

FROM DENIAL TO DISPLACEMENT: A CRITICAL STUDY OF MYANMAR'S MINORITY POLICIES AND ETHNIC PERSECUTION IN THE PRE AND POST COUP ERA

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ABSTRACT

The paper critically analyzes how minorities like the Rohingya, Karen, Kachin, and Chin have faced continuous persecution in Myanmar. By examining both the pre-coup democratic period (2010–2021) and the post-coup authoritarian regime (2021–present), the study highlights how state policies—rooted in exclusionary nationalism, militarized governance, and ethno-religious hierarchies—have entrenched discrimination against minorities over time. In the pre-coup era, Myanmar's civilian-led government maintained many of the authoritarian structures inherited from military rule, notably the 1982 Citizenship Law, which rendered the Rohingya stateless and legally invisible. Despite international optimism around democratic transition, the administration led by Aung San Suu Kyi failed to halt military-led campaigns of ethnic cleansing and violence, especially during the 2017 clearance operations in Rakhine State. Simultaneously, Buddhist nationalist movements like MaBaTha and 969 deepened religious intolerance and institutionalized anti-Muslim sentiment within public and political spheres. Following the 2021 military coup, the situation deteriorated further. Under Tatmadaw's direct control, violence expanded beyond the Rohingya to include other ethnic regions such as Karen and Kachin states, where airstrikes, forced displacement, and arbitrary detentions became routine. With the collapse of democratic institutions, human rights protections have vanished, civil society has been dismantled, and humanitarian access has been severely restricted. This period also saw a breakdown in international repatriation efforts for Rohingya refugees in Bangladesh and worsening statelessness among displaced populations. Through critical policy analysis, case studies, and human rights documentation, this study argues that ethnic persecution in Myanmar is not episodic but structural, rooted in the legal, political, and cultural architecture of the state. According to researchers, international laws should be swiftly enforced, the rules around citizenship status should be reviewed, and transitional mechanisms for handling mass atrocities should be formed. In addition, it helps to highlight issues of statelessness, authoritarianism, and the lack of protection for minorities across the globe.

Keywords: Pre & Post Coup Era, Citizenship Law, Discrimination, Authoritarianism, Democratic Transition.

Introduction

Myanmar, formerly Burma, is home to a mosaic of ethnic, linguistic, and religious groups. However, it has consistently failed to build an inclusive national identity since its independence from British colonial rule in 1948. While the Burman (Bamar) Buddhist majority dominates the political, military, and cultural landscape, ethnic and religious minorities—including the Rohingya, Karen, Kachin, Chin, Shan, and others—have been systematically marginalized through legal exclusion, military violence, and political disenfranchisement (Cheesman, 2017; Walton, 2013). This ethno-nationalist framework has been reinforced by state policies that equate loyalty to the military-dominated state with ethnic Burman and Buddhist identity, thereby rendering minority identities suspect, foreign, and expendable (Gravers, 2015).

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The main reason why the Rohingya were excluded from Myanmar was the 1982 Citizenship Law, which left them stateless. The law classified citizens into tiers and denied full citizenship to groups not listed as “national races,” excluding the Rohingya and denying them access to rights such as education, healthcare, freedom of movement, and legal protection (Human Rights Watch, 2020; Southwick, 2015). These legal restrictions created a fertile ground for mass atrocities, culminating in the 2012 and 2017 episodes of ethnic cleansing in which thousands of Rohingya were killed and over 700,000 fled to Bangladesh, marking one of the most significant refugee crises of the 21st century (Fortify Rights, 2018; UNHRC, 2019).

While Myanmar underwent a phase of nominal democratization between 2010 and 2020, marked by elections and a partial civilian government led by Aung San Suu Kyi, the military (Tatmadaw) retained control over key ministries, the constitution, and security policies. During this pre-coup period, the military's atrocities continued under a veil of democratic legitimacy, as the National League for Democracy (NLD) remained largely silent or complicit, particularly during the 2017 Rohingya genocide, which Suu Kyi defended at the International Court of Justice (ICJ) (MacLean, 2021; Amnesty International, 2019). Scholars argue that this period reflected a hybrid authoritarianism, where democratic institutions were weaponized to shield authoritarian and ethnonationalist interests (Farrelly, 2013; Egretau, 2016).

The February 1, 2021, military coup further dismantled the limited democratic mechanisms, as the Tatmadaw seized complete control. In the post-coup era, human rights violations have broadened beyond the Rohingya to include the Karen, Kachin, and Chin populations, who now face airstrikes, village burnings, forced displacement, and arbitrary detention (Amnesty International, 2022; Human Rights Watch, 2023). Human Rights Watch. (2023). People now lead lives in fear, since civil society organizations have been banned, internet service is reduced, and humanitarian activity is interfered with. The ruling group suppresses ethnic identities and any political opposition by using collective punishment and nationalist military resources (International Crisis Group, 2021).

Furthermore, Myanmar's persecution of minorities is gendered, disproportionately affecting women and girls through sexual violence, human trafficking, and denial of reproductive healthcare, particularly among displaced Rohingya and Karen women (OHCHR, 2021; Skidmore, 2003). These abuses are not isolated incidents but are embedded in a structural system of exclusion sustained by militarism, religious extremism, and international neglect.

The study explores how Myanmar excluded different ethnic groups through government policies in 2010–2021 and 2021–present, the periods marked by democratic forms and dictatorship, respectively. It also explores how laws, particular political ideas, and strong nationalism have been used to remove and destroy communities while helping to protect those with authority. The research examines the differing or standard policies and practices in each period and offers advice on debates related to statelessness, transitional justice, ethnic cleansing, and global protection.

Data and Methodology

The study explores the details of Myanmar's minority policies using several methods and links them to the persecution of ethnic minorities since 2010. As it is a sensitive area with incomplete data, the research relies on documents and explanations, not statistics and math. The authors used various resources such as letters, laws, policy reports, and interviews to learn how minorities can be oppressed in Myanmar.

Research Design

The research compares and explores changes in the period before and immediately after the coup. It aims to provide answers to fundamental questions in this field.

- How have Myanmar's legal and political frameworks facilitated the systematic exclusion of ethnic minorities?
- What are the continuities and changes in state-sponsored violence before and after the 2021 military coup?
- How do affected minority communities—particularly the Rohingya, Karen, Kachin, and Chin—experience, interpret, and resist persecution?

Data Sources

Primary Data

- Semi-Structured Interviews (where feasible and ethically permitted):

- Conducted virtually or through verified secondary transcripts due to field access restrictions and security risks. Interviewees may include:
 - Human rights activists and NGO workers
 - Members of the Rohingya diaspora (e.g., in Bangladesh or Malaysia)
 - Legal scholars and UN agency officers
 - Journalists and conflict researchers
- Legal and Government Documents:
 - The 1982 Citizenship Law
 - Myanmar Constitution (2008)
 - National Verification Card policies
 - Official speeches from NLD leaders and military generals
- **Secondary Data**
 - Reports from Human Rights Organizations:
 - Amnesty International, Human Rights Watch, Fortify Rights, UNHRC, OHCHR
 - Academic Literature and Case Studies:
 - Peer-reviewed journals, books, and comparative genocide research
 - Media and Documentary Analysis:
 - Local and international news archives (e.g., The Irrawaddy, Frontier Myanmar, BBC, Al Jazeera)
 - Testimonies and visual data from verified conflict documentation platforms

Methods of Data Collection

- **Documentary Analysis**
 - Legislative texts, international tribunal findings (ICJ, ICC), and NGO reports are examined to trace legal justifications and policy evolution.
- **Narrative Analysis**
 - Testimonies and interviews are coded to reveal recurring themes of trauma, resistance, and displacement.
- **Comparative Temporal Mapping**
 - Timeline charts and matrices compare persecution patterns and policy developments across the pre- and post-coup eras.

Data Analysis Techniques

- **Thematic Coding and Analysis**

Using NVivo or Thematic software, data is coded inductively to identify dominant themes such as:

 - Statelessness and Citizenship Exclusion
 - Militarized Nationalism
 - Gendered Violence
 - International Accountability and Impunity
- **Discourse Analysis**
 - The approach developed by Fairclough (1995) evaluates the representation of ethnic minorities in politics, the media, and legislation.
- **Triangulation**
 - Combining legal documents, interviews, and reports to ensure validity and minimize bias.

Ethical Considerations

- Given the risk of political retaliation, all interviewees are anonymized.
- Informed consent is obtained (verbal or written, depending on context).
- Sensitive data is securely stored and encrypted.
- The study adheres to the Universal Declaration of Bioethics and Human Rights (UNESCO, 2005) and relevant academic ethics review board protocols.

Limitations

- **Restricted Field Access:** Physical entry into conflict zones like Rakhine, Chin, or Karen States is impossible, necessitating reliance on virtual interviews and secondary data.
- **Survivor Trauma and Sensitivity:** Many victims may be unwilling or unable to recount experiences in detail, limiting the depth of primary data.
- **Data Gaps and Propaganda:** Official narratives may obscure factual information; therefore, source validation is critical.

Justification for Methodology

Given the study's qualitative and politically charged nature, a multi-source, interpretive approach offers the best lens to understand the lived realities of minority communities and the deeper structure of state violence. The combination of legal critique, narrative accounts, and policy analysis creates a triangulated, rigorous foundation for assessing Myanmar's policies of persecution.

Review of Literature

Both academics and scholars have focused on the persecution of minorities like the Rohingya, Karen, Kachin, and Chin communities in Myanmar in several fields such as political science, human rights law, conflict studies, and international relations. This review critically synthesizes literature across five thematic areas: legal exclusion and statelessness; Buddhist ethnonationalism; military violence and authoritarian governance; gendered impacts of state violence; and international responses to Myanmar's crisis.

• **Legal Exclusion and Statelessness**

A central theme in the literature is Myanmar's use of legal frameworks to marginalize minorities, particularly through the 1982 Citizenship Law, which classifies citizens into three tiers and effectively excludes the Rohingya from nationality rights (Southwick, 2015; Human Rights Watch, 2020). Scholars argue that this law creates structural statelessness, depriving entire communities of documentation, education, and healthcare (Cheesman, 2017). The legal denial of citizenship also legitimizes other forms of violence, including denial of humanitarian aid, restriction of movement, and arbitrary detention (Green et al., 2015). Southwick (2015) has termed this a "legal weapon of mass exclusion."

• **Buddhist Ethnonationalism and Ideological Framing**

Ethno-religious nationalism, particularly the role of Buddhist ultra-nationalist groups like MaBaTha and the 969 Movement, has played a significant role in framing minorities as threats to national identity (Walton, 2017). Gravers (2015) and Schissler, Walton, and Phyu (2017) explore how state-aligned monks have constructed the Rohingya as "outsiders" and justified anti-Muslim sentiment through religious rhetoric. This framing has merged with state discourse, creating a nationalistic narrative that equates "Burmese-ness" with Buddhism, loyalty to the military, and rejection of the 'foreign' Rohingya (Cheesman, 2017; Walton, 2013). Scholars also note that this ideological fusion has facilitated widespread complicity during episodes of ethnic violence, especially in 2012 and 2017 (MacLean, 2021).

• **Militarization, Conflict, and State Violence**

Myanmar's military (Tatmadaw) has long used violence to suppress ethnic regions, employing strategies such as forced displacement, scorched-earth campaigns, and systematic rape (Fortify Rights, 2018; Amnesty International, 2019). While the pre-coup era (2010–2021) saw the emergence of democratic symbols, scholars highlight that the military retained control of key ministries, allowing human rights violations to continue under a façade of civilian governance (Farrelly, 2013; Egretau, 2016). The 2017 clearance operations in Rakhine State are widely recognized as acts of genocide by international legal experts (UNHRC, 2019). Post-2021 coup literature highlights an escalation of atrocities across ethnic states like Karen, Kachin, and Chin, with airstrikes, mass detentions, and political purges reported (Human Rights Watch, 2023; International Crisis Group, 2021). This continuity affirms that the military's governance model is ethno-authoritarian (Gravers, 2022).

• **Gendered Impacts of Ethnic Persecution**

The literature also examines the gendered dimensions of persecution. Rohingya and Karen women face disproportionate suffering due to sexual violence, trafficking, and denial of reproductive health services (Skidmore, 2003; OHCHR, 2021). UN bodies and feminist scholars emphasize that rape has been used not merely as a crime of war, but as a deliberate tool of ethnic cleansing (UNHRC, 2019; Amnesty International, 2022). Women's stories are often underreported due to stigma and silencing, yet

they play critical roles in resistance, especially in refugee and displacement settings (Lewa, 2009). The literature calls for intersectional analyses examining how gender, religion, and ethnicity interact under authoritarian rule.

- **International Responses and Legal Accountability**

International reaction to Myanmar's minority crisis has been largely reactive and inconsistent. While the United Nations Fact-Finding Mission (2019) acknowledged genocide against the Rohingya, practical measures such as sanctions, prosecution, or intervention have been delayed or insufficient. The International Court of Justice (ICJ) began proceedings after The Gambia brought a case against Myanmar, yet the process remains slow (MacLean, 2021). ASEAN has been criticized for non-interference and diplomatic hesitancy, even in the face of mass atrocities (Thuzar, 2021). Scholars argue that international failure to act decisively has emboldened Myanmar's military and weakened the credibility of international humanitarian law (Khin, 2020; Fortify Rights, 2021).

Synthesis and Research Gap

The existing literature makes it clear that ethnic exclusion in Myanmar is structural, ideologically driven, and legally institutionalized. While previous works have richly documented the persecution of the Rohingya, fewer have explored the comparative oppression of other minorities (Karen, Chin, Kachin), especially in the post-coup era. Moreover, limited research analyzes the continuities and ruptures across the pre- and post-coup periods, particularly how policies have evolved or worsened under renewed military rule. There is also a critical gap in intersectional and comparative frameworks that examine how ethnicity, gender, and statelessness interact over time. This study aims to address these gaps through a multi-period, multi-ethnic, and policy-focused analysis.

Findings

The research findings are organized into six core themes that emerged through the triangulation of legal documents, human rights reports, interview-based narratives (where accessible), and thematic analysis of secondary sources. These themes reflect the evolving nature of state-sponsored exclusion, violence, and impunity against Myanmar's minority populations—specifically the Rohingya, Karen, Kachin, and Chin—across the pre-coup (2010–2021) and post-coup (2021–present) periods.

- **Legalized Statelessness and Exclusionary Citizenship**

A foundational finding of the study is that Myanmar's 1982 Citizenship Law remains the single most effective tool for institutionalizing statelessness. The Rohingya have been categorically excluded from the list of "Taingyintha" (recognized national races), despite generations of presence in Rakhine State. The law's classification system—citizen, associate citizen, and naturalized citizen—creates permanent legal barriers for ethnic minorities.

- Evidence: UNHRC (2019) confirms that over 1 million Rohingya are stateless, lacking fundamental rights such as voting, property ownership, and access to public education.
- Pre-coup finding: The National League for Democracy (NLD) government not only failed to amend the law but also supported the National Verification Card (NVC) process, which further reduced the political identity of the Rohingya to that of foreign residents (Cheesman, 2017).
- Post-coup update: The junta has revoked the citizenship status of dissenters and minority leaders, weaponizing legal identity to silence political opponents and ethnic voices.

- **Military Normalization of Ethnic Violence**

The study confirms that military violence against minorities is not episodic, but a normalized governance strategy. Both under hybrid democratic rule and direct military dictatorship, the Tatmadaw has deployed scorched-earth tactics, mass rape, and airstrikes in minority regions.

- Pre-coup evidence: The 2017 clearance operations in Rakhine State were marked by systematic killing, arson, and rape, later classified by UN investigators as acts of genocide (UNHRC, 2019; Fortify Rights, 2018).
- Post-coup escalation: Airstrikes on Karen villages, attacks on Kachin IDP camps, and church burnings in Chin State have surged in frequency, scale, and brutality since February 2021 (Human Rights Watch, 2023; Amnesty International, 2022).

The Tatmadaw justifies its actions through the lens of counterinsurgency, framing minority regions as security threats and effectively criminalizing ethnic identity.

- **Convergence of Religious Nationalism and State Power**

A key finding is the ideological convergence between Buddhist nationalism and state policy. Organizations such as MaBaTha and the 969 Movement, which promote anti-Muslim sentiment, have received tacit or open support from political and military elites.

- Pre-coup trend: During the NLD's tenure, these groups helped to frame Rohingya Muslims as demographic and religious threats, rallying public support for their exclusion (Walton, 2017; Gravers, 2015).
- Post-coup finding: The military has continued to draw legitimacy from Buddhist nationalist discourse to suppress not only Muslims but also Christian minorities in Chin and Kachin states. Religious suppression includes closing places of worship, desecrating sites, and targeting clergy in minority areas.

- **Gendered Dimensions of Ethnic Persecution**

The study finds that ethnic minority women are disproportionately affected by state violence and statelessness. Rape, trafficking, denial of medical access, and forced pregnancies are common across refugee testimonies.

- Pre-coup evidence: The 2017 crackdown included mass sexual violence against Rohingya women, which the UN labeled a crime against humanity (OHCHR, 2018).
- Post-coup escalation: Testimonies reveal that Karen and Kachin women in conflict zones continue to face sexual coercion, and pregnant women are denied access to hospitals due to military blockades (Amnesty International, 2022).

Women-led protests in diaspora communities show remarkable resilience but also underscore the intersection of gender, ethnicity, and trauma.

- **Civilian Complicity and the Failure of Democratic Transition**

Myanmar has also failed to protect the rights of minorities during its democratization process. While the military's control over the country diminished during the transition period, the government did not change the laws that favored the elite.

- Finding: The NLD's silence during the Rohingya genocide and refusal to recognize their identity signals civilian complicity in ethnonationalist exclusion (MacLean, 2021).

The 2008 Constitution guaranteed 25% military seats in Parliament, ensuring civilian institutions remained subordinate to military priorities, especially in minority regions (Egreteau, 2016).

Thus, democratization served more as a cover than a cure for state violence against minorities.

- **International Paralysis and Inconsistent Accountability**

Despite substantial evidence of war crimes and crimes against humanity, the study finds that international legal and diplomatic responses remain fragmented and reactive.

The UN's Fact-Finding Mission (2019) declared Myanmar's actions genocidal, yet binding interventions—sanctions, peacekeeping, or ICC referrals—remain limited.

ASEAN's response post-coup has been characterized by "constructive engagement" rather than condemnation, reinforcing a culture of impunity (Thuzar, 2021).

International humanitarian aid faces severe access restrictions post-coup, especially in IDP camps and conflict zones.

Synthesis of Findings

Thematic Area	Pre-Coup (2010–2021)	Post-Coup (2021–Present)
Citizenship & Legal Exclusion	The 1982 Citizenship Law remained a key tool for exclusion, especially against the Rohingya. The introduction of the National Verification Card (NVC) further marginalized stateless groups.	Legal exclusion intensified. Citizenship was revoked from dissidents and activists. More aggressive control measures and identity-based surveillance tactics have been implemented.
Military Violence	The military conducted widespread atrocities, most notably the Rohingya genocide in 2017 and periodic localized attacks.	Violence has expanded significantly, now affecting Karen, Kachin, and Chin communities. Tactics include airstrikes, scorched-earth policies, and destruction of religious sites like churches.

Religious Nationalism	Institutional Islamophobia grew, backed by ultranationalist groups like MaBaTha. Anti-Muslim narratives were normalized.	Religious persecution broadened. In addition to ongoing anti-Muslim violence, Christian communities have been increasingly targeted, especially in ethnic minority regions.
Gender-Based Persecution	Rohingya women were systematically raped during the 2017 attacks, highlighting the use of sexual violence as a weapon of war.	Sexual and gender-based violence continues, particularly against Karen and Kachin women, underscoring the ongoing use of such tactics by the military.
Civilian Government Role	The NLD government was complicit in military abuses through inaction and failure to reform discriminatory laws, despite its democratic mandate.	The 2021 coup dismantled civilian rule entirely, leading to full military authoritarianism with no democratic checks.
Global Accountability	The international community responded with UN reports and legal action at the ICJ. However, diplomatic efforts remained largely ineffective, with aid blockages and limited ASEAN engagement.	Global accountability efforts have stalled or proven ineffective. ASEAN remains passive, and sanctions or diplomatic pressure have failed to curb military abuses.

Conclusion of Findings

This implies that persecuting ethnic groups has long been a conscious method of building the country in Myanmar. In this society, corruption and disorder are created through the work of the military, religious figures and elected officials. Now that the democratization process has ended and the army is firmly in power, the treatment of minorities has deteriorated considerably. Therefore, referring to the Myanmar crisis as ethnic apartheid, rather than a political struggle, justifies legal, diplomatic and humanitarian actions from all over the world.

Conclusion

This research reveals that Myanmar's treatment of its ethnic minorities—particularly the Rohingya, Karen, Kachin, and Chin—is a result of structural exclusion, militarized nationalism, and institutionalized impunity, deeply embedded in the country's political and legal framework. The transition to democracy from 2010 to 2021 failed to dismantle discriminatory systems, and the 2021 military coup further entrenched repression across the country.

Before a coup took place, people were generally optimistic about the world stage, yet genocidal actions against the Rohingya occurred, while the government failed to notice or act on major violence directed at its own people. The post-coup period has seen an intensification of atrocities— airstrikes on villages, mass displacements, attacks on churches and IDP camps, and the erasure of civic space.

This study demonstrates that Myanmar's ethnic crisis is caused by many years of state efforts to force everyone to conform, suppress any opposition and keep diversity under control. Because religion, ethnicity, gender and authoritarianism are affecting this crisis, the United States needs to act within its own borders and urge other countries to respond as well.

Policy Recommendations

The following multi-level policy actions are proposed across legal, institutional, humanitarian, and international domains to address the crisis:

- **Legal and Constitutional Reform**

Abolish the 1982 Citizenship Law and replace it with a rights-based, inclusive citizenship framework that recognizes Rohingya and all ethnic minorities as full citizens.

Reform the 2008 Constitution to eliminate guaranteed military control over ministries, parliament, and the judiciary.

Enshrine minority language, cultural, and religious rights in national law with enforceable mechanisms for protection.

- **Accountability and Transitional Justice**

Establish a Myanmar International Crimes Tribunal under UN mandate, or accelerate ICC prosecution pathways.

Create a national Truth and Reconciliation Commission (post-conflict), inclusive of all ethnic groups and diaspora voices.

Initiate targeted sanctions against military generals and business entities complicit in human rights violations, including arms embargoes.

- **Humanitarian Access and Protection**

Demand unrestricted access for international humanitarian agencies to all IDP camps and conflict zones.

Ensure protection for women and children, especially in ethnic minority camps, through mobile medical units, legal assistance, and trauma counseling.

Mandate safe zones monitored by international peacekeeping observers in high-conflict ethnic regions.

- **Religious and Ethnic De-radicalization**

Ban and prosecute hate-speech campaigns by ultranationalist groups (e.g., MaBaTha, 969).

Launch interfaith reconciliation programs at the community level to build Buddhist-Muslim-Christian solidarity.

Integrate ethnic minority histories and cultures into school curricula to counter ideological exclusion.

- **Strengthening Ethnic Political Representation**

Restore and protect the rights of ethnic political parties to participate freely in national governance.

Create a Federal Power-Sharing Framework, granting legislative and fiscal autonomy to ethnic states.

Guarantee minority quotas in national institutions, including the judiciary, parliament, and military.

- **International and Regional Action**

Pressure ASEAN to move from passive diplomacy to active mediation, including observer missions and peace talks.

Empower the ICJ and ICC to expedite legal proceedings against Myanmar's state actors.

Strengthen regional refugee compacts among Bangladesh, Thailand, Malaysia, and Indonesia to ensure:

- Legal recognition of Rohingya refugees
- Safe repatriation mechanisms only after rights are guaranteed
- Humanitarian funding from the international community

- **Digital and Diaspora Empowerment**

Support diaspora-led human rights documentation projects to archive testimonies and monitor abuses.

Counter disinformation through international platforms with verified narratives from conflict-affected minorities.

Fund digital literacy, education, and leadership training for displaced youth from minority communities to preserve identity and rebuild post-conflict civil society.

Final Thought

Myanmar is at a crossroads in its past. Suppose profound changes are not made in the law, with transitional justice and the nation's self-image. In that case, the country will remain broken, dominated by soldiers, and controlled by an ethnic apartheid system. All parties involved should join forces by ensuring accountability, giving power to minorities, and including them in the culture. The country will not experience justice, dignity, and peace until then.

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