



ND-Burma



Waking to War Crimes

2021

INTRODUCTION

The Myanmar military's war on the people has devastated the lives of thousands across decades of unrelenting internal conflict. Since the junta's attempted coup on 1 February 2021, their systematic assaults on civilian livelihoods has worsened across all regions and States in Myanmar. As divisive as they are deceptive, the Generals see themselves as the rightful governors of the State and have blatantly manipulated their own military drafted Constitution to justify their power-grab. Nationwide crackdowns have followed in response to peaceful protesters calling for a resumption of the democratically elected National League for Democracy (NLD) government.

The junta has scaled up military operations nationwide, targeting hundreds of innocent civilians. On September 7, the National Unity Government (NUG), a government formed by activists and elected officials, officially declared a 'defensive war' on the junta.¹ The People's Defense Forces (PDFs), which are groups of civilians

trained in combat, are now fighting alongside various ethnic revolution organizations (EROs) against the military junta for their freedom. The onslaught of clashes has come with high casualty rates for both sides, including citizens who have been caught in the crossfire. By October, 3 million civilians were in desperate need of life-saving support with 219 000 people displaced by internal violence.²

The junta has claimed that the NUG and PDFs are terrorist organizations in a failed bid to downgrade their legitimacy.³ These attempts have been unsuccessful as more evidence emerges which shows how the junta is violating human rights laws, norms and principles. The Special Envoy of the UN Secretary General on Myanmar, Christine Schraner Burgener, has called on the leader of Myanmar's armed forces and orchestrator of the coup, Senior General Min Aung Hlaing, to step down.⁴ Echoing these sentiments has been the UN Special Rapporteur on the situation of human rights in Myanmar, Tom Andrews who has

1. ["Myanmar's Shadow Government Announces 'Defensive War'"](#) *Voice of America*, 8 September 2021
2. [Myanmar - Humanitarian Snapshot \(October 2021\)](#), *United Nations Office for the Coordination of Humanitarian Affairs*, 18 October 2021
3. ["CRPH, NUG, PDE and their associated organizations are "terrorist groups": SAC on State TV"](#) *Eleven Myanmar*, 9 May 2021
4. Remarks by Ms. Christine Schraner Burgener, Special Envoy of the Secretary-General on Myanmar General Assembly Third Committee Interactive Dialogue 22 October 2021. See in full [here](#).

repeatedly called on the UN General Assembly to stand with and for the people of Myanmar.⁵

From the very beginning of the Spring Revolution, it has been the individuals on the ground who have spoken truth to power despite the great risks faced in condemning the junta's series of illegal and unjust acts. This has come at the cost of thousands of arrests as freedom fighters sacrifice their lives in the name of democracy for Myanmar. The voices of people of various ethnicities, genders, religion and socio-economic backgrounds persist and they continue to demand accountability from a regime who has sabotaged their survival.

At the time of writing, the junta has killed at least 1200 civilians since February with over 10 000 arrested amid a deeply hostile environment for peaceful protesters. With 60% of those killed by state forces around the world in 2021, Myanmar is currently the deadliest country in the world for demonstrators.⁶ Excessive lethal force by the military has seen at least 25% of those killed while protesting being shot in the head.⁷ Violence has not declined, rather it has worsened and exacerbated civilian anxieties over their well-being and security. The unyielding campaign of terror waged by the junta is gravely familiar

to ethnic people who have suffered under their brutality for decades.

In Chin and Kayah (Karenni) States, everyday life has been especially challenging for civilians. The emergence of several local PDFs and armed resistance groups has led to the Myanmar junta regularly expanding their military operations. Sagaing region has also been hit particularly hard by the regime's violence, which include the deployment of the 'four-cuts' tactics. The strategy has long been used to isolated rival groups by cutting off supplies to food, recruits, information and funding. Dozens have been killed as the regime loots villages, tortures civilians and engages in extrajudicial killings.

5. Remarks by Thomas H. Andrews, UN Special Rapporteur on the situation of human rights in Myanmar, General Assembly of the United Nations, New York, New York USA. See in full [here](#).

6. "Deadly Demonstrations: Fatalities from State Engagement on the Rise," *The Armed Conflict Location & Event Data Project*

7. "Myanmar military junta warns protesters risk being shot in the head or back," *ABC News*, 27 March 2021


METHODOLOGY

The Network for Human Rights Documentation – Burma (ND-Burma) has documented war crimes and crimes against humanity through desk research, interviews and member organization data. On average, between **35 and 43** cases of human rights violations amounting to war crimes were committed in each state/region: Chin State, Kayah (Karenni) State and Sagaing region. The human rights violations being perpetrated by the junta are considered to be grave breaches of the Geneva Convention and amount to war crimes including murder, torture, sexual violence, rape, enforced disappearances and the destruction of property. ND-Burma members, notably the Chin Human Rights Organization (CHRO), have collected evidence of harrowing state-sponsored abuses. The inhumane acts being perpetrated by the junta exemplify a conditioned impunity in which the military soldiers feel shields them from any accountability.

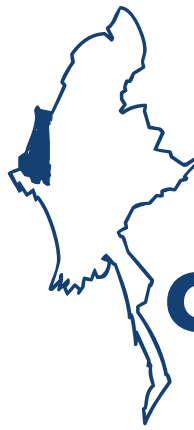
War crimes are defined as ‘grave breaches’ of the Geneva Convention which are outlined and described through additional protocols and involve acts perpetrated against persons or property protected by the Convention.⁸ These contain willful killing, torture, and intentionally depriving individuals of basic rights and freedoms which are committed only during armed conflict.⁹ Crimes against humanity are a part of systematic assaults on human rights which are enacted as part of a widespread attack upon a civilian population.

The severe deprivation of civil liberties and protection will be outlined using case studies from the news media and human rights organizations. The State is responsible for ensuring all citizens enjoy a quality of life that enshrines their basic rights and fundamental freedoms, and yet the Myanmar military has failed exorbitantly in its capacity to do so.

8. [How "grave breaches" are defined in the Geneva Conventions and Additional Protocols](#), *International Committee of the Red Cross*
9. [Geneva Conventions of 1949 and Additional Protocols](#), and their Commentaries, *International Committee of the Red Cross*



ND-Burma is extremely grateful to our member organizations and civil society organizations who are taking great risks to document the human rights situation on the ground. Their work is essential to holding the military junta accountable for the mounting war crimes and crimes against humanity which they are guilty of.



Part 1

CHIN STATE

SITUATION OVERVIEW: Military crackdowns in Chin State have been expanding for months. Civilian led defense forces (PDFs), including the Chinland Defense Force (CDF), began responding to the threat of the junta when the regime refused to free detained Chin protesters. The people in Chin State have overwhelmingly indicated their support of pro-democracy activities including the Civil Disobedience Movement (CDM) with over 95% of the state level civil servants in Hakha participating and 71% of the state's government workforce going on strike.¹⁰ This has had serious trickle-down impacts on the junta's attempts to incapacitate the economy for their own benefit.

The ramping up of military offensives in Chin State has led to the displacement of thousands since 1 February including 50,000 in Paletwa, 20, 000 in Mindat and up to 5000 people newly displaced in Thantlang township.¹¹ As of 21 October, nearly

200 households in Hakha had fled after the junta began firing heavy weapons.¹² As a result of the volatility and underlying threats to their safety, approximately 30 000 people are estimated to have crossed into neighboring India.¹³ In Mindat, there have been more than 50 clashes between the junta and local resistance groups.¹⁴ Alongside state-sponsored violence are ongoing cases of arbitrary arrests and detainment, where at least 612 people have been taken to military prisons.¹⁵ Gross violations of human rights and international humanitarian law by the military junta are undermining civilian safety and their capacity to access urgently needed materials. Attempts to deliver aid by civil society and the United Nations have been blocked by the junta¹⁶ as places of worship, including predominantly churches where people have fled for shelter, are being destroyed.¹⁷ Since August, at least 360 homes

10. [Briefing: The need for urgent cross-border humanitarian response on the Western Front](#), *Chin Human Rights Organization*, 12 September 2021
11. Ibid
12. DVB October 21 October Daily Briefing
13. [Briefing: The need for urgent cross-border humanitarian response on the Western Front](#), *Chin Human Rights Organization*, 12 September 2021
14. ["Myanmar military destroys religious buildings in Chin State"](#) *Myanmar Now*, 3 September 2021
15. ["Report on the human rights situation in Chin and Kayah States of Myanmar."](#) *Republic of the Union of Myanmar National Unity Government Ministry of Human Rights*, October 2021
16. ["Myanmar's Military Blocks Supply Routes to 50,000 Refugees in Chin State Amid Renewed Fighting."](#) *Radio Free Asia*, 8 August 2021
17. [A living hell: Churches, clergy targeted by Myanmar military"](#) *Al Jazeera*, 14 October 2021

in Chin State have been set on fire, as villager belongings were looted and livestock killed.¹⁸ The regime has denied the state-sponsored abuses they are guilty of as survivors of the onslaughts are forced to survive on the bare minimum. A wave of uncertainty has consumed the population where residents say they are living 'in fear.'¹⁹

There continues to be no viable Internet connection in Chin State except for Hakha Township as of September 23. This is deeply worrying for civilians who fear the horrors perpetrated against them will be forgotten and unknown. The vulnerabilities civilians face in these scenarios are exacerbated by the junta's reputation for impunity.

WAR CRIMES IN CHIN STATE: Between September and October, ND-Burma documented over 43 cases of war crimes in Chin State including 16 cases of destruction of property. In addition to local villages being grazed, churches were regularly set on fire to discourage leaders from gathering there to organize and to deter displaced groups from seeking shelter.

Chin State – which is 90% Christian – has been targeted by increasing attacks on religious infrastructure. As a result of ongoing shelling and indiscriminate firing, nearly 200 homes and civilian infrastructure were burnt down between

August and September in Chin State, Sagaing and Magwe Regions – of which, 98 were damaged in Chin State.²⁰ These actions are in direct violation of the Geneva Convention as well as religious freedoms and further, an extension of the junta's deliberate attempts meant to demoralize the state's citizens and weaken the Spring Revolution. On the evening of September 14th, the Johnson Memorial Baptist Church in Thantlang township was struck by artillery fire.²¹ No one was killed or injured, but the building suffered serious damage, with broken windows and a damaged roof. Nearly one month later on 13 October, the junta forces once again torched another church in Rialti village, Falam township, along with thirteen homes in the village.²² Soldiers also confiscated belongings of the church congregations and aid intended for displaced communities. The scorched earth campaigns carry the same patterns of those committed by the junta in Karen and Shan States in past attacks. The insurgency tactics have not changed, and neither has the military's will to enforce them.

Civilians in Chin State have been forced to constantly flee to ensure sweeping military operations do not catch up with them. The junta has not hesitated to kill or torture civilians who are captured, which is

18. ["Myanmar's military torches 60 homes in Chin state since September,"](#) *Radio Free Asia*, 28 October 2021
19. ["Internet is Cut Amid Junta Troop Surge in Myanmar's Chin State and Neighboring Regions,"](#) *Radio Free Asia*, 4 October 2021
20. [Reign of Terror](#), *Chin Human Rights Organization*, October 2021
21. ["Military attacks church in battle-ravaged Myanmar,"](#) *UCA News*, 15 September 2021
22. [Situation Update](#), *Chin Human Rights Organization*, 14 October 2021



Dr. Aye Nyein Thu has been providing healthcare treatment to internally displaced persons in Chin State. (Photo: Citizen Journalist)

a prohibited act and a war crime which the regime must be held accountable for. Even doctors and medical professionals who have responded to the needs of injured IDPs have been under fire by the regime. Dr. Aye Nyein Thu is wanted by the junta for treating the most vulnerable in Mindat.²³ Calls for her arrest came shortly after three volunteers attempting to deliver medical supplies in remote areas were arrested. Attacks on health workers have significantly increased, where there have been almost 300 reported incidents, with 210 health officials arrested and 29 killed by the junta since February.²⁴

Torture has been widespread and used as a tool to squander dissent and discourage others from joined PDFs and pro-democracy activities. Nonetheless, civilians from all walks of life have joined the fight for freedom. One of those individuals was a medical doctor named Dr. Naing Htoo Lwin who had participated in the resistance as a training instructor in Chin State. On 15 October, he was captured by the junta and then tortured to death.²⁵

Reports of villagers who had fled, and attempted to return home to retrieve food and belongings have been fired at and taken hostage as human shields.

23. ["Myanmar Junta Seeks to Arrest Doctor Assisting Displaced Persons in Chin State."](#) *The Irrawaddy*, 24 September 2021

24. ["297 Reported Attacks and Threats to Health Care During Eight Months of Myanmar Military's Brutal Crackdown."](#) *Physicians for Human Rights*, 26 October 2021

25. [Situation Update.](#) *Chin Human Rights Organization*, 24 October 2021



The body of Kwi Awn, age 30, who was killed by the military junta on 27 September
(Photo: Citizen Journalist)

Three civilians with bullet wounds were found by CDF soldiers in Kanpetlet, which has been hit especially hard by conflict. The bodies were found with signs of torture in a drainage ditch, and had been burned.²⁶ One of the victims also had a bullet wound to his head. A decomposing body was identified as a young man who had been captured and forced to porter for the junta on 24 October.²⁷ The killing of hostages and murder is considered a war crime as it constitutes violations of law. In further acts of devastation, the junta scorched nearly 200 homes as well as two churches in Thantlang, Chin State at the end of October. Villagers were also robbed of their

possessions and livestock.²⁸ Satellite imagery revealed the fiery destruction in the aftermath of the burning, which the junta has denied any involvement in.²⁹ Following the attack, CHRO reiterated their calls to the U.N Security Council for action as Thantlang burned, and more junta reinforcements were expected to arrive.³⁰ Over 500 civil society organizations condemned the destruction by the military junta, and echoed calls to the UN Security Council to urgently convene a meeting on the escalating attacks in the State.³¹ Despite the overwhelming evidence of the war crimes committed by the regime, the military spokesperson claimed it was local resistance

26. ["Bodies of three civilians killed by junta soldiers found in Chin State," Myanmar Now](#), 29 September 2021

27. ["Situation Update, Chin Human Rights Organization](#), 23 September 2021

28. ["Myanmar soldiers torch hundreds of homes in restive Chin state," Radio Free Asia](#), 2 November 2021

29. ["Satellite imagery shows damage to town torched in Myanmar's Chin state," Radio Free Asia](#), 8 November 2021

30. See press release: [CHRO reiterates the call for U.N Security Council Action as Thantlang is set ablaze and Reinforcements arrive into Falam](#), *Chin Human Rights Organization*, 29 October 2021

31. ["Another wave of atrocity crimes in Chin State: UN Security Council must act now to end Myanmar Junta's Campaign of Terror," 521 Civil Society Organizations](#), 4 November 2021



fighters and villagers who set the blaze. Photos and testimonies from survivors reveal the truth of lived experiences on the ground.

Indiscriminate firing has fueled displacement in the State, the majority of whom are women, children and the elderly who have been forced to flee multiple times. Notwithstanding the emergence of more troops in Chin State, the junta spokesperson General Zaw Min Tun, has not commented on the destruction that the regime has forged- only occasionally insisting public denials and blaming civilians for their losses.³²

Thousands are still struggling as the resistance movement strengthens against the junta's

battalions. Aid workers have estimated that displaced groups have only weeks before they run out of materials completely. With so much loss, the best civilians can hope for is a safe return to their homes.

32. ["Military Crackdown Reported in Myanmar's Chin State."](#) *Voice of America*, 27 October 2021



Part 2

KAYAH (KARENNI) STATE

SITUATION OVERVIEW: Rising hostilities and growing military offensives have led to over 100 000 people in Kayah (Karenni) State being forced to leave their homes since February.³³ Spikes in violence have come as the Myanmar military attempts to squander the spirit of human rights defenders and local resistance soldiers. Civilians have rejected the attempted coup, and PDFs have formed in Kayah (Karenni) State in defense of their people and homeland.

In joint attacks against the junta, PDFs have fought alongside the Karenni National Progressive Party (KNPP) to weaken and dismantle the junta's presence. Across the eight townships are several PDFs including Loikaw PDF, Demawso PDF, Namkhone PDF, Moebye PDF and Phalkhone PDF.³⁴ They are collectively fighting to protect the state's civilian population. As clashes have intensified, innocent villagers have been indiscriminately targeted by the junta. Approximately 130

residents of Kayah (Karenni) State have been killed in the midst of a growing military presence.³⁵ An additional 195 people have been arrested, and 137 killed.³⁶ Across the State, at least 1000 inhabitants have been displaced per township with the majority in Demawso which has seen nearly 70,000 displaced since 1 February.³⁷

The situation has had serious impacts on the livelihoods of locals who are economically strained. The conflict and pandemic have made finding work much more challenging, and the regimes road blocks have made travel nearly impossible. At checkpoints, soldiers regularly extort civilians for money, possessions and confiscate mobile devices that show evidence of anti-coup activities.

Kayah (Karenni) based civil society organizations including the Karenni National Women's Organization (KNWO) have said their communities are being terrorized in the current situation with

33. ["Despite ceasefire, volunteers risk their lives to help over 100,000 fleeing conflict,"](#) *Frontier Myanmar*, 12 July 2021

34. ["Karenni Nationalities Defense Force \(KNDF\) will carry out NUG's defense policies,"](#) *Burma News International*, 3 June 2021

35. [Bi-weekly situation update,](#) *Karenni Civil Society Network*, 26 October 2021

36. Ibid

37. Ibid

fighting happening everywhere and a feeling that they have ‘nowhere safe to go.’³⁸ They are fearful for their children’s education and their family’s security. KNWO has called for a safety zone where IDPs can safely access humanitarian aid provided by trusted local civil society organizations.³⁹

The COVID-19 pandemic is an additional layer of stress that residents have been confronted with. Cases in the IDP camps have been rising amid a lack of personal protective equipment including masks and medicine. At least 40 villagers displaced in Demawso Township who fled military offensives between September 7 and 10 were infected with COVID-19.⁴⁰ Near the end of October, another 100 people in Hpruso township had tested positive for the virus.⁴¹ Infected villagers are being denied access to health care by the junta and deprived access to travel as the township has seen over 4000 people displaced.

Overwhelmed with chaos and anarchy, the worsening situation in Myanmar has taken a toll on locals in the State who are fearful of what is to come.

WAR CRIMES IN KAYAH (KARENNI) STATE:

Ongoing clearance operations are putting a strain on civilians. The torching of homes, airstrikes and arbitrary firing at noncombatants and their homes, in addition to torture and destruction of property are all war crimes which the junta must be held accountable for. ND-Burma recorded 42 cases of human rights violations amounting to war crimes in Kayah (Karenni) State between August and October. Among the many assaults on civilian liberties, junta soldiers regularly abducted residents as hostages. Some were forced to porter for the regime, and others were arbitrarily arrested or killed in custody.

The junta is arresting anyone who the soldiers feel is a threat to their rule. This includes those involved in the CDM, as well as religious and community leaders and human rights defenders. Young people have faced extreme brutality by the regime upon being taken hostage. Three teenagers from Padawdu village who were arrested in Demawso township, were forced to kneel and then were subsequently beaten by the junta on accusations of being connected to the Karenni National Defense Forces (KNDF).⁴²

38. [“Myanmar’s Coup Has Put Women in Harm’s Way.”](#) *The Diplomat*, 3 September 2021

39. Ibid

40. [“September Situation Update.”](#) *Women’s League of Burma*, 17 October 2021

41. [“Outbreak Spreads In Hpruso Township.”](#) *Kantarawaddy Times*, 21 October 2021

42. [Bi-weekly Situation Update.](#) *Karenni Civil Society Network*, 14 September 2021



Two Karenni youths from Six Mile Model Village, Demawso Township, Kayah State, are seen arrested by military council troops.(Photo: Citizen Journalist)

Those abducted between 4 and 8 September were used as human shields during military offensives. A couple arrested near their farm in Shwe Pi Aye village were forced to guide the military soldiers and stand in front of them in case Karenni resistance fighters began firing.⁴³ Others were taken away at gunpoint to undisclosed locations.⁴⁴ Between 27 August and 12 September, 26 people had been arrested by the junta in Demawso and Loikaw townships and over 200 civilians, including 30 volunteers supporting IDPs, had

been detained.⁴⁵

Two teenagers named Pascale and Pedale, who fled fighting in Daw Poe Si on 7 September were arrested by LIB 427 while returning home. They were used as human shields to guide junta soldiers carrying out offensives in Seven Lakes in Demawso Township.⁴⁶ They were held hostage and tortured on accusations of being affiliated with Karenni PDFs. A photo widely circulated on social media on September 11 showed the

43. Ibid

44. [“Civilians Arrested as Myanmar Military Cracks Down in Kayah State.”](#) *The Irrawaddy*, 14 September 2021

45. [“Hundreds of Civilians Arrested in Karenni State.”](#) *Kantarawaddy Times*, 6 October 2021

46. [ဖမ်းဆီးခံရတဲ့ ကယားလူငယ်နှစ်ဦးပုံ လူမှုကွန်ရက်မှာ ပျံ့နှံ့နေ](#), *Radio Free Asia*, 12 September 2021

two teenage boys making a three-finger salute – a sign of opposition to military rule – with their hands tied and the rope being held by a man in Myanmar military uniform who was sitting beside them. Taking civilians as hostages is a war-crime and is in violation of the Geneva Conventions and Additional Protocols which prohibit torture and other inhumane treatment which disregards individual dignity.

Indiscriminate firing, including airstrikes and shelling, has destroyed villages and sacred religious monuments and killed innocent civilians attempting to flee. An eight-year old boy was killed on 7 September in Demawso after a road

accident while clashes intensified between the junta and Karenni forces.⁴⁷ A couple days later on 9 September, a local woman was killed and three others were injured when artillery shells fired into areas where civilians were working on their fields.⁴⁸ Survivors of the attack began to escape but a young man failed to get away in time and has been missing since.

Artillery shells have regularly fallen on civilian homes across the state leading to growing numbers of injuries and casualties. Even elderly people are not safe. A 70-year-old villager from Demawso Township was shot and killed by soldiers on 26 September by the junta.⁴⁹ In a particularly cruel



On September 25, one person is found dead in a burned car with the individual's hands tied behind their back near Kone Thar village.
(Photo: Myanmar Now)

47. [စစ်ပြေးရှောင်ရာမှာ ယာဉ်မတော်တဆမှုဖြစ်ပြီး ကလေးငယ်တစ်ဦး ဆုံးပါး](#), *Burma News International*, 8 September 2021
48. [“Shelling Kills Civilian In Karenni State, KNDF Calls On Tatmadaw Soldiers To Join Them”](#) *Kantarawaddy Times*, 11 September 2021
49. [“Military kills two civilians, torches dozens of houses in Demawso, Kayah State.”](#) *Myanmar Now*, 28 September 2021

act, the remains of an individual who had their hands tied behind their back, was found in a scorched car during intense battles between the KNDF and junta.⁵⁰ Thirty homes were also burned to the ground. The targeting of civilians in these instances was deliberate. Road blockages has made traveling to receive treatment for injuries a matter of life and death.

ND-Burma spoke to an elderly civilian, age 71, named U Ree Moe from Kayan Thar Yar village on October 6th who described an attack he survived after his village was raided. He sought safety at a church:

“The Tatmadaw fired artillery shells at the church in Kayan Tharyar village between midnight and 1 AM. Villagers including men, women and children went to the church and sought refuge with our belongings such as pillows, blankets and kettles. At around 12 PM, three artillery shells landed around the church. Then, one of the motor shells struck our church. The ceiling of the church collapsed and hit people sleeping on the floor. Four villagers were killed and eight others injured. Those who were killed were identified as Pay Nan Hla, U lu Kyi, Daw Mu Htoo and Daw May Nan. U Lu Kyi and Daw Nan Hla are a couple. My wife,

Daw Mu Phung’s, hands were injured. She has not been able to hear properly since then.

We had to run away quietly overnight. We ran barefoot and had no time to wear shoes or sandals. We carried dead bodies to the nearby jungle and buried them there. Some villagers fled and hid in nearby caves. We were displaced in the jungle for nearly two months. We needed food and shelter. Some donors were able to cover our basic needs. We built temporary tents and stayed there with other villagers. Around 100 other villagers fled to an IDP camp near Daw papa village and Kon Nar village. I came back to my village because the military attacked the place where we were hiding.

Burmese soldiers are still staying at a church in our home compound. Fighting frequently breaks out near my village and Kone Tar village. I don’t want to run again because I am getting old and we faced so many difficulties staying in the jungle. My wife is deaf because of the shelling by the junta. But if it gets worse, I might have to flee again.”

An elderly woman named Daw Francisa from Bettalin, Demawso Township in Kayah (Karenni) State who spoke to ND-Burma recalled a similar experience when she was forced to flee fighting:

50. Ibid

“When the fighting broke out, other villagers fled with their family or by themselves. I am deaf and cannot hear properly. The whole village escaped and I was left alone. I was afraid but I didn’t know where to go. I didn’t recognize where the fighting was.

I lived alone in my village for about one month and then a group of youth came and rescued me. Then I was sent to a sister school at Hsawngbu village and sheltered there. I was able to get in contact with my daughter and reunited with her. I have a son with mental disabilities. When he heard gunfire, he was afraid and ran away. Since then, he disappeared. I do not know whether he is dead or alive. The civilian defense soldiers and young people told me that they will find my son and contact me when they do. Someone told me that he might have been arrested by the Burmese Army. I am waiting to hear about him. I don’t know what is happening in my village now because I never returned since I left.”

Military forces have shown a disregard for civilian safety and well-being. In addition to indiscriminate abductions and arbitrary arrests, soldiers are planting landmines which surround farms and villages. The regime has not hesitated

to shoot civilians on sight if they venture too far. A displaced woman in Demawso Township was seriously injured after losing her right leg to a landmine in Kone Thar village when returning home.⁵¹

Three more people were injured in explosions from landmines in the same village on 13 October. A 41-year-old man injured his hand, a 29-year-old man suffered a hemorrhage with the bones in his lower leg shattered by a piece of debris and a 31-year-old man was seriously injured at right leg in the landmine blast.⁵² Many farmers are now fearful to return to their yields.

The systematic, deliberate oppression which has denied thousands of civilians their rights to protection and safety exemplify the extremes that the junta is willing to go in their war on terror.

51. [Khit Thit Media](#), 2 October 2021

52. [လွိုင်တော်မြို့ ကုန်းသာကျေးရွာတွင် မိုင်း ပေါက်ကွဲပြီး ပြည်သူ ၃ ဦး ထိခိုက်ဒဏ်ရာရရှိ](#), *Kantarawaddy Times*, 13 October 2021



Part 3

SAGAING REGION

SITUATION OVERVIEW: Sagaing region has been the site of several massacres of innocent civilians as PDFs engage in combat against the military junta. As a result of ongoing, intensified offensives, civilians have fled fearing more raids on their villages. Those in IDP camps are struggling to survive on the bare minimum and without adequate access to food, water and shelter. These gaps in basic survival necessities have been especially difficult for the most vulnerable, including women and children and the elderly to endure. Their physical well-being and mental state have been compromised by the worsening situation, leading some women to say that they are battling feelings of depression and have lost the will to live.⁵³

An internet blackout in at least seven townships of Sagaing region is adding new levels of stress for civilians as the regime commits more atrocities without direct communication channels active

and secure.⁵⁴ Past military operations have been scaled up upon online and mobile networks being turned off by the regime. The military's scorched earth tactics alongside an information blackout have made it much more difficult for rights groups and civilians to collect evidence of the crimes being perpetrated against them.

According to the UN, nearly 40 000 people from Chin State, Sagaing and Magway regions have been forcibly displaced since May and approximately 7000 IDPs are staying in camps in Kale, Kani, Khin-U and Mingin townships.⁵⁵ Among the IDPs are 1500 children under the age of 10, 70 infants, over 90 seniors and 70 pregnant women.⁵⁶ As more troops are deployed to the Sagaing region, civilians become increasingly susceptible and at risk of being killed or injured by artillery fire and gunshots. The escalation in violence in the northwest of the country has evoked the worst fears of residents who have been forced to endure

53. ["In western Myanmar, conflict creates new dangers for women."](#) *Al Jazeera*, 27 September 2021

54. ["Internet blackout hits parts of Sagaing and Mandalay."](#) *Myanmar Now*, 15 September 2021

55. ["Myanmar Flash Update: Escalation of Conflict in the Northwest \(As of 3 November 2021\)"](#) UN Office for the Coordination of Humanitarian Affairs

56. [Myanmar Pressphoto Agency](#). 1 September 2021

torture and other relentless fear mongering tactics.

Even pro-military civilians and affiliates have been attacked by the junta. It was reported that during a raid near Kyee Aing village, soldiers arrested nearly 20 people hiding in a monastery who were known to be supporters of the military-backed Union Solidarity and Development Party (USDP).⁵⁷ Ongoing resistance attacks by local PDFs have resulted in mass injuries and casualties by the junta.⁵⁸ In Sagaing region, PDFs have ambushed the regime and laid landmines near their bases. Pro-junta police forces have also been targeted.

The Myanmar military has retaliated by punishing civilians and deploring scaled up violence. Those caught on suspicion of supporting the local resistance movement have been gunned down and assaulted. A woman who had raised funds for one of the Sagaing based PDFs was detained, and later killed by the junta.⁵⁹ Villagers are tortured on sight, shot at and used as human shields. Ongoing heavy losses by the junta are only spearheading their war against the people as they continue to perpetuate injustices with impunity. Meanwhile, doctors and health professionals are also being hunted down by the regime and arrested while

treating displaced populations.⁶⁰ Leaders from the locally established, Emergency Rescue Service Team, have regularly been forced to flee and go into hiding.

The situation in Sagaing region has left civilians traumatized and fearful of what is to come. EROs in Sagaing region are less active where PDFs have formed and therefore military efforts by the regime have been growing to crush one of the most successful PDFs in the country. Military junta soldiers are actively engaging in a civil war that has put innocent lives in the crossfire. Ongoing, targeted assaults must be brought to an immediate end and those responsible prosecuted at the highest level of jurisdiction.

WAR CRIMES IN SAGAING REGION: ND-Burma documented at least 35 cases of human rights violations in Sagaing Region between August and October. Young people in particular were attacked based on the junta's unproven suspicions of youthful men being affiliated with local PDFs. Villages have been raided and civilians in the dozens have been abducted and charged with fabricated evidence.

57. [‘Even if you support them, they won’t spare you’ – junta forces arrest pro-USDP civilians after suffering heavy casualties](#), *Myanmar Now*, 18 October 2021

58. [“Resistance Attacks Leave Junta Troops Dead Across Myanmar.”](#) *The Irrawaddy*, 2 November 2021

59. [“Junta soldiers detain and kill woman who raised funds for local guerilla group.”](#) *Myanmar Now*, 16 September 2021

60. မုံရွာမြို့တွင် အကြောင်းမဲ့ ဖမ်းဆီးခံရသည့် ပရဟိတဆရာဝန်ကို မည်သည့်နေရာတွင် ဖမ်းဆီးထားသည်မသိသေး *The 74 Media*, 26 September 2021



Residents of Tangse Township flee to safety due to military arrests on August 2, 2021.
(Photo: Citizen Journalist)

Four villagers who were sheltering from the war-ridden region were shot and killed by the junta on accusations of having ties and providing information to local PDFs.⁶¹ The four victims were identified as 55-year-old U Thaung Myint, 50-year-old old Daw Chaw Hla and two men who were 30 years old. In addition, 11 elderly people were arrested and then released the following day.⁶²

Those who remain in the villages following military assaults by the junta are at risk of being kidnapped and used as human shields. As the regime attempts to crush the resistance movement amid heavy losses, civilians are being forced to leave when they raid villages.⁶³ The use of human shields is in violation of the Geneva Convention,

and yet deadly offensives are ongoing at the cost of innocent lives.

On 26 August, the military junta raided Ka Paung Kya village with 100 soldiers.⁶⁴ One man was arrested, and another killed. Later in the evening, the village was burnt to the ground. The next day, the lawlessness continued with the junta searching for more residents of the village and shooting those hiding in the forest, where two people were killed. In addition to the mass destruction of property and murder, the terrorist military arrested 7 people including a pregnant woman and subsequently charged 100 villagers with section 505a of the Penal Code.⁶⁵ The obliteration of local homes forced over 700 households to flee and become internally displaced.⁶⁶

61. [ကလေးမြို့တွင် ချုံခိုတိုက်ခိုက်ခံရအပြီး စစ်သား ၆ ဦး သေဆုံး](#) Myanmar Now, 15 September 2021

62. Ibid

63. ["Junta accused of using human shields as it steps up efforts to crush Sagaing uprising."](#) Myanmar Now, 13 October 2021

64. [Myanmar Pressphoto Agency](#), 1 September 2021

65. Ibid

66. Ibid

In Depayin Township, at least 20 villages have been ruined by arson attacks by the regime since 1 February. Raids in October saw soldiers enter villages armed with machine guns and grenades and destroyed local property, and looted prized possessions including gold jewelry. Five homes were ruined, and 500 residents fled.⁶⁷ Clearance operations have forced at least 3500 villagers to flee.⁶⁸

Taze Township of Sagaing region is a hard-hit township which has seen the military junta regularly patrolling villages. On 31 August, 12 innocent civilians were arrested in Leikchan village on unproven accusations of being involved

with Sagaing based PDFs.⁶⁹

The township has also been exposed to arson by the junta. On 23 September, junta soldiers began firing at homes in Kye Kone village where 7 houses were reduced to ashes, and thousands of paddy farms were destroyed.⁷⁰ On 24 September, the junta repeated the exact same offensives and damaged more homes and paddy farms. By the end of September, two more homes were set on fire by the junta in Makyeboke village, and later fired artillery shells into the hills where locals had fled.⁷¹ The burning of civilian houses and villages is being used systematically in Sagaing region to force local villagers to retreat and lose faith in the



Sagaing Division A house set on fire on September 28 in Chaung-U Township (Photo: Citizen Journalist)

67. ဒီပဲယင်း အုံးခါရွာကို စစ်ကောင်စီ တပ်များ ဝင်ရောက်စီးနင်းပြီး ပြည်သူပိုင်ပစ္စည်းများကို ဖျက်ဆီးကာ ရွှေထည်ပစ္စည်းများကို လုယက်၊ ပြည်သူ့ ၅၀၀ ဘေးလွတ်ရာ သို့ ထွက်ပြေးရ ရန်ကုန်၊ အောက်တိုဘာ ၆, *Khit Thit Media*, 6 October 2021

68. *Ibid*

69. စစ်ကောင်စီတပ်တွေ ဝင်ရောက်ဖမ်းဆီးလို ဒေသခံ ၅၀၀၀ လောက် ထွက်ပြေးနေရ၊ *Radio Free Asia*, 2 September 2021

70. တန့်ဆည်တွင် ရဲမိသားစုဝင်တချို့ အသက်ခံရပြီးနောက် ရွာရှိ နေအိမ်များကို စစ်ကောင်စီ မီးရှို့၊ *The Irrawaddy*, 23 September 2021

71. ချောင်းဦးမြို့နယ်မှာ နေအိမ်လေးလုံးကို စစ်တပ် မီးရှို့၊ *Radio Free Asia*, 28 September 2021

resistance. Individuals who have attempted to put out fires have been shot dead on the spot.

Indiscriminate firing into public places has resulted in an alarming number of growing civilian casualties. On 1 October, two individuals, including a 5-year-old child, were shot and killed when the junta opened fire in Khin Oo Township of Sagaing region.⁷² The nearby Pyindaung village was set on fire, and approximately 50 people were arrested in what followed expanding offensives in the region.

Brutal beatings have followed intrusive interrogations and abductions. The most vulnerable have not been spared. Four soldiers beat and kicked a mentally ill man in Kalemmyo, Sagaing region who afterward went missing.⁷³ Another mentally disabled man was shot dead while fleeing violence in Laung Pyae village in Mingin Township.⁷⁴

The ongoing forced disappearances, abductions and annihilation of civilian homes, villages and institutions are evidence of war crimes. Yet, the junta has continued to perpetrate crimes of great injustice against innocent communities. Tens of

thousands continue to flee worsening offensives as the regime violates international laws and pursues even more outbreaks of violence against the people.

72. [ခင်ဦးမြို့၊ ပျဉ်ထောင်ရွာတွင် ၅ နှစ်ကလေး အပါအဝင် ပြည်သူ ၂ ဦးကို စစ်တပ်က ပစ်သတ်၊ ရွာကိုမီးရှို့ပြီး ကျေးရွာသား ၅၀ ထက်မနည်းကို ဖမ်းဆီးသွား](#) *Khith Thit Media*, 1 October 2021

73. [ကလေးမြို့တွင် စိတ်မနှံ့သူတစ်ဦးကို စစ်ကောင်စီတပ်ဖွဲ့ဝင်များက အုတ်ခဲဖြင့် ထု၊ သေနတ်ဒင်ဖြင့် ရိုက်](#), *Khith Thit Media*, 13 October 2021

74. [မင်းကင်းမြို့နယ်၊ လောင်းပြည့်ကျေးရွာမှ စစ်ဘေးရှောင် ဦးသာအောင်၊ ဦးပို၊ မောင် မင်းသန့်၊ မောင်အောင်လှိုင်ဦးနှင့်စိတ်ဝေဒနာရှင် ချပ်ပြား စုစုပေါင်း ပြည်သူ ၅ ဦးကို တောထဲလှိုက်လံစီးနင်း၍ စစ်တပ်က ပစ်သတ်သွား](#) *Khith Thit Media*, 13 October 2021

CONCLUSION

There can be no doubt that war crimes are being perpetrated across the country in Myanmar. Violence has had encumbering impacts on innocent people who have been denied their political rights and fundamental freedoms by a regime with a backlogged history of making decisions which only benefits themselves.

The lives of millions across the country are at risk of even more human rights violations being perpetrated against them if action is not taken immediately. The United Nations Security Council must act with due diligence and integrity by conducting emergency meetings and investigations on the ground. Since 1 February, terror and destruction has embodied the state of affairs in Myanmar. The human rights situation has deteriorated quickly. In addition, thousands have been arrested and charged under false pretenses.

There is no rule of law in Myanmar or reliable transitional justice mechanisms which would hold the military accountable. As such, discrimination and attacks against civilians continue with impunity. In many cases, these victims have no opportunity to defend themselves. Justice is not only being delayed to those wrongfully accused, it

is being outright denied and making a mockery of Myanmar's legal systems.

Humanitarian aid is needed urgently, and yet the regime has blocked many attempts at ensuring even the most basic goods and services do not reach those most in need. The international community must therefore send support through cross-border aid or else there will be no other way to reallocate funds. Local organizations continue to take significant risks in their attempts to provide food and necessities. The Association of Southeast Asian Nations (ASEAN) also has a responsibility to act in response to the worsening crisis in Myanmar. Their policy of non-interference has been problematic in their justification of not doing enough to stop the state-wide abuses taking place.

Further, the current conditions inside Myanmar are deplorable. War crimes are being committed as the country plunges further and further into poverty. The people are fighting for their lives and the international community has a moral and political obligation to do the same.

RECOMMENDATIONS

To the International Community

1. Refuse under all circumstances to engage with the military junta or else risk legitimizing the regime as the legitimate government of Myanmar. All efforts to engage with the country's leadership must be with the National Unity Government.
2. Deny the representation of Myanmar junta officials at any international engagements and affairs.
3. Publicly condemn the systematic, wide spread oppression of civilians in Myanmar and take concrete actions to dismantle business ties which the junta profits off of at the expense of innocent people.
4. Recognize the human rights violations being perpetrated by the military junta as war crimes which they must be held accountable for at the International Criminal Court.
5. Impose and strictly enforce sanctions on the Myanmar junta.

To Donors

1. Work with local humanitarian organizations on the ground to ensure that designated supplies for food, shelter and medicine reach the most vulnerable. The military junta cannot be trusted to facilitate any aid.
2. Ease, adjust and reform funding requirements which make urgently needed funds inaccessible to organizations who are facing daily security risks for documenting human rights violations and providing services to their communities in the midst of a deeply unstable political environment.
3. Provide accessible pathways to funding and multiple ways to engage in Myanmar languages to reduce the burden local organizations face in competing for resources
4. Ensure cross-border aid channels are utilized to guarantee the free-flow of goods and services through trusted local sources and organizations.
5. Make all efforts to provide relief through monetary means and that of goods and services to hard hit areas of Myanmar who have been brutalized by scaled up militarized attacks on their villages and places of religious worship, including churches and temples.

To the United Nations

1. The United Nations must show their support for Myanmar by taking action beyond the statements condemning the atrocities taking place in the country.
2. The United Nations Security Council must immediately adopt a resolution which acknowledges the worsening of the human rights crisis on the ground in Myanmar and impose a global arms embargo which would halt the free flow of weapons into the conflict-torn country.
3. To refer Myanmar to the International Criminal Court to ensure accountability and set an important precedent which is that no one is above the rule of law.



Network For Human Rights Documentation - Burma

Waking to War Crimes

Cover Photo



A soldier stands next to a detained man during protests in Mandalay. [AFP]



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