



STOLEN FREEDOMS



Creative Expression, Historic Resistance, and the Myanmar Coup

TABLE OF CONTENTS

EXECUTIVE SUMMARY	4
GET OUT OF THE MAZE	6
INTRODUCTION	7
METHODOLOGY	8
MYANMAR'S LONG HISTORY OF CREATIVE EXPRESSION	10
FIGHT FOR INDEPENDENCE	10
1962 COUP	11
1988 COUP AND STUDENT UPRISING	12
SAFFRON REVOLUTION AND CYCLONE NARGIS	14
POLITICAL OPENING	15
CREATIVE EXPRESSION AND THE 2021 COUP	21
UNRULE OF LAW	22
CREATIVE OUTPOURING	25
THE CRACKDOWN	31
TARGETED ARRESTS	34
TORTURE AND OTHER FORMS OF ABUSE	38
DIGITAL COUP	39

LONGER-TERM IMPACT ON ARTISTS AND CREATIVE EXPRESSION	43
RISK MITIGATION AND SELF-CENSORSHIP	43
CLOSED CREATIVE SPACES	45
MENTAL HEALTH	47
THE SHIFTING ROLE OF CREATIVE ARTISTS	50
THE FUTURE OF CREATIVE EXPRESSION IN MYANMAR	52
CONCLUSION & RECOMMENDATIONS	55
ACKNOWLEDGEMENTS	58

EXECUTIVE SUMMARY

On February 1, 2021, Myanmar’s military launched a violent coup to overthrow the country’s democratically-elected government in response to the landslide November 2020 electoral victory of Myanmar’s de facto leader, State Counsellor Aung San Suu Kyi and her political party, the National League for Democracy.

Creative artists, including writers, poets, filmmakers, painters, musicians, satirists, graphic artists, and others, have been among the vanguard of the public response to the coup, using their creative tools to denounce the coup, to defend the freedoms gained during the country’s 10-year political opening, and to call for greater change. They have built upon decades of creative protest in Myanmar, from the popular and outspoken pro-independence songs of the 1930s, to the elusive but subversive poetry of the 1970s and 1988, to the mocking satire of the early 2000s.

The military’s retaliation to this public response has been swift and violent.

PEN America’s report *Stolen Freedoms: Creative Expression, Historic Resistance, and the Myanmar Coup* explores the creative response to the coup and the military’s retaliatory crackdown, framing it within Myanmar’s long history of creative expression and protest. The report reflects extensive research, including a database of specific cases of repression and in-depth interviews with 21 creative artists that document their experiences and perspectives.

The coup’s immediate impact on the creative sector was devastating, with most galleries, art schools, associations, independent television channels, and other creative institutions closed down or forced underground. Yet, creative expression flooded the streets and digital space, often led by members of “Gen Z”

who grew up during the political opening and who had no desire to return to the dark era that their parents so loathed and defied. Social media platforms abounded with illustrations, poetry, and music. Silent protests, satirical street theater, temporary public sculptures, and evocative graffiti filled public spaces.

Creative artists have used their work and influence to further the movement to resist military dictatorship, creating and disseminating art both on and offline. Meanwhile, creative expression unrelated to the coup has largely disappeared from the public discourse, as many creative artists have switched their attention to the movement at the expense of less publicly palatable non-political themes. Even so, artists also represent rapidly evolving social norms and advocacy for broader change through their work, in some cases pressing for a more tolerant Myanmar.

Vibrant creation has faced violent oppression, with targeted detentions and extrajudicial killings, alongside the military’s broader arbitrary crackdowns. PEN America has identified at least 45 creative artists who have been detained since the coup started, with many more being hunted and targeted for arrest, or forced to flee into hiding or exile. At least five have been brutally killed and many more have been subjected to abuse and torture. The third wave of COVID-19, exacerbated by the military’s mismanagement and attacks on healthcare workers, has further devastated the creative sector, with the loss of many artists, writers, musicians, and actors.

The military has attempted to prevent online communication and organization: repeatedly shutting or slowing down internet access, blocking websites, and trying to force telecommunications companies to ramp up surveillance—all of which have affected the ability of creative artists to access information, share

their work, and speak and create freely.

Many creative artists have taken substantial measures to protect themselves and those around them, including, for some, relocation, and others, anonymity, ensuring that they can keep working while reducing the likelihood that their works will be traced back to them.

Some creative artists are struggling with mental health issues caused by the coup. Guilt that creative expression is never “enough” drives them onwards. Battling widespread insecurity and the constant fear of raids, they describe experiencing anxiety, depression, and, in some cases, post-traumatic stress.

Despite censorship, violence, and mental health struggles, creative artists interviewed for this report say they are resolute and committed to their evolving roles as both leaders and facilitators of the anti-military dictatorship movement. While many believe there is worse yet to come from the military, they also know that the vast majority of the public is behind them, and that their creative expression holds great social and political importance for the future of the country.

Based on the findings in *Stolen Freedoms*, PEN America puts forward a series of recommendations targeted at Myanmar’s military to end its repression of the people of Myanmar, including the creative community. PEN America also proposes recommendations for foreign governments and intergovernmental bodies, the international creative community, and donors to hold the military accountable for violations of creative expression, while simultaneously strengthening political, financial, and peer support for Myanmar’s creative sector that is adaptable and responsive to the changing situation in the country.

GET OUT OF THE MAZE

BY MA THIDA

*No more at the junction of two roads.
No more at the fork in the road.
We are already in the maze.*

*We know the path is convoluted
but we are determined to walk.
Not missing our goal
like rodents follow
the smell of cheese
without having an experience of
what peace is.
We just follow the scent of blood
rather than curve those passages and
get out of the loop into the dead end
but the path tends towards the sea of blood
no more at the junction of two roads.
We are in the maze.*

*Flowers might be fallen
but Spring won't be ruined.
We cry out in the roads
respect our votes
but our roads had been stopped.
Our votes had been chopped.
No more fork in the road.
We are trapped in the maze.*

*Fight or fright?
Passage to the prison?
Or to the tomb?
We can only choose the right not to fight.*

*Someone arrested this evening
the next morning the family received his dead body.
Why can we still choose to be frightened?
Many of us who were ambiguous
chose the path of armed struggle.
No more at the junction of two roads.
We are in the maze.*

*An eye for an eye
would make the whole world blind
but among intellectual blinds
An eye on the walls of a maze
could shoot you till death and
there are many eyes fixed
on this puzzled road.
There will be no branch
without a watching eye.
No more fork in the road.
We are in the built maze.
We still need to reach our goal
though we are forced not to choose the paths anymore.
We can still break down those unicursal walls.
Together we can still make the maze
into an organized space of certain future
with common interests and shared values.
We just need to be aware of
what this maze is, and
how we can turn it inside out.
Let's get out of this maze
Together.¹*

¹ Ma Thida is a Myanmar human rights activist, surgeon, writer, founding director of PEN Myanmar, and former prisoner of conscience. She is currently Chair of PEN International's Writers in Prison Committee. Ma Thida, "A Poem by Ma Thida," PEN/Opp, November 5, 2021, penopp.org/articles/poem-ma-thida

INTRODUCTION

On October 17, 2021, Kyar Pauk, the lead singer of the rock band Big Bag, auctioned his ukulele, decorated with his own artwork. The payment—\$27,500—was donated to Myanmar’s National Unity Government (NUG).² In doing so, Kyar Pauk was risking the increased ire of Myanmar’s military, which had already issued an arrest warrant for him in April for “anti-state activities.”³

Kyar Pauk is just one of a myriad of Myanmar musicians, singers, painters, sculptors, performance artists, writers, poets, cartoonists, and filmmakers who have used their art to express their hostility to the February 1, 2021 military coup and to support the anti-military dictatorship movement. They join a long line of creative artists who have played historic roles fighting for free and creative expression and independence throughout Myanmar’s tumultuous history.

PEN America’s report *Stolen Freedoms: Creative Expression, Historic Resistance, and the Myanmar Coup* explores both the considerable chilling effect the coup has had on the public expression of art in the country and—in defiance of this chilling effect—the outstanding outpouring of creative expression since the coup by those who refuse to be silenced. This report also offers a set of recommendations for supporting creative expression in Myanmar now and

in the future. As today’s creative artists build upon and draw inspiration from what came before, the report uses a historical frame of reference, juxtaposing current realities with historic creative expression, from British rule and independence, to the nearly five decades of previous military rule, to the recent political opening—the last of which came to a calamitous halt with the military’s antidemocratic and unlawful seizure of power.⁴ The report also places the current Myanmar movement within a wider regional context, linking it to the democracy and solidarity movements across South East Asia and beyond.

This is PEN America’s second report on free and creative expression in Myanmar. The first, *Unfinished Freedom: A Blueprint for the Future of Free Expression in Myanmar*, was published six years ago, in the wake of the historic parliamentary election landslide that brought Aung San Suu Kyi and the National League for Democracy (NLD) to power.⁵ It was the NLD’s second landslide victory in November 2020 that escalated its political standoff with the military, which the military then used as a guise for carrying out the bloody February 1 coup.⁶

2 The National Unity Government is a government in exile formed by a group of elected lawmakers and members of parliament ousted by the 2021 coup. “National Unity Government of the Republic of the Union of Myanmar,” National Unity Government of the Republic of the Union of Myanmar, accessed November 22, 2021, nugmyanmar.org/en; “Who’s Who in Myanmar’s National Unity Government,” *The Irrawaddy*, April 16, 2021, irrawaddy.com/news/burma/whos-myanmars-national-unity-government.html

3 “Auction for Myanmar Rocker’s Ukulele Breaks World Record,” *The Irrawaddy*, October 18, 2021, irrawaddy.com/news/burma/auction-for-myanmar-rockers-ukulele-breaks-world-record.html

4 Bertil Lintner, “Is There a Way Forward Now for Myanmar?” *Global Asia* 16, no. 1 (March 2021) globalasia.org/v16no1/focus/is-there-a-way-forward-now-for-myanmar_bertil-lintner

5 Jane Madlyn McElhone and Karin Deutsch Karlekar, “Unfinished Freedom: A Blueprint for the Future of Free Expression in Myanmar,” PEN America, December 2, 2015, pen.org/research-resources/unfinished-freedom-a-blueprint-for-the-future-of-free-expression-in-myanmar; Jonah Fisher, “Myanmar’s 2015 landmark elections explained,” *BBC News*, December 3, 2015, bbc.com/news/world-asia-33547036

6 Rebecca Ratcliffe, “UN decries Myanmar ‘catastrophe’ as Aung San Suu Kyi’s trial looms,” *The Guardian*, June 11, 2021, theguardian.com/world/2021/jun/11/un-decries-myanmar-catastrophe-as-aung-san-suu-kyi-trial-looms

"My daughter thinks I am coming home. How can I, if I am taken? I am not sure she will see me again. And yet, I am less afraid when I realize I am not alone. There are nine others just with me. And then there are all the other blocks of flats. There must be hundreds of us hiding in Sanchaung tonight. We all have mothers, fathers, and children expecting us to come home."

"I Will be Back Soon" by fiction writer

Sabal Phyu Nu, Spring 2021

METHODOLOGY

The report uses a historical frame of reference, juxtaposing current realities with Myanmar's rich history of creative expression and artistic resistance, acknowledging the contributions of Myanmar's past generations of creative artists and their tangible links with the present, and providing a framework by which to understand and analyze current expression and resistance. This juxtaposition of the past and present also sheds light on intergenerational perspectives and contemporary responses to the coup.

The report's co-authors conducted a desk review of articles, media reports, and books addressing creative expression in Myanmar historically and following the coup, and then worked with two Myanmar consultants and other Myanmar-based partners to conduct qualitative research, including a database of specific cases of repression, a review of the current circumstances of 110 leading creative artists, and in-depth interviews with 21 visual and performance artists, writers, poets, and musicians. The co-authors also consulted expert observers of freedom of expression and Myanmar

more broadly. Interviewees provided key examples of creative expression that are highlighted throughout the report.

While it endeavors to be inclusive and representative, a report of this length and nature can not fully capture the scale of creative expression in the post-coup period, or historically. It should therefore be viewed as a snapshot.

The sensitivity of the forms of expression discussed in this report, as well as the fact that many people were working underground or in remote locations with limited communications, presented challenges in terms of research and interviewing. PEN America has taken steps to ensure the security of all those involved, as well as heightened data protection for any information gathered, particularly identifiable private information. Only those individuals who have given PEN America permission to use their names, are playing public roles, and/or have already been publicly identified in the articles referenced in this report, are identified by name. As an additional step to protect interviewees' identities, PEN America uses "they/them/their" pronouns for all individuals quoted within the report who have requested anonymity.

PEN America has taken care throughout to avoid any direct or indirect recognition of the legitimacy or lawfulness of the military coup. For the sake of clarity, the report places regulatory terms, such as law, in quotation marks whenever there are questions about legitimacy and lawfulness; for example, military-appointed "ministers" and military-adopted "amendments."

Lastly, a note about the report terminology: PEN America generally uses the term Myanmar to refer to the country or population, except in the historical

context section, where the terms Burma/Burmese are used interchangeably for the period prior to 1989, when the military regime changed the name Burma to Myanmar. The word Burmese is also used throughout the report to refer to the language.⁷ The term “creative artist” is used throughout the report to refer to individuals engaged in creative expression, including literary writers, poets, visual artists, filmmakers, and singer/songwriters.

⁷ J.F. “Should you say Myanmar or Burma?” *The Economist*, December 20, 2016, economist.com/the-economist-explains/2016/12/20/should-you-say-myanmar-or-burma; The majority of people in Myanmar, referred to as Burman (Bamar), are reported to make up approximately 60% of the population: Simon Roughneen, “Controversy marks start to Myanmar’s first census in three decades,” *Los Angeles Times*, March 30, 2014, latimes.com/world/la-xpm-2014-mar-30-la-fg-wn-controversy-marks-start-to-myanmars-first-census-in-three-decades-20140330-story.html

SECTION I

MYANMAR'S LONG HISTORY OF CREATIVE EXPRESSION

It is challenging, if not impossible, to capture the breathtaking scale of Myanmar's long history of creative expression in a single report. Traditional art forms, known by the public as the "10 flowers" (*pan sè myo*), include metalwork, sculpture, and paintings, and can be traced back over a thousand years with close links to the development of Buddhism and Hinduism.⁸ A comparatively long history of public literacy, driven by the desire to read Buddhist verse, enabled literature to flourish earlier than elsewhere in the region.⁹ Poetry has also played an important role for hundreds of years, including in the royal dynasty courts and in the resistance to the British.¹⁰ In 1873, when Lower Burma¹¹ was under British control and repressive laws constrained media and free expression, Upper Burma's monarch, King Mindon, passed "Southeast Asia's first indigenous press freedom law."¹² In 1906, Burma's

illustrious film industry got its start in the streets, with film projected onto large cotton sheets supported by scaffolding. The first Burmese feature film followed in 1920, as did documentaries of student and independence leader funerals, and the country's longest civil war in Karen (Kayin) State.¹³

FIGHT FOR INDEPENDENCE

By the early 1900s, creative expression became more politically engaged, subversive, and revolutionary. Following World War I, the nationalist poet U Maung Lun—whose pen name "Mr. Maung Hmaing" poked fun at Burmese who adopted English affectations such as putting "Mr." before their name—called on Burmese

8 The others being goldsmithing, bronze-casting, floral motifs from stone, masonry, lathe-work, and lacquerware: "10 Myanmar Traditional Arts," Myanmar Travel Information, accessed January 4, 2010, web.archive.org/web/20100104230600/myanmartravelinformation.com/mti-myanmar-arts/index.html

9 Juliane Schober, "Colonial Knowledge and Buddhist Education in Burma," in *Buddhism, Power and Political Order* (London: Routledge, 2007), 57, academia.edu/879830/Colonial_Knowledge_and_Buddhist_Education_in_Burma

10 "Why So Many Poets were Elected to Parliament in Myanmar," *Coconuts Yangon*, December 4, 2015, coconuts.co/yangon/lifestyle/why-so-many-poets-were-elected-parliament-myanmar/

11 J.F. "Should you say Myanmar or Burma?" *The Economist*, December 20, 2016, economist.com/the-economist-explains/2016/12/20/should-you-say-myanmar-or-burma

12 "Chronology of the Press in Burma," *The Irrawaddy*, May 2004, irrawaddy.com/article.php?art_id=3533&page=2

13 Aung Min, "The Story of Myanmar Documentary Film," The Guggenheim Museums and Foundation, December 11, 2012, guggenheim.org/blogs/map/the-story-of-myanmar-documentary-film; Zon Pann Pwint, "Family of studio founder to mark 90 years of movies," *Myanmar Times*, January 23, 2012, mmtimes.com/lifestyle/1318-family-of-studio-founder-to-mark-90-years-of-movies.html

to resist foreign influence and power.¹⁴ Promoting national pride, the independence movement adopted songs such as ‘Nagani’ (Red Dragon).¹⁵ In 1915, a British railway official drew the first cartoon published in the country;¹⁶ shortly after, a 1917 cartoon by Shwe Ta Lay—critiquing British officials for wearing shoes in Buddhist pagodas—contributed to the rise in Burmese nationalism and demonstrated the power of political artwork.¹⁷ In the 1930s, the Khitsan poetry movement got its start at Rangoon (now Yangon) University and contributed to the independence struggle during British rule.¹⁸ According to Burmese writer and poet Maung Day, “Khitsan is sometimes translated as ‘testing the times’ and sometimes as ‘renewal of times.’”¹⁹

In 1947, months before the country’s formal independence, Burma’s first constitution guaranteed a right to freely express opinions and convictions. Writers, poets, painters, visual artists, musicians, cartoonists, and filmmakers experienced a brief, heady period of free and creative expression, with

few restrictions and little harassment.²⁰ Following independence, the Burmese press was considered one of the freest in Asia.²¹ Yet as time passed, these freedoms were gradually curtailed by the government, and literary criticism and other forms of writing became increasingly politicized.²² In 1948, U Nu became the first democratically elected prime minister in Burma; in his memoirs, he revealed that he had really longed to be a playwright.²³

1962 COUP

In 1962, when General Ne Win seized power in a military coup—the start of close to five decades of military dictatorship and censorship—free and creative expression suffered a deadly blow.²⁴ By 1964, private publications were shut and editors and journalists arrested. While documentary filmmaking was largely used for propaganda, political cartooning provided critique and political commentary. Feature films

14 “Thakin Kodaw Hmaing,” *The Irrawaddy*, March 2000, irrawaddy.com/article.php?art_id=1836

15 Aung Zaw, “Burma: Music under siege,” in *Shoot the Singer!: Music Censorship Today, Volume 1* (London: Zed Books, 2004), 39, freemuse.org/news/myanmarburma-music-under-siege/

16 Tin Htet Paing, “Burmese Cartoons Celebrate Centenary in Rangoon,” *The Irrawaddy*, December 31, 2015, irrawaddy.com/news/burma/burmese-cartoons-celebrate-centenary-in-rangoon.html

17 Aung Zaw, “Pioneers of Burmese Cartooning,” *The Irrawaddy*, March 2, 2020, irrawaddy.com/from-the-archive/pioneers-burmese-cartooning.html; Jennifer Leehey, “Message in a Bottle: A Gallery of Social/Political Cartoons from Burma,” *Asian Journal of Social Science* 25, no. 1 (January 1997): 152, deepdyve.com/lp/brill/message-in-a-bottle-a-gallery-of-social-political-cartoons-from-burma-WmegN1ausH?

18 Maung Day, “A brief introduction to the poetry of Burma,” British Council, November 7, 2016, britishcouncil.org/voices-magazine/brief-introduction-poetry-burma; “Why So Many Poets were Elected to Parliament in Myanmar,” *Coconuts Yangon*, December 4, 2015, coconuts.co/yangon/lifestyle/why-so-many-poets-were-elected-parliament-myanmar

19 Maung Day, “A brief introduction to the poetry of Burma,” British Council, November 7, 2016, britishcouncil.org/voices-magazine/brief-introduction-poetry-burma

20 Brooten, McElhone, and Venkiteswaran, “Myanmar Media Historically and the Challenges of Transition,” in *Myanmar Media in Transition: Legacies, Challenges and Change* (Singapore: ISEAS – Yusof Ishak Institute, 2019), 17

21 Aung Zaw, “Burma: Music under siege,” in *Shoot the Singer!: Music Censorship Today, Volume 1* (London: Zed Books, 2004), 40, freemuse.org/news/myanmarburma-music-under-siege/

22 Brooten, McElhone, and Venkiteswaran, “Myanmar Media Historically and the Challenges of Transition,” in *Myanmar Media in Transition: Legacies, Challenges and Change* (Singapore: ISEAS – Yusof Ishak Institute, 2019), 17

23 “Why So Many Poets were Elected to Parliament in Myanmar,” *Coconuts Yangon*, December 4, 2015, coconuts.co/yangon/lifestyle/why-so-many-poets-were-elected-parliament-myanmar

24 Brooten, McElhone, and Venkiteswaran, “Myanmar Media Historically and the Challenges of Transition,” in *Myanmar Media in Transition: Legacies, Challenges and Change* (Singapore: ISEAS – Yusof Ishak Institute, 2019), 18

continued to be produced and screened in cinemas across the country, yet by 1968 cinemas and production houses were nationalized, leading to a sectoral decline. Ne Win also sought to use music to serve his political agenda, appropriating songs and musicians and banning western music and dancing; yet given the rising popularity of rock and pop music in the early '60s, there was resistance, especially from the younger generations. An underground music culture called "stereo" music emerged, with music secretly recorded and distributed.²⁵ Much of book publishing remained private, yet it was subject to the Press Scrutiny Board's pre-publication approval. Censorship boards were also created for film, video, music, paintings, and book covers. In the 1970s and 1980s, monthly literary magazines became a prominent platform for writing, literature, and literary debate.²⁶ A new style of Burmese literature also emerged, "characterized by shifting and elusive meaning, which through its very shifting . . . captures something important about the subjective experience of everyday life under military rule."²⁷ Meanwhile, writers and poets, who continued to meet in tea shops to discreetly discuss their works, were targeted and blacklisted.

In 1974, a new constitution granted freedom of speech, expression, and publication in line with the so-called "Burmese Way to Socialism"; publishers were forced to submit printed copies of their publications which

were then censored, either by having pages ripped out or sections blacked out. Writers and poets adopted pen names and abstract, coded language. The line between poetry and activism blurred, and hundreds of writers and poets became political prisoners.²⁸

1988 COUP AND STUDENT UPRISING

In 1988, General Ne Win embarked on his 26th year of repressive and violent power. Burma was isolated and one of the poorest countries in the world.²⁹ In the wake of the regime's decision to devalue the local currency, thereby wiping out many people's savings, students began organizing protests. In July, Ne Win resigned as head of the Burma Socialist Program Party, promising to create a multi-party system, yet also threatening student protesters.³⁰ The announcement that the man responsible for the violent repression of student protests, Sein Lwin, was his successor provoked a countrywide general strike. Although Sein Lwin also subsequently resigned, the protests continued to grow. Aung San Suu Kyi made her first public speech and soon after launched her party, the National League for Democracy. On September 18, a new leader, Saw Maung, and a new party, the State Law and Order Restoration Committee (SLORC), seized power in a coup that restored martial law.³¹

25 Aung Zaw, "Burma: Music under siege," in *Shoot the Singer!: Music Censorship Today, Volume 1* (London: Zed Books, 2004), 40-42, freemuse.org/news/myanmarburma-music-under-siege/

26 Jennifer Leehey, "Writing in a Crazy Way: Literary Life in Contemporary Urban Burma," in *Burma at the Turn of the 21st Century*, ed. Monique Skidmore (Honolulu: University of Hawai'i Press, 2005), 175-205

27 Jennifer Leehey, "Writing in a Crazy Way: Literary Life in Contemporary Urban Burma," in *Burma at the Turn of the 21st Century*, ed. Monique Skidmore (Honolulu: University of Hawai'i Press, 2005), 175-205

28 "Why So Many Poets were Elected to Parliament in Myanmar," *Coconuts Yangon*, December 4, 2015, coconuts.co/yangon/lifestyle/why-so-many-poets-were-elected-parliament-myanmar

29 Jonathan Head, "Myanmar coup: What protesters can learn from the '1988 generation,'" *BBC News*, March 16, 2021, bbc.com/news/world-asia-56331307

30 "Timeline: Myanmar's '8/8/88' Uprising," *WNYC*, August 8, 2013, npr.org/2013/08/08/210233784/timeline-myanmars-8-8-88-uprising

31 Jonathan Head, "Myanmar coup: What protesters can learn from the '1988 generation,'" *BBC News*, March 16, 2021, bbc.com/news/world-asia-56331307; "Timeline: Myanmar's '8/8/88' Uprising," *WNYC*, August 8, 2013, npr.org/2013/08/08/210233784/timeline-myanmars-8-8-88-uprising

The 1988 student uprising is considered a key moment in Myanmar’s history. The “88 Generation of Students” who led the uprising—many of whom spent decades in prison—are held in high esteem. An estimated 3,000 people were killed and 3,000 more imprisoned. Ten thousand people fled the country, including many students, journalists, cartoonists, writers, and other artists, some to ethnic minority-controlled areas along the borderlands, and others into exile.³² The famous Burmese comedian and satirist Maung Thura, well-known by his stage name Zarganar, was arrested for participating in the pro-democracy movement and imprisoned until April 1990.³³ Another satirist, writer, and supporter of Aung San Suu Kyi, Maung Thawka, was elected president of the unofficial Union of Burmese Writers in 1988. When Aung San Suu Kyi was placed under house arrest in 1989, Maung Thawka was also arrested and died in prison two years later.³⁴

In 1989, the SLORC amended the 1962 Printers and Publishers Registration Act, outlawing “sensitive” topics and increasing fines for violations.³⁵ Leading writers, such as the chairman and vice-chairman of the Myanmar Writers Association, Ba Thaw and Win Tin, were arrested. Escalating production costs and censorship obstructed publishing. Ethnic minority writers and intellectuals were arrested or went underground, and fewer books were published in their minority languages. In 1989, the Ministry of Home and Religious Affairs established a new censorship board, ostensi-



Zarganar; pen.org/advocacy-case/zarganar/
Status: Conditional Release

Satirist Zarganar was first imprisoned in the 1988 student uprisings for mocking the government. On April 6, 2021, the military arbitrarily detained him as part of the crackdown on creative artists.

bly to “protect” Burmese music from so-called foreign influences, and to “warn” musicians to be “patriotic and cooperate” with the state-controlled Myanmar Media Association.³⁶ The film and video industry was targeted, with actors and directors arrested, the chairman of the Burma Film Society charged with treason, and actors and directors pressured to work with the official Motion Picture Organization. Follow-

32 Brooten, McElhone, and Venkiteswaran, “Myanmar Media Historically and the Challenges of Transition,” in *Myanmar Media in Transition: Legacies, Challenges and Change* (Singapore: ISEAS – Yusof Ishak Institute, 2019), 21

33 Brooten, McElhone, and Venkiteswaran, “Myanmar Media Historically and the Challenges of Transition,” in *Myanmar Media in Transition: Legacies, Challenges and Change* (Singapore: ISEAS – Yusof Ishak Institute, 2019), 22

34 Brooten, McElhone, and Venkiteswaran, “Myanmar Media Historically and the Challenges of Transition,” in *Myanmar Media in Transition: Legacies, Challenges and Change* (Singapore: ISEAS – Yusof Ishak Institute, 2019), 22

35 Examples included democracy, human rights, politics, the 1988 uprising, government officials, opposition leader Aung San Suu Kyi, and South African freedom fighter Nelson Mandela. *Ibid.*, p.22

36 Brooten, McElhone, and Venkiteswaran, “Myanmar Media Historically and the Challenges of Transition,” in *Myanmar Media in Transition: Legacies, Challenges and Change* (Singapore: ISEAS – Yusof Ishak Institute, 2019), 23

ing a performance at the NLD headquarters during the 1989 Thingyan New Year water festival, musicians and singers were also arrested. In May 1990, one month after being released from prison, Zarganar was rearrested after performing stand-up comedy about the Minister of Information at the Yankin Teachers Training College Stadium in Yangon.³⁷ Sentenced to five years imprisonment but released in March 1994, he was banned from using his stage name and from performing publicly or attending public events. Despite these sanctions, the military often invited him to appear on military television. He declined their invitations.³⁸

Writers and journalists who fled the country in 1988 to the protected borderlands published magazines that featured young writers and cartoonists. Private monthly magazines re-emerged inside the country in the 1990s. Short stories were considered a popular and important literary genre, in great part due to their use of metaphors, allusion, and irony.³⁹ Yet since all printed publications had to be submitted to the Press Scrutiny Board, there was pressure to self-censor. Prior to computers, censorship largely happened after printing but before distribution, so physical changes would need to be made to the printed copies or they would have to be scrapped at significant cost. Then, with the introduction of computers in the 1990s, pre-print censorship was introduced.⁴⁰

During this time, documentary filmmaking was still nascent inside the country, yet under the tutelage of

the the Yangon Film School (YFS) and the Alliance Française in the mid-2000s, a new generation of Burmese filmmakers emerged on the scene. Local punk and hip-hop bands also emerged in the late 1990s and early 2000s. The anti-establishment punk rock songs performed by local bands such as No U-Turn and Side Effect became famous. The first Burmese hip-hop group, ACID, was founded in 2000 by Phyo Zayar Thaw and three of his fellow musicians, Annaga, Hein Zaw, and Yan Yan Chan. Band members had to submit their lyrics, demo tapes, recordings, and artwork to censors, and risked being targeted by authorities and arrested if they were deemed to promote democracy and social justice.⁴¹

SAFFRON REVOLUTION AND CYCLONE NARGIS

In September 2007—in what became known as the Saffron Revolution—thousands of students, including prominent leaders of the '88 Generation, monks, and other people of Myanmar participated in massive demonstrations across the country, calling for an end to military rule and for democracy.⁴² The military regime arrested thousands of people, including many of the protest leaders. Despite the risks and strict media censorship, Myanmar activists found ways to post photographs and videos of the demonstrations

37 "Zarganar: Myanmar," PEN America, accessed November 22, 2021, pen.org/advocacy-case/zarganar

38 Brooten, McElhone, and Venkiteswaran, "Myanmar Media Historically and the Challenges of Transition," in *Myanmar Media in Transition: Legacies, Challenges and Change* (Singapore: ISEAS – Yusof Ishak Institute, 2019), 23

39 Brooten, McElhone, and Venkiteswaran, "Myanmar Media Historically and the Challenges of Transition," in *Myanmar Media in Transition: Legacies, Challenges and Change* (Singapore: ISEAS – Yusof Ishak Institute, 2019), 24-25

40 Brooten, McElhone, and Venkiteswaran, "Myanmar Media Historically and the Challenges of Transition," in *Myanmar Media in Transition: Legacies, Challenges and Change* (Singapore: ISEAS – Yusof Ishak Institute, 2019), 24-25

41 Brooten, McElhone, and Venkiteswaran, "Myanmar Media Historically and the Challenges of Transition," in *Myanmar Media in Transition: Legacies, Challenges and Change* (Singapore: ISEAS – Yusof Ishak Institute, 2019), 27

42 "Saffron Revolution in Burma," Burma Campaign UK for Human Rights, Democracy & Development in Burma, accessed November 22, 2021, burmacampaign.org.uk/about-burma/2007-uprising-in-burma

online until the military shut off the internet.⁴³ Inspired by the Saffron Revolution protests, popular hip-hop artist Phyo Zayar Thaw co-founded the youth activist group, Generation Wave, using creative expression, including hip-hop and graffiti, to advocate for democracy. On March 12, 2008, he was sentenced to six years in prison for participating in anti-regime protests; five other members of Generation Wave received five-year sentences. Phyo Zayar Thaw later became an NLD MP.⁴⁴ Known for their satirical skits and jokes aimed at the military, the acclaimed a-nye-int comedy troupe, Thee Lay Thee & Say Yaung Zona, was asked to sign a document saying they would not make jokes on stage,⁴⁵ but at a performance in Yangon in the wake of the protests, their jokes attacked the military's crackdown on protesters. Although the recording of that performance was officially banned, it reached a huge audience outside of the country, as well as inside via VCDs (video CDs) that were circulated underground.⁴⁶

One year later, in 2008, artists organized fundraising activities for the victims of the devastating Cyclone Nargis, during which 50,000 people—reportedly the largest concert audience the country had seen to that point—attended a benefit concert by the Myanmar

band Iron Cross at the Thuwanah Sports Stadium in Yangon.⁴⁷ While some artist associations were allowed to fundraise, others were banned, including the Mandalay pro-democracy comedy troupe, Moustache Brothers.⁴⁸

POLITICAL OPENING

Myanmar's political transition brought with it positive change for the creative sector. In December 2011, Kyaw San, the Minister of Information and the Minister of Culture, announced that film and video censorship would be eased; as a result, for the first time Burmese could openly attend screenings of *Burma VJ*, the story of the video journalists who covered the Saffron Revolution; and *Nargis*, about the victims of Cyclone Nargis.⁴⁹ The abolition of pre-publication press censorship in 2012 also had a positive impact on the media and publishing sector, sparking a surge of new publications, including about the creative arts. In February 2013, Myanmar hosted its first international literary festival.⁵⁰ One month later, at The Art of Transition Symposium in Yangon, artists and writers gathered to discuss creative expression and the impact of the recent political reforms.⁵¹

43 "Saffron Revolution in Burma," Burma Campaign UK for Human Rights, Democracy & Development in Burma, accessed November 22, 2021, burmacampaign.org.uk/about-burma/2007-uprising-in-burma

44 Min Lwin, "Hip-Hop Performer among Latest Victims of Court Crackdown," *The Irrawaddy*, November 20, 2008, globaljusticecenter.net/files/Article.HipHopPerformeramongLatestVictimsCourtCrackdown.TheIrrawaddy.Nov.2008.pdf; Namoi Gingold, "Generation Wave Celebrates 6th Anniversary," *The Irrawaddy*, October 10, 2013, irrawaddy.com/news/burma/generation-wave-celebrates-6th-anniversary.html; "Junta arrests former NLD legislator accused of leading attacks on regime targets," *Myanmar Now*, November 19, 2021, myanmar-now.org/en/news/junta-arrests-former-nld-legislator-accused-of-leading-attacks-on-regime-targets

45 A-nyeint is a traditional form of theater performed in Myanmar that includes music, songs, dance and comedy; Myanmar Celebrity, "ပိုလျှော်ပြ မှဝေးနု နီရီ (၁၀၀) ဖွဲ့ချာမှာ ဖြေဖြေခွဲခွဲ နီရီးဆီ အဖွဲ့ အပိုချား (၂)," YouTube February 12, 2015, youtube.com/watch?v=Od17Ozhm5sU

46 "From Rock to Romance," *The Irrawaddy*, December 2008, irrawaddy.com/article.php?art_id=14749

47 "From Rock to Romance," *The Irrawaddy*, December 2008, irrawaddy.com/article.php?art_id=14749

48 Brooten, McElhone, and Venkiteswaran, "Myanmar Media Historically and the Challenges of Transition," in *Myanmar Media in Transition: Legacies, Challenges and Change* (Singapore: ISEAS - Yusof Ishak Institute, 2019), 30

49 Brooten, McElhone, and Venkiteswaran, "Myanmar Media Historically and the Challenges of Transition," in *Myanmar Media in Transition: Legacies, Challenges and Change* (Singapore: ISEAS - Yusof Ishak Institute, 2019), 38

50 Brooten, McElhone, and Venkiteswaran, "Myanmar Media Historically and the Challenges of Transition," in *Myanmar Media in Transition: Legacies, Challenges and Change* (Singapore: ISEAS - Yusof Ishak Institute, 2019), 38

51 Julia Farrington, "Burma: The art of transition," *Index on Censorship*, February 24, 2014, indexoncensorship.org/2014/02/burma-the-art-of-transition/

On November 8, 2015, 11 poets who were members of the National League for Democracy, led by Aung San Suu Kyi, were elected to Myanmar’s national and regional parliaments,⁵² including PEN/Freedom to Write Award recipient Nay Phone Latt, who explained in an interview, “Some of the people said that we already have freedom of expression, but it’s not totally true. Compared to the military, we have some, but the freedom we have is state-limited. They still have the boundary. If you go over the boundary and limitation, everybody can get into trouble. So, we still need to fight for freedom of expression. That is why I think some writers, authors, and poets joined the parliament.”⁵³

Myanmar poets have often been associated with political activism. As writer and poet Maung Day said in 2016, “The president himself [Htin Kyaw⁵⁴] is the son of a poet, and known for his literary inclinations. However, poetry transcends politics. Most Burmese people grow up reading poetry from kindergarten until university . . . Today, the poetry scene in Burma is thriving. Poets write in various styles and traditions, from *khitpor* (modern), which emerged in the 1970s, to conceptual forms including Flarf and visual poetry. As the country opens up, the outside world has become curious about Myanmar arts and culture. Young Myanmar poets are writing experimental poetry about social justice issues, and collaborating with artists and writers from other countries.”⁵⁵

While the partial relaxation of censorship for creative works did create a new openness and a freer space

for previously banned music, comedy, and traditional forms of satirical critique, bureaucracy and a restrictive legal framework continued to create hurdles that



Visual art honoring hip-hop artist, activist, and NLD MP Phyo Zayar Thaw, shared online upon news of his arrest by the military on November 19, 2021. Artwork by Bart Was Not Here.

were at times insurmountable. Live music performances, for example, continued to require advance permits, a process that was blatantly wielded by the authorities to control musicians and their music. Performance art, live music, and live theater were always under threat from the vague Peaceful Assembly and Peaceful Procession Law, which contained several provisions that could be used to arbitrarily close

52 “Why So Many Poets were Elected to Parliament in Myanmar,” *Coconuts Yangon*, December 4, 2015, coconuts.co/yanmar/lifestyle/why-so-many-poets-were-elected-parliament-myanmar/

53 “Why So Many Poets were Elected to Parliament in Myanmar,” *Coconuts Yangon*, December 4, 2015, coconuts.co/yanmar/lifestyle/why-so-many-poets-were-elected-parliament-myanmar/; elected MP for Yangon Region, Nay Phone Latt was also co-founder of PEN Myanmar and Myanmar IT for Development Organization

54 Poppy McPherson and Aung Naing Soe, “Htin Kyaw: who is Myanmar’s new president?” *The Guardian*, March 15, 2016, theguardian.com/world/2016/mar/10/htin-kyaw-myanmar-president-electon-aung-san-suu-kyi-nld

55 Maung Day, “A brief introduction to the poetry of Burma,” *British Council*, November 7, 2016, britishcouncil.org/voices-magazine/brief-introduction-poetry-burma. Parentheses original. Flarf is a post-modern poetic form.

"Although the Film Classification Board had given its permission, a film produced by our students could not be publicly screened because of the objections raised by extreme Buddhist monks and a group of religious fundamentalists. Touching on the religious conflict between Buddhists and Muslims in central Myanmar, *The Open Sky* portrays friendship and loving kindness between a Muslim and a Buddhist woman. We held a press screening and an in-house screening, but the film was banned in theatres."

Mon Mon Myat, filmmaker and founding executive director of the Myanmar Human Rights Human Dignity International Film Festival, in "Films for Dignity"

down events and criminalize organizers.⁵⁶ The film censorship board prevented politically sensitive films on issues of conflict and human rights violations from being screened,⁵⁷ while allowing others with violent, nationalistic, and discriminatory undertones.⁵⁸ In 2016, after the NLD came to power, the film censorship board also blocked the film *Twilight over Burma*⁵⁹ from being screened at the annual Myanmar Human Rights Human Dignity International Film Festival,

despite the fact that Aung San Suu Kyi was the film festival patron.⁶⁰ These regressions were in line with other rollbacks on free and creative expression and media freedom under the NLD.⁶¹

Creative artists often fell afoul of Myanmar's myriad laws criminalizing expression, which were wielded against journalists, activists, and ordinary citizens for their online speech.⁶² These included the multiple criminal provisions in the Penal Code on defamation, sedition, incitement, and unlawful assembly. Threatening criminal laws also included the defamation provisions in the Telecommunications Law, which was regularly used to suppress dissent online.

On November 5, 2015, after publishing a poem on Facebook intimating he had a tattoo of the president on his penis, Maung Saungkha was arrested and accused of defaming Thein Sein, then president, under Section 66(d) of the Telecommunications Law. On May 24, 2016, he was found guilty and sentenced to six months in prison, yet since he had already been detained for more than six months, he was released. Maung Saungkha was one of the first writers to be convicted and sentenced following the historic 2015 elections, and under Section 66(d) of the Telecommunications Law.⁶³ He later was one of the co-founders of the civil society organization,

56 Brooten, McElhone and Venkiteswaran (2019), "Myanmar Media Historically and the Challenges of Transition", in *Myanmar Media in Transition: Legacies, Challenges and Change* (Singapore: ISEAS - Yusof Ishak Institute, 2019), 38-39

57 "Maintaining a Reality? - Structures of Censorship in Myanmar," Friedrich Ebert Stiftung, July 2, 2018, myanmar.fes.de/e/maintaining-a-reality-structures-of-censorship-in-myanmar/

58 Aung Kaung Myat, "Military Rule May Be Over, But Myanmar's Film Industry Remains in a Tawdry Time Warp," *Time*, August 22, 2018, time.com/5374231/myanmar-cinema-film-movies/

59 "Twilight over Burma," *IMDb*, accessed November 22, 2021, imdb.com/title/tt4265880/

60 Brooten, McElhone and Venkiteswaran (2019), "Myanmar Media Historically and the Challenges of Transition", in *Myanmar Media in Transition: Legacies, Challenges and Change* (Singapore: ISEAS - Yusof Ishak Institute, 2019), 38; "About Us," Human Rights Human Dignity International Film Festival, accessed November 23, 2021, hrhdiff.netscraper.biz/about-us/

61 "Scorecard Assessing Freedom of Expression in Myanmar," PEN Myanmar Center, May 2, 2018, pen-international.org/app/uploads/2018-Scorecard-ENG.pdf

62 The range of repressive laws used to restrict and punish free expression are summarized in the following reports: Jane Madlyn McElhone and Karin Deutsch Karlekar, "Unfinished Freedom: A Blueprint for the Future of Free Expression in Myanmar," PEN America, December 2, 2015, pen.org/research-resources/unfinished-freedom-a-blueprint-for-the-future-of-free-expression-in-myanmar; Linda Lakhdhir, "Dashed Hopes: The Criminalization of Peaceful Expression in Myanmar," Human Rights Watch, January 31, 2019, hrw.org/report/2019/02/01/dashed-hopes/criminalization-peaceful-expression-myanmar

63 "Myanmar: Poet Maung Saungkha Released," PEN America, May 24, 2016, pen.org/press-release/myanmar-poet-maung-saungkha-released/

Athan: Free Expression Activist Organization.⁶⁴

On April 12, 2019, award-winning filmmaker Min Htin Ko Ko Gyi was detained and later sentenced in August to one year's imprisonment in Yangon's notorious



Nay Phone Latt: pen.org/advocacy-case/nay-phone-latt/
Status: Released

Nay Phone Latt is an influential blogger and poet who was imprisoned during 2008 and 2012. He was elected to the Yangon Region parliament as a member of the NLD in 2015.

Insein Prison. His crime: criticizing the military in his social media posts. Ko Ko Gyi was convicted under

Section 505(a) of the Penal Code; 505(a) criminalizes making, publishing, or sharing “any statement, rumor or report” that encourages a member of the military “to mutiny or otherwise disregard or fail in his duty.”⁶⁵ As if the prison term alone was not vindictive enough, the military sought a sentence of hard labor knowing that Ko Ko Gyi was suffering from serious illness. On February 21, 2020, Min Htin Ko Ko Gyi was released from Insein Prison; the remaining charges against him under Section 66(d) were dropped. As soon as he was released, he called for changes to the Penal Code.⁶⁶

In October 2019, the military brought a case against poet Saw Wai for remarks he made at a political rally, and a court accepted the alleged military defamation charge under section 505(a).⁶⁷ In an unusual occurrence under section 505(a), Saw Wai was ultimately granted bail due to his age and compromised health, though the case continued.⁶⁸ Also in October, five performance artists from the group Peacock Generation were sentenced to imprisonment for “incitement to mutiny” after performing *thangyat*, a form of slam poetry.⁶⁹ Kay Khine Tun, Zayar Lwin, Paing Pyo Min, Paing Ye Thu, and Zaw Lin Htut were dressed in military fatigues and their chants mocked the authorities. The group faced a barrage of legal harassment for their performances. As they had performed in different locations, the authorities brought the same

64 “About,” Athan, accessed November 22, 2021, athanmyanmar.org/about/

65 Charlotte Soehner, “Artist Profile: Min Htin Ko Ko Gyi,” Artists at Risk Connection, accessed November 22, 2021, artistsatriskconnection.org/story/min-htin-ko-ko-gyi

66 Charlotte Soehner, “Artist Profile: Min Htin Ko Ko Gyi,” Artists at Risk Connection, accessed November 22, 2021, artistsatriskconnection.org/story/min-htin-ko-ko-gyi

67 “Saw Wai,” PEN America, accessed November 23, 2021, pen.org/advocacy-case/saw-wai/

68 Zaw Zaw Htwe, “Myanmar Court Grants Bail to Lawyer and Poet Sued by Military,” *The Irrawaddy*, February 3, 2020, irrawaddy.com/news/burma/myanmar-court-grants-bail-lawyer-poet-sued-military.html

69 The peacock is the symbol of Aung San Suu Kyi's political party, the National League for Democracy. The charges were laid under Penal Code 505(a) which relates to inciting mutiny: “Myanmar: Satire performers who mocked military face prison in ‘appalling’ conviction,” Amnesty International, October 30, 2019, [amnesty.org/en/latest/press-release/2019/10/myanmar-satire-performers-who-mocked-military-face-prison-appalling-conviction](https://www.amnesty.org/en/latest/press-release/2019/10/myanmar-satire-performers-who-mocked-military-face-prison-appalling-conviction/); “PEN America Condemns Sentencing of Five Myanmar Actors,” PEN America, October 31, 2019, pen.org/press-release/pen-america-condemns-sentencing-of-five-myanmar-actors/

incitement charges under Penal Code Section 505(a) against them in multiple townships simultaneously.⁷⁰ They were also charged and sentenced for online defamation after live-streaming the performance on Facebook.⁷¹ Each charge added consecutive prison terms to their sentences, and they were only all released in April 2021, just before their parole date.⁷²

On a positive note, during this period some popular punk bands, including Side Effect, used their performances and influence to campaign against hate speech and persecution of the Rohingya, while others used hip-hop and other art forms to raise general political awareness among young people.⁷³ According to Side Effect's lead singer Darko, his visits with Rohingya living in northern Rakhine State opened his eyes to their plight,⁷⁴ and the dangers of entrenched racism and hate speech.⁷⁵ Darko's band also collaborated with the NGO Turning Tables on the song "Wake Up Myanmar," which called for an end to military dictatorship and oppressive laws.⁷⁶ Another punk group,

Rebel Riot, emerged in the wake of the 2007 Saffron Revolution; as a result of its 2013 songs, such as "Stop Racism" and "Fuck Religious Rules," the band received online threats.⁷⁷

Compared to the previous period of repressive military rule, the political opening—during which Myanmar was governed by the military-backed Union Solidarity and Development Party (USDP) administration from 2010–2015, followed by the NLD's first administration from 2016–2021—was marked by greater freedoms for creative artists and writers. When the NLD assumed power in 2016, expectations were particularly high. Yet despite calls from civil society, including free and creative expression advocates, the NLD failed to implement reforms, repressive legal structures remained largely intact, and criminal laws were used repeatedly to punish individuals for their creative expression and to chill free speech.⁷⁸ As a participant in PEN Myanmar's 2018 Scorecard Assessing Freedom

70 Leila Sadat, "The Trial of the Peacock Generation Trope: Myanmar," Clooney Foundation for Justice's TrialWatch Initiative, August 2020, cfj.org/wp-content/uploads/2020/08/Fairness-Report-on-the-Trial-of-the-Peacock-Troupe.pdf

71 "Myanmar: New convictions for 'Peacock Generation' members," Amnesty International UK, May 18, 2020, [amnesty.org.uk/resources/myanmar-new-convictions-peacock-generation-members](https://www.amnesty.org.uk/resources/myanmar-new-convictions-peacock-generation-members)

72 "Myanmar: More 'outrageous' convictions for satire performers," Amnesty International, February 17, 2020, [amnesty.org/en/latest/news/2020/02/myanmar-more-outrageous-convictions-for-satire-performers](https://www.amnesty.org/en/latest/news/2020/02/myanmar-more-outrageous-convictions-for-satire-performers); "Nine activists among more than 23,000 freed as part of Thingyan amnesty," *Myanmar Now*, April 17, 2021, myanmar-now.org/en/news/nine-activists-among-more-than-23000-freed-as-part-of-thingyan-amnesty; During the same week, four other members of the group were detained on their way to an anti-coup protest

73 Hanna Hindstrom, "Myanmar's punk rockers challenge anti-Muslim rhetoric," *Al Jazeera*, November 3, 2015, [aljazeera.com/features/2015/11/3/myanmars-punk-rockers-challenge-anti-muslim-rhetoric](https://www.aljazeera.com/features/2015/11/3/myanmars-punk-rockers-challenge-anti-muslim-rhetoric)

74 Bill Frelick, "'Bangladesh Is Not My Country': The Plight of Rohingya Refugees from Myanmar," Human Rights Watch, August 5, 2018, [hrw.org/report/2018/08/05/bangladesh-not-my-country/plight-rohingya-refugees-myanmar](https://www.hrw.org/report/2018/08/05/bangladesh-not-my-country/plight-rohingya-refugees-myanmar)

75 Hanna Hindstrom, "Myanmar's punk rockers challenge anti-Muslim rhetoric," *Al Jazeera*, November 3, 2015, [aljazeera.com/features/2015/11/3/myanmars-punk-rockers-challenge-anti-muslim-rhetoric](https://www.aljazeera.com/features/2015/11/3/myanmars-punk-rockers-challenge-anti-muslim-rhetoric)

76 Hanna Hindstrom, "Myanmar's punk rockers challenge anti-Muslim rhetoric," *Al Jazeera*, November 3, 2015, [aljazeera.com/features/2015/11/3/myanmars-punk-rockers-challenge-anti-muslim-rhetoric](https://www.aljazeera.com/features/2015/11/3/myanmars-punk-rockers-challenge-anti-muslim-rhetoric)

77 Hanna Hindstrom, "Myanmar's punk rockers challenge anti-Muslim rhetoric," *Al Jazeera*, November 3, 2015, [aljazeera.com/features/2015/11/3/myanmars-punk-rockers-challenge-anti-muslim-rhetoric](https://www.aljazeera.com/features/2015/11/3/myanmars-punk-rockers-challenge-anti-muslim-rhetoric); *The Rebel Riot, Fuck Religious Rules/Wars*, Self release, 2014, Digital Media, therebelriot.bandcamp.com/album/fuck-religious-rules-wars

78 See for example, Free Expression Myanmar's five year review of free speech reforms under the NLD, submitted to the UN's Universal Periodic Review in 2020: "Reform abandoned?: 5-year review of freedom of expression for Myanmar's 2020 UN Universal Periodic Review," Free Expression Myanmar, accessed November 22, 2021, freeexpressionmyanmar.org/wp-content/uploads/2020/08/reform-abandoned.pdf; See also, for example, a package of case infographics produced by Athan on the NLD's four years of reform for the 2020 World Press Freedom Day: "Analysis on Freedom of Expression Situation in Four Years under the Current Regime," Athan, May 2, 2020, drive.google.com/file/d/1Suz4sCtyoiV6-W9irm7Bt_ZWMRszkTU1/view?usp=sharing

of Expression in Myanmar noted, “People who freely express their opinions in this country are not safe.”⁷⁹ The legacy of the NLD’s first term in office was thus a deteriorating environment with regard to free and creative expression and media freedoms.

79 “Scorecard Assessing Freedom of Expression in Myanmar,” PEN Myanmar, May 2, 2018, p.5, pen-international.org/app/uploads/2018-Scorecard-ENG.pdf

SECTION II

CREATIVE EXPRESSION AND THE 2021 COUP

At 3am (Myanmar local time) on February 1, 2021, a small internet monitoring organization in the U.K. began seeing minor disruptions to internet infrastructure in Myanmar.⁸⁰ A few hours later, phone lines to Myanmar's capital city, Naypyidaw, were cut and state television channels were taken off the air.⁸¹ Under the cover of darkness, the military raided the homes of senior politicians, detaining President Win Myint and Myanmar's de facto leader, State Counsellor Aung San Suu Kyi.⁸² Shortly after, the military seized parliament—a move that was inadvertently livestreamed on Facebook by fitness instructor Khing Hnin Wai.⁸³

Over the next few days, information trickled out that the military, under the leadership of General

Min Aung Hlaing, had placed 400 members of parliament under house arrest, and detained 147 people, mostly senior NLD officials, as well as 14 civil society leaders, 3 monks, and 5 creative artists who were all well-known supporters of the NLD. These five artists included filmmaker Min Htin Ko Ko Gyi, singer Saw Phoe Khwar, and writers Maung Thar Cho, Than Myint Aung, and Htin Lin Oo.⁸⁴

The military attempted to justify its power grab with the pretext that it had seized power due to a failure of the NLD administration to address what the military claimed were “widespread irregularities on the voter list,” a claim that is without any merit.⁸⁵ Some observers believe that the military was hoping to

80 “Internet disrupted in Myanmar amid apparent military uprising,” NetBlocks, January 31, 2021, netblocks.org/reports/internet-disrupted-in-myanmar-amid-apparent-military-uprising-JBZrmlB6

81 “Aung San Suu Kyi and other leaders arrested, party spokesman says,” *Reuters*, February 1, 2021, trust.org/item/20210131230656-kkg7f

82 “Aung San Suu Kyi and other leaders arrested, party spokesman says,” *Reuters*, February 1, 2021, trust.org/item/20210131230656-kkg7f

83 Helen Sullivan, “Exercise instructor appears to unwittingly capture Myanmar coup in dance video,” *The Guardian*, February 1, 2021, theguardian.com/world/2021/feb/02/exercise-instructor-appears-to-unwittingly-capture-myanmar-coup-in-dance-video

84 “Hundreds of Myanmar MPs under house arrest,” *The News International*, February 3, 2021, thenews.com.pk/print/784319-hundreds-of-myanmar-mps-under-house-arrest; “Recent Arrest List Last Updated Feb 4,” Assistance Association for Political Prisoners, February 4, 2021, aappb.org/wp-content/uploads/2021/02/Recent-Arrest-List-Last-Updated-on-Feb-4.pdf; “Statement on Recent Detainees in Relation to the Military Coup,” Assistance Association for Political Prisoners, February 4, 2021, aappb.org/?p=12997; “Three Saffron Revolution monks among those detained in February 1 raids,” *Myanmar Now*, February 3, 2021, myanmar-now.org/en/news/three-saffron-revolution-monks-among-those-detained-in-february-1-raids; “Recent Arrest List CSOs Last Updated Feb 4,” Assistance Association for Political Prisoners, February 4, 2021, aappb.org/wp-content/uploads/2021/02/Recent-Arrest-List-CSOsLast-Updated-on-Feb-4.pdf

85 Victoria Milko, “EXPLAINER: Why did the military stage a coup in Myanmar?” *AP News*, February 2, 2021, apnews.com/article/military-coup-myanmar-explained-f3e8a294e63e00509ea2865b6e5c342d

follow in the path of other global leaders trumpeting election fraud without evidence.⁸⁶ Just three months earlier, the NLD, led by Aung San Suu Kyi, had won a second landslide victory with an increased share of the general election vote, trouncing the opposing military-aligned Union Solidarity and Development Party (USDP), which lost many of its parliamentary seats.⁸⁷ Observers have also pointed to coup leader General Min Aung Hlaing's failed political ambitions and fears of prosecution for crimes against humanity for his role in the persecution of the Rohingya as motivations for the coup.⁸⁸ The military's initial statement that it would hold fresh elections within a year has subsequently been replaced by a promise to hold them within three years.⁸⁹

UNRULE OF LAW

Since February 1, the Myanmar military has steadfastly denied that it carried out a coup d'état, instead claiming without evidence that detained President Win Myint resigned, and that his replacement called a

state of emergency and transferred executive, legislative, and judicial authority to the military's commander-in-chief, general Min Aung Hlaing.⁹⁰ The military's published declaration of a state of emergency omits details about the temporary suspension of citizens' rights, so it is unclear whether the constitutional protections for free and creative expression, namely the rights to freedom of expression, freedom of association, and freedom to develop literature and the arts, still apply in principle.⁹¹ It also omits details on whether broader constitutional rights relating to the rule of law have been suspended.

Immediately after seizing parliament, the military began stripping away judicial independence, ensuring its control over all three pillars of the state. The military suspended the supreme court's power to enforce constitutional rights through the issuing of writs, and then replaced the majority of the judges who had been installed under the NLD with individuals from the military's secretive tribunals.⁹² It also preempted any claims on the legality of its coup d'état by appointing nine new members to Myanmar's Constitu-

86 Hayes Brown, "Myanmar's military, like Trump, cited fake 'election fraud' claims to justify a coup," *MSNBC*, February 1, 2021, [msnbc.com/opinion/myanmar-s-military-trump-cited-fake-election-fraud-claims-justify-n1256401](https://www.msnbc.com/opinion/myanmar-s-military-trump-cited-fake-election-fraud-claims-justify-n1256401); Jonah Shepp, "Myanmar's Military Pulled Off the Coup Trump Couldn't," *New York Magazine*, February 2, 2021, nymag.com/intelligencer/article/myanmar-military-coup-trump.html

87 Zsombor Peter, "Aung San Suu Kyi, NLD Win Second Landslide Election in Myanmar," *VOA News*, November 15, 2020, [voanews.com/a/east-asia-pacific-aung-san-suu-kyi-nld-win-second-landslide-election-myanmar/6198393.html](https://www.voanews.com/a/east-asia-pacific-aung-san-suu-kyi-nld-win-second-landslide-election-myanmar/6198393.html)

88 "Myanmar coup: Min Aung Hlaing, the general who seized power," *BBC News*, February 1, 2021, [bbc.com/news/world-asia-55892489](https://www.bbc.com/news/world-asia-55892489)

89 "Myanmar to clarify voter fraud, hold new round of elections," *Myanmar Times*, February 1, 2021, [mmtimes.com/news/myanmar-clarify-voter-fraud-hold-new-round-elections.html](https://www.mmtimes.com/news/myanmar-clarify-voter-fraud-hold-new-round-elections.html)

90 Kang Wan Chern, "Myanmar announces state of emergency," February 1, 2021, [mmtimes.com/news/myanmar-announces-state-emergency.html](https://www.mmtimes.com/news/myanmar-announces-state-emergency.html); See also, discussion on the merits of the claim by academics: Melissa Crouch, *The Constitution of Myanmar*, Bloomsbury Publishing, 2019, [bloomsbury.com/uk/constitution-of-myanmar-9781509927371/](https://www.bloomsbury.com/uk/constitution-of-myanmar-9781509927371/); and by CSOs: "Statement by Myanmar civil society organisations on the unconstitutionality of new 'laws,'" Free Expression Myanmar, February 19, 2021, [freeexpressionmyanmar.org/statement-by-myanmar-civil-society-organisations-on-the-unconstitutionality-of-new-laws/](https://www.freeexpressionmyanmar.org/statement-by-myanmar-civil-society-organisations-on-the-unconstitutionality-of-new-laws/); Victoria Milko, "EXPLAINER: Why did the military stage a coup in Myanmar?" *AP News*, February 2, 2021, [apnews.com/article/military-coup-myanmar-explained-f3e8a294e63e00509ea2865b6e5c342d](https://www.apnews.com/article/military-coup-myanmar-explained-f3e8a294e63e00509ea2865b6e5c342d)

91 Article 414(b) of the Constitution, see "Statement from Myanmar military on state of emergency," *Reuters*, January 31, 2021, [reuters.com/article/us-myanmar-politics-military-text-idUSKBN2A11A2](https://www.reuters.com/article/us-myanmar-politics-military-text-idUSKBN2A11A2); Articles 354(a), 354(c), and 365 of the Myanmar Constitution

92 Melissa Crouch, "The coup and the capture of the courts," February 9, 2021, [melissacrouch.com/2021/02/09/the-coup-and-the-capture-of-the-courts/](https://www.melissacrouch.com/2021/02/09/the-coup-and-the-capture-of-the-courts/); "Duty Termination from Justices of Supreme Court of the Union," *The Global New Light of Myanmar*, February 5, 2021, [gnlm.com.mm/duty-termination-from-justices-of-supreme-court-of-the-union/](https://www.gnlm.com.mm/duty-termination-from-justices-of-supreme-court-of-the-union/)

"It's been 16 years since I started my artist career. This time it's hit very hard. In the past, I only realized it was a military dictatorship when I grew up. But now I'm a grown man. A middle-aged man. It is very terrible to experience the coup this time. I understand that I have to do something. I don't want to relay the experience of growing up under the military dictatorship to my next generation."

Myanmar visual artist

tional Tribunal, a constitutional review body that the NLD had previously failed to establish.⁹³ The military has not yet begun systematically interfering with the lower courts, but those courts have little substantive power over the cases that they are hearing, and have mostly been slow or stalled since February 1.

After substantially weakening the independence of the courts, the military began changing the legal framework, including laws affecting creative expression. While military orders—issued under the spurious claim that the military had lawfully declared a state of emergency—are disguised as “directives,” “laws,”

and “amendments,” they are best understood as a return to the previous regime’s system of rule-by-decree.⁹⁴ From February 13–15, the military set about undermining due process and restricting some of the human rights that creative artists and others had gained over previous years. They first “suspended” legal safeguards on surveillance and court oversight of detentions, and restored a former military-era law criminalizing failure to inform the police of overnight guests.⁹⁵ This enabled the military to detain individuals for longer than 24 hours without the need to present them before a court, a principle commonly known as “habeas corpus,” and reimposed the old fear of absolute military control over both public and private spaces.

In parallel to widespread detentions and arrests of creative artists, the military also attacked Myanmar’s already weak legal safeguards for creative expression, issuing illegitimate “amendments”—effectively military orders without any form of lawful legislative process—that added to Myanmar’s range of provisions used to criminalize speech. One of these “amendments” to the Penal Code added a new crime, Section 505A, of “spreading false news” with no definition of “false” and with provisions vague enough to be applied to cre-

93 “Appointment and Assignment of Chairman and members of Constitutional Tribunal of the Union,” *The Global New Light of Myanmar*, February 9, 2021, gnlm.com.mm/appointment-and-assignment-of-chairman-and-members-of-constitutional-tribunal-of-the-union/

94 “Unlawful Edicts: Rule by Decree under the Myanmar Tatmadaw,” International Center for Not-for-Profit Law, March 15, 2021, icnl.org/wp-content/uploads/03.2021-LEGAL-BRIEFER-Rule-by-Decree-by-Myanmar-Tatmadaw.pdf

95 The military “adopted” the Amendment of Law Protecting the Privacy and Security of Citizens, suspending Sections 5, 7, and 8 for the period of the state of emergency. The privacy law was adopted by the NLD to establish safeguards in response to decades of intrusive surveillance and searches by Myanmar’s security services. The “suspended” provisions previously gave people some limited protection from invasion of privacy, surveillance, spying, and detention without court oversight: “Amendment of Law Protecting the Privacy and Security of the Citizens,” *The Global New Light of Myanmar*, February 14, 2021, gnlm.com.mm/amendment-of-law-protecting-the-privacy-and-security-of-the-citizens/; The military also “adopted” the Fourth Amendment of the Ward or Village Tract Administration Law to amend Sections 13, 16, 17, 27, 28, and 33. The amendment restored the crime of failing to inform local authorities of overnight guests, on penalty of a criminal record and a week in prison: “Fourth Amendment of the Ward or Village-Tract Administration Law,” *The Global New Light of Myanmar*, February 14, 2021, gnlm.com.mm/fourth-amendment-of-the-ward-or-village-tract-administration-law/



Min Htin Ko Ko Gyi: artistsatriskconnection.org/story/min-htin-ko-ko-gyi
Status: Detained

Min Htin Ko Ko Gyi is a prolific filmmaker, cultural organizer, and political prisoner. He was among the first wave of creative artists detained on February 1, 2021. Photo courtesy of Myo Myint Swe

ative expression.⁹⁶ The amendment also introduced more serious punishments for a range of colonial-era crimes relating to expression, such as treason, sedition, and incitement to mutiny.⁹⁷ In a further attack on due process, the military illegitimately amended the Code of Criminal Procedure, stripping away basic legal rights to fair treatment by allowing warrantless arrests for serious crimes including treason and sedi-

tion, and making them non-bailable.⁹⁸ On August 3, the military also illegitimately amended the scope of Myanmar's Counter-Terrorism Law to include other crimes, some of which may encapsulate creative expression and could be used against creative artists. In a reversal of normal legal standards, the Counter-Terrorism Law places the burden of proof upon defendants, so that those charged with terrorism are

96 The Penal Code amendment adds a new crime under Section 505A of "causing fear" or "spreading false news" with a maximum sentence of three years in prison and a fine: "Myanmar Ruling Council Amends Treason, Sedition Laws to Protect Coup Makers," *Irrawaddy*, February 16, 2021, irrawaddy.com/news/burma/myanmar-ruling-council-amends-treason-sedition-laws-protect-coup-makers.html; "15 February 2021," *The Global New Light of Myanmar*, accessed October 1, 2021, gnlm.com.mm/15-february-2021/#article-title

97 The amendment broadened Section 505(a), an already vague clause on incitement to "mutiny," to criminalize encouraging disobedience and disloyalty to the military and government with a maximum of three years of imprisonment: "Myanmar Ruling Council Amends Treason, Sedition Laws to Protect Coup Makers," *The Irrawaddy*, February 16, 2021, irrawaddy.com/news/burma/myanmar-ruling-council-amends-treason-sedition-laws-protect-coup-makers.html; It also broadened Section 124, which relates to the pre-democratic crime of treason, to include several repetitive crimes of criticizing or hindering the military, with a maximum sentence of 20 years imprisonment. The military's amendment of the Penal Code's high treason provision, Section 121—which is punishable by death—is now so broad as to conceivably include creative expression: "15 February 2021," *The Global New Light of Myanmar*, accessed October 1, 2021, gnlm.com.mm/15-february-2021/#article-title

98 "15 February 2021," *The Global New Light of Myanmar*, accessed October 1, 2021, gnlm.com.mm/15-february-2021/#article-title

essentially guilty unless they can prove themselves innocent.⁹⁹ On November 1, another illegitimate amendment to the Broadcasting Law brought back media-specific criminal laws such as imprisonment for running pirate radio stations, rolling back a decade of liberalizing reforms.¹⁰⁰ These legal changes have collectively resulted in a return to a similar legal framework last seen under the previous period of military rule, in particular, the infamous Emergency Provisions Act, under which the military could detain people, including creative artists, indefinitely at whim.¹⁰¹

CREATIVE OUTPOURING

For the past 10 months, the military has suppressed protests, free expression, and creativity in a giant show of disproportionate violence.¹⁰² As the United Nations Special Rapporteur on the situation of human rights in Myanmar, Tom Andrews, noted, “the generals have declared war on the people.”¹⁰³ Yet despite—or perhaps because of—the crackdown, creativity has flourished as people in Myanmar have looked for new and innovative means to express themselves and to protest against the dramatic closure in the democratic and civic space.

People reacted quickly to the coup nationwide via a range of protest actions. Kyaw Zwa Moe, journalist and editor of independent Myanmar media outlet *The Irrawaddy*, indicated a few weeks after the coup that there were four key forces behind the movement: “Generation Z; the previous political generations, including the ’88 Generation guided by prominent student leader Ko Min Ko Naing; civil servants staging the civil disobedience movement, or CDM; and the elected NLD. The public is together with them.” While the demands are similar to those made by the previous generations, he adds that this is the most creative movement in the history of the country: “This uprising looks like a street performance with colorful costumes, stylish fashions, and weird wizards abounding. But we can all see how serious and determined these young people are on their mission to eradicate the military dictatorship and return to democracy.”¹⁰⁴

Civil society, including the creative community, has played a leading role, and longtime professionals and budding artists alike responded with an explosion of creative expression and political art, from revolutionary songs, street graffiti, and body tattoos, to silent protests, murals, and poetry.¹⁰⁵ On the first day of the coup, people in Yangon took to their balconies, yards,

99 The Counter Terrorism Law was “amended,” increasing the maximum term of imprisonment from three to seven years for the crimes of “persuasion” and “propaganda.”

“Myanmar Coup Chief Amends Counterterrorism Law,” *Irrawaddy*, August 3, 2021, irrawaddy.com/news/burma/myanmar-coup-chief-amends-counterterrorism-law.html

100 “Criminal media laws return, internet threatened,” *Free Expression Myanmar*, November 3, 2021, freeexpressionmyanmar.org/criminal-media-laws-return-internet-threatened/

101 The Emergency Provisions Act was adopted in 1950 and repealed by the NLD in 2016. It included the notorious Section 5(j) which was regularly used to arbitrarily punish those who express themselves: Wa Lone, “Myanmar repeals emergency law used for decades to silence activists,” *Reuters*, October 4, 2016, reuters.com/article/us-myanmar-law-idUSKCN1241JZ

102 “Cities terrorised as junta escalates lethal violence against public on Armed Forces Day,” *Myanmar Now*, March 27, 2021, myanmar-now.org/en/news/cities-terrorised-as-junta-escalates-lethal-violence-against-public-on-armed-forces-day

103 Tom Andrews, “It’s as if the generals have declared war on the people of Myanmar: late night raids; mounting arrests; more rights stripped away; another Internet shutdown; military convoys entering communities,” Twitter, February 14, 2021, twitter.com/RapporteurUn/status/1361025118642843649

104 Kyaw Zwa Moe, “Defying Myanmar Military Regime in Harmony: Gen Z and Other Main Forces,” *The Irrawaddy*, February 13, 2021, irrawaddy.com/opinion/commentary/generation-z-forefront-uprising-myanmar-military-rule.html

105 Robert Bociaga, “Myanmar artists draw on creative arsenal,” *Nikkei Asia*, October 6, 2021, asia.nikkei.com/Life-Arts/Arts/Myanmar-artists-draw-on-creative-arsenal; Emiline Smith, “In Myanmar, Protests Harness Creativity and Humor,” *Hyperallergic*, April 12, 2021, hyperallergic.com/637088/myanmar-protests-harness-creativity-and-humor/

and streets to bang pots and pans—a traditional cultural expression to scare away evil spirits—every evening, and the protest quickly spread nationwide.¹⁰⁶ Artists joined them, projecting large-scale versions of their work featuring the three-finger salute onto buildings in Yangon every night.¹⁰⁷ The next day, health workers, already busy dealing with COVID-19, kick-started a national civil disobedience movement, and teachers, students, factory workers, engineers, miners, civil servants, and large labor unions quickly joined in.¹⁰⁸ Small street protests began on February 4 in Myanmar's second largest city, Mandalay, followed by larger protests there and in Yangon and the military's own city, Naypyidaw.¹⁰⁹ The protests were diverse, inclusive, and organic in nature, quickly growing to include hundreds of thousands of people, with vocal participation and leadership by the country's youth.¹¹⁰ They were the country's largest protests since the 2007 Saffron Revolution.¹¹¹

The first days after the coup were largely peaceful, with very few members of the military visible on the streets. That changed on February 8, when police fired water cannons at thousands of peaceful protesters in Naypyidaw, and the military banned assemblies of more than five people and imposed a nighttime curfew.¹¹² The next day the police began using lethal force, firing rubber bullets and live rounds at peaceful protesters and injuring at least six people.¹¹³ The military also appeared on the streets, issuing arrest warrants for protest leaders and detaining at least a hundred protesters.¹¹⁴ On February 19, 19-year-old student Mya Thwet Thwet Khine was shot by police while hiding in the street, making her the first "martyr" of the anti-military protests.¹¹⁵ On March 4, 19-year-old singer, dancer, and tae kwon do champion Kyal Sin, nicknamed Angel, was shot in the head during a Mandalay protest. Prior to joining the protest, she posted her blood type on Facebook and left the note:

106 "Anti-coup protests ring out in Myanmar's main city," *Reuters*, February 1, 2021, [reuters.com/article/us-myanmar-politics/anti-coup-protests-ring-out-in-myanmars-main-city-idUSKBN2A139S](https://www.reuters.com/article/us-myanmar-politics/anti-coup-protests-ring-out-in-myanmars-main-city-idUSKBN2A139S)

107 Suyin Haynes, "Myanmar's Creatives Are Fighting Military Rule With Art—Despite the Threat of a Draconian New Cyber-Security Law," *TIME*, February 12, 2021, <https://time.com/5938674/myanmar-protest-digital-crackdown/>

108 "Teachers, students join anti-coup campaign as hospital staff stop work," *Frontier Myanmar*, February 3, 2021, [frontiermyanmar.net/en/teachers-students-join-anti-coup-campaign-as-hospital-staff-stop-work/](https://www.frontiermyanmar.net/en/teachers-students-join-anti-coup-campaign-as-hospital-staff-stop-work/); "Myanmar Copper Miners Join Anti-Coup Strike," *Irrawaddy*, February 6, 2021, [irrawaddy.com/news/myanmar-copper-miners-join-anti-coup-strike.html](https://www.irrawaddy.com/news/myanmar-copper-miners-join-anti-coup-strike.html); Elizabeth Paton, "Myanmar's Defiant Garment Workers Demand That Fashion Pay Attention," *The New York Times*, March 12, 2021, [nytimes.com/2021/03/12/business/myanmar-garment-workers-protests.html](https://www.nytimes.com/2021/03/12/business/myanmar-garment-workers-protests.html); Tint Zaw Tun, "Trade Union in Myanmar to prosecute those taking legal action against CDM participants," *The Myanmar Times*, February 10, 2021, [mmtimes.com/news/trade-union-myanmar-prosecute-those-taking-legal-action-against-cdm-participants.html](https://www.mmtimes.com/news/trade-union-myanmar-prosecute-those-taking-legal-action-against-cdm-participants.html)

109 Kyaw Ko Ko, "Mandalay citizens protest against Tatmadaw rule," *The Myanmar Times*, February 4, 2021, [mmtimes.com/news/mandalay-citizens-protest-against-tatmadaw-rule.html](https://www.mmtimes.com/news/mandalay-citizens-protest-against-tatmadaw-rule.html); "There have been some minor protests against the military coup," *VOA News*, February 3, 2021, [burmese.voanews.com/a/myanmar-civil-disobedience-movement-/5762587.html](https://www.burmese.voanews.com/a/myanmar-civil-disobedience-movement-/5762587.html); "Thousands of Myanmar protesters in standoff with police in Yangon," *Al Jazeera*, February 6, 2021, [aljazeera.com/news/2021/2/6/thousands-of-myanmar-protesters-face-off-with-police-in-yangon](https://www.aljazeera.com/news/2021/2/6/thousands-of-myanmar-protesters-face-off-with-police-in-yangon)

110 Richard C. Paddock, "As Bullets and Threats Fly, Myanmar Protesters Proudly Hold the Line," *The New York Times*, February 9, 2021, [nytimes.com/2021/02/09/world/asia/myanmar-coup-protest-photos.html](https://www.nytimes.com/2021/02/09/world/asia/myanmar-coup-protest-photos.html)

111 "Myanmar coup: Tens of thousands join largest protests since 2007," *BBC News*, February 7, 2021, <https://www.bbc.com/news/world-asia-55967959>

112 "Myanmar coup: Police use water cannon on protesters," *BBC News*, February 8, 2021, [bbc.com/news/av/world-asia-55977478](https://www.bbc.com/news/av/world-asia-55977478); "Myanmar junta imposes curfew, meeting bans as protests swell," *AP News*, February 8, 2021, [apnews.com/article/myanmar-anti-coup-protest-fd4252fbd800caa5d457de9dd65293b7](https://www.apnews.com/article/myanmar-anti-coup-protest-fd4252fbd800caa5d457de9dd65293b7)

113 "Six Protesters Injured After Myanmar Police Fire on Protest," *Irrawaddy*, February 9, 2021, [irrawaddy.com/news/burma/six-protesters-injured-myanmar-police-fire-protest.html](https://www.irrawaddy.com/news/burma/six-protesters-injured-myanmar-police-fire-protest.html)

114 Michael Safi, "Myanmar: troops and police forcefully disperse marchers in Mandalay," *The Guardian*, February 15, 2021, [theguardian.com/world/2021/feb/15/myanmar-internet-restored-protesters-army-presence-aung-san-suu-kyi](https://www.theguardian.com/world/2021/feb/15/myanmar-internet-restored-protesters-army-presence-aung-san-suu-kyi); "Myanmar coup: Troops on the streets as fears of crackdown mount," *BBC News*, February 15, 2021, [bbc.com/news/world-asia-56062955](https://www.bbc.com/news/world-asia-56062955); Kyaw Ko Ko, "Protest crackdown begins in Myanmar, over 100 nabbed in Mandalay," *The Myanmar Times*, [mmtimes.com/news/protest-crackdown-begins-myanmar-over-100-nabbed-mandalay.html](https://www.mmtimes.com/news/protest-crackdown-begins-myanmar-over-100-nabbed-mandalay.html)

115 "Myanmar Student Dies 10 Days After Being Shot by Police at Anti-Coup Protest," *Irrawaddy*, February 19, 2021, [irrawaddy.com/news/burma/myanmar-student-dies-10-days-shot-police-anti-coup-protest.html](https://www.irrawaddy.com/news/burma/myanmar-student-dies-10-days-shot-police-anti-coup-protest.html)



Youth activists write and film a Burmese rendition of “Do You Hear The People Sing?” from Les Misérables, highlighting the scale of the protests across Myanmar and solidarity against the military coup. youtu.be/ZVRVHxLzwW4

“If I was wounded & couldn’t be back to good condition, pls do not save me. I will give the left useful parts of my body to someone who needs it.”¹¹⁶

On March 7, four rock musicians secretly gathered at an abandoned house in Yangon to record a song about security forces shooting to kill. They called it “Headshot”:

Give us back our democracy. Now!

Release every innocent one you captured. Now!

Whose power was taken away? Ours!

We, the people, have the power

Down with the military regime, the war-dogs

Biting the hands that feed them

Of those four musicians, two fled to the jungle along the Thai-Myanmar border, an area protected by ethnic armed organizations, where one, Idiots lead singer Raymond, died of malaria in June. Another went underground, and the fourth went overseas. Three of the group were accused of sedition and had their photos included in the daily wanted lists on military-run television.¹¹⁷

116 Yanghee Lee, “19 yr old Kyal Sin, Angel in English, left letter saying ‘If I was wounded & couldn’t be back to good condition, pls do not save me,’” Twitter, March 3, 2021, twitter.com/YangheeLeeSKKU/status/1367290454908104706

117 Emily Fishbein and Athens Zaw Zaw, “Rock and Roll Is at Its Most Beautiful Stage When It’s Free,” *Rolling Stone*, September 6, 2021, rollingstone.com/music/music-features/censorship-myanmar-coup-rock-free-speech-1215817/

In the very early days, much of the protest artwork featured Aung San Suu Kyi's image, but gradually the iconography became more diverse and inclusive.¹¹⁸ Although the regime's sweeping censorship quickly curbed the activities of commercial artists, many began creating protest art for free. An ethnic Kayin/Karen cartoonist, Saw Seltha, responded to the coup by using his art to poke fun at the military and as "happy medicine" so people would feel less fearful. He was not without his doubts, however. In an interview, Saw Seltha said, "I feel sad, and even sometimes guilty. While I sit and draw cartoons, someone is dying at the same time."¹¹⁹

Myanmar's younger generation, known globally as Gen Z,¹²⁰ swiftly began using their words and art to call for a more inclusive, tolerant society. In a few cases, they also made public apologies to the Rohingya for the atrocities committed against them.¹²¹ Many creative artists interviewed for this report pointed to the important role played by Gen Z. As one documentary filmmaker stated, "Gen Z are prominent in the revolution and because of them the revolution is stronger."¹²² A visual artist in their mid-thirties added, "They are brave and smart, acting at the right time,

and their role is to win this revolution."¹²³ Another visual artist, also in their thirties, commented that the immediate impact of younger artists on the revolution has been far greater than that of established artists.¹²⁴ A documentary filmmaker noted that young artists have shown a natural talent for using creativity to promote the aims of the revolution, saying: "Gen Z are quick, using new techniques and strategies, and have become very prominent in Myanmar."¹²⁵ An older visual artist with a history of creating political works observed that their mastery of the digital space has meant that "their creative works, including posters, performance art, and songs, are powerful" in part because they can spread virally to enormous audiences.¹²⁶ A performance artist who was already working under the previous military rule notes that younger creative artists use art "as a weapon as well as an expression of collective trauma."¹²⁷

Young artists' willingness and ability to use their art for the good of the revolution has led to claims that they are not producing high art.¹²⁸ As a very experienced visual artist of international acclaim put it, "You can't separate their art from propaganda."¹²⁹ Others believe that younger artists are having an impact on

118 Jackie Fox, "Myanmar pro-democracy artists vow: 'We will win,'" *Raidió Teilifís Éireann*, May 30, 2021, [rte.ie/news/2021/0528/1224494-myanmar-coup-four-months/](https://www.rte.ie/news/2021/0528/1224494-myanmar-coup-four-months/)

119 Robert Bociaga, "Myanmar artists draw on creative arsenal," *Nikkei Asia*, October 6, 2021, [asia.nikkei.com/Life-Arts/Arts/Myanmar-artists-draw-on-creative-arsenal?](https://asia.nikkei.com/Life-Arts/Arts/Myanmar-artists-draw-on-creative-arsenal?lang=en)

120 Gen Z, the generation born between 1995 and 2010 who are often known as "digital natives," with greater international interconnectivity, and who came of age during an era of relative political openness in Myanmar; they comprise about a quarter of the total population: Pei-Hua Yu, "Myanmar people vs the junta: Generation Z leads the charge with inspiration from protesters in Hong Kong, Thailand," *South China Morning Post*, February 23, 2021, [scmp.com/week-asia/politics/article/3122677/myanmar-people-vs-junta-generation-z-leads-charge-inspiration](https://www.scmp.com/week-asia/politics/article/3122677/myanmar-people-vs-junta-generation-z-leads-charge-inspiration)

121 Zwe Mahn, "This revolution is about more than who governs Myanmar," *Frontier Myanmar*, May 1, 2021, [frontiermyanmar.net/en/this-revolution-is-about-more-than-who-governs-myanmar/](https://www.frontiermyanmar.net/en/this-revolution-is-about-more-than-who-governs-myanmar/)

122 Interview conducted with a filmmaker (#10) on September 21, 2021

123 Interview conducted with a visual artist (#1) on August 31, 2021

124 Interview conducted with a visual artist (#7) on September 2, 2021

125 Interview conducted with a filmmaker (#10) on September 21, 2021

126 Interview conducted with a visual artist (#4) on September 1, 2021

127 Interview conducted with a performance artist (#2) on September 1, 2021

128 John A. Fisher, "High art versus low art" in *The Routledge Companion to Aesthetics*, ed. Berys Gaut and Dominic McIver Lopes (London: Routledge, 2013), [routledgehandbooks.com/doi/10.4324/9780203813034.ch46](https://doi.org/10.4324/9780203813034.ch46)

129 Interview conducted with a visual artist (#4) on September 1, 2021



Following the violence that military forces used against civilians in the first month of the coup, four rock musicians secretly gathered in Yangon to record “Headshot.” Performed by Kyar Pauk, Novem Htoo, Raymond; and written by Kyar Pauk, Novem Htoo, Han Nay Tar. youtu.be/CqSG-6YNQsI

Myanmar’s creative scene that goes far beyond propaganda. A musician in their twenties observed: “Younger artists are more politically conscious and less willing to idolize. They’ve become woke to society’s challenges.”¹³⁰ According to one musician in their mid-thirties: “I can feel art changing. The way Gen Z express themselves. The way that they criticize the status quo in our society is different than before.”¹³¹ This does not mean that younger artists are necessarily more antagonistic, the musician continued: “My generation of musicians just created angry messages saying ‘fuck the system,’ but Gen Z created more captivating and

compelling messages like ‘Don’t be naughty, shorty, release the mummy,’” mocking the notoriously short stature of the coup leader and his junior status to “Mother” Aung San Suu Kyi.¹³² An internationally recognized visual artist opined that younger artists were also more open than previous generations, in part because they experienced a more open society while growing up during the political opening.¹³³ A heavy metal musician in their late twenties commented on the nature of Myanmar’s generational relationships and culture of respect: “Older generations tend to try to repress younger generations in Myanmar . . . They

130 Interview conducted with a musician (#8) on September 18, 2021

131 Interview conducted with a musician (#5) on September 2, 2021

132 Coup leader Min Aung Hlaing is notoriously short, and Aung San Suu Kyi is often called mother. This message plays on many levels in Myanmar. It is comparatively genteel while also being impudent. It mocks military control while also having gender connotations. Interview conducted with a musician (#5) on September 2, 2021

133 Interview conducted with a visual artist (#7) on September 2, 2021

don't easily recognize younger artists, and if we become too prominent, they may try to sideline us.”¹³⁴ Despite this, the dominant belief is in the need for creative unity. As one musician put it: “The revolution needs everybody to unite. Gen Z are very forceful but we all need to stand together in order to win.”¹³⁵

PEN Myanmar's founding director and writer, Ma Thida, agrees that Myanmar's older generations have had a very different response than the younger generations. “The older generations remember the past so they have concentrated more on security,” she said. “Many were imprisoned in the past because of their artwork, and so they know personally that creative expression can be dangerous. The younger generations don't always have these memories or experiences. So, they are in some ways better equipped, and because of their age better prepared to cope with the future. But don't give up on the older generation of artists. To be creative, they just need time to reflect, create, and to dig deeper.”¹³⁶ Tragically, the older generation was hit hard by the pandemic, with a significant proportion of older writers, poets, and other artists dying during the third wave of COVID-19 that followed the coup.¹³⁷

Dr Jane M. Ferguson, a Myanmar specialist and lecturer in Southeast Asian history and anthropology at

Australian National University, says that anti-coup rap and hip-hop music have also played a distinct role in the protest movement, attracting widespread local and international attention. She points to dozens of tracks by hip-hop artists living inside Myanmar and abroad that have been uploaded to social media platforms and streaming sites.¹³⁸ Ferguson adds that current anti-military hip-hop music was inspired by Myanmar's historic thangyat satirical poetry, saying, “You already have this cultural affinity or propensity or skill to be able to come up with this form of rhythmic, rhyming poetry, which has always been political as well.”¹³⁹ Poets have also played a vital role in the post-coup period, speaking at rallies, penning poetry with anti-military themes, and inspiring protestors.

Myanmar's protest movement has also been inspired by the tactics, ideas, and symbols of regional protest movements.¹⁴⁰ A Hong Kong protest tactics manual was translated into Burmese and widely shared on social media.¹⁴¹ Myanmar protestors wore red ribbons and adopted the three-fingered “Hunger Games” salute.¹⁴² First adopted in 2014 by activists in Hong Kong during the Umbrella Movement¹⁴³ and in Thailand in the wake of that country's 2014 military coup,¹⁴⁴ and then again in 2019-20 during the Hong Kong pro-

134 Interview conducted with a musician (#6) on September 2, 2021

135 Interview conducted with a musician (#5) on September 2, 2021

136 Interview conducted with Ma Thida on September 28, 2021

137 “Myanmar Mourns COVID-19 Deaths of Famous Artists,” *Irrawaddy*, July 28, 2021, irrawaddy.com/news/burma/myanmar-mourns-covid-19-deaths-of-famous-artists.html; “Scores of Myanmar Artists, Entertainers, Succumb to COVID Virus,” *Radio Free Asia*, August 17, 2021, rfa.org/english/news/myanmar/lost-luminaries-08172021171230.html

138 Burhan Wazir, “Myanmar rappers battle against the coup,” *.Coda*, March 17, 2021, codastory.com/disinformation/myanmar-hiphop-coup/

139 Burhan Wazir, “Myanmar rappers battle against the coup,” *.Coda*, March 17, 2021, codastory.com/disinformation/myanmar-hiphop-coup/

140 “‘Power in solidarity’: Myanmar protestors inspired by Hong Kong and Thailand,” *Reuters*, February 9, 2021, reuters.com/article/uk-myanmar-politics-protests-idAFKBN2A913B

141 “The HK19 Manual (၂၀၁၉ ဟန့်တရားရပ်တန့်ပျံ့နှံ့ရေး လက်စွဲ)” Google Document, February 9, 2021, docs.google.com/document/d/1ZrliXypVUvPIR9yJG8AsU55FkLsz81pqZstKQcbsAHc/edit

142 “Milk Tea Alliance: Twitter creates emoji for pro-democracy activists” *BBC News*, April 8, 2021, bbc.com/news/world-asia-56676144

143 “Hong Kong protests: What is the ‘Umbrella Movement?’” *BBC News*, September 28, 2019, bbc.co.uk/newsround/49862757

144 “Thailand: Anti-coup protests use ‘Hunger Games gesture,’” *BBC News*, June 2, 2014, bbc.com/news/blogs-news-from-elsewhere-27667848

“Hello and Good-bye Fear,”

by Raymond (Idiots)

Hello and good-bye fear
You’ve infected me for years.
Well I won’t be giving up
So you better give it up

Hello and good-bye fear

Hello and good-bye fear
Now we’re face to fear
And I can see it all clearly
There’s a light here by my side
So you better give it up

Hello and good-bye fear

After singer Raymond’s death in June, the Idiots posted these lyrics on the band’s Facebook page:
facebook.com/100044158643290/posts/345325403616078/?d=n

tests,¹⁴⁵ the three-fingered salute has become a symbol of resistance and solidarity for democracy move-

ments across South East Asia and has inspired much artwork.¹⁴⁶ The art collective Raise Three Fingers, for example, creates art about Myanmar’s political crisis and advocates for support and solidarity from the international art community.¹⁴⁷ Myanmar activists have also connected with the Milk Tea Alliance, an Asian online pro-democracy movement.¹⁴⁸ On April 8, the first anniversary of the Milk Tea Alliance, Twitter created an emoji featuring an image of milk tea popular in Myanmar superimposed on three different types of milk tea colors, representing the places—Hong Kong, Thailand, and Taiwan—where the alliance first formed.¹⁴⁹

THE CRACKDOWN

On the first day of the coup, the military seized control of state-owned television and radio broadcasters, forced private broadcasters off the air, and shut down access to the internet in a bid for mass control of all media and information, including of the arts. It took longer for the military to gain control of the physical public and private spaces used for creative expression. Numerous demonstrations took place in the weeks following February 1, including some organized by groups of writers and artists who marched through the streets of Yangon holding banners. “In the first days of the coup, we could generally express what we wanted, but then artists started getting arrested,” commented one visual and performance artist.¹⁵⁰ “We couldn’t sing what we wanted to sing, we didn’t

145 “The Hong Kong protests explained in 100 and 500 words,” *BBC News*, November 28, 2019, bbc.com/news/world-asia-china-49317695

146 “Milk Tea Alliance: Twitter creates emoji for pro-democracy activists,” *BBC News*, April 8, 2021, bbc.com/news/world-asia-56676144

147 Jackie Fox, “Myanmar pro-democracy artists vow: ‘We will win,’” *Raidió Teilifís Éireann*, May 30, 2021, rte.ie/news/2021/0528/1224494-myanmar-coup-four-months/

148 “‘Power in solidarity’: Myanmar protesters inspired by Hong Kong and Thailand,” *Reuters*, February 9, 2021, reuters.com/article/myanmar-politics-protests-int-idUSKBN2A914L; “Milk Tea Alliance: Twitter creates emoji for pro-democracy activists,” *BBC News*, April 8, 2021, bbc.com/news/world-asia-56676144

149 “Milk Tea Alliance: Twitter creates emoji for pro-democracy activists,” *BBC News*, April 8, 2021, bbc.com/news/world-asia-56676144

150 Interview conducted with a visual artist (#7) on September 2, 2021

Gen Z are prominent in the Revolution and because of them the Revolution is stronger

Myanmar filmmaker

have freedom of expression any more,” said a hip-hop musician.¹⁵¹ The military’s crackdown on creative artists was not a surprise; some believed that “the military feared art”¹⁵² and “was afraid of *Kalaung* [pens and writers].”¹⁵³ A filmmaker argued that the military placed no value on creative expression whatsoever, and saw no problem in silencing it altogether.¹⁵⁴

The military engaged in a violent crackdown on public and private spaces during and after the coup. The tactics used against nonviolent protests were disproportionate and often indiscriminate, harming everyone from peaceful street protesters to small children in their homes.¹⁵⁵ At times, entire neighborhoods were cordoned off, with soldiers conducting house-to-house searches, arrests, and other forms of harassment.¹⁵⁶ According to a novelist, “No one was safe, everyone was in danger at any time.”¹⁵⁷ Those who attempted to bear witness also faced extreme risk. As one filmmaker noted, when the police and military began their violent crackdowns on peaceful

protests, they actively targeted those documenting the violence: “Suddenly the shooting started and it became so risky to hold a camera.”¹⁵⁸

Members of the creative community have played a key role in civic action and have often been caught up in the violence. At least five poets have been murdered since February, with several killed during street



Ma Thida [pen.org/advocacy-case/ma-thida/](https://www.pen.org/advocacy-case/ma-thida/)
Status: Released

Ma Thida is a Myanmar human rights activist, surgeon, writer, and a former political prisoner during the 1990s.

151 Interview conducted with a musician (#8) on September 18, 2021

152 Interview conducted with a musician (#5) on September 2, 2021

153 Writer (#17) speaking at a roundtable on September 27, 2021

154 Interview with a filmmaker (#10) conducted on September 21, 2021

155 “Myanmar: 43 Children Killed by Armed Forces in Just Two Months Since the Coup Began,” Save the Children, press release, April 1, 2021, [savethechildren.net/news/myanmar-43-children-killed-armed-forces-just-two-months-coup-began](https://www.savethechildren.net/news/myanmar-43-children-killed-armed-forces-just-two-months-coup-began)

156 “Myanmar coup: Protesters flee after being ‘trapped’ overnight,” *BBC News*, March 9, 2021, [bbc.com/news/world-asia-56329220](https://www.bbc.com/news/world-asia-56329220); Helen Regan, “Myanmar coup: fears grow for Myanmar residents in areas sealed off by military and under internet blackout,” *CNN*, March 17, 2021, <https://www.cnn.com/2021/03/17/asia/myanmar-blackout-military-martial-law-intl-hnk/index.html>







157 Writer (#11) speaking at a roundtable on September 27, 2021

158 Interview conducted with a filmmaker (#10) on September 21, 2021



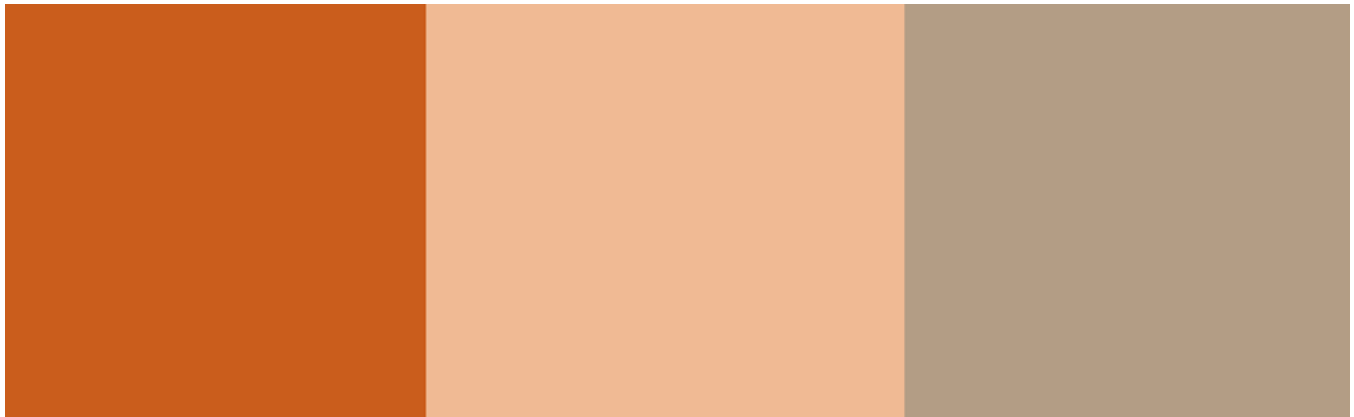
Twitter Public Policy  
@Policy



 Today we are launching an emoji for the [#MilkTeaAlliance](#) , an online solidarity alliance first started in April 2020 as a Twitter meme which has grown into a global pro-democracy movement led by activists and concerned citizens in     and around the world.

10:20 PM · Apr 7, 2021 · Twitter Web App

In early April, Twitter announced the creation of an emoji to accompany the popular #MilkTeaAlliance hashtag.



The Milk Tea Alliance uses three types of milk tea colors to represent Thailand, Hong Kong, and Taiwan.

demonstrations.¹⁵⁹ Poets K Za Win and Myint Myint Zin were killed in March when the military opened fire on protests in which they were taking part, while poet, politician, and charity fundraiser Sein Win was

doused in gasoline and burned to death by an unknown perpetrator in May.¹⁶⁰ In the years preceding the coup, Monywa poet and former Buddhist monk K Za Win was a land rights activist who was critical of

¹⁵⁹ Hannah Beech, "Where Poets Are Being Killed and Jailed After a Military Coup," *The New York Times*, May 25, 2021, [nytimes.com/2021/05/25/world/asia/myanmar-poets.html](https://www.nytimes.com/2021/05/25/world/asia/myanmar-poets.html); "A student from an ethnic minority group was killed in Myanmar's Junta custody," *ASEAN Now*, October 20, 2021, aseannow.com/topic/1236168-a-student-from-an-ethnic-minority-group-was-killed-in-myanmars-junta-custody/

¹⁶⁰ Rebecca Ratcliffe, "'Revolution dwells in the heart': Myanmar's poets cut down by the military," *The Guardian*, May 16, 2021, [theguardian.com/global-development/2021/may/17/revolution-dwells-in-the-heart-myanmars-poets-cut-down-by-the-military](https://www.theguardian.com/global-development/2021/may/17/revolution-dwells-in-the-heart-myanmars-poets-cut-down-by-the-military)

the NLD; in 2015 he spent a year in prison for taking part in a rally for education reform. In the wake of the coup, K Za Win was a leading figure in protests, defending the election results. Prior to his death, he wrote on Facebook: “Though I have different views than you, I’ll lay down my life for you all.”¹⁶¹

TARGETED ARRESTS

The military actively tried to detain creative artists, alongside political leaders, journalists, and social influencers, as a way of censoring and silencing their voices. One novelist recalled that “seven military vehicles arrived at my house and the soldiers searched everywhere.”¹⁶² Once they knew the military were searching for them, creative artists were forced to flee to safety.¹⁶³ Others fled out of fear of being detained or worse. In the months since February, dozens have gone into hiding either in Myanmar—including in the areas controlled by ethnic armed organizations—or into self-imposed exile, in neighboring countries or further afield.¹⁶⁴

Many creative artists who did not manage to escape were arrested while participating in demonstrations or after being targeted. While some were detained

without charge, others have had charges filed against them and remain in jail awaiting trial and sentencing.¹⁶⁵

Several prominent creative artists were detained on the first day of the coup, including Min Htin Ko Ko Gyi and Saw Phoe Khwar. Filmmaker and NLD supporter Min Htin Ko Ko Gyi, who had been previously imprisoned for criticizing the military and released a year earlier, managed to post a warning on social media as he was being detained, and has been held without apparent charges ever since.¹⁶⁶ Reggae singer-songwriter and NLD supporter Saw Phoe Khwar, who has used music to spur youth civic engagement and peace advocacy, at times including criticism of the military, was detained the same day and remains in prison under unknown charges.¹⁶⁷

Three writers were also detained on the first day of the coup: Maung Thar Cho, Than Myint Aung, and Htin Lin Oo. CCTV footage captured the military detaining the writer, humanitarian activist, and local NLD representative Than Myint Aung in the early hours of the coup, and she has remained in prison ever since under unknown charges.¹⁶⁸ Soldiers sat for three hours in an unmarked van outside the home of Maung Thar Cho, a writer, poet, professor, political satirist, and NLD supporter, before detaining him in the early morning, telling his family that he would

161 Joe Freeman, “Poets Are Among the ‘Martyrs’ in Myanmar Coup Protests,” *Vice News*, March 10, 2021, [vice.com/en/article/xgzj94/poets-are-among-the-martyrs-in-myanmar-coup-protests](https://www.vice.com/en/article/xgzj94/poets-are-among-the-martyrs-in-myanmar-coup-protests)

162 Writer (#11) speaking at a roundtable on September 27, 2021

163 Interview conducted with a musician (#6) on September 2, 2021

164 Naing Khit, “Notes from Myanmar’s Underground,” *Irrawaddy*, September 10, 2021, [irrawaddy.com/opinion/guest-column/notes-from-myanmars-underground.html](https://www.irrawaddy.com/opinion/guest-column/notes-from-myanmars-underground.html); John Reed, “Myanmar’s journalists regroup on the run from the junta,” May 9, 2021, *Financial Times*, [ft.com/content/7aa98d6c-78dd-4219-ba9f-5273fe5e3d83](https://www.ft.com/content/7aa98d6c-78dd-4219-ba9f-5273fe5e3d83)

165 Interview conducted with a visual artist (#4) on September 1, 2021

166 “How Myanmar’s junta used a coup to settle old scores,” *Myanmar Now*, September 12, 2021, [myanmar-now.org/en/news/how-myanmars-junta-used-a-coup-to-settle-old-scores](https://www.myanmar-now.org/en/news/how-myanmars-junta-used-a-coup-to-settle-old-scores); Mon Mon Myat, “Myanmar Making Noises for Democracy,” *Irrawaddy*, February 8, 2021, [irrawaddy.com/opinion/myanmar-making-noises-democracy.html](https://www.irrawaddy.com/opinion/myanmar-making-noises-democracy.html)

167 Alex Morris, “Myanmar’s Military Is Killing People for Telling Stories Like This One,” *Rolling Stone*, April 1, 2021, [rollingstone.com/politics/politics-features/myanmar-burma-military-repression-democracy-1149479/](https://www.rollingstone.com/politics/politics-features/myanmar-burma-military-repression-democracy-1149479/); “How Myanmar’s junta used a coup to settle old scores,” *Myanmar Now*, September 12, 2021, [myanmar-now.org/en/news/how-myanmars-junta-used-a-coup-to-settle-old-scores](https://www.myanmar-now.org/en/news/how-myanmars-junta-used-a-coup-to-settle-old-scores)

168 Aditi Bhandari, Wa Lone, and Poppy McPherson, “Politicians, doctors and a fortune-teller: Myanmar’s new wave of detainees,” *Reuters*, March 1, 2021, [graphics.reuters.com/MYANMAR-POLITICS/DETENTIONS/jbyvrdaznve/](https://www.reuters.com/MYANMAR-POLITICS/DETENTIONS/jbyvrdaznve/)

only be taken for a short while.¹⁶⁹ Ten months later, he remains in solitary confinement in Insein prison under unknown charges, without access to adequate medical care.¹⁷⁰

Maung Thar Cho's close peer, the writer and former NLD information officer Htin Lin Oo was also detained by the military that morning. Htin Lin Oo was previously sentenced to six months imprisonment in 2015 under Penal Code Section 295(a) for offending religious freedoms after criticizing Buddhist nationalism, and has now reportedly been charged under Section 505A for spreading "false" information.¹⁷¹ Like Min Htin Ko Ko Gyi, Htin Lin Oo used social media to warn of his looming detention in a video, saying, "I'm not opposing the army. I'm opposing the dictators who staged the coup. All of us civilians have to rise up and revolt against the dictatorship."¹⁷²

The prominent '88 Generation leader, poet, and songwriter, Mya Aye, who had previously served two separate years-long sentences under the previous military regime, was also detained in the early morning of

February 1 and has since been held at Insein prison, where he has suffered from a life-threatening infection.¹⁷³ Mya Aye, a Muslim, was kept incommunicado for several months before being charged with incitement of one community to commit a crime against another, for a 2014 email to a Chinese official criticizing ethno-nationalism in Myanmar.¹⁷⁴

Targeted arrests of creative artists have continued since the coup. For example, writer, politician, and prominent activist Wai Moe Naing, also known as Monywa Panda, has been detained in Monywa Prison since April 15, when plainclothes individuals intentionally rammed their car into his moving motorbike, knocking him off and then arresting him at gunpoint, as captured on camera.¹⁷⁵ Wai Moe Naing had taken a leading role in mobilizing anti-coup protest actions such as banging pots and pans.¹⁷⁶ In a sign of their vindictiveness, the military has charged him with incitement to mutiny under Penal Code Section 505(a), alongside nine other serious crimes, including treason, armed robbery, and even murder.¹⁷⁷

169 Helen Regan and Sandi Sidhu, "By day, Myanmar's protesters are defiant dissenters. By night, they're terrified of being dragged from their beds by the junta," *CNN*, February 20, 2021, edition.cnn.com/2021/02/19/asia/myanmar-protest-voices-coup-intl-dst-hnk/index.html

170 Interview conducted with Ma Thida on September 28, 2021

171 "Tun Khaing v. Htin Lin Oo," Columbia Global Freedom of Expression, accessed November 23, 2021, globalfreedomofexpression.columbia.edu/cases/tun-khaing-v-htin-lin-oo/

172 "How Myanmar's junta used a coup to settle old scores," *Myanmar Now*, September 12, 2021, myanmar-now.org/en/news/how-myanmars-junta-used-a-coup-to-settle-old-scores

173 The 1988 generation were students who led the pro-democracy movement in 1988. See above section for further information; Ko Htwe, "Mya Aye in Poor Health: AI," *Irrawaddy*, May 6, 2010, irrawaddy.com/article.php?art_id=18397; Esther J, "Jailed 1988 veteran admitted to hospital with 'life-threatening' infection from wound," *Myanmar Now*, November 5, 2021, myanmar-now.org/en/news/jailed-1988-veteran-admitted-to-hospital-with-life-threatening-infection-from-wound

174 "Veteran Myanmar Activist Faces Hate Speech Charges," *Irrawaddy*, May 9, 2021, irrawaddy.com/news/burma/veteran-myanmar-activist-faces-hate-speech-charges.html

175 "Wai Moe Naing, prominent leader of anti-coup movement, detained in Monywa," *Myanmar Now*, April 15, 2021, myanmar-now.org/en/news/wai-moe-naing-prominent-leader-of-anti-coup-movement-detained-in-monywa

176 "In Myanmar, Pair of Protest Activists Share Common Goal: Root Out Dictatorship," *Irrawaddy*, April 9, 2021, irrawaddy.com/news/burma/myanmar-pair-protest-activists-share-common-goal-root-dictatorship.html; Associated Press, "Noisy anti-coup protest reverberates in Myanmar's largest city," *CBC News*, February 2, 2021, cbc.ca/news/world/myanmar-military-coup-1.5895753; "Wai Moe Naing, prominent leader of anti-coup movement, detained in Monywa," *Myanmar Now*, April 15, 2021, myanmar-now.org/en/news/wai-moe-naing-prominent-leader-of-anti-coup-movement-detained-in-monywa

177 "Detained protest leader Wai Moe Naing meets with his lawyer for the first time, says mother," *Myanmar Now*, May 29, 2021, myanmar-now.org/en/news/detained-protest-leader-wai-moe-naing-meets-with-his-lawyer-for-the-first-time-says-mother

Preliminary data collected by PEN America and Myanmar-based partners indicate that there have been at least 59 confirmed cases of individual creative artists, including poets, literary writers, visual artists, dramatists, and singers/songwriters, whose rights have been violated since the 2021 coup.¹⁷⁸ Of this total, 5 people, all poets, have been murdered. At least 45 creative artists have been detained since the coup; more than half remain in detention at the time of this report's publication. So far, a relatively smaller number of creative artists—at least 4—have been convicted and sentenced to imprisonment on a range of baseless charges; 1 of those artists remains in prison and is serving their sentence at the time of this report's publication. Delays in the conviction and sentencing of other creative artists are due to judicial delays and are not a sign of the military's indecision or potential leniency. At least 19 creative artists have been released from detention (some with restrictive conditions on their release), and at least 8 more are currently out of custody but remain at high risk of imprisonment, re-arrest, or other threats at the hands of the military. Numerous other writers and creative artists whose cases are not public are also in hiding or in exile, or remain under threat, as well.¹⁷⁹

Many of the creative artists detained since the coup have faced spurious charges or sentencing under the aforementioned illegitimate amendments, in particu-



Htin Lin Oo: pen.org/advocacy-case/htin-lin-oo/
Status: Detained

Writer and former NLD information officer Htin Lin Oo was among the first wave of prominent writers and creative artists detained by the military on February 1, 2021.

lar Penal Code Sections 505A, spreading false information, and 505(a), incitement to mutiny. Maung Yu Py, a well-known poet from Myeik, was detained on March 9 alongside several dozen activists and reportedly tortured in custody; in June, Maung Yu Py was sentenced in a closed makeshift prison court under Penal Code Sections 145 for unlawful assembly, and 505A, to a total of two years imprisonment, later reduced to a year.¹⁸⁰ Yaypu Sayadaw, a monk and poet, was arrested on March 11 and sentenced on April 10 under Section 505(b) to a 3-year prison term for supposed incitement to cause public fear, before being released 10 days later in a general amnesty.¹⁸¹

178 “Freedom to Write Index & Writers at Risk Database Methodology,” PEN America, June 2021, pen.org/wp-content/uploads/2021/06/freedom-to-write-index-methodology.pdf. The professional designations of “poets,” “literary writers,” “dramatists,” and “singers/songwriters” are defined by PEN America’s methodology used in the Writers at Risk Database and Freedom to Write Index. Each person may have more than one professional designation, which are not exhaustive and also take into consideration how an individual defines their own professional identity, and how they are categorized by other organizations (in particular PEN International).

179 Research conducted by one of PEN America’s Myanmar partners, the civil society organization Free Expression Myanmar (FEM), is in the process of verification but has potentially identified 300 cases of warrants, detentions, and sentencing of creative artists between February 1 and September 30, 2021. The data, which involves 10,000 cases overall, is a combination of eight other sources of data.

180 Mark Frary, “Myanmar keeps it poets locked up despite prisoner release,” Index on Censorship, July 2, 2021, indexoncensorship.org/2021/07/myanmar-keeps-it-poets-locked-up-despite-prisoner-release/; “More than 30 youth sentenced in closed court hearing inside Myeik Prison,” Myanmar Now, June 10, 2021, myanmar-now.org/en/news/more-than-30-youth-sentenced,-in-closed-court-hearing-inside-myeik-prison

181 “Myanmar Military Detains More Than 2,100 Since Coup,” *Irrawaddy*, March 15, 2021, irrawaddy.com/news/burma/myanmar-military-detains-2100-since-coup.html; “Mogok Yepu Sayadaw who stopped the violence during the protest, has been released,” Facebook, October 18, 2021, [facebook.com/346321042409048/posts/1516369262070881/](https://www.facebook.com/346321042409048/posts/1516369262070881/)



Contemporary poets with Poets Against Dictatorship continue Myanmar's long tradition of revolutionary poetry in the streets of Yangon.
youtu.be/tEjesG7R5BA

The military has also released some of those detained since the coup, with many let go in a general amnesty in October 2021. On April 6, the prominent satirist and film director Zarganar was arrested under unknown charges.¹⁸² Zarganar has been detained for politically-motivated reasons at least five times in the last 30 years, and he criticized the coup in a Facebook post after the military first seized power in February. On October 18—following the announcement of the exclusion of coup leader Min Aung Hlaing from the ASEAN summit—Zarganar was released under the subsequent politically motivated general amnesty.¹⁸³ However, more than 100 of those released were

quickly rearrested, excluding Zarganar, and several creative artists have remained detained.¹⁸⁴ Regardless of whether individuals have been released, all of these detentions, targeted arrests, and sentencing of creative artists have created a serious chilling effect on freedom of creative expression.

182 “Comedian Zarganar arrested by junta,” *Myanmar Now*, April 6, 2021, myanmar-now.org/en/news/comedian-zarganar-arrested-by-junta; “Zarganar: Myanmar,” PEN America, accessed November 23, 2021, pen.org/advocacy-case/zarganar

183 “Senior NLD Official, Prominent Myanmar Comedian Freed Alongside Activists, Journalists,” *Irrawaddy*, October 19, 2021, irrawaddy.com/news/burma/senior-nld-official-prominent-myanmar-comedian-freed-alongside-activists-journalists.html

184 “Myanmar Amnesty Ends in Tears as Regime Rearrests Political Prisoners,” *Irrawaddy*, October 21, 2021, irrawaddy.com/news/burma/myanmar-amnesty-ends-in-tears-as-regime-rearrests-political-prisoners.html

TORTURE AND OTHER FORMS OF ABUSE

Some creative artists have faced torture and cruel, inhumane, and degrading treatment or punishment while in detention.¹⁸⁵ At least two poets have died as a result, leading a punk musician to bluntly state, “They targeted and killed poets.”¹⁸⁶ The poet Khet Thi was seemingly tortured to death after being taken from his home and into custody in central Myanmar.¹⁸⁷ A prominent poet, Khet Thi, who wrote about the plight of the Rohingya, including the mass graves, had earlier proclaimed at an anti-military dictatorship rally that every protester was a Nobel Peace Prize winner.¹⁸⁸ According to his wife, after his detention his body was returned to his family with organs missing.¹⁸⁹ Lin Paing Soe, an ethnic Nepali student who led anti-regime protests in Naypyidaw and Mandalay and wrote poetry under the pen name Silencer, was killed after being detained on September 30, 2021 in a military raid.¹⁹⁰ According to his friends, he was particularly targeted for torture because he was from a minority group.¹⁹¹

The military issued an arrest warrant in February for writer and veteran protest leader Kyaw Min Yu, better known as Ko Jimmy, under Penal Code Section 505(b) for the crime of “inciting public disorder” following his criticism of the coup on social media.¹⁹² He evaded arrest until October 23, when he was detained during a nighttime raid on his home in Yangon. He turned up in intensive care shortly thereafter, having injured himself while running from military forces, but his wife and civil society groups say he was injured during the arrest and faced further abuse while in custody.¹⁹³

In another example, an artist who wishes to remain anonymous reported being severely beaten with a baton until unconscious prior to being detained, and then beaten again once in detention.¹⁹⁴ The military has openly displayed the result of its torture, publicizing on national television mugshots of an internationally-trained dancer, Khin Nyein Thu, who was badly tortured.¹⁹⁵ Some of those who have been released from detention have also faced ostracism within their communities because of a well-founded fear of the

185 Interview conducted with a filmmaker (#10) on September 21, 2021

186 Interview conducted with a musician (#5) on September 2, 2021

187 “Torture Suspected in Death of Myanmar Poet Called a Voice of Resistance,” *Radio Free Asia*, May 11, 2021, rfa.org/english/news/myanmar/poet-05112021185408.html

188 Reuters, “Body of arrested Myanmar poet Khet Thi returned to family with organs missing,” *The Guardian*, May 9, 2021, theguardian.com/world/2021/may/10/body-of-arrested-myanmar-poet-khet-thi-returned-to-family-with-organs-missing; Rebecca Ratcliffe, “‘Revolution dwells in the heart’: Myanmar’s poets cut down by the military,” *The Guardian*, May 16, 2021, theguardian.com/global-development/2021/may/17/revolution-dwells-in-the-heart-myanmars-poets-cut-down-by-the-military

189 Reuters, “Body of arrested Myanmar poet Khet Thi returned to family with organs missing,” *The Guardian*, May 9, 2021, theguardian.com/world/2021/may/10/body-of-arrested-myanmar-poet-khet-thi-returned-to-family-with-organs-missing

190 “A student from an ethnic minority group was killed in Myanmar’s Junta custody,” *ASEAN Now*, October 20, 2021, aseannow.com/topic/1236168-a-student-from-an-ethnic-minority-group-was-killed-in-myanmars-junta-custody/; Naw Say Phaw Waa, “Students released from prison, some report being tortured,” *University World News*, October 22, 2021, universityworldnews.com/post.php?story=2021102209293912

191 “Ethnic Minority Student Killed in Myanmar Junta Custody,” *Irrawaddy*, October 19, 2021, irrawaddy.com/news/burma/ethnic-minority-student-killed-in-myanmar-junta-custody.html; “Daily Briefing in Relation to the Military Coup,” Assistance Association for Political Prisoners, November 24, 2021, aappb.org/?lang=en

192 “Veteran of 1988 uprising Ko Jimmy is in ‘intensive care’ at military hospital following arrest,” *Myanmar Now*, October 25, 2021, myanmar-now.org/en/news/veteran-of-1988-uprising-ko-jimmy-is-in-intensive-care-at-military-hospital-following-arrest; “Myanmar Activist Ko Jimmy in Critical Condition After Arrest by Junta,” *Irrawaddy*, October 25, 2021, irrawaddy.com/news/burma/myanmar-activist-ko-jimmy-in-critical-condition-after-arrest-by-junta.html

193 “Veteran of 1988 uprising Ko Jimmy is in ‘intensive care’ at military hospital following arrest,” *Myanmar Now*, October 25, 2021, myanmar-now.org/en/news/veteran-of-1988-uprising-ko-jimmy-is-in-intensive-care-at-military-hospital-following-arrest

194 Kristen Gelineau and Victoria Milko, “A monk, student, an artist: Tortured by Myanmar military,” *Associated Press*, October 28, 2021, apnews.com/article/myanmar-torture-military-prisons-insein-abuse-6302011d22e4a53280fb6c008fffa869

195 Sioban Robbins, “Myanmar: ‘We were always hearing those tortured sounds’ - claims of abuse and death in custody under country’s military rule,” *Sky News*, September 3, 2021, news.sky.com/story/the-student-a-politician-and-a-uk-trained-dancer-claims-of-torture-and-death-in-custody-under-myanmars-military-rule-12397750

military returning and exacting further retaliation.¹⁹⁶ The grave, systematic abuse suffered by detainees has had a chilling effect on the creative sector.

DIGITAL COUP

The military's attempts to censor public debate, including creative expression, have also extended online.¹⁹⁷ Since the first day of the coup d'état, the military has sought to restrict information access and sharing, expression, assembly, and association by repeatedly shutting down access to the internet.

The first internet shutdown started at 8:00 a.m. on February 1 and continued for much of the day, temporarily concealing the military's actions from the public.¹⁹⁸ Based on the NLD's 20-month-long internet shutdown in parts of Rakhine and Chin States in 2019–2020, senior military officials knew that near-to-

tal shutdowns were effective at silencing communications and were also relatively risk-free.¹⁹⁹ When the internet was restored, it was limited and disrupted, making it more difficult for users to access data-intensive and creative content such as images and videos.²⁰⁰ The military then shut down internet access at the weekend, when they expected the public to organize mass protests.²⁰¹ It also announced that, as of February 15, it would shut down all internet access nightly in a "digital curfew" that would obscure the military's nighttime raids and increase fear among the public.²⁰² A month later, it began a series of increasing, sustained shutdowns with a near-total shutdown of mobile data, public Wi-Fi, and fixed-wireless connections.²⁰³

As the military had neither the expertise nor the authority to completely control the digital space, its only means of control was forcing telecommunications operators to block or hinder communications

196 Interview conducted with a visual artist (#7) on September 2, 2021

197 "Freedom on the Net 2021: Myanmar," Freedom House, December 21, 2020, freedomhouse.org/country/myanmar/freedom-net/2021; Marta Losota, Matt Bailey, and Karin Deutsch Karlekar, "Myanmar's Escalating Digital Repression—And Activists' Digital Resistance," PEN America, May 10, 2021, pen.org/myanmars-escalating-digital-repression-and-activists-digital-resistance/

198 "Internet disrupted in Myanmar amid apparent military uprising," Netblocks, January 31, 2021, netblocks.org/reports/internet-disrupted-in-myanmar-amid-apparent-military-uprising-JBZrmlB6

199 The military, perhaps as a sign of its wider miscalculation of public opposition to the coup, or maybe a proactive incentive to possible local allies, ended a 20-month internet shutdown in Rakhine and Chin States that had gained notoriety as the world's longest. Started in June 2019 by the NLD administration which claimed it was needed to address the military's national security concerns, the shutdown cut access for more than 1.4 million people. The military restored internet access in Rakhine and Chin States on February 2, 2021, but shut off all internet access nationally shortly after. "Freedom of the Net Myanmar: Assessment of online freedom in 2021," Free Expression Myanmar and Freedom House, September 21, 2021, freeexpressionmyanmar.org/wp-content/uploads/2021/09/FOTN-2021.pdf

200 Andrea Januta and Minami Funakoshi, "Myanmar's internet suppression," *Reuters*, April 7, 2021, graphics.reuters.com/MYANMAR-POLITICS/INTERNET-RESTRICTION/rlgpdbreepo/index.html

201 A second near-total day-long national shutdown was implemented on February 6, the first weekend following the coup: "Data network restored in Myanmar," Telenor Group, February 6, 2021, telenor.com/media/press-release/myanmar-authorities-orders-nationwide-shutdown-of-the-data-network

202 From March 9, the shutdown times for weekdays were changed from 1–9am to 1–6:30am: "Internet disrupted in Myanmar amid apparent military uprising," Netblocks, January 31, 2021, netblocks.org/reports/internet-disrupted-in-myanmar-amid-apparent-military-uprising-JBZrmlB6

203 Mobile data was shut down on March 15: "Internet disrupted in Myanmar amid apparent military uprising," Netblocks, January 31, 2021, netblocks.org/reports/internet-disrupted-in-myanmar-amid-apparent-military-uprising-JBZrmlB6; Public Wi-Fi was shut down on March 18: "Internet disrupted in Myanmar amid apparent military uprising," Netblocks, January 31, 2021, netblocks.org/reports/internet-disrupted-in-myanmar-amid-apparent-military-uprising-JBZrmlB6; Fixed-wireless connections were shut down on April 2: Free Expression Myanmar, "IMPORTANT Fixed wireless will not be turned on in morning," Twitter, April 1, 2021, twitter.com/FreeExpressMm/status/1377587527901708288

lines.²⁰⁴ In addition to shutting down internet access, the military also ordered telecommunications operators to block websites and platforms such as Facebook, home to much of Myanmar’s creative expression. The first wave of orders between February and May repeated the “blacklisting” approach that the NLD had previously introduced, in which the military gave the telecommunications operators lists of IP addresses and websites to block. The first sites to be blacklisted included Facebook on February 4, and Twitter and Instagram on February 5.²⁰⁵ Wikipedia and mainstream media websites have also since been blacklisted, among many others.²⁰⁶ In a sign of the military’s increasing concern about freedom online, they have since changed their approach from blacklisting to the even more draconian “whitelisting,” where telecommunications operators are required to block every website and IP address unless it is on an approved list. Accordingly, on May 25, the military ordered mobile telecommunications operators to whitelist 1,200 websites, including Instagram, YouTube, and WhatsApp, and to block access to the rest of the internet, including Facebook and Twitter.²⁰⁷

In the days following the coup, the military also attempted to “adopt” a repressive cybersecurity bill which would have given the military unconstrained access to all data.²⁰⁸ However, due to negative public response—which importantly included the influential business community—the military resorted to amending an old law, sneaking into it many of the same draconian provisions criminalizing vaguely defined online behaviors such as spreading false information or damaging foreign relations.²⁰⁹

Surveillance has also been ramped up as a tool to control the digital space. After the military unlawfully suspended Myanmar’s privacy law on February 13, it began ramping up its secretive digital surveillance capabilities. In 2020, the NLD administration had already ordered telecommunications operators to start setting up interception systems without proper safeguards against misuse and, after the coup, the military has simply taken advantage of these.²¹⁰

Little is known about the scale of digital surveillance currently underway, other than telecommunications

204 From the outset of the coup the military sought to capture and control the telecommunications operators, either directly as is the case with MyTel and MPT, or indirectly via the regulator, as is the case with many of the private telecommunications operators in Myanmar: “Intelligence Brief: Where does Myanmar stand today?” Mobile World Live, December 4, 2019, mobileworldlive.com/blog/intelligence-brief-where-does-myanmar-stand-today/

205 “Directive to block social media service,” Telenor Group, February 3, 2021, telenor.com/directive-to-block-social-media-service/; “Myanmar anti-junta protests spread, Twitter and Instagram blocked,” *AL Jazeera*, February 5, 2021, aljazeera.com/news/2021/2/5/myanmar-orders-twitter-instagram-blocked-amid-anti-coup-rallies

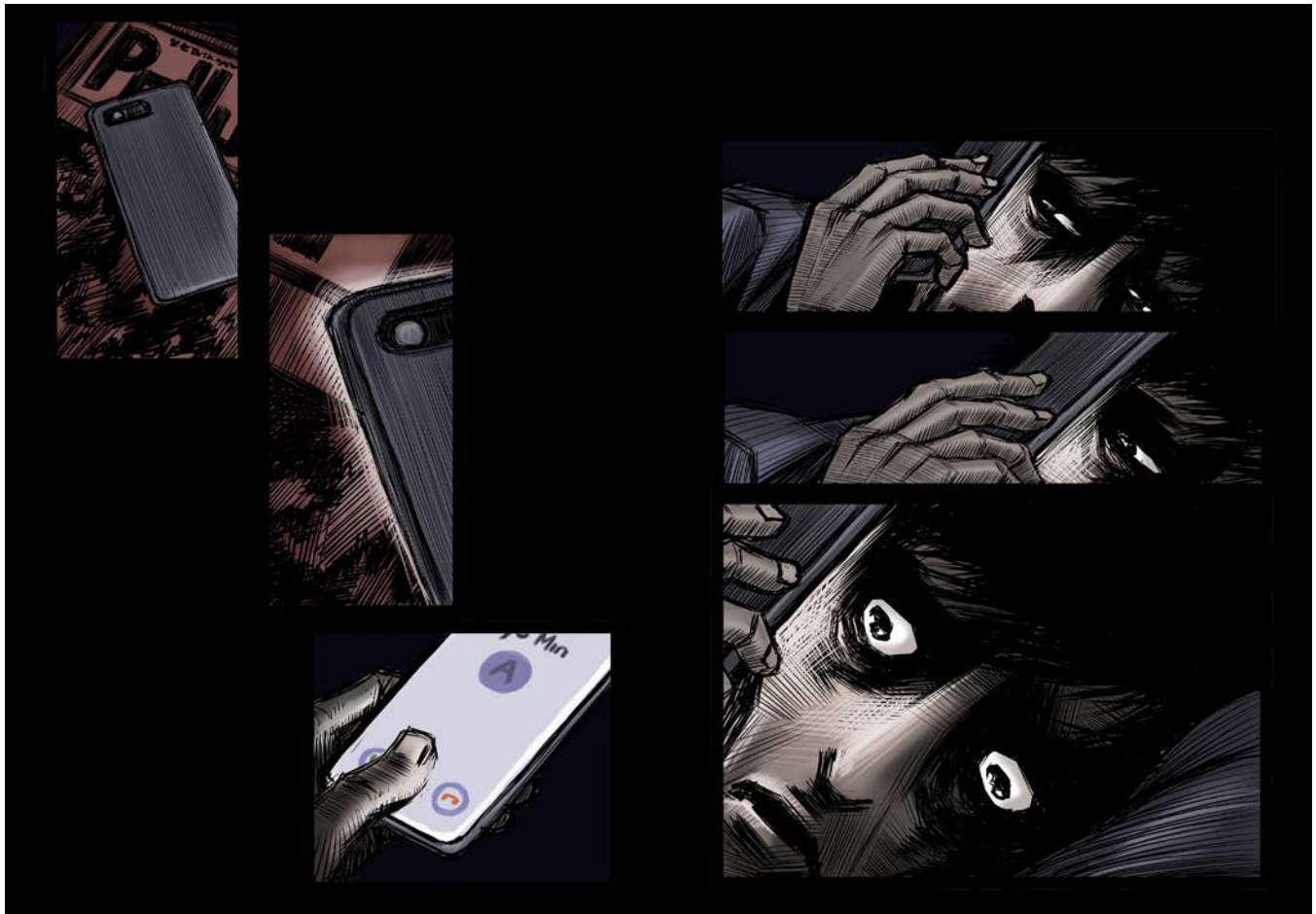
206 James Gomez and Khin Mai Aung, “Myanmar’s digital regime foreshadows SE Asia,” *Bangkok Post*, March 15, 2021, bangkokpost.com/opinion/opinion/2083615/myanmars-digital-regime-foreshadows-se-asia

207 “Myanmar allows Tinder but axes dissent havens Twitter, Facebook,” *Nikkei Asia*, March 25, 2021, asia.nikkei.com/Spotlight/Myanmar-Crisis/Myanmar-allows-Tinder-but-axes-dissent-havens-Twitter-Facebook

208 “Six risks from Myanmar’s draft Cyber Security Law,” Free Expression Myanmar, February 14, 2021, freeexpressionmyanmar.org/six-risks-from-myanmars-draft-cyber-security-law/

209 The Law Amending the Electronic Transactions Law allows for the authorities to access personal data for vague reasons, and criminalizes “unauthorized” access to online material and disclosure of those materials with up to five years imprisonment. It also includes a definition of personal data that is very broad and could easily be used against the media to punish any dissemination of information about an individual. The military has also included a crime of creating false news online (Section 38(c)), with a maximum sanction of three years imprisonment, replicating their changes to the Penal Code in which they added the aforementioned Section 505A: “Myanmar’s new Electronic Transactions Law Amendment,” Free Expression Myanmar, February 18, 2021, freeexpressionmyanmar.org/myanmars-new-electronic-transactions-law-amendment/

210 “Months before the coup, Myanmar army ordered intercept spyware,” *Al Jazeera*, May 19, 2021, aljazeera.com/economy/2021/5/19/months-before-the-coup-myanmar-army-ordered-intercept-spyware



The military's use of digital surveillance, data interception systems, and internet blockades have intimidated and obstructed artists in Myanmar from sharing their art freely and without fear of censorship or physical threat by the military.

operators having a limited capacity to do keyword monitoring and live interception of calls, SMS messages, and data, including emails.²¹¹

Although blocks on internet access may not have had a significant impact on all artists' creative processes,²¹² for some, "it has a huge effect and is akin to blinding us."²¹³ According to a visual and performance artist in their late fifties, "The internet shutdown will have

a tremendous impact on younger artists because the internet is an integral part of their creations."²¹⁴ The visual and performance artist adds that it has also affected creative artists' communications with each other and with their audiences: "It has an effect on my networking and the business side of art, including working with art galleries and museums."²¹⁵ Another visual artist in their thirties commented, "I cannot

211 "Freedom of the Net Myanmar: Assessment of online freedom in 2021," Free Expression Myanmar and Freedom House, September 21, 2021, freeexpressionmyanmar.org/wp-content/uploads/2021/09/FOTN-2021.pdf

212 Interview conducted with a visual artist (#4) on September 1, 2021

213 Interview conducted with a musician (#6) on September 2, 2021

214 Interview conducted with a visual artist (#4) on September 1, 2021

215 Interview conducted with a visual artist (#4) on September 1, 2021

publish or share my art if there is no internet.”²¹⁶
One punk musician noted regretfully, “The internet shutdown makes life very difficult for us.”²¹⁷ Another musician added, “We need internet access to work with each other, produce songs, and distribute our music to our fans.”²¹⁸

The military’s surveillance has had a chilling effect on online creative expression. According to a documentary filmmaker, “A poet published a poem online about the police. The police called the poet and demanded that the poem be deleted, and if it wasn’t, they would come and detain the poet. We don’t know how the police found the poem online.”²¹⁹ A novelist summarized the growing feelings of anxiety: “I feel that my mobile phone is insecure, social media is insecure, and we’re being held captive by the military. Now, if I see a stranger, I suspect they’re a spy.”²²⁰

216 Interview conducted with a visual artist (#1) on August 31, 2021

217 Interview conducted with a musician (#5) on September 2, 2021

218 Interview conducted with a musician (#8) on September 18, 2021

219 Interview conducted with a filmmaker (#10) on September 21, 2021

220 Writer (#11) speaking at a roundtable on September 27, 2021

SECTION III

LONG-TERM IMPACT ON ARTISTS AND CREATIVE EXPRESSION

RISK MITIGATION AND SELF-CENSORSHIP

After the coup, many creative artists necessarily began focusing on their level of personal risk and survival. A visual artist popular for anti-military illustrations explained: “I’d been living in my comfort zone with nothing to care about, and then suddenly I had to think about and take responsibility for my actions.”²²¹ Another visual artist with a strong youth following stated: “I know that artists have always been repressed in Myanmar, but since the coup I’ve had to increasingly check myself to avoid bringing trouble upon myself and my family.”²²² Referencing the military in particular carries new threats: “Expressing anything about the revolution against the military has gradually become more difficult,” stated one hip-hop musician.²²³ “It’s obvious when the military becomes more concerned about certain subjects because they go out and arrest people. For example, pointing out

the military’s failures has become even more sensitive than before,” added a visual artist with experience creating viral anti-military content.²²⁴ Any reference to the military leader, Senior General Min Aung Hlaing, attracts particular military interest, according to an older visual artist: “Artists have to avoid talking about Min Aung Hlaing for a while.”²²⁵

At the same time, creative expression that does not address or recognize elements of the coup has largely disappeared.²²⁶ As a leading visual and performance artist explained, “Most creative expression is related to the coup because this is a revolution against the military, and we’re living in the heart of the conflict zone.”²²⁷ This has also led to social pressure to avoid expressing positivity, happiness, and joy. According to a visual artist well-known among Gen Z, “I loved to create beautiful things but I can’t do so any longer. Happiness has become a controversial feeling. If you get married, people will ask you how you can get mar-

221 Interview conducted with a visual artist (#1) on September 1, 2021

222 Interview conducted with a visual artist (#3) on August 31, 2021

223 Interview conducted with a musician (#8) on September 18, 2021

224 Interview conducted with a visual artist (#3) on September 1, 2021

225 Interview conducted with a visual artist (#4) on September 1, 2021

226 Interview conducted with a filmmaker (#10) on September 21, 2021

227 Interview conducted with a visual artist (#4) on September 1, 2021

ried during the crisis.”²²⁸ A documentary filmmaker agreed: “You can’t make positive or beautiful expression anymore because you will attract criticism.”²²⁹

Many creative artists have taken measures to protect themselves in order to continue creating, including conscious self-censorship. One visual and performance artist, who also runs an art festival, noted: “Self-censorship has awoken inside me, and, much like in the past, it will become commonplace.”²³⁰ Some have chosen to stop publishing their works altogether. “I’m creating what I want, but I don’t dare to share my works with others,” explained one visual artist with experience under the previous military rule.²³¹ A well-connected filmmaker noted that this is a common phenomenon: “All artists are doing some form of art but many are not going public because of the risk from the military.”²³² Original artwork must be hidden, said a visual artist who produces highly respected illustrations: “I keep the drawings I really like in a hiding place that they can’t find easily.”²³³ Creative processes must also be hidden. A filmmaker documenting the coup described their changing processes, “Before March 2021, I worked in public but since then I’ve had to work secretly, changing locations regularly.”²³⁴

Other creative artists are continuing to publish, but are doing so anonymously or using a pseudonym.²³⁵ A hip-hop musician said that they take no risks, even when working under a pseudonym: “I don’t stay in my regular place when I’m releasing a song just in case they somehow track me down.”²³⁶ Adding extra door locks at home constitutes the bare minimum of physical security.²³⁷ Some creative artists have joined local neighborhood security groups.²³⁸ A minority of creative artists have moved to safer places in order to keep publishing their work openly.²³⁹ In a few cases, creative artists have escaped after their names ended up on arrest warrant lists published on the military’s daily television broadcasts.²⁴⁰ In other cases, they have fled because the military was doing house-to-house inspections to see if guests were staying and to find out who they were.²⁴¹ As a visual artist responsible for viral coup illustrations stated: “Many artists are staying in safehouses, some have gone to the border areas [under the control of ethnic armed organizations], and others have gone abroad. We don’t know where they are and we don’t ask either. Choosing to leave is not a problem, because we can then see their creative works.”²⁴² But deciding whether to try to seek safe harbor elsewhere is very difficult. As a visual artist popular among youth elaborated,

228 Interview conducted with a visual artist (#3) on September 1, 2021

229 Interview conducted with a filmmaker (#10) on September 21, 2021

230 Interview conducted with a visual artist (#7) on September 2, 2021

231 Interview conducted with a visual artist (#4) on September 1, 2021

232 Interview conducted with a filmmaker (#10) on September 21, 2021

233 Interview conducted with a visual artist (#3) on September 1, 2021

234 Interview conducted with a filmmaker (#10) on September 21, 2021

235 Interview conducted with a musician (#8) on September 18, 2021

236 Interview conducted with a musician (#8) on September 18, 2021

237 Interview conducted with a performance artist (#2) on September 1, 2021; Interview conducted with a visual artist (#7) on September 2, 2021

238 Interview conducted with a visual artist (#3) on September 1, 2021; Interview conducted with a visual artist (#7) on September 2, 2021

239 Interview conducted with a filmmaker (#10) on September 21, 2021; Interview conducted with a musician (#6) on September 2, 2021; Interview conducted with a musician (#8) on September 18, 2021

240 Interview conducted with a visual artist (#4) on September 1, 2021

241 Interview conducted with a performance artist (#2) on September 1, 2021

242 Interview conducted with a visual artist (#1) on August 31, 2021

“I need to think about how I can continue. Should I use a pseudonym, move to a border area, or go abroad? If I do, can I show my work and will it even be relatable to other people?”²⁴³

Digital self-protection was kick-started immediately after the coup, when creative artists began seeking out digital security information and sharing tips.²⁴⁴

And, despite the military’s attempts to control the digital space, many have found ways to safeguard their work and communications online. At first, many joined encrypted communications platforms and abandoned the previously predominant Facebook Messenger, which had been blocked by the military.²⁴⁵

Later, as military roadblocks became more common, some creative artists adopted dummy devices which were empty and could be safely carried around in public, or used software that hides phone apps.²⁴⁶

Others readied themselves to hide their digital history; as one illustrator and visual artist described, “If something happens to me, I am ready to factory-reset my iPad.”²⁴⁷ Meanwhile, many artists were taking advantage of online cloud services to safely store their works.²⁴⁸ “We’ve uploaded all our music to YouTube, Bandcamp, Spotify, iTunes, and Facebook, so if the military seize our hard drive we have nothing to lose,” said a punk musician and singer-songwriter.²⁴⁹

CLOSED CREATIVE SPACES

The military’s actions have forced many, if not all, of Myanmar’s creative spaces, institutions, and support organizations to shutter their doors and take down their online presence. According to a filmmaker, “The entire creative sector has collapsed, and there are no longer galleries, arts businesses, or journals.”²⁵⁰

The collapse has affected both independent and military-aligned entities, with one heavy metal musician noting with poorly disguised glee, “Even the military boot-lickers are suffering.”²⁵¹ State-controlled institutions have also disintegrated; as a documentary filmmaker put it, “All the members of the government’s film and music regulatory boards resigned after the coup because they didn’t want to serve the military.”²⁵²

Independent creative spaces and institutions such as galleries have shut their doors.²⁵³ “It’s such a depressing time since art galleries in Yangon have closed down,” reported a leading visual artist.²⁵⁴ An arts festival organizer and visual artist said that even if a gallery were to open, they would not be able to show what most people are currently interested in: “No gallery would take the risk of exhibiting works with a

243 Interview conducted with a visual artist (#3) on September 1, 2021

244 Interview conducted with a musician (#8) on September 18, 2021

245 Interview conducted with a filmmaker (#10) on September 21, 2021

246 Interview conducted with a visual artist (#7) on August 31, 2021

247 Interview conducted with a visual artist (#1) on August 31, 2021

248 Interview conducted with a filmmaker (#10) on September 21, 2021

249 Interview conducted with a musician (#5) on September 2, 2021

250 Interview conducted with a filmmaker (#10) on September 21, 2021

251 Interview conducted with a musician (#6) on September 2, 2021

252 Interview conducted with a filmmaker (#10) on September 21, 2021

253 Interview conducted with a performance artist (#2) on September 1, 2021

254 Interview conducted with a visual artist (#4) on September 1, 2021

The entire creative sector has collapsed and there are no longer galleries, arts businesses, or journals.

Myanmar filmmaker

political message.”²⁵⁵ There are “no upcoming exhibitions,”²⁵⁶ and many artists either have no short-term plans to exhibit in Myanmar,²⁵⁷ or are thinking about how to show their works abroad.²⁵⁸ Many creative artists have also closed their studios and moved their works into storage.²⁵⁹ Performance art of any kind has become almost impossible, except within the confines of the home and without an audience.²⁶⁰ The launch of a new institution, the Association of Myanmar Contemporary Art, has been postponed indefinitely. One visual artist associated with the institution described how “we had planned to ask the government for a venue and funding for the association, but if we ask for space now, they will just give us a bullet and a three-by-six-foot space [for burial].”²⁶¹ All arts magazines have stopped publishing.²⁶² As one publisher of an arts magazine stated, “When we thought about it, we realized it was impossible to

continue and we had to close.”²⁶³

The music and film sectors have also disappeared. “It’s a very difficult situation for musicians, as most music studios have now closed,” said a musician with experience of running musicians’ associations.²⁶⁴ Another musician stated, “Some musicians have stopped creating music because the studios have closed, and they can’t make money.”²⁶⁵ Some studios have come under direct attack from the military; as one punk musician recalled, “The military kicked down the door and ransacked our place.”²⁶⁶ Performing outside is also impossible “because the military are everywhere with guns,” said a hip-hop musician.²⁶⁷ Many musicians were already living in economically precarious situations prior to the coup, and that has now worsened according to one: “Musicians are selling their instruments because they need money.”²⁶⁸ One heavy metal musician commented that they have disbanded as a result, saying, “the music business isn’t good. We are struggling and can’t pay our rent.”²⁶⁹ Musicians’ dire situations have also been compounded because Joox, a Chinese-owned mobile app that many musicians used to share their music in Myanmar, does not allow “political” content, and, as a result, is being boycotted by Myanmar users.²⁷⁰ Cinemas were already

255 Interview conducted with a visual artist (#7) on September 2, 2021

256 Interview conducted with a visual artist (#4) on September 1, 2021

257 Interview conducted with a performance artist (#2) on September 1, 2021

258 Interview conducted with a visual artist (#7) on September 2, 2021

259 Interview conducted with a visual artist (#4) on September 1, 2021

260 Interview conducted with a visual artist (#7) on September 2, 2021

261 Interview conducted with a visual artist (#7) on September 2, 2021

262 Interview conducted with a musician (#5) on September 2, 2021

263 Writer (#12) speaking at a roundtable on September 27, 2021

264 Interview conducted with a musician (#5) on September 2, 2021

265 Interview conducted with a musician (#6) on September 2, 2021

266 Interview conducted with a musician (#5) on September 2, 2021

267 Interview conducted with a musician (#8) on September 18, 2021

268 Interview conducted with a musician (#5) on September 2, 2021

269 Interview conducted with a musician (#6) on September 2, 2021

270 Interview conducted with a musician (#6) on September 2, 2021

closed by the NLD government prior to the coup due to concerns about the spread of COVID-19. Since the coup, even the largest film production houses have closed down in trepidation of the future of movie-making.²⁷¹ Film festivals have also been cancelled, film studios shut, and top filmmakers have left the industry seeking business opportunities elsewhere.²⁷²

The effects of the coup have also impacted the broader creative sector. One internationally-renowned visual artist said that most arts educators have disappeared, and that “there were only four arts universities and colleges in the country before the coup and all are now closed. Their staff joined the Civil Disobedience Movement.”²⁷³ Civil society organizations that previously provided training to various types of creative artists have also had to stop their activities; as one visual artist and illustrator recalled, “Our projects stopped after the coup. We couldn’t travel, couldn’t train people. I lost my job, and the boss left Myanmar.”²⁷⁴ The private sector has not fared any better. “In the past I was hired to make posters and animations, but the agency I worked for ended my contract and closed down,” another visual artist and illustrator recounted.²⁷⁵ The loss of livelihoods and closure of spaces to display work and network has further isolated members of the creative community, placing significant burdens on individuals’ resilience and ability to survive the crackdown.

MENTAL HEALTH

Creative artists say censorship, coupled with physical and economic insecurity, have had a significant impact on their mental health,²⁷⁶ leading to anxiety, depression, and post-traumatic stress.²⁷⁷ One musician described the situation immediately after the coup as a collective sense of loss: “In the past, my creative process was free, but now that’s gone. All I know is that I want to be free again, and so regaining freedom dominates my thoughts.”²⁷⁸ A punk musician explained that the feeling of loss has often evolved into a sense of anger which hinders creativity: “Artists just don’t have the mental strength to continue creating, and as a result many became terribly angry and very few are still fighting through their art.”²⁷⁹ One literary editor and writer described the feeling of anger as physically debilitating.²⁸⁰

As the military escalated their attacks on public opposition, and on creative expression in particular, many artists noted a similar escalation of their sense of insecurity.²⁸¹ In the words of one internationally-renowned visual artist who was imprisoned under the previous military rule, “We artists know what the military can do. We know they’re not kind enough to spare us, and that when they’ve finished elsewhere they’ll turn their attention to us.”²⁸² This feeling of

271 Interview conducted with a filmmaker (#10) on September 21, 2021

272 Interview conducted with a filmmaker (#10) on September 21, 2021

273 Interview conducted with a visual artist (#4) on September 1, 2021

274 Interview conducted with a visual artist (#1) on August 31, 2021

275 Interview conducted with a visual artist (#3) on September 1, 2021

276 Interview conducted with a musician (#5) on September 2, 2021

277 Zau Myet Awng and Emily Fishbein, “It’s OK not to be OK: Finding support amid trauma and grief,” *Myanmar Now*, June 12, 2021, myanmar-now.org/en/news/its-ok-not-to-be-ok-finding-support-amid-trauma-and-grief

278 Interview conducted with a musician (#8) on September 18, 2021

279 Interview conducted with a musician (#5) on September 2, 2021

280 Writer (#12) speaking at a roundtable on September 27, 2021

281 Writer (#17) speaking at a roundtable on September 27, 2021

282 Interview conducted with a visual artist (#4) on September 1, 2021



Protesters assemble beside Yangon's Wazira Cinema, the site of many local film festivals. Photo by Maung Sun/Wikimedia Commons.

insecurity has often led to increased anxiety. “Some artists stopped creating because of fear. Fear of being arrested. Fear of dying under interrogation,” said a visual and performance artist.²⁸³ A poet explained, “We no longer feel we’re in control of our lives because we could be in danger at any time.”²⁸⁴ An acclaimed writer added, “I only heard the voice of violence and that voice set my mind on fire.”²⁸⁵ A performance artist who organized public performances after the coup began elaborated: “I was so frightened that the military would break into my house and arrest me or

bomb me while I slept, and I expressed the resulting insomnia through my work.”²⁸⁶ Creative artists who have suffered imprisonment or other forms of abuse during previous periods of army rule noted the sense of déjà vu from their time under previous military regimes. As a visual artist and illustrator said: “That past feeling of total fear has returned to my mind, knowing that the military can come and trouble me at any time.”²⁸⁷ A young visual artist observed that each individual’s sense of fear was shared by everyone around them: “My father began watching the military’s televi-

283 Interview conducted with a visual artist (#7) on September 2, 2021

284 Poet (#21) speaking at a roundtable on September 27, 2021

285 Writer (#15) speaking at a roundtable on September 27, 2021

286 Interview conducted with a performance artist (#2) on September 1, 2021

287 Interview conducted with a visual artist (#1) on August 31, 2021

sion news programmes every evening anticipating an announcement that I'd been detained.”²⁸⁸

Many creative artists reported feeling survivor's guilt that their peers had been caught but they had not,²⁸⁹ or guilt that their creative expression was an inadequate response to the military when compared to the actions of others.²⁹⁰ Almost all creative artists said they were experiencing long periods of exhaustion.²⁹¹ One writer explained, “I felt tired and became overwhelmed with feelings of disgust with myself.”²⁹² Another writer and novelist said, “Writers have run out of energy and feel lost.”²⁹³ The sense of exhaustion was closely related to feelings of being overwhelmed, demotivated, and facing a “creative block.”²⁹⁴ One award-winning musician commented: “Everything's in chaos. We've lost our way. We can't concentrate because our minds are completely occupied by the military dictatorship.”²⁹⁵ Another experienced visual artist stated: “There are very few people who can create right now because everyone is demotivated by the coup.”²⁹⁶ A punk musician doing research among their peers added: “I've met many artists since the coup and they all say they can't concentrate, and that they've lost their creative mood. Even

We artists know what the military can do. We know they're not kind enough to spare us, and that when they've finished elsewhere they'll turn their attention to us.

Myanmar visual artist

cyclists are saying they no longer want to cycle.”²⁹⁷ A writer and novelist added: “Flowers are no longer beautiful. The birds are no longer pleasant and sound noisy.”²⁹⁸ Some artists were concerned that while creativity can be a form of therapy,²⁹⁹ the levels of demotivation and exhaustion among their peers had lasted a long time,³⁰⁰ and there was a risk that “their ability to create might not wake up.”³⁰¹

Yet few creative artists have reported taking steps to protect their mental health in the wake of the coup; for many, it has not been a key consideration for self-protection. One of the few interviewees who had taken steps noted that they had “prepared mentally for the possible bad things that could happen” to them.³⁰² For the majority, other forms of

288 Interview conducted with a visual artist (#3) on September 1, 2021

289 Writer (#21) speaking at a roundtable on September 27, 2021

290 Interview conducted with a visual artist (#3) on September 1, 2021

291 Interview conducted with a performance artist (#2) on September 1, 2021

292 Writer (#14) speaking at a roundtable on September 27, 2021

293 Writer (#13) speaking at a roundtable on September 27, 2021

294 Interview conducted with a visual artist (#1) on August 31, 2021

295 Interview conducted with a musician (#6) on September 2, 2021

296 Interview conducted with a visual artist (#4) on September 1, 2021

297 Interview conducted with a musician (#5) on September 2, 2021

298 Writer (#11) speaking at a roundtable on September 27, 2021

299 Interview conducted with a visual artist (#3) on September 1, 2021

300 Interview conducted with a filmmaker (#10) on September 21, 2021

301 Interview conducted with a performance artist (#2) on September 1, 2021

302 Interview conducted with a performance artist (#2) on September 1, 2021

Flowers are no longer beautiful.
The birds are no longer pleasant and sound
noisy.

Myanmar writer

self-preservation—physical security, financial sustenance, and their physical health during the pandemic—have taken priority.

THE SHIFTING ROLE OF CREATIVE ARTISTS

The way creative artists are perceived both publicly and personally has shifted since the coup, much as it did during Myanmar’s previous political crises. Immediately after February 1, many creative artists focused their attention on the coup itself. A leading visual artist summarized the situation, “If you look at artworks since the coup, you won’t find any that aren’t about the coup.”³⁰³ A documentary filmmaker said the same is true in their sector,³⁰⁴ and a hip-hop musician agreed that it had “preoccupied every creative thought.”³⁰⁵ Creative artists’ roles were

not just to reflect, comment upon, or document the coup from a distance, but to actively participate in what has become known as a revolution.³⁰⁶ Musicians have deliberately addressed the revolution through their songs.³⁰⁷ One young musician stated, “I make music for the revolution because I can’t sit back and do nothing. If this is the time to revolt, then I’ll make revolution songs . . . We artists will use our art as a weapon against the coup.”³⁰⁸ Visual artists have also set aside their past preferred subjects to draw for the revolutionary movement.³⁰⁹ Even creative artists previously regarded as making largely apolitical works have joined in to contribute to the revolution.³¹⁰ One such artist who has created many viral illustrations declared: “I’m making art for the revolution. I’m making revolutionary art.”³¹¹ Another visual artist proclaimed: “This is the time of art for revolution and revolution for art.”³¹²

Various creative artists shared with PEN America that they had experienced a substantive shift in their own approach to their art as a consequence of the coup. Some creative artists regarded their new role as being primarily to motivate the public.³¹³ Others accepted, and in many cases embraced, not just being motivational, but taking on a more leading role as “activist artists.”³¹⁴ As a documentary filmmaker explained, “Before the coup, there were artists and activists.

303 Interview conducted with a visual artist (#4) on September 1, 2021

304 Interview conducted with a filmmaker (#10) on September 21, 2021

305 Interview conducted with a musician (#8) on September 18, 2021

306 Interview conducted with a musician (#5) on September 2, 2021

307 Interview conducted with a visual artist (#4) on September 1, 2021

308 Interview conducted with a musician (#8) on September 18, 2021

309 Interview conducted with a visual artist (#4) on September 1, 2021

310 Interview conducted with a visual artist (#4) on September 1, 2021 Interview conducted with a musician (#8) on September 18, 2021

311 Interview conducted with a visual artist (#3) on September 1, 2021

312 Interview conducted with a visual artist (#4) on September 1, 2021

313 Poet (#14) speaking at a roundtable on September 27, 2021

314 “Activist Art,” TATE, accessed November 23, 2021, [tate.org.uk/art/art-terms/a/activist-art](https://www.tate.org.uk/art/art-terms/a/activist-art)

After the coup, most artists have become activists, even established artists and commercially-orientated artists.”³¹⁵ A well-known visual and performance artist concurred, “Artists have become aware that we can no longer be apolitical. We must work on current issues.”³¹⁶ The same artist said there is a hope that the situation will be temporary: “Now artists are creating in a journalistic way, and I hope we can return to art after a year.”³¹⁷ A poet explained that the public is encouraging them to become more outspoken: “Readers expect us to become more activists than authors, and I myself am changing and looking for a way to change my writing.”³¹⁸ Another poet and writer said that a new way of approaching art is emerging, declaring, “I’m not an activist, but neither am I completely a writer now.”³¹⁹

In some cases, creative artists have demonstrably shifted roles. “Some artists have felt making art is insufficient, and they’ve decided to take up arms against the military,” said a visual artist popular among youth.³²⁰ An older performance artist also noted, “Some poets have stopped writing poems and decided to fight, asking us, their peers, whether it’s okay if we keep on doing what we used to do.”³²¹ One award-winning musician reported that he had “taken up military training [from opposition forces] because I want to show my solidarity with the younger gen-

eration. But at the same time I’m creating songs to motivate them too.”³²²

The coup has not only affected the current roles played by creative artists, but also their opinions, beliefs, attitudes, and therefore their work. Dissatisfaction and anger at the current situation have led to perceptible changes that have spurred creative responses.³²³ Some creative artists confirmed their own greater recognition of the extent to which the military harmfully shaped their opinions from an early age, including a heavy metal musician who said: “We were brainwashed as children.”³²⁴ Some of the creative artists interviewed were particularly concerned about the military’s propaganda that political thoughts of any kind were problematic and even deviant.³²⁵ One poet and writer remarked that while they had grown up under a violent dictatorship, brainwashing had meant that they themselves bore no strong feelings towards the military prior to the coup.³²⁶

Several creative artists stressed that the coup has prompted greater self-reflection about social division and discrimination. Renewed and shared experiences of military brutality have led to increased camaraderie between societal groups, at least for now. An award-winning musician declared that, “I’m from a

315 Interview conducted with a filmmaker (#10) on September 21, 2021

316 Interview conducted with a visual artist (#7) on September 2, 2021

317 Interview conducted with a visual artist (#7) on September 2, 2021

318 Poet (#16) speaking at a roundtable on September 27, 2021

319 Poet (#18) speaking at a roundtable on September 27, 2021

320 Interview conducted with a visual artist (#3) on September 1, 2021

321 Interview conducted with a performance artist (#2) on September 1, 2021

322 Interview conducted with a musician (#6) on September 2, 2021

323 Interview conducted with a musician (#6) on September 2, 2021

324 Interview conducted with a musician (#6) on September 2, 2021

325 Interview conducted with a visual artist (#1) on August 31, 2021

326 Writer (#18) speaking at a roundtable on September 27, 2021

I am making art for the revolution.

I am making revolutionary art.

Myanmar visual artist

[historically marginalized] ethnic minority, but we're putting that aside for now while we fight with our music for democracy."³²⁷ A performance artist from a different ethnic minority group added that concerns about the forced assimilation of minority groups, known as "Bamarization," are being set aside temporarily: "We need to set aside Bamarization until after we've won this fight, and then come back and deal with it."³²⁸ For ethnic groups, such statements may understandably point to a worrying repeat of past attitudes, namely a failure to tackle the ongoing repression and inequality experienced by Myanmar's ethnic, religious, gender, and other minorities. Camaraderie among creative artists has nonetheless even extended to the Rohingya, who have faced repeated atrocities over recent decades. "Some people have greater empathy for the Rohingya now," said an eminent visual artist.³²⁹ "In the future we will need to apologize," added a heavy metal musician, referring to the history of systematic discrimination and oppression.³³⁰

THE FUTURE OF CREATIVE EXPRESSION IN MYANMAR

Despite pervasive censorship, insecurity, and multiplying risks, many creative artists believe that the military coup will remain the dominant focus for creative expression for the foreseeable future.³³¹ "It's been months now and still nobody accepts the military. I don't know politics. I don't know about trade or deals with superpowers. But we artists will continue to say 'fuck off' to the military," stated an award-winning musician.³³² A visual artist responsible for some of the viral illustrations of the coup noted: "I expect artists to continue creating artworks that encourage people to continue the anti-coup movement."³³³ Another filmmaker added, "We're the only people who can fight for our country, so even though we're depressed we've got to continue."³³⁴

Some creative artists believe that the arts will become "more powerful and therefore more dangerous" to the military, as has happened many times during the country's history.³³⁵ They share a common expectation that new waves of creative expression will emerge from the terrible violence,³³⁶ and that these new forms of art will be more collaborative, engaging emerging generations of creative artists, and promot-

327 Interview conducted with a musician (#6) on September 2, 2021

328 "Bamarization" is the forced assimilation of minority groups into the majority ethnic Bamar nation state, including through language and culture, which has been state policy since at least the 1960s when it was called "Burmanization": Robert A. Holmes, "Burmese Domestic Policy: The Politics of Burmanization," *Asian Survey* Vol. 7, No. 3 (Mar., 1967), pp. 188-197, [jstor.org/stable/2642237](https://www.jstor.org/stable/2642237); Interview conducted with a performance artist (#2) on September 1, 2021

329 Interview conducted with a visual artist (#7) on September 2, 2021

330 Interview conducted with a musician (#6) on September 2, 2021

331 Interview conducted with a performance artist (#2) on September 1, 2021

332 Interview conducted with a musician (#6) on September 2, 2021

333 Interview conducted with a visual artist (#1) on August 31, 2021

334 Interview conducted with a filmmaker (#10) on September 21, 2021

335 Interview conducted with a musician (#5) on September 2, 2021

336 Interview conducted with a visual artist (#4) on September 1, 2021



Artist Yee Mon Oo (left) illustrates civilian resistance to the military by highlighting the use of hanging hta-mein, women’s sarongs, to ward off military soldiers.

Artist Paisoe Zayyar (right) illustrates how male soldiers are reportedly wary to cross hta-mein due to a belief that coming into contact with them lessens masculine power.

ing more tolerant ideas.³³⁷ “Art under pressure is better,” said a performance artist.³³⁸

Not all artists are optimistic however. At the time of PEN America’s interviews, there was a common concern that the military had not yet begun to systematically prioritize the censorship of creative artists,

because their concerns were elsewhere. As a visual artist with experience under Myanmar’s previous military rule put it, “They’re still focused and busy with their problems,” referring to the political opposition and armed resistance groups.³³⁹ A punk musician added during an interview, “We’re not their targets yet but we will become their targets later. If they win,

337 Interview conducted with a musician (#6) on September 2, 2021

338 Interview conducted with a performance artist (#2) on September 1, 2021

339 Interview conducted with a visual artist (#4) on September 1, 2021

Art under pressure is better.

Myanmar performance artist

they will repress us even more. They will threaten our lives and sentence us to long terms of imprisonment. These are their characteristics. They are brutal.”³⁴⁰ As a visual artist who lived through the previous military rule explained, the military may be delaying some forms of censorship but not changing their underlying authoritarian tendencies, saying, “We know what they can do, and they’re not kind enough to spare us.”³⁴¹ As another visual artist with past experience under military rule noted, “Previous military censorship was more deeply ingrained, and everything we did was under surveillance.”³⁴² Should the military turn their attention more fully to the artistic sphere, there would likely be harsher censorship, increased attempts to force creative artists to produce propaganda,³⁴³ permanent closures of more arts institutions,³⁴⁴ and more creative artists experiencing financial insecurity. As a writer and novelist ominously predicted: “I can say that writers and poets are going to be starving within a year.”³⁴⁵ There is a shared fear that if the military is able to quash the anti-military dictatorship movement and exert more control over the country, censorship and repression of the creative sector and of individual artists will only get worse.

340 Interview conducted with a musician (#5) on September 2, 2021

341 Interview conducted with a visual artist (#4) on September 1, 2021

342 Interview conducted with a visual artist (#1) on August 31, 2021

343 Interview conducted with a visual artist (#7) on September 2, 2021

344 Interview conducted with a visual artist (#4) on September 1, 2021

345 Writer (#13) speaking at a roundtable on September 27, 2021



A group of young dancers perform a routine to Michael Jackson's "They Don't Care About Us" on the crowded streets of Yangon in protest of the military. Myanmar youth, particularly Gen Z protesters, have been at the forefront of creative resistance against the military. [youtube.com/watch?v=9yjOq3elloU](https://www.youtube.com/watch?v=9yjOq3elloU)

CONCLUSION & RECOMMENDATIONS

The courageous leadership roles played by Myanmar's creative artists—and particularly its rising generation of young artists—in resisting the military coup have been widely acknowledged and praised. Members of the creative sector have called for resistance, reform, and revolution, rejected the former status quo, and expressed their desire to build a new and more diverse, inclusive country. In doing so, these artists are building upon a long and storied history of creative, peaceful resistance to oppression and injustice in Myanmar—from British colonial rule and the struggles for independence, to decades of punishing and dictatorial military rule, to the recent political opening.

In the past year, creative artists have quite literally

risked their lives—and some have given them—in order to make works of creative expression which give voice to the struggles, hopes, and demands of those who resist and reject the military coup. They have done so in contexts fraught with danger, and in the face of a military which has not hesitated to use every means at its disposal to silence expressions of dissent or collective action.

The outpouring of creative expression has also raised important questions about how the international community can best support besieged creative artists—whether in terms of physical security, mental health, or financial aid for individual artists and for the creative institutions that have largely been decimated—and to what extent donors and aid agencies are considering creative artists alongside their support for the media, journalists, and human rights activists.

Drawing from research and interviews with artists whose views are spotlighted within this report, PEN America offers the following recommendations:

TO THE MYANMAR MILITARY:

While PEN America does not recognize the legitimacy of the military coup, it nevertheless reminds the military's controlling State Administrative Council of its clear obligations on freedom of expression under national and international law, and calls for the following:

- Respect the outcomes of the 2020 general election and honor the will of the people of Myanmar to democratically elect their leaders.
- Cease the killing, harassment, arbitrary detention, and torture of creative artists, protestors, activists, and dissidents.
- Immediately end all violations of free and creative expression. Examples of such abuses include illegitimate legal amendments, criminal prosecutions, legal harassment, and treating perpetrators of crimes against free expression with impunity.
- Unconditionally release all writers and creative artists held in prison for exercising their right to freedom of expression, including, but not limited to, Min Htin Ko Ko Gyi, Than Myint Aung, Maung Thar Cho, Htin Lin Oo, Mya Aye, and Wai Moe Naing.
- Ensure freedom of expression online. End all internet shutdowns, discontinue internet whitelisting, and halt all requirements for telecommunications companies to conduct direct or indirect surveillance.

TO THE INTERNATIONAL COMMUNITY:

- Pursue all possible diplomatic means to insist on

respect for the outcome of the 2020 general elections and uphold the will of the people of Myanmar.

- Proactively and persistently hold Myanmar to its international human rights obligations, including the obligation to respect, protect, and fulfill the right to freedom of expression. Raise, both bilaterally and multilaterally, concerns about arbitrary detentions and killings, the use of torture, internet shutdowns, and surveillance. Press for the release of political prisoners. Avoid any form of legitimization of the coup.
- Prioritize support for civil society, including organizations, networks, and informal groupings, to rebuild creative communities, ensure their resilience, and strengthen creative expression.
- Encourage, empower, and support relevant international organizations, such as UNESCO, to more effectively achieve their mandate to assist and defend the creative community inside Myanmar.
- Provide refuge for Myanmar's creative community through the efficient and effective provision of visas and/or protected status, and through support for intergovernmental organizations such as UNHCR and IOM. Seek out opportunities to elevate the work of Myanmar's creative community through exchanges, exhibits, or other events and media.
- Ensure the safety of creative artists, activists, and others in exile from Myanmar.

TO THE INTERNATIONAL CREATIVE COMMUNITY:

- Prioritize support for Myanmar's creative community and its art by showcasing the work of Myanmar creative artists internationally, engaging across borders with Myanmar creative peers, and offering them security and opportunities for

exposure and collaboration via exchanges and residencies.

TO THE DONOR COMMUNITY:

- Provide financial support to sustain and strengthen Myanmar's creative sector, including institutions, organizations, networks, informal groupings, and individuals.
- Ensure support is accessible and recognizes the diversity of communities.
- Ensure all forms of support—such as emergency funds, residency grants, and project awards—are pragmatic, secure from military surveillance, and responsive to the changing realities of Myanmar's current context.

TO THE U.S. CONGRESS:

- Pass the BURMA Act [congress.gov/bill/117th-congress/house-bill/1112](https://www.congress.gov/bills/117/congress/house-bill/1112) of 2021, which would impose sanctions for human rights abuses (including for violations of freedom of expression) and provide humanitarian assistance to dissidents and victims of the military.
- Pass the Protect Democracy in Burma Act of 2021 [congress.gov/bill/117th-congress/house-bill/1112](https://www.congress.gov/bills/117/congress/house-bill/1112), which would condemn the coup and instruct the secretary of state to submit a report to Congress on U.S. efforts to rally the international community against the military regime.

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