



SUBMISSION TO THE FOREIGN AFFAIRS, DEFENCE & TRADE REFERENCES COMMITTEE

INQUIRY INTO DEMOCRACY AND HUMAN RIGHTS IN MYANMAR

29 January 2026

The Refugee Council of Australia (RCOA) is the national peak body for people from refugee and asylum-seeking backgrounds and the organisations and individuals who work with and support them. RCOA promotes the adoption of humane, lawful and constructive policies by governments and communities in Australia and internationally. RCOA consults regularly with its members, community leaders and people from refugee backgrounds, and this submission is informed by their views. RCOA is also an active member of the Asia Pacific Refugee Rights Network (APRRN) and in June 2025, led a delegation visiting the Rohingya refugee camps in Cox's Bazar, Bangladesh.

Overview

This submission focuses on the barriers to a return to an inclusive democratic civilian government in Myanmar. In particular, the Refugee Council focuses on the 1.6 million Myanmar nationals who are currently displaced, residing as refugees in neighbouring countries. Without an end to the current conflict and systemic measures to resolve the resulting humanitarian crisis, conditions necessary for the return of Myanmar nationals in safety and dignity remain elusive.

Our submission also focuses on Australia's response to the ongoing Myanmar crisis both diplomatically and through aid and development. While RCOA strongly supports current efforts by the Australian Government, we outline further recommendations below that we believe Australia should undertake to further assist in helping to resolve the current crisis in Myanmar.

1. Ongoing violence, conflict and human rights abuses

One of the key barriers to a return to an inclusive democratic civilian government in Myanmar is the ongoing violence and conflict that is currently engulfing Myanmar. Since the February 2021 coup, Myanmar has been plunged into civil war, with the junta intensifying violence against civilians, trade unionists, and democratic leaders. From 1 January to 28 November 2025, military air and drone strikes increased by approximately 30% compared with 2024, according to [Acled](#), which tracks conflicts around the world. Civic infrastructure such as schools and medical facilities has been hit in near-daily strikes, with the military not only using traditional military aircraft but now also employing paramotors and gyrocopters to carry out these. In December 2025, [dozens were killed in a military strike](#) on a hospital in Rakhine state, which is mostly controlled by the Arakan Army, an opponent of the military.¹

Intensified clashes also continued in late 2025 in Sagaing, Magway, northern Shan, Kayah, and Mandalay, where junta forces have launched renewed ground and air offensives ahead of the military-run elections which started on December 28, 2025 (discussed below). The Arakan Army now controls all but three of Rakhine State's 17 townships, while resistance forces including the Karen National Liberation Army have consolidated influence across much of central and Southeastern Myanmar.

¹ Fortify Rights, News Release, "Myanmar: Junta Increases Attacks on Civilians Using Paramotors and Gyrocopters", 26 January 2026, <https://www.fortifyrights.org/mya-inv-2026-01-26/>

In other states, Myanmar's ethnic groups continue to document the ongoing violence, for instance, the Chin Human Rights Organisation (CHRO) has recently stated:

Since 14 September, the CHRO has documented a sharp escalation of junta military operations across Chin State aimed at suppressing resistance and intimidating the civilian population ahead of the planned elections. Between 14 September and 1 December, the CHRO has documented at least 30 airstrikes on towns and villages across Chin State. These attacks killed 12 civilians, including six children, and injured at least 91 others, striking schools, hospitals, religious buildings, and civilian homes. Thousands of residents have been forced to flee their homes, creating widespread displacement and humanitarian distress.²

The ongoing conflict in Myanmar has led to an extremely dire humanitarian situation in the country, exacerbated by insecurity and the often-deliberate obstruction by the military to allow humanitarian organisations to access territories outside of military control. Myanmar's forced military conscription laws, introduced in 2024, have also had a serious impact on the humanitarian situation in the country (see below), as well as reportedly being used to intimidate the civilian population during the elections. Serious concerns have been raised by the UN and others regarding the forcible detention and conscription of Rohingya men and boys under these laws and the potential impact it is having on the social fabric on communities in Myanmar.³

2. Humanitarian situation

As of December 2025, approximately 3.6 million people are internally displaced across the country, a dramatic increase from roughly 300,000 pre-2021. Displacement is projected to rise toward 4 million in 2026. The UN's 2026 Humanitarian Needs and Response Plan, released on 10 December 2025, projects that over 16 million people will require humanitarian assistance.

It has been noted that:

Rising poverty and fear of forced conscription have driven male migration, leaving women, girls, and older people as household heads. More than four in ten households identify lack of income as their top challenge, and 83% of internally displaced families can meet half or less of their basic needs. The convergence of conflict, disaster, and economic decline continues to erode coping capacities, pushing Myanmar further toward a protracted humanitarian emergency with no signs of de-escalation.⁴

3. The recent and upcoming election

RCOA is concerned that, while the junta controls less than a third of Myanmar's territory, it seeks to manufacture legitimacy to govern the whole country even as it continues airstrikes on areas outside its control. Numerous governments, along with the UN, and European Parliament, have criticised Myanmar for holding elections at this time, rejecting the elections as illegitimate. RCOA welcomes Australia's statement expressing its serious concerns with the current elections, and the potential for grave consequences with elections being held under these conditions.⁵

Those criticising the elections include the former UK Foreign Secretary, Sir Jeremy Hunt, who has stated:

They are entirely fake, a sham, designed to rebrand the junta rather than usher in meaningful reform. Their aim is to legitimise a regime that seized power in a coup on 1 February 2021, overthrowing the democratically elected civilian government, and has plunged Myanmar into a grave human rights and humanitarian crisis.⁶

² Chin Human Rights Organization, Press Release, "Sham Elections Collapse on Day One", <https://www.chinhumanrights.org/press-release-sham-election-collapses-on-day-one-junta-loses-control-of-chin-state-as-boycotts-violence-and-cancellations-derail-sham-polls/>

³ Human Rights Watch, News Release, "Myanmar Military Forcibly Recruiting Rohingya" 9 April 2024, <https://www.hrw.org/news/2024/04/10/myanmar-military-forcibly-recruiting-rohingya>

⁴ Reliefweb, Myanmar Crisis Situation Analysis 15/12/25 to 21/12/25, Posted 31 December 2025 <https://reliefweb.int/report/myanmar/myanmar-crisis-situation-analysis-151225-211225>

⁵ DFAT, media release, Statement on Myanmar, 10 December 2025, <https://www.dfat.gov.au/news/media-release/statement-myanmar#:~:text=The%20current%20situation%20in%20Myanmar,the%20will%20of%20the%20people>

⁶ Jeremy Hunt and Rushanara Ali, The Telegraph, "The UK must step up its leadership on Myanmar" 26 December 2025, <https://www.telegraph.co.uk/news/2025/12/26/the-uk-must-step-up-its-leadership-on-myanmar/>

The “election” is taking place in three phases because of the ongoing conflict. The first phase unfolded on 28 December 2025 in 102 of the country’s 330 townships, the second phase was held on 11 January 2026, while a third round was scheduled for 25 January. Some 65 townships will not participate due to ongoing clashes. RCOA believes it is extremely telling that the “election” will only take place in the parts of the country under the regime’s control. That leaves the vast majority of the population disenfranchised, including all of Rakhine state.

Overall, only 145 out of the country’s 330 townships have voter lists compiled. At least 40 genuine opposition parties including the National League for Democracy have been banned under the Political Parties Registration Law. The Muslim-majority Rohingya population, who have suffered genocide over the past decade or more, are excluded from the electoral register. Latest reports state that 92 townships are under anti-regime control.⁷

4. External displacement

For RCOA one of the key barriers to a return to an inclusive civilian democratic government is the situation facing the millions of Myanmar nationals currently forcibly displaced, living primarily in countries neighbouring Myanmar. The vast majority are living in extremely precarious situations, in relation both to their physical environment, as well as their legal status. Crucially for these individuals the circumstances that would enable them to return to their homes, in safety, dignity and with full rights as citizens, is a long way off and was the focus of several high-profile international meetings in 2025 (see below).

According to the UN Operation Data Portal, an estimated 1.59 million Myanmar nationals are living as refugees or asylum seekers in neighbouring countries as of late 2025.⁸ See Table 1 below for breakdown by neighbouring country.

Table 1: Estimated Myanmar Refugees and Asylum Seekers in Neighbouring Countries⁹

Bangladesh (hosts largest portion)	1,178,000
Malaysia	192,700
Thailand	136,100
India	87,000

Stateless Population: In addition, 1.8 million Rohingya are considered stateless, with about 1.3 million of them currently counted as refugees or asylum seekers abroad.¹⁰ Approximately 500,000 Rohingya remain stateless inside Myanmar.

It is important to note that beyond the 1.59 million estimated refugees and asylum seekers displaced, the true figure for Myanmar nationals living in neighbouring countries is much higher. For instance, in Thailand alone, the number is over 4 million, with an additional 2.27 million registered migrants and 1.7 to 1.8 million irregular migrants.

5. The Rohingya crisis

As noted above, there are currently over 1.3 million Rohingya refugees and asylum seekers living in countries neighbouring Myanmar, with over a million of these residing in refugee camps in Bangladesh. The current situation in Rakhine State remains extremely volatile, with over 150,000 Rohingya forced to flee ongoing violence in the last 12 months. As noted above, the Arakan Army controls 14 of the 17 townships in Rakhine state and the entire border with Bangladesh. Numerous reports have documented human rights abuse committed by the Arakan Army against Rohingya civilians.¹¹

⁷ Development Media Group, 16 January 2026, <https://www.facebook.com/dmgenglishversion/posts/anti-regime-forces-control-92-towns-across-myanmar-bni-reportdmg-newsroom16-janu/1448495677280768/>

⁸ UNHCR, Operational Data Portal, Myanmar, [https://data.unhcr.org/en/situations/myanmar#:~:text=Estimated%20Myanmar%20Refugees%20and%20Asylum,Refugees%20and%20asylum-seekers\)%20JSON](https://data.unhcr.org/en/situations/myanmar#:~:text=Estimated%20Myanmar%20Refugees%20and%20Asylum,Refugees%20and%20asylum-seekers)%20JSON)

⁹ Data adapted from UN operational data portal.

UNHCR, Operational Data Portal, Myanmar, [https://data.unhcr.org/en/situations/myanmar#:~:text=Estimated%20Myanmar%20Refugees%20and%20Asylum,Refugees%20and%20asylum-seekers\)%20JSON](https://data.unhcr.org/en/situations/myanmar#:~:text=Estimated%20Myanmar%20Refugees%20and%20Asylum,Refugees%20and%20asylum-seekers)%20JSON)

¹¹ See for example: Fortify Rights, News Release, Arakan Army Subjecting Ethnic Minorities to Forced Labour, 22 October 2025, <https://www.fortifyrights.org/mya-inv-2025-10-22/>

Meanwhile the military has blockaded Rakhine, contributing to a humanitarian crisis which has seen “a dramatic rise in hunger and malnutrition” the World Food Program said in August 2025. In the lead up to the election in December 2025, the Myanmar military has intensified its bombing campaign. For instance, on 10 December 2025, an army jet bombed the general hospital of Mrauk-U in western Rakhine State, killing 31 civilians. It is clear for the Rohingya refugees stranded in neighbouring countries that the current conflict in Rakhine State will mean safe return to their homes is still a long way off.

6. International focus, in 2025, on the Rohingya crisis

In 2025, a number of high-profile meetings were held to try and help resolve the protracted situation facing the Rohingya, including a meeting hosted by the Government of Bangladesh and then the High-Level Conference on the Situation of Rohingya Muslims and Other Minorities in Myanmar. This conference aimed to address the deepening crisis, secure funding, and find long-term solutions for the displaced population.¹²

Key outcomes from the conference, which was attended by 63 Member States, included renewed financial pledges, calls for accountability against the Myanmar military junta, and strong, direct input from Rohingya representatives.¹³

RCOA welcomes the strong statement made by the Australian Government at the High-Level Conference, including condemning the widespread human rights violations committed by the regime, the need for greater aid and assistance, concerns raised about the upcoming elections in Myanmar and the need for Rohingyas to build livelihoods and develop skills to support economic advancement.¹⁴

It is clear, however, that several key challenges remain.

Key Challenges Highlighted:

- **Security Concerns:** Due to escalating violence in Rakhine State, conditions are not currently safe for the voluntary, dignified return of refugees.
- **Fragmented Action:** Despite the pledges, there was a lack of a unified, immediate strategy to stop the violence and ensure humanitarian aid reaches those in need.

While the meetings produced many recommendations, there were few **binding commitments** or effective mechanisms to implement them, particularly regarding the imposition of sanctions or arms embargoes against the Myanmar military.

7. Global Refugee Forum Progress Review

The Global Refugee Forum (GRF) Progress Review 2025 took place from 15-17 December 2025, in Geneva, Switzerland (following on from the Global Refugee Forum 2023). Over 1,500 representatives attended the GRF Progress Review from more than 150 countries, as well as NGOs (including RCOA), faith-based organisations, and over 250 refugees and people who have experienced displacement.

RCOA strongly welcomed the specific session at the GRF Progress Review focusing on the Rohingya crisis, particularly given the significant multi-stakeholder pledge on the crisis from the 2023 GRF that included over 40 pledges. It was particularly significant to see Australia taking a leading role as one of the key speakers on the event panel.

Again, it was important to see Australia highlight not just its ongoing humanitarian support but also call for greater Rohingya self-reliance and the need for greater representation from the Rohingya community in forums discussing their future. It was significant to see the number of other countries represented and making interventions at the session in support of the Rohingya and the need to ensure return only

¹² UN, 79th Session, Agenda item 71 (c), Scope, modalities, format and organization of the High-Level Conference on Rohingya Muslims and Other Minorities in Myanmar.

¹³ See UN summary, https://www.un.org/pga/wp-content/uploads/sites/110/2025/11/Summary_High-level-Conference-on-the-Situation-of-Rohingya-Muslims-and-Other-Minorities-in-Myanmar.pdf

¹⁴ See: Permanent Mission of Australia to the UN, Statement by H.E Ambassador James Larsen, Ambassador and Permanent Representative of Australia to the United Nations, https://unmy.mission.gov.au/unmy/250930_Rohingya_Myanmar.html

occurred in safety, dignity and with full rights. As noted by the Australian delegate, however, “we cannot humanitarian our way out of this.” and ultimately, it will need a political solution which addresses the root causes. RCOA welcomes Australia’s diplomatic efforts to date to bring about a lasting solution. We call on the Australian Government to take an even more strident approach, including coordinating with international partners to maximise pressure on the regime.

8. International Court of Justice (ICJ), Rohingya Genocide case

RCOA welcomes the recent commencement of the *Gambia v Myanmar* (the Application of the Convention on Prevention and Punishment of the Crime of Genocide) case at the ICJ. Commonly known as the Rohingya Genocide case, this case was first initiated by Gambia against Myanmar on 11 November 2019, following the violence, human rights abuses and mass displacement of Rohingya in August 2017. The application alleged that Myanmar has committed mass murder, rape and destruction of communities against the Rohingya group in Rakhine state since about October 2016 and that these actions violate the Genocide Convention.¹⁵ The first hearings on the merits of the case began on 12 January 2026.

RCOA notes that, along with Gambia, countries such as Canada, Denmark, France, the Netherlands and the UK have filed declarations of intervention in the case. RCOA welcomes that Australia also filed a Declaration of Intervention in 2022 and has subsequently provided written observations to the Court. The Australian intervention supports the accountability of the Myanmar military (Tatmadaw) for atrocities against the Rohingya. Significantly, these proceedings will not just hear from states but from Rohingya individuals who will provide first-hand testimony of the abuses perpetrated by the Myanmar military.

RCOA maintains that a path to peace not only requires an end to violence but there must also be justice and accountability for the perpetrators of previous human rights abuses, as well as reparations for the victims.

9. Recommendations

RCOA thanks the Australian Government for its ongoing support of restoring democracy in Myanmar, including the provision of humanitarian aid, support for action at the UN and ILO, and the introduction of some targeted sanctions. However, Australia could have a greater impact in addressing barriers to the return of an inclusive democratic civilian government by taking the following actions.

The Refugee Council recommends:

1. Working with our allies, the Australian Government should coordinate the implementation of new tough, targeted sanctions against the junta, including a global arms embargo and a ban on aviation fuel to impede the military’s airstrikes.
2. The Australian Government should increase humanitarian aid to the displaced, delivering it through cross-border routes to avoid it falling into the hands of the regime.
3. The Australian Government should continue to advocate for greater self-reliance and livelihood opportunities for Rohingya trapped in the refugee camps in Bangladesh.
4. The Australian Government should continue to utilise its Humanitarian Program, including greater access to additional complementary pathways, to provide lifesaving durable solutions for refugees in immediate need to reside in Australia as well as demonstrating solidarity with countries in our region who are hosting significant numbers of displaced Myanmar nationals.

¹⁵ UN News, by Vibhu Mishra, “UN World Court Begins Landmark Hearings in Rohingya Genocide Case Against Myanmar”, 12 January 2026, <https://news.un.org/en/story/2026/01/1166746>