

Shadow of Death

Use of civilians as human shields by the State Administration Council (SAC) in Southeast Burma since the coup

Briefing Paper

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1. Introduction

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“They arrested us [and forced us] to walk among them. They did it to protect themselves [from KNLA attacks] because if fighting happens, we [villagers] would be shot as well. They did not ask us to walk in front of them, but we had to walk among them.”

Testimony of Saw¹ L—, a villager from Bilin Township, Doo Tha Htoo District, forced to act as a human shield by the Burma Army² on 30th June 2022.

Since the 2021 coup³ staged in Burma (Myanmar)⁴, the armed conflict in locally-defined Karen State⁵ has escalated again, worsening the human rights and security situation throughout the region due to increasing human rights violations committed by the State Administration Council (SAC)⁶ including air strikes, shelling, destruction of civilian properties, displacement, killings, arbitrary arrest and torture. The use of civilians as human shields is also regularly reported to the Karen Human Rights Group (KHRG) across all seven districts in Karen State. Since February

2021, KHRG has received 22 reports containing evidence of SAC soldiers using human shields, involving more than 564 villagers. In reality, the numbers go much higher than this, especially considering that many cases of forced portering and the use of villagers as navigators also amounts to human shield usage to avoid attacks from ethnic armed forces.

This briefing paper presents incidents committed by the SAC where villagers were used as human shields in Southeast Burma, and shows how such heinous abuses deeply impact the victims and the community. The first section provides a brief overview of the situation in Southeast Burma since the 2021 coup. Secondly, the paper displays evidence of the risks that villagers face when taken as human shields, including death, as well as the mistreatment they suffer while detained. Thirdly, an analysis of these crimes committed by the SAC is conducted, highlighting the legal implications of such practices. Finally, some recommendations for stakeholders are presented.

¹ Saw is a S’gaw Karen male honorific title used before a person’s name.

² The terms Burma Army and SAC are used interchangeably throughout this report to describe Burma’s armed forces. Villagers themselves commonly use Burma Army, Burmese soldiers, or alternatively the name adopted by the Burma military regime at the time - since the coup, the State Administration Council (SAC).

³ On February 1st 2021, the Burma Army deposed the democratically elected government led by the National League for Democracy (NLD), transferred power to Min Aung Hlaing, the Commander-in-Chief of Myanmar’s Armed Forces, and invalidated the NLD’s landslide victory in the November 2020 General Election.

⁴ In 1989, the then-ruling military regime changed the name of the country from Burma to Myanmar without consultation from the people. KHRG prefers the use of Burma because it is more typically used by villagers, and since the name change to Myanmar is reflective of the military regime’s longstanding abuse of power.

⁵ Karen State, or Kaw Thoo Lei, as defined by the Karen National Union (KNU), covers Kayin State, Tanintharyi Region and parts of Mon State and Bago Region. The KNU uses different boundaries and location names for the areas under its control, dividing Karen State into seven districts. Karen State, located in Southeastern Burma, is primarily inhabited by ethnic Karen people. Most of the Karen population resides in the largely rural areas of Southeast Burma, living alongside other ethnic groups, including Bamar, Shan, Mon and Pa’Oh.

⁶ The State Administration Council (SAC) is the executive governing body created in the aftermath of the February 1st 2021 military coup. It was established by Senior General Min Aung Hlaing on February 2nd 2021, and is composed of eight military officers and eight civilians. The chairperson serves as the de facto head of government of Burma/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.

2. Contextual overview

The coup staged in February 2021 resulted in brutal violence throughout Burma in order to suppress dissent and impose the SAC rule. Since then, civilians continue to be arrested, detained and killed by SAC security forces, including peaceful protestors, members of the National League for Democracy (NLD)⁷ and civil servants who joined the Civil Disobedience Movement (CDM)⁸. This violence escalated the tensions between the SAC forces and armed resistance groups, especially in ethnic regions, where villagers peacefully demonstrated against the seizing of power by the Burma Army. Since March 2021, the SAC is attempting to crush the opposition through air and ground attacks all over the country. Many civilians have fled the cities to safer areas, including the territories controlled by the Karen National Union (KNU)⁹ in southeastern Burma.¹⁰ Military resistance against the junta has also multiplied in ethnic areas, including the formation of the People Defence Force (PDF)¹¹.

Abuses committed in Southeast Burma are not new: for the past 70 years villagers have been facing human rights violations at the hands of the Burma Army, including attacks on their livelihood, displacement, arbitrary arrests, killings, threats, forced portering, torture, and sexual violence. All of these abuses have gone unpunished. During the ceasefire period, most of these violent abuses faded in Southeast Burma, although other types of abuses against Karen villagers continued to occur.¹² Since February 2021, the SAC has reinvigorated their violations of human rights and the Burma Army's use of villagers as human shields has reignited. The arrested villagers include men, women, children, elderly and persons with disabilities, who are forced to walk alongside SAC soldiers as shields to prevent armed attacks by the Karen National Liberation Army (KNLA)¹³, the Karen National Defence Organisation (KNDO)¹⁴, or the PDF forces, as the SAC moves through KNU-controlled territory. While being used as human shields, villagers face killings, torture, injuries and threats.

3. Factual summary: Patterns of abuses on human shields

This section presents evidence of villagers forced to act as human shields by the SAC since the 2021 coup, at great risk to their lives, and the

mistreatment and abuses these villagers suffered while detained. During this period, KHRG received dozens of reports from local villagers regarding

⁷ 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.

⁸ 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.

⁹ On February 2nd 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 1st 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.

¹⁰ The Karen National Union (KNU) is the main Karen political organisation. It was established in 1947 and has been in conflict with the Burma government since 1949. The KNU wields power across large areas of Southeast Burma 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.

¹¹ Burma News International, "[KNU Offer Anti-Coup Protestors' its Protection](#)", February 2021.

¹² The People's Defence Force (PDF) is an armed resistance established independently as local civilian militias operating across the country. Following the February 1st 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 Burma/Myanmar, which then formalized the PDF on May 5th 2021 as a precursor to a federal army.

¹³ KHRG, "[Beyond the Horizon: Local Perspectives on Peace, Justice and Accountability in Southeast Myanmar](#)", September 2019.

¹⁴ The Karen National Liberation Army is the armed wing of the Karen National Union.

¹⁵ Today the KNDO refers to a militia force of local volunteers trained and equipped by the KNU/KNLA and incorporated into its battalion and command structure; its members wear uniforms and typically commit to two-year terms of service.

the use of human shields and its impact. Those abuses often happen when SAC troops restock their camps, set up new temporary bases, or bring rations and ammunition to the frontline. The number of reports has increased since the coup, and the conditions during detention reported have sharply worsened. The duration of detainment has also increased: though early reports after the coup pointed to villagers being held for several hours up to a day, later reports have showed villagers being held sometimes for weeks. Longer detention periods increase the possibility of abuse and torture, as well as time without adequate access to basic needs like food, water, shelter, and sanitary facilities. For depth, this section presents evidence from just 17 written field reports, including direct interviews with survivors or victims' families, incident reports, short updates and photo sources, covering 10 incidents in which villagers were used as human shields in Southeast Burma since the coup.

I. Villagers at risk of life while being used as human shields

The SAC uses villagers as human shields when travelling through KNU-controlled territory to conduct their attacks, troops exchanges, regular patrolling and transportation of rations. Sometimes, the SAC also uses villagers as porters and navigators at the same time. One such incident occurred in May 2022, when soldiers from the SAC and the Border Guard Force (BGF)¹⁵ Company #2 arrested over 100 villagers from T'Kaw Hpoe and Weh Pyar village tract, Hpa-an Township, Doo Tha Htoo District, to use them as human shields and porters on their way to Lay Kay and Ta Paw army camps, in Bilin Township. Some of these detained villagers were able to pay a bribe of over 100,000 kyats [USD 47.62]¹⁶, and some of their family members paid a bribe of over 200,000 kyats [USD 95.24] for their release. Over 40 villagers remained arrested following these releases. The SAC and BGF soldiers would

not accept bribes from the majority of villagers, as soldiers said that the villagers were needed as 'cover'. The soldiers eventually released all women and younger children before continuing for a long journey, but they took with them about 22 male villagers from Aa--- village, including four underage boys, to use them as human shields and forced porters as they continued travelling to Lay Kay army camp. Some of the villagers were forced to wear BGF military uniforms, so that they would be shot instead of the SAC/BGF soldiers if the troops were attacked by the local resistance armed forces. The SAC and BGF troops, along with the 22 arrested villagers, arrived at Lay Kay army camp on May 8th or 9th 2022 [exact date undetermined]. The villagers were detained at Lay Kay army camp after their arrival there. The SAC gave each villager 5,000 kyat [2.40 USD] before they released them.¹⁷

The SAC also forced these villagers to carry rations and weapons. One of the villagers arrested recalled: *"They arrested us [and forced us] to walk among them. They did it to protect themselves [from KNLA attacks] because if fighting happens, we [villagers] would be shot as well. They did not ask us to walk in front of them, but we had to walk among them."* Another villager, named Saw X---, added:

"The SAC ordered us to exchange clothes with them; they ordered villagers to wear BGF uniforms and the BGF soldiers to wear the villagers' clothes. It is an actual human shield act [crime], if not they would not order the villagers to wear soldiers' uniforms. They did it just because the KNLA will not be able to identify villagers and [BGF/SAC] soldiers."

Similarly, in another instance that occurred on March 20th 2023, the SAC used a group of

¹⁵ Border Guard Force (BGF) battalions of the Burma military 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 government and agreed to transform into battalions within the Burma military.

¹⁶ All conversion estimates for the kyat are based on the July 18th, 2023 mid-market exchange rate of 1,000 kyats to USD 0.48 (taken from <https://wise.com/gb/currency-converter/mmk-to-usd-rate>).

¹⁷ KHRG, "[Human, Not for Shield: Attack on civilians in Bilin Township, Doo Tha Htoo District, April 22nd to May 22nd 2022](#)", December 2022.

villagers from Y--- village, Nan Thar Kwin village tract, Moo Township, Kler Lwee Htoo District, to disguise the soldiers' sleeping area when camping in the shelter. The SAC detained a group of villagers, forced them to act as human shields, and detained them in the school classroom of Aon Pin Su village, Nan Thar Kwin village tract. The SAC hung all the soldiers' uniforms in front of the room where they kept the villagers. A villager expressed that this was to use them [villagers] as a shield: if local resistance groups were to attack, the villagers' room would be the first to be targeted.¹⁸

Villagers taken as human shields are also sometimes used as minesweepers. In Southeast Burma, the planting of landmines by all armed groups creates a serious threat when traveling throughout the region. SAC soldiers often force villagers to walk in front of them in order to avoid being injured by landmine explosions planted by ethnic armed forces. Many of the deaths and injuries that resulted from forced portering are due to travelling in areas heavily contaminated with landmines. In May 2021, for instance, a villager from Ma Htaw village tract, Dwe Lo Township, Mu Traw District, named Saw M---, was arrested by SAC soldiers based at Koo Seik army camp, while he was on his way to sell durians. Saw M--- was tied up and forced to walk around to "clear landmines", as explained by a local villager. After a month, an SAC soldier informed local villagers that the detained villager had been killed by a landmine explosion. Local villagers were displaced from the area after the arrest of Saw M---, and were too afraid to go and retrieve his body.¹⁹

Almost 300 villagers, including children, forced to serve as porters and human shields

On the morning of September 20th 2021, BGF soldiers ordered villagers from Ah---, Aj--- and Ak--- villages, Htee Hpah Doh Hta village tract, Bilin Township, Doo Tha Htoo District, to carry rations as well as some ammunition

for the soldiers as they continued on to Yoh Klah army camp. Close to 300 villagers in total (approximately 180 from Ah--- village and 100 from Aj--- village), including men, women, children, the elderly and sick people, had to carry the rations and ammunition. The majority of the villagers required to serve as porters were women, and another 12 were underage (nine girls and three boys). They started travelling from Ah--- village at 10:30 am and arrived at Yoh Klah army camp at 12:30 pm (thus a two-hour walk each way) under extremely hot conditions. They also did not receive any food or drink along the way. Some villagers had to carry rations such as rice and canned fish while others had to carry ammunition such as mortars. The SAC and BGF soldiers walked between the villagers along the way to Yoh Klah army camp. There were no attacks by the KNLA on this portion of the journey so villagers were able to return home safely. According to local leaders, the SAC troops that operate in Bilin Township are BGF Company #3 under Battalion #1013, led by Company 2nd-in-Command Lieutenant Ka Don, and SAC Battalion #406 under Military Operations Command (MOC) #8.²⁰

a. SAC soldiers killing villagers while detained as human shields

Villagers detained by SAC soldiers and forced to act as human shields not only face a direct risk of being killed, due to skirmishes with local armed resistance groups, they are sometimes killed by SAC soldiers themselves while detained. On March 30th 2022, the SAC Light Infantry Battalion (LIB)²¹ #404 and #405 arrested more than 30 villagers from Am--- village and An--- village, Taung Pyout area, Tha Yet Chaung Township, Tanintharyi Region. On that day, there were around 150 soldiers patrolling the area. They arrested villagers whom they saw working in plantations or travelling on the road. Those villagers were staying in their plantations and gardens, fleeing from their village. The

¹⁸ This information is taken from an unpublished report from Kler Lwee Htoo District received in March 2023 (23-109-A1-I1).

¹⁹ This information is taken from an unpublished report from Mu Traw District received in June 2023 (23-199-A1-I1).

²⁰ KHRG, "Southeast Burma Field Report: Intensification of armed conflict, air and ground attacks, and widespread human rights violations, July to December 2021", March 2022.

²¹ A Light Infantry Battalion (LIB) comprises 500 soldiers. Most Light Infantry Battalions in the Tatmadaw are under-strength with less than 200 soldiers, yet up-to-date information regarding the size of battalions is hard to come by, particularly following the signing of the NCA. LIBs are primarily used for offensive operations, but they are sometimes used for garrison duties.

soldiers arrested men, women, and children, used them as human shields, and threatened to kill them if their troops were attacked. The SAC commander even held children in front of him to shield himself while crossing An--- village. The SAC forced those arrested villagers to carry the soldiers' belongings, weapons and also forced them to walk alongside them. After the junta troops had operated in the area for five days, they released some of the children and women. After a few days, they released the rest of the detained children and women, but kept 16 male villagers, including two teenagers.²²

On April 2nd and 3rd 2023, the SAC entered three villages, namely Ab--- village, Ac--- village and Ad--- village, located in Taung Pyout area, Tha Yet Chaung Township, Tanintharyi Region, and burned 14 houses. According to a villager in the area, the SAC burned the houses of villagers they thought were affiliated with the PDF. A local human rights activist, Daw²³ V---, shared her opinion on the use of human shields:

“**The SAC arrested villagers before they burned houses because they can only enter into villages by using villagers as human shields. If they don't use villagers as cover, they cannot enter into the villages. Otherwise, the PDF members will attack them. So, when they use villagers as human shields, PDF members cannot use landmines to harm them**”.

On April 3rd 2023, the SAC fatally shot one of the villagers being used as a human shield, who worked as a medic for the PDF. According to a villager in the area, he was still handcuffed with metal shackles when he died. Villagers explained that he was shot because he tried to escape. The remaining villagers were released on April 18th 2023, when the SAC had finished their operation and returned to their base.

Villagers in Karen State constantly fear being detained as human shields. Whenever SAC

soldiers enter a village, anyone and everyone might be taken. While being forced to act as human shields, villagers' lives are at risk, either of injury or death when skirmishes occur, as victims of landmine explosions, or at the mercy of SAC soldiers' direct abuses. A villager from Tha Yet Chaung Township, Tanintharyi Region, called Kyaw²⁴ S---, expressed:

“**I would like to request international organisations or human rights organizations to report these cases of human rights violations for us and to seek justice for victims and survivors of the human rights violations committed by the SAC.**”

II. Mistreatment of villagers during detention

Most villagers used as human shields reported facing mistreatment during detention, including the denial of healthcare in critical situations, physical abuse, and lack of food and hygiene. Sometimes, such abuses resulted in serious health conditions and security risks. These acts amount to inhumane treatment that violates the rights of civilians.

a. Injured villagers left untreated

Villagers used as human shields face constant, direct threats to their lives, as they are forced to walk among and in front of SAC soldiers to shield them from death and injuries. Moreover, on multiple occasions, when villagers have been injured during an attack, the SAC have prohibited villagers to seek immediate medical treatment, and provided no protection to the injured on the battlefield. In such situations, innocent villagers have lost their lives.

For instance, on March 21st 2023, about 30 SAC soldiers who were patrolling all the way through Ka Lee Hkee village, Noh Taw Plah village tract, Noh T'Kaw Township, Dooplaya District, arrested 11 villagers from Ae--- village that they encountered on the way, and forced them to serve as human

²² This information is taken from an unpublished report from Mergui-Tavoy District received in April 2022. (22-136-A1-I1).

²³ Female honorific title for a married woman or a woman of a higher social position.

²⁴ Male honorific title in Burmese language.

shields. Naw²⁵ P---, an 18-year-old female villager, was arrested in her farm hut. They also arrested an 11-year-old boy. The arrested villagers begged the SAC soldiers to release the women and children, but the SAC refused. They arrested every villager that they saw along the way: all those travelling on the road, those who were in their farm huts, and those who were fishing along the stream. The boy cried very hard as he was tired when going through the forest path full of bushes. According to an arrested villager, named Saw O---,

“They [SAC] exactly know the way, but they forced us to follow them just as human shields. They knew the locations where the KNLA would ambush them, so they avoided them. The fighting happened when they could no longer avoid the KNLA.”

On the next day, at around 2:00 pm, fighting broke out between the KNLA and the SAC in Loh Hkee place, between Noh Ler Kloh stream and Set Ko Mine village, Noh Taw Plah village tract, Noh T’Kaw Township, Dooplaya District, while villagers were forced to walk together with the SAC. When the fighting broke out, eight villagers escaped. Naw P--- remained behind, and was injured on her stomach.²⁶

The SAC gave her an injection right after she was injured. However, the SAC did not allow the villagers to take her to the hospital. On the next morning on March 23rd 2023, villagers took her to a hospital in Thailand. She was discharged from the hospital after a few days of treatment. Her lungs had to be repaired. However, the doctor did not have capability to remove the bullet from her abdomen, located very close to the heart. She is suffering severe pain caused by the unremoved bullet, which makes her faint at times. Currently, she has to go to the hospital in Thailand regularly for her follow-up appointments with the doctor. This incident did not only leave her with a long-lasting physical health problem, but also traumatised her with fear. She expressed:

“Recently, after the incident, I was full of thoughts [fearful]. Whenever I travel, I worry that the fighting will break out here or there. [...] I also worry about not being able to work anymore. I don’t know how long I will be alive. I [still] feel pain sometimes because of the injury.”²⁷



This photo was taken on March 22nd 2023, in A--- village, Noh T’Kaw Township, Dooplaya District. This photo shows Naw P---, an 18-year-old, who was injured while being forced to act as a human shield for the SAC. Due to the severe bleeding after being shot, the villagers transported her to the hospital in Thailand where she received treatment. [Photo: KHRG]

In another instance on January 30th 2022, the SAC troops arrested villagers in Af--- village, Kyeh Toh Township, Doo Tha Htoo District, located at the border territory of Doo Tha Htoo and Kler Lwee Htoo districts, and detained them in the army camp. The next day at 11:00 am, the SAC soldiers forced three male villagers to go with them to the frontline. After walking two miles, fighting broke out between the SAC and the combined forces of KNLA Brigade 1 and PDF. As the fighting broke out, one of the arrested villagers named Saw Q--- was hit by a bullet on his abdomen and another villager was hit on his leg. R---, a third villager who was not hit, asked permission to the SAC commander to go back and get the car from the village so that

²⁵ Naw is a S’gaw Karen female honorific title used before a person’s name.

²⁶ This information is taken from an unpublished report from Dooplaya District received in March 2023. (23-104-A1-I1)

²⁷ This information is taken from an unpublished report from Dooplaya District received in June 2023. (23-184-A2-I1)

he could transport his friends to the hospital. The military officer did not allow it and told him that a car would come to pick them up. Saw Q--- died shortly after because of his extensive wounds. The SAC allowed the villagers to go back and get the car at around 1:00 pm, when Saw Q--- was no longer alive. After the fighting stopped, the SAC troops headed back to their military camp. Villagers had to take care of those injured and killed by themselves. Saw W---, the father of Saw Q---, is devastated by what happened. He sees the use of villagers as navigators or human shields by armed forces during their fighting as an injustice. He wants justice for himself as well as for other affected family members. However, under the rule of the military junta, civilians are scared and many times do not dare to take action when something unfair happens.²⁸



KHRG received this photo on February 22nd, 2022. This photo shows the villager Saw Q---, from Af--- village, Kych Toh Township, Doo Tha Htoo District. He was hit by gunfire in the frontline when the SAC used him as a human shield. The SAC did not allow other villagers to take him to the hospital before he died. [Photo: Local villager]

b. Threats and inhumane treatment

Villagers also face other forms of abuses while detained, such as verbal threats, inhumane treatment, and life-threatening conditions. Villagers are subjected to poor shelter, hygiene

and food provisions, as well as being left untreated when suffering from sickness.

In one of the abovementioned incidents, on March 20th 2023, the SAC Light Infantry Division (LID)²⁹ #77 and its combined troops arrested 22 villagers from Y--- village, Nan Thar Kwin village tract, Moo Township, Kler Lwee Htoo District, including women and underage boys. Prior to this, the SAC shelled mortars and dropped six bombs in the nearby villages. Later on the same day, the SAC released 2 villagers; one was an elderly man and one was a disabled person. On March 21st, the SAC released some of the villagers arrested in Y--- village, but kept with them 14 villagers, including three underage boys. Before continuing the journey, the SAC tied up eight villagers with a rope and made them walk at the front while travelling. Villagers had to inform the SAC soldiers whenever they wanted to relieve themselves and they were being watched while doing so. Villagers were also threatened by the soldiers. According to a local villager, the SAC said: *“Don’t you dare to escape! If you do so, we will shoot you dead.”* The SAC said they would kill those villagers if the troop was attacked by local armed resistance groups on the way. The arrested villagers were not given food for one day and one night while being used as porters and human shields:

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“They [SAC soldiers] didn’t walk on the road; they just went among the jungle and the trees. They held the rope that they tied us with, and just pulled us along with them. When we reached the entrance of a village, fighting broke out and they dragged us under the house of a local villager. [...] They used us as a shield. They ran around us when the fighting happened. At the time we left [the village], one soldier was injured on his leg by the shooting. Then the SAC soldiers asked two villagers to carry that injured soldier.”

²⁸ This information is taken from an unpublished report from Kler Lwee Htoo District received in February 2023. (23-55-I1)

²⁹ A Light Infantry Division (LID) of the Burma Army is commanded by a brigadier general, and consists of ten light infantry battalions specially trained in counter-insurgency, jungle warfare, search and destroy operations against ethnic insurgents. They were first incorporated into the Tatmadaw in 1966. LIDs are organised under three Tactical Operations Commands, commanded by a colonel, three battalions each and one reserve, one field artillery battalion, one armoured squadron and other support units. Each division is directly under the command of the Chief of Staff (Army).

When they reached Aon Pin Su village, all 14 villagers were locked in a classroom at the village school. The SAC untied the villagers before locking them in the classroom. They had to relieve themselves in that room. The soldiers allowed villagers to get out of the room only once a day for a short amount of time to take a bath. As explained above, the SAC soldiers also hung their uniforms in front of the room where the villagers slept. They had to stay in this condition for five days while the SAC was based in the village. Due to the lack of hygiene and poor food, an underage boy got sick with a stomach problem and suffered badly during the arrest. However, the SAC did not allow anyone to take him to the village to get treatment. A villager explained:

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“When it came to meal time, the soldiers ate some food but we [villagers] were not given any food at all even though we were so hungry. After a day and a night, the young male villagers were so hungry. So I asked them [SAC] to give us some rice or drink water. We got to eat a little bit of rice and regain some energy. However, we were not given enough food. We only got to eat a small amount of rice: just enough to remain alive.”

After five days, on March 24th 2023, the SAC soldiers took those arrested villagers far away from their village and told them they could go home. The soldiers left the villagers tied with the rope in the forest, to prevent them from posing a threat in the short term. They had to release themselves from the ropes before going home. The SAC soldiers confiscated all the villagers’ phones during the arrest and only returned them before the release. One of the arrested villagers stated:

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“What I want to say is, they [SAC] can target their own enemy and fight them as they want. But they should not bother civilians like this.”

It creates fear and insecurity for us to encounter them because we have heard and know about their abuses.”

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c. Physical abuses

Villagers also face physical abuses by the SAC when being used as human shields. On August 19th 2021, at 1:00 pm, the SAC Light Infantry Battalion (LIB) #341 and LIB #410 based in Ler Toh army camp, Hkaw Poo village tract, Bu Tho Township, Mu Traw District, patrolled all the way to Hkaw Poo army camp in T’Khay Hkoh village. They encountered three female villagers there and arrested them. These three women were Naw S— (65 years old), Naw T— (56 years old), and Naw U— (42 years old). They are from Ag— village, Hkaw Poo village tract, Bu Tho Township. The detainees explained to KHRG that, when the SAC soldiers arrested them, they kicked them and stomped on them for no reason, without even questioning them. This caused them some injuries. Following this, the SAC made them carry loads of rations and forced them walk along with them as human shields all the way to Kyaw Hta Loh river to prevent the SAC from being attacked by the KNLA.³¹

In another instance on May 2nd or 3rd 2022, at 3:00 pm, the SAC LIB #403, under Military Operations Command (MOC)³² #8, combined with the LID #44 and BGF Battalion #1011, from Meh Pray Hkee village (Meh Pray army camp), were returning to Na Kyi army camp, Bilin Township, Doo Tha Htoo District. On the way, before they arrived at Aee Soo Hkee village, Aee Soo Hkee village tract, two of their soldiers stepped on a landmine. As they were about to arrive at Aee Soo Hkee village, they arrested two villagers [from an unknown village] they encountered on the way and tied up the two villagers to accompany them as human shields. Then the SAC troops entered Aee Soo Hkee village and looked for other male villagers to arrest as human shields. They saw only one villager, Saw T— because most of the men had fled before the SAC entered the village, fearing arrest. Saw T— could not flee before the SAC arrived in the village, so the SAC shouted at him, violently slapped his face, and ordered him

³⁰ This information is taken from an unpublished report from Kler Lwee Htoo District received in March 2023 (23-109-A1-11).

³¹ This information is taken from an unpublished report from Mu Traw District received in February 2022 (21-244-D1)

³² Military Operations Command (MOC) is comprised of ten battalions for offensive operations. Most MOCs have three Tactical Operations Commands (TOCs) made up of three battalions each.

to follow the troops as a human shield, from Aee Soo Hkee village to T'Ray Loo Hkoh hill. They then released him. The SAC also released the other two villagers that they had arrested on the way when they arrived at Na Kyi army camp.³³

The incidents above indicate that villagers used as human shields face life-threatening situations

and different forms of abuses committed by the SAC. As shown, villagers also use different agency strategies, such as bribing, escaping or fleeing, to protect themselves from these SAC abuses. The use of villagers as human shields, and the abuses they face by the SAC while being detained, are serious violations of human rights.

4. Analysis: impact on villagers' lives and violations of human rights principles

Villagers detained and forced to act as human shields face physical and mental abuses that have resulted in death, injuries, trauma and livelihood difficulties. Some villagers have been tied by their hands in sets of groups along the way. Villagers are also controlled by the SAC soldiers at all times, even when they have to relieve themselves. Villagers used as human shields have also faced abuses that threatened their right to health and to food, as well as their right to safety and to life, their rights to freedom from slavery, freedom from torture, freedom from arbitrary arrest, freedom of movement and their human dignity.³⁴ Villagers have been kept in a room lacking hygiene and have not been given enough food. They did not receive proper healthcare when they became sick during their detention. They were not allowed to communicate with their families or other people until their release, and had their phones taken away. The latter could amount to the crime of enforced disappearance³⁵, since the villagers' families are deprived of information about the fate of their loved ones while used as human shields.

On many occasions, SAC soldiers use villagers as human shields under the pretence of (forced) portering or navigation. As explained by villagers, even when SAC soldiers know the area well, they ask villagers to guide them and transport rations and weapons for them, while also requiring them to walk in front or among SAC soldiers, or wear SAC uniforms. When walking in front of the SAC,

villagers are also used as minesweepers. Most villagers usually flee into hiding when they hear the SAC marching into the village in order to avoid arrest and being used as human shields. Some villagers, usually the elderly and those who have physical difficulties, choose to stay in the village to take care of their houses and livestock and protect it from looting or damage by the SAC. In those situations, the SAC arrests every villager they meet, including underage, elderly and disabled persons and forces them to act as porters and human shields. Villagers dare not oppose the SAC, as it could lead to further abuses, such as torture and killings. SAC soldiers also threaten and verbally abuse villagers.

Some reports that KHRG received after the coup show that sometimes the SAC has released women, the elderly and children before long trips when villagers are detained and forced to act as porters, navigators and human shields. While men are more prone to be targeted as porters, carrying heavy loads in long-distance journeys on forestry roads, both men and women are equally forced to act as human shields. Before the ceasefire period, men usually fled the villages as they were likely to be killed and tortured if found by the Burma Army. Female villagers, who remained to take care of the children and livestock, were highly vulnerable to sexual violence and rape committed by soldiers and commanders when detained as porters and human shields.³⁶ Due to this heinous past of abuses committed by Burma

³³ This information is taken from an unpublished report from Doo Tha Htoo District received in September 2022.

³⁴ Respectively article 25, article 3, article 4, article 5, article 9, article 13 and article 1 of the Universal Declaration of Human Rights.

³⁵ UN General Assembly Declaration 47/133, 1992.

³⁶ KHRG, "[Foundation of Fear: 25 years of villagers' voices from southeast Myanmar](#)", October 2017; KHRG, "[Suffering in silence? Sexual violence against women in Southeast Myanmar](#)", December 2018.

Army soldiers, that remain unpunished, since the 2021 coup some villagers secretly sent their younger daughters to hiding sites to protect them from sexual abuse and harassment.³⁷

After being attacked by the local armed resistance group, the SAC would sometimes torture villagers without even questioning them, as a mode of retaliation, and then force them to travel further as human shields. The local armed resistance groups usually avoid attacking the SAC when they see that villagers are being used as human shields. If fighting eventually happens between the SAC and the local KNLA, villagers are most likely to be injured or die as human shields. Villagers' lives as human shields are *thee daw moo pweh tho* -a common saying in S'gaw Karen language meaning 'on the brink of death': they are strictly guarded and threatened while walking among soldiers, and can be injured or killed at any moment they are used as a shield.

The use of human shields is a violation of customary international humanitarian law (IHL), prohibited under Rule 97. It has also been judged in the past to amount to a crime against humanity (CAH) when committed in a systematic or widespread way, due to its nature as an inhumane act.³⁸ In addition, deliberately using civilians to shield military operations is contrary to the principle of distinction, the very first rule of customary international humanitarian law, and violates the obligation to take feasible precautions to separate civilians and military objectives, Rule 7 of customary IHL. The use of children for such activities is also a violation of children's rights. Overall, the suffering of human shields, and the additional ways in which the SAC uses human shields can be considered as torture, or degrading treatment, which is a CAH according to the Rome Statute Article 7(1)(f).

5. Recommendations

For international stakeholders, NGOs, and regional and foreign governments:

- Acknowledge that the military junta is the root cause of the current human rights and humanitarian crisis and refrain from giving any legitimacy to the junta, including by signing agreements with them and presenting them with credentials.
- Seek justice and hold the SAC accountable for their use of human shields, by prosecuting SAC leaders in international courts, including at international criminal court (ICC), and through universal jurisdiction proceedings.
- Broaden the scope of international investigations to include human shield-related abuses faced by the Karen people.
- Support local civil society (CSOs), community-based organisations (CBOs) and ethnic service providers who are currently assisting victims and their families to recover and cope with the impacts of suffering inhumane treatment and being used as human shields by the SAC.
- Implement further coordinated and strategic sanctions on the SAC and junta officials to weaken their capability to finance their campaigns and attacks on civilians.

³⁷ KHRG, "[Human, Not for Shield: Attack on civilians in Bilin Township, Doo Tha Htoo District, April 22nd to May 22nd 2022](#)", December 2022.

³⁸ See: 2001 Naletilić and Martinović case, by the International Criminal Tribunal for the Former Yugoslavia (ICTY).

Front cover note

The drawing on the cover is based on a short video taken by hidden villagers in September 2021 in Doo Hta Htoo District, showing around 20 villagers, including 3 children, forced to act as porters and human shields by Burma Army soldiers. The clip documents the incident occurred on the morning of September 20th 2021, where Border Guard Force (BGF) soldiers ordered villagers from Ah---, Aj--- and Ak--- villages, Htee Hpah Doh Hta village tract, Bilin Township, Doo Tha Htoo District, to carry rations as well as some ammunition for the soldiers as they continued on to Yoh Klah army camp. Close to 300 villagers in total had to carry the rations and ammunition, including 12 underage children. *[Credit: Anonymous artist]*

About KHRG

Founded in 1992, Karen Human Rights Group is an independent local organisation committed to improving the human rights situation in Southeast Burma. KHRG trains local people to document and gather evidence of human rights abuses, and publishes this information to project the voices, experiences and perspectives of local communities. More examples of our work can be seen online at www.khrg.org.