



Repeated Dark Age of News Media: Analytical Assessment on Challenges Facing Journalists and News Media Agencies

Athan - Freedom of Expression Activist Organization





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Facing Journalists and News Media Agencies**

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Organizational Background

Athan, established by Myanmar's young activists on 15th January 2018, aims to promote freedom of expression on a societal level. Mainly performing research activities, the organization regularly engages in advocacy and capacity building. The organization's broad scope of works includes: exploring and recording the laws, customs, and traditions, and events that hinders freedom of expression; supporting legislative reforms in line with democratic standards and grounded by conducted researches, and advocating in different stages and sectors for the full enjoyment of freedom of expression. Athan envisions a society that fully enjoys the freedom of expression as part of the democratic value.

Research Methodology

This report, "*Repeated Dark Age of News Media: Analytical Assessment on Challenges Facing Journalists and News Media Agencies*", included the accounts of challenges faced by news media and journalists, repressions on press freedom, and violations of rights of the journalists during the military coup on 1st February until 31st December 2021. The research compiled and categorized information by monitoring news from reliable online media outlets and sourcing the reports on arrested journalists recorded by local and international organizations. The research conducts by communicating to the struggling journalists and media outlets on the ground, surveying 17 news media outlets and 80 journalists, interviewing legal experts, and considering the discussions with responsible persons from news media organizations.

The report decided not to mention their names, news agencies, and locations by considering the safety of journalists during this period.

Unit 1: INTRODUCTION

1.1. Background Context of Press Freedom in Myanmar

Amongst the attacks to press freedom in Myanmar's history, military coup d'états have often proved to be the worst since the military typically commits arbitrarily arresting, detaining, violently humiliating journalists, and news media, and sometimes pressing charges against them with criminal laws.

A decade after Myanmar's independence, the military administration, resulting from the first military take-over in 1958, banned privately owned Lu-Du (the People) and Kyae-Mone (the Mirror) newspapers for criticizing them and sent many journalists to the Great Coco Island, a penal colony.

In 1962, General Ne Win, the leader of the armed forces, staged a coup d'état and formed Union Revolutionary Council. The council curbed press freedom by shutting down all private-owned newspapers. Meanwhile, many journalists faced long years sentenced in prison, likewise the political oppositions.

Again in 1988's military takeover for the third time, numerous journalists followed the same fate as the previous ones, facing arrests and detaining.

The fourth coup d'état by the military took place on 1st February 2021. It brought the same pattern of oppression to a more substantial degree on journalists and privately-owned news media by applying the most critical restrictions to survive, including suspending licenses.

The attacks on press freedom on the fourth coup d'état hit heavier than in 1962, curtailing: hundreds of journalists have been arrested, nine news media outlets have been suspended licenses, and many journalists have suffered arrest, raids, inspecting, threats, and impediments.

Some of the detained journalists went to trials on the charge of severe criminal cases as others have undergone arbitrary arrest, long-term interrogation in investigation agencies, long-term torture under custody, and other intimidations.

A day after the coup, State Administration Council (hereafter will be termed as SAC) announced a statement to restrict press freedom on 2nd February.

The council subsequently shut down nine news media outlets and raided and ransacked those offices, arrested the senior profiles, and later the reporters in those media outlets. Moreover, they filed the Irrawaddy News before the court.

Incessantly arresting the journalists and continuous raids to their offices and personal residences have forced them to internally emigrate, choose areas under the control of ethnic armed organizations, or flee abroad to ensure sustaining their journalism professions and careers.

Such a historically worst situation under SAC's various ways of repression on news media and journalists leads to breaching press freedom, thwarting journalism works to sustain, and endangering the safety and security of journalists.

1.2. An overview: Challenges Facing News Media and Journalists within 11 Months

'The History of Journalism in Myanmar' mentions that only seven newspapers survived numerous attacks on press freedom in 1972 even though there were up to 40 privately-owned newspapers before Ne Win's coup in 1962. The history repeats on 1st February 2021, vanishing privately-owned newspapers and periodicals.

More than a month after the coup, revoking media licenses, planning raids to media houses, and arresting journalists continued. The conditions headed not only to vanish weekly or monthly periodicals but also to shut down broadcasting and online media outlets. It impacts the worst impairment to both freedoms of information and press freedom for Myanmar's media landscape.

Arresting hundreds of journalists, assaulting them with mischiefs, pressing them to the court for felonies severely affect sustaining media agencies and journalism productions.

With the increasing number of arrests of journalists and journalism-related careers, many journalists across the country cannot perform their functions and have been forced to flee from their residences and offices. Many news media and journalists find it a significant attack on their freedom, safety, and security.

In addition to revoking media licenses, arresting journalists, facing trials from different prisons, experiencing thwarts and intimidations, fleeing from their working environments, and raiding and suppressing media agencies to courts have influenced shutting down the publications of printed media outlets and around 40 online news agencies. The circumstances to curb press freedom and violate the people's right to information became a military tactic to oppress media agencies. In other words, it is also one of the disinformation acts by SAC.

Added to their worst and violent repressions, SAC has continued various approaches: revoking media licenses, terminating broadcasting channels, torturing, arresting, and persecuting journalists, raiding, and ransacking media houses, applying criminal procedures and laws, and amending laws to counter journalists and media agencies.

Other than amending laws to repress journalists and the media sector more than a month after the coup, SAC criminalized the journalists for severe punishment, ignoring News Media Law provisions. Some of the journalists have been facing trials under the Penal code and there have been 48 journalists arrested.

Out of the arrested, most of the detained journalists followed judiciary procedures after transferring to police stations from the military interrogations where they suffered harsh torments and threats.

In the postcoup, the safety and security of the journalists themselves and their family members are also in danger. Their family members get arrested even if a targeted journalist was not.

In certain cases, the situation worsens when SAC arrests former journalists who are not anymore in the media industry: threatening the safety and security of the ones with experience in journalism in the past.

During the eleven months after the coup, 141 journalists (115 male and 26 female) were arrested. Thirteen journalists (9 male and 4 female) were sentenced to imprisonment on criminal charges. On 20th June, SAC released 14 journalists with amnesty across the country. Again on 18th, 19th, and 20th October, 18 journalists got amnesty. Ninety-three journalists have been released since SAC detained 61 journalists only for a few moments or days. Meanwhile, 30 male and 3 female journalists have been warranted: 27 journalists face trials in special courts from February to December.

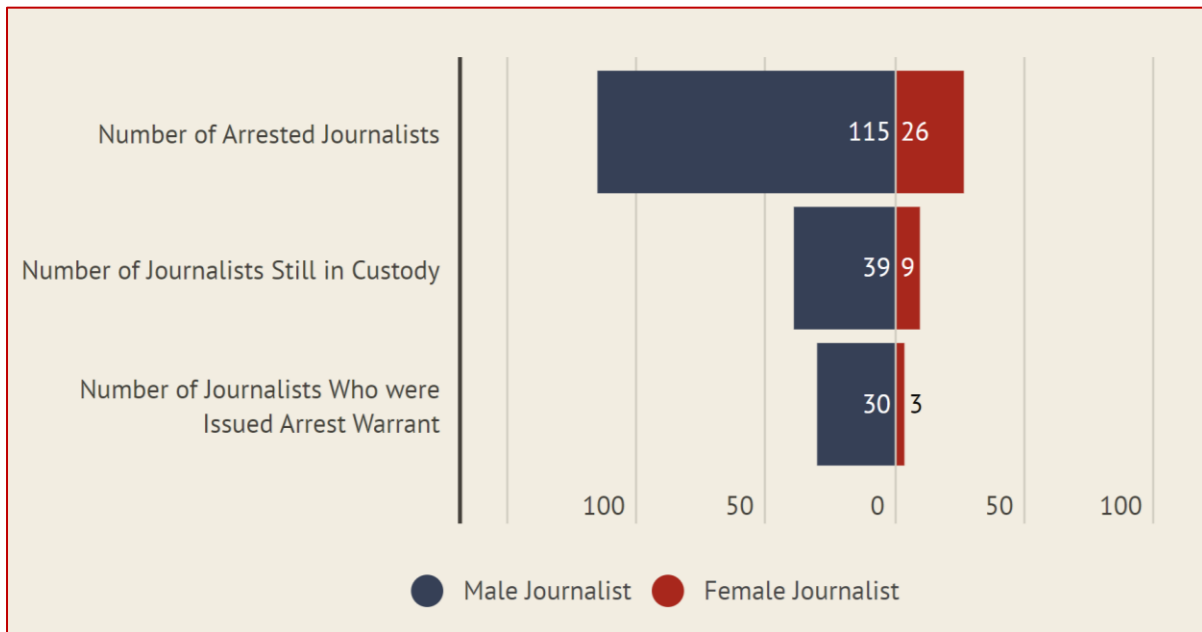


Fig: Piece of facts about journalists who have been prosecuted in various ways

The post-coup situation is an evidentiary period when the journalists’ justice, freedom, and rights are harshly challenged with the lack of press freedom, safety, and security of journalists, perseverance of the media sector.

Unit 2: SAC's Repressions on the Freedom and Rights of News Media and Journalists

2.1. SAC's Repression on Press Freedom

A day after the coup, SAC announced a statement, dated 2nd February, curbing press freedom. In that announcement of the Ministry of Information refereeing SAC's Order 1/2021, it described "not to make posting rumors on social media; releasing statements to occur riot and unstable situation and announced (media organizations) to cooperate with the government in accordance with the existing laws." By denouncing press freedom as if creating rumors or invoking via news, SAC initiated its earliest step curbing press freedom.

The next step became restricting the terms in mentioning the military council. The ministry, appointed by SAC, sent Myanmar Press Council a derivative, dated 11th February, to immediate the media agencies 'according to journalism ethic' for not using 'Regime or Junta' when mentioning SAC.

The derivative includes journalists and media organizations needs to operate according to existing laws, elaborating Section 4, Article 9 (a) and (b) of News Media Law, and Section 4, Article 8 (a) and (b) of Printing and Publishing Enterprise Law, thus journalists and media organizations requires to exercise journalism ethics by not mistakenly using the terms such as 'junta' or 'regime'.

As seen in the following photo, the Ministry of Information also sent warning letters to the media agencies not to use such terms about SAC, threatening those actions would be taken if not followed the instruction.

A few days after the coup, such a warning letter illustrates that the right to access information and other journalistic rights are harshly violated. Moreover, it is a fact that SAC disregards the rights and freedom meant for journalists and media agencies provided by existing New Media Law.

၄။ ယခုအခါ တပ်မတော်အနေဖြင့် နိုင်ငံတော်ဖွဲ့စည်းပုံအခြေခံဥပဒေ(၂၀၀၈ ခုနှစ်) အရ နိုင်ငံတော်အား အရေးပေါ်အခြေအနေ ကြေညာပြီး အရေးပေါ်ကာလဆိုင်ရာ ပြဋ္ဌာန်းချက်များနှင့်အညီ နိုင်ငံတော်စီမံအုပ်ချုပ်ရေးကောင်စီဖွဲ့စည်းပြီး ဆောင်ရွက်နေမှုကို အာဏာသိမ်းအစိုးရ ဟု မမှန်မကန် ရေးသားသုံးနှုန်းခြင်းအပါအဝင် သတင်းမီဒီယာကျင့်ဝတ်နှင့် မညီညွတ်သည့် ဆောင်ရွက်မှုများ၊ ပုံနှိပ်ခြင်းနှင့်ထုတ်ဝေခြင်းလုပ်ငန်းဥပဒေ အခန်း (၄)၊ ပုဒ်မ ၈ ၊ ပုဒ်မခွဲ(ခ)ပါ အကြောင်းအရာများ ဖော်ပြနေခြင်းတို့ကို အချို့သော သတင်းစာ၊ ဂျာနယ်၊ သတင်းမီဒီယာဝက်ဘ်ဆိုက်နှင့် အွန်လိုင်းမီဒီယာ များတွင် တွေ့ရှိနေရပါသည်။

၅။ သို့ဖြစ်ရာ သတင်းမီဒီယာသမားများနှင့် သတင်းမီဒီယာအဖွဲ့အစည်းများအနေဖြင့် အရေးပေါ် ကာလဆိုင်ရာ ပြဋ္ဌာန်းချက်များနှင့်အညီ ဆောင်ရွက်နေသော နိုင်ငံတော်စီမံအုပ်ချုပ်ရေး ကောင်စီအား အာဏာသိမ်းအစိုးရဟု မမှန်မကန် သုံးနှုန်းခြင်းမျိုးအပါအဝင် လူထုဆူပူအုံကြွမှု ဖြစ်စေရန် သွေးထိုးလှုံ့ဆော်ပေးသည့် လုပ်ဆောင်မှုများ မပြုလုပ်ကြရန်နှင့် သတင်းများဖော်ပြရာတွင်လည်း သတင်းမီဒီယာကျင့်ဝတ်နှင့်အညီ ဆောင်ရွက်ကြပါရန် အကြောင်းကြားပါသည်။



 11/21/2021
 ပြည်ထောင်စုဝန်ကြီး(ကိုယ်စား)
 (မြင့်ကျော် ၊ ဒုတိယအမြဲတမ်းအတွင်းဝန်)

Fig: Order No.1/2021 of the Ministry of Information under the SAC

In a Security, Peace and Stability and Rule of Law Committee meeting held on 28th September, Senior General Min Aung Hlaing, the SAC leader, reportedly claimed:

Local and international media and online media caused to deteriorate the security and the rule of law; Ministry of Home Affairs and Ministry of Information must control the media and consider the age range of journalists.

Later, the mentioned derivative was distributed to all subordinate government agencies in different states and regions.

The SAC’s derivative has created even more rigid control over the news media. Consequently, SAC endorses an Amendment on Television and Radio Broadcasting Law to repress the news media industry further.

Besides, the Ministry of Hotel and Tourism sent a letter dated 22nd November to the hoteliers warning of punishments for any service for TV channel access to DVB, Myanmar Now, Mizzima, 7 Days, and Khit-thit Media, which were banned since 8th March.

2.2. Revoking Media Licenses and Repression on Private-owned News Media

2.2.a. *Shutting Down the Private-owned, Free-to-Air Channels by Two Licensed News Media*

With the coup introduced on 1st February, SAC shut down private-owned free-to-air channels by Mizzima and DVB, which broadcasts under the agreement with Myanmar Radio and Television under the Ministry of Information since February 2018. For the sake of eliminating press freedom, SAC outrageously stifles those two widespread and influential broadcasting programs. An official from Mizzima, the banned free-to-air broadcasting media, remarks that shutting down those channels is breaching the rights agreed in their contract.

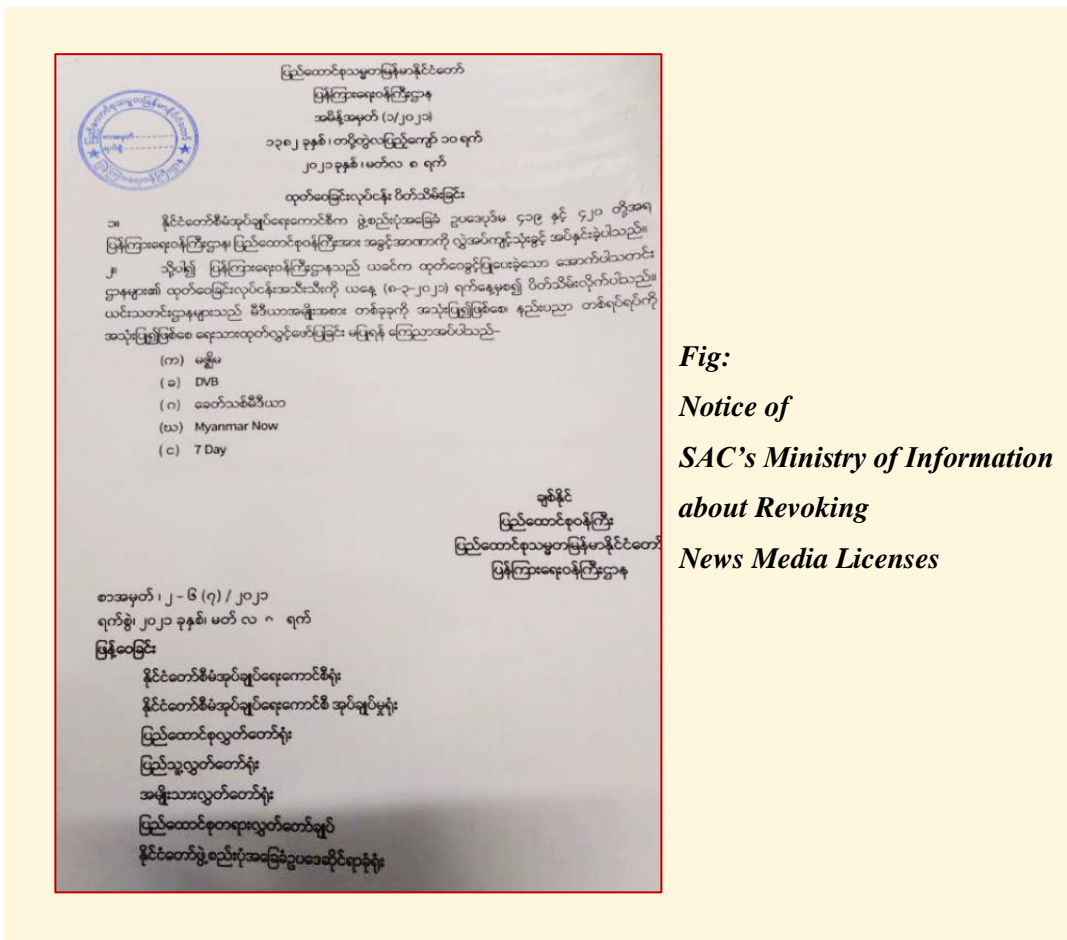


Fig:
Notice of
SAC's Ministry of Information
about Revoking
News Media Licenses

2.2.b. *Revoking News Media Licenses*

On 8th March, more than a month after the coup, SAC's Ministry of Information announced revoking news media licenses for DVB, Myanmar Now, Mizzima, 7 Days, and Khit-thit Media. The statement banning the news media production process, starting from 8th March, indicated SAC's repression of news media agencies.

The action to revoke licenses of those five media agencies was not grounded on any violation of the law but just an abuse of power. In addition, the statement also implies prohibiting any form of medium or reporting or publishing on any technology platform.

The Myanmar Now office was raided, confiscating properties on the exact day of revoking licenses to those five media agencies. On the next day, 9th March, Mizzima, and Kamayut Media offices were raided and raided the same way.

Related to revoking licenses for other local media outlets, SAC banned Tarchilake News Agency on 20th April, Myitkyina News Journal and the 74 Media on 29th April, and Delta News Agency on 4th October, respectively, citing that those media outlets violate article 8 of Printing and Publishing Enterprise Law: expressing the matters to be affected national security, the rule of law, community peace and tranquility, and expressing the contents to support criminals.

The statement revoking those local media licenses also mentioned: prohibiting any form of medium or reporting or publishing on any technology platform and eliminating those media agencies forever.

In the post-coup, nine news media agencies were banned and revoked licensed.



Fig: Suspended Nine News Outlets

2.3. Prosecuting Targeted Media Agencies as a Form of Repression on Press Freedom

Myanmar Police Force accused Irrawaddy News agency of breaking Section 505(A) before the court on 10th March. The case was reportedly grounded on publishing a news article about “130 Lakhs demanded to let 70 arrested surgeons free.”¹

2.4. Raids for Wanted Journalists and News Media Offices

In the afternoon before the public announcement of revoking media licenses on 8th March, the military forces raided the Myanmar Now office, confiscating documents found in the office. Hence the office was closed a few days earlier; any journalism professionals were not arrested in the incident.

On 9th March, the police and military forces raided Mizzima and Kamayut Media agencies destroying the journalism and office equipment. The chief editor Nay Than Maung, an American citizen, and Han Thar Nyein, a co-founder, were arrested.

On the same day, the Hakha Post office, based on the capital Hakha of Chin state, was raided, and confiscated the properties.

While the chief editor and other journalists from Tarchilake News Agency were hiding in a safe place on the same day, the office and their residences were raided.

On the morning of 21st April, SAC forces raid the Monywa Gazette news agency office and the residence of its CEO. The printed circulations of the Monywa Gazette were suspended at the end of February while its online publications have to stop on 21st April.

The Myaylatt Athan (the voice of central Myanmar) office was raided twice: the first raid on 5th March and one more time on 26th August.

On 5th May, Lashio based Shwephimiyay News agency from northern Shan State was raided.

The group of police and military forces raids Thanlwin Times news agency office in Mawlamyine, the capital of Mon State, at midnight on 25th June. They interrogated the landowner who rented the residence for the office place.

The office location of the Ayeyarwady Times news agency, based in Patheingyi, was investigated, and its landowner was inspected and pressured. When the chief editor and editor in charge found that they were on the list to be arrested and prosecuted, they had to shut down the office, moving to safe places.

SAC also raided the Yangon-based Irrawaddy News office twice on 14th and 15th October.

Based in Rakhine State, Western News reported that SAC forces investigated their office on 19th November.

¹ A news article published on 28th February on Irrawaddy News Online.

With the increased number of arrests of journalists, continued raids and intimidations of the local branches and headquarter of media offices, frequent investigations and coercions over property owners who rented the office places, most of the news media offices were shut down, and journalists have fled to safe places while a few choose to abandon their journalism career.²

2.5. Facing Violence, Intimidations and Displacements of the Journalists

2.5.a. Facing Violence and Arrest of the Journalists While Reporting on the Ground

Over a week in the post-coup, SAC arrested a male journalist from DVB for covering a rally in Mandalay on 9th February. A female journalist was also arrested in Patheingyi, Ayeyarwady Region, on 11th February. On 14th February, five journalists were collectively arrested in Myittha, Kachin State. From those days on, journalists were arrested across the country. Even though they were wearing helmets marked ‘PRESS’ and hanging journalist identity cards on their collars, they were arrested and subjected to violence including beating, and shooting.

Amongst many cases of taking violent actions over journalists, plainclothes security forces in Monywa violently arrested Monywa Gazette’s CEO while covering a public demonstration on 27th February.

On 28th February, SAC’s forces injured Zeyar Myint, a Myaylath Athan reporter, using a rubber bullet despite wearing a press helmet that identifies as a journalist.



Zeyar Myint, a reporter of Myaylath Athan, was shot with rubber bullet when covering the news incident on 28 February (left figure) and was being treated at a hospital (right figure).

² Source: Surveying 17 news media and 80 journalists and facts collected from media reports.

On the same day, security forces in Myitkyina, Kachin State, beat Christopher, a reporter from Myitkyina Journal. There were also cases where a few reporters, fortunately not arrested, were attacked, and injured by car-wheel-bearing steel balls.

A DVB reporter from Myeik, Aung Kyaw, was arrested after throwing rocks and gunshots at this house. He was injured on his head, and he recorded and live-streamed the incident via DVB's Facebook page.



He was then prosecuted for defaming the State (article 505-a) and sentenced to three years in prison. Under the custody, the authorities did not allow him to communicate with his family for eight months and violated many other prisoners' rights.

Aung Kyaw, the journalist from Myeik, faced continuous tortures. Those included: taking him violently to the detention spot in the air force compound with incessant mistreatments along the way; severe torments and humiliations such as booting at his face, burning face and back of his hands with cigarettes, wrapping plastic bags over his head for suffocation. Two soldiers tied his arms during those tortures and peeled off his fingernails. Kicks, fist-blows, and beating with batons made one of his eyes swollen and closed, nasal bones broken and bleeding. Due to those hostilities, he suffered almost unconscious. Until then, his head, already with several injuries, was hardly kicked by a security personnel in uniform, and he collapsed. Because of the physical traumas, Aung Kyaw finds it difficult to be recovered enough after his release with an amnesty.

While many journalists are subjected to torture when arrested, investigated, or under custody, there are cases of arresting the escaped journalists' family members and relatives by the police forces under SAC's control.

When the police force was investigating founders and journalists working for the Thanlwin Times news agency, their family members were threatened to be arrested. Thus, they moved to safe zones together with their families.

At around midnight on 14th September, tens of military and police officers surrounded a local journalist's house in Magway Region and yelled the journalist's name. They dragged him outside and threatened him not to run away with their guns. They made him kneel on the tarmac road and handcuffed him. Stabbing his wife's chest with the gun-muzzles, they commended to hand over his work-related computer. He was then brought to the police station, tortured by pounding his chest and whipping his front and back with batons and belts until 5:00 AM.

On 3rd March, military and police forces turned to a video journalist covering the anti-coup protest, hunted him shouting, “kill that guy.” The journalist was violently arrested after being kicked and beaten, bleeding from his head. He was violently interrogated for two consecutive days without food and water, leaving bruises over his back, bottom, and legs.

Nay Than Maung, chief editor of Kamayut Media, and its co-founder Han Thar Nyein were arrested at their office on 9th March. They were brought blindfolded to a room in the interrogation unit and violently dragged along the room’s floor. Han Thar Nyein had been handcuffed behind his back, humiliated by swearing, kicking, and beating.

For three days, Nay Than Maung had been interrogated without sleep. He had been tortured by slapping and punching over his ears, cheeks, and jaws. Even after the interrogator found him an American citizen, the torture continued because of concealing his citizenship and the passport number. As Nay Than Maung reflected his experience to a reporter, constant violence was three or four days long. Nay Than Maung, later, was transferred, with an exile sentence, to the USA on 14th June.

During the interrogation, they were not allowed to have food or water. After three days of interrogation, they got water to drink and had meals on the fourth day. Both were interrogated for 15 days.³

On 27th March, Htet Myat Thu, a reporter from the Voice of Thanbyuzayat agency, was shot on his leg and violently arrested by the military and police forces while covering news in Kyaikhto.

On the same day, Si Thu Lwin, a reporter from Mandalay, was shot with a bullet in his right hand. He received surgical and medical care later.

However, a Dawei-based Dakkhina Insight reporter Naing Tun Lin was shot and arrested while covering an anti-coup protest on 21st April.

Amongst four arrested foreign journalists, Nay Than Maung, the chief editor from Kamayut Media, and Danny Fenster, an editor from Frontier Magazine, are American citizens. The remaining two journalists were Robert Bociaga from Poland and Yuki Kitazumi from Japan. Robert Bociaga was arrested violently.

According to the survey in this research process, journalists and reporters subjected to violence during their reporting, being arrested or interrogated are twenty-one in number: including a female reporter and a foreign journalist from Poland. Two male journalists were shot with bullets and arrested, and another male journalist got shot by a rubber bullet but not arrested.

³ Source: BBC Burmese Interview with Nay Than Maung, chief editor from Kamayut Media, plus referring to news articles and journalists’ responses to the research interviews, with their permission presenting their reflections.

2.5.b. Threatening Journalists

Following the coup, journalists across the country were arrested during covering the protests. Some faced physical violence and threatening. This section highlights some cases of intimidated journalists.



In early February, SAC's forces threatened some reporters in Ayeyarwady Region not to cover news on the ground. They warned that shootings and killings would not be their responsibility, as the journalists responded to the assessment.

The women-only hostel, where a female reporter from a Shan State-based news agency live, was intruded climbing over the brick wall at midnight. The intruders raided the hostel, and investigated mobile devices, threatened, and robbed money.

A journalist from Pyay was also threatened to be killed before he was violently arrested.

Most of the arrested journalists were threatened when they were arrested or interrogated.⁴

2.5.c. Displacement of Journalists at the Risk of Interrogations and Arrests

Journalists, editors, and reporters, from a Mon State-based news agency moved from their home to safe places in border areas at the end of February. After the chief editor's house was raided, and the police force tried to arrest his colleagues including the agency founders and journalists. The journalists brought their families and fled to the safe areas.

On March, journalists from an Ayeyarwady Region-based news agency have been forced to flee from their homes since March when the military council tried to arrest the chief editor and editor-in-charge. During the month, they found the search had continued, and they fled to the border area for their security concern for sustaining their journalism works.

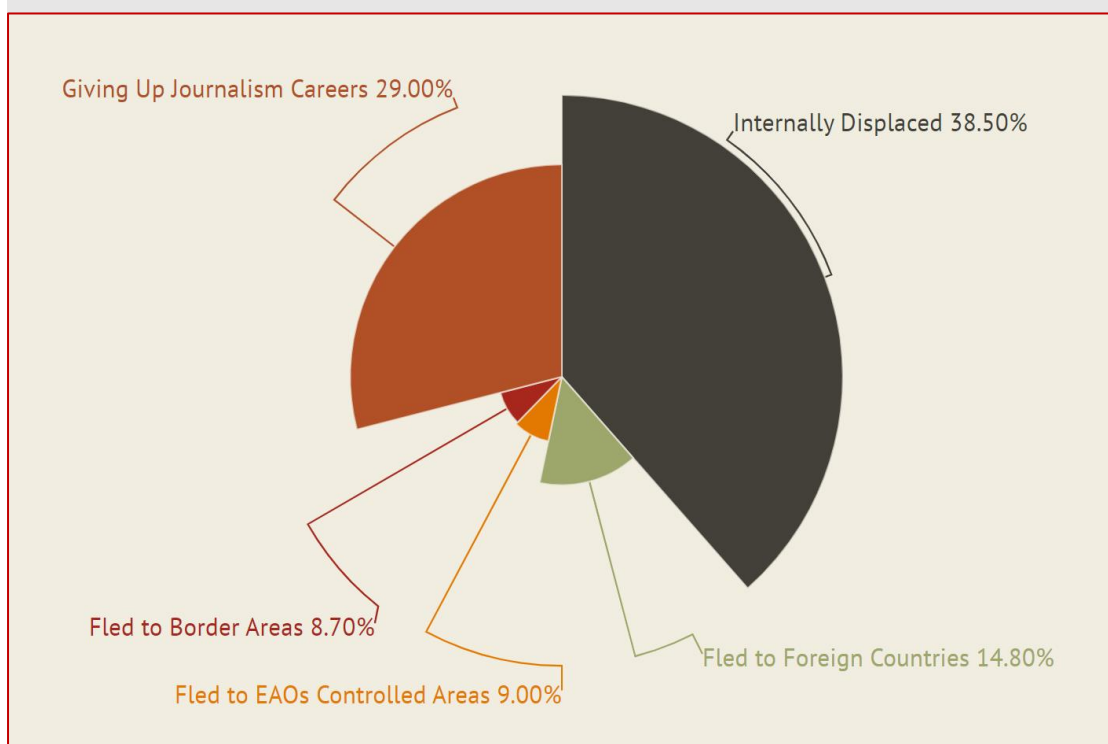
Reporters from several Rangoon-based news media have also fled to safe areas, border areas or foreign countries. Journalists form a news agency based in Kalay, Chin State, also fled to abroad due to the arrests. After raiding the office and investigating and arresting the journalists of a Shan State-based news agency, they decided to flee across the border.

Journalists from a Kachin State-based media outlet had also fled to abroad and to other safer areas as journalists have been searched and arrested.

⁴ Source: Surveying 17 news media and 80 journalists and facts collected from media reports.

Journalists from a Rakhine State-based news media are currently fleeing to safe places while all the journalists from Magway and Bago Regions-based news media are also moved to border areas. Journalists working for a Mandalay-based news agency are also hiding in safe places.

Due to the SAC's arrests and prosecutions, journalists evacuated their residences and moved to other places in different possible ways. According to the survey assessment with 80 journalists, 38.5 percent are displaced internally, 14.8 percent to abroad, and 9 percent in safe zones, 8.7 percent in border areas, and 29 percent non-displaced but giving up their journalism careers.⁵ (Notice: The calculated figures are based on a limited sample size of 80 journalists.)



2.6. Threatening Family Members of the Journalists and Taking as Hostages

When the residence of a chief editor working for Hakha based Chin Land Post news agency was raided and not found, his brother-in-law was arrested instead. The apartment of a Yangon-based freelance reporter, Thuzar, was also raided, and her husband was arrested.

On 4th July, SAC's forces raided the residence of a Pyay based Myaylatt Athan reporter Pyae Phone Paing. When they found out the journalist had already fled, they arrested his father and grandfather.

In a similar case of a reporter working for a Shan State-based news agency, the reporter's father was arrested as a hostage. When the reporter heard his father had been arrested, he left the

⁵ Source: Surveying 17 news media and 80 journalists and facts collected from media reports.

hidden place for the police station. The police pressured him to sign on a pledge to quit his journalist job, then dismissed both.⁶

2.7. Death of journalists for taking the news

On December 10 of international Human Rights Day, Ko Soe Naing who is a photojournalist, and Ko Zaw Tun were arrested while they were taking photos of holding a nationwide silent strike in Yangon. Ko Soe Naing was tortured to death in the interrogation center on December 14 after being detained 4 days later. His death has become the first fatality in media society by the junta. Moreover, A Sai Kay (Aka) Sai Win Aung, editor of the Federal Journal who had taken refuge in May Khi Wah village to continue producing news, was also shot dead by the military in Lay Kay Kaw township, Karen state on December 25. He was fleeing to Lay Kay Kaw as his house in Yangon has frequently been watched by the soldiers of the junta.

2.8. Threatening Journalists and News Media during SAC's Press Conferences

SAC organized its first press conference on 16th February, more than two weeks after the coup. Major General Zaw Min Tun, head of SAC's press team and chief of Tatmadaw True News Information Team, chaired the press conference and Thet Swe as a vice-chair. In the very first outreach, Zaw Min Tun intimidated news media publicly. He said, "the security of journalists is not completely guaranteed because SAC will take actions over news media using the restricted terms such as 'military regime or junta' will be banned, and the license will be revoked."

At SAC's 2/2021 press conference on 23rd March, Zaw Min Tun warned news media for reporting or editorials related to Committee Representing Pyidaungsu Hluttaw (CRPH), declared by SAC as an unlawful organization (referring Ministry of Home Affairs statement 2/2021). He added that supporting CRPH, in any means, will not be tolerated for violating article 17(a) of Unlawful Association Act.

In SAC's press conferences, news media are wrongfully accused of reporting fake news, incitements, and biased opinions. Moreover, the press conferences' narratives repeatedly include that news media are dangerous entities for the public, particularly influencing the young people to be confused and deviate.

At SAC's 9/2021 press conference on 30th September, Zaw Min Tun complained that the journalists were arrested because of their infringements over journalism instead of reasonably following the journalism ethics.

Still and all, journalists are watched, raided, arrested either when they are covering news or from their homes at off-hours.⁷

⁶ Source: *Surveying 17 news media and 80 journalists and facts collected from media reports.*

⁷ Source: *Responses from SAC's press conferences and news articles, plus findings from the survey with 17 news media and 80 journalists*

Unit 3: Law Amendments and Repressing Journalists

3.1. Repression of Journalists and News Media under Amended Laws and Revised Provisions

3.1.a. Drafting the Amendment Cyber-security Law to Undermine Press Freedom and Journalist Security

Following the military coup, SAC amended 28 laws and applied the Penal Code and the Anti-Terrorism Law in prosecuting news media and journalists. SAC ignored the provisions in the News Media Law to protect the rights of journalists; thus, the legal entitlements of journalists were disregarded.

There are currently 48 journalists, mostly facing charges under criminal law such as 505A in the special courts of various prisons. Some face even more complicated charges under the Explosive Substance Act, the Unlawful Associations Act, and the Anti-Terrorism Act.

A few days following the coup, there were reports of passing a drafted Cyber-security Law amendment (embedded upon the Electronic Transaction Law, 2004) that would directly restrict the press freedom for journalists and media outlets.

In the drafted amendments, the revised provisions may hamper democratic values and freedom of expression in reporting news protected by the News Media Law, including restrictions to the online news media in their rights to freely reporting, broadcasting, and access to information.

The drafted amendments of cyber-security law undermined the purpose of News Media Law that encourages news media publications where citizens can exercise their freedom of expression and right to information and the full entitlement of journalistic rights and freedoms. As another method of suppressing media freedom and journalist security, the drafted amendment was devised to go against Article 19 of UDHR, the right to freedom of opinion and expression. Thus, many media organizations and advocates for freedom of expression strongly denounced it.

3.1.b. Applying the Amended Penal Code Sections for Prosecuting Journalists

On February 14, Section 121, 122, 124 (a and b), and 505 (a, b, c, and d) in the Penal Code were amended. Section 124 is extended with clauses (c) and (d), while section 505-A with sub clauses 505-A (a, b, and c).

One of the amendments to Article 124 (a) Misprision of High Treason in the Penal Code is currently applied in lawsuits against journalists. While the original provision is

“(to) bring or attempts to bring into hatred or contempt, or excites or attempts to excite disaffection towards the Government,”

the amendment continues with a phrase of “or the Defense Services or Defense Services Personnel.” Moreover, the punishment is amended from “... or with imprisonment which may extend to seven years” into “twenty years”. Si Thu Aung Myint, a veteran journalist, faces a lawsuit with the amended Section 124 (a).

505 (a) is substituted with the following sub-section:

(a) whoever with intent to cause, or which is likely to cause, a member of the Defense Services or government employees to deprive affect, hinder, disturb, damage the motivation, discipline, health, conduct upon Government or the Defense Services and the duty of government employees or members of defense services to being into the hatred, disobedience, disloyalty

After Penal Code Section 505, Section 505-A is added as follows:

cause fear, spread false news, agitate directly or indirectly criminal offence against a Government employee 505 A. Whoever -

(a) causes or intends to cause fear to a group of citizens or to the public,

(b) causes or intends to spread false news, knowing or believing that it is untrue,

(c) causes or intends to commit or to agitate directly or indirectly criminal offence against a Government employee, any kind of Government employees or Government employees.

A legal analyst noted that the amendments and extensions of sections and sub-sections are systematically devised against the media and journalists.

16 of the 48 journalists facing trial in the special courts of various prisons are still facing charges under Section 505A of the Penal Code, while 33 are warranted.

Amongst the 141 arrested journalists, 49 face lawsuits under Sections and 505-A and 33 had been released with amnesty later. Three male foreign journalists are deported even with similar charges. Among.

Lawsuits	Under detained	Released	Total
N/A	21	47	68
Penal 188		1	1
Penal 505A	16	33	49
Penal 505A, 124(a)	2		2
Penal 505A, 505(b) Telecommunication Law 33(b), 66(d)		1	1
Penal 505A Counter Terrorism Law 50(a), (c)	2		2
Penal 505A Export and Import Law 5	1		1
Penal 505A Telecommunication Law 66(d)		2	2
Penal 505A Unlawful Association Act 17(a), Immigration Act 13(a)		1	1
Penal 505A Unlawful Association Law 17(1)		2	2
Penal 505A,134,135		1	1
Penal 505A Unlawful Association Act 17(a)	1		1
Counter Terrorism Law 50(a), 52(a)	1		1
Counter Terrorism Law 52(a)	1		1
Illegal residence		3	3
Immigration Act 13(1)		1	1
Penal 145, 505A,		1	1
Penal 323, 334, 336, 341, 436	1		1
Explosion Substances Act	2		2
	48	93	141

Fig: Disclosure of the number of journalists charged in accordance with the law in which the case was filed

3.1.c. Applying the Amended Counter-Terrorism Law for Repressing Journalists

On 1st August, the Counter-Terrorism Law was amended. Journalists are prosecuted under Section 52 (a) of Counter-Terrorism Law, at which “clause (15) to (18) of Sub-section (b) of Section 3” are amended. The amendment stipulates offenses as participating, concealing, harboring, granting to hide, hiding to be escaped, giving permission to use buildings or places, or arranging transportation of a terrorist group declared by SAC.

Channel Mandalay reporter Win Naing Oo is currently being prosecuted under Section 50(a) of the Counter-Terrorism Law instead of the original lawsuit under Section 505 (a). Zeyar Times reporters De Myat Nyein and Pyae Phyo Aung have been charged under Section 52 (a) of the Counter-Terrorism Law in addition to the earlier charges under Section 505 of the Penal Code.

3.1.d. Applying the Unlawful Association for Prosecuting Journalists

SAC prosecuted some journalists under sections 17/1 and 17/2 in the Unlawful Associations Act (1908).

Section 17/1 of this act states the offenses that being a member, taking part in meetings, contributing, or soliciting contribution, managing, assisting, or promoting meetings of unlawful associations declared by SAC. Section 17/1 could be punishable by imprisonment for not less than two years and not more than three years. BBC Media Action's presenter Htet Htet Khaing currently faces charges under Section 505 of the Penal Code and Article 17/1 of the Unlawful Associations Act.

Mizzima News Agency's co-founder Thin Thin Aung and an office staff James Pu Htaung were also charged under Section 505 of the Penal Code and Unlawful Associations Act 17/1. They were released on an amnesty on 18th October.

Myaylatt Athan's founder confirmed that a case was filed against their media under Section 505 of the Penal Code and Section 17/1 of the Unlawful Associations Act.

3.1.e. Applying the Explosive Substance Act for Prosecuting Journalists

Two journalists face charges under Section 5 of the Explosive Substance Act (1908). The section is punishable with transportation for up to fourteen-year imprisonment or five-year imprisonment, to which a fine may be added.

Thingangyun Post editor Htet Htet Aung (aka Htet Htet) and journalist Wai Lin face lawsuits charged under Section 5 of the Explosive Substance Act of 1908 and sections under the Counter-Terrorism Act.

Up to date, two journalists have been charged under that section.

3.1.f. Applying the Amended Television and Radio Broadcasting Law for Prosecuting Journalists

The SAC passed the second amendment to the Television and Radio Broadcasting Law on 1st November. Its Section 2 (a) was amended to include "(broadcasting via) any other technology." Moreover, Sections 96, 97, 98, and 99 were amended with extended imprisonments and increased fines, or both.

Section 99A is amended with an additional condition “the materials related to the case shall be confiscated as public finance,” while Section 105A defines the offenses “(to) be identified as cognizable offenses.”⁸

A legal specialist commented that the amendments are devised to broaden the law’s scope, thus restricting streams and broadcastings by online news outlets. In addition, applying the amended law will repress license-revoked or unlicensed media agencies. At the same time, identifying as a cognizable offense means the police force has the authority to arrest journalists and news media agencies without a warrant issued by the court.⁹

3.2. Journalists Jailed with Criminal Offenses

On 1st March, Aung Kyaw, a DVB correspondent in Myeik was arrested, and sentenced to two years in prison on 2nd June under Section 505 of the Penal Code. He was released on an amnesty on 18th October.

On 3rd March, Min Nyo, a DVB correspondent based in Pyay, was violently beaten, and arrested, and sentenced to three years in prison under Section 505A of the Penal Code on 12th May. He was released on 18th October with an amnesty. Min Nyo was the first journalist to be sentenced after the coup.

On 16th March, May Thwe Aung, a female DVB correspondent based in Okkan, was arrested while covering for the news with her journalist husband. For violating the curfew, she was sentenced to one-month imprisonment under Section 188.

On 24th March, Taunggyi-based Kanbawza Times’s editor Nang Nang Tai, reporter Nang Win Yee, publisher Tin Aung Kyaw, and housekeeper Sai Sithu (accused to be a journalist) were arrested while hiding in Hopong township. They were sentenced to three years in prison on 10th December under Section 505A of the Penal Code.

On 5th April, Thet Naing Win, a DVB correspondent in Minhla was arrested and sentenced to three years in prison on 16th June under Section 505A of the Penal Code. He was released on an amnesty on 18th October.

On 7th April, Zaw Zaw, a Mizzima correspondent in Myeik, was arrested, and sentenced to two years in prison on 2nd June under Section 505A of the Penal Code. He was released on an amnesty on 18th October.

Thet Tun Aung (aka Maung Htoo San), a freelance photojournalist, was arrested and sentenced to three years in prison on 3rd June under Section 505A of the Penal Code.

On 20th April, Aung Myo Htet, a freelance journalist based in Kanbalu Township, was arrested, and sentenced to two years in prison on 30th November under Section 505A of the Penal Code.

⁸ Source: Interview with legal specialist.

⁹ Source: Interview with legal specialist.

On 4th May, Frontier Myanmar Editor Danny FASTER was arrested at Yangon International Airport and charged under Section 505A of the Penal Code and Section 17/1 of the Unlawful Associations Act. Later, he was also charged under Section 13/1 of immigration law and was sentenced to 11 years imprisonment on 12th November. On 15th November, three days after the verdict, he was released on amnesty and deported. He was also charged under Section 124 (a) of the Penal Code and Section 50A of the Counter-Terrorism Law.

Ko Nyein Chan Wai, a journalist from Bago Weekly Journal, was arrested on May 14 and was sentenced to three years in prison under Section 505A of the Penal Code on December 16. He is also facing further charges under Section 124 (a) of the Penal Code.

Thet Tun Aung (aka Maung Htoo San), a freelance photojournalist, was arrested and sentenced to three years in prison on 3rd June under Section 505 of the Penal Code.

On 24th March, Taunggyi-based Kanbawza Times's editor Nang Nang Tai, reporter Nang Win Yee, publisher Tin Aung Kyaw, and housekeeper Sai Sithu (accused to be a journalist) were arrested while hiding in Hopong township. They were sentenced to three years in prison on 10th December under Section 505A of the Penal Code.

Ma Mya Wun Yan, an editor-in-chief of Than Lwin Thway Chin News Agency, was arrested with her two daughters in Taunggyi on July 20 and she was sentenced to two years in prison under Section 505A of the Penal Code on December 30.

Eleven months after the coup, 13 journalists (the housekeeper in Hopong case excluded) were sentenced before different courts.

The closed-door hearings of the journalists' trials were prosecuted in special courts where only an authorized lawyer was allowed. A legal analyst suspects the independence of the jurisdictions because the hearings are done under the tight observance of police, military intelligence, and staff from the Bureau of Special Investigations.¹⁰

3.3. Journalists in Trial

Forty-eight journalists, whereas 39 male and 9 female, face trials in various prisons, being charged with criminal offenses. They are forced to be prosecuted before special courts in the prisons where the public hearing is not an option.

3.4. Unacknowledged Rights for Journalists Provided by News Media Law

The military regime violates journalistic rights and fundamental citizen rights while they become lacking legal protections. As this research aims to clarify how journalists are losing their rights and protections, it needs to refer to the existing legal provisions enacted in previous government terms.

¹⁰ Source: Surveying 17 news media and 80 journalists and facts collected from media reports, plus interview with legal specialist.

Article (3) in chapter (2) Objectives of the News Media Law, the following clauses are provided to acknowledge the press as the fourth Estate as follows:

- (a) *To materialize News Media Industries which are offered freedom from censorship to express, publish, or distribute freely as part of rights and privileges granted to every citizen in compliance with regulations stated in the national constitution*
- (b) *To ensure that News Media can stand up firmly as the fourth Estate of our nation*
- (c) *To guarantee that News Media workers are fully provided with their entitlements and freedom*
- (d) *To establish and develop responsibilities, ethics, rules and regulations, and practices to be adopted within relevant industries and organization*
- (e) *To make news accessible to every citizen*
- (f) *To ensure any complaints, arguments regarding publications or broadcasting of a certain media are to be settled and negotiated in a conciliatory manner.*

Again, Article 7 provides:

While a news media worker is trying to get news in compliance with regulations specified by relevant and responsible organizations, in the areas where wars break out, and where conflicts or riots and demonstrations take place

- (a) *he/she shall be exempt from being detained by a certain security-related authority or his/her equipment being confiscated or destroyed.*
- (b) *he/she shall be entitled to ask for their safety and protective measures from the security-related organizations.*

Other than these legal rights, articles 4, 5, 6, 8, and 9 also ensure protection for the professionals in a journalism career. However, a legal specialist reflected that SAC ignores that legal protection and rights for the journalists.¹¹ The specialist remarks, “Arresting and prosecuting journalists by applying other laws and regulations, ignoring mentioned existing legal provisions, generates a great blow to the journalists, becoming vulnerable.”

¹¹ Source: Interview with legal specialist

The most fundamental rights are essential in establishing the fourth Estate and securing journalistic rights. Regarding the vulnerabilities and lack of protection for the journalists, the legal specialist stressed, “News media and journalists become unprotected in a time in need.”

Unit 4: Threats over Journalism Works & Journalists' Livelihood

4.1. Discontinuing or Refreshing the News Media

Due to revoking licenses and arresting journalists, numerous media outlets discontinued their productions. It includes Yangon-based media agencies such as 7 Days Media's daily newspaper, weekly periodical, online TV stream, online news platforms; Myanmar Times's daily newspaper, weekly periodical, and online news production; and the Voice Daily Newspaper Weekly journals and online news. Moreover, there were also discontinued regional media outlets across Myanmar, including Magway Journal, Myitkyina Journal, Monywa Gazette News Journal, and its online news platforms, Kanbawza Times, The Magway Post online news, and the Tanintharyi Journal.

The only privately-owned newspapers that continue to be published are San-daw-chain (the Standard Time) and Daily Eleven. Even those media agencies halted their printed circulations in earlier months after the coup.

There are many media agencies whose licenses were revoked, continue to report. These include DVB, Mizzima, Myanmar Now, Khit-thit media, Tachileik News, the 74 media, Delta News Agency, Salween Times, and Border News Agency.

Moreover, journalists organize nine new online media outlets. Decade-long experienced journalists gathered in those outlets after their former media agencies were closed or disbanded for diverse reasons.

These news agencies organized by the journalists are listed below.

New Online Media	
1	The Nation Voice
2	National Unity Media
3	Border News Agency
4	Mandalay Free Press
5	Pyu Regional News
6	Chindwin Post
7	Burma Associate Press
8	The Light Myanmar
9	Myanmar Press Freedom

*Fig:
New online news outlets
co-founded by
journalists
after the coup*

4.2. Challenges for the Sustainability of News Media and Journalists' Livelihood

More than a month after the coup, media agencies decided to discontinue their existence due to revoking licenses, raids at media offices, and arresting journalists.

Since media agencies relied on the revenue from commercial advertisements and media development assistance, they struggled to continue reporting during an economic decline due to Covid-19 Pandemic. The coup pushed them into a worse atmosphere of a zero-income period.

According to a survey of 17 news agencies, they agree on revenue shortage as the biggest challenge to continue their works. In addition to the complete cessation of advertising revenue, some INGOs have also suspended their media development programs supporting independent news media. The situation poses a significant challenge for the sustainability of media agencies.

The founder of a local news agency confessed: “Revenues have ceased since the coup. To stay afloat is tough when media development programs become limited in action. We can only afford to cover the telecommunication costs for the journalists instead of paying a decent salary. Even that condition is difficult to sustain for a few months.”

An official from a Yangon-based news agency said, “we have no advertisement revenue to carry on.”

According to the survey, most media outlets currently have no income, and journalists have no salary or wages. However, they are still struggling to fulfill the public's right to access accurate news and information.

Only one out of the 17 media outlets surveyed received small-scale support for their news and article production.

A news agency founder said they continued reporting without income for the journalists' salaries.

According to a survey of 80 journalists: about 55 percent continue to survive by families and friends' support, 15 percent receive a portion of their salaries, 5 percent get just telecommunication costs and internet subsidies, 10 percent are paid by their news agencies, and 15 percent earns their lives by selling goods online.

More than 90 percent of the responding journalists surveyed said regular income, livelihood, and security issues are powerful challenges for the fleeing journalists. The living cost while hiding in safe places and rising commodity prices make those fleeing journalists' lives harder.

4.3. Challenges in Journalism Ethics with Restricted Sources and Access to Information

According to the survey, 17 news outlets acknowledge their challenges to report objectively and independently according to the journalism ethics and standards.

The discrimination of the SAC and its subordinate offices upon news agencies in verifying information, media agencies and journalists' security concerns, and challenges in the fact-checking lead to one-sided stories in reporting, consequently generating ethical challenges for journalism.

Six news agencies have responded that ethical standards of journalism weaken as press freedom lacks. Two other agencies reflect that weakness in journalism ethics affects the audiences' analytical abilities, while four agencies assume that one-sided reporting corrupt ethical standards of journalism. Only one agency said they adhere to their established media policy without harming their code of conduct.

Most news agencies admit that they are willing to be abiding by the Code of Conduct for Journalism. However, a cause of not fully adherence to journalism ethics and standards depends on the SAC and its departments' reluctance to respond and security concerns for the journalists and media agencies.

A news agency responded that weakening journalism ethics and standards affect the audiences to be well informed of the realities and acquire adequate facts for analyzing the contexts.

A former media council member analyzed: the security concerns of the journalists in covering news on the ground lead to weakening journalism ethics and standards, which brings a significant loss for the news consuming audiences.

Unit 5: Impacts of Cutting Internet and Tele-communications on the News Media

There are about 30 townships in Kachin, Chin, and Shan states, and Sagaing, Magway, and Mandalay Regions where internet blackout occurs. Due to the internet outage, it is reported that news outlets face difficulties in acquiring and reporting accurate news on time.

According to the interviews with 80 journalists, they reflected that internet outage becomes a likelihood in the areas SAC face significant resistance. They remark that timely access to the realities becomes delayed, fact-checking the information they received becomes complicated, and accessing the photos and videos footages for reporting becomes challenging.

Since almost all the reporters and journalists take count of their safety and security, they rely on communicating with the local sources who are directly engaging or experiencing the conflict in those areas. Difficulties because of the internet outage and telecommunication cut-offs produce challenges for the journalists and news media.

In summary, the journalists agreed in our survey that the internet and telecommunication outages bring challenges for accessing the realities on the ground, fact-checking, and promptly reporting the events.

Unit 6: Regressing Journalistic Rights and Freedoms as an Impact of Weakened Media Organizations

6.1. Media Council Disregarding on the Journalistic Rights and the Purposes of News Media Law

A few days after the coup d'état, members of the Media Council, organized according to the News Media Law, voluntarily resigned as the SAC suppressed the media industry and media rights. At the council's meeting on 17th February, 17 councilors relinquished simultaneously, and the remaining ones who could not attend the meeting joined in later.

However, the acting chairperson and treasurer remained in the council. After those simultaneous and collective relinquishments, SAC confirmed a dismissal statement related to those 23 councilors on 4th March.

Due to the resignation of the councilors elected in the second term of the Myanmar News and Media Council, a majority of selective members replaced by the SAC held an election for the vacant seats on 30th April.

The substituted council failed to be acknowledged by most media organizations representing the journalists and independent media professionals who value press freedom.

The post-coup Media Council had issued a series of statements condemning and repressing the freedoms and rights of journalists and media professionals.

Up to December, the Media Council, breathed by the SCC, had issued six statements that echoed SAC's standpoint of repressing the press freedom. The media council ignored the provisions and purposes of News Media Law and journalistic rights and condemned the license revoked news media.

On 25th June, their statement, No. 5/2021, mentioned as follow:

“The State has banned some media outlets inciting to escalate conflicts across the society and revoked their licenses because of violating the News Media Law and Code of Conducts. Hence, the Myanmar News Media Council will not be held responsible for resolving any disputes over the violations of existing laws, News Media Law, or breaching journalist code of conduct in communicating and reporting with those banned media outlets.”

Similarly, an earlier statement, No. 4/2021, issued on 21st June, stated:

“(the council) strongly condemned the reporting and publications of some licensed-revoked local media outlets, international media, and embassies related to the Kinma village fire incident that happened on 15th June, since those descriptions were merely false information contrary to the realities.”

The Press Council, which is supposed to protect the rights of journalists and the rights of journalists, becomes in the same position as the military council to suppress press freedom. In an interview, a journalist remarked on the condition, “The media council become a puppet of the military regime. It will be no use for journalists anymore. They suppress press freedoms as the military regime desires instead of protecting us.”

On 24th November, the council’s oath of councilor event for the third term was held. However, the coup flipped the council’s purpose to promote press freedom, rights of journalists, and capacity building of the sector. The activities of journalists and media outlets gradually dimmed and claims for press freedom and rights of the journalists became gradually silenced.

6.2. Statements of Journalist Organizations and News Agencies on Press Freedom and Repressions

Within a few months after the coup, journalist organizations issued statements about the repression of journalists, calling for the rights and freedoms of journalists. The media organizations’ claims were consistently ignored by the SAC, and suppressions over journalists intensified, the statements of media organizations became less frequent.

On an earlier statement on 10th February, Burma News International (BNI), a coalition of ethnic media outlets, called for not suppressing and undermining press freedom and rights to information in the face of political instability when ethnic peoples across the country need access to accurate information. It called on SAC not to take violent actions against journalists but to work with local and international media organizations and donors to ensure press freedom, public access to information, and the safety of journalists.

On 13th February, 28 media outlets, including journalist organizations, denounced the SAC’s drafted amendment of the Cyber-security Law, which violates citizens’ fundamental rights and suppresses press freedom secured by News Media Law.

Regarding a warning letter delivered on 13th and 23rd February by the Ministry of Information, notifying not to use the term “military junta, military regime, or the military council,” 30 media outlets responded with a statement, entitled “Statement of Independent Media Outlets” on 25th February. The statement stressed that the ministry’s warning undermined press freedom; thus, independent media outlets will continue to publish content and terms by their editorial standards and media ethics.

On 2nd March, Myanmar Journalist Network, Lashio Journalist Group, Taunggyi Reporters Association, Myaylatt Journalist Network, Southern Myanmar Journalist Network, Myanmar Journalist Network (Ayeyarwady Region), and Myanmar Women Journalist Association jointly issued a statement. The statement called for the immediate release of journalists; condemned violent crackdowns and arrests, night raids to the journalist residences, and confiscation of journalism equipment, including phones and cameras; seriously denouncing the arbitrary arrests and prosecutions of journalists covering news for the public right to information.

Those seven journalist organizations announced another statement on 13th May. Their statement condemned the three-year sentence in prison under Section 505 of the Penal Code, as a direct threat against press freedom, to Min Nyo, a DVB reporter based in Pyay.

On 10th March, the BNI had issued a statement that strongly opposed revoking broadcasting rights to five news outlets, raiding two media offices confiscating journalism equipment.

Earlier under the coup, various networks, associations, and organizations representing local journalists from different regions have issued statements condemning the suppression of press freedom. Later, those demands and calls for protecting press freedom became muted as many journalists were arrested and fleeing from their homes.

Regarding journalist organizations' statements, an executive member of the Myanmar Journalist Network (MJN) pointed out that journalist organizations considered issuing statements as an ineffective advocacy approach while the journalists are hiding in low profiles.

However, Burma News International (BNI) has continued to condemn suppressions on press freedom. A BNI's statement on 28th September condemns the ongoing arrests of journalists. It adds: Twenty-five townships in Chin and Kachin States, and Sagaing, Mandalay, and Magway Regions were deemed to be deliberate violations of citizens' right to information and freedom of expression.

The statement has called for the immediate release of arrested journalists, not to continue imposing physical or psychological torture and harassment in prisons and interrogation camps, and to lift warrants against journalists. The calls include relicensing the banned media outlets; and acknowledging press freedom, information access, and the rights to information.

Unit 7: Recommendations for Sustaining Local Media

7.1. Ensuring Press Freedom and Journalistic Career and Practices

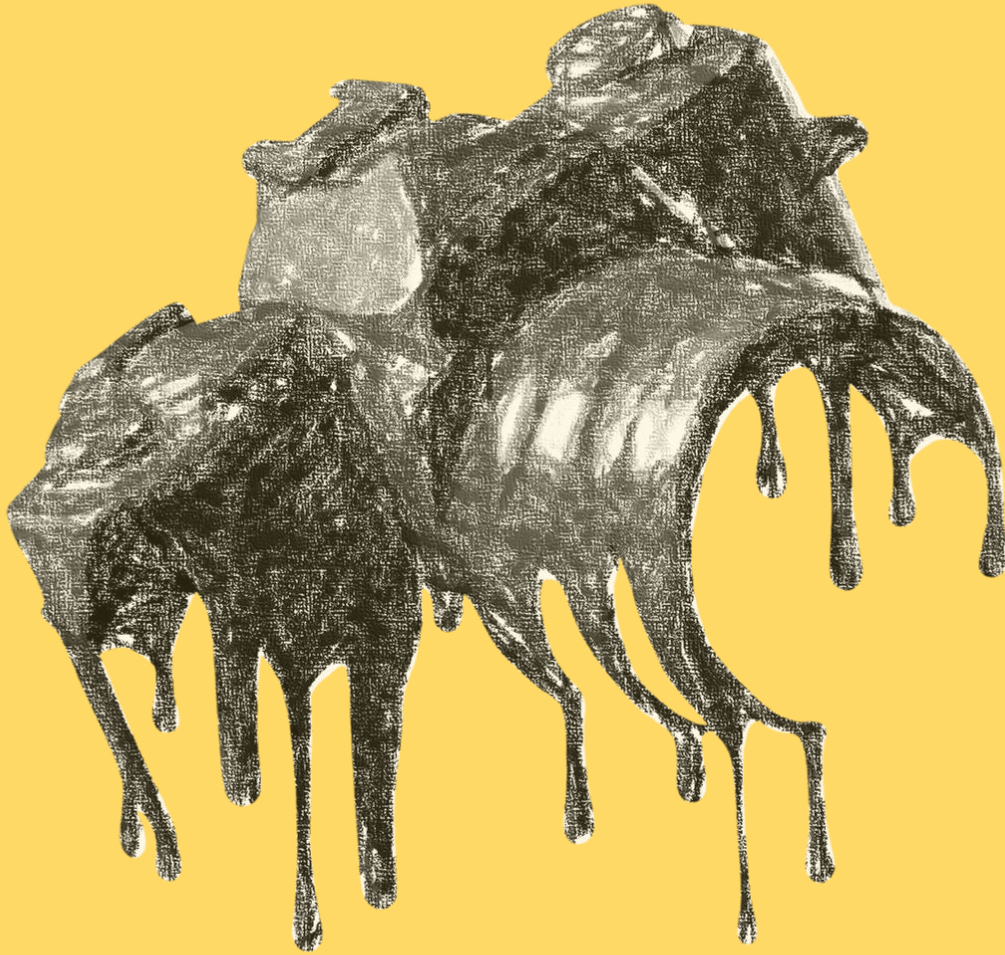
1. According to Article 19 of the Universal Declaration of Human Rights, freedom of the press needs to be fully guaranteed.
2. Expressing respect for the integrity of the media and journalists, SAC must immediately stop taking violent actions and tortures, arresting and detaining journalists, and prosecution of the media and journalists applying criminal laws.
3. Since the amended Television and Radio Broadcasting Law suppress press freedom, intimidating the independent media, and ceasing the existence of online-based TV news channels, SAC needs to prevent laws enforcements from contravening press freedom standards.
4. The SAC should strictly adhere to the provisions of News Media Law and amend Anti-terrorism Law (2014) instead of arresting and prosecuting by applying provisions of Penal Code, Unlawful Association Act (1908), and Explosive Substance Act (1908).
5. Revocation of broadcasting licenses, shutting down television channels, and banning and black-listing websites and Facebook pages for news media need to be lifted.
6. Investigations, raids, threats, and prosecution of news outlets and journalists need to be ended.
7. Offices and agencies under SAC require acknowledging the right of journalists and news media when accessing information and conducting interviews without restriction, discrimination, or refusal.
8. Local and international organizations working for media development need to stand in solidarity with local news media and journalists with adequate and continuous support and effectively call for press freedom and journalistic rights.
9. The international community needs to integrate policies to ensure Myanmar's press freedom, journalistic rights, and career, creating opportunities and practical support accessible to every journalist.

7.2. Securing Journalistic Career and Their Safety

1. The safety and security of journalists need fully protected as rights and provisions in chapter 2 and 3 of the Media Law designates. The safety and security of journalists must prevail.
2. Every journalist and news media must be protected from surveillance, investigations, intimidation, threatening, and prosecutions.
3. All the rights and legal entitlements need to be fully realized.
4. All the prosecutions on journalists and news media implying criminal laws instead of the existing news media law need to be dropped.
5. Every journalist deserves to be free from targeted surveillance, arrest, and investigations by the SAC.
6. Local and international organizations should prioritize the safety and security of journalists, implementing a mechanism accessible to every journalist.
7. Short-term and long-term plans need to be put in place, ensuring journalists' safety and livelihood and news media's sustainability while in displacements domestically into safe zones or abroad. Those plans should consider accessibility and inclusiveness for every journalist.
8. International governments, armed organizations, and non-governmental organizations need to provide access to protection and opportunities to assist the safety and well-being of migrants with internally and cross-border displacements.

7.3. Enabling environment for Journalistic Professionals and Industry

1. Sustaining news media decently and exercising the Chapter (2) provisions of News Media Law require democratic governance.
2. An enabling environment for journalists and news media to continue decently their professionals needs to discontinue revoking media licenses and end surveillance, intimidation, arrests, prosecuting and criminalizing journalists.
3. Prosecuting news media and journalists need to be dropped, and arrested journalists released immediately and unconditionally.
4. Short-term and long-term support from local and international organizations need to be put in place and implemented immediately and effectively for the sustainability of the news media.



Repeated Dark Age of News Media:

Analytical Assessment on Challenges Facing Journalists and News Media Agencies

