

# Military Atrocities and Civilian Resilience

Testimonies of injustice, insecurity and violence in  
Southeast Myanmar under the 2021 coup



Karen Human Rights Group  
Documenting the voices of villagers in rural Burma



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under the 2021 coup

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## Executive Summary

On July 6<sup>th</sup> 2021, five months after the Myanmar military unlawfully seized power from the newly elected civilian government, UN High Commissioner for Human Rights Michelle Bachelet made a statement to the Human Rights Council announcing that “the situation in Myanmar has evolved from a political crisis to a multi-dimensional human rights catastrophe. [...] What began as a coup by the Myanmar military has rapidly morphed into an attack against the civilian population that has become increasingly widespread and systematic.”<sup>1</sup>

Since the February 1<sup>st</sup> 2021 military coup, the human rights situation in Myanmar has seriously deteriorated. The State Administration Council (SAC) headed by Senior General Min Aung Hlaing has engaged in systematic violence against civilians and stripped away the few key civil and political protections that the already problematic 2008 Constitution was supposed to guarantee, further opening the door for widespread human rights violations. Those who have taken to the streets or posted online to express their disapproval of the coup and the military’s actions have faced violence and threats to life at the hands of security forces. In Southeast Myanmar, rural villagers have faced additional insecurity and human rights violations as armed conflict and attacks in civilian areas have increased. With ongoing displacements, a worsening COVID-19 pandemic, and the SAC blocking national and international aid organisations’ access to critical areas, the humanitarian crisis has become dire, placing many in life-threatening situations.

In this report, KHRG presents the experiences and perspectives of rural villagers in Southeast Myanmar during the first six months of the military coup, as well as that of civilians who fled for safety to areas under Karen National Union (KNU) control. Interviews conducted by KHRG reveal the level of violence that the SAC undertook against protesters, and the ways in which protesters have continued to voice their opposition to the coup in the face of increasing brutality and repression by the state military. Protesters recounted stories of fear and insecurity as they encountered the ruthless response of the SAC to civilian opposition, yet equally expressed a strong sense of hope and an unwavering commitment to upholding the fight for democracy and freedom from oppression through to the very end. These interviews also highlight the efforts of civilians to support and sustain each other as protesters and those engaged in civil disobedience sought refuge and protection.

The situation of rural villagers has also been impacted by an increase in militarization and armed conflict. Although some areas in Southeast Myanmar have experienced little to no fighting, others have endured an ongoing onslaught of attacks and fighting since the coup. It is estimated that, as of June 23<sup>rd</sup>, close to 177,000 villagers in Southeast Myanmar, including 50,000 in Kayin State, have been displaced since the February 1<sup>st</sup> coup (with over 140,000 still experiencing displacement as of August 23<sup>rd</sup>).<sup>2</sup> KHRG also received a growing number of reports of direct attacks on civilians, including targeted killings, forced labour, looting and confiscation. That, combined with the SAC’s use of the COVID-19 pandemic as an additional weapon of war, has left rural villagers at-risk from multiple forms of attack.

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<sup>1</sup> United Nations Office of the High Commissioner for Human Rights (OHCHR), “Statement by Michelle Bachelet, UN High Commissioner for Human Rights, 47<sup>th</sup> session of the Human Rights Council, July 6<sup>th</sup> 2021”, July 2021.

<sup>2</sup> United Nations Office for the Coordination of Humanitarian Affairs, “Myanmar Humanitarian Update No. 8, June 24<sup>th</sup> 2021”, June 2021; United Nations Office for the Coordination of Humanitarian Affairs, “Myanmar Humanitarian Update No. 10, August 27<sup>th</sup> 2021”, August 2021.

In documenting the first six months of the coup, this report seeks to ensure that the experiences and concerns of rural ethnic villagers are not just heard but addressed. Although conflict and attacks had been ongoing in certain parts of Southeast Myanmar even prior to the coup, the shifts currently taking place reflect a complete disregard for human rights and signal a return to a “four cuts” approach that, as independent researcher Kim Joliffe has highlighted, “treats civilians not just as ‘collateral damage’ but as a central resource in the battlefield”.<sup>3</sup>

## Introduction

*“Right now there is no peace and people have to hide. We can’t go outside at night either, we can’t sleep peacefully and we are always full of worry and fear.”* – A university student in Kawkaeik Town who participated in the protests.

*“Our villagers dare not sleep in the village during the night. They hide and sleep in their farm and on the other side [of the stream]. They sleep in fear at night. We heard that the [SAC soldiers] are going out at night. [...] Some villagers dug a bunker and hid their belongings somewhere else. In our village, some people have packed up their belongings to take along in case they have to flee.”* – A villager from mixed control Cj--- village, Hu---village tract, Moo (Mone) Township, Kler Lwee Htoo District.

### Multiple battlefields

Over the past six months, since the Myanmar military forcibly seized power on February 1<sup>st</sup> 2021, civilians throughout the country have experienced armed violence, threats and repression by the military junta. For some, this was the first time they had encountered such violence and state terror, while for others it brought up fears and trauma due to past (and ongoing) armed conflict and military abuse and brutality. For decades the Myanmar military<sup>4</sup> has committed human rights violations against ethnic minorities and enjoyed complete impunity. Even under civilian rule, the military retained immense governmental power and had access to national and international funding that has allowed it to carry out military operations without oversight and engage in violations of human rights and international humanitarian law that have amounted to crimes against humanity.<sup>5</sup>

Since the coup, the level of violence has amplified, and extended beyond ethnic minority populations to touch all citizens. On March 11<sup>th</sup> 2021, Amnesty International released a report stating that “[t]he Myanmar military is using increasingly lethal tactics and weapons normally

<sup>3</sup> Emily FISHBEIN, Nu Nu Lusan and Vahpual, “Myanmar military adopts ‘four cuts’ to stamp out coup opponents”, *Al Jazeera*, July 2021.

<sup>4</sup> The term most commonly used in referring to Myanmar’s armed forces is Tatmadaw. The term has been used by KHRG throughout its reporting history, and most consistently during periods of civilian government. Since the February 1<sup>st</sup> 2021 coup and the military’s establishment of the State Administration Council (SAC) as the executive governing body of Myanmar, Myanmar’s armed forces have also come to be referred to as the SAC military. KHRG uses the term SAC military in specific reference to the Myanmar military since the February 1<sup>st</sup> 2021 coup. During previous periods of military rule, KHRG also used the names adopted by the military government in referring to the Tatmadaw (i.e. SLORC [State Law and Order Restoration Council] between 1988 to 1997, and SPDC [State Peace and Development Council] from 1998 to 2011), because these were the terms commonly used by villagers in KHRG research areas.

<sup>5</sup> United Nations Human Rights Council, *The Economic interests of the Myanmar military: Independent International Fact-Finding Mission on Myanmar*, September 2019.

seen on the battlefield against peaceful protesters and bystanders across the country”.<sup>6</sup> They cited indiscriminate and reckless spraying of live ammunition into crowds, as well as strategic, targeted attacks and extrajudicial killings, adding that military battalions already known for committing atrocities and human rights violations against ethnic minorities were involved in these attacks on protesters.

Although much media attention has been drawn to these attacks on civilian protesters, the military junta has also renewed attacks in rural areas under the control of Ethnic Armed Organisations (EAOs). What we find are multiple battlefields, with Myanmar’s armed forces directly waging war on protesters and civil disobedience in towns and cities, while also targeting civilian areas and villagers in rural areas in an attempt to quash and cripple what it considers to be ethnic armed opposition.

This report presents the violence that civilians have faced as a result of voicing their opposition to the coup and exercising their right to freedom of speech and assembly. It also presents the escalation of insecurity in rural ethnic areas, where the Myanmar military has long used violence against civilian villagers as a key strategy in waging war against ethnic armed actors. Such strategies quickly resurfaced following the coup.

Since the coup, increased offensives against ethnic armed groups have taken place, as have direct attacks on civilians in rural villages. Villagers in rural ethnic areas in Southeast Myanmar, particularly those areas under EAO control, have faced displacement due to airstrikes on civilian areas and ongoing armed conflict, but have also been subjected to other rights violations, many of which had begun to curtail following the 2015 Nationwide Ceasefire Agreement (NCA).<sup>7</sup> Although killings, arbitrary arrests, extortion, looting and forced labour have continued to take place since the NCA despite provisions protecting against such abuses, these incidents have often been associated with particular individuals or battalions and have not been systematic in nature. Already, within just the first six months of the military takeover, that has changed. There has been an increase in incidence and in what amounts to state-authorised violence.

What is evident in both rural and urban areas is not just the increase in acts of violence since the coup, but that the State Administration Council (SAC)<sup>8</sup> has sought to legitimise its own abusive actions and inscribe in law the deprivation of fundamental human rights.

### **The legitimisation of state violence**

The Myanmar military, in ousting the newly elected civilian government, not only illegally seized power by making unsubstantiated claims about election fraud, but also set about instituting legislative changes that would effectively legalise state-based repression and its own use of

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<sup>6</sup> Amnesty International, “Myanmar: Vast arsenal and notorious troops deployed during nationwide ‘killing spree’ protest crackdown – new research”, March 2021.

<sup>7</sup> On October 15<sup>th</sup> 2015, after a negotiation process marred with controversy over the notable non-inclusion of several ethnic armed groups, a Nationwide Ceasefire Agreement (NCA) was signed between the Burma/Myanmar government and eight of the fifteen ethnic armed groups originally invited to the negotiation table, including the Karen National Union. It was followed by the adoption of a Code of Conduct by the signatories in November 2015. In February 2018, two additional ethnic armed groups signed the NCA under pressure from the Burma/Myanmar government.

<sup>8</sup> The State Administration Council (SAC) is the executive governing body created in the aftermath of the February 1<sup>st</sup> 2021 military coup. It was established by Senior General Min Aung Hlaing on February 2<sup>nd</sup> 2021, and is composed of eight military officers and eight civilians. The chairperson serves as the de facto head of government of Myanmar and leads the Military Cabinet of Myanmar, the executive branch of the government. Min Aung Hlaing assumed the role of SAC chairperson following the coup.

excessive force against civilians. The SAC has specifically targeted rights to freedom of expression, freedom of peaceful assembly and association, and access to information as a means of criminalising all forms of dissent. The changes enacted give the SAC permission to arrest, detain, and interrogate anyone who speaks out against the military junta; anyone who tries to investigate or publish on the activities of the military junta, or human rights violations committed by the junta; and anyone who engages in any form of protest. In combination with the declaration of a state of emergency, and the imposition of curfews (and martial law in some townships), the legislative changes ultimately make it possible for the SAC to take action against anyone for any reason it sees fit. UN Special Rapporteur Tom Andrews posted on Twitter on February 14<sup>th</sup> that “[i]t’s as if the [SAC] generals have declared war on the people of Myanmar”.<sup>9</sup>

Although these legislative changes are both unconstitutional and in serious contravention of international law, the SAC continues to insist that its actions remain in accordance with the law. Major General Zaw Min Tun, spokesman for the ruling military council, has stated: “We will abide by laws that do not supersede the Constitution. Many laws have to be taken into consideration in executing political processes. We will not do anything that is not in accord with the law.” He added, in referring specifically to the SAC’s legislative reforms and use of excessive force against protesters: “The first objective of the new laws is achieving peace and security for the people and the country. [...] Police and other security personnel are carrying out their responsibilities in accordance with their manuals.”<sup>10</sup>

The 2008 Constitution had already long been criticised as “effectively grant[ing] total immunity to State and military personnel to act with impunity”<sup>11</sup> and as granting special powers and privileges to the military that give it veto power over any constitutional change. The reforms that the SAC has undertaken since seizing power create a system of “justice” that effectively undermines and stands in contradiction to rule of law, and thus is more clearly a system of inscribed injustice for civilians and impunity for the military. KHRG interviewees themselves have pointed to the complete arbitrariness of arrests, with no assurance of due process or fair trial rights, no possibility to report crimes and violations to any sort of justice system, and fear of further abuse and threat if they were to even attempt to seek out justice.

Similarly, the SAC is using the NCA and calls for ceasefire to then give itself permission to undertake whatever measures it deems necessary to “keep the peace”, which in reality amounts to quashing dissent and wiping out “rebel” groups. Although the SAC announced a unilateral ceasefire on its part since April 2021, it also stipulated that it would continue to respond to “actions that disrupt government security and administration”,<sup>12</sup> thus authorising its own military offensives. Since the coup, it has repeatedly accused other armed actors of failing to honor peace commitments, and to label any groups that oppose the SAC as terrorists.

From the outset, it has also used the COVID-19 pandemic, citing the Natural Disaster Management Law, to justify arrests. It has limited access to information about the health crisis, and more recently to vital medical care, using the pandemic as a political weapon against the public as well as ethnic armed groups. The SAC’s mishandling of the COVID-19 pandemic has

<sup>9</sup> UN Special Rapporteur Tom Andrews, “Tweet: February 14, 2021”, *Twitter*, February 2021.

<sup>10</sup> “‘We Didn’t Put Restrictions on Everything,’ Says Myanmar Junta Spokesman in 1<sup>st</sup> Remarks Since Coup”, *Radio Free Asia*, February 2021; see also Pwint Htun, “Beyond the Coup in Myanmar: ‘In Accordance with the Law’ – How the Military Perverts Rule of Law to Oppress Civilians”, *Just Security*, April 2021.

<sup>11</sup> United Nations Human Rights Council, 1<sup>st</sup> cycle UPR recommendations, New Zealand, *Report of the Working Group on Universal Periodic Review: Myanmar (A/HRC/17/9)*, March 2011, pg. 21.

<sup>12</sup> Richard ROTH et al., “Myanmar junta offers ceasefire to some, as UN envoy warns of ‘bloodbath’”, *CNN*, April 2021.

led to a spike in COVID-19 cases and COVID-related deaths throughout the country, including rural villages in Southeast Myanmar, where villagers are already facing threats to health and safety due to armed conflict and attack.

In highlighting the human rights violations that have occurred since the February 1<sup>st</sup> coup, this report presents the degrading security situation and humanitarian crisis that civilians in Southeast Myanmar are currently facing. It also presents the hopes and struggles of rural villagers and civilians to show how, despite the increased insecurity that they face, they continue to seek out ways to counter a military regime they know to be both illegal and unjust.

## Structure of the report

Part I looks at the anti-coup and pro-democracy movements that erupted immediately following the military takeover and that came to be referred to as the “Spring Revolution”.

Chapter 1 focuses on the protests in both towns and rural areas. By providing testimonies from protesters as well as security forces who have now left their positions to join the Civil Disobedience Movement (CDM),<sup>13</sup> this chapter highlights the ruthless and excessive measures that the SAC used against protesters to suppress opposition. It also presents the legislative reforms that the SAC set up in order to legitimise and justify its violent response, and that turned what was otherwise nonviolent, lawful acts of freedom of expression and assembly into punishable crimes. While this chapter describes the threats and fears faced by civilians as the SAC unleashed a war against them, it also highlights the strategies protesters adopted to protect themselves from violence, abuse, and arrest by SAC security forces.

Chapter 2 turns to the Civil Disobedience Movement and the motivations, pressures and challenges faced by different groups participating in the movement. While CDM participants in general spoke of the desire for democracy, a return to civilian government, and the hope of undermining the SAC by shutting down the wheels of government, SAC security forces (police and military) who joined the CDM also cited unjust and unlawful orders as motivating factors. Interviewees, most of whom had fled to areas under Karen National Union (KNU)<sup>14</sup> control, expressed threats to their own safety as well as reprisals against their family, but also revealed the widespread networks of support that have evolved alongside and within the CDM. Finally, although the movement has indeed been successful at crippling the government, the impacts on the livelihoods of both CDM participants and their families, and on the communities now supporting and sheltering them cannot be ignored.

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<sup>13</sup> On February 2<sup>nd</sup> 2021, healthcare workers at state-run hospitals and medical facilities across Myanmar spearheaded what is being referred to as a Civil Disobedience Movement (CDM) consisting of labour strikes in protest against the February 1<sup>st</sup> 2021 military coup. The movement quickly spread to include civil servants from all sectors of the government who are walking off their jobs as a way of non-recognition and non-participation in the military regime. Because of the popularity of the movement, and its seminal role in wider protests across the country, some people have begun using it as a catch-all phrase to include other protest forms like boycotts and pot-banging.

<sup>14</sup> The Karen National Union (KNU) is the main Karen political organisation. It was established in 1947 and has been in conflict with the Burma/Myanmar government since 1949. The KNU wields power across large areas of Southeast Myanmar and has been calling for the creation of a democratic federal system since 1976. Although it signed the Nationwide Ceasefire Agreement in 2015, relations with the government remain tense.

Part II focuses on the multidimensional humanitarian crisis that is unfolding specifically in rural areas of Southeast Myanmar as a result of the increase in military activity and human rights violations, and the spread of COVID-19.

Chapter 3 highlights the growing insecurity in rural areas as result of the increase in militarisation and armed conflict that has occurred since the coup. While airstrikes and fighting have led to large-scale displacements and a growing humanitarian crisis, the human rights situation has also degraded with an increase in abuses (like forced labour, targeted killings, looting and arbitrary arrest) that had curtailed following the NCA. This chapter reveals how the renewal of violence signals not just an abandonment of peace efforts but also a shift in tactics that recall earlier periods of conflict where the Myanmar military engaged in strategies directly targeting civilians as a means of defeating ethnic armed groups.

Chapter 4 provides an update on the COVID-19 situation in rural areas during this third wave of the pandemic. It also presents the SAC's handling of the COVID-19 pandemic, focusing on rights violations committed by the SAC. The SAC has both failed to provide accurate information and denied or hindered access to services, thus has infringed on civilians' right to health and right to life. In rural areas specifically, where villagers already have little reliable access to healthcare, and where distrust of the SAC is particularly strong, signs of the SAC's mishandling of the pandemic are already being felt.

Part III turns to wider impacts of the coup and perspectives on moving forward.

Chapter 5 focuses on the wider impacts to peace, democracy and development resulting from the military takeover. The military junta has been extending its control not just horizontally across sectors, but vertically down to the village level as it replaces locally elected officials with SAC-appointed staff. The implications, particularly in mixed control areas, are just beginning to be felt, but are likely to have significant impact on local ethnic administration and cooperation and peace in those areas. This chapter also looks at the impacts of the coup on the already vulnerable livelihood and financial situation of rural villagers and considers the impacts of the coup and responses to it on civilians' access to health and education services. Finally, it explores the impacts of the telecommunication interruptions and SAC control of news and media outlets, particularly regarding access to information for rural villagers.

Chapter 6 presents the perspectives of KHRG interviewees, highlighting their expectations of the protest movements and CDM during the six months following the coup. Opinions about how the fight to overthrow the military junta should continue varied, with interviewees expressing different ideas about whether negotiation and peaceful means should continue to be pursued, or whether taking up arms was the only way forward. The need for unity was often cited as critical to the ability to restore civilian rule, with some concerns about the already existing divisions both between and within ethnic groups. A strong emphasis was thus placed on the need for a federal democracy that allows for self-determination as the only means of ensuring ethnic minority rights and equality. The interviews also revealed a growing awareness of the struggles endured by ethnic minorities and the military's brutality as people throughout the country witnessed violence at the hands of the military and/or experienced it themselves. The interviews thus hold hope for greater inclusion of minority voices in the future.

## Recommendations

### ***To the State Administration Council (SAC)***

- Immediately step down and hand over power to the National Unity Government (NUG).
- End the crackdown, arrests and targeted attacks on protesters and CDM participants.
- Cease the halting and seizure of medical and humanitarian supplies intended to alleviate the COVID-19 and other humanitarian crises in Southeast Myanmar.
- Reverse the suspension of Sections 5, 7 and 8 of the Law Protecting the Privacy and Security of the Citizens (Pyidaungsu Hluttaw Law No. 5/ 2017).
- Revoke amendments to the Ward or Village Tract Administration Law, the Penal Code and the Code of Criminal Procedure (SAC Law Nos 3/2021, 5/2021 and 6/2021).
- End interruptions to communication services and the suppression of media freedom since this is a violation of the right to access information.
- Cease attacks on civilian areas, as well as patrols and military transports through, in or near villages or livelihood areas; demilitarise areas close to villages and farms by removing troops and camps.
- Stop all forms of forced labour, including using villagers as human shields, porters, and navigators; and refrain from making arbitrary demands on local communities such as demanding the use of their vehicles, boats or other property for military purposes.
- End arbitrary and illegal taxation practices, as well as the confiscation of civilian property for military and personal use.
- Ensure compliance with international humanitarian standards and human rights law; and end impunity by ensuring that any armed actor who has violated the rights of any person is held accountable for abuses in fair and transparent investigations and judicial processes in independent and impartial civilian courts.
- Put an end to clearance operations, as well as activities, commonly termed the “four cuts strategy”, that prevent civilian access to food, communication, aid and other basic necessities.

### ***To international organisations, NGOs, funding agencies, and foreign governments***

- Refrain from giving any legitimacy to the military junta and from recognising them in any international forum.
- Exclude the SAC as a partner for the distribution of aid.
- Urge UN agencies in Myanmar to take a clear and strong position in responding to the situation on the ground, and to use all possible resources to limit the human rights abuses and violations undertaken by the SAC.
- Provide financial and technical support as needed for the NUG, including on international human rights laws and standards and other matters of governance.
- Consult and sign Memorandums of Understanding (MoUs) with the NUG and EAOs to address the unfolding humanitarian crisis across the country.
- Support a UN Security Council resolution on a global arms embargo.

- Diversify international funding distribution so that more funding is made directly available to non-state actors, particularly ethnic service providers and civil society organisations, regardless of their registration status.
- Prioritise methods of service delivery and communication that rely on local CSOs/CBOs and ethnic service providers that have the ability and networks (due to consistent access and trust from the community) for local implementation of support programmes.
- Recognize the complex logistics of service delivery and be willing to contribute to solutions proposed by local CSO/CBOs and ethnic service providers.
- Mitigate the impacts of displacement, armed conflict and insecurity on livelihood through increased support and initiatives that reduce the vulnerability of small farmers and day labourers.
- Support ethnic health organisations (EHOs) and other non-state health actors, both regarding COVID-19 prevention and treatment (including screening/testing and the running of quarantine facilities), and the provision of other essential health services in rural areas.
- Urge Myanmar's neighbours to ensure that their authorities do not deny entry to people crossing the border seeking refuge; and encourage them to work with cross border organisations to develop support and protection services for those seeking refuge.
- Provide neighboring countries with the necessary resources and technical assistance to provide humanitarian aid, including for COVID-19, for the people from Myanmar who are fleeing the military violence.
- Engage with Myanmar's neighbours to ensure the passage of aid to Myanmar, in particular through cross border aid organizations and local civil society organizations already operating in the area.
- Advocate for the release of political prisoners, including political actors, protesters, activists, human rights defenders, journalists and their family members.
- Insist that the UN Security Council refer Myanmar to the International Criminal Court (ICC) or set up an ad hoc tribunal to ensure all perpetrators of genocide, war crimes, crimes against humanity, and mass atrocities are prosecuted and that justice is attained for victims and survivors.

### ***To the SAC and EAOs/EAGs***

- Put an immediate halt to the planting of landmines and ban all further use of landmines; mark all areas contaminated by landmines and unexploded ordnance (UXO), and inform the local communities of these locations for their safety.
- Comply with international humanitarian standards and human rights law, particularly with regard to the protection and safety of civilians.

## Methodology

### Field research and data

This report is based on interviews conducted with rural villagers as well as with participants in the protests and Civil Disobedience Movement who fled to KNU-controlled areas for their safety. This report also draws on raw data reports prepared by KHRG researchers working in local communities within KHRG's operational area. KHRG began conducting interviews shortly after the February 1<sup>st</sup> coup, through the first week of June 2021. The raw data for this report covers the period from the beginning of February through the end of July, thus the first six months of the coup.

A total of 133 interviews were conducted, covering a wide range of topics related to the coup. Because of the early explosion of protest activities following the coup, KHRG researchers often sought out individuals who were involved either in the protests or the Civil Disobedience Movement. As a result, the interviews used for this report give heavy weight to the protests and CDM (compared to the raw data reports, which focus more heavily on conflict, military activities and specific incidents). Forty-nine of those interviews were with people who joined the Civil Disobedience Movement, many of whom had either fled to their home village in Southeast Myanmar or been provided refuge in a KNU-controlled area. These interviews included staff from the police force, military, medical fields, education and other government offices. Two interviews were conducted with protesters who had been arrested following their release from prison. An additional interview was conducted with the family member of a detainee. The rest of the interviews (81) were with villagers, many of whom had joined the protests.

Interviewees ranged in age from 15 to 62 years old. Of the 133 interviews conducted, 84 were with men and 49 were with women. Although many of the interviewees did participate in the protests, these figures are not necessarily reflective of the overall level of participation in protests by gender. KHRG interviews and news reports point to high participation by women in the protests, with the Women's League of Burma estimating that 60% of protesters were women.<sup>15</sup> KHRG interviews with CDM participants are likely further imbalanced with regard to gender (35 men and only 14 women), since all of the interviews conducted with police and military staff were with men.<sup>16</sup>

The oral testimonies used for this report took the form of audio-recorded semi-structured interviews. Multiple questionnaires were used in the collecting of testimonies in order to better capture the different experiences of protest, CDM participation, and detention, as well as villagers' perspectives of the coup. The interviews were conducted by KHRG staff and a network of researchers who are local community members, trained and equipped to employ KHRG's documentation methodology.<sup>17</sup>

As fighting and attacks began increasing in rural areas, KHRG field researchers worked to provide short situation updates and incident reports. Over 100 raw data submissions were used for this report. Due to service disruptions in telecommunications, movement restrictions and insecurity, KHRG researchers were often not able to conduct fuller interviews with local villagers who might have been impacted by the military activities. Thus, the raw data used for this report

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<sup>15</sup> Umayma KHAN, "The women of Myanmar: 'Our place is in the revolution'", *Al Jazeera*, April 2021.

<sup>16</sup> The number of female staff within Myanmar's security forces remains low despite increases in recent years: 20% of the police force in 2018, and 0.2% of the military in 2019. See Kyaw Myo, "Female Officers Now Make Up 20 Percent of Police Force", *The Irrawaddy*, October 2018; "2021 Myanmar Military Strength", *Global Fire Power*, last accessed November 2<sup>nd</sup> 2021.

<sup>17</sup> KHRG's full documentation philosophy and methodology is available upon request.

often only included details about the incidents, with little information capturing villagers' perspectives of those incidents. Possibilities for follow-up were also much more restricted during the reporting period.

### **Research areas**

The interviews were conducted across all seven districts within KHRG's operation area: Doo Tha Htoo (Thaton), Taw Oo (Toungoo), Kler Lwee Htoo (Nyaunglebin), Mergui-Tavoy, Mu Traw (Hpapun), Dooplaya and Hpa-an.<sup>18</sup> These are commonly referred to as "districts" and are the names used by the KNU, as well as many local Karen organisations, both those affiliated and unaffiliated with the KNU. KHRG's use of the district designations in reference to our research areas represents no political affiliation; rather, it is rooted in the fact that many rural communities commonly use these designations.

Additionally, KHRG uses the term "Myanmar" in its analysis. The country was officially named Burma until the military regime changed the name to Myanmar in 1989.

When transliterating Karen village names, KHRG utilises a Karen language transliteration system that was developed in January 2012 in cooperation with 14 other local Karen community-based organisations (CBOs) and non-governmental organisations (NGOs) to ensure consistent spelling of place names. When transliterating Myanmar language place names, KHRG uses the official spelling used by the Government of Myanmar.

### **Sources and referencing**

The information in this report is based directly upon testimonies offered by villagers and local leaders, as well as raw data collected within local communities. In order to make the data in this report transparent and verifiable, interviews used for this report are available for consultation upon written request. In addition to the data collected through interviews and reports from the field, KHRG consulted and analysed other external sources to gather policy and legal information, as well as statistical and contextual information, which have been referenced using standard citation format. Previously published KHRG reports were also used in the preparation of this report and have been referenced using standard citation format.

All participants were informed of the purpose of the interviews and provided consent to be featured in this report. Interviews were conducted in S'gaw Karen, Pwo Karen, Burmese, as well as Baik (in Mergui-Tavoy District).

### **Censoring of names, locations, and other details**

Where quotes or references used in this report include identifying information that KHRG has reason to believe could put villagers in danger or at risk, this information – notably, the names of individuals or villages – has been censored using an alphabetised system. Village and personal names have been censored using single and double digit letters beginning from A--- and running to Zz---. The censored code names do not correspond to the actual names in the relevant language or to coding used by KHRG in previous reports. All names and locations censored according to this system correspond to actual names and locations on file with KHRG. Thus, censoring should not be interpreted as the absence of information. In some cases, further details have been withheld for the security of villagers and KHRG researchers.

<sup>18</sup> For clarity, the Burmese terms used for these districts are provided in brackets but do not correspond with the Myanmar government administrative divisions.

# Map 1: KHRG operational area

**Map 1: KNU-defined Karen State and Myanmar government-defined State and region boundaries**



## Terms and abbreviations

BGF	Border Guard Force
CBO	Community-Based Organisation
CDM	Civil Disobedience Movement
CIDKP	Committee for Internally Displaced Karen People
CRPH	Committee Representing Pyidaungsu Hluttaw
CSO	Civil Society Organisation
DKBA	Democratic Karen Benevolent Army
DKBA (splinter)	Democratic Karen Buddhist Army (splinter)
EAO	Ethnic Armed Organisation
IDP	Internally Displaced Person
KDHW	Karen Department of Health and Welfare
KECD	Karen Education and Culture Department
KNDO	Karen National Defence Organisation
KNLA	Karen National Liberation Army
KNPF	Karen National Police Force
KNU	Karen National Union
KPSN	Karen Peace Support Network
KWO	Karen Women's Organisation
NCA	Nationwide Ceasefire Agreement
NGO	Non-Governmental Organisation
NLD	National League for Democracy
NUG	National Unity Government
PDF	People's Defence Force
SAC	State Administration Council
UN	United Nations
USDP	Union Solidarity and Development Party
UXO	Unexploded Ordnance

## Language notes and special terms

Naw/Saw	Karen S'gaw female/male honorific title.
Nant/Mahn	Karen Pwo female/male honorific title for female/male adults, a married woman/man or a woman/man of a higher social position.
Nan/Sa	Karen Pwo female/male honorific title for younger or unmarried females/younger males.
Daw/U	Burmese female/male honorific title for female/male adults, a married woman/man or a woman/man of a higher social position.
Ma/Maung	Burmese female/male honorific title for younger or unmarried females/younger males.

## Currency

baht	Currency of Thailand. All conversion estimates for the baht in this report are based on the November 2 <sup>nd</sup> 2021 mid-market exchange rate of 1 baht to USD 0.03005 (taken from <a href="https://wise.com/us/currency-converter/thb-to-usd-rate">https://wise.com/us/currency-converter/thb-to-usd-rate</a> )
kyat	Currency of Myanmar. All conversion estimates for the kyat in this report are based on the November 2 <sup>nd</sup> 2021 mid-market exchange rate of 1,000 kyats to USD 0.55463 (taken from <a href="https://wise.com/us/currency-converter/mmk-to-usd-rate">https://wise.com/us/currency-converter/mmk-to-usd-rate</a> ) <sup>19</sup>

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<sup>19</sup> The value of the kyat has dropped significantly since the military coup. On February 1<sup>st</sup> 2021, the market exchange rate was 1,000 kyats to USD 0.75242 (<https://www.exchange-rates.org/Rate/MMK/USD/2-1-2021>)

## Part I: The Spring Revolution

### Chapter 1: Protests

After the February 1<sup>st</sup> coup, protests erupted throughout Myanmar in both urban and rural areas, often drawing tens of thousands of people in large cities, and/or uniting hundreds of villages in rural areas, all voicing their opposition to the coup and military dictatorship. Although peacefully engaging in the right to freedom of expression, civilian protesters became the target of repression and violence at the hands of the military regime. This chapter draws on testimonies of both protesters and security forces to highlight the excessive violence used against civilians, as well as the SAC's expansion of repressive and suppressive measures that violate human rights standards. It also presents the initial strategies of resistance and self-protection adopted by protesters.

#### A. Opposing the coup: making our voices heard

*"It is very clear why we joined the protests. We would like to get our rights back. We would like our voice to be heard and listened to. [...] [W]e realised that if we do not raise our voice to express what we want, our voice will not be heard. Whether it is effective or not is another topic. [In] every [democratic] country [people] have the right to express what they want."* – A protester from Hpa-an District.

As people expressed their opposition to the military coup, the most common demands were to eliminate the military dictatorship, to establish a democracy, to return the power to the National League for Democracy (NLD),<sup>20</sup> to demolish or modify the 2008 Constitution, to respect the results of the 2020 election and to release the political detainees including the NLD members and anti-coup protesters. Some interviewees also noted the developments and improvements to their livelihood, security, social conditions and the economy under civilian rule, and expressed that a return to military rule would be a step backwards.

Many rural villagers joined the protests in urban areas to be part of the larger collective. One rural villager from Mu Traw (Hpapun) District insisted on the common goals uniting protesters: *"What the people in Burma want, and what we, the rural people want is the same since we live in the same country."* Another rural villager pointed out: *"The military seized power, but nine out of ten civilians are not in favour of it, thus, they are protesting against it. [...] [P]eople are now protesting because what they [the military] are doing is not right"*. Some also joined protests and protest groups specifically claiming to be "all ethnic".<sup>21</sup>

Although interviewees noted a sense of people coming together with a common goal of expressing their refusal of the military coup, different understandings of military rule could be seen underlying this shared goal. In rural ethnic areas, a stronger emphasis on self-determination and federal democracy could be seen, with some protests even being extensions of activism and demonstrations that rural villagers were engaged in prior to the coup. Thus, they often included existing demands specifically relevant to local ethnic populations. For example, protesters in

<sup>20</sup> The National League for Democracy (NLD) is the political party that governed Burma/Myanmar from 2016 to January 2021. Led by Aung San Suu Kyi, the NLD won landslide victories in the 2015 and 2020 General Elections. The NLD government was deposed by the Burma Army in the February 2021 Myanmar coup d'état, after which elected President Win Myint and State Counsellor Aung San Suu Kyi were detained, along with ministers, their deputies and members of Parliament.

<sup>21</sup> KHRG, "We Will Win this Fight", forthcoming news bulletin.

Mu Traw emphasised the Four Principles of Saw Ba U Gyi, revolutionary leader, founder and former president of the KNU: 1. For us, Surrender is out of the question; 2. We shall retain our arms; 3. The recognition of the Karen State must be complete; 4. We shall decide our own destiny.



This photo was taken on March 22<sup>nd</sup> 2021. It shows a demonstration during which 500 villagers from four different village tracts (T’Hkaw Pwa, Way Shweh, Koh Nee, and Noh Nya Lar) gathered and held a protest against the military coup. They started marching at T’Hkaw Pwa village and went around to Aaw Law See, Way Shweh and Kyun Pin Seik villages in Plaw Too area, Moo (Mone) Township, Kler Lwee Htoo District. The protest specifically claimed to be an “all ethnic group” protest. [Photo: KHRG]



This photo was taken on April 12<sup>th</sup> 2021 in Lay Hpah Htaw village, Noh T’Kaw Township, Dooplaya District. It shows around 400 villagers from Win Yay, Pa Yar Thone Su, Noh T’Kaw and Seikkyi towns who assembled and gave speeches in the street as part of the ‘Say No to Dictatorship’ campaign. During the speeches, protesters were encouraged to boycott the use of products from Myanmar, including alcohol, and to refrain from celebrating the annual water festival. In this photo, the word “democracy” has been painted on the street. [Photo: KHRG]

A female protester in a KNU-controlled area of Mu Traw District explained that they also called for the withdrawal of SAC army camps from civilian areas and the Salween Peace Park: *“Our main demand was the withdrawal of the army camps from our homeland and the Salween Peace Park in order for us to live peacefully, to work freely, to enjoy our rights and be free from fear. The second demand was that the dictatorship [military regime] must change the 2008 Constitution; even if they don’t want to abolish the whole 2008 Constitution.”* The abolishment of the 2008 Constitution has been important to ethnic minorities because it currently provides the military with a number of special powers and privileges, and enables former junta officials to evade accountability for past human rights violations.

Having already experienced several decades of military dictatorship prior to the 2021 coup, rural villagers were quick to mention that they engaged in protests because they do not want to live under the military leaders again, nor do they want that for future generations. A villager in Mu Traw District stated: *“I cannot stand the military coup. The new system [democracy] was bringing about change, but they [SAC military] want to bring the old system back again. We are here to [show we are] against something that should not have happened. I don’t want the next generation to walk in [experience] this wicked system.”*

To voice their opposition to the coup, many people took to the streets. Protest marches have been the most widespread form of protest against the coup, often mobilising thousands of people

(Yangon had the largest protests, sometimes over 100,000<sup>22</sup>). KHRG interviewees mentioned being involved in a variety of other forms of protest, including sit-ins, mass prayer, vigils, and writing on walls and streets.



This photo shows a protest being held in Tha Yet Chaung Town, K'Ser Doh Township, Mergui-Tavoy District during the first week of February 2021. Around 10,000 people attended this protest against the military coup, including, as shown here, protestors on motorbike.

[Photo: Local villager]



This photo was taken on March 2<sup>nd</sup> 2021. Over 1,000 villagers from 11 villages in Thoo Ka Bee, Wel Lar Daw, Noh Ghaw, and Par Ta Lar village tracts in Ler Doh Township, Kler Lwee Htoo District came together in protest. People carried out the protest by cart, as seen in this photo, as well as on motorbike. [Photo: KHRG]

Many civilians in town also used pot banging to show their solidarity against the military coup. Pot banging, already commonly practiced in Myanmar as a way of casting out evil from the community,<sup>23</sup> emerged immediately after the coup as it also offers a form of protest accessible to all since any household item could be used: pots, pans, steel/iron buckets (anything that will make a sound). Local community leaders and protesters often organised these activities, but they also took on a spontaneous form. An interviewee from K'Ma Moh (Kamarmaung) Town, Mu Traw District explained: *“On February 3<sup>rd</sup>, people banged pots from 8:00 to 8:10 pm to express their feelings that they do not like the military coup. People from the whole town did this in their own houses.”* In some areas, pot banging has also been used to notify the neighbouring houses when the SAC security forces conduct night raids.



This photo was taken on February 13<sup>th</sup> 2021. Approximately 200 Karen people took part in this protest against the military coup in P'Law Town, K'Ser Doh Township, Mergui-Tavoy District. [Photo: KHRG]

Another form of protest has been to hang women's undergarments and long skirts in the street. Hanging women's undergarments and long skirts was a strategy developed by women to block SAC security forces and protect themselves from SAC violence. There is a traditional belief in Myanmar that walking under women's undergarments or long skirts

<sup>22</sup> Rebecca RATCLIFFE, “Myanmar: more than 100,000 protest in streets against coup”, *The Guardian*, February 2021.

<sup>23</sup> “The nights of pots and pans are back, on Myanmar’s fearful streets”, *The Guardian*, February 2021.

diminishes and can even destroy the dignity of men. Thus, men, especially soldiers, avoid walking under women's undergarments and skirts.

Critical to all of these forms of protest was their peaceful and non-violent approach. A high school student in Myawaddy Town expressed that the protests were about *"demand[ing] the truth from [our] hearts."*

#### B. Violent crackdown

Despite the peaceful nature of the protests, SAC security forces responded with violence, using threats, arrest, detention, and various forms of physical harm to silence those who stood against them. Initially, the SAC used blockades to try to impede protests, but by mid-February, as protests grew, more violent measures were employed. The SAC used violence on the protesters regardless of gender and age.

##### *i. Excessive violence*

SAC security forces cracked down on the protests using excessive violence, including brutally beating and torturing protesters as well as shooting at them using both rubber and live bullets. Hundreds of protesters have been killed and thousands more injured as a direct result of violence by SAC security forces. A variety of weapons were used by security forces including water cannons, machine guns, sniper rifles, water pipes, tear gas and sound bombs (stun grenades).

University student Maung E---, who joined the protests in Yangon shared his first-hand experience of the violence and torture inflicted by the SAC: *"They [police officers and soldiers] shot people with rubber bullets. Then they used tear gas, so they shot people with a launcher [riot gun]. When the people [protesters] became nervous, soldiers came and beat them, and then they arrested them. They grabbed people's hair when they arrested them, and then they ordered people to sit down on the floor. [...] Many people beside me got injured. They were bleeding. Everybody was running away at that time so we did not know whether they were shot with rubber bullets or not. One of the people standing beside me sustained a leg injury. He could not walk anymore. He was sent to the hospital."* A young woman from Kawkareik Town, Hpa-an District also experienced SAC violence: *"I was exposed to the tear gas. They [SAC security forces] used tear gas. The house I was hiding in was also exposed to the tear gas. They also shot [guns] at the house and it [the bullets] reached to the back of the house."*

The security forces usually did not give advance warning about cracking down on the protests, or about the measures they would take. As such, protesters felt like open targets, as expressed by Maung E---: *"In joining the protests in Yangon and Mandalay, it is like we pick straws over who will die in the street [joining the protests is like a deadly game of chance]. They [police] can shoot people at any time if they want. In fact, they shot people. Many people have already died. They [police] never gave a warning to people before cracking down on the protests."*

One protester from Mergui-Tavoy District stated that February 22<sup>nd</sup> marked a turning point in the use of violence. Civilians all over the country came out in force, showing their solidarity against the coup on this particular day, locally called "Nit Nga Lone (22222) Revolution Day". Naw D---, who participated in the Yangon protests since the beginning, said: *"They [SAC security forces] started shooting from February 22<sup>nd</sup>. They responded to civilians with attacks every day since then. I was in the protests during that time. [...] We encountered them on February 24<sup>th</sup> and they were attempting to arrest protesters. So we had to run away. [...] They used tear gas, sound bombs [stun grenades], and they shot rubber bullets."* Ma As---, a teacher from Hpa-an

Town, described the violence used on protesters in late February: *“After February 25<sup>th</sup> 2021, the SAC military threatened us with guns. The soldiers started patrolling in the place we were gathering for the protest and at least 20 to 30 military trucks would follow and block the protest. Therefore, we could not hold regular protests anymore because they would arrest protesters whenever we started to gather into groups and we had to start hiding [from the military]. The attack on [February] 28<sup>th</sup> while sitting in protest in front of the police office was the worst because [SAC police/military] attacked us with tear gas bombs, deployed water cannons against us and fired rubber bullets at protesters. And finally, they used machine guns [to fire warning shots at protesters] to disrupt the protests. In April, one protester was hit by a real bullet.”*

Blockades themselves were sometimes used to enact violence upon protesters. A protester from Ec--- village, Kaw T’Ree (Kawkareik) Township described what she encountered: *“They [SAC police] blocked us on the way and they threw tear gas and shot rubber bullets at the civilians. They threatened the civilians until they were afraid and dared not to go back out for protest. The civilians retreated and the police also retreated. However, they [police] came back and blocked all the entrances into the town, on the other side of the road. [...] Now, there are no protests anymore.”*

A protester from Du--- village, Waw Ray (Win Yin) Township, Dooplaya District whose group was blocked on their way to Kyainseikgyi Town stated: *“Because they blocked the bridge, if we tried to cross it, they would shoot us since they have permission to shoot; but only we the civilians will get harmed.”* She added that *“rather than blocking the road again, they should do other things to prevent these kinds of demonstrations from happening again”*.<sup>24</sup>

The violence that occurred during the protests went beyond standard containment measures. According to KHRG interviewees, the violence often seemed to be targeted and deliberate. Saw Av--- from Fe--- village, Fe--- village tract, Lu Pleh Township, Hpa-an District noted: *“Their responses are really brutal because they purposefully shoot on sight and are killing civilians, so their acts lack humanity. Therefore, we feel sad and angry at the same time.”*

Organisers and leaders seemed to be the primary targets of SAC violence. SAC military aircraft mechanic Maung J---, a CDM participant who joined the protests, explained: *“I think they targeted protest organisers when they shot. I mean those who seemed very active in the protest. For example, young active people like Kyal Sin.”*<sup>25</sup> *She was shot dead. I thought it was strange when I saw the words [‘Everything will be okay’] on the shirt she was wearing when she died. Those words are like a challenge to the SAC soldiers. So I think they might target a protester like her when they shoot.”*

The inability to access medical care for protesters added to the severity of the violence. Maung J--- added: *“I joined the protest on Sunday [February 28<sup>th</sup> 2021]. We had to separate and run earlier on that day at 8:30 am because they started firing warning shots. But at 10:00 am, they shot for real. There was one person who was shot and people were trying to send him to the public hospital. The public hospital was closed so they tried to send him to a private hospital. However, he could not make it. He just died on the way.”*

Maung J--- also spoke of what he had seen on social media, adding that the stories of violence and brutality have been denied by the SAC: *“In some cases, the [SAC] police killed the people and they tied those people’s toes with rope and dragged them away. It is like they were trying*

<sup>24</sup> KHRG, “We Will Win this Fight”, forthcoming news bulletin.

<sup>25</sup> Sandi SIDHU et al.. “She was shot dead, her body dug up and her grace filled with cement. But her fight is not over”, CNN, March 2021.

*to disappear the dead bodies. Also, they tried to clean the incident places, and wash the people's blood away. They cleaned the places with water and they covered it with sand. We can see those kinds of things on social media. It was widely shared. Many people died, but the SAC never told the truth about how many people died exactly."*

Despite the brutal violence and killing, many protesters are still eager to fight and are ready to give up their lives for their country, as Hpa-an resident Daw Ao--- states: *"My mother also worried for my security when I went out and joined the anti-coup protests. I told my mother that, 'If I am shot dead, I will be a child of the country! But if I am not killed and return home, I will still be your child, Ta Moe [mother]!' I also encouraged the other protesters to tell their mothers this."* She added: *"I dream to restore [democracy] and bring peace to our country."*

Many people however have stopped attending the protests due to the increased violence, as one villager from Kaw T'Ree Township, Dooplaya District described: *"They opened fire and used tear gas [against the protesters] once in Kaw T'Ree Town; there was no one injured by the gunfire but many people were exposed to the tear gas. [...] We went there [Kaw T'Ree Town] to protest peacefully, but they responded violently so we do not dare to go anymore. Therefore, we will now rest, wait and see the situation for a couple days."*

Maung Af--- from Kaw T'Ree Town added: *"There were people who were shot by rubber bullets and some exposed to tear gas. I was exposed to tear gas myself. They used almost 100 tear gas [canisters] and many rubber bullets on that day [February 28<sup>th</sup> 2021]. [...] Since then, the civilians are scared so they do not go out to protest. Yes, they are scared because they have not [previously] had this kind of experience."<sup>26</sup>*

## *ii. Violence against women*

Some interviewees expressed concern about the violence being undertaken against women. NLD member Daw Ao---, from Hpa-an Town, recalled the brutal violence she witnessed against young girls during one protest: *"They [SAC security forces] were throwing tear gas [canisters] and sound bombs [stun grenades] so I ran to Kan Na Road. [...] The local civilians who lived nearby told us [the interviewee along with some other young female protesters] to enter into their houses and then they locked the door, but the [SAC] soldiers outside were breaking the doors, kicking them and shouting: 'Open the door!! If you don't, we will shoot you dead!' After the house owners opened the door, they violently hit and pulled the student girls until they fell on the ground. Then, they beat the girls with their guns and slapped them near their ears until they collapsed. [...] The Burmese [SAC] soldiers brought a young girl to the ground. They kicked her body with their legs until she could not breathe and her body became swollen."*

When asked if anyone reported this incident, she stated: *"No, they [the girls] could not do anything. If they had, they would have been killed. We could not do anything. Who can we report it to? We do not know where to report it. Even though we report it, who will take action for us? In the current situation, all authorities are their people."*

According to one female protester from a village near Hpa-an Town, women in towns stopped protesting as the violence worsened around the end of February. She said that after February 28<sup>th</sup>, *"mostly men participated in the protests by riding motorbikes. Women were not allowed to participate as it was too dangerous for them."*

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<sup>26</sup> KHRG, "We Will Win this Fight", forthcoming news bulletin.

### C. Criminalising dissent and the legitimisation of state violence

Since the military overthrew the civilian government on February 1<sup>st</sup> 2021 and declared a state of emergency allowing for the transfer of all legislative, executive and judicial power to the Commander-in-Chief of the Defence Services, it has also instituted laws and policies that restrict or suspend the fundamental rights of citizens. In particular, it has enacted legislative changes that undermine freedom of expression, freedom of peaceful assembly and association, and the right to privacy. Although in contravention of international law, these legislative reforms, along with the declaration of a state of emergency, are specifically being used to silence and criminalise any and all forms of dissent.

In particular, the SAC suspended Sections 5, 7 and 8 of the Law Protecting the Privacy and Security of Citizens, which protect people from unlawful detention and unlawful search and seizure.<sup>27</sup> It also amended the Penal Code (Sections 124D and 505(a)) to expand the definition of offenses against the state, making it easier to prosecute anyone participating in the Civil Disobedience Movement as well as anyone encouraging or supporting the movement. It inserted a new provision (505A) into the Penal Code regarding the spreading of “false news” that could be used to punish comments regarding the illegitimacy of the coup or the military government, and made additional amendments (to Sections 124A and 124C) prohibiting contempt toward the Myanmar military, as well as sabotage or obstruction of security forces “engaged in preserving the stability of the state”.<sup>28</sup> Furthermore, it amended the Code of Criminal Procedure to make the new and revised offenses non-bailable and subject to warrantless arrest.

Amendments to the Ward and Tract Administration Law have reinstated the requirement to report overnight guests, making it easier for the SAC to conduct midnight raids and to arrest people who may be hiding or seeking refuge, along with anyone who is helping to shelter these individuals.<sup>29</sup> In combination with the suspension of protections against unlawful search and seizure, the SAC has also used these reforms to arrest other family or household members in the event that they are unable to arrest the person(s) they were originally pursuing.

A number of changes were also made to the Electronic Transactions Law that undermine both freedom of expression and rights to privacy.<sup>30</sup> The changes grant authorities overly broad powers of interception of online data, while also criminalising civilian activities that involve the disclosure of information about anyone involved in alleged human rights violations, including by human rights defenders and journalists.

With the instatement of a curfew (and martial law in some townships), the SAC has also been able to use more liberally Article 144 of the Code of Criminal Procedure, which imposes punishment on those who are out past curfew or gather in groups of more than five people, to arrest people engaged in protests.<sup>31</sup>

At the same time, according to legal adviser Sai Aung Myint Oo, amendments to Section 121 of the Penal Code also serve to protect the SAC and military leaders themselves from being

<sup>27</sup> Human Rights Watch, “Myanmar: Post-Coup Legal Changes Erode Human Rights”, March 2021.

<sup>28</sup> Republic of the Union of Myanmar State Administration Council, *State Administration Council Law no (5/2021) Law Amending the Penal Code*, February 2021.

<sup>29</sup> Human Rights Watch, “Myanmar: Coup Leads to Crimes Against Humanity”, July 2021.

<sup>30</sup> Free Expression Myanmar, “Myanmar’s new Electronic Transactions Law Amendment”, February 2021.

<sup>31</sup> “Explained: Myanmar using martial law to ‘legitimize’ tactics”, *Associated Press*, March 2021.

charged with crimes against the state by making only unconstitutional use of force of arms constitutive of high treason.<sup>32</sup>

*i. Targeting dissent*

As of August 12<sup>th</sup> 2021, Assistance Association for Political Prisoners (AAPP) states that there have been 5562 people arrested, charged or sentenced; 1984 charged with a warrant and evading arrest; and 255 sentenced.<sup>33</sup> According to Human Rights Watch, since February 1<sup>st</sup> 2021, SAC security forces have arbitrarily arrested and detained thousands of peaceful protesters, killed over 900, including children. At least 100 persons have also been disappeared.<sup>34</sup>

Sections 505 and 124 of the Penal Code have been widely used against protesters. One woman from Kyaikdon Town, Dooplaya District emphasised that “[SAC soldiers] prevent [civilians from protesting]. They do not want us to protest. They would like to live in peace. If we continue protesting, they will arrest us. We protested for three days. [Then] they phoned us and told us that they would prosecute us if we organise a protest again. They said they can prosecute us under Section 505 [of the Penal Code]. This is the threat from them. We cannot express our feelings and we do not have our rights.” She added that even protesting through the banging of pots is not allowed: “Now, if we hit steel [pots and pans], they threaten us that they will prosecute us under Section 505.” Those who are charged under Section 505 are subject to up to three years in prison.

Protest leaders and organisers encounter even greater risk of arrest. Saw Bb--- from Fj--- village, Gz--- village tract, Ta Kreh (Paingkyon) Township, Hpa-an District explained: “Our leaders who live in Hpa-an also have to hide every night since they are the protest organisers. Their houses in Yangon were also burnt by the soldiers. The soldiers recognise the people who join the protest. If they went back to sleep at their home at night, the soldiers would come and arrest them in the morning. That’s why they don’t dare sleep at home at night.” Some protesters even noticed that the police follow the protesters and take photo records of them, which they believe are used to track active protesters and protest leaders for future arrest.

Organisers could also be pursued for inciting rebellion under SAC laws. Saw Ag--- from Dooplaya District spoke of the fear felt by organisers in his community: “I heard that the military met with them [the protest organisers], since they are the protest leaders, because the military thought that they were luring other people to join the protest. The protest organisers did not dare to lead the protests again after that because they were no longer safe. They had to flee and hide as well.”

Those who assist and support protesters are also at high risk of arrest. Ma A--- joined Rescue Task Force, a group that defends people against attacks by the SAC military and that has been labeled an illegally-founded association by the SAC.<sup>35</sup> She stated that “the military junta released a warrant to arrest the members of our rescue defense group. I have arrived here [place of refuge] in order to escape arrest.”

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<sup>32</sup> “Myanmar Ruling Council Amends Treason, Seditious Laws to Protect Coup Makers”, *The Irrawaddy*, February 2021.

<sup>33</sup> Assistance Association for Political Prisoners (Burma), “Political Prisoners Post-Coup”, (accessed August 12<sup>th</sup> 2021).

<sup>34</sup> Human Rights Watch, “Myanmar: Post-Coup Legal Changes Erode Human Rights”, March 2021.

<sup>35</sup> “Young people of rescue task force inspected in Kyaikto”, *The Global New Light of Myanmar*, March 2021.

Mass roundups were also highly violent according to Yangon University student Maung E---, who recalled an incident where hundreds of students were arrested: *“On the third day of the protest [February 5<sup>th</sup> 2021], students protested in Kyauk Myaung Section, Tamwe Township. The students were stuck at the Sa Kan Lay Seh junction, Tamwe Town. They could not move forward or back. SAC military soldiers and police officers came and surrounded those students. They beat the students and arrested more than 300 of them, including female students. Some students managed to escape.”*

## *ii. Unlawful arrests and detention*

SAC security forces have also engaged in arrests without providing the reason for the arrest and without allowing access to legal counsel or communication with family members. Likewise, family members and friends of detainees have often been unable to access information about why they were arrested, where they are detained, how they are doing, whether they are alive or dead and other critical information about court proceedings. As such, they have little means to take the necessary actions to obtain the release of the detainee. As described by Maung Af--- from Kaw T’Ree Town, Dooplaya District: *“[SAC security forces] arrest many active young people because they think they are the leaders. They target those active people and threaten them. Some people have been arrested and detained but their families do not get any information and do not know where they are and how they are doing. [...] We do not know when they brought them to court or how the court process went. We also do not know where they sent those people.”*<sup>36</sup> A university student from Yangon who had been active in the protests affirmed: *“Last month [...], they [police and soldiers] arrested a lot of people. We don’t know what happened to them. We do not know where they are now. We do not know whether they are alive or not. We don’t know whether there is law in prison. We cannot hire lawyers. We cannot get information from their families. We cannot post the news about the people who disappeared. We heard that they are in prison but we do not have any evidence that they are in prison. We feel like their rights are being violated. We heard that there are students and children in prison.”*

The practice of holding detainees *incommunicado*, that is, keeping them totally isolated from the outside world without allowing them access to their family and a lawyer, does not per se constitute a breach of international human rights law. However, such practices can often combine with other actions that do violate the terms laid out in human rights treaties. The International Covenant on Civil and Political Rights (ICCPR), although not ratified by Myanmar, guarantees protection against arbitrary arrest or detention, the right to be informed of the reason for arrest, the right to trial or release pending trial, and more generally security of person. Furthermore, although not formally binding, the UN’s Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment does affirm the right of detainees “to not be denied communication with the outside world, in particular his family or counsel”, and “to notify or to require the competent authority to notify members of his family or other appropriate persons of his choice of his arrest, detention or imprisonment or of the transfer and of the place where he is kept in custody” (Principles 15 & 16).<sup>37</sup>

One father in Myawaddy described the detainment of his son who was arrested under Section 505 of the Penal Code and who, at the time of the interview, had been in jail for over four months. He was detained for 11 hours before his family was contacted. Since then, his family cannot contact him but he has occasionally been able to borrow the phone of a prison guard to make phone calls out: *“He asks for the guard’s phone and contacts us if he needs medicine or anything*

<sup>36</sup> KHRG, “We Will Win this Fight”, forthcoming news bulletin.

<sup>37</sup> United Nations, *Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment*, December 1988.

*[the poor sanitary conditions are affecting his health]. We cannot visit him except for the day he has to go to court. Even if we see him, we cannot talk with him. We cannot go and meet him when he is in jail. For cases such as theft or drugs or other cases, the family members can go and meet with them. Only this case, people who are charged under Section 505 cannot meet with the family members.”* The father adds: *“There is no sort of hearing or trial [just sentencing] for those charged under Section 505. We cannot see him and we cannot pay for his release [bail or bribe] or guarantee for him [serve as a character witness]. [He] could be released or [he] could not be.”* He was arrested along with four other protesters, but the others have all been released now. He was supposed to go to court on July 8<sup>th</sup> but it was cancelled due to COVID-19. No clear date has been set for his release: *“It is not a big case or a crime. We do not know what is wrong. He himself doesn’t know anything too. He said, no one asks him anything so he doesn’t know anything.”*

The detainee’s father also spoke of the arbitrariness of arrest, citing an incident that he witnessed himself: *“[A] woman went to Myittar Mon Hospital, she was arrested when she got out of the car. I am not sure whether she is still in detention. She only came to the hospital, not to protest. So this is unfair. There are many things they [SAC] did that are illogical. However, we are afraid to talk because we have to be careful of our environment. If we are not careful, we might also be arrested. We just have to pretend to have a brain disorder, if not, we will be arrested.”*

Other interviewees also raised concerns about the arbitrariness of conditions of release, claiming that the SAC asks for money for the release of detained protesters in some instances, but releases others simply after detaining them for a limited period. Daw Ao--- from Hpa-an Town, who already fled to Js--- village, Ta Kreh Township, Hpa-an District for her safety, said: *“My son was also involved in the protests so he was arrested. My family had to pay 500,000 kyats [USD 277.32] to them [SAC court/prison staff] for his release. We already paid it, so he was released.”* Some interviewees considered this an unfair situation but they could not do anything more than follow the SAC’s demands. Naw Az--- from Kaw T’Ree Town also recalled that a 13-year-old Muslim boy was arrested by the SAC police when he was observing the protest beside the road. The police took him along with them. Aside from being wrongfully detained, the police only released him after the local villagers paid money for it. Others spoke of being required to pay anywhere from 300,000 kyats [USD 166.40] to 1,000,000 kyats [USD 554.63].

In some cases, the SAC security forces arrest, torture and even kill a family member of the person they sought to arrest when they cannot arrest the targeted person. Naw Aa--- from Yangon told KHRG: *“One person that I know was an organiser of the protests. When the [SAC troops] came and arrested him, he wasn’t at home. Then, they arrested his older brother. On the next day, they killed his brother and asked the family to go and get his corpse.”*

### *iii. Arrests of women*

Female protesters of all ages who have been arrested or detained are particularly vulnerable to violence, with many stories circulating of rape and sexual abuse at the hands of SAC security forces. Maung Af--- from Kawkareik Town expressed his concern: *“Most of the young protesters are girls and women. However, we have heard bad news about the young female protesters when they are arrested for participating in the protests. Some news is really hard to listen to when they are arrested [because women might face rape and other abuse if they get arrested].”<sup>38</sup>*

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<sup>38</sup> KHRG, “We Will Win this Fight”, forthcoming news bulletin.

Nant Jt---, who was arrested on March 8<sup>th</sup>, International Women’s Day, as part of a protest, spoke of the violence that other women endured after arrest: *“When we arrived in the prison, we didn’t realise that it was [more] secure for us that they sent us directly to the prison. When the police officers arrested some of the civilians who live in Kp--- Town, they brought them to the police station first. They were sent to the prison only after a week or two of interrogation at the police station. These people, when they were sent to the prison, their legs and hands had been broken already. The police officers slapped them in the face. Seeing their situation made us realise that we were lucky to have been sent to prison directly.”*

Nant Ju---, after being wounded by rubber bullets, was also arrested during a protest on International Women’s Day. She remained in detention for four months prior to being released. Although she did not experience beatings or sexual violence while in detention, she said that that was a big concern at first: *“When we first arrived there, we wondered whether they will close all the doors and men will come and do something to us. We didn’t feel safe because we had that kind of worry. But after two weeks, we didn’t have those kinds of thoughts anymore. The guards also said to us that there will be no such thing. Of course, when we first arrived, we felt unsafe. But it was okay afterward. There was no beating or such things.”* However, other women with whom she spoke said that they had experienced threats while they were being inspected at the police station. Since her release, she lives in fear: *“I just live in my home. I don’t dare to go anywhere. Even though I am willing to go, my mind stops me from going. That is because I feel no safety about whether I am going to be arrested again.”* She adds that although she is living in a remote rural area that is very peaceful, *“my mind feels like I am not safe”*.

#### *iv. Absence of rule of law*

Although SAC leadership continues to insist that the actions of SAC security forces remain “in accordance with the law”,<sup>39</sup> their actions clearly show otherwise. Multiple interviewees noted that since the coup, rule of law has disappeared. An interviewee from Einme Town, Einme Township, Ayeyarwady Region specifically addressed the SAC claims: *“If people do something, they say it is a violation of the law. For everything the Burma [SAC] military does, they say it is according to the law. [...] Every government should respect existing laws. However, [according to the junta] everything they do is according to the law but everything the people do is not according to the law. For example, they broke the gate door to my house and entered the house where nobody lives. Is it according to the law? Another example, they arrest people at night and then they kill them. Then, they sent dead bodies back [to the victim’s family]. If somebody violates the law, he or she should get punished. They should be put in jail. Now they [SAC] kill people like killing birds and chickens because they do not value the lives of the people. There is a local saying, ‘If people get arrested, they are still alive today, but tomorrow they become dead bodies.’ It is like we are living in a country where there is no rule of law.”* He adds: *“Whoever takes power as the government has to respect or follow these laws. How can we accept the government if they violate these laws?”*

A young teacher from Hpa-an Town added: *“There is no law enforcement. Laws are from their mouth [decided solely by the SAC] because whatever they say is considered law [toward the civilians]; they can kill, they can arrest, they can detain and they can do whatever they want [by the order of SAC authorities]. There is no rule of law. Every action they have been practicing is*

<sup>39</sup> “‘We Didn’t Put Restrictions on Everything,’ Says Myanmar Junta Spokesman in 1<sup>st</sup> Remarks Since Coup”, *Radio Free Asia*, February 2021; see also Pwint Htun, “Beyond the Coup in Myanmar: ‘In Accordance with the Law’ – How the Military Perverts Rule of Law to Oppress Civilians”, *Just Security*, April 2021.

*against the civilians. Every word they speak is a lie because their actual actions go against what they say. It is good if civilians understand that.”*

#### D. Police and SAC military testimonies of violence

##### *i. Use of excessive force and violence*

KHRG conducted interviews with a number of SAC soldiers and police officers who had joined the Civil Disobedience Movement, and who confirmed the use of excessive force and violence by security forces during the protests. In some cases, this was violence that they had witnessed, but in other cases, it was violence that they were ordered to undertake as part of their security activities surrounding the protests.

Many talked about the violence undertaken by SAC soldiers, stating that it was actually soldiers, not police officers, using live bullets and committing the most flagrant violations against civilians. A driver for the Ka--- Police Office stated: *“They come at night. They shoot guns at every house that has its lights on. They shoot at the house. People [soldiers] who undertook security in ya kwet [the section or ward], they shot people and destroyed the door of people’s houses [kicked the door, shot guns at it and threw stones]. This is how they acted toward the people [civilians].”* He described one incident where a man *“was arrested at night. The next morning they [SAC soldiers] sliced his stomach open and his face was red [with blood] and broken [beaten in]. Right now the situation is like this.”*

An officer in the Border Guard Police Force at Kb--- Police Station in Bw--- Town said: *“I saw them [SAC soldiers] beat the civilians in the eyes. I wasn’t involved in it there. But I would like to say that we shouldn’t be torturing our civilians.”* According to Maung J---, an aircraft mechanic who worked at Kq--- in Cd---: *“Currently, most of the police trying to crackdown on protesters are not real police. They are Tatmadaw soldiers.”*

Although both the police and the SAC military were brought in to break up and suppress the protests in towns and cities, KHRG interviewees were particularly disturbed by soldiers wearing police uniforms to pose as police. One police officer, Maung Bc---, serving in Kc---, Mayangon Township, Yangon Region, reported that *“they were Tatmadaw soldiers who wore police uniforms and pretended to be police, and who were doing violent things. They shot civilians using sling shots, and were sneaking [breaking into the houses of civilians], and shooting using snipers and guns. The real police used only rubber bullets. Police were used by the military so that civilians would hate the police. It’s like they [SAC military] are provoking the fight between police and civilians. They are causing police to be hated by the civilians.”* A police officer working in Kd--- Police Station, Yangon Region Eastern District added that *“[p]olice were used [in committing violations]. In Mandalay, they [SAC soldiers] wore police uniforms and acted like they are policemen so people misunderstood [mistook them for] the police force.”*

According to one police driver, Lance Corporal U H--- from the Ka--- Police Office, Yangon, *“I saw it with my own eyes. They came with the Tatmadaw and trucks along with uniforms to the Ka--- Office. They put the position of 3 stars [on their uniforms, as though they were officers].”*

A police officer from Pathein Town, Ayeyarwady Region added: *“Real police were involved in that [shooting civilians] as well. But around 75 percent of them are from the military. We can know that by looking at their uniform. They are pretending to be police and it is apparent.”* He continued, emphasising that, although civilians may not be aware that these are not actual police officers, they themselves could easily spot the differences: *“But in Yangon and Mandalay,*

*even though I did not see it myself, I looked at their uniforms on Facebook, and it was obvious that they are from the military, because the police do not wear uniforms like that. If the civilians see them, they will think that it is a police uniform. But we can know by looking at the color [of the uniform]. The real police uniforms have double stitches. But their uniforms had single stitching and were made of cotton. Moreover, old men aged above 40 and 50 did not have any rank insignia on their arm. This is impossible because police of that age will have at least one rank description [insignia] on their arm. And the cloth was also swelling [the uniform didn't fit properly]. When we look at them, it is obviously different [from real police].”*

A lance corporal in the Aviation Police Force in Ke--- Region made the same observation: *“On Facebook, I saw the pictures of people with police uniforms. I re-shared those pictures and I also wrote that those are not police because the way they wear the uniform is not similar to police. Since the prisoners were also released from the prisons, I thought that they might be the released prisoners who are dressed as police. [...] We wear the uniforms with double stitches that are sewed in Thailand. But on that day, I saw that they were wearing single stitch uniforms. And the area between their trousers and shirts was also rolled [folded] and untidy.”*

## *ii. Military control of all security and law enforcement*

The Myanmar Police Force is technically under the authority of the Ministry of Home Affairs, which itself is under the authority of the commander-in-chief and Defence Services, thus placing it under indirect control by the military.<sup>40</sup> Since the coup, that relationship has become more direct with the retirement of Chief of Myanmar Police Force [Police Lieutenant General] Aung Win Oo, who was then replaced by Tatmadaw Lieutenant General Than Hlaing.<sup>41</sup> Than Hlaing had also been part of a reshuffle of the armed forces' top brass earlier in 2020, which, according to political scientist and former military officer Dr. Aung Myo, was part of an effort by Senior General Min Aung Hlaing to retain his own influence and power within the military.<sup>42</sup> The SAC also appointed Than Hlaing to serve as Deputy Home Affairs Minister.<sup>43</sup>

Police officers have now found themselves more directly under the command of military officers. A vice-chief of police from Cs--- said that after the coup, he was *“forced to follow whatever orders were given by the military coup leaders.”* Another police officer, Maung F--- working at Kf--- checkpoint, Lewe Township, Nay Pyi Daw also confirmed: *“[I]n the Myanmar Police Force, all the officers, starting from the police captain and above are those who are from the military. Therefore, the real police are very few. Only the lower ranks are the real police. But most of the officers are from the military. So [now], there is no difference between military and the police force.”*

Maung Ar--- from Kd--- Police Station, Yangon Region Eastern District emphasised that orders to take more violent measures came from higher up: *“At first, while other divisions and states*

<sup>40</sup> Saferworld, *Briefing: Democratising Myanmar's security sector*, November 2019.

<sup>41</sup> “Myanmar military forms state administration council”, *Xinhua Net*, February 2021.

<sup>42</sup> Htet Naing Zaw, “Younger Myanmar Military Officers Promoted to Key Roles in Reshuffle”, *The Irrawaddy*, March 2020.

<sup>43</sup> On March 22<sup>nd</sup> 2021, Than Hlaing was added to the list of natural and legal persons, entities and bodies subject to restrictive measures by the Council of the European Union and was cited as responsible for human rights violations currently being committed by the police: “As Deputy Minister of Home Affairs and Chief of Police, Lieutenant General Than Hlaing is directly responsible for decision making concerning repressive policies and violent actions committed by police against peaceful demonstrators and is therefore responsible for serious human rights violations in Myanmar/Burma.” The Council of the European Union, “Council Implementing Regulation (EU) 2021/480 of 22 March 2021 implementing Regulation (EU) No 401/2013 concerning restrictive measures in respect of Myanmar/Burma”, *Official Journal of the European Union*, March 2021.

*fired [weapons] during the protests, Yangon hadn't started the fire [shooting] yet. Min Aung Hlaing told the [Yangon Region] administrator through the chief of police that he was acting so weak. He asked the administrator to be violent toward protesters." Police officer Maung F--- from Lewe Township, Nay Pyi Daw also said: "The police chief ordered [us] to do it [use excessive violence against protesters]."*

Several police officers spoke of the specific orders they were given. One police officer based in Bilin Township, Doo Tha Htoo (Thaton) District stated that he was sent to Yangon to "provide security" at the protests and was told to fire live bullets at the protesters: *"When there was a protest in Hledan, Yangon we would break up the mass gathering. There was a total of 50 of us. Six of us had real guns [machine guns] including me. We had to fire live rounds [against protesters]. Our bullets are not meant for shooting innocent civilians."* Another police officer from Mon State added that it was on February 22<sup>nd</sup> that they were first given orders to shoot at protesters. Another based at Kg--- Police Station in Mergui-Tavoy District who was asked to do crowd dispersal at the protests said that although they were not given guns, they were expected to beat protesters with their baton, including those who had fallen to the ground. All of them said they refused to engage in these forms of violence, and subsequently joined the CDM.

Although KHRG interviewees stated that they refused to be involved in the shooting of live bullets and the more brutal acts of violence against civilians, one officer serving in the information department of the police force pointed out that not everyone was able to make that kind of choice: *"During the protest against the military coup, the police were ordered to stop the protest, and to arrest and beat the protesters. Actually, there were some police who didn't want to follow the command. These orders were mandatory for some police."*

According to Nyan Corridor researchers, despite the overarching quasi-military policing model in Myanmar, some changes have taken place in the police force over the past 10 years, with the emergence of a more civilian-oriented branch that leads some police officers "to feel more accountable to the public" than to the military regime.<sup>44</sup> This comes through clearly in the reaction of security forces interviewed by KHRG.

Some highlighted that these orders were out-of-line with their duties and overall mission as police officers (i.e. law enforcement). Maung F---, who was serving as a police officer in Lewe Township, Nay Pyi Daw, cited the four aims and duties of the Myanmar Police Force – *"Maintain internal security and peace in the community; Preserve law and order; Protect from the dangers of narcotic drugs; and Work for the benefit of the civilians"* – in order to show how the military has been asking the police to violate its own mission. He added that *"[the SAC military] do nothing for the benefit of the civilians, and even state that law and order should prevail, but there is no preservation of law and order in the current situation."*

Maung F--- also pointed out that there seems to be little resistance among the higher ranks: *"[T]he military takes and wears the police uniforms and kills civilians. Thus, it lowers the police force's dignity. [...] Why are the police chiefs in the Myanmar Police Force keeping silent about the military doing these kinds of things? Why do they not resist this? I am not satisfied about this. It is like the police chiefs are not loyal to the police uniform. The military do whatever they want to our uniform that we adore. They wear our uniform easily and kill the civilians. The last sentence in the Myanmar Police Force's aims and duties [mission statement] states: 'Work for the benefit of the civilians.' But now, they do not do any benefit [are not doing anything beneficial]*

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<sup>44</sup> Nyan Corridor and Helene Maria KYED, *Police under the military coup in Myanmar: Between Violence, Fear, and Desertion*, Nyan Corridor and Danish Institute for International Studies, April 2021.

*for the civilians; instead they are killing the civilians. This is not in line with the Myanmar Police Force's aims and duties."*

As long as the SAC military remain at the head of Ministry of Home Affairs and military officers are appointed to positions of power within the police force, the resistance that Maung F--- is calling for is unlikely to happen. The defection of the lower ranks in joining the CDM seems to still be occurring, but that may also further contribute to a more military-minded police force that is little concerned with the protection of civilians.

Furthermore, SAC soldiers themselves are making arrests and detaining people (i.e. engaging in law enforcement), not just police officers, thus increasing the likelihood of enforced disappearance, torture, and other human rights violations. According to a driver for the police force, SAC soldiers have been arresting people on their own: *"They arrested those people [protest leaders] without our knowledge. They arrested them by themselves and took them away. [...] Mostly, the Tatmadaw solve all the problems by themselves [instead of calling on the police]."* He contrasted that with police procedure which is to question those who had been arrested and then release them if they were not needed. (As a driver, he would then drive home those who had been released.) Many of those arrested and detained are thus not being brought to officially recognised sites of detention, and are being held outside of the system of law enforcement. Human Rights Watch stated in early April that Myanmar's military junta has forcibly disappeared hundreds of people since the February 1<sup>st</sup> coup.<sup>45</sup> These estimates are likely low. Assistance Association for Political Prisoners said that they could confirm the location of only a small fraction of the more than 2,500 recent detainees they have identified.<sup>46</sup> Involuntary or enforced disappearances and unacknowledged detentions constitute particularly serious violations of fundamental human rights, including the right to liberty and security of the person.

#### E. Self-protection and support

As the SAC responded to the protests with increased violence, the protesters adopted more varied protest strategies and also developed self-protection strategies in an attempt to make themselves less vulnerable to injury, violence and arrest by security forces.

KHRG interviewees said that early on they were often able to negotiate with security forces. A protester in Bilin Town recalled: *"When we protested in Section 13, Bilin Town, we did not face any big [serious] violations when they [SAC security forces] cracked down on us. It was because we negotiated with them and then we divided into small groups during the protest. If we kept going as a big group, they would probably have cracked down on our protest [more] violently. However, they [security forces] indiscriminately shot [off rounds of gunfire] in the town at night because they wanted to threaten [frighten] people."*

Protesters eventually turned to more guerilla-like strategies, in particular forming smaller, more diffuse groups in order to disperse more quickly and avoid violence and arrest. A protester in Hpa-an Town stated that they changed the form of protest depending on the situation: *"[W]e could no longer hold peaceful demonstrations in the streets in town after the increase in violence committed by [SAC] military against the protesters, such as killings, threats and shooting on sight. Because there are more military posts around Hpa-an Town, we could not hold protests in the town anymore so we started holding the protests in villages; we would ride our motorcycles during the protest. We changed the protest tactics when we could not hold motorcycle protests; we changed it to guerilla-style protests. I have joined various forms of protests."*

<sup>45</sup> Human Rights Watch, "Myanmar: Hundreds Forcibly Disappeared", April 2021.

<sup>46</sup> Ibid.

One interviewee from Hpa-an mentioned that they have a team who monitor the presence of SAC security forces and their blockades, then would update the protest group in order to avoid them in advance. She explained: *“When they blocked the road in front of us, we took the other road behind us where they were present and then we continued to march. We have young team members who would always inform us about the road situation. If they informed us that there were police or military checkpoints further down the road, we used another road and continued the protest. We avoided facing them because we were worried they would shoot us.”*

A protester from Bu--- village, Bu--- village tract, Taikkyi Township, Northern District, Yangon Region described how they changed their form of protest: *“We protested peacefully but they arrived quickly in their Tatmadaw van and beat protesters including teachers and female students. They beat them and kicked them. They did this on the first day [March 7<sup>th</sup> 2021] of our protests. On the second day, our number of protesters had decreased but we were still a thousand. They beat the protesters and [...] shot into the sky to threaten protesters. [...] There were many Tatmadaw from different places, and they came and surrounded us. From that day we didn’t protest [in big groups] anymore. But we still organised small protests such as a youth protests and poster protests. We also protested with water bottles by writing messages on the bottles and setting them on the bridge.”* Other strategies have been adopted, but as one interviewee mentioned, they did not want to reveal these other tactics so as to stay under the radar: *“It is not good for me to share about our methods, for the sake of our safety.”*



This photo was taken on March 5<sup>th</sup> 2021, during a protest that took place in Mu Traw District between Hpapun and K’Ma Moh towns from 8:00 am to 4:00 pm. Around 10,000 people joined this protest against the military coup. In addition to demonstrators from 12 village tracts in Bu Tho and Dwe Lo townships, there were additional protesters from nearby village tracts and towns as well. This photo shows some of the protesters facing a barrier erected by SAC troops, blocking their way as they approached one of the military camps. [Photo: KHRG]



This photo was taken on March 9<sup>th</sup> 2021 on the Asia Highway near Kawkareik Town, Aw Hpa Hpa Doh village tract, Kaw T’Ree Township, Dooplaya District. It shows some of the protective gear that protesters began using in order to shield themselves from SAC violence during the protests. [Photo: KHRG]

During the protests, some protesters formed frontline groups both to resist and to protect themselves from SAC security forces. A university student who was involved in protests in Yangon explained: *“At one protest, we put together three different groups of people on the frontline. The first group must protect the protesters and throw tear gas canisters [back at the police] and put out fires with fire extinguishers. The second group must protect the people [protesters] if they are arrested by police. The third group must hold shields at the front [of the protest] and, whatever happens, they cannot run away.”* He also added: *“We can only protect ourselves if they [police] beat us with sticks or shoot us with rubber bullets. We cannot protect*

*ourselves from live ammunition with shields. We use different kinds of shields such as plastic shields and iron shields. They only protect us from rubber bullets. Some shields were pierced on that day [even by the rubber bullets].”*

Since most of the protesters have no protection materials such as shields or bullet-proof vests, they have little choice but to run away when facing any crackdown and violence. Protesters have also faced nighttime arrests directly from their homes, therefore many protest leaders avoid sleeping at their own house at night and some of them even have had to flee to another place for their security. A young protest leader in Bokpyin Town, Mergui-Tavoy District shared her experience: *“I couldn’t count how many times we participated in the protests. The last time we protested was on March 15<sup>th</sup> 2021. After we protested, they [SAC soldiers] came and looked for us to arrest us, so we had to flee. [...] I participated in the protest and I also led the protest. [...] My mother told me my name is on the warrant list. I fled here with a group of three persons, including me. [...] I arrived in the KNU area and have been here for two months and eight days already. After the first day I left, they came three times in a week to find me [at home]. Last month they came and asked about whether I would come back or not. My mother told them that I will not come back because I have already gone to somewhere else.”*

A school principal, Saw N--- from Ayeyarwady Region, also felt he was targeted after trying to stop the arrest of the head of a local Ministry of Labour, Immigration, and Population (MLIP) office and two officers who had joined the protests. The next day, he faced the risk of arrest himself. He explained: *“We heard that they [police] would go and arrest people in our section on the night of February 12<sup>th</sup>. So, I called my family at 7:30 pm and we left our home [section] to avoid arrest. They actually started arresting people in our section that night. There were no people in my house. My house was closed. My house front door and the gate were locked. They broke and destroyed my front door and gate [door part of the gate]. Then, they entered my house and searched for me. There were around 30 people who are police and Tatmadaw soldiers as well as section leaders. Since then, I sent my family to a safe place and I have been fleeing until now.”*

Due to the increase in arrests and the stories of arrest and violence, civilians have become more fearful of organising and leading protests. A protester in Dooplaya District stated: *“There are too many unsafe situations so they are afraid and dare not be active.”*<sup>47</sup>

A further complication is the rise in informants. One interviewee from Kaw T’Ree Town, Dooplaya District stated that there are people from the community reporting the protesters to local police and soldiers: *“[T]here are people who give information or contact the police or soldiers [with information] about who is doing what and where.”*<sup>48</sup> A protester from Bilin Town, Doo Tha Htoo District also spoke of this problem: *“We do not have full freedom to do the protests because there are so many ‘da lan’ [people who give information about protesters to the SAC] in our area. Therefore, it is dangerous for us when we participate in the protests. That is why we have to be careful.”* An administrator in De--- Town, Mu Traw District was arrested after someone reported that he had led a pot banging protest in his community, and because he had not been reporting to the SAC about the activities in his section. This has contributed greatly to increased feelings of insecurity.

In mixed control areas, some protesters have been able to benefit from protection of local ethnic armed groups to ensure their security during the protest. Several stated that the Karen National

<sup>47</sup> KHRG, “We Will Win this Fight”, forthcoming news bulletin.

<sup>48</sup> Ibid.

Liberation Army (KNLA),<sup>49</sup> (and in some cases the DKBA<sup>50</sup>) accompanied them and provided security during the protests. However, the ethnic armed groups could not actually follow the protesters beyond the mixed control areas. A protester in Kawkareik Town, Naw Az---, recalled that *“KNLA from Brigade 6 [Dooطلا District] [...] guarded us by surrounding us [during the protest]. [...] They came in their military uniforms along with their guns. They guarded us until they reached [the boundary limit of] their control area. When they reached the Myanmar government control area we had to continue by ourselves.”*

During one protest in Kyainseikgyi Town, a civilian remarked that KNLA soldiers monitored the protesters from a distance without wearing the military uniform. She said: *“We saw them standing guard outside of the protest group. We saw some soldiers just wear civilian clothes; we did not know whether they have weapons with them or not. We said the soldiers might be guarding the protesters. We recognised them even though they did not wear uniforms because they are from the local KNLA. They went with the car separately and did not follow the protesters.”*

A protester in Ec--- village, Kaw T’Ree Township, Dooطلا District made clear that the KNLA were not always out of uniform and unarmed: *“The civilians would go in front and they [KNLA soldiers] would follow behind. They would show up and shoot only when it is at the right time. The civilians were protesting peacefully and when the Tatmadaw soldiers shot at the protesters, they would draw near. They did not follow the protesters closely. They were waiting behind.”*



This photo shows a protest march against the military coup in Hpa-an Town, Hpa-an District during the first week of February 2021. Local medics were present to support the protesters in case of emergency medical needs. *[Photo: Local villager]*



KHRG received this photo on March 8<sup>th</sup> 2021. Around 1,000 local villagers from K’Moh Thway village tract, Ler Doh Soh Township, Mergui-Tavoy District held a protest against the military junta [the date of the protest is unknown]. The protesters were accompanied by KNLA soldiers, who were there to protect them from violence by SAC security forces. *[Photo: Local villager]*

The presence of the KNLA served to reassure villagers attending the protests. One protester from Dw--- village, Gm--- village tract, Kaw T’Ree Township also added: *“The KNU provided*

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<sup>49</sup> The Karen National Liberation Army is the armed wing of the Karen National Union.

<sup>50</sup> In 1994, the Democratic Karen Buddhist Army (DKBA) split from the KNLA over religious considerations. In 2010, the majority of DKBA troops transformed into BGFs, but one faction refused and changed its name to Democratic Karen Benevolent Army in 2012 and signed the Nationwide Ceasefire Agreement in October 2015. On January 16<sup>th</sup> 2016, a splinter faction of the DKBA established itself as the Democratic Karen Buddhist Army. It has not signed the NCA. It is unclear which DKBA, the ‘Benevolent’ DKBA or the new ‘Buddhist’ DKBA splinter faction, is being referred to here.

security for us on the last day that we went to demonstrate. They told us that there is no problem, and that we could have a demonstration. They said that they will solve any problems if something happened to us.” Even though civilians understood that there is high security risk in joining the protests, they felt empowered by the protection of ethnic armed groups. “For me, I am very satisfied with it. I am very happy about it. I can say that I feel very encouraged because at this time, the only group we can rely on is the KNU. They try very hard to protect the people and we feel like we get more strength. That is why we are satisfied and we really thank the KNU”, said a protester, Maung B--- from Bilin Town, Doo Tha Htoo District.

Since ethnic armed groups could not accompany villagers into government controlled areas and cities, some villagers noted the heightened security risks of attending protests in those locations. Naw Ax---, who protested in Yangon, stated, upon seeing SAC security forces: “I think if I do the protests in my village, I will have [people to provide] security. When we were in the city, we did protests, but there were no security guards. There were no armed groups [EAOs]. We just went like that. If they shot us, we would just get shot.”

For those who joined the protests in town or cities, the escalated violence often served as a deterrent to joining those protests. A villager from Cy--- village, Fy--- area, Ler Doh Soh Township, Mergui-Tavoy District stated that they stopped joining the protests in town once the violent response from the SAC started.

The stories of violence and arrests have also instilled more general fear and insecurity in rural areas. Some villagers have been concerned that soldiers would also begin arresting people in local villages. Saw Ag--- from Dw--- village, Gm--- village tract, Kaw T’Ree Township, Dooplaya District said that “even though there is no military activity [in the village], we do worry that if the military knows that we are protesters, they might come and arrest us. But for now, we are cautious not to get arrested by them.” One interviewee pointed out that SAC security forces were arresting protesters in KNU-controlled areas: “Even in our area, which is controlled by the KNU, there are people who arrest their people under Sections 505 and 124 of the Penal Code, without the knowledge of the KNU. In this KNU-controlled area, from Es--- village to Kr---village which they [KNU] consider their territory, they [SAC security forces] arrested around four or five people who incited the protests. We don’t always see those people who are arrested in their home. We see them for a while, and at night, they have to flee and sleep in the woods.”

Interviewees in rural areas also described threats and other obstructions by both SAC soldiers and police, other armed groups, as well as local authorities. In some areas, the police would drive around the community announcing that civilians must not join the protests. A university student from Fh--- in Kaw T’Ree Township explained: “They [SAC police] prevented us from participating in the protest. They shouted that if we participated they would arrest us. They went and announced it around [the villages] and they distributed papers [flyers].” SAC soldiers also warned local villagers not to participate in protests and threatened to arrest the protest leaders. Naw Q--- from Cj--- village, Fu--- village tract, Moo (Mone) Township said that “[i]n Ler Doh [Kyaukkyi] Township and Moo Township, we were told to be aware of the situation. We still have some activities but we do not make it obvious. If we make it obvious, the SAC soldiers warned that they will shoot us if they see our activities.” A villager in Ee--- village tract, Kaw T’Ree Township also mentioned that the SAC reinforced their troops in the area after seeing large numbers of Karen people from the villages joining the protests in town. Violence against protesters has however been rarer and more limited in rural areas.

Besides the threat from SAC security forces, some villagers also faced threats or warnings from local administrative authorities. Naw I--- from Daw Hpa Hkoh (Thandaunggyi) Township, Taw

Oo (Toungoo) District, stated that: *“We did have demonstrations early in the coup. Later, the Leik Tho Township’s administrator U Ks--- warned people [through loud speaker announcement] not to get involved and said that those who are involved will be arrested.”* She added that the administrator was accompanied by SAC soldiers when going around the town announcing the warning, which suggests that the warning actually came from the SAC.

Like protesters in urban areas, protesters in rural areas also found ways to continue to protest despite obstructions and security concerns. A protester in Du--- village tract, Waw Ray Township, Dooplaya District spoke of the resilience of protesters who, blocked from joining a larger protest in Kyainseikgyi Town, reorganised their protests in the local villages: *“If we had been able to demonstrate in Kyainseikgyi, we could have come back early and we would not have gotten so tired. But now, since we had to come back to our area to demonstrate around the villages under the hot sun, many people got tired yesterday. When we look at their faces, only their forehead – where they had tied a bandana saying ‘Spring Revolution’ – stayed fair [untouched by the sun], but their whole face turned dark [got sun burned] because they had to demonstrate at around 11:00 am or 12:00 pm, which is the hottest time of the day. They just stood under the hot sun to demonstrate.”*<sup>51</sup>

Protests have now curtailed both in urban and rural areas. KHRG has received few reports of protests since June 2021.

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<sup>51</sup> KHRG, “We Will Win this Fight”, forthcoming news bulletin.

## Chapter 2: The Civil Disobedience Movement

On February 2<sup>nd</sup> 2021, healthcare workers across Myanmar walked off their jobs to express their opposition to the military coup. This form of protest quickly spread to other branches of public service, eventually turning into a nationwide, large-scale Civil Disobedience Movement (CDM). From the outset, CDM participants became the target of arrests and threats by the SAC, leading many to go into hiding. By mid-February, the KNU released a statement rejecting the military government and offering to provide protection for all civilian protesters and government staff who joined the CDM.<sup>52</sup> KNU authorities set up arrival centres in all seven districts covering KNU-controlled areas. Although it is difficult to estimate the number of people who have fled to these areas, KHRG received reports of over 3,000 CDM arrivals in Dooplaya District by the end of May, and close to 1,000 in Hpa-an District as of August. Karen Peace Support Network (KPSN) has estimated 900 in Doo Tha Htoo, and about 600 in Kler Lwee Htoo (Nyaunglebin) and 800 in Mergui-Tavoy districts.<sup>53</sup> But these estimates are surely far below the actual numbers since KPSN recorded only a total of 3,000 for all seven districts at the beginning of September 2021, compared to KHRG's estimate of over 3,000 in Dooplaya alone.



This photo was taken on March 9<sup>th</sup> 2021 in Kawkareik Town, Kaw T'Ree Township, Dooplaya District. It shows CDM participants from the Ministry of Education protesting with their CDM sign and Ministry of Education flags. The red flags in the background of the photo represent CDM members from the NLD. Over 9,000 civilians and members of the CDM joined in this protest against the junta. [Photo: KHRG]



This photo was taken on April 14<sup>th</sup> 2021 in Cs--- area, Mergui-Tavoy District. It shows a shelter provided to CDM participants who fled to KNU-controlled territory for their own protection. [Photo: KHRG]

To get a better understanding of the CDM, its impacts on participants themselves as well as on the areas where they fled, KHRG conducted interviews with 49 CDM participants who joined the movement from various government departments, including: the Education Department, Health Department, Department of Economy and Commerce, General Administration Department, and SAC security forces (including the police force and the military). Two party members from the National League for Democracy (NLD) are also included in this group. Most of them had fled to KNU-controlled areas from towns and cities.

<sup>52</sup> “KNU Offer Anti-Coup Protestors its Protection – Karen Civil Society Alliance Calls for Ethnic Armed Groups to Unite and Foreign Embassies Denounce Military Coup”, *Burma News International*, February 2021.

<sup>53</sup> Information provided to KHRG by KPSN in September 2021.

## A. Rejecting and undercutting the military dictatorship

*“CDM means we disobey the military’s orders and we temporarily stop working. It doesn’t mean that we quit our job. [...] However, if you ask why we are participating in the CDM, we can give you reasons. We cannot work under the military. We hope that participating in the CDM will bring about a better future.”*— A school headmaster from Noh T’Kaw (Kyainseikgyi) Township, Dooplaya District

Although there may be a variety of individual reasons why Myanmar government staff joined the CDM, there are several common motivations expressed by those interviewed by KHRG, underscoring shared desires and hopes, sometimes tied to professional obligations. These included a hope for a return to civilian rule and a more democratic future; a desire to undermine the military junta; and, for security forces such as police and military, a refusal to follow what were considered unjust or unlawful orders.

### *i. Return to civilian rule and a democratic future*

One of the most common reasons for joining the CDM shared with KHRG was a desire to bring about a better future, often expressed through a desire for the return of democratic processes and civilian rule, in some cases expressed as a restoration of the NLD to power.

For many, the return to civilian rule and the restoration of the NLD to power were conjoined due to a desire for election results and democratic processes to be respected. Saw N---, a school principal from Ayeyarwady Region, who was interviewed in Moo Township, Kler Lwee Htoo District, said that he joined the CDM to *“get back our civilian government. The civilian government is the government that will establish the federal democracy state. [...] The civilians already have the government that they elected. Every ethnic group and other parties were also involved in the election. If we want to build our country as an honourable country in the world, we should support the government that is elected by the civilians.”* He further explained that for education staff, the need to defend the results of the election was critical: *“In the 2020 general election, the NLD party won. We the teachers also had to serve in the election as polling station officers, deputy officers and polling station members. We had served in fairness without bias to any party and elected the winner fairly as a jury. [...] But they lowered [undermined] our dignity by accusing us of being involved in election fraud. We cannot accept that.”*

As government staff working for the NLD, some CDM participants noted positive change brought about by the NLD, and wanted to see those improvements continue in the future. Nan Ap---, a healthcare worker from Hpa-an Town, shared that education and healthcare services had been better, with greater access to all, under the NLD government. She highlighted that *“[t]here were a lot of positive impacts and [support in the form of] distributions to the civilians”*, adding that *“I want the full [administration] to be back to normal like in the past.”* Naw Al---, a teacher from Er--- village, Gj--- village tract, Noh T’Kaw Township, Dooplaya District, shared her opinion of the NLD in comparison to military rule: *“Within the past five years of the NLD period of rule, there was so much development compared to the past during the military government period. We have gained more rights for our ethnic people as well. There was more peace. It was not a complete level [of development] but it [the situation] improved.”* When asked about the SAC, she said: *“We are not their people even though we are an ethnic group. So, their intention could only be to oppress us.”*

Others were less convinced of positive change coming from the NLD, although still recognised improvements over military rule. Naw U--- from Cu--- village, Cs--- village tract, Ta Naw Th’Ree

(Tanintharyi) Township, Mergui-Tavoy District, who worked for the Department of Education, shared her stance: *“I do not like the NLD government, and I do not like their [leadership] system. On the other hand, I do not like the military dictatorship. My primary desire is to fight against the dictatorship. The reason I do not want NLD government is they have not given equal rights to all the ethnicities.”* Adding that the situation was worse in the past, she emphasised that a return to military rule will mean that *“the poor people will always be poor. They will not have any opportunities.”*

Saw Av---, a government teacher from Fe--- village, Fe--- village tract, Lu Pleh Township, Hpa-an District explained that the limited progress under civilian rule has been due to the NLD not being fully independent of the military: *“I personally think, even though they [NLD] won the election and legitimately received governmental power starting from 2015, they were not an independent government because, in reality, they did not receive full governmental power [due to ongoing control by the military]. However, they had been working very hard and tried their best, as much as they could. In the past, we did not have access to electricity, paved roads and community buildings such as schools, but we have these things now. All of this is what they [NLD] have done for us.”* He also shared: *“Our country is in a period of development and we have just started feeling the meaning of democracy a little bit. [...] We were actually at the beginning of the change [to democracy/development] but the military immediately took over the power [...]. Therefore I joined [the protests].”*

Others joined the CDM because they had experienced human rights violations under the previous military coup or felt that the coup was impeding the country’s future. Daw Nan Am---, a primary school teacher from Et--- village, Et--- village tract, Waw Ray Township, Doolaya District, for example, shared her view: *“We did it [joined the CDM] because we oppose the military regime. We also experienced a lot of [human rights] violations during the dictatorship era so we do not want the same forms [human rights violations] to resume now.”*

These statements, all from members of an ethnic group that has long suffered under military and government violations, reflect that, though the NLD was preferable to the SAC, it had still failed minorities in Myanmar to a large extent. Thus, calls for democracy were often accompanied by an expressed desire for more of a voice for ethnic groups. Maung An---, a Karen primary school teacher from Doolaya District, who remembers his village hiding from the military due to rights abuses in the past, stated: *“We joined the CDM because we don’t hope for anything. We only would like to overthrow the military dictatorship. We consider that the 2008 Constitution is already abolished, and I believe that we will get a federal democracy where every ethnic group gets equal rights. That’s why I joined this movement.”*

Calls for a federal democracy or a stronger voice for ethnic groups in Myanmar’s democratic future, were even expressed by those who might not have experienced or been aware of violations against Myanmar’s ethnic groups in the past, and thus reflect a growing understanding of past and current violations against these groups. U C---, a Burmese general school worker from Bu--- village, Bu--- village tract, Taikkyi Township, Yangon Region, shared that he also joined the CDM in hopes of achieving *“a federal union and for all the ethnic groups to participate in democracy”*.

## *ii. Refusal of the military junta*

Many CDM participants stated that they were simply unwilling to work for the military junta. Some CDM participants also expressed their hope that the CDM would work to undermine and remove the SAC from power by impeding the ability of the government to function. As a teacher

from Du--- village, Du--- village tract, Waw Ray Township, Dooplaya District shared: *“CDM is [...] the disobedience of the commands from the authorities and not going to work, in order for the military government’s administration to stop.”* Another teacher from Hpa-an Town said: *“If every government staff from every department joined the CDM [that would be best]. [...] [I]f all those people could join the CDM, the military dictatorship would fail very soon. [...] They could get rid of the SAC military dictatorship just by sitting at home [and not going to work].”*

For medical professionals and educators, this refusal to work for the military often created moral dilemmas about leaving behind their professional responsibilities. One healthcare worker participating in the CDM said: *“I participate in the CDM because I do not want to work under the SAC government. I hope the other civilians will understand why I have participated in the CDM. It’s not that I do not want to take care of patients. I have sympathy for them. Some people say civilians have to die because healthcare workers are participating in the CDM.”*

Many health workers who joined the CDM have continued to treat patients, but they have done so outside of SAC government hospitals. Naw Ai--- from Er--- village, Gj--- village tract, Noh K’Taw Township, Dooplaya District said that even though health workers at the local hospital have joined the CDM, *“they are still treating patients in consideration of the civilians,”* including providing healthcare for protesters in private hospitals and clinics in rural areas and in areas under KNU control. Some healthcare workers have also offered to continue care outside the hospital or clinical setting. Ma Z---, a midwife from a village close to Hpa-an Town, told KHRG: *“Some healthcare workers are helping in other ways even though they are no longer working in the public hospital. Some doctors that I know offered their phone number and if there is something related to health, people could ask them.”*

In response, the SAC has also prohibited healthcare workers from working in private clinics and threatened them so as to force them back to facilities under SAC management, leading private clinics to close. Ma Z--- also highlighted: *“They [the SAC] told the doctors that if they are working in the private clinics, they will also have to work for the public hospitals. If not, they will be arrested. That’s why some private clinics opened by the doctors had to close.”*

Similarly, education staff are refusing to return to work to teach in government schools, and students are unwilling to continue their education services under the SAC, so they have boycotted government schools. Naw Aa--- from Yangon noted that *“civilians dislike the education that is not provided by the democratically elected government.”* One student from Myawaddy Town has said that he and other students *“will not attend a school opened by the military government. We will protest against it.”* Nan Ap---, a healthcare worker who is also a distance-education university student from Hpa-an District, has been unable to go to school for the past two years, due first to COVID-19 and then to the military coup. She stated that *“most of us do not want to continue education under their [SAC] administration. [...] [T]hey completely ruin our education year after year.”* Combined with the participation of education staff in the CDM, this has had the effect of truly shutting down large parts of the country’s education system, reinforcing the boycott of SAC services and systems.

CDM participants are cognisant of the impacts that the CDM may have on the patients they treat and the students they teach but they also feel that participating has a larger purpose of fighting for the future of their country. As Saw Au---, a university student from Fc--- village, Gw--- village tract, Lu Pleh Township, Hpa-an District, said when asked about the CDM: *“Everything regarding education, health, etc., it all relates to all citizen[s]. Not only the CDM. It means for the CDM, if they do not teach, the children will not get to study. If the nurses or doctors do not*

*go to the hospital and work, there will be no nurses or doctors. On the other hand, that is what we should do. For the CDM, they also suffer the same as what the citizens suffer.”*

### *iii. Unjust and unlawful actions*

Interviewees from the security forces typically joined the CDM due to the SAC's unjust and unlawful actions against civilians, including unacceptable orders from their leaders requiring them to commit violence against civilians and protesters. A lance corporal from the Aviation Police Force who had worked with the police for over 10 years joined the CDM on March 5<sup>th</sup> because: *“When I heard that unarmed innocent civilians were shot dead, I felt really sad. This is neither in accordance with the law nor religious belief. Therefore, I don't want to continue to serve anymore, thus, I firmly decided to join the CDM.”* Another policeman from Shwe Pyi Thar Township, Yangon Region said: *“I don't want to see violence against civilians anymore. That was why I dropped out from the police force. It is so unjust to see those using arms to torture and intimidate protesting civilians. I cannot accept that, so that [is why] I joined the CDM.”* A policeman from Kh--- Police Station, Yangon, echoed: *“I don't want to live under the demands or control of the dictatorship asking us to torture or kill. I do not want to see other families suffer from the violence.”* An officer from Bilin Town joined the CDM after being ordered to shoot civilians. He stated, *“There was no reason to shoot innocent civilians with our gun. The civilians were innocent, so I couldn't do that.”*

As many police are sent to serve in their own communities, one police officer from Mawlamyine, Mon State, noted an added dilemma of being asked to shoot at people he knows: *“On February 22<sup>nd</sup> they gave the police forces the order to shoot at protesters. As I was from Mawlamyine, I was required to carry out the duty at my hometown. The whole city is full of my relatives and I know most of them. Since they order us to shoot, I couldn't follow their orders. That is why I joined the CDM.”*

One police officer also noted growing public dislike for police: *“The civilians already did not like the police from the beginning, before the military coup. Since the military coup, they [civilians] might [now] hate them since they think the police shot them.”* He did not want his children to face discrimination because of his work: *“If I remained in my work place, my children might go to school with their friends and be told that their father is police. I didn't want that kind of thing to remain in their heart. I don't want to give them a wound in their heart. That's why I joined the CDM.”*

Some police resigned and joined the CDM because they felt that the orders given to them by the SAC contradicted their responsibilities as officers of the law. A vice police chief from Ki--- Police Station, Cs--- area, Mergui-Tavoy District said: *“I resigned because, even though I am police, I was not able to follow the law. I was forced to follow whatever orders were given by the military coup leaders.”* Another officer from Cs--- area, Mergui-Tavoy District added: *“We do not want to work under the military government. We could not fulfill our responsibility as police. We do not want to break the laws and policies of the police force.”*

SAC military staff and soldiers expressed similar concerns. A SAC military mechanic resigned from his position because he did not like the SAC military's unlawful orders to commit violations against unarmed civilians involved in peaceful demonstrations. A SAC soldier from Ba Yin Naung Myo Thit Army Camp, Taw Oo (Toungoo) District said: *“Actually, I am not satisfied with their [SAC military's] actions because they do not recognise people as human beings. They think people are animals. [...] The higher leaders ordered us to do what they asked and it was not easy for us to deny their orders. I don't like the system that they practice. That is why I left my*

job.” Another military officer interviewed by KHRG who joined the CDM in February explained that the military had abandoned its duty to protect the people: *“The Tatmadaw is supposed to stand with the people. The duty of every member of the Tatmadaw is to protect its citizens or the group. Now I see that this coup was for the benefit of individuals. I left the Tatmadaw to join with the citizens in order to destroy this system.”*

## B. Barriers and consequences

The CDM participants with whom KHRG conducted interviews faced major barriers to joining the movement, making it clear that a decision to join could have life-threatening consequences. Since joining the CDM, participants have experienced livelihood issues, increased risks and restrictions, as well as threats of arrest and attack by the SAC against themselves and their family members.

### *i. Pressure from authorities*

CDM participants faced pressure from authorities both during and after deciding to join the movement. Official resignation seems to have been difficult for many participants, but this varied considerably by department.

According to KHRG interviewees, SAC police and military staff are at particularly high risk when they leave their positions without approval from their departments. They could face severe punishments if caught, yet many interviewees from SAC police and military departments were unable to officially submit resignation letters before joining the CDM. Maung V---, the vice police chief from Ki--- Police Station, Cs--- area, Mergui-Tavoy District, who chose not to submit a resignation letter, explained: *“I did not submit a resignation letter. I just joined the CDM in March right away. We will be in more danger if we submit a resignation letter.”* Trying to submit a resignation letter may prevent SAC police and military from joining the CDM. Maung J---, a military aircraft mechanic at Kq--- in Cd--- did not submit a resignation letter because he knew, *“they would never let us go.”* U Aq---, a police lance corporal from Rakhine State, shared: *“No. I did not submit it. If I had submitted it, I would not have been able to come here [flee].”*

According to KHRG documentation, only four of the interviewees from police departments submitted resignation letters or some sort of notification before they left their duties, and only two of those officers reported in their letters that they would join the CDM. Police and military staff, regardless of whether they submit their resignation, are considered deserters if they leave their duties for a certain period. Saw Aw---, a police officer from Kaw T’Ree Township who did not submit a resignation letter, explained: *“If a police officer is absent for 20 days, he is considered as a police deserter.”*

Education staff discussed fewer challenges regarding their resignation process, and many teachers interviewed by KHRG did not submit resignation letters when joining the CDM. Maung An---, a primary school teacher from Du--- village, Du--- village tract, Waw Ray Township, Dooplaya District reported that no one in his village submitted a resignation letter. Saw Ak---, a headmaster from Jv--- school, Noh T’Kaw Township, Dooplaya District also did not submit a resignation letter, explaining: *“CDM means we disobey the military’s orders, and we temporarily stop working. It doesn’t mean that we quit our job. Therefore, we do not have any reasons to submit a resignation letter.”* One CDM teacher interviewed by KHRG reported that she was asked to submit a resignation letter if she wanted to join the CDM, while another teacher was told he would have to resign if he continued to participate in the CDM.

Education staff faced others barrier preventing them from participation in the CDM, like pressure exerted by departmental authorities. U C---, a general school worker from Bu--- village, Yangon Region, shared: *“They told us not to join the CDM and to come back to work. When they told us, they also pressured our family and said they were looking out for our best interest.”* He also discussed his childhood teacher, who was forced not to participate in the CDM: *“She took out some loans and the headmaster from the school pressured her and said, ‘You have to repay all the loans’.”* He added: *“Since the headmaster contacted her non-stop, she had to change from being a CDM teacher to non-CDM.”* This is not a unique situation. Teachers in Myanmar often take out loans from the Department of Education and are now being threatened about repayment by their supervisors.

One teacher from Hpa-an Town noted that pressure from local authorities prevented teachers from joining the CDM, or caused them to quit the movement after initially joining: *“Even though we have tried [to encourage them to join the CDM], some of our people have gone to the other side [those who do not join the CDM] due to the strong pressure [from SAC authorities]. For example, if there are 30 teachers in a school, only 18 teachers might join [the CDM]. When there is high pressure [from SAC authorities or other difficulties face them], sometimes 17 return out of 18, following the other group [who do not join the CDM].”*

Medical staff were heavily targeted and threatened by the SAC regarding participation in the CDM.<sup>54</sup> In fact, few interviews were conducted by KHRG with medical staff because several refused to be interviewed out of concerns for their safety. Thus, KHRG received little information about the resignation process for medical staff. One healthcare worker interviewed by KHRG said that she did not resign from her job after she joined the CDM. Local authorities however placed pressure on her and her colleagues to return to work. After joining the CDM, the secretary in Hpa-an Town called her and other CDM workers to come back and retrieve their things from the office, but did so to coerce them to return to work: *“When they knew that we were coming back to get our stuff, they put it all in a room and locked the door. [...] At that time, they told us they would only give us the door key if we went back to work.”*

Although many administrative staff were replaced by SAC authorities, others faced challenges in trying to resign. Saw P---, a village tract administrator who lives in Ko--- village, Cm--- village tract, Moo Township, Kler Lwee Htoo District reported that he planned to resign officially at the end of March 2021, as his contract would be finished at that time. While village tract administrators are typically elected officials rather than members of the General Administration Department,<sup>55</sup> the SAC has taken to appointing individuals to these positions. Although village tract administrators have the right to resign, the SAC has been refusing resignations. Saw P--- told KHRG: *“The five-year term as village tract administrator will end at the end of March. On March 12<sup>th</sup> 2021, the NLD secretary sent us a letter. The letter said we could resign from the position. It included an appreciation of our work. He sent the letter to us in the morning. In the evening, the NLD secretary phoned the village tract to revoke the letter that was sent. In the morning, the letterhead had been changed from General Administration Department to State Administration Council and [I was] reappointed as village tract administrator temporarily.”*

<sup>54</sup> See for example, “Myanmar Medics in Hiding as Regime Targets Hospital-Led Disobedience Movement”, *The Irrawaddy*, February 2021; “Myanmar Junta Charges and Arrests Striking Doctors and Senior Medical Staff”, *The Irrawaddy*, April 2021.

<sup>55</sup> Kyi Pyar Chit Saw and Matthew Arnold, *Administering the State in Myanmar: An Overview of the General Administration Department*, The Asia Foundation, October 2014.

*ii. Punishment and arrest*

CDM participants also face the risk of arrest or other punishment for joining the movement. Staff from the security forces are at particularly high risk of punishment and arrest if they join the CDM. As one police officer explained: *“We have rules in the police force. If policemen are arrested due to joining the CDM, they will be put in the jail.”* One lance corporal in the Aviation Police Force said: *“Since we are police force staff, it is not like other staff because our department is an armed department. So, if we are absent for one day, they will arrest us according to police disciplinary law, which is issued by themselves, if they see us.”* Given that they also risk being cited for desertion or even as “enemies of the state” means that the punishment may go beyond jail time to include torture or enforced disappearance. Even prior to the coup, the military had raised the jail sentence for desertion from a maximum of two years to five years.<sup>56</sup>

SAC military staff face a similar risk of arrest or punishment for joining the CDM. A military aircraft mechanic from Cd--- shared: *“If a Tamadaw leader runs away, they will be sentenced to five years in jail. However, we could be sentenced to jail for a very long time if we run away during this time because they can change the punishment as they want during this time. They can fire us or whatever they like. They can do anything they want during this time.”*

Given the severe punishment for CDM participants if caught, all interviewees from the security forces who joined the CDM fled. One officer who joined toward the end of February said: *“When I joined the CDM, they came that same night in order to arrest me. On February 23<sup>rd</sup> I hid at one of the local monasteries. They arrived there to arrest me. The people there worried for my security, so they sent me to Hpa-an [Township], Karen State [Doo Tha Htoo District].”* One officer from Thandaunggyi Town, Taw Oo District, said: *“I have been waiting to join the CDM for a long time already. I had to stay close to the leaders and work for them so I wasn’t able to join at first.”* Another policeman, a lance corporal from Ex--- Town, Rakhine State who fled to Hpa-an District, shared similar sentiments: *“When the military seized power, I felt like I did not want to work anymore. I was waiting to see the situation before I joined the CDM. I really wanted to join the CDM when I first heard about it. I did not get a chance to do it.”*

One police officer who spoke with KHRG said that his battalion commander tried to arrest him for being a member of the CDM, attempting to use manipulation through social media to do so.

*“I use Facebook. And my friend and I are really close and I have a connection with him. Our officers know about that. So, the battalion commander called my friend [to come] beside him and let my friend call me through Messenger. My friend told me (through Messenger) that he would like to join the CDM and asked if he could come. I told him not to come and that I will go to pick him up. So, he said to come and pick him up. And he asked me which time I am free. I answered that I am free in the evening. Then, he said that he will wait for me to come and pick him up when I am free. But the words that he used in the conversation are not like the words he usually uses. The words that he used were a little bit odd. So, I asked him whether he really is the one who is talking to me at the moment. He said that it is true that he is the one who is talking at that moment. After that, he went offline. After two minutes, he went to the toilet and called me and said to me: ‘Hey friend, I really was the one who talked to you at that moment. But it is the officer beside me who instructed me to talk like that. The officer told me to tell you that I am going to join the CDM. After that, they are going to arrest you.’ They are threatening me like that.”*

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<sup>56</sup> Chan Thar and Nyan Hlaing Lin, “Tatmadaw ‘imposes harsher punishments’ for desertion as more military medics abandon their posts”, *Myanmar Now*, January 2021.

Many police officers feared they would get caught if they discussed joining the CDM. When one police officer was asked whether he discussed the topic with his co-workers, he said: *“No, we didn’t do that kind of thing. But in our police department, we did not dare to discuss joining the CDM because we were also looking out for each other. Most of the staff in the department do not want to join the CDM. We did not dare to talk with each other about joining the CDM.”* Another interviewee said: *“No we didn’t discuss this in advance with each other. When we drink coffee together we didn’t discuss it. But we just said that now the police are joining the CDM. [...] We told each other: if you want to do you can do it. I just told him I will wait for the situation. When I said I will go [it turned out that] our dates are the same.”*

These departments have also made it difficult for their staff to physically join the CDM. One interviewee noted that military staff were not allowed to leave their bases and had to report to their superiors when they leave: *“They never let us go out [...] because they worry that many staff are trying to join the CDM. Because many staff joined the CDM, they do not often let the staff visit their family members. If we want to go out, we have to report to them.”* All SAC police and military staff interviewed by KHRG who joined the CDM, however, were among those who fled. As Maung M---, a member of the train police in Ch--- Town, Yedashe Township, Taw Oo District shared: *“Like I said, they arrested police officers who joined the CDM. [...] If they know that a person joined, they just arrest them. That’s why we had to flee and hide.”*

CDM participants from other government departments have also faced security risks in joining the CDM. Saw Av---, a government teacher in Fe--- village, Fe--- village tract, Lu Pleh Township, Hpa-an District, interviewed in May, shared his and other CDM participants’ concerns about arrest: *“Since we joined the CDM, we mainly worry for our security because some people we know who live in Hpa-an Town were arrested. [...] [They were arrested] because they joined the CDM. Some CDM are threatened by higher [SAC] authorities as well as their school principal. They [local leaders] said, they would not take responsibility for protecting people who joined the CDM.”* Saw N---, a school principal from Ayeyarwady Region interviewed in Kler Lwee Htoo District shared concerns about the arrest of CDM participants: *“They [government staff] joined the CDM. But the SAC threatened the staff that they will arrest those who join the CDM.”* In some cases, doctors and healthcare workers were specifically targeted for arrest. One midwife from a village outside Hpa-an Town said: *“Doctors are being targeted for arrest here. The specialists had to hide themselves in order to evade arrest. Hospitals and clinics have been closed. The doctors in my village are participating in the CDM. Staff are fleeing from arrest.”*

Threats and retaliation by the SAC have been one of the main obstacles for government staff to join the CDM movement. These barriers have, however, been different for participants from different sectors throughout the coup. For some government staff, it was easier to join the CDM in the early days of the coup because the SAC had not operated widely to arrest, threaten, or retaliate against CDM participants and their families in all sectors. Security forces and medical staff members were at higher risk from the beginning. While education staff were not heavily targeted in the beginning, they have more recently become key targets as the SAC attempts to reopen schools.

### *iii. Family’s security*

Some interviewees were concerned about the security of their family members, as family of CDM participants could also be targeted for retaliation. A healthcare worker from Hpa-an Town who had fled to KNU territory said: *“Any workers who oppose the military coup and join the CDM, their whole family is placed at a security risk as a result.”* As one interviewee said: *“People who participated in the CDM are being targeted for arrest. It’s not a problem for us to hide. The*

*only concern I have is that they will come to threaten my parents. I am afraid they will do something to my parents.”* This is one of the main barriers to police and SAC military officers’ participation in the CDM. One SAC military officer told KHRG that many SAC military staff could not join the CDM although they wanted to because their family members could be easily targeted: *“To be honest, 80 percent of the staff from the army are not satisfied with the military dictatorship. Some of them face many obstacles to joining the CDM because it will be a lot of sacrifice if they join the CDM, so they cannot join. Some of their family members stay in the army camp. It is too risky for their family members if they join the CDM. Where should their family members hide? Where will their family members stay if they join the CDM? So many of them do not join the CDM.”*

CDM participants’ family members also fled to avoid threat and arrest by the SAC. However, some family members were unable to flee, making security for those remaining behind one of the major concerns for CDM participants. Even when CDM participants themselves had reached safety, concerns for their family continued. One officer from the Myanmar Police Force said: *“I do not have any concern for my own safety, but I am concerned for my family. I am in a safe place already now.”* Maung S--- from Cn--- Town, Myaungmya District, Ayeyarwady Region, who works for a civil society organisation (CSO) promoting peace, expressed his concern for his family. *“I also worry for my family’s security because of the actions that the Burmese [SAC] military has done. If they cannot arrest me, they will target my family. I heard that they will threaten my wife. I heard that they will harm my family.”*

Some of the government staff who had already fled had to return to their work following the arrest of their family members by the SAC. As student Saw Au--- from Fc--- village, Gw--- village tract, Lu Pleh Township, Hpa-an District reported: *“Some of them [CDM participants] tried to escape so their parents were arrested and they had to go back to their work. Some of them could not escape from the pressure. There are many pressures.”*

#### *iv. Salary and livelihood*

Most interviewees reported that they did not receive a salary after they joined the CDM. As a result, CDM participants are facing livelihood difficulties. For example, Ma As---, a teacher from Hpa-an Town, said: *“Yes, we face challenges. Actually, each government staff receives a monthly payment, but they will not receive it anymore if they join the CDM. Some people can live without a salary, but some people cannot so they face livelihood difficulties.”* Not receiving their salary has prevented some from joining the CDM due to concerns about being able to support their families. U C---, a general school worker from Bu--- village, Bu--- village tract, Taikkyi Township, Yangon Region explained the difficulties that his childhood teacher faced, saying: *“She wanted to join the CDM but because of family problems she didn’t join. The first reason for this is because she had to support her whole family with her salary.”*

Some CDM participants in rural areas may be able to provide for themselves and their families, at least to a certain extent, if they have land of their own on which to farm or raise livestock. Naw Al---, a school teacher from Gj--- village tract, Noh T’Kaw Township, Dooplaya District explained that, after joining the CDM, *“[w]e are faced with challenges because we have to work for our livelihood so that we can eat. However, we are not starving [yet]. In the rural areas, we can have food as long as we work. We do not have a salary anymore, so we just have to work with our strength.”* Even where people do have land to grow food, however, it may not be sufficient, as another interviewee, Naw L---, a schoolteacher, from Ce--- village, Fs--- village tract, Daw Hpa Hkoh Township, Taw Oo District, explained: *“Since I joined the CDM, I did not get my salary anymore. We rely on fruits and vegetables from our gardens for survival. However,*

*we could not grow a lot of fruits and vegetables. Also, we cannot sell our fruits and vegetables for a good price.”*

Some CDM participants reported that they continued to receive a salary despite joining the CDM. For example, Naw K---, another schoolteacher from Ce--- village, Fs--- village tract, Daw Hpa Hkoh Township, joined the CDM on February 8<sup>th</sup> 2021. When asked if she still received a salary, she replied: *“Yes, I got a salary until April. I think I will get my salary for May.”* And yet, Naw L---, a schoolteacher in the same village, and cited above, did not. KHRG did not receive further information on continued receipt of this salary; however, it is possible that some teachers continued to receive their salaries because of COVID-19 related closures. It also likely depends on how CDM participation was reported at the local level.

Other interviewees reported that their salary would be given to them whether they joined the CDM or not, but some were afraid to collect it, understanding that they would be arrested if they went back for their salary. Naw Ae---, a schoolteacher from Ds--- village, Gk--- village tract, Noh T’Kaw Township, Dooplaya District, shared her concerns regarding taking her salary: *“We got it last month, however, we will have to sign for it if we continue to take the salary. Therefore, we stopped working and stopped attending the meetings. We worried that they would arrest us.”*

KHRG also spoke to some interviewees who mentioned that the SAC had stopped providing their salary, even though they had not joined the CDM. Saw P---, a village tract administrator from Ko--- village, Cm--- village tract, Moo Township, Kler Lee Htoo District, said: *“They [the SAC] did not provide us with a salary. They just gave us money to use. Under the NLD administration, we received 70,000 kyats [USD 38.82] per month. [...] For March, they might or might not give it to us.”* Saw T---, a villager from Ct--- village, Ct--- village tract, Ta Naw Th’Ree Township, Mergui-Tavoy District, also reported that he was aware of government staff not receiving their salary even though they did not join CDM. He believed that it might be related to nationwide bank closures after the coup due to a lack of national budget: *“People who are working at the offices do not get the salaries. Some do not take the salaries. [...] The merchants do not have money to pay for the products as well. The reason is because the banks are closed.”*<sup>57</sup>

### C. Networks of support

The government staff that joined the CDM need protection and support to cover daily expenses, necessities and healthcare. Some even require support just to be able to leave their job without being stopped or arrested. CDM participants reported receiving support from friends, CDM support groups in towns, Generation-Z groups, friends and family members, domestic and international community members, and local ethnic authorities.

More formal support networks seem to have developed to assist those CDM participants who have had to flee to KNU territory for their own protection. Some professions also seem to have more organised support networks to support CDM participants, particularly the police. One police officer from Thandaunggyi Town, Taw Oo District, was able to contact the CDM network through his cousin. Another officer who worked in Kd--- Police Station in the Yangon Region Eastern District received support from other police staff, who helped him contact CDM organisations that provided shelter to CDM participants and helped them flee. Other police staff also reported receiving assistance from fellow police officers who had already joined the movement.

<sup>57</sup> KHRG, “Mergui-Tavoy District Interview: Security forces kill peaceful anti-coup protestors in Dawei Town, February 2021”, March 2021.

KNU local leaders have been attempting to provide security and necessities such as food, shelter, and clothing for CDM participants who have reached KNU-controlled territory, leading CDM members, protesters and human rights activists to flee to KNU territory seeking protection. One teacher from Ayeyarwady Region who joined the CDM movement and fled to KNU territory shared: *“KNU supports those who participate in the CDM. They let us come to take shelter; even protest leaders can come and stay. They are ready to offer security for us. We are so thankful to them. The teachers are worried and afraid for their safety now [...]. However, the KNU is taking responsibility for their safety. Therefore, we do not have many worries and can stay relaxed.”* An officer in the Myanmar Police Force who joined the CDM and also fled to a KNU area said: *“Our living condition is good here. The KNU takes very good care of us providing food and accommodation.”*

Informal networks and local community support have also been particularly strong, with some civilians seeing this as their best way to contribute to the movement. According to Saw Y--- from Ct--- village, Ct--- village tract, Ta Naw Th'Ree Township, Mergui-Tavoy District: *“Ordinary people like us do not need to participate in the CDM. We just have to support those who do participate in the CDM. The situation happening now is not right, so we have to support them. We have to care for them and we have to give them food, and support them in what they need. They are working for us as well.”* A police lance corporal, Maung G--- from Ca--- village, Nattalin Township, Bago Region spoke about the community support he received after joining the CDM: *“Even in front of my office, a group of 10 or 20 or 50 people came to protest. At first, I mocked them. They chanted like, ‘Stop working and come out from work [the office]’ and ‘Who will feed you? The civilians will feed you’. I always thought about it in my mind, about whether this is true or not, and how can the civilians feed us. But since I joined the CDM, I eat what the civilians feed me.”*

Civilians and local authorities in rural areas welcomed those seeking protection, shelter, food or transportation into and around KNU territory. Saw X--- from Cz---, Ta Naw Th'Ree Township, Mergui-Tavoy District reported that he assisted CDM participants as they fled to safer territory: *“People know me and contact me to ask where they [CDM participants] should go to flee and hide. They do not know the places well, so I have to direct them.”* Saw Y---, cited above, also shared that he assisted those seeking to flee: *“We direct them or send them to safer places. [...] If anyone needs to get to a safer place, it will be arranged. If a donation is needed, we will have to give, whether it is one baht [USD 0.03] or ten baht [USD 0.30].”* Saw Ba--- from Fi--- village, Gy--- village tract, Lemyethna Township, Ayeyarwady Region described supporting CDM participants: *“We collected donations for CDM members. We also prepared food and shelter for CDM members; and we sent rice to CDM members who were hiding.”* A local community worker, Naw W--- from Cy--- village, Fy--- village tract, Ler Doh Soh Township, Mergui-Tavoy District reported: *“Some CDM members from the town and city are taking refuge in our area now. There are over 30 CDM members. They contacted me at first then I communicated with the local authorities. Finally, they arrived in this area and the local authorities took care of them very well.”*

Many expressed feeling safe in their new areas and reassured that the KNU is there to protect them. Maung An---, a teacher from Du--- village, Du--- village tract, Waw Ray Township, Dooplaya District, highlighted: *“This is a KNU-controlled area, so they do not come and arrest here, because of protection from the KNU.”* The SAC have however made attempts at arrests in KNU areas (and some protesters have been arrested, without knowledge by the KNU). The SAC does not look kindly on community support of the CDM, and those caught helping the CDM participants are also at risk of arrest and detention, leading some CDM supporters to have to flee as well.

It is clear that many CDM participants are still in need of support. One schoolteacher, interviewed in early April, shared that “currently, there is no support. But I heard that international organisations and domestic organisations are collaborating and working for the CDM staff.” Naw L---, a schoolteacher from Ce--- village, Fs--- village tract, Daw Hpa Hkoh Township, Taw Oo District, interviewed in May, said that she had not received support from outside organisations since joining the CDM. According to *Myanmar Now*, in April 2021 the National Unity Government (NUG)<sup>58</sup> was drawing up a plan to give a full salary to civil servants who participated in the CDM.<sup>59</sup> It is unclear whether this plan has actually gone into effect.

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<sup>58</sup> The National Unity Government (NUG) was formed by the acting cabinet of the *Committee Representing Pyidaungsu Hluttaw (CRPH)* on April 16<sup>th</sup> 2021, following the February 1<sup>st</sup> military coup. U Min Wyint was retained as President, and Daw Aung San Suu Kyi as State Counsellor, both still under detention by the SAC military. The NUG claims to be the legitimate government of Myanmar, and has sought international recognition as such. The NUG cabinet is composed primarily of lawmakers elected in the 2020 election, along with other key ethnic figures. As the military junta has declared the NUG illegal, it is operating as a government-in-exile. Further information can be found at the NUG website: National Unity Government of Myanmar (last accessed October 2021).

<sup>59</sup> “NUG says it will pay salaries of striking civil servants”, *Myanmar Now*, April 2021.

## Part II: Humanitarian Crisis and Insecurity in Rural Ethnic Areas

### Chapter 3: Militarisation and a return to violence

The security situation in rural areas of Southeast Myanmar rapidly degraded during the first six months following the military's seizure of power. Just after the coup, KHRG received reports of little to no military activity, since in many cases the protests in towns during the month of February had led to the transfer of troops out of rural areas to assist with "security issues" in town (i.e. cracking down on protests). By early March, however, troops began moving back to rural areas, bringing supplies, rations and ammunition with them, as attacks and conflict between armed groups escalated. Curfews that had been imposed in and around urban areas spread to rural areas as well. Although many villagers noted that the curfews had little impact on them because they do not normally travel at night, the imposition of curfews and other restrictive legislation under the guise of a state of emergency has allowed for increasing violence against civilians. Since the military coup, human rights violations have also steadily increased, as have displacements and threats of injury and death to civilians in rural areas.

Increased ground attacks in some areas began shortly following the military takeover but the airstrikes in Karen State, which began on March 27<sup>th</sup>, marked a pivotal moment in the escalation of fighting and attacks, and have contributed to a growing climate of insecurity that recalls earlier periods of military abuse. According to KPSN, airstrikes had not taken place in Karen State in over 25 years.<sup>60</sup>

However, just the news of the military takeover led many villagers to begin preparing for the possibility of fighting, and thus displacement, and for the re-emergence of the kind of human rights abuses that they had suffered in the past. One interviewee in Dooplaya District stated in February, just after the coup: *"Some people dare not to stay at home anymore. They go to stay at their huts. Those who are living close to the road dare not to sleep at their houses. They heard that Tatmadaw soldiers will patrol so they are afraid and go to sleep in other places. Then, they come back to their houses in the morning. Some people hide food in the jungle. If anything happens, they can go and hide there and they will have food."*

Villagers also expressed their distrust of the military. One villager in Bq--- village tract, Bilin Township, Doo Tha Htoo District pointed out in February, just prior to the eruption of attacks and fighting: *"We do not see much of their activities in rural areas. However, we do not know what their plans are and how they are going to trick us."* This expression of distrust in the SAC also serves as an acknowledgment of the fragility of any sort of peace.

This section presents the changing security and humanitarian situation in the rural villages of Southeast Myanmar since the February 1<sup>st</sup> coup, and draws primarily on raw data reports from local community members who have been trained by KHRG to document human rights issues. It also includes some information from general interviews with villagers. Interviews with villagers about specific incidents were however limited due to increased insecurity. Despite documentation challenges, the information provided echoes reports received during previous military regimes,

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<sup>60</sup> "Regime airstrikes have 'displaced 90% of rural population' in embattled Karen district", *Myanmar Now*, May 2021; Free Burma Rangers has cited 20 years. See Free Burma Rangers (FBR), "20,000 in hiding in Karen State as Burma Army airstrikes and ground attacks continue to kill civilians", April 2021.

particularly regarding the nature of the activity, as in, more targeted attacks on civilians and civilian areas, and activities that further limit access to basic needs and healthcare.

#### A. Armed conflict and failed peace efforts

KHRG's documentation shows that fighting between the SAC military and ethnic armed groups escalated in the aftermath of the February 1<sup>st</sup> 2021 military coup. There has been a rise in both attacks and retaliatory activities throughout KHRG's operational area, notably in Kler Lwee Htoo, Mu Traw and Doo Tha Htoo districts. These are also areas that had been the target of large-scale offensives under past military regimes as the Tatmadaw sought to crush what it considered to be insurgent movements. More recently (since June), the situation in Doo Thaya District seems to be degrading as well. In many cases, the conflict and attacks in these key areas have taken place in or near areas of civilian activity, and have impacted access to healthcare and education.

##### *i. Doo Tha Htoo District*

As KHRG previously reported, prior to the 2021 coup there had been few reported cases of fighting in Doo Tha Htoo District since the signing of the NCA in 2015.<sup>61</sup> Despite Tatmadaw military activities in multiple parts of the district and repeated violations of the NCA regarding trespass by the Tatmadaw into restricted areas, there continued to be efforts to avoid armed conflict. However, since the beginning of March, fighting has ignited in each of the five townships of Doo Tha Htoo District, although primarily in Bilin, Tha Htoo (Thaton), and Hpa-an townships.

In Hpa-an Township, fighting initially broke out on March 9<sup>th</sup> between the KNLA and SAC at the army camp located near Kler Kheh village, Boo Prer village tract, as a result of SAC soldiers entering the village without informing the local KNLA in advance. Although there were no casualties, villagers were forced to flee.<sup>62</sup> Since that time, fighting has continued between the KNLA and the SAC and Border Guard Force (BGF)<sup>63</sup> (in and around Meh Leh Hkee village, Thay Lah Baw village, and Guh Bee Htwee Place) with the SAC setting up temporary camps by occupying a village dormitory and local monastery. KHRG researchers also noted an escalation in tension, resulting in frequent skirmishes during the month of June.<sup>64</sup> Following a skirmish on June 9<sup>th</sup> between the KNLA and BGF, the BGF attacked the KNLA army camp at Htee Kyaw Hkee area and burnt down all of the camp buildings (the KNLA soldiers were not present at the time).<sup>65</sup> On June 20<sup>th</sup> and 21<sup>st</sup> 2021, six skirmishes took place over the course of these two days. There were no civilian casualties. And although some villagers were forced to flee, most of the fighting took place outside of village areas.

Fighting in Tha Htoo Township also began on March 9<sup>th</sup> in multiple locations. Little information has been received about these incidents. On April 2<sup>nd</sup> fighting and shelling took place in T'La Aaw Hpoh Klah village, Neh Hpaw Hta village tract, resulting in damage to many buildings in Lay Gher Kler village, including the Karen Department of Health and Welfare (KDHW) clinic.

<sup>61</sup> KHRG, "An End to Peace Efforts: Recent fighting in Doo Tha Htoo District between the KNLA and the Tatmadaw following the 2021 Myanmar military coup (March and April 2021)", May 2021.

<sup>62</sup> Ibid.

<sup>63</sup> Border Guard Force (BGF) battalions of the Tatmadaw were established in 2010, and they are composed mostly of soldiers from former non-state armed groups, such as older constellations of the DKBA, which have formalised ceasefire agreements with the Burma/Myanmar government and agreed to transform into battalions within the Tatmadaw.

<sup>64</sup> KHRG, "Doo Tha Htoo District Situation Update: Fighting between the BGF and KNLA, and pressure to close KECD schools (April to June 2021)", November 2021.

<sup>65</sup> Ibid.

When the clinic was hit, people were still inside, and one woman was injured while breastfeeding her baby. Many villagers were forced to flee.<sup>66</sup> On April 23<sup>rd</sup> 2021, an unidentified villager from Myaink Teh Su section, Kyeik Kaw Thein Seik Town, died during a skirmish between the KNLA and SAC troops beside the vehicle road near Chaw Bee Na and Kaw Ler villages, Kaw Ler village tract, Tha Htoo Township. He had been stopped on the road by SAC soldiers and forced to transport them (to an unspecified location), whereupon they were ambushed by the KNLA. He was caught in the crossfire.<sup>67</sup>

In Bilin Township, initial skirmishes took place in early April in Tar Paw village, Tar Paw village tract and Lay Kay village, P'yah Raw village tract, both locations where SAC and BGF troops are based.<sup>68</sup> Troop movements between April 27<sup>th</sup> and May 3<sup>rd</sup> 2021 led to increased fighting. The troops also fired mortar rounds indiscriminately when arriving and leaving their camps to clear the road and surrounding areas of KNLA soldiers. In addition to injuries and property damage, there is also now unexploded ordnance (UXO) in the area since several of the mortars did not explode upon impact.

On April 23<sup>rd</sup> 2021, an SAC artillery unit based in Htee Hpoe Nya Lee Hkee army camp, near Kyaw T'Raw village, Shway Yaw Pya village tract, Bilin Township also began indiscriminately firing mortar rounds at nearby villages, especially those located in areas controlled by the KNU. About 3,000 villagers from the surrounding area have fled their villages since April 27<sup>th</sup>. Villagers who do not have relatives in towns or in other places have been forced to hide in the forest near their villages.

Fighting and shelling are still ongoing in Doo Tha Htoo District however no detailed updates were received during the reporting period.

## *ii. Mu Traw District*

Airstrikes in Mu Traw District began on March 27<sup>th</sup> following the KNLA's seizure of a SAC military camp at Thee Mu Hta along the Salween River, near Meh Nyoo Hta village, Pah Heh village tract, Bu Tho Township. Ten SAC soldiers were killed during the attack, and at least eight were taken captive by the KNLA. One KNLA soldier also died. A second round of airstrikes occurred from April 27<sup>th</sup> to May 2<sup>nd</sup> following the KNLA's seizure of another SAC outpost, Mae Ra Hta, also along the Salween River.

According to KPSN, the KNLA attacked SAC outposts in order to pre-empt further assaults in the area and to protect boat passage along the Salween River.<sup>69</sup> The area where these attacks took place is particularly significant as a zone of conflict. Largely under KNU control and less easily accessible due to its heavily mountainous terrain, northern Mu Traw District has long been the target of offensives by the Myanmar military in attempts to both quash ethnic armed resistance and exert greater control in this area, particularly over the land and rich natural resources. The attack on these SAC outposts by the KNLA is thus part of a wider framework of conflict between the Tatmadaw and the KNLA.

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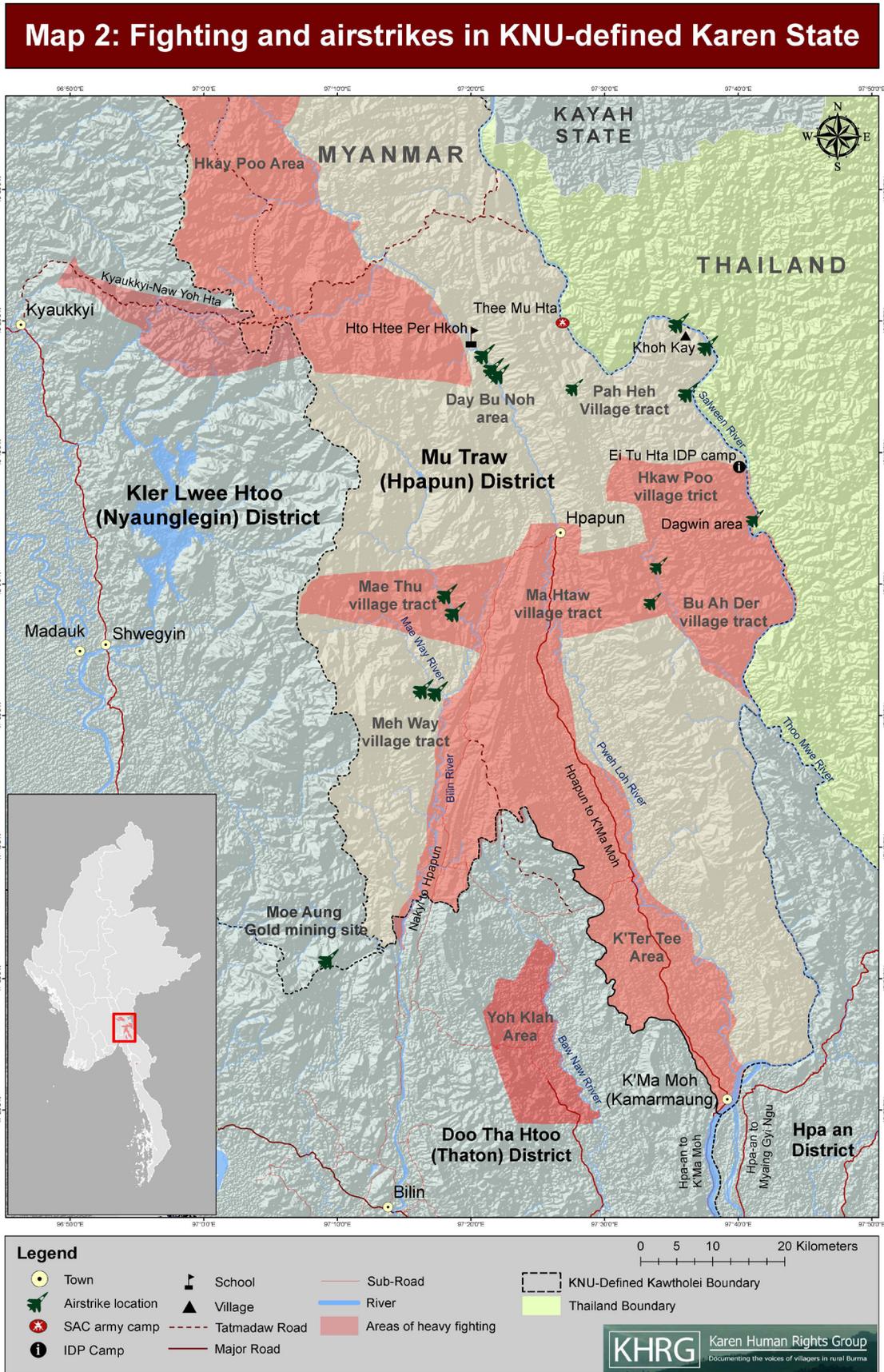
<sup>66</sup> KHRG, "An End to Peace Efforts: Recent fighting in Doo Tha Htoo District between the KNLA and the Tatmadaw following the 2021 Myanmar military coup (March and April 2021)", May 2021.

<sup>67</sup> KHRG, "Doo Tha Htoo Situation Update: Fighting and indiscriminate shelling by SAC forces, April to May 2021", June 2021.

<sup>68</sup> Ibid.

<sup>69</sup> Karen Peace Support Network (KPSN), *Terror from the Skies: Coup regime's escalated offensives cause mass displacement across Mutraw*, May 2021.

## Map 2: Fighting and airstrikes



KHRG has previously reported on the deterioration of the security situation in Mu Traw District (as well as parts of neighbouring Kler Lwee Htoo District) just prior to the coup. Due to the ever-increasing number of Tatmadaw army camps established since the preliminary ceasefire agreements in 2012,<sup>70</sup> the KNLA issued a statement on December 1<sup>st</sup> 2020 demanding that the Tatmadaw withdraw all its bases from villages in KNU-controlled areas, and dismantle all new camps set up since the NCA by the end of 2020. Local villagers have also engaged in multiple peaceful demonstrations demanding the withdrawal of troops.<sup>71</sup>

Rather than withdraw from the area, conflict escalated. Since December 2020, increasing skirmishes between the KNLA and the Tatmadaw, as well as indiscriminate shelling by Tatmadaw soldiers, forced thousands of local villagers to flee their villages. According to the Committee for Internally Displaced Karen People (CIDKP), as of January 28<sup>th</sup> 2021, there were already 4,124 internally displaced persons (IDPs) in Dwe Lo Township.<sup>72</sup> Since the coup, these numbers have increased exponentially.



This photo was taken in April 2021 in Day Bu Noh village, Pay Kay village tract, Lu Thaw Township, Mu Traw District. It shows the destruction of villagers' houses and belongings as a result of SAC airstrikes on March 27<sup>th</sup> 2021. [Photo: KHRG]



This photo was taken in April 2021 in Day Bu Noh village, Pay Kay village tract, Lu Thaw Township, Mu Traw District. It shows an unexploded high explosive (HE) bomb that was dropped during the SAC airstrikes on March 27<sup>th</sup> 2021. [Photo: KHRG]

The airstrikes in March 2021 lasted six days, from March 27<sup>th</sup> to April 1<sup>st</sup>. KHRG recorded seven deaths and 23 injured across the three townships of Lu Thaw, Bu Tho and Dwe Lo.<sup>73</sup> During the second round of airstrikes that began on April 27<sup>th</sup>, the primary targets were Hkaw Poo, Bu Ah Der and Pa Heh village tracts in Bu Tho Township and the Daw Kway (Dagwin) area also in Bu Tho Township.<sup>74</sup> There were no civilian casualties during the April airstrikes since most villagers had already been displaced by earlier attacks. KHRG estimates over 25,000 people

<sup>70</sup> On January 12<sup>th</sup> 2012, a preliminary ceasefire agreement was signed between the KNU and Burma/Myanmar government in Hpa-an, and served as a first step in negotiations for a longer-term peace plan.

<sup>71</sup> KHRG, “Where should I flee next?: Fighting and displacement in Doo Tha Htoo, Kler Lwee Htoo and Mu Traw districts, December 2020 to January 2021”, April 2021.

<sup>72</sup> Information provided to KHRG by CIDKP in January 2021.

<sup>73</sup> KHRG, “A Worrisome Escalation: Tatmadaw airstrikes kill at least 16 villagers, displace thousands in Mu Traw and Kler Lwee Htoo districts, March 2021”, May 2021. KPSN reported 16 deaths and 20 injuries over those six days. See Karen Peace Support Network (KPSN), *Terror from the Skies: Coup regime’s escalated offensives cause mass displacement across Mutraw*, May 2021.

<sup>74</sup> Further details on the airstrikes can be found in KHRG, “Southeast Myanmar Field Report: military coup, protests, armed conflict and attacks, human rights abuses, and COVID-19, January to June 2021”, November 2021 (forthcoming).

were displaced by the airstrikes in Mu Traw District through early May.<sup>75</sup> KPSN estimates over 70,000, comprising nearly 90% of the district's rural population of about 80,000.<sup>76</sup> Direct attacks against the civilian population have been a long-standing feature of the Tatmadaw's counterinsurgency strategy, and are a direct violation of international humanitarian law.

Ground attacks and fighting have also contributed to displacement throughout the district. KHRG field researchers have reported over 100 instances of shelling in Mu Traw District alone through the first week of May (thus during the first three months following the coup), with the majority of this activity taking place in Lu Thaw Township.<sup>77</sup> Aside from an increase in fighting and indiscriminate shelling in locations throughout the district, the shelling often continues for days, even weeks on end. As such, villagers are also often unable to sneak back to their village to gather needed food and supplies, or recuperate their belongings. In addition to large-scale displacements, this ongoing conflict and military activity has also resulted in destruction of lands and property. Damage to these areas, along with the presence of UXO, will make it difficult for villagers to return even after the fighting and attacks end.



This photo was taken in July 2021 in Ia--- village, Dwe Lo Township, Mu Traw District. It shows one of four houses burned down by SAC LIB #407 directly after a skirmish with local KNLA soldiers on July 16<sup>th</sup> 2021. All Ia--- villagers, around 50 households, fled. Some fled to nearby villages while others fled to Hpapun Town. [Photo: Local villager]

Healthcare has also been impacted since the increase in attacks and conflict. Some clinics have been damaged or destroyed, while others have relocated due to heightened insecurity. KHRG previously reported that a clinic in Thee Kaw Hta Place, Paw Kah Der village, Bu Tho Township was damaged by the airstrikes in Pah Heh village tract on March 28<sup>th</sup> 2021. Since that time, many clinics throughout Bu Tho Township have moved because of ongoing reconnaissance conducted by SAC drones and helicopters both day and night.<sup>78</sup>

### *iii. Kler Lwee Htoo District*

Kler Lwee Htoo District has also been an area of conflict and attack, most likely due to its key location between the more heavily KNU-controlled Mu Traw District and the more heavily government-controlled western areas of Karen State and the rest of Myanmar. The majority of fighting has taken place in Ler Doh Township along the military road from Ler Doh to Mu Theh.

<sup>75</sup> KHRG, “Submission on State Administration Council airstrike and IDP situation after the coup”, (unpublished report), May 2021.

<sup>76</sup> Karen Peace Support Network (KPSN), *Terror from the Skies: Coup regime’s escalated offensives cause mass displacement across Mutraw*, May 2021.

<sup>77</sup> Further details on the ground attacks and conflict in Mu Traw District can be found in KHRG, “Southeast Myanmar Field Report: military coup, protests, armed conflict and attacks, human rights abuses, and COVID-19, January to June 2021,” November 2021 (forthcoming).

<sup>78</sup> KHRG, “A Worrisome Escalation: Tatmadaw airstrikes kill at least 16 villagers, displace thousands in Mu Traw and Kler Lwee Htoo districts, March 2021”, May 2021; KHRG, “Mu Traw District Situation Update: Landmine contamination, indiscriminate shelling, arbitrary taxation, movement of troops, and livelihood, education and healthcare situation, May to June 2021”, September 2021.

The first reports of attacks are from late March, when SAC soldiers started indiscriminately shelling KNU-controlled villages (Than Lae village and Myay Nee Kone Place) in Ler Doh Township from their army camps. The shelling lasted from March 27<sup>th</sup> to March 30<sup>th</sup> 2021. Although no one had to flee, villagers remain concerned about the security situation. Since March, SAC soldiers have also been engaging in more extensive checking at their roadside checkpoints.

Since early April, the SAC forces based in Ler Doh army camp have been sending more soldiers, as well as military supplies and ammunition through Kler Lwee Htoo to Mu Traw District on the military road between Ler Doh and Mu Theh area (around 270 soldiers and 140 horses to carry supplies, as of April 17<sup>th</sup>).<sup>79</sup> The transport of soldiers and supplies has led to increased fighting between the SAC military and the KNLA and Karen National Defence Organisation (KNDO),<sup>80</sup> including indiscriminate firing of mortars into nearby villages. Villagers had already fled as a result of earlier activity. From mid-April through the end of May, Kheh Der village tract was the site of multiple skirmishes as a result of the ongoing movement of reinforcements.<sup>81</sup>

Although the majority of airstrikes have been in Mu Traw District, there has also been one attack in Kler Lwee Htoo. On March 30<sup>th</sup> 2021, two SAC military jets bombed the Moe Aung gold mining site located in Meh Theh Hkee place near Htee Hpa Doh village, Meh Yeh Hkee village tract, Hsaw Htee Township. A local source reported that nine people were killed, mostly mine workers, and two others were injured.<sup>82</sup>

KHRG previously reported that students in Kheh Der village tract, Ler Doh Township, Kler Lwee Htoo District have faced difficulties accessing education. They have been displaced from their villages since December 2020 because of fighting between the KNLA and Tatmadaw soldiers. Since the coup, fighting has escalated, and students have not been able to return to their village to go to school.<sup>83</sup>



This photo was taken on March 2<sup>nd</sup> 2021 in Ler Doh Township, Kler Lwee Htoo District. Villagers from Kheh Der village tract have been displaced since December 2020 and have been unable to return to their villages due to ongoing conflict and shelling since the coup. The estimated number of IDPs is around 100 households, or close to 500 people. In this photo, displaced children and their teachers continue their studies in the jungle.

*[Photo: Forum Asia staff]*

<sup>79</sup> KHRG, “Kler Lwee Htoo District Short Update: Increased militarization and fighting between the Tatmadaw and the KNLA prevent IDPs from returning home in Ler Doh Township, March to May 2021”, May 2021.

<sup>80</sup> The Karen National Defence Organisation (KNDO) was formed in 1947 by the Karen National Union and is the precursor to the Karen National Liberation Army (KNLA). Today the KNDO refers to a militia force of local volunteers trained and equipped by the KNLA and incorporated into its battalion and command structure; its members wear uniforms and typically commit to two-year terms of service.

<sup>81</sup> KHRG, “Doooplaya District Short Update: Skirmish between the Tatmadaw and the KNLA in Kaw T’Ree Township, February 2021”, March 2021.

<sup>82</sup> KHRG, “A Worrisome Escalation: Tatmadaw airstrikes kill at least 16 villagers, displace thousands in Mu Traw and Kler Lwee Htoo districts, March 2021”, May 2021.

<sup>83</sup> KHRG, “Southeast Myanmar Field Report: military coup, protests, armed conflict and attacks, human rights abuses, and COVID-19, January to June 2021”, November 2021 (forthcoming).

#### *iv. Dooplaya District*

Until recently, Dooplaya District had not encountered extensive fighting. In fact, KNU-controlled areas of Dooplaya District have been key locations for welcoming CDM participants seeking refuge. By the end of May, 3,000 CDM participants had been welcomed from other areas.

An early report from February did indicate that fighting had broken out briefly in Ji--- village tract, Kaw T'Ree Township on February 26<sup>th</sup> 2021 between the KNLA and the SAC military due to the arrival of CDM participants seeking refuge. In violation of the NCA, SAC troops came to patrol KNU restricted areas to look for and arrest teachers and doctors who had joined the CDM and anti-coup protests (these teachers and doctors were mainly from Kawkareik Town and nearby areas). Only that one incident of fighting occurred, and the SAC soldiers eventually left the area on March 1<sup>st</sup> 2021 without arresting anyone.<sup>84</sup>

In June, fighting once again broke out between multiple armed groups in Kaw T'Ree Township, leading to the displacement of around 700 villagers, who fled to the Thai-Myanmar border. This fighting took place in multiple villages in Maw Hkee village tract between the SAC military and the KNDO (and possibly KNLA) after the KNDO attacked an SAC police station on June 1<sup>st</sup>. On June 2<sup>nd</sup>, additional fighting broke out in Pa Lu Poe area between the BGF, SAC military and DKBA splinter group.<sup>85</sup> The villagers were unaware of the reason for the fighting.<sup>86</sup>

#### *v. Ceasefires*

Given the escalation in fighting, attacks and conflict-related human rights violations since the military takeover, the question has been raised as to whether the NCA is even still in effect. The SAC expressed from the outset its commitment to achieving “eternal peace” and honoring the NCA. Despite the creation of multiple peace-making committees on February 17<sup>th</sup>, the actions of the SAC military have shown little commitment to peace efforts. Due to the escalation in conflict, the SAC announced a ceasefire beginning April 1<sup>st</sup>, that was then extended twice through the end of June. As outlined in this report, shelling and other attacks by SAC forces seemed to increase in many areas precisely during these months of ceasefire. The SAC had initially stipulated that it would continue to respond to “actions that disrupt government security and administration”, thus authorising its own military offensives while insisting all other armed actors “keep the peace”.

As KHRG and others have pointed out in the past, the peace process that began in 2012 and that was further codified in 2015 with the signing of the NCA was already mired in problems and was proving ineffective. KHRG has reported fighting in Southeast Myanmar every single year, even since the signing of the NCA. Although fighting as well as human rights abuses had

<sup>84</sup> KHRG, “Dooplaya District Short Update: Skirmish between the Tatmadaw and the KNLA in Kaw T'Ree Township, February 2021”, March 2021.

<sup>85</sup> On January 16<sup>th</sup> 2016, this splinter faction of the DKBA established itself as the Democratic Karen Buddhist Army led by chief of staff General Saw Kyaw Thet, vice chief of staff General Saw Taing Shwe (aka Bo Bi) and commander Bo San Aung. Therefore, confusingly, there are now two groups using the acronym DKBA: the main ‘Benevolent’ DKBA (Democratic Karen Benevolent Army) and the splinter faction ‘Buddhist’ DKBA (Democratic Karen Buddhist Army). The new splinter ‘Buddhist’ DKBA should not be confused with the original Democratic Karen Buddhist Army, which existed from 1994-2010. The ‘Benevolent’ DKBA has signed the Nationwide Ceasefire Agreement but the new ‘Buddhist’ DKBA splinter faction has not. The latter are still actively engaged in armed clashes with the Tatmadaw in multiple areas in Karen State.

<sup>86</sup> KHRG, “Dooplaya District Interview: Recent fighting and displacement in Kaw T'Ree Township, June 2021”, July 2021; KHRG, “Dooplaya District Interview: Fighting between SAC troops and other armed groups resulted in villagers’ displacement, Kaw T'Ree Township, Dooplaya District, June 1<sup>st</sup> 2021”, July 2021.

decreased, the ongoing conflict and violence had led to many doubts about the possibility for peace. Shortly after the February 1<sup>st</sup> coup, the 10 signatories of the NCA released a statement (on February 20<sup>th</sup>) announcing that they would suspend negotiations with the SAC, but that they would “collaborate with all national and international actors, including the international community, to end military dictatorship and to seek a durable solution for the current political crisis”.<sup>87</sup>

Although a desire for peace was consistently mentioned in the interviews conducted since the coup, some rural villagers, protesters, and CDM members raised questions about whether negotiations with the SAC are even still possible, and whether peaceful means would be enough to restore democracy and a civilian government. A day labourer from Mu Traw expressed a lack of trust in the SAC, saying that he thinks that *“they will not be able to implement a peace process because no one would accept their [the SAC’s] peace process.”* One youth leader originally from Hpa-an District but living in Yangon stated that there was no more hope in moving forward with the peace process: *“Based on their [the SAC’s] current response towards ethnic civilians, it completely ruined the peace process and we should not have further discussions [peace talks] anymore. The only way is to fight them because they are untrustworthy.”*

As such, some interviewees spoke of an interest in taking up arms to be able to defend themselves, while others called upon the KNLA to better protect civilians. Many KHRG interviewees however said they still hope for a peaceful way forward. As one day labourer from Bilin Township, Doo Tha Htoo District stated: *“if you are working for peace, you have to work peacefully”*.

## B. Human rights violations and general insecurity

This section covers further issues of insecurity and a range of human rights violations, including killings, forced labour, arbitrary arrest, looting/confiscation and extortion, as well as problems of landmine contamination. Although many of the incidents of violence described in this section have also come up in previous reports since the ceasefire agreements, this increase in reports of general insecurity and acts of violence, particularly where civilians seem to be the direct and deliberate targets, points to a return to more systematic and state-authorised violence.

### *i. General insecurity in areas less impacted by conflict*

Areas that have faced less fighting and attacks have still been heavily affected by the overall climate of insecurity. Aside from witnessing the movement of troops and reinforcement of troops and supplies in their region, many villagers noted increased patrolling by armed soldiers. In Hpa-an District, where no fighting has taken place, one villager (farmer) noted that soldiers could be seen patrolling immediately after the coup. Whereas in the past, they did not carry weapons, they were suddenly patrolling with their guns. A day labourer from a mixed control area in Mu Traw District mentioned that the soldiers at checkpoints are now in full uniform, which had not been the case in the past. In Dooطلا District, one villager mentioned that there was patrolling on the road, but that the soldiers *“went [right] up to the local villagers’ huts. The local villagers were afraid and they did not even dare to go and extract the latex [from the rubber trees].”*<sup>88</sup> Such activities have led to fears of renewed fighting, as well as forced labour. And with the heavy media attention given to the airstrikes in Mu Traw and Kler Lwee Htoo districts, villagers in other areas have expressed fears of that happening to them as well. Ongoing

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<sup>87</sup> “NCA signatories suspend political negotiations with junta, says steering team”, *Burma News International*, February 2021.

<sup>88</sup> KHRG, “We Will Win this Fight”, forthcoming news bulletin.

surveillance and reconnaissance by fighter jets and drones also foster concerns of future attacks by SAC forces.

Another cause of concern for villagers in some areas has come from the emergence of various militia groups. For instance, KHRG received report of the re-emergence of the *pyithusit* in Ta Naw Th'Ree Township, Mergui-Tavoy District. The *pyithusit* refers to militias that were created by the Tatmadaw in the early 1960s under the Ne Win regime and were the forerunners of the Tatmadaw-supported community-based militias. Coordinated by the Tatmadaw, they were created as part of the regime's national defence strategy. One of their primary duties was to assist with village defence and serve as guides and informants.<sup>89</sup> According to a KHRG field researcher, since the coup, the SAC has been appointing new members who are former Tatmadaw soldiers. They are rotating between different areas within the village tract, and have been appointed specifically to monitor the activity of villagers and the local KNU.

There is also increasing concern among rural villagers of the presence of informants within their communities. One interviewee in Dooplaya District stated: *"We only dare to criticise the military coup secretly within our family because there are many junta spies that [report] people who criticise and disagree with the military government to the police."* A Shan protester who returned to her village after being arrested under Section 505 of the Penal Code stated that she is distrustful of other villagers now: *"To be honest, we have to be afraid of informants more than police officers in our area. The informants living nearby our villages celebrated after the police officers demolished our protest. That's what we heard after our release."* In areas under mixed control, and areas that are more politically diverse, this kind of concern may be even greater.

The increased movement of protesters and CDM participants seeking refuge in KNU-controlled areas may also be a source of suspicion for some villagers. With displacements and people fleeing to KNU areas, one villager stated that even though they are helping those who flee to their area, they still need to be concerned that others will inform on them to the SAC: *"We have to stay up to date with the situation and work carefully because there are people who will watch us and potentially inform the SAC. We have to be careful with that but otherwise there is no other problem."* Some of these concerns also emerged alongside rumours of prisoners being released by the SAC specifically to enact violence in the villages.

## *ii. Killings (and shooting of civilians)*

Overall, there has been an increase in SAC forces (and affiliated armed groups) directly firing at civilians, and an increase in what appears to be the deliberate killing of civilians, particularly in Mu Traw District. In many cases, SAC forces have used the recently imposed curfews as reasons to "shoot on sight". They have also made claims that they shot because they believed the person to be a KNLA soldier. In other cases, KHRG and villagers themselves were unable to determine the reason for the killing or shooting, making these attacks seem even more arbitrary.

In Mergui-Tavoy, a 17-year-old boy from Hv--- village, M'Noh Roh area, Ta Naw Th'Ree Township was killed on March 16<sup>th</sup> while walking along the road at 7:45 in the evening. The bullet hit his chest and he died immediately. The weapon was a MA-1 assault rifle, used commonly by the Tatmadaw. He was killed by a member of the *pyithusit* ("People's Militia") for "breaking curfew" even though curfew was set at 9:00 pm (by the *pyithusit* themselves). This marks the first of such killings in the area since the coup.<sup>90</sup>

<sup>89</sup> John BUCHANAN, *Militias in Myanmar*, The Asia Foundation, July 2016.

<sup>90</sup> KHRG, forthcoming raw data publication (21-175-S1).

KHRG has begun receiving reports of killing regarding civilians who help provide security in their community. On April 12<sup>th</sup> 2021 at 7:00 am, 34-year-old Saw Bd--- who lives in Hx--- village, Gg--- village tract, Dwe Lo Township, Mu Traw District was arrested and killed by SAC and BGF troops while he was going to his farm. It wasn't until he was arrested that SAC forces found that he was in possession of a grenade. He serves as a Hx--- village home guard, which is possibly why he was carrying a grenade at the time. After he was arrested, he was tortured and killed. Both SAC and BGF troops were involved in this killing. The family of the victim learned about the death from the BGF, who explained to the family that Saw Bd--- was killed because he was carrying a grenade.

The establishment of “home guards” (*gher der*) was a practice developed by villagers during past periods of military rule and conflict, primarily to monitor the movements of Tatmadaw troops and warn villagers so that they could hide or flee.<sup>91</sup> But in some cases, home guards collaborate with the KNLA (and KNDO). They may even be armed and have received training from the KNLA, particularly in areas of high conflict and insecurity. It is unclear whether that was the case of Saw Bd---.

In Mu Traw District, on the evening of April 29<sup>th</sup> 2021, SAC soldiers shot dead Saw Bg---, a 38-year-old villager from Ia--- village, Ma Htaw village tract, Dwe Lo Township while villagers were trying to flee their village because of fighting between the KNLA and SAC forces. He suffered from two bullet wounds, one to his head, and the other to his abdomen. He is survived by his wife and two daughters. Because villagers had to flee from their village, there has been no organisational or individual support for the family yet.

Killings and shootings that seem to be entirely arbitrary have also increased. On April 11<sup>th</sup> 2021, SAC soldiers shot dead a 42-year-old villager, Saw Be---, from Hy--- village, Hkay Hpoo village tract, Lu Thaw Township, Mu Traw District at Kaw Hteh Der area, Hkay Poo village tract while he was going to buy food. He was shot while crossing the road, and he was unarmed. On April 12<sup>th</sup> 2021, 30-year-old Saw Bf---, from Hz--- village, K'Ter Tee village tract, Dwe Lo Township, Mu Traw District was shot dead by SAC and BGF troops along Noh Hkay Road. He was riding to K'Ma Moh Town on his motorcycle to buy some goods for his family. On April 29<sup>th</sup> at 12:05 pm, SAC troops fired eight shots at a villager on motorbike in his home village in Meh Klaw village tract, Bu Tho Township. That same day, at 2:00 pm, SAC soldiers shot at Saw Bj---, 42 years old, of Kj---, while he was at his cattle shed in Way Hsan field. Neither was injured, but these incidents left local villagers in Meh Klaw village tract concerned for their safety.

On May 28<sup>th</sup> 2021 in Ie--- village, Jn--- village tract, Moo Township, Kler Lwee Htoo District, two villagers were shot at by SAC soldiers while sitting in the hut on their farm. They were waiting to pick durian when the soldiers fired at them, injuring at least one of them. The other victim was not found, and local villagers believe that he was either killed or taken away. The one who was injured, although brought to the hospital for treatment by the father of the other victim, was later taken from the hospital by SAC soldiers under the pretext of providing further treatment, yet he has not been heard from since that time.<sup>92</sup>

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<sup>91</sup> ‘Home guard’ or *gher der* groups have been organised locally in parts of northern Karen State to address Tatmadaw operations targeting civilians and the resulting acute food insecurity. Villagers interviewed by KHRG have reported that *gher der* were established with the objective of providing security for communities of civilians in hiding, particularly when those communities engage in food production or procurement activities, and when other modes of protection are unavailable. For more on the *gher der* see: KHRG, “Self-protection under strain: Targeting of civilians and local responses in northern Karen State”, August 2010.

<sup>92</sup> KHRG, “Kler Lwee Htoo District Incident Report: One villager injured, another one missing after being shot at by the Tatmadaw in Moo Township, May 2021”, June 2021.

In Dooplaya District, the ten household head (also a local traditional healer) from If--- village, If--- village tract, Kyone Doe Township was shot at his home on April 23<sup>rd</sup> 2021, at about 8:30 pm. Responding to a knock at his door, six rounds of bullets were fired at him, and he died as a result of a bullet to the chest. The SAC police officers at Chaung Na Kwa Police Station claimed the bullets were not theirs, thus the case remains unresolved, and no further investigation has been made by either the Karen National Police Force (KNPF)<sup>93</sup> or SAC police.<sup>94</sup>

Villagers in multiple districts reported that people on motorcycle are particularly vulnerable to attack. One villager from Ler Doh Soh Township, Mergui-Tavoy District stated that people in her area no longer travel by motorbike, only by car, because motorcyclists have been shot. In recalling one incident involving a local villager, she said: *“He was shot to death on the way back, just outside of town. [...] They [SAC soldiers] claimed that this person did not hear them calling. They called him to stop when he was driving but that person did not hear, so he just continued driving. Then the Tatmadaw soldiers shot him.”* In trying to understand the reason for the shooting, she added: *“The villager was wearing camouflage pants that day. The Tatmadaw soldiers might have thought he was a KNLA soldier. [But] he had done nothing wrong.”*

A local leader from T’Hka Kloh village tract, Noh T’Kaw Township, Dooplaya District stated that travel by both motorbike and car has become dangerous: *“For example when you go by car or motorbike, and the Tatmadaw shoot at you, you can’t do anything. There is no security [safety] anymore. There have been situations where they didn’t check you first but shot you directly.”* This has made villagers particularly concerned about traveling, especially at night for medical emergencies.

### *iii. Forced labour*

KHRG has received several reports of forced labour since the coup, possibly indicating a more widespread return to this form of human rights violation. Since the 2012 preliminary ceasefire there has been a reduction in reported cases of forced labour. Under the preliminary ceasefire agreements and the 2015 NCA, both the Tatmadaw and EAOs committed to an end to forced labour of civilians, as well as arbitrary taxation and extortion.<sup>95</sup> As KHRG previously reported, prior to that, forced labour and portering had been commonly used by the Tatmadaw (as well as most other armed groups operating in Southeast Myanmar) as strategies of oppression and/or military strengthening.<sup>96</sup> Following peace negotiations, forced labour did not stop entirely, but had been more prevalent among the BGF, Tatmadaw and DKBA (splinter), and in particular rogue commanders exerting their power over local villagers. Forced labour also took on different forms, often framed as “voluntary labour” by the Tatmadaw, who often also made false promises of reimbursement. Villagers also reported that they feared refusing these requests due to an ingrained fear of retaliation and abuse by the Tatmadaw.

KHRG researchers have thus far reported incidents of forced labour only by SAC troops and the BGF since the coup. Many interviewees explicitly cited fears of forced labour and portering immediately upon hearing news of the coup, knowing that soldiers from any of the armed groups are likely to make demands on the local villagers as military activity increases. Since the escalation of fighting and attacks, men in many villages have already either gone into hiding,

<sup>93</sup> The Karen National Police Force is the law enforcement agency of the Karen National Union. It was established in 1991.

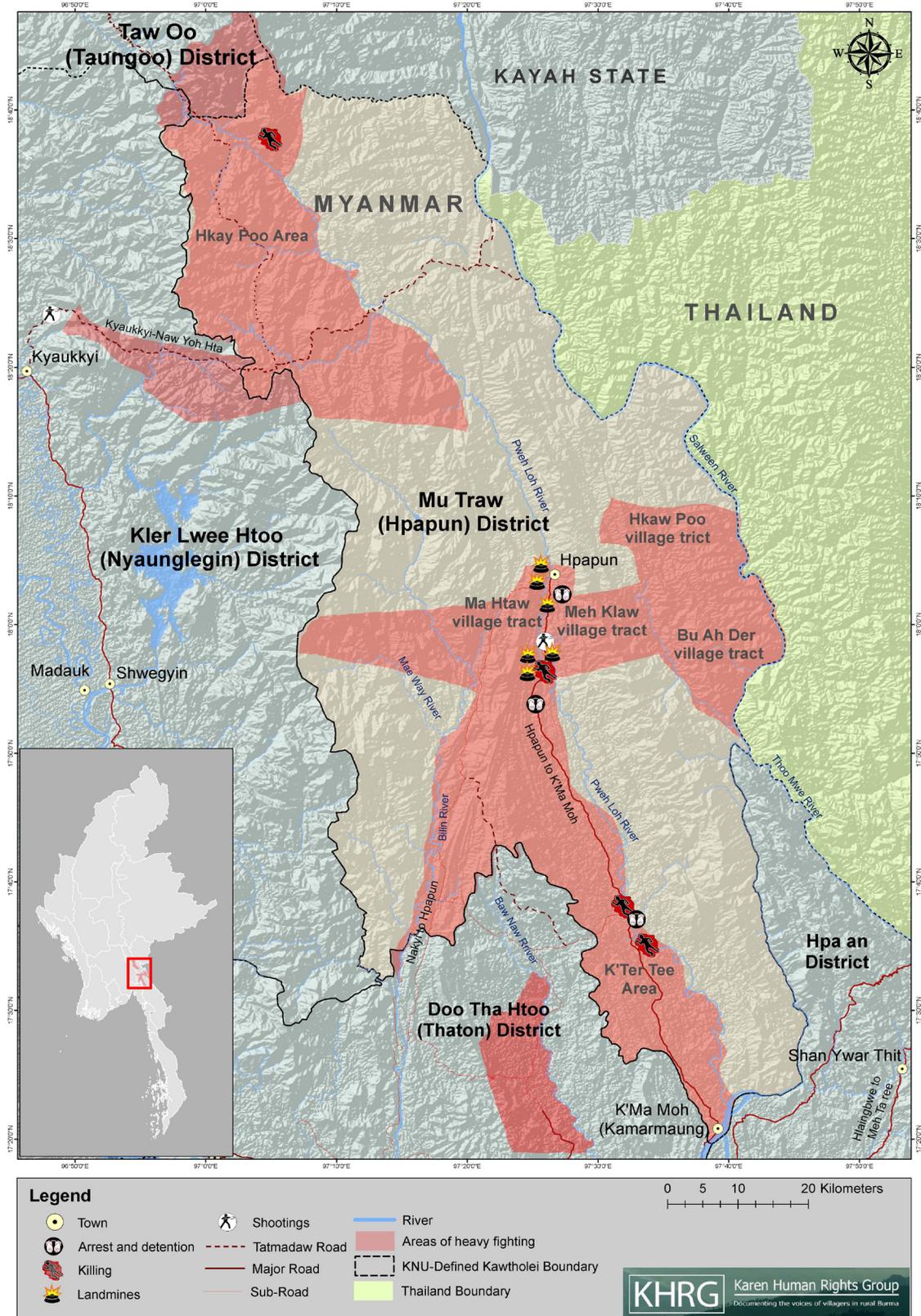
<sup>94</sup> KHRG, forthcoming raw data publication (21-195-S1).

<sup>95</sup> Karen National Union, “Statement on Initial Agreement between KNU and Burmese Government, January 13<sup>th</sup> 2012”, January 2012.

<sup>96</sup> KHRG, “Foundation of fear: 25 years of villagers’ voices from southeast Myanmar”, October 2017.

# Map 3: Human rights violations

**Map 3: Human rights violations and abuses in Mu Traw District**



or no longer sleep in their homes at night, since they are typically the primary targets of forced labour demands.

On March 30<sup>th</sup> 2021, SAC Captain San Myo Htaik Aung from Strategic Operations Command (SOC) #2 announced that he would summon one representative from each household in Ig--- village, Lut Shar village tract, Waw Ray Township, Doolaya District to clear brush, carry trash, and do clean-up. He threatened that if the villagers didn't come, each household would be required to pay 3,000 kyats [USD 1.66]. As a result, they all went.

Reported to KHRG on April 22<sup>nd</sup>, SAC and BGF troops from SOC #8 and BGF #1013 (under Maung Hla Kyaing) demanded 25 porters from three villages (lh---, lj---, lk---) in Dwe Lo Township, Mu Traw District. Local villagers were afraid to carry items for the soldiers so they asked the village heads to collect money. Between the three villages, they collected 1,250,000 kyats [USD 693.29]. It is common for armed groups to demand "replacement fees" or "porter fees" in the event that some villagers are unable to be used as forced labour, or the required number of labourers is not able to be met by a particular village. Villagers have thus adopted strategies of offering payments themselves in order to avoid being taken by force. The abuse villagers are subjected to typically goes beyond the labour itself, and can include beating and torture, rape, the deprivation of food and water, and more prolonged enslavement, which is why fears of forced labour come up so frequently in villager testimonies. Saferworld and KPSN also found that it was more common than any other form of abuse, affecting 80% of all households in a randomised survey across the whole ceasefire area.<sup>97</sup>

According to a KHRG field researcher, although the local villagers of lh---, lj--- and lk--- were able to provide enough as a replacement fee in order to avoid forced portering, doing so has created even further financial hardship for them. KHRG has previously highlighted that these forms of extortion often continue, making it such that villagers fall into debt or have no further choice but to accept forced labour, and may also be subjected to additional abuse at the hands of soldiers.<sup>98</sup>

KHRG received another report on April 22<sup>nd</sup> that five villagers from ll--- village were arrested and ordered to be navigators for BGF troops under Bo<sup>99</sup> Chit Thu (Battalion #1012) and Bo Maung Chit (Battalion #1014) while marching to lm--- village, Meh Pree village tract, Bu Tho Township. According to our researcher, the soldiers did not actually need navigation help; instead they used the villagers as human shields to prevent attack by the KNLA.

Forced labour by BGF battalions under Bo Maung Chit had already been taking place prior to the coup. KHRG reported earlier in 2020 that the BGF in Mu Traw District made around 150 villagers work on the construction of a new camp site for them. Although villagers had reported the issue to local KNU authorities, no actions were taken. Because villagers are afraid of the BGF, they did not take these complaints any further.<sup>100</sup>

<sup>97</sup> Saferworld, *Security, justice and governance in south east Myanmar: A knowledge, attitudes and practices survey in Karen ceasefire areas*, January 2019.

<sup>98</sup> KHRG, "Foundation of fear: 25 years of villagers' voices from southeast Myanmar", October 2017.

<sup>99</sup> Bo is a Burmese title meaning 'officer.'

<sup>100</sup> KHRG, "Mu Traw District Short Update: Villagers subjected to forced labour by the Border Guard Force in Bu Tho Township, October 2020", November 2020.

In May 2021, the BGF [battalion unknown] ordered Hf--- villagers in Hpa-an Township, Doo Tha Htoo District to be navigators for them and carry ammunition and other military supplies as porters.<sup>101</sup>

During this reporting period, KHRG did not receive reports of torture and violent abuse that commonly accompany reports of forced labour, however, recently received reports point to the emergence of such issues.

#### *iv. Looting, confiscation and extortion*

Looting, confiscation and extortion were extremely prevalent during past periods of conflict, and were often tied to the Tatmadaw's wider "four cuts" strategy.<sup>102</sup> First adopted in the 1960s as a counter-insurgency strategy, through its "four cuts" approach, the Tatmadaw attempted to defeat armed ethnic groups by denying them access to food, funds, recruits, and information from the civilian population. It was heavily used in Karen State where the Tatmadaw targeted every person and village that was believed to have ties with the KNU. From the 1960s through the 2012 preliminary ceasefire agreements, the Tatmadaw engaged in the burning of villages and farms/plantations and cut off supplies, including food, medicine and money. Considering all property and food in Karen areas as potential "rebel supplies", it also engaged in widespread looting and confiscation of villagers' property and goods.<sup>103</sup>

Although looting, confiscation, extortion and property damage have continued since the early peace agreements, the rise in reports of such activity over the past six months is particularly disturbing.

On March 23<sup>rd</sup> in Mu Traw District, SAC soldiers based at Htee Htaw Peh set fires along the way while sending more rations to their army camp at Khaw Daw Hkoh. 20 fields owned by villagers were burned between T'Kyay Hta River and Khaw Daw Hkoh army camp.

Multiple instances of looting have also taken place in Mu Traw District since the coup. In most cases the soldiers have taken food and livestock. On April 16<sup>th</sup>, however, SAC soldiers who were providing security for road construction entered the houses of villagers from Ic--- village, Dwe Lo Township and stole their property. Aside from taking food items and other personal items, the soldiers stole a solar panel, a water turbine, a truck, a tree cutter machine, petrol, and money. Similarly, on April 24<sup>th</sup>, SAC soldiers went to lo--- village and took 300,000 kyats [USD 166.40] worth of villagers' property, including solar panels, batteries, tarpaulins, knives, food, and livestock (1 pig). They also destroyed the goods of a Karen shirt seller. On April 27<sup>th</sup> 2021, goods (worth around 400,000 kyats [USD 221.85]) were stolen from a shop owned by 50-year-old Naw Bh--- by SAC troops in Ib--- village, Ma Htaw village tract, Dwe Lo Township. On May 1<sup>st</sup>, SAC troops from Hpapun came to Ge--- village, Bu Tho Township and, along with BGF troops, stole property worth 500,000 kyats [USD 277.32] from a local villager.

Looting also commonly takes place during skirmishes, often after villagers have been forced to flee. On June 21<sup>st</sup> in Ip--- village, T'Kaw Boe village tract, Hpa-an Township, Doo Tha Htoo

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<sup>101</sup> KHRG, "Doo Tha Htoo District Situation Update: Fighting between the BGF and KNLA, and pressure to close KECD schools (April to June 2021)", November 2021.

<sup>102</sup> In Burma/Myanmar, the scorched earth policy of 'pyat lay pyat', literally 'cut the four cuts', was a counter-insurgency strategy employed by the Tatmadaw as early as the 1950s, and officially adopted in the mid-1960s, See Martin SMITH. *Burma: Insurgency and the Politics of Ethnicity*, New York: St. Martin's Press, 1999, pp. 258-262.

<sup>103</sup> KHRG, "Foundation of fear: 25 years of villagers' voices from southeast Myanmar", October 2017.

District, SAC and BGF soldiers engaged in looting of villagers' homes following a skirmish with the KNLA. In particular, precious jewelry that a couple was saving as family heirlooms to pass on to their children was stolen. The couple could not report the case to any court, including the KNU justice system, due to the lack of rule of law under the current military coup.<sup>104</sup>

There have been increasing reports of motorbike confiscation. On April 6<sup>th</sup> 2021, the motorbikes of two villagers were confiscated after the two villagers were accused of detonating a roadside bomb that had exploded during the passage of an SAC military truck travelling between Iq--- and Ir--- villages, Hsaw Htee Township, Kler Lwee Htoo District. They were treated as suspects because they were sitting nearby on their motorbikes. The fact that the two villagers were not arrested despite being suspected of involvement in the attack suggests that the soldiers were only interested in stealing the motorbikes.<sup>105</sup>

According to a local farmer in government-controlled K'Ta Kloh area, Ta Naw Th'Ree Township, Mergui-Tavoy District, the navy has been arresting motorcycle drivers without licenses. They confiscate the motorcycles, and force people to pay to get them back. Most villagers however are afraid to do so. Villagers have noted that they only seem to check the people who have nice motorcycles. It can cost 100,000 [USD 55.46] to 300,000 kyats [USD 166.40] to get the bike back. Asked what they do with the motorcycles, the farmer replied: *"I don't know. They [SAC] have seized power so they are the kings now. They would use them or sell them. However, we are not sure."*

With the SAC's increased controls on telecommunications, it has also been actively confiscating electronics. On April 10<sup>th</sup> 2021, SAC soldiers and police based in Hpapun Town investigated the property of local grocers and other shops in town. They recorded any shops that sell solar panels, batteries, electric wires and TV satellite dishes, claiming that these items are illegal to sell. They then checked the store owners' phones and recorded their names and ID numbers before handing back their phones. The next day, they contacted the store owners and required them to send all of their batteries, solar panels and electric wires to Hpapun Operations Command.

Aside from contributing to the livelihood problems of villagers, looting, confiscation, extortion, and property damage constitute a form of terror since they are typically used as threats and displays of power, or are undertaken in combination with other forms of violence, like armed attacks and displacement.



This photo was taken on April 25<sup>th</sup> 2021 in Ce--- village, Ce--- village tract, Thandaunggyi Township, Toungoo District. When SAC LIB #730 took security for the road, SAC soldiers entered villagers' houses and asked them for food. Villagers complied out of fear that the soldiers would do something bad to them. [Photo: KHRG]

The Fourth Geneva Convention of 1949 explicitly prohibits the looting of civilian property during armed conflict. Although the Geneva Convention applies only to international armed conflict, commitment to this principle has also been made at the national level. Looting and "confiscation" are also clear violations of sections 9(d) and 9(g) of the Nationwide Ceasefire Agreement (NCA),

<sup>104</sup> KHRG, "Doo Tha Htoo Short Update: Looting by BGF and SAC soldiers, June 21<sup>st</sup> 2021", July 2021.

<sup>105</sup> KHRG, "Kler Lwee Htoo District Short Update: Tatmadaw soldiers confiscate two motorbikes and threaten local villagers in Hsaw Htee Township, April 2021", April 2021.

which prevents signatories from engaging in “forcibly taking money, property, food, labour or services from civilians” and “looting, theft, or the taking of property without permission”.<sup>106</sup>

*v. Arbitrary taxation and checkpoint controls*

Various forms of arbitrary taxation have taken place throughout Southeast Myanmar on a regular basis even prior to the coup. Although limits to arbitrary taxation are not well defined in international human rights law, depending on the nature of the taxation, it could be considered a form of extortion. Taxation is normally associated with the delivery of essential public goods and services, and the protection of rights. When armed actors levy taxes for military purposes so as to strengthen their own resources as they launch attacks and engage in fighting that negatively impact those being taxed, it serves as part of a larger compound of abuses against civilians.

In June 2021, a KHRG researcher reported that the BGF in Doo Tha Htoo District has been allowing villagers to transport rice from other areas, but they have also set up checkpoints and conduct arbitrary taxation so every civilian truck or car has to pay money to them without exception.<sup>107</sup> Since COVID-19, continued access to rice has been critical since in some areas villagers do not grow their own rice and rely on travel to town to meet their needs. Imposing this kind of tax not only adds to the financial hardship of villagers but clearly capitalises on their already vulnerable situation.

BGF Battalion #1014 has also been setting up checkpoints along the Pweh Loh Kloh river bank. They require the motor boats travelling along the river to pay 2,000 kyats [USD 1.11] for each passage, even if they have a travel recommendation letter. If they do not have a recommendation letter, they are required to obtain one from the BGF army base at the price of 50,000 kyats [USD 27.73] for large boats and 30,000 kyats [USD 16.64] for smaller boats.<sup>108</sup>

KHRG has reported in the past that military checkpoints have commonly been sites of abuse and threat. Although arbitrary taxation and extortion have been the most common problems, villagers have also been subjected to arbitrary searches, arrests, as well as torture.<sup>109</sup> Since the coup, there has been renewed insecurity and threats to freedom of movement for villagers. The military has been checking travelers and making arrests, which has increased fear surrounding travel. One villager from Cy--- village, Ler Doh Soh Township, Mergui-Tavoy District reported that they have had to “*hide [their] money because they [SAC soldiers] check [their] bags at the checkpoints.*” Another interviewee (a police officer) from Mergui-Tavoy stated that soldiers working checkpoints have been confiscating food from people who are traveling, and arresting them if they find “*any evidence related to the civilian resistance against the military coup.*” As a result of this policing of travel, one villager stated, “*their inhumanity makes us afraid, and we do not feel safe to travel. And we have to be are scared a little bit that they might do something bad to us.*”

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<sup>106</sup> *The National Ceasefire Agreement between the Government of the Republic of the Union of Myanmar and the Ethnic Armed Organizations*, October 2015.

<sup>107</sup> KHRG, “Doo Tha Htoo District Situation Update: Fighting between the BGF and KNLA, and pressure to close KECD schools (April to June 2021)”, November 2021.

<sup>108</sup> KHRG, “Mu Traw District Situation Update: Landmine contamination, indiscriminate shelling, arbitrary taxation, movement of troops, and livelihood, education and healthcare situation, May to June 2021”, September 2021.

<sup>109</sup> KHRG, “Foundation of fear: 25 years of villagers’ voices from southeast Myanmar”, October 2017.

Phone inspections by SAC soldiers at checkpoints have also become more common. A villager from Ec--- village, Kaw T'Ree Township, Dooplaya District reported that SAC soldiers at military checkpoints were checking the “*passengers’ phones, cars and motorbikes*”. Surprise checks of phones were also reported at checkpoints near Seikkyi Town, Dooplaya District.<sup>110</sup> Villagers have reported that soldiers check their messages and search history to see if there is anything related to the protests or CDM. The SAC is using its legislative reforms to privacy laws to monitor civilian activity and engage in a new form of electronic looting. An interviewee from Bokpyin Town, Ta Naw Th'Ree Township, Mergui-Tavoy District also reported: “*When they [the military] find a picture about anti-military coup on a person’s motorbike or phone they destroy the phone and motorbike.*” Villagers have thus taken to regularly deleting everything on their phones.

#### vi. Landmines

Despite ongoing calls on the Myanmar government and all ethnic armed groups to halt the use of landmines and to accede to the Mine Ban Treaty, the planting of new landmines continues to take place. KHRG has received an increasing number of reports about landmine accidents since the military coup. Although some reports concerned landmines that had been planted prior to the coup, several reports indicate the planting of new landmines, particularly in Mu Traw District. The effects of such activity are also already visible.

In Bu Tho Township, Mu Traw District, KHRG received reports that SAC troops based in Hpapun were planting landmines while they marched through civilian areas in April. As a result, villagers’ livestock (pigs and buffaloes) have died in landmine explosions.<sup>111</sup> Villagers have also been afraid to look for their livestock because of the landmines and indiscriminate shelling in their areas.

The KNLA has engaged in the clearing of some landmines, however, recent reports from the field show that the clearing process has not been sufficient to protect villagers. Despite clearing landmines along the road between K'Ma Moh and Hpapun on June 19<sup>th</sup> 2021,<sup>112</sup> multiple landmine incidents have taken place. On July 16<sup>th</sup> 2021, a 46-year-old villager from Is--- village, Meh Klaw village tract, Bu Tho Township ran over a tripwire which detonated a landmine. He sustained injuries to his chest. Unable to get him to a hospital, the other villagers brought him to his home, where he died immediately. That same day, two villagers from It--- village, Meh Klaw village tract, Bu Tho Township drove over a tripwire which detonated a landmine while riding on their motorcycle to Is--- village. Their injuries were minor, and they did not require medical treatment as the speed at which they were riding protected them from most of the shrapnel.<sup>113</sup>

On June 29<sup>th</sup> 2021 in Dwe Lo Township, a 10-year-old boy from lu--- village, Ma Htaw village tract, stepped on a tripwire which detonated a landmine at a place between Kk--- and la--- villages. As a result of the explosion, he sustained injuries to his head, chin and belly.<sup>114</sup> There have been several other reports of landmine injuries in Mu Traw since the coup.

<sup>110</sup> KHRG, “Dooplaya District Situation Update: Civil Disobedience Movement, military activity and anti-coup protests, March 2021”, June 2021.

<sup>111</sup> KHRG, forthcoming raw data publication (21-141-S1).

<sup>112</sup> KHRG, “Mu Traw District Situation Update: Landmine contamination, indiscriminate shelling, arbitrary taxation, movement of troops, and livelihood, education and healthcare situation, May to June 2021”, September 2021.

<sup>113</sup> KHRG, “Mu Traw District Incident Report: One villager died and another two villagers were injured due to landmine explosions along a road in Bu Tho Township, Mu Traw District, July 2021”, September 2021.

<sup>114</sup> KHRG, “Mu Traw District Incident Report: A 10-year-old boy was injured after stepping on a tripwire that detonated a landmine in Dwe Lo Township, Mu Traw District, June 2021”, September 2021.

Although landmine awareness training has been increasingly made available to villagers, in many cases the training remains insufficient. For instance, the family member of a recent landmine victim in Dwe Lo Township stated that although awareness training had been provided to villagers, it took the form of offering pamphlets for the villagers to read. Furthermore, in many cases, the landmine contaminated areas are not clearly marked, or are difficult to identify. In the recent accidents in Is--- village, Meh Klaw village tract, Bu Tho Township, villagers also noted that the landmine tripwires were so small that they were difficult to spot by those passing by.



This photo was taken on March 1<sup>st</sup> 2021 in Kt--- village, Kheh Kah Hkoh village tract, Ler Doh Township, Kler Lwee Htoo District. It shows the body of one of two victims who died in a landmine explosion on March 1<sup>st</sup> 2021. [Photo: Local villager]

Both the SAC and the KNLA have engaged in the planting of new landmines since the coup. The KNLA has been planting landmines near the army camps of SAC troops in Bu Tho Township, Mu Traw District, claiming that the landmines are to protect both themselves and villagers. Although they sometimes inform villagers not to go to the areas where they have planted landmines, this does not happen systematically.<sup>115</sup> Moreover, such warnings are insufficient as a solution. KHRG previously reported that when the landmines are planted in areas that villagers need to access for their livelihoods, the warnings about landmine contamination do not deter them.<sup>116</sup> The only real solution is the complete end to the use of landmines.

### *vii. Arbitrary and unlawful arrest*

KHRG researchers have reported an increase in arbitrary and unlawful arrests and abuse. As mentioned in previous sections of this report, there have been widespread arrests in relation to the anti-coup/pro-democracy protests and participation in the CDM. Villagers in rural areas have heard about these arrests through the news and social media, but in some areas have also witnessed security forces coming to their area in search of protesters, CDM participants and NLD members.

A plantation worker in Cg--- village, Toungoo Township, Bago Region who had been providing support to those who sought refuge in his area found himself at risk of arrest and has had to flee to the jungle. *“After the coup, some CDM staff, protesters and NLD members came to seek refuge in a place which is near Jw--- village, Jw--- village tract because they had concerns about their security while they stayed in their homes. We accepted them and gave them shelter in our place because we felt a duty to give them humanitarian support. [...] When we transported foods for these people, I think they [SAC] began to notice what we were doing. And then we heard the that they came to arrest one of our people, Saw Jx--- who transported the foods, and*

<sup>115</sup> KHRG, forthcoming raw data publication (21-141-S1).

<sup>116</sup> KHRG, “Mu Traw District Incident Report: Two villagers were seriously injured as a result of landmine explosions in Dwe Lo Township, Mu Traw District, June 2021”, July 2021. Villagers sometimes attempt to remove the landmines themselves since they would otherwise have no access to their fields. See KHRG, “Stepping into Uncertainty: Refugee and IDP experiences of return in Southeast Myanmar,” September 2020; KHRG, “Uncertain Ground: Landmines in eastern Burma”, May 2012.

*Jw---, the village head, at around 7:00 or 8:00 pm on June 5<sup>th</sup> 2021. Since we heard about this, we have been worried. Therefore, we moved those people we were sheltering to another place.”* His father’s house was raided by the SAC, but he had already escaped. *“Because no one was there, they broke the door. I was not there, but a woman from there told me they broke the door and messed up all the things inside. They took the motorbike, refrigerator and rice from the house and put it all in their car. Then they set up a guard. I am not sure where they took the rice, but they took it away using an SAC truck.”*

Although unconfirmed, he heard that Saw Jx--- was being held at Toungoo Police Station No. 1, and that he was put in a dark room with a mask over his head, and then was taken away by truck and is being held at one of the SAC military bases. All of the villagers close by are now also hiding. *“One person named Maung Jy--- is monitoring from a distance. Right now, no one dares to go inside the house. [...] We are not sure what they have done inside of the house. We are afraid they might have planted landmines inside the house. We are also afraid they will monitor the area from a distance and arrest people who go inside the house. The villagers are living in danger. No one yet has dared to go inside the house.”*

KHRG has also received a few reports of arbitrary or unlawful arrest and abuse that seem to be less directly tied to the protests and CDM. On April 13<sup>th</sup> 2021, SAC soldiers went to Iv--- village, Gb--- village tract, Bu Tho Township, Mu Traw District and arrested three villagers, including a father and his 17-year-old daughter because of photos of the KNLA found on her phone and a landmine manual found in their house. SAC forces brought them to their army camp but released only the father later that day. SAC forces sent the daughter to Tactical Operations Command for further questioning and then to another army camp, holding her for two days before releasing her. The other person arrested was a 20-year-old man who was accused by the SAC military of being a KNLA soldier because of the tattoos on his body.

On April 29<sup>th</sup> 2021, SAC troops arbitrarily apprehended a villager named Saw Bi---, 35 years old, from Ic--- village, Ma Htaw village tract, Dwe Lo Township, Mu Traw District, stating that they arrested him because he has been communicating with the KNU on his phone.

### C. Displacements and humanitarian crisis

It is extremely difficult to estimate the total number of displacements due to conflict since the February 1<sup>st</sup> military coup. UNHCR, which is working on relief operations, estimated 47,700 in Kayin State, and another 1,100 in Mon State.<sup>117</sup> The figures are likely much higher given the poor access to IDP sites and displacement information in many areas, and the variable nature of displacements, which can be recurring or extended, and can vary from several days to several months or longer. The largest displacements resulted from the March and April airstrikes in Mu Traw and Kler Lwee Htoo districts. Thousands of villagers headed for the Thai-Myanmar border, but were pushed back by Thai authorities. Around 2,000 from the first group who fled at the end of March managed to stay on the Thai side of the Salween River by installing themselves along the river banks. Those who were unable to cross over or were pushed back had to find temporary shelter in the jungle and in caves on the Myanmar side. IDPs who fled to other villages have in many cases been forced to flee again as conflict and attacks have become more widespread.

Many villagers, particularly those who had to flee as a result of the airstrikes, were unable to bring any food or supplies with them. Although the jungle and caves provide some protection from further armed attack, they provide little protection from environmental elements. Shelter

<sup>117</sup> United Nations Office for the Coordination of Humanitarian Affairs (OCHA), *Myanmar: Humanitarian Update No. 9*, July 2021.

options were also difficult for those who fled across the border into Thailand. Thai law prohibits them from cutting down bamboo to build shelter for themselves, leaving them exposed to high heat during the day, cold nights, and heavy rain. Furthermore, they did not have access to clean water and were consuming untreated water from the Salween River. Moreover, villagers were unable to build or access sanitation facilities.



This photo was taken on April 28<sup>th</sup> 2021 in Kw--- village tract, Bu Tho Township, Mu Traw District. It shows villagers, including children, who were displaced and hiding in a cave to protect themselves from the SAC military fighter jets that dropped bombs on the area on April 27<sup>th</sup> 2021. [Photo: KHRG].



This photo was taken on April 11<sup>th</sup> 2021 on the Thai side of the Salween River. The villager in the photo is one of the IDPs hiding in the forest. This old man is over 100 years old, and is ill. He is covered by a dirty blanket and lying on a thin mat. No one was able to take care of him as his wife was also very old. A few weeks later, he passed away. [Photo: KHRG]

The elderly, infants, and pregnant women were among those displaced by the airstrikes. KHRG found that several pregnant women went into labour in the days following the March airstrikes, having to give birth while fleeing. They spoke of having no blankets or clothes in which to wrap their newborn. Others gave birth in the days preceding the airstrikes and thus had to flee in an extremely fragile state. KHRG staff also encountered older villagers, some over 100 years old and already suffering from poor health. The conditions of displacement have only further weakened their health. One older woman that KHRG encountered could no longer walk. She had already been hiding in a cave for 11 days.

Aid organisations have also struggled to access these sites. It was reported that the Thai National Security Council had not only instructed the army to block the entry of refugees, it also forbade non-governmental organisations and UN agencies access to and communication with those affected.<sup>118</sup> The Thai government cited security and public health (COVID-19) reasons and has denied allegations of refoulement. Although Thailand has not ratified the 1951 UN Refugee Convention nor its 1967 Protocol, the principle of non-refoulement is part of customary international law and is therefore binding on all states. Under this principle, all countries are obligated to protect people from being returned to where they face danger or persecution, including through informal returns. Furthermore, UNHCR's *Key Legal Considerations on Access to Territory for Persons in Need of International Protection in the Context of the COVID-19 Response* provides that "[d]enial of access to territory without safeguards to protect against refoulement cannot be justified on the grounds of any health risk."<sup>119</sup> According to the Executive

<sup>118</sup> Ruji AUETHAVORNPIPAT, "Thailand's weak reaction to the Myanmar coup", *East Asia Forum*, April 2021.

<sup>119</sup> United Nations High Commissioner for Refugees (UNHCR), *Key Legal Considerations on access to territory for persons in need of international protection in the context of the COVID-19 response*, March 2020.

Director of Fortify Rights, “[e]nsuring protections for refugees is first and foremost a humanitarian issue that demands an appropriate response from the Thai authorities to prevent the loss of life. [...] Public health concerns due to the COVID-19 pandemic and national security can be addressed and managed through proper screening mechanisms. Rather than restrict and sideline U.N. and humanitarian organisations who are ready to assist, Thai authorities should draw on their technical expertise and resources to facilitate a coordinated response.”<sup>120</sup>

According to various reports received by KHRG, most of those who crossed into Thailand following the airstrikes have now returned to Myanmar, but still face displacement. However, the escalation of conflict elsewhere is pushing other groups to seek refuge in Thailand. The fighting that broke out in Kaw T’Ree Township, Dooplaya District on June 1<sup>st</sup> and 2<sup>nd</sup> 2021 forced around 700 villagers to flee their homes, of which around 500 fled to Thailand. Again, the IDPs told KHRG researchers that they were not allowed into the villages on the Thai side, on the grounds of COVID-19 health concerns. Many were forced to stay along the river banks. For the KI--- villagers who fled to Jz---, Thai authorities allowed them to stay in the outskirts of the village, in pasture areas, and some support was offered by local residents.<sup>121</sup>



This photo was taken on June 7<sup>th</sup> 2021 in Kv--- area, Kaw T’Ree Township, Dooplaya District. It shows IDPs from Ku--- village receiving support from other villagers. [Photo: KHRG]



This photo was taken on June 2<sup>nd</sup> 2021 in Ha--- area, Kaw T’Ree Township, Dooplaya District. Ha--- villagers, including children, are fleeing toward Thailand for refuge due to the fighting occurring near their village. [Photo: Local villager]

There have also been displacements within Kler Lwee Htoo District due to fighting and shelling. 223 villagers from T’Kaw Der village, Kheh Der village tract, Ler Doh Township were displaced in mid-May. There are multiple local IDP sites but KHRG’s researcher could not determine the total number of IDPs. Due to heavy rains, there had been flooding in the village for three days at the time of reporting. No organisations were able to access them in order to provide humanitarian support.

Thousands more have been displaced due to fighting and shelling since the coup. One of the biggest problems continues to be access to aid. Due to both COVID-19 and increased insecurity following the coup, many international stakeholders are no longer operating on the ground in some areas. Even attempts by local stakeholders to provide support to IDPs have met with opposition. On Sunday, April 17<sup>th</sup> 2021, SAC soldiers based at Meh Hkah Hta army camp by

<sup>120</sup> Fortify Rights, “Thailand: Prevent Pushbacks, Establish Protection Mechanisms for Refugees”, May 2021.

<sup>121</sup> KHRG, “Dooplaya District Interview: Fighting between SAC troops and other armed groups resulted in villagers’ displacement, Kaw T’Ree Township, Dooplaya District, June 1<sup>st</sup> 2021”, July 2021.

the Salween River, shot five boats transporting supplies. Local boat drivers are now afraid to operate. One boat driver interviewed by KIC stated: “We will be shot dead so no boats dare to run. We dare not go to send rations for the IDPs. The supplies are accumulating on the Thai side. The boats from the Thai side do not go to the Myanmar side because they are afraid they will be shot by SAC soldiers.”<sup>122</sup> OCHA has also stated that “military checkpoints and insecurity are disrupting and delaying humanitarian programming, while further limiting the types of aid that partners are able to transport. In the Southeast, the critical needs of the displaced populations, including food, WASH and healthcare, are increasing and remain mostly unaddressed, due to the constraints on the movements of staff and humanitarian goods.”<sup>123</sup>

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<sup>122</sup> “သံလွင်မြစ်အတွင်း သွားလာသည့် လှေများကို စစ်ကောင်စီတပ် ပစ်ခတ်မှုကြောင့် စက်လှေများ ရပ်နားထားရ” *Karen Information Center*, April, 2021.

<sup>123</sup> United Nations Office for the Coordination of Humanitarian Affairs (OCHA), *Myanmar: Humanitarian Update No. 9*, July 2021.

## Chapter 4: COVID-19 since the coup

KHRG previously published a report on the COVID-19 situation in rural ethnic areas of Southeast Myanmar, highlighting the weaknesses in testing, resources and support.<sup>124</sup> At that time, KHRG expressed concern about how the situation might rapidly deteriorate after the coup due to the decline in testing, the collapse of the medical infrastructure, and the increased circulation of the population to attend protests. The lack of testing and reporting by the Ministry of Health and Sports (MoHS) has not been able to conceal the fact that, as of early July, COVID-19 cases have skyrocketed and Myanmar is facing a serious humanitarian crisis.

### A. Consequences of misinformation

The United Nations emphasised in April 2020 the need for the “free flow of timely, accurate, factual information” in a report highlighting how human rights can and must guide COVID-19 response and recovery.<sup>125</sup> As many organisations, including KHRG, have already pointed out, accurate and timely information about the COVID-19 situation has been impossible since the coup because COVID-19 testing and tracking lie almost exclusively in the hands of the government. Although a few private hospitals were conducting tests, ethnic health organisations have had little access to testing equipment, including the close to 1 million Rapid Antigen Tests that had been obtained by the NLD government prior to the coup. The primary source of information, the MoHS, has continued to post figures about COVID-19 cases and deaths, but had stopped engaging in extensive testing immediately after the coup. Ethnic health organisations like KDHW also depend on information posted by the MoHS in order to compile regional information and organise their services. Information broken down by region stopped being available after the coup, making it impossible for ethnic health organisations to have an accurate sense of the number of cases in their areas of operation.

Since the announcement of the coup, KHRG has received multiple reports that most of the prevention measures that had been set up to protect villagers from the spread of the virus to rural areas were no longer being adhered to. Photos taken shortly after the coup, and published in an earlier report by KHRG on COVID-19 showed screening checkpoints not only abandoned, but dismantled.<sup>126</sup> One villager, 29-year-old Saw Bb---, a youth leader from Fj--- village, Gz--- village tract, Ta Kreh Township, Hpa-an District interviewed by KHRG in March stated: *“Now, people are not afraid of COVID-19 anymore. People are more afraid of the military coup.”* This seemed to be a sentiment shared by many. Although the village secretary of Ds--- village, Gk--- village tract, Noh T’Kaw Township, Dooplaya District says that he does continue to use a mask when going to public places, he admitted back in early April 2021 that: *“Since the military coup, even in our village and at the national level, people didn’t continue thinking about COVID-19 anymore. I myself didn’t continue thinking about it anymore.”*

Although the coup itself took priority as the major concern, the lack of accurate information about COVID-19 since the SAC took power has contributed to the sense that COVID-19 was no longer something villagers needed to be concerned about. Saw Bb---, from Fj--- village, Ta Kreh Township, Hpa-an District, even remarked that *“there is no COVID-19 infection anymore”*. He added that the masks are now often used to protect from breathing in dust: *“Since the spread of the disease has lessened, people don’t wear the masks very much. But some people wear the masks when they go to crowded places. When travelling, and when there is a lot of dust on*

<sup>124</sup> KHRG, “Left Behind: Ethnic Minorities and COVID-19 Response in Rural Southeast Myanmar”, May 2021.

<sup>125</sup> United Nations, *COVID-19 and Human Rights: We are all in this together*, April 2020.

<sup>126</sup> KHRG, “Left Behind: Ethnic Minorities and COVID-19 Response in Rural Southeast Myanmar”, May 2021.

*the way, we have to wear masks to protect ourselves.*” With the MoHS only testing about 1,200 patients per day (compared to 17,000 per day just prior to the coup),<sup>127</sup> the reported figures would necessarily be extremely low, and not likely to be reflective of the actual situation. It is thus not surprising that villagers believed that the COVID-19 situation was under control (or no longer posed a threat) in the months following the coup. Particularly in rural areas and more remote villages prior to the coup, serious outbreaks in town managed to be contained and not spread further to these other areas. The post-coup pandemic figures diffused by the MoHS would thus have fallen in line with villagers’ understanding of the pandemic easing up. This inaccurate information, however, has likely increased the vulnerability of rural villagers.

In a report by UNESCO on the right to information, the authors point to the importance of access to accurate information: “The COVID-19 pandemic has highlighted the heightened importance of information in times of crisis. Access to accurate and timely information helps people make safe choices, for themselves and their families, with governments having a corresponding obligation to disseminate widely public interest information and to address disinformation.”<sup>128</sup>

#### B. Poor access to medical care

Reports of rising numbers of COVID-19 cases began to appear in May and June 2021, but it wasn’t until July that news agencies began talking about a “third wave” with nearly 90 percent of the country affected, and 296 of 330 townships nationwide reporting COVID-19 cases.<sup>129</sup> The undeniable rise in COVID-19 cases has led to further mishandling on the part of the SAC. The SAC has not only continued to provide inaccurate information, it has also restricted access to resources and services, and prevented other key actors from helping manage the spread of the virus and address the health needs of the people of Myanmar.

Since July, KHRG has also been receiving increased reports of COVID-19 cases in rural villages. With the rise in cases in rural areas, the KNU strengthened travel restrictions in Karen State in order to help contain the spread of the virus, but has met with opposition from the SAC. On July 13<sup>th</sup>, the SAC sent a letter to the KNU disapproving of its 14-day closure of roads accessing villages and towns and the setting up of KNU-approved COVID-19 screening points because of the potential impact on the movement of SAC soldiers within the region.<sup>130</sup> On July 17<sup>th</sup>, BGF Battalion #1014 also destroyed a screening checkpoint in Hpa-an Township, Doo Tha Htoo District.<sup>131</sup> The Tatmadaw had also engaged in such actions at the outset of the pandemic.<sup>132</sup> These actions by the SAC only serve to worsen the spread of COVID-19 in rural ethnic areas where testing kits are not easily accessible, and where COVID-19 prevention supplies and resources have long been scarce, making these populations even more vulnerable to the life-threatening impacts of COVID-19.

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<sup>127</sup> “Myanmar COVID-19 outbreak hits health system shattered after coup”, *Reuters*, May 2021.

<sup>128</sup> United Nations Educational, Scientific and Cultural Organization (UNESCO), *The Right to Information in Times of Crisis: Access to Information – Saving Lives, Building Trust, Bringing Hope!*, September 2020.

<sup>129</sup> “Myanmar’s Third Wave of COVID-19 Spreads to Almost 90% of Townships”, *The Irrawaddy*, July 2021.

<sup>130</sup> “Karen Health Officials Vow to Continue its COVID-19 Responses, Despite Military Council Objections”, *Karen News*, July 2021.

<sup>131</sup> *Ibid.*

<sup>132</sup> KHRG, “Mu Traw District Short Update: Destruction of KNPF COVID-19 screening checkpoints by the Tatmadaw and skirmishes between the Tatmadaw and the KNLA in Dwe Lo Township, May 2020”, June 2020; KHRG, “Southeast Myanmar Field Report: COVID-19, armed conflict, landmines and sexual violence, January to June 2020”, September 2020; KHRG, “Delayed and Uneven, COVID-19 Response in Southeast Myanmar, March to June 2020”, October 2020.

Although travel restrictions have made it difficult for KHRG to receive details on COVID-19 cases, KHRG field staff have indicated that in many areas, villagers experiencing symptoms like fever and loss of smell have even been unable to access testing services. Although KDHW has increased testing at its screening points, some villagers are unable to travel to these locations, while others have chosen not to seek out testing. Not knowing whether they have a seasonal flu or COVID-19, many resort to treating themselves at home through herbal remedies. But if villagers do not undergo testing, it is impossible to obtain any accurate assessment of the local situation. This in turn hinders attempts at addressing local needs.

In a survey conducted by the NUG Ministry of Health that included over 25,000 respondents, the results showed that the COVID-19 death rate from June to August 2021 was 7.2% compared to the SAC's figure of 3.7%.<sup>133</sup> It also found that only 5% of COVID-suspected patients were able to receive hospital care; 34% had to turn to online services, and 21% were treated at home. 73% of the COVID-related deaths have occurred at home, and only 17% at hospitals, suggesting that the inability to receive hospital care has been a critical factor in the number of COVID-related deaths.

Many clinics and hospitals in KHRG's operational area have closed down since the coup. While the SAC has accused medical professionals participating in the CDM of being in breach of their professional oath and of "abandoning" their patients,<sup>134</sup> fears and threats of arrest are making it impossible for many of them to return to work. As previously highlighted in this report, many CDM health workers have been offering informal care and working in the private sector in order to address the needs of their local community, which has placed them in further danger as the SAC responded by cracking down on healthcare workers who join private clinics.

The UN pointed out that: "The pandemic could provide a pretext to undermine democratic institutions, quash legitimate dissent or disfavoured people or groups, with far-reaching consequences that we will live with far beyond the immediate crisis."<sup>135</sup> This is precisely what we are seeing take place in Myanmar since the coup. In amending the Penal Code, notably Sections 505 and 124 that pertain to freedom of expression and treason and sedition, the SAC has made it easier to arrest and charge people for engaging in peaceful protests and civil disobedience. Many medical professionals are now facing up to three years in prison. AAPP has recorded 67 medical professionals currently in detention on July 23<sup>rd</sup> 2021 (this does not include those who have already been sentenced).<sup>136</sup> Rather than being able to help treat those who have tested positive, or help contain the spread of the virus, these medical professionals are now themselves at high risk of contracting the virus, and of not receiving proper medical care. AAPP, in discussing the situation in prisons, has stated that COVID-19 is being used as a weapon of war by the military junta.<sup>137</sup>

Under the International Covenant on Economic, Social and Cultural Rights (ICESCR), to which Myanmar is a State Party, the right to health requires States to ensure the "prevention, treatment and control of epidemic, endemic, occupational and other diseases" and to ensure "medical

<sup>133</sup> National Unity Government, Ministry of Health, "Assessment on COVID-19 During Third Wave by MOH, NUG", (last accessed October 20, 2021).

<sup>134</sup> "Striking health staff boycott COVID-19 jabs as the CDM grows", *Frontier Myanmar*, March 2021; "Frontline workers in Myanmar's health crisis vow to keep up pressure on the regime", *Myanmar Now*, February 2021.

<sup>135</sup> United Nations, *COVID-19 and Human Rights: We are all in this together*, April 2020.

<sup>136</sup> Assistance Association for Political Prisoners (AAPP), *COVID, Coup and Medics*, July 2021.

<sup>137</sup> Assistance Association for Political Prisoners (AAPP), "Emergency Release: COVID-19 in Burma's Prisons", July 2021.

service and medical attention in the event of sickness.”<sup>138</sup> The right to health also requires that health services, facilities, and goods are adequately available and accessible on a non-discriminatory basis. Yet, curfews have been used to prevent people from traveling to healthcare facilities, and those engaged in protests and the CDM have often been blocked from accessing treatment.<sup>139</sup>

### C. Vaccinations

Prior to the coup, the NLD government had been working to acquire COVID-19 vaccines, and began making plans for rolling out vaccinations. KHRG had previously not been able to obtain information about whether this roll out would include areas under EAO administration. In more recent interviews, there are indications of some attempts to make the vaccine available in rural areas, but it is still unclear whether that includes areas under EAO administration. Furthermore, because it is now the military government taking over this process, rural villagers are refusing the vaccination due to distrust of the military.

Saw Ad---, from a mixed-control area in Dooplaya District stated that *“the military government came in order to prepare for the distribution of the COVID-19 vaccine. And then they asked the villagers’ opinion. All the villagers responded that they will definitely not receive the vaccination because this (vaccination) is being conducted by the military dictatorship. Judging by their response, we can see the side the villagers have chosen.”*

Saw Bb---, from Fj--- village, under KNU control, added that: *“There was one time when we the [village] committee members were ordered to get the vaccination from the hospital. But I said I will not get the vaccination. Therefore, no one else got the vaccination as well. The vaccinations were sent here nicely, but we worry that the Myanmar military will mix something into the vaccine. [...] So no one dares to get the vaccine.”*

As the UN has pointed out in its report on COVID and human rights: “The most effective response is accurate, clear and evidence-based information from sources people trust.”<sup>140</sup> Likewise, for COVID-19 response to be effective, it must take place through channels that villagers trust, and thus be clearly dissociated from the military.

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<sup>138</sup> United Nations, *International Covenant on Economic, Social and Cultural Rights*, January 1976.

<sup>139</sup> CIVICUS, “Myanmar: ‘The military turned medical workers from heroes to criminals overnight’”, May 2021.

<sup>140</sup> United Nations, *COVID-19 and Human Rights: We are all in this together*, April 2020.

## Part III: Wider Impacts and Perspectives

### Chapter 5: Challenges to peace, democracy, and development

The coup has had devastating effects on all aspects of daily life in Myanmar, creating impacts as individualised as lack of access to the internet and as widespread as a downturn in the national economy. By eroding possibilities for peace, democracy and development, these problems have touched the lives of all civilians, but have impacted rural villagers in particular ways.

#### A. A new administration

Many people spoke of a positive shift in civilian life over the past ten years during the transition to civilian governance and the ongoing NCA, including better infrastructure such as road construction, improved healthcare and education, job opportunities, and greater ease of travel, even though such improvements did not extend equally to all. Government transparency and greater ease of dialogue with elected officials were also noted. These improvements make the coup's administrative and developmental fallout even more concerning, particularly when considering the role of civilian government on Myanmar's development.

The coup involved not just a wider shift from elected civilian government to military dictatorship but also a replacement of local administrators with SAC-selected individuals. After the military took power on February 1<sup>st</sup> and formed the State Administrative Council, it began appointing many military and pro-military officials to higher government bodies.<sup>141</sup> At the same time, the military regime also dismissed local administrative officials and appointed new members to local administrative bodies. Daw Ao---, a NLD member from Hpa-an Town, shared her experiences with new appointments made by the SAC: *“The new village administrator [appointed by the SAC] told us. They replaced all of the old [NLD] administration leaders in our community with new SAC-selected candidates, from ten-household leaders [...] to village administrators. The SAC military did it.”*

There have been multiple reports of local administrators, particularly those who are members of the NLD, being removed and/or arrested by the SAC and replaced with new administrators without civilian consent. U Ac---, a village administrator from Do--- village, Gb--- village tract, Bu Tho Township, Mu Traw District who was removed by the SAC and replaced with a Union Solidarity and Development Party (USDP) member, told KHRG, that *“they removed these three village tract administrators, then they appointed whoever they liked.”* Naw W--- from Cy--- village, Fy--- village tract, Ler Doh Soh Township, Mergui-Tavoy District reported that a local administrator in Tavoy Town was arrested. She had heard of such arrests happening in other towns and villages, but it had not yet happened in her village (which is in a rural area). Saw Ba--- from Fi--- village, Gy--- village tract, Lemyethna Township, Ayeyarwady Region reported that, following the coup, the SAC tried to arrest village leaders: *“The SAC military arrested NLD village administrators and appointed new people to replace them.”*

When the SAC appointed new administrators to village tracts and wards, many civilians were upset. *“They do not want village tract authorities appointed by the State Administration Council,”* said one government administrator. *“They just want village tract administrators elected by the civilians.”* Replacing elected leaders with military-appointed ones not only serves to further

<sup>141</sup> “Myanmar Military Regime Appoints Governing Body”, *The Irrawaddy*, February 2021.

undermine the democratic process, it erodes relationships of trust between local communities and the administrators that are supposed to serve and represent them.

In response, local people from many communities protested the new administrative authorities. Ma Z---, a local health worker from a village close to Hpa-an Town explained the situation in her community: *“[A] new village administrator was appointed. There were villagers who disliked the newly appointed administrator and held a protest against the appointment in front of the administration office.”* Apart from the protest against new authorities appointed by the SAC, people have also tried to stop new authorities from working in their offices. In San Chaung Township, Yangon Region, locals locked the administration offices so that new administrators couldn’t go to work. One university student from Bx---, San Chaung Township told KHRG: *“We do not accept those local leaders. The people locked the local administration offices; so local administrators cannot go and work in their offices. We, the people, would like to choose the people we want to be our leaders. We do not accept anyone who is selected by the junta.”* The same interviewee reported that locals locked all government offices in Tar Kay Tha area, San Chaung Township.

In some cases, those protesting the new authorities appointed by the SAC were arrested. Saw Av---, a schoolteacher from Fe--- village, Fe--- village tract, Lu Pleh Township, Hpa-an District reported that, in his village, *“one healthcare worker was arrested after the villagers protested against the SAC’s installation of the new village administration in their village [without the consent of the villagers]. He [the healthcare worker] was arrested the day after the protest.”*

A school principal who had worked for the Department of Education for 15 years shared that, under the NLD government, civilians lived with less fear, emphasising that *“under military rule, we even have to be afraid of the ten households head.”* One villager from Cu--- village, Ta Naw Th’Ree Township, Mergui-Tavoy District added that this heightened insecurity means that villagers must *“form their own Tatmadaw [military] that can protect the civilians and take care of their own village security. Everything depends on the village administrator, because no matter how much you protect your village, if the village administrator works under the military government you can’t do anything. He will simply send information to the SAC.”*

These changes are likely to have the biggest impact on mixed control areas, where prior to the coup, there were signs of cooperation between local government leaders and local ethnic leaders.

## B. Collapsed economy

The coup has had harsh impacts on Myanmar’s economy, at both the individual and national levels. Civilians across Southeast Myanmar are experiencing job loss, higher prices on necessities, restrictions on travel, and loss of access to telecommunication systems, all of which are increasing food and livelihood insecurity. Combined with the impacts of the COVID-19 pandemic, the coup has had devastating effects on the area’s future development.

The coup’s effects on employment and livelihood have been complex. Many have lost their jobs, while others have quit or fled for their own security. A local NGO worker in Yangon noted: *“Some people are not interested in working anymore whereas some are losing their jobs. Some people do have a job but they do not want to work anymore because they are eager to participate in the protests. [...] Some people who take the lead and organise the protests have to [...] leave their job for their security.”*

There has also been a loss of jobs due to the closure or exit of foreign businesses. Those looking for a new job may struggle to find one, as many businesses are closed or not hiring.<sup>142</sup> These job losses are impacting the lives of farmers such as Daw Aj--- in Eg--- village, Eg--- village tract, Kruh Tu (Kyonedoe) Township, Dooطلا District, who is unable to sell her goods because *“even if we could produce anything, there is no way we could sell it because there is no one who will buy our goods.”* There also seems to have been a drop in the price farmers can get for their produce, due to falling demand and market instability. Saw R--- from Ck--- village, Cm--- village tract, Moo Township, Kler Lwee Htoo District noted that *“villagers are concerned about the price of beans [...]. In January the price of beans was stable. Since February [...] the price of beans went down from 46,000 [USD 25.51] to 40,500 kyats [USD 22.46]. As villagers mainly depend on farming [...] the restrictions negatively impacted villagers’ livelihoods.”*

Nan At---, a participant in the CDM and former government worker from Fb--- village, Fb--- village tract, T’Nay Hsah Township, Hpa-an District noted another job-related impact of the coup, stating: *“If it had not been for the coup, we would have had job opportunities and we would have started realising our strength [future].”* She added: *“[Due to the coup] we do not have the right to work or even express what we like to do.”* In addition to actual job and salary loss, individuals have also lost the ability to pursue their chosen professions.

Current SAC employees are also facing financial difficulties due to the coup. Saw Au---, a university student from Fc--- village, Gw--- village tract, Lu Pleh Township, Hpa-an District shared his perspectives on why the SAC could not fully pay their staff: *“They are lacking finances. They cannot even give salary to their soldiers. There are only about 20-30% who continue to work, so it is not easy to run the government mechanism. They cannot run the government, so the salary is also not reliable.”* Some have voiced concerns that, due to the SAC’s inability to pay their employees, there may be more future uprisings.

Access to financial institutions has also been impacted. First, many bank workers are participating in the CDM, causing banks to be closed due to lack of staff. Banks have also been closed due to insecurity from the coup, making it difficult to withdraw money from the bank.<sup>143</sup> Some branches have also closed due to a lack of hard currency. In some cases, the bank accounts of those participating in the CDM have been closed, preventing them from withdrawing money entirely, as one woman from Yangon recounted: *“The bank accounts of my friends who participated in the CDM are closed. We cannot withdraw money from the bank easily.”*

On a larger scale, the country’s financial system is also suffering. One worker at a Karen NGO noted that some villagers *“worry that the banks will be destroyed [not physically, but economically]”*. In urban areas, there have been more withdrawals than deposits, and many banks are running low on cash. Limits have been placed on the amount of money that can be withdrawn in a day.<sup>144</sup> Although not all rural villagers use banking services, KHRG field staff have noted that these restrictions on withdrawals have had particularly severe impacts on rural villagers who do use the banks. In order to withdraw money, bank patrons are required to obtain one of the limited tokens that are distributed each day. People have taken to lining up outside the bank early in the morning, often at 4:00 am, as soon as the curfew is over, in order to have a better chance of receiving a token. Rural villagers cannot even begin travel to town until the curfew ends,

<sup>142</sup> KHRG, “Mergui- Tavoy District Interview: Security forces kill peaceful anti-coup protestors in Dawei Town, February 2021”, March 2021.

<sup>143</sup> KHRG, “Mergui-Tavoy District Situation Update: Impact of the military coup on villagers in K’Ser Doh, Ler Muh Lah and Ler Doh Soh townships, February 2021”, May 2021.

<sup>144</sup> “Myanmar Banking System ‘Near Collapse’ as Customers Make Fewer Deposits, More Withdrawals”, *Radio Free Asia*, May 2021.

which means they are not likely to arrive early enough to obtain a token. Some have tried to go to town the night before and stay with friends or family but have also encountered problems due to the new reporting requirements for overnight guests. Thus, many are no longer able to access their money.

Many foreign products are no longer entering Myanmar in the same quantities, leading to heightened prices, and foreign direct investment (FDI) has fallen sharply since the coup. As of May 2021, more than USD 6 billion of foreign investment in Myanmar has been suspended.<sup>145</sup> These financial issues have affected price increases for staples such as rice, with one interviewee from Cy--- village, Fy--- village tract, Ler Doh Soh Township, Mergui-Tavoy District reporting that *“the prices are getting so high now. [...] A pack of rice was 16,000 kyats [USD 8.87] and now it is 23,000 kyats [USD 12.76]. It is even the lowest quality rice.”* The price of other necessities such as diesel fuel has also increased. Some also fear that institutions have been destroyed: *“[T]rust in all of the governments’ works has been reduced. [...] [L]ocal villagers worry that their food will be burnt, and their economy will be ruined.”*

Combined with individual livelihood and food insecurities caused by the coup, these financial issues are causing devastation in peoples’ lives. A missionary teacher in Dooplaya District reported people starving in Yangon and Mawlamyine, stating: *“The people here are starving and asking their relatives here to send them food. Their relatives cannot send them food but they send them cash instead.”* Due to recent restrictions on cash transfers, however, people are in an even worse position. She added that going with only one meal a day *“is now common in Mawlamyine”*, and *“all of the civilians realise that their situation is getting worse because of the military coup”*. Remote access to financial institutions has been impacted, with the SAC restricting money transfers from both within the country and abroad.<sup>146</sup> These restrictions are particularly damaging for those who rely on international remittances, and who can no longer access the money sent by their relatives working abroad to provide for them.<sup>147</sup>

These financial impacts have also been felt as a sense of unease about the country’s direction. Saw Av---, a teacher from Fe--- village, Fe--- village tract, Lu Pleh Township, Hpa-an District, said: *“I could also imagine increased possibilities for development and freedom in the future [under democracy]. The current act [the coup] is like they are blocking that [the development and our freedom].”* He also said: *“We were actually at the beginning of the change [...] but the military immediately took over the power so it is ruining our future.”*

### C. Access to services

#### i. Impacts on education

Education is seen as critical to both future generations and the country’s development. Students and teachers alike highlighted a gradual improvement in the education system under the NLD, including the teaching of human rights and more inclusive histories in school curricula. Naw Ax---, an education student, said: *“Under the NLD government, the education developed a lot. The children get to study. It was not like before. There were so many changes in education.”* Access to education, however, has been heavily impacted by the coup, which had already been

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<sup>145</sup> “100 Days Since Myanmar’s Coup: Looming Economic Collapse, Poverty and Hunger”, *The Irrawaddy*, May 2021.

<sup>146</sup> KHRG, “Mergui-Tavoy District Situation Update: Impact of the military coup on villagers in K’Ser Doh, Ler Muh Lah and Ler Doh Soh townships, February 2021”, May 2021.

<sup>147</sup> “100 Days Since Myanmar’s Coup: Looming Economic Collapse, Poverty and Hunger”, *The Irrawaddy*, May 2021.

interrupted by the COVID-19 pandemic. Myanmar's education system has been affected both by the number of education workers joining the CDM and by the general unwillingness of students to continue their education in schools run by the SAC government.

The CDM has had a large impact on education in Southeast Myanmar. After the SAC seized power, many teachers in government schools joined the CDM, so most of the government schools have had to close. Even when the SAC reopened some government schools on June 1<sup>st</sup> 2021, there was a shortage of both teachers and students. In addition to teachers having left government schools to join the CDM, many of these teachers have also fled to rural, ethnic-controlled areas to avoid arrest, detention, or other punishment by the SAC. According to the Myanmar Teachers' Federation, about one-third of the 430,000 Myanmar government teachers<sup>148</sup> and 90 percent of students<sup>149</sup> from universities and schools have been suspended or refused to go to school. One primary school teacher, Maung An--- from Du--- village, Waw Ray Township, Dooplaya District stated: "*We will not go back to school until we achieve our revolution.*"

Furthermore, access to education has been impacted unequally by both COVID-19 and the coup. As previously highlighted by KHRG, ethnic-run schools in rural areas often managed to stay open despite the pandemic, while government schools shut down.<sup>150</sup> Many of these schools even increased their student body when the CDM began, as government schools shut down and students refused to return to SAC-run facilities.<sup>151</sup> According to Law Eh Moo, the department head of Karen Education and Culture Department (KECD),<sup>152</sup> enrolment this year has increased by about 10,000 students. Due to lack of facilities, staff and supplies, they have had to turn away about 1000 students.<sup>153</sup> Some villages, like Er--- village, Noh T'Kaw village tract, Noh K'Taw Township, Dooplaya District, decided to open a self-funded village school, with teachers chosen from the villagers, rather than letting the children go to a government school. There are reports now that SAC authorities have threatened to shut KECD schools.

## ii. Impacts on access to healthcare

There have also been heavy impacts on access to healthcare. There are approximately 30,000 physicians in Myanmar, and about 20,000 work for the government hospitals. As a response to the coup, approximately 75 percent of those working in government facilities have joined the CDM and refused to work.<sup>154</sup> These healthcare workers have fled from their homes to other areas such as KNU-controlled territory to avoid SAC attempts to arrest, detain, or otherwise punish CDM participants, since Section 505 of the Penal Code now makes it easier to criminalise

<sup>148</sup> "Schools in Myanmar reopen with low attendance as teachers, students continue protest against military", *The Indian Express*, June 2021.

<sup>149</sup> "Some 90 percent of Myanmar students refuse to attend school under coup regime, teachers say", *Myanmar Now*, May 2021.

<sup>150</sup> See for example, KHRG, "Left Behind: Ethnic Minorities and COVID-19 Response in Rural Southeast Myanmar", May 2021; KHRG, "Mu Traw District Situation Update: Villagers face critical situation during COVID-19 pandemic and are concerned about an increase in military activity, July to October 2020", April 2021.

<sup>151</sup> KHRG, "Doo Tha Htoo Situation Update: Fighting and indiscriminate shelling by SAC forces, April to May 2021", June 2021.

<sup>152</sup> The Karen Education and Culture Department is the education department of the Karen National Union. Its main goals are to provide mother tongue education services to rural Karen populations in Southeast Myanmar, as well as to preserve the Karen language, culture and history. Despite being an important education provider in the region, it is not officially recognised by the Myanmar government.

<sup>153</sup> Nu Nu Lusan and Emily FISHBEIN, "Amid education boycotts, ethnic schools help to fill the gap", *Frontier Myanmar*, September 2021.

<sup>154</sup> "Myanmar Junta Charges 100 Healthcare Pros for Work Stoppage Protests", *Radio Free Asia*, April 2021.

civil disobedience.<sup>155</sup> The large number of doctors and other healthcare workers that have joined the CDM, in addition to the SAC's response to the movement, has had a large impact on the healthcare system. In some situations, treatment has become more difficult to access. Naw Ax--- in Fg--- village, Gx--- village tract, T'Nay Hsah Township reported that *"the public hospital is open but there is no medical [staff]"*. Where public hospitals are closed, some must go to private hospitals, which are very expensive.

There are, however, several other factors effecting access to healthcare. First, restrictions on travel have had a negative impact on healthcare. In some rural areas where clinics cannot treat severe illness, villagers generally must travel to towns and cities for treatment. With the current travel restrictions, it is more difficult to travel for treatment. The military has also stopped protesters travelling for treatment and, as Naw O--- from Ci--- village, Moo Township, Kler Lwee Htoo District reported: *"If people need to go for an operation and they are not allowed to go [...] they will just die."*

Government hospitals and clinics are improperly run under the SAC due to the lack of human resources, medical supplies, and management capacity. Even where public hospitals are operational, many people fear going for treatment because *"they are at risk of being interrogated"* by SAC authorities, as Saw X--- from K' Ta Kloh area, Ta Naw Th'Ree Township, Mergui-Tavoy District pointed out. Others refuse to go due to overall lack of trust in the SAC. There have also been reports that the SAC has blocked injured individuals involved in the CDM and protests from being treated at private clinics. Saw Ba--- from Fi--- village, Lemyethna Township, Ayeyarwady Region reported that he knew of the SAC threatening doctors and nurses if they treated injured protesters.

### iii. Impacts on access to information

Finally, the coup has also had an impact on access to information, through telecommunication interruptions and SAC control of news and media outlets. Telecommunication interruptions, particularly limiting or blocking the internet, may have substantial impacts on civilians, as many people get their news from social media and online news sites.

The SAC's manipulation of telecoms and access to information began on the first day of the coup. Maung B---, a casual worker from Bp--- section, Bilin Town, Doo Tha Htoo District found out about the coup through word of mouth, as *"I tried to make a phone call but I could not [...]. That is why [telecommunication was cut] we could not communicate with each other."* Daw Ab--- from DI--- village, Gb--- village tract, Bu Tho Township, Mu Traw District, shared that she also had to use alternate means to find out about the coup, since on February 1<sup>st</sup>, *"I [could] not use the internet. I was like, what is going on? I asked other people about it and I knew why they cut the internet."* Control of telecom systems has been a powerful repressive tool of the SAC.

In Dy--- village, Go--- village tract, Kaw T'Ree Township, Dooplaya District, Naw Ah--- reported in early March that the government occasionally cuts off phone service when there is a disturbance, preventing people from learning news about protests. Maung B--- from Bilin Town reported that the SAC had removed his satellite dish to block information access, and that internet access had been cut as well. Reports of cut internet also came from Meh T' Roh village, Meh Klaw village tract, Bu Tho Township, Mu Traw District; and from T'Weh Dah village, Htho Kaw Ko village tract, T'Nay Hsah Township, Hpa-an District. Telecommunication interruptions are particularly serious in rural areas where information is already limited to what people can

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<sup>155</sup> Human Rights Watch, "Myanmar: Post-Coup Legal Changes Erode Human Rights", March 2021.

access through their phone. Saw Bb--- from Fj--- village in Ta Kreh Township, Hpa-an District stated: *“People cannot connect to each other anymore. If something happens, we cannot connect to them.”* Internet restriction was not limited to the early days of the coup. In Yangon, Ma A--- reported that internet access was blocked in early April. One student from Yangon reported that students were unable to pursue online education where the government has restricted or blocked internet access.

The SAC has also blocked access to social media to restrict news sources. Naw Ay--- from Ee--- village, Ee--- village tract, Kaw T’Ree Township, Dooplaya District reported: *“[The junta] have shut down some of the phone coverage, social media channels, and the internet. [...] We could just watch the news on television [on government channels]. [...] So we did not get the true news.”* Others believe the SAC is reporting “fake news,” with one interviewee sharing that, *“they [the SAC] announced on MRTV that four million people supported them. But I do not agree with that. [...] It is simply impossible that four million people supported them.”*

## Chapter 6: Moving forward

### A. We will win this fight

From the beginning of the protests, confidence in the power of the people and the movement was strong, but tinged with an awareness of what might be lost in order to win, with many noting the lives already sacrificed. *“[M]any people who should not have been killed have sacrificed their lives. Even though this protest is peaceful compared with the 8888 Uprising,<sup>156</sup> many people have sacrificed their lives, and these people also have families,”* stated a day labourer from Bilin Town.

For some, that loss is all the more reason to continue fighting. A government worker from Hpa-an District stated: *“It is sorrowful for the people who died [during the protests], for their family, siblings and parents. Therefore, people who survived [are still around] need to continue fighting for democracy and it will result in victory.”* Another interviewee emphasised the cost of not continuing the fight: *“People from Myanmar have died many times already. Therefore, we must not feel hesitation to die this time [for this cause]. If we are afraid to die this time [for this cause] and just do nothing about it [military dictatorship], our lives will be dead forever. Our daughters’ and sons’ children; our new generations’ lives will be dead as well. We do not want that. We do not want their lives to be dead. Therefore, we will try to fight for it [their future] as much as we can.”<sup>157</sup>*

Although there may have been early confidence that the Spring Revolution would be successful, there have been increasing divides regarding how the fight should go on. In the eyes of many, a political solution involving negotiation with the military regime is not possible. A university student from Lu Pleh Township, Hpa-an District felt that, ultimately, *“[n]egotiation is a way of surrendering and of giving them the right to oppress us again.”* For him, *“if we have a way to negotiate with them, yes of course we can negotiate with them from the citizens’ side. [But] after they have killed and tortured us, it will be painful for citizens to go for negotiation. I just see it in that way. I just see that the majority of the citizens do not like this idea. I do not want it either.”* Many said that their ideal scenario would be the military voluntarily transferring power back to civilian government, though most of them followed up by saying that they were certain such a thing would never happen.

Despite the sense that negotiation would not benefit civilians, some believe that the way forward is still through peaceful means. A KWO worker in Dooplaya called upon the KNU *“to be united and solve this in a peaceful way. If there is peace, they can live in unity as well.”*

Various people spoke of the necessity for well-planned self-defense and carefully executed offensives involving the collaboration of both the People’s Defense Force (PDF)<sup>158</sup> and EAOs. *“Negotiation won’t work in dealing with them [the SAC],”* said one villager from Hpa-an District. *“Even if you negotiate, they just choose their own way. We just have to fight against them until they die.”* One healthcare worker expressed concerns over the heightened insecurity, stating: *“Young people in my village need a strategy to defend themselves from any attacks by the*

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<sup>156</sup> 8888 Uprising was a series of student-led protests in 1988 opposing the military rule of Ne Win.

<sup>157</sup> KHRG, “We Will Win this Fight”, forthcoming news bulletin.

<sup>158</sup> The People’s Defence Force (PDF) is an armed resistance established independently as local civilian militias operating across the country. Following the February 1<sup>st</sup> 2021 military coup and the ongoing brutal violence enacted by the junta, the majority of these groups began working with the National Unity Government (NUG), a body claiming to be the legitimate government of Myanmar, which then formalized the PDF on May 5<sup>th</sup> 2021 as a precursor to a federal army.

SAC.” KHRG received reports that some people are now seeking training in some form of “self-defence”, without sharing details about what that entails.

Since most of KHRG interviewees were those who had engaged in the protests or had joined the CDM, the recommendations and expectations they provided tended to focus on further mobilisation efforts. For instance, many stressed the importance of continuing the fight until the end, and the need for more government staff to join the CDM.

A midwife from a village outside of Hpa-an Town stated: *“The crisis in the state will come to an end soon with everyone’s cooperation. I would like all young and old people to know what is meant by justice and injustice. I would like to suggest for people who participate in the CDM to take part until the end. I understand that everyone has difficulty. Anyway, I would like all people to face it [hardship] for a short period of time and keep on participating in the CDM.”*

This sentiment was expressed by many university students. Naw Ax--- from Fg--- village, Gx-- - village tract, T’Nay Hsah Township, Hpa-an District stated: *“If everyone does the CDM, the Burmese [SAC] military cannot rule the country, so they will be destroyed. Therefore, we hope people will join the CDM. We protest, and we encourage the CDM members to [make an] impact on the SAC. To overthrow the SAC, the CDM is the most effective.”*

Another university student felt that the CDM should continue but that the protests need to stop because of the violence against the protesters: *“For the protests, I see that now it will not work anymore. We have reached the limit. Our voice has been heard enough already. People across the globe know our voice. Even if we do it, it is like we are asking for our death. Instead of dying for them, we better attack them back. What I want is [to say that] it is time for us to change our strategy. We do not need to go that way anymore.”*

## B. United for federalism

Many expressed the need to be united in order to take down the military dictatorship. A healthcare worker in Hpa-an Town stated: *“One person cannot solve it. All administrative leaders from every administration [department] and all civilians must be united and cooperate [to solve the conflict].”* In Dooplaya, one of the key protest slogans was: *“Our cause: for all the ethnic groups to be united!”*.

Some of those surveyed by KHRG expressed frustration over a perceived lack of unity between the people, the protest movements, and the leadership of various ethnic groups, leading some to insist even more on the need for unity. One university student remarked that: *“The SAC is also looking for the point for division. If we are divided, we have failed already. Our Karen army is also just like that. In the past, we only had a single army, now we have many armed groups. They divided us and our army strength has gotten less and less. They [SAC] only have one strategy of division. If they can do that one, they can defeat us. We have been suffering a lot so we need to take it as a lesson. What I would like to say is to be united. Even if we do not like each other, we must keep it inside now, because we need to know what our will is [we need to focus on our common goal].”*

The need for a federal democracy was expressed by many as the only means of ensuring ethnic minority rights and equality, with one CSO worker specifying that what is critical is not simply a return to democracy, but the establishment of a federal democracy. A Karen farmer from Ta Naw Th’Ree Township, Mergui-Tavoy District further defined federalism as having self-determination and equal rights: *“We want for the ethnic groups to have self-determination, a self-ruling system*

*and equal opportunities. That is federalism.” One KECD teacher in Dooplaya District echoed this sentiment: “I protested for my country to be free from military dictatorship, for my country to become a real federal democracy and for the ethnic minorities to receive equal rights. If we don’t have equal rights in this country while we are living in this country, there is no reason we could consider ourselves citizens of Myanmar.”*

### C. Rural perspectives and minority voices

As KHRG’s raw data updates from the field show, those living in conflict-affected areas have been facing displacement and other forms of insecurity since quite early on in the coup. Their voices are thus sometimes less present in the protest movements, particularly in the more visible urban protests. A few interviewees highlighted the fact that rural villagers are experiencing the coup differently from those in urban areas.

One villager (a social worker) from Fy--- village tract, Ler Doh Soh Township, Mergui-Tavoy District highlighted the need to understand the responses by villagers in rural areas, in particular those who have not been active in the protests: *“The Tatmadaw has oppressed our Karen people for years. We became displaced people and refugees in other countries. The Thai authorities do not accept us when we flee to Thailand. We do not have land when we stay in Myanmar. This is the life we have been suffering. People who are brave [enough] to get involved in the protests are doing so. Those who are afraid are hiding. We just have to support them like this.”*

Another villager, originally from Taundaung but now living in Yangon, highlighted how rural and urban experiences of military rule are different even if both do not want a military dictatorship: *“We used to live under military control. Everyone knows what it was like; especially the ethnic people and those who are living in rural areas. We suffered a lot. We did not know how those who live in the city experienced it. When I moved to Yangon, I also got to learn about their experiences and suffering under the military. Even though it is not the same thing as ours [in rural areas], they were also in trouble. This is why they do not want the military dictatorship anymore. Most people in both urban and rural areas do not want to live under military control.”*

For some, the coup has served as an awakening since it highlighted the oppression that ethnic minorities have faced at the hands of the military, as well as the level of violence the Myanmar military is capable of. A CSO worker from Myaung Mya District, Ayeyarwady Region who fled to Kler Lwee Htoo District after joining the CDM stated: *“Ethnic people were oppressed. We just heard about it. In reality, we never saw what they were suffering. In the plains areas where the people protest against the coup, we have seen with our own eyes that the people are being oppressed. When we saw that, we started to feel sympathy for ethnic people. We started to understand why ethnic people have joined the armed revolution.”*

Many rural villagers emphasised the need for past and ongoing experiences of military violence to be a reminder to everyone. A day labourer from Ee--- village, Thay Baw Boh village tract, Kaw T’Ree Township, Dooplaya District shared: *“The dictatorship will have a negative impact on the peace process because the dictatorship is based on violence, destruction and abuses. There is no peace and love in dictatorship. If we look back to the time of our grandmothers and grandfathers, they have experienced such things [violence, destruction and abuses].”* He added: *“Our lives won’t improve because we will not enjoy our human rights.”*

A farmer from Doo Tha Htoo District voiced his thoughts: *“[The Tatmadaw] have been dictators for over three or four decades because our Karen Revolution is already over 70 years old. They*

*do not do anything that benefit local people. They only do things for their own benefits. Local villagers just have to be like animals in front of them. Therefore, we do not want them. We are happy about those who are against this military coup and we want [welcome/support] them. We do not want the military coup because we have already lived under the oppression of the Tatmadaw for many years, such as, abusing their power and violating the rights of the people.”*

Several interviewees thus highlighted the need for full inclusion of minority voices in any strategies and plans for moving forward. One woman from an urban NGO spoke in terms of the need for civilian structures to do a better job of listening to groups with lived experience of oppression by the military: *“It is very dangerous for the CRPH [Committee Representing Pyidaungsu Hluttaw]<sup>159</sup> to be making decisions by itself, if they do not consider all the voices of ethnic minorities. They should have consultation meetings about what they should be undertaking together. The ethnic minorities have been involved in this revolution for over 70 years. They also have a lot of experiences. They should use those experiences and continue their political journey.”*

A day labourer from Bilin Town echoed the idea that ethnic minority voices should be heard and considered in the establishment of a new civilian government: *“Let’s say the rule of civilians has returned, but it’s not okay to leave ethnic minorities behind. All demands from every ethnic minority should be taken into consideration.”*

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<sup>159</sup> The Committee Representing Pyidaungsu Hluttaw (CRPH) was formed by elected lawmakers from the National League for Democracy (NLD) who were prevented from taking seats in the Union Parliament by the February 1<sup>st</sup> 2021 coup. Since its formation on February 5<sup>th</sup> 2021, it has operated as a shadow parliament, and has actively condemned the actions of the military and security forces. It has also encouraged citizens to engage in the Civil Disobedience Movement (CDM) and not to follow the orders of the military junta. On March 31<sup>st</sup> 2021, it created a Federal Democracy Charter, outlining initial agreements for the establishment of a federal democratic union and interim constitutional arrangement. On April 16<sup>th</sup> 2021, the acting cabinet of the CRPH was abolished and formed the National Unity Government (NUG), retaining U Min Wyint as President, and Daw Aung San Suu Kyi as State Counsellor, despite both still under detention by the SAC military. Further information can be found at the CRPH website: <https://crphmyanmar.org/> (last accessed October 2021).

## Conclusion

As this report chronicles, the SAC's treatment of citizens as enemies of the state and its unrelenting efforts to crush all opposition have resulted in widespread violence and the loss of lives during this first six months of the coup. The SAC has shot and killed peaceful protesters, bombed rural villages forcing thousands to flee, deprived people of access to health services and information, and turned the law against the people of Myanmar to arrest, detain, and torture at will.

At the time of writing this report, information continues to pour in regarding incidents of violence, with increasing stories of torture, forced labour and killings in rural Southeast Myanmar. Fighting and attacks continue and are becoming more widespread. Many facing displacement are still not receiving support, and some have reported having little left to eat. Displacements are ongoing and the possibility of seeking refuge across the border in Thailand remains limited. Reports of illness-related deaths are being submitted, yet villagers are unsure whether this is due to COVID-19 or some other illness, since there is little availability of testing or medical care. There is also indication of COVID-19 cases spreading among displaced populations, most of whom have no access to medical supplies or doctors. A KHRG researcher documenting one outbreak reported that “[t]he local villagers could not be concerned about contracting COVID-19 while fleeing, they could only focus on their fear of SAC soldiers”.<sup>160</sup>

Six months ago, in reporting on the COVID-19 situation, KHRG highlighted the increasing poverty and food insecurity that villagers were facing as a result of travel restrictions and the economic downturn. Since the coup, these problems have not gone away, only worsened, and will continue to worsen if new support channels and aid strategies are not developed while “waiting” for a resolution to the military's illegal takeover.

Already noted by interviewees in the initial months of the coup was a strong sense that the military junta would not hold new elections in a year's time. Since then, the SAC announced its own transformation into a “caretaker government”, pledging to hold elections by August 2023, but ultimately confirming for many their belief that the military has no intention of relinquishing its control of state power, and will instead continue to seek further legitimacy for its unlawful actions.

From the outset of the coup, the people of Myanmar have shown their strength and their willingness to stand up for justice. As the SAC proceeds to set up its new “caretaker” government, the people of Myanmar are forced to “take care” even more against the government's abuse. In the face of violence that so clearly contravenes international human rights standards, the people of Myanmar should not have to stand alone.

Yet, the international community has also repeatedly failed ethnic minorities in Myanmar in refusing to take action to hold the military accountable for the atrocities and human rights violations that it has committed against them. One interviewee states: “*We have had [in the past] to solve whatever we face in our own way and suffer it by ourselves. Therefore, people think no one will stand with or for them when they have any problems or face anything. [...] [I]t is critical that civilians feel that they are being supported by others, that they are not alone in this fight. They need others to stand with them and beside them.*”<sup>161</sup> Although referring to civilians' concerns about engaging in protests, this interviewee's statements also speak strongly to the larger demands of ethnic minorities. Ethnic minorities want their voices to finally be heard, but also to be supported as they stand up for their own rights and for equality and justice.

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<sup>160</sup> KHRG, forthcoming raw data publication (21-270-D1).

<sup>161</sup> KHRG, “We Will Win this Fight”, forthcoming news bulletin.

## Photos: Front and back cover

### Front cover photo:

This photo was taken on March 9<sup>th</sup> 2021 next to the Asia Highway near Kawkareik Town, Kaw T'Ree Township, Dooplaya District. It shows some of the protective gear that protesters began using in order to shield themselves from SAC violence during the protests. The sign they are holding reads, "Establish a new Federal Union". *[Photo: KHRG]*

### Back cover photo:

This photo was taken on April 10<sup>th</sup> 2021 in Day Pu Noh village, Pay Kay village tract, Lu Thaw Township, Mu Traw District. It shows the destruction caused by SAC airstrikes on March 28<sup>th</sup> 2021 to a community school. *[Photo: KHRG]*







Since the February 1st 2021 military coup, the human rights situation in Myanmar has seriously deteriorated. The State Administration Council (SAC) headed by Senior General Min Aung Hlaing has engaged in systematic violence against civilians and stripped away the few key civil and political protections that the already problematic 2008 Constitution was supposed to guarantee, further opening the door for widespread human rights violations. The SAC's treatment of citizens as enemies of the state and its unrelenting efforts to crush all opposition have resulted in widespread violence and the loss of lives during this first six months of the coup. The SAC has shot and killed peaceful protesters, bombed rural villages forcing thousands to flee, deprived people of access to health services and information, and turned the law against the people of Myanmar to arrest, detain, and torture at will.

In highlighting the human rights violations that have occurred since the February 1st coup, this report presents the degrading security situation and humanitarian crisis that civilians in Southeast Myanmar are currently facing. It also presents the hopes and struggles of rural villagers and civilians, to show how, despite the increased insecurity that they face, they continue to seek out ways to counter a military regime they know to be both illegal and unjust. Most importantly, this report seeks to ensure that the experiences and concerns of rural ethnic villagers are not just heard but addressed.



Karen Human Rights Group (KHRG) was founded in 1992 and documents the situation of villagers and townspeople in rural Southeast Myanmar through their direct testimonies, supported by photographic and other evidence. KHRG operates independently and is not affiliated with any political or other organisation.