

Report Briefer

March 30th 2022

Southeast Burma Field Report:

Intensification of armed conflict, air and ground attacks, and widespread human rights violations, July to December 2021



Introduction

The reporting period was marked by increased armed conflict and attacks, which spread to locations in KHRG's operational area that had reported little to no fighting or shelling during the initial five months following the February 1st 2021 military coup. It was also marked by an increase in human rights violations against civilians.

During the current reporting period, KHRG documented multiple cases of forced labour and the use of civilians as human shields. In most cases, villagers were forced to serve as both porters and human shields as State Administration Council (SAC) and Border Guard Force (BGF) troops engaged in troop rotation and the transport of rations and ammunition between army camps in areas controlled by the Karen National Union (KNU). Both forced labour and the use of human shields constitute violations of international humanitarian law (IHL) and other human rights conventions. In many cases, these acts have been combined with other rights violations like beatings or torture, the deprivation of food and water, and various threats, including threat to life. In Bilin Township, Doo Tha Htoo (Thaton) District, villagers living between Lay Kay and Yoh Klah army camps were subjected to repeated demands for forced labour and 'navigation' over the course of several months.

A surge of armed conflict and attacks, including airstrikes, took place in the Lay Kay Kaw area of Dooplaya District in December 2021 after SAC and BGF troops entered the area and

conducted raids and arrests while searching for Civil Disobedience Movement (CDM) participants and People's Defence Force (PDF) members. Over 10,000 people were displaced in just over a week. Possibilities for seeking refuge in Thailand remain extremely limited. Most displaced villagers were either pushed back by Thai authorities or forced to set up temporary encampments along the river.

Mu Traw (Hpapun) District had been the target of major offensives, including airstrikes, during the first five months of the coup. Although there were no further airstrikes in Mu Traw District from July to December 2021, most parts of the district continued to experience heavy conflict and military activities, with some areas experiencing fighting and shelling on a near daily basis. Many villagers continue to face displacement, while those who have remained in their villages have endured repeated threats by SAC soldiers, including battalion commanders, who seek to punish civilians for the activities of the Karen National Liberation Army (KNLA).

Theft and looting, particularly of food items, crops and livestock, also became more systematic as the presence of SAC soldiers in rural areas, including KNU territory, spread. Theft and looting often took place after villagers were forced to flee their homes, and in some cases included the destruction of property. Looting and the destruction of property are violations of IHL, including Additional Protocol II (Article 14) concerning the protection of objects indispensable to the survival of the civilian population.

As the SAC continued to target anyone seen as opposing the military regime, it undertook violence, including torture and beatings, against civilians while searching for people whom they suspected of having an affiliation with the PDF and CDM. There has also been an increase in intentional killings of civilians by SAC security forces.

The planting of new landmines appears to be increasing, particularly in Mu Traw District where landmine explosions resulted in two deaths and injury to eight civilians.

The situation of rural villagers in Karen State has grown more critical, with many villagers now facing severe food insecurity and health issues, including the spread of COVID-19, with little access to external support.

Part I: Major developments

A. Forced labour and the use of human shields

In August and September 2021, multiple reports of forced labour and the use of civilians as human shields were documented by villagers living between Lay Kay and Yoh Klah army camps in Bilin Township, Doo Tha Htoo District, highlighting a clear pattern of abuse by the SAC and BGF against the local population. During the month of October, multiple incidents also took place in Dooplaya District. Other reports emerged elsewhere in KHRG's operational area but were not as well documented. The use of forced labour is a violation of IHL and multiple international human rights conventions, including the Forced Labour Convention, which was ratified by Burma in 1955 and remains in force.

- When travelling through KNU-controlled areas, SAC and BGF troops consistently required villagers to serve as human shields to protect them from armed attack and ambush by the KNLA. Framed as requests for navigators, villagers frequently noted that the SAC and BGF demanded 'navigators' even though they clearly knew the way. According to villagers, women in particular seem to be preferred as navigators/human shields because their presence is seen as more likely to ward off attack.

"They [SAC and BGF] didn't dare go back by themselves. That is why they brought along two to three villagers and walked between villagers like that. It is because they worry that they will be ambushed. By walking amongst the villagers, if they are ambushed, those villagers will get shot instead of them."

(Naw H---, a villager in Bilin Township, Doo Tha Htoo District)

- In most cases, the incidents of forced labour/use of human shields involved under 20 villagers, but on two occasions, the numbers were much higher. On September 18th, after the SAC and BGF arrested the village tract administrator's wife as leverage, over 100 B--- villagers agreed to carry rations for them to C--- village. On September 20th, BGF soldiers ordered close to 300 villagers from three villages in Bilin Township to carry rations and ammunition for them as they continued on to Yoh Klah army camp. The majority of the villagers required to serve as porters were women, and another 12 were underage (nine girls and three boys).
- Incidents of forced labour and the use of human shields often combined with other human rights violations since undertaken as part of other military operations like the movement of troops between army camps. Villagers often cited threats of violence, the deprivation of food and water, and being caught in gunfire. Because the soldiers often stayed in or near local villages along the way, villagers also reported theft and looting of their property by the soldiers, and overall general insecurity due to the presence of troops in their community.
- On September 24th, after forcing eight villagers to accompany them, the SAC and BGF were ambushed by the local KNLA in a jungle outside of D--- village. After the fighting, the SAC and BGF arrested more villagers, including anyone they saw on their way, for use as human shields while travelling from the eastern part of C--- village to the C--- village monastery. They also forcibly apprehended some villagers who were hiding inside their bunkers and under their houses during the skirmishes.

"We fled randomly [scattered] when we heard the gunshots from here [the village]. We fled. One of the villagers, Saw K--, said that while he was fleeing from SAC [and BGF], he encountered Burma soldiers on his way, and was taken [for use as a human shield]. He said that there were a lot of gunshots [while he was fleeing] but the bullets just missed hitting him in the head."

(A local villager forced to accompany the soldiers)

B. Eruption of conflict and SAC offensives in Lay Kay Kaw

In early December, SAC activities in Kaw T'Ree Township, Dooplaya District dramatically increased as the military began targeting the area in search of NLD members, civil servants and activists who had sought refuge in KNU-controlled areas due to their participation in the anti-coup protests and the CDM. Patrolling and searches in the area had been ongoing since shortly after the coup, as Dooplaya District was one of the key locations where CDM members and anti-coup protesters had sought refuge. As a result of a sudden increase in raids and arrests in December and the SAC's trespass into more restricted areas of KNU territory, fighting between the SAC military and the KNLA broke out in Lay Kay Kaw New Town and surrounding areas on December 15th 2021 and continued through the end of the reporting period. From December 23rd to 27th, the SAC military also launched four airstrikes in the area.

"An auxiliary of the Lay Kay Kaw village leader shouted out loud [during the fighting on December 15th]: 'Flee!! Flee from the village.' [...] Fighting happened in the village, between the houses right after the checking [after the SAC conducted its searches]. [...] Then fighting happened again during the night and big weapons [mortars] landed continuously around us so we had to flee."

(U T---, a villager in Kaw T'Ree Township, Dooplaya District)

- As fighting and attacks spread, displaced villagers were forced to displace again. On December 19th 2021, fighting broke out in P'Loo Hpa Doh village, P'Loo village tract. The

villagers from P'Loo Hpa Doh and P'Loo Hpoh, as well as the IDPs who had sought refuge there, could no longer stay and had to move to another place.

"We have been fleeing for five days and each day we slept in a different place. [...] When the fighting happens at the place where we flee, we need to flee to another place.

(Naw An---, a 17-year-old student in Kaw T'Ree Township, Dooplaya District)

- From December 14th to December 22nd 2021, about 10,000 IDPs from Maw Htoh Th'Lay, Min Let Pan, P'Loo Hpa Doh, P'Loo Hpoh, P'Hee Klaw, Y'Thay Koo and Lay Kay Kaw villages had to flee to Thailand. More villagers from Thay Baw Boh and the Taw Naw Muh Htaw area fled to the border in the days that followed. Some of the villagers who crossed into Thailand were then forced by Thai soldiers to return to Burma. Thousands more remained on the Burma side of the river unable to cross into Thailand.



In this photo, taken on December 23rd 2021, Taw Naw High School students were crossing back to Thay Baw Boh village after they were prevented from staying in Thailand by Thai authorities. [Photo: KHRG]



Taw Naw High School students from Thay Baw Boh village had to stay in a bunker in their village from December 24th to 27th 2021 after they were forced to return to Burma by Thai authorities. [Photo: KHRG]

- On December 23rd at 10:00 pm, the SAC launched its first airstrike in the Lay Kay Kaw area. Airstrikes continued throughout the week, with the second taking place on December 24th at 4:00 pm, the third on December 25th at around 4:00 pm, and the fourth on December 27th at 1:00 pm.

"During the airstrikes, SAC dropped bombs and fired machine guns [from helicopters and jets] so bullets [and bombs] fell from the sky just like rain in Meh Wah Hkee village. We did not feel secure to stay anymore, and then we had to flee [to another village]."

(Saw Aq---, a villager in Kaw T'Ree Township, Dooplaya District)

C. Mu Traw District situation update

During the previous reporting period, Mu Traw District was the location of the vast majority of fighting and ground and air attacks since the February 2021 coup. Tens of thousands of villagers were also forced to displace. During the current reporting period, although no airstrikes took place, the situation in Mu Traw District continued to deteriorate, with widespread fighting and shelling. Thousands of villagers remain displaced and many are now facing food shortages. The security situation for villagers in Mu Traw continues to be critical, with heavy travel restrictions and limited movement due to conflict, shelling and landmine contamination.

- The KNU released a statement on March 21st 2021 demanding SAC troops based all over Mu Traw to retreat from KNU territories. The SAC's disregard for this demand led to more fighting with the KNLA. According to KNU Mutraw News, fighting between the SAC/BGF and KNLA broke out about 1000 times in Lu Thaw, Bu Tho and Dwe Lo townships in Mu Traw District during the last six months of 2021. Due to ongoing fighting, the KNU has not been able to confirm the number of casualties or the amount of damage.
- Ma Htaw village tract has been a site of heavy conflict and human rights violations, even before the coup. SAC Strategic Operation Command (SOC) #8, LIB # 407, led by Lieutenant General Zaw Min Htike, continued to terrorise local villagers through threats against villagers and direct attacks on civilian areas, including burning down villagers' homes.



These photos were taken on July 16th 2021 in Bg--- village, Ma Htaw village tract, Dwe Lo Township, Mu Traw District after SAC LIB #407 burned down the houses of four Bg--- villagers. The houses were burned in retaliation for an ambush by the KNLA that same day. [Photos: KHRG]

- On August 15th, a skirmish between KNLA Battalion #102 and SAC LIB #407 broke out in Bh--- village, Ma Htaw village tract after SAC troops trespassed into KNU-controlled territories. The SAC troops based at Bh--- village threatened villagers, warning them that they will kill all of the villagers if more fighting happens between them and the KNLA. The next day, the villagers fled their village fearing the threat made by the SAC troops.

Part II. Overview of the human rights and security situation in Southeast Burma

- During the current reporting period, conflict continued to erupt throughout the eastern regions of Dooplaya District. Fighting also continued in Kler Lwee Htoo District, with multiple incidents reported for the month of September. Fighting has been much rarer elsewhere in KHRG's operational area, despite signs of increased military activity. Only one incident of fighting was reported for Mergui-Tavoy District, as well as for Taw Oo District. Neither district had reported fighting during the previous reporting period. There are still no reports of fighting in Hpa-an District.
- Even in areas of low conflict, the SAC continued to regularly reinforce troops and send rations, ammunition and other military supplies to their army camps. Sometimes, SAC activities involved threats and attacks on the local villagers. Some villagers also fled from their village due to this increased military activity and fears that fighting and other human rights violations would ensue.



These photos were taken on November 28th 2021 in Eu--- village, Ev--- area, Ler Muh Lah Township, Mergui-Tavoy District. The photos show the living conditions of the IDPs in Ev--- area. [Photos: KHRG]

- The escalation of activities by SAC forces raised security concerns for local communities. Notable SAC activities included the increased use of checkpoints, threatening local villagers, requiring villagers to obtain travel permission letters, arbitrary arrests, searching for PDF and CDM members in villages, and opening fire while in villages. As a result, the safety of villagers, as well as their livelihoods and freedom to travel and conduct business, has been negatively impacted.
- There have been multiple incidents where intoxicated soldiers staying in or near villages made threats against villagers, including to burn down the village if the KNLA attacked them. In one instance, SAC and BGF soldiers had also asked two villagers – one of whom was an 8-year-old child – to buy alcohol for them. Since the BGF and SAC soldiers were drunk, villagers, especially women and girls, felt more insecure and worried that the soldiers would commit other violations.
- During the previous reporting period, KHRG noted an increase in violence against civilians in rural areas, including what appeared to be intentional shooting and killing of civilians. That trend has continued into the current reporting period. KHRG received reports of SAC soldiers intentionally shooting at civilians. In three of the cases, the shooting victims died as a result. In one of the killing cases, local villagers believe the victim was also tortured by the SAC prior to being killed.
- During the current reporting period, KHRG received documentation of four other incidents of torture by the SAC against civilians. Common torture tactics by the SAC included beating civilians with guns, as well as punching and kicking with military boots. While four cases have been included in this report, many cases have likely gone undocumented, out of fear of possible reprisals by armed actors.
- From July to December 2021, KHRG received reports involving multiple cases of theft and looting committed by the SAC and BGF in the districts of Doo Tha Htoo, Dooplaya, and Mergui-Tavoy. According to KHRG documentation, the SAC and BGF primarily entered the houses of villagers who had fled, in order to steal supplies, such as kitchenware, electronics, food, and livestock. In one case, a local clinic was destroyed and medical supplies were taken. Most of these looting incidents occurred while the SAC and BGF were travelling from one village to another.
- Landmine contamination and the planting of new landmines continued to be a serious problem, with landmines being placed in civilian areas, along transportation routes and near critical infrastructure, as well as in areas that villagers depend on for their livelihood. Villagers were often not made aware of the landmine contamination in their area.
- From July 2021, KHRG'S operational area experienced new widespread levels of COVID-19 infections with the virus reaching rural areas that had not been infected prior. COVID-related deaths have increased. Regulations, including travel restrictions, were put in place to prevent

the spread of infections. Yet, KHRG researchers found that many villagers lacked the necessary facilities to test and treat the virus, and thus faced challenges in managing the spread of the virus, particularly in situations of displacement. An inability to access necessary healthcare continued to be a problem for rural villagers throughout the reporting period.

“When villagers flee [from SAC soldiers], they forget to be afraid of the Coronavirus. They are only afraid of SAC soldiers.”

(A villager in Noh T’Kaw Township, Dooplaya District)

- Students struggled to gain a sufficient education in this reporting period. While government schools were meant to begin the school year again in June, many were forced to remain closed until late in the year. Even when they re-opened, continued insecurity due to military activity and concerns about being run by the SAC prevented parents from sending their children back to these schools. This placed stress on Karen Education and Culture Department (KECD) schools that remained open. Many KECD schools struggled with a lack of facilities to accommodate the increased number of students who transferred from SAC-run schools.
- Increased conflict and other military activity in KHRG’s operational area has had a significant impact on villagers’ ability to carry out their livelihoods. Fighting, shelling and risk of landmine explosions often prevented villagers from travelling away from their homes, even to reach nearby farms and plantations. Conflict and ongoing military activity have continued to force villagers to flee their homes, and many who displaced earlier in the year are still facing displacement.

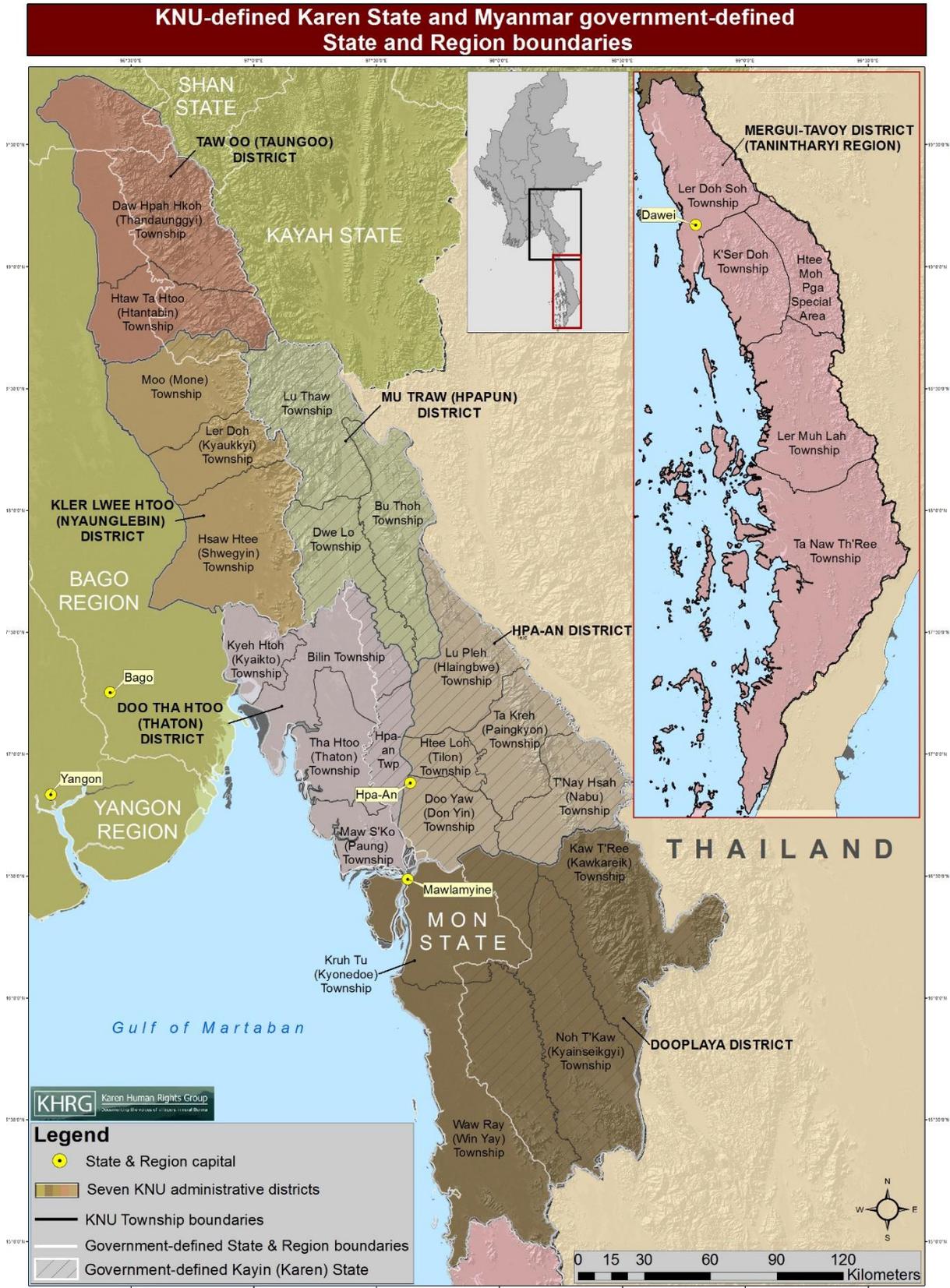
“We want to live peacefully. But we feel sad since they [SAC] bully us, the villagers. We don’t know what to do and how to do [live their lives when they are made to feel powerless by the SAC]. They treat us as they want. We want soldiers not to be present here [in the village], so we can work peacefully. But now, we have to be scared. We can’t do anything but be afraid of them. Now we can’t go anywhere. [...] We have to worry that they will kill more people.”

(A villager in Paw Township, Doo Tha Htoo District)

Recommendations

- Neighbouring states must allow for the legal provision of cross-border humanitarian aid through non-state actors and local service providers.
 - The UN, donors and other international actors must support and increase the legitimacy of the CSOs, CBOs and ethnic health and aid providers operating on the ground because they have the most direct and best access to affected populations and understand their needs.
 - A comprehensive global arms embargo against the Burma military must be imposed.
 - Military “No Fly Zones” need to be established and enforced; and sanctions must be placed on supplying aviation fuel to the Burma military. *“If Burmese military aircraft can’t fly, they can’t bomb.”*
 - Civilian safe zones need to be created, whether in Burma or across the border, and the protection of civilian safe zones must be internationally guaranteed.
 - UN agencies in Burma must take a clear and strong position in responding to the situation on the ground, and to use all possible resources to limit the human rights abuses and violations undertaken by the SAC.
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KHRG Operational Areas



Karen Human Rights Group (KHRG) was founded in 1992 and documents the situation of villagers and townspeople in rural Southeast Burma through their direct testimonies, supported by photographic and other evidence. KHRG operates independently and is not affiliated with any political or other organisation. Examples of our work can be seen online at www.khrg.org or printed copies of our reports may be obtained subject to approval and availability by sending a request to khrg@khrg.org