



### TRANSITIONAL JUSTICE AND MENTAL HEALTH IN A TRAUMATIZED SOCIETY



#### A history of impunity in Burma

The February 1, 2021, failed coup was born from Burma's Military and its decades long impunity given to commit systematic and widespread human rights abuses. The 2008 National Convention, its corresponding constitution-drafting and referendum process, as well as the 2010 nominal democratic elections, collectively marginalized democratically elected representatives, ethnic nationality groups, pro-democracy activists and ordinary citizens. Extensive reports of vote-rigging, intimidation and human rights violations have upended the path to national reconciliation and democratic transition. In 2015, Myanmar held its first nationwide, multiparty elections; however, the military's reserved parliamentary seats under the 2008 Constitution supported their continued consolidation of power in governmental affairs.

Reports between 2010 and June 2020 reveal at least 200,000 civilians have been subjected to human rights abuses, arbitrary detentions, land confiscations and murder, despite resolution efforts such as the 2015 Nationwide Ceasefire Agreement. Rohingya Muslims and other ethnic minorities have been particularly susceptible to these crimes, according to the Human Rights Council's 2018 Report. Transitional justice (TJ) remains absent, with responsible military leaders unpunished.

## Human rights abuses and trauma

Since the coup, at least 1,585 pro-democracy supporters have been killed by the military junta, and 12,417 have been arbitrarily arrested. Widespread attacks and torture, including sexual assault commonly experienced in interrogation centers and prisons, will have long term implications in Burma's collective and individual mental health. Exposure to traumatic events is associated with higher rates of mental health disorders, including depression, anxiety, and post-traumatic stress disorder (PTSD). High levels of drug abuse and strained relationships are commonly observed within these illnesses. With the support of John Hopkins University, AAPP introduced the Mental Health Assistance Program (MHAP) in 2010 to help victims and survivors of ill-treatment during detentions.

Displacement can likewise cause severe mental health problems, with an estimated 30% of displaced populations (by conflict) suffering PTSD, depression, and other mental illnesses. As of February 14, 2022, there are at least 453,000 internally displaced people in Burma, and around 29,300 are estimated to have crossed the border seeking refuge; and it is therefore likely, that many have experienced some form of mental health illness.

### Some mental illness symptoms include...

- Fear and worry about your own health and the health of your loved ones
- Changes in sleeping or eating patterns
- Being short-tempered or angry more easily
- Strained relationships
- Worsening of chronic health problems
- Increased use of alcohol, tobacco, or other drugs
- Loss of interest in things once pleasurable
- Feeling lonely or isolated
- Feeling tired or slowed down
- Unable to do your normal activities due to your feelings of stress/sadness
- Reactions of violence against oneself or others
- Experienced physical symptoms (i.e. headaches, stomach aches)

## Mental health and assistance in holistic Transitional Justice



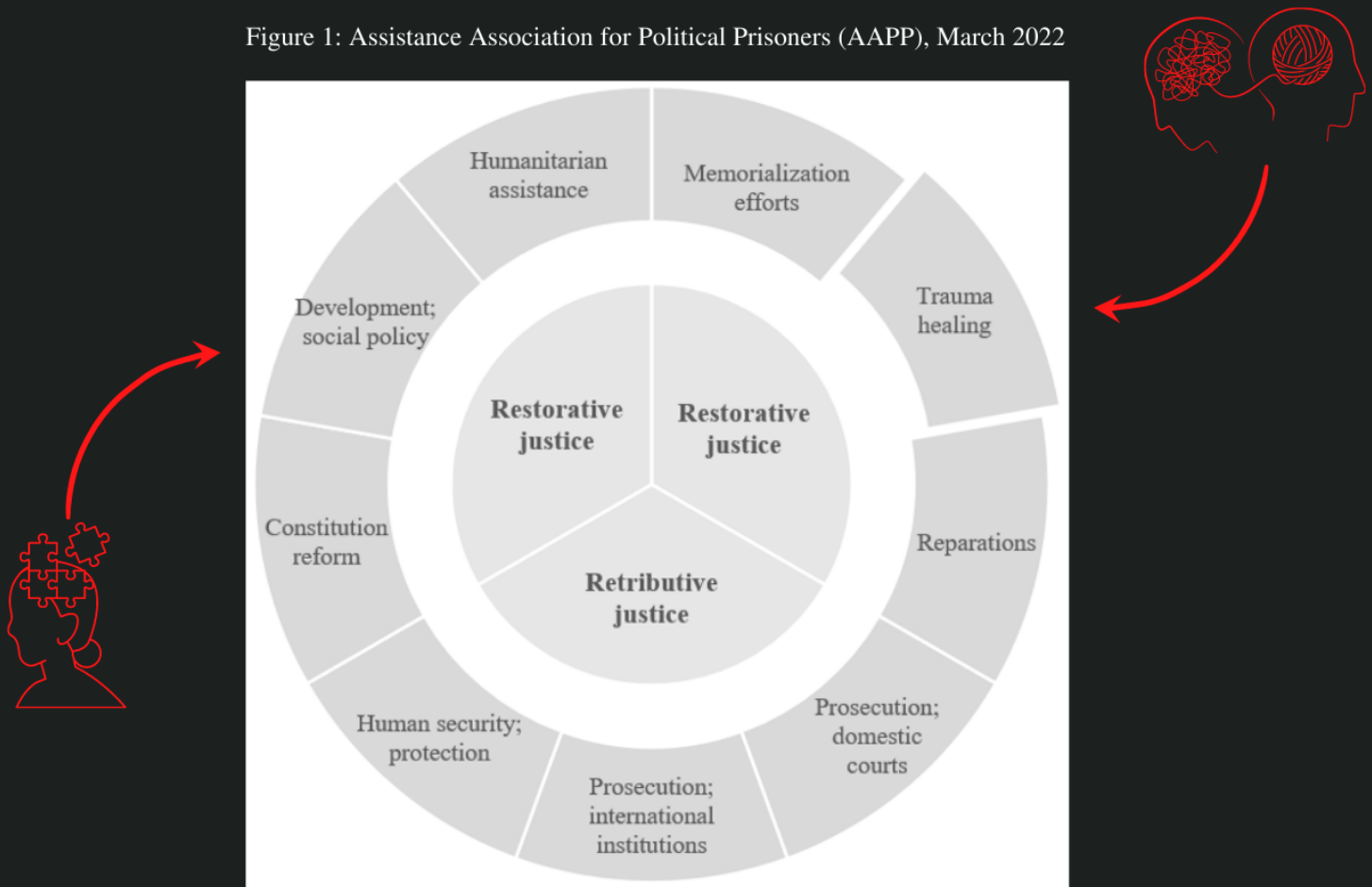
Transitional justice (TJ) is essential in addressing massive violations of human rights committed by the military junta. This must entail truth commissions, an investigation of the extent and depth of abuses committed, and prosecution procedures. In doing so, impunity of perpetrators would be tackled, memorialization of victims could be built, and reparations programs could be developed in response to the material and moral consequences faced by victims and survivors. Additionally, TJ efforts should be aligned with appropriate mental health services to meet necessary standards for collective wellbeing and overcome acute levels of trauma and psychological distress present.

Due to the longevity of the ongoing conflict, and given populations' repeated exposure to traumatic events, induced poverty, and disruption of social life, it is difficult for populations to properly heal from unaddressed emotions of blame or grief. In addition, prominent PTSD, drug abuse, and other related behaviour may only set in once fighting has ended. Further inclusion of counselling programs and healing procedures in the future is therefore imperative. This is critical to ensure trust within communities, and on a broader level, successful reconstruction of the country. In acknowledging this, open dialogues can start, and individually specific mental health outcomes can be better understood.

## Transitional Justice as depicted through figure 1

Scholar Barry Hart's (2012) developed peacebuilding wheel is an explanatory model for how previous violence in traumatized societies can manifest physical destruction, identity and worldview threat, as well as psychological and spiritual distress. Hart highlights the importance of theoretical and practical counterweights to help transform societies and allow for peace processes to emerge and take root. This is particularly important in Burma, where many experience spiritual distress. Between September and December (2021), 44% of respondents out of one hundred and ten clients of AAPP expressed worry about the Junta, and corresponding threats that come with this such as: income and job insecurity, Covid-19, and inadequate healthcare.

Figure 1: Assistance Association for Political Prisoners (AAPP), March 2022



In this context, we argue for peacebuilding as an umbrella exercise that's inclusive of various tools aiding productive societal transformation. A holistic TJ process will address the military's long-standing impunity, and secure social welfare and mental wellbeing. Figure 1 depicts how to do this, and outlines two key instruments in TJ: retributive justice and restorative justice. The latter has been split into two sub-categories. On the right, restorative justice is expressed through social, whereas on the left it is reflected in political reform. Lastly, retributive justice at the bottom of Figure 1 advises promotion of human security through criminal justice and punishment.