impacts COVID-19 response measures. On April 20, a driver for the WHO was killed while driving a United Nations vehicle from Sittwe to Yangon, transporting swabs to be tested for COVID-19 in Yangon. The Myanmar military and AA have blamed each other for the attack, which has "escalated the fear and anxiety among medical personnel" in Rakhine State (Hein Thar & Ye Mon, 2020).

IDPs in Chin state who are fleeing fighting between the AA and the Tatmadaw face the risk of being left without any shelter. The temporarily arranged shelter in school buildings would no longer serve IDPs once the schools will re-open from 21st July. In the absence of relocation shelters, IDPs, especially from Paletwa will be left without any shelter. For Samee town and Meza village, according to the Chin Social Minister, alternative shelters are being constructed. The delaying of construction of shelters for IDPs in Paletwa has been marked as a safety concern. Most of the IDPs (a total of 900) in Chin are currently sheltering in schools.

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48   Interview with INGO staff member, Sittwe, Rakhine State.

IDPs being left behind in the response to COVID-19

Photo Source: Khun Lat, Frontier

Authorities have confirmed that of total 374 schools in Paletwa, 212 remained closed since last year due to fighting (Swe Lei Mon, 2020c).

Lack of adequate internet access, justified by the GoUM and the military as a conflict-prevention measure, also affects the COVID-19 response. The superintendent of Buthidaung Township Hospital commented in a news article in Development Media Group that the internet restrictions have slowed down the sharing of important medical information, and made it difficult for health personnel to combat false information that spreads on social media (Kyaw Myo Aung, 2020). While 2G internet was restored to the affected townships in August, civilians on the ground report that the internet available is so slow as to make even sending messages virtually impossible (Lei Lei, 2020b). Calls from humanitarian actors, civil society and the international community for a ceasefire and restoration of full internet services increased as the second wave led to a lockdown in Rakhine with communities unable to access information about cases in their townships (Channel News Asia, 2020; Kyaw Hsan Hlaing & Fishbein, 2020; Nan Lwin Hnin Pwint, 2020a).

9.3.3   *Impact in IDP Camps*

Conflict in Rakhine between the Myanmar military and the AA since late 2018 has led to the on-going displacement of 32,000 civilians (as of November 2019), in addition to the 128,000 IDPs, mostly Rohingya, remaining in camps since 2012 (UNOCHA & UNHCR, 2019). Many of these IDPs live in camps, though some recently-displaced Rakhine people have rejected government-created IDP camps, preferring to shelter in camps they build themselves near their home villages (Swe Lei Mon, 2020a). These IDP camps and informal IDP settlements are at greater risk of an outbreak, since many people live in close quarters, and often in unsanitary conditions with limited access to clean water for handwashing and limited ability to social distance or "stay at home". A CSO leader from Rakhine noted a "shortage of toilets and showering spaces in IDP camps in Rakhine state"[49]. Displacement has increased even as the country prepares to fight COVID-19. In April, 4,000 people were reportedly displaced in Rakhine State over two days (UNOCHA, 2020d).

The impact of COVID-19 response measures exacerbates an already-difficult situation in IDP camps in Rakhine, Chin, Kachin and northern Shan States. These camps are already over-crowded and lack health

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49   ActionAid Roundtable with civil society organisations (25 August 2020).

and sanitation facilities (Joint Strategy Team, 2020a). Implementing the MoHS social distancing guidelines in an IDP camp is difficult to impossible, though the Inter-Cluster/Sector Coordination Group Myanmar issued operational guidance to organisations working in IDP camps suggesting ways of implementing the guidelines in a camp context (ICCG Myanmar, 2020). Some of these suggestions include roping off or otherwise separating part of a one-room dwelling for an individual in self-quarantine and designating parts of shared latrine blocks for individuals who are quarantining, to be separate from the rest of the community.

Myanmar government officials have raised that the identification of COVID-19 cases in the refugee camps in Cox's Bazaar "could delay" Rohingya repatriation (Myat Thura, 2020c). Cases among unofficial returnees have also created conditions for an increase in inter-communal tensions, particularly if there is an outbreak linked to a returnee who did not quarantine on arrival.

IDPs also face livelihoods challenges, since they are not formally allowed to work outside the camps. Some IDPs rely on leaving the camps to work on their own land or as casual labour to support their families, though doing this risks being expelled from the camp if caught (Progressive Voice Myanmar, 2020e). Due to COVID-19 travel restrictions, IDPs' ability to work on their own land, often far from the camps, is even more limited than usual.

10 CONCLUSIONS

This report aimed to review the impact of Myanmar's COVID-19 response measures on human rights and civic space, and vulnerable populations.

The COVID-19 global pandemic and accompanying economic crisis has the potential to impact everyone in Myanmar, but its impact will vary based on many factors, including a person's or community's position before the pandemic started. Groups who are already vulnerable and lack access to decision-making, including women, conflict-affected communities, and migrant workers, are increasingly vulnerable after a public health emergency. Thus, policies to ease the health and economic impact must consider these variations.

Myanmar's civic space was shrinking even before the pandemic. Pre-COVID-19 trends continued during COVID-19 crisis, and additional restrictions tightened that space further. The legal framework for Myanmar's COVID-19 response contains provisions that threaten freedom of expression, even more so in a proposed replacement to the PCCDL. Existing restrictive laws were also used during the pandemic to control criticism of the government's response.

Civil society has a key role to play in responding to pandemics, including in part responding to and advocating for the needs of the most vulnerable. When their activities are limited by movement restrictions, gathering restrictions and restrictions on the freedom of speech and association, whether justified by the public health emergency or not, they are unable to fully play their crucial roles. Restrictive measures in response to a pandemic or another public health emergency should as much as possible recognise and allow for the important role of civil society in the response, ensuring civic space is not unduly restricted.

With a second outbreak continuing, Myanmar authorities should keep in mind the lessons of this report to improve their response to the second wave. Key among the recommendations are the need to understand and support the role of civil society in responding to crisis, and the need to target response policies to the needs of vulnerable groups, while also ensuring a 'whole of nation' approach. These lessons may help avoid some of the unintended impacts of the previous response measures, and more fully meet the needs of all people of Myanmar.

11 RECOMMENDATIONS

- **The COVID-19 government response plan** needs to defend women's and girl's rights to compensate and respond on increased burdens of care at home, addressing their livelihood concerns, and that they are protected from the increased risk of domestic and gender-based violence. This government response may include exceptions to curfew and movement restrictions for women seeking shelter from an abuser; adjustments to the legal process to ensure more cases of violence against women are heard in court, and more protection is provided even during the pandemic response. The government of Myanmar should focus on increasing access to internet and digital information, especially to women and girls, as part of its COVID-19 crisis response.

- **Migrant workers** make important contributions to the country's economy, and they and their families need to be considered in in the planning and execution of the COVID-19 response. This requires specific provisions to support returnees in basic needs and longer-term employment or re-migration. Government plans to provide support and employment opportunities to returnees should be fully implemented, and overall working conditions including minimum wage should be improved so that migrant workers and others have a viable alternative to migration. Those who wish to re-migrate should also be supported to obtain the necessary documentation.

- **Workers' and union rights** need to be respected and strengthened so that working conditions can be safe, and compensation can be fair. Employees should be obliged to provide essential safety measures and equipment such as masks, sanitisers and social distancing measures to ensure workers better health and hygiene. Encouragement of negotiations and enforcement of labour rights is even more important when unions are not able to organise and strike due to COVID-19 response measures.

- We encourage the government of Myanmar to consider the **voting rights of economic migrant workers** who have returned to the country and may not be included on voter lists, and to consider measures to promote increased voting from overseas so migrant workers who remain abroad can vote. Voter education organisations should specifically target voter awareness campaigns to returnees who may not have participated in an election before. Measures to contain the COVID-19 infection should be properly implemented during the voting.

- The government of Myanmar should put in place special provisions to ensure that **conflict affected populations** can access equitable health care from community organisations and ethnic health providers, recognising the important role of and working in partnership with, not replacing, existing service providers. The government of Myanmar should **put an end to the internet shutdown** across Rakhine and Chin states allowing people to have access to information relating to COVID-19.

- **Civil society** has provided an invaluable service ensuring that vulnerable populations have access to quarantine centres and health clinics, as well as providing economic support and doing their best to prevent and respond to gender-based violence during lockdowns. This shows the important role that CSO can play. AAM would like to emphasize that restrictions on civic space play a disservice to vulnerable populations. These includes IDPs and other living in conflict areas, vulnerable women, and other COVID-affected populations. The government of Myanmar should allow CSOs to operate in conflict affected areas on humanitarian ground allowing greater access to the geography and facilitating the humanitarian relief work.

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ANNEXES

ANNEX 1: LIST OF MEDIA SOURCES USED

International media outlets

AFP

Al Jazeera

Asia Times

Bangkok Post

Bloomberg

Channel News Asia

CNN

Forbes

Foreign Policy

Medium

Nikkei Asia Review

Radio Free Asia

Reuters

South China Morning Post

The Diplomat

The Lowry Interpreter

The Nation

The New Humanitarian

The New Mandala

The New York Times

Vatican News

Myanmar English-language outlets

Burma News International

Eleven Myanmar

Frontier Myanmar

Global New Light of Myanmar

Kachin News Group

Kantarawaddy Times

Karen News

Mizzima

Mon News Agency

Myanmar Labour News

Myanmar Mix

Myanmar News Agency

Myanmar Times

Narinjara

Network Media Group

Shan Herald Agency for News

The Irrawaddy

The Voice Myanmar

Non-media - local and national sources

Alliance for Gender Inclusion in the Peace Process

Assistance Association for Political Prisoners

Athan

Ethnic Health Committee

Food Not Bombs

Gender-Based Violence Coordinate Working Group

Human Rights Foundation of Monland

Independent Rakhine Initiative

Joint Strategy Team

Karen National Union

Karen Peace Support Network

Legal Aid Network

LIFT Fund

Ministry of Foreign Affairs

Ministry of Health and Sports

Myanmar National Human Rights Commission

National Level Central Committee on Prevention, Control and Treatment of COVID-19

PEN Myanmar

People's Alliance for Credible Elections

Progressive Voice

Republic of the Union of Myanmar Office of the President

The Ananda

Non-media - international sources

Access to Health Fund

Amnesty International

Article 19

CARE Myanmar

Center for Operational Research and Analysis

CIVICUS Monitor

Clean Clothes Campaign

Fair Wear

Human Rights Watch

Independent International Fact-Finding Mission for Myanmar

International Commission of Jurists

International Crisis Group

International Labor Organization

International Organization for Migration

Migrant Forum Asia

Open Observatory of Network Interference

Open Society Foundations

Reporters Without Borders

SHAPE-SEA

Solidarity Center

The Asia Foundation

Transnational Institute

UN Capital Development Fund

UN Human Rights Council

UN Office for the Coordination of Humanitarian Affairs

UN Women

United Nations Development Program

United States Institute of Peace

World Bank

ANNEX 2: TIMELINE OF EVENTS

January 4: MoHS notified of unexplained pneumonia cases in Wuhan, China during a WHO Southeast Asia and ASEAN +3 Senior Officials Meeting.[50]

January 7: Yangon and Mandalay International Airports implement health screening procedures.[51]

January 8: MoHS permanent secretary chairs emergency preparedness meeting.[52]

January 30: National-Level Central Committee for COVID-19 Prevention, Control and Response formed.

February 20: National Health Laboratory begins testing for COVID-19.[53]

February 28: Ministry of Health and Sports declares COVID-19 as an "epidemic or notifiable disease" under the Control and Prevention of Communicable Diseases Law. This includes a ban on mass gatherings.

March 5: Government Anti-COVID Committee met with representatives of 16 Nationwide Ceasefire Agreement signatories.

March 6: Government releases clinical management guidelines for COVID-19.[54]

March 11: WHO declared COVID-19 as a global pandemic.

March 12: Travellers from Italy, South Korea and Iran required to provide certificate stating they are "free of COVID-19" before entry into Myanmar.

Deputy Minister of Information U Aung Hla Tun posts warning on Facebook against sspreading "fake news" in relation to COVID-19.[55]

March 13: Formation of COVID-19 Control and Emergency Response Committee announced, along with a working committee to address the impact on the economy.

Thingyan cancelled.[56]

March 15: Ministry of Social Welfare, Relief and Resettlement ordered closure of all preschools and nurseries from March 16 until April 30.

Mandatory quarantine announced for arrivals from seven high-risk countries.[57]

March 16: State Counsellor Daw Aung San Suu Kyi claimed in a speech that there are still no cases of COVID-19 in Myanmar, and encouraged the public to cooperate in prevention.

Myanmar Motion Picture Organization ordered all cinemas to shut down until April 30.

March 18: First economic stimulus package announced, including 100 billion kyats (appx US$70 million) in loans, extensions for tax payments and tax exemptions.[58]

March 19: Entry suspended for foreigners at all land border gates. Foreign nationals with valid visas may still enter through airports in Yangon, Nay Pyi Taw and Mandalay.

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50 https://www.irrawaddy.com/specials/myanmar-COVID-19/timeline-myanmars-government-responses-to-the-COVID-19-pandemic.html

51 https://www.mmtimes.com/news/COVID-19-way-forward.html

52 https://www.irrawaddy.com/specials/myanmar-COVID-19/timeline-myanmars-government-responses-to-the-COVID-19-pandemic.html

53 https://www.irrawaddy.com/specials/myanmar-COVID-19/timeline-myanmars-government-responses-to-the-COVID-19-pandemic.html

54 https://www.irrawaddy.com/specials/myanmar-COVID-19/timeline-myanmars-government-responses-to-the-COVID-19-pandemic.html

55 https://www.facebook.com/aunghla.tun/posts/2722537094450765

56 https://www.hrw.org/news/2020/03/17/myanmar-denials-define-COVID-19-response

57 https://www.irrawaddy.com/specials/myanmar-COVID-19/timeline-myanmars-government-responses-to-the-COVID-19-pandemic.html

58 https://www.irrawaddy.com/specials/myanmar-COVID-19/timeline-myanmars-government-responses-to-the-COVID-19-pandemic.html

March 21: Issuance of e-visas and visa on arrival suspended, all travellers who have visited the United States, Switzerland, United Kingdom, the Netherlands, Austria, Belgium, Norway, Sweden and Denmark.

March 23: Two positive cases reported. They are both Myanmar nationals recently returned from the United States and United Kingdom, respectively. The two patients are in isolation in hospitals in Yangon and Tedim, Chin State.

Arakan Army is declared a terrorist organization.

March 24: Mandatory quarantine announced for all arriving travellers except diplomats and UN officials.[59]

Aung San Suu Kyi encourages people to report any symptoms and to resist panic-buying.[60]

March 25: Government offices limit offices to half of the staff at one time.

Restaurants and tea shops in Mandalay are instructed to only offer takeaway.

The Karen National Union sends instructions to all units on steps to take to prevent COVID-19 transmission.

The Union Solidarity and Development Party attempts to call a meeting of the National Defence and Security Council to address COVID-19, but is blocked by the NLD.[61]

Courts suspend hearings nationwide.[62]

March 27: Nationwide order for restaurants to only offer takeaway services.[63]

March 28: Township development committees in Yangon issue instructions to restaurants and tea shops to offer take-away only.[64]

The Restoration Council of Shan State (RCSS) calls for a nationwide ceasefire to enable fight against COVID-19.

All visas for foreign nationals suspended except diplomats, UN officials and transport crews.[65]

March 29: All incoming international commercial flights banned from landing in Myanmar.[66]

As large numbers of migrant workers return through land borders, MoHS warns of major outbreak due to migrant returnees.[67]

March 30: COVID-19 Control and Emergency Response Committee formed.

Ministry of Commerce imposes ban on "price gauging" for food, medicine and essential equipment.[68]

March 31: All foreigners banned from entry into Myanmar.

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59 https://www.irrawaddy.com/specials/myanmar-COVID-19/timeline-myanmars-government-responses-to-the-COVID-19-pandemic.html

60 https://www.irrawaddy.com/specials/myanmar-COVID-19/timeline-myanmars-government-responses-to-the-COVID-19-pandemic.html

61 https://www.irrawaddy.com/news/burma/myanmar-speaker-rejects-call-summon-military-majority-security-council-address-COVID-19.html

62 https://www.irrawaddy.com/specials/myanmar-COVID-19/timeline-myanmars-government-responses-to-the-COVID-19-pandemic.html

63 https://www.irrawaddy.com/specials/myanmar-COVID-19/timeline-myanmars-government-responses-to-the-COVID-19-pandemic.html

64 https://frontiermyanmar.net/en/with-lax-enforcement-of-COVID-19-rules-the-beer-keeps-flowing-in-some-yangon-bars

65 https://www.irrawaddy.com/specials/myanmar-COVID-19/timeline-myanmars-government-responses-to-the-COVID-19-pandemic.html

66 https://www.irrawaddy.com/specials/myanmar-COVID-19/timeline-myanmars-government-responses-to-the-COVID-19-pandemic.html

67 https://www.irrawaddy.com/specials/myanmar-COVID-19/timeline-myanmars-government-responses-to-the-COVID-19-pandemic.html

68 https://www.irrawaddy.com/specials/myanmar-COVID-19/timeline-myanmars-government-responses-to-the-COVID-19-pandemic.html

First COVID-19 death reported in Myanmar, a 69-year-old man who died of acute respiratory distress syndrome with septic shock and pneumonia.

Aung San Suu Kyi warns communities may face "community quarantine" and encourages the public to stay at home.[69]

April 1: Aung San Suu Kyi re-activates her personal Facebook account to communicate with the public about COVID-19.

April 2: Mandatory quarantine announced for all returning migrant workers.[70]

Yangon government issues stay-at-home order during Thingyan (April 10-19).

April 3: NCA Signatory EAOs held a video call, discussing prevention and control of COVID-19.[71]

April 4: Government employees ordered not to travel or visit family during Thingyan.[72]

April 6: Myanmar government announces food aid for vulnerable families during Thingyan period.

April 6-7: Yangon, Mandalay, Sagaing, Shan, Kayah, Kachin and Mon States and Regions issue a variety of stay-at-home orders and other movement restrictions, including shutting down public transportation and cancelling public events and other group activities.[73]

April 7: National-Level Central Committee on Control, Prevention and Treatment of COVID-19 announces waiver of fees for first 150 units of electricity used until end of April.[74]

April 8: National call centre created for COVID-19..

April 10: Ministry of Foreign Affairs issues statement on prevention and control of COVID-19 in Rakhine State.[75]

Yangon on lockdown from April 10-19.

MoHS starts contact-tracing of positive cases. At this point, 28 cases had already been confirmed.

April 11: Mandatory quarantine for international arrivals extended from 14 to 21 days.[76]

April 14: Land crossings at Myanmar-Bangladesh border closed.[77]

April 16: Ban on gatherings of 5 or more people extended.

April 18: CCPCT announces curfew from 10pm-4am in Yangon through May 15.

Stay-at-home and lockdown orders extended in seven townships in Yangon with the most cases.[78]

David Lah and another pastor charged with violation of the Natural Disaster Management Law for holding a religious gathering.

69   https://www.irrawaddy.com/specials/myanmar-COVID-19/timeline-myanmars-government-responses-to-the-COVID-19-pandemic.html

70   https://www.irrawaddy.com/specials/myanmar-COVID-19/timeline-myanmars-government-responses-to-the-COVID-19-pandemic.html

71   https://frontiermyanmar.net/en/from-north-to-south-ethnic-armies-confront-an-unseen-enemy

72   https://www.irrawaddy.com/specials/myanmar-COVID-19/timeline-myanmars-government-responses-to-the-COVID-19-pandemic.html

73   https://www.irrawaddy.com/specials/myanmar-COVID-19/timeline-myanmars-government-responses-to-the-COVID-19-pandemic.html

74   https://www.irrawaddy.com/specials/myanmar-COVID-19/timeline-myanmars-government-responses-to-the-COVID-19-pandemic.html

75   https://m.facebook.com/513368565530110/posts/1433138100219814/?d=n

76   At this point, 22 cases had already been confirmed

77   http://www.mizzima.com/article/border-crossings-through-myanmar-bangladesh-border-gates-now-restricted

78   https://www.irrawaddy.com/specials/myanmar-COVID-19/timeline-myanmars-government-responses-to-the-COVID-19-pandemic.html

April 19:   All factories ordered to close until April 30, and required to pass government inspection before re-opening.[79]

April 20:   WHO driver killed in Rakhine State while driving test specimens to Yangon.

Shan State imposes curfew from 10pm-4am over 48 of 55 townships in the state.[80]

April 24:   Ban on visas and international commercial flights extended until May 15.

National Volunteer Steering Unit formed to coordinate welfare of volunteers responding to COVID-19.

April 28:   COVID-19 Economic Relief Plan released.

Committee to coordinate with ethnic armed organizations (EAOs) formed.

May 3:   Internet restrictions in Maungdaw lifted, restrictions remain in eight other townships.

May 5:   Ministry of Agriculture announces cash assistance and loans for farmers.[81]

Military allegedly burns one KNU health screening point and destroys another, leading to clashes with the KNU.

May 6:   MoHS conducts door-to-door health checks in Insein Township, the township with the most COVID-19 cases.

May 7:   Aung San Suu Kyi encourages public to wear masks outside the house, and announces a face mask-wearing contest.

May 8:   Twelve Muslim men sentenced to three months' imprisonment for holding a religious gathering in violation of COVID-19 restrictions.

May 9:   Military announces unilateral ceasefire until August 31, but excludes "areas where terrorist groups operate", applying at a minimum to Rakhine State.[82]

May 9-11:   Yangon, Mandalay and Ayeyarwaddy Regions announce fines and legal action for not wearing masks outside their home and for gatherings of four or more people.[83]

May 11:   Ministries instructed to allocate at least 10% of their budget to COVID-19 response.

Brotherhood Alliance calls on military to extend ceasefire to entire country.[84]

May 11-12:   Government Coordinating Committee meets with KNU and NMSP to provide awareness-raising materials and food and medical aid.[85]

May 13:   Yangon authorities announce easing of restrictions in Mingaladon, Hlaing Tharyar, Shwepyithar and Bothataung townships in Yangon because they have not reported any new cases in the past 20 days.

May 14:   CCPTC announces curfews in Yangon will be shortened from 10pm-4am to 12am-4 am.

May 15:   International flight ban extended through May 31.

May 16:   All Myanmar nationals returning from abroad are required to get a COVID-19 test.

Mandalay allows all businesses except entertainment to re-open, though restaurants must still offer only take-away.[86]

May 18:   New Prevention and Control of Communicable Diseases Law submitted to Parliament.

First cases in Kayin, Tanintharyi and Rakhine announced, all migrant workers in quarantine after returning from Thailand or Malaysia.

79   https://www.irrawaddy.com/specials/myanmar-COVID-19/timeline-myanmars-government-responses-to-the-COVID-19-pandemic.html
80   https://www.irrawaddy.com/news/burma/myanmars-shan-state-imposes-COVID-19-curfew.html
81   https://elevenmyanmar.com/news/ministry-to-grant-agricultural-loans-to-farmers-affected-by-COVID-19
82   https://www.irrawaddy.com/news/burma/myanmar-rebel-coalition-calls-military-extend-ceasefire-rakhine.html
83   https://www.irrawaddy.com/specials/myanmar-COVID-19/timeline-myanmars-government-responses-to-the-COVID-19-pandemic.html
84   https://www.irrawaddy.com/news/burma/myanmar-rebel-coalition-calls-military-extend-ceasefire-rakhine.html
85   https://www.mmtimes.com/news/mon-ethnic-armed-group-seeks-food-60000-people.html
86   https://www.mmtimes.com/news/govt-allows-restaurants-reopen-strict-guidelines-myanmar.html.

May 19:	Restaurants and teashops in Yangon allowed to re-open, with the exception of six townships (Mayangone, Tarmwe, Bahan, South Okkalappa and Pabedan).
May 22:	Union Parliament approves a US$50 million loan from the World Bank to improve public health and emergency preparedness.
	Magwe Regional Government allowed 1,000 factories to re-open after inspections carried out.
May 25:	A second waiver of fees for the first 150 units of electricity announced, this time for electricity used in May. June 10: The National-Level Central Committee for Prevention, Control and Treatment of COVID-19 announces that legal action would be taken against anyone entering Myanmar through unauthorized entry points
June 21:	Students and activists across Myanmar call on the government to end its one-year internet shutdown in parts of Rakhine and Chin States
July 1:	Union Election Commission announces that 2020 election will be held on November 8.
July 21:	Half of high schools reopen across the country.
Late July:	First round of cash transfers sent to vulnerable families.
August 1:	2G mobile internet rvice resumes in townships in Rakhine and Chin States
August 16:	First local transmission in a month reported in Rakhine State
August 19-21:	Fourth 21st-Century Panglong Conference held.
August 20:	Lockdown measures imposed in Sittwe after new spike of locally-transmitted cases.
August 26:	Lockdown measures extended to all of Rakhine State.
September 20:	Stay-at-home order re-imposed in Yangon.