



An Analysis of Freedom of Expression during Myanmar's 2025–2026 Sham Election



**Violations of Freedom of Expression during the
2025–2026 Sham Election Period**

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Background of Athan – Freedom of Expression Activist Organization

Athan, the Freedom of Expression Activist Organization, was founded on 15 January 2018 by a group of young people committed to ensuring freedom of expression throughout society. The organization was formed by merging the Research Team for Telecommunications Law and We Support Journalists, with the aim of advancing freedom of expression in a more systematic and far-reaching way.

Athan is a research-based activist organization that promotes freedom of expression through three core areas of work: research, advocacy, and education. As a research-driven organization, Athan continuously studies, documents, and exposes the laws, customs, practices, and incidents that obstruct freedom of expression. Based on its research findings, the organization advocates for legal reforms aligned with democratic standards and conducts broad-based advocacy and dialogue at every level and across all sectors to ensure the full realization of freedom of expression.

In December 2018, Athan and its founder, Maung Saungkha, received the Human Rights Tulip Award from the Netherlands. Athan envisions a society in which freedom of expression — a fundamental democratic standard — is fully realized.

1. The 2025–2026 Sham Election and Political Landscape

The sham election held by the military junta in late 2025 and early 2026 was the first election conducted since the 2021 military coup. It was carried out in three phases: the first on 28 December 2025 across 102 townships; the second on 11 January 2026 across 100 townships; and the third on 25 January 2026 across 63 townships. ¹ Although the junta framed this sham election as a multi-party democratic process, in practice — even before the official election period began — it had been carrying out violence against civilians, arbitrary arrests, and the continuous repression of the media.

Phase	Polling Date	Number of Townships
First Phase	28 December 2025	102 Townships
Second Phase	11 January 2026	100 Townships
Third Phase	25 January 2026	63 Townships
Total		265 Townships

In the sham election, 84 political parties — including Myanmar’s largest opposition party, the National League for Democracy (NLD) — were dissolved, and only 63 parties approved by the military were permitted to contest. ² Furthermore, polling could only be held in areas the military deemed secure, resulting in at least 121 constituencies being excluded. ³ Although the sham election was held in conflict regions such as Chin State and Rakhine State, voter participation was extremely limited: only 2 of 9 townships in Chin State and 3 of 17 in Rakhine State held polls. Across these two states, the sham election could be held in fewer than 25 percent of all townships ⁴ — a clear indication that a large portion of the population was denied the opportunity to participate.

1 ဆင်ဟွာ. (2026, January 11). MYANMAR မြန်မာနိုင်ငံတွင် ၂၀၂၅ ခုနှစ် ပါတီစုံဒီမိုကရေစီ အထွေထွေရွေးကောက်ပွဲ အပိုင်း ၂ စတင်ကျင်းပ, Xinhua News Agency – Myanmar.

2 မှတ်ပုံတင်ခွင့်ပြုခဲ့သည့် နိုင်ငံရေးပါတီများစာရင်း. (2026, January 5). ပြည်ထောင်စုရွေးကောက်ပွဲကော်မရှင်.

3 Announcement of Constituencies, Wards and Village–tracts Where Elections Will Not Be Held. (2025, December 27). Ministry of Information – MOI.

4 Burma News International. (2026, January 12). Forced representation crisis and the 2025 Chin State election results

In the sham election, the military-backed Union Solidarity and Development Party (USDP) — running essentially without opposition — won 739 of the 1,025 contested seats, securing more than 72 percent.⁵

At the same time, the military sought to secure political legitimacy by continuing to rely on the advantages built into the 2008 Constitution. Under that constitution, 25 percent of all parliamentary seats are automatically reserved for military representatives regardless of the popular vote, thereby limiting the influence of elected lawmakers.⁶ When the 739 seats won by the USDP are combined with the 25 percent of seats constitutionally reserved for the military, the junta's dominance over parliament becomes effectively absolute. This sham election, therefore, was not intended to bring about a civilian government but rather to perpetuate military rule under the protection of the provisions of the 2008 Constitution that already favor the military.

Although the military propagated the claim that a free and fair general election was being held, throughout the election period, it continued to conduct airstrikes and ground offensives without interruption. In Sagaing Region, Chin State, and Tanintharyi Region, aerial bombings were carried out before, during, and after the election; in the same period, there were also attacks using paramotors (powered paragliders), as well as shootings that caused deaths and injuries.⁷ According to the United Nations, the military carried out 408 airstrikes during the election period, killing at least 170 civilians.⁸

⁵ The Irrawaddy. (2026, February 4). Myanmar military-backed USDP wins over 72% of seats in junta's election: UEC.

⁶ Myanmar Witness. (2026, March 26). Myanmar military-led election 2025–2026: Ongoing conflict in townships limits freedom of expression while USDP secures victory. Myanmar Witness.

⁷ Myanmar Witness. (2026, March 26). Myanmar military-led election 2025–2026: Ongoing conflict in townships limits freedom of expression while USDP secures victory. Myanmar Witness.

⁸ ရွေးကောက်ပွဲအတွင်း လေကြောင်းတိုက်ခိုက်မှုကြောင့် အရပ်သား ၁၇၀ ထက်မနည်း သေဆုံးကြောင်း ကုလပြော. (2026, January 31). Dawei Watch.

1.1 Situation of Freedom of Expression during the Sham Election Period

During the junta's sham election period, the public's freedom of expression was severely violated. In order to safeguard its sham election, the military silenced public voices through a variety of means. Activists, protest leaders, students, artists, and even ordinary civilians were arrested and detained simply for expressing views or posting comments on social media. Even peaceful expressions of dissent — such as distributing leaflets opposing the sham election or speaking out against it — were met with severe punishments.

Some of those arrested received prison sentences of up to several decades for everyday actions such as reacting to social media posts or sharing satirical content. These arbitrary arrests demonstrate that the law was being used not primarily to safeguard the election, but to silence political dissent and to control public perceptions of politics and the military. From the public's perspective, sustained pressure and intimidation led to a widespread perception that expressing political views had become dangerous. The military systematically denied the public's freedom to share opinions on the election and to voice criticism, which further affirms its characterization as a sham election.

1.2 The International Community's View of the Sham Election

The international community has widely condemned this election as a sham election organized by the State Administration Council (SAC) — illegitimate and fraudulent in nature. UN Special Rapporteur Tom Andrews described it as a staged production conducted under coercion and violence, urging that its results not be recognized.⁹ The United States, the United Kingdom, the European Union, and Australia have likewise denounced the election as a process devoid of freedom, fairness, and legitimacy, citing the exclusion of opposition parties — including the National League for Democracy (NLD) — and the severely repressive political environment.¹⁰ The Association of Southeast Asian Nations (ASEAN) has stated that it cannot endorse any election held without a cessation of military violence and inclusive, broad-based political dialogue.¹¹ Human rights organizations and civil society groups have similarly described the election as a deception designed to project the appearance of democracy. The Office of the UN High Commissioner for Human Rights (OHCHR) and other monitoring bodies have also expressed concern over the military's violence, mass arrests, and the denial of public freedoms.¹² As a result, the junta's stage-managed election is widely viewed not only as lacking formal international recognition but as a dangerous exercise aimed solely at perpetuating military authoritarianism.

⁹ Associated Press. (2026, January 11). Myanmar holds second round of voting in country's first general election since military takeover. PBS News

¹⁰ Council on Foreign Relations. (2026, January 9). Myanmar's junta-led election is neither free nor fair.

¹¹ ASEAN Foreign Ministers. (2025, October 27). Statement on Myanmar and implementation of the Five-Point Consensus.

¹² Office of the United Nations High Commissioner for Human Rights. (2026, March 4). Situation of human rights in Myanmar: Advance unedited version. United Nations Human Rights Council.

2. An Analysis of the Election Protection Law

During the sham election, the military junta carried out numerous arrests and prosecutions in response to criticism and opposition directed at the election. In doing so, it primarily wielded the “Law for the Protection of Multi-Party Democratic General Elections from Disruption, Obstruction, and Destruction,” enacted in July 2025, as a weapon.¹³ The military claimed that the law’s purpose was to safeguard multi-party democratic general election processes from disruption. In practice, however, the law was enacted to target and suppress those opposing the sham election and to entrench the legitimacy of the military rule. The Election Protection Law prohibits any criticism, speech, public address, organizing activity, or demonstration that could be interpreted as obstructing the military’s election process, and classifies such conduct as a criminal offense, with violations punishable by up to 20 years’ imprisonment or the death penalty.



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imposing severe restrictions on freedom of expression. The law is also broadly worded to cover any act considered to oppose the regime, including calls to boycott the election or criticism of the Union Election Commission (UEC).

According to monitoring by Athar, Sections 23(a) and 24(a) of the Election Protection Law have been the provisions most frequently used to suppress criticism related to the sham election, with Sections 23(b), 24(b), 26(a), and 58(c) also being invoked in arrests and prosecutions. A summary of the legal provisions used by the military regime is provided below.

Section 23(a). Prohibits inciting or making speeches aimed at sabotaging the election, or distributing written materials and online content capable of disrupting the election process. Violators are subject to imprisonment of between three and seven years, along with a fine.

Section 23(b). When the acts described in Section 23(a) are committed by a group, penalties are increased to imprisonment of between five and ten years, along with a fine.

Section 24(a). Prohibits the direct or indirect intimidation, obstruction, or improper influencing of a voter to prevent them from casting a vote. Violators are subject to imprisonment of between three and seven years, along with a fine.

Section 24(b). When the offenses described in Section 24(a) are committed by a group, penalties are increased to imprisonment of between five and ten years, along with a fine.

Section 26(a). Prohibits the destruction, damage, or harm of ballot papers, ballot boxes, voting machines, and related materials, as well as polling stations and buildings

associated with the Election Commission. Violators are subject to imprisonment of between five and ten years, along with a fine.

Section 58(c). Violations of campaign regulations are subject to imprisonment of up to one year, a fine of up to 100,000 kyats, or both.

The severe penalties imposed by the Election Protection Law, ranging from three years' imprisonment to the death penalty, demonstrate its inherently repressive nature. The law's true purpose is not to safeguard the sham election but to target and suppress fundamental rights of the public, including freedom of expression and political participation.

3. Research Methodology and Limitations

This research provides a comprehensive examination of incidents of violations of freedom of expression related to the sham election held between July 2025 and March 2026.

The research methodology was based on continuous monitoring of news and information. This involved the daily monitoring and documentation of 27 independent media outlets and 2 military-owned newspapers. In addition, 10 pro-military propaganda Telegram channels and their information flows were monitored and documented daily, while findings from 4 channels monitored by Athan's partner organization were also incorporated. The research drew on election-related reports and academic papers published by other organizations and utilized both qualitative and quantitative methods.

Certain limitations arose in gathering information. Because the data for this research were obtained primarily from online sources, fully verifying their accuracy and reliability posed certain difficulties. In particular, information obtained from pro-military Telegram channels consists of propaganda and one-sided reporting. Another limitation was the inability to conduct field-based data collection due to the current security situation in the country; as a result, certain official details regarding some arrests and prosecutions could not be fully verified. In addition, due to security risks, members of the public are often afraid to speak out personally, and many are unable to share their first-hand experiences. As a result, some incidents may remain undisclosed or only partially documented.

The findings presented in this research are based on the sources accessible to Athan, and the actual number of freedom of expression violations occurring on the ground may be considerably higher than what is documented here.

4. Findings

4.1 Arrests and Enforcements During the Sham Election Period, and the Primary Groups Responsible

During the sham election period — from July 2025 to March 2026 — a total of 215 individuals were identified as having had their freedom of expression violated and been arrested in connection with the election.

An examination of the groups carrying out these arrests reveals that arrests were made both against those who opposed the election and against those who participated in election-related processes. The parties carrying out these arrests were not limited to the military junta. They also included the National Unity Government (NUG), the People’s Defense Forces (PDF), and other armed organizations. The military regime arrested 182 individuals for opposing the election, while the National Unity Government(NUG) arrested 26 individuals for participating in or supporting the junta’s sham election process. The People’s Defense Forces arrested 5 individuals, and 2 individuals were detained and killed by unidentified armed groups.

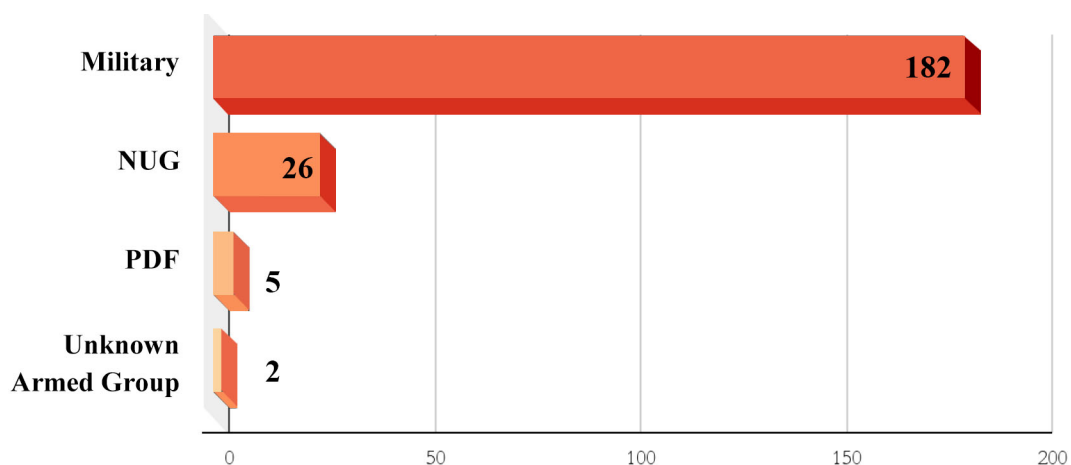


Figure 1: Primary Groups Responsible for Arrests

4.2 Cases of Arrest by the Military Regime

During the sham election period, from July 2025 to March 2026, an examination of those whose freedom of expression was violated and who were arrested in connection with the election shows that the military arrested 182 individuals. Of these 182, 108 are currently in detention, 62 are wanted under arrest warrants, 11 have been sentenced, and 1 has been released. The fact that the majority were detained or placed under arrest warrants — with only 1 individual released — illustrates the military’s systematic suppression of freedom of expression.

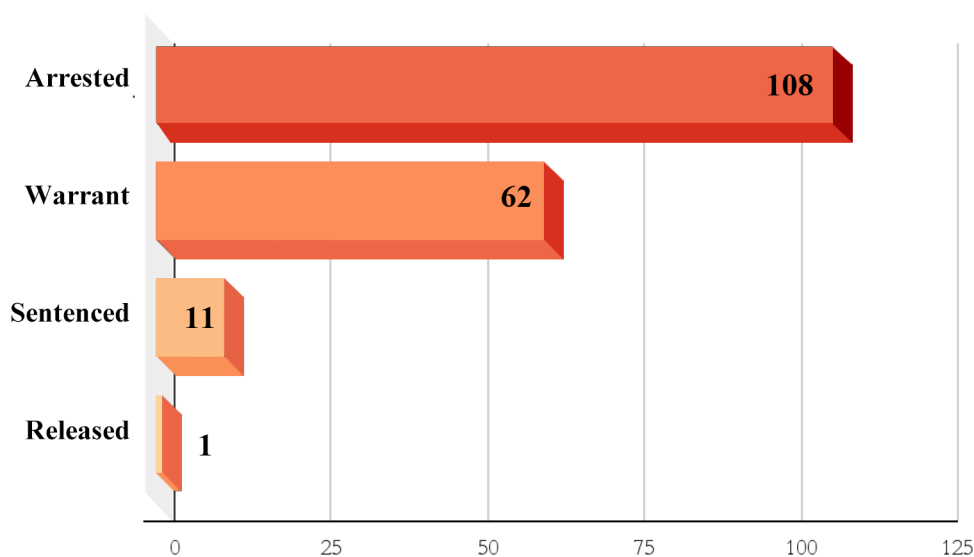


Figure 2: Status of Arrested Individuals

4.3 Monthly Arrests by the Regime during the Sham Election Period

An examination of arrests carried out under the Election Protection Law — from the day it came into force on 29 July 2025 through the end of March 2026 — shows that arrests began in August 2025. In August, an individual was arrested for criticizing the election on social media. Arrests increased significantly in September and continued at a sustained pace through December. The monthly figures are: 44 individuals in September, 5 in October, 74 in November, 46 in December, and 12 in January 2026. After the conclusion of the third phase of the election in late January, arrests dropped to near zero. These figures show that the public’s freedom of expression regarding the sham election was most severely violated as it approached, peaking in November.

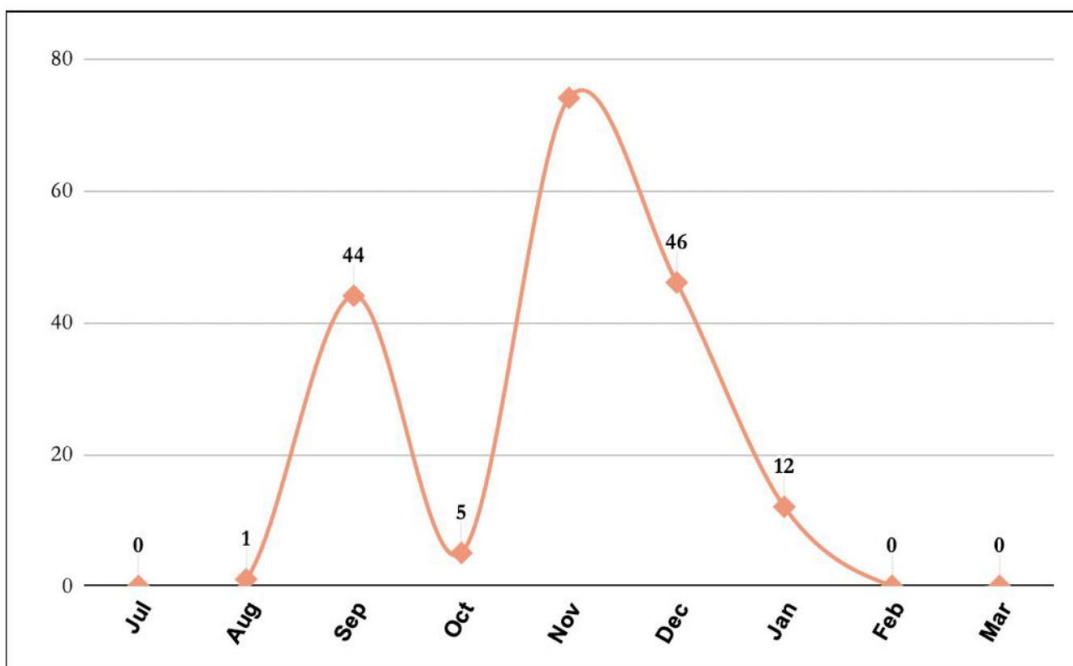


Figure 3: Monthly Breakdown of Arrests

4.4 Laws Primarily Used by the Military Junta in Arrests During the Sham Election Period

During the sham election period, arrests and crackdowns related to the election were carried out under the newly enacted Election Protection Law. The specific charges brought under this law were as follows: 106 cases under Section 23(a); 23 cases under Section 24(a); 10 cases under Section 23(b); 6 cases under Section 24(b); 1 case under Section 26(a); 1 case under Sections 24(a) and 26(a) jointly; and 1 case under Section 58(c). In addition, the specific law that applied to some arrests could not be identified; according to data collected by Athan, 34 cases fell into this category.

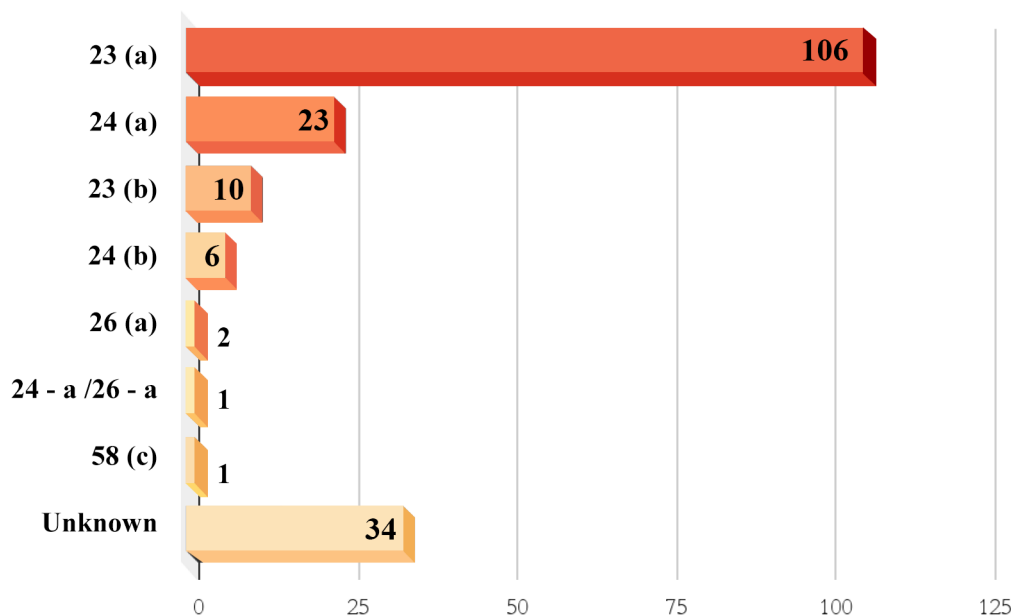


Figure 4: Number of Arrests by Section of the Election Protection Law

4.5 Individuals Targeted for Arrests

During the sham election period, the military junta used this law to arrest anyone who criticized the election, the majority of whom were ordinary civilians. Those arrested under the Election Protection Law by the military included 120 ordinary civilians, 52 politicians, 5 artists, 3 activists, 1 civil servant, and 1 member of an armed group. The fact that ordinary civilians make up the majority of those arrested in connection with the election reflects the military’s intent to suppress political participation and freedom of expression across the entire population. In addition, two independent media outlets — AAMIJ News and Khit Thit Media — have also been prosecuted. AAMIJ News was prosecuted under the Election Protection Law for publishing an investigative report about an election candidate. Note: The claim that Khit Thit Media was charged under the Election Protection Law is based on a single public statement issued by the outlet itself and has not yet been independently verified through other sources.

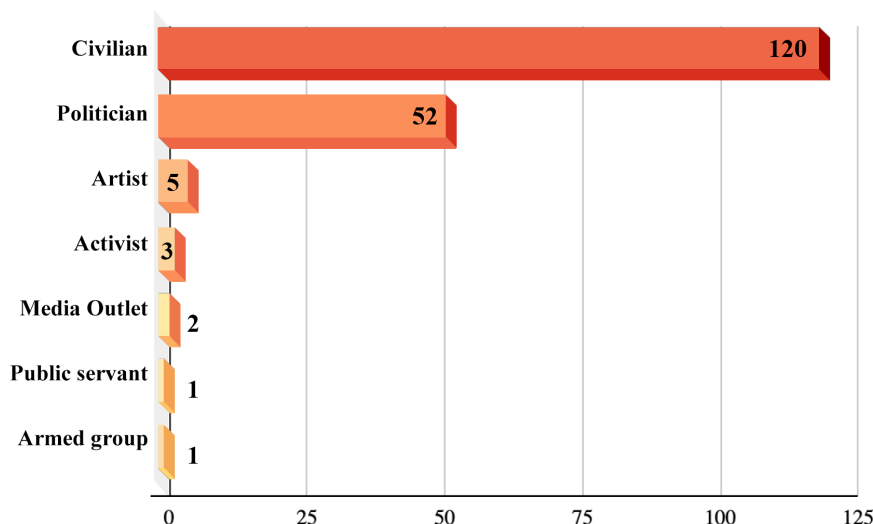


Figure 5. Proportion of Ordinary Civilians and Politicians Among the Arrests

4.6 Locations of Targeted Arrests

Those targeted for arrest under the Election Protection Law came from across the country, with the Yangon Region accounting for the highest number. The breakdown by location is as follows: 45 from Yangon Region, 37 from Bago Region, 35 from Karen State, 17 from Chin State, 13 from Mandalay Region, 7 each from Shan State, Mon State, and Ayeyarwady Region, 5 from Karenni Region, 2 each from Sagaing Region, Magway Region, and Nay Pyi Taw, 1 from Kachin State, and 2 from unidentified locations.

Note: Although the above map refers to Kayin and Kayah due to technical limitations, Athan uses the terms Karen and Karenni, respectively, in its written materials.

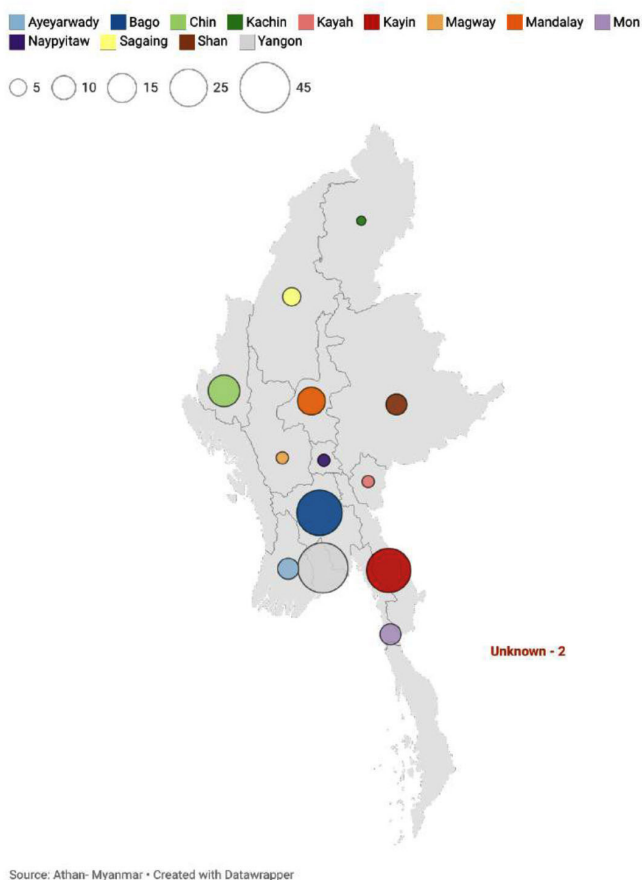


Figure 6. Locations of targeted arrests under the Election Protection Law across Myanmar during the 2025–2026 sham election period.

4.7 Arrests by Revolutionary Groups

During the military's sham election period, several revolutionary organizations, including the National Unity Government (NUG), took action against individuals involved in the junta's sham election. The NUG designated the junta's Union Election Commission as a terrorist organization and declared 25 of its members terrorists.¹⁴ As an example of a physical arrest, in Salin Township, Magway Region, U Thet Wai — a member of the township-level Election Commission — was arrested, with the NUG announcing that it was preparing to charge him under the Counter-Terrorism Law.¹⁵ According to reports, U Thet Wai was arrested after members of the public informed authorities that he was playing a leading role in the junta's sham election. Additionally, arrests believed to have been carried out by armed revolutionary forces also took place during the election period. In Pakokku Township, Magway Region, U Wai Lin Htet — a parliamentary candidate from the Shan Nationalities Democratic Party (White Tiger Party) — was taken from his home by an unidentified armed group in November 2025.¹⁶ Similarly, in Chaung-U Township, Sagaing Region, reports emerged that members of an armed group detained a total of four individuals — including an Election Commission member and an office assistant — within a week of the election.¹⁷

¹⁴ ရွေးကော်မတီအဖွဲ့ဝင် ၂၅ ဦးကို အကြမ်းဖက်သမားများအဖြစ် NUG ကြေညာ. (2025, November 26). DVB TV News.

¹⁵ စလင်းမြို့နယ် ရွေးကောက်ပွဲကော်မရှင်အဖွဲ့ဝင် ၁ ဦးကို NUG ဖမ်းဆီးအရေးယူမည်. (2025, November 16). DVB TV News.

¹⁶ ပခုက္ကူတွင် ကျားဖြူပါတီကိုယ်စားလှယ်လောင်း ၁ ဦး ဖမ်းဆီးခံရ. (2025, December 3). DVB TV News.

¹⁷ ချောင်းဦးမှာ မြို့နယ်ရွေးကောက်ပွဲ ကော်မရှင်အဖွဲ့ဝင်တဦးနဲ့ ရုံးအကူဝန်ထမ်းတဦးအပါဝင် လေးဦးဖမ်းဆီးခံထားရ. (2026, January 20). Mandalay Free Press – MFP.

4.8 Incitements to Arrest by Pro–Military Propaganda Telegram Channels

In addition to monitoring 10 pro–military propaganda Telegram channels, this research also incorporated findings from 4 other channels monitored by Athan's partner organization. An analysis of more than 40 posts from these channels during the election period — from July 2025 to March 2026 — revealed the following patterns.

● **Targeted attacks:**

Specific individuals were named, with their personal information and home addresses disclosed publicly.

● **Legal intimidation:**

By invoking the laws newly enacted by the military, both criticism of the election and non–participation in election campaigns were framed as criminal conduct, with threats of legal action.

● **Incitement and inducement of fear:**

Messages deliberately designed to spread fear and pressure within the public, including incitement for citizens to inform on one another and to publicly support arrests.

4.8.1 Targeted Attacks

Approximately 25 percent of pro-military Telegram posts directly targeted individuals by publishing their names, social media accounts, and home addresses in full detail. Around 10 such posts were identified across roughly 6 propaganda channels. In particular, even those who criticized the election on social media, posted comments, or shared satirical content were branded as lawbreakers, with calls for their arrest. Some Telegram posts included the precise home addresses of critics, along with incitement to take action against them.

These posts labeled artists, journalists, political figures, and ordinary citizens as “supporters of terrorism” or “election saboteurs,” effectively guiding and inciting military authorities to take action against them. Furthermore, even the expression of differing opinions on social media — such as posting “No Vote” comments or writing criticism — was directly linked to grounds for arrest, demonstrating that Telegram is being used as a tool of repression.

4.8.2 Legal Intimidation

Pro-military Telegram channels also displayed patterns of using the law to frame acts of free expression as criminal offenses. Approximately 15 percent of the Telegram channels monitored by Athan exhibited such patterns, with around 6 such posts circulated across 3 channels. Acts that should fall within the scope of freedom of expression — such as criticizing the election, abstaining from the campaign, or posting comments beneath news articles — were portrayed as arrestable criminal offenses under election-related laws. Furthermore, some Telegram posts also incited the arrest of actors and artists by linking them to other criminal accusations, such as drug offenses. These patterns make clear that the effort to suppress the public extends beyond the direct application of the law, incorporating other criminal accusations as additional pretexts. For example, posts were observed inciting the junta's authorities to investigate the financial transactions of an artist living abroad and to prosecute their family on charges of tax evasion or illegal possession of money. This indicates that legal pressure is being extended not only against individuals but also to their family members, further amplifying public fear.

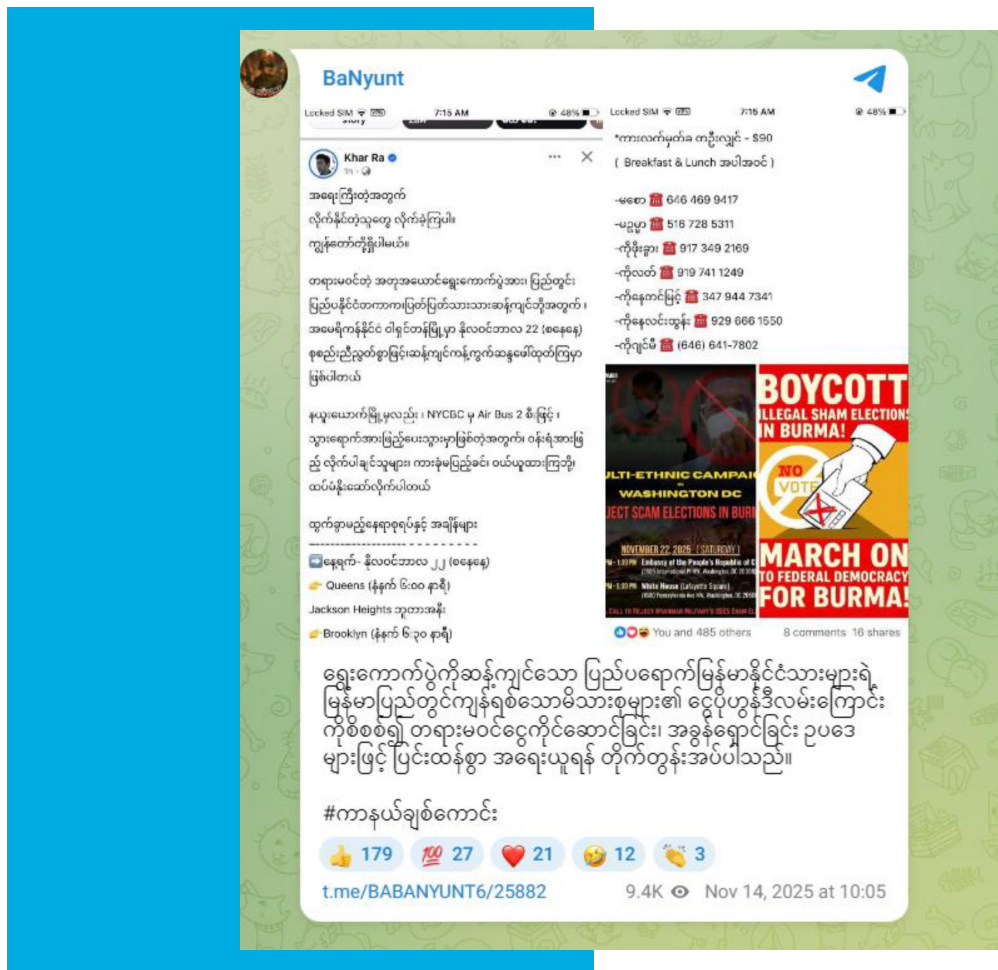


Figure 7: The Ba Nyunt Telegram channel incites legal action against model and actor Khara for tax evasion and money laundering under tax and money–laundering laws over his opposition to the sham election.

4.8.3 Incitement and Inducement of Fear

In addition to expressing support for the military junta's unlawful arrests and enforcement actions, posts on pro-military propaganda channels also displayed patterns of inciting the public to accept and participate in such actions. Approximately 27.5 percent of all posts on the 14 Telegram channels monitored contained such incitements, with about 11 posts circulated across roughly 6 channels. In particular, by repeatedly publicizing arrests for acts deemed disruptive to the election and prominently featuring prison sentences handed down, these channels portrayed such arrests as appropriate.

Furthermore, the repeated publication of cumulative totals of those charged under the Election Protection Law not only signaled approval of these arrests but also intimidated and instilled fear in others. It presented unlawful arrests as a form of success while simultaneously serving as an indirect warning that further enforcement would continue. The prominent coverage of arrests and prison sentences against well-known figures — such as film directors and actors — functioned as a warning that anyone could be subject to similar action, indirectly cautioning the public to suppress their views rather than express them.

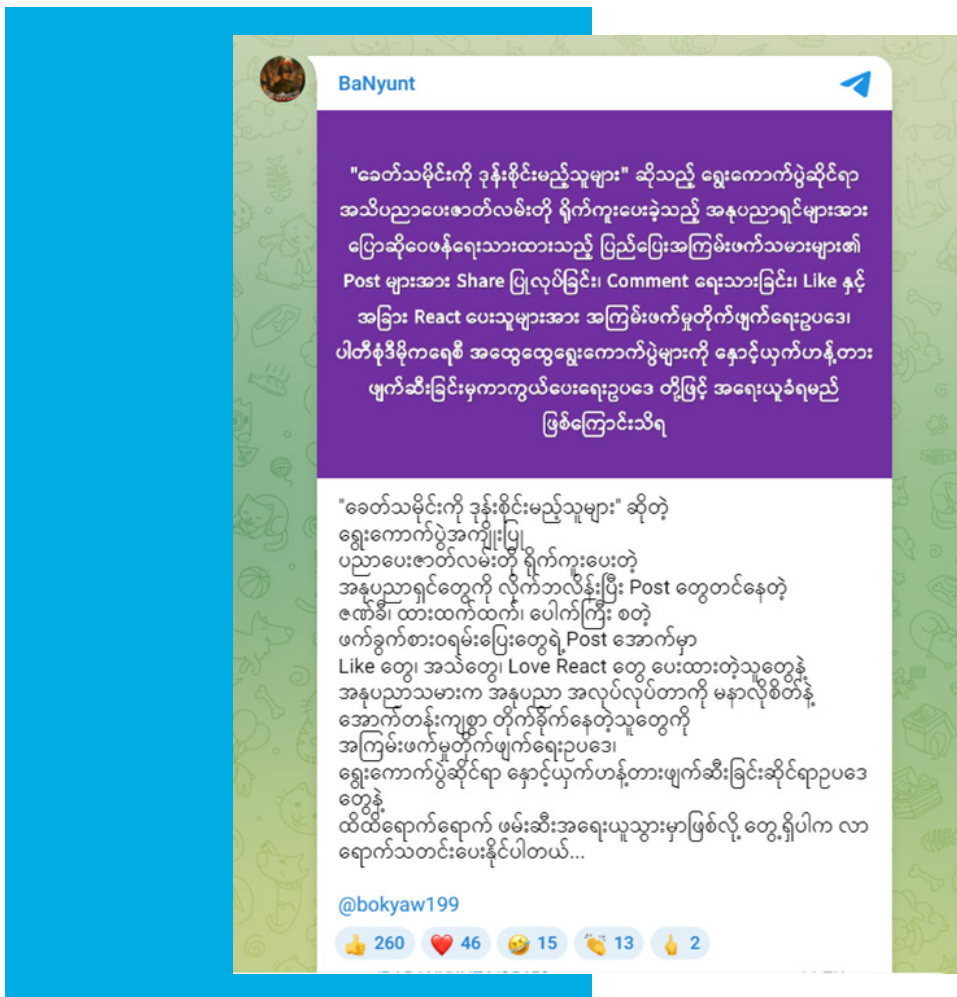


Figure 8: Telegram screenshot threatening legal action against expressions of free speech and reactions on social media.

Analysis of these propaganda Telegram posts revealed that approximately 32.5 percent of the total content was deliberately crafted — directly or indirectly — to generate fear and pressure within the public. In numerical terms, about 13 such posts were systematically disseminated across 8 Telegram channels. The posts labeled those who did not support the election as “enemies” and threatened that they would be recorded in history as destroyers of democracy, singling out individuals with dissenting political views as a distinct group to be pressured. In addition, the channels issued direct threats — such as

promises to bomb areas opposing the election — containing elements of terror designed to push public fear to its highest possible level.



Figure 9: Telegram screenshot inciting the targeting of those boycotting the 2025 sham election.

Some posts also incited surveillance of citizens’ social media activity — for example, urging investigations into who follows particular social media pages, or who has liked or reacted to certain posts. This effectively portrayed social media use itself as a potentially dangerous act. Additionally, the message that citizens who failed to participate would be labeled as “irresponsible” served as a means of using social pressure to compel compliance, indirectly threatening that non-compliance would result in social condemnation.

5. Notable Cases of Suppression of Freedom of Expression

5.1 The First Seven-Year Prison Sentence Under the Election Law for Criticizing the Junta-Organized Election

Following the enactment of the Election Protection Law, the first individual charged under it was a man from Aye Thar Yar township in southern Shan State. Ko Nay Thway, a resident of Aye Thar Yar township, posted an opinion related to the election on his social media account on 23 August. He was arrested on 25 August, and on 9 September, the Taunggyi Township Court held his hearing and issued its verdict on the same day. Ko Nay Thway was sentenced to seven years' imprisonment with hard labor under Section 23(a) of the Law for the Protection of Multi-Party Democratic General Elections from Disruption, Obstruction, and Destruction.¹⁸ His case illustrates a legal pattern in which the mere act of expressing a personal opinion on social media can be classified as obstruction of the election and met with severe punishment — a clear reflection of restrictions on freedom of expression.

¹⁸ တောင်ကြီးတွင် ရွေးကောက်ပွဲဥပဒေဖြင့် အမျိုးသား ၁ ဦး ထောင်ဒဏ် ၇ နှစ် ချမှတ်ခံရ. (2025, September 10). DVB Myanmar.

5.2 Three Artists Sentenced to Seven Years for Criticizing a Pro-Election Propaganda Short Film

Another notable example of enforcement targeting election-related expressions of opinion was a series of arrests of artists. Director Mike Tee, actor Kyaw Win Htut, and comedian Ohn Daing were arrested by the military junta on 29 October 2025, accused of having mocked and criticized — or of having participated in criticism of — the military's election propaganda short film, *Those Who Will Sprint Through History*. In November, all three were sentenced to seven years' imprisonment each under the Election Protection Law, accused of inciting public misperceptions of the election.¹⁹ In connection with this case, director Aung Chan Lu was also reportedly arrested, according to news sources, for reacting to a social media post that criticized the propaganda film. This case demonstrates that even ordinary social media reactions to others' opinions can trigger military enforcement action. An examination of the timing reveals a close correlation between periods of rising public criticism and surges in arrests.

These cases represent a broader pattern of repression — one that uses the targeted prosecution of well-known public figures to generate fear among the population and to restrict freedom of expression.

¹⁹ ဒါရိုက်တာ မိုက်တီး အပါအဝင် အနုပညာရှင် ၃ ဦးကို စစ်တပ်ဖမ်းဆီး . (2025, October 29). BBC Myanmar.

5.3 Arrests of Young People Under the Election Protection Law

Arrests of Minors:

In Yangon Region and Karenni State, nine men were charged under Section 23(a) of the Election Law. These cases involved four adults from Shwepyithar Township in Yangon and five individuals from Loikaw, Karenni State — the Loikaw case included three minors under 18. The three minors — aged 17, 16, and 14 — were prosecuted for their activities, including protesting, organizing, writing, posting flyers, and expressing opinions on social media, which were deemed to constitute disruption and obstruction of the election.²⁰ The prosecution of minors under 18 is a deeply concerning development, demonstrating that election-related repression is now extending even to young people.

Three Young Men Arrested Under the Election Protection Law and Conscripted into Military Service:

In Kaw Htin Village, Kyaikto Township, Mon State, the military arrested three young men, alleging links to anti-election activities, and forcibly conscripted two of them into military service. According to local residents, the three young men had read anti-election leaflets and openly criticized the election, after which they were reported to the authorities. One of the three was eventually released after his family paid a bribe, but the remaining two were conscripted into military service.²¹ This case represents enforcement action against political activity tied to the distribution of anti-election leaflets, and clearly demonstrates that the military is opportunistically using the Conscription Law as an additional means of suppressing the public.

²⁰ ရွေးကောက်ပွဲပျက်ပြားအောင် နှောင့်ယှက်သူ(၉)ဦးအား ပုဒ်မ ၂၃ (က)ဖြင့်အမှုဖွင့်. (2025, September 22). Popular Journal.

²¹ ကျိုက်ထိုမှာ ရွေးကောက်ပွဲ ဆန့်ကျင်ရေး စာရွက်ကောက်ဖတ်မိသူ လူငယ် သုံးဦး ဖမ်းဆီးခံရ. (2025, December 4). Than Lwin Times.

5.4 Prosecution of a People’s Party Candidate for Using the Term “2021 Revolution”

Another example of election-related enforcement is the prosecution of a candidate from the People’s Party. U Lwin Myint, the Pyithu Hluttaw (House of Representatives) candidate for Thingangyun Township, was charged under Section 58(c) of the Election Law for using the term “2021 Uprising/Revolution” while campaigning on his social media page. In addition, U Lwin Myint had previously made statements concerning a family member’s involvement in the 2021 protest activities, and had been summoned for questioning by the military’s Union Election Commission before this case.²² Section 58(c) of the Election Law provides for penalties of up to one year’s imprisonment, a fine, or both, for violations of campaign regulations.

This case demonstrates that even specific words and political statements used during campaigning can be restricted and prosecuted under the law, vividly illustrating the constraints imposed on political expression throughout the election period.

²² ဧရာဝတီ. (2025, December 20). ပြည်သူ့ပါတီအမတ်လောင်း တော်လှန်ရေးဟု သုံးသဖြင့် အမှုဖွင့်ခံရ . The Irrawaddy – Burmese Edition.

5.5 Suppression of the Media During the Sham Election Period

AAMIJ News, an independent media outlet, published an investigative report on 6 November 2025 exposing an election candidate's connection to narcotics. As a result of this report, the outlet was charged on 10 November under Section 24(a) of the Election Protection Law.²³ In addition, according to Khit Thit Media, the outlet was also charged under the Election Protection Law, with its critical coverage of the election framed as a threat to the election.²⁴



Furthermore, in response to these enforcement actions, media outlets themselves resorted to self-censorship during the election period and were unable to fully exercise editorial independence.

These cases reflect a broader pattern of repression in which the military uses election-related laws to criminalize independent reporting and critical commentary, thereby suppressing media freedom. Furthermore, in response to these enforcement actions, media outlets themselves resorted to self-censorship during the election period and were unable to fully exercise editorial independence.

While the military junta pressured and suppressed the local media organizations, it invited international media outlets to cover the sham election. According to the junta's sham Election Commission, 215 journalists from 61 international media outlets applied for

²³ Fortify Rights. (2025). Myanmar Junta Using New Election Law to Crack Down on Dissent Ahead of Sham Elections.

²⁴ Athan. (2025, November). Update on journalism and media safety in Myanmar. Athan.

permission to report on this election. Despite these invitations, foreign journalists were subjected to strict surveillance and intimidation in the field. For example, an Australian Broadcasting Corporation (ABC) team reporting from Mandalay was placed under continuous surveillance, and their personal information was collected by armed police units. In addition, in November 2025, American freelance journalist Colin Mayfield stepped on a landmine while reporting on the conflict in Chin State and was severely wounded, requiring evacuation to India for medical treatment.²⁵ While the junta attempted to project its sham election as internationally legitimate, the reality was a system built on media control and intimidation — an effort to manufacture, rather than earn, international legitimacy.

²⁵ Athan. (2026, March 26). Five years on: The systematic dismantling of Myanmar's media freedom.

6. Analysis of Freedom of Expression Violations During the Sham Election Period

During the sham election period, the military systematically criminalized criticism of the election, calls to boycott it, and the sharing of personal opinions on social media. These actions not only directly restricted freedom of expression but also amounted to a deliberate process of recasting the expression of political views as an unlawful act.

Criminalization of Election Boycott Campaigns:

Although calls to boycott the election should be regarded as legitimate expressions of political opinion and forms of political participation, the military junta instead classified them as “election disruption” and recast them as criminal offenses. In particular, treating acts such as posting “No Vote” or urging others not to vote as legally punishable offenses demonstrates a clear intent to suppress dissenting political views among the public.

Criminalization of Social Media Expression and Sharing:

Public opinion expression on social media was likewise severely restricted. Even ordinary acts of free expression, such as sharing personal opinions, posting comments, reacting to posts, or sharing content on social media, were classified as legally punishable offenses. This transformed even the most minimal forms of public political engagement into criminal acts, deepening the public’s fear of speaking out. As a result, the public increasingly avoided expressing their opinions, leading to a climate of self-censorship.

Criminalization of Protest and Demonstrations:

Actions such as distributing leaflets, damaging campaign materials, or displaying symbols opposing the election were treated not as nonviolent political expression but as acts of sabotage and prosecuted accordingly. Although such forms of protest are peaceful means of expressing political views, the military reframed them as security threats.

Vague Legal Provisions and Surveillance-Based Repression in the Society:

By relying on the vaguely defined term “election disruption,” the military’s Election Protection Law created conditions under which any expression of opinion could be classified as a criminal offense. Furthermore, the practice by pro-military Telegram channels of publicly naming individuals, inciting denunciations, and endorsing arrests extended legal repression into society. Such actions intensified public fear and the sense of being under surveillance, further restricting freedom of expression.

Criminalization of News Coverage:

The instances of media suppression observed during the sham election period likewise reclassified independent reporting as a criminal offense under election-related laws. In particular, by labeling investigative reporting and critical commentary on the election as acts of “election disruption and obstruction,” the military directly suppressed the media’s core functions — holding power to account and informing the public — thereby systematically repressing not only political expression but also media freedom itself.

In summary, the events that unfolded during the sham election period reveal a deliberate process of systematically recasting ordinary forms of political expression as criminal offenses. The restrictions placed on freedom of expression, therefore, cannot be

understood merely as the control of individual acts; they constitute a systematic effort to suppress the political participation of the entire population.

7. Conclusion

The findings of this research indicate that during the 2025–2026 sham election period, freedom of expression was explicitly and systematically classified as a criminal offense through the further deployment of legal mechanisms of the junta. In particular, under the Election Protection Law, acts of criticism, calls to boycott the election, and online expressions of opinion were treated as criminal offenses and punished severely.

The data shows that arrests increased as the sham election approached, peaking in November as polling drew near. The fact that ordinary civilians made up the majority of those arrested demonstrates that freedom of expression was suppressed across all social strata. The fact that, during the sham election period, groups other than the military junta also carried out arrests and enforcement actions reflects that political freedoms were being violated by multiple actors beyond the military as well. In particular, the NUG — as a revolutionary government — should have been expected to give greater priority to understanding and defending the public's freedoms in the face of repression; instead, it continued to carry out arrests and enforcement actions of its own. This underscores how few trustworthy actors the public has to turn to.

Furthermore, the actions of pro-military Telegram channels — publicly naming individuals, inciting denunciations, and endorsing arrests — show that social media itself has been systematically weaponized to suppress freedom of expression. Beyond those repressions through the abuse of power, this represents an extension of fear-based and surveillance-based mechanisms into the social sphere itself.

In summary, the military's sham election period failed to materialize as the “free and fair political contest” the junta claimed to envision. Instead, it restricted the public's

freedom of expression, led to arrests and imprisonment, and ultimately endangered lives. Accordingly, this election can only be characterized as a sham process exploited by the military junta to entrench its hold on political power.

8. Recommendations

8.1 The International Community

International organizations and governments should continue to monitor violations of freedom of expression within Myanmar and exert pressure to hold the military accountable for ongoing human rights violations. They should also respond effectively to the worsening human rights crisis and humanitarian emergency.

In particular, it is essential to firmly reject the military's attempts to gain legitimacy through this sham election process — conducted under the 2008 Constitution drafted by the military itself — and to refuse recognition of any outcome or form of governance that emerges from it.

8.2 Social Media Platforms and Responsible Parties

Relevant platform operators should take effective action to prevent the use of Telegram, Facebook, and other social media platforms for targeting individuals, inciting denunciations, and issuing threats. In particular, posts containing pro-military lobby groups' targeting of the public, social harassment, and messages inciting violence should be removed as swiftly as possible.

8.3 Civil Society Organizations, NGOs and Activists

Civil society organizations and activists should continue to systematically document and monitor violations of freedom of expression, gather evidence, and provide legal and protection support to those affected in the exercise of their right to free expression. The public's rejection of the sham election clearly demonstrated that the military junta holds no mandate from the people. At the same time, it reflected the people's enduring faith in democracy and federalism. Organizations should work together to amplify public awareness campaigns internationally that convey this reality.

Furthermore, they should engage with international advocacy networks to publicize at the global level the violations of freedom of expression that the people of Myanmar have endured, and to raise awareness of these abuses.



**An Analysis of Freedom of Expression
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