



## Violations of the Right to Adequate Housing after the Coup on 01 Feb 2021, Myanmar<sup>1</sup>

This short note lists violations against the rights to adequate housing which have occurred since the coup attempted by the Myanmar military (*Tatmadaw*) on 1 Feb 2021. These violations include violations of the right to be free from: forced evictions; arbitrary destruction or demolition of one's home; arbitrary interference with one's home; and the right to freedom of movement and choice of residence.<sup>2</sup> These are rights found in the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the International Convention on the Elimination of all Forms of Racial Discrimination, the Convention on the Rights of the Child, and the Universal Declaration of Human Rights.<sup>3</sup>

### 1. Displacement

#### Forced evictions

There are an increasing number of eviction cases targeting civil servants who are participating in Myanmar's Civil Disobedience Movement (CDM). On 10<sup>th</sup> March 2021, **over 1,000 Myanmar Railway workers were forcibly evicted** from their staff housing compound in Ma Hlwa Gone, Yangon.<sup>4</sup> Health workers were also evicted for the same reasons in Taunggyi, Naung Cho, and Namsang in Shan State; Homalin in Sagaing Region; and Falam and Hakha in Chin State. In Mandalay and other areas, **civil servants were given deadlines by which to return to work or vacate their housing.**<sup>5</sup>

These civil servants are easily targeted as the location of their residences are clear and concentrated together – often adjacent to or even inside the compound where they are employed, as is the case with the railway workers. Historically, the housing provided to civil servants was one of the key benefits to joining the civil service. Now, this very benefit is being used to help further the brutal abuse of power by the military. Such eviction cases could potentially increase as the CDM continues.

There is further risk of mass forced evictions, especially in the townships currently under martial law. Forced eviction has been used by Myanmar's previous military regimes as a planning tool for both population control and urban expansion.<sup>6</sup> Involuntary relocations to the peripheral areas of cities such as Yangon were used to urbanize outlying areas and expand municipal boundaries as well as free up centrally located urban land for development. Likewise, in order to make a profit from existing land and other development projects, it is likely that **if military rule continues or is consolidated, further steps may be taken to forcibly clear existing populations** from certain high value or strategic areas.

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<sup>1</sup> This report was developed by Dr. Elizabeth Rhoads and Shoko Sakuma under the research project Yangon Stories: Living heritage as a tool to prevent spatial violence led by Dr. Catalina Ortiz, Associate Professor at The Bartlett Development Planning Unit - University College London.

<sup>2</sup> [https://www.ohchr.org/Documents/Publications/FS21\\_rev\\_1\\_Housing\\_en.pdf](https://www.ohchr.org/Documents/Publications/FS21_rev_1_Housing_en.pdf)

<sup>3</sup> On 18th March, UN experts released a joint statement, raising alarm over forced evictions and the escalation of human rights violations.

<sup>4</sup> <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26916&LangID=E>

<sup>5</sup> <https://www.frontiermyanmar.net/en/police-soldiers-forcibly-evict-more-than-1000-rail-workers-and-their-families/>

<sup>6</sup> <https://www.bbc.com/burmese/live/burma-56331237/page/7>

<sup>7</sup> <https://www.jstor.org/stable/pdf/10.13169/statecrime.7.2.0278.pdf>



## Internal displacement

After brutally violent crackdowns on anti-regime protestors and the **imposition of martial law**, thousands of residents - most of them thought to be migrant workers - left Hlaing Tharyar township and other townships under martial law for other areas.<sup>7</sup>

On 6<sup>th</sup> March, a local NLD party official in Yangon was attacked and taken away at gunpoint from his home. The following morning, his family was informed about his death by the police. The severe wounds on his body covered in a bloody shroud suggested he had been severely tortured.<sup>8</sup> Many human rights activists, politicians and party officials, CDM participants and journalists are in need of safe houses.<sup>9</sup> However, one of the first steps the military took following the coup was to **reorganize the local administration** in urban wards and villages, **firing the existing administrators and replacing them with those loyal to the military**. This is important as the local administrators are responsible for keeping track of those resident in their area, through both household registration lists documenting who is legally resident in the ward/village and previously through the use of guest registrations.<sup>10</sup> Following the coup, the **military reinstated the guest registration regulation**, requiring households to register all overnight guests with the local administrator.<sup>11</sup> By replacing the ward/village administrators, the military can control residents' freedom of movement, choice of residence, and can ensure household-level surveillance of the local population, making it difficult for at-risk individuals to evade capture.

## 2. Impacts on urban poor communities and people with precarious or pending citizenship status

### Urban poor neighbourhoods under martial law

On 14<sup>th</sup> March, the junta imposed martial law on six townships in Yangon, placing over 2 million people under the complete control of the local military commander. These townships are relatively low-income neighbourhoods which have high urban poor and working-class populations. In addition to facing everyday inequalities, the full control by the military commanders enables the military to restrict residents' freedom of movement and right to freedom from arbitrary interference in their home. Violations of the right to adequate housing might not only come from forced evictions, but also by **shooting into homes** and **large-scale displacement** due to civilians fleeing from areas under martial law.

The townships under martial law were all formed by forced evictions and relocations under previous military governments in 1958-1960 and following the 1988 uprising. The townships form a ring across the northern perimeter of the city, making it almost impossible to enter the city limits without passing through either a township with a large military base or an area under martial law. **This works to further restrict freedom of movement not just in the affected townships, but the entire city.**

### Voter list control

The operation of the existing **household registration system** in Myanmar under military rule may further restrict the housing rights of the urban poor. The military have made it very clear that their

<sup>7</sup> <https://www.rfa.org/english/news/myanmar/ethnic-chinese-03162021181531.html>

<sup>8</sup> <https://www.hrw.org/news/2021/03/09/myanmar-urgently-investigate-nld-officials-death-custody>

<sup>9</sup> <http://www.asahi.com/ajw/articles/14286577>

<sup>10</sup> <https://www.irrawaddy.com/news/burma/lower-house-abolishes-overnight-guest-registration.html>

<sup>11</sup> <https://www.sbs.com.au/news/myanmar-army-tightens-laws-on-overnight-guests-as-police-hunt-street-protesters>



rationale behind the coup was alleged voter fraud and have extensively discussed their allegations of voter lists, which are based on household lists, containing non-citizens and people who do not actually live where they say they live.<sup>12</sup> In short, they are likely referring to the millions of urban poor and migrants who voted without having an ID card, and to religious and ethnic minorities whose citizenship applications are still pending due to Myanmar's **discriminatory citizenship regime**. In this context, a military clean-up of voter lists would mean household checks on residents to compare those living in a dwelling to those on the list. It could also entail door to door checks of dwellings to make sure household lists are not issued to 'illegal' dwellings. It is too soon to know of course, but in addition to the current levels of violence, these are additional risks in the current rhetoric from the military coup leaders.

### Difficulties in paying rent

Many workers who joined the general strike have not received wages and thus may be unable to pay rent. This is particularly the case for those in more **precarious housing** such as hostels or boarding houses with month-to-month rent. Some landlords who sympathize with their tenants have paused payments or reduced the rent for the period during the strike, while in other cases **workers have been evicted**.<sup>13</sup> Due to fears of increased food costs<sup>14</sup> and paralyzed banking system with restricted cash withdrawals, more people want to save cash. This situation could potentially lead some property owners to request rent payments even during the strike, while many tenants would face difficulties paying.

### 3. Residential Terror

The escalating reckless and indiscriminate violence has included a campaign of residential terror by security forces, constituting various violations of the right to adequate housing and several other human rights.<sup>15</sup> The imposition of **night-time curfews (8pm-4am), total loss of mobile data service, and fixed-line internet outage daily from 1am-9am** reinforce overnight fears due to the lack of information. **The suspension of the Privacy and Security Law (2017)** on 13<sup>th</sup> February allows security forces to enter, search and destroy private property with neither warrants nor witnesses, arrest citizens, and seize evidence.<sup>16</sup> Many experienced **loss and destruction of property**.<sup>17</sup> Residents **cannot rely on the police** for safety as they are the ones who are carrying out attacks.

From mid-February, there were reported cases of **staged attacks and arson**.<sup>18</sup> Some sources reported that attacks on residences were conducted by the military by using former prisoners who were released on Union Day or by hiring children and/or low-income people and giving them drugs.<sup>19</sup> In 1988, similarly, the military released criminals into the population to stage attacks to justify extending their own power through a coup.<sup>20</sup>

<sup>12</sup> <https://www.gnlm.com.mm/senior-general-makes-speech-at-union-government-meeting/>

<sup>13</sup> <https://jacobinmag.com/2021/03/myanmar-burma-general-strike-coup>

<sup>14</sup> <https://myanmar.un.org/en/116443-rising-food-and-fuel-prices-looming-threat-poorest-and-most-vulnerable-myanmar-warns-wfp>

<sup>15</sup> The analysis conducted by Amnesty International conducted from more than 50 videos shows brutal nationwide crackdown.

<https://www.amnesty.org/en/latest/news/2021/03/myanmar-arsenal-troops-deployed-crackdown/>

<sup>16</sup> <https://www.irrawaddy.com/news/burma/myanmar-military-junta-suspends-laws-protecting-citizens-privacy-crack-opposition.html>;

<https://www.hrw.org/news/2021/03/02/myanmar-post-coup-legal-changes-erode-human-rights>

<sup>17</sup> <https://www.irrawaddy.com/news/burma/myanmar-security-forces-rob-local-residents-yangon.html>

<sup>18</sup> <https://www.rfa.org/english/news/myanmar/factory-interview-03192021174144.html>

<sup>19</sup> <https://www.irrawaddy.com/news/burma/myanmar-vigilante-groups-formed-handle-night-thugs.html>

<sup>20</sup> <https://www.ft.com/content/ac3956dd-b0e4-4dc5-bab6-e8dc45e9504f>



# ရန်ကုန်ဇာတ်လမ်းများ YANGON STORIES

On 17<sup>th</sup> March, the military announced that **they would shoot into people's houses unless residents remove defensive roadblocks** which were set up during escalating one-sided violence.<sup>21</sup> Myanmar residents are facing daily violations of the right to be free from arbitrary interference with one's home, privacy and family. Even if residents have physical accommodation, and even if they are not participating in any protest, residents are under the threat all the time by just being there. For example, many residents reported on social media that **stray bullets hit their balconies and windows**. Many people including children are traumatized by hearing the sound of gun fire and shooting, even though they are just staying at home. As the **crackdowns are indiscriminate**, such terror increases regardless of residents' involvement in anti-coup protests. The degree of terror can be also affected by the physical level of protection afforded by the housing, for example barricades, high walls, gated compounds, etc. People who can afford to stay in fortified properties have more physical protection but still may have their activities scrutinized by military informants.

Under this grim situation, some feel that even the **home is not safe anymore**.

For live reports on evictions on twitter follow: @EvictionsWatch and check out their evictions and displacement mapping on google maps [here](#).

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<sup>21</sup><https://myanmar-now.org/en/news/regimes-forces-threaten-to-shoot-into-peoples-homes-unless-residents-remove-roadblocks>