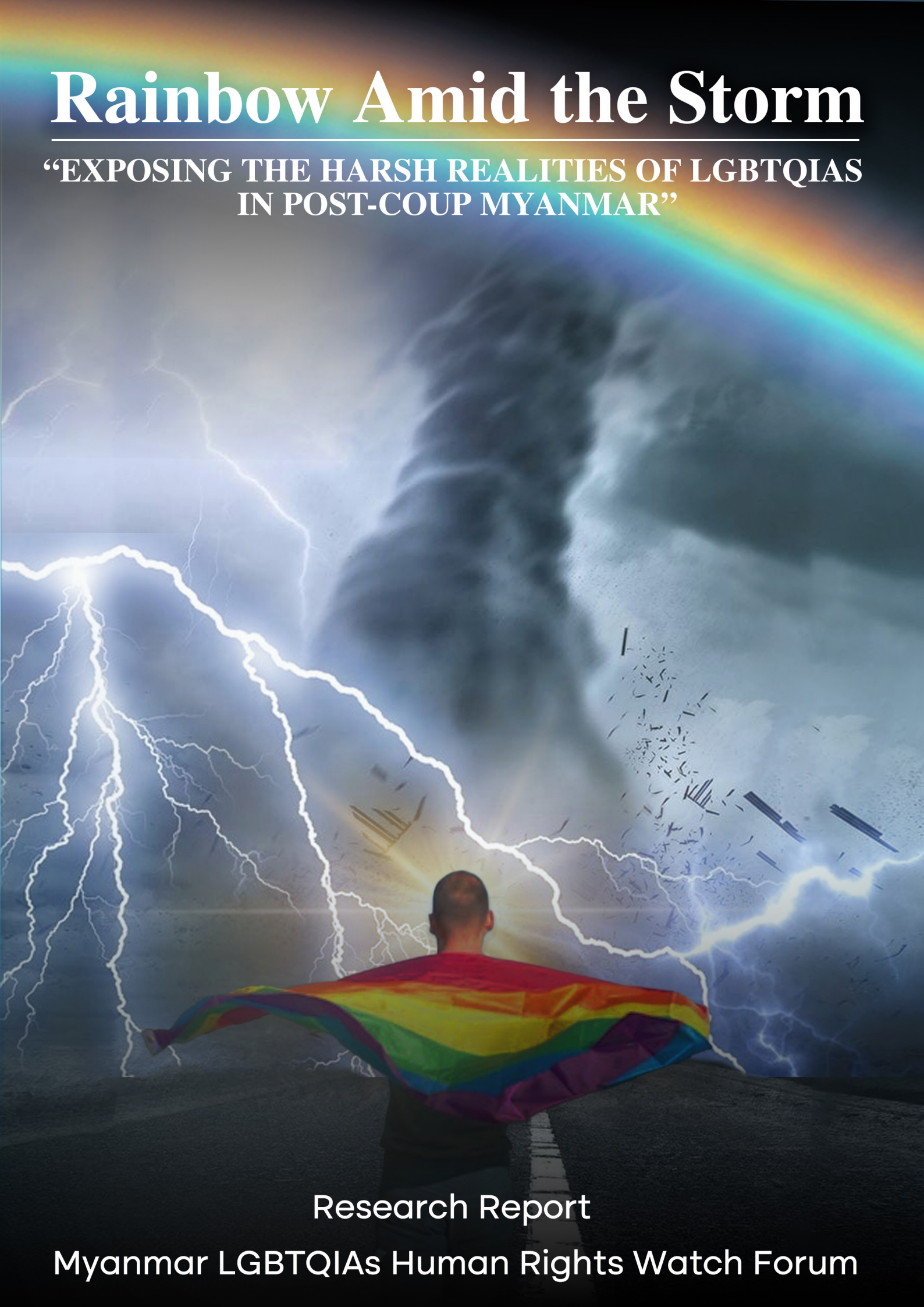


Rainbow Amid the Storm

A person is seen from behind, standing on a dark, rocky surface. They are wearing a vibrant rainbow-colored cape that flows out behind them. They are looking towards a massive, dark, swirling storm cloud that dominates the center of the sky. To the left, bright white lightning bolts are striking down. To the right, a large rainbow arches across the sky, its colors appearing to glow. The overall scene is dramatic and symbolic, representing resilience and hope in the face of adversity.

“EXPOSING THE HARSH REALITIES OF LGBTQIAS
IN POST-COUP MYANMAR”

Research Report

Myanmar LGBTQIAs Human Rights Watch Forum

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ACKNOWLEDGEMENTS

"Rainbow Amid the Storm: Exposing the harsh realities of LGBTQIAs in Post-coup Myanmar" shines the light on the current state of human rights violations committed against LGBTQIAs in social, economic, healthcare, educational, and political sectors, etc. The report aims to systematically document the evidence of human rights violations committed against LGBTQIA persons within 2 years (since the coup took place in 2021 February 21 to 2023 February 28) and contribute to the process of transitional justice for LGBTQIA persons in the near future.

First, we would like to thank brave and courageous respondents from 14 townships of Myanmar, who have agreed to participate in this monitoring project. Without them, producing this report would not have been possible.

Second, we would like to express our highest appreciation to each and every member of the forum on the ground, who had taken safety and security risks to commit both physically and spiritually, and in terms of time to actively participate in the data collection and documentation process.

On behalf of the forum, we would also like to thank each individual and international expert who has provided much-needed technical support in developing this report.

Myanmar LGBTQIA Human Rights Watch Forum

Abbreviations and Acronyms

ART	Antiretroviral Therapy
CAT	Convention Against Torture
CDM	Civil Disobedience Movement.
GAD	General Administration Department
GVHR	Serious and Gross Violation of Human Rights
HIV/AIDS	Human Immuno-deficiency Virus/Acquired Immuno-deficiency Syndrome.
ICCPR	International Covenant on Civil and Political rights.
ICERD	International Convention on the Elimination of all forms of racial discrimination
LGBTQIA	An umbrella term for Lesbian, Gay, Bisexual, Transgender, Intersex, Queer, and Asexual persons.
PDF	People's Defence Force
PoVAW	Prevention of Violence Against Women Bill
PLHIV	People living with HIV/AIDS
SAC	State Administration Council (Myanmar's military junta)
SOGIESC	Sexual orientation, Gender Identity, Gender Expression, and Sex Characteristics

Myanmar LGBTQIA Human Rights Watch Forum

Myanmar LGBTQIA Human Rights Watch Forum is a forum created in October 2022 comprising 15 LGBTQIA organizations and numerous LGBTQIA activists in Myanmar. It is the first-ever forum to be composed of in-country members to monitor Myanmar's LGBTQIA human rights issues following the Myanmar military coup in February 2021.

Aiming for the advancement of LGBTQIA rights, and to contribute to the transitional justice for Myanmar LGBTQIA persons, the forum actively works to collect and document data on human rights abuses and violations committed against LGBTQIAs in post-coup Myanmar; and reports the findings to different actors, including the public, policy and decision-makers, duty-bearers, and other relevant stakeholders.

For safety and security reasons, the contact details of the forum members have not been disclosed.

Executive Summary

"Rainbow Amid the Storm: Exposing the harsh realities of LGBTQIAs in Post-coup Myanmar" is a product of research conducted with 210 LGBTQIAs from 14 townships of 4 regions and 3 states in Myanmar. While this report may not represent the on-ground situations of all LGBTQIAs in Myanmar, it still exposes the pattern of abuses taking place, and the harsh realities, and challenges facing most of Myanmar's LGBTQIAs since the coup.

According to the findings of the research, from 2021 February to 2023 February, LGBTQIAs in Myanmar had faced the highest discrimination in the family sector at 53%, 37% in the economic sector, 36% in the healthcare sector, 33.7% in the administrative sector, 33% in the social sector, 31% in the public services sector and 14% in education sector respectively.

There was a wide range of verbal abuse, physical violence, psychological violence, sexual violence, and economic violence involved in such sectoral discriminations.

In the family sector, parents, siblings, and relatives of LGBTQIAs are among the perpetrators of violence and discrimination. Perpetrators in other sectors mainly involved members of the military and police, given that most sectors have been controlled and run by the military regime since the coup.

Since the coup, discrimination against LGBTQIAs had escalated the most in the political, economic, administrative, justice, and public services/government sectors respectively.

Moreover, it was found that 32% of 210 LGBTQIAs studied (67 LGBTQIAs) are victims of gross violations of human rights (GVHR) such as arbitrary arrests; torture and other inhumane, degrading punishment or treatment; rape; other sexual harassment and violence; confiscation and/or destruction of properties; illegal taxation or extortion; and extrajudicial killings. It was also found that GVHR cases are occurring more in the conflict-affected areas such as Sagaing and Magway regions.

In overview, the rights of LGBTQIA in Myanmar are being infringed including their right to education, freedom of movement, right to privacy and security, right to property, freedom of assembly and expression, freedom from discrimination, right to equality, freedom from torture, right to equality before the law, freedom from arbitrary arrest and right to fair trials.

The report indicates an urgent need to widely document the human rights violations faced by LGBTQIAs in Myanmar; to establish a practical mechanism to redress the instances of their human rights violations; to end the impunity of the Myanmar military and bring the perpetrators to justice.

It is recommended that repressive and discriminatory laws against LGBTQIAs be amended and repealed; the policymakers and nation-builders draft and enact an inclusive Federal Democracy Constitution that protects the rights of LGBTQIAs; and both local and international actors come together to bring perpetrators of LGBTQIA violence to justice through international human rights mechanisms.

Recommendations

1. Legal Recommendations

- *Draft and enact a comprehensive Federal Democratic Constitution which includes 'sexual orientation, gender identity, gender expression, and sex characteristics' as a protected characteristic from discrimination.*
- *Repeal Penal Code Section 377 to decriminalize consensual same-sex relations and amend Section 375 to criminalize same-sex rapes, and rapes against LGBTQIA persons.*
- Section 377 must be repealed or at the bare minimum amended to meet Myanmar's international human rights obligations because it violates the non-discrimination principle, the right to equality before the law and equal protection of the law without discrimination, as well as the rights to liberty and security of person and to private life, among other rights, and contributes to the stigmatization and marginalization of LGBTI people. This lends false legitimacy to the anti-LGBTI prejudice common throughout Myanmar's criminal justice system.
- *To reform vague and discriminatory laws including but not limited to Section 35 of the 1945 Police Act and Section 30 of the 1899 Rangoon Police Act.*
- The ruling government should review and repeal or reform vaguely provisioned laws that invite discriminatory applications, especially where such laws enable arrests to be made solely based on prejudice, discrimination, etc. on SOGIESC grounds; and police brutality. Specifically, Section 35 of the Police Act 1945, and Section 30 of the Rangoon Police Act 1899 (the so-called Shadow laws and Darkness laws) are legal provisions that should be amended or repealed as a matter of priority.
- *To consult with the civil society actors and stakeholders to ensure that the policy-makers and legislators consider the rights of people with different sexual orientations, gender identities and expressions, and sex characteristics in developing and enacting all forms of domestic legislations.*

2. Stakeholder Recommendations

1. To the National Unity Government of Myanmar (NUG)

Make continuous efforts to gain legitimacy of NUG and ratify core international human rights treaties including ICCPR, CAT, CERD, and Rome Statue. Draft and enact relevant legislations to effectively implement these treaties at the national level.

To fully cooperate with United Nations bodies and mechanisms, including the special rapporteurs.

Following the abolishment of the 2008 Constitution, draft and enact a comprehensive Federal Democracy Constitution that protects LGBTQIAs in accordance with international human rights standards.

Ensure policies within the ministries of NUG are gender-responsive and gender-inclusive, and cooperate and collaborate with LGBTQIA civil societies in doing so.

Empower ministerial staff at different levels with knowledge and awareness of SOGI-ESC through provisions of training either by itself or with the assistance of LGBTQIAs civil society organizations.

2. To the civil society organizations

For both local and international human rights organizations working on Myanmar issues to include issues of LGBTQIA human rights issues in their relevant projects.

For gender organizations to bring meaningful and inclusive gender movement as a whole by not overlooking and by including issues of LGBTQIA rights within their scopes of work.

To consider LGBTQIAs as one of the vulnerable key populations in providing humanitarian and other assistance in Myanmar and promote and ensure their access to these aids and assistances.

To improve Myanmar LGBTQIAs' access to psycho-social supports in and outside of the country.

To include LGBTQIA people as one of the key populations in the documentation works that would contribute to the transitional justice in Myanmar.

3. To development support partners

Domestic and international development partners should ensure the inclusion of LGBTQIA communities in programs and ensure grassroots LGBTQIA organizations have equitable access to technical and financial support.

Community development partners should ensure that LGBTQIA persons are considered and included through established gender quota as a key population for engagement; and they, therefore, should be consulted and included in every step of the process and project cycle including from design, implementation, and monitoring and evaluation, to ensure the sustainability of their projects, and ensure services delivered by relevant projects are accessible to LGBTQIA persons and organizations.

To provide much-needed technical and financial support for LGBTQIA organizations in Myanmar, especially during these unprecedented times.

To provide civil society organizations working on LGBTQIA issues, including the National Unity Government, necessary support to end the impunity of the Myanmar military and bring the perpetrators to justice through international human rights mechanisms.

4. To international organizations including the United Nations

To actively listen to the voices of the people in Myanmar, and acknowledge their lived experiences of gross violations of human rights; to no longer see the issue of Myanmar as an internal affair, but rather as a threat to democracy all over the world; and therefore, make robust, comprehensive, and undelayedly efforts to bring Myanmar back onto its path of democracy.

To officially recognize the National Unity Government (NUG) as the one and only legitimate government of Myanmar.

Put pressure to end the impunity of the Myanmar military and their war crimes and crimes against humanity in Myanmar; and bring perpetrators to justice through international human rights mechanisms.

Increase collaborative efforts to impose meaningful sanctions against the military in order to decrease their perpetuation of human rights crisis.

Chapter 1 Introduction

1. Background

1.1 Societal Context

While identifying the LGBTQIA population is rather difficult since there is no established global statistical index, international surveys suggest that around 5% of the whole population of a country can be assumed as LGBTQIA community members. This means that there are approximately 2.8 million people in Myanmar belong to the LGBTQIA communities.

In Myanmar, gender, and sexually diverse minorities, and LGBTQIA persons are stigmatized based on religious, cultural, and customary norms. Myanmar also belongs to a highly patriarchal society where male individuals are often reckoned as a 'more powerful human being' and are given greater values under a binary gender hierarchy. These norms lead to the prejudice that males who identify themselves as females are seen as those foolishly trying to forfeit their privileges as men; and females who identify as males are seen as mentally disoriented, shameless creatures of disgust.

Moreover, 'deviation' of sexual orientation is often mistakenly presumed to be "a phase that is going to be corrected itself later in life", and that "it can be converted back to the 'normal' conditions with a certain type of cure". Such false presumptions fuel mocking, suppression, shaming, and blaming against LGBTQIA persons followed by hatred, social exclusions, discrimination, and even violence in some instances. On a daily basis, many young LGBTQIA face violence and discrimination from domestic and family violence at their homes, bullying at schools to larger patterns of marginalization and exclusions in society through different walks of life.

From 2018 to 2020, some shocking news that caught public attention on social media was associated with 3 suicide cases of LGBTQIA people two were direct results of domestic violence and one of workplace bullying. News of suicide cases surfaced and went viral on social media in 2021 after the coup also involved LGBTQIA persons for example, gay men from Myitkyina and Mawlamyine townships. Besides these horrible situations, LGBTQIAs are additionally discriminated against and suppressed in different sectors of society involving physical, psychological, and sexual abuse and violence which ultimately led them to become victims of substance abuse, HIV/AIDS creating a great loss of diverse human

resources for Myanmar's society.

Furthermore, some specific laws currently being enacted in Myanmar (detailed in the next section 1.2.1) are perceived to target LGBTQIA persons; to suppress and threaten their existence, self-determination, self-identification, and well-being; and to punish them for so-called provocative abnormalities. In addition to such restrictions by laws, LGBTQIAs face disproportionate lack of access to justice and equality. Lack of legal intellectuals and intelligentsias, combined with lack of legal and SOGIESC awareness among LGBTQIA themselves are causing social and other insecurities for LGBTQIA persons in Myanmar.

The COVID-19 pandemic which arrived Myanmar in mid 2020 also doubled the crises faced by LGBTQIA persons and the government also failed to effectively resolve the crisis and provide assistance. The military coup in February 2021 has exacerbated these already worsen human rights and development situations for LGBTQIAs. Nonetheless, LGBTQIAs communities in Myanmar had come together and remarkably served as active citizens, participating in different anti-dictatorship activities from street protests and demonstrations to CDM movements. According to NUG, by mid-2021, 12 LGBTQIAs were killed, 73 were arbitrarily arrested and detained, and dozens were either being charged or on-the-flee to avoid prosecutions. NUG's Ministry of Women, Youth and Childrens' Affairs had also highlighted in its policy brief about the widespread abuse against LGBTQIAs in post-coup Myanmar.

All of these grave and concerning situations indicate an urgent need to address the human rights violations experienced by LGBTQIAs in Myanmar since these systemic and intersectional discriminations are the root cause of deprivation of "justice" and "equality" and "developmental detriments" for LGBTQIAs persons.

1.2 Legal Context

1.2.1 Discriminatory Laws

Myanmar practices a legal system in which laws and legislations derived from the British colonial era still prevail. Although these laws are rarely enforced in action, members of military and law enforcement officers have been using these to intimidate, harass, and arrest LGBTQIA people on other charges. Many LGBTQIA members are subjected to all forms of mistreatment by criminal laws and are not protected by the justice system in Myanmar. Some of these laws include Article 348 of the 2008 Constitution; the notorious 1861 Penal Code Section 377, Section 312 (A) to (C), Section 320; Police Act 35 and Rangoon Police Act 30; and 1949 Suppression of Prostitution Act; among others.

Moreover, the PoVAW Bill, which aims to implement CEDAW at the national level, fails to prescribe an inclusive definition of "women".

Other laws used to repress LGBTQIA persons include Penal Code Section 268 which criminalizes 'public nuisance'; Section 66(D) of the Electronic Communications Law; and Ward/Village Tract Administration Law (2021-amended) and other politically sensitive laws which are widely being enforced under the military regime.

1.2.2 Protective Legal Frameworks

1.2.2.1 Two Key Laws

In Myanmar, there are currently only two legal frameworks that protects LGBTQIA persons: the 2019 Child Rights Law, and 2018 Myanmar National Youth Policy.

Sub-section (E) of Section 26 of the 2018 Myanmar National Youth Policy envisions promoting the role and access of youths, including LGBTQIAs in terms of employment and economic opportunities, politics, literature, art, science, technology etc.

Sub-section (xxi) of Section 3 of Chapter (I) of the 2019 Child Rights law defines discrimination as "discrimination based on citizenship, race, ethnicity, sex, sexual orientation", among other protected characteristics.

1.2.2.2 2021 the National Unity Government of Myanmar (NUG)

A. The Federal Democracy Charter

Following the military coup in February 2021, the National Unity Government of Myanmar was formed with elected members of the ousted government, and they published a Federal Democracy Charter on March 31, 2021.

Part I of Chapter (V) of 1 of Pillar 1 of the charter commits to 'build peaceful Federal Democracy Union' with 'freedom, justice, and equality'. The Union Value-1 also entails 'Democracy rights, Gender equality, and basic Human rights' whereas Value-4 prescribing 'Diversity, Social Harmony, Solidarity, and Non-discrimination' and Value-5 states 'Protection of Minority Rights' thereby altogether protecting the rights of LGBTQIA persons.

Additionally, Section-15 of Part (III) of Chapter (IV) envisions establishing independent commissions including "Anti-discrimination and Human Rights Commission" and "Anti-Gender Based Violence Commission". Section-25 continues by stating 'direct, indirect or any forms of discrimination based on sex and gender shall be prohibited and there shall be promotion, protection, respect, and compliance'. On November 16, 2021, the National Union Consultative Council (NUCC) further reiterated the same statement in Section 46 of the Principles for Gender Equality on its list of tentative commissions. The statement also affirmatively mentions the establishment of the "Anti-discrimination and Human Rights Commission" and "Anti-Gender Based Violence and Domestic Violence Commission", and "Gender Equality Commission".

B. Ministries of the NUG

The Committee Representing Pyidaungsu Hluttaw (CRPH) formed a number of ministries under the National Unity Government of Myanmar (NUG) in order to promote and protect human rights at a larger extent. Amongst them, the "Ministry of Human Rights"(MoHR) and the "Ministry of Women, Youths and Children's Affairs"(MoWYCA) become the two key ministries to work with the LGBTQIA communities. For instance, the MoWYCA had issued 'Protection against sexual harassment, exploitation and abuse' policy which inclusively protects LGBTQIAs from any form of sexual exploitation and abuse.

1.3 Obligations to protect LGBTQIAs under international human rights laws

Myanmar, as a party to several human rights treaties, is obligated to respect, protect, and fulfil LGBTQIA people's human rights. This duty requires Myanmar to protect LGBTQIA persons from human rights violations carried out by state actors, private actors, and other third parties. While Myanmar has not ratified International Covenant on Civil and Political Rights (ICCPR), treaties by which it is bound to include the International Covenant on Economic, Social and Cultural Rights (ICESCR), the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the Convention on the Rights of the Child (CRC) and the Convention on the Rights of Persons with Disabilities (CRPD).

Article 2 of ICESCR clearly states non-discrimination of ESC rights on the basis of 'race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status'. Article 3 of ICESCR also states to grant equal rights, with article 12 highlighting right of everyone to the enjoyment of the highest attainable standard of physical and mental health. Article 2 of CEDAW requires State parties to condemn discrimination against women in all forms. Additionally, Article 2 of the CRC requires that State Parties take all appropriate measures to ensure that children are protected against all forms of discrimination, including on the ground of sex. Furthermore, the terms 'other opinions' and 'other status' used in all non-discrimination provisions of the following treaties encompasses discrimination based on sexual orientation and gender identity.

Accordingly, Myanmar is obliged under its existing international law commitments to prevent and prohibit discrimination of women and children based on sexual orientation and gender identity.

1.4 LGBTQIAs and the Sustainable Development Goals (SDGs)

A. United Nations' Sustainable Development Goals Agenda 2030

At the end of 2015, the UN adopted Sustainable Development Goals or Global Goals the Agenda 2030. Based on the principle of "leaving NO ONE behind", the Agenda contains 17 specific goals, including goals that inclusively promote participation and inclusion of LGBTQIAs persons such as 'Goal 2- Zero Hunger', 'Goal 3 Good health and Wellbeing', 'Gal 4 Quality Education', 'Goal 5 Gender Equality', 'Goal 8 Decent Work and Economic Growth' and 'Goal 16 Peace, Justice and Strong institutions'.

B. the Myanmar Sustainable Development Plan MSDP

Myanmar adopted the "Myanmar Sustainable Development Plan (2018 - 2030)" in 2018. MSDP embodies 3 pillars containing 5 goals, 28 strategies and 251 activities. All these visions are in alignment with the country's 12 Economic Principles, UN's SDGs, Mekhong regional strategic framework, ASEAN economic forum and other regional commitments. Regardless, LGBTQIA persons are prevented from fully contributing to the MSDP and realizing its goals due to existing marginalization and discrimination thereby building a huge barrier to achieve full 'human capital' in the implementation of MSDP goals.

Chapter 2 Monitoring Methodologies

1. Objectives, Scope, and methodologies of the study

1.1 Human Rights Documentation Capacity-building of the forum members

Prior to the documentation process, the forum members participated in a 5-days Intensive Advance Training Program where they were taught human rights documentation skills. During the training, the forum members actively participated in both theoretical and practical learning sessions which discussed principles of human rights documentation, methods of human rights documentation, and storing and sharing human rights documentation information.

1.2 Assessing Human Rights Situations of LGBTQIAs in post-coup Myanmar

The forum assessed the human rights situations of LGBTQIAs in post-coup Myanmar by employing the following methodologies for the study.

Approach The forum used a mixed method (both qualitative and quantitative approaches) to conduct the study.

Phases The study was conducted in two phases.

From December 2022 to February 2023 during Phase-1 (Scanning), the "Assessment of human rights situations of LGBTQIA in post-coup Myanmar" survey was conducted online using the Kobo tool. A semi-structured survey questionnaire was used to conduct the survey. A sample of the survey questionnaire can be viewed in Annex-A of this report.

During the data collection, the enumerators were also asked to collect photo evidence and audio recording of their data collection sessions. The forum's data validation team then used these individual recordings to listen to and cross-check the data uploaded on the Kobo database to verify and validate the data.

In February 2023 during Phase-2 (Probing), the forum filtered the responses involving cases of Gross Violation of Human Rights (GVHR) from Phase-1 to conduct individual in-depth interviews using open-ended questions in Phase-2. Depending on the consent from the

respondents, audio recordings, video recordings, and photographs were collected as evidence during this phase. A sample of interview questions can be found in Annex B of this report.

Selection method For Phase-1, the forum utilized a mixture of 'purposive' (i.e. the samples being LGBTQIA persons and not non-LGBTQIAs) and 'proportionate stratified' sampling (i.e. the samples having an equal ratio for each township from different states/regions) methods in order to ensure meaningful and equal representation. For Phase-2, the forum used a 'snowballing' method in consultation with the forum's focal documenters from each township to select the most suitable case for eligible interviews.

Sample size Phase-1 consisted of 15 LGBTQIA persons for each of the 14 townships, amounting to a total of 210 respondents. Phase-2 consisted of 32 interviewees out of the following 210 respondents from Phase-1.

Scope The forum set the time parameter for the study to incidents later than February 2021 to reflect the real and on-the-ground situations following the military coup.

In defining the geographical areas for the study, the forum decided to include both conflict-affected and conflict-free states and regions. A total of 14 townships from 4 regions and 3 states were targeted for the study.

Sr.	States/Regions	Townships
1	Sagaing	Monywa township, Shwebo township
2	Magway	Chauk township, Pakokku township
3	Mandalay	Mandalay City, Kyaukpadaung township, Ma Hlaing township, Meikhtila township
4	Yangon	Yangon City
5	Kachin	Myitkyina township
6	Mon	Mawlamyine township
7	Shan	Nyaungshwe township, Taunggyi City, Lashio township

Table 2.1 Townships of respondents

1.3 Limitations and Challenges

Like any other studies with specific project target areas, this study may not comprehensively represent the whole picture of the experiences of all LGBTQIAs across Myanmar. This study was also not conducted in a scientifically rigid and systematic manner.

The forum initially aimed to conduct the study in 15 townships from a total of 8 states/regions. However, during the data collection process, Pha-an township of Karen state was excluded due to technical, safety, and security challenges faced by the forum's focal in the following township leaving the study with just 14 townships in total.

There were also instances where the forum had to exclude some of the respondents selected for Phase-2 interviews because they revoked their informed consent and could no longer participate in the interviews leaving the study with just only 32 interviews instead of 35 as originally planned.

During the data collection, political instabilities, internet and electricity cuts, and other technical challenges faced by the documenters impacted the smooth implementation of the process. However, the forum managed to complete the data collection in a timely manner.

2. Demographics of the survey respondents

2.1 Age of Respondents

No. of respondents	Age Groups			
	Below 18	18 - 35 years	36 - 59 years	60 and above
	2	167	40	1

Table 2.2 Age group of respondents

2.2 Biological Sex of Respondents

No. of respondents	Man	Woman
	174	36

Table 2.3 Sex of respondents

2.3 Gender of Respondents

No. of respondents	Man	Woman	Bi-gender	Gender Non-binary	Genderqueer	Questioning	Other	RNA
	85	105	9	4	2	2	2	1

Table 2.4 Gender of respondents

2.4 Sexual Orientation of Respondents

Sr	Sexual orientations	No. of respondents
1	Heterosexual	71
2	Homosexual	122
3	Bisexual	9
4	Asexual	1
5	Pansexual	3
6	Others	3
7	Rather not answer	1

Table 2.5 Sexual orientation of respondents

2.5 Ethnicity of Respondents

Percentage	Bamar	Non-Bamar
	157	53

Table 2.6 Ethnicity of respondents

Among people of ethnicities, Kachin, Karen, Shan, Mon, Palaung, Danu, and Inn are the most-mentioned ethnicities. Others included mixtures of more than one ethnicities, and non-Bamar such as mixed bloods.

2.6 Occupation of Respondents

The majority of the respondents (35%) are self-employed, 18.1% are unemployed, 12% are daily wagers, 9.5% are volunteers/civil society workers, and 4.3% are private staff. The rest of the respondents ranged from 2-3% each for the traders, students, civil servants, farmers, and factory workers.

Among 2.5% (5 respondents) who are civil servants, 4 are found to be participants of the Civil Disobedience Movement who were previously from the Ministry of Planning, the Ministry of Health, and the General Administration Department.

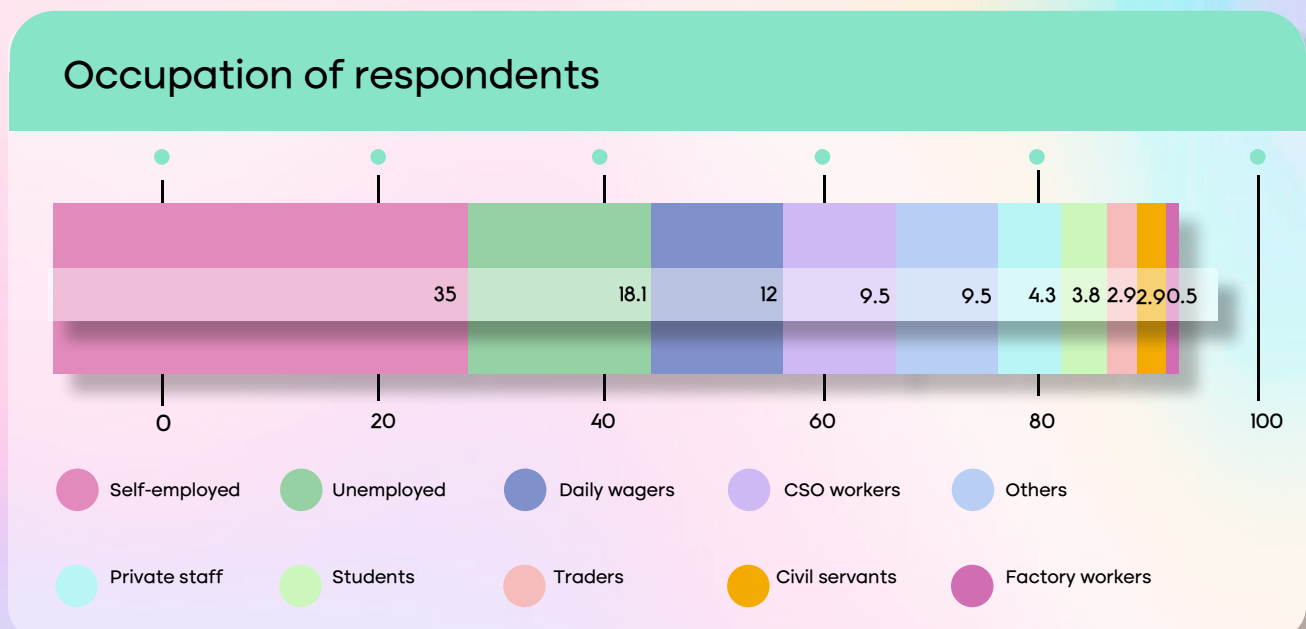


Figure 2.1 Occupation of respondents

2.7 Education of Respondents

Nearly half (45%) of the respondents had completed their high school education. 32% had completed only secondary school whereas the 4.8% had completed only basic education. 0.5% of the respondents were found to not have any school education, and only 15.7% of the respondents have attained a higher education, being graduated and post-graduates.

Chapter 3 - Findings

3.1 Survey Findings

3.1.1 Family Sector

The majority of survey respondents (88.6%) said that their family members or those living together with them (or co-habitants) are aware about their sexual orientation.

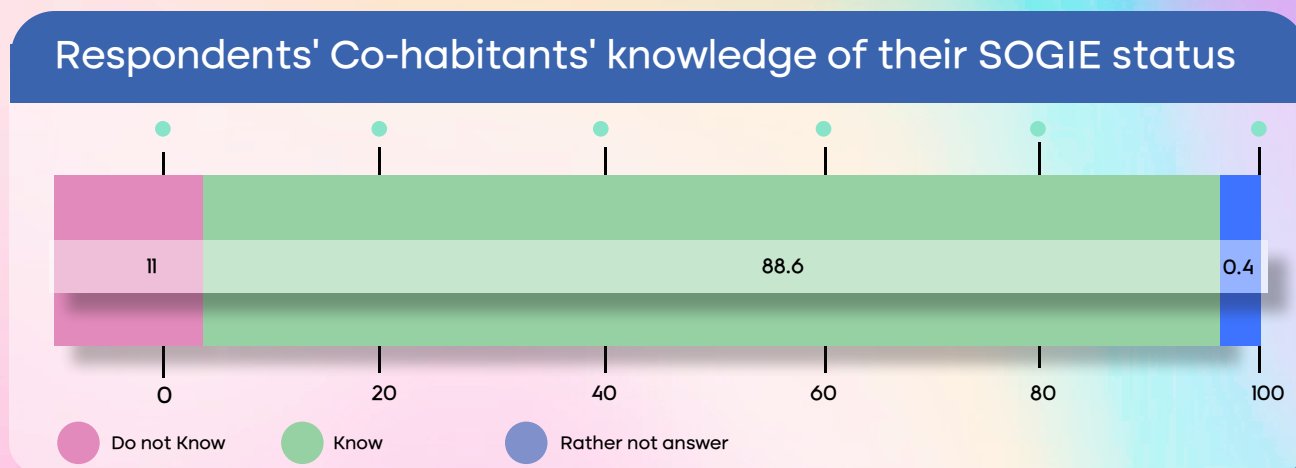


Figure 3.1 Respondents' co-habitants' knowledge of their SOGIE status

In further questioning, it was found that since the coup, more than half (52%) of the respondents claimed they had experience discrimination and violence in the family sector. Respondents answering 'Yes' to this question are found to be mostly transgender respondents and gender non-binary respondents, compared to a few other gay respondents.

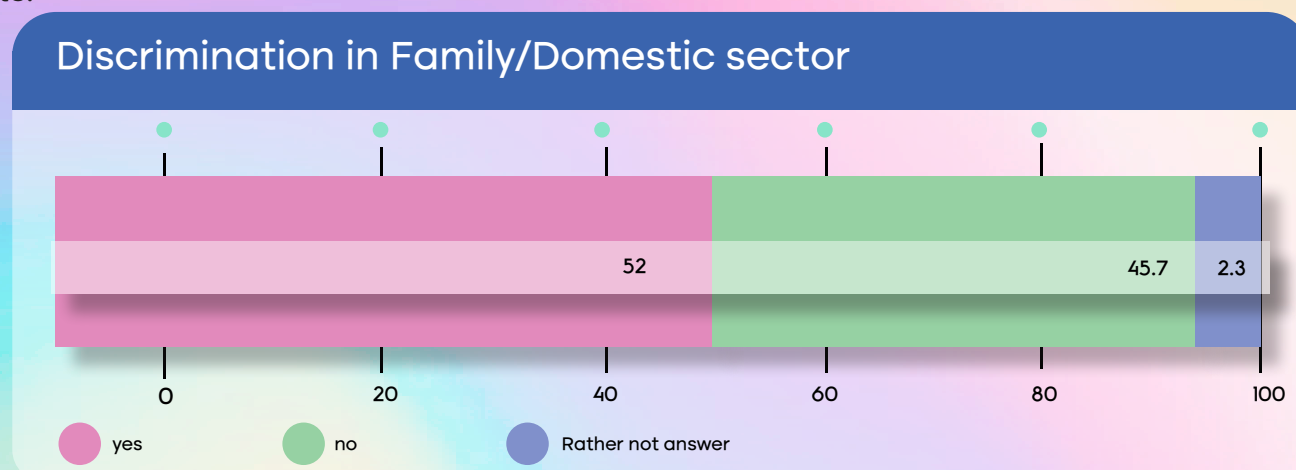


Figure 3.2 Discrimination in the family/domestic sector

Probing with open-ended questions on such experiences of family/domestic discrimination and violence revealed that the respondents mainly experienced the following three types of violence in the sector.

1. Physical abuse

The respondents were beaten by their parents/guardians as a means of punishment , and physically abused by their siblings due to their sexual orientation and gender expressions.

According to the respondents, these acts of violence occurred mainly out of their family members' disfavor because of their decrease in income and their inability to support their family.

"Both of my family and my employer do not like the idea of me being not just a transgender, but also a political activist. And then of course, I was disowned by my family, I was kicked out of the house, got fired from my job. I was even punched in my face right before I was kicked out of the house. I had these bruises under my eyes."

LHRD0801 a transgender woman,
Meikhtila Township

In some cases, the respondents were even threatened by their own family members, and close relatives to be arrested by the police, law enforcement and even the military amid the current state of un-ruling of law inside the country.

Other severe cases involved committing physical harm such as beating the respondents with objects such as sticks, chasing and stabbing the respondent with a knife, and throwing with an ax etc.

2. Verbal abuse

Family members of the respondents scolded and, in some cases, even use curse words to express disgust over the respondents' status of sexual orientation and gender identity by saying, for example, 'faggot', and 'disgraceful brat' often insisting and forcing the respondents to conform their gender to their biological sex.

3. Psychological abuse

Among the respondents, transgender persons are not accepted of their gender identity and expressions and are forced to change by their family members including their siblings. In most cases, they are disowned by their family members, and expelled from the house, . In some cases, the respondents who were released from prison were not welcomed back to their homes by their families in fear of repercussions due to their political activism.

3.1.2 Education Sector

1. Respondents' access to post-coup education

It was found that over half, 55% of the respondents do not have access to in-country education services (both public and private) after the coup.

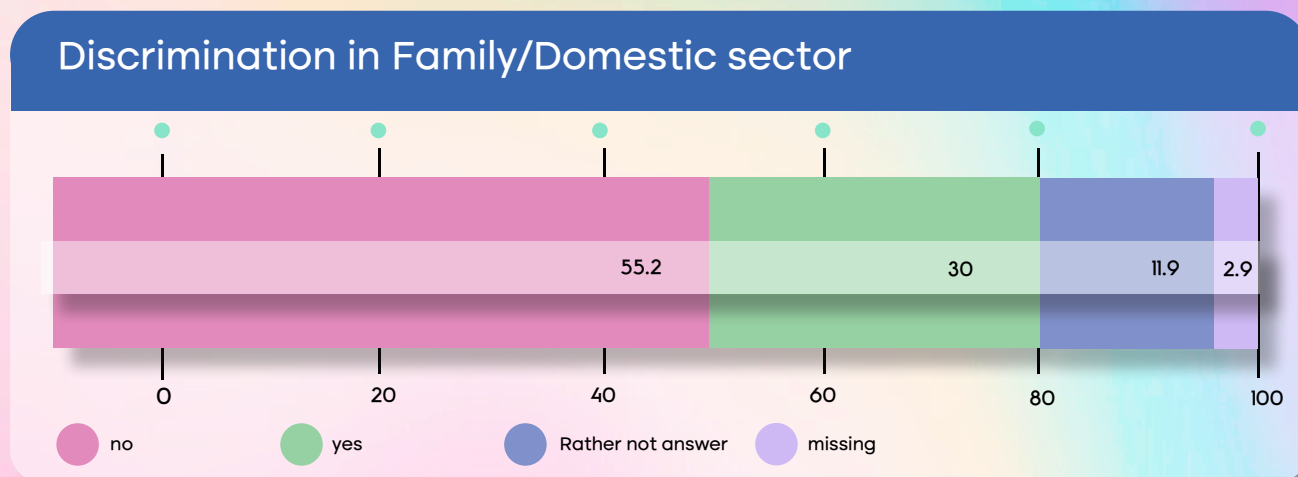


Figure 3.3 Respondents' access to post-coup education

In further questioning, 55% of the respondents about the reasons for not having access to post-coup education, the respondents mentioned the following reasons accordingly. Among the respondents who do not have access to post-coup education, most (33%) are not interested in school education, and the other 30% had other reasons for lacking such access. 25% of them are unable to commit time to study, and the rest 11.6% mentioned a lack of technical and financial resources to seek education. The respondents do not have access to post-coup education for other reasons such as having been displaced as IDPs, having been imprisoned, or having participated in the CDM movement.

2. Discrimination/violence in the education sector

13.5% of the respondents mentioned that they had experienced discrimination or violence in the education sector. This makes up 45% of the respondents who said they had access to post-coup education in the first question. These respondents were mainly from Monywa township, Taunggyi city, Nyaungshwe township, Meikhtila township and Yangon city.

Discrimination in education sector

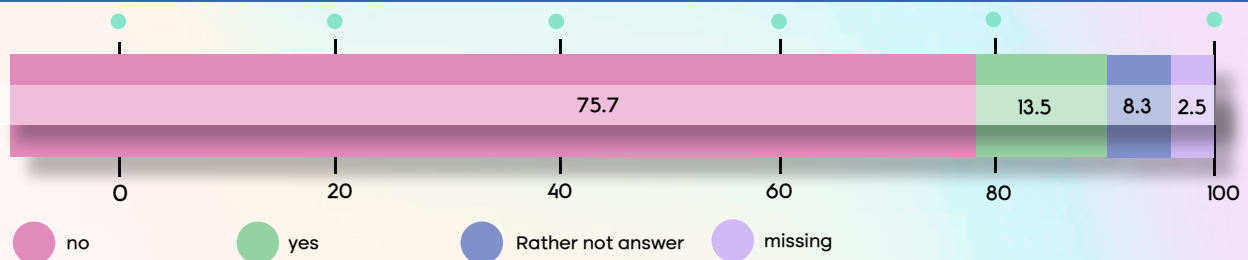


Figure 3.4 Discrimination in post-coup education

It was found that the respondents were discriminated against mainly by their classmates, other fellow students, and others such as school staff members, school security etc. In further questioning about the experiences of such discrimination or violence, the respondents mainly mentioned being verbally abused and being made fun of with name-calling using derogatory terms, and psychological abuse involving bullying, neglect, and exclusion. A respondent from Meikhtila township shared her experience of discrimination in the post-coup education sector accordingly:

"I am a transgender man, a final- year student majoring in Myanmar language. After the coup, I actively participated in the protests as well as the CDM. I even had to flee and run away to another state because I was being hunted down by the military to arrest me. And then unfortunately, I was arrested while I was quietly coming back home just for a while. I don't know where they got the news of me coming back. I was then detained inside the prison where I was beaten almost every day. They slapped my face, asking me if I had connections with the PDFs. I told them I didn't, which was the truth. And then they released me without pressing any charges. When I was released, I couldn't just sit and do nothing I needed to do something with my life. And I was this close to graduate, so I decided to go back to the university. And of cause at the university, I was looked down by other students including teachers like...'oh, she's a criminal. She's been in prison'... That kind of stuff... They always treated me like I was guilty of some sort. And as this went on for every day, I became exhausted and finally decided to drop out. After that I tried to apply for some jobs and here, I am, now working as a sales rep at a local mobile phone retailer."

LHRD0802 transgender man, Meikhtila township.

The data altogether shows that LGBTQIA respondents do not have access to inclusive education and equality in the education sector after the coup.

3.1.3 Healthcare Sector

In the healthcare sector, 36% of the respondents mentioned that they had experienced discrimination or violence in the healthcare sector post military coup.

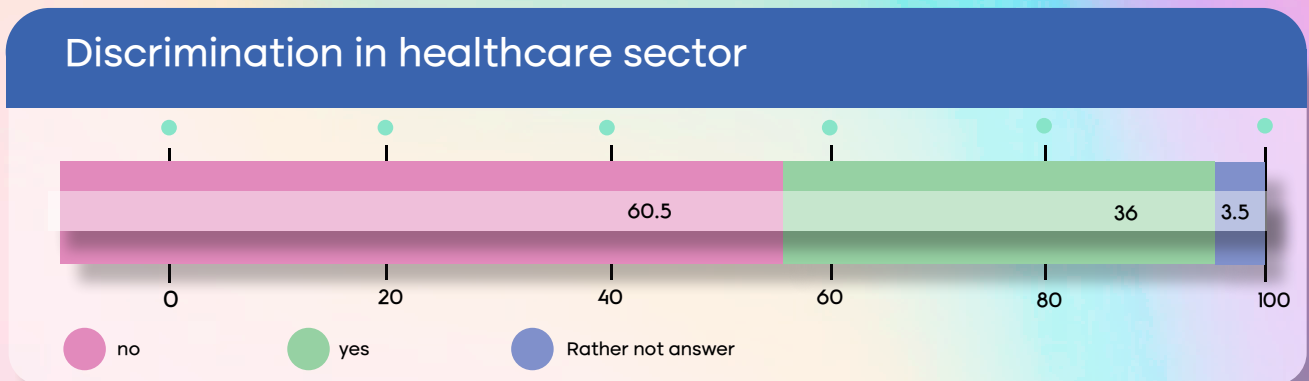


Figure 3.5 Discrimination in the post-coup healthcare sector

Among the respondents who had experienced such discrimination or violence, most belong to transgender women, LGBTQIAs living with HIV/AIDS, and arrested and detained LGBTQIA people.

Transgender women and LGBTQIAs with gender non-binary identities or expressions

mainly experience verbal and psychological abuses where they are made fun of as a subject of mockery by the healthcare staff, insulting and taunting the respondents in an outburst of profanity, looking down on the respondents, and yelling them and treating them disrespectfully.

"I was told, and I quote, 'Oh... so you're a POZ huh? Why bother getting medications? Why don't you just die quickly and save the trouble for other people?'..."

LHRD0312 transgender woman, Kyaukpadaung township

LGBTQIAs living with HIV/AIDS are stigmatized on a large scale and discriminated against. In most cases, they are discriminated against and mistreated by the healthcare staff at the centers where they obtain their ART medications. Such mistreatment and discrimination mainly involved verbal abuse, and psychological abuse.

It was found that the arrested and detained are sexually harassed and abused by the staff members of the detention facilities, including inside the prisons.

Moreover, there were also some instances where the respondents could not access

healthcare due to the CDM among the civil servants, including from the healthcare departments. Healthcare staff participating in the CDM impacted timely and sufficient reception of HIV medications among respondent LGBTQIAs living with HIV/AIDS. A respondent who is a member of local PDF also mentioned that although there was no significant discrimination against LGBTQIA members of PDF at the base, there had been some challenges in accessing different forms of medicines and medications.

Altogether, this indicates that LGBTQIAs do not enjoy their right to equality, right to freedom from discrimination, right to dignity, and right to healthcare in the healthcare sector in general after the coup.

3.1.4 Economic Sector

1. Employment status of respondents

In questioning the employment status of the respondents, it was found that 56% of the respondents did not have any change in their career or employment status (with 80% of them working at the same job they did before the coup, and 20% of them being unemployed since before the coup). 40% of the respondents mentioned losing their jobs and among them, over half of them could not find and secure new jobs.

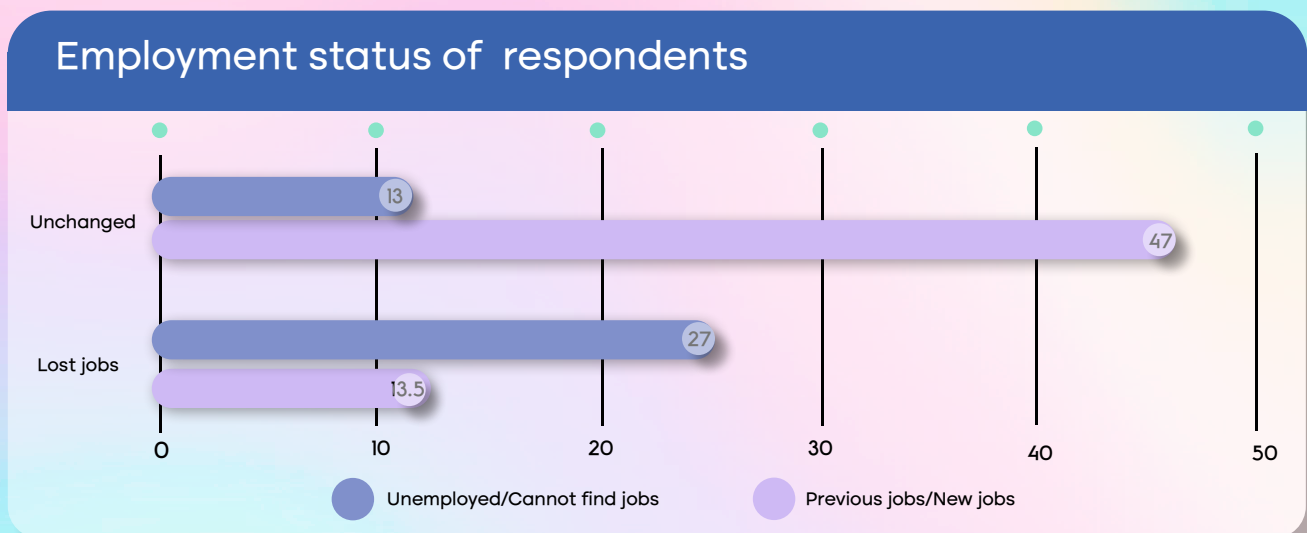


Figure 3.6 Post-coup employment status of respondents

2. Income status of respondents

When questioned about their income status, it was found that the majority of respondents (82%) had decreased in their income, whereas only 10% remained unchanged in their income, and only 5% observed an increase in their income.

Income status of respondents

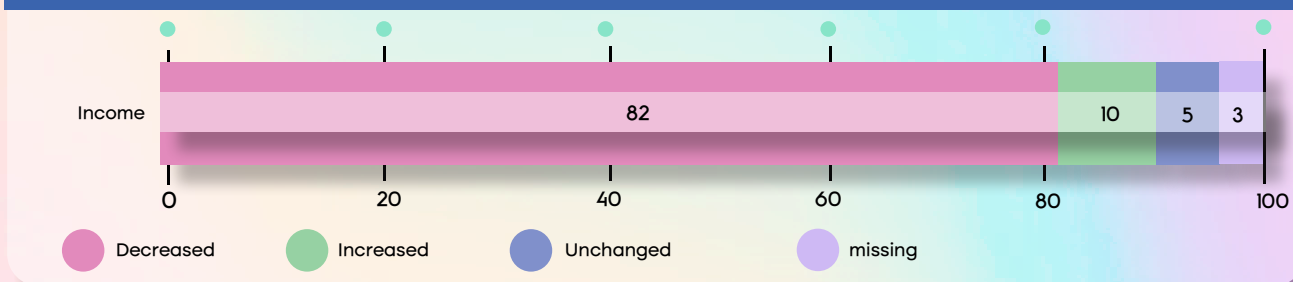


Figure 3.7 Post-coup income status of respondents

3. Discrimination in the employment sector

The respondents were then asked whether they had experienced discrimination or violence at their workplace. Over one-third (37%) of the respondents responded 'Yes' to this question. 52% of the respondents had not experienced discrimination in the post-coup employment sector.

Discrimination/Violence in employment sector

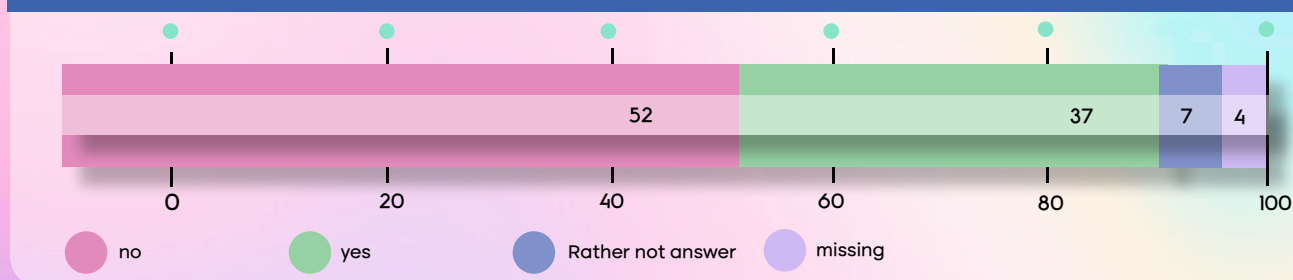


Figure 3.8 Discrimination in the post-coup employment sector

Those who had responded 'Yes' belonged to the townships such as Pakokku, Monywa, Nyaungshwe, Yangon, Mahlaing, Mandalay, Kyaukpadaung, Lashio, and Mawlamyine hence a mixture of both rural and urban cities. This indicates that LGBTQIAs are being discriminated against in the employment or economic sector post-coup regardless of their geographical locations, or economic developmental status of their locations.

In further questioning about their experiences of such discrimination, it was found that they had experienced mainly verbal abuse, sexual harassment, and exploitation at their workplace.

Based on their sexual orientation and gender expression, the respondents are treated as

a subject of mockery; excluded, and are exploited both sexually and for their labor and effort by their employer. In some cases, the respondents are targeted by their employers in cutting down the human resource of most businesses following the economic crisis after the coup without giving any reason or because of their affiliations in political activism outside of work.

"I also protested the coup...And participated in resistance activities... Then it began. My employer started to notice that I was participating in the demonstrations and then said, 'This faggot is going to get our business in trouble because of this', and then they forced me to resign... And since my family is a family of daily wagers, they do not want me to stay at the house since I do not earn anymore... They didn't like me either since from the beginning because of my sexual orientation... So, I had to leave my job, and my family... I sought some help from my friend... Stayed at his... and now I am in the PDF."

LHRD0803 Gay, Meikhtila township

It was also found that the CDM-participating and transgender respondents were denied of their job application, and faced hurdles and challenges in applying for the new jobs. Arresting and investigating the respondents and confiscating their cash and belongings, and threatening, and exploitation by the local security forces such as the military soldiers and the police officers had significant impact on the respondents' privacy, freedom, and ability to work decently. Security patrol by the police and military soldiers during the nights also make it impossible for LGBTQIA sex workers to work, having a huge impact on their occupation and livelihood.

"I participated in CDM and I do not have a job... No one is lining up to support me so I was working at this small, local grocery store...My gender expression is a little bit feminine and my employer took advantage of that, asking me 'if I was gay'. I didn't think much and said yes. The next day, he said he needed me to do something and told me to come to his house. I went and there, I was raped. He threatened me that he would report me to the military authorities for participating in the CDM if I speak anything about the incident, and that he would fire me too. I was angry, and furious and said, 'Whatever, I quit!'."

And then I left the job"

LHRD0914 Gay, Monywa township

"I work as a make-up and beauty artist. And I participated in the anti-coup protests in full drag, wearing wigs and gowns and raising the rainbow flags. This made my face rememberable for most people in the town, including my uncle who is from the military.

*And then one day, a client (with a military background), came and hired me for a wedding. The client was my uncle's close relative, but far from mine. And then she had the audacity to go on and say that **I must do the make-up for their event for free or else I would be reported to the police and get arrested because apparently, they had photo evidence of me taken at the protests.** Scared of getting arrested, I had to do the make-up for them for free."*

LHRD0809 Transgender woman, Meikhtila township

Another incident was from Malamyine township of Mon State where a local gay man committed suicide due to his financial crisis following the coup.

All the above incidents indicate that LGBTQIAs in Myanmar do not enjoy right to decent work, right to equality and dignity in the employment and economic sector post-coup.

3.1.5 Public/Government Services Sector

Almost one-third of the respondents (30.6%) said they had been discriminated against in accessing public services.

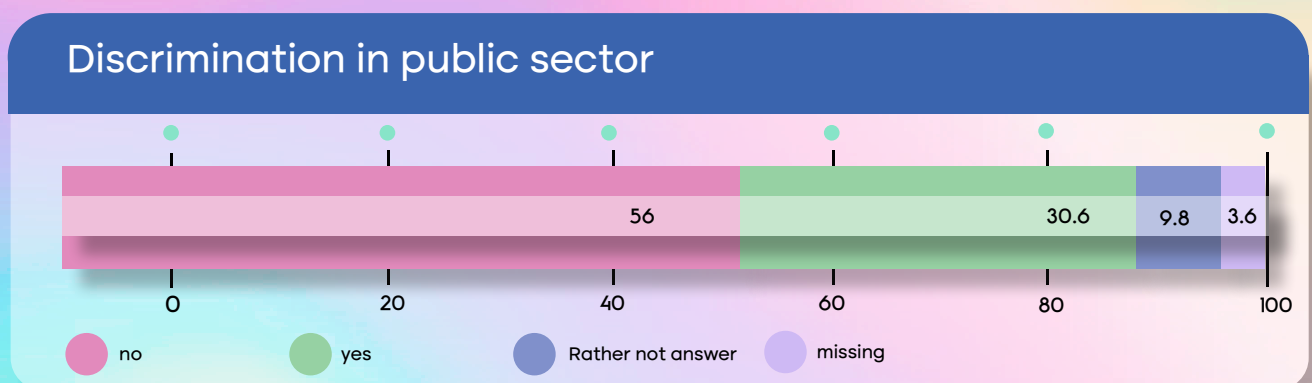


Figure 3.9 Discrimination in the post-coup public sector

It was also found that 31% of these respondents were discriminated against the most in the local administration offices, immigration departments, local security checkpoints,

and police stations. A few others were discriminated against at public hospitals, prisons, and public banks.

Places of discriminations

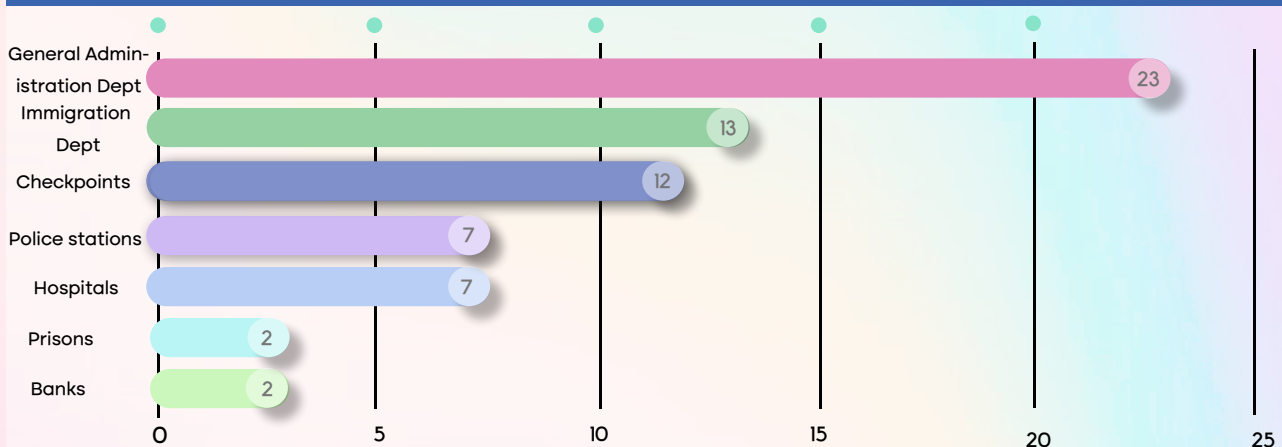


Figure 3.10 Places of discrimination

"When I was going into town, passing in front of a school and through the security checkpoint, I was stopped and asked if I was a man or a woman. And then at the local COVID vaccination center, we had to queue and show ID cards. Since my gender was different from the ID card, I was looked at as a strange creature. They laughed at me and with straight faces, they said, 'we are not vaccinating a-chauks!' Being embarrassed, I literally had to walk out of the center. I didn't get the vaccination."

LHRD0902 Transgender woman, Monywa township

I was mocked and laughed at by the healthcare staff at the public hospital... Not only I am a LGBT but also, I am a Muslim so... I have applied for ID card at the immigration office for so long... I still haven't got it... Now that I need it more than ever, I went to the immigration again to check again. They still haven't processed my application. I am in my 30s now and I have no documents... And this makes me hard to travel freely... I can't even properly go and visit the local parks in fear that the police would stop me, check me and arrest me. And I was once before so.."

LHRD0717 Non-binary, Malamyine township

When the respondents were asked about their experiences of discrimination, most of them mentioned verbal abuse, sexual harassment and sexual violence, and exploitation.

"When I was at the General Administration Office, a staff literally addressed me using the word, 'A Chauk (Faggot)'... And then he was touching my breasts and my buttocks...

He also asked me if I wanted to sleep with him...

I never responded and he asked for additional paper fees on plain sight."

LHRD0904 Transgender woman, Monywa township

Among the respondents with experiences of such discrimination, most are transgender women, gender non-binary persons, and non-Buddhist LGBTQIAs from Monywa, Kyaukpadaung, Yangon, Lashio and Shwebo townships.

Judging from these incidents, it can be seen that rights of LGBTQIA persons are being infringed in the post-coup public service sector.

3.1.6 Justice Sector

It was found that 28.5% of the respondents had experiences of discrimination/violence in justice sector whereas the other 58.6% did not.

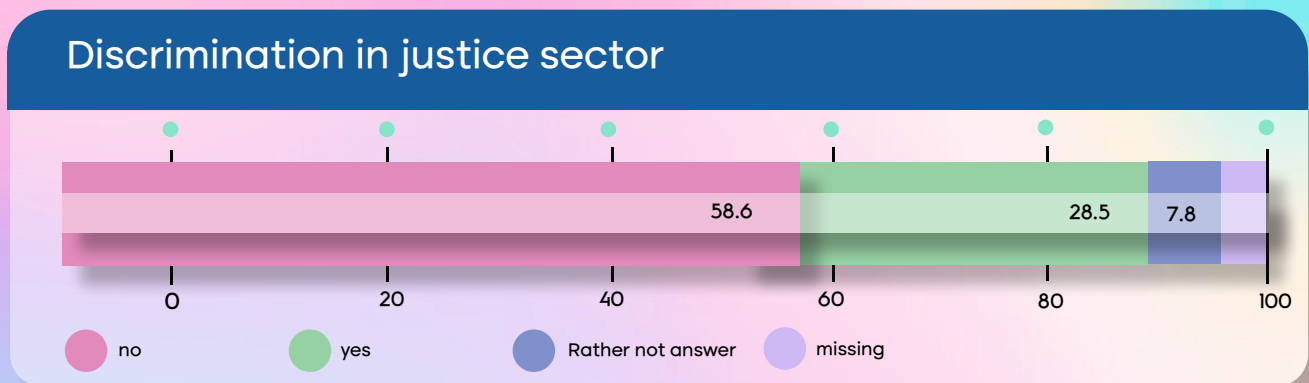


Figure 3.II Discrimination in the post-coup justice sector

When questioned about the places of such discrimination, police stations and prisons topped the places with most discrimination.

Places of discriminations in justice sector

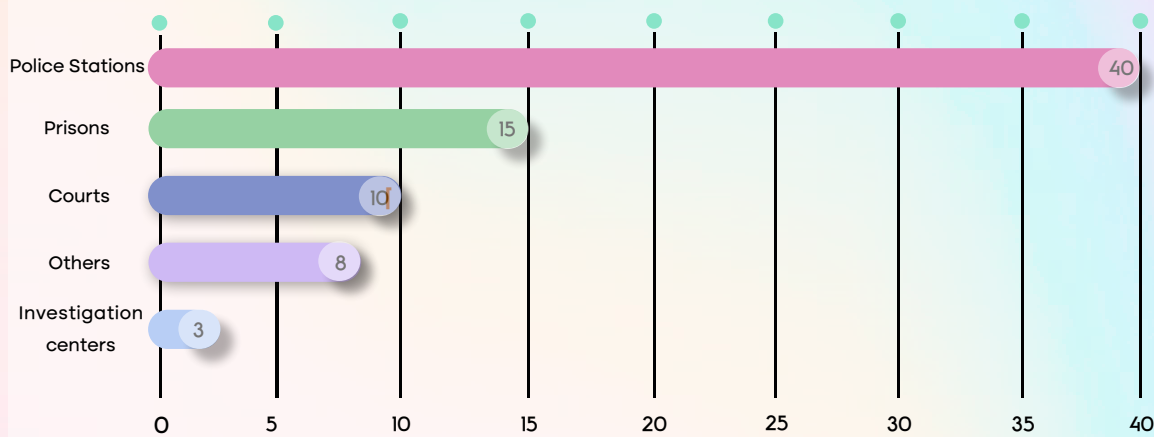


Figure 3.12 Places of discrimination in the justice sector

Further questioning on the identities of the perpetrators of discrimination, police officers, prison staff, judges, prison heads, and military soldiers topped the list of perpetrators. A few others included court clerks, pyu-saw-htees, lawyers, and other inmates.

Perpetrators of discrimination/violence

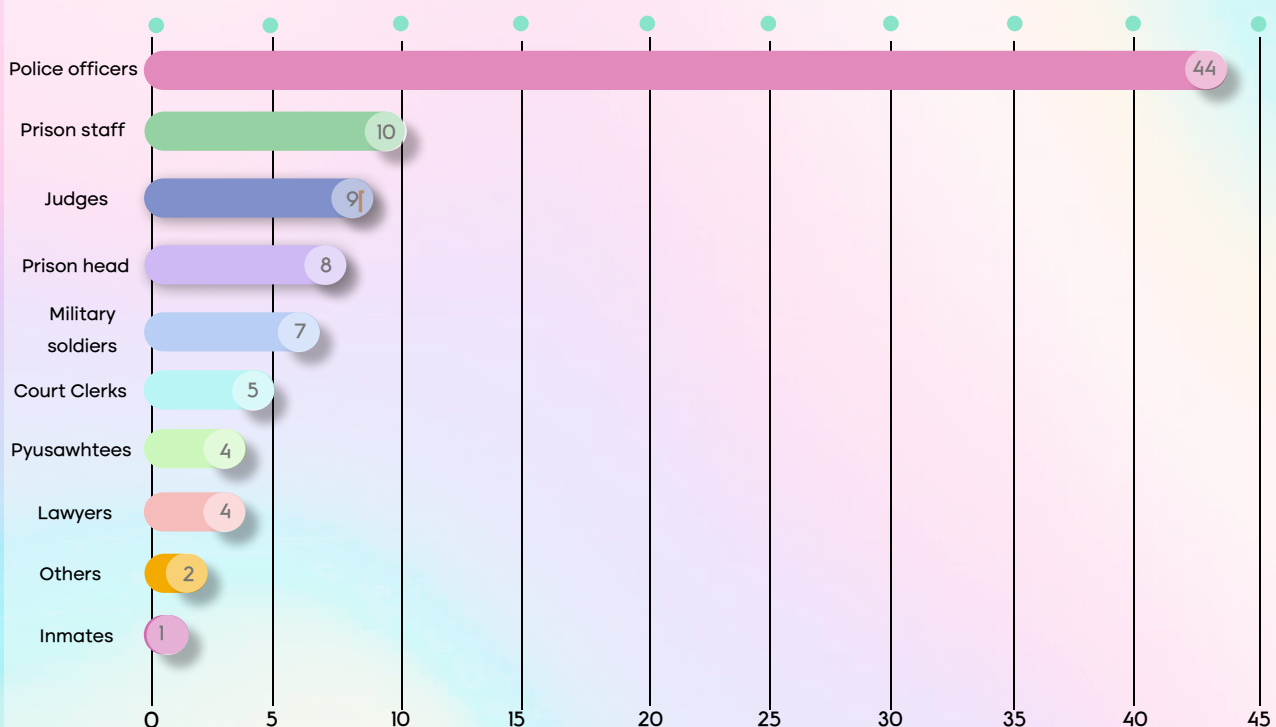


Figure 3.13 Perpetrators of discrimination/violence

When probing the respondents with open-ended questions to learn the nature of their experiences of violence or discrimination in the justice sector, it was found that most of these respondents faced incidents of violence or discrimination while being arbitrarily arrested, detained, and investigated due to the political turmoil, and local peace and tranquility laws and projects imposed by the military in an effort to maintain stability. In some cases, despite not being arrested or detained, the respondents faced incidents of violence or discrimination when visiting the places of the justice service. These instances of discrimination and violence involve verbal abuse, physical violence, psychological violence, sexual harassment, sexual violence, power abuse, and sexual exploitation. Most of the survivors are transgender persons and gender non-binary queer persons. Most of the survivors had experienced one or more types of the aforementioned violence.

Geographically, LGBTQIA discrimination or violence within the justice sector occur the most in Monywa and Shwebo townships of Sagaing region; followed by the second most in Nyaung Shwe, Taunggyi, Yangon, Lashio, Myitkyina and Mahlaing townships. This pattern shows that while LGBTQIA discrimination in the justice sector occurred in both conflict-affected and conflict-free areas of Myanmar, incidents of discrimination occur the most in conflict-affected areas.

Cases of GVHR found during the Phase-2 of the study are also found to have been linked to discrimination in violence in the justice sector. Details about these GVHR cases are described in Section 3.2 of this report.

Verbal abuse against LGBTQIA in the justice sector mainly involved calling names using rude and derogatory terms, addressing with provocative and disrespectful pronouns while making fun of, and yelling, swearing, and cursing.

Psychological abuse included threatening to endanger life, extortion of money, confiscation of property, illegal taxation, and economic exploitation.

Physical abuse and violence involve beating the survivors on their faces and bodies to admit guilty of their accused offenses; ripping their clothes off and stripping, and shaving their heads; leaving under the hot sun for a prolonged period, and splashing their naked bodies with ice waters; beating until the victim's teeth break; and tortures that inflict severe pain; and leaving the victims with no food or water.

"On December 4th, 2021, I remember. The policemen from No.2 Police Station and the Ward administrator arrived at my house in Kyat Paung Chan Quarter of Myitkyina township. They said they were taking me as a suspect for a recent robbery. They accused me of robbery without having any proof. At the police station, they wrapped my face with a cloth, and beat me like hell... And in the middle of the beating, I heard one of them saying,

'May be this A-Chauk (faggot) has an HIV. Wear some gloves'.

*And then I felt gloved hands **beating on my arms, legs, and bodies** .. My family came and tried to give me my ART medications, but **they kept me tied up and refused to give the medications or any food at all to me**... They would swear on me, and laugh at me like I am some sort of joke... And then I was prosecuted and charged... But my case was dismissed for insufficient evidence.... This was my first experience...*

*And then at around 9 P.M on December 25, 2022, a group of soldiers raided a shop where me and my other trans friends were hanging out...**They knocked our heads with their rifle butts** aimed the guns at us and **threatened us** by saying, "Aren't you guys the ones from last year? What are you guys up to here again? Trying to steal something? Haven't you learnt your lessons the last time? You better behave or this time, we swear we will make your lives miserable and end your lives if you guys get arrested'.*

LHRD1002 - Bigender, Myitkyina township

*"At Kyunchaung police station of Tantkyi Taung... They arrested me and then they used me as a human shield, worrying if they might get shot... **They beat me and tortured me.... I was sexually harassed and assaulted... They forced me to knee on the sand under the brutally hot sun... When I passed out, they would splash me with some water, and then put me under the sun again.... I was tortured the same way like this for many, many times...**"*

LHRD1101 Transgender woman, Pakokku township

Sexual abuse and violence in the justice sector involved forcing transgender women and gay men with feminine gender expression to take off their clothes, stripping them naked, and touching and squeezing their enlarged breasts, buttocks and other body parts , and abusing power to exploit the victims sexually ; and in some serious cases individual rapes and even gang rapes .

"Out of all the pedestrians, I was deliberately chosen to stop at the city security check-point by the SAC's soldiers and police. They asked me to show my NRC identification. I did. And then they asked me to come along with them since they needed to check something. They took me to the back of their tent where they unzipped their pants and asked me to suck their penises. These 3 SAC soldiers were not wearing uniform, but they had their rifles around their arms. Then they started to strangle me and attempted to rape me. In full disgust, I said, 'I have HIV'. They slapped my face a couple of times before letting me go."

LHRD0910 Transgender woman, Monywa township

"They arrested her in November 2021... They tied her up with her hands at the back... and took her to the city hall interrogation unit... She was severely beaten during the investigation, until she's completely unrecognizable... They beat her buttocks with thick bamboo sticks until her skin and glute fat ripped apart... She couldn't even sit because it was too painful... And then they shot and snapped her with rubber bands, and burnt her skin with the cigarette fires... Then she was forced to wrap her longyi around her waist, leaving her butt-naked... and forced her to kneel on the sand and yell 'I am a man' in front of all the other people... And her pictures were taken and circulated on social media with a caption saying 'Thin Zar Wint Kyaw 2.0' to embarrass her. And then they put a stick into her anus.

While being investigated, she was also splashed and dripped with ice water in the winter season. And without finding any evidence, she was unlawfully prosecuted and imprisoned with Anti-terrorism charge. She was also raped in prison-liking waking her up while sleeping to entertain them sexually, suck their penises, and beat her if she refused. One day, her refusal caused a stir and the case was brought to the prison authority. We heard the perpetrator was reassigned to a different location but ever since then, we were not allowed to go see her and we've never heard from her again. This whole thing is horrible and heart-breaking, and we are not even in her shoes yet... So, we can just only imagine her pain and her sufferings."

LHRD0907 A guardian of a currently-in-prison transgender woman, Monywa township

3.1.7 Political Sector

In the political sector, 35% of the respondents mentioned that they had been discriminated against or faced violence. This makes up one-third of all the respondents.

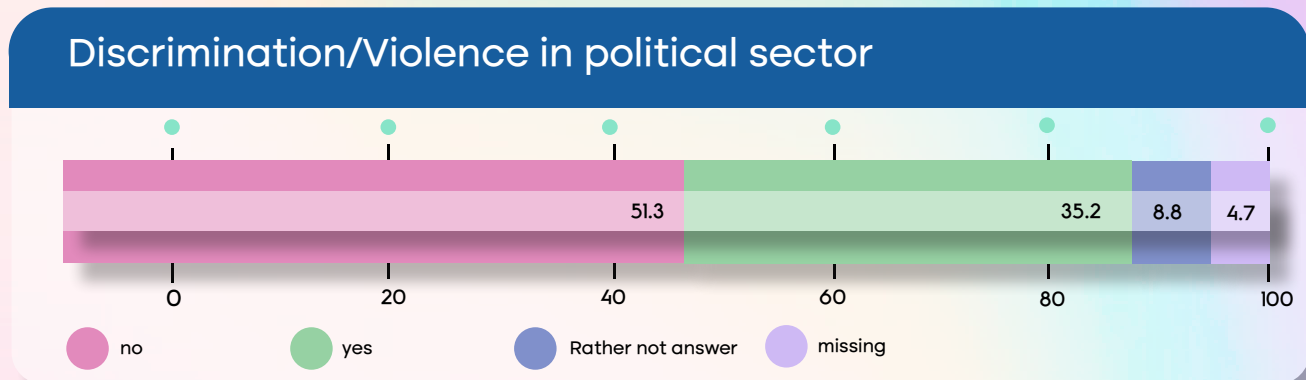


Figure 3.14 Discrimination or violence in the post-coup political sector

Open-ended questions probing the respondents to learn more about their experiences revealed that discrimination and violence in political sector mainly involves arbitrary arrests due to political activism, and other psychological, physical, and sexual abuses and exploitations following such arrests.

The respondents mentioned having first-hand experiences of the military crackdowns against the protestors using armed force , using water canon , and using tear gas and smoke bombs ; being beaten with police batons and being chased and shot with live ammunitions during protests and demonstrations. The forum also observed cases where houses ad properties of the respondents were burnt down and destroyed in an arson due to their active participation in the anti-military protests and activities in their communities.

Other reasons for the respondents being arbitrarily arrested include beating pots and pans , participating in the CDM , and posting and sharing anti-military political news and posts on social media ; and showing support of NUG on social media platforms such as changing Facebook profiles with NUG logos . In these cases, the respondents were raided by the police and military soldiers where their properties and precious belongings were confiscated, and some even had to run away and flee from their homes for their safety and hence, displaced.

"I participated in the protests... And then I wrote and shared political posts on my Facebook... And the military informer in my account got me arrested.... They raided my house, arrested me and sent me to prison straight away that night of arrest...

They beat me, saying, "So, you want to do politics that much, huh?"...

Then they cut my hair short, squeezed my breasts, and made me shower naked. I was sexually harassed. I was in prison for 2 months and then I was released fortunately, after signing a legal commitment."

LHRD0812 Transgender woman, Meikhtila township

The forum also observed that some respondents, although not participated in the protests, were arbitrarily arrested due to the local 'peace and tranquility' laws (such as Curfew Law, Section 144(Martial law)) and projects where two men are forbidden to ride on the same motorbike . These are altogether infringing their freedom of expression, media freedom, right to dignity and right to privacy.

"I was outside at late hours past 10 P.M. Since there was an active curfew, the soldiers shot with their guns to arrest us. We, me and my 2 other friends, got arrested and I was the only LGBTQ. I got a bullet wound on my thigh, my friend was hit on his shoulder... We were sent to hospitals but I was the one with the weakest financial background so I couldn't bribe them. I was prosecuted and charged and was sent to prison. I had to do a lot of hard labor inside the prison. But then I was released, after signing a legal commitment."

LHRD0808 Gay, Meikhtila township

Overall, these cases indicate that LGBTQIAs are being deprived of their legal rights such as right to equality before the law, right to due process, right to fair trials and right to legal defense.

3.1.8 Administration Sector

The forum found that 33.7% of the respondents had experienced discrimination or violence in the post-coup administrative sector.

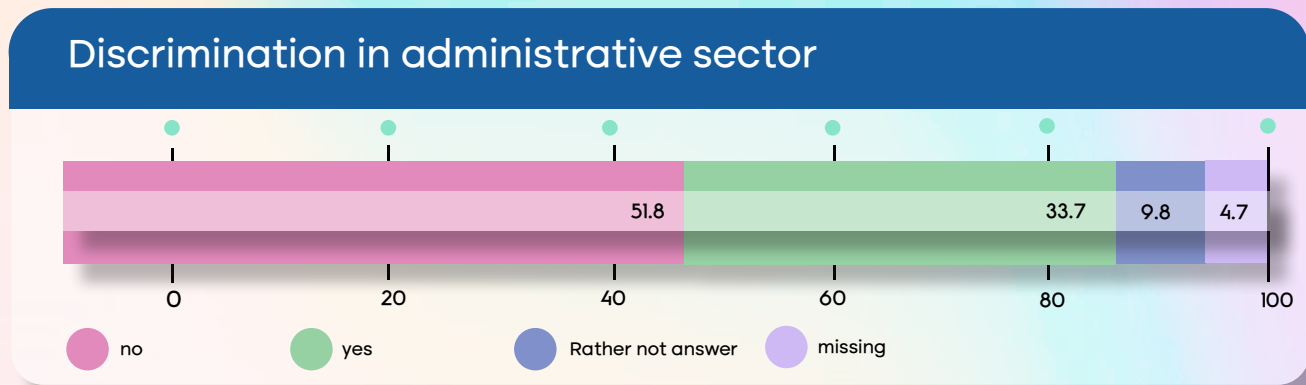


Figure 3.15 Discrimination in the post-coup administrative sector

When questioning the respondents about their experiences of discrimination, most of them mentioned verbal abuse, physical violence and psychological violence, and sexual harassment based on their gender identities and expressions.

The respondents, when going to the Ward/Village tract administration office either to register guests or to obtain recommendation letters, were told that they would not be given any recommendation letters if they fail to come to the office in gender non-conforming attires ; threatened to arrest if they fail to report guests ; and asking for more documentations beyond prescribed requirements, deliberately delaying the process, and asking for additional fees for being LGBTQIAs . Some respondents also experienced name-calling and yelling ; mockery and making fun of ; forced stripping and being treated as a laughingstock ; and sexual harassment such as non-consensual touching of the breasts and buttocks . In some cases, the respondents, the respondents were scrutinized and investigated due to their difference between how they look on their ID card and in actuality ; surveilled and inculpated by the Ward administrator all the time for their previous history of political activism, and threatened to re-arrest ; extorted money ; and banned from living inside the ward ; and expelled and banished from the village by the fellow villagers .

3.1.9 Social Sector

33% of the respondents mentioned that they had experienced discrimination in post-coup social sector.

Discrimination in social sector

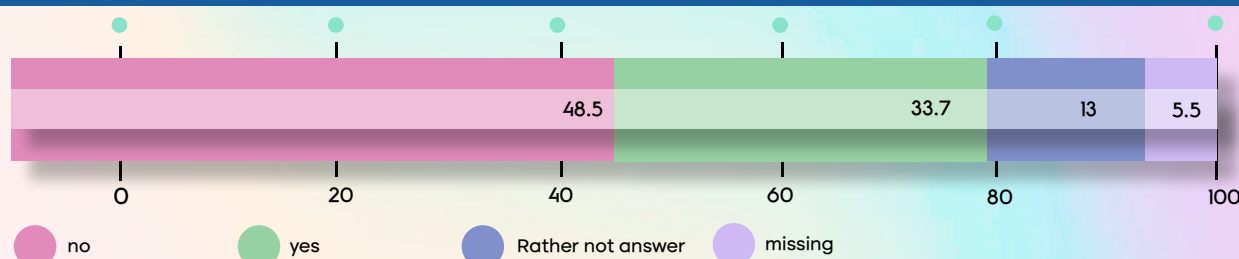


Figure 3.16 Discrimination in the post-coup social sector

The following data resulted from asking the participants to choose places of discrimination in social sector, using multiple-choice questions.

Places of discrimination in social sector

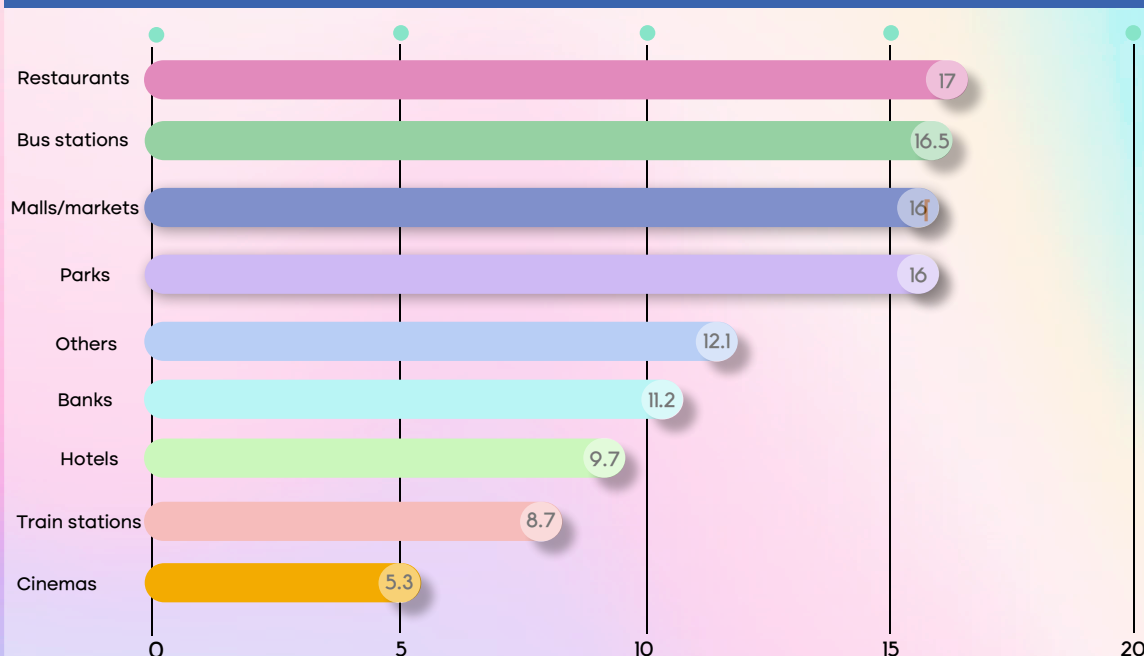


Figure 3.17 Places of discrimination

It was found that the respondents are discriminated against most in the restaurants, bus stations, markets and malls, parks and public recreational places, others (such as public toilets, mobile pay agencies, and pedestrian lands and streets).

Discrimination in these places mainly involve teasing, laughing at, being looked down and disrespectfully treated, and excluded due to their gender identity and expression ; and sexual orientations such as being in a same-sex relationship

3.1.10 Religion or Belief Sector

In the religion or belief sector, the forum found that only around 15% of the respondents had experienced discrimination or violence and that the other 72% had no such experience.

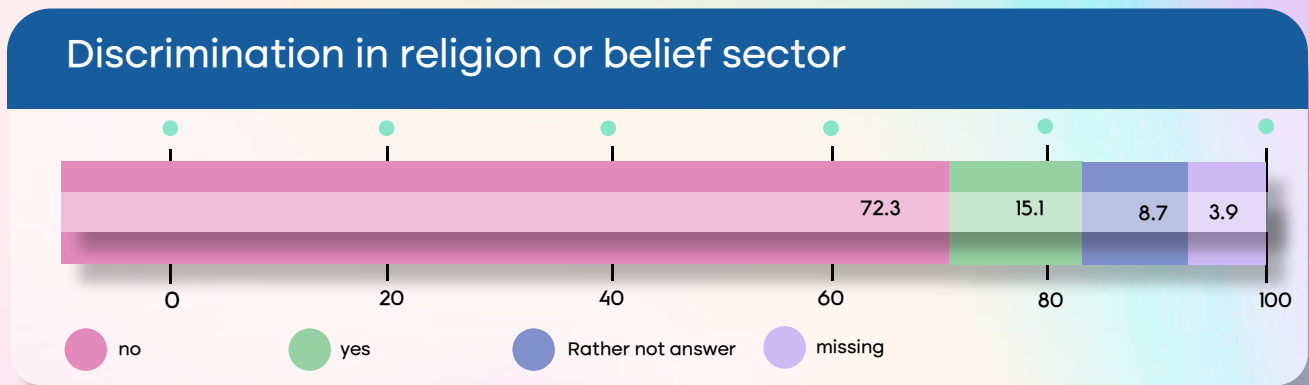


Figure 3.18 Discrimination in post-coup religion or belief sector

Mostly, incidents of these discriminations involved where the participants are not allowed to enter religious buildings and places of worship; and being laughed at and ridiculed even if they were allowed to enter. Most respondents with such experiences of religious discrimination are found to be Buddhists.

3.1.11 Digital, News and Media Sector

Only 11% of the respondents mentioned having experienced discrimination in the digital, news, and media sector. The other 74.8% have not experienced as such.

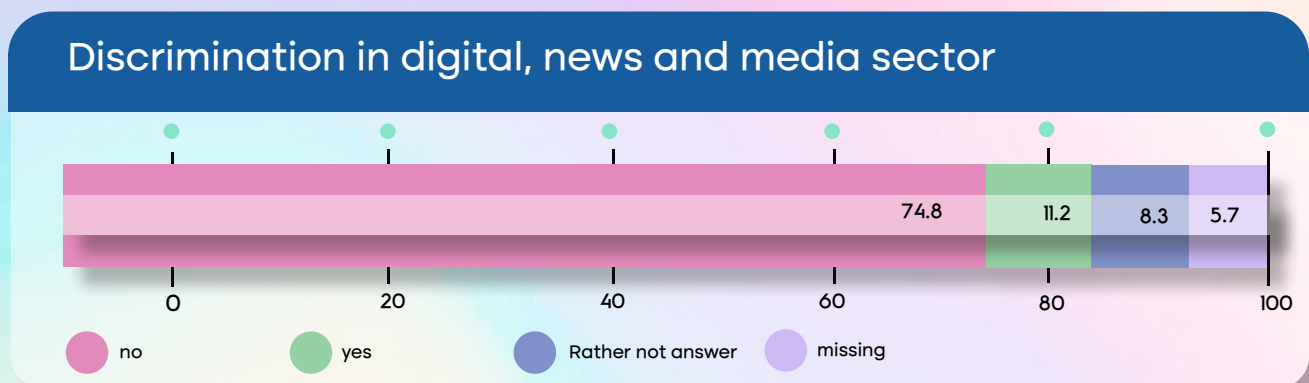


Figure 3.19 Discrimination in the post-coup digital, news, and media sector.

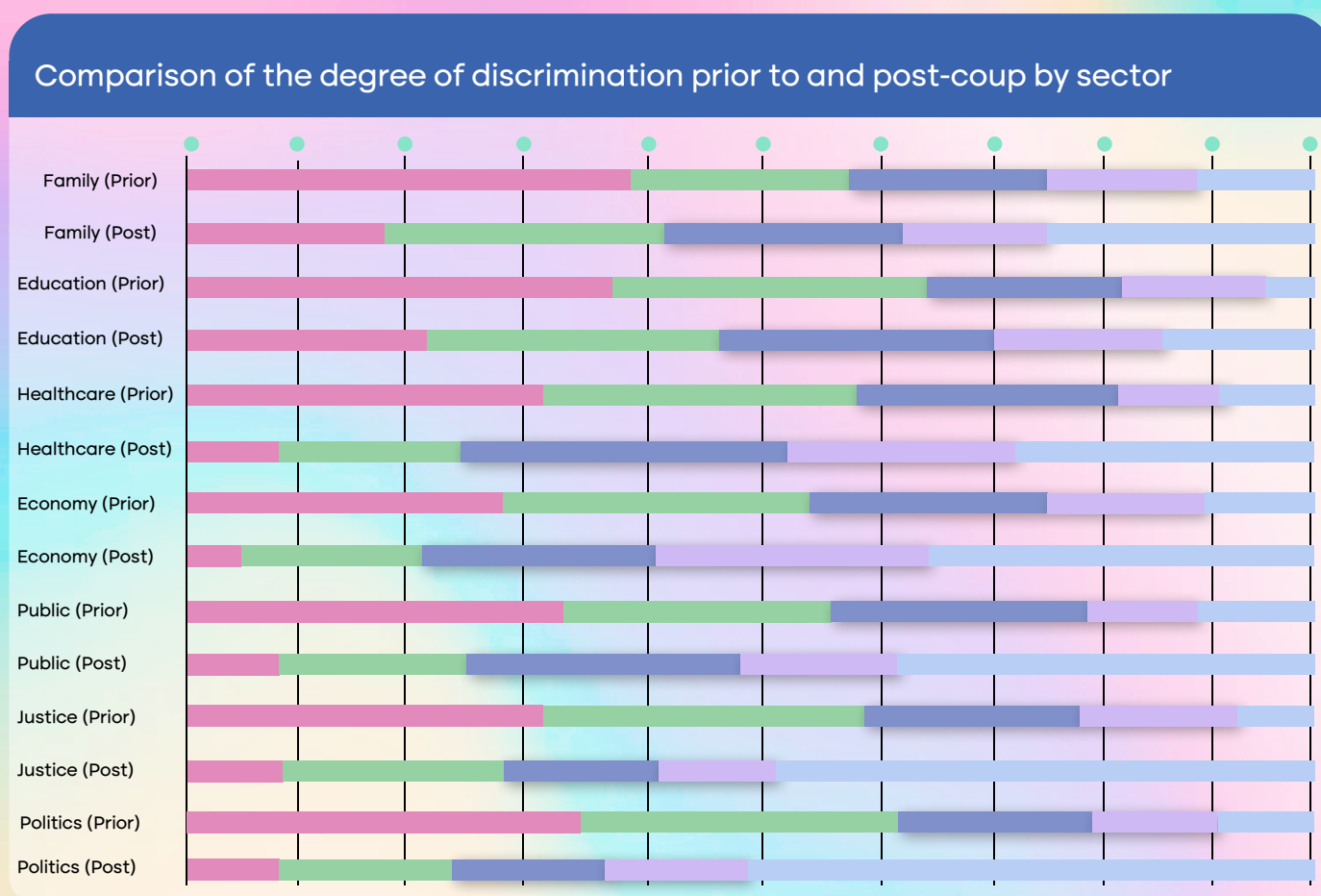
Discrimination in the post-coup digital, news, and media sector mainly involved arbitrary arrests , threatening , and firing from jobs due to sharing and posting political posts online and on social media platforms; and threatening on the respondents' safety and security because other people posted on social media pictures of them demonstrating or protesting ; mobile connection and internet shutdown in the respondents' areas ; and lack of privacy and digital freedom due to checking and searching of VPN applications on their personal devices . In some cases, the respondents also mentioned online and cyber-bullying based on their sexual orientation and gender identity.

3.1.12 Comparison of the degrees of human rights violations against LGBTQIA prior to and post-coup

1. Degree of discrimination prior to and post-coup by sector

The forum asked the respondents to rate the degree of discrimination prior to and post-coup by sector, using a scale of 5: 1 is 'no discrimination at all', 2 being 'averagely no discrimination', 3 being 'only a few discrimination', 4 being 'some discrimination' and 5 being 'many and multiple discrimination'.

The forum received the following responses.



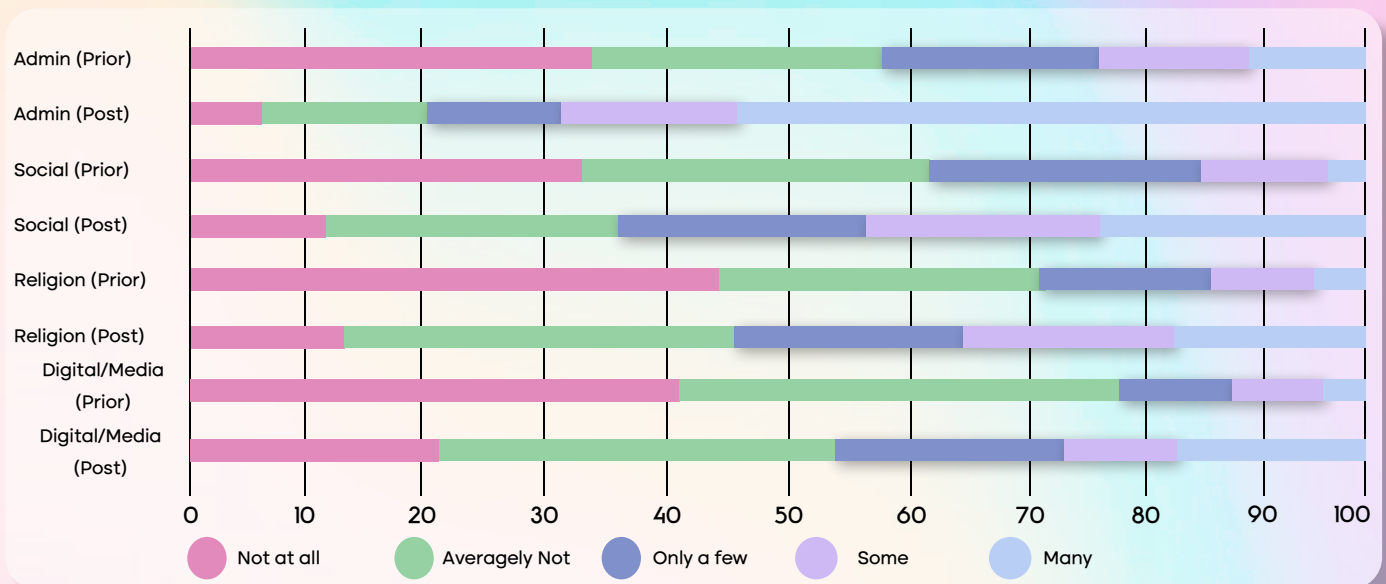


Figure 3.20 Comparison of the degree of discrimination prior to and the post-coup by sector

A comparison of the degrees of discrimination shows that discrimination against LGBT-QIAs had significantly increased in most sectors after the coup.

2. Sectors with most LGBTQIA-discrimination post-coup

When comparing by sector, post-coup LGBTQIA-discrimination increased the most in sectors such as political, economic, administrative, justice, and public sectors, followed by other sectors such as healthcare, social, family, religion, education, and media.

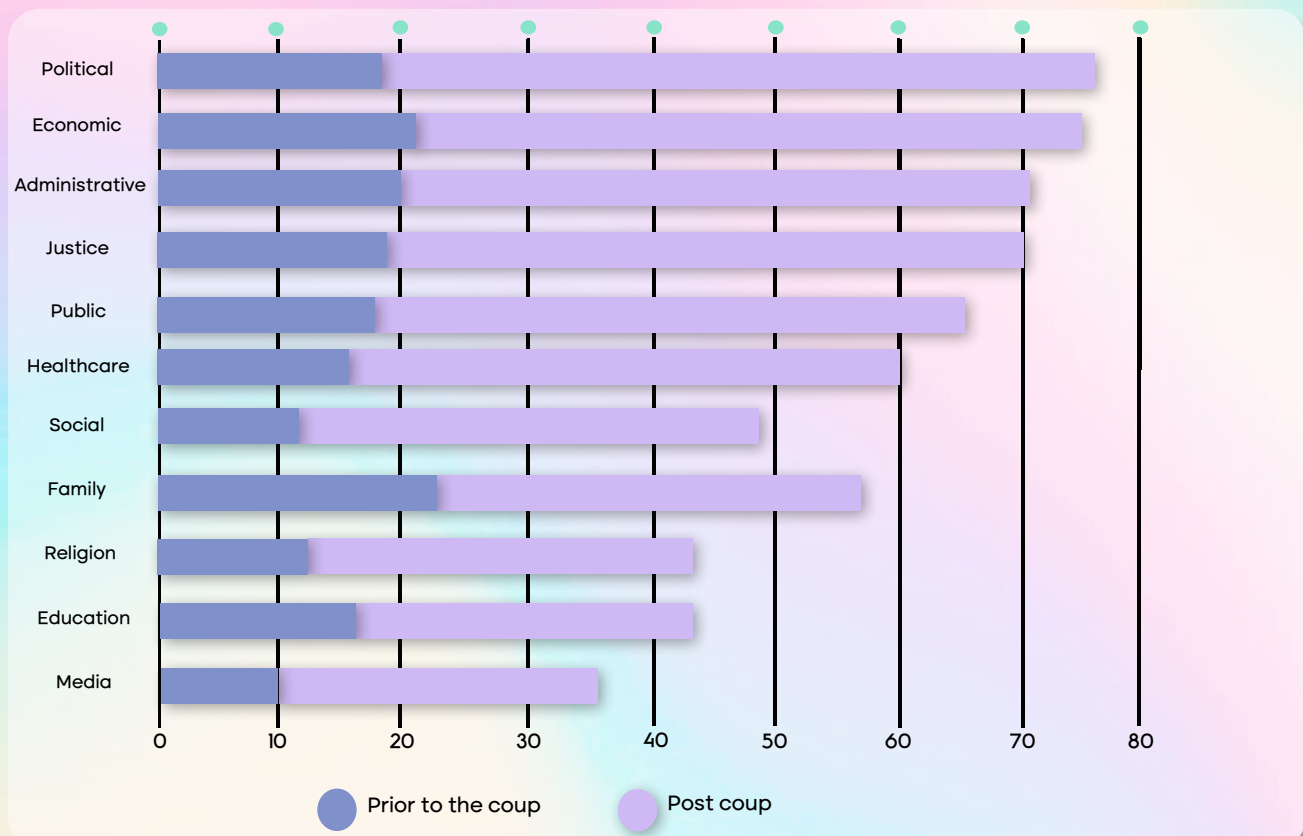


Figure 3.21 Comparison of increased post-coup LGBTQIA-discrimination by sector

3.2 Interview Findings

3.2.1 Cases of Gross Violations of Human Rights (GVHR)

The forum documented a total of 67 cases involving the gross violation of human rights (GVHR) out of 210 data cases collected during Phase-I of the study. This amounts to 32% of all the respondents.

The forum found that GVHR cases are occurring the most in Monywa and Shwebo townships of Sagaing region, and Pakokku township of Magway region. Cross-analysis of the geographical presence of GVHR cases showed that they are occurring more in the rural areas such as downtowns and villages when compared to urban cities. Comparison of GVHR cases per each state/region show that LGBTQIAs from conflict-affected regions such as Sagaing and Magway experience GVHR cases more than LGBTQIAs from states and regions with less active conflicts.

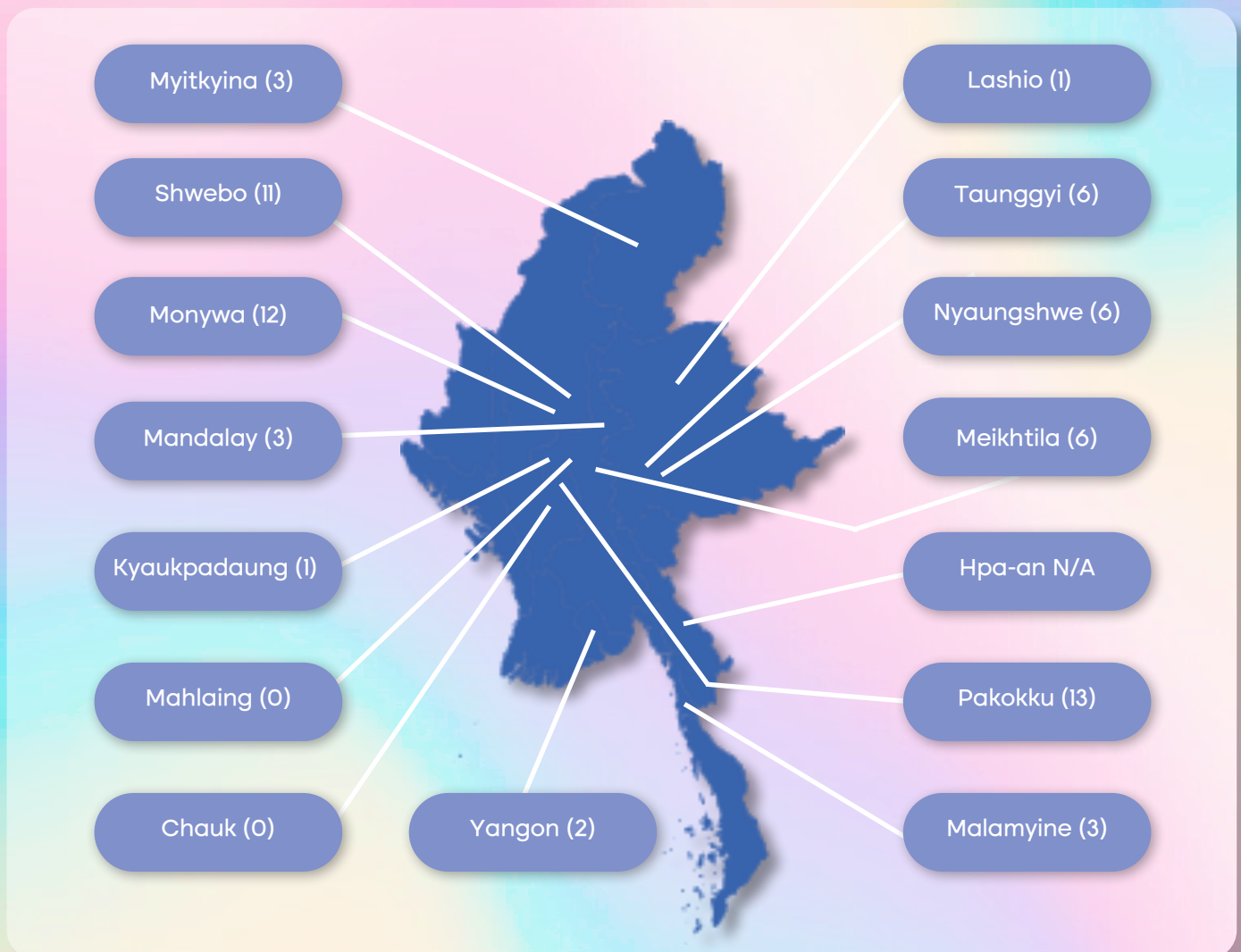


Figure 3.22 Map of the occurrence of GVHR cases by state/region

The forum observed that these 67 GVHR cases mainly consisted of the following types of violations:

- Extrajudicial killings ^{CXXII}
- Torture, and other cruel, inhumane, or degrading treatment or/and punishment ^{CXXIII}
- Rape ^{CXXIV}
- Other sexual abuses and violence ^{CXXV}
- Confiscation and/or destructions of properties ^{CXXVI}
- Arbitrary arrests ^{CXXVII}
- Illegal taxation or extortions ^{CXXVIII}

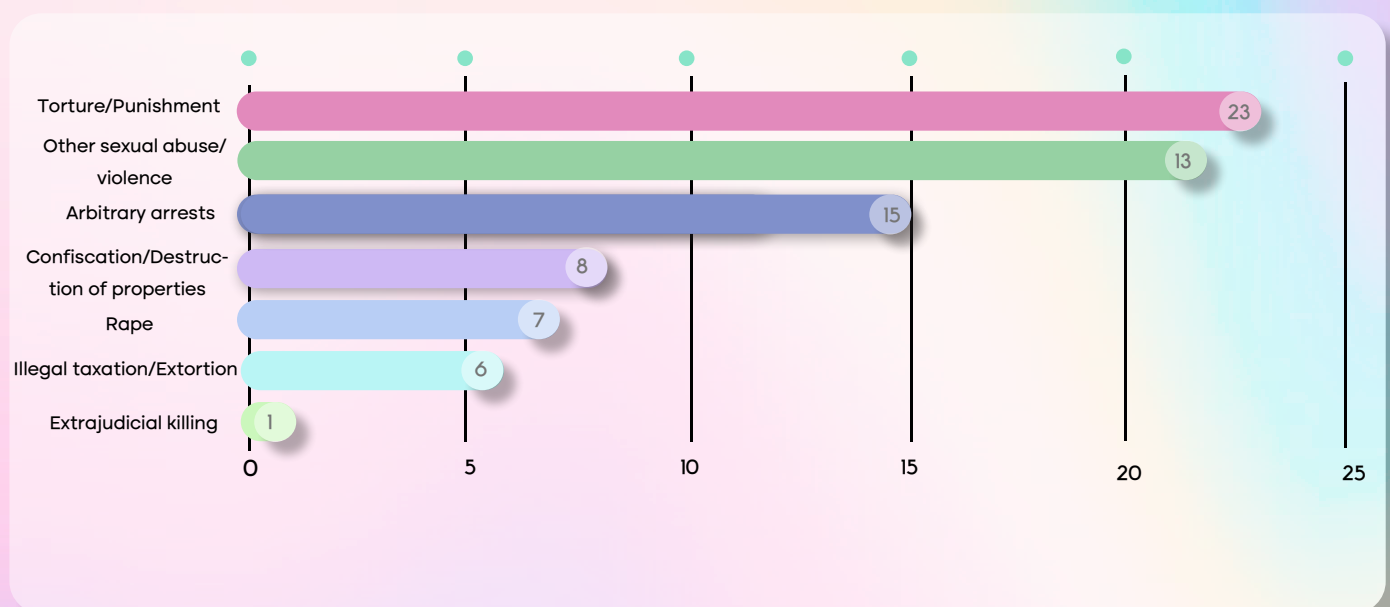


Figure 3.23 Number of GVHR cases by type

During Phase-2 of the study, a total of 32 cases were selected out of 67 GVHR cases for in-depth qualitative interviews based on the interviewees' informed consent, their safety and security, ability to communicate and participate in the interview, and reliability of testimonies and evidence.

Among these 32 qualitative cases, the forum interviewed 1 case of extrajudicial killing; 7 cases of torture, inhumane and degrading treatment, and punishment; 6 rape cases; 3 cases of other sexual violence; 2 cases of illegal taxation/extortion; 6 cases of destruction of properties; and 16 cases of arbitrary arrests. Some interviewees have experienced more than one type of GVHRs.

1. Extrajudicial killing

LGBTQIAs are also victims of the military's extrajudicial killings. According to AAPP's data, a 37-years-old transgender woman named "Thaw Thaw" from Kyaukpadaung township of Mandalay region was recorded as the first casualty of Myanmar military's extrajudicial killing.

In reality, since many LGBTQIAs do not disclose openly about their sexual orientations or gender identities due to existing stigma in Myanmar's society, the actual number of LGBTQIA victims of extrajudicial killings is unpredictable and is estimated to be larger in figure.

In this research, despite the forum's inability to cover a large scope of study geographically, the forum learnt another case of extrajudicial killing of who seems to have been a young LGBTQIA woman from Meikhtila township.

Although the military's soldiers did not specifically target to extrajudicially kill LGBTQIAs, most deaths have been direct results of the military's shootings involving political conflicts, and security measures.

The forum studied the case of this young woman from Meikhtila township accordingly.

Sophia (pseudonym) was a Muslim resident to Meikhtila township, and she was a Grade-7 student. Sophia was making friends more with other young girls than boys at her school, and showed a little interest in other young girls, she had not disclosed about her sexual orientation to her parents. According to one of her friends , Sophia was going through her stage of 'questioning' her sexual orientation.

"On 10:57 A.M on March 27,2021, she was sitting in our yard... Then came a group of protestors near our house.... Then the police threw gas bombs and shot guns at the protestors to disperse them.... They began recklessly shooting at the residents' houses... One of the bullets penetrated our wall to which Sophia as leaning against... Sophia was shot in her back, sustained a severe bullet wound and she died on the spot..."

LHRI0807 A (undisclosed) close relative of a victim



2. Torture or other cruel, inhumane, or degrading treatment or punishment

LGBTQIAs are tortured and are subjected to other cruel, inhumane, or degrading treatment or punishment either at the local security checkpoints, or during arrests, detentions, and interrogations. An in-depth analysis of 20 quantitative cases from Phase-I and 8 qualitative cases from Phase-2 of this study shows that these torture and cruel treatments were used as a tool to instill fear and force the victims to admit guilty of the accused offenses. In the process, the victims are beaten on their faces and bodies; they are left under the hot sun for a prolonged period; they are stripped naked and spattered with ice water; pouring and dripping hot candle wax over the victims' bodies; pulling of hair; and severe bodily harm such as beating the victims until they lose their teeth, etc.

Among such 20 cases, the forum conducted in-depth case studies and received testimonies from the survivors of Yangon, Monywa, Mandalay, Pakokku, and Nyaungshwe townships. Two of them have been highlighted in this report.

Pyae Pyae (pseudonym) is a 20-years-old gay man living in xx street, Painnekone quarter, Innsein township of Yangon.

Pyae used to work for an online shopping business and is currently unemployed after having to leave the job following the economic crisis.

Pyae was one of the active anti-military protestors and he was arrested around 5:30 P.M on October 23, 2021. He was sent to investigation center shortly after. Pyae was under 18 and only a juvenile at the time of arrest.

"As far as I remember, the perpetrator is Captain Htin Aung Kyaw, he's between 40-50 years... And he's a part of the investigation team. They asked me to take my shirt off, and lay and prone on the ground. They pulled my hair. They squeezed my chests. And they poured and dripped hot candle wax on my skin and my body I remember I was one of the many arrestees, who were arrested with political case too.

They seized and confiscated my home. My family had to go back to the village. And I was sent to so-called the 'Youth Detention Center' for one year.

I was also tortured and beaten at the center. Sometimes, they refused to give me any food or water. Torture and beating were worse when the center head and staff are drunk.

If they were in bad mood, they would feed us spoiled food.

They would also take away the stuffs that my family sent me.

I had bruises and ecchymosis because of their beating.

It also rekindled my heart problem. I couldn't do any heavy tasks anymore.

I remember being yelled at and harassed sexually by the co-center coordinator named 'Lwin Moe Hein'. Head of Bago department named 'Wai Phyo Maung' was one of the torturers too. He would come around at 9 P.M. to the center at night for roll call and then forced us to assume a 'Ponsan' position."

LHRII501 Gay, Yangon



The second case was from Monywa township of Sagaing region.

Yee Gyi (pseudonym) is a 27-years-old gay with feminine gender expression. They live near a shopping center on Ohm Chan Yat Kannar road, Monywa township of Sagaing region. Yee Gyi is currently unemployed but a home-keeper at a house where they live together with their partner Ko Lin.

Yee Gyi shared about their experience of arbitrary arrest and sexual violence by the military SAC and police as below.

"The perpetrators are the members of the police force from No.1 Police Station located near Mya Sandar Cinema and Bogyoke Statue, on Kyay Yote road of Monywa township; and the military soldiers.

Around 9:35 A.M. on July 24 of 2022, I was sitting in front of my house after coming back from the protest. Six un-uniformed police arrived at my house on three motorbikes. Without giving me any reasons but only saying they needed to ask me something, they handcuffed my hands behind my back. I was then taken to Monywa townhall investigation center. There, they beat me in my face, and my abdomen. It was so excruciatingly painful to the point where I couldn't even breathe properly for a month without feeling the abdominal pain. And my face was totally unrecognizable with swellings, bruises and cuts. I still have some scars", said Ye Gyi showing the marks on their forehead and chin.

They continued,

"And then, I was beaten nearly to death as they were showing me this photo on the phone and asking if it was me, and shouting at me with curse words.

*From the point of detention, and the investigation and to the prison, I was beaten and punched everywhere all along. They also forced us to **sit in 'ponsan' position.***

*While I was assuming a ponsan position, **they would rip my clothes off, touch my breasts and buttocks, and rape me.**"*

*Being a transgender woman in prison, I was taken advantage of sexually. They unzipped their pants, and **I was forced to suck their penises and sexually entertain them.** If I said 'I don't want to', I would be beaten. It was so sickening.*

When forcing me to do 'ponsan' position, they would also ask me to maintain a cow pose on my hands and legs, and then they would stick a baton into my anus and slapped my butt-cheek with it. And they wouldn't let me scream.

If I did, they would say, 'Oh, so you don't like this, but you like something else going in it, huh?'.

(To be continued below)

LHRI0902 Gay, Monywa township





The following cases also involved this type of GVHR:

Case No. LHRI0601 a 21-year-old bisexual man from Mandalay township. Around 11 A.M on April 22 of 2022, the military soldiers in their trucks arrived in front of his house. They raided the apartment right above his in the same building to arrest members of the Students' Union. The soldiers and police then raided their apartment too where **he was punched in his face and beaten. In the incident, he lost one of his teeth.** And the soldiers took away and confiscated his gold jewelry, along with some of his cash and the piggy bank where he saved his folded bank notes.

Case No. LHRI0901 a 31-year-old transgender woman from Monywa township. She was arrested in November 2021. During the investigation at the townhall, she was severely beaten and tortured. She was also **forced to strip naked and kneel on the sand and yell "I am a man" in front of all the other people.** And **her pictures were taken and circulated on social media** with a caption saying 'Thin Zar Wint Kyaw 2.0' to **embarrass her.**

Case No. LHR11101 a 27-year-old gay from Pakokku township. He was arrested

around 8:30 P.M. on March 29, 2021, while being stopped and checked by a group of 30 military soldiers and patrol police. **He was beaten, punched, and kicked with military boots.** Without listening to any of his explanations, the perpetrators took him to the Pakokku Police Station. He was then charged, forced to admit guilt, and imprisoned for 5 months.

Case No. LHRII502 a 19-year-old gay from Yangon City. He was arrested at the Waibargi Police Station around 12:43 P.M. on February 23, 2023. **He was beaten with an iron stick until he couldn't walk anymore. During his 2-days detention, he was subjected to other tortures including electric shock.**

Case No. LHRII202 a 25-year-old transgender woman from Nyaungshwe township. Around 9:28 P.M. on August 21, 2021, she was stopped at the entrance gate of the town by military soldiers and police. While checking her phone, they found some old pictures of her participating in the protests. **She was heavily beaten with the police batons.** These in-depth studies prove that the military is systematically and deliberately employing the tactics of torture and inhumane treatment and punishment not only during the investigations, and inside prisons but also out in the open society to rule the people with fear.

3. Rape

According to both quantitative and qualitative cases, some GVHR cases involve rapes which are mainly associated with power abuse, and torture. Rape is being used as a weapon of torture against people, including LGBTQIA persons.

Among the 7 rape cases studied, perpetrators have committed their crimes both individually and in gang groups. The forum collected testimonies of survivors of rape from Monywa, Pakokku, Lashio, and Nyaungshwe township.

Not only Yee Gyi faced inhumane tortures, they were also subjected to rape and other sexual violence during the investigations.

"I was also raped. Sometimes, they come alone. And sometimes, in gang.

As far as I remember, I was raped more than 5-6 times just during the interrogation. After that I was charged and prosecuted. And I was sent to the prison of No.1 Police Station.

I was there for over 2 months. I was brutally tortured by the SAC soldiers during the

detention too. They would call me names, 'A-Chauk (faggot)' and sorts.

They beat me and raped me.

It was worse during night times when they were drunk. The abuses just kept on going and it was very horrifying to the point where I felt scared and afraid of the dark, not wanting the sun to go down worrying if someone might come and torture me. And then of course in the middle of my horror, they appeared again.

That time in a group of 2-3. They strangled me and raped me.

They used force so I couldn't resist. And as I still feel sad just telling you about all this now.

I even thought about committing suicide multiple times."

"After detention, I was sentenced to prison. Of course the similar hell awaited me.

They forced me to masturbate them, suck their penises. All unspeakable things.

Prison staffs, inmates were also among the perpetrators, besides the SAC soldiers and police. I was sexually abused like as if I was their prey. I don't want to think about it ever again.

I have been released but with these horrible memories, I just feel like a bird with a chain on its feet. I don't feel FREE."

Yee Gyi mentioned that although they had been set free, their experiences of sexual abuse and painful memories from the prison still haunted them to this day and had a severe psychological and emotional toll on them; and that they were still trying their best to reintegrate into the society.

LHRI0902 Gay, Monywa township

Dee Dee (LHRI0903), a transgender woman from Monywa, was also one of the arrestees and detainees at Monywa prison just like Yee Gyi, and she had faced similar individual and gang rapes, sexual abuses and violence.

Dee Dee was arrested earlier than Yee Gyi, and was sent to Monywa interrogation center. Dee Dee was arrested around 12:52 P.M. on June 25, 2021 by soldiers and police in civilian uniforms while she was sitting at the Monywa river bay.

"The perpetrators were the SAC soldiers and the police from No.1 Police. Station; and the prison staffs from Monywa prison.

After the arrest, I was in a detention for 3 months. I was raped there

They forced me to suck their penises. And slapped my face while I was satisfying them...

It was worse during the night times

My friends who were detained together with me were also raped.

I could hear people screaming from other cells where they were being tortured.

It was a literal hell.

We were given only 3 minutes to shower. We could not pee or poop we had to hold it in. We were under different kinds of torture

We couldn't see our family. We couldn't seek medical attention when sick.

And I was in that hell for 1 year and 3 months.

And likewise in prison. I was raped there

They forced me to stay still while they were raping me.

They penetrated my mouth with their penises, forcing me to do deep throat so many times to the point where I couldn't even swallow food anymore and vomit.

They forced me to pose a cow position and penetrated me from behind.

My anus ruptured and bled. And they wouldn't stop. They keep doing it while I was bleeding there. And they threatened me, saying,

'Stay still or else you're going to get into a bigger trouble, you bitch'

LHRI0903 transgender woman, Monywa township



The forum also found that SAC soldiers, police, and prison staffs were not the only perpetrators on the list. Pyu-saw-htee members also committed acts of sexual violence and sexual abuse, just like in the case of a transgender woman from Pakokku township of Magway region.

Wah Wah (pseudonym) is a 24-years-old transgender woman living in No.XX, Dhammaryone street, XX quarter, Pakokku township of Magway region.

Wah Wah works as a make-up and beauty artist.

One day, while Wah Wah was visiting Shwe Tann Tit village around 8:20 P.M., trying to date with a man, she was brought to the quiet northern part of the village where three other men awaited them. As she approached, she remembered that these men were notoriously known to be pro-military Pyusawhtee members. Although Wah Wah wanted to leave the place, she was threatened and forced to stay where the three men tied her up with a rope and raped her.

"The perpetrators were a total of four men, including him. Middle-aged.

They tied me up first, and then beat me. I noticed they were wearing thick boots, like the military's as they kicked me.

And then they raped me all the way they wanted since I was tied up and couldn't move.

And then they threatened to kill me if I spoke about this to anyone

And then after they were done, they just left me tied up there

At around 8 A.M the next morning, I saw a man passing by on his bike and I shouted for help. He helped me untie and from there I had to walked home alone."

LHR1102 transgender woman, Pakokku township



Rape was also involved as a type of GVHR for the following cases.

Case No. LHRI0401 a 33-year-old transgender woman from Lashio township. While she was walking one day, she was stopped by SAC soldiers, and forced her to come together with them to the police station without letting her say anything. On the way to the police station, **she was raped and then released.**

Case No. LHRI0904 a 27-year-old transgender woman from Monywa township. At past 4 P.M on August 11 of 2022, she was passing in front of an Economic bank. She was stopped and checked by the SAC soldiers. Swiftly, **she was taken to the nearby sand site where she was forced to such their penises and raped. The soldiers then fingered her anus with the sand, followed by their repetitive rapes.** She was released at around 2 A.M. the next morning.

Case No. LHRI1201 a 23-year-old transgender woman from Nyaungshwe township. When she was going to the local police station to bail her arrested transgender women friends, **the police abused their power and blackmailed her, asking sex as a payment for the release of her friends. She was raped and suffered from anal bleeding.** (Detailed testimony below)

4. Other sexual violence and abuses

According to 22 quantitative cases, some LGBTQIAs are still subjected to sexual violence that does not constitute as rape. Most cases involved acts of sexual harassment, sexual exploitation and non-consensual sexual advancements where the survivors were forced to show their body parts; got their breasts and buttocks touched; and penetrating their anal organs with objects ect.

Among such cases, the forum collected in-depth testimonies from survivors of Shwebo, Nyaungshwe and Mandalay township during Phase-2 of the study.

Lin Lin (pseudonym) is a 23-year-old transgender woman living in Nyaung Shwe township of Southern Shan State.

Having a feminine gender expression, discrimination has touched Lin Lin's life since her childhood within her family and in the school where she learned.

Lin Lin was one of the victims who lost their jobs amidst the cutting down of human

resources by most corporate businesses and employers following the economic crisis after the military coup. Lin Lin has only sustained a high school education with no college or university degree, making it extremely challenging for her to apply for new jobs. In one case, Lin Lin was physically harassed by the government staff while she was at a local police station and township administration department to obtain a recommendation letter to apply for a new job. *"They touched my chest and butt. It was disgusting and embarrassing"*, said Lin Lin.

One day, Lin Lin was informed that one of her friends who participated in the protest had been arbitrarily arrested by the police. Lin Lin shared her experience of *sexual exploitation and power abuse by the police* accordingly.

"We actively participated in the anti-military protests. Back then, situations were very terrible because of the police crackdowns and arrests of the protestors. Unfortunately, one of my friends got arrested and while I was going to the police station to mediate the situation and bail her out, the police looked at me top to bottom and straight to my face, they asked me to sleep with them for one day to free my friend."

"Back then, the local prison, Taung Lay Lone prison, was very notorious like Insein prison, for inhumane treatments and tortures against the prisoners. If a group of protestors get arrested, they would kill and cut open the chest of one of the members and make the rest of the prisoners watch until they finally admit guilty. They would twist and pluck out the prisoners' nails with pliers. And I thought to myself, 'every life is worth saving; and in this case, my friend'...

So, I finally had to give what they wanted."

"And this incident was happened around 2:15 P.M on March 20, 2021. I don't know the exact age of the perpetrators but they're probably over 35 or something. They are from Nyaungshwe police station", she added.

"When they were having intercourse, they used not only their genitals but also their fingers, and sticks. I had anal bleeding because of that."

LHRII201 transgender woman, Nyaungshwe township



A transgender woman from Shwebo township also testified to the forum accordingly

Naing Naing (pseudonym) is a 31-years-old transgender woman. She lives in Kyaukmyaung township, Shwebo district of Sagaing region. She is a self-employed woman. "When I was crossing the Yadanar Theinga bridge from Kyaukmyaung to Sintgu, there was a security checkpoint at the entrance of the bridge. The checkpoint was occupied by SAC soldiers, and un-uniformed Pyusawhtee members. And as I was crossing the bridge at around 1 P.M. on October 17, 2022, I was stopped and checked by them. And then since I was a trans and had the figure of a woman, they began touching and squeezing my chests and butts. They were nagging me without letting me go. And then they asked me to come along with them to the tent behind and I was sexually harassed in there."

LHRII304 transgender woman, Shwebo township



Sexual harassment was also involved in another case from Mandalay.

Case No. LHRI0502 a 28-year-old pansexual transgender man from Mandalay. Around 2:46 P.M. on December 27, 2022, while he was traveling to Myingyan township, he was stopped and checked at the security checkpoint at the entrance of the town. Since he had already had his top surgery and looked too suspicious to be reckoned as a woman as shown in his ID card which described him as a 'female'; **the police thoroughly touched and examined his chest and asked him to unzip his pants and show his genitals to prove that he has a female body.**

5. Confiscations and destructions of properties

According to qualitative cases, a total of 8 cases involved confiscations and destruction of properties. For the respondents of this study, this type of GVHR mainly involved being extorted of their money, or other valuable belongings including gold and jewelry by the members of the security forces including SAC soldiers and police; and in some cases, even burning down of the survivors' houses in an arson.

During phase-2, the forum collected testimonies for these GVHR cases from the survivors from Kaukpadaung, Monywa, Shwebo and Mandalay.

Hnin Hnin (pseudonym) is a 41-years-old transgender woman residing in Monywa township of conflict-affected Sagaing region. She works for a local civil society organization.

Ever since she was young, she has never been estranged to discrimination from education to healthcare services. After the coup, there was less developmental projects for the community due to security reasons, and her low-paying volunteer works could no longer help her make ends meet.

Hnin Hnin mentioned that it was becoming more difficult to work for her community since she was being threatened with life endangerment at the justice departments.

Hnin Hnin shared about her experience of getting her properties destroyed by pro-military supporters accordingly.

*"At midnight on January 8th of 2022, a group of pro-military supporters came to our ward along with the ward administrators and set our house on fire. They didn't let us cross to the other streets, or other wards. **They forced us to open our gates.***

And then they went into our house, took ten packets of rice each weighing 48 kg.

And they took one TECNO mobile phone, one 2020 model ACER laptop, and some cash.

We couldn't stop them, and we dared not since they were armed, they just took them away in plain sight. All of our savings were gone.

And then they torched our house on fire to which we had to stand and watch and do absolutely nothing since they did not let us extinguish the fire."

"And where are we supposed to go and report this, since so-called justice keepers are the perpetrators themselves."

LHRI0905 transgender woman, Monywa township



The forum also received a testimony about a similar case from a survivor in Shwebo township.

Nini (pseudonym) is a 28-year-old transgender woman, a resident of Shwebo township.

Nini has attained a high school education and is currently self-employed, working at her beauty salon.

Shwebo is one of the townships in the Sagaing region, which has seen powerful resistance against the military coup and has faced suppression by the military operations. The military regime has burnt down hundreds of villages around Shwebo township, displacing many civilians.

Undeniably, Nini herself is also one of those displaced persons. The military light infantry has torched her home, among many others, twice for her active participation in the anti-military local resistance.

She shared her experience accordingly.

"All of my savings that I've saved up for years and years are all gone in a flash. All the supplies I've stocked up for my salon have burnt into ashes. I lost my concrete building during the first arson. Back then, I had to run away, flee, and go into hiding because of all the worrying situations. After a while, things settled down a bit and then I came back to my home and built a tent to live in, only to be burnt down again the second time. I lost all my belongings to the fire again, even my rice cooker and kitchen wares. I couldn't save anything from both fires. Now, I am homeless, and with the situation still heated, I am living and hiding in the forest with others. I cannot work. My life is in the dark, my future is ruined."

LHRII305 transgender woman, Shwebo township



The forum also collected the following testimonies which involved this type of GVHR.

Case No. LHRI0301 a 29-year-old gay man from Kyaukpadaung township. When the SAC members and police raided his home, searching for him, they broke his wardrobe and dressers and took away his jewelries and some cash as they did not find him at his house.

Case No. LHRI1301 a 28-year-old transgender woman from Shwebo township. Around 11:30 A.M. on 2022 March 26, the military SAC launched an air strike against Ywarthar village of Khin Oo township in Sagaing with heavy artillery. Her home was one of many houses that were burned down and destroyed.

Case No. LHRI1303 a 28-year-old transgender woman from Shwebo township. Around 4:15 P.M. on 2022 March 10, the military SAC launched an air strike against Kyisu village of Ye Oo township in Sagaing. Her home was one of many houses burnt down and destroyed.

Case No. LHRI0601 a 21-year-old bisexual man from Mandalay township. (Aforementioned case) His gold jewelries, cash and piggy bank were confiscated during raiding and arrest.

6. Arbitrary arrests

LGBTQIA persons are also among many people being arrested arbitrarily in Myanmar. According to AAPP, a total of 15 people were recorded as LGBTQIAs among people arrested up to March 2023.

In practice, since there can be people who have not disclosed openly about their SOGI-ESC, the actual number of LGBTQIAs being arbitrarily arrested can be bigger.

In this study alone, the forum could record a total of 22 cases of LGBTQIAs being arbitrarily arrested (but most of them have been released). During hase-2, the forum studied cases of LGBTQIA arbitrary arrests from Pakokku, Taunggyi, Monywa, Myitkyina, Mahlaing, Mandalay, Mawlamyine, Meikhtila, Monywa, Shwebo and Yangon townships accordingly.

Ye Ye is a 27-years-old transgender woman from Pakokku township of Magway region.

Ye Ye testified her experience of arbitrary arrest as below.

At 8:30 P.M. on 2021 March 28, middle-aged (between 18-35 years old) soldiers and police came to shop where Ye Ye was working, looking for her brother. When they asked and her brother was not present, Ye Ye and two other employees were taken and arrested instead. They were sent to interrogation unit shortly after.

Sine Ye Ye has a transitioned body of a woman; she was asked to lift her shirt and show her breasts. The soldiers and police then laughed at her, saying 'You want to get fucked in the ass? Tell us where your brother is'. She was beaten and kicked while being asked.

"They punched me in my face... Beat me with a stick...At least 7 of them... They take turns to torture me... The two employees arrested together with me were released after bribing them 10 lakhs of money. And since I couldn't afford that amount, I was charged with 505 (A), and (C) , and was imprisoned for 8 months. I was released on pardon afterwards."

LHRII03 Transgender woman, Pakokku township



Ko Phyo (pseudonym) is a 36-years-old gay. He lives in XX street, XX quarter, Taunggyi township of Southern Shan State.

Ko Phyo is a post-graduate and is self-employed currently.

Ko Phyo shared about his experience of arbitrary arrest and torture by the SAC soldiers and police while participating in the anti-coup protest.

"It was around noon on 2021 March 3rd . I was arrested when protesting near Nilar Yoma Gas Pump. When I was arrested, they beat me with a thick wooden stick, about 4 feet long.

I remember them saying, 'Tell us the truth, you son of a bitch, or else you are going to die' as I was being beaten heavily. And then I was taken to No.1 Taunggyi Police Station. They were sending me back and forth to the interrogation room and the detention cell. I was under severe torture during investigation for about 3 days.

On MRTV , my picture of the news depicting that I was found with explosives and arrested for arson. My whole face was swollen from all the beating.

They won't even let us drink any water during the investigation. I could have food and water only when I was sent to Taung Lay Lone prison. They confiscated everything, my jacket, my phone, and my eyeglasses. They didn't let me wear eyeglass.

I was charged with 505(A) and sentenced to prison. I was sent to Taung Lay Lone prison.

In the prison, I was also verbally abused and threatened.

'You better behave or I will have my man gang rape you', like that. I was always mistreated and bullied for being LGBT. I was released from Taung Lay Lone in November 2022'

CHRII401 Gay, Taunggyi

The forum also studied the following cases involving arbitrary arrests of LGBTQIAs persons.

- Case No. LHRII002 a 34-year-old transgender woman from Myitkyina township. At 12:00 P.M. sharp on 2021 March 4, as soldiers from Northern Regional Military Command Headquarter arrived near Myitkyina University in Sitarpu Quarter to establish base inside the University, they clashed with local police and caused a commotion. While she was standing outside of her beauty salon and watching the commotion, *she was, for no reason, arrested by the police and charged under 505 (D). She was then pardoned and released after 7 months, after signing a legal commitment.*
- Case No. LHRI0502 a 35-year-old transgender woman from Mahlaing township. *She was arrested at around 10:00 A.M on 2021 July 24* when the military arrived at the No,5 quarter she was living in. She was forced to kneel, raise both of her arms and investigated.
- Case No. LHRI0701 a 25-year-old gay from Mawlamyine township. *He was charged under 505 for participating in the CDM, and was arrested around 10 A.M. on 2021 October 23* by the SAC soldiers and police. His phone, laptop were confiscated. When the perpetrators found out that he was gay, he was slapped, beaten and tortured. He was also verbally abused by the perpetrators.
- Case No. LHRI0702 a 36-year-old gender non-binary queer from Mawlamyine township. On 2022 April 10, while they were on a business trip to Zinkyike township, she was involved as a third-party to a fight her friend had with other random strangers. When they were all brought to the police station and as she was trying to mediate the situation for her friend, *she was arbitrarily arrested by the soldiers just because she was the only transgender woman who looked suspicious. She was detained for one whole night*

and was released after bribing the police and prosecutors with 50,000 MMK.

- Case No. LHRI0801 a 22-year-old transgender woman from Meikhtila township. While she was participating in the anti-coup protest along with 'We Love LGBT' Yangon group on 2021 February 27, she was arrested that day at around 11:00 A.M when around 100 police cracked down and dispersed the protest group. She was sent to the investigation shortly after.
- Case No. LHRI0803 a 26-year-old bisexual man from Meikhtila township. He was on the military's wanted list so he was in hiding. One day, a group of 'Dalan' arrived with sticks and swords to a quarter where he was hiding. When these people began lighting firecrackers to cause a commotion, he went outside to have a look. He was then chased and arrested at one corner of a roadblock, along with his friend. He was investigated for 3 days and was imprisoned for one and a half years.
- Case No. LHRI0804 a 28-year-old gay man from Meikhtila township. When he was informed about his friend's arrest in Mandalay township, he traveled to Mandalay and as he arrived at the entrance of the city around 11:00 A.M. on June 12, 2021, a group of police and soldiers captured him, beat him and arrested him.
- Case No. LHRI0901 a 31-year-old transgender woman from. Monywa township. A group of police raided her house on November 12, 2021 and she was arrested and brought to No.2 Police station located in Nandawon quarter. Police officers from that police station beat and tortured her.
- Case No. LHRI1302 a 30-year-old gay man from Shwebo township. He was first arrested for youths suspiciously gathering. And the second arrest was around 5:30 P.M on 2022 September 16 when he was riding a motorbike with one other male friend. They were arrested and brought to No.3 Shwebo Police Station.
- Case No. LHRI1502 an 18-year-old gay man from Yangon township. (Aforementioned case).
- Case No. LHRI0902 a 27-year-old gay man from Monywa township. (Aforementioned case).
- Case No. LHRI0903 a 22-year-old transgender woman from Monywa township. (Aforementioned case).
- Case No. LHRI1101 a 27-year-old gay man from Pakokku township. (Aforementioned case).
- Case No. LHRI0601 a 21-year-old bisexual man from Mandalay. (Aforementioned case).

7. Illegal taxations and extortions

According to quantitative data, LGBTQIAs experienced numerous counts of illegal taxation a.k.a extortion of money in 6 cases; and the perpetrators were mainly SAC soldiers, police and prison authorities.

The forum studied 2 cases from Mawlamyine township for this type of GVHR in Phase-2 as below.

Soe Soe (pseudonym) is a 36-years-old non-binary woman with effeminate gender expression. They live in XX quarter and makes their living by making and selling traditional snacks.

Soe Soe was traveling to Zinkyike township on April 10 of 2022 for a business. When she arrived, her friend was having a fight with random strangers and as she was trying to media the situation, the group was reported to the police and the police brought them all to the station. Soe Soe further testified about her experience of extortion accordingly.

"It was at night around 8 PM, on April 10, 2022, before Water Festival holidays. I was having an appointment with a friend in Zinkyike so I was traveling there.

And as I arrived there, my friend was having a fight with some people.

And then I was trying to intercept and stop them. It didn't work and the case got bigger and we all had to go to the police station to resolve.

And when we arrived at the stations, all the eyes were on me being a transgender woman.

And apparently for no reason, I was handcuffed and arrested in the middle of this.

I heard the police chief saying, 'these nerve-wrecking imbeciles, probably fighting over 'tha-nge'

And then I was put inside a detention cell, I had to stay there for one night. And they said,

"Give us the tea-money 50,000 MMK and we'll let you go with a signed commitment.

Or else, you are going to poke a bigger bear". I had to borrow money from someone at the police station, and give it to them since I didn't have any cash with me. And as I was signing the legal commitment, they threatened, "You whores must not go outside after 8 P.M to find sex partners at night. Or else you all are going to jail".

LHRI0702 Non-binary queer, Mawlamyine township



Case No. LHRI0701 a 25-year-old gay from Mawlamyine township. (Aforementioned case). His parents also had to bribe tens of lakhs of MMK to the police for his release.

3.2.2 Aftermath of the GVHR experiences

When the interviewees were asked whether they had opened up and told someone about their experiences, over half of them mentioned that they had.

Disclosure of their experiences to someone

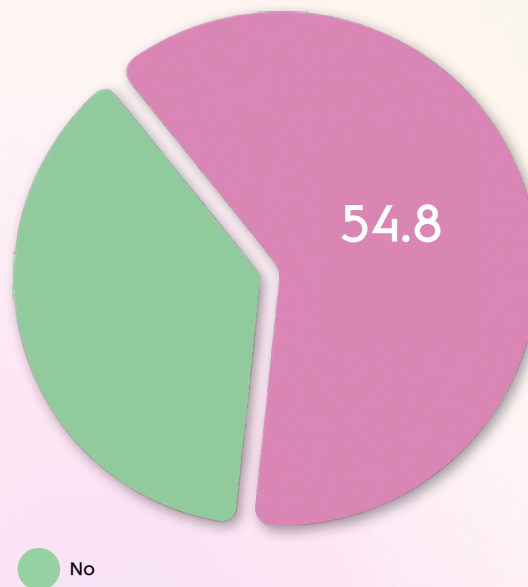


Figure 3.24 Interviewee's status of disclosure about their experiences to some other people

It was found that the interviewees had opened up about their experiences of GVHR mostly to their close friends, their colleagues, brothers/sisters, parents and relatives.

Nearly all (95%) of the respondents, however, did not report their case to the justice authorities to take actions against the perpetrators.

In further questioning the respondents about the reasons behind this, it was found accordingly.

Reasons for not reporting

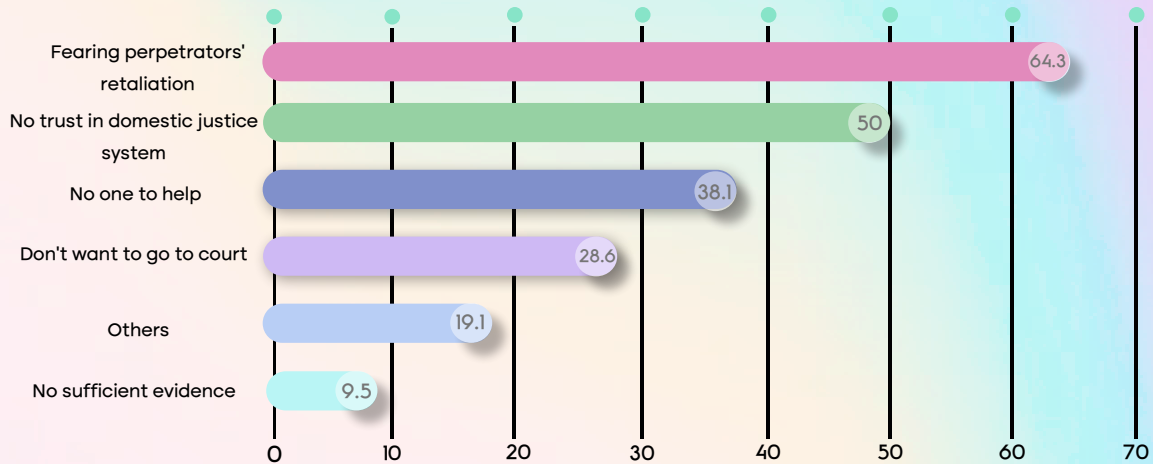


Figure 3.25 Respondents' reasons for not reporting their GVHR case

Interviewed LGBTQIAs did not want to report their GVHR case to the justice authorities for some reasons including fear of revenge and retaliation by the perpetrators during the current state of un-ruling of law inside the country; not having any trust in the country's justice system; no one to help them with case-filing and litigation; and not wanting to go to courts/willingness to avoid litigation.

Other reasons mainly included respondents knowing no actions would be taken against the perpetrators at the hands of the junta's appointed judiciary staff even if they reported; and the sense that litigation might even be riskier for them.

Chapter 4 Conclusion and Recommendations

4.1 Conclusion

This study revealed that political, economic, administrative, justice and public services/ government sector are the sectors with most increased discrimination against LGBTQIAs after the coup.

Furthermore, it was found that 32% of 210 LGBTQIAs studied (67 LGBTQIAs) are victims of gross violations of human rights (GVHR) such as arbitrary arrests; torture and other inhumane, degrading punishment or treatment; rape; other sexual harassment and violence; confiscation and/or destruction of properties; illegal taxation or extortion; and extrajudicial killings. It was also found that GVHR cases are occurring more in the conflict-affected areas such as Sagaing and Magway regions.

In general, rights of LGBTQIAs in Myanmar are largely being infringed and disenfranchised including their right to education, freedom of movement, right to privacy and security, right to property, freedom of assembly and expression, freedom from discrimination, right to equality, freedom from torture, right to equality before the law, freedom from arbitrary arrest and right to fair trials.

In conclusion, the report indicates an urgent need to widely and thoroughly document the human rights violations faced by LGBTQIAs in Myanmar; to establish a practical mechanism to redress the instances of their human rights violations; and to end the impunity of the Myanmar military and to bring the perpetrators to justice.

4.2 Recommendations

4.2.1 Legal Recommendations

Draft and enact a comprehensive Federal Democratic Constitution which includes 'sexual orientation, gender identity, gender expression and sex characteristics' as a protected characteristics from discrimination.

Repeal Penal Code Section 377 to decriminalize consensual same-sex relations and amend Section 375 to criminalize same-sex rapes, and rapes against LGBTQIAs persons. Section 377 must be repealed or at the bare minimum amended to meet Myanmar's international human rights obligations because it violates the non-discrimination principle, the right to equality before the law and equal protection of the law without discrimination, as well as the rights to liberty and security of person and to private life, among other rights, and contributes to the stigmatization and marginalization of LGBTI people. This lends false legitimacy to the anti-LGBTI prejudice common throughout Myanmar's criminal justice system.

To reform vague and discriminatory laws including but not limited to Section 35 of the 1945 Police Act and Section 30 of the 1899 Rangoon Police Act.

The ruling government should review and repeal or reform vaguely provisioned laws that invite discriminatory applications, especially where such laws enable arrests to be made solely based on prejudice, discrimination, etc. on SOGIESC grounds; and police brutality. Specifically, Section 35 of the Police Act 1945, Section 30 of the Rangoon Police Act 1899 (the so-called Shadow laws and Darkness laws) are legal provisions that should be amended or repealed as a matter of priority.

To consult with the civil society actors and stakeholders to ensure that the policy-makers and legislators consider the rights of the people with different sexual orientation, gender identity and expressions and sex characteristics in developing and enacting all forms of domestic legislations.

4.2.2 Stakeholder Recommendations

1. To the National Unity Government of Myanmar (NUG)

Make continuous efforts to gain legitimacy of NUG and ratify core international human rights treaties including ICCPR, CAT, CERD, and Rome Statue. Draft and enact relevant legislations to effectively implement these treaties at the national level.

To fully cooperate with United Nations' bodies and mechanisms, including the special rapporteurs.

Following the abolishment of the 2008 Constitution, draft and enact a comprehensive Federal Democracy Constitution which protects LGBTQIAs in accord with the international human rights standards.

Ensure policies within the ministries of NUG are gender-responsive and gender-inclusive; and cooperate and collaborate with LGBTQIAs civil societies in doing so.

Empower ministerial staffs at different levels with knowledge and awareness on SOGIESC through provisions of trainings either by itself or with the assistance of LGBTQIAs civil society organizations.

2. To the civil society organizations

For both local and international human rights organizations working on Myanmar issues to include issues of LGBTQIA human rights issues in their relevant projects.

For gender organizations to bring meaningful and inclusive gender movement as a whole by not overlooking and by including issues of LGBTQIA rights within their scopes of work.

To consider LGBTQIAs as one of the vulnerable key populations in providing humanitarian and other assistance in Myanmar and promote and ensure their access to these aids and assistances.

To improve Myanmar LGBTQIAs' access to psycho-social supports in and outside of the country.

To include LGBTQIAs people as one of the key populations in the documentation works that would contribute to the transitional justice in Myanmar.

3. To development support partners

Domestic and international development partners should ensure inclusion of LGBTQIA communities in programs and ensure grassroots LGBTQIA organizations have equitable access to technical and financial support.

Community development partners should ensure that LGBTQIA persons are considered and included through established gender quota as key population for engagement; and they, therefore, should be consulted and included in every step of the process and project cycle including from design, implementation, and monitoring and evaluation, to ensure sustainability of their projects, and ensure services delivered by relevant projects are accessible to LGBTQIA persons and organizations.

To provide much-needed technical and financial support for LGBTQIAs organizations in Myanmar especially during these unprecedented times.

To provide civil society organizations working on LGBTQIA issues, including the National Unity Government, necessary supports to end impunity of the Myanmar military and bring the perpetrators to justice through international human rights mechanisms.

4. To international organizations including the United Nations

To actively listen to the voices of the people in Myanmar, and acknowledge their lived experiences of gross violations of human rights; to no longer see the issue of Myanmar as an internal affair, but rather as a threat to democracy all over the world; and therefore, make robust, comprehensive, and undelayedly efforts to bring Myanmar back onto its path of democracy.

To officially recognize the National Unity Government (NUG) as the one and only legitimate government of Myanmar.

Put pressures to end impunity of the Myanmar military and their war crimes and crimes against humanity in Myanmar; and bring perpetrators to justice through international human rights mechanisms.

Increase collaborative efforts to impose meaningful sanctions against the military in order to decrease their perpetuation of human rights crisis.

Annex A Sample survey questionnaire



မြန်မာနိုင်ငံ လိင်စိတ်ကွဲပြားသူများအခွင့်အရေး စောင့်ကြည့်လေ့လာရေး မိရယ်

လိင်စိတ်ကွဲပြားသူ/လိင်ပိုသမီးယူဆော်ပြုမှုကွဲပြားသူ LGBTI များ၏ လူ့အခွင့်အရေးမျိုးဖောက်ခံရမှု အချက်အလက် သုတေသန စစ်တမ်း (၂၀၂၂-၂၀၂၃ ခုနှစ်)

ဒေတာကောက်ယူတစ်ဦးလျှင် LGBT အမည်ရင်း ၁၅ ဦးတို့အား မေးမြန်းပြီး ဒေတာကောက်ယူရန်ဖြစ်သည်။ (စုစုပေါင်း ၂၀၀ ယောက်)

(က) ပြည်နယ်/တိုင်းဒေသကြီး		(င) မေးမြန်းသည့် ရက်စွဲ	
(ခ) မြို့နယ်		(စ) စုန်းနံပါတ် /Signal	
(ဂ) မေးမြန်းသူ ကုန်နံပါတ်		(ဆ) ဘီစီပေါက် (ဖွဲ့ပါက)	
(ဃ) မေးမြန်းသူကုန်နံပါတ်			

မိတ်ဆက်ခြင်း

"မင်္ဂလာပါ။ ကျွန်တော်/ကျွန်မ နာမည်ကတော့_____ ဖြစ်ပါတယ်။ ကျွန်တော်/ကျွန်မက ထိုင်းနိုင်ငံ၊ ချင်းမိုင်မြို့ အခြေစိုက် လိင်စိတ်ကွဲပြားသူများ (LGBTI) အခွင့်အရေးလှုပ်ရှားတဲ့ အဖွဲ့အစည်းတစ်ခုဖြစ်တဲ့ ကံ မြန်မာကနေ ကြိုးပို့တဲ့ LGBTIQ လူ့အခွင့်အရေးမျိုးဖောက်မှုအချက်အလက် စစ်တမ်းကောက်ယူရေး အစီအစဉ်မှာပါဝင်တဲ့ ဒေတာကောက်ယူသူတစ်ဦးဖြစ်ပါတယ်။ ကံမြန်မာအဖွဲ့အစည်းဟာဆိုရင် လက်ရှိမှာ ဘယ် နိုင်ငံရေးပါတီ/တစ်သီးပုဂ္ဂလ လွှတ်တော်ကိုယ်စားလှယ် /အစိုးရနဲ့မှ အကျိုးတူ ပူးပေါင်းဆောင်ရွက်ခြင်းမရှိတဲ့ လွတ်လပ်တဲ့အဖွဲ့အစည်းဖြစ်ပါတယ်။ ဒီကနေ့ ကျွန်တော်/ ကျွန်မတို့ဟာ **တပ်မတော်အာဏာသိမ်းမှုဖြစ်စဉ်နောက်ပိုင်း** (၂၀၂၁ ဖေဖော်ဝါရီ ၁ ရက်နေ့နောက်ပိုင်း) လိင်စိတ်ကွဲပြားသူ LGBTIQ များ ကြုံတွေ့နေရတဲ့ လူ့အခွင့်အရေးမျိုးဖောက်မှု အမျိုးအစားတွေ၊ ပုံစံတွေ၊ ချိုးဖောက်ခံနေရတဲ့ အတိုင်းအတာတွေ တောတွေကို သိရှိနိုင်ဖို့နဲ့ သက်ဆိုင်သူတွေ အသိအမြင်ပွင့်လှာအောင် စည်းရုံးလှုံ့ဆော်ပေးဖို့အတွက် မြေပြင်မှာရှိတဲ့ LGBTIQ တွေနဲ့ တွေ့ဆုံမေးမြန်းပြီး ဒေတာအချက်အလက်ကောက်ယူဖို့ ရောက်ရှိလာရခြင်းဖြစ်ပါတယ်။ ဒီသုတေသနစစ်တမ်းက အဓိက ကတော့ လိင်စိတ်ကွဲပြားသူ LGBTIQ တွေကိုပဲ ဦးတည်ပြီး မေးမြန်းမဲ့ အချက်အလက် များဖြစ်ပါတယ်။ (သင့်) အနေနဲ့ ဒီ စစ်တမ်း အင်တာဗျူး အစီအစဉ်လေးမှာ ပါဝင်ပေးဖို့ ဖြစ်နိုင်မလား၊ အင်တာဗျူးဖြေဆိုက်က အချိန် မိနစ် ၂၀ နေ့ ၃၀ မိနစ်အတွင်းလောက်ပဲ ကြာမှာပါ။"



MYANMAR
LGBTIQ
Human Rights Watch

မြန်မာနိုင်ငံ လိင်စိတ်ကွဲပြားသူများအခွင့်အရေး စောင့်ကြည့်လေ့လာရေး ဖိုင်ရပ်

၁	မစခင်မှာ ကျွန်တော်တို့ဘက်ကနေ စွမ်းလင်းလိုတဲ့ အကြောင်း၊ အရာလေးတွေ အနည်းငယ်ရှိပါတယ်။ ကျွန်တော်တို့ ဒီ လေ့လာချက်စစ်တမ်းကောက်ယူမှုမဲ့ သဘောသဘာဝက လိင်စိတ်ကွဲပြားတဲ့မြေဆိုသူတွေကိုအဓိကထားတာပေါ့။ သူတို့ရဲ့အခွင့်အရေးမျိုးပောက်ခံရမှုအခြေအနေတွေပေါ့။ LGBT ဆိုတာကတော့ မြန်မာလို လိင်စိတ်ကွဲပြားသူတွေပေါ့နော်။ တစ်နည်းအားဖြင့် အရပ်ကောယဲ့ဆို ယောက်ျားလျာတွေ၊ မိန်းမလျာတွေ၊ လိင်တူချစ်သူ တွေကို ဆိုလိုတာဖြစ်ပါတယ်။ ကျွန်တော်/ကျွန်မတို့ဘက်က သင်ဘယ်လိုလူမျိုးဖြစ်တယ်၊ LGBT ဖြစ်တယ်မဖြစ်တယ်ကို တစ်ဖက်သက် အမြင်နဲ့ယူဆလိုက်တာမျိုးမဟုတ်သော်ငြားလည်း ဒီသုတေသနအတွက် မေးမြန်းသင့်တယ်လို့ယူဆလို့ မိတ်ဆက်ကြည့်တာပါ။ ဒီအင်တာဗျူးမှာဝင်မြေလို့လဲလေ လူကြီးမင်းအနေနဲ့ ဒီလို လိင်စိတ်ကွဲပြားတဲ့သူဖြစ်ကြောင်းကို ကျွန်တော်/ကျွန်မတို့အနေနဲ့ အခြားသူများကို လုံးဝအသိပေးသွားမှာမဟုတ်ဘဲ လျှို့ဝှက်ပေးထားမှာဖြစ်ပြီး ကံမြန်မာရဲ့သုတေသန နောက်ဆုံးထွက်ရှိမယ့် အစီရင်ခံစာမှာ ကိန်းဂဏန်းအချက်အလက်တွေနဲ့ သက်သေအထောက်အထားချို့အောင်သာ အသုံးပြုသွားမှာဖြစ်ပါတယ်။ ဒီတော့ လူကြီးမင်းအနေနဲ့ အဲ့ဒီလို လိင်စိတ်ကွဲပြားတဲ့သူတွေထဲက တစ်ယောက်အဖြစ် မိမိကိုယ်ကို ယူဆပါသလား?	☐ ယူဆသည်	၁ မေးခွန်း ၂ ကို ဆက်သွားပါ
		☐ မယူဆပါ	၂ ဆက်မမေးပါနှင့်
၂	အစီအစဉ်မှာ ပါဝင်ဖို့ သဘောတူပါသလား။ မေးခွန်းများကို ဆက်လက်မေးမြန်းလို့ရပါသလား?	☐ ရပါသည်။ ☐ မရပါ။	၁ မေးခွန်းနံပါတ် ၃ ကို ဆက်မေးရန် ၂ ဆက်မမေးရန်



ပြန်ဟုခိုင် လိင်စိတ်ကွဲပြားသူများအခွင့်အရေး စောင့်ကြည့်လေ့လာရေး ဖိုရမ်

အပိုင်း (၁) - ဖြေဆိုသူ၏ ကိုယ်ရေးအချက်အလက်များ
(သင့်တော်ရာလေးထောင့်ကွက်တွင် အမှန်ဖြစ်ပါ)

၃	သင်၏အသက်အရွယ် အပိုင်းအခြားကိုဖော်ပြပါ။	☐ ၁၈ နှစ် အောက် ☐ ၁၈ နှစ် နှင့် ၃၅ နှစ် အကြား ☐ ၃၅ နှစ် နှင့် ၅၉ နှစ်အကြား ☐ ၆၀ နှစ် နှင့် အထက်	၁ ၂ ၃ ၄
၄	သင်၏ မွေးရာပါလိင်မှာ အဘယ်နည်း။	☐ အမျိုးသား ☐ အမျိုးသမီး ☐ အင်တာမက်စ် (အမျိုးသား အမျိုးသမီး အင်္ဂါနှစ်ခုလုံးပါရှိသူ)	၁ ၂ ၃
၅	သင်သည် မိမိကိုယ်ကို မည်သည့် လိင်အဖြစ် ခံယူပါသနည်း။	☐ အမျိုးသား ☐ အမျိုးသမီး ☐ အမျိုးသား/အမျိုးသမီး နှစ်မျိုးလုံးမဟုတ်သောသူ (Non-binary) ☐ အခြား (ဖော်ပြပေးပါ) ☐ မသိပါ ☐ မဖြေဆိုလို	၁ ၂ ၃ ၄ ၅ ၉၉
၆	သင်သည် မည်သည့် လိင်ရဲ့ဒါ ကို စိတ်ဝင်စား/ ချစ်ခင်နှစ်သက်ပါ သနည်း။	☐ အမျိုးသား ☐ အမျိုးသမီး ☐ နှစ်မျိုးလုံး ☐ မည်သည့်လိင်မျှစိတ်မဝင်စား ☐ အခြား ☐ မဖြေဆိုလို	၁ ၂ ၃ ၄ ၅ ၉၉



မြန်မာနိုင်ငံ လိင်စိတ်ကွဲပြားသူများအဖွဲ့အစည်း စောင့်ကြည့်လေ့လာရေး ဖိစပ်

၇	သင်၏ လိင်စိတ်တိမ်းညွတ်မှုကို ယေဘုယျ အားဖြင့် မည်သို့ခံယူထားပါသနည်း။	☐ လိင်ကွဲချစ်ခင်နှစ်သက်သူ - Heterosexual	၁
		☐ လိင်တူချစ်ခင်နှစ်သက်သူ - Homosexual	၂
		☐ လိင်တူလိင်ကွဲနှစ်မျိုးလုံး ချစ်ခင်နှစ်သက်သူ - Bisexual	၃
		☐ မည်သည့်လိင်ကိုမျှ စိတ်မဝင်စား - Asexual	၄
		☐ လိင်ဖြစ်တည်မှုအပေါ်မူတည်ပြီး လူတစ်ယောက်ကို ချစ်ခင်နှစ်သက်ခြင်း မဟုတ် (မည်သည့် လိင်ခံယူမှုရှိသူကိုမဆို ချစ်မြတ်နိုးသည်) -Pansexual	၅
		☐ မိမိ၏ လိင်စိတ်မှာ အမျိုးမျိုးစုံစုံ အမျိုးမျိုးပြောင်းလဲတည်ရှိနေ - Polysexual	၆
		☐ မိမိ၏လိင်စိတ်ကို ကိုယ်တိုင် စူးစမ်းရှာဖွေ/အဖြေရှာနေဆဲဖြစ် - Questioning	၇
		☐ အထက်တွင်မပါသော အခြား လိင်စိတ် တိမ်းညွတ်မှု (ဖော်ပြပေးပါ)	၈
		☐ မဖြေဆိုလို	၉၉

၈	သင်သည် မည်သည့် လူမျိုးဖြစ်သနည်း။ (ရွေးချယ်ရမည့် အခြေများကို မတ်မပြပါနှင့်။)	☐ ဗမာ	၁
		☐ တိုင်းရင်းသား (အသေးစိတ်ဖော်ပြရန်)	၂
		☐ အခြား (အသေးစိတ်ဖော်ပြရန်)	၃



ပြန်ဟောင်း လိင်စိတ်ကွဲပြားသူများအဖွဲ့အစည်း စောင့်ကြည့်လေ့လာရေး မိရမ်

၉	သင်၏ လက်ရှိအလုပ်အကိုင် ကို ဖော်ပြပေးပါ။	☐ အလုပ်လက်မဲ့ ☐ ကျောင်းသား ☐ တောင်သူလယ်သမား ☐ ဆရာ/ဆရာမ ☐ လုပ်ငန်းပိုင်/ကျန်သည် ☐ နေ့စားအလုပ်သမား ☐ ကုမ္ပဏီ/ပုဂ္ဂလိက ဝန်ထမ်း ☐ စေတနာ့ ဝန်ထမ်း (NGO/CSO/CBO) ☐ (CDM လုပ်ထားသူမဟုတ်သည့်) အစိုးရ ဝန်ထမ်း ☐ (CDM လုပ်ထားသူ) အစိုးရဝန်ထမ်း ☐ စစ်သား/ရဲသား ☐ ကိုယ်ပိုင်အလုပ် ☐ အငြိမ်းစား ☐ စက်မှုအလုပ်မှအလုပ်သမား ☐ အခြား (အသေးစိတ်ဖော်ပြရန်)	၁ ၂ ၃ ၄ ၅ ၆ ၇ ၈ ၉ ၁၀ ၁၁ ၁၂ ၁၃ ၁၄ ၁၅ ၉၉
၁၀	သင်တက်ရောက်အောင်မြင်ပြီး မပြုကုန်သော အမြင့်ဆုံးပညာအရည်အချင်း ကိုဖော်ပြပေးပါ။	☐ ကျောင်းမနေဖူးပါ။ ☐ ကျောင်းပြင်ပပညာရေး(အသက်မွေးဝမ်းကျောင်း နှင့် ဘုန်းတော်ကြီးသင်ကျောင်း ပညာရေး) ☐ မူလတန်းအဆင့် ☐ အလယ်တန်းအဆင့် ☐ အထက်တန်းအဆင့် ☐ ဘွဲ့ရနှင့် အထက် ☐ မဖြေကြားလိုပါ။	၁ ၂ ၃ ၄ ၅ ၆ ၉၉



ပြန်လည်လုပ်ငန်းပြုတ်ကုန်သွင်းမှုနှင့်အဆင့်မြှင့်တင်ရေးအဖွဲ့အစည်းများ

အပိုင်း (၂) - လိင်စိတ်ကွဲပြားသူများ၏ လူ့အခွင့်အရေးချိုးဖောက်မှုများ အတွေ့အကြုံများ
(သင့်တော်ရာလေးထောင့်ကွက်တွင် အမှန်ဖြစ်ပါ)

(က) မိသားစု/သိမ်းဆည်းမှုနှင့် အကြမ်းဖက်မှုများ

၁၁	သင်၏ဖြစ်တည်မှု/တစ်နည်းအားဖြင့် သင်သည် လိင်စိတ်ကွဲပြားသူ LGBT ဖြစ်ကြောင်းကို သင်၏ မိသားစု သို့မဟုတ် သင်နှင့် အတူတစ်ဖွဲ့အောက်တွင် အတူနေထိုင်သောသူများမှ သိရှိထားပါသလား။	☐ သိရှိထားပါသည်။ ☐ မသိရှိထားပါ။ ☐ မဖြေဆိုလိုပါ။	၁ ၂ ၉၉
၁၂	သင်သည် သင်၏ဖြစ်တည်မှုကြောင့် သင်၏ မိသားစု သို့မဟုတ် သင်နှင့် အတူတစ်ဖွဲ့အောက်တွင်နေထိုင်သောသူများ၏ ခွဲခြားဆက်ဆံမှုကို ၂၀၂၁ ဖေဖော်ဝါရီ ၁ ရက်နေ့ပြီးနောက် ပိုင်းမှာ ခံရမှုပါသလား။	☐ ခံရမှုပါသည်။ (မေးခွန်း ၁၂က နှင့် ခ သို့ သွားပါ) ☐ မခံရမှုပါ။ (မေးခွန်း ၁၃ သို့ သွားပါ) ☐ မဖြေဆိုလိုပါ။	၁ ၂ ၉၉
၁၂က	ခံရမှုပါက မည်သို့ခံရမှုကြောင်း (သင့်အပေါ် အထိခိုက်ခဲ့သော) ဖြစ်ရပ်တစ်ခုကို ဖော်ပြပေးပါ။		
၁၂ခ	နောင်တွင် ယင်းသို့ခံရသော သက်ဆိုင်သည့် အခိုးရမှုနှင့် မူဝါဒချမှတ်သူများအား မည်သို့ အကြံပြုချင်ပါသနည်း။		

(ခ) ပညာရေးကဏ္ဍတွင် ခွဲခြားဆက်ဆံမှုနှင့် အကြမ်းဖက်မှုများ



မြန်မာနိုင်ငံ လိင်စိတ်ချွဲပြားသူများအခွင့်အရေး စောင့်ကြည့်လေ့လာရေး ဖိုရမ်

၁၃	သင်သည် လက်ရှိတွင် မြန်မာနိုင်ငံအတွင်းမှနေ၍ ပေးနေသော ပညာရေးဝန်ဆောင်မှုများကို ရယူလက်လွှမ်းမီနိုင်မှုရှိပါသလား။	☐ ဖြစ်ပါသည်။ (မေးခွန်း ၁၄ သို့သွားပါ) ☐ မရှိပါ။ (မေးခွန်း ၁၃.က သို့သွားပါ) ☐ မဖြေဆိုလိုပါ။	၁ ၂ ၂၂
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၁၃.က	မရှိပါက အဘယ်ကြောင့်နည်း။ (ဖီလျော်ရာ အခြေအားလုံးကို ရွေးချယ်ပေးပါ)	☐ သင်ကြားရန် အရင်အမြစ် (ကွန်ပျူတာ၊ အင်တာနက်၊ ဆက်သွယ်ရေး နည်းပညာ) စသည်တို့မရှိသောကြောင့် ☐ အချိန်မပေးနိုင်သောကြောင့် ☐ စိတ်မဝင်စားသောကြောင့် ☐ အခြား (ဖော်ပြပေးပါ) _____	၁ ၂ ၃ ၄
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၁၄	သင်သည် သင်၏ဖြစ်တည်မှုကြောင့် ကျောင်းများ သို့မဟုတ် ပညာသင်ကြားသည့်နေရာ၌တွင် ခွဲခြားဆက်ဆံခြင်း သို့မဟုတ် အကြမ်းဖက်ခံရခြင်းမျိုးကို ခံရဖူးပါသလား။	☐ ခံရဖူးပါသည်။ (မေးခွန်း ၁၄.က၊ ခနှင့် ဂ သို့ ဆက်သွားပါ) ☐ မခံရဖူးပါ။ (မေးခွန်း ၁၅ သို့ သွားပါ) ☐ မဖြေဆိုလိုပါ။	၁ ၂ ၂၂
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၁၄.က	ခံရဖူးပါက မည်သူက သင့်အား ခွဲခြားဆက်ဆံခြင်း/အကြမ်းဖက်ခြင်းဖြစ်ပါသနည်း။ (ဖီလျော်ရာ အခြေအားလုံးကို ရွေးချယ်ပေးပါ)	☐ သင်ကြားရေး ဆရာ/ဆရာမ ☐ တစ်တန်းတည်း ကျောင်းသား/ကျောင်းသူများ ☐ အခြား ကျောင်း သားများ ☐ အခြား ပညာရေး ဝန်ထမ်းများ ☐ အခြား	၁ ၂ ၃ ၄ ၅
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ပြန်ဟောင်း လိင်စိတ်ကွဲပြားသူများအဖွဲ့အစည်း စောင့်ကြည့်လေ့လာရေး ခိုရပ်

		[ဖော်ပြပေးပါ]	
၁၄.ခ	ခံရမှုပါက မည်သို့ခံရမှုကြောင်း (သင့်အပေါ် အထိခိုက်ခဲ့သော) ဖြစ်ရပ်တစ်ခုကို ဖော်ပြပေးပါ။		
၁၄.က	ရောင်တွင် ယင်းသို့မခံရအောင် သက်ဆိုင်သည့် အစိုးရနှင့် မူဝါဒချမှတ်သူများအား မည်သို့ အကြံပြုချင်ပါသနည်း။		

(ဂ) ကျန်းမာရေးကဏ္ဍတွင် ခွဲခြားဆက်ဆံမှုနှင့် အကြမ်းဖက်မှုများ

၁၅ သင်သည် သင်၏ဖြစ်တည်မှုကြောင့် ကျန်းမာရေးဝန်ဆောင်မှုပေးသည့် ဆေးခန်း/ဆေးရုံ များတွင် ခွဲခြားဆက်ဆံခြင်း သို့မဟုတ် အကြမ်းဖက်ခြင်းကို ခံရဖူးပါသလား။	☐ ခံရဖူးပါသည်။ (မေးခွန်း ၁၅.က၊ ခ နှင့် ဂ သို့ သွားပါ) ☐ မခံရဖူးပါ။ (မေးခွန်း ၁၆ သို့ သွားပါ) ☐ မဖြေဆိုလိုပါ။	၁ ၂ ၃၃
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၁၅.က	ခံရမှုပါက မည်သို့ခံရမှုကြောင်း (သင့်အပေါ် အထိခိုက်ခဲ့သော) ဖြစ်ရပ်တစ်ခုကို ဖော်ပြပေးပါ။
၁၅.ခ	သင်သည် အစိုးရမြစ်စေး/ပုဂ္ဂလိကဖြစ်စေမှ ပေးသည့် ကျန်းမာရေးဝန်ဆောင်မှု ရယူရာတွင် မည်သည့်အခက်အခဲများ ရှိပါသနည်း။



မြန်မာနိုင်ငံ လိင်ခွဲခြားမှုများအခွင့်အရေး စောင့်ကြည့်လေ့လာရေး ဖိုရမ်

၁၅.က	နောင်တွင် ယင်းသို့မခံရအောင် သက် ဆိုင်သည့် အစိုးရနှင့် မူဝါဒချမှတ်သူ များအား မည်သို့ အကြံပြုချင်ပါ သနည်း။	
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(ဆ) စီးပွားရေးနှင့် လုပ်ငန်းခွင်ကဏ္ဍတွင် ခွဲခြားဆက်ဆံမှုနှင့် အကြမ်းဖက်မှုများ

၁၆	အာဏာမသိမ်းမှီကာလနှင့် နှိုင်းစာလျှင် အာဏာသိမ်းပြီး နောက်ပိုင်း သင်၏ အလုပ်အကိုင်အခြေအနေ မည်သို့ ဖြစ် နည်း။	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%;">☐ ပြောင်းလဲမှုမရှိ</td> <td style="width: 20%; text-align: center;">၁</td> </tr> <tr> <td>☐ အလုပ်ပြုတ်သွား ပြီး အလုပ်သစ်ရှာမရ ပါ</td> <td style="text-align: center;">၂</td> </tr> <tr> <td>☐ အလုပ်ပြုတ်သွား ပြီး အလုပ်သစ်ရှာရ သည်</td> <td style="text-align: center;">၃</td> </tr> </table>	☐ ပြောင်းလဲမှုမရှိ	၁	☐ အလုပ်ပြုတ်သွား ပြီး အလုပ်သစ်ရှာမရ ပါ	၂	☐ အလုပ်ပြုတ်သွား ပြီး အလုပ်သစ်ရှာရ သည်	၃
☐ ပြောင်းလဲမှုမရှိ	၁							
☐ အလုပ်ပြုတ်သွား ပြီး အလုပ်သစ်ရှာမရ ပါ	၂							
☐ အလုပ်ပြုတ်သွား ပြီး အလုပ်သစ်ရှာရ သည်	၃							
၁၇	အာဏာမသိမ်းမှီကာလနှင့် နှိုင်းစာလျှင် အာဏာသိမ်းပြီး နောက်ပိုင်း သင်၏ ဝင်ငွေအခြေအနေ မည်သို့ ဖြစ် နည်း။	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%;">☐ ပြောင်းလဲမှုမရှိ</td> <td style="width: 20%; text-align: center;">၁</td> </tr> <tr> <td>☐ လျော့သွားသည်</td> <td style="text-align: center;">၂</td> </tr> <tr> <td>☐ တိုးလာသည်</td> <td style="text-align: center;">၃</td> </tr> </table>	☐ ပြောင်းလဲမှုမရှိ	၁	☐ လျော့သွားသည်	၂	☐ တိုးလာသည်	၃
☐ ပြောင်းလဲမှုမရှိ	၁							
☐ လျော့သွားသည်	၂							
☐ တိုးလာသည်	၃							
၁၈	သင်သည် သင်၏မြန်မာနိုင်ငံပြန်လည် လုပ်ငန်းခွင်တွင် ခွဲခြား ဆက်ဆံခြင်း သို့မဟုတ် အကြမ်းဖက်ခြင်းကို ခံရဖူးပါသလား။	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%;"> ☐ ခံရဖူးပါသည်။ (မေးခွန်း ၁၈.က နှင့် ခ သို့ သွားပါ) </td> <td style="width: 20%; text-align: center;">၁</td> </tr> <tr> <td> ☐ မခံရဖူးပါ။ (မေးခွန်း ၁၉ သို့ သွား ပါ) </td> <td style="text-align: center;">၂</td> </tr> <tr> <td> ☐ မဖြေဆိုလိုပါ။ </td> <td style="text-align: center;">၉၉</td> </tr> </table>	☐ ခံရဖူးပါသည်။ (မေးခွန်း ၁၈.က နှင့် ခ သို့ သွားပါ)	၁	☐ မခံရဖူးပါ။ (မေးခွန်း ၁၉ သို့ သွား ပါ)	၂	☐ မဖြေဆိုလိုပါ။	၉၉
☐ ခံရဖူးပါသည်။ (မေးခွန်း ၁၈.က နှင့် ခ သို့ သွားပါ)	၁							
☐ မခံရဖူးပါ။ (မေးခွန်း ၁၉ သို့ သွား ပါ)	၂							
☐ မဖြေဆိုလိုပါ။	၉၉							


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 Human Rights Watch

ပြန်စာနိင် လိင်စိတ်ကွဲပြားသူများအဖွဲ့အစည်း စောင့်ကြည့်လေ့လာရေး ဖိုရမ်

၁၈.က	ခံရမှုပေါ်က မည်သို့ခံရမှုကြောင်း (သင့်အပေါ် အထိခိုက်ခဲ့သော) ဖြစ်ရပ်တစ်ခုကို ဖော်ပြပေးပါ။	
၁၈.ခ	နောင်တွင် ယင်းသို့မခံရအောင် သက်ဆိုင်သည့် အစိုးရနှင့် မူဝါဒချမှတ်သူများအား မည်သို့ အကြံပြုချင်ပါသနည်း။	

(င) အစိုးရလုပ်ငန်း/ဝန်ဆောင်မှု ကဏ္ဍတွင် ခွဲခြားဆက်ဆံမှုနှင့် အကြမ်းမက်မှုများ

၁၉	သင်သည် သင်၏ဖြစ်တည်မှုကြောင့် အများပြည်သူ/အစိုးရ မှ ဝန်ဆောင်မှုပေးသည့် နေရာ/ဌာနများ တွင် ခွဲခြားဆက်ဆံခြင်း သို့မဟုတ် အကြမ်းမက်ခြင်း ခံရမှုပေါ်သလား။	☐ ခံရမှုပေါ်သည်။ (မေးခွန်း ၁၉.က၊ ခ နှင့် ဂ သို့ သွားပါ)	၁
		☐ မခံရမှုပေါ်။ (မေးခွန်း ၂၀ သို့ သွားပါ)	၂
		☐ မဖြေဆိုလိုပါ။	၉၉

၁၉.က	ခံရမှုပေါ်က မည်သည့်နေရာ/ဌာနတွင် ခွဲခြားဆက်ဆံခံခဲ့ရခြင်း/အကြမ်းမက်ခြင်း ဖြစ်ပါသနည်း။ (စီလျော်ရာ အခြေအားလုံးကို ရွေးချယ်ပေးပါ)	☐ အထွေထွေအုပ်ချုပ်ရေးဦးစီးဌာန ☐ လူဝင်မှုကြီးကြပ်ရေး/ပတ်စပို့ဦးစီးဌာန ☐ အခြား (ဖော်ပြပေးပါ) _____	၁ ၂ ၃
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၁၉.ခ	ခံရမှုပေါ်က မည်သို့ခံရမှုကြောင်း (သင့်အပေါ် အထိခိုက်ခဲ့သော) ဖြစ်ရပ်တစ်ခုကို ဖော်ပြပေးပါ။	
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ပြန်မာနိုင်ငံ လိင်စိတ်ကွဲပြားသူများအခွင့်အရေး စောင့်ကြည့်လေ့လာရေး ဖိုရမ်

၁၉.က	ရောင်းတွင် ယင်းသို့မခံရအောင် သက်ဆိုင်သည့် အစိုးရနှင့် မူဝါဒချမှတ်သူများအား မည်သို့ အကြံပြုချင်ပါသနည်း။	
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(ခ) တရားရေး ကဏ္ဍတွင် ခွဲခြားဆက်ဆံမှုနှင့် အကြမ်းဖက်မှုများ

၂၀	သင်သည် သင်၏ဖြစ်တည်မှုကြောင့် တရားရေးဝန်ဆောင်မှု ပေးသည့် ဌာနများဖြစ်သည့် တရားရုံး/ရဲစခန်း/အကျဉ်းထောင်စသည့်နေရာများတွင် ခွဲခြားဆက်ဆံခြင်း သို့မဟုတ် အကြမ်းဖက်ခြင်း ခံရဖူးပါသလား။	☐ ခံရဖူးပါသည်။ (မေးခွန်း ၂၀.က၊ ၂၀.ခ၊ ၂၀.ဂ နှင့် ၂၀.ဃ သို့သွားပါ) ☐ မခံရဖူးပါ။ (မေးခွန်း ၂၁ သို့သွားပါ) ☐ မဖြေဆိုလိုပါ။	၁ ၂ ၉၉
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၂၀.က	ခံရဖူးပါက မည်သည့်နေရာ/ဌာနတွင် ခွဲခြားဆက်ဆံခံခဲ့ရခြင်း/အကြမ်းဖက်ခြင်း ဖြစ်ပါသနည်း။ (စီလော်ရာ အဖြေအားလုံးကို ရွေးချယ်ပေးပါ)	☐ ရဲစခန်း ☐ အကျဉ်းထောင် ☐ တရားရုံး ☐ အခြား (ဖော်ပြပေးပါ) _____	၁ ၂ ၃ ၄
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၂၀.ခ	ခံရဖူးပါက ယင်းနေရာ/ဌာနတွင် မည်သူများက ခွဲခြားဆက်ဆံခြင်း/အကြမ်းဖက်ခြင်းဖြစ်ပါသနည်း။ (စီလော်ရာ အဖြေအားလုံးကို ရွေးချယ်ပေးပါ)	☐ တရားသူကြီး ☐ တရားရုံးစာရေး ☐ ရွှေနေ ☐ ရဲ/ရဲမေ ☐ ထောင်မှူး ☐ ထောင်ဝန်ထမ်း ☐ အခြား	၁ ၂ ၃ ၄ ၅ ၆ ၇
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မြန်မာနိုင်ငံ လိင်ခွဲခြားမှုများအခွင့်အရေး စောင့်ကြည့်လေ့လာရေး ခိုလှုံ

		(ဖော်ပြပေးပါ)	
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၂၀.၈	ခံရမှုပါက မည်သို့ခံရမှုကြောင်း (သင့်အပေါ် အထိခိုက်ခဲ့သော) ဖြစ်ရပ်တစ်ခုကို ဖော်ပြပေးပါ။	
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၂၀.၉	ရောင်တွင် ယင်းသို့မခံရအောင် သက်ဆိုင်သည့် အစိုးရနှင့် မူဝါဒချမှတ်သူများအား မည်သို့ အကြံပြုချင်ပါသနည်း။	
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(ဆ) နိုင်ငံရေး ကဏ္ဍတွင် ခွဲခြားဆက်ဆံမှုနှင့် အကြမ်းဖက်မှုများ

၂၁	သင်သည် သင်၏ မြစ်တည်မှုကြောင့် နိုင်ငံရေးလုပ်ငန်း (ငြိမ်းချမ်းစွာဆန္ဒပြခြင်း၊ အခြားတက်ကြွလှုပ်ရှားမှုများ) စသည်တို့ လုပ်ဆောင်ရာတွင် ခွဲခြားဆက်ဆံခြင်း သို့မဟုတ် အကြမ်းဖက်ခြင်း ခံရမှုပါသလား။	☐ ခံရမှုပါသည်။ (မေးခွန်း ၂၁.က နှင့် ခ သို့သွားပါ)	၁
		☐ မခံရပါ။ (မေးခွန်း ၂၂ သို့သွားပါ)	၂
		☐ မဖြေဆိုလိုပါ။	၉၉

၂၁.က	ခံရမှုပါက မည်သို့ခံရမှုကြောင်း (သင့်အပေါ် အထိခိုက်ခဲ့သော) ဖြစ်ရပ်တစ်ခုကို ဖော်ပြပေးပါ။	
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၂၁.ခ	ရောင်တွင် ယင်းသို့မခံရအောင် သက်ဆိုင်သည့် အစိုးရနှင့် မူဝါဒချမှတ်သူများအား မည်သို့ အကြံပြုချင်ပါသနည်း။	
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မြန်မာနိုင်ငံ လိင်စိတ်ကွဲပြားသူများအဖွဲ့အစည်း စောင့်ကြည့်လေ့လာရေး ဖိုရမ်

(ဇ) အုပ်ချုပ်ရေး ကဏ္ဍတွင် ခွဲခြားဆက်ဆံမှုနှင့် အကြမ်းဖက်မှုများ

၂၂	သင်သည် သင်၏ဖြစ်တည်မှုကြောင့် အုပ်ချုပ်ရေးကဏ္ဍ (ဆယ်အိမ်စု/ရာအိမ်စု အုပ်ချုပ်ရေး၊ မြို့နယ်အုပ်ချုပ်ရေး၊ အထွေထွေအုပ်ချုပ်ရေး) တွင် ခွဲခြားဆက်ဆံခြင်း သို့မဟုတ် အကြမ်းဖက်ခြင်း ခံရဖူးပါသလား။	☐ ခံရဖူးပါသည်။ (မေးခွန်း ၂၂.က နှင့် ခ သို့သွားပါ)	၁
		☐ မခံရဖူးပါ။ (မေးခွန်း ၂၃ သို့သွားပါ)	၂
		☐ မဖြေဆိုလိုပါ။	၉၉
၂၂.က	ခံရဖူးပါက မည်သို့ခံရဖူးကြောင်း (သင့်အပေါ် အထိခိုက်ခဲ့သော) ဖြစ်ရပ်တစ်ခုကို ဖော်ပြပေးပါ။		
၂၂.ခ	နောင်တွင် ယင်းသို့မခံရအောင် သက်ဆိုင်သည့် အစီရင်ခံစာနှင့် မူဝါဒချမှတ်သူများအား မည်သို့ အကြံပြုချင်ပါသနည်း။		

(ဈ) အများပြည်သူနှင့် ပုဂ္ဂလိကဏ္ဍတွင် ခွဲခြားဆက်ဆံမှုနှင့် အကြမ်းဖက်မှုများ

၂၃	သင်သည် သင်၏ဖြစ်တည်မှုကြောင့် အများပြည်သူနေရာများ၊ ဖြစ်သည့် (ဘူတာရုံများ၊ ကားဂိတ်များ၊ ပန်းခြံများ၊ ရွာပင်း၊ မောများ၊ ရွာများ၊ စားသောက်ဆိုင်များ) တွင်လည်းကောင်း၊ ပုဂ္ဂလိကဝန်ဆောင်မှုနေရာ/ဌာနများဖြစ်သည့် (ဟိုတယ်များ၊ ဘဏ်များ၊ ရွပ်ရှင်ရုံများ) တွင်လည်းကောင်း ခွဲခြားဆက်ဆံခြင်း သို့မဟုတ် အကြမ်းဖက်ခြင်း ခံရဖူးပါသလား။	☐ ခံရဖူးပါသည်။ (မေးခွန်း ၂၃.က ခ နှင့် ဂ သို့သွားပါ)	၁
		☐ မခံရဖူးပါ။ (မေးခွန်း ၂၄ သို့သွားပါ)	၂
		☐ မဖြေဆိုလိုပါ။	၉၉



မြန်မာနိုင်ငံ လိင်ခံစားမှုပြုစုသူများအဖွဲ့အစည်း စောင့်ကြည့်လေ့လာရေး ဖိရိမ်

၂၃.က	ခံရမှုပေါ်က မည်သည့်နေရာ/ဌာနတွင် ခွဲခြားဆက်ဆံခံခဲ့ရခြင်း/အကြမ်းဖက်ခံရခြင်း ဖြစ်ပါသနည်း။ (စီရင်စု အခြေအနေအထားကို ရွေးချယ်ပေးပါ)	☐ ပန်းခြံ/အပန်းဖြေနေရာ	၁
		☐ ရွှေ့ပင်းမော/ရေစူး	၂
		☐ ဘူတာရုံ	၃
		☐ ကားဂိတ်	၄
		☐ စားသောက်ဆိုင်	၅
		☐ ဟိုတယ်	၆
		☐ ဘဏ်	၇
		☐ ဓနိကဓန	၈
		☐ အခြား (ဖော်ပြပေးပါ)	၉

၂၃.ခ	ခံရမှုပေါ်က မည်သို့ခံရမှုကြောင်း (သင့်အပေါ် အထိခိုက်ခဲ့သော) ဖြစ်ရပ်တစ်ခုကို ဖော်ပြပေးပါ။	
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၂၃.ဂ	ရောင်းတွင် ယင်းသို့ခံရမှုအောင် သက်ဆိုင်သည့် အစိုးရနှင့် မူဝါဒချမှတ်သူများအား မည်သို့ အကြံပြုချင်ပါသနည်း။	
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(ည) ဘာသာရေးနှင့် ကိုးကွယ်ယုံကြည်မှု ကဏ္ဍတွင် ခွဲခြားဆက်ဆံမှုနှင့် အကြမ်းဖက်မှုများ

၂၄	သင်သည် သင်၏ဖြစ်တည်မှုကြောင့် ဘာသာရေးနှင့် ကိုးကွယ်ယုံကြည်မှုကဏ္ဍတွင် ခွဲခြားဆက်ဆံခြင်း သို့မဟုတ် အကြမ်းဖက်ခြင်း ခံရမှုပေါ်သလား။	☐ ခံရမှုပေါ်သည်။ (မေးခွန်း ၂၄.က နှင့် ခ သို့သွားပါ)	၁
		☐ မခံရမှုပေါ်။ (မေးခွန်း ၂၅ သို့သွားပါ)	၂
		☐ မဖြေဆိုလိုပါ။	၉၉



မြန်မာနိုင်ငံ လိင်ခွဲခြားခြင်းသူများအဖွဲ့အစည်း စောင့်ကြည့်လေ့လာရေး ဖိုရမ်

၂၄.က	ခံရမှုပါက မည်သို့ခံရမှုကြောင်း (သင့်အပေါ် အတိအကျ ဖြစ်ရပ်တစ်ခုကို ဖော်ပြပေးပါ။)	
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၂၄.ခ	နောင်တွင် ယင်းသို့မခံရအောင် သက်ဆိုင်သည့် အစိုးရနှင့် မူဝါဒချမှတ်သူများအား မည်သို့ အကြံပြုချင်ပါသနည်း။	
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(၄) သတင်းနှင့်မီဒီယာ ကဏ္ဍတွင် ခွဲခြားဆက်ဆံမှုများ

၂၅	သင်သည် သင်၏မြင်ကွင်းမှ ကြောင့် သတင်းနှင့် မီဒီယာ ကဏ္ဍတွင် ခွဲခြားဆက်ဆံခြင်းခံရမှုပါသလား။	☐ ခံရမှုပါသည်။ (မေးခွန်း ၂၅.က နှင့် ခ သို့ သွားပါ) ☐ မခံရမှုပါ။ (မေးခွန်း ၂၆ သို့ သွားပါ) ☐ မဖြေဆိုလိုပါ။	၁ ၂ ၅၅
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၂၅.က	ခံရမှုပါက မည်သို့ခံရမှုကြောင်း (သင့်အပေါ် အတိအကျ ဖြစ်ရပ်တစ်ခုကို ဖော်ပြပေးပါ။)	
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၂၅.ခ	နောင်တွင် ယင်းသို့မခံရအောင် သက်ဆိုင်သည့် အစိုးရနှင့် မူဝါဒချမှတ်သူများအား မည်သို့ အကြံပြုချင်ပါသနည်း။	
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အပိုင်း (၃) - အာဏာပိုင်များနှင့် သိမ်းပြီးနောက်ပိုင်း လူ့အခွင့်အရေးမျိုးဖောက်ခံရမှု အတွေ့အကြုံများ ခြုံငုံဖော်ပြချက်

၂၆	လိင်စိတ်ကွဲပြားသူတစ်ဦးအနေဖြင့် သင့်အတွေးအကြံများအရ အာဏာ မသိမ်းမှီနှင့် သိမ်းပြီးနောက်ပိုင်း အောက်ပါကဏ္ဍတို့တွင် မည်သည့် ကဏ္ဍများအတွင်း ခွဲခြားဆက်ဆံခံရခြင်း/ အကြမ်းဖက်ခံရခြင်း အများဆုံး ဖြစ်ကြောင်း အဆင့်သတ်မှတ်ပေးပါ။	၁	လုံးဝ လုံးဝ မရှိပါ။
		၂	မရှိပါ။
		၃	အနည်းငယ်သာရှိပါသည်။
		၄	အချို့တို့ရှိပါသည်။
		၅	အများအပြားရှိပါသည်။

၂၆. က	လိင်စိတ်ကွဲပြားသူတစ်ဦးအနေဖြင့် သင့်အတွေးအကြံများအရ အာဏာ မသိမ်းမှီ အောက်ပါ ကဏ္ဍတို့တွင် မည်သည့် ကဏ္ဍများအတွင်း ခွဲခြားဆက်ဆံခံရခြင်း/ အကြမ်းဖက်ခံရခြင်း အများဆုံးဖြစ်ခဲ့ကြောင်း အဆင့်သတ်မှတ်ပေးပါ။	အဆင့်				
		၁	၂	၃	၄	၅
	၁။ မိသားစု/အိမ်တွင်း	☐	☐	☐	☐	☐
	၂။ ပညာရေး	☐	☐	☐	☐	☐
	၃။ ကျန်းမာရေး	☐	☐	☐	☐	☐
	၄။ စီးပွားရေး/လုပ်ငန်းခွင်	☐	☐	☐	☐	☐
	၅။ အစိုးရ ဝန်ဆောင်မှု	☐	☐	☐	☐	☐
	၆။ တရားရေး	☐	☐	☐	☐	☐
	၇။ နိုင်ငံရေး	☐	☐	☐	☐	☐
	၈။ အုပ်ချုပ်ရေး	☐	☐	☐	☐	☐
	၉။ အများပြည်သူ/ ပုဂ္ဂလိက	☐	☐	☐	☐	☐
	၁၀။ ဘာသာရေး	☐	☐	☐	☐	☐
	၁၁။ သတင်းနှင့် မီဒီယာ	☐	☐	☐	☐	☐
	၁၂။ အခြား (ဖော်ပြပေးပါ)	☐	☐	☐	☐	☐

၂၆. ခ	လိင်စိတ်ကွဲပြားသူတစ်ဦးအနေဖြင့် သင့်အတွေးအကြံများအရ အာဏာ သိမ်းပြီးနောက်ပိုင်း အောက်ပါ ကဏ္ဍတို့တွင် မည်သည့် ကဏ္ဍများအတွင်း ခွဲခြားဆက်ဆံခံရခြင်း/ အ	အဆင့်				
		၁	၂	၃	၄	၅
	၁။ မိသားစု/အိမ်တွင်း	☐	☐	☐	☐	☐
	၂။ ပညာရေး	☐	☐	☐	☐	☐
	၃။ ကျန်းမာရေး	☐	☐	☐	☐	☐
	၄။ စီးပွားရေး/လုပ်ငန်းခွင်	☐	☐	☐	☐	☐



ပြန်ဟောင်း လိင်စိတ်ကွဲပြားသူများအခွင့်အရေး စောင့်ကြည့်လေ့လာရေး ဖိုရမ်

ကြမ်းဖက်ခံရခြင်း အများဆုံးဖြစ်ခဲ့ကြောင်း အဆင့်သတ်မှတ်ပေးပါ။	၅။ အစိုးရ ဝန်ဆောင်မှု	☐	☐	☐	☐	☐
	၆။ တရားရေး	☐	☐	☐	☐	☐
	၇။ နိုင်ငံရေး	☐	☐	☐	☐	☐
	၈။ အုပ်ချုပ်ရေး	☐	☐	☐	☐	☐
	၉။ အများပြည်သူ/ ပုဂ္ဂလိက	☐	☐	☐	☐	☐
	၁၀။ ဘာသာရေး	☐	☐	☐	☐	☐
	၁၁။ သတင်းနှင့် မီဒီယာ	☐	☐	☐	☐	☐
	၁၂။ အခြား (ဖော်ပြပေးပါ)	☐	☐	☐	☐	☐

၂၇။ လိင်စိတ်ကွဲပြားသူများကြုံတွေ့ရသော ခွဲခြားဆက်ဆံမှုနှင့် အကြမ်းဖက်ခံရမှုများသည် ယေဘုယျအားဖြင့် အာဏာမသိမ်းပြီး နှစ်ပတ်လည်အခြေအနေများအား နှိုင်းယှဉ်ကြည့်လျှင် အောက်ပါတို့အနက် မည်သည်တို့ဖြစ်ပါသနည်း။	☐ အလွန် သိသာစွာ ပိုလျော့သွားသည်	၁
	☐ ပိုလျော့သွားသည်	၂
	☐ ပြောင်းလဲမှုမရှိ	၃
	☐ ပိုတိုးလာသည်	၄
	☐ အလွန် သိသာစွာ ပိုတိုးလာသည်	၅

၂၈။ လိင်စိတ်ကွဲပြားသူများအနေဖြင့် ကဏ္ဍပေါင်းစုံတွင် ခွဲခြားဆက်ဆံမှု/ အကြမ်းဖက်ခံရမှု လျော့ကျသွားအောင် မည်သည့်အရာတို့ကို လုပ်ဆောင်သင့်သည်ဟု သင် ထင်ပါသနည်း။	
၂၉။ အခြားသက်ဆိုင်သူများအနေဖြင့် ကဏ္ဍပေါင်းစုံတွင် လိင်စိတ်ကွဲပြားသူများ ခွဲခြားဆက်ဆံမှု/ အကြမ်းဖက်ခံရမှု လျော့ကျသွားအောင် မည်သည့်အရာ	



ပြန်ဟောင်း လိင်စိတ်ကွဲပြားသူများအခွင့်အရေး စောင့်ကြည့်လေ့လာရေး ဖိုရမ်

တို့ကို လုပ်ဆောင်သင့် သည်ဟု သင် ထင်ပါသနည်း။	
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ဤသုတေသနစစ်တမ်းတွင် ပါဝင်ပေးသည့်အတွက် ကျေးဇူးတင်ပါသည်။

Annex B Sample Interview Case Form



မြန်မာနိုင်ငံ လိင်စိတ်ကွဲပြားသူများ လူ့အခွင့်အရေး စောင့်ကြည့်လေ့လာရေး ဗိုရပ်

လိင်စိတ်တိမ်းညွတ်မှု/လိင်ပိုသေသခံယူမော်ပြမှုကွဲပြားသူ LGBTI များနှင့် အင်တာဗျူး

ဖြစ်စဉ် မှတ်တမ်းလွှာ

(CASE FORM)

(၂၀၂၃ ခုနှစ်)

(အင်တာဗျူးမြေကြားသူမှပြောသော အဖြစ်အပျက် တစ်ခုချင်းစီတို့အတွက် အင်တာဗျူးမေးမြန်းသူမှ ရေးသားဖြည့်စွက်ရန်ဖြစ်သည်။ အဖြစ်အပျက်သည် ၃ ခုထက် မပိုရပါ။)

(က) ပြည်နယ်/တိုင်း ဒေသကြီး	
(ခ) မြို့နယ်	
(ဂ) မေးမြန်းသူ ကုန်ပုံပါ	
(ဃ) ဖြေဆိုသူ ကုန်ပုံပါ	

(င) မေးမြန်း သည့် ရက်စွဲ	
(စ) ဖုန်းနံပါတ် /Signal	
(ဆ) အီးမေးလ် (ရှိပါက)	

၁။ မြေကြားသူ၏ ကိုယ်ရေးနှင့် မိသားစုအချက်အလက်

၁. ဖြေဆိုသူ ကုန်ပုံပါ	CHI-xxxx			
၂. အမည်/အမည်လွှဲ				
၃. အသက်		၉. အတူနေအဖော်/အိမ်ထောင်	ရှိ ☐	မရှိ ☐
၄. ဂျွန်ဒါ		၁၀. အတူနေအဖော်/အိမ်ထောင်ရှိလျှင်		
၅. လိင်စိတ်တိမ်းညွတ်မှု				



မြန်မာနိုင်ငံ လိင်စိတ်ကွဲပြားသူများ လူ့အခွင့်အရေး စောင့်ကြည့်လေ့လာရေး ဖိုရမ်

၆. နေရပ်လိပ်စာ		၁၁. ရင်သွေး/ကလေး ရှိမရှိ	ရှိ ☐ မရှိ ☐
၇. အလုပ်အကိုင်			
၈. အလုပ်ရှင်			
ကုမ္ပဏီ/အဖွဲ့အစည်း အမည်			

၂။ အဖြစ်အပျက်အကြောင်း ဖော်ပြချက် (၁)

၁. ကျူးလွန်သူအမည်			
၂. ကျူးလွန်သူ အသက် (အတိအကျမမှတ်မိလျှင် ခန့်မှန်း)		၇. ကျူးလွန်သူသည် မည်သည့် အဖွဲ့အစည်းမှဖြစ်သနည်း။	
၃. ကျူးလွန်သူ ဂျွန်ဒါ		၈. ကျူးလွန်သူသည် အတူနေအဖော်/အိမ်ထောင် ကျူးလွန်သူသည် အတူနေ အဖော်/အိမ်ထောင်ရှိလျှင်	ရှိ ☐ မရှိ ☐
၄. ကျူးလွန်သူ လိင်စိတ်တိမ်းညွတ်မှု			
၅. ကျူးလွန်သူ နေရပ်လိပ်စာ (အိမ်အမှတ်/ရပ်ကွက်/လမ်း/မြို့နယ်)		၉. ၎င်း၏ အမည်	
၆. ကျူးလွန်သူ၏ အလုပ်အကိုင်			
မည်သည့်နေရာတွင် (အိမ်အမှတ်/ရပ်ကွက်/လမ်း)			

မြန်မာနိုင်ငံ လိင်စိတ်ကွဲပြားသူများ လူ့အခွင့်အရေး စောင့်ကြည့်လေ့လာရေး ဖိုရမ်

မည်သည့်အချိန်တွင် (ခုနှစ်၊ လ၊ ရက်၊ နာရီ)		
မည်သို့ ပြုမူခဲ့သည် (ကျူးလွန်သည့်ပုံစံ)		
မည်သို့ ထိခိုက်ခဲ့သည် (စိတ်ပိုင်း/ရုပ်ပိုင်း/လိင်ပိုင်း/အခြား) နှင့် နောက်ဆက်တွဲ အကျိုးသက်ရောက်မှု		
အဖြစ်အပျက်ကို တစ်စုံတစ်ဦးထံ ပြောပြခဲ့ခြင်း ရှိ/မရှိ	☐ ရှိ (မည်သူ့ထံပြောပြခဲ့သည်) _____	☐ မရှိ
အဖြစ်အပျက်ကို သက်ဆိုင်ရာများထံ တိုင်ကြားခဲ့ခြင်း ရှိ/မရှိ	☐ ရှိ (မည်သူ့/မည်သည့်ဌာနထံ တိုင်ကြားခဲ့သည်)	☐ မရှိ



မြန်မာနိုင်ငံ လိင်စိတ်ကွဲပြားသူများ လူ့အခွင့်အရေး စောင့်ကြည့်လေ့လာရေး ဖိရိမ

		(အဘယ်ကြောင့် မတိုင်ကြားခဲ့ခြင်း ဖြစ်သနည်း) - ပြည်တွင်းတရားရေးစနစ်ကို အယုံအကြည်မရှိသောကြောင့် - အမှုအခင်းမရင်ဆိုင်လိုသောကြောင့် - ကူညီမညီသမှုရှိသောကြောင့် - ကျူးလွန်သူမှ လက်တုံ့ပြန် မည်စိုးသောကြောင့် - အခြား
သက်ဆိုင်ရာများက ယင်း ကျူးလွန်သူ(များ) အပေါ် အရေးယူမှုများ ရှိခဲ့/မရှိခဲ့	☐ ရှိ (မည်သို့အရေးယူခဲ့သည်)	☐ မရှိ

Annex C ENDNOTES

- I. Data from UN Population Division. Available at <https://statisticstimes.com/demographics/country/myanmar-demographics.php>
- II. According to the average % of LGBTQ populations across 27 countries info by LGBT+ Pride 2021 Global Survey. Available at: https://www.ipsos.com/sites/default/files/ct/news/documents/2021-06/LGBT%20Pride%202021%20Global%20Survey%20Report_3.pdf
- III. Myitkyina Case - <https://www.facebook.com/odditiesbyauro/posts/pfbid02Y-hc4zH3ld4rr7oX8BjrcuMzyGP5E So7FxubNkxV7rroJD1 eEehq84MepviQbhx5Yl>.
Mawlamyine Case - https://www.facebook.com/permalink.php?story_fbid=pfbid02hay6SfdUbmbMH4K2mXENUj5KWnvSAnMljjUsmxuo4N4DoF9ZGiB9bNcpZtvbY-Qivl&id=100013181103071
- III. <https://mohr.nugmyanmar.org/wp-content/uploads/2021/06/LGBTIQ-Situation-June-30-2021-final.pdf>
- V. <https://mowycanugmyanmar.org/en/abuse-of-lgbti-communities-wide-spread-in-post-coup-myanmar/>
- VI. In Section 348, it is prescribed that "citizens shall not be discriminated against based on "race, birth, religion, official position, status, culture, sex and wealth." Notably absent from this list is discrimination based on the sexual orientation and gender identity of Myanmar citizens, indirectly implying that state can discriminate its citizens based on sexual orientation and gender identity.
- VII. "377. Whoever voluntarily has carnal intercourse against the order of nature with any man, woman or animal shall be punished with imprisonment for a term of twenty years, or with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine. Explanation Penetration is sufficient to constitute the carnal intercourse necessary to the offence described in this section." It is generally understood and perhaps more importantly enforced by law enforcement agencies, as a prohibition on consensual same-sex sexual relations. It is used as a tool of oppression, even without formal charges by abusing its provisions. The prosecution must prove beyond reasonable doubt that: (i) The accused had carnal inter-

course with a man, woman or animal; (ii) That such intercourse was against the order of nature; (iii) That the accused did the act voluntarily; (iv) That there was penetration.

- VIII. Section 312 (A) and (B) similarly states that "Whoever intentionally does sterilization by surgery to a [woman in 312(A) and man in 312(B) respectively] shall, unless such sterilization is certified by the Board appointed by the Government in this to be necessary for reasons of physical or mental health, be punished with imprisonment for a term which may extend to three years, and shall also be liable to fine." Section 312 (C) states that "Whoever voluntarily allows oneself to be sterilized by surgery, unless such sterilization is certified by the Board appointed by Government on this behalf to be necessary for reasons of physical or mental health, shall be punished with imprisonment for a term which may extend to three years, and shall also be liable to fine"
- IX. Section 320 of the Penal Code criminalizes the act of "emasculatation" and fails to include an elaborate definition on the term, threatening mainly transgender women.
- X. Section 35 of the 1945 Police Act states that: (a) Any person found armed with any dangerous or offensive instrument whatsoever, who is unable to give a satisfactory account of his reasons for being so armed; (b) Any reputed thief found between sunset and sunrise remaining or loitering in any bazaar, street, road, yard, thoroughfare or other place, who is unable to give a satisfactory account of himself; (c) Any person found between sunset and sunrise having his face covered or otherwise disguised, who is unable to give a satisfactory account of himself; (d) Any person found within the precincts of any dwelling-house other building whatsoever, or in any back-drainage space, on board any vessel, without being able satisfactorily to account for his presence therein; and (e) Any person having in his possession, without lawful excuse, any implement of housebreaking, may be taken into custody by any police-officer without a warrant, and shall be punishable on conviction with imprisonment for a term which may extend to three months. Section 30 of the Rangoon Police Act 1899 states: Apprehension and punishment of reputed thieves and others. 30. (a) Any person found armed with any dangerous or offensive instrument whatsoever, and who is unable to give a satisfactory account of his reasons for being so armed; (b) any reputed thief found between sunset and sunrise lying or loitering in any bazaar, street,

road, yard, thoroughfare or other place, who shall not give a satisfactory account of himself;(c) any person found between sunset and sunrise having his face covered or otherwise disguised and who is unable to give a satisfactory account of himself;(d) any person found within the precincts of any dwelling-house or other building whatsoever, or in any back-drainage space, or on board any vessel, without being able satisfactorily to account for his presence therein; and (e) any person having in his possession, without lawful excuse, any implement of house-breaking, may be taken into custody by any police-officer without a warrant, and shall be liable to imprisonment which may extend to three months.

- XI. "Anyone who, at the public roads, public spaces, regular public pedestrian lanes, or at seeable and hearable distant house, building, room, aquatic vehicle or land vehicle, (A) Solicits verbally or physically or shamelessly by exposing one's physique or genitals or in any other forms; or (B) Interferes, prevents or wandering near-by or persuades someone to engage in prostitution; - Shall be punished with hard labour and imprisoned for no less than 1 years or more than 3 years. If the perpetrator is a woman, she shall be detained and imprisoned at a prescribed center as a punishment. This section threatens LGBTIQA sex workers.
- XII. In the following bill, "women" is defined as "a human female regardless of any ages". Such definition is vague and not inclusive of women based on sexual orientation or gender identity, especially LBTQ women. Enactment of this bill with no further revision to the definition of "women" to be more inclusive would be in direct violation of the rights of LBTQ women citizens in Myanmar.
- XIII. The Ward/Village Tract Administration Law recently amended by the military SAC includes provisions requiring mandatory guest registrations for every household, which restricts right to privacy and freedom of movement for LGBTIQA persons.
- XIV. State defamation; Section 505 (A) to (D); Section 144; Counter-terrorism Law, Article 50, 52 etc.
- XV. Section 24(E) reads "There shall be no discrimination on the grounds of sex, sexual orientation or gender identity, traditions, cultures, religion or belief, race, language, disability or any other physical and psychological status in implementing this policy."
- XVI. Chapter 1, Section 1, sub-section (xxi) defines discrimination as "discrimination

based on citizenship, race, ethnicity, social origin, color, sex, language, religion or belief, designation, standards, culture, rich or poor, disability, politics or sexual orientation"

- XVII. Ministries of the National Unity Government (NUG) of Myanmar: https://en.wikipedia.org/wiki/National_Unity_Government_of_Myanmar
- XVIII. MoWYCA: PSHEA Policy (March 2023) specifies protection of women, children, youths and LGBTQIAs against any form of SHEA (under Section.7 Code of Conduct). Available at: <https://mowyca.nugmyanmar.org/en/mowyca-pshea-policy/>
- XIX. International Covenant on Economic, Social And Cultural Rights (ICESCR), entered into force 3 January 1976, Myanmar signed in 16 July 2015 and ratified on 6 October 2017.
- XX. The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), entered into force 3 September 1981, Myanmar acceded on 22 July 1997.
- XXI. The Convention on the Rights of the Child (CRC), entered into force, 2 September 1990, Myanmar acceded on 15 July 1991.
- XXII. The Convention on the Rights of Persons with Disabilities (CPD), entered into force 3 May 2008, Myanmar acceded on 7 December 2011.
- XXIII. International Covenant on Economic, Social and Cultural Rights (ICESCR) : <https://www.ohchr.org/en/professionalinterest/pages/cescr.aspx>
- XXIV. International Covenant on Economic, Social and Cultural Rights (ICESCR) : <https://www.ohchr.org/en/professionalinterest/pages/cescr.aspx>
- XXV. International Covenant on Economic, Social and Cultural Rights (ICESCR) : <https://www.ohchr.org/en/professionalinterest/pages/cescr.aspx>
- XXVI. Article 2, Convention on the Elimination of All Forms of Discrimination Against Women, United Nations, Treaty Series vol. 1249, p 13.
- XXVII. Article 2, Convention on the Rights of the Child, United Nations, Treaty Series, vol. 1577, p. 3.
- XXVIII. Transforming our world : <https://sustainabledevelopment.un.org/post2015/transforming-ourworld>
- XXIX. Myanmar introduced Myanmar Sustainable Development Plan (MSDP) : <https://bandapost.org/wp-content/uploads/pdf/Myanmar%20Sustainable%20Develop->

ment%20Plan%202018-2030%20[EN].pdf

- XXX. LHRD1201, LHRD1202, LHRD1203, LHRD1207 Nyaungshwe Township. LHRD0903, LHRD0906, LHRD0907, LHRD0908, LHRD0911 Monywa township. LHRD1512, LHRD1514 Yangon City.
- XXXI. LHRD0102 Chauk township. LHRD1213 Nyaungshwe Township.
- XXXII. LHRD0814, LHRD0815 Meikhtila township. LHRD1103 Pakokku township.
- XXXIII. LHRD1515 Yangon City.
- XXXIV. LHRD0910 Monywa township.
- XXXV. LHRD1215 Nyaungshwe township. LHRD0410 Lashio township. LHRD1010 Myitkyina township.
- XXXVI. LHRD1412 (Transman) Taunggyi city.
- XXXVII. A total of 17 data cases including LHRD1206, LHRD1208, LHRD1212 Nyaungshwe township. LHRD1411- Taunggyi City.
- XXXVIII. LHRD0703, LHRD0706 Mawlamyine township. LHRD0902, LHRD0904 Monywa township. LHRD1505, LHRD1513 Yangon city. LHRD1401, LHRD1402 Taunggyi city. LHRD1101 Pakokku township.
- XXXIX. LHRD0308 Kayukpadaung township. LHRD0104 Chauk township. LHRD1402 Taunggyi city. LHRD1210 Nyaungshwe township.
- XI. PDF is an acronym for People's Defense Force. People's Defense Force is an umbrella term for three types of armed groups that have emerged since the coup: PDFs, Local Defense Forces (LDFs) and People's Defense Teams (PaKhaPha/PDTs). As a whole, PDF is the armed wing of the National Unity Government (NUG) of Myanmar, a shadow civilian government.
- XII. LHRD0717 (Non-binary) Mawlamyine township. LHRD0904 (Transwoman), LHRD0906 (Transwoman) Monywa township. LHRD0415 (Transman) Lashio township.
- XIII. LHRD0903 (Transwoman), LHRD0909 (Transwoman), LHRD0910 (Transwoman), LHRD0913 (Gay) Monywa township.
- XIII. LHRD0908 (Transwoman), LHRD0915 (Gay) Monywa township. LHRD0405 (Transman) Lashio township. LHRD1201 (Transwoman) Nyaungshwe township. LHRD1101 (Transwoman) Pakokku township. LHRD0613 (Transwoman) Mandalay city.

- XIV. LHRD0901 (Transwoman) Monywa township. LRD1513 (Queer), LHRD1515 (Queer), LHRD1506 (Transwoman) Yangon city. LHRD0409 (Transwoman) Lashio township. LHRD1205 (Transwoman), LHRD1210 (Transwoman), LHRD1214 (Transwoman) Nyaungshwe township. LHRD1107 (Transwoman), LHRD1110 (Gay) Pakokku township. LHRD0604 (Non-binary) mandalay city.
- XIV. LHRD1512 (Transwoman) Yangon city. LHRD0312 (Transwoman) Kyaukpadaung township. LHRD1308 (Transwoman) - Shwebo twonship. LRD1207 (Gay), LHRD1208 (Gay) Nyaungshwe township.
- XVI. LHRD0312 (Transwoman) Kyaunkpadaung township. LHRD1308 (Transwoman) Shwebo township. LHRD1213 (Gay) Nyaungshwe township. LHRD0509 (Transwoman) Mahlaing township.
- XVII. LHRD0905 (Gay), LHRD0907 (Transwoman), LHRD0912 (Transwoman) Monywa township. LHRD1102 (Transwoman) Pakokku township.
- XVIII. LHRD0406 (Transman) Lashio township.
- XIX. LHRD1204 Nyaungshwe township.
- I. LHRD0803 (Gay) Meikhtila township.
- II. LHRD0712 (Transwoman) Mawlamyine township. LHRD1514 (Transwoman) Yangon city. LHRD1202 (Gay), LHRD1205 (Transwoman) Nyaungshwe township. LHRD1107 (Transwoman) Pakokku township. LHRD1010 (Gay) Myitkyina township. LHRD0606 (Gay), LHRD0608 (Bisexual), LHRD0616 (Transman) Mandalay city. LHRD0506 (Transwoman), LHRD0508 - (Transman) Mahlaing township.
- III. LHRD0914 (Gay) Monywa township.
- III. LHRD0406 (Transman) Lashio township. LHRD1210 (Transwoman) Nyaungshwe township. LHRD0804 (Transwoman) Meikhtila township.
- IV. LHRD0709 (Queer) Mawlamyine township. LHRD1508 (Bigender) Yangon city. LHRD1302 (Gay) Shwebo township. LHRD1201 (Transwoman), LHRD1209 (Gay) Nyaungshwe township. LHRD0801 (Transwoman), LHRD0804 (Transwoman) Meikhtila township.
- IV. LHRD1511 (Gay) Yangon city. LHRD1211 (Transwoman) Nyaungshwe township.
- VI. LHRD1101, LHRD1102 (Gay) Pakokku township.
- VII. LHRD0311 (Transwoman) Kyuakpadaung township.

- IVIII. LHRD0301 (Transman) Kyaukpadaung township. LHRD0908 (Transwoman) Monywa township.
- LHRD1114 (Gay) Pakokku township.
- IX. LHRD0809 (Transwoman) Meikhtila township. LHRD0904 (Transwoman), LHRD0915 (Gay) Monywa township.
- IX. LHRD1109 (Transwoman) Pakokku township. LHRD1013 (Transwoman) Myitkyina township.
- IXI. LHRD0710 (Gay) Mawlamyine township.
- IXII. LHRD0310 (Transwoman), LHRD0303 (Transwoman), LHRD0315 (Transwoman) Kyaukpadaung township. LHRD0902 (Transwoman), LHRD0906 (Transwoman), LHRD0915 (Gay) Monywa township.
- LHRD0404 (Transwoman), LHRD0408 (Transman), LHRD0409 (Transwoman) Lashio township.
- LHRD1109 (Transwoman) Pakokku township. LHRD1203 (Transwoman) Nyaungshwe township.
- IXIII. LHRD0309 (Transwoman) Kyaukpadaung township. LHRD0414 (Transwoman) Lashio township.
- IXIV. LHRD0904 (Transwoman), LHRD0913 (Gay) Monywa township.
- IXV. LHRD0717 (Non-binary) Mawlamyine township.
- IXVI. A-Chauk is a derogatory term, widely used by the prejudiced Burmese society to address not just queers but also heterosexual effeminate men and transgender men, and to express their disgust over LGBTQ people. The word is directly translated as 'those who unnaturally use dry anus to have sex'.
- IXVII. Pyu-saw-htee are pro-military supporters. They are the militia forces backed mainly by the military, and are made up of military veterans and Buddhist ultranationalist pro-military supporters.
- IXVIII. For example, a gay man from Monywa township who was sexually harassed and exploited when going to the police station to file a case. (LHRD0913).
- IXIX. LHRD1401 (Gay), LHRD1402 (Transman), LHRD1407 (Lesbian), LHRD1410 (Transman) Taunggyi township. LHRD1101 (Transwoman), LHRD1104 (Transwoman) Pakokku township. LHRD0906 (Transwoman) Monywa township.

- IXX. LHRD1403 (Transman) Taunggyi township.
- IXXI. LHRD1102 (Gay), LHRD1107 (Transwoman), LHRD1109 (Transwoman) Pakokku township.
LHRD0717 (Non-binary) Mawlamyine township.
- IXXII. LHRD0905 (Gay) Monywa township. LHRD1105 (Gay), LHRD1106 (Transwoman) Pakokku township.
LHRD1507 (Transwoman) Yangon city. LHRD1002 (Bigender) Myitkyina township.
LHRD1404 (Bisexual man) Taunggyi township.
- IXXIII. LHRD1404 (Bisexual man) from Taunggyi city who had to give over 600 lakhs (approximately 30,000 USD) to the prison authorities and prosecutors to not be charged and escape from prison, including other cases such as LHRD0915 (Gay) Monywa township; LHRD1007 (Non-binary), LHRD1014 (Gay) Myitkyina township; and LHRD1510 (Transwoman) Yangon City.
- IXXIV. LHRD0909 (Transwoman) Monywa township.
- IXXV. LHRD1101 (Transwoman), LHRD1106 (Transwoman) Pakokku township. LHRD1204 (Transwoman) Nyaungshwe township. LHRD1404 (Bisexual man), LHRD1408 (Gay) Taunggyi township.
- IXXVI. LHRD1103 (Transwoman) Pakokky township. LHRD1002 (Bigender) Myitkyina township.
- IXXVII. LHRD0915 (Gay) Monywa township.
- IXXVIII. LHRD0609 (Gay) Mandalay city.
- IXXIX. LHRD1305 (Gay) Shwebo township. LHRD1510 (Transwoman) Yangon city.
- IXXX. LHRD1404 (Bisexual man), LHRD1406 (Gay) Taunggyi city.
- IXXXI. LHRD1104 (Transwoman), LHRD1109 (Transwoman) Pakokku township. LHRD0904 (Transwoman) Monywa township. LHRD1203 (Transwoman), LHRD1204 (Transwoman), LHRD1205 (Transwoman), LHRD1214 (Transwoman) Nyaungshwe township.
- IXXXII. LHRD1210 (Transwoman) - Nyaungshwe township.
- IXXXIII. LHRD0905 (Gay), LHRD0913 (Gay) Monywa township.
- IXXXIV. LHRD0910 (Transwoman), LHRD0912 (Transwoman) Monywa township. LHRD1111 (Transwoman) Pakokku township.
- IXXXV. National Registration Card.

- IXXXVI. Thinzar Wint Kyaw is a famous female model in Myanmar. She is well known for her nude arts in which she shows her skin and body positivity. After the coup, she was arrested by the military for public obscenity.
- IXXXVII. There were altogether 26 cases of violence against protestors as documented by the forum.
- IXXXIII. LHRD0813 (Gay) Meikhtila township. LHRD1408 (Gay), LHRD1409 (Gay) Taunggyi city.
- IXXXIX. LHRD1213 (Gay) Nyaungshwe township.
- XC. LHRD1215 (Gay), LHRD1207 (Gay) - Nyaungshwe township. LHRD1314 (Transwoman) Shwebo township.
- XC1. LHRD1302 (Gay), LHRD1305 (Gay) Shwebo township. LHRD0912 (Transwoman) Monywa township. LHRD1109 (Transwoman) Pakokku township.
- XCII. LHRD1301 (Transwoman), LHRD1304 (Gay), LHRD1309 (Gay), LHRD1306 (Transwoman) Shwebo township. LHRD0909 (Transwoman), LHRD0904 (Transwoman) Monywa township.
- XCIII. LHRD1214 (Transwoman) Nyaungshwe township.
- XCIV. LHRD0914 (Gay) Monywa township. LHRD0802 (Transman) Meikhtila township. LHRD0601 (Gay) Mandalay city.
- XCV. LHRD0812 (Transwoman) Meikhtila township. LHRD0907 (Transwoman) Monywa township.
- XCVI. LHRD1311 (Gay) Shwebo township.
- XCVII. LHRD1303 (Transwoman) Shwebo township. LHRD0904 (Transwoman), LHRD0908 (Transwoman), LHRD0910 (Transwoman) Monywa township.
- XCVIII. LHRD0808 (Gay) Meikhtila township. LHRD1105 (Bisexual) Pakokku township.
- XCIX. LHRD1302 (Gay) Shwebo township.
- C. LHRD1210 (Transwoman) Nyaungshwe township.
- CI. LHRD0413 (Transwoman) Lashio township.
- CII. LHRD0404 (Transwoman) Lashio township.
- CIII. LHRD1512 (Transwoman) Yangon city.
- CIV. LHRD0905 (Gay) Monywa township. LHRD1211 (Transwoman) Nyaungshwe township.

- CV. LHRD0708 (Transwoman) Mawlamyine township.
- CVI. LHRD0910 (Transwoman) Monywa township.
- CVII. LHRD1511 (Gay) Yangon city.
- CVIII. LHRD1212 (Gay), LHRD1213 (Gay), LHRD1215 (Gay) - Nyaungshwe township.
- CIX. LHRD1002 (Bigender) Myitkyina township.
- CX. CDM-participating former civil servant: LHRD1413 (Transman) Taunggyi city.
- CXI. LHRD1204 (Transwoman), LHRD1206 (Gay) - Nyaungshwe township.
- CXII. LHRD0505 (Transwoman) Mahlaing township.
- CXIII. The forum documented a total of 56 cases where LGBTIQA are subjected to verbal abuse and psychological abuse in social sector based on their gender identities and expressions.
- CXIV. The forum documented a total of 9 cases where LGBTIQA are subjected to verbal abuse and psychological abuse in social sector based on their sexual orientations.
- CXV. LHRD0812 (Transwoman) Meikhtila township.
- CXVI. LHRD0308 (Transwoman) Kyaukpadaung township.
- CXVII. LHRD0307 (Transwoman) Kyaukpadaung township.
- CXVIII. LHRD0301 (Transman), LHRD0304 (Transman), LHRD0305 (Transwoman), LHRD0314 (Transwoman) Kyaukpadaung township. LHRD1314 (Transwoman) Shwebo township. LHRD1204 (Transwoman) Nyaungshwe township.
- CXIX. LHRD0703 (Transwoman), LHRD0706 (Bigender), LHRD0709 (Bigender), LHRD0715 (Gay) Mawlamyine township. LHRD0906 (Transwoman) Monywa township.
- CXX. LHRD1504 (Transwoman), LHRD1507 (Transwoman) Yangon city.
- CXXI. LHRD0404 (Transwoman), LHRD0405 (Transman), LHRD0412 (Transwoman) Lashio township.
LHRD1204 (Transwoman) Nyaungshwe township. LHRD1101 (Transwoman) Pakokku township.
LHRD1508 (Bigender) Yangon city. LHRD0909 (Transwoman), LHRD0908 (Transwoman), LHRD0911 (Transwoman) Monywa township.
- CXXII. 1 case involved this type of GVHR.

- CXXIII. 23 cases involved this type of GVHR.
- CXXIV. 7 cases.
- CXXV. 22 cases.
- CXXVI. 8 cases.
- CXXVII. 15 cases.
- CXXVIII. 4 cases.
- CXXIX. <https://coup.aappb.org/person/THA-20220601-00850>
- XXX. Testimony of the interviewee (undisclosed close relative of the victim).
- XXXI. 'Ponsan' is a typical form of physical torture and punishment used by the investigators and prison officers where the detainees and prisoners are forced to maintain various difficult positions for prolonged periods. Ponsan often involves standing on tip-toe with knees bent at a 45 degree angle for a prolonged period, with each time lasting for one to two hours and twice-thrice a day.
- XXXII. Available at: <https://airtable.com/shr9w3z7dyloqdUv4/tbl8hVtSci8VifbO9>
- XXXIII. Myanmar's Penal Code Section 505 regarding 'sedition' was recently amended by the military to target all pro-democracy and anti-military supporters. 505 (A) criminalizes "any attempt to hinder, disturb, damage the motivation, discipline, health and conduct of the military personnel and government employees and cause their hatred, disobedience, or disloyalty toward the military and the government". Military's amendment in early 2021 following the coup included additional provision criminalizing "any attempt to cause fear, spread false news, or agitate directly or indirectly a criminal offense against a government employee". Read more here: <https://www.irrawaddy.com/news/burma/myanmar-ruling-council-amends-treason-sedition-laws-protect-coup-makers.html>
- XXXIV. MRTV is a Myanmar Radio and Television a national broadcasting media, mainly managed and run by the military.
- XXXV. 'Dalan' is roughly translated as military-informer. It is used derogatively by anti-coup forces to describe military informants.
- XXXVI. Tha-nge is a term used to refer to a partner (romantic or sexual or both) of a transgender woman. Tha-nge often has a look of heterosexual man.

