Inquiry into the State of Democracy and Human Rights in Myanmar

Alan Robinson, Independent Researcher, January 2026

About the Author

Alan Robinson is a development and humanitarian professional with over fifty years' experience working across Africa, Asia, and Latin America. He previously served as a Principal Scientist with the British Government's Overseas Development Administration and later held senior leadership roles in the NGO sector, including Development Director for an international organisation operating in Myanmar. He now contributes on a *pro bono* basis to a small network of diplomats, academics, politicians, and humanitarian practitioners, with recent authored work focused on Myanmar's elections, international engagement dilemmas, the role of the Burmese diaspora, and policy analysis.

1. Introduction and Purpose

This submission is offered in response to the Senate Foreign Affairs, Defence and Trade References Committee inquiry into *the state of democracy and human rights in Myanmar, with specific consideration of the phased elections to be held from December, and the barriers to a return to an inclusive civilian democratic government*.

The submission does **not** argue for recognition of Myanmar's military authorities, nor for acceptance of the current elections as legitimate or democratic. Rather, it seeks to assist the Committee by analysing how international actors, including democratic governments, tend to respond in practice to protracted crises characterised by entrenched violence, humanitarian distress, and declining leverage.

Drawing on recent independent analytical work by the author on Myanmar's elections, human rights conditions, and international engagement dilemmas, this submission examines the risks posed by the junta's staged elections, the structural barriers to democratic restoration, and the policy dilemmas now facing international partners. It aims to support the Committee in **identifying approaches** that reduce civilian harm and preserve democratic principles **without conferring legitimacy on authoritarian rule**.

2. Phased Elections: Significance Without Legitimacy

In the context of Myanmar, the holding of elections and the formation of a nominally civilian government do not, in themselves, indicate a transfer of power, a reduction in coercion, or a meaningful expansion of political participation.

The Phase 2 election process (January 2026) illustrates this clearly. Available evidence indicates that the **military authorities already secure a governing majority** irrespective of remaining electoral phases: 25% of parliamentary seats remain reserved for serving military officers, additional seats are allocated selectively under military control, and millions of voters and dozens of constituencies are permanently excluded from participation. A so-called **"civilian government"** is expected to be formed by **April 2026**, with Parliament convened in March, regardless of the completion or outcomes of subsequent phases.

Crucially, electoral activity has coincided with intensified coercion rather than political opening. During the Phase 2 period alone, more than one hundred airstrikes were recorded across nearly fifty townships, including attacks on schools, medical facilities, places of worship, and displacement sites. Violence increased on polling days, suggesting that elections are being used to consolidate territorial and administrative control rather than to reduce conflict. Large-scale voter exclusion, systematic coercion, and the use of electoral mechanisms to support surveillance and conscription demonstrate that this is **not a transition to civilian rule, but a constitutional re-packaging of military power**.

Understanding this dynamic is essential if Australia is to maintain principled clarity while avoiding inadvertent legitimation of repression.

3. Democracy, Human Rights, and Why Elections Are a Poor Policy Guide

Myanmar's crisis highlights a recurring risk in international democracy and human rights policy: **elections are often treated as proxies for progress**, even when underlying conditions of coercion and exclusion remain unchanged.

Elections, legal frameworks, and formal institutions matter. However**, in contexts of sustained authoritarian violence, they are poor guides for policy recalibration** unless accompanied by demonstrable changes in how power is exercised and how civilians are treated. Where fear, mass displacement, arbitrary detention, and indiscriminate violence persist, elections may obscure rather than reveal reality.

In Myanmar, the effects of prolonged repression are experienced not only as violations of law, but as the erosion of dignity, the capacity to act freely, and social trust. Communities are denied not just political rights, but the basic conditions required to live without fear or humiliation. In such circumstances, elections risk being used instrumentally—to signal normalisation to external actors— without improving the lived conditions that give democracy meaning.

For policy-makers, this has practical implications. If elections conducted under coercion are treated as thresholds for engagement, legitimacy can be conferred without improving civilian protection. Conversely**, if engagement decisions are grounded in behavioural indicators**—such as reductions in civilian harm, releases of political detainees, and restraint in coercive governance—**policy can remain aligned with democratic and human rights principles even under constraint.**

This distinction underpins the recommendations that follow. It explains why Australia's response should be guided less by electoral timelines or institutional form, and more by **substantive changes in civilian protection, political space, and dignity on the ground**.

4. Barriers to an Inclusive Civilian Democratic Government

Several structural barriers continue to impede a return to inclusive civilian democratic governance in Myanmar:

> **a. Concentration of Coercive Power**
> The military retains decisive control over security forces, administrative authority, and political space. Elections conducted under such conditions cannot transfer real power, regardless of formal outcomes.

b. Fragmentation and Fatigue in International Engagement

International pressure mechanisms—sanctions, isolation, and diplomatic censure—face diminishing returns over time. As crises become protracted, external actors often shift from transformational goals to harm containment, increasing the risk of lowered thresholds for engagement.

c. Humanitarian Access Dilemmas

The imperative to reach civilians in need creates persistent tension between pressure and presence. Access negotiations risk empowering coercive authorities, yet disengagement leaves populations exposed. Navigating this dilemma without legitimising abuse remains one of the most difficult policy challenges.

d. Erosion of Civic and Communal Capacity

Prolonged violence and repression have weakened local institutions, displaced communities, and disrupted social trust. Democratic recovery depends not only on national political settlements, but on the survival of civic life at community level.

These barriers underscore why elections alone cannot deliver democratic transition, and why international engagement strategies must be calibrated carefully.

e. Fragmentation of Civilian and Resistance Actors

Beyond military repression, a further barrier to inclusive civilian democratic government is the fragmentation of opposition, resistance, and civic actors. While diverse in origin and legitimate in their grievances, this fragmentation complicates international engagement and weakens the emergence of a coherent civilian alternative capable of being supported diplomatically.

Without greater coordination and inclusive political frameworks among civilian and resistance actors, future peace processes risk either exclusion or premature engagement with a nominally civilian authority lacking democratic substance.

5. Policy Implications for Australia: *Engagement Without Endorsement*

Australia's existing policy settings provide a principled foundation. As elections proceed and international pressure for engagement grows, greater clarity and assertiveness will be required to prevent incremental legitimation through ambiguity.

a. Maintain Clear Non-Recognition of Electoral Legitimacy

Public and diplomatic messaging should continue to distinguish explicitly between electoral activity and democratic legitimacy. Elections conducted under coercion should not be framed as steps toward democratic transition.

b. Bound Engagement Strictly to Humanitarian and Technical Domains

Where engagement occurs, it should remain narrowly focused on humanitarian outcomes, consular issues, and technical matters necessary to reduce civilian harm. Political normalisation should be avoided.

c. Define Red Lines Linked to Civilian Harm

Any consideration of expanded engagement should be contingent on demonstrable reductions in violence against civilians, including airstrikes, mass detention, and collective punishment.

d. Prioritise Dignity-Preserving Assistance
Support should favour actors and delivery models that preserve local ownership and autonomy, dignity, and participation, rather than reinforcing dependency or coercive control.

e. Guard Against the Substitution of Stability for Democracy
Australia should resist treating reduced instability as evidence of political progress where repression persists. Stability achieved through fear and exclusion undermines the foundations of democratic recovery.

f. Support Conditions for Inclusive Civilian Coordination and Future Peace Processes
Australia should consider supporting efforts that strengthen coordination, inclusivity, and political coherence among civilian, resistance, and ethnic actors, without conferring recognition or legitimacy on any single authority. Such support would not constitute mediation or endorsement, but would help lay the groundwork for a credible civilian alternative capable of participating meaningfully in any future peace process.

Over time, the existence of a more unified and representative civilian platform would reduce the risk that international engagement defaults to a nominally civilian government emerging from military-controlled elections, and would improve the prospects for inclusive, internationally supported peace talks when conditions permit.

In supporting future pathways toward inclusive civilian governance, Australia may also benefit from continued engagement with diaspora communities and civil society actors whose connections and insights can inform principled policy and peace preparedness.

6. Indicators for Assessing Democratic Trajectory Post-Elections

To assist ongoing parliamentary scrutiny, Australia should assess post-election developments against **substantive indicators of democratic direction**, rather than electoral milestones alone. These indicators include:

- **Civilian Protection:** sustained reduction in airstrikes, shelling, and attacks on civilian areas.

- **Political Detention:** large-scale and sustainable releases of political prisoners, including high-profile detainees, alongside a marked decline in new arrests.

- **Freedom of Association and Expression:** evidence of tolerance for independent media, civil society activity, and political organising.

- **Administrative Behaviour:** restraint in the use of emergency laws, curfews, and collective punishment.

- **Humanitarian Access:** improved access for neutral humanitarian actors without coercive conditions.

- **International Conduct:** willingness to engage constructively with UN mechanisms and special envoys.

Movement across these indicators — rather than the existence of electoral processes alone — should inform any reassessment of Australia's posture.

7. Conclusion

Myanmar's phased elections do not resolve the country's democratic crisis. They may, however, influence how international actors choose to live with it. The challenge for Australia is not whether to uphold democratic and human rights principles, but how to apply them deliberately in an environment of constraint, ambiguity, and humanitarian urgency.

By maintaining clear non-recognition, enforcing principled boundaries around engagement, and grounding policy decisions in substantive indicators of civilian protection and dignity, Australia can continue to act constructively without legitimising authoritarian rule.

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