



General Assembly

Distr.: General
XX August 2024

English only

Human Rights Council

Fifty-seventh session

9 September–9 October 2024

Agenda item 4

Human rights situations that require the Council's attention

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

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

[19 August 2024]

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

The International Community Must Continue to Pay Attention to the Military’s Crimes in Myanmar and Take Action

As Myanmar’s military suffers more humiliating defeats and isolation since the resistance offensive began last October, the number and severity of its violations against civilians continue to worsen to levels beyond any other point in the conflict. Human Rights Now (HRN) calls on the international community to support all appropriate measures to help end Myanmar’s state violence and violations including sanctions, a binding weapons and jet fuel embargo, accountability mechanisms, and heightened due diligence requirements on companies.

1. Arbitrary Arrests and Detainee Abuses

As of 16 August, over 27,000 people have been arbitrarily arrested since the coup, with over 20,000 remaining detained and 123 sentenced to the death penalty.[1] Crackdowns are more common and brutal than in the past 40 years, including live gun fire against protestors and denial of medical services, and over 1500 arbitrary arrests simply for online comments.[2]

Following manifestly unfair trials, detainees face further violations and abusive conditions of detention including incommunicado detention, grossly over-crowded cells, denials of medical treatment and medication, sexual violence, and torture.[3] Detainees have reported that “everyone who was arrested was tortured,” torture was used to force confessions, and detention was most dangerous for women due to sexual violence.[4] Torture deaths have increased because untrained guards and soldiers, who are most likely to torture victims to death, have increasingly replaced military intelligence officers.[5]

Young civilians are also subject to military conscription, and since August 1 the military has arbitrarily refused exits of people of conscription age leaving for work abroad at airports, often asking for bribes.[6]

On July 31, the military again extended its emergency rule another six months to prepare for the election widely expected to be a sham, with the main opposition party, NLD, having been already arbitrarily dissolved and exclusionary election laws leading to dozens of parties not registering, ensuring no serious opposition.[7]

2. Military Attacks on Civilians

Myanmar’s military has killed more than 5,500 people since the coup, including 698 children.[8] It has bombed or burned schools, hospitals, monasteries, IDP camps, residences, and public buildings.[9] There is “significant volumes of credible evidence” of war crimes and crimes against humanity against civilians, including rape and widespread sexual violence, enforced disappearances, murder, and other inhumane acts.[10]

The military has committed numerous civilian massacres, include recently a bombing of Hta Naung Taw village, Sagaing region, on August 14 killing 11 civilians—3 men, 7 women, 1 girl—and injuring 21, following a month of shelling killing 14 and injuring 51 despite an absence of resistance activity.[11] In June, the military tortured and killed 51 people in Byai Phyu village, Rakhine state.[12] Over 2.5 days victims were tied, blindfolded, beaten, had burning petrol poured on their skin, were forced to drink urine, and shot to death. The village was then burned, a message of what other villages can expect.

Following the military’s serious losses since October, civilian attacks have greatly risen in 2024 including by bombings and the most intense urban warfare since the coup.[13] The military has lost control of between half to two-thirds of the country, including over 90% of Kayah state and Lashio, the military’s northeast command center, reportedly the military’s

most humiliating defeat since the coup, as well as its central military academy and Tagaunt the birthplace of the Burmese empire, leaving the military to hold fewer than 100 of Myanmar's 350 towns.[14] The opposition is now threatening to take Mandalay, Myanmar's second largest city.[15]

3. Displacement and the Humanitarian Disaster

Myanmar's conflict has created a humanitarian disaster. More than 3.2 million people have been displaced, including 600,000 in the first half of 2024 compared to 345,000 in the first half of 2023.[16] Even this is expected to be low, as 41,000 were reported displaced in the north, with data indicating it may be closer to 100,000.[17]

About 18.6 million are in need of humanitarian assistance, including 6 million children.[18] Over 12 million need health support and protection services, and 2.2 million need nutrition support.[19]

The conflict has led to economic collapse and the collapse of systems for education, health, information access, rule of law, child protection, food security, and water sanitation and hygiene.[20] Power plants have shut down, financial transactions restricted, other restrictions have harmed businesses and prices of food and commodities have greatly increased, such as rice due to planting and harvest disruptions, all of which exacerbate the economic collapse and humanitarian crisis.[21]

Meanwhile military authorities are not only grossly out of touch with reality—investigating development projects such as electric trains while ignoring the humanitarian disaster—[22] but the military is also actively contributing to the disaster through open corruption, self-serving economic mismanagement, and intentional obstruction.[23] It has blocked humanitarian aid reaching people in need, including by telephone, internet, and electricity cuts, military roadblocks and blockades (such as of Sittwe recently), border-crossing closures such as with India, widespread landmines, financial transaction restrictions, risks for travelers of forcible conscription or being caught in the crossfire of continued fighting, persistent fuel shortages, and rising fuel, commodity, and food prices.[24] This year bombings have killed three aid workers, and relief supplies are regularly seized by conflict parties.[25] In conflict areas, there are documented examples of rescue teams being not allowed access to help civilians evacuate.[26]

In this total absence of responsible governance, cholera has broken out near Yangon and Sittwe,[27] and abusive private actors continue to commit violations with impunity, such as cyberbusiness slavery camps subjecting an estimated 120,000 people to forced labor.[28]

The Financial Tracking Service has reported that the 2024 Humanitarian Needs and Response Plan (HNRP) has received only 21.1% of its required funding, and the Humanitarian Action for Children (HAC) has received only 12% of its required funding, demonstrating the critical funding shortages that are disabling humanitarian workers from delivering assistance to people in desperate need.[29]

4. Attacks on Ethnic Groups including Rohingya

Minority ethnic groups have received some of the worst abuses from the military. While all targeted ethnic groups have suffered, the situation of Rohingya is of particular concern as they have suffered forcible conscription, killings, and attacks from both the military and Arakan Army resistance force, recently in the towns of Buthidaung and Maungdaw.[30] In the week of August 15, at least 13,000 Rohingya were displaced from Maungdaw, and thousands have fled to Bangladesh in recent weeks to avoid intensifying genocidal attacks from the military and Arakan Army.[31] There have been several cases where dozens of Rohingya bodies were found after their boats crossing the Naf river into Bangladesh sank due to overcrowding, such as 44 bodies found by Bangladesh authorities in August.[32] Meanwhile, the conditions in Bangladesh displacement camps remain terrible with persistent physical, economic, and food insecurity.[33]

Rohingya are reporting that the violations against them are worse now than the crackdown in 2017, which the US labeled a genocide.[34] They worry that violations against Rohingya are being ignored compared to 2017 due to attention on Arakan Army gains against the military and the blackout on information.[35]

5. Assistance to the Military by Foreign States and Companies

Myanmar's military has received military, financial, and other assistance from states and businesses that have facilitated its attacks on and abuses of civilians, including China and Russia, which in 2021-2022 provided US\$156 million and US\$276 million, respectively, in military sales to Myanmar, which other states should condemn and pressure to end.[36] Foreign businesses working in Myanmar or with Myanmar partners may also provide financial assistance to fund the Myanmar military's violations, particularly in the arms, oil, construction, food, textile, and financial sectors, and they should conduct heightened due diligence to identify and end any possible military support,[37] particularly within Myanmar's largest trade, business, and supply chain partners, including China, Thailand, Japan, India, South Korea, Germany, Malaysia, Singapore, and Indonesia.[38]

6. What the International Community Must Do

We call on Myanmar's military to:

- o End the conflict and emergency rule, restore the democratically elected government and rule of law, and hold perpetrators of violations accountable.

We urge the international community to:

- o Support firm measures to enforce the military's compliance with Security Council Resolution 2669, including targeted economic sanctions and a weapons and fuel embargo;

- o Strengthen and support efforts to ensure accountability for all violations, including a referral to the ICC;

- o End all non-humanitarian aid to Myanmar;

- o Require companies with business links to Myanmar to identify and end any business links enabling violations.

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[4] Irrawaddy, id.; <https://documents.un.org/doc/undoc/gen/g24/109/35/pdf/g2410935.pdf>.

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[6] <https://www.irrawaddy.com/news/burma/myanmars-junta-has-tightened-its-conscription-noose-at-airports.html>;<https://www.bbc.com/news/articles/cw8q9vx93q6o>;<https://myanmar-now.org/en/news/myanmar-junta-steps-up-efforts-to-prevent-workers-from-going-abroad/>.

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- [13] <https://www.aljazeera.com/news/2024/8/1/potential-for-new-myanmar-as-anti-coup-forces-push-new-northern-offensive>; <https://reliefweb.int/report/myanmar/myanmar-humanitarian-update-no-40-16-august-2024>.
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