

The Brief Report of Human Rights Violations

In Myanmar's Northeast Regions

From 2011 to 2023



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Introduction

Civilians from Kachin State and Northern Shan State which are Myanmar's Northeast Regions have been suffering armed conflict and human rights violations for many decades. Since 1961, there have been armed clashes in regions where most Kachin people live, namely Kachin State and Northern Shan State. Having seventeen years of relatively stable ceasefire since 1994¹, the active fighting resumed on 9 June 2011, and human rights violations have increased in Kachin regions ever since. Several human rights abuses and conditions between 2011 and 2020 have been already documented and reported by some civil society organizations².

After another military coup on 1 February 2021, the violations have been significantly widespread nationwide. However, the violations are less known among the public because of transportation and communication obstacles in the Kachin regions. Therefore, Kachin Women Research Group and Kachin Human Rights Watch Group collected and reported human rights violation cases in regions such as IDP camps and border areas in Kachin State and Northern Shan State with the aim to systematically record and raise public awareness on the violations.

Introduction

¹Kachin Independent Organization (KIO) signed a bilateral ceasefire agreement with the military regime of the State Law and Order Restoration Council (SLORC) in February 1994.

²Partners Relief & Development, "Crimes in Northern Burma: results from a Fact-Finding Mission to Kachin State", November 2011. Human Rights Watch, "Untold Miseries": Wartime Abuses and Forced Displacement in Burma's Kachin State, March 2012. KWAT, "Burma's Covered Up War: Atrocities Against the Kachin People", August 2016.

Data Collection Method



Data Collection Method

The research team of Kachin women and youth from Kachin Human Rights Watch Group conducted the data collection from July 2022 to February 2023. The research team had completed human rights violation documentation and data collection training prior to their work. The team collected the data in four districts of Kachin State, which are Myitkyina, Putao, Banmaw, Mohnyin, and Lashio and Muse districts of Northern Shan State. First, the team conducted consultation meetings with some community leaders from respective districts and consulted for suggestions and recommendations about the context and plan. Next, with the recommendations from the consultation, the team designed a data collection method and plan. They have collected (50) cases of violations by conducting a total of (58) interviews.

These cases do not cover 'all' violation cases in Kachin regions. They are the only cases the group was able to access within the available time limit. Moreover, because of the high-security risks for the team, there are some limitations to covering all the areas or collecting all cases.

The data was collected by conducting interviews with the victims, their family members, or community leaders. Some are interviewed by phone; some are online and others by meeting in person. The identity and information of the interviewees are kept confidential for their safety.

Findings

The research team of Kachin Women Research Group and Kachin Human Rights Watch collected (50) cases of human rights abuses in Myitkyina, PutaO, Banmaw, and Mohnyin districts of Kachin State, and Lashio and Muse districts of Northern Shan State from July 2022 to February 2023. Among those (50) cases, (6) are from the period of 2011 to 2018, and (44) are from the period of 2021 to 2023.

All the collected cases can be categorized into nine forms of abuse; arbitrary arrests, indiscriminate shelling, direct shooting, air bombardment, landmine explosion, torturing, property confiscation, and destruction, intimidation, and rape.

From 2011 to 2018, there was one case each of arbitrary arrest, indiscriminate shelling towards civilian villages, air bombardment, direct shooting of civilians, confiscating civilian properties and threatening civilian case. The majority of the perpetrators are Myanmar Tatmadaw (military), and a few cases were committed by local armed organizations. Summary of each type is described as follows.

Findings

1 Arbitrary Arrests



Arbitrary Arrests

Among the collected human rights abuses cases, 18 cases are arbitrary arrests, and there are (29) victims in total. Myanmar Tatmadaw troops often randomly arrest villagers in groups and bring them along as guides, human shields, or porters. Some are released afterward, but some have disappeared. On 21 February 2018, Myanmar Tatmadaw Division (77) abducted a villager from Tanai (Danai) Township, and he is disappeared till today.

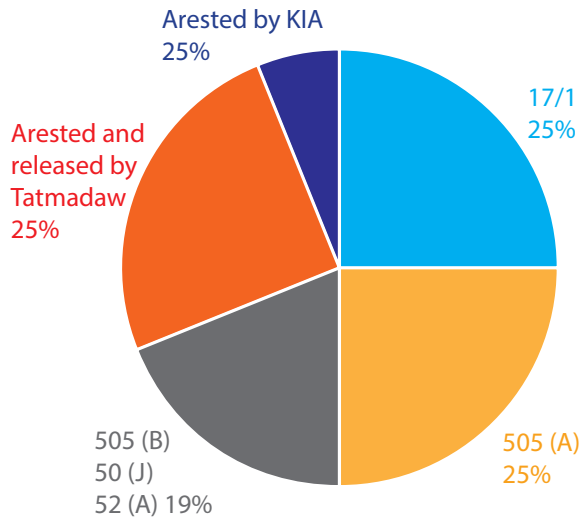
In some cases, the Tatmadaw arrested villagers by saying that they were suspected to have been in contact with the Kachin Independence Army (KIA) or People Defense Forces (PDF), and released them after some time of interrogation.

Moreover, there is a case that a young man who escaped from KIA's arrest as a worker or soldier.

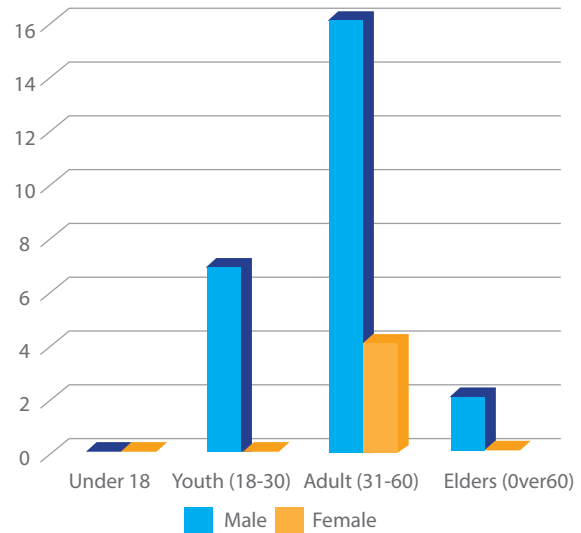
Among these arbitrary arrests, the majority of cases are the arrests and imprisonments by Myanmar Tatmadaw or the police. The Tatmadaw and police arrest the people individually or in groups, sued them, and sentenced imprisonment. Most cases are accused of article 505 (a) (b) of 'criminal code', article 50 (j) and 52 (a) of 'anti-terrorism act', and article 17(1) of 'unlawful association act'.

After the military coup in February 2021, the public has organized anti-coup, anti-authoritarian movements and strikes. Since late February and early March, the soldiers and police cracked down on the public and arrested the leaders, the activists, and the participants individually as well as in groups. They sued the leaders and participants of the strikes with article 505 (a) of the criminal code and sentenced them to 2 to 3 years in prison. Some were made to sign the confession and released with the promise of non-involvement in the future. Some were released with the public amnesty event. However, those who are considered to lead the movements were detained for long terms, sued with article 505 (b) of the criminal code, article 50 (j)

ARBITRARY ARRESTS



AGE OF VICTIMS



and 52 (a) of the 'anti-terrorism act', and sentenced to 3 to 10 years in prison. Some are being detained without sentence and without letting their family meet.

***"It has been 23 days since they detained my wife. We don't know any of her condition and news yet. We cannot meet. We cannot call. We cannot send food or anything. Our daughter is still very young, so she has been asking her mother every night. Even I cannot sleep and eat well. So, I am worried about how my wife can be well or sleep or eat."* (The husband of an arrested victim)**

In addition, the Tatmadaw and police arrested more community leaders and active youth leaders being accused of having been in contact with KIA or PDFs since late 2021 or early 2022. They are sued with article 17 (1) of the unlawful association act and sentenced to 2 years in prison. There are also cases of being detained without a sentence.

2 Indiscriminate Shelling



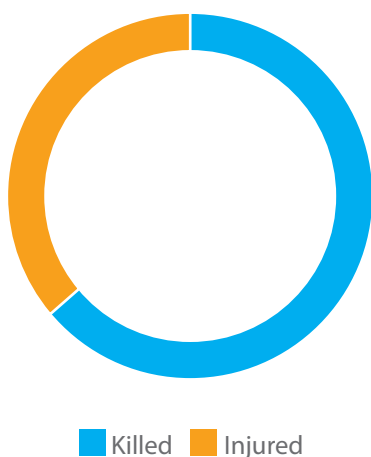
Indiscriminate Shelling

Among the total human rights violation cases collected, there are 10 cases of indiscriminate shelling (artillery or small gunfire) towards residential areas or villages and 18 victims in total who have suffered. All the shelling is committed by Myanmar Tatmadaw. Among the ten cases, one was in 2018 and the rest were after 2021. Seven of them dropped at houses, kitchens, a church, and a farm, one dropped at an IDP camp compound, and the other two dropped on the public road in nearby villages.

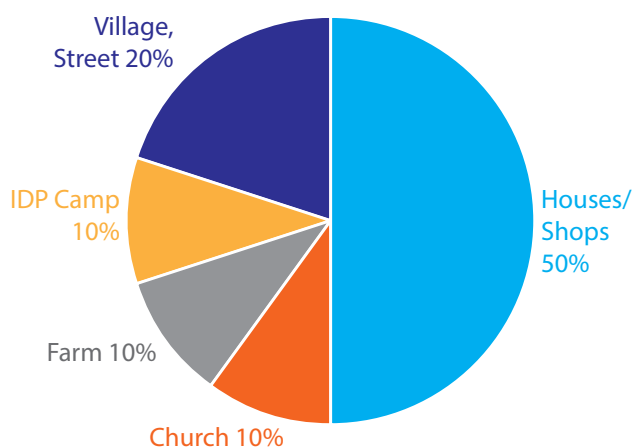
Those indiscriminate shelling killed 7 civilians and injured 4 severely. Some civilians lost their houses, properties, cattle, and livestock. The church was destroyed and its materials and properties were destructed.

“Although the shooters are responsible, we don’t know what to say as they did it intentionally. Since he was the one who led the family and now, he passed away, it hurts the family deeply. Quite terrible. The family is in deep sorrow and mental breakdown.” (A villager)

VICTIMS



PLACES ARTILLERY SHELLING HIT



Direct Shooting Against Civilians

Among the total human rights violation cases collected, 11 cases are 'direct shootings' at civilians by Myanmar Tatmadaw. One case was in February 2013, Myanmar Tatmadaw (KaLaYa 223, KaLaYa 236) shot and killed 3 civilians from the Mansi IDP camp without concrete reasons.

The other 8 cases are committed by Myanmar Tatmadaw after 2021. A total of 11 civilians were killed and 2 were seriously injured.

Most of those shootings took place on the roads while the victims were riding cars or motorbikes or walking. Some cases were reasoned that the soldiers shot them because they fled when they were told to stop. Almost all victims riding motorbikes or walking died of the shooting. Those riding cars were mostly injured. Some of the victims' bodies were not returned to the family.

"They shot my son 2, 3 times, and he fell off with his motorbike. Then the soldiers wrapped the body with a plastic sheet, threw it in the car, and took it with them. We have not received the body till now. They don't give us when we asked." (The father of a victim)

There are some cases in that Myanmar Tatmadaw soldiers abducted civilians staying at home, tortured and killed. In a few cases, the victims were shot dead, and their bodies were burned.

"We are very hurt, terrified, and full of hatred in mind facing this kind of atrocity in the family. But we cannot say or do anything because they have all the power. If we say something, we will be the ones who would suffer more. So, we don't want to say anything." (A family member of a victim)

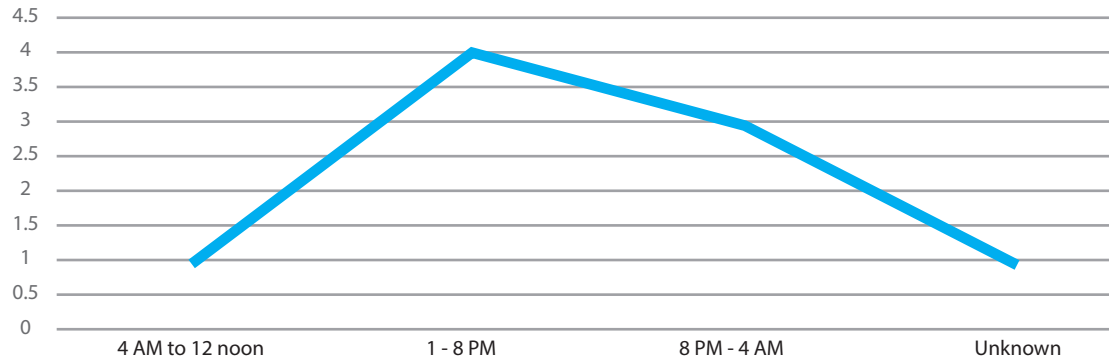
Most of the shootings took place before 9 pm when people still go around.

3

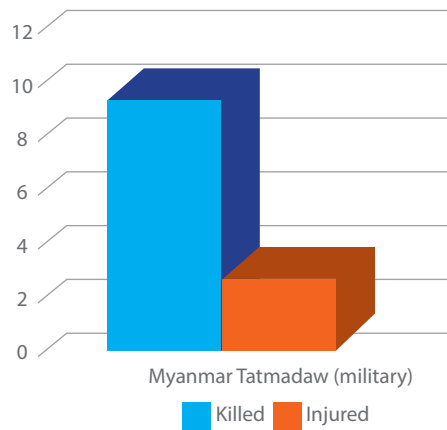
Direct Shooting Against Civilians



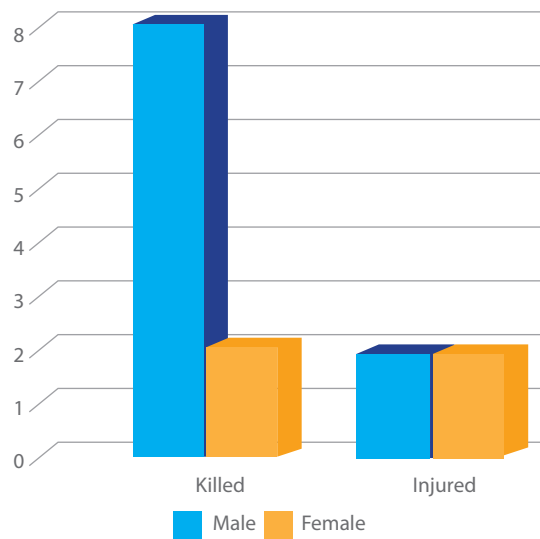
TIME OF THE SHOOTINGS



DIRECT SHOOTING CASES



VICTIMS OF DIRECT SHOOTING



Air-bombardment

Among the total human rights violation cases collected, there were four cases of air bombardments by Myanmar Tatmadaw in the Kachin region. One was in 2018 and the other 3 were after 2021.

On 26 January 2018 at about 10 in the morning in Shahtuzup village of Tanai (Danai) Township, Myanmar Tatmadaw dropped bombs from the flight and attacked airstrikes at gold and amber mining areas. It killed and injured a lot of civilians.

On 3 February 2022 at 4:45 in the afternoon in Sumpyi Yang village of PutaO Township, Myanmar Tatmadaw conducted air-bombardments and airstrikes with two jet fighters injuring at least (7) civilians and burning about (10) houses. KIA-PDF and Tatmadaw had been fighting in the area since 1 February. Moreover, it displaced about 1000 villagers to the deep forest and mountains for safety. After over a month of taking shelter in the forest, the villagers returned to their village where their houses were torched and completely destroyed.

Another case was on 8 August 2022 in Sezin village, Hpakant Township, KIA-PDF, and Tatmadaw-Shanni Nationalities Army (SNA) had clashed, and for three days, the Tatmadaw used air-bombardment and air strikes killing, and injuring civilians and burning houses in the village.

The last one was on 23 October 2022 at 8:30 in the evening in Anang Pa village, Hpakant. There was a prior music event commemorating the 62nd year of founding KIO. During the music show, Myanmar Tatmadaw attacked the event with air bombardment and airstrikes. About 66 people were killed and (80) were injured including musicians, artists, and business owners.

"I was shocked when I heard that a lot of people were injured and many were killed. When I heard hundreds of people died and injured, I thought my son might be one of them. It's a mother's feeling, you know. Immediately after I heard the news, I called my son, but his phone was switched off. So, I was terrified with concerns."
(A local from Hpakant)

4 Air Bombardment



5

Property Confiscation and Destruction



Property Confiscation and Destruction

Among all the human rights violation cases collected, there are three cases of confiscation and destruction of civilian properties. One case happened in Gara Yang village of Waing Maw Township after the resumed war between KIA and Tatmadaw became intense. Myanmar Tatmadaw destroyed churches, houses, churches, and civilian properties.

“All 3 houses in the compound were torched down. We don’t have anything left. At the moment, we are staying at a house built with the support of our village. We have nothing, not even clothes to change.” (A villager whose house was torched.)

The other two cases happened in Myitkyina in November 2022. After some Kachin Independence Organisation (KIO) officers had been arrested, the Myanmar Tatmadaw destroyed their relatives’ houses with bulldozers and tortured family members. Furthermore, the Tatmadaw raided a church at 4 in the morning saying to search for a friend of the arrested officers and destroyed the church office and documents.

Tortures against civilians

Among all the human rights violation cases collected, two cases are the tortures against civilians. The first case happened on 22 June 2022. The (Lisu) militia in Aung Myay (1 & 2) of Waing Maw Township, arrested three civilians riding a motorbike. Two escaped and one was tortured to death. The body was not returned to the family.

The second case happened in Kutkai Township on 17 August 2022 at around 10 in the evening. Drunk soldiers from Kokant Army Brigade (202) detained two villagers, tortured and released them on the following day at about 11 in the morning.

6 Tortures Against Civilians



Rape

Among the total human rights violation cases collected, there is one rape case. It was on 14 July 2021 when a 50-year-old mother of 5 from Numlang Village of Daw Hpum Yang Township was on her way to their farm carrying lunch for the family, three soldiers from Myanmar Tatmadaw (KaMaYa 438) raped and killed her. Although the Tatmadaw confirmed the crime in the newspaper, there are no further accountabilities or actions taken.

7 Rape



8 Landmine Explosions



Landmine Explosions

Among the total human rights violation cases collected, there are two cases of landmine explosions. One exploded in Shahtuzup village, Tanai (Danai) township, Kachin State on 12 January 2023 at about 7 in the morning. A 53-year-old mother and her 19-year-old daughter stepped on a landmine on their way to the market. The daughter was killed and the mother was severely injured.

The second one also exploded in Shahtuzup village, Tanai (Danai) township on 12 January 2023 at 2:40 in the afternoon. The militia group in the area stopped a villager at the checkpoint and led him to their military compound for interrogation. While they were in the compound, the villager stepped on a landmine and he was severely injured by the explosion.

9 Intimidating or Threatening Civilians



Intimidating or Threatening Civilians

Among all the human rights violation cases collected, one is the intimidating or threatening civilian by a Shan State Army (SSA) officer. It happened in Lashio, Shan State, around 2017 or 2018. There was a conflict between the local community and SSA officers relating to the land confiscation dispute. After some days of an ongoing dispute, responsible personnel from SSA shot up a gun and threatened the local activists saying ***“I will kill those who inform (the higher officers)”***.

Conclusion

Since the resumed fighting between Myanmar Tatmadaw and Kachin Independent Army in February 2011, human rights violations against civilians have increased in Kachin regions. There are a total of 6 cases from that period in this report.

After the military coup on 1 February 2021, the violations have significantly increased across the country including Kachin regions (Myanmar's Northeast Regions). The types with the highest number of abuses in Kachin regions between February 2021 and February 2023 are arbitrary arrests and direct shootings against civilians. The most severe form of violation is indiscriminate artillery shelling toward civilian residents or villages, and airstrikes or air bombardment upon public mass gatherings. These severe abuses are committed by Myanmar Tatmadaw, and they killed hundreds of civilians and injured many others. The cases in this report are the violation of Geneva Convention.

Conclusion

TYPES OF ABUSES

