

UPDATE ON JOURNALISM AND MEDIA SAFETY IN MYANMAR

January-March 2024

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The junta's forced conscription Law:

"If the military wanted to use journalists in propaganda, that's another ethical problem"

"It is no longer possible to get news like before"

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Highlights

A former journalist, who has been in detention since late December 2023, was sentenced to three years in prison for incitement in February 2024.

A documentary filmmaker, Shin Daewe, was sentenced to life imprisonment after her conviction on terrorism charges in January. This makes her the first female journalist and filmmaker to be given a life sentence since the Myanmar military's illegal coup attempt on 1 February 2021.

A Rakhine-based former journalist, serving a prison sentence for incitement, was shot dead by two soldiers in the military headquarters of KaMaYa (378) battalion in Mrauk-U, western Rakhine state in January, 2024. Myat Thu Tun was among the seven detainees in the KamaYa (378) compound, where they had been brought to from the township prison. Their dead bodies were found by the Arakan Army after they captured the town after fighting military troops.

Two journalists were released in the first quarter of 2024.

As of March 2024, 55 Myanmar journalists and media professionals remained behind bars. Ninety-one percent of the detainees are men, and the remaining 9% are women. Seventy-eight percent of the detained journalists are reporters or photojournalists.

The death of the Rakhine-based journalist brings to seven the total number of journalists who have died since the 2021 coup.

Cumulatively since the coup, 208 journalists and news workers have been arrested, 70 convicted, and 152 released under the military regime, according to the latest media monitoring data on the repression of journalists in Myanmar.

The armed conflict between Myanmar's military and various ethnic armies and anti-coup resistance groups has continued to spread, especially since anti-junta groups launched the Operation 1027 offensive in late 2023. In February, the National Unity Government's foreign minister, Zin Mar Aung, [said](#) that the junta controls just 30-40 percent of Myanmar's territory. The military junta, called the State Administration Council (SAC), has also lost [major regions](#) along the border with China as well as Myanmar's western border. Its military is also facing resistance in the eastern border, independent reports say.

This situation is resulting in even more challenges for journalism work inside the country. Two issues stemming from the conflict situation are addressed in this report – increased armed conflict in Rakhine and journalists' worries about the enforcement of the conscription law that the junta plans to implement from April onwards.

In Rakhine, the Arakan Army (AA) is on the verge of controlling the state after months of renewed fighting with the military junta since November 2023, media reports say. Violence has also led to the displacement and relocation of 100,000 people from Rakhine. The fighting has also pushed a number of journalists including at least one woman journalist across the

border into neighbouring Bangladesh. This is the first time that journalists have fled Rakhine to Bangladesh.

In need of military personnel given its losses on the battlefield, Myanmar's military regime announced on 10 February that it would start enforcing the country's military conscription law in April 2024. Under this law first enacted in 2010, men aged 18 to 35 and women aged 18 to 27 are required to serve in the military in an emergency situation. The junta has said women will not be drafted as yet.

The junta's decision to implement the enforcement of the conscription law -- widely regarded as illegal, without legitimacy and constitutes the forced enlistment of civilians -- has added to journalists' concerns for their safety and security. Like Myanmar citizens who are within the age ranges covered by the junta's forced conscription, journalists in the major cities and areas of the country controlled by the Myanmar military are worried about being drafted into military service. On top of that, journalists worry that if the military finds out that someone is a journalist, that person could be forced to do propaganda too.

“If they were drafted by the military knowing that they are media experts and want to use them in military propaganda, there would be another ethical problem e.g. to write a blog or an article for the regime. Utilisation of their media knowledge would be enforced,”

a media expert said in an interview.

Conviction

A former journalist, Soe Min Naing, from northern Shan State, who had worked for several local media outlets as well as volunteered for a social welfare organisation, was arrested by the military during the last week of December 2023. According to local sources, he had been reported to the military as having contact with the Ta'ang National Liberation Army, one of the country's [most powerful](#) ethnic armed organisations seeking political equality and self-determination. He was convicted under Sections 505A and 505 (b) of the Penal Code, which punishes incitement against military and state officials, and was sentenced to three years in prison on 24 February.

Freelance filmmaker Shin Daewe was sentenced to life imprisonment on 10 January, after being convicted under terrorism charges. Arrested in October 2023, she is the first female journalist and filmmaker to be given a life sentence since the Myanmar military seized power in 2021.

She was arrested in Yangon's North Okkalapa township after collecting an aerial drone that she had purchased online to use in filming. Drone possession is prohibited in Myanmar.

She was convicted of violating Sections 50(j) and 54(d) of the Counter-Terrorism Law - which describes "preventing and stopping terrorism and terrorism financing."

"By sentencing a documentary film director to life in prison under the pretext of terrorism, the military junta shows the extent of its arbitrariness and ruthlessness," said *RSF's Asia-Pacific Director Cedric Aluiani in an interview with [Radio Free Asia](#)*. He urged the international community to intensify its pressure on the Myanmar regime for the release of all journalists that the regime put in jail.

The first journalist to be sentenced to life imprisonment was Kyaw Aung, also known as Min Min, a freelancer convicted under the [Counter-Terrorism Law](#) on 28 December 2022.

Aung San Oo was convicted 20 years in prison under section 50 (a) of Counter-terrorism Law on 16 February 2024. He was [arrested](#) with another journalist, Myo Myint Oo, at their homes in Myeik, Tanintharyi region around midnight on 11 December 2023. Myo Myint Oo has faced more charges including sections 50 (j), 52 (a) and (b) of the counter-terrorism law.

"Myanmar's military junta must release Dawei Watch journalists Aung San Oo and Myo Myint Oo, drop any pending charges against them, and stop intimidating journalists for their work," said Shawn Crispin, CPJ's senior Southeast Asia representative. "Myanmar must stop harassing and detaining journalists for merely doing their job of reporting the news", he added.

Deaths

Former journalist Phoe Thiha, also known as Myat Thu Tun, [shot to death](#) by junta soldiers according to the [military command](#) in Mrauk-U township in Rakhine state on 31 January 2024. He was among seven political prisoners, including social influencer Kyaw Zan Wai (also known as Phoe La Pyae or Yin Sot), who criticised the junta through jokes on Facebook.

- Pho Thiha was arrested at home in Mrauk-U on September 20, 2022 although he had retired from the journalism field five years ago, without having a specific reason or accusation.
- These detainees were shot in the compound of (378) military custody before the battalion was defeated in the fighting with the Arakan Army.

AA found the bodies after they seized control of Mrauk-Oo township from junta soldiers. “Rakhine media outlet Western News [said](#) the seven men had been transferred from township prison to the battalion’s compound before they were killed.” In the case of those killed, they were facing incitement charges under Sections 505A and (b) of the Penal Code.

The attack happened when two soldiers, Lance Corporal Than Aung and Captain Arkar Myint, from the KaMaYa (378) battalion, were [ordered](#) by Battalion 378 company commander Major Thein Htike Soe to execute them.

There were similar crimes committed at KaMaYa (379) compound in Minbya township, when the other two prisoners were facing random charges and were shot to death on January 19.

These killings of prisoners happened before the Arakan Army (AA) [captured](#) Mrauk-U on February 5 as the consequence of the 1027 operation on October 27, 2023, that flared the fighting to the west in Rakhine state where clashes between the military and AA. Although there is no revelation of the reason why the killings of the prisoners was ordered, the junta army has a practice of committing war crimes, using highly [destructive](#) weapons in conflict areas, arresting civilians and using them as human [shields](#) and executing them.

The killing of Myat Thu Tun brings to seven the number of journalists who have died since 2021, whether in military custody, armed conflicts or other circumstances.

These Rakhine cases show that political prisoners and journalists are facing serious life-threatening conditions in military-controlled conflict zones. For example, a high concern for Htet Aung, a journalist from Development Media Group (DMG), who is now in Sittwe prison, brought to trial under section 52(a) of the Counter Terrorism Law 5 January 2024. AA has [taken control](#) of towns near Sittwe in March. Sittwe is the capital city of Rakhine which is a strategic city for the military junta as well for its oil and gas trade through the Indian Ocean.

Releases

Two journalists were released on 4 January 2024. Toe Aung and Tun Than Aung, who are journalists from Mekong News Agency, were arrested in March 2022 in Tachilek, Shan state and charged for incitement under Section 505A of the Penal Code.

Arrest, release of pro-junta editor

While it is independent journalist who are threatened under the military junta-controlled areas, journalists who supported the regime are sometimes under risk of arrest. The military regime has been trying to [discredit](#) and attack independent media by using their proxy media platforms. Even though these regime-sponsored journalists tried to criticise the regime, they had to be encountered with arrest.

For example, Kyaw Soe Oo, editor-in-chief of People Media, a propaganda media of the regime, was [arrested](#) for criticising senior-ranked military leaders for not attending the funeral of a police chief, who died in a [battle](#) with Kachin Independence Army (KIA) in Sumprabum township in Kachin state. He was arrested on March 19, 2024 and sent to Nay Pyi Taw prison under Section 505A of the Penal Code. However, being a core supporter of the regime, he was [released](#) on March 22, 2024 after 3 days of detention and negotiation. People Media's former name was the Union Daily Newspaper, owned by the Union Solidarity and Development Party (USDP).

Revocation of licences

On 27 January 2024, the military junta's Ministry of Information revoked the licences of two publishing houses, Toemyit and Lapyae Lin Publishing.

According to the Toemyint Book/ Printing's Facebook page, "in the letter [addressed](#) to us, it is stated that the publication licence is revoked for the book called *Morale Revolution* by historian Dr. Aung Khin". The first edition of this book was published in January 2019, and the second

came out in December 2023, with only the price and paper changed, without any edition.

However, the military junta accuses these publishing houses of violating section 8(b) of [the Printing and Publishing Enterprise Law](#), which punishes actions that potentially undermine national security, the rule of law, public order, or the rights of citizens such as liberty, equality, and balance of power.

The military junta announced that the licence on the printing, publishing, and news media enterprise must be [renewed](#) after 60 days of expiration with the payment of 10,000 MMKs on 31 January 2024. In accordance with the announcement, any news media agencies with expired licence will be subject to legal action and punishment according to the Printing and Publishing Enterprise Law.

Monitoring media repression in Myanmar

Cases	January to Mar 2024	2024	Since the 2021 coup until March 2024	Gender	
				Women	Men
Journalists and News workers			Total		
Arrested			208	28	180
In detention/serving jail sentences	1	1	55	5	50
Released		2	152	23	129
Died	1	1	7		7
Convicted	3	3	70	13	57

News and other licences	Jan to Mar 2024	2024	Since the 2021 coup until March 2024	Women	Men
News licences cancelled			15		
Printing/publishing permits revoked	2	2	11		

**This count includes one journalist who was arrested at the end of 2023. Information about his arrest was obtained only in January 2024, so this case has now been added to the total of those in detention for 2024.*

***There has been a revision in the list of detained journalists, after a review of monitoring data. The report for the fourth quarter of 2023/annual report listed 64 journalists as being in detention, but this figure has now been updated to 55. The nine journalists removed from the 2023 cumulative count are: 2 journalists who were released in 2024 (Jan-Mar), 5 who were released in 2023, and one was shot dead in prison (his name was also taken out from the list of arrested journalists since he was not arrested due to journalistic work).*

Forced Conscription law worries journalists

On 10 February, the junta [issued](#) an order that brought the 2010 People's Military Service Law into force. Males aged 18 to 35 and women aged 18 to 27 are eligible for conscription, though "professional" men and women can be conscripted up to the ages of 45 and 35 respectively.

Those who evade military service or help others evade military service are subject to up to five years imprisonment. The military junta's spokesman Zaw Min Tun has indicated that the junta intends to conscript 5,000 individuals per month beginning in [April](#), which will affect as many as 14 million people. He said that women are not being [drafted](#) yet.

As a consequence, it has been spreading fear and insecurity among the people much more than ever. [Thousands of young](#) people are trying to get out of the country as possible ways to avoid the enforcement of military service. In March, Thai authorities said more than 10,000 people [crossed](#) the border fleeing from the forced conscription law. There were 7,000 visa applications submitted during the first week, when a stampede caused the death of two women in front of the passport issuing office in Mandalay. Furthermore, people are fleeing to territories occupied by the ethnic revolutionary forces.

In comparison to before Oct. 27, 2023, the junta has now been facing [losing](#) territories. On the military front, the junta [has relied](#) heavily on air assaults and long-range artillery strikes, which are sufficient to terrorise unarmed civilian populations, but are insufficient to maintain a territorial hold. As a result of Operation 1027, the military has only been able to take back one of the nearly 30 towns it lost as a result of the operation. In northern Shan state, the Myanmar National Democratic Alliance Army and the Ta'ang National Liberation Army captured 16 towns during Operation 1027, both of these groups are focusing on restoring social services and governance in those towns.

Journalistic landscape in liberated areas

The military's loss of some territories since late 2023 has led to the creation of some liberated areas, where revolutionary forces have gained larger control. These areas have attracted people who want to avoid compulsory military service or want to flee from the military's oppression, giving them temporary refuge. Journalists are among them, fleeing to liberated areas which give them more freedom of movement. But while they find more access to information, they have encountered some restrictions too due to security reasons, local journalists say.

Journalists who relocated to these regions also report facing higher financial costs of living; three times higher when it counts the transportation fees. Security is very cautious as there are also supporters of the Union of Solidarity and Development Party (USDP) in the same town_ USDP was founded by former military leaders and a military-allied political party. The area also provides a certain extent of security from compulsory military service as different

races are not recruited by revolutionary forces, except a few groups such as Restoration Council of Shan State/Shan State Army (RCSS/SSA). RCSS/SSA [released](#) its military service law on 19 February, requiring males and females aged between 18-45 from any ethnic group in Shan State to serve for up to six years.

Given the increased tension of conflict in Rakhine state, some journalists in Rakhine have chosen to move to neighbouring Bangladesh. This is the first time that journalists have been forced to cross over into Bangladesh since the coup. From the interview analysis, the current situation of obtaining information in Bangladesh has been the worst situation, facing difficulties in contacting news sources by phone, destruction of internet connection, verification problems, and challenges in getting diverse perspectives on news.

In addition to the destruction of telephone service, internet stability, and electricity in Arakan Army (AA) controlled areas, worries about drones, long-range shooting, air strikes, and heavy weapons persist. These are all factors that have pushed journalists crossing to Bangladesh. At the same time, informing the UNHCR and getting UN protection is crucial to prevent arrests and deportations back to Myanmar.

Voices

Forced Conscription Law:

“If the military wanted to use journalists in propaganda, that’s another ethical problem”

Below is a conversation with a media expert who discusses how the junta’s forced conscription law makes the media environment even more unsafe.

How much impact can this forced conscription law have on journalists inside Myanmar?

Some journalists already said that they are not working as journalists any more. For some, they are still working media jobs, [going] undercover with different types of work. Like normal citizens under a certain age to be conscripted, it has also threatened journalists/ former journalists, whether they are doing journalistic work or not. It has impacted those who are still on the ground, by forcing them to flee or find a safe place to avoid forced military service. If they are drafted by the military knowing that they are media experts and want to use them in military propaganda, there would be another ethical problem e.g. to write a blog or an article for the regime. Utilisation of their media knowledge would be enforced.

How does the forced conscription law contribute to the safety and security concerns of journalists in Myanmar?

Expertise in specific areas and the use of media knowledge as weapons in their propaganda is one of the main concerns for journalists, because there were similar cases and persuasion or pressure by the military in the past years.

Risk is now on all those under this classified age 18-35. It has been more cautious to go out or travel for young people as they could be checked at any time. We don't have accurate information on how the law will be implemented, but safety and security concerns have been at their peak by that time. When we conduct news and work on the ground, that law has undeniably become another obstacle for journalists.

For some parents, they are not allowing their children to go out, so the situation is getting worse and worse after the law was launched. So, it not only damages the journalistic work but becomes another factor in deciding whether to continue staying inside the country or to migrate to other countries.

Have there been incidents where journalists have faced challenges or consequences due to this forced recruitment?

Not under my knowledge. But that doesn't mean there are no cases. There may be a delay in news or information, so I haven't heard yet, but maybe it is not reachable yet.

How are journalists coping with the new realities imposed by the compulsory military service law?

If they decide to keep staying inside the country, moving to liberated areas would be the option. But key consideration is whether he has someone or some organisation that can help him. Other considerations include the communication he can conduct, the internet network, and how freely he can do media work. But it is still hard to say that it would be entirely safe to work in those regions (liberated areas). There may be some pitfalls as well. But probably it can be a temporary refuge.

However, some ethnic armed forces also [issue](#) their respective conscription laws, such as RCSS/SSA in Shan state.

What can be done by exiled journalists' associations or international media organisations for journalists and journalism in Myanmar to cope with the potential impacts of this forced recruitment?

If there are some journalists determined to get out of the country due to this law's impact, there should be ready to help and assist them. Also, if some journalists decide to continue staying inside, required assistance for relocation should be provided.

What could be the long-term consequences of the forced conscription law on the journalism landscape in Myanmar?

I think most media outlets are already exiled. But there may be some relocation and migration of under-covered media outlets and journalists as a consequence of that law. Also, I believe access to information will be more limited. Citizen journalists might not be able to work anymore and there will be more human resources lost, particularly the young people. As a result of the implementation of the forced conscription law, many young journalists who are working undercover must relocate to neighbouring countries, either legally or illegally. In this case, getting information from sources on the ground will be difficult for the media in exile. There, in the near future, fake news, misinformation, and disinformation will have an impact on the general public.

To add, the media industry has not been free from the beginning. On top of the danger of journalists being threatened with arrest, the conscription law is another threat that is all-encompassing.

“It is no longer possible to get news like before”

Below is a conversation with a journalist who is still working inside Myanmar.

What is the current state of collecting news in Myanmar?

It is no longer possible to get news like before since the coup d'état. We have been collecting news via Signal, Telegram and other apps to get information in a way that is available. However, as the situation gets worse, what we are facing is that most of the news sources are now refusing to answer because of threats from the military regime. Consequently, it is not immediately possible to build a news story, and it takes time to follow and validate the source. Sometimes we lose track of news.

What are the reasons behind the limited availability of news sources?

The reason why it is difficult to get information is because the sources of information are no longer responding. The main reason is that after the publication of fake news by the Military Council, there is an investigation into who gave the news in the region. Departments under the Military Council are also strict. Because of this, it is difficult to get news from respective departments as before, and ground sources are blocked by the military regime.

How have these affected news reporting?

Due to the lack of information sources, there have been delays in the news distribution section, where the news flow is not immediately available to the public. Some of the news is known, there are implications that the news cannot be published as the news sources are no longer getting in touch.

Have you ever experienced being distrusted as a journalist?

As journalists, we have experiences of not being trusted by the news sources. Here is how it happens- Since I have been working in the news industry for more than 10 years, the police, including most of the government departments, knew about me, so I couldn't show up at the place where I was getting information. In that situation, we must use the new pen name and new phone number in trying to get news. In the place where you get information by phone, because it is a new phone number, some of the news sources did not answer the phone. Some of them answered only after asking and confirming with other journalists close to them. Some of them didn't answer at all because they didn't believe that we were new reporters, and they even blocked our phones.

Are there any specific places where this happens more obviously, such as in conflict zones?

Depending on the region, there are differences in the reliability of some information sources. Some local news sources are willing to give news to reporters when the situation in their area is very difficult. Some of them are also worried that they may be in danger because they gave the news. There are differences depending on the region.

How has the forced conscription law affected the collection of news?

After the launch of the forced conscription law, there are implications for access to information. For example, when we inquired about youth issues, some active young people were no longer in the country, and some of them had reached the liberated areas, so their phone contact was cut off.

In addition to this, some experts in their profession who are conceived to join the military within 45 years old. Thus, some of them are no longer in the region, and it makes it more difficult to get information because they cannot tell the situation in the region.

Currently, due to the military junta council's countermeasures against fake news, including the military forced service law, news sources are no longer responding as they used to.

Phone lines and internet lines have been cut, and commodity prices have skyrocketed, so journalists need help to continue their news work.

It is becoming more difficult to investigate a news story, event, situation or what is happening on the grassroot levels since the communication with the news-source providers becomes more limited because you have to build trust to get a new source of information. Due to this difficulty, the flow of news is weak and it takes more time to

About this brief

This is an update on the challenges and threats to press freedom and media independence in Myanmar, safety issues around journalists and individuals in the news profession, and relevant events and issues in the country's news and information environment since the military's illegal coup attempt on 1 February 2021. This brief is produced using verified information, including the tracking of incidents and discussions with journalists and media professionals, to document and provide context for a better understanding of the country's news and information situation.

Some definitions

- In the monitoring work for this series of updates, an incident is a verified event that involves action against a journalist due to his or her journalistic activities or background, such as arrest, detention, prosecution, death, torture and acts of violence, surveillance, harassment and/or threats.
- Incidents include similar actions against other individuals working in independent newsrooms and news-related operations, such as news management and other administrative, creative and support personnel who are part of the production and distribution of journalistic products. They are called "news workers" in these monitoring updates.
- Also included in incidents are actions taken against newsrooms, news organisations and their websites and online spaces, independent associations of professional journalists and press clubs. These include the cancellation of publishing licences, raids on news outlets' premises and their prosecution and the blocking of websites.
- In this series of updates, a journalist is an individual who is engaged in gathering and reporting, taking photographs or video footage, editing or publishing and presenting news that has been produced using professional and independent journalistic standards and methods.
- A journalist may be in news work as a livelihood, whether paid or not, in different types of media and platforms, and have different types of professional arrangements, such as being full-time staff, freelance, a stringer or occasional contributor.
- Included in the journalists covered by the monitoring work are individuals who have been described as being former journalists, or who have left their news organisations. This is for two reasons: first, being or having been a journalist in Myanmar by itself is a risk, and persons have been targeted or arrested because of a past affiliation with a news outlet; second, safety considerations can require an individual's description as a former journalist.

- “Journalist” in this monitoring work likewise includes citizen journalists, given that many news organisations in Myanmar work with them on a regular basis. In the Myanmar context, the term “citizen journalist” typically refers to a person who contributes news – whether in the form of raw content, including photographs or video, or full stories. He or she may or may not be paid for contributions and may or may not have had some news training.
- The military’s illegal coup attempt, news outlets began using material sent voluntarily by citizen journalists after restrictions and arrests made news-related activities dangerous for professional journalists.