

# Resilience and Resistance

Challenges and threats faced by Human Rights Defenders (HRDs) in Southeast Burma since the 2021 coup

Briefing Paper

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**KHRG**

Karen Human Rights Group

Documenting the voices of villagers in rural Burma



## 1. Introduction

The current human rights and security situation in Southeast Burma (Myanmar)<sup>1</sup> has been in crisis since the 2021 military coup<sup>2</sup> due to an escalation of armed conflict and increasing human rights violations committed by the State Administration Council (SAC)<sup>3</sup>. The SAC has targeted and attacked anyone who opposes the regime, including peaceful protestors, pro-democracy activists, members of the Civil Disobedience Movement (CDM)<sup>4</sup>, local rights organisations, and civil society. Since the 2021 coup, Human Rights Defenders (HRDs)<sup>5</sup> and their family members have been arbitrarily arrested and detained, tortured, forcibly disappeared, and killed, with total impunity. Whilst the gravity of threats and lack of protection has forced HRDs in Southeast Burma to adapt their activism and protection strategies, their work remains active and essential, and in increased need of protection and recognition.

This briefing paper analyses the threats and challenges that HRDs have faced in locally-defined Karen State<sup>6</sup> since the 2021 coup (until June 2024). The first section gives an overview of the history of violence and oppression against HRDs. The second section provides evidence of attacks and violence faced by HRDs and their families, including anyone perceived to be defending human rights: namely torture and killings; arbitrary arrest and detention; restrictions on freedom of movement; surveillance and digital threats; risks related to the armed conflict; and threats faced by women human rights defenders. It also shows how those threats have changed since the 2021 coup; the impacts of such threats; and how HRDs have adapted. The third section presents a security and legal analysis of the situation. The paper concludes with a set of policy recommendations provided for regional and international stakeholders.

## 2. Contextual overview

### Historical context: activism for human rights in Burma

Since independence in 1948, the Burma Army<sup>7</sup> has attempted to consolidate power across the country, subjecting Burma's citizens and diverse ethnic

groups to persistent military abuse, exploitation and conflict, in waves of intensity. Both in times of active conflict and relative peace, repressive and violent measures have characterised regimes, attempting to stifle opposition, silence the population and erode fundamental freedoms.<sup>8</sup>

- <sup>1</sup> 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.
- <sup>2</sup> On February 1st 2021, the Burma Army (or Tatmadaw) 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.
- <sup>3</sup> 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 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.
- <sup>4</sup> On February 2nd 2021, healthcare workers at state-run hospitals and medical facilities across Burma/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 nonparticipation 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.
- <sup>5</sup> 'Human Rights Defender' is a term used to describe people who, individually or collectively, act to promote or protect human rights in a peaceful manner. Examples of HRDs include inter alia those who oppose oppressive state rule by using peaceful means; those who work to guarantee essential services such as healthcare and education; those who collect and disseminate information regarding human rights violations; or those who provide human rights education. See more at: [www.ohchr.org/en/special-procedures/sr-human-rights-defenders/about-human-rights-defenders](http://www.ohchr.org/en/special-procedures/sr-human-rights-defenders/about-human-rights-defenders)
- <sup>6</sup> Karen State, defined locally, includes the following areas: Kayin State, Tanintharyi Region and parts of Mon State and Bago Region. 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'O.
- <sup>7</sup> The terms Burma military, 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 2021 coup, the State Administration Council (SAC).
- <sup>8</sup> KHRG, *Undeniable: War crimes, crimes against humanity and 30 years of villagers' testimonies in rural Southeast Burma*, December 2022.

Persistent human rights defending by individuals and communities in Burma has existed in tandem with Burma's oppressive history. The 8888 Uprising<sup>9</sup> of 1988 and the Saffron Revolution<sup>10</sup> of 2007 marked significant episodes of such resistance, where nationwide protests initially led by university students and monks in cities demanded democratic and economic reforms, as well as the end of totalitarian rule. The Burma Army's response to these movements was with violent and excessive military force, accompanied by sweeping legislative reforms purporting to justify such acts, as well as nationwide continued limitations on freedom of expression and the incarceration and torture of political prisoners.<sup>11</sup> Yet despite the repressive landscape, civilian resistance has persisted, with past movements continuing to inspire and inform movements in Burma today.

### Resistance and struggle in Southeast Burma

On February 3<sup>rd</sup> 1947, the Karen National Union (KNU)<sup>12</sup> was established, calling for the protection of ethnic rights and political autonomy within Karen State. On February 11<sup>th</sup> 1948, more than 450,000 Karen people held a peaceful demonstration, demanding equality, peace and freedom.<sup>13</sup> Faced with military rule and oppression, civilian resistance quickly became a permanent feature of life in Southeast Burma – despite being overlooked and unsupported internationally. Echoing the findings of KHRG in 2008 in the wake

of the Saffron Revolution, '*misconceptions have supported a broad misunderstanding of a rural agrarian population [in Southeast Burma] largely outside of, and not critically engaged with, the political realm. On this basis, their voices have been marginalised, indeed excluded, from the ongoing political processes which affect them*'.<sup>14</sup>

Peaceful and armed resistance in Southeast Burma have existed in parallel and intertwined, since, in 1949, the 'Karen armed uprising' also began, led by the armed wing of the KNU. To quash all forms of opposition and dissent, the Burma Army has relied on conducting indiscriminate and disproportionate attacks on villagers, most notably under the "four cuts" strategy employed to deprive ethnic armed groups of food, funds, recruits and intelligence from the villages; as well as attacks on freedom of expression, assembly and association, arbitrary arrests and detention, extrajudicial killings and torture, media censorship and surveillance, forced labour, and forced relocations.<sup>15</sup>

Despite hopes for peace brought by the 2015 ceasefire agreement, the Karen peoples continued to experience state violence, Burmanisation<sup>16</sup>, oppression and cultural persecution.<sup>17</sup> With human rights defending embedded in society, Karen individuals and communities continued to challenge issues such as the violations of their land and cultural rights through community resistance strategies during the ceasefire period.<sup>18</sup>

<sup>9</sup> The 8888 Uprising was a series of student-led protests that took place in 1988 opposing the military rule of U Ne Win. The Burma Army responded with widespread extrajudicial killing, torture and arbitrary detention of thousands of protesters, the establishment of the State Law and Order Restoration Council (SORC) and the imposition of martial law denying freedom of association, expression and assembly.

<sup>10</sup> The Saffron Revolution of 2007 was a series of monk-led protests that took place in 2007 opposing authoritarian rule and triggered by the increased cost of basic commodities. The Burma Army responded to protests with lethal force, mass arbitrary arrests and detentions, alongside sweeping limitations on freedom of expression and opinion.

<sup>11</sup> See, for instance: OHCHR, '[The Invisible Boundary – Criminal prosecutions of journalism in Myanmar](#)', September 2018; or AAPP, '[Mapping Injustice in Myanmar](#)', September 2020.

<sup>12</sup> The Karen National Union (KNU) is the main Karen political organisation. It was established in 1947 and has been in conflict with the government since 1949. The KNU wields power across large areas of Southeast Myanmar and has been calling for the creation of a democratic federal system since 1976. Although it signed the Nationwide Ceasefire Agreement (NCA) in 2015, following the 2021 coup staged by Burma Army leaders, the KNU officially stated that the NCA has become void.

<sup>13</sup> KNU, '[Karen National Day Pamphlet](#)', 2024.

<sup>14</sup> KHRG, '[Village Agency: Rural rights and resistance in a militarized Karen State](#)', November 2008.

<sup>15</sup> KHRG, '[Foundation of Fear: 25 years of villagers'voices from Southeast Myanmar](#)', October 2017.

<sup>16</sup> A term used by ethnic minority groups to describe the assimilation policy implemented by the Burmese government to assimilate non Burman/Bamar ethnic groups into Burman/Bamar. See KHRG, '[Minorities under Threat, Diversity in Danger: Patterns of Systemic Discrimination in Southeast Myanmar](#)', November 2020.

<sup>17</sup> In the ceasefire period, KHRG documented the persistence of state violence including extrajudicial killings, SGBV, discrimination and forced labour, as well as increases in land confiscation and a persistent lack of justice and accountability. See: KHRG, '[Beyond the Horizon: Local Perspectives on Peace, Justice and Accountability in Southeast Myanmar](#)', November 2019.

<sup>18</sup> See: KHRG, '[Development without us: Village Agency and Land Confiscations in Southeast Myanmar](#)', August 2018. See also, for instance: KHRG, '[Interview: Naw Ohn Hla, August 2019](#)', December 2019.

## Human rights and activism since the 2021 coup

In 2021, the Burma Army leaders staged a military coup against the democratically elected civilian government, triggering the ‘Spring Revolution’ - a nationwide anti-coup civilian resistance movement characterized by mass protests, the three-finger salute, pot-banging, red-ribbon campaigns, civil disobedience and digital activism. In Southeast Burma, the civil society response was vibrant, with villagers joining protests and the CDM movement, providing refuge for protesters fleeing urban areas, and documenting abuses.<sup>19</sup> The Burma Army responded with severe and brutal measures, including violent and lethal crackdowns on protesters, killings, arbitrary arrests and detention, and digital surveillance; all condemned internationally.<sup>20</sup>

Since 2021, the SAC has conducted systemic and widespread direct attacks against villagers

in Karen State including HRDs, through air strikes, shelling, killings, arrests, torture and other forms of violence.<sup>21</sup> Underpinning these repressive measures and violent acts has been the sweeping legislative changes enacted by the SAC - and a continued reliance on a purported ‘state of emergency’- that has removed key human rights provisions in domestic legislation. Examples of legislative changes in 2021 include (i) suspending section of the Law Protecting the Privacy and Security of Citizens (2017) removing the right to be free from arbitrary detention and permitting warrantless surveillance, search and seizure; (ii) amending the Penal Code and the Code of Criminal Procedure to create new offences to target those criticising the military and to make those offences subject to a warrantless arrest / non-bailable; and (iii) amending the Electronic Transactions Law to restrict freedom of information and to criminalise the dissemination of dissenting opinions.<sup>22</sup>

## 3. Factual summary: threats faced by HRDs since the 2021 coup in Southeast Burma

Since February 2021, at least 214 reports mentioning attacks and/or threats against HRDs were reported to KHRG in locally-defined Karen State, including killings, arbitrary arrests, and torture. Such attacks affect HRDs, their families and communities, and hinder the ability for HRDs to carry out their work, having wider ramifications on the human rights situation in the country. Despite this, HRDs have demonstrated extreme resilience, adapting their strategies to continue fighting to protect and promote human rights in their communities.

The documentation presented in this factual summary is informed by 239 field reports (including interviews, situation updates, short updates, and incident reports) received by KHRG during the reporting period (February 2021 to June 2024), most unpublished; as well as by Participatory Action Research (PAR) conducted during 5 group discussions with 39 HRDs from all seven districts in Karen State<sup>23</sup> during April to May 2024, including one dedicated all-women Feminist PAR.<sup>24</sup> Three surveys on challenges faced by HRDs were also conducted with Karen civil society organisations (CSOs).

<sup>19</sup> KHRG, *Military Atrocities and Civilian Resilience: Testimonies of injustice, insecurity and violence in Southeast Myanmar during the 2021 coup*, November 2021.

<sup>20</sup> Office of the United Nations High Commissioner for Human Rights (OHCHR), *A/78/527: Report of the Special Rapporteur on the situation of human rights in Myanmar*, October 2023.

<sup>21</sup> KHRG, *Undeniable*, above.

<sup>22</sup> See: KHRG, “*The Tatmadaw’s Attempts to Legalize Its Human Rights Violations : The Karen Human Rights Group’s position on the legality of a selection of the State Administration Council’s amendments under international human rights law*”, July 2021. – Also: Human Rights Watch, ‘*Myanmar: Post-Coup Legal Changes Erode Human Rights*’, March 2021; See also for recent example: Article 19, ‘*Myanmar: Crackdown on Freedom of Expression with 24-hour Monitoring*’, April 2024.

<sup>23</sup> KHRG operates in seven areas in Southeast Burma: Doo Tha Htoo (Thaton), Taw Oo (Toungoo), Kler Lwee Htoo (Nyaunglebin), Mergui-Tavoy, Mu Traw (Hpapun), Dooplaya and Hpa-an. When KHRG receives information from the field, it organises data according to these seven areas. These are commonly referred to as ‘districts’ and are used by the Karen National Union (KNU), as well as many local Karen organisations, both those affiliated and unaffiliated with the KNU. KHRG’s use of the district designations in reference to our research areas does not imply political affiliation; rather, it is rooted in the fact that many rural communities commonly use these designations. For clarity, the Burmese terms for these districts are provided in brackets but do not correspond with the Burma (Myanmar) government administrative divisions.

<sup>24</sup> The first PAR session with HRDs was conducted on April 9<sup>th</sup> 2024, in Ca--- (Thai-Burma Border), the second and third one were conducted on May 2<sup>nd</sup> 2024, in Mu Traw District, and the fourth ones was conducted in May 23<sup>rd</sup> 2024, in Mergui-Tavoy District. One feminist PAR with women HRDs was conducted on May 4<sup>th</sup> 2024, in Mu Traw District.



This section presents evidence of threats to HRDs and their families in Karen State, including (a) torture, killings and threats of violence; (b) arbitrary arrest, detention and enforced disappearance; (c) restrictions on freedom of movement; (d) surveillance and digital threats; (e) challenges related to the armed conflict; (f) livelihood and wellbeing challenges; and (g) threats faced by women human rights defenders.

### a) Torture, killings and threats of violence

The SAC has used violence to control civilians after the 2021 coup, including by torturing and killing HRDs. KHRG received reports indicating at least 18 HRDs have been killed by the Burma Army in Karen State during the reporting period. 45 reports documented mentioned HRDs suffering torture and/or physical violence at the hands of the SAC. Such attacks were widespread and public during the first civilian protests in February 2021 yet have continued (albeit more discreetly) until now.

#### **Killing of human rights defenders by the SAC:**

In response to the anti-coup protests in 2021, the SAC employed lethal means, including rubber bullets, live bullets, and tear gas on protesters.<sup>25</sup> In Southeast Burma in 2021, at least 15 peaceful protestors were shot dead by the SAC, as reported to KHRG. Many villagers stated that they ceased joining protests due to the increase of violence in the initial period following the coup. A 20-year-old student and protester, Naw<sup>26</sup> A---, from Kaw T'Ree (Kawkareik) Township, Dooplaya District, shared in May 2021: "I see that we, the citizens, should have the right to protest. Now based on their [SAC] action, we cannot even do peaceful protests. They shoot and kill the people." KHRG also collected the accounts of at least seven police officers and/or SAC soldiers defecting based on their refusal to carry out killings or torture on protesters, despite risks of reprisals and imprisonment.<sup>27</sup>

As the armed conflict increased since 2021, so did the targeting of any person accused of opposing



This photo was taken in May 2024 in Mu Traw District. The photo shows a participatory action research (PAR) group discussion with HRDs in Karen State, where they shared their experiences and challenges when carrying human rights work. [Photo: KHRG]

the regime, including those who document human rights violations. For example, in April 2022, SAC Light Infantry Battalion (LIB)<sup>28</sup> #404 and #405 soldiers arrested and killed two villagers from Ba--- village, Bb--- area, K'Ser Doh Township, Mergui-Tavoy District, after they attempted to document an incident of house burning by the SAC. A rights activist named Daw B---, from Bb--- area, explained: "On April 3<sup>rd</sup> 2022, they [SAC soldiers] burned houses in my village. [...] We are afraid to go and take photos of burning houses as evidence because two villagers were shot dead when they went to take photos of burning houses. One villager went to take photos of burning houses and SAC soldiers saw him. Then, he was trying to run but he was arrested and then SAC fatally shot him. He is a villager from Ba--- village and his name is Ko<sup>29</sup> C---. That is why villagers are afraid to go and document what is happening in the village." She added: "He died with the handcuffs on. And then, SAC soldiers just left his body where he died."

Providing humanitarian aid and/or social services amidst active armed conflict has been a crucial form of human rights defending in Southeast Burma amidst the intensification of the conflict, as the SAC not only fails its positive duties to facilitate

<sup>25</sup> KHRG, "[Mergui-Tavoy District Interview: Security forces kill peaceful anti-coup protesters in Dawei Town, February 2021](#)", March 2021.

<sup>26</sup> 'Naw' is a S'gaw Karen female honorific title used before a person's name.

<sup>27</sup> Read their testimonies in: KHRG, [Military Atrocities and Civilian Resilience](#), above, pp. 28-31.

<sup>28</sup> A Burma Army Light Infantry Battalion (LIB) comprises 500 soldiers. Most Light Infantry Battalions in the Burma army 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.

<sup>29</sup> Ko is a Burmese title meaning older brother. It can be used for relatives as well as non-relatives.

access to basic needs such as education and healthcare, but actively attacks such services.<sup>30</sup> In one case, on April 1<sup>st</sup> 2022, SAC soldiers from LIB #403, #404 and #405 arrested a 56-year-old local healthcare worker, U<sup>31</sup> C---, at his house in Bc--- village, Bb--- area, K'Ser Doh Township, Mergui-Tavoy District, and fatally shot him on April 3<sup>rd</sup> 2022. Regarding this incident, a villager from Bc--- village said:

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*“This kind of brutal activities is in no way acceptable. The lives of civilians are not safe anymore because of the SAC violations of human rights. Every person has the right to life and life is the most important thing for everyone.”*

Villagers believe that U C--- was arrested and killed because he also treated injured PDF soldiers. U C--- is survived by his two daughters, one son and one sister.

Villagers in Karen State also risk being perceived as anti-coup and targeted simply for working to secure their needs. KHRG has also received a vast number of reports of SAC attacking or killing villagers accused of providing support to local resistance, for a variety of reasons including missing curfew, transporting goods, or simply finding themselves near conflict areas. As reported by Saw<sup>32</sup> D---, a HRD from Ci--- Township, Hpa-an District: *“Due to the situation of this country, no matter wherever we will be, no one is safe.”* Naw E---, a HRD from Kaw T'Ree Township, Dooplaya District, now living on the Thai-Burma border, also reported: *“With the current situation in Myanmar, there is no protection that can guarantee a life without being killed or tortured. Not only HRDs but everyone in Myanmar.”*



This photo was taken in March 2021 in Kawkareik Town, Kaw T'Ree Township, Dooplaya District. It shows CDM participants from the Ministry of Education protesting with their CDM sign and Ministry of Education flags. The red flags in the background of the photo represent CDM members from the NLD. Over 9,000 civilians and members of the CDM joined in this protest against the junta. [Photo: KHRG]

### **Torture of human rights defenders:**

Following the 2021 coup, KHRG received at least 45 reports of peaceful protestors in Karen State being tortured and attacked, often causing severe and long-lasting injuries.<sup>33</sup> An 18-year-old student named Maung<sup>34</sup> G---, from Myawaddy Town, Kaw T'Ree Township, Dooplaya District, explained: *“The demonstration rally [in 2021] by Generation Z protesters that started to leave from Myawaddy [Town] was broken up by gunshots using real bullets, near the Number #2 gate. I also saw that some youths were beaten and arrested.”* Another protestor Daw<sup>35</sup> H---, former member of the National League for Democracy (NLD)<sup>36</sup> political party from Hpa-an Town, Hpa-an District, also described SAC officers *“beat[ing] the girls with their guns and slap[ing] them near their ears until they collapsed”* during protests in March 2021.<sup>37</sup>

<sup>30</sup> See, for instance: KHRG, [“Dooplaya District Short Update: SAC shelled into villages causing 19 casualties and destruction, and killed a civilian providing humanitarian support, in Kruh Tuh Township \(January and March 2023\).”](#), July 2024. Also: KHRG, [“Denied and Deprived: Local communities confronting the humanitarian crisis and protection challenges in Southeast Burma,”](#) June 2022.

<sup>31</sup> ‘U’ is a Burmese title used for elder men, used before their name.

<sup>32</sup> ‘Saw’ is a male honorific title in S'gaw Karen language used before a person's name.

<sup>33</sup> See, for instance, KHRG, [Military Atrocities and Civilian Resilience](#), above, pp. 22

<sup>34</sup> ‘Maung’ is a Burmese male honorific title used before a person's name.

<sup>35</sup> ‘Daw’ is a Burmese female honorific title used before a person's name.

<sup>36</sup> The National League for Democracy (NLD) is the political party that governed Burma from 2016 to January 2021. Led by Aung San Suu Kyi, the NLD won landslide victories in the 2015 and 2020 General Elections. The NLD government was deposed by the Burma Army in the February 2021 Burma 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.

<sup>37</sup> KHRG, [Military Atrocities and Civilian Resilience](#), above, p. 22.



Since February 2021, KHRG has continued to receive reports of torture and threats of violence to HRDs, particularly where villagers are accused of being spies for, or affiliated with resistance armed groups.<sup>38</sup> For instance, in one incident in March 2022, the SAC arrested and tortured a village head appointed by the National Unity Government (NUG)<sup>39</sup> for attempting to open a school.<sup>40</sup>

Those who are arrested or detained in relation to anti-regime support are particularly vulnerable to torture and violence.<sup>41</sup> In one case, a former police officer and CDM member, from Bd--- Town, Daw Hpah Hkoh (Thandaunggyi) Township, Taw Oo District, was interrogated and tortured in Thangaunggyi detention centre in Daw Hpah Hkoh Township before subsequently being released. As a result of these risks, Saw I---, a HRD from Cd--- Township, Taw Oo District, reported that he often fears traveling to conduct his work because of SAC checkpoints where he may be accused by the SAC of being ‘*da lan*’ (a spy or informant), arrested and tortured. HRDs recounted cases where they were subjected to such treatment at SAC checkpoints, including one HRD, Naw J---, from Ler K’Saw Township, Mergui-Tavoy District, was threatened at knifepoint at an SAC checkpoint in 2022, and also at gunpoint at another SAC checkpoint in 2023.

It is not only individuals themselves, but also the families of HRDs, who suffer such attacks. A CDM teacher from T’Naw Th’Ree (Tanintharyi) Town, Mergui-Tavoy District, reported:

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*“The Tatmadaw [SAC] soldiers will arrest the family members if they cannot arrest the actual person who participate in the CDM. They arrest the people alive and they will let the family members retrieve the [dead] body. They [SAC] might cut and*

*take [butcher] all the things [organs] inside the body. This is not only in our area, this is happening in other parts in Myanmar as well. There are many people cannot stay at their own villages. They have to flee and hide in somewhere else for their own security.”*

Despite witnessing incidents of torture and/or killings, HRDs and their families reported being afraid to report due to a lack of trust in the justice system and fears of retaliation, affirmed by the levels of violence they have witnessed. Daw H---, the NLD member from Hpa-an Town, Hpa-an District, explained this further, regarding the torturing of protesters in Hpa-an Town: *“They [protesters and their families] could not do anything. If they had, they would have been killed. We could not do anything. Who can we report it to? We do not know where to report it. Even though we report it, who will take action for us? In the current situation, all authorities are their people [under SAC].”* U K---, a CSO worker and protester from Ayeyarwaddy Region, explained: *“It is like we are living in a country where there is no rule of law.”*

#### **Threats of violence to HRDs:**

HRDs in Southeast Burma also face threats of violence by the SAC as a form of intimidation and to prevent human rights activities. A protestor named Saw L---, from Bg--- village, Bh--- village tract<sup>42</sup>, Kaw T’Ree Township, Doolaya District explained: *“They [SAC] threaten the people who organise the demonstrations more and more, therefore, those people do not dare to organise [the protest] again. We don’t have a chance to go [for protest] anymore.”*

Threats of violence are also used against CDM participants, including teachers, healthcare workers, and members of security forces. Daw M---, a healthcare worker from Mu Traw District shared her perspectives:

<sup>38</sup> See, for instance: KHRG, [“Doolaya District Situation Update: Fighting, indiscriminate shelling, displacement, landmine injuries, travel restrictions and torture, December 2021 to February 2022”](#), June 2022; KHRG, [Permanent Scars: Torture of villagers under arbitrary detention by State Administration Council in Southeast Burma \(January - December 2023\)](#), April 2024.

<sup>39</sup> The National Unity Government (NUG) was formed by the acting cabinet of the Committee Representing Pyidaungsu Hluttaw (CRPH) on April 16th 2021, following the February-1st military coup. U Min Wyint was retained as President, and Daw Aung San Suu Kyi as State Counsellor, both still under detention by the SAC military. The NUG claims to be the legitimate government of Myanmar, and has sought international recognition as such. The NUG cabinet is composed primarily of lawmakers elected in the 2020 election, along with other key ethnic figures. As the military junta has declared the NUG illegal, it is operating as a government-in-exile.

<sup>40</sup> KHRG, [“Mergui-Tavoy District Short Update: SAC shelling, arbitrary arrest and torture, extortion, and looting, March 2022”](#), July 2022.

<sup>41</sup> See: KHRG, [Permanent Scars](#), April 2024.

<sup>42</sup> A village tract is an administrative unit of between five and 20 villages in a local area, often centred on a large village.

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*“The military is using their power to threaten civilians. [...] Before, they put pressure on the healthcare workers. Healthcare workers are asked to go back to work. Later, the pressure is being pushed on the teachers who participated in the CDM. They shouldn’t threaten those who participated in the CDM. They [the SAC] were not appointed by the will of civilians.”*

Some CDM participants in Karen State have been forced to return to their work due to security threats and livelihood challenges, reducing their ability to carry out human rights-defending work.

Since June 2021, KHRG has received few reports of protests, due to increased use of violence and threats of violence against ‘visible’ activism. However, other forms of resistance have continued to flourish in Southeast Burma. Many protesters and CDM participants continue to defend democracy and the protection of human rights by helping displaced populations, have joined ethnic community-based organisations, support human rights from outside the country, or join and participate in other means of online advocacy and activism. A HRD, Saw D—, who fled from Yangon to Hpa-an District, explained:

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*“I was active in participating [and leading the protests]. [...] They came to arrest me but no one was home at that time. [...] I could no longer stay in the city [Yangon]. [...] I sought shelter here [in Karen State]. Here, for the Karen people and also for the protest [against the SAC], I am working within my capabilities.”*

HRDs also reported adopting strategies such as changing their identities while conducting human rights and humanitarian work, making up background stories, or taking alternative routes, to allow them to continue their activism [other strategies have been censored for security].



This photo was taken in December 2021 in an temporary displacement site near Bw--- village, Palu village tract, Kaw T’Ree Township, Dooplaya District. It shows displaced villagers from Lay Kay Kaw area collecting humanitarian aid, including food and clothes, delivered by Karen HRDs working for a local civil society organisation. Fighting and shelling happened in Lay Kay Kaw area in December 2021 causing thousands of people to flee. [Photo: Local HRD]

## **b) Arbitrary arrest, detention, and enforced disappearance**

The SAC has also conducted widespread arbitrary arrests and detention of HRDs in order to suppress peaceful opposition to their rule. Enforced disappearances have also proliferated since the 2021 coup, placing HRDs and their families in great danger.

### **Arbitrary arrest and detention:**

Rural Karen State has been a significant place of refuge for many CDM participants facing arrest warrants following anti-coup protests. However, since the 2021 coup, the SAC has arbitrarily arrested, detained and interrogated HRDs, especially protestors, CDMers and rights-based activists in SAC- and mixed-control areas in Southeast Burma. Often, HRDs are detained incommunicado, tortured and subject to detention in inhumane conditions, without access to adequate food or medical treatment.<sup>43</sup> Just one example includes the arrest of a 28-year-old protestor, Saw N—, and his friends in Myawaddy Town, Kaw Tree Township, Dooplaya District, on March 6<sup>th</sup> 2021 who was detained for eight months without communication with his family before he was released. Saw N— was charged with Section 505 and detained in prison without his phone,

<sup>43</sup> KHRG, *In the Dark - The crime of enforced disappearance and its impacts on the rural communities of Southeast Burma since the 2021 coup*, November 2023.



medicine or adequate food or water. His family reported that they had been unable to visit him and that there was no formal trial or hearing.



This photo was taken on March 2<sup>nd</sup> 2021. Over 1,000 villagers from 11 villages in Thoo Ka Bee, Wel Lar Daw, Noh Ghaw, and Par Ta Lar village tracts in Ler Doh (Kyaukkyi) Township, Kler Lwee Htoo District came together in protest. People carried out the protest by cart, as seen in this photo, as well as on motorbikes. [Photo: KHRG]

The newly enacted laws by the SAC after the 2021 coup have been widely used to make arrests and intimidate HRDs from carrying out their work. Many HRDs, including Ko P--- (43 years), a member of a youth group from Hsaw Htee (Shwegyin) Township, Kler Lwee Htoo District, reported the use of Section 505 of the Penal Code: *“Since the [2021] coup, I started to participate in the protest against the coup and I also organised the protest. Due to this, I have been charged with Section #505 (a). So, they [SAC] imposed an arrest warrant on me. [...] Therefore, they came to our houses and they put a poster on our houses that we have been charged with Section #505”.*

Daw B---, from K’Ser Doh Township, in Mergui-Tavoy District, also recalled: *“They [the SAC soldiers] also arrested villagers that they encountered when they travelled on the way [in Bb--- area, K’Ser Doh Township] because they were worried that those villagers would tell other people what they did [human rights abuses] during their travel.”* University student and protester, Maung Q--- (20 years) from Bi--- Town, San Chaung Township, Yangon Region, also reported that SAC security forces issued letters threatening and arresting young protestors in order to prevent them from showing solidarity. KHRG received at least 141 reports of protestors, CDM participants and human rights activists in

Karen State fearing arbitrary arrest in relation to their anti-coup activities. This fear was echoed by almost all HRDs participating in the group discussions.

A Karen human rights activist, named Saw R---, explained that the risk of arrest forced him to seek refuge in a neighbouring country:

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*“Since the 2021 coup, the junta closely monitor and targeted political activists and CDMers, including human rights defenders. Since I am a human rights advocator, I have great security concerns of being arrested by the junta. [...] Since the nature of the work of human rights advocacy is risky, particularly when disclosing the wrongdoings of perpetrators [SAC], I have security concerns, which drove me to move out of the country and impeded doing human rights advocate effectively inside the country.”*

Where the SAC is unable to locate HRDs, family members are often sought after, targeted, arrested and threatened, leading to many HRDs reporting being concerned for their families’ safety and inhibiting their activism. A CDM teacher from Mergui-Tavoy District said:

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*“Even though I am free, I still have a mother. So if something happens, I worry for her. [...] And if I flee and escape, they might arrest my relatives that I left behind. If they don’t see whom they want to arrest, they arrest other people. That is why I have to worry. No matter if I escape, I worry for those who are left behind.”*

Threats to family members was reported as one of the main barriers for police and Burma Army soldiers to participate in the CDM during the first months of 2021.<sup>44</sup>

<sup>44</sup> KHRG, *Military Atrocities and Civilian Resilience*, above, pp. 44-46

Despite the risk of arrest, HRDs reported continuing to participate in activism such as the CDM, essential for the fight for democracy. Saw S--- (32 years), a schoolteacher from Bk--- village, Noh T’Kaw (Kyainseikgyi) Township, Dooplaya District, explained:

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*“They released many statements that those who participate in CDM will have to be in jail for six years. [...] . However, we have to invest for the democracy that we want even if we are afraid. This is the situation that we cannot stay quiet and live in fear. We have to sacrifice everything.”*

**Enforced disappearances:**

KHRG has documented that over 100 people in Southeast Burma including HRDs have been forcibly disappeared (at least for a period of time) from February 2021 to August 2023, often due to perceived anti-coup activities.<sup>45</sup> Enforced disappearance has a detrimental impact on family members, who are unable to access any information about their loved ones, including their whereabouts and wellbeing.

Maung Q---, a university student from San Chaung Township, Yangon, that fled to Taw Oo District, reported to KHRG in March 2021: *“Some people [protestors] were arrested and taken to their [SAC] cars. We do not know where they took the people and what they do to the people. [...] They [Burma Army] act like they don’t have a king [law governing them]. They arrest people and take people away without questioning. Later, nobody knows or hear about where they take the people and what they do to the people”.*

One incident of enforced disappearance includes a prominent HRD and village leader from Cs---village, Cs--- village tract, Daw Hpah Hkoh Township, Taw Oo District, named Saw Y---. On February 2<sup>nd</sup> 2023, he was forcibly disappeared by SAC soldiers from LIB #603, after an arrest warrant was issued against him due to his activism and vocal condemnation of military abuses in his area.<sup>46</sup>

Following his disappearance, on 21<sup>st</sup> February 2023, the SAC soldiers burned down Saw Y---’s family’s house in Eh--- Town, Daw Hpah Hkoh Township, and searched for his family members, having obtained information and photographs revealing their identity. Facing a real risk of arrest, the family members were forced to flee and have since been relocated to a safe place.

Even when relocating to other areas, activists continue to face challenges. As the Karen human rights activist from Dooplaya District, who is living in a neighbouring country, Saw R---, explained:

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*“It is riskier to stay in the country [Burma] while doing human rights advocacy but [we] still have to be very careful after relocating to other places because of security concerns. I have to maintain a low profile and be alert about being monitored by the junta because of my work.”*

**c) Restricted freedom of movement**

Since the 2021 coup, freedom of movement has become heavily restricted within Karen State: the SAC has set up numerous checkpoints, imposed curfews and enforced strict rules on travel permission. As explained by Naw E---, a Karen HRD from Kaw T’Ree Township, Dooplaya District, now living on the Thai-Burma border: *“SAC set up check points, they enforce a curfew, and you need to inform the [SAC] section leader if a guest from another city comes to sleep at your house. [We] even need a travel permission letter in some areas. They control telecommunications, such as Mytel, and social media.”* Restrictions on freedom of movement increases the risk of HRDs being apprehended, interrogated and subject to human rights violations including torture, arbitrary arrest and detention, and killing, examined above. As a protest leader, Ma<sup>47</sup> T---, from Mergui-Tavoy District, against whom the SAC issued a warrant of arrest due to her activism, reported: *“[In March 2021] We were not allowed to go out between 8 o’clock at night and 4 o’clock in the morning. [...] When they told us not to go out, we didn’t go out. [...]*

<sup>45</sup> KHRG, *In the Dark*, above.

<sup>46</sup> KHRG, *In the Dark*, above, pp. 24-25.

<sup>47</sup> ‘Ma’ is a Burmese female honorific title used before a person’s name.





This photo was taken in May 2024 in K'Ser Doh Township, Mergui-Tavoy District. It shows several HRDs travelling to conduct a human rights awareness workshop. To avoid SAC checkpoints, they travelled through forest roads, which became very muddy as it was the beginning of the rainy season. [Photo: local HRD]

*If we didn't follow their instruction they would arrest us.*" Reportedly, curfews and other limitations of movement have also been used by the SAC to arrest villagers easily in their homes at night,<sup>48</sup> or justify unlawful killings.<sup>49</sup>

Checkpoints are another means of restriction that facilitate opportunities for the SAC to question, intimidate, search and arrest villagers. A local HRD from Taw Oo District, named Naw V---, explained: *"The State Administration Council troops will arrest if they know or they hear about the participants of the Civil Disobedience Movement. [In July and August 2021] They increase the checkpoints and strictly check those who will go to hospitals or towns on the way. They even ask for the document for travelling [permission] for going out of the house."* Similarly, Saw W---, a HRD from Cd--- Township, in Taw Oo District, reported an incident where he was searched at a checkpoint after the curfew. He explained: *"I took pictures of the protest. But they did check-up [surveillance on] phones at the crossroad. So, I deleted them [photos]. [...] At that time, I shared most of IDP cases on Facebook. I saved a Karen history [post], for me to read later. The police saw it. He [police officer] was looking at that picture up and down, and asked 'what is it?' I said 'it is a[bout] Karen history'. He asked, 'why did you share it?' I said, 'I didn't share it. I saved it only for myself.' He continued looking through and he saw IDPs [pictures of displaced people].*



This photo was taken in July 2024 in Bh--- village, Bh-- village tract, Kaw T'Ree Township, Dooplaya District. After conducting a documentation training with local villagers in Bx--- village, Bz--- village tract, Kruh Tuh (Kyonedoe) Township, Dooplaya District, in July 2024, five HRDs were traveling back home through a safer route to avoid the SAC. On their way, they found the area heavily flooded as it was rainy season, hindering their travelling. [Photo: Local HRD]

*[...] If they had continued looking, they would have found [videos] cursing them [SAC]. [...] They said, they can arrest me. I asked, 'how could you arrest me, and why would you arrest me?' They said I shared [posts] related to politics. [...] So, they asked me my name, Myanmar ID numbers, names of my father and mother. [...] When we were talking a voice interrupted from the other side [and they were distracted]. That was an escape for me."* The proliferation of checkpoints affects HRDs ability to document or share information about human rights abuses, as well as conduct human rights education workshops. Naw J---, a HRD from Cj--- Township, Mergui-Tavoy District, reported:

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*"Regarding the documentation work, we could not go passing the checkpoints. We could not travel through the paved road at all. We had to travel up and down mountainous areas. Sometimes, we had to sleep [in the mountain] overnight. It's not easy for us to print out papers to use for [human rights] workshops. Even on our phone, we can only carry family*

<sup>48</sup> KHRG, [Military Atrocities and Civilian Resilience](#), above, p. 27.

<sup>49</sup> KHRG, ["Doo Tha Htoo District Incident Report: SAC shot on sight a pregnant woman and her husband in Paw Township, September 2021"](#), December 2021. See also: KHRG, [Deadly Encounters: Killings of civilians by armed actors in Southeast Burma \(October 2022 - April 2023\)](#), June 2023.

*photos. During this time, they [the SAC] conduct strict investigations, and do body search too.”*

Restrictions on freedom of movement and the associated risks has made it difficult for HRDs to carry out their work in certain areas and resulted in them having to use alternative, less accessible roads. One HRD, Saw I—, from Cd— Township, Taw Oo District, added:

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*“Normally, when we went and collected documentation, we could go through the main road, however, there are lots of [SAC] checkpoints [now, since 2021] so I choose to go through the forest road. [...] They [SAC soldiers] check phones. They have a list of people that they want [targeted to arrest]. We face challenges, thinking we might be the one they want.”*

Additionally, Karen HRDs, including activists and humanitarian workers, reported facing restrictions on movement, discrimination, and other challenges, while operating from the relative safety of neighbouring countries. Some HRDs reported fear of arbitrary arrest and detention despite having the correct identity documentation to remain in neighbouring countries.

#### **d) Online surveillance and digital threats**

The SAC has increasingly used digital surveillance and blocks on communication including internet blackouts, as well as other surveillance methods, to prevent the sharing and receiving of information in Southeast Burma. HRDs often reported facing security threats as a result of these risks, particularly where the SAC monitors social media and communication platforms to actively target HRDs.

##### **Monitoring social media and phones:**

KHRG has reports of the SAC using surveillance and monitoring villagers both digitally and in-person. Naw Z—, a Karen HRD working with a women's rights organisation, reported that SAC members sometimes disguise themselves as villagers in public places to identify those who are opposed to the regime and to deceive them into showing their social media.

As mentioned, carrying phones while traveling, particularly at checkpoints, is risky for HRDs. Saw Aa—, a schoolteacher and HRD from Bm— village tract, Waw Ray (Win Yay) Township, Dooplaya District, reported:

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*“There are many restrictions, since the military coup, when you travel, they check your phone if you have ‘liked’ or ‘followed’ any pages with regard to anti-military coup. If they find out you ‘like’ or ‘follow’ any of such pages, they confiscate your phone. [...] They check your phone carefully. Checking your newsfeed or the pages you ‘like’ or ‘follow’.”*

In one case, a former police officer and CDM participant from Taw Oo District reported that an SAC battalion commander stopped one of his friends at a checkpoint and forced the villager to message him on Facebook asking him to join the CDM and to provide his location. The former officer noticed the language was unusual, queried his identity and the messages stopped. After a short while, he received a telephone call from his friend saying: ‘It was the [SAC] officer beside me who instructed me to tell you that. The officer ordered me to message you that I am going to join the CDM. After that, they were going to arrest you’.

##### **Internet blackouts and restrictions on telecommunications:**

Several human rights defenders reported incidents of internet blackouts and restrictions on telecommunications, particularly in areas of armed conflict. This is significant as digital communication has become an important platform to protest, organise and communicate with other activists. Saw Ab—, a HRD from Taw Oo District, reported in June 2024:

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*“Now, they [also] cut off internet. They also closed the VPN. Now, I can’t use Facebook and Messenger for communication because we can’t use VPN anymore. We can’t do anything [for communication] if we don’t have the internet, even though I have a phone.”*



Reportedly, the cutting of internet also occurs before SAC military attacks in the region, hindering not only the sharing of documentation of such abuses, but also communication between villagers who rely on each other for information to flee areas in advance. Saw I---, another HRD from Cd--- Township, Taw Oo District, reported:

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*“Sometimes we don’t have phone connection. I use X--- [telecommunications company] but sometimes it does not have signal. I also use [SAC-controlled] Mytel and it is working. If fighting happens in the area, they [SAC] cut off the internet and they also sometimes cut off phone signal. Therefore, it is difficult for villagers to communicate or share updates with each other. So, we cannot get updates about fighting or the situation in the area regularly and timely.”*

### **e) Active conflict: air strikes, shelling and landmines**

As a result of active armed conflict in Karen State, HRDs in Southeast Burma also face life-threatening risks of air strikes, shelling and landmines when they carry out their work.

#### **Air strikes on civilian areas:**

Most HRDs that joined the group discussions carried out by KHRG reported that they had to adapt, change, or stop their human rights activities on some occasions due to the high risk of air strikes. For instance, Saw Ac---, one HRD from Cg--- Township, Mu Traw District, reported: *“When I was doing an interview [with a villager], a drone came above our head. I was worried. I had experience so I was brave inside. But I worried for the villager interviewee. Though the interview was not finished, I stopped the interview because I was worried for them.”* Another HRD, Saw Ad---, from Cb--- Township, Kler Lwee Htoo District, who had planned to document the situation of villagers displaced by fighting, explained his experience in December 2023:

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*“I was on the main road [in Bn--- village, on the way to displacement site]. They bombed the school [located in Bn--- village]. I couldn’t do anything. The aircraft was faster than me. We left the motorbike and we ran [to a safer place]. When we ran, the air craft was already above our heads. When an aircraft tilts its head it means it is going to fire. We just had to stay on the ground. If the aircraft had dropped the bomb on the main road, we would have been finished there.”*

In some areas, UXOs remain after the SAC conducts air strikes. One HRD, Saw Ae---, from Cc--- Township, Kler Lwee Htoo District, reported: *“It is risky to take a picture of unexploded 500-pound bombs. If it explodes when we are taking pictures, we all will die.”*

#### *Case Study: SAC air strikes threatening human rights work*

On May 1<sup>st</sup> 2024, a team of HRDs were caught in an SAC air strike while travelling to document human rights violations in Mu Traw (Hpapun) District. The team had contacted local KNU authorities prior to their journey, who explained that the route was safe. However, mid-way through their journey, SAC helicopters, drones and a jet fighter appeared and conducted an air strike in a nearby area. A local HRD who knew the area well led the team to take cover under nearby bushes. For several minutes, the team remained hidden as bombing took place around them. One of the HRD in the team, Naw Ag---, reported being psychologically impacted by the experience. She stated: *“I feel like there are no words to effectively explain the fear that I had during that incident, and even now, I am still unconsciously triggered when I hear the sound of an airplane.”*

#### **Indiscriminate shelling and/or firing of weapons:**

The work of human rights defenders is also impacted by SAC shelling and active fighting. For instance, on December 18<sup>th</sup> 2021, Saw Ah---, from Dooplaya District, experienced the SAC shooting near him during his trip to deliver humanitarian aid to internally displaced villagers near Bo-

-- village, Thay Baw Boe village tract, Kaw T'Ree Township, Dooplaya District. Similarly, Saw Ae-- , a HRD from Cc-- Township, in Kler Lwee Htoo District, reported that he was unable to document a situation of indiscriminate shelling that killed two local healthcare workers in P'Der Kaw village tract, Ler Doh Township, on 21<sup>st</sup> April 2024 due to ongoing shelling.



This photo was taken in November 2023 in Bp--- Hospital, Tak province, in Thailand. It shows Saw Ai---, a human rights defender, receiving medical treatment after being severely injured by indiscriminate shelling conducted by SAC Infantry Battalion (IB)<sup>50</sup> #32, when he went to Bg-- village, Maw Hkee village tract, Kaw T'Ree Township, Dooplaya District, to document the human rights situation in the area. A piece of shrapnel was lodged in his right eye, and finally, his eye had to be removed.<sup>51</sup> [Photo: KHRG]

In the group discussions conducted with local HRDs, at least five participants reported difficulties predicting SAC mortar shelling and concerns for villagers' safety, which impacted the delivery of human rights awareness training and activities. Local HRDs also reported having to stop at least five ongoing workshops due to sudden SAC mortar shelling, air strikes and air reconnaissance in the workshop location.

### **Landmine contamination:**

Many HRDs also reported being afraid of landmines while conducting human rights work in Southeast Burma. Several HRDs reported that due to the armed groups planting landmines on roads, travelling is frequently impacted, and longer, safer routes are taken to avoid risks. Reportedly, landmines are often planted close to villages, with no signage indicating their presence. Saw Ab---, an HRD from Cd--- Township, in Taw Oo District, for example reported not being able to access an area where displaced villagers were hiding in January 2024, after being informed that armed actors had planted landmines near the villagers' location.

### **Militarisation:**

Some HRDs also mentioned facing challenges to continue their work given the proliferation of armed groups in the region. For instance, a HRD from Mergui-Tavoy District reported being unable to return to his village in 2023 after being accused of being a spy or a journalist by Kaw Thoo Lei Army (KTLA)<sup>52</sup> soldiers, who also made threats to kill him.

A few HRDs also reported a reliance on the protection of the KNU to be able to travel, and some reported associated challenges. Saw Aj-- , a HRD from Ce--- Township, Mu Traw District, explained: *"When members of KNU are the ones who violated human rights, [...] I find it hard to make a decision about whether I should report the case or not because I am worried for my safety."* To continue their work, Naw E---, a Karen HRD from Kaw T'Ree Township, Dooplaya District, living on the Thai-Burma border, explained: *"We use the strategy to build trust with the community and the [local Karen] authorities. We need to keep giving them [local authorities] more awareness training on human rights at the same time. So that when we advocate, they will be open minded to accept it and they won't see HRDs as their enemy or a person who monitors their mistakes."*

<sup>50</sup> An Infantry Battalion (IB) comprises 500 soldiers. However, most 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. They are primarily used for garrison duty but are sometimes used in offensive operations.

<sup>51</sup> KHRG, *Striking Fear: Impacts of State Administration Council (SAC) shelling on villagers' lives in Southeast Burma (January to October 2023)*, December 2023, pp. 6-7.

<sup>52</sup> The Kaw Thoo Lei Army (KTLA) was founded on July 17th 2022 by Brigadier-General Nerdah Bo Mya. Nerdah Bo Mya, former Commander-In-Chief of the Karen National Defence Organisation (KNDO), was dismissed by the KNU in 2022. KTLA operates in two districts in Southeast Burma, in KNU-controlled areas, namely Mergui-Tavoy and Dooplaya districts. In Dooplaya District, they operate in alliance with resistance armed groups. KTLA battalions in Mergui-Tavoy District are in conflict with both SAC and KNLA troops.





This photo was taken on June 2024 in a villager’s plantation located near Br--- village, Day Loh area, Htaw Ta Htoo Township, Taw Oo District. It shows displaced children studying in a makeshift school built by villagers and local leaders. On September 13<sup>th</sup> 2023, SAC troops, including IB #39, went to Br--- village, Bs--- village and Bt--- village to conduct military operations. Villagers from these three villages fled to safe places as they were afraid. [Photo: KHRG]



This photo was taken in September 2023 in a forest in Saw Mu Plaw village tract, Lu Thaw Township, Mu Traw District. Students and teachers from Bu--- primary school in Saw Muh Plaw village tract, did not feel safe attending the village school due to an SAC air strike and fled to a forest. The photo shows a teacher (on the right, wearing a yellow t-shirt) providing education to displaced children in a makeshift shelter. [Photo: KHRG]

**f) Livelihood challenges and threats to the community**

HRDs have also reported that the SAC has directly threatened their livelihood means by targeting their houses and property, as well as the houses of their family members. Daw B---, a women’s rights activist from Bb--- area, K’Ser Doh Township, Mergui-Tavoy District, who joined anti-coup protests, reported: *“Since February 7<sup>th</sup> 2021, we protested against the military coup. We protested peacefully. By the end of February, they [SAC] first issued an arrest warrant against me in Tha Yet Chaung [K’Ser Doh] Township because I actively persuaded [Myanmar government staff] to join the CDM. I am also a human rights advocate. I tried to raise awareness regarding human rights. [...] On March 11<sup>th</sup> 2021, a group of police and [SAC] soldiers came to my mother’s house in order to arrest me.”* As the SAC were unable to find and arrest her, they burned down the houses of her family members. She explained:

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*“First, they burned down protest leaders’ houses in the area as well as local NLD leaders’ houses. On April 3<sup>th</sup> 2022, they burned down my sister’s shop and my grandparent’s house. [...] They also destroyed my mother’s house. [...] They wanted to arrest me because of my*

*political standpoint but they burned down my family member’s house because they could not arrest me. Their action and attitude are very low and cruel. [...] In total, 15 houses were burned down.”*

Many government teachers and healthcare workers who joined the CDM after the 2021 coup also face livelihood challenges as a result of a loss of income, having to rely predominantly on their fellow villagers for support. This includes many local schoolteachers and healthcare workers, whose services are self-funded by the village community. Daw H---, a NLD member from Hpa-an Town, reported:

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*“We campaigned for the government staff to join the CDM: ‘stop going to the office [work], resign from the office [work]’. All teachers resigned from their positions; no civilian would serve any job within the government. [...] One of my nephew/niece was a teacher and one of them was a phone operator, and my younger sibling was in a higher position [in a government department], but they all resigned from their positions. Their families are not rich; their parents rely on*

*their [children's] monthly income. Now, their children resigned from their jobs so they face some livelihoods challenges."*

HRDs extensively expressed concern about conflict-related threats on their livelihood means, including air strikes and displacement, as well as the rise in prices of food and other basic necessities since the 2021 coup. With a focus on survival, HRDs' ability to carry out their activities becomes more challenging.

Additionally, HRDs reported mental and physical exhaustion related to the threats and challenges set out in this report. During one of the group discussions, one HRD reported difficulties sleeping due to the work and risks faced by him and his colleagues and another reported being conscious of the secondary impacts of his mental health on the wellbeing of his family.

### **g) Challenges faced by women human rights defenders (WHRDs)**

Since the 2021 coup, women HRDs have faced specific challenges, including increased fear of police officers at protests and demonstrations, or the threat of sexual violence while in detention or travelling alone. Reportedly, they also face increased livelihood challenges, particularly in connection with the CDM movement, facing the double burden of being the main caregivers and also breadwinners for their families.

During the protests against the 2021 coup, women HRDs reported being worried about how they would be treated if they were approached by the police or arrested. Naw Ak---, a Karen human rights defender living on the Thai-Burma border, reported: *"I heard that most of women do not often join protests because they worry that they would be facing sexual violence and other abuses [in detention] if they get caught during the protest. Women need more protection during the protest. That is why women, especially women HRDs, try to be careful not to get arrested. If women protestors were arrested and the SAC found that they are working as human rights activists, those women HRDs are really in danger. I can't imagine how badly they would be treated."*

Since 2021, women HRDs have reported having to take extra precautions to ensure their safety including travelling with men to avoid threats by the Burma military at checkpoints, and other

perceived threats attached to travelling alone in the region. A local human rights defender, Saw AI---, from Dooplaya District, related: *"Women [HRDs] cannot travel as freely as men. [...] Another reason is related to drug issues. Sometimes, those people [drug users] can give trouble to women who travel by motorcycle. [...] Those people [drug users] also know that a man has the ability to attack them back as most men are [perceived as physically] stronger than women. Women have more risks than men."* Women HRDs expressed concerns about being targets of sexual violence while traveling, even when accompanied by men.

Women HRDs also reported facing specific threats due to societal gender norms. Naw Ak--- and Saw Am---, two Karen human rights defenders now living on the Thai-Burma border, explained that women are required to dress conservatively and refrain from wearing makeup in order to avoid being noticed and targeted as outsiders by the SAC when travelling to rural areas. HRDs also expressed that some WHRDs face discrimination based on their behaviour around men. Naw An---, a local WHRD from Ch--- Township, Dooplaya District, expressed: *"The girls who behave modestly [according to societal gendered norms] have fewer risks. The girls who drink [alcoholic beverages] and have close relationships with everyone have more risks."* Some women and men HRDs also reported using gendered norms as agency strategies for their work [details censored for security].

Some WHRDs faced particular livelihood challenges as a result of losing their salaries when joining the CDM, as it is usually women who occupy the jobs of teachers and healthcare workers, and many of whom are the sole breadwinners for their families. A teacher named Ma Ao--- (25 years old), who became a protest leader in Hpa-an Town after the 2021 coup, expressed: *"When I was in Hpa-an Town, I had to worry for my security and worry they [SAC] would arrest me in my house and force me to go to school [to teach], and prohibit me to join the CDM. My family rely on my monthly salary so it [also] impacts their livelihoods when I do not have income [after joining the CDM]."*

As a result of some of these threats, one senior HRD working at a Karen civil society organisation reported difficulties with recruiting women HRDs.



## 4. Security and legal analysis: human rights (and defenders) in need of protection

This report documents the State Administration Council (SAC)'s widespread use of violence against human rights defenders (HRDs) in locally-defined Karen State since the 2021 coup, in the SAC attempts to suppress civilian dissent to military rule, hide human rights violations committed in the region, and perpetuate a climate of fear and intimidation. Methods employed by the SAC against HRDs include *inter alia* torture, enforced disappearance, extrajudicial killings, arbitrary arrest and detention, house burning, travel restrictions, digital surveillance and internet blackouts. Such attacks are extended to HRDs' families and their communities. Impunity for these acts prevail as incidents remain unreported and un-investigated due to the absence of an independent justice system.

Although Karen State was a significant place of refuge for many HRDs following the 2021 coup, as protesters and CDM members joined rural communities in Karen State under the protection of armed ethnic organisations, with the intensification of armed conflict, HRDs now face additional risks of generalised violence including air strikes, shelling and landmines. Compounded with the increased use of SAC checkpoints as opportunities to apprehend, interrogate, arbitrarily detain, intimidate and torture, HRDs face significant risks carrying out their work, especially in SAC-controlled and mixed-control areas in Southeast Burma.

As a result of these aforementioned threats and challenges, the critical work of HRDs has become less 'visible' and more challenging. KHRG has documented a reduction in public activism, such as protesting in Southeast Burma since 2021, as well as some reports of HRDs being precluded from carrying out essential human rights activities including documentation of violations, conducting human rights workshops, delivering humanitarian aid, and providing essential services, due to risks of SAC attacks and active armed conflict. Additional strain is put on HRDs in Southeast Burma due to the systemic impacts of violence including widespread displacement, livelihood challenges, gendered discrimination, and enduring physical and psychological impacts.

Despite these challenges, the tenacity of HRDs is clear. HRDs in Southeast Burma continue to document, report, share and impart information on human rights violations by the SAC despite intense restriction on freedom of expression and the associated risks, including by using online activism and covert (and collective) agency and protection strategies. Others work hard to guarantee the rights of displaced communities including healthcare and education, amidst active armed conflict. The evidence collected in this report shows that human rights defending in Karen State is a collective exercise, where collective risks are taken, with collective impacts, to defend collective rights. As such, the international community is urged to recognise the crucial role that community-based activism plays in resistance and human rights movements in Southeast Burma.

The Declaration on Human Rights Defenders<sup>53</sup> recognises the significant role of HRDs in realizing human rights for the wider community. It places obligations on States to protect HRDs and ensure they can carry out their work safely and effectively. This includes measures to prevent and address allegations of human rights violations committed against HRDs. In the case of Burma, not only does the SAC fail to facilitate a safe environment for HRDs to carry out their activities, but is also the perpetrator of widespread and systemic human rights violations against HRDs, who are protected under the international human rights law (IHRL) framework, including torture (art. 5, UDHR<sup>54</sup>), unlawful killings (art. 3, UDHR), arbitrary arrest and detention (art. 9, UDHR), unlawful restrictions on freedom of movement (art. 13, UDHR), peaceful assembly and association (art. 20, UDHR), freedom of opinion and expression (art. 19 UDHR). Regarding the armed conflict in Southeast Burma, the SAC continues to conduct direct attacks on villagers, violating the principle of distinction enshrined in customary international humanitarian law, and which may amount to war crimes. Such attacks on villagers in Southeast Burma include HRDs who are working to guarantee the basic human rights of their communities, including healthcare and education, amidst active armed conflict.

<sup>53</sup> Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms ('Declaration on Human Rights Defenders'), 1998.

<sup>54</sup> Universal Declaration of Human Rights, 1948. In the text, 'UDHR'.

There exists complete impunity for these violations, which have been justified by the SAC through sweeping revisions to the domestic legal framework and an extended state of emergency. Opportunities for domestic redress are also inhibited by the complete lack of fair trial rights, lack of independent judiciary and severe risks of reprisals. It is submitted that derogations from the IHRL framework to make these revisions are both unnecessary and disproportionate, and constitute a tactic utilised by the SAC to oppress the population of Burma. The Declaration on Human

Rights Defenders acknowledges the *'important role of international cooperation for, and the valuable work of individuals, groups and associations in contributing to, the effective elimination of all violations of human rights'*. Considering (i) the scale of human rights violations perpetrated by the SAC against HRDs in Southeast Burma, (ii) the systemic impunity; and (iii) the impact this has on the realisation of the rights of all, the immediate action of the international community is critical.

## 5. Recommendations to international stakeholders

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Local HRDs in Southeast Burma requested help from the United Nations and the international community to protect and support them from attacks by the State Administration Council (SAC). As stated by Saw R---, a Karen HRD now living in a neighbouring country: *"All human rights defenders deserve acknowledgement, support and protection. Relevant stakeholders should pay more attention to support and protect human rights defenders"*. Similarly, Naw E---, a Karen HRD from Dooplaya District now living on the Thai-Burma border, claimed: *"If I were to ask, I would ask to just stand by us, to support us with cash assistance for relocation, support us with more training in terms of advancing our security and protection both physical and digital. I feel like we also need mental health support."* Additionally, local HRDs asked international stakeholders to impose an arms embargo and economic sanctions on the Burma Army to stop human rights violations faced by all.

Given the dire situation of human rights in Southeast Burma, and the life-threatening challenges faced by HRDs in the region, KHRG calls on international stakeholders, INGOs, and regional and foreign governments to:

- Raise international awareness of security risks and challenges that HRDs face in Karen State, and acknowledge the role of all those who are peacefully advocating and working to attain human rights in Burma.
- Support HRDs in Karen State by strengthening and supporting their functioning strategies and systems, including by taking into account the collective aspect of human rights defending in Southeast Burma.
- Facilitate trainings on mental and physical security so that HRDs can better protect themselves while conducting their work in Southeast Burma.
- Take diplomatic, political and technical action to protect human rights defenders, and ensure that they can continue their work in their communities.
- Develop support programs for HRDs in Karen State, including for their family members, in relation to their psychosocial and financial needs, and collaborate with local CSO/CBOs that work with HRDs so that they can be supported in moments of crisis or displacement.
- Acknowledge the serious crimes committed by the Burma Army leaders and avoid endorsing or legitimising the SAC. This includes refraining from entering into agreements with them, granting them official recognition, and inviting them to participate in international forums and functions.
- Seek out all opportunities (through universal jurisdiction and other existing mechanisms) to hold the Burma military accountable for its vast array of crimes committed against HRDs, as well as the Karen peoples.



## Front cover note

This photo was taken on April 12<sup>th</sup> 2021 in Bv-- village, Noh T’Kaw Township, Dooplaya District. It shows around 400 villagers from Win Yay, Pa Yar Thone Su, Noh T’Kaw and Seikkyi towns who assembled and gave speeches in the street as part of the ‘Say No to Dictatorship’ campaign. During the speeches, protesters encouraged to boycott the use of products from Myanmar, including alcohol, and to refrain from celebrating the annual water festival. In this photo, the word “Towards Federal Democracy” has been painted on the street. *[Photo: KHRG]*

### 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](http://www.khrg.org).