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Written statement* submitted by Human Rights Now, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[27 May 2024]

Grave Violations of International Humanitarian and Human Rights Law by Myanmar's Military Must End Now

* Issued as received, in the language of submission only.

Human Rights Now (HRN) continues to condemn the systematic human rights abuses and violence perpetrated by the Myanmar military since its coup in February 2021, including its ongoing attacks on civilians, human rights defenders and journalists and its restrictions on humanitarian aid. We call on the military to end state violence, restore the democratically elected government, and hold human rights violators accountable and urge states and businesses to cut off any financial links which may support the military.

1. Military Attacks against Civilians and Civilian Objects

Three years after the coup, the Myanmar military continues to commit grave violations of international humanitarian law in its conflict with armed groups resisting its illegal coup. Indiscriminate shelling, cluster munitions, landmines, and other uses of force have killed 4,962 civilians since the coup, including at least 810 women, including activist Noble Aye, and at least 630 children.[1] The military has flagrantly violated HRC Resolution A/HRC/52/32 and UN Security Council Resolution 2669, both of which demanded an immediate end to military violence only for military strikes on civilians to continue.[2]

Notable recent military attacks include the 21 May 2024 aerial bombings of Shwe Baho and Tha Ray Kone Baung villages in Rakhine State, killing a female activist and wounding five others.[3] Between 1 May and 22 May 2024, artillery and aerial attacks have killed at least 40 women in total.[4]

The Myanmar military has also been using terror tactics like burnings, beheadings, and mutilations to control and divide the population through fear and brutality. Since the coup, the Assistance Association for Political Prisoners (AAPP) has identified 186 cases of the military or its allied militia burning people to death, with 82 last year, including 12 people under 18.[5] The group has also documented 22 executions.[6]

The already dire humanitarian crisis is exacerbated by the military's deliberate targeting and destruction of 343 hospitals and clinics, using a map of public healthcare facilities created in 2019.[7] This calculated strategy not only violates international humanitarian law but also cripples the healthcare infrastructure, exacerbating the suffering of civilians and denying them essential medical services. The military has also targeted religious sites, with at least 10 reported attacks on religious places.[8] This pattern is exemplified by the recent attack on 11 May 2024, when the military bombed two churches in the Christian-majority Chin State in two airstrikes.[9]

2. Arbitrary Arrests

Since its coup in February 2021, Myanmar's military has relentlessly targeted activists, protestors, and civil society voices supporting the democratically elected government with harassment and arbitrary arrest. As of 22 May 2024, the number of arbitrary arrests since the coup has reached 26,717, with 20,474 detained, 8,999 sentenced,[10] and 43 sentenced to death in absentia.[11] Over 5,400 women have also been arbitrarily arrested since the coup, with nearly 4,000 still detained by March 2024.[12] During detention, authorities systematically commit sexual violence and torture against women prisoners, including gang rape, beatings, and verbal abuse.[13]

The military-influenced courts have ignored international law and disregarded due process, sentencing 76 journalists so far to a combined total of 335 years imprisonment, with individual terms up to 20 years long.[14] Independent journalists in Myanmar have been threatened, tortured, jailed and killed by the military.[15] For instance, in October 2023, the offices of independent news outlet Development Media Group were raided and shuttered by the military.[16] On 11 February 2024, the buried body of Myanmar journalist Myat Thu Tun was found in the town of Mrauk-U, Rakhine State, along with several bodies of prisoners buried in an air shelter, and it was marked with gunshot wounds and signs of torture.[17]

3. Humanitarian Crisis

As of May 2024, more than 3 million people have been displaced due to the conflict.[18] The number keeps increasing as conflict between Myanmar's military and armed groups continues. On 19 May 2024, Rohingya residents of a town near the Bangladesh border were forced to flee after the town was burned down during a fight.[19] Besides losing access to food and shelter, refugees face severe exploitation in camps. Approximately 569 people have also died trying to reach Indonesia via the Bay of Bengal and the Andaman Sea to flee the terrible conditions of displacement.[20]

The national law on mandatory conscription, effective in February 2024, exacerbates the instability and risk for civilians.[21] The law applies to men aged 18-35 and women aged 18-27, including Rohingyas, and evading conscription is punishable by three to five years in prison and a fine.[22] The regime announced that 14 million of the country's young people are eligible for conscription, 26 percent of the country's population of 54 million, with a plan to enroll 5,000 per month from April 2024.[23] This forces young people to fight in the military's illegal war against their will and beliefs. Furthermore, the military has banned conscription-age men from traveling out of the country for work, placing a further financial burden on families already facing a humanitarian crisis.[24]

Additionally, the social and economic rights of vulnerable groups, including women, children and ethnic and religious minorities, are severely and disproportionately affected by the conflict. According to OCHA, in 2024, 18.6 million people in Myanmar, including 6 million children and 9.7 million women and girls, require humanitarian aid.[25]

4. Recommendations

HRN strongly condemns the escalating and widespread violence against civilians by Myanmar's military, as well its use of torture, arbitrary arrests, persecution of civil society, forced conscription, restrictions on humanitarian aid, and other human rights violations. HRN calls on Myanmar's military to:

- Respect and restore the democratically elected government of Myanmar;
- End the conflict, including all aerial and ground offensives and military strikes in civilian areas;
- Allow and provide humanitarian access to all affected people, especially those displaced;
- Uphold the rule of law and human rights for all civilians, especially vulnerable groups, and end arbitrary arrests, harassment, and restrictions on free speech, releasing all detainees held without due process;
- End the policy of forced conscription.

We urge the international community to:

- Support firm measures under UN Charter Chapter VII to enforce the military's compliance with Security Council Resolution 2669, including targeted economic sanctions on the military's financial resources, a comprehensive embargo on weapons and aviation fuel, and a referral of Myanmar's situation to the International Criminal Court;
- End all non-humanitarian ODA or other support that may support the military;
- Require companies with business links or suppliers in conflict areas, including Myanmar, to assess their risks of human rights violations with rigorous due diligence, and end any business or links enabling violations;
- Increase contributions to humanitarian efforts in Myanmar, support the rebuilding of destroyed civilian areas, and ensure the safe resettlement of displaced people.

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