



Karen Human Rights Group

Documenting the voices of villagers in rural Burma

Replacing Impunity with Accountability: October 9th, 2014

On September 21st, the body of Saw Ta Noh, a private in the Karen National Liberation Army's (KNLA) 6th Brigade, was found in the Moei River, near Myawaddy, after having been arrested on September 16th by soldiers from Border Guard Force (BGF) Battalion #1022. Captain Hla Min, Commander of the KNLA Headquarters Special Command from 6th Brigade, urged the BGF, a military force under the direct control of Tatmadaw, to investigate the case. Five BGF soldiers were arrested in connection with the killing of Saw Ta Noh the following day. The Karen Human Rights Group (KHRG) recognizes the actions taken by the BGF leadership to be a necessary first step in fulfilling their obligations under international law to investigate this crime. However, there needs to be similar investigations and access to justice in cases where soldiers have committed violations against civilians. Only then will impunity be replaced with accountability in southeast Myanmar.

KHRG urges all armed groups to focus on justice for civilians in southeast Myanmar who have suffered similar atrocities for decades. All humans are equally protected under the law. Since the January 2012 ceasefire, KHRG has documented multiple cases of civilians being killed in southeast Myanmar, mainly by armed groups. On June 25th 2012, in Thaton District, a 52-year-old man was tortured and killed by soldiers from BGF Battalion #1014, after he was accused of being a Karen National Union (KNU) spy. In Hpa-an District, a 16-year-old boy was killed on March 11th 2013, and a 62-year-old grandmother was killed on March 27th 2013, both by soldiers of BGF Battalion #1016, because they had publicly discussed the BGF's involvement in drug related issues. On June 11th 2013, also in Hpa-an District, an entire family of four was murdered by troops under the orders of Commander Kya Aye of BGF Battalion #1015, after the family had been accused of practicing witchcraft. It is a blatant violation of human rights to murder unarmed civilians and the perpetrators of these crimes should be punished. However, the soldiers involved have not been investigated, detained or punished in any way in any of the above cases.

Human rights abuses have been committed not only by the BGF in southeast Myanmar, but other armed groups as well. Since the January 2012 ceasefire, KHRG has received credible reports detailing serious violations, including: forced labour by the Karen National Defence Organisation (KNDO), torture and violent abuse by the Tatmadaw, violent abuse by the Karen National Liberation Army (KNLA), and the shooting of a villager by the Democratic Karen Benevolent Army (DKBA). No action has been taken to investigate the violations, much less bring the perpetrators to justice for these crimes.

The BGF has taken a necessary initial step by launching an investigation into the case of Saw Ta Noh. However, we encourage all armed groups to go further. The lives of civilians are equally valuable as the lives of soldiers. Soldiers found to have committed abuses should be prosecuted in a transparent fashion and to the fullest extent possible in accordance with domestic and international laws. Therefore, while KHRG recognizes the recent actions of the BGF in investigating the case of the murdered KNLA soldier, we also call on the leaders of all armed groups to take action on behalf of civilians who have been tortured, violently abused, and killed in southeast Myanmar. We recommend that all armed groups:

- Hold their soldiers accountable for human rights abuses they commit.
- Be transparent in their investigation and prosecution of such abuses.
- Effectively punish the perpetrators of such abuses in accordance with the law.