



# REPORT ON THE HUMAN RIGHTS SITUATION IN BURMA

January - December 2017

**NETWORK FOR HUMAN RIGHTS DOCUMENTATION - BURMA**



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Cover photo: Villagers walk through a stream to search for the body of a missing Kachin man © Kachin Women's Association Thailand

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# Acknowledgement

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# About us

ND-Burma is a 16-member organization whose members represent a range of ethnic nationalities, women and the LGBTI community. We have been documenting human rights abuses and fighting for justice for victims since 2004.

## **Members:**

Assistance Association for Political Prisoners – Burma

Human Rights Foundation of Monland

Kachin Women's Association Thailand

Ta'ang Women's Organization

Ta'ang Students and Youth Organization

Tavoyan Women's Union

## **Affiliate Members**

All Arakan Students' and Youths' Congress

Chin Human Rights Organization

EarthRights International

Equality Myanmar

Lahu Women's Organization

Pao Youth Organization

Human Rights Defenders and Promoters

East Bago - Former Political Prisoners Network

Progressive Voice

Kachin Development Networking Group

# Methodology

**Fieldworker Situation:** ND-Burma members' fieldworkers put themselves at great risk to document human rights violations. Due to security concerns, human rights monitoring cannot take place openly. Thus a representative sampling of all violations that take place in Burma is not possible. Fieldworkers and the people who communicate with them face security risks even in ceasefire areas, as the military and police often intimidate victims into keeping quiet. If a member of the military or police discovers that a fieldworker is gathering information on human rights violations that person is at risk of arrest under repressive laws, harassment, or even violent retribution. Fieldworkers rely on networks of individual contacts for information. Many of these contacts are responsible for gaining additional information and conducting interviews with individuals, village leaders, and government staff members.

**Documentation:** ND-Burma has provided training (with assistance from international human rights NGOs) to fieldworkers of member organisations who collected the information presented in this report. Fieldworkers collect interviews and other information across Burma's states and regions. Individual cases are documented depending on opportunity and circumstance. The cases presented here constitute first hand accounts of abuses perpetrated by government security forces and ethnic armed organisations (EAOs).

However, there are some limits to our data collection. Firstly, fieldworkers are unable to document all human right violation cases due to security restrictions. Secondly, ongoing conflict and conflict-related displacement prevents access to certain areas and results in underreporting in states where there is armed conflict, including in Kachin and Shan states. ND-Burma does not currently document in Rakhine State and the data therefore does not include human rights violations committed in this region. Finally, a culture of impunity on the part of the military and fear of retribution makes many victims of human rights abuses reluctant to report violations, even when given the opportunity.

**Data Management:** Fieldworkers send documents to their mother organisations, whose staff upload the information to ND-Burma's database. ND-Burma's data management team organises each document and has selected case studies from events that were recorded over the period January to December 2017. Any other information collected during this period regarding historic human rights violations is saved in order to build a robust record of Burma's history.

# Executive Summary

- ND-Burma documented 50 human rights violations in 2017. 39 violations took place in 2017, 6 in 2016, 4 in 2015, and 1 in 2014.
- The most common human rights violation recorded was torture (24 cases), followed by extrajudicial killing (11 cases), and arbitrary arrest (7 cases).
- The majority of human rights violations continue to take place in Shan State, with 42 cases (84%) being recorded in the Region. 5 took place in Kachin State, 2 in Rangoon, and 1 in Irrawaddy Region. Both Shan and Kachin states are active conflict regions.
- The majority of human rights violations were committed by state security forces, with 36 cases (72%) being ascribed to the military, police, and militias. 6 were ascribed to ethnic armed organisations (12%), 5 to unknown perpetrators (10%), and 3 to civilians (6%).
- Impunity continues to be the norm, with none of the victims in the cases documented seeing justice for what they have suffered. Perpetrators continue to block legal investigations and informal truth-seeking through threats and intimidation.
- The drop in human rights violations recorded since our 2016 report should not be read as an actual reduction in the number of abuses but as a consequence of increased access restrictions and security concerns. As well as the ongoing conflict in Shan and Kachin states, 2017 has seen the world's fastest growing refugee crisis as a result of military violence in northern Rakhine State.

**Table of human rights violations documented by  
ND-Burma, January - December 2017**

<b>No.</b>	<b>Categories of human rights violations</b>	<b>Number of bulletins</b>
1.	Arbitrary or illegal arrest or detention	7
2.	Confiscation or destruction of property	1
3.	Human trafficking	3
4.	Killing	11
5.	Rape or other sexual violence	2
6.	Torture or inhuman or degrading treatment	24
7.	Use as child soldier	2
<b>TOTAL</b>		<b>50</b>

# Overview

## Conflict and displacement

Approximately 258 armed clashes were recorded over 2017, with the majority of clashes occurring between the military and ethnic armed organisations (EAOs) in northern Shan and Kachin states.<sup>1</sup> In these two states approximately 15,000 people became newly displaced as a result of fighting, with three quarters of those being in Shan State. Many of these IDPs have been able to go home, though at the end of 2017 there remained about 92,000 displaced people in Kachin State, 15,000 in Shan State, and 5,600 in Kayin State.<sup>2</sup>

The military has been accused of using fighter jets, helicopter gunships, and unmanned drones as part of its campaign against EAOs.<sup>3</sup> This has resulted in civilian casualties as fighting often takes place in or near villages and IDP camps (Cases 1-2).

Human rights violations documented by ND-Burma in conflict areas include arbitrary arrest, torture, and killing of ethnic nationality civilians (Cases 3-8). This includes the case of a 14-year-old boy who has become the youngest person to be jailed under the Unlawful Association Act (Case 5). Civilians also continue to be killed by landmines (Case 10).

August also saw clashes in northern Rakhine State following an attack by Muslim militants on police posts and an army base, which saw violent reprisals on the local Muslim population by government security forces as well as Buddhist civilians. Some 688,000 Muslims fled to Bangladesh in what has become the world's fastest growing refugee crisis.<sup>4</sup>

The government continues to block access to international humanitarian agencies trying to deliver aid to IDPs living in EAO-controlled territory and further reduced access to government-controlled areas. According to the Special Rapporteur on

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1. Myanmar Peace Monitor 2017 archive, <http://mmpeacemonitor.org/research/monitoring-archive/180-monitoring-archive>

2. UNOCHA Myanmar: 2018 Humanitarian Needs Overview, <https://reliefweb.int/sites/reliefweb.int/files/resources/2018%20Myanmar%20Humanitarian%20Needs%20Overview.pdf>

3. Report of the Special Rapporteur on the situation of human rights in Myanmar for the Human Rights Council, 37th session, 26 February - 23 March 2018, <http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session37/Documents/A-HRC-37-70.docx>

4. UNOCHA, <https://www.unocha.org/rohingya-refugee-crisis>





*An IDP child goes to school in Kutkai Township, Shan State (Photo: KWAT)*

Human Rights in Myanmar, humanitarian access in 2017 was at its lowest in four years.<sup>5</sup> These IDPs have faced food shortages and a lack of access to basic services such as medical care. National humanitarian organisations have tried to fill the gap but are unable to satisfy demand and also regularly face access restrictions (Case 3). A statement released by ND-Burma member KWAT in August said the blocking of aid coupled with the violations committed by soldiers during offensives amounted to “war crimes”.<sup>6</sup>

Some 6,200 Shan IDPs displaced on the Thai-Burma border also had

their international aid cut as a result of the Restoration Council of Shan State/ Shan State Army (RCSS/SSA) EAO signing the Nationwide Ceasefire Agreement (NCA). However the IDPs have said they do not feel it is safe to return because of ongoing armed clashes between the RCSS/SSA and military, as well as increased militarisation of this area. Like Kachin IDPs, they have suffered from food shortages and a lack of medical care.

5. Report of the Special Rapporteur on the situation of human rights in Myanmar for the Human Rights Council, 37th session, 26 February - 23 March 2018, <http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session37/Documents/A-HRC-37-70.docx>

6. KWAT: Latest Burma Army war crimes in Kachin State highlight urgent need to end military-to-military ties with Burma, 21 August 2017, [https://progressivevoicemyanmar.org/wp-content/uploads/2017/08/Press-release-by-KWAT-in-ENG\\_Latest-Burma-Army-war-crimes-in-Kachin-State-highlight-urgent-need-to-end-military-to-military-ties-with-Burma.pdf](https://progressivevoicemyanmar.org/wp-content/uploads/2017/08/Press-release-by-KWAT-in-ENG_Latest-Burma-Army-war-crimes-in-Kachin-State-highlight-urgent-need-to-end-military-to-military-ties-with-Burma.pdf)

## Conflict and peace process

The government held the second session of its 21st Century Panglong Peace Conference in May. Progress seemed to have been made when members of a powerful northern alliance of armed groups, many of whom are in active conflict with the military, agreed to participate. However they were not permitted to take part in any substantive discussions and left before the end of the conference. The groups - which make up some 80% of non-state troops in the country - have stated they will not sign the NCA in its current form.<sup>7</sup>

The one-year anniversary of the NCA in October brought a chorus of criticism from ethnic leaders, with the Chairman of the Karen National Union - an NCA-signatory - saying that the peace process had become increasingly unilateral and based on pressure. The Commander-in-Chief of the military used the opportunity of the anniversary to reiterate the government's position that EAOs would have to sign the NCA before joining political negotiations, equating a refusal to sign the ceasefire with a "*desire for armed 'anarchy'*".<sup>8</sup> Non-signatory EAOs have repeatedly accused the military and government of pressuring them to sign the accord through, *inter alia*, heavy offensives, arrest and torture of locals accused of supporting EAOs, and blocking aid to IDPs.

There has also been fighting between EAOs that have signed bilateral ceasefires with the government. For example the Shan State Progress Party/Shan State Army - North (SSPP/SSA-N) revealed that the military had launched over 500 military offensives against it since it signed a ceasefire in 2012.<sup>9</sup>

A number of Karen organisations claimed the NCA has been used to plunder ethnic areas for the benefit of investors as opposed to local populations.<sup>10</sup>

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7. For more information on the second session of 21st Century Panglong please see the Crisis Group briefing: Building critical mass for peace in Myanmar, 29 June 2017, <https://www.crisisgroup.org/asia/south-east-asia/myanmar/287-building-critical-mass-peace-myanmar>

8. Greetings of Commander-in-Chief of Defence Services Senior General Min Aung Hlaing at the second anniversary of the Nationwide Ceasefire Agreement- NCA, 16 October 2017, <http://www.president-office.gov.mm/en/?q=issues/peace/id-7778>

9. BNI Online: Tatmadaw attacked SSPP/SSA-N over 500 times since the signing of the union-level ceasefire, 16 January 2018, <https://www.bnionline.net/en/news/tatmadaw-attacked-ssppssa-n-over-500-times-signing-union-level-ceasefire>

10. BNI Online: Karen orgs voice opposition to development projects that plunder ceasefire areas, 7 November 2017 <https://www.bnionline.net/en/news/karen-orgs-voice-opposition-development-projects-plunder-ceasefire-areas>

ND-Burma published a briefing compiling its members recommendations for the peace process, which included involving all armed groups and civil society in the dialogue, removing the army's immunity clause in the 2008 Constitution, and ensuring any peace deal includes a commitment to providing redress for victims of human rights violations.<sup>11</sup>

## **Freedom of expression and human rights defenders**

The legal system continues to be used to intimidate and incarcerate human right defenders and journalists. Two Kachin pastors were sentenced to a total of six years' imprisonment under the Unlawful Association Act for having assisted journalists documenting military offensives in northern Shan State. Three local journalists were charged under the Unlawful Association Act after attending a drug-burning ceremony hosted by an EAO, but were released three months later.

A former spokesman of the Arakan Liberation Party served an 18-month sentence for accusing the military of committing human rights violations. Khaing Myo Tun was charged under section 505(b) of the Penal Code, which criminalises statements "likely to cause fear or alarm to the public." A former child soldier who had been recruited by the military and spoken about his experience on the radio was charged under section 505(b) and sentenced to two years in jail in 2018.<sup>12</sup>

Three journalists (including two holding foreign passports) and their driver spent two months in jail after flying a drone over the parliament, for which they said they had received prior permission. Two journalists who had been researching military abuses in Rakhine State were put on trial under the colonial-era Official Secrets Act in a suspected case of entrapment and were potentially facing 14 years in jail. The Editor of the Tanintharyi Weekly was sued by the regional government under Article 25 of the Media Law after publishing a satirical piece and was facing a heavy fine.

The government amended Article 66(d) of the Telecommunications Law but failed to include meaningful change demanded by civil society. A report found that the majority of complainants in 66(d) cases were government officials.<sup>13</sup> The beginning of 2018

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11. ND-Burma: Without justice there can be no peace, 24 May 2017,

file:///C:/Users/ASUS/Downloads/ND-Burma-WithoutJusticeThereCanBeNoPeace.pdf

12. Free Expression Myanmar: 66d No Real Change, <http://freeexpressionmyanmar.org/wp-content/uploads/2017/12/66d-no-real-change.pdf>

13. RFA: Former Myanmar Child Soldier Given Two-Year Prison Term For Describing Forced Abduction, 28 March 2018, <https://www.rfa.org/english/news/myanmar/abduction-03282018135909.html>

saw the government consider changes to the Peaceful Assembly and Peaceful Procession Law, including an amendment to Article 18 that would bring prison sentences for activities which had the “intention of harming the stability, rule of law, peace and tranquility of the community and public morality.” At the time of writing the changes had been approved by the upper house of parliament.

A legal adviser to the Ta'ang ethnic minority was detained following a shooting despite reportedly not being at the scene and was facing homicide charges.

Five Karenni men who protested the military's alleged execution of 5 Karenni soldiers and a civilian were ordered to appear in court for having violated Section 19 of the Peaceful Assembly and Peaceful Procession Law. In January 2018, seven protesters were shot in Rakhine State after demonstrating against the government.

According to ND-Burma member AAPP, in December there were 46 political prisoners serving time and 190 awaiting trial.<sup>14</sup>

## **Justice**

There continues to be impunity for the majority of human rights violation cases, with most victims unwilling to report crimes due to fear, lack of trust in the legal system, lack of funds to pursue a case (real or perceived), and a lack of awareness of their rights. Perpetrators also pressure victims to stay silent through threats as well as coercion. Government soldiers frequently pressure victims into signing statements absolving soldiers of wrongdoing (Case 8) or provide a pay-off (Case 3 and Case 6).

The few cases that have been taken up against soldiers continue to be heard in secret military courts. 2017 opened with a court martial sentencing a soldier to two years in jail with hard labour for killing an unarmed Kachin student. January 2018 saw six soldiers sentenced to 10 years in jail with hard labour for killing three Kachin civilians.

The government blocked access to the UN Fact Finding Mission tasked with investigating allegations of systematic human rights violations across the country and later declared the UN Special Rapporteur on Myanmar a person *non-grata* in the country.

Government action on reparations for human rights violations continues to be near non-existent. The government said it would take responsibility for establishing a permanent museum commemorating the 8888 uprising in Yangon. Only 10% of land grab cases had been settled, the responsible government committee revealed.

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14. AAPP: December Monthly Chronology 2017 and Current Political Prisoners, <http://aappb.org/2018/01/6909/>

## Case Studies

### Case 1: Four villagers injured by shelling during fighting in Namkham Township, northern Shan State, 13 August 2017

On 13 August 2017 fighting broke out between Infantry Battallion (IB) 88 and the Ta'ang National Liberation Army (TNLA) in Kaung Wine village, Namkham Township, Muse District, northern Shan State. The TNLA were based in the village and even though villagers stayed inside their homes, more than 10 shells exploded in the



*Victim injured by shelling (Photo: Ta'ang Women's Organisation)*

village and injured four Ta'ang civilians. The victims were 3 family members (including a two-year-old girl) and their neighbour. The Chairman of the Ta'ang Literature and Culture Organization, who was helping the victims of the shelling said: *"I want peace in the region, if the fighting [starts] again villagers are getting injured, [and] houses and properties destroyed. I don't want this to happen again. If they can't avoid they [should] fight outside of the village."*



**Case 2: 8-year-old girl killed and three injured by shelling in Namkham Township, northern Shan State, 19 October 2017**

On 19 October 2017 fighting broke out between IB 88 and the TNLA in Parkanine village, Namkham Township, Muse District, Northern Shan State. A shell was dropped on the village, instantly killing an 8-year-old Ta'ang girl and injuring three other female villagers. One of the injured women's houses was damaged after soldiers shot at it having seen TNLA soldiers run in. Soldiers searched villagers' houses and stole some of their property but also dressed the wounds of injured villagers.



*Victim injured by shelling (Photo: Ta'ang Women's Organisation)*

**Case 3: Kachin men illegally arrested and forced to porter by Burma army soldiers, Mogaung Township, Kachin State, 11 - 13 August 2017**

On 11 August 2017 over 600 troops from IB 29 and Light Infantry Battalions (LIB) 381 and 384 marched into Kasung village, Mogaung Township, Kachin State, and started shooting indiscriminately at villagers. They arrested a number of civilians, including two Kachin men aged 54 and 70. One was fleeing the fighting when he was arrested by soldiers, who asked him where his church was. When he told them it was far away, one of the soldiers said “*you have to answer well, your life will be changed,*” and showed his gun. At the church they were interrogated, had their IDs checked, picture taken, and phones confiscated. After spending the night in the church they were forced to work as porters for the soldiers, carrying injured men and acting as guides.

“

*You have to answer well,  
your life will be changed,*

”



*A 70-year-old farmer illegally arrested and forced to porter by the Burma army  
(Photo: KWAT)*

One of the victims said they were forced to march all day and warned by the soldiers that if they met any Kachin Independence Army (KIA) soldiers they would be used as human shields and killed. That night they were forced to cook for the soldiers and slept in the rain. The next day they were released after signing a statement saying that soldiers had not destroyed any villagers' property. They received their mobile phones back and their church leader was given 30,000 kyat (approximately 22 USD) to distribute among the men.

#### **Case 4: 28 Ta'ang villagers arrested and tortured by Burma army soldiers in Namhsan Township, northern Shan State, 19 January 2017**



*Victim tortured by Burma army soldiers  
(Photo: Ta'ang Women's Organisation)*

On 19 January 2017 soldiers from LIB 502 and 503 entered Lwel Pyat village in Namhsan Township, Kyauk Mae District, northern Shan State and rounded up all the male inhabitants. 28 Ta'ang villagers were arrested, including the Village Head and Secretary, and their names taken down. 25 were released in the afternoon after a local monk came and gave his guarantee that they were not TNLA soldiers. Three continued to be detained and were tortured. One 55-year-old man was injured on his foot and waist and had his teeth broken, but was released the

next day after a number of other village chiefs vouched for him. A 34-year-old victim was released two days later after his brother confirmed he was not a TNLA soldier, however villagers barred him from returning to the village. Another 20-year-old man was accused of being a spy for the TNLA and forced to wear the Burma army uniform for a week before escaping on 25 January. Soldiers threatened to kill the Village Headman if fighting resumed near the village.

### **Case 5: 14-year-old boy sentenced to two years in jail, Namsan Township, northern Shan State, October 2017**

On 5 October 2017, 14-year-old Ta'ang boy Mai Cho Min Htway was driving his motorbike through a checkpoint on the outskirts of Namhsan, northern Shan State, when he was searched by soldiers from IB 77. Soldiers found pictures of the boy wearing a TNLA uniform and he was taken to a military base to be interrogated for six days, where he was reportedly beaten and deprived of sleep, food, and water. He was transferred to the police station where he was charged under the Unlawful Association Act after a total of 20 days of detention, throughout which he had no legal representation and apparently no translator, despite barely speaking Burmese. He was sentenced at his first hearing after saying he had had contact with the TNLA, despite once again not having any legal representation or translator. He is now serving a two-year sentence.

### **Case 6: Burma army forces Ta'ang man to work as a guide before shooting him to death, Kutkai Township, northern Shan State, 16 August 2017**



*Victim murdered by Burma army soldiers  
(Photo: Ta'ang Women's Organisation)*



On 16 August 2017 a 20-year-old Ta'ang man was walking in a cornfield with his sister when a Burma army soldier from a battalion temporarily camped in Man Kaung Village asked them to act as guides. Later that day the soldier asked them if they had parents, and when they said no he shot the man dead. The man's relatives wanted to open a legal file but the army pressured them not to; the Commander of the Battalion gave the Chief Administrator of the village 800,000 kyat (approximately 600 USD) to pass on to the family to stop them pursuing a case.

### **Case 7: Ta'ang political party officer tortured by soldiers in Namhsan Township, northern Shan State, 4 August 2017**

30-year-old Maung Aung Kyaw Soe, who runs the Ta'ang National Party head office and lives in Man Pan village, Namhsan Township, northern Shan State, was walking home when he was accosted by 3 or 4 men who he identified as soldiers guarding the local military camp. The men attacked him and beat him with a torchlight, breaking his shoulder and some of his teeth. He was still hospitalised at the time of documentation. He reported the case to the police who recorded the case and took his medical records, but failed to follow up further. An officer from the Burma army camp came to see Maung Aung Kyaw Soe and said that the soldiers had not been on duty. He apologised on behalf of the Commander but did not respond to Maung Aung Kyaw Soe's request to have his medical fees paid.

### **Case 8: Obstruction of justice by Burma army for killing of Kachin man, Tanaing Township, Kachin State, October 2017**

On 18 October 2017 a 53-old Kachin man was working on his farm when fighting broke out nearby between the military and KIA. When he had not come back after four days his family went to search for him in the field and informed the Village Administrator of his disappearance. The victim's father and Village Administrator went to the Commander of IB 86 based in the village and requested permission to conduct a proper search, which was granted. On 24 October a search party found two dead bodies in the area where there had been fighting, with one of them identified as the missing man. His left hand and right leg were broken and he had two bullets in his back. The search party also saw military boot prints near the body. The case was reported to the local police station and a legal file opened.



*Villagers walk through a stream to search for the body of a missing Kachin man  
(Photo: KWAT)*

On 20 October seven Kachin men who had been part of the search party were ordered to travel to the military Regional Command Centre to take part in the investigation. They said they did not have the money for petrol and asked to be interviewed in their village, but the Colonel said: *“you’re the culprit, you accused to IB 86, Regional Command Centre will investigate, so you have to go there.”*

The men were questioned on 23 October. The Captain asked the men who had posted a picture of the dead body Facebook, saying: *“Your behavior against the Burma army, villagers will demonstrate, stop it”*. They were released later that day.

On 6 November the Colonel summoned the men and requested they sign a 12-page statement relating to the investigation. When the villagers read through it they saw that the army had pre-filled some sections to make out as if the villagers had ticked *“no”* to the question asking whether the soldiers had committed any crimes and *“yes”* to the question asking if villagers had connections with the KIA. They refused to sign and left, coming back four days later when the soldiers said the statement had been amended. Reading through it again they saw that the soldiers had changed the questions to include reference to the victim’s ill mental health and the fact that villagers had not seen soldiers arrest him. As these were factually accurate the villagers signed. The soldiers refused to let the villagers photocopy or photograph the statement.

“

*Your behaviour against the  
Burma army, villagers will  
demonstrate, stop it.*

”



*The body of the missing Kachin man (Photo: KWAT)*

### **Case 9: Burma army blocks aid to Kachin IDPs and tortures aid delivery team member, 17-18 August 2017**

On 17 August 2017, 32 ethnic Kachin civilians organised 8 trucks of food and clothing aid to IDPs recently displaced by fighting in Moe Kaung Township, Kachin State.

They were first blocked by soldiers at Nan Tein village, who asked them whether they had received permission for their trip, but allowed to travel on after an hour. At the entrance of Kamine Town they were stopped by soldiers from IB 29, IB 381 and LIB 384 who searched their trucks and took photos and videos of them holding their ID cards. After much waiting the aid delivery team said they would go home, but were obstructed by soldiers who said they would confiscate four of their trucks as they did not have licences. They took them to the police station saying they would be

charged for the illegal use of the trucks. However the police said they did not have the authority to arrest them and as it was late the aid team spent the night in the village. The next day they were told they they would be charged and had to hand in the trucks. However when the aid delivery team tried to fetch the trucks from the village, locals refused to let the trucks be handed over. When the aid delivery team informed the police they sent 80 armed officers together with 50 soldiers to take the trucks by force. They said they would arrest the team leader and a riot erupted between villagers and security forces. A 41-year-old female aid delivery team member was beaten by security forces until she lost consciousness and had to be hospitalised.

**Case 10: One Ta'ang villager killed and two injured by mine, Nammatu Township, northern Shan State, 4 November 2017**

On 4 November 2017, 6 Ta'ang villagers from Nuaung Pan Hla village, Nammatu Township, Kyauk Mae District, northern Shan State were walking with their buffaloes when the 3 people leading the party stepped on a landmine. An 18-year-old boy was killed and a 45-year-old man and 12-year-old boy injured. The remaining villagers were able to rush to get help and the two injured individuals were immediately hospitalised. The parents of the injured boy said: *"He has school holiday so he went to take care of buffalos. He can't hear now, I feel bad too much and do not say anything."* It is suspected the mine was laid by one of the EAOs operating in the area.

# Conclusion

The drop in violations recorded sadly does not reflect an improvement in the human rights situation in Burma. Offensives against NCA non-signatories continue unabated, as do accompanying abuses against civilians. Stricter limits on access in conflict areas and security concerns for field officers and victims giving their testimonies have resulted in less abuses being documented over 2017. The Special Rapporteur on Myanmar noted that it is “*becoming increasingly challenging and dangerous to obtain information*” in conflict-zones and that an increasing number of people are being targeted for speaking about violations.<sup>15</sup>

ND-Burma will continue to document human rights abuses and to fight for victims. This includes working towards a government-led reparations programme to help victims re-build their lives and make national reconciliation a reality. ND-Burma believes this is the only way the country’s long legacy of human rights violations will finally be brought to an end and lasting peace achieved.

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15. Report of the Special Rapporteur on the situation of human rights in Myanmar for the Human Rights Council, 37th session, 26 February - 23 March 2018, <http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session37/Documents/A-HRC-37-70.docx>

# Appendices

## **Appendix 1: Breakdown of perpetrators**

### **Government security forces: 36**

Burma army: 29

Fighting between the Burma army and TNLA: 4

Burma army and Red Shan Group: 1

Pansay militia: 1

Burma army and police: 1

### **Ethnic armed organisation: 6**

RCSS: 3 (2 cases are suspected)

TNLA: 3

### **Civilian: 3**

### **Unknown: 5**

## Appendix 2: Human rights violations by category and state/region

State or region and category of violation	Arbitrary or illegal arrest or detention	Confiscation or destruction of property	Human trafficking	Killing	Rape or other sexual violence	Torture	Use as child soldier	Total
Kachin State	3			1		1		5
Rangoon			1				1	2
Irrawaddy							1	1
Shan	4	1	2	10	2	23		42
<b>Total</b>	7	1	3	11	2	24	2	50



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