

Chinese security companies exacerbate human rights violations in Myanmar

Submission to the UN Working Group on the Use of Mercenaries – February 2025

Introduction

Since Myanmar's 2021 coup, widespread human rights abuses have underscored urgent concerns about the role of foreign private security companies (PSCs), most of which are from China. This report examines the human rights implications of Chinese PSCs operating in Myanmar, not merely as commercial actors but as State-connected forces blurring the line between private security and military intervention. This analysis focuses on how these actors undermine civil and political rights and how their unchecked power exacerbates the nation's human rights crisis. We present our findings to inform the United Nations OHCHR's inquiry into the impact of mercenaries and private military and security companies.

Methodology

This report is based on a comprehensive analysis of Myanmar's current security landscape and legal framework. We conducted a detailed review of relevant laws to identify gaps in regulation that allow PSCs to operate with impunity. Comparative case studies from other countries where foreign PSCs have contributed to human rights abuses were also examined. By tracking past policy implementation and identifying systemic failures in Myanmar's legal structures, we frame our human rights analysis and recommendations within an international standards context.

Operational dynamics of PSCs in post-coup Myanmar

In post-coup Myanmar, the private security sector operates in an environment marked by legal ambiguity and rampant human rights violations. A 2022 assessment by the Myanmar Centre for Responsible Business identified approximately 150 registered PSCs, 16 of which are foreign-owned.¹ These companies provide services ranging from static guarding and mobile patrols to event security and close personal protection. Notably, foreign PSCs typically serve specific client interests, with the majority of their workforce, including managerial staff, comprising Myanmar nationals.

¹ Myanmar Centre for Responsible Business (2022), "[Private Security Companies in Myanmar](#)".

Beyond these formal PSCs, Myanmar's security landscape includes various armed actors operating outside legal norms, such as the military, military-aligned militias known as "Border Guard Forces" in resource-rich border areas, and certain Ethnic Armed Organisations (EAOs). These groups secure private enterprises in sectors like construction, mining, and resource extraction and often extend their roles to protect illicit activities, including smuggling and extortion, further contributing to systemic human rights violations.

Myanmar's regulatory framework for PSCs

Myanmar's regulatory framework for PSCs remains woefully inadequate from a human rights perspective. Before February 2025, PSCs operated in a grey area, subject only to general laws such as the Companies Law (2017), the State-Owned Economic Enterprises Law (1989), and colonial-era provisions in the Penal Code (1861) and Arms Act (1878). In February 2025, the military adopted the Private Security Service "Law",² establishing a centralised, State-dominated licensing regime that prioritises control over accountability.³

The new law erodes due process by creating oversight committees staffed mainly by officials from the Ministry of Home Affairs and the Police Force (Arts. 4–7), whose decisions are final and immune from independent judicial review (Art. 32). Additionally, PSCs or individual employees who "expose, inform, or communicate" any "news and information face steep fines and up to two years' imprisonment (Arts. 39.b, 40.e, 45, 46). These vague provisions criminalise whistleblowing on wrongdoing and curtail freedom of expression and transparency, essential components of human rights protection.

Compulsory military collaboration

The Myanmar Investment Law (2016) grants broad emergency powers that could lead to the deputation of PSC personnel for military purposes (Art. 90.b.ii). The Private Security Service Law (2025) reinforces this by requiring PSCs to cooperate with military orders (Arts. 16, 30), to detain offenders of any crime (Art. 28.v), and to report anything that vaguely "affects" State security or the rule of law (Art. 28.vii). PSC personnel who refuse to follow authorities' orders or who fail to report information to the military face imprisonment for up to two years (Arts. 39.e, 45, 40, 46).

This compulsory military collaboration mandates that PSCs comply with military orders, effectively turning them into instruments of State repression and blurring the line between private security and State coercion.

² Civil society has [declared](#) that all "laws", "amendments", or derogations that are "adopted" by the military's State Administration Council are unlawful and unconstitutional under the 2008 Constitution.

³ Foreign companies are defined in the Companies Law (2017) as having more than 35 per cent foreign ownership. Under the new Private Security Service Law (2025), foreign PSCs must secure a license (Art. 10), employ at least 75 per cent Myanmar citizens (Art. 17), and ensure that any foreign staff are not active members of foreign armed forces (Art. 16.f).

Vague rules on use of force

The legal framework provides only vague guidelines on the use of force. While the Penal Code (1861) requires that any private use of force be proportionate (Art. 99), its provisions do not prevent excessive force in practice. The Private Security Service Law (2025) allows PSCs to detain offenders, but its only reference to the use of force is that PSCs may defend themselves under the Penal Code (Arts. 28.v-vi), leaving room for inconsistent practices and potential abuse in volatile settings.

Myanmar's colonial-era Arms Act (1878) permits carrying arms but enforces a restrictive licensing regime that rarely issues licenses except to politically connected individuals.⁴ The new Private Security Service Law (2025) allows for permits to be given to domestic and foreign PSCs (Art. 28.iv). In 2023, the military revived and amended Order 55 on Issuing of Licences, Permits, and Leasing of Weapons Owned by the State (1977), enabling those deemed "loyal to the State" to obtain licenses for pistols, rifles, and potentially machine guns,⁵ while also authorising the purchase of weapons from abroad and requiring licensed arms bearers to participate in the suppression of "crime".⁶ However, although these new rules allow more people to carry arms, there are no safeguards for unnecessary or disproportionate use, heightening accountability concerns.⁷

Rise of Chinese PSCs in Myanmar

Since the February 2021 coup, Myanmar's deepening political and security crisis has severely weakened state control, placing vulnerable communities and foreign investments at heightened risk.

Chinese economic interests are deeply entwined with Myanmar's strategic landscape, notably through the China-Myanmar Economic Corridor (CMEC), a key pillar of China's global Belt and Road Initiative (BRI). What began as a series of infrastructure projects has evolved into a broader effort to secure China's supply chains, energy security, and regional influence. As Myanmar's State capacity has collapsed, the security risks to these investments have surged, directly impacting the human rights of local populations.

Chinese interests have suffered collateral damage in conflict zones across Myanmar. At least 23 of 34 Chinese infrastructure projects are located in areas marked by instability, including Rakhine, northern Shan State, and the central lowlands.⁸ Incidents, such as the seizure of a Chinese-owned nickel processing plant in Sagaing⁹ and the occupation and subsequent burning of the Alpha Cement factory in Mandalay,¹⁰ underscore the vulnerability of these investments.

⁴ Frontier Myanmar (2018), "[Firearms and the law in Myanmar](#)".

⁵ Eleven Media (2023), "[Ministry of Home Affairs issues an order on amending possession of arms](#)".

⁶ Radio Free Asia (2023), "[Myanmar junta revives 1977 law allowing 'loyal' civilians to bear arms](#)".

⁷ Myanmar Now (2023), "[Myanmar regime issues right to arms policy enabling easier weapons access for pro-junta individuals and militias](#)".

⁸ East Asia Forum (2025), "[Private forces pose public risks for China-Myanmar stability](#)".

⁹ The Irrawaddy (2024), "[Myanmar junta Planning Joint Security Firm with China](#)".

¹⁰ Myanmar Now (2024), "[Myanmar junta troops attempt to torch cement factory near Mandalay](#)".

Moreover, public perceptions of China's support for the military have provoked targeted attacks,¹¹ with 32 factories allegedly damaged in the months following the coup, amounting to losses of US\$37 million.¹² Such violence not only endangers property but also directly threatens the right to a safe, secure environment.

In response to escalating security challenges, China has increasingly pressed all actors for greater protection of its assets. This pressure has led to disproportionate measures by the military, including the imposition of martial law, harsh crackdowns that have claimed at least 22 protesters' lives,¹³ and punitive 20-year sentences for at least 28 campaigners.¹⁴ High-profile incidents, like the October 2024 bombing of the Chinese consulate in Mandalay, show that anti-China sentiment remains high.¹⁵ Consequently, China's demand for robust security mechanisms has grown, prompting an expansion of Chinese PSCs in Myanmar.

Categorising Chinese PSC operations

When the military seized power in 2021, six of the nine registered foreign PSCs in Myanmar were Chinese.¹⁶ These companies, tasked with protecting CMEC projects and Chinese personnel, offer services from static guarding to surveillance and risk assessments, particularly in areas where Chinese assets face local resistance.¹⁷

Chinese PSCs have a longstanding presence in regions like Rakhine State's Kyaukphyu Special Economic Zone.¹⁸ Reports also indicate that Chinese PSCs, and even Chinese mercenary groups, have been deployed to protect assets of dubious legality,¹⁹ such as casinos near Myawaddy, where armed guards are equipped with high-powered rifles.²⁰ While it remains unclear whether these deployments are entirely sanctioned by the Chinese State, they signal a troubling trend of Chinese security personnel operating in an unregulated environment, with profound implications for local communities' rights to property, security, and self-determination.

Establishment of the Myanmar-China joint security company

In October 2024, shortly after the bombing of China's consulate in Mandalay,²¹ China and Myanmar's military announced plans for a joint security company, signalling an escalation in Chinese involvement in the country.

¹¹ Reuters (2021), "[At least 39 reported killed in Myanmar as Chinese factories burn](#)".

¹² Global Times (2021), "[Exclusive: 32 Chinese factories in Yangon have been attacked with two employees injured: Embassy](#)".

¹³ Reuters (2021), "[At least 39 reported killed in Myanmar as Chinese factories burn](#)".

¹⁴ Reuters (2021), "[Myanmar military tribunal orders 20-yr jail terms for torching Chinese-linked factories](#)".

¹⁵ Voice of America (2024), "[Anti-China sentiment said to be growing in Myanmar](#)".

¹⁶ Center for Advanced Defense Studies (2021), "[Zoned out](#)"; Radio Free Asia (2024), "[Are Chinese private armies entering the fray in Myanmar?](#)".

¹⁷ Australian Strategic Policy Institute (2024), "[China edges closer to intervention in Myanmar](#)".

¹⁸ The Irrawaddy (2024), "[With Proposed Security Gambit, Beijing Decides 'Enough Is Enough' in Myanmar](#)".

¹⁹ United States Institute for Peace (2018), "[China's Role in Myanmar's Internal Conflicts](#)".

²⁰ Frontier Myanmar (2020), "[How the Kayin BGF's business interests put Myanmar at risk of COVID-19](#)"; Frontier Myanmar (2021), "[With conflict escalating, Karen BGF gets back to business](#)".

²¹ The Irrawaddy (2024), "[Myanmar Junta Planning Joint Security Firm with China](#)".

Designed to circumvent Myanmar's constitutional ban on foreign troop deployments by establishing a private company with partial local ownership, the venture raises significant human rights concerns.²² Although its stated aim is to protect Chinese assets, the agreement, which includes arms imports and security equipment,²³ suggests a deeper entanglement between Chinese security interests and the military.²⁴

Early reports of joint operations between the military and Chinese PSCs in the Kyaukphyu Special Economic Zone underscore the increasing likelihood of Chinese PSCs becoming a permanent, coercive presence. This evolving dynamic not only endangers the rights to life, freedom, and self-determination of Myanmar's public but also sets a dangerous precedent for future foreign intervention, ultimately deepening the human rights crisis in the country.

Chinese PSCs as proxies of the Chinese government

China's engagement in Myanmar is a calculated balancing act.²⁵ Initially seen as a full supporter of the military after the 2021 coup, China has sporadically adopted a more conditional stance, demonstrated by its tacit approval of opposition armed groups during "Operation 1027", during which the military lost significant territory.²⁶

Despite these nuanced manoeuvres, China remains fundamentally aligned with the Myanmar military,²⁷ operating under the belief that a military victory will best serve its broader economic and strategic objectives.²⁸ Even as the military loses territorial control, it continues to dominate key urban centres, infrastructure, and economic zones vital to Chinese business.²⁹ Through arms shipments, infrastructure investments, and security cooperation, China backs the military, indirectly contributing to severe human rights abuses, including threats to life, liberty, and due process.

Officially, China promotes its Global Security Initiative (GSI) as a framework for peace and non-interference. In practice, however, the GSI functions to legitimise the Myanmar military's power under the guise of "stability."³⁰ This selective approach reinforces the interests of dominant military actors, counter-balancing Western influences³¹ while side-lining the rights of ordinary people.

²² Geopolitical Monitor (2024), "[China's Wagner? Beijing Establishes Private Security Company in Myanmar](#)".

²³ Voice of America (2024), "[China's joint security proposal sparks controversy in Myanmar](#)".

²⁴ Australian Strategic Policy Institute (2024), "[China edges closer to intervention in Myanmar](#)".

²⁵ Abb, P. (2024), "[Road through a broken place](#)".

²⁶ China had expressed deep dissatisfaction with the military's failure to address cyber-scam centres in Myanmar.

²⁷ Voice of America (2024), "[China backs Myanmar military amid growing border tensions](#)".

²⁸ Radio Free Asia (2024), "[What happens when China puts boots on the ground in Myanmar?](#)".

²⁹ Stimson (2024), "[China in Myanmar: How the Game-Changing Neighbor Would Continue to Maintain Its Influence](#)".

³⁰ United States Institute of Peace (2025), "[China's Rhetoric on Myanmar Doesn't Match Reality](#)".

³¹ United States Institute of Peace (2025), "[China's Rhetoric on Myanmar Doesn't Match Reality](#)".

Lack of independence

Chinese PSCs operating in Myanmar are not independent commercial entities; they are deeply integrated within China's State apparatus.³² Many of these companies are founded and led by former military or police officers, with personnel drawn from the People's Liberation Army, People's Armed Police, and other State security institutions.³³ This integration ensures that their doctrines and operational practices align closely with government priorities, effectively turning them into instruments of State power.³⁴ The deliberately thin firewall between China's State security forces and its PSCs is a core element of the government's broader strategy,³⁵ driving the expansion of Chinese PSCs across Asia.³⁶

Domestic regulations, such as the Regulations on the Administration of Security and Guarding Services (2009), place Chinese PSCs under the control of the Ministry of Public Security, requiring that armed PSCs within China be State-owned or State-controlled, erasing any pretence of independence.³⁷ Although these rules target domestic operations, they set a precedent for overseas conduct by blurring the lines between State and private ownership.³⁸ Notably, Chinese PSCs operate abroad without equivalent oversight; Chinese regulations do not extend overseas, including firearms laws, and Chinese PSCs have not signed up to the International Code of Conduct for Private Security Providers.³⁹

This regulatory gap enables Chinese PSCs to function like paramilitary units, equipped with modern firearms, advanced intelligence tools, and sophisticated communications technology. As such, they effectively operate as miniature armies that extend China's strategic reach, posing significant human rights risks.⁴⁰ Their unchecked power increases the likelihood of excessive force, arbitrary detention, and other repressive practices, directly threatening civil liberties in Myanmar.

Advancing Chinese strategic interests

Deploying Chinese PSCs has emerged as a pragmatic short-term measure for China to secure its strategic interests in Myanmar. Chinese PSCs establish "islands of security" around Chinese assets,⁴¹ securing uninterrupted access to resources and safeguarding investments while avoiding direct military intervention. This reduces both material and reputational risks while ensuring plausible deniability regarding direct intervention.⁴²

³² Radio Free Asia (2024), "[Are Chinese private armies entering the fray in Myanmar?](#)".

³³ The Security Distillery (2024), "[Understanding the Chinese private security contracting industry](#)".

³⁴ Center for Advanced Defense Studies (2021), "[Zoned out](#)".

³⁵ Shan News (2024), "[Private military companies in Myanmar: China upping the ante or bulldozing through?](#)".

³⁶ Center for Advanced Defense Studies (2021), "[Zoned out](#)".

³⁷ MERICS (2018), "[Guardians of the Belt and Road](#)".

³⁸ Center for Strategic and International Studies (2022), "[A Stealth Industry: The Quiet Expansion of Chinese Private Security Companies](#)".

³⁹ The regulatory gap in overseeing PSCs' international operations positions China as an outlier among nations with active private security industries. Unlike countries such as Canada, Sweden, the UK, and the United States, which have established stringent controls through adherence to the International Code of Conduct for Private Security Providers, China's oversight of its PSCs is minimal once they operate abroad.

⁴⁰ MERICS (2018), "[Guardians of the Belt and Road](#)".

⁴¹ The Irrawaddy (2024), "[Myanmar Junta Planning Joint Security Firm with China](#)".

⁴² Center for Advanced Defense Studies (2021), "[Zoned out](#)".

Enforcing stability around Chinese assets also ensures that China can avoid expending political capital on conflict resolution. This approach enables China to maintain a stable environment for its economic interests while sidestepping the material and reputational costs of overt involvement.

Moreover, the use of PSCs offers a low-risk channel for the People's Liberation Army (PLA) to gain combat experience.⁴³ By channelling conflict exposure through private security operators, China can refine its military tactics in real-world conditions,⁴⁴ much like Russia has done with the Wagner Group in Africa and the Middle East.⁴⁵

However, this dual-purpose strategy extends beyond mere asset protection; it deepens the militarisation of Myanmar and perpetuates a repressive security model, further jeopardising the human rights and dignity of the Myanmar people.⁴⁶

Chinese PSCs as “threat enablers” and “force multipliers”

The deployment of Chinese PSCs in Myanmar will directly reinforce the military's capacity to wage war and intensify human rights violations. By assuming security roles around key infrastructure, such as industrial zones, pipelines, and factories, Chinese PSCs will free up military personnel and resources for offensive combat operations.⁴⁷ This shift turns Chinese PSCs into “threat enablers” by relieving the military of burdensome defensive duties so that it can counter resistance forces already characterised by war crimes and systematic human rights abuses.

There is a high risk of “mission creep,” with Chinese PSCs shifting from passive guarding to active engagement in proactive operations as “force multipliers.” Given that many Chinese assets are located in contested areas, they are likely to be affected by the conflict. In response, PSCs—trained in military doctrine and operating outside regulatory oversight—could escalate their role from protecting assets to directly confronting opposition groups. This has been observed in other regions, such as Cambodia and along joint Mekong patrols, where Chinese PSCs transitioned into offensive operations.⁴⁸ Furthermore, many Chinese assets in Myanmar face local opposition, particularly from communities resisting land grabs and environmental destruction. Given the PSCs' lack of human rights safeguards and China's disregard for democratic freedoms, they are also likely to be deployed against peaceful protesters, leading to violent crackdowns on dissent.

⁴³ Radio Free Asia (2024), “[Are Chinese private armies entering the fray in Myanmar?](#)”.

⁴⁴ Australian Strategic Policy Institute (2024), “[China edges closer to intervention in Myanmar](#)”.

⁴⁵ Geopolitical Monitor (2024), “[China's Wagner? Beijing Establishes Private Security Company in Myanmar](#)”.

⁴⁶ Radio Free Asia (2024), “[Are Chinese private armies entering the fray in Myanmar?](#)”.

⁴⁷ United States Institute of Peace (2025), “[China's Rhetoric on Myanmar Doesn't Match Reality](#)”.

⁴⁸ Khmer Times (2019), “[Ban on foreign security guards after S'Ville violence](#)”.

Chinese PSCs will also act as “force multipliers” by introducing advanced surveillance, intelligence, and cyber capabilities that strengthen the military’s control.⁴⁹ The Myanmar-China Joint Security Company could facilitate covert arms shipments and the transfer of sophisticated military technology, such as jammers and cyber-monitoring tools.⁵⁰ Chinese PSCs have already been linked to Myanmar’s growing use of deep packet inspection (DPI) technology, or “Great Firewall”, which enables mass surveillance, internet censorship, and digital repression.⁵¹ This integration of physical and digital militarisation will further exacerbate an already repressive environment.⁵²

The presence of Chinese PSCs will also provide the military with a veneer of legitimacy, allowing it to project an image of stability and international support. By outsourcing security functions to foreign-backed entities, the military can falsely present itself as having the approval of an external power, even as it continues to commit gross human rights violations. This international legitimisation will further entrench the military’s control, undermining efforts to restore democracy and accountability in Myanmar.

Human rights implications of Chinese PSC operations

Chinese PSCs have already been implicated in human rights violations, and their expanded deployment under the Myanmar-China Joint Security Company is likely to exacerbate abuses.⁵³ Their operations, driven by the need to protect Chinese assets, pose serious risks to the right to life, freedom from torture, and other fundamental rights.

Exporting authoritarian standards

Chinese PSCs risk exporting China’s authoritarian governance model into Myanmar, intensifying repression. Unlike PSCs from countries that adhere to international human rights standards, such as the International Code of Conduct for Private Security Providers (ICOC), Chinese PSCs prioritise security over individual rights.⁵⁴ This threatens freedoms of assembly, association, and expression (ICCPR, Arts. 19, 21, 22).

⁴⁹ Shan News (2024), [“Private military companies in Myanmar: China upping the ante or bulldozing through?”](#).

⁵⁰ Geopolitical Monitor (2024), [“China’s Wagner? Beijing Establishes Private Security Company in Myanmar”](#).

⁵¹ Deep packet inspection (DPI) technology was installed to facilitate mass interception and block VPNs and other communications deemed undesirable by the military. This initiative was executed through a collaboration between a domestic company, Mascots Group, and Geedge Networks—a Chinese private network security firm partly owned by Fang Binxing, widely regarded as the “father” of China’s Great Firewall. Through this partnership, Geedge Networks deployed its equipment and technicians to enhance Myanmar’s digital security infrastructure: Justice for Myanmar (2024), [“The Myanmar junta’s partners in digital surveillance and censorship”](#).

⁵² Human Rights Myanmar (2024), [“The great firewall of Myanmar”](#).

⁵³ PSCs have used force against villagers to remove them from land with contest ownership: Natural Resource Governance Institute (2015), [“In the Shadow of Letpadaung: Stories from Myanmar’s Largest Copper Mine”](#). PSCs have used force against garment factory workers to prevent them from striking against unfair wages, and against protesters against a shopping mall: The Irrawaddy (2021), [“Shoppers Boycott Myanmar Plaza After Attack on Anti-Regime Protest”](#).

⁵⁴ The Montreux Document On Pertinent International Legal Obligations and Good Practices for States Related to Operations of Private Military and Security Companies During Armed Conflict recognises that well-established rules of international law apply to States in their relations with PSCs and provides for good practices relating to PSCs. The “Respect, Protect, Remedy” framework developed by the Special Representative of the UN Secretary General on Business and Human Rights, and welcomed by the UN Human Rights Council, entails acting with due diligence to avoid infringing the rights of others.

Led by former Chinese security personnel, Chinese PSCs are likely to impose a strict, coercive security model. Their operations resemble Chinese domestic practices, where dissent is criminalised and community consultation is minimal. In Myanmar, where communities often resist land grabs and environmental destruction, PSCs are likely to escalate conflict rather than engage in dialogue.

Chinese PSCs also disregard labour rights, both for their own employees and for workers in the areas they secure. This heightens risks of exploitation, forced labour, and repression of worker organising, directly undermining rights to freedom of association and collective bargaining (ICCPR, Art. 22). The absence of accountability or adherence to international human rights norms further entrenches impunity and exclusion.

Recruitment of human rights abusers

The ICOC requires that PSCs conduct rigorous due diligence to prevent the hiring of personnel with criminal histories, dishonourable discharges, or records of misconduct (ICOC, Arts. 45-51). However, Chinese PSCs are not signatories and are, therefore, not required to follow these safeguards.

Myanmar lacks any effective vetting system, and widespread impunity means perpetrators of human rights abuses rarely face legal consequences.⁵⁵ Despite documented evidence of war crimes and crimes against humanity, no one has been convicted. This significantly increases the risk of hiring individuals with histories of abuse, granting them authority to use force with no oversight.

This lack of screening heightens the likelihood of serious human rights violations, including arbitrary detention and excessive force (ICCPR, Arts. 6, 7, 9). Without clear regulatory controls, Chinese PSCs will continue operating in a vacuum of impunity, perpetuating cycles of abuse.

Excessive force and weapons proliferation

Chinese PSCs will replace informal security arrangements with militarised forces, deploying military-trained personnel armed with modern firearms. This transformation increases the risk of disproportionate force, threatening the right to life (ICCPR, Art. 6). The ICOC requires PSCs to adopt strict rules of engagement, ensuring force is used only as a last resort (ICOC, Arts. 29-31), yet Chinese PSCs are not bound by these principles.

Beyond physical force, Chinese PSCs introduce advanced intelligence, surveillance, and cyber capabilities, such as deep packet inspection (DPI), enabling mass monitoring, censorship, and digital repression. These tools undermine the rights to privacy, expression, and assembly (ICCPR, Arts. 17, 19, 21), facilitating the criminalisation of dissent.

⁵⁵ Myanmar Centre for Responsible Business (2022), "[Private Security Companies in Myanmar](#)".

Increased securitisation of public spaces raises risks of arbitrary detention, torture, and other inhumane treatment (ICCPR, Arts. 7, 9). The ICOC requires humane treatment of detainees (ICOC, Arts. 33-37), but Chinese PSCs operate outside these safeguards, creating an environment where security forces act without restraint or accountability.

Lack of legal and regulatory oversight

Chinese PSCs operate with impunity due to the absence of effective legal oversight in both Myanmar and China.⁵⁶ The ICOC requires PSCs to uphold due process and respect human rights in all operations (ICOC, Arts. 12-15, 29), but Chinese PSCs, as non-signatories, make no such commitment.

Myanmar's legal framework provides no meaningful protections. The Penal Code (1861) and Arms Act (1878) contain outdated provisions on the use of force, and the Private Security Service Law (2025) focuses only on licensing, lacking safeguards on proportionality and necessity.⁵⁷ This legal vacuum facilitates excessive force and extrajudicial punishment (ICCPR, Arts. 6, 7).

Myanmar's post-coup judicial system lacks independence, undermining access to justice and the right to a fair trial (ICCPR, Arts. 14, 2.3).⁵⁸ Without regulatory oversight in China, Chinese PSCs will continue operating unchecked, deepening impunity and exposing communities to further rights abuses.

Mission creep and escalation of violence

Initially deployed for asset protection, Chinese PSCs risk expanding into active combat roles,⁵⁹ as seen in Cambodia, where Chinese PSCs became involved in violent confrontations.⁶⁰ As attacks on Chinese assets escalate, these PSCs may shift from static guarding to offensive operations, further intensifying violence and human rights abuses.

The ICOC states that PSC personnel may only use force in self-defence or to prevent an imminent threat to life (ICOC, Arts. 29-31). However, Chinese PSCs, operating without oversight, are more likely to engage in unlawful, disproportionate force. This directly endangers civilians and fuels further resistance, increasing cycles of violence and humanitarian crises.

Even if the Myanmar military sought to limit PSC mission creep, its dependence on China makes oversight unlikely.⁶¹ Without legal accountability, Chinese PSCs will continue operating autonomously, escalating violence while shielding perpetrators from justice.

⁵⁶ According to Free Expression Myanmar, arrests have become arbitrary and unwarranted, with charges imposed according to military orders rather than through a transparent legal process. Evidence is often disregarded, defence lawyers are side-lined or punished, and judges consistently enforce military dictates, leaving little space for genuine legal redress: Free Expression Myanmar (2023), "[Myanmar military's "justice" system](#)".

⁵⁷ Australian Strategic Policy Institute (2024), "[China edges closer to intervention in Myanmar](#)".

⁵⁸ Free Expression Myanmar (2023), "[Myanmar military's "justice" system](#)".

⁵⁹ Khmer Times (2019), "[Ban on foreign security guards after S'Ville violence](#)".

⁶⁰ The Security Distillery (2024), "[Understanding the Chinese private security contracting industry](#)".

⁶¹ Radio Free Asia (2024), "[What happens when China puts boots on the ground in Myanmar?](#)".

Undermining civil and political rights

Chinese PSCs risk fostering a climate of intimidation, suppressing public participation, protests, and freedom of expression (ICCPR, Arts. 19, 21, 22). Unlike pre-coup PSCs, which engaged in risk assessments and community negotiations, Chinese PSCs will likely default to repression.

The ICOC requires humane treatment of detainees (ICOC, Art. 33). It also mandates that PSCs only detain individuals in response to imminent threats and transfer them to authorities promptly (ICOC, Art. 34). Without these safeguards, Chinese PSCs risk engaging in arbitrary arrests, silencing activists, journalists, and opposition figures.

“Heightened” rights violations

The deployment of Chinese PSCs poses even more “heightened” risks to communities near Chinese assets, such as economic zones, transport infrastructure, and pipelines. These PSCs are likely to engage in forced evictions, land grabs, and displacements, violating the right to adequate housing and protection from forced eviction (ICESCR, Art. 11) and the right to freedom from arbitrary interference (ICCPR, Art. 17).⁶²

Communities already adversely affected by Chinese projects face escalating repression as Chinese PSCs enforce corporate and State interests. Those opposing environmental destruction or demanding fair labour conditions may be subjected to harassment, surveillance, or violence, violating the right to a healthy environment and public participation in decision-making (Rio Declaration, Principle 10). Civil society organisations, land defenders, and labour activists risk arbitrary detention, intimidation, and violent crackdowns, directly undermining freedoms of expression, assembly, and association (ICCPR, Arts. 19, 21, 22).

The ICOC requires that PSCs avoid involvement in forced evictions, destruction of property, and human rights abuses (ICOC, Art. 22). However, Chinese PSCs, as non-signatories, are not bound by these standards, allowing them to operate without accountability or legal oversight. Myanmar’s lack of rule of law and China’s failure to regulate PSCs abroad mean that affected communities have no avenues for redress, exacerbating impunity and systematic human rights violations.

Perpetuating conflict

Chinese PSCs sustain Myanmar’s armed conflict by securing key economic zones that fund the military. Their protection of military-linked assets enables continuous financial support for weapons purchases and military operations, indirectly facilitating war crimes and crimes against humanity (Rome Statute, Art. 7).

By shielding the military from economic pressure, Chinese PSCs impede any prospects for political transition, violating Myanmar’s right to self-determination (ICCPR, Art. 1). Their presence reinforces the military’s ability to suppress resistance, deepening long-term instability and human rights abuses.

⁶² Natural Resource Governance Institute (2015), [“In the Shadow of Letpadaung: Stories from Myanmar’s Largest Copper Mine”](#).

Precedent for future foreign intervention

China's use of PSCs as proxies in Myanmar sets a dangerous precedent for future Chinese interventions in foreign conflicts, mirroring Russia's Wagner Group and demonstrating a new model for covert State-backed intervention. The ICOC mandates PSCs to operate within ethical and legal constraints (ICOC, Art. 9), yet Chinese PSCs, unregulated domestically and internationally, evade accountability.

If left unchecked, China's militarised PSC model could spread impunity for State-backed human rights violations, setting a precedent for private security forces to act as unaccountable enforcers of repression worldwide.

Conclusion

The arrival of Chinese PSCs in Myanmar threatens to escalate violence and further entrench human rights abuses. By securing infrastructure projects under the China-Myanmar Economic Corridor, these companies will sustain the military's economic and military capacity, strengthening its grip on power and prolonging the conflict. This will deepen existing patterns of repression, putting people at even greater risk of human rights violations, including the right to life, freedom from torture, and security of person.

Myanmar's lack of rule of law, the absence of safeguards on the use of force, and widespread impunity will be exacerbated by PSCs from China—a country that staffs these companies with former military leaders, uses them as State proxies, and refuses to regulate their actions abroad. At best, Chinese PSCs will intensify human rights violations in areas surrounding Chinese assets; at worst, they will enter active combat, acting as agents of further foreign intervention that will only escalate repression and deepen the human rights crisis in Myanmar.

Recommendations

1. Establish international oversight of foreign PSCs

The UN should strengthen monitoring mechanisms to track the role of foreign PSCs in States like Myanmar, particularly their impact on human rights. This should include a dedicated reporting mechanism within the UN Human Rights Council to document violations linked to PSC operations and ensure accountability.

2. Call for a ban on the use of foreign PSCs in conflict zones without adequate regulation

The UN should advocate for a ban on the deployment of foreign PSCs in States like Myanmar unless there is a clear and enforceable regulatory framework aligned with international human rights standards. The lack of accountability and oversight for Chinese PSCs operating in Myanmar makes their presence incompatible with human rights protection.

3. Strengthen international legal frameworks on PSC accountability

The UN Working Group on the Use of Mercenaries should work towards closing legal loopholes that allow Chinese PSCs to operate abroad without oversight. This should include advocating for a binding international mechanism to regulate PSCs, ensuring they are held accountable under international human rights and humanitarian law.

4. Impose targeted sanctions on PSCs facilitating human rights abuses

The UN should encourage Member States to impose targeted sanctions on Chinese PSCs involved in human rights violations in Myanmar. This should include restrictions on financial transactions, asset freezes, and travel bans for PSC leadership complicit in abuses.

5. Support civil society and local communities affected by PSCs

The UN should provide—and encourage others to provide—resources and technical assistance to Myanmar’s civil society to document and report human rights violations linked to PSCs. Additionally, support should be given to communities at risk of displacement and repression due to PSC operations, ensuring they have access to legal remedies and international advocacy channels.