



**Submission to the Australian Parliament Foreign Affairs, Defence and Trade References Committee**  
**Inquiry into the State of Democracy and Human Rights in Myanmar**

**Submitted by: International Institute for Democracy and Electoral Assistance (International IDEA)**

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The [International Institute for Democracy and Electoral Assistance \(International IDEA\)](#) welcomes the opportunity to contribute to the Parliamentary Inquiry of the Australian Parliament into the state of democracy and human rights in Myanmar. International IDEA also wishes to note that it is open to being called to speak to the Committee as part of this Inquiry.

As an intergovernmental organisation with a mandate to support and strengthen democratic institutions and processes worldwide, International IDEA has monitored developments in Myanmar closely since the February 2021 military coup that ended the country's brief period of democratic transition. This submission focuses on the current political landscape, the 2025/2026 [junta-run phased elections](#), and the structural and institutional barriers to inclusive civilian democratic governance, drawing on International IDEA's own assessments and corroborated evidence from independent human rights and international monitoring sources.

## **I. The State of Democracy and Human Rights in Myanmar**

Myanmar is experiencing one of the **sharpest democratic collapses globally**. International IDEA's *Global State of Democracy (GSoD) Indices*, as presented in [IDEA's Democracy Tracker country profile](#), place Myanmar in the **lowest quartile across all four democratic performance categories**—Representation, Rights, Rule of Law, and Participation—and note a **decline across all categories between 2019 and 2024**, including near-zero performance on core representation indicators. This reflects a structural reality: since the coup, basic democratic guarantees—credible elections, civil liberties, judicial protections, and meaningful participation—have been dismantled through coercion, repression, and conflict.

The human rights situation is extremely grave and continues to deteriorate. The [Assistance Association for Political Prisoners \(AAPP\)](#) — one of the most reliable sources documenting post-coup political violence and detention — reports that, as of mid-January 2026, junta and pro-military groups have **killed 7,685 people** since the 2021 coup, while **30,276 people have been arrested**, with **22,720 currently detained** (including **11,460 serving sentences**). AAPP's [live dashboard](#) likewise reports comparable totals, underscoring the scale and persistence of lethal violence and political imprisonment.

United Nations human rights reporting corroborates this pattern of widespread violations. The United Nations High Commissioner for Human Rights (OHCHR) has documented escalating civilian harm and describes a conflict marked by serious violations of international human rights and humanitarian law, including rising civilian casualties and intensified aerial attacks. UN High Commissioner for Human Rights Volker Türk addressed the Human Rights Council on 28 February 2025, and detailed the [devastating toll of the ongoing conflict](#) and economic collapse on civilians. He said that the number of people killed in 2024 was the highest since the 2021 military coup. In its 2024 [annual update](#), OHCHR reports that **at least 1,824 civilians were killed**, including women and children. OHCHR further [reports](#) that **2024 was the deadliest year for civilians due to airstrikes, with 642 verified deaths**, and that aerial attacks continued to surge into 2025.

The **Independent Investigative Mechanism for Myanmar (IIMM)** — established by the UN Human Rights Council to collect and preserve evidence of the most serious international crimes — has also underscored the systematic nature of abuses. Its [reporting](#) highlights progress in identifying perpetrators for crimes committed



in detention facilities, including **systematic torture and sexual violence**, and evidence relating to summary executions.

Airstrikes and aerial warfare are central drivers of the military's civilian harm and displacement. In 2025, the junta [escalated its air campaign](#) against Myanmar's people carrying out **1,134 distinct airstrikes between January and May 2025**, exceeding comparable periods in previous years.

Independent monitoring indicates that thousands of individuals have been arrested on political grounds since the coup, with widespread reports of arbitrary detention, torture, extrajudicial killings, and systematic repression of dissenting voices, including journalists and civil society. The [CIVICUS Monitor](#) categorises Myanmar's civic space as "closed," reflecting the complete shutdown of free association and expression under military rule.

These findings reinforce that Myanmar's crisis is not only political but also one of accountability: the environment remains characterised by patterns of abuse that are fundamentally incompatible with democratic restoration, free civic participation, or safe political competition.

This is the human rights and democratic context in which the junta has sought to stage 2025/2026 elections. In International IDEA's assessment, the junta elections cannot be credibly evaluated as a technical exercise divorced from the enabling environment. In Myanmar, the enabling environment is defined by lethal coercion, mass detention, severe restrictions on expression and association, and conflict dynamics in which civilians are routinely endangered. This context alone is sufficient to conclude that conditions for genuine democratic elections do not exist.

## II. The 'Sham' Democratic Legitimacy of the Junta 2025–26 Phased Elections

Since February 2021 the military junta has [dismantled the 2008 constitutional order to such an extent that it can be considered defunct](#): it did not allow the 2020 elected parliament to convene, arrested elected MPs and did not follow constitutional procedures or reasons to impose extended states of emergency before announcing its illegal election plan. The **junta's claims of fraud in the November 2020 general elections remain unsubstantiated**, and the results continue to reflect the legitimate will of Myanmar's voters.

International IDEA evaluates the legitimacy of electoral processes based on universally recognised democratic standards: genuine political competition, respect for human rights, meaningful participation, impartial electoral management, and independent oversight. The junta elections in Myanmar – besides being unconstitutional – fall markedly short of these benchmarks.

The junta elections held from 28 December 2025 through phases concluding in January 2026 are part of the **junta's attempt to legitimise its rule under a veneer of constitutionalism**; however, this process has lacked credibility and democratic legitimacy and was [boycotted](#) by anti-junta stakeholders and the democracy movement. The junta elections with a [pre-ordained result](#) were conducted [without meaningful political opposition](#), with many [key opposition parties](#) disqualified, deregistered, or unable to operate freely. The National League for Democracy (NLD), which won landslide victories in 2015 and 2020, was dissolved and barred from participation. In addition, the election had a limited geographical scope with more than 3.5 million people displaced and excluded from participating or [coerced to vote](#), amidst ongoing violations of fundamental civil and political rights. The junta also changed the electoral system to a mix of first-past-the-post and proportional representation to favour military-allied parties, introduced untested electronic voting machines, and severely limited freedom of speech.



The environment in which the junta elections took place cannot be described as free, fair or credible. [Independent observers](#), [civil society coalitions](#) and [regional election networks](#) have characterised the process as a managed performance by the junta designed to confer a façade of legitimacy on military rule rather than reflect the will of the people.

This characterisation is consistent with [International IDEA's assessment that the junta elections will not lead to a genuine return to constitutional rule or the restoration of democratic governance](#).

### III. Barriers to Inclusive Civilian Democratic Government

Myanmar's current political and institutional landscape presents acute challenges to any return to inclusive democratic governance:

*1. Constitutional and Institutional Entrenchment of Military Power:* The defunct 2008 Constitution maintained by the junta reserves 25 percent of parliamentary seats to the military and accords the armed forces significant autonomy and control over politics and security including key government ministries, **embedding military influence in the political system and constraining civilian authority and accountability**. The unconstitutionality of the coup, the 2025-2026 junta elections and the creeping normalisation of diplomatic engagements with the junta contribute to further entrenching this system.

*2. Fragmented Territorial Control and Emerging Subnational Entities:* The 2021 coup has not produced the consolidated state authority the junta claims to exercise. Myanmar's political geography has been fundamentally reshaped by the conflict and the rise of alternative governance systems. Credible conflict and governance mapping indicates that the **military now controls less than 32 percent of the country**, with large areas under the influence or administration of resistance actors, ethnic armed organisations (EAOs), and local revolutionary authorities. This fragmentation matters for democracy and rights because it underscores two parallel realities: first, **the junta's coercive attempt to impose de jure authority through violence has been politically and administratively unsuccessful**; and second, **Myanmar's democratic transition pathway is no longer a question of restoring a single pre-coup status quo, but rather of managing a complex, multi-actor transition** in which governance capacity and legitimacy are distributed across multiple territorial and institutional centres.

Within this landscape, the anti-junta democracy movement has continued to pursue a political roadmap to a future **federal democratic union** grounded in the **Federal Democracy Charter (FDC)** and a shared rejection of any junta-led electoral "exit ramp." International IDEA's [analysis](#) of post-coup electoral legitimacy and transition design highlights that the interim democratic institutions — the National Unity Government (NUG), the Committee Representing the Pyidaungsu Hluttaw (CRPH), and the National Unity Consultative Council (NUCC) — derive their legitimacy from the 2020 mandate and from broad-based popular resistance, and that they have sought to translate this legitimacy into a coherent transition framework that can unify diverse actors.

At the same time, the democracy movement's federal vision is being shaped not only by union-level dialogue but also by a **rapid expansion of state, regional, and local entities** that have emerged to fill governance vacuums and protect communities. A growing number of state and regional actors, including councils and interim legislative or administrative structures, have been drafting and consulting on transitional arrangements and governance mechanisms in parallel with union-level processes. These developments are not merely constitutional exercises on paper; they are linked to real-world service delivery.

Together with the National Unity Government, Ethnic Armed Organisations, and community-based organisations, these emerging subnational and local authorities are increasingly providing essential public functions in areas beyond junta control, including components of local administration and public safety,



humanitarian coordination, education and health service provision, and — critically — community dispute resolution and evolving justice mechanisms.

**This evolving governance ecosystem** is of strategic importance to the prospects of Myanmar's inclusive democratic future. It **demonstrates that Myanmar's democratic forces are not only resisting military rule but also attempting — under extreme insecurity — to build the institutional foundations of a future democratic state** in real time. International IDEA's [programming experience](#) and trusted relationships with Myanmar's democracy actors similarly reflect sustained demand among democratic actors for capacity support on constitutional design, federal governance, rule-of-law frameworks, and inclusive public participation to underpin these emerging institutions. International IDEA is well placed to continue supporting Myanmar's democracy movement.

**3. Multiple Armed Forces and Ongoing Conflict:** Since the 2021 coup, the collapse of a unified security order has led to the coexistence of multiple armed forces, including the Myanmar military, long-established ethnic armed organisations, newly formed People's Defence Forces, and other local resistance groups operating with varying degrees of coordination. This **militarisation of political contestation has entrenched insecurity across much of the country**, driving mass displacement, disrupting livelihoods, and exposing civilians to systematic violence, including airstrikes, forced recruitment, and collective punishment. In such conditions, safe and inclusive participation in public life — whether through elections, civic engagement, or community consultation — is fundamentally constrained, particularly for women, youth, ethnic minorities, and other vulnerable groups.

**The ongoing conflict has also paralysed prospects for a meaningful peace process or national political dialogue.** Formal ceasefires have collapsed or remain highly localised, while trust between armed actors is eroded by continued military offensives and human rights violations by the junta. At the same time, the anti-junta movement faces the complex task of balancing military coordination with political consensus-building among diverse armed and non-armed actors, each with distinct territorial, political, and historical claims. **The absence of an inclusive, credible negotiation framework** — one that prioritises civilian protection, political dialogue, and accountability — **continues to inhibit progress toward a negotiated settlement**. Without a pathway to de-escalation and inclusive dialogue, conflict dynamics will continue to undermine democratic transition efforts and delay the emergence of conditions necessary for a stable, civilian-led political order.

**4. De Facto vs De Jure Authority:** The post-coup governance environment in Myanmar is defined by a **profound disjunction between de jure authority and de facto power, which has severely undermined accountability, legality, and democratic oversight**.

The military has sought to cloak its coercive control in the language and structures of legality — reconstituting ministries, courts, and election bodies under its command — while exercising power primarily through force, emergency decrees, and parallel security structures. This conflation of formal institutional functions with military command has hollowed out and captured civilian governance: courts lack independence, oversight bodies are subordinated to the security apparatus, and legal processes are routinely weaponised to criminalise dissent rather than provide protection or remedy. As a result, mechanisms that would normally enable accountability, judicial review, or redress for rights violations are either inaccessible or entirely ineffective.

In this environment, democratic actors and civil society organisations operate under constant threat. Elected representatives from the 2020 elections, journalists, human rights defenders, and community organisers face systematic surveillance, arbitrary arrest, and severe punishment under broadly framed security and anti-terrorism laws. The absence of institutional safeguards — such as independent courts, free media, or protected civic space —means that democratic norms cannot be defended through legal or political channels within junta-controlled systems. Instead, accountability efforts have been displaced to informal, transnational, or



future-oriented mechanisms, including documentation initiatives and international accountability processes. This erosion of the rule of law reinforces a cycle in which de facto military power overrides de jure authority, further entrenching impunity and obstructing any credible path toward civilian democratic governance.

#### **IV. Insufficient International Pressure and Sanctions**

Despite widespread condemnation, **international pressure on the military regime has been inconsistent and insufficient** to compel a genuine democratic transition. While some states and regional bodies have imposed targeted sanctions and diplomatic censure, other influential actors have engaged with the junta in ways that risk conferring inadvertent legitimacy. The reversal or dilution of sanctions and programs supporting democratic resilience — such as recent policy shifts from key donor states — further isolates pro-democracy forces and weakens external leverage for democratic transition.

Intergovernmental mechanisms, multilateral institutions and civil society alliances have called for accountability, respect for human rights, and the unconditional release of political prisoners. However, there remains a significant gap between pronouncements and coordinated, enforceable action that effectively alters the junta's behaviour or alleviates the humanitarian and rights crisis.

#### **Recommendations to the Australian Parliament**

International IDEA submits the following recommendations to the Australian Parliament for consideration:

- Maintain a clear and principled rejection of junta legitimacy**

Maintain and strengthen Australia's explicit rejection of the legitimacy of the military regime and its 2025/2026 junta-organised elections, which do not meet international standards for free and fair elections. Continued public clarity — aligned with the European Union and other democratic partners — is essential to preventing the normalisation of military rule and to ensuring that these elections are not used to justify Myanmar's re-entry into diplomatic, parliamentary, or multilateral forums under a false veneer of civilian governance.

- Deepen engagement with Myanmar's legitimate democratic representatives**

Strengthen political and diplomatic engagement with Myanmar's legitimate democratic institutions — the National Unity Government (NUG), the Committee Representing the Pyidaungsu Hluttaw (CRPH), and the National Unity Consultative Council (NUCC) — which derive their mandate from the 2020 elections and broad-based popular resistance to military rule. Formal and informal recognition through parliamentary exchanges, diplomatic dialogue, and inclusion in relevant regional and international discussions would reinforce their legitimacy and signal Australia's support for a civilian democratic alternative.

- Defend Myanmar's democratic space through active parliamentary diplomacy**

Advocate actively, both bilaterally and in multilateral forums — including ASEAN-related mechanisms, the Inter-Parliamentary Union, and the United Nations — for the protection of Myanmar's democratic space and the safety of pro-democracy actors and civilians. Australia should work to ensure that representatives emerging from junta-organised elections are not granted international recognition or representation at the expense of Myanmar's 2020-elected parliamentarians, reaffirming that parliamentary legitimacy cannot arise from elections conducted under coercion, violence, and exclusion.

- Increase and safeguard support to the democracy movement and civil society**

Expand and protect funding and technical assistance to Myanmar's democracy movement, including interim governance institutions, civil society organisations, women's networks, youth groups, independent media, and human rights defenders. Support should prioritise inclusion — particularly



of women, youth, ethnic minorities, persons with disabilities, and displaced communities — and be delivered through flexible, conflict-sensitive mechanisms that account for security risks and limited access inside Myanmar.

- **Advocate for stronger, coordinated international pressure on the military regime**

Promote more robust and coordinated international pressure, including targeted sanctions against military leaders and military-linked economic entities, in coordination with like-minded partners. Australia should also oppose premature engagement or sanctions relief that risks emboldening the military, weakening accountability, or undermining the prospects for a genuine democratic transition.

- **Support international accountability and justice mechanisms**

Continue to support international accountability efforts, including through the United Nations system and universal jurisdiction cases, to address war crimes, crimes against humanity, and serious human rights violations. Parliamentary advocacy for accountability reinforces the principle that elections cannot be used to shield perpetrators from justice and that accountability is integral — not secondary — to a sustainable democratic transition in Myanmar.