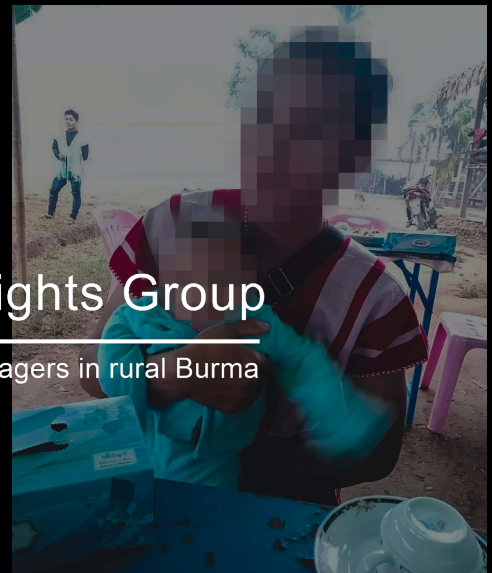
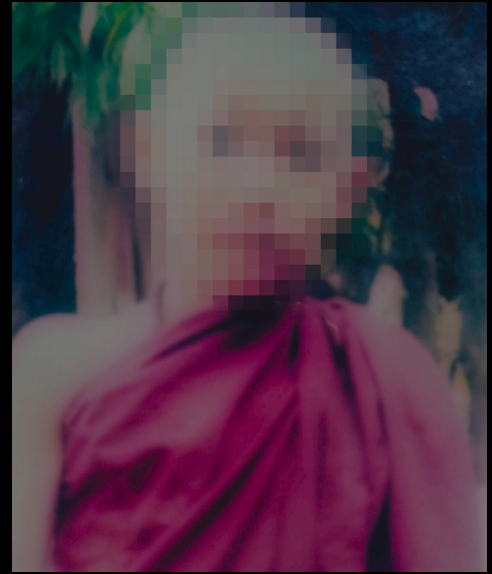


In the Dark

The crime of enforced disappearance and its impacts on the rural communities of Southeast Burma since the 2021 coup



KHRG

Karen Human Rights Group

Documenting the voices of villagers in rural Burma

In the Dark

The crime of enforced disappearance and its impacts on the rural communities of Southeast Burma since the 2021 coup

Karen Human Rights Group

November 2023

In the Dark: The crime of enforced disappearance and its impacts on the rural communities of Southeast Burma since the 2021 coup

Written and Published by the Karen Human Rights Group KHRG #2023-02, November 2023

For front and back cover photo captions, please refer to the final page of this report.

The 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. Printed copies of our reports may be obtained subject to approval and availability by sending a request to khrg@khrg.org.

This report is published by KHRG, © KHRG 2023. All rights reserved. Contents may be reproduced or distributed on a not-for-profit basis or quotes for media and related purposes but reproduction for commercial purposes requires the prior permission of KHRG. This report was originally written in English and then translated into Burmese language. The report was also translated into Karen and Burmese for the briefer versions.

This report is not for commercial sale.

Contents

Foreword	5
Introduction	6
Key findings	8
Recommendations for relevant stakeholders	10
Methodology	12
Terms and Abbreviations	13
Map 1: KHRG operational area (KNU-defined Karen State and Burma government-defined state and region boundaries).	14
Chapter 1. Historical context and conflict dynamics in Southeast Burma	15
Map 2. Air strikes and shelling perpetrated by the State Administration Council (SAC) in Southeast Burma, January to August 2023	17
Chapter 2. Enforced disappearances in Southeast Burma	18
a) Villagers forcibly disappeared by the SAC as political targets	18
Human Rights Defenders Under Attack.....	24
b) Arbitrary laws, curfew, travel restrictions, and increased militarisation.....	26
c) Enforced disappearances of villagers forced to act as human shields.....	30
d) Other armed groups as perpetrators of enforced disappearances.....	31
Map 3. Incident locations of enforced disappearance in Southeast Burma since the 2021 coup	35
Chapter 3. Impacts of the crime of enforced disappearance in communities in Southeast Burma	36
a) Needs of the disappeared victim upon return.....	36
b) Needs of relatives and family members	38
c) Impacts on and needs of the community.....	46
d) Justice system and structural support	47
Chapter 4. Villagers' agency strategies against enforced disappearances	52
a) Displacement as an agency strategy	52
b) Negotiation and compliance	52
c) Sharing of information among villagers	54
d) Village mutual support.....	55
Chapter 5. Villagers' views and recommendations	58
Conclusions and discussion	61

Foreword

Arrests and harassment of activists and human rights defenders from Southeast Burma have been occurring for as long as I can recount. Even under the quasi-civilian government, environmental activists speaking out for the rights of villagers and the preservation of natural resources in Karen State were being targeted and discriminated against. It happened on several occasions that we were followed and asked to identify ourselves while holding meetings in support of ethnic rights and land preservation. For the past 30 years, community members at the Karen Human Rights Group have documented human rights abuses, conducted workshops on human rights awareness, and trained villagers on international law. It is our aim to increase villagers' capabilities and opportunities to claim their human rights. And this is why we have been targeted many times. Since the 2021 coup, however, it is not only activists and human rights defenders who are targeted. Our friends and families are also at risk: people in Southeast Burma are being arbitrarily arrested when traveling to town to buy food, when going to work at the plantations, or even when inside their homes. Since the 2021 coup, the Burma Army, under the command of the State Administration Council, is forcibly disappearing villagers in our communities.

Enforced disappearances are a terrible crime, made to destroy hope. For the disappeared, they are left vulnerable at the hands of their perpetrators. For the families, friends, and the community at large, staying without news about our loved ones is extremely difficult. Disappearances are like an open wound not allowed to heal; they have a long-lasting impact, they are paralyzing. The incessant search, the desperation to know where our relatives are, how they are doing, what is happening to them. Families are left in the dark, with no information on the fate of relatives and no indication if they are still alive. The constant looking, the constant waiting, the constant wondering... The realisation that other family members, neighbours, and friends could be targeted next. A local proverb explains: *"the dead will soon be forgotten, the missing will soon be found"*. Actually, we do not always find our beloved ones, but we choose to never forget them.

For us, writing this report was important not only because we feel the impact of disappearances every day, but also because we see in our documentation how it is becoming a bigger issue. Enforced disappearances have historically been used to crush democracy, by triggering fear in the hearts of political opponents. This is why we thought it necessary to investigate its occurrence, the needs of families in Karen State, and project their voices and demands to the international audience. The origins of the crime and its consequences of grief and anguish are universal and are shared across borders; everywhere oppressors choose to rule with violence and threaten human rights. Hence, it is essential to speak up about this crime, and take immediate and decisive action against the perpetrators. We will continue to document the abuses we see.

Saw Albert,
KHRG Field Director

Introduction

Since the 2021 military coup¹, widespread human rights abuses against civilians have increased in Southeast Burma amidst the conflict, and the State Administration Council (SAC)² is systematically attacking villagers with total impunity. Despite the fact that civilians in Burma³ are constantly being arrested, questioned, tortured, and disappeared throughout the country, accused of being anti-coup dissidents, many, especially villagers in rural areas, remain unaccounted for and unprotected. These attacks, which amount to the crime against humanity of enforced disappearance, are dramatically increasing in Southeast Burma with devastating consequences for local communities, including chronic fear and displacement, while receiving little international attention.

Enforced disappearance is a crime that involves the arrest, detention or abduction of individuals against their will. This deprivation of liberty is committed by, or with the authorisation, support or acquiescence of, a State or a political organisation, followed by the failure to give information on the fate or whereabouts of the disappeared.⁴ Perpetrators of this crime will refuse to acknowledge the deprivation of liberty or disallow contact between the victim and lawyers or family to hide evidence of their actions, such as torture. By prohibiting communication and observation, the disappeared victim is taken outside the protection of the law and left vulnerable to abuse.

The victims of this crime are the disappeared persons and any individual who has suffered harm as the direct result of it: family members and friends face total uncertainty on the condition, whereabouts and fate of the disappeared, suffering a never-ending wait. In Southeast Burma, villagers are unable to access formal assistance services when disappearances occur, and can only depend on the mutual support within their communities. Due to fear of retaliation from the perpetrators and the inability to hold the military accountable locally, the occurrence of this crime in Southeast Burma is underreported. Thus, it is clear that greater engagement by the international community is needed to bring justice to all affected villagers and protect survivors and family members.

¹ On February 1st 2021, the Burma (Myanmar) military deposed the democratically elected government led by the National League for Democracy (NLD). The military transferred power to Min Aung Hlaing, the Commander-in-Chief of Burma's Armed Forces. Based on unproven fraud allegations, the Burma military invalidated the landslide victory of the NLD in the November 2020 General Election and stated it would hold new elections at the end of the state of emergency. Elected President Win Myint and State Counsellor Aung San Suu Kyi were detained, along with ministers, their deputies and members of Parliament.

² 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 Burma (Myanmar) and leads the Military Cabinet of Burma, the executive branch of the government.

³ In 1989, the then-ruling military regime changed the name of the country from Burma to Myanmar without consultation from the people. Despite controversy over this name change, the use of Myanmar has become more common on an international level in recognition of the establishment of a civilian government in 2016. 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. In 2013, KHRG made a decision to use Myanmar in our reports and publications, recognising that it would be difficult to do advocacy directly with the Government if KHRG called them by a name they no longer recognise. Since this type of advocacy is no longer relevant, KHRG has decided to return to using the term Burma. Some of KHRG's past reports cited in this document do, however, still refer to Burma as Myanmar.

⁴ Rome Statute, 7(2)(i); WGEID, 2023 Methods of work, paragraphs 7 and 32-38.

With that goal in mind, this report investigates the crime of enforced disappearance committed in locally-defined Karen State⁵ by the SAC, including the political targeting of villagers, the forcible disappearance of civilians after breaking martial law, as well as the disappearance of villagers forced to act as human shields. It also presents incidents of enforced disappearance committed by other armed groups present in the region, including armed resistance groups. This report examines the impact of this crime on the disappeared victims themselves, their family members, and their communities. It also describes the agency strategies used by villagers in response to this crime to help stakeholders better understand how support can be developed and delivered. The report also highlights the views and demands of villagers themselves, as well as their hopes for the future.

⁵ 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’Oh.

Key findings

The crime against humanity of enforced disappearance is systematically committed against villagers across Southeast Burma. Perpetrators are committing this crime against civilians with total impunity.

The State Administration Council (SAC) is the primary perpetrator, forcibly disappearing villagers, alongside a host of other attacks, acts of violence, human rights abuses, and contraventions of international law throughout locally-defined Karen State.

Enforced disappearances occur in the context of the ongoing civil conflict. The SAC targets civilians with force in their pursuit to impose their undemocratic rule, which local villagers have consistently declared to be illegitimate. The most common form of enforced disappearance occurs when the SAC accuses villagers of being dissidents, such as being part of the Civil Disobedience Movement (CDM) or affiliated with armed resistance groups.

Young men, aged 15-25, are commonly targeted, often suspected of being affiliated with armed resistance groups. Villagers are disappeared by the SAC from their homes, villages, when travelling by road, or in plantations and fields. They also risk disappearances at checkpoints or after curfew hours. Villagers are also arrested and forced to act as human shields, often disappeared during their time forced to walk with SAC soldiers.

Armed resistance groups also target and disappear men, particularly village heads, accused of being SAC informants and spies. These civilians face torture and death. In the complex civil conflict, other armed groups not affiliated with the SAC nor with the anti-coup resistance groups are also operating in the area and have also forcibly disappeared civilians.

The crimes of arbitrary arrest and extrajudicial killing committed in Southeast Burma in many instances also entail enforced disappearances. The crime of enforced disappearance lasts during the period of denial of information on the whereabouts, status or situation of the detained individual, or concealment of evidence through the refusal of visitation by lawyers or family. The crime continues until there is sufficient information on the fate of the victim, when the disappeared returns, or their remains are brought back to the family.

Incidents of enforced disappearances are gravely under-reported. Barriers include villagers fearing retaliation from armed actors, and the lack of mechanisms to hold the perpetrators accountable or seek justice. Relatives and members of the community often are forced to flee following the disappearance of a villager making it harder for them to follow up these incidents. In the search for their loved ones, family members, especially mothers, face great risk of retaliation by armed actors, as well as financial insecurity due to the high costs involved in chasing information about the missing person.

The emotional impact of the crime of enforced disappearance weighs heavily on the survivors themselves, as well as their families and whole communities. Villagers who have been forcibly disappeared need safety and psychosocial services, on their return. As the crime remains unpunished in Burma, family members of disappeared victims need support to find information on the whereabouts of their loved ones, negotiate for their release, and practical and financial assistance to cope with livelihood and security problems. The needs of the whole community are highly influenced by the insecurity generated after the disappearances, causing displacement, internally and across the border.

Villagers mainly count on the mutual support of their community, as neighbours and local villagers respond to the immediate needs of the families of the disappeared. They provide emotional comfort, help to locate the disappeared or find out information, pray for the victims and provide practical support as needed. No formal support is available to villagers in rural Southeast Burma. Support mechanisms offered by international organisations in Burma are also failing to adequately reach those affected in Southeast Burma.

The occurrence of widespread and systematic enforced disappearances in Southeast Burma, continuing with impunity and at an increasing rate, warrants urgent investigation on this ongoing crime against humanity. It requires adequate support services to be developed that are well-informed of the specific dynamics of this crime in Southeast Burma, and take into account the existing strategies used by villagers.

Recommendations for relevant stakeholders

To foreign governments and international stakeholders:

- Acknowledge that the SAC is at the origin of the current human rights and humanitarian crisis, and ensure that no political, diplomatic, economic or any type of legitimacy is given to the junta.
- Increase international awareness on the crime of enforced disappearance in rural Southeast Burma and explore actionable measures to deter and address the occurrence of this crime.
- Recognise that justice for this crime is currently not available locally, and advocate for accountability and the establishment of mechanisms to investigate cases of enforced disappearance, by bringing new legal challenges to national courts (via universal jurisdiction) and international courts (like the International Court of Justice) to try the members of the SAC for the crime against humanity of enforced disappearance.
- Impose targeted sanctions, including asset freezes and travel bans, on military junta officials responsible for this and other crimes in Southeast Burma.
- Listen to and support local civil society organisations in their efforts to document enforced disappearances in Southeast Burma, advocate for victims' rights, and provide comprehensive support to ensure safety and protection for witnesses who come forward to testify about enforced disappearances. This support should include relocation, psychosocial support, legal aid, and financial assistance.
- Take diplomatic, political and technical action to protect human rights defenders from attacks and especially disappearances, ensure that they can continue their work, and advocate for the immediate and unconditional release of those who are currently arrested on arbitrary grounds or disappeared.

To international NGOs in the country:

- Establish coordination and cooperation with local civil society and community-based organisations (CSO/CBOs) to make services accessible for victims of enforced disappearances and their families in rural areas, particularly for the negotiation of the release of victims with perpetrators.
- Support local CSO/CBOs in creating programs geared towards psychological support for forcibly disappeared villagers, their families, and the communities to help them cope with loss, uncertainty, and fear.
- Investigate the nature of this crime in ethnic and rural areas, acknowledging villagers in Southeast Burma are politically targeted by armed groups, and expand the current services to reach all regions in Burma.
- Increase both financial and technical support for CSO/CBOs working in displacement and refugee camps, along the Thai-Burma border, as those are often a refuge for victims fleeing enforced disappearances.
- Establish crisis planning, including emergency support, for human rights defenders in Southeast Burma and their impacted families.

To the Karen National Union (KNU):

- Commit to upholding international human rights and international humanitarian law standards, including those related to the treatment of spies and other civilians taking part in hostilities, effective remedy, the prohibition of extrajudicial killings and the right to a fair trial.
- Equip Karen National Liberation Army (KNLA) soldiers and individuals under KNU with the knowledge of international human rights and humanitarian law, including the Geneva Conventions, which prohibits enforced disappearances, torture, and other forms of mistreatment of civilians, and encourage them to respect and follow international law.
- Take concrete actions against individuals under the KNU who commit enforced disappearances against civilians to prevent the crime from occurring.
- Develop support programs for victims of enforced disappearance, including family members, in relation to their psychosocial and financial needs, including searching for the disappeared.
- Ensure that local civil society organisations have access to the areas affected by enforced disappearance to provide assistance to victims and collect evidence of the crime.
- Enhance communication and engagement at both townships and districts level to ensure that the KNU headquarters is well-informed about disappearance cases across its administration area and can strategise appropriate action to address the issue.
- Allow the KNU Human Rights Committee (KNU-HRC) to act independently in order to ensure transparency in the monitoring of human rights standards for civilians in Southeast Burma, and justice for victims of enforced disappearances.

To the National Unity Government (NUG):

- Provide members of People's Defence Force (PDF), under the NUG command, with knowledge of international humanitarian and human rights law and make sure they follow the law.
- Implement concrete actions to hold members of PDF and individuals under the administration of NUG accountable for the crimes they commit against civilians, including enforced disappearance.

Methodology

In the absence of prior data on enforced disappearances occurring in locally-defined Karen State, KHRG set out to gather information on the gravity, nature and impact of this crime in Southeast Burma. KHRG conducted 35 semi-structured interviews, 15 of which were conducted with women, covering 27 incidents of enforced disappearances involving 63 disappeared civilians. The testimonies were collected from victims of enforced disappearances: disappeared villagers themselves who returned (7), family members (13), village and village tract⁶ leaders (8), and other villagers, friends and members of the affected communities (7). The interviews were conducted between June and August 2023 from six out of the seven districts of KHRG's operational area: Doo Tha Htoo (Thaton), Taw Oo (Toungoo), Kler Lwee Htoo (Nyaunglebin), Mergui-Tavoy, Mu Traw (Hpapun) and Dooplaya.⁷ These interviews were conducted by local researchers and community members trained by KHRG to document human rights violations happening in their communities. All testimonies were gathered through audio-recordings in S'gaw Karen, Pwo Karen and Burmese languages. All participants were informed of the purpose of the interviews and provided consent to be featured in KHRG's publications.

This report is based on the aforementioned interviews, alongside 24 field reports (including incident reports, short updates, interviews and situation updates) focusing on enforced disappearances documented by KHRG since the 2021 coup (until August 2023); this adds an additional 96 villagers disappeared. In addition, KHRG conducted meetings with national and international organisations working on the crime of enforced disappearance in Burma, namely the Assistance Association for Political Prisoners (AAPP), the International Center for Transitional Justice (ICTJ), the UN Working Group on Enforced or Involuntary Disappearances (WGEID), and an international organisation providing legal assistance (name censored for security purposes). The meetings were conducted to inquire about the situation of this crime throughout the country, as well as to better understand the support services currently available for civilians. An interview was also conducted with a Karen National Union (KNU)⁸ spokesperson, for the same reasons.

This report faced certain limitations. Due to the heightened insecurity in the region, all seven KNU-identified districts are not equally represented in the sample of interviewees, with the majority of respondents being from Dooplaya District. For instance, although KHRG field researchers have reported that enforced disappearances are also occurring in Mergui-Tavoy District, only two interviews with local villagers were possible due to the escalation of the fighting in the region, the proliferation of armed groups, and the risk of documenting human rights abuses in the communities. This also occurred in Taw Oo District, where only one interview with a family member was possible. Information from these districts is more equally represented in the field

⁶ A village tract is an administrative unit of between five and 20 villages in a local area, often centred on a large village.

⁷ KHRG operates in seven areas in Southeast Burma: Doo Tha Htoo (Thaton), Taw Oo (Toungoo), Kler Lwee Htoo (Nyaunglebin), Mergui-Tavoy, Mu Traw (Hpapun) and 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.

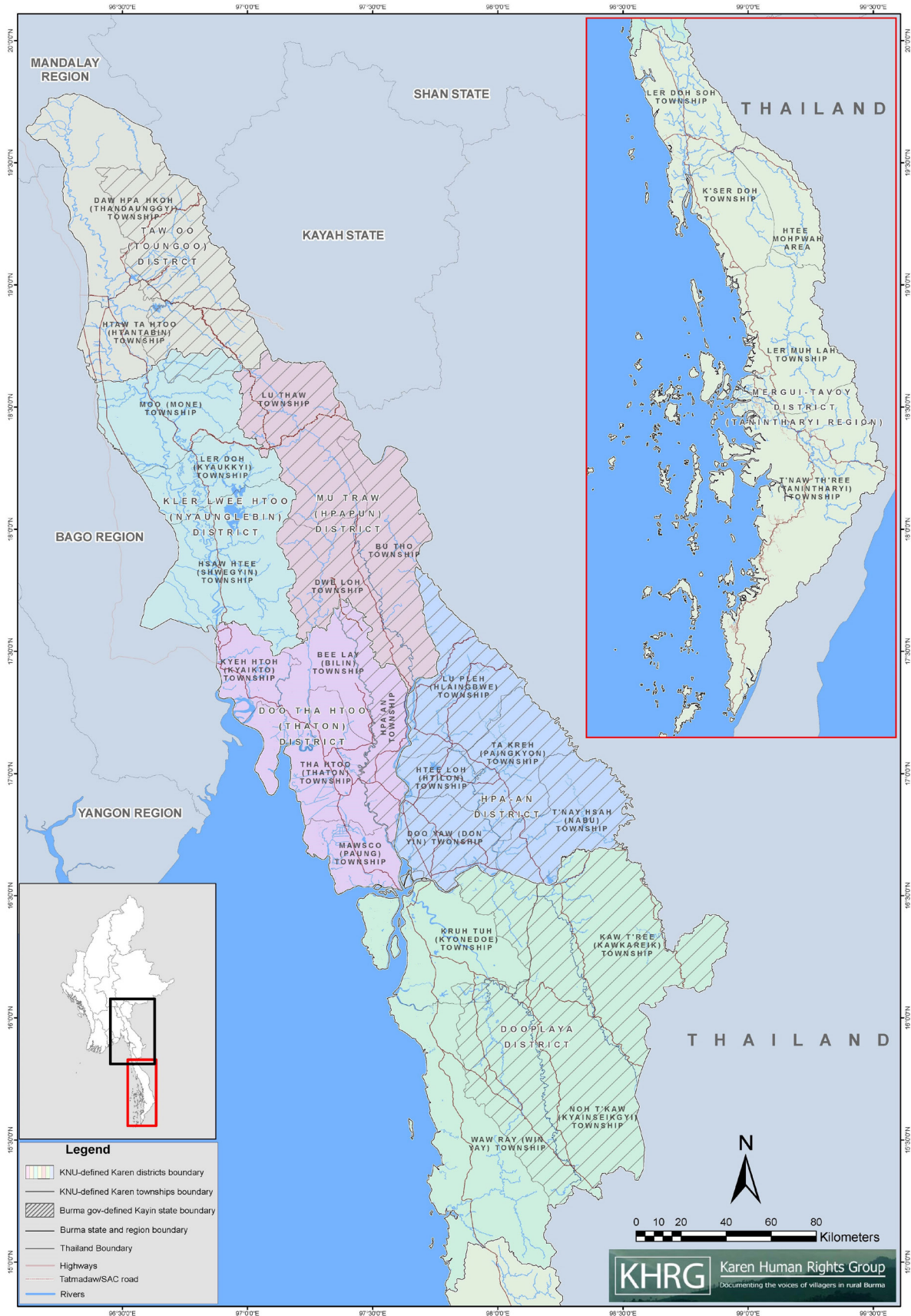
⁸ The Karen National Union (KNU) is the main Karen political organisation. It was established in 1947 and has been in conflict with the Burma government since 1949. The KNU wields power across large areas of Southeast Burma and has been calling for the creation of a democratic federal system since 1976. Although it signed the Nationwide Ceasefire Agreement in 2015, relations with the government remained tense. Since the 2021 coup, it has been in open armed conflict with the State Administration Council (SAC).

reports received. No information related to the crime of enforced disappearance has been documented in Hpa-an District due to security concerns limiting documentation opportunities. To ensure the security of interviewees and affected villagers, their personal names and locations have been replaced by single- and double-digit letter codes, when appropriate. These codes are applicable only to this report, and have no link with the actual names of the villagers, or past published KHRG reports. All names and locations censored correspond to actual names and locations on file with KHRG.

Terms and Abbreviations

AAPP	Assistance Association for Political Prisoners
BGF	Border Guard Force
CBO	Community Based Organisation
CDM	Civil Disobedience Movement
CSO	Civil Society Organisation
DKBA	Democratic Karen Benevolent Army
IB	Infantry Battalion
ICRC	International Committee of the Red Cross
ICTJ	International Center for Transitional Justice
KHRG	Karen Human Rights Group
KNDO	Karen National Defence Organisation
KNLA	Karen National Liberation Army
KNPF	Karen National Police Force
KNU	Karen National Union
KNU/KNLA-PC	KNU/KNLA-Peace Council
KTLA	Kaw Thoo Lei Army
LIB	Light Infantry Battalion
LID	Light Infantry Division
MOC	Military Operations Command
NCA	Nationwide Ceasefire Agreement
NGO	Non-Governmental Organisation
NLD	National League for Democracy
NUG	National Unity Government
PDF	People's Defence Force
SAC	State Administration Council
UN WGEID	United Nations Working Group on Enforced or Involuntary Disappearances

Map 1: KHRG operational area (KNU-defined Karen State and Burma government-defined state and region boundaries).



Chapter 1. Historical context and conflict dynamics in Southeast Burma

Historical background

Generations of villagers in Southeast Burma have experienced violence, oppression, and human rights abuses committed by the Burma Army⁹ since the country's independence in 1948. In response, the Karen National Union (KNU) and its armed wing, the Karen National Liberation Army (KNLA)¹⁰, have fought the Burma Army, rallied for political autonomy, sought to protect villagers from human rights violations, and provided essential services, under their healthcare, education, and justice departments. Counter-insurgency campaigns and armed conflict have launched Southeast Burma into a ceaseless civil conflict for over 70 years.

Villagers in locally-defined Karen State have experienced this conflict first-hand through the decades. Under Ne Win's military regime in the 1960s, the notorious 'four cuts' strategy was used, through series of counter-insurgency efforts to cut armed resistance forces off from their communities, severing the supply of food, funds, intelligence and recruits. Under this strategy, areas of civilian territory were designated as 'black areas,' referring to an area controlled by insurgents, in which any person encountered was assumed to be a member of the opposition group and thus could be shot on sight. Whilst nominally targeting supporters of ethnic armed groups, the reality was a campaign against all civilians.¹¹ The human rights situation deteriorated after 1992, as General Than Shwe sought to re-assert power in the years following the 1988 pro-democracy '8888' uprising. Isolated from and largely ignored by the international community, the human rights abuses in Southeast Burma persisted relentlessly into the mid-2000s.¹²

In 2012, a preliminary ceasefire agreement was signed between KNU-KNLA officials and the Burma military regime. In 2015, a quasi-civilian government was installed following national elections, in which the National League for Democracy (NLD)¹³ led by Daw¹⁴ Aung San Suu Kyi, won by a landslide victory. Consequently, eight ethnic groups around the country signed the Nationwide Ceasefire Agreement (NCA) with the government. Despite the many advances in democratisation, social policy and economics made in this period, abuses still remained.¹⁵ The perpetrators of decades of human rights violations have enjoyed impunity for their crimes.

Escalation of human rights abuses since the February 2021 coup

Hopes of meaningful progress towards lasting peace and political empowerment of ethnic minorities in Southeast Burma came to a halt in February 2021, with a military coup and the reinstatement of authoritarianism in Burma. The State Administration Council (SAC), led by

⁹ 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).

¹⁰ The Karen National Liberation Army is the armed wing of the Karen National Union.

¹¹ KHRG, "[Foundation of Fear: 25 years of villagers' voices from southeast Myanmar](#)", October 2017.

¹² KHRG, "[Undeniable: War crimes, crimes against humanity and 30 years of villagers' testimonies in rural Southeast Burma](#)", December 2022.

¹³ 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.

¹⁴ Daw is a Burmese female honorific title used before a person's name.

¹⁵ KHRG, "[Beyond the Horizon: Local Perspectives on Peace, Justice and Accountability in Southeast Myanmar](#)", September 2019.

Senior General Min Aung Hlaing, have enacted a new wave of violence throughout the country, relying on the same tactics and patterns of abuse resorted to by previous military juntas.¹⁶

Civilians around the country demonstrated their opposition with pro-democracy protests, as well as the Civil Disobedience Movement (CDM)¹⁷, a nationwide labour strike, which were violently reprimanded. Many anti-coup protesters and CDM leaders fled to borderland areas controlled by ethnic armed groups.¹⁸ This new counterinsurgency campaign against civilians ignited a new level of violence in the region. Credible evidence has been gathered on the international law violations committed by the SAC against villagers, which amount to war crimes and crimes against humanity.¹⁹ These include indiscriminate shelling of villages, air strikes, destruction of property, arbitrary arrests, torture, forced labour, use of human shields, looting, extortion, property confiscations, and restrictions on access to education and freedom of religion.

The crime of enforced disappearance in Burma

Two weeks after the 2021 coup, the SAC suspended sections of the Law Protecting the Privacy and Security of Citizens, illegitimately and in violation of international standards, allowing for unlimited arrests, and indefinite detention without court intervention.²⁰ Instances of enforced disappearance have been increasing across Burma, and 2023 has seen a notable rise in the number of villagers being forcibly disappeared by the SAC.²¹ According to the Assistance Association for Political Prisoners (AAPP Burma), more than 20,000 political prisoners have been detained by the SAC since the coup, as of its August 2021 report, 82% were detained in unknown locations.²² Burma's detention facilities are notorious for their violence and lack of adherence to legal regulations for the protection of prisoners, where the detained suffer torture, severe mistreatment and extrajudicial killings. It is also common for prisoners to be disappeared during interrogation, allowing the SAC to place them outside of the protection of the law to inflict torture in an attempt to procure information on their military enemies.²³

As for victims' families, it is extremely difficult for lawyers and other national or international organisations to access detention facilities in Burma and find information on the status of prisoners. Lawyers have limited access to prisons and cannot be present in martial courts, where many political prisoners are tried. Moreover, mass prison transfers are occurring across SAC-controlled Burma, to disappear people. The SAC is using the detention system to commit enforced disappearances.²⁴

¹⁶ KHRG, ““Why would they target us?”: Exploring patterns of the Burma Army’s retaliatory abuses against villagers across Southeast Burma”, June 2023.

¹⁷ On February 2nd 2021, healthcare workers at state-run medical facilities across Burma 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.

¹⁸ Burma News International, “[KNU Offer Anti-Coup Protestors’ its Protection](#)”, February 2021.

¹⁹ KHRG, “[Undeniable](#)”, 2022, above.

²⁰ KHRG, “[The Tatmadaw’s Attempts to Legalize Its Human Rights Violations: KHRG’s position on the legality of a selection of the State Administration Council’s amendments under international human rights law](#)”, July 2021.

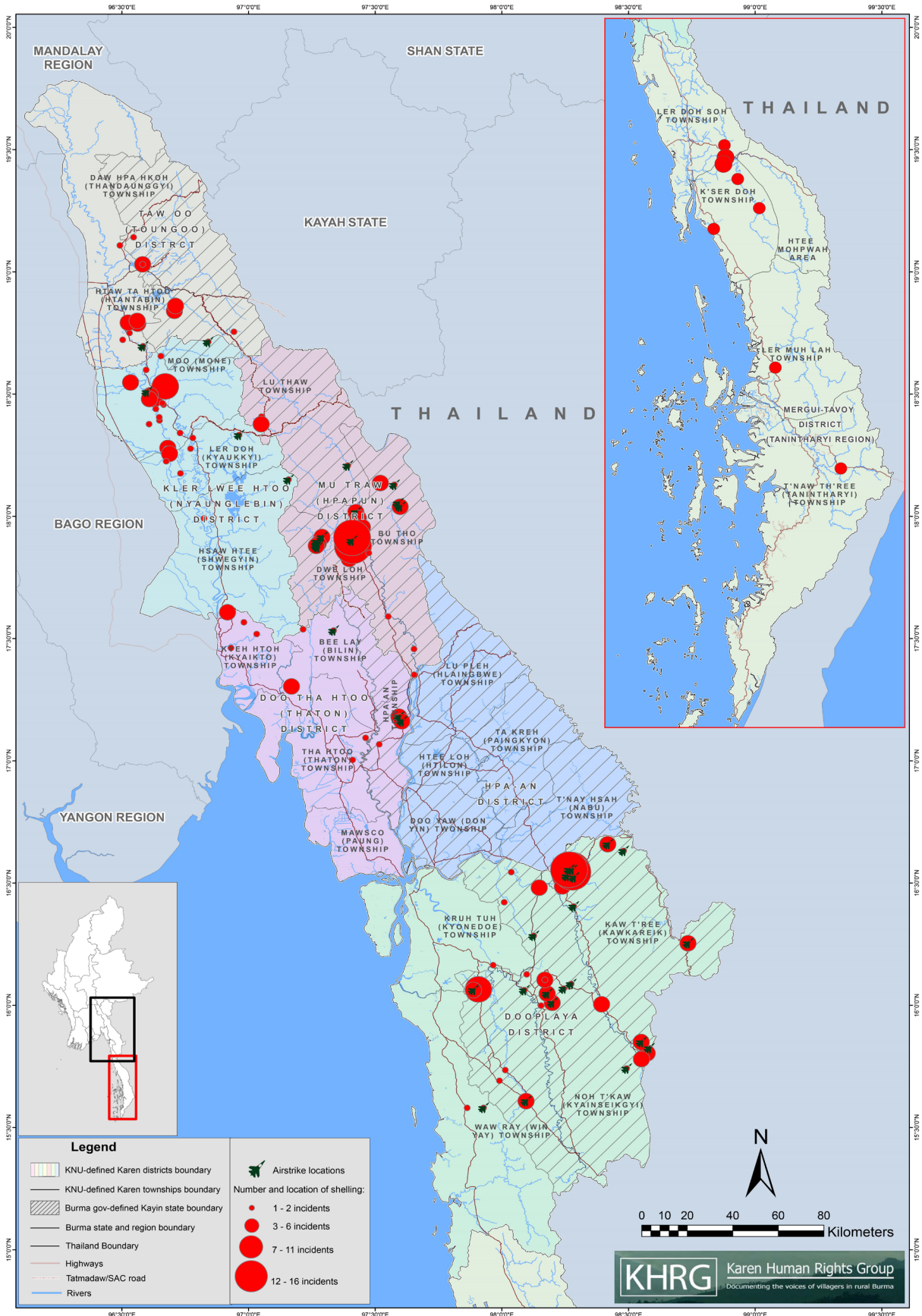
²¹ Interview conducted with the Assistance Association for Political Prisoners (AAPP Burma) on July 12th 2023; Interview conducted with an international organisation providing legal assistance (name censored for security purposes) on July 21st 2023.

²² See: AAPP (Burma), “*Enforced Disappearances by the Military Junta*”, August 2021, at: aappb.org/?p=17376

²³ Interview conducted with the Assistance Association for Political Prisoners (AAPP Burma) on July 12th 2023.

²⁴ Interview conducted with an international organisation providing legal assistance (censored), on July 21st 2023.

Map 2. Air strikes and shelling perpetrated by the State Administration Council (SAC) in Southeast Burma, January to August 2023



Chapter 2. Enforced disappearances in Southeast Burma

Since the coup, villagers in Southeast Burma are being forcibly disappeared while the civil conflict persists. As reported to KHRG, at least 159 civilians have been forcibly disappeared in Southeast Burma since February 2021: 10 villagers have been disappeared in Doo Tha Htoo District, 8 in Taw Oo District, 33 in Kler Lwee Htoo District, 46 in Mergui-Tavoy District, 10 in Mu Traw District and 52 in Dooplaya District. 144 of these disappearances were committed by the SAC.

This chapter presents incidents of enforced disappearance occurring in this context, as well as the identifiable patterns followed by perpetrators. The SAC targets villagers in Southeast Burma taken on suspicion of being affiliated with anti-coup activities, when they travel between villages or break curfew, or forcing them to act as human shields. To a lesser extent, other non-affiliated armed groups have also committed this crime. Armed resistance groups have also targeted civilians accused of being spies.

a) Villagers forcibly disappeared by the SAC as political targets

Among many other human rights violations brought against civilians since the 2021 coup, enforced disappearances are used by the SAC as a strategy of political oppression, targeting villagers on suspicion of being affiliated with anti-coup activities. Villagers are arbitrarily arrested, detained, and forcibly disappeared by the SAC. Since February 2021, KHRG has received at least 48 reports of enforced disappearance committed by the SAC (and their affiliated armed groups) in locally-defined Karen State, involving 144 villagers. These villagers were disappeared from between 2 to 337 days, with some released after a short period of time while others are still missing. According to KHRG documentation, 23 villagers were extrajudicially killed while detained by the SAC. As of September 2023, at least 50 villagers in Southeast Burma remain disappeared.

As reported by interviewees to KHRG, when villagers are disappeared under the suspicion of being involved with anti-coup activities, they are at a high risk of being tortured or threatened in detention. Enforced disappearances in Southeast Burma disproportionately involve the targeting of young men, who are assumed to be involved with armed resistance groups.

Villagers accused of being members of armed resistance groups

Villagers in locally-defined Karen State are arrested and forcibly disappeared by the SAC on the accusation of being affiliated with armed resistance groups, usually when skirmishes between armed actors occur. In KHRG's documentation, 32 out of 54 incidents of enforced disappearances were committed during or after fighting. For instance, on April 11th 2023, SAC Light Infantry Division (LID)²⁵ #44 and #55 arrested Saw²⁶ A---, a 24-year-old villager, in Ca--- village, Noh Hpoh village tract, Kaw T'Ree (Kawkareik) Township, Dooplaya District, after fighting between

²⁵ A Light Infantry Division (LID) of the Burma military is commanded by a brigadier general, and consists of ten light infantry battalions specially trained in counter-insurgency, jungle warfare, search and destroy operations against ethnic insurgents. They were first incorporated into the Burma military in 1966. LIDs are organised under three Tactical Operations Commands, commanded by a colonel, three battalions each and one reserve, one field artillery battalion, one armoured squadron and other support units. Each division is directly under the command of the Chief of Staff (Army).

²⁶ Saw is male honorific title in S'gaw Karen language.

SAC-affiliated military and KNLA/People's Defence Force (PDF)²⁷ combined forces, as they thought that the villager was a member of the PDF. He was arrested when he returned to his family home to visit his mother. He was detained for four days in various locations, without his family knowing his whereabouts or condition. He was released after Border Guard Force (BGF)²⁸ soldiers could vouch that he is a civilian, upon his mother's request. Saw A--- told KHRG that the SAC soldiers interrogated him, to find out whether he was a PDF member.

The SAC frequently uses disappearance as a retaliatory act against civilians in the aftermath of military losses to intimidate, terrorise or gather potential information about armed resistance groups' operations. While removing villagers from their communities and disappearing them to unknown locations, denying observation or legal protection, the SAC interrogates, threatens and tortures those in their captivity. On March 29th and 31st 2022, KNLA and PDF forces ambushed SAC troops in Shway Yaung Pya village tract, Tha Htoo (Thaton) Township, Doo Tha Htoo District. The next day, on April 1st 2022, the SAC arrested and detained seven villagers from Moe Kaung, Don Won and Sway Yaw Pya village tracts, Tha Htoo Township, accusing the villagers of supporting the PDF and KNLA. In the detention facility, the SAC interrogated the arrested villagers about the KNLA and PDF ambush. The location and condition of the arrested villagers remained unknown. Family members went looking for their arrested relatives at SAC Artillery Unit #9's camp²⁹, but could not find them there. They suspected that the villagers might have been taken to Artillery Unit #3. Finally, the family members learned that the villagers had been arrested by the SAC Artillery Unit based at Wa Pa (Win Pa) army camp, Kyeik Kaw Town. On April 5th 2022, six of the arrested villagers were released after a local leader bribed the captors. However, the villagers were forced to flee to Thailand because of death threats received by the SAC soldiers upon release. The seventh villager was not released until the first week of May 2022.³⁰



This photo was taken on June 21st 2023 in Ca--- village, Noh Hpoh village tract, Kaw T'Ree Township, Dooplaya District. This photo shows Saw A---, who was forcibly disappeared by SAC LID #44 and #55 on April 11th 2023. He was released on April 15th 2023 after his mother had negotiated with his captors, and local BGF forces vouched for his innocence. [Photo: KHRG]

²⁷ The People's Defence Force (PDF) is an armed resistance established independently as local civilian militias operating across the country. Following the February 1st 2021 military coup and the ongoing brutal violence enacted by the junta, the majority of these groups began working with the National Unity Government (NUG), a body claiming to be the legitimate government of Burma (Myanmar), which then formalised the PDF on May 5th 2021 as a precursor to a federal army.

²⁸ Border Guard Force (BGF) battalions of the Burma military were established in 2010, and they are composed mostly of soldiers from former non-state armed groups, such as older constellations of the DKBA, which have formalised ceasefire agreements with the Burma government and agreed to transform into battalions within the Burma military.

²⁹ Army base or outpost, ranging from remote hill posts of ten soldiers to battalion headquarters of several hundred soldiers.

³⁰ KHRG, "Doo Tha Htoo District Short Update: SAC troops arbitrarily detain seven villagers, March 2022", June 2022.



This photo was taken on July 25th 2023 in Ca---village, Noh Hpoh village tract, Kaw T'Ree Township, Dooplaya District. This photo shows Saw D---, who was disappeared and severely tortured by the SAC on January 6th 2023, after his release. [Photo: KHRG]

The SAC also targets villagers they think could be informants for armed resistance groups. On July 2nd or 3rd 2022, SAC troops arrested and disappeared Maung³¹ B---, a villager from Cb--- village, Kon Ni village tract, Moo (Mone) Township, Kler Lwee Htoo District. He was arrested in Kyon Pay Sin village when he went to buy a torchlight. As explained by local villagers, the SAC soldiers tortured him while arrested, killed him, and later took his body to Cc--- cemetery. Saw C---, the brother of the victim, assumed that Maung B--- was arrested because the SAC suspected him of being a spy. Saw C--- was not provided with official confirmation of his brother's death, nor was able to see the body. Similarly, on January 6th 2023, in Dooplaya District, a villager named Saw D---, from Ca--- village, Noh Hpoh village tract, Kaw T'Ree Township, was also disappeared and tortured by the SAC on the same accusation. He was taken to Myawaddy Town, with his face covered on the way. After he was released, he told KHRG: *"They [the SAC] suspected me of being a spy. The fighting was happening when I returned to the village to feed my pigs. They suspected me of being a spy and arrested me. They asked many questions. They tortured me. I told them I was nothing [a civilian]. I told them I was a normal villager"*.

Anyone that SAC soldiers think can be linked to resistance armed groups or anti-coup protests could be tortured and killed. As reported to KHRG, at least 78 testimonies explicitly reported mistreatment by SAC soldiers, including severe torture, while in detention. On March 30th 2022, SAC Infantry Battalion (IB)³² #267 entered Cd--- village, The Chaung Gyi village tract, Taung Pyauk Taik area, K'Ser Doh Township, Mergui-Tavoy District, and arrested, tortured and interrogated several villagers after they fired mortars into the village. One of the arrested villagers, U³³ E---, later released, explained to KHRG: *"During the interrogation, they tortured me very badly. They asked me questions, punched me, kicked me, and I could not move any part of my body because they tied me tightly. It's a serious violation of my rights. I escaped the day before they planned to kill me."*³⁴ In this incident, the victim's family members did not know where their loved ones were being held, nor were they allowed contact with them during detention.

As reported, at least 23 villagers forcibly disappeared by the SAC were killed while in custody. For instance, on November 8th 2021, at 8:00 am, a bomb exploded in Ce--- village, Nat Ywar village tract, Htaw Ta Htoo (Htantabin) Township, Taw Oo District. No one knew who caused the

³¹ Maung is a Burmese male honorific title used before a person's name.

³² An Infantry Battalion (IB) comprises 500 soldiers. However, most Infantry Battalions in the Burma military 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.

³³ U is a Burmese title used for elder men, used before their name.

³⁴ KHRG, 'Mergui-Tavoy District Short Update: SAC shelling, arbitrary arrest and torture, extortion, and looting, March 2022', June 2022.

bomb explosion but local villagers think that the explosion was a trap set by the SAC to arrest members of the PDF. About 30 minutes after the incident, SAC soldiers and police entered Ce-- village and arrested and handcuffed a villager named Ko F---, who was sleeping. Ko F---'s older sister asked the soldiers about the reason for the arrest, but the police did not respond to her. The same day, Ko F---'s parents followed him and attempted to see him at Htantabin police station, but were not allowed to meet him. On November 9th 2021, at 4:00 pm, Ko F---'s parents received a call from the police telling them to go to the police station, so his father and older sister went. They were informed of Ko F---'s death and had to sign a paper stating that he had died from illness. No one knows when or how Ko F--- really died but there were many scars found on his body, indicating torture. Local villagers explained that Ko F--- had previously joined anti-coup protests and supported the National League for Democracy, and so SAC informants revealed Ko F---'s activities to the police. Villagers believe that this is why SAC police came to arrest him and later killed him.³⁵

The SAC actively targets and arrests villagers who joined protests against the coup or anyone who they think could be involved in anti-coup actions. The SAC usually does not let family members of the arrested villagers know where their relative is being detained and they do not release information about their health status. When removed from contact with relatives, villagers who are detained by the SAC are at high risk of being seriously tortured or killed. In the majority of reported incidents where villagers were killed while detained, the bodies of the victims were not returned to the families, nor were they officially notified about the death of the villager, nor the reason behind it.

Concealment of the victim and body

SAC soldiers often try to conceal the corpses of the victims by hiding, burying, burning or disguising them, leaving bodies to be found later by villagers. For instance, in May 2022, fighting occurred between the Thandaung Special Region Peace Group³⁶ and the SAC, composed of Military Training Unit #9 and IB #19. Two hours after the fighting ended, two villagers from Cf-- village, Kya Maing village tract, Daw Hpa Hkoh (Thandaunggyi) Township, Taw Oo District, encountered SAC soldiers from IB #19 between Baw Di Kon village, Than Mi Taik village tract, and Kyauk Kyi Taung village, Shan Lel Pyin village tract, both in Daw Hpa Hkoh Township, as they were on their way to harvest turmeric in Cg--- village. Saw B---, an 18-year-old villager, was fatally shot in the head by one of the SAC soldiers, while his friend was arrested. After that, the SAC soldiers buried the victim's body. The other villager who was with Saw G--- was then arrested and taken to the army camp in Yay Ni Town, in Yedashe Township, where IB #19 is based. On the way, he was tied up and blindfolded. In order to prevent villagers from knowing about the arrest, the villager was forced to wear an SAC military uniform and he was taken to the army camp by motorbike.³⁷

In another instance in Taw Oo District, on April 7th 2023, two villagers from Ch--- village, Per Htee area, Htaw Ta Htoo Township, were going to look for turmeric in another village. The two villagers encountered SAC LID #22 soldiers on the way, who arrested them for unknown reasons. When local villagers learned that the two villagers had disappeared, they searched

³⁵ Unpublished interview from Taw Oo District received in November 2021.

³⁶ *Htanay Phyithu Sitt A'pweh*, or 'Thaundaung Peace Group', is a local Karen militia located in Taw Oo (Toungoo) District. The group split from the Karen National Union in 1997. After the 2021 military coup, the Thandaung Special Region Peace Group broke away from the SAC and joined the resistance forces against the SAC military. It is distinct from the KNU/KNLA-Peace Council, which is also sometimes translated as 'Peace Group'.

³⁷ KHRG, 'Taw Oo District Situation Update: Killing, arbitrary arrest, SAC military activities, and education, healthcare, and livelihood challenges, from March to June 2022', July 2023.

for them and found their corpses on April 16th 2023. Villagers reported that the two victims were not wearing KNLA uniforms when they left the village, but when they saw their corpses, one of them was in a KNLA uniform, and their hands were tied behind their backs with nylon.³⁸ Many instances reported to KHRG show the concealment of the bodies of villagers, not only by hiding and burying them, but by dressing victims in soldiers' uniforms, desecrating their bodies and obscuring their identity.

Targeting young people

According to KHRG documentation, young men are commonly targeted, arrested and forcibly disappeared by the SAC, as they are seen as potential members of resistance forces. As explained by Naw³⁹ H---, a 24-year-old female villager from Eh--- Town, Taw Oo District, "*They arrested villagers because they thought that those villagers are PDF members. Mostly, they arrested villagers whose age are between 16 and more than 20 years*". Likewise, a 28-year-old villager named Maung I---, from Ce--- village, Htaw Ta Htoo Township explained: "*Only the elder people are left behind. The young and strong people have to live with worry. Just this morning, my family also flee out of the village.*"

For instance, on the 20th or 21st of October 2022, Saw J---, a 25-year-old villager, was arrested by SAC IB #264 in Cj--- village, Yay Twin Kon Gyi village tract, Ler Doh Township, Kler Lwee Htoo District, when he was travelling back to his village after transporting a student to Shwegyin Town, Kler Lwee Htoo District. Three villagers were detained together on their way back, but only Saw J--- was not allowed to continue his journey. The SAC arrested him, accusing him of being a member of the PDF. Any information about him remains unknown as of September 2023. Similarly, on July 8th 2022, SAC soldiers arrested two young villagers in Na Hset Ngar Maing area, Ler Doh Soe Township, Mergui-Tavoy District. These two villagers, Saw K---, aged 21, and Saw L---, aged 17, were arrested when they travelled to Wa Kon village, Htee Ler Klay area, Ler Doh Soh Township. The SAC soldiers brought these two villagers to Dawei Town. Their family members were not allowed to communicate or meet with them. Saw K--- and Saw L--- were sentenced to six months imprisonment in the second week of August 2022, charged under the counter-terrorism law. However, the reason why these two young villagers were arrested remains unclear and their status and condition unknown.⁴⁰

On June 13th 2023, Saw M---, 17-year-old student from Ci--- village, Hsaw Thuh Hkee village tract, Kyeh Htoh (Kyaikto) Township, Doo Tha Htoo District, was arrested by the SAC when he went to play soccer and was sent to an unknown SAC army camp which is located in the northern part of Bilin Town, Doo Tha Htoo District. Villagers believe that the SAC arrested him because he posted a picture on his Facebook which might be related to politics. His mother, Naw N---, could not find out why her son was detained and was only informed about the arrest by a friend. She was later able to talk to her son over the phone, only in Burmese language and with SAC soldiers listening to the conversation.

³⁸ Unpublished report from Taw Oo District received in April 2023.

³⁹ Naw is a S'gaw Karen female honorific title used before a person's name.

⁴⁰ Unpublished report from Mergui-Tavoy District received in July 2022.

Enforced disappearance as a strategy to spread terror

The SAC also uses enforced disappearance to spread terror and impose their rule in Karen State. In one instance, on October 4th 2022, SAC Light Infantry Battalion (LIB)⁴¹ #599 arrested 17 villagers from Moo (Mone) special area, Moo Township, who they thought were leaders of protests against the coup. The next day, the SAC took the arrested villagers to SAC Nyaunglebin District Administration Office. On October 27th 2022, the SAC released 14 out of the 17 villagers but the other three villagers remained in custody without their family knowing their condition. Those three villagers are U O---, the village head of Cm--- village; Ko P---, a member of a community youth group; and Ko Q---, section leader of Cm--- village. The SAC did not tell the family members of those three villagers where they would be taken, or when they would be released.⁴²

Imposing terror among civilians by targeting, arresting and disappearing opponents is a strategy to show villagers that the SAC has power over them, despite not having political legitimacy. Sometimes the reason for arrest remains unknown. 57 villagers have been disappeared for unknown or arbitrary reasons. When the SAC disappears villagers with no reason given for the arrest, they show their capability to take anyone without fear of punishment from any legal mechanism. As stated by Saw R---, a village head from Cn--- village, Ma Htaw village tract, Dwe Lo Township, Mu Traw District, “SAC soldiers just wanted to oppress the civilians”.

In other reported incidents, family members do not know who is responsible for the disappearance, nor the reason for arrest. However, in locally-defined Karen State, due to the nature of the disappearances, villagers often come to the conclusion (or have reasons to believe) that the disappeared villager was arrested by SAC soldiers. For instance, on April 12th 2023, at around 9:00 pm, U X---, a 60-year-old villager from Cl--- village, Hsaw Thuh Hkee village tract, Kyeh Htoh Township, Doo Tha Htoo District went to Cr--- village in order to transfer money to someone online. He did not come back home and his daughter tried to contact him over the phone but it had been turned off. Later, his daughter was told by local villagers that his father was arrested and disappeared. However, nobody knows who arrested and disappeared U X--- and his whereabouts remains unknown.



This photo was taken by KHRG on June 23rd 2023, in Cq--- village, Ah Lu village tract, Kyeh Htoh Township, Doo Tha Htoo District. The photo shows an old picture of U X---, who was disappeared on April 12th 2023 near Cr--- village, allegedly by the SAC. [Photo: villager/KHRG]

⁴¹ 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.

⁴² KHRG, “Kler Lwee Htoo District Situation Update: Killings, arbitrary arrests, SAC operations, and livelihood, healthcare and education challenges in Moo Township, from July 25th to October 31st 2022”, October 2023.

Human Rights Defenders Under Attack

Saw Y--- is a 49-year-old human rights defender from Cs--- village, Daw Hpa Hkoh Township, Taw Oo District. He is a very active human rights defender in the region, promoting human rights awareness in his community. From his experience being a village head in the past, he has continued to lead and support villagers. To guarantee villagers' security, he had to negotiate with armed actors to deter fighting. Since the 2021 coup, he facilitated the relocation of people involved in the CDM. He was also involved in the humanitarian response for internally displaced people. The SAC Commander from LIB #603, named Hein San Htun, met him personally, as they interacted when Saw Y--- spoke up on behalf of villagers during a public meeting with leaders. After that, an arrest warrant was issued against him, and SAC soldiers asked villagers in the area to provide any information about him.

On February 2nd 2023, SAC soldiers from LIB# 603 arrested Saw Y--- at SAC Ct--- checkpoint, between Leik Tho Town and Thandaung Myo Thit Town, Daw Hpa Hkoh Township, when he was travelling to Leik Tho Town. When he encountered the SAC soldiers on the road, he was able to secretly contact his wife over the phone and inform her that the SAC soldiers were arresting him. Since then, his family members have not received or found any information about him, his whereabouts or his condition. On February 21st 2023, the SAC soldiers burned down his family's house in Eh--- Town, Daw Hpa Hkoh Township, Taw Oo District. The SAC looked for his family members after he was arrested, as they confiscated Saw Y---'s laptop from his house, and found pictures of his family members on the device. His family members had to flee from place to place in order to avoid arrest. Naw Z---, Saw Y---'s wife is now in hiding with one of her sons, in a place arranged by KNU authorities and a local human rights organisation.

In the early days after the arrest of Saw Y---, his family was relentlessly looking for him and asking for information. They could not sleep and eat well due to the disappearance. They were highly concerned and desperately asked for Saw Y---'s return, or at least for information on where he was detained so they could visit him. A community member supporting the family explained: *"Saw Y---'s daughter always asked me: 'Is there any update about my father? How is my father? Please, help me search for my father. I have no one to rely on. Please, give me hope'. She asked me every day, sometimes two to three times per day. These were very hard questions for me to answer; the hardest I ever had in my life."* The family also contacted a local human rights organisation and KNU authorities to search for Saw Y---. The KNU tried to negotiate with SAC intelligence for his release but was unsuccessful.

Some villagers from his community said that he was killed but some said that he is still alive. The family received different information on his whereabouts and condition, sometimes contradictory. Naw H---, the victims' daughter, explained that on the night of his arrest on February 2nd 2023, villagers residing close to army camps heard horrifying screaming sounds from extreme torture in two different places, Za Lel army camp and Leik Tho army camp. A few days later, another rumour appeared that a local villager saw a burial site close to the army camp where Commander Hein San Htun is based. Several villagers also mentioned to Naw H--- that they saw Saw Y--- being transported by SAC police and soldiers on a military truck in different places, including Thauk Yay Khat village and Thandaung Town. In May 2023, Naw H--- also contacted the local PDF and asked for help to find information about her father.

Saw Y---'s family contacted people they knew from different places, inquiring about him, and following up on all rumours. Naw Z---, the wife of the disappeared, asked her eldest daughter to go to the places where they heard that Saw Y--- was detained or seen. This included Taw

Oo Town and surrounding villages, and hence Naw H--- travelled to conflict areas and crossed SAC checkpoints and rural roads by motorcycle. Naw H--- was facing security concerns so she told her mother she was not able to follow the information in certain places. Her mother was upset and sad. As explained by Naw H---: *“She told me: ‘When your father was at home, he did everything for you; why can’t you do this for your father?’”*. The emotional impact of the disappearance has caused anger and sadness and has strained relationships in the family.

In June, due to the start of the rainy season, the family could not travel and actively search, so Saw Y---’s wife invited a pastor to their hiding site and pray for Saw Y--- weekly, every Monday, the day of his birth. The family provided donations every time. Different people also offered to help look for Saw Y--- in exchange for money. One man asked for one million kyat [476 USD]. Naw Z--- gave money to those people, as much as they asked, with the hope that he would return home. Although they received financial support through a local human rights organisation, Naw H--- explained that her mother used a large amount of the money they received to search for him, and not for their family’s needs, as they believed the money was for Saw Y--- and they do not want to use it without him.

Naw Z--- was sick for several weeks in August and September and could not go to work at the family’s farm. A nurse took care of her in the hiding place. Her focus continues to be on finding her husband, and she feels relieved when she hears rumours about his whereabouts. She relies on her children for her livelihood and hopes to see her husband again. Saw Y---’s second eldest son still works while displaced, sometimes returning to their family plantation to harvest the crops. Naw H---, the elder daughter, also works as a teacher to earn some income and sells crops. The other children are continuing their education with the financial support received. Saw Y--- always stressed the importance of education and encouraged his children to go to school.

Through the help of the local human rights organisation, Saw Y---’s family received financial support from an international human rights entity in March 2023. On July 5th 2023, the local human rights organisation and the family members of the victim also met with an international organisation providing legal assistance and shared the information on the disappeared, starting the process to find him through an alternative channel. To continue the investigation the family had to first be in a safe place.

Naw H--- thinks her mother will get better when she has a social support system or when she is able to go to church with friends. She believes her mother should have a small shop to attend, in a safe place, while she returns to the village herself to continue to search for her father.

b) Arbitrary laws, curfew, travel restrictions, and increased militarisation

Following the 2021 military coup, the SAC imposed restrictions on civilians living in their operation areas, including in mixed-controlled areas. In February 2023, the junta extended martial law to a total of 50 townships across several states, including in Karen State, threatening the pre-existing legal systems to further their own agenda, and increasing their control over these areas.⁴³ In Southeast Burma, townships newly affected by martial law include Kye Hto (Kyaikto), in Doo Tha Htoo District; Hta Ta Htoo (Htantabin) and Daw Hpa Hkoh (Thandaungyi), in Taw Oo District; Ler Doh (Kyaukkyi) Township, Moo (Mone) special area and Hsaw Htee (Shwegyin), in Kler Lwee Htoo District; P'Law (Palaw) and T'Naw Th'Ree (Tanintharyi), in Mergui-Tavoy District; and Noh T'Kaw (Kyainseikgyi), Waw Ray (Win Yay) and Kaw T'Ree (Kawkareik), in Dooplaya District. The imposition of martial law by the SAC enables the military to commit abuses, including arbitrary arrest and enforced disappearances, without accountability.

Local civilians in rural Southeast Burma mainly work on plantations as the main source of income. Some civilians in the town work other vocational jobs. Therefore, civilians' workplaces are usually far from their home. Due to the lack of electricity, most local civilians spend the whole day at their workplace and usually return home when it is dark. Local villagers in rural areas usually go to the town in order to buy food and household materials they need. The curfew, travel restrictions, militarisation and threat of being arrested and disappeared at any time have impacted their right to livelihood and movement as they can no longer work full-time and travel as necessary.

Arrests for breaking curfew

On February 10th 2023, the SAC imposed martial law in Noh T'Kaw Township, Dooplaya District, forbidding local civilians from going out and engaging in public activities from 6:00 pm to 6:00 am. SAC soldiers threatened villagers by specifying that those who break martial law would be taken to jail with no possibility of being released.⁴⁴ According to a community member named Saw Aa--- in Noh T'Kaw Township, the law was set to target and limit the movement of the local resistance. He explained: *“At the current time, the SAC announced martial law [and] no one can go out between 6:00 pm and 6:00 am. If anyone goes out during the limited time, he or she will be considered a member of the PDF. The SAC considers the PDF a terrorist group. Therefore, if anyone is alleged to be a member of PDF, he or she can be killed.”*

A villager named Saw Ab---, from Cw--- village, T'Kuh Hkee village tract, Noh T'Kaw Township, Dooplaya District, also mentioned: *“The [new martial] law prohibits civilians from going out after 6:00 pm. If they are found going out, they would be shot to death, shot to break their legs or arrested and fined. Civilians are not allowed to gather more than five people in a group for worship or meeting.”* He also mentioned that after the declaration of martial law, five civilians were arrested in Seikgyi Town and they had to pay a fine of 500,000 kyat [238.17 USD]⁴⁵ per person to be released. Families were not informed about the arrests, so they had to find out information for themselves when realising their loved ones were forcibly disappeared.⁴⁶

The imposition of martial law and curfew has restricted local civilians' movement and safety. According to local villagers from Noh T'Kaw Township, Dooplaya District, the curfew time of 6:00 pm was too early because there was still sunlight and so was before the normal time

⁴³ Human Rights Watch, “Myanmar Junta Extends Martial Law,” 2023.

⁴⁴ KHRG, “Dooplaya District Short Update: Villagers' disappearances and imposition of martial law in Noh T'Kaw Township, from February to March 2023”, June 2023.

⁴⁵ All conversion estimates for Kyat in this report are based on the official market rate as of October 4th 2023 at 1 USD = 2,102.35 MMK, conversion rate available at <https://www.xe.com/currencyconverter/>

⁴⁶ Unpublished report from Dooplaya District, received in March 2023.

villagers were travelling back from work. Since local villagers have already been facing livelihood difficulties due to the conflict and displacement, the martial law has doubled their challenges. A community member in Taw Oo District also reported that SAC troops patrolled and fired mortars in local villages after the declaration of martial law.⁴⁷ Local civilians have experienced more SAC checkpoints on the road. Villagers are not allowed to go to the town on Sundays. This 6:00 pm to 6:00 am curfew time applies to all civilian movement unconditionally, including religious practices; Muslims cannot worship before 6:00 am and Buddhist monks are not allowed to collect alms. Similarly, Christians are also not allowed to practice songs and music for church service after 6:00 pm.⁴⁸

While local leaders were informed about the martial law newly extended in February 2023, many civilians were not aware of it, so they went out of their homes as they normally would. SAC security forces subsequently began arresting villagers. In Noh T’Kaw Township, Dooplaya District, the day after the declaration of martial law on February 10th 2023, many civilians were arrested for travelling beyond the restricted hours by just a few minutes.

For instance, on February 13th 2023, a 26-year-old villager, Ac---, from Cv--- village, T’Hka Kloh village tract, Noh T’Kaw Township was arrested on his way back from Seikgyi Town to his village, at 6:15 pm. He worked at an electricity company in town and was coming back from his workday. His family could meet him once while he was detained in the Seikgyi police station. After that, they did not know what happened to him and were only able to suspect that he was sent to the Taung Kalay prison in Hpa-an Town after hearing rumours in the village. When Ac-- was released at the end of July 2023, the family got to know that he had been held in the Taung Kalay prison for over five months and forced to perform hard labour. Ac--- shared his experience with KHRG: *“I was kept [detained] at the police station in Kyainseikgyi town for 15 days. [...] On February 27th 2023, I was sent to the Hpa-an, Taung Kalay [prison] by helicopter. [...] They sentenced me to six months in prison with hard labour. [...] They asked us to work on the farm from 7:00 am to 5:00 pm. [...] We had to go from the Taung Kalay prison to the farm near Welcome Hpa-an Statuary. [...] I was responsible for driving the farming tractor on the farm. [...] On Sunday, I had to go to work in the morning, cleaning the prison’s compound. [...] We had to do as they told us to do. If we did not work, we were beaten.”*

A total of 23 villagers from Seikgyi Town were also arrested on February 13th 2023, in different instances, for going out after 6:00 pm. After the arrests, villagers were detained at the police station in Seikgyi Town. After a few days, these civilians were taken by helicopter and forcibly disappeared. No one knew where they were taken to and what happened after that. The parents of the arrested persons were told that they would be sentenced by higher authorities and the local SAC security forces did not receive detailed information on this.

On February 14th 2023, a 15-year-old boy, Saw Ad---, from Cw--- village, Noh T’Kaw Township, Dooplaya District, disappeared along with a friend while they were going to a nearby village called Cx--- on a motorbike. No one has verifiable information on where they are being detained. However, local villagers assume that they were arrested by the local SAC on their way back home, because some people saw their motorbike was left behind at the corner of the road near Cx--- village. With the help of some village leaders, Naw Ae---, the mother of the 15-year-old, approached the SAC soldiers in the area to find her son. When she went to the police station in Seikgyi Town, she saw about 5 other teenagers who were detained but she did not find her son. Until now, the mother has been suffering from severe emotional distress and still hopes her son will return home one day.

⁴⁷ KHRG, “Taw Oo District Short Update: Indiscriminate shelling, restrictions on movement and SAC military activity in Htaw Ta Htoo Township, February 2023”, March 2023.

⁴⁸ Unpublished report from Dooplaya District, received in March 2023.

Besides the martial law and curfew rules, roads are also blocked by heavy objects preventing local people from travelling. A woman in Kaw T'Ree Township, Dooplaya District, explained that all three roads from her village, Cy--- village, Maung Ma Ywa Thit village tract, to Kaw T'Ree Town were blocked with trees. They had to use a different, lengthier and poorly-managed route to buy food from Kaw T'Ree Town. However, since there are heightened security risks and local villagers were being disappeared when travelling, villagers often avoid going to town altogether. When local villagers are disappeared while travelling, they are assumed to be arrested by SAC forces.

In the incidents mentioned, none of the victims' families were informed about the arrests. They had to ask other villagers, local authorities and even the soldiers they assumed to be responsible for the arrests. They had to go from place to place in order to obtain any clues or information on the disappeared persons. The SAC's imposition of martial law is used strategically to commit human rights abuses, including enforced disappearances.

Arbitrary checking on the road

Since the coup, the SAC has set up curfew, militarised the region, and created checkpoints between villages and towns. Some villagers are accused of being supporters or members of local armed resistance groups while travelling between towns when carrying food, essential items or farming materials. They are therefore at risk of being subjected to any treatment the soldiers wish to inflict.⁴⁹ At least 33 villagers have been arrested, detained, and forcibly disappeared in Southeast Burma while travelling between villages for their livelihood activities. Most of these arrested villagers are young adults or teenage boys, as the SAC suspects them as being members of armed resistance groups. In the incidents reported to KHRG, the disappearances lasted between a few days and several weeks, and some victims were later released.

In May 2021, a villager named Saw Af---, from Cz--- village, Ma Htaw village tract, Dwe Lo Township, Mu Traw District was arrested by SAC IB #60 while he was going to sell durians in Cn--- village area. A local villager explained that Saw Af--- was arrested, tortured and forced to clear landmines. Saw Af--- had a physical impairment which made him unable to speak. His aunt, Naw Aq---, who raised him since he was a child, heard of Saw Af---'s death after SAC soldiers informed Da--- and Cn--- villagers that Saw Af--- was killed by a landmine explosion. Villagers were too afraid to go and retrieve his body. The villager explained: *"We did not witness it [the arrest]. We only know that SAC soldiers arrested him. The SAC soldiers suspected him as a spy. He did not know anything [about presence of SAC soldiers on the road] so he continued his journey with the intention to sell durians. [...] He did not know anything on how to clear*



This photo was taken on June 5th 2023 in Cw--- village, T'Kuh Hkee village tract, Noh T'Kaw Township, Dooplaya District. The photo shows an old picture of Saw Ad---, aged 15 years old, on a phone screen. He was disappeared along with a friend when travelling by motorcycle. Villagers assumed they were arrested by SAC. [Photo: villager/KHRG]

⁴⁹ KHRG, *"Why would they target us?": Exploring patterns of the Burma Army's retaliatory abuses against villagers across Southeast Burma*", June 2023; KHRG, *"Deadly Encounters: Killings of civilians by armed actors in Southeast Burma (October 2022 - April 2023)"*, June 2023.

landmines safely. The SAC soldiers forced him to do it with the intention to kill him. [...] The SAC soldiers did not release him, but killed him”.

On July 9th 2023, SAC LIB #264, based in Pin Sa Lon Town, travelled to Kyauk Ta Ga Town. That morning, 16 villagers from Db--- village and Dc--- village, P'Deh Kaw village tract; and Dd--- village and De--- village, Wel Ler Daw village tract, Ler Doh Township, Kler Lwee Htoo District, went to buy food in Kyauk Ta Ga Town. When the villagers entered the town, SAC LIB #264 arrested them and accused them of transporting rice and other items to the PDF. Among the arrested, three villagers were severely tortured by SAC soldiers, according to the families of the victims. The family members were not allowed to see the villagers while they were in detention. As reported by a local villager, the SAC told the families that they would release some of the arrested villagers, those who had motorbikes and full documentation, on July 17th 2023. In August 2023, 40 villagers were released by the SAC, including these 16 disappeared individuals. Facing security concerns after their release, many have fled their villages.⁵⁰

Villagers are arbitrarily arrested by the SAC on the road, detained and disappeared for several days before their release. In the last week of January 2022, for instance, 22-year-old Saw Ah---, from Df--- village, Meh Klaw village tract, Bu Tho Township, Mu Traw District, and another villager from Dg--- village, were arrested by SAC IB #19 when they were travelling close to Kleh Muh Htee area. They were blindfolded and their arms and legs were tied while they were taken to the IB #19 detention area near Meh Roh village. Saw Ah--- was severely tortured. They were forced to sign with their fingerprints before they were released a week later. He also mentioned that the prison officer took 10,000 kyat [4.76 USD] from him and 30,000 kyat [14.27 USD] from his friend.⁵¹

Saw Ah--- explained to KHRG: *“They [SAC’s soldiers] punched me once on my chin and once on my back, and my chest. They stabbed me in the chest with a knife and asked me questions. They stabbed the knife in my chest every time they asked me questions. I told them: ‘I don’t know what to answer’. I could only answer when they asked the names of my father and mother. I felt pain. They pointed at my head with a pistol. Then, they grabbed my genitals. I begged them not to do this. [...] I asked for water from them, but they did not give me [any]. Instead, they gave me alcohol. But I did not drink it. They forced me to drink alcohol, but I spit it out. [...] They tied me with an electric wire. [...] They only provided me food two days after the arrest. [...] They blindfolded me for three days. [...] They did not question me in the daytime. They only came and questioned me in the evening three times on different days.”*⁵² Due to the instances of arbitrary arrests while travelling, local villagers, family members of the victims and victims themselves, were terrified and they stopped travelling to the towns in order to avoid arrest by the SAC.

It is very difficult for villagers to escape captivity having been forcibly disappeared by the SAC: eight villagers managed to do so, as reported to KHRG, despite the immense danger involved. On January 10th 2022, SAC LID #44 set up their base in the Mi K'Thein monastery, Ywa Thit village, Maung Ma Ywa Thit village tract, Kaw T'Ree Township, Dooplaya District. On that day, two villagers, Maung Ai--- (19 years old) and Aj--- (29 years old), went to the monastery and were arrested. They were detained for five days, during which they were brutally tortured; beaten and burned with cigarettes. On January 15th 2022, fighting broke out between the SAC and KNLA combined forces, and the two detained villagers escaped. Maung Ai--- returned to the village but Aj--- has been missing since then. Villagers assumed that he might have been killed by the SAC, while trying to escape. The returned villager, 19-year-old Maung Ai---, was

⁵⁰ Unpublished report from Kler Lwee Htoo District, received in July 2023.

⁵¹ Unpublished report from Mu Traw District, received in March 2022.

⁵² Unpublished report from Mu Traw District, received in March 2022.

full of bruises, had black and blue marks on his body, and swelling on his face, legs and hands. He had to undergo extensive medical treatment until he recovered. A local villager explained: *“He [Maung Ai---] had been tortured the whole day and night. He had been beaten so his face had major swelling. He had to get medical treatment for his legs and hands [that were injured from SAC torture]. It seems like he was tortured by putting burning Thukita cigarettes on his skin.”* The villager mentioned that Maung Ai--- was also presenting emotional distress and had not been speaking since the detention.

c) Enforced disappearances of villagers forced to act as human shields

According to the international legal definition, any type of deprivation of liberty can constitute an enforced disappearance. While imprisonment and detention remain the most common types, in rural Southeast Burma villagers often face the threat of being taken and forced to act as human shields by SAC soldiers. During this time, they are detained and forced to walk among soldiers from one village to another, sometimes also used as porters or navigators. The SAC soldiers use the presence of the villagers to deter attacks by armed resistance groups while they travel. These villagers are often forcibly disappeared: they are held by SAC soldiers, who usually confiscate their phones, and their fate is unknown to their loved ones. The use of human shields is regularly perpetrated by SAC soldiers in Southeast Burma.⁵³



This photo was taken on March 22nd 2023, in Noh Taw Pla village tract, Noh T’Kaw Township, Dooplaya District. The photo shows Naw Ak--- (19 years old), who was injured while being used as a human shield for the SAC. Due to severe bleeding from having been shot, local villagers transported her to a hospital in Thailand where she received treatment. [Photo: KHRG]

These disappearances are in many ways different to the other forms being committed in the country. Whereas civilians forcibly disappeared in Southeast Burma are usually men, anyone can be taken as a human shield by the SAC, including women, children, and disabled villagers. In one reported incident from March 2023, more than 11 villagers were taken while foraging in the forest next to Dh--- village, Noh Taw Plah village tract, Noh T’Kaw Township, Dooplaya District, by the SAC IB #32, and LIB #283 and #284. Among the victims, there were at least two women, 19-year-old Naw Ak--- and 29-year-old Naw Al---, and an 11-year-old child.

The SAC soldiers usually enter villages and nearby fields and plantations, and capture all the villagers they find in areas where their control is contested. In Dh--- village, the villagers were arrested as they were in the forest, collecting vegetables, snails, hunting for frogs, and fishing.

In both Di--- village, Nat Tha Kwin village tract, Moo Township, Kler Lwee Htoo District, and Ey-- village, Paw Hkloh area, K’Ser Doh Township, Mergui-Tavoy District, SAC soldiers arrested civilians inside the village.

These villagers, however, are not targeted due to suspicion of being anti-coup protestors; rather the soldiers amass a large group of villagers that will then follow or walk among them. For instance, SAC soldiers took a group of eight villagers from Dh--- village, 22 villagers, including

⁵³ Since February 2021, KHRG has received at least 22 reports containing evidence of SAC soldiers using human shields, involving more than 564 villagers. See: KHRG, *“Shadow of Death: Use of civilians as human shields by the State Administration Council (SAC) in Southeast Burma since the coup”*, July 2023.

a 6-year-old child, from Di--- village, Nat Tha Kwin village tract, Moo Township, Kler Lwee Htoo District, and 5 villagers, from Ey--- village. Similarly, a local villager recounted that in Kaw T'Ree Township, Dooplaya District: *"They [Burma Army soldiers] came to Kyeh Doh [Kyaikdon] Town and came again to Dk--- village. On the way to Dk--- village, they arrested four people in Dl--- village. Then, they arrested four or five people, including underage girls in Dm--- village and Dn--- village. On the road between Do--- village and Dp--- village, they arrested six or seven people from Do---. From Kyeh Doh Town to Do---, they arrested 25 people in total, including two women"*.

The soldiers force the villagers to accompany them as they cross into territory under contested control, using villagers to avoid being ambushed by armed resistance forces. Naw Ak---, the 19-year-old forcibly disappeared in February 2023 in Dh--- village, Noh Taw Plah village tract, Noh T'Kaw Township, Dooplaya District, explained to KHRG: *"It's to protect themselves, so the soldiers [from armed resistance forces] would not shoot them. Before [the coup], they [Burma Army soldiers] were allowed to pass [through KNU-controlled territory], but now they are not permitted to pass [travel on] the road. And if they encounter [KNLA] soldiers, [the KNLA] soldiers will shoot them."*

Villagers used as human shields are isolated and prevented from communicating with others, as they face direct risk to their lives and often face mistreatment while detained. Villagers are often injured when being used as human shields because of fighting, landmines, poor conditions while travelling, or violence exerted by SAC soldiers during detention. The villagers from Di--- village were all kept for five days in a classroom, where they spent all day, having to eat and sleep there, and relieve themselves in a rubbish bin. The SAC soldiers from LIB #77 hung their uniforms in front of the classroom where villagers slept, to make it the most likely target in case of an attack by armed resistance groups. Moreover, villagers forced to act as human shields are sometimes physically tortured, like U Am--- and U An---. These two villagers were taken on July 19th 2022 in Ey--- village, Paw Hkloh area, K'Ser Doh Township, Mergui-Tavoy District by SAC #433, and used as navigators on the way to B'Wah Pay village. Their eventual fate is unknown. It is unclear why these two villagers were tortured, while the other four villagers who were arrested at the same time were released unharmed when they reached Ez--- village.

After SAC soldiers arrive at their destination, usually an army camp, the villagers taken as human shields are released in most cases, and allowed to return home. Sometimes, however, detained villagers try to escape, especially when skirmishes and attacks occur. Villagers flee for their lives in the midst of the confusion, like Naw Al---, Naw Ak---, and the Dh--- villagers arrested in March 2023. These attempts are dangerous, as villagers can be struck or injured. Naw Ak--- was hit by a bullet when the SAC battalion that detained her was attacked. The SAC later injected her with an unknown medicine, but she was not released until much later, and due to the persistence of her husband, also arrested, to seek appropriate treatment.

d) Other armed groups as perpetrators of enforced disappearances

The Burma Army, under the command of the SAC, is not the only armed group committing enforced disappearances in Southeast Burma. Other armed groups operating independently, as well as armed resistance groups have disappeared civilians in Southeast Burma since the 2021. These reported incidents involve 15 disappeared villagers. Armed resistance groups have targeted villagers suspected of being spies, while disappearances committed by other non-affiliated armed groups seem more arbitrary in motive. The majority of victims were extrajudicially killed.

Armed groups parties of the Nationwide Ceasefire Agreement (NCA)

KHRG received one report of enforced disappearances committed by the Democratic Karen Benevolent Army (DKBA)⁵⁴ and another incident committed by KNU/KNLA-Peace Council⁵⁵. These two groups are current parties of the NCA, but do not operate under the command of the SAC.

In November 2022, the DKBA disappeared four villagers from Co--- village, Kg--- village tract, Noh T’Kaw (Kyainseikgyi) Township, Dooplaya District. These four villagers are S---, T---, Kc---, and V---. A KNU officer called a meeting with the villagers with the support of a village tract leader, and so the villagers were taken by car to a certain place to have the meeting, accompanied by the village tract administrator and two DKBA soldiers. The meeting did not happen, as the KNU officer had to travel to avoid SAC troops in the region. Since the villagers had not returned to their villages for more than ten days, the village tract leader started to worry and look for the four villagers. Later, he found out that the disappeared villagers were killed by the DKBA soldiers. The DKBA commander provided money, 2.5 million kyat [1,189 USD] to each family of the disappeared, but the relatives did not get to see or know where the victims were buried.

In another incident that took place in the first week of May 2023, the KNU/KNLA-PC forcibly disappeared Maung W---, a community leader from Cp--- village, T’Ray T’Kaw village tract, Noh T’Kaw Township, Dooplaya District. The villager’s wife had reported to the KNU/KNLA-PC that her husband had been unfaithful. The next day, KNU/KNLA-PC soldiers came to arrest her husband. No one knows what has happened to her husband since then.

Armed resistance groups as perpetrators of enforced disappearances

Since the coup, eight incidents of enforced disappearance, involving 10 civilians, committed by armed resistance groups have been reported to KHRG. These all happened in Dg--- and Dr--- village tracts, Ler K’Saw Township, Mergui-Tavoy District, an area under mixed control of PDF, KNLA, Kaw Thoo Lei Army (KTLA)⁵⁶ and SAC troops, during the period between January and August 2023. All 10 villagers were extrajudicially killed during the periods they were forcibly disappeared. These victims, including three village heads, were accused of being spies for the SAC, some being brutally tortured while detained.

Amidst the conflict, armed groups arrest any villagers they suspect and accuse them of being informants without conducting proper investigation. They fail to set up formal trials to assess the case, ensure fair treatment while prisoners are detained, or provide information to the family members and local villagers. Therefore, villagers are vulnerable to being forcibly disappeared and a target of all armed actors. Saw Ao---, a villager from Ds--- village, Dg--- village tract, Ler K’Saw Township, expressed: *“In our area, KTLA, PDF and SAC arrested local villagers and they took the villagers to their base at once. They did not tell us anything when they took the villagers away. Then, they killed the arrested villagers. They did not return the dead bodies of*

⁵⁴ In 1994, the Democratic Karen Buddhist Army (DKBA) split from the KNLA over religious considerations. In 2010, the majority of DKBA troops transformed into BGFs, but one faction refused and changed its name to Democratic Karen Benevolent Army in 2012. The DKBA signed the NCA on October 15th 2015.

⁵⁵ The KNU/KNLA-Peace Council is an armed group based in the Htoh Kaw Koh village tract area, Hpa-an District. It split from the Karen National Union (KNU) and signed a ceasefire agreement with the Myanmar government in 2007, but refused to transform into a Border Guard Force (BGF) in 2010. It signed the Nationwide Ceasefire Agreement in October 2015.

⁵⁶ 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.

the arrested villagers to the family members of the victims. They threw the dead bodies of the arrested villagers near a stream or in a forest after they killed them. [...] We did not have a chance to go and tell or request them [to get back the bodies of the victims]. However, we would like to request the relevant authorities or stakeholders to act in order to stop this situation, and to provide support to family members of the victims.”⁵⁷

In one of the incidents reported, KNLA soldiers forcibly disappeared a villager named Ap--- who had received a gun and a drone from SAC Battalion #560 and #559 in order to collect information about armed resistance groups. Ap--- was also selling *yaba*⁵⁸ in Dg--- village tract, Ler K’Saw Township. KNLA troops, combined with PDF soldiers, arrested him when in possession of the gun and drone while he was visiting his first wife in another place, on an unknown date around the second week of May 2023, at about 8:00 pm.

On the same date, PDF Company⁵⁹ #1 also arrested several villagers, including U Ag--- and Ar---, from their houses in Ds--- village, Dg--- village tract. U Ag--- and Ar--- were both forcibly disappeared, accused of being SAC informants. As explained by a local villager, Ar--- was just a temporary village head interacting with the SAC and PDF on behalf of villagers because others did not feel safe enough to be a village head. He tried to comply with both SAC and PDF demands, until the PDF arrested and accused him of being an informant for the SAC. The other arrested villager, U Ag---, was dealing with a land dispute issue: his land had been confiscated

by another villager named U As---. U Ag--- asked him to pay money as compensation but U As--- got angry and, after joining the PDF, accused U Ag--- of being an SAC informant. The PDF troops he joined, Company #1, arrested U Ag--- without providing any information to his family and villagers.



KHRG received this photo on August 1st 2023 from villagers in Ds--- village, Ler K’Saw Township, Mergui-Tavoy District. The photo shows an old picture of U At--- who was disappeared and killed by the PDF. [Photo: Villager]

A week after the arrest, the families of U Ag--- and Ar--- had still not received any information about the whereabouts and fate of their relatives and did not feel safe in the village. Villagers then tried to help the families to look for them. Some local villagers who were going to their plantation discovered the severed body parts of U Ag--- and Ar--- in Dt--- place, close to Dk--- village, Dg--- village tract. The villagers had been tortured, killed and dismembered. According to a local villager named Saw Ao--- from Ler K’Saw Township, Mergui-Tavoy District: *“They [PDF] decapitated their heads and cut off their hands and legs and then they dismembered their bodies. They threw the pieces of the bodies somewhere. They did not bury their dead bodies. Some villagers saw a dog carrying a piece of their bodies.”*

⁵⁷ Unpublished report from Mergui-Tavoy District, received in August 2023.

⁵⁸ *Yaba*, which means “crazy medicine” in Thai, is a tablet form of methamphetamine. First developed in East Asia during World War II to enhance soldiers’ performance, methamphetamine has become increasingly popular in Thailand, Laos, Cambodia Vietnam, and in Burma/Myanmar where it is typically manufactured. See, “[Yaba, the ‘crazy medicine of East Asia.’](#)” UNODC, May 2008 and “[Woman raped and killed in Pa’an District, October 2012.](#)” KHRG, December 2012, and “[Chapter: Drug production, use and the social impacts in Southeast Myanmar since the January 2012 ceasefire.](#)” KHRG, June 2014.

⁵⁹ Military unit of approximately 100 soldiers.

Similarly, on July 30th 2023, at around 1:00 pm, U At---, another villager from Ds--- village, Dg--- village tract, from Ler K'Saw Township, was disappeared after five PDF soldiers from Company #1 ordered him to follow them and show them the way to another villager's house. His wife waited but, as he did not return, other villagers helped her to look for him. On August 1st 2023, they found his corpse near a stream close to the village. Local villagers think that U At--- had been shot as they found a hole in his head. According to U At---'s wife, her husband was wrongfully killed by the PDF, as they mistook U At--- for his brother, who is an SAC informant. She wants justice for her husband, but nobody felt secure enough to find out the truth.⁶⁰

Village heads in mixed-controlled areas are at a high risk of receiving accusations from all parties of the conflict as they have to engage and negotiate with several armed actors as representatives of the village. Out of the ten disappeared victims, three were village heads, including Ds--- village head and Du--- village head, from Dg--- area, and Dv--- village head, in Dr--- area. The SAC hired these village heads and provided them each 500,000 kyat [238.17 USD] per month.⁶¹ As village heads hired by the SAC, they are responsible for providing regular local situation reports, assisting villagers, and completing other demands from the SAC as needed. Whether it is an SAC operative or a locally elected villager, village heads have to negotiate and confront any armed group present in the community. In some mixed-control areas with open conflict, armed resistance groups warned village heads not to provide information to the SAC, otherwise they would be accused of being informants and retaliated against. As a result, village cohesion and security are undermined by people's unwillingness to serve as village heads, and by the frequent rotation or lack of village heads in some areas.⁶²

Due to the conflict, villagers are struggling to secure their livelihoods. According to Saw Ao---, a villager from Ds--- village, Dg--- village tract, Ler K'Saw Township: *"People have been facing livelihood difficulties due to the unstable political situation after the coup. So, some people did not have a choice and agree[d] to be village heads for their survival. [...] Personally, I think that PDF should not kill them even though they secretly provided information to the SAC. [...] Everyone is struggling for their livelihood. Some people chose to be village heads and received money [from the SAC]. However, after PDF killed village heads, people do not want to be village head anymore. Now, we don't have a village head in my village. There is no village head in Dw--- village and Dx--- village [either]."*

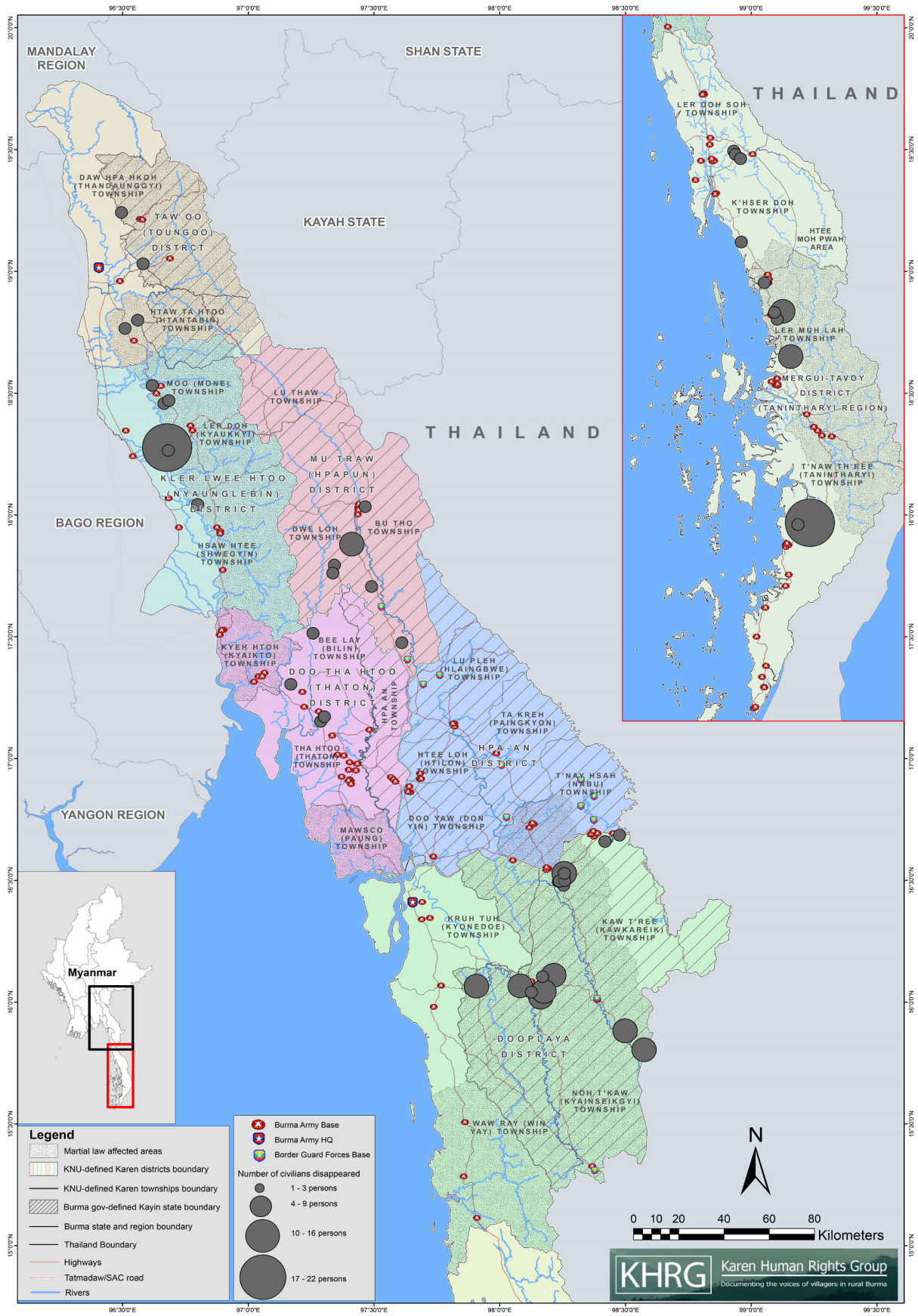
In many occasions, families of the disappeared villagers hold funerals based on their religious beliefs without the corpses of their loved ones. As explained by Saw Ao---: *"She [the wife of Ap---] assumed that her husband was already killed as he did not come back home after a week. Usually, in our village, if people are disappeared, we wait for one week. If they do not come back in one week, we can assume that they have been killed. After one week, his [Ap---'s] wife offered alms to monks in a monastery for merits of [to bless] her husband [in his afterlife]. It means she assumed that her husband was killed."*

⁶⁰ Unpublished report from Mergui-Tavoy District received in August 2023.

⁶¹ Village head payment by the Myanmar government started only after NCA 2015, before all villagers volunteer or receive support from other villagers. Village heads in KNU-controlled areas are elected by villagers and normally do not receive payment.

⁶² See: KHRG, *"Undeniable: War crimes, crimes against humanity and 30 years of villagers' testimonies in rural Southeast Burma"*, December 2022; KHRG, *"Southeast Burma Field Report: Intensification of armed conflict, air and ground attacks, and widespread human rights violations, July to December 2021"*, March 2022.

Map 3. Incident locations of enforced disappearance in Southeast Burma since the 2021 coup



Chapter 3. Impacts of the crime of enforced disappearance in communities in Southeast Burma

The crime of enforced disappearance severely impacts the disappeared victims, their families, and whole communities. The relatives of disappeared individuals, also victims of this crime under international law, suffer emotional and financial struggles caused by the lack of information on their loved ones, including sadness, worry, fear and debt. Returned villagers who were forcibly disappeared suffer emotional and health-related impacts. Communities as a whole suffer fear and are often forced to displace.

a) Needs of the disappeared victim upon return

Enforced disappearances leave a lasting impact on the forcibly disappeared person. They have often experienced a traumatic arrest, been subjected to physical and emotional abuse, including torture, and denied rights to protection under law as a prisoner. According to information received by KHRG, at least 78 victims of enforced disappearance were subjected to torture, threats and violence whilst in detention. The status of 50 victims is unknown, and it is likely that many of them have been, or are being, subjected to severe mistreatment and violence. If the victim survives the disappearance, they must cope with injuries sustained during the incident, as well as the physical health and emotional challenges they are left with.

Health-related impacts after facing mistreatment while forcibly disappeared

Victims of enforced disappearance frequently have injuries and health issues resulting from the incident once they return home. 19-year-old Naw Ak---, from Dh--- village, Noh Taw Pla village tract, Noh T’Kaw Township, Dooplaya District, who was taken as a human shield by the SAC, was hit by a bullet when trying to escape during a skirmish between SAC and KNLA soldiers on March 22nd 2023. She was hospitalized and had to undergo medical treatment for months afterwards because of the severe injuries she sustained. The bullet was embedded in her stomach, requiring surgery and a blood transfusion. Even a few months after medical treatment, she is still suffering from sudden pains in her body which has left her unable to work. This experience has traumatised her with fear, security concerns, and long-term health problems. She expressed: *“I have thought of what [would happen] if I can’t work anymore. Because I don’t know how long I will be alive. Sometimes, the injury hurts. [...] When I walk alone, I worry that there would be fighting happening here and there.”*

In another instance, on December 23rd 2022, two men named Maung Au--- and Maung Av---, from Dy--- village, Ma Htaw village tract, Dwe Lo Township, Mu Traw District, were forcibly disappeared by SAC LIB #404 and threatened while detained. The villagers went to tap rubber in the plantations in Ew--- area, close to Dy--- village, when they encountered SAC soldiers in a hut. Their village head, Saw Aw---, explained: *“They [the villagers] heard the SAC soldiers [saying they] were going to kill them. Sometimes they [SAC] dropped bombs with drones and said they would kill all of them [villagers] and not leave anyone [alive]”*. Maung Au--- and Maung Av--- were able to escape from the monastery where they were kept, but the fate of two other villagers arrested at the same time is still unknown. The returned villagers suffer worsening leg pain and fear, as a result of the torture they experienced. The village head added: *“They are in the jungle now. They do not dare to live in their house. [However] They cannot really bear with staying in the jungle as they have health issues.”* They often have to receive herbal treatment from a local monk to relieve the pain.

On April 11th 2023, SAC LID #44 and #55 arrested Saw A---, a man with a physical disability, in Ca--- village, Kaw T’Ree Township, Dooplaya District. His disability was caused by a motorbike

accident he had in 2021, that broke his legs and left him unconscious for one month. Despite his condition, the SAC soldiers forced him to travel around with the troops for several days without letting him inform his relatives or local villagers. Saw A--- himself explained to KHRG: *“They [SAC] also got mad because I have broken legs and arms; when I walk, I have a limp. When they saw my situation, they walked slowly. [...] I slept and ate well; however, I was worried about many things. [...] I missed my mom so much. I faced such hardship I thought I would die.”* He was released as his mother contacted the SAC commander and a BGF soldier could vouch for him. After, SAC soldiers told him: *“You are lucky. You were almost to be killed.”* After he was released, he continued to suffer pain in his legs and was unable to walk properly. Since then, he is also fearful of going to the town or travelling and getting arrested by the SAC. The fear of being killed during the disappearance was traumatic and left a lasting impact on the victims.

Trauma and emotional impact due to enforced disappearance

During the arrest of villagers, many times the SAC blindfolds villagers as they walk from one place to another, and threatens them. The mother of Saw Ax---, a 16-year-old forcibly disappeared by SAC soldiers in Dz--- village, Maung Ma Ywa Thit village tract, Kaw T'Ree Township, Dooplaya District, explained: *“People [SAC] threatened them a lot; covering their faces, keeping them separately and firing guns beside them. So, when they heard gunfire sounds, my son thought his friend got killed and his friend thought my son was killed like that. They did it just to threaten them.”* Saw Ax---, the 16-year-old survivor of the enforced disappearance, explained to KHRG the torture he faced: *“First, they [BGF] checked my motorbike’s box, my bag, and my phone, then I did not know anything [about armed resistance group], but they tortured me. They [BGF] took me to Chaung Oo Zay Di and handcuffed us. Then, they asked us to go inside and lie prone and they put wheels on top of us. [...] They put a wheel of a [ten-wheel] truck on my back and put a wheel of a [twelve-wheel] truck on my friend. [...] They beat us with timber three times each. [...] Then they covered our eyes and asked us to get in the car and they took us to Military Operations Command [MOC] #12’s base. [...] They handcuffed us and locked our legs with stocks as punishment.”* Due to the torture they faced, Saw Ax--- expressed that he never travels to town anymore.

Saw M---, the 17-year-old villager arrested by the SAC in Cl--- village, Hsaw Thuh Hkee village tract, Kyeh Htoh Township, Doo Tha Htoo District, on June 13th 2023, suffered panic and fear, causing him an inability to eat during arrest. He was able to speak with his mother once, over the phone of the SAC Captain from the Northern Army Camp of Bilin Town. He was not allowed to share other information about the detention and his family has not been able to visit him or know his current condition.

Many survivors of enforced disappearance thought they were going to be killed during detention because they were tortured, questioned and accused of being affiliated with resistance groups. Saw D---, the 30-year-old from Ca--- village, Noh Hpoh village tract, Kaw T'Ree Township, Dooplaya District, who was taken to Myawaddy Town, recalled his torture: *“I was afraid but could not do anything. I did not know how to be afraid. I considered myself dead.”* The SAC tortured him by kicking and stabbing him with a knife several times while questioning him.

Security concerns after release

Survivors of enforced disappearance in some areas have security concerns of retaliation after being released, both by SAC soldiers and armed resistance groups. They may be accused of being spies or having been coerced into giving information during detention. After release, Saw D---, from Ca--- village, was deeply concerned of being accused by the local PDF of being a spy. He explained: *“I am happy but still afraid. I am happy to meet with my family. However, I am afraid of the ‘three fingers’ [PDF] because I was arrested by SAC soldiers. I am worried*

that they would not understand me [his innocence].” Similarly, Daw Ay---, from Ea--- village, Ta Kun Taing village tract, Win Yay (Waw Ray) Township, Dooplaya District, whose husband was released by the SAC after being forcibly disappeared for six days, from July 15th 2023, was also overwhelmed with fear and security concerns: “I have security concerns and worry for them [survivors]. Based on the information I received from different persons [rumours of being suspected as a spy] after my husband returned, and whenever I hear [information about the presence of local authorities], my whole body turns cold because the only thing I have is fear. [...] I cannot sleep or eat well. I have been thinking of what to do for my two children in the future if I do not have my husband anymore and Oh! Everything [comes into my mind].”

Due to their security concerns, and fear of retaliation by both SAC soldiers and armed resistance groups, many villagers who have been arrested and forcibly disappeared flee or go into hiding after they are released. As seen before, this is the case of the six villagers from Tha Htoo Township, Doo Tha Htoo District, who were released by the SAC in April 2022, but received a death warning. Before they were freed, the SAC troops warned that they did not want to see the six villagers anymore, saying that they would kill them if they did. The threat prompted the released villagers to flee, crossing the border into Thailand, out of fear.⁶³

b) Needs of relatives and family members

Due to the severity of the impact of enforced disappearances on family members, relatives are also considered victims in the international legal understanding of the crime.⁶⁴ 96% of the interviewees and field reports mentioned emotional challenges faced by the victims, their families and their neighbours after an incident of enforced disappearance happened in the communities. The families struggled with sadness, worry and fear, which have long-term impacts on their mental health. The majority of the interviewees mentioned that the family of the arrested villagers tried to look for their disappeared relative through different methods. They went from place to place, asking people, and approaching authorities in order to obtain any piece of information on the arrested persons. According to KHRG’s documentation, most of the villagers forcibly disappeared are young men and the toll of their disappearance is borne by mothers and wives, both emotionally and financially.

Emotional impact on the families of the disappeared

I. Concealment of information

Families struggle emotionally following the arrest of their relatives. Based on KHRG’s interviews and reports, some are able to see their arrested relatives after a short time, but many do not have the chance to know the whereabouts or condition of their relatives. For instance, some of the youngsters that were arrested by the SAC in Seikgyi Town, for travelling after curfew on February 13th 2023, were able to see their parents once at the police station, before they were taken away by helicopter. As explained by a community member from Seikgyi Town: “*One night after the detention, their parents came to see them and encouraged them in the jail. Some parents cried loud because their children were arrested. After they were kept in the police station for five days, they were taken away by the helicopter.*” Some parents heard that their sons were taken to Taung Kalay prison. This made the parents even more worried about their sons’ health because they heard that, besides the violence in prison, the living conditions are very bad; there is a critical lack of hygiene and prisoners are given dirty water. The families were

⁶³ KHRG, “Doo Tha Htoo District Short Update: SAC troops arbitrarily detain seven villagers, March 2022”, June 2022.

⁶⁴ UN Commission on Human Rights, Declaration on the Protection of All Persons from Enforced Disappearance, 28 February 1992.

not informed by authorities where exactly their sons were taken to or what happened to them. Their sons were forcibly disappeared for the whole six-months period of their imprisonment.

As the SAC conceals information about the people they have taken, the search for news on the disappeared is challenging and disappointing. Some relatives only learned of the fate of the disappeared when seeing their corpse or when the victims returned home. As explained by Naw Bo---, a villager from Cy--- village, Maung Ma Ywa Thit village tract, Kaw T'Ree Township, Dooplaya District, regarding the disappearance of Aj--- and Saw Ai---: *“All village leaders also helped parents to search for the disappeared villagers and try to get information. However, we knew where they had disappeared, but nobody saw them and knew anything about them. We got the information only after they returned.”*

The mother of Saw A---, the villager arrested by SAC soldiers in Ca--- village, Noh Hpoh village tract, Kaw T'Ree Township, Dooplaya District, was overwhelmed by worries about the health and security of her son. She expressed: *“I was full of worry for my son. [...] How can I live [in peace] at that time? Because I did not know where he had been taken to. [...] I worried that he might be killed during the fighting because his legs and arms are not good. [...] He cannot walk [properly] and he also has been living with mental illness. [...] [The arrest] occurred during displacement time so we could not work. We just had to think of him; where he had been and what did SAC do to him... and how he could not eat and drink water well. I had been thinking of him all the time. [...] I also had heart palpitations and worry.”*

II. Mothers looking for their disappeared sons

It is often the case that mothers are left alone to search for their forcibly disappeared sons, and bear the biggest impact of their disappearance. Naw Ae---, mother of Saw Ad---, the 15-year-old boy forcibly disappeared in Cw--- village, T'Kuh Hkee village tract, Noh T'Kaw Township, Dooplaya District, tried to look for her son and asked local people and went to several towns hoping to find any clues about her son. She described: *“I asked around one place after another... I chased the news and I travelled to Eb--- [location]. Some people said that they saw two kids at the SAC army checkpoint, so I went there again but I didn't find him anywhere”*. Firstly, Naw Ae--- phoned the SAC soldiers and went to the SAC Artillery Unit in Kyainseikgyi Town. She called and asked about her son but the SAC soldiers told her that they had not seen him. The Operation Commander #G3 told her that her son was arrested by LIB #284, so they directed her to go ask at the army camp in Kyainseikgyi Town. When she arrived at the SAC LIB #284 camp, they told her that they had not arrested her son. And they directed her to go check in the police office instead, as several SAC-allied armed groups were operating in the region. Naw Ae--- was accompanied by the village administrator and other female villagers along the way. They went back and looked for him at the police station, but they found nothing. Until now, she has not heard about the fate or whereabouts of her son.

Naw Ae--- has been suffering from severe emotional distress and still hopes her son will return home one day. She expressed: *“I work while getting lost in thoughts. Sometimes I do not eat. [...] In the beginning, I couldn't even sleep. Sometimes I hear my son's voice. [...] I do not think he died. We [villagers] heard that some boys were killed. But my son is not dead. When we heard about it, we didn't like it. [...] I hope that he will return.”* A local villager, named Saw Bb---, also mentioned her suffering: *“She [Naw Ae---] is not enjoying life anymore when losing her youngest child. She does not want to work, she does not even want to stay at home, she also does not like to walk; she does not enjoy anything. Because her heart is not still, she cannot sleep. If she cannot sleep, she walks but when you talk to her, she does not reply. She will only talk when she wants to. If she heard someone speaking about the arrest, she quickly*

interfered and asked: 'Is it [related to] my youngest child?' For other issues, it seems like her heart is heavy [lost interest]."

In November 2022, in Dz--- village, Maung Ma Ywa Thit village tract, Kaw T'Ree Township, Dooplaya District, Naw Bc---, mother of 16-year-old Saw Ax---, who had disappeared, did not know her son was arrested by the SAC, so searched for him in different shops in Kaw T'Ree Town. After local villagers informed her about the arrest, she contacted the SAC LID #11's Commander, Naing Lin Aung, who used to stay in her house during military operations. The SAC told her about the arrest and that her son would be released after it was proved that he was not affiliated to armed resistance groups. They did not let her meet her son nor give her other information. She tried to speak up bravely for her son to be released by proving that he is innocent. She expressed her feelings: *"This is the whole of my son [he is my everything] so I was always concerned [about his arrest]; sad and crying. I had not recovered from grief of losing my husband and then it had happened to my son. My husband passed away in July and my son was arrested in November."*

Naw Bd---, a villager from Ec--- village, Hin Tha We village tract, Ler Doh Township, Kler Lwee Htoo District, expressed that she suffered an emotional breakdown after her son Saw J--- was arrested by SAC soldiers from IB #264, in Cj--- village with two friends. She shared her feelings to KHRG, in tears: *"Unexpectedly, I heard that he was arrested. Waah... [screaming and crying]. I could not do anything; I just cried. [...] If people ask me: 'Did you not hear from your son?'; How will I hear? [...] His two friends that were arrested together with him said that [Burma Army soldiers] arrested him then beat him, so I told them to not share this with me anymore and I no longer ask for anything. [...] I am so exhausted. I do not dare to talk to anyone in two or three months. If the sky is cloudy, I begin to miss him."* She also shared her daughter's feeling: *"His [Saw J---'s] younger sister loves her brother and prays for him. [...] She wears his shirt sometimes. [...] She said that when she wears the shirt, she misses her older brother. If she wears it, I tell her [to] put it back quickly. I almost beat her. Only this shirt was left. [...] Her sister said she dreamed that he [Saw J---] comes back wearing a fit shirt and puts his shirt on his shoulder. People say that it means he is healthy. [...] Now, she still cries"*.

III. Relatives killed while forcibly disappeared

Most families expressed that they followed pieces of news in order to get information about the whereabouts and condition of their disappeared relative. When rumours about the deaths of arrested villagers appear, some families hold funerals without a corpse, while others continue looking. Ma⁶⁵ Be---, the daughter of U X---, from Ci--- village, Hsaw Thuh Hkee village tract, Kyeh Htoh Township, Doo Tha Htoo District expressed: *"Some people said he has been killed already. However, I did not believe it. [...] I feel really sad. I did not believe it, even when people talked about it. I believe that my father will return. I alleviate my sadness by believing that my father will return. I did not want to feel like my father passed away. I feel like my father is alive."*

On the morning of January 26th 2022, a 20-year-old villager named Saw Bf---, from Ed--- village, Maung Ma Ywa Thit village tract, Kaw T'Ree Township, was shot by SAC LID #44 when he was on his motorbike. He was taken alive from Ee--- village to Ef--- village by the SAC after he was injured. Since then, his parents have not heard anything about him. His parents have tried to look for him by approaching the SAC troops that operate in the area. However, the SAC have concealed the information and did not admit that they arrested Saw Bf---. After a few days, his parents saw a decayed corpse and believed it to be their son because they recognised the thread on his wrist.

⁶⁵ Ma is a Burmese female honorific title used before a person's name.

The wives of S---, T---, Kc---, and V---, the villagers killed by the DKBA in 2022 in Noh T’Kaw Township, Dooplaya District, were not given any information on where their husbands’ corpses were kept. The village head in Cv--- explained, “[the] victims’ family members cried and asked [local authorities] what those four villagers had done wrong. They [the perpetrators] could not explain. [...] We could not do anything after they are killed. The victims’ families wanted to see their husbands’ corpses and to bring them back home. However, we did not know [the soldiers’ names] who killed them and kept [concealed] their corpses”.

The emotional impact on the relatives is intertwined with the lack of information on the victims. Naw Bg---, mother of Saw Bh---, explained: “From my feeling, I feel [sorrow] and then recover, and then I feel it again and again. It is over [cannot do anything] after he died. Whenever I think about it, it makes me feel unpleasant, so it is better for me not to think of it [her son’s disappearance].” Her son, Saw Bh---, was arrested by the SAC on his way to Kyun Pin Seik Town with his bicycle on August 7th 2022. He has been disappeared since then. Therefore, local villagers assumed that he has been killed by the SAC since he was arrested at the SAC army camp.



These two photos were taken on June 8th 2023 in Cb--- village, Noh Nya Lah village tract, Moo Township, Kler Lwee Htoo District. The first photo shows Naw Bg---, the mother of Saw Bh---, who was disappeared by the SAC in August 2022. The second photo shows some of his beloved possessions. [Photos: KHRG]

Financial impact on the family members of the disappeared

The loss of breadwinners has left the victims’ families with long-lasting livelihood hardships and security concerns. In Southeast Burma, fathers and husbands are traditionally the main breadwinners of the family in charge of securing the family’s livelihoods and mothers and wives are in charge of taking care of the house and children. It is common, however, that both male and female villagers work on the farms and plantations, or conduct any other economic activities to secure the family’s livelihood. Hence, when one of the two is missing, the family faces extreme hardships to be able to work on the plantations or earn enough money for the whole family. Moreover, since the coup, villagers’ livelihood security has also become endangered due to the higher commodity prices, travel restrictions imposed by the SAC, and the inability to safely work during SAC attacks on civilian areas, including air strikes and indiscriminate shelling of villages and plantations.

I. Loss of main breadwinners

Naw H---, a 24-year-old villager from Eh--- Town, Thandaunggyi Township, Taw Oo District, whose father was forcibly disappeared by SAC LIB #603 on February 2nd 2023, explained: *“Since they took my father, I have faced so many problems. I don’t feel like I am safe anymore. I am struggling with my family’s livelihood. As I am the oldest child, I have to look after my little brothers. As my father is the breadwinner, I have to take my father’s role in order to take care of my family. I face many challenges.”* Similarly, after 60-year-old villager, U X---, from Cl--- village, Hsaw Thuh Hkee village tract, Kye Hto Township, Doo Tha Htoo District, was forcibly disappeared on April 12th 2023, his family has been struggling financially. His 26-year-old daughter, Ma Be---, expressed: *“We do not have our father anymore, so we have to do the job by ourselves. [...] Our livelihood situation is not going as well as before”. She added: “It will be okay when my father returns. Currently, we only need to secure our daily livelihood. We did not have any jobs during the rainy season.”*

The loss of a breadwinner in families with higher numbers of young children caused livelihood breakdown as well as concerns for the future of their children. The mothers frequently had to take on double responsibilities to afford the children’s food and education. This is the situation of the wives of the villagers who were killed by the DKBA in Noh T’Kaw Township, Dooplaya District. One of the victims, S---, owned a car and a shop, T--- was a gardener, and Kc--- was a carpenter. Their wives and children struggle now with financial difficulties. They are in need of support for their children’s school fees and food. One of the widows now sells street food in order to get some income. Another victim’s mother survives now by working on a rubber plantation and selling vegetables in the mornings.

When Aj--- was forcibly disappeared by SAC soldiers in January 2022 in Maung Ma Ywa This village tract, Kaw T’Ree Township, Dooplaya District, his elderly mother, wife and three children were left behind. A local villager explained: *“They mainly need financial support because his [Aj---s] parents have been living in major poverty. Particularly, the mother of Aj--- is an elder living with poor eye vision so she cannot see well. She only has one child. Her son died [disappeared] and left his wife and three children without having any small can of rice for them so we just have to help them by providing some food for them, as much as we can.”* Likewise, Ar---, a villager forcibly disappeared and killed by PDF Company #1 in Mergui-Tavoy District, is survived by a wife and three sons. Now, two of his elder sons have dropped out of school and work on a plantation. His elder sons had to take up the father’s role in order to support the family’s livelihood.

In Southeast Burma, it is common for grown-up children to support their close relatives’ livelihoods through farming, daily work, and other jobs in the community. Some older parents rely on the support of their sons when they can no longer farm or earn an income by themselves. The loss of young adults



This photo was taken on May 28th 2023 in Ei--- place, a displacement site in Ma Htaw village tract, Dwe Lo Township, Mu Traw District. The photo shows Naw Ag---, the aunt of Saw Af---, who was disappeared in May 2021 by the SAC, who arrested him whilst on his way to sell durians at another village. [Photo: KHRG]

also has a huge impact on families' livelihoods. In Cz--- village, Maw Taw village tract, Dwe Lo Township, Mu Traw District, a 50-year-old Naw Ag---, raised her nephew as her own son since his parents passed away. After the coup, the family was displaced due to the armed conflict. The loss of her nephew, Saw Af---, forcibly disappeared by the SAC in May 2021, impacted her livelihood: *"I feel that we no longer have someone who can work. My nephew helped us. We ate from what my nephew made. He knew how to help others. Now, he is gone and there is no one who will help. When we had him, he ploughed the fields with a machine; he always kept working. People called him here and there to plough their fields. Later, he disappeared. People can't call him for help."*

Similarly, Naw Bi---, the mother of Saw Bj---, a 24-year-old villager forcibly disappeared by the SAC, explained both her financial and emotional challenges: *"Five months after the arrest of my son, I have been thinking about him every day. I have been thinking about whether he will be released and returned home. If he is still alive, he will return home. If he is dead, he cannot return home. If he returns home, he will be very helpful to the family because there is no one to take care of the family in the house. If he returns home, we can depend on him. If not, there is no one else we can rely upon."* Her son was forcibly disappeared by SAC Military Operations Command (MOC)⁶⁶ #8 and LIB #407, on December 23rd 2022, at a rubber plantation in Ma Htaw village tract, Dwe Lo Township, Mu Traw District.



These photos were taken on May 26th 2023 in Ej--- village, Ma Htaw village tract, Dwe Lo Township, Mu Traw District. The first photo shows an old picture of Saw Bj--- who disappeared after being arrested by soldiers from the State Administration Council's (SAC) Light Infantry Battalion (LIB) #407, under the Military Operation Command (MOC) #8. The second photo shows the mother of Saw Bj---. [Photos: villager/KHRG]

II. Debts resulting from disappearance

Villagers also struggle financially when searching for their relatives who were arrested by the SAC. Transportation costs when travelling to different areas following rumours, as well as paying people to obtain information, are the main costs that families face. Some parents pay fortune

⁶⁶ Military Operations Command (MOC) is comprised of ten battalions for offensive operations. Most MOCs have three Tactical Operations Commands (TOCs) made up of three battalions each.

tellers in order to hear about the condition of their disappeared sons. Some parents pay money to SAC soldiers for the release of their sons. If survivors of enforced disappearance return home with injuries from torture, families pay for the medical treatment. Some families of victims of disappearance became indebted during the whole period of disappearance: they borrowed money from their fellow villagers and struggled to pay back the debts after the release of their sons.

In one incident, a villager named Saw Bk--- was disappeared on January 18th 2022, during fighting that happened between SAC and KNLA in Ed--- village, Maung Ma Ywa Thit village tract, Kaw T'Ree Township, Dooplaya District. Local villagers saw that he was hit by gunfire when riding his motorbike in Ed--- village, and subsequently captured by the SAC. His parents spent large amounts of money while looking for their son, travelling from town to town, including Hpa-an and Myawaddy. They had to pay for transportation and food costs, not only for themselves but also for friends and local leaders who accompanied them in the search. They also paid a fortune-teller. They have not heard about the fate of their son. A villager explained: *"The parents of Saw Bk--- spent large amounts of money searching for their disappeared son. Once, they received information about their son being taken to Hpa-an Town, they followed him there but people [SAC authority at detention place] told them their son was not in Hpa-an. And then, they received information again saying their son was in Myawaddy hospital and the parents went to Myawaddy hospital, but they did not get any information about their son. Therefore, they had to spend a large amount of money on the searching process."*

Similarly, Naw Bc---, the mother of Saw Ax---, a 16-year-old boy from Dz--- village, Maung Ma Ywa Thit village tract, Kaw T'Ree Township, Dooplaya District, spent money to find her son who was detained and forcibly disappeared by the SAC. She said, *"I will have to pay back the money that I borrowed from other villagers to pay for the release of my son. I do not have any job for my family income, and I am not healthy so I could not do anything now."* In this incident, SAC MOC #12 arrested two villagers Saw Ax--- and Saw Bl--- from Dz--- village, while they were travelling to Kawkareik Town in November 2022. The parents had to pay 700,000 kyat [333.14 USD] for the release of both men. They also spent about 100,000 kyat [47.56 USD] for the transportation fees to collect the victims. Bm---, a local villager, expressed: *"You know the current situation; it is not easy to get 100 or 200 kyat for income. We are just farmers. Regarding Saw Ax---'s family, his father passed away and [siblings] just have to rely on his mother so it [situation] is worse. His mother is a widow, so it is not easy for her to earn 700,000 kyat. They [SAC] demanded 700,000 kyat for two people. [...] We just had to make it up to this amount."* He added: *"It is like [paying a] fine. Even though we live in our own village and township and travel on our own road, we have to pay the fines [to the SAC]. My mouth is tired of cursing them and I don't want to curse them anymore."*

Praying for the disappeared persons is also practiced by families. They approach local religious leaders to receive information or help. They also keep sending prayers in faith for the disappeared family member. In some incidents reported, the parents of those forcibly disappeared held traditional prayer events in different places in order to hear news on the fate of their disappeared son, or for them to be released from the detention.

Security impact and need for protection

Another concern for the family of forcibly disappeared victims is being targeted by the perpetrator. This causes high security risks, forcing the family to be displaced from their home town. Naw H---, the daughter of the human rights defender forcibly disappeared by the SAC in Taw Oo District in February 2023, raised her concerns: *"I cannot go back to my house that they burned. [...] We are concerned about security. We have to flee from place to place. [...] We cannot stay in a specific place for a long time because they [SAC] keep their people [soldiers; informants] everywhere"*



This photo was taken on 21st February 2023 in Eh--- Town, Daw Hpa Hkoh Township, Taw Oo District. This photo shows villagers' houses, cars and other properties, burned down by SAC soldiers, including the properties of Saw Y---, the human rights defender forcibly disappeared by the SAC on February 2nd 2023. [Photo: local villager]

in order to look for us. So, we cannot stay in one place permanently. [...] I heard that SAC tried to look for my father's family members. They showed our pictures to people and they asked people where we are."

Due to the lack of accountability and the impunity currently enjoyed by perpetrators, families of the victims often flee for their safety and avoid reporting the abuse to authorities because they are afraid of retaliation. In the incident of the DKBA soldiers killing four villagers in Noh T'Kaw Township, Dooplaya District, the remaining wives and children all fled after finding out their husbands were killed. U Bn---, a local village leader stated: *"One of the victims' wives fled to Mawlamyine Town, while others fled to their relatives' houses. We tried to contact them and look for them."* They

only returned to the village after local KNU and village authorities confirmed they would be safe.

All family members can face potential abuses by perpetrators, especially if the disappeared individual has been politically targeted. In Cb--- village, Noh Nya Lah village tract, Mo Township, Kler Lwee Htoo District, a 68-year-old woman named Naw Bg---, mother of Saw Bh---, shared: *"After he [Saw Bh---] was arrested, I moved to another area on the other side of the community river. [...] I did not feel safe returning to my village anymore"*. Similarly, a villager in Nat Ywar village tract, Htaw Ta Htoo Township, Taw Oo District expressed: *"As my [cousin] has died, various feelings affect me. It is hard for me to control my emotions because I am sad hearing about the death of my cousin. I cannot do anything, like go and help with his funeral as I also have had to flee. [...] Currently, we have to avoid the situation [drawing attention to ourselves]. I am not sure whether I will be arrested sooner or later but I have to stay away from that."*⁶⁷

Since the arrests usually happen alongside conflict, some villagers can only return to their home after some time has passed, when the conflict situation has become stable. For instance, some villagers in Ea--- village, Ta Kon Taing village tract, Waw Ray Township, Dooplaya District were displaced to Eg--- village, K'Moh Waw village tract, due to the fighting and abuses. Despite the security risks, some villagers risked their lives by going to take care of their cattle and plantations. On July 15th 2023, Daw Ay---'s husband was arrested by the SAC, together with two other villagers who picked up rice nearby the farm hut. The SAC confiscated all of their rice and belongings in the hut. They were detained for six days before they managed to escape. However, the family still has security concerns. Daw Ay--- expressed: *"[...] We have concerns that anything will happen to us [as retaliation]. If we received any orders [to meet by authorities], my whole body is shaking [panic attack] because we are thinking of what we did wrong. We are in fear when we receive any calling for meeting [by local leaders]."*

⁶⁷ KHRG, "Taw Oo District Interview: Suspicious death of detainee in police custody in Htaw Ta Htoo Township, November 2021", July 2022.

c) Impacts on and needs of the community

“Because of this killing case [while forcibly disappeared], all villagers have to live with fear in their lives. Not only the family members of the victims but also all villagers have to live with fear. We cannot sleep well at night because we always worry when PDF, KTLA or SAC will enter our village. We have to go through it [worrying] night by night. [...] No one dares to report it. [...] We do not want to hear or see it anymore because it seriously affected all villagers emotionally and mentally. A person’s life is very priceless. However, they [perpetrators] do not value villagers’ lives.”

Saw Ao---, from Dg--- village tract, Ler K’Saw Township, Mergui-Tavoy District.⁶⁸

Villages in Southeast Burma are close-knit communities. When enforced disappearances occur, communities are severely impacted. All villagers in the community may face insecurity, flee, face travel restrictions, or have livelihoods threatened as a result. Moreover, when enforced disappearances happen, villagers are largely left to cope with the crisis alone. As Saw Ao---, from Ler K’Saw Township, Mergui Tavoy District, expressed: *“We are fighting every day in order to protect our lives. We all love our lives. We want to love others and we want to be loved as well. So, our lives are very priceless. Think about it and feel it. If you were them [victims], how would you feel?”*

Insecurity and emotional impacts

The constant fear of retaliation against villagers in the community by armed actors was frequently expressed by villagers. They live with fear even when they are in their own houses or villages, and worry of the increase in enforced disappearance incidents and fear being arrested and disappeared like those victims. As expressed by a villager named Maung I---, from Ce--- village, Htaw Ta Htoo Township, Taw Oo District: *“We try to flee to be cautious [after enforced disappearances occurred]. It is not convenient to stay at home even though our identity has not been known [targeted by SAC soldiers].”*

Young male villagers are at high risk of enforced disappearance and so communities fear for the safety of all young people. Naw Az---, from Cy--- village, Maung Ma Ywa Thit village tract, Kaw T’Ree Township, Dooplaya District, expressed: *“I do not dare to listen [to the news of people who were arrested by SAC]; whether it happens to my children or other children, I do not dare to listen to it.”* Like Naw Az---, the whole community fears future enforced disappearances happening to the children of the village and have begun to warn them about how to keep safe from this crime. Naw Bc---, also from Maung Ma Ywa Thit village tract, told her sons: *“If the situation is not good, don’t travel there. [...] Travel only after you inform me.”*

According to KHRG documentation, women, younger children and elders may be less likely to be targeted by SAC soldiers, but amid the conflict, they still face risks, such as being forcibly disappeared for use as human shields. Nonetheless, as the risk is deemed lower, some villagers ask women and girls to travel to buy supplies, thus exposing them to other risks involved in travelling around. Naw Bo---, from Cy--- village, Maung Ma Ywa Thit village tract, Kaw T’Ree Township, explained: *“After the coup, we do not allow them [sons] to travel anywhere anymore because everywhere entails a high security risk to travel and checkpoints on the road are checking people, motorcycles, and phones so we worry for their safety. We have to worry about one thing [type of violation against] for our sons and one thing [different type of violation] for our daughters; parents do not allow their sons to go to Kaw T’Ree Town anymore, but parents allow their daughters to travel sometimes to town sometimes.”*

⁶⁸ Unpublished raw data from Mergui-Tavoy District, received in August 2023.

Instilling fear and silence

Armed actors continue instilling fear in villagers, and villagers feel afraid to express the injustice and abuses they suffer. Villagers choose to remain silent instead of seeking the truth and justice for their loved one who has been disappeared due to fears of reprisals by armed actors. A village tract leader named Saw Bp---, from Ek--- village, Cu--- village tract, Noh T’Kaw Township, Dooplaya District reported: *“Due to this incident [enforced disappearance], civilians were terrified. They no longer feel secure in this situation. Sometimes, villagers who experienced it themselves also chose to be silent because there is no security guarantee for them”*. Saw Ao---, a villager from Dg--- village tract, Ler K’Saw Township, added: *“I am afraid that I would be killed if I talk about it. We are afraid that we will be killed. That is why we don’t talk about it and we just are silent although we know that it [enforced disappearances] happened in our area.”* The act of targeting civilians is about instilling fear in villagers so they do not feel secure to document human rights violations, join protests, and freely express themselves.⁶⁹

Travel restriction, displacement and livelihood impact

The villagers’ deep-rooted fear also limits their confidence in travelling and often forces them to flee to stay safe. Villagers always have to be careful when travelling so parents, village leaders and all villagers constantly remind and inform each other of the situation and the times to avoid travelling. A direct result of enforced disappearances on the community is displacement. A local villager from Nat Ywa village tract, Htaw Ta Htoo Township, Taw Oo District explained: *“An innocent person like Ko F--- was even killed. We do not want to die like Ko F---. That is why we are fleeing.”*

The limitation on freedom of movement in the communities results in severe livelihood issues, a fearful atmosphere, and extensive displacement periods. Villagers face practical difficulties to work and access their farmland and face challenges travelling from their villages to sell their seasonal crops, buy farming supplies, or even buy food and other essentials. Naw Br---, mother of Saw A---, a 24-year-old villager forcibly disappeared by the SAC, from Ca--- village, Kaw T’Ree Township, Dooplaya District, described: *“Many farms have been abandoned this year. [...] Nobody works on their farm [this year], except Saw Bs---, because other people do not feel secure to work on their farms anymore. [...] We cannot get food from anywhere. We also do not dare to steal and we also do not have guns to do robbery for food. How to do it? Do you dare to do it? If we do robbery at a rice store and we do not have anything [gun], it is just like we go and hand our neck to be cut.”*

d) Justice system and structural support

Villagers in Southeast Burma usually seek justice through customary justice mechanisms at the village level, or through the formal courts under the justice department of the KNU, depending on the gravity of the crime being prosecuted.⁷⁰ When local judicial administrators do not have the resources or capability to carry out adequate investigations of crimes, villagers turn to the KNU justice system at the township, district, or headquarters level. This is normally the case when armed actors are involved. However, although soldiers under the KNLA and Karen National Defence Organisation (KNDO)⁷¹ can be prosecuted following this procedure, Burma

⁶⁹ Unpublished report from Kler Lee Htoo District, received in July 2023.

⁷⁰ KHRG, *‘Beyond the Horizon: Local Perspectives on Peace, Justice and Accountability in Southeast Myanmar*, November 2019.

⁷¹ The Karen National Defence Organisation (KNDO) was formed in 1947 by the Karen National Union and is the precursor to the Karen National Liberation Army (KNLA). Today the KNDO refers to a militia force of local volunteers trained and equipped by the KNU/KNLA and incorporated into its battalion and command structure; its members wear uniforms and typically commit to two-year terms of service.

Army personnel cannot be formally prosecuted under the KNU justice system. In the current power vacuum in Southeast Burma, fuelled by the open armed conflict, it is also the case that many personnel from armed resistance groups are not held accountable for the human rights abuses they commit.

The problem of the impunity received by the Burma Army is not new, it is entrenched in the 2008 Constitution and has been cited as the single greatest challenge to end the long history of human rights abuses committed in Burma.⁷² Civilian courts do not have jurisdiction to prosecute Burma Army personnel, with exclusive jurisdiction given to courts-martial which cannot even be accessed by lawyers. In short, the Burma military is only accountable to itself, which allows its members to escape prosecution for the human rights violations they continue to commit throughout the country. Since the 2021 coup, the SAC has further undermined the rule of law and any possibility for justice and accountability. KHRG reported in November 2021: “The reforms that the SAC has undertaken since seizing power create a system of ‘justice’ that effectively undermines and stands in contradiction to rule of law, and thus is more clearly a system of inscribed injustice for civilians and impunity for the military. KHRG interviewees themselves have pointed to the complete arbitrariness of arrests, with no assurance of due process or fair trial rights, no possibility to report crimes and violations to any sort of justice system, and fear of further abuse and threat if they were to even attempt to seek out justice.”⁷³

Available structural support services

As a common practice, villagers turn to their village heads when a disappearance occurs in their area, that is local leaders and authorities at the village level. More than half of the interviewees mention local leaders in the community searching, asking or informing family members about the disappearances. This search includes a negotiation with the perpetrators of the crime, to obtain information about the status of the detained, as well as for his/her release: village heads and leaders set meetings with commanders in the area to inquire about the fate of the disappeared and vouch for their innocence, demanding their release. These negotiations occur at high risk to villagers’ lives, and on many occasions, the negotiation is unsuccessful, especially when the forcibly disappeared victim has been targeted politically, as seen previously.

At least five village leaders interviewed for this report mentioned that they were too scared to travel to the incident place to find the victim, due to possible retaliation by SAC soldiers or due to the ongoing conflict. As explained by Naw Az---, a 50-year-old villager from Cy--- village, Maung Ma Ywa Thit village tract, Kaw T’Ree Township, Dooplaya District: *“We received information about him [Maung Ai---], but we do not feel secure to go there [incident place to help him]. Village heads from different villages in this area contacted each other regarding this issue and other village heads [from Kaw T’ee Town area] asked our village head to go and follow up on this case for them, but we do not feel secure to go. [...] It is during [armed conflict] time so how can we feel secure to go?”*. Saw Aa---, a villager from El--- village, T’Hka Kloh village tract, Noh T’Kaw Township, Dooplaya District, added: *“Regarding KNU authorities, it is difficult for them to take action and help those arrested people because the SAC also tries to kill or target them if you look at the current [political and armed conflict] situation. Therefore, it is not easy for them to help the arrested people for their release.”*

⁷² Human Rights Council, “Statement by Mr. Marzuki DARUSMAN, Chairperson of the Independent International Fact-Finding Mission on Myanmar, at the 39th session of the Human Rights Council,” 18 September 2018; KHRG, “[Beyond the Horizon](#)”, 2019, above.

⁷³ KHRG, “[Military Atrocities and Civilian Resilience: Testimonies of Injustice, Insecurity and Violence in Southeast Myanmar during the 2021 Coup](#)”, November 2021, p. 7.

Sometimes village heads, or villagers themselves, turn to higher level authorities at the village tract and Township level in the search for the disappeared. Local KNU authorities at the Township level, including local KNU officers, judges and the Karen National Police Force (KNPF)⁷⁴, have reached out to at least five families whose testimonies are included in this report to document the incident in detail or negotiate the release of the detained. This, however, depends very much on the area of control where the incident occurred, as well as the intensity of the conflict when the disappearance took place. Saw R---, the village head of Cz--- village, Ma Htaw village tract, Dwe Lo Township, Mu Traw District, explained: *“We heard the information about him [the disappeared victim] from other people. We were afraid to search for him by ourselves. We dare not even draw close to the incident location. [...] This disappearance happened during the conflict period and we were afraid to investigate the incident so there has been no action taken to this incident. [...] The village tract level had not done enough with the investigation of the incident due to the conflict and we had to displace in the forest.”* A community leader named Saw Bp---, from Ek--- village, Cu--- village tract, added: *“The rule of law is still weak. The local community leaders tried to investigate and act on this at the bottom level as much as they can. [...] The remaining actions are depending on the higher [KNU] authorities. [...] Sometimes, villagers who experienced it themselves also chose to be silent because there is no security guaranteed for them.”*

Underreporting of enforced disappearances from family members to local leaders is also attributed to fear of retribution by armed actors: *“I have to live like this, I have to live silent. I do not even talk to other people. [...] I am afraid. I am really afraid. If people asked me about my son, I would just tell them that I do not know”*, explained Naw Bd---, an animist villager from Ec--- village, Hin Tha We village tract, Ler Doh Township, Kler Lwee Htoo District, whose son was forcibly disappeared by SAC IB #264 in October 2022 under false suspicion of collaborating with the PDF. In addition, villagers explained that local authorities cannot help them find their loved ones, or make the perpetrators accountable. Saw Ao---, a villager from Ds--- village, Dg--- village tract, Ler K’Saw Township, Mergui-Tavoy District, explains: *“Villagers are afraid to talk about it. It made them feel fearful and panic. [...] We are afraid that we will be killed. That is why we don’t talk about it and we are just silent although we know that it happened in our area. [...] They [family members] do not receive any support because nobody talks about it and [tries to] find justice for these cases in our area. If anyone is killed, nobody can do anything. [...] If we take action and report the case at this time, it will not be effective [perpetrators cannot be held accountable].”* In a similar manner, Naw N---, the mother of 17-year-old Saw M---, expressed: *“We have no one to support us and we have no one to help us.”* Her son was arrested by the SAC on June 13th 2022 in the football ground in Cl--- village, Hsaw Thuh Hkee village tract, Kyeh Htoh Township, Doo Tha Htoo District.

Formal justice system undermined

No formal justice procedures are currently able to prosecute the perpetrators and find justice for the victims. Only two interviewees mentioned some sort of accountability actions initiated by local authorities in their area, although insufficient and unsuccessful. In the first instance, local KNU authorities set a date in a local court and summoned DKBA soldiers to clarify what happened to the four disappeared victims from Co--- village, Kg--- village tract, Noh T’Kaw Township, in Dooplaya District. The DKBA company commander, Theh Hpa Htaw; KNU authorities; and the victims’ family members were present at the court hearing. Local KNU judges asked the victims’ family members whether they wanted to bring this case to the district court, but the family members expressed that the victims had already been killed and decided to stop the

⁷⁴ The Karen National Police Force is the law enforcement agency of the Karen National Union. It was established in 1991.

case there. They asked for the perpetrators to be transferred to another duty station so as not to see them again. The DKBA commander provided 10,000,000 kyat [4,761.36 USD] to the victims' family members and admitted that soldiers under his command were responsible for the disappearance and killings. The families wanted to see the victims' graves, but nobody was able to provide the location of where the villagers had been buried.

In the second instance, the local KNU authorities from Moo Township, Kler Lwee Htoo District, summoned the village administrator from Htee Law Khee (Yay Leh), named Shit Thein, who was appointed by the SAC, to inquire into the fate and condition of Saw Bt---, a villager arrested by SAC IB #60 and charged under Section 505(a) of the Penal Code⁷⁵. They asked to meet with him on July 13th 2021 to question him about the disappearance of Saw Bt---. He was summoned by Pa Doh Saw Kwa La, Ta Ma's village tract secretary, twice or thrice, but Shit Thein did not meet with them. On the night of July 16th 2021, KNLA Deputy Company Commander, Saw Wah Loh; the Ta Ma village tract secretary; and KNLA Platoon Commander, Saw Kaw Hser, went by motorbike to arrest the Htee Law Khee administrator, Shit Thein, in Htee Law Khee village, Htee Law Khee village tract, Moo Township. They were accompanied by two villagers. On their way back from Ke--- village, after the arrest, they were met by two SAC military trucks and 25 soldiers from SAC IB #60, led by Battalion Commander Zayar Lin, upon reaching Haw Hkoh Gaw and Ler Doh junction. The SAC troops fired at them. The SAC village administrator escaped during the shooting. The KNLA commanders, KNU village tract secretary and one of the villagers were able to flee the shooting, leaving behind their motorbikes at the junction. The other villager, 40-year-old Saw Bu---, from Em--- village, was shot in the chest and died at around 11:00 pm.⁷⁶

Aside from searching for the disappeared victims, or finding justice for the relatives, local KNU leaders are approached as governmental structures to obtain different types of support. However, no specific monetary support, or reparations, has been available for family members who are victims of this crime. As expressed by Naw Bo---, a villager from Cy--- village, Maung Ma Ywa Thit village tract, Kaw T'Ree Township, Dooplaya District: *"I have not seen anything like this [support available] for the victims of enforced disappearances' family members. I only saw rice and some money distribution to all villagers in this village tract [by KNU authorities]. They distributed these to the whole village tract"*. Naw Bo--- continued: *"We just recorded the incident date and sent it to them [KNU authorities]. We know about villagers who were injured from shrapnel and could access some support from them [KNU] for hospitalisation when they were, for example, injured on their hand from shrapnel, but we do not know any information [on support available] for people who died [disappeared]"*. As reported to KHRG, other types of support are requested by villagers to local KNU authorities, such as help to transport returned/escaped victims to hospitals through safe routes; halt on attacks to SAC soldiers while villagers are negotiating a release; essential items while displaced due to enforced disappearances in the area; or first aid assistance after escaping from detention.

Local organisations and civil society support

Local civil society and community-based organisations (CSO/CBOs) in Southeast Burma are also not providing specific support to family members and forcibly disappeared victims. Nine

⁷⁵ Following the February 1st 2021 military coup, the State Administration Council revised various sections of the Penal Code. Section 505(a) was revised to include much broader language, and is being widely used to penalize those encouraging members of the civil service or security services to join the Civil Disobedience Movement. Under the revised Section 505(a), any attempt to "hinder, disturb, damage the motivation, discipline, health and conduct" of the military personnel and government employees and cause their hatred, disobedience or disloyalty toward the military and the government is punishable by up to three years in prison.

⁷⁶ KHRG, "[Kler Lwee Htoo Short Update: Arbitrary arrest and killing, July 2021](#)", August 2021.

interviewees mentioned both cash and in-kind support provided by local civil society organisations as general emergency support delivered to the whole village. Only the family members of Saw Y---, the human rights defender forcibly disappeared by the SAC in Taw Oo District, explained that they continue to receive support from a local human rights organisation, which was also able to secure financial assistance from an international human rights entity and support to search for information about the disappeared from KNU leaders and later from an international organisation.

Another interviewee mentioned receiving support from an international humanitarian aid organisation operating in the area after an enforced disappearance: Naw N---, the mother of the 17-year-old student disappeared from Kyeh Htoh (Kyaikto) Township, Doo Tha Htoo District, reported the case to World Vision⁷⁷ staff in the region, as the religious non-profit organisation was conducting registration of all children in the area in order to provide adequate healthcare and education.

International organisations' support

Although not reported by villagers to KHRG, nor mentioned by the interviewees, KHRG has found that there are several other organisations that have specific programmes to assist families of forcibly disappeared civilians in Southeast Burma, including the Assistance Association for Political Prisoners (AAPP), the International Committee of the Red Cross (ICRC), the International Center for Transitional Justice (ICTJ), an international organisation providing legal assistance (name censored for security purposes), or the United Nations Working Group on Enforced or Involuntary Disappearances (UN WGEID).

These abovementioned organisations have different mandates, strategies to find out information about the disappeared, and support networks available for family members: this includes referrals to international mechanisms, financial and psychosocial support, and direct negotiation with perpetrators. Some of them use their networks inside prisons or interrogation centres, including Mawlamyine, Kyaikmaraw and Hpa-an prisons, all three in Southeast Burma, to inquire about the situation of the people who have disappeared. Others obtain this information through prisoners, witnesses, informants, or by working closely with local CSOs documenting human rights abuses in the region. Other actions involve sending letters and packages to prisons, helping the families file missing person reports at police stations, connecting the families with pro-bono lawyers and paralegals, or engaging with the perpetrators in bilateral, confidential negotiations.

Although their outreach in rural areas in Southeast Burma is extremely limited, these organisations are working in other regions of the country to assist victims. This points to the fact that the crime of enforced disappearance is country-wide, and hence widespread and systematic. As more time passes since the 2021 coup, and the SAC remains unaccountable for their actions, the conflict continues to escalate, enforced disappearances in Burma are drastically increasing, and the chances of any of these victims returning are reduced.

⁷⁷ World Vision International (WVI) is a Christian humanitarian aid organisation. World Vision has been present in Myanmar/Burma since 1993, and has since then been operating programmes on Education, Child Protection, Health and Nutrition, Livelihood and Resilience, Disaster Response and Risk Reduction, partnering with government departments, local partners, communities, and different stakeholders. See: www.wvi.org/myanmar

Chapter 4. Villagers' agency strategies against enforced disappearances

Villagers in Southeast Burma have established strategies to prevent, remedy, and respond to enforced disappearance. By fleeing as armed actors are approaching, or after a disappearance, villagers prevent further incidents. By negotiating with the perpetrators, villagers can obtain the release of the arrested. Before, during, and after disappearances, villagers will share information between themselves, and offer mutual support.

a) Displacement as an agency strategy

In Southeast Burma, displacement is the most widespread strategy used by villagers to avoid many forms of human rights violations perpetrated by armed actors, including enforced disappearance. Whenever crimes of enforced disappearance occur in rural communities, villagers in the area will likely displace themselves elsewhere to avoid the potential abuse. 19 out of 35 interviewees reported to KHRG that displacement took place in their communities after enforced disappearances occurred. Most of the incidents of enforced disappearances documented occurred in mixed-controlled areas, where conflict takes place. As narrated by Saw Aa---, a witness from Noh T'Kaw Township, Dooplaya District: *"After villagers knew these cases [enforced disappearance], they tried to avoid sleeping in their village. [...] They went to stay in other places. After they thought the situation had calmed down, they came back to their village. They were afraid when they heard those cases... I think villagers could not do anything. They just fled from their village. They were already afraid because they knew that the perpetrator has guns and weapons."*

In some communities in Karen State, everyone in the village has fled to avoid being forcibly disappeared. Saw C---, a villager from En--- village, Way Sweh village tract, Moo Township, Kler Lwee Htoo District, told KHRG: *"We all have to flee"*, after his older brother was forcibly disappeared by the SAC. The SAC arrested and disappeared his brother when he was on his way to buy a torchlight, accusing him of being a spy for armed resistance groups. All villagers chose to flee because they were worried that it could happen to them. Similarly, Saw Bv---, a village tract administrator from Cb--- village, Eo--- village tract, Moo Township, Kler Lwee Htoo District shared his feelings after one villager was forcibly disappeared by the SAC: *"Not only villagers have security concerns, I also have security concerns too because it [the arrest] occurred while villagers were displaced. We feel scared and fear more arrest incidents would happen due to this arrest incident."* In many cases, villagers choose to leave their homes temporarily as a means of avoiding the potential abuses, returning home when they feel it is safe enough.

As previously shown, in some occasions villagers flee across the border and into Thailand, fearing arrest, disappearance and death, especially by the SAC. Displacement is not only an agency strategy to avoid enforced disappearances but is also used by villagers to protect themselves from other human rights abuses committed by the SAC, such as air strikes, indiscriminate shelling, forced labour and the use of human shields, and other violent acts.

b) Negotiation and compliance

In many instances, villagers themselves ask the suspected perpetrator for information on the disappeared individual, as well as try to negotiate their release. For instance, Naw Br--- implored the SAC for the release of her son, Saw A---, over the phone after seeking help from a BGF commander from the same village as her son, Ca--- village, Noh Hpoh village tract, Kaw T'Ree Township, Dooplaya District, to support her and vouch for the innocence of her son. Similarly, Naw Ak---'s husband, who was also taken as a human shield along with his wife, persistently

asked the SAC soldiers to allow him to take his wife to the hospital, as she was losing a lot of blood after being hit by a bullet while being used as a human shield. After a few days, the soldiers agreed to release them and gave them their phones back.

These negotiations involved, many times, a bribe to SAC authorities *“just to make the conversation go well”*, as explained by Saw Bw---, a villager from Ep--- village, Kon Ni village tract, Moo Township, Kler Lwee Htoo District, or to pay for the release of the victims. The seven villagers arrested in Shway Yaw Pya village tract, Tha Htoo Township, Doo Tha Htoo District, on April 1st 2022, for instance, were released after their parents paid two million kyat [951.90 USD] ransom per person.⁷⁸ Naw N---, mother of the 17-year-old forcibly disappeared by SAC soldiers on June 13th 2023, near the Northern Army Camp north of Bilin Town, reported: *“He is my son, and I cannot just sit in my house and enjoy. I cannot know about him by sitting at home. I will get to know about him only if I search for information about him. As he is in danger, we have to pay money to get to know the situation about him. [...] We pay them [SAC] money to talk to our son because we know their attitude.”* Although she paid to see her son, she was not allowed to see him.

Some villagers are able to negotiate the release of their family members, or find out about their whereabouts, through personal connections with other soldiers, and have to show that they do not hold a connection with resistance groups. Bm---, an elder from Dz--- village, Maung Ma Ywa Thit village tract, Kaw T'Ree Township, Dooplaya District, negotiated with soldiers for the release of Saw Ax---, the 16-year-old arrested in Kawkareik Town by SAC MOC #12. He explained: *“Kf--- is from DKBA and we asked him to go and get them for their release. Kf--- and I are just like brothers because we were in the same place [SAC and DKBA combined operation] when I was in [IB] #97. We asked Kf--- to go and ask for their release [two villagers] and then they asked for 700,000 kyat [333.14 USD]. [...] I am a [former] person from [Burma] military so I know [their behaviour]. They will not release anyone they arrest, especially during this coup period. They will do anything to make them look guilty and make up the case. For their [arrested villagers] release, villagers from our village had to give recommendation [vouch] for these [two] villagers that they are only villagers, and then Kf--- [from DKBA] also had to be involved in the process. The main person playing a role is Kf---. He had to follow up the case and tell them [SAC] that these [two detained] are really [only] villagers. He had to try very hard and then they [SAC] released them, but we still had to pay 700,000 kyats [plus, 100,000 kyat [47.63 USD] for transportation fees]. If we don't do it like this, they will not release the villagers.”*

Similarly, Naw Bc---, the mother of the disappeared, mentioned: *“I informed the [KNU] village administrator and this side [KNLA] General told us that ‘It is good that people are following the case for you, because for us we dare not to follow it for you.’ We contacted business people who have connections with all armed groups and we also contacted [SAC] troops.”* Naw Bc--- knew SAC soldiers from LID #11, who had slept at her house while travelling in the area, and asked them to contact MOC #12 regarding the disappearance of her son. Saw Ax--- himself explained to KHRG: *“My mom tried to contact the [Commander] of Column⁷⁹ #11 to ask for my release. Then he told my mom not to worry, they would try to talk to the [MOC #12] and it might be fine. [...] He [Commander] told [the MOC #12]: ‘Do not hurt those two kids.’ [...] I did not know what they responded to him [Commander] but after they talked on the phone we were taken out from jail.”*

⁷⁸ KHRG, “Doo Tha Htoo District Short Update: SAC troops arbitrarily detain seven villagers, March 2022”, June 2022.

⁷⁹ Combination of companies assembled for operations, usually 100-300 soldiers fighting strength.

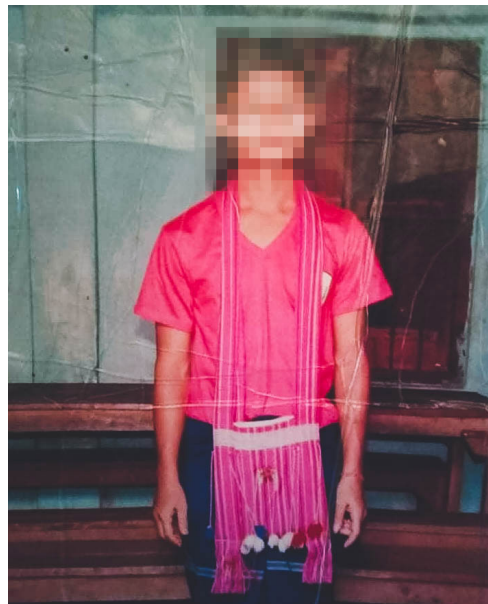
These negotiations entail a great risk to villagers' lives. Naw Br---, the villager from Ca--- village, Noh Hpoh village tract, Kaw T'Ree Township, Dooplaya District, explained how local villagers were afraid to search for her son, and were reluctant to tell her that her son had been arrested by the SAC: *"They [local villagers] should tell me the information and follow the case together. But nobody did [follow the case] with me. I thought, 'It is okay if you do not. I will do it myself.' Then I went up [to SAC LID #44] Major[']s base]. [...] Naw Bx--- accompanied me because she speaks Burmese"*.

Often, villagers' negotiations with armed actors are not successful. Victims are more likely to remain forcibly disappeared, despite negotiations, when the victims have been politically targeted. As explained by Naw H---, daughter of the human rights defender forcibly disappeared in Taw Oo District: *"I think most of the arrested people were released because church leaders went to request SAC soldiers to release the villagers. So, they released the villagers. [...] My father [however] was not released. [...] [At the time,] Some people said that they cannot request SAC to release my father. Some people said that my father would be sentenced to jail. So, I can see him in the jail. This is what they said. But they said they couldn't request the SAC to release my father."*

c) Sharing of information among villagers

Sharing information is the most common agency strategy employed by villagers to understand, confront, and prevent human rights violations, being present in virtually all cases KHRG documented. When facing enforced disappearances in the region, sharing of information is not only used to avoid encounters with SAC soldiers, with villagers fleeing before the troops arrive at the village or avoiding temporary checkpoints set on the roads, but is essential to find any information about the whereabouts and condition of villagers who are forcibly disappeared by armed actors. In this way, the exchange of information among villagers in locally-defined Karen State is constant and fundamental as an agency strategy of community care and survival.

Villagers in Karen State are always on the lookout for any military activities, and suspicious circumstances, particularly when seeing soldiers travelling accompanied by villagers, especially minors. In Dz--- village, Maung Ma Ywa Thit village tract, Kaw T'Ree Township, Dooplaya District, after Saw Ax--- and Saw Bl--- disappeared, a local villager got the confirmation that the child had been arrested with his friend when he phoned a girl who lives in Eq--- and asked her about it. The girl replied: *"Yes, it is true. One of them is young, only about 14 years old, and the other one is about 30 years old."* In Cb--- village, Kon Ni village tract, Moo Township, Kler Lwee Htoo District, Maung B--- was disappeared and his brother knew about it because a villager from Cc--- called him, and told him that the SAC had arrested a 'short person', who was riding a bicycle. In Dh--- village, Noh Taw Pla village tract, Noh T'Kaw Township, Dooplaya District, a farmer noted the movement of the SAC troops and saw that eight villagers who had passed next to his farm during the day did not come back. After confirming with the families that those villagers had gone to the same place as the SAC, his testimony made clear that the villagers had been taken by the SAC. In Er--- village, P'Law area,



This photo was taken on November 27th 2021, in Er--- village, P'Law area, Ler Muh Lah Township, Mergui-Tavoy District. This photo shows an old picture of young villager, Kyaw By---, who was arrested by the SAC. [Photo: Villager/KHRG]

Ler Muh Lah Township, Mergui-Tavoy District, when 19-year-old Kyaw By--- disappeared, the villagers of Es--- village, where he was arrested and tortured while visiting a friend, contacted nearby villages, including Er--- village, and asked if any villagers had gone missing.

On November 9th 2021, at about 4:00 am, SAC troops from Bokeyyin army camp came to Et--- village, P'Law area, Ler Muh Lah Township, Mergui-Tavoy District, and shot a pregnant woman who was extracting rubber in a plantation. The villager was 23 years old and had two other children. After the killing, the SAC ordered villagers from Eu--- village to carry the corpse to a place beside a bridge between Eu--- and Ey--- villages. There, the SAC soldiers buried the corpse. The villagers, however, informed Et--- villagers about the incident, and then Et--- villagers went to the place and brought the corpse back to the village for the funeral. Later, the SAC soldiers claimed that they mistakenly shot and killed the villager, so they would pay 500,000 kyat [238.17 USD] as compensation. Her husband did not accept this money.⁸⁰

Similarly, the survivors of abuses often share their experiences when they return to the village. Through this shared information, villagers understand the practices used by soldiers, and can better prepare strategies on how to avoid them.

d) Village mutual support

In the aftermath of an enforced disappearance, family members of the disappeared are in need of practical help to respond to the sudden loss of a relative. Villagers support one another in the immediate aftermath of enforced disappearance cases, providing essential support directly to victims of this crime. Whilst local CBO/CSOs occasionally provide support within a context of broader humanitarian assistance, villagers are the ones who respond most frequently, and to a variety of urgent needs, specifically to support relatives of enforced disappearances.

Four forms of support given by villagers to victims can be differentiated, including help to find the disappeared person, emotional support, financial support, and practical help such as providing food or transportation. When villagers received support, it most commonly came from other villagers; in 30 out of 35 interviews conducted, it was reported that villagers provided support to families of disappeared victims, including searching and negotiating the release of the victim. The support of the community to search for the disappeared can serve the purpose of locating the disappeared, as well as provide emotional comfort. Villagers undertake this task at personal risk.

When Naw Bd---, a villager from Ec--- village, Hin Tha We village tract, Moo Township, Kler Lwee Htoo District, was asked what support is available to her in the aftermath of the disappearance of her son, she expressed: *“There are only villagers, [and] my friends [to] look after me”*. Her son, Saw J---, was disappeared by SAC IB #264 in October 2022. Similarly, as explained by Saw Bb---, a villager from Cw--- village, T’Kuh Hkee village tract, Noh T’Kaw Township, Dooplaya District: *“In the village, people told her [Naw Ae---] ‘We will help you look for him’. They encouraged her saying ‘We will try to communicate for you’. To encourage her, someone would go and stay with her... [They tell her] ‘Do not worry, we will help you look for him and if we hear that he is in [the prison] we will go together to get him back.’... The villagers can only encourage her like that, they go to her house and tell her to keep her heart calm and talk funny things to her.”*

Villagers also offer support by praying for the disappeared and holding religious services with their families. Saw Ka---, from Ep--- village, Kon Ni village tract, Moo Township, Kler Lwee Htoo District, told of his appreciation: *“Some villagers came and helped us with the prayer service”*, after his brother, Saw Kb---, was forcibly disappeared by the SAC and the guards of Kyun Pin

⁸⁰ Unpublished report from Mergui-Tavoy District received in December 2021.

Seik village militia⁸¹ in July 2023. When Saw Ka--- was asked what kind of support he needed most, he responded: “*We need prayers for him*”, demonstrating the essential nature of this support provided by villagers. Church leaders and Buddhist monks sometimes also play a supportive role: for instance, when Naw Bc---’s 16-year-old son was forcibly disappeared by SAC MOC #12 in Kawkareik Town, Kaw T’Ree Township, Dooplaya District, monks helped her to find information on her son’s status and condition.



These two photos were taken on July 3rd 2023 in Ep--- village, Ko Ni village tract, Moo Township, Kler Lwee Htoo District. The first photo shows an old picture of Saw Kb---. He was forcibly disappeared by SAC and the guards of Kyun Pin Seik village militia in July 2023, while travelling back from his farm. He has not been seen since then. The photo on the right shows a torch light belonging to Saw Kb---. He often used to repair old torch lights. [Photos: Villager/KHRG]

Villagers also provide some financial support to victims’ families. This is often urgently needed either if the disappeared person was the breadwinner, meaning the family now faces livelihood difficulties; as a bribe for information about their whereabouts; or to pay for their release. In the absence of organisations operating on the ground that are able to provide this support, local villagers help each other in providing this essential service. However, as seen in the previous chapter, borrowing money from other villagers can be unsustainable as it puts vulnerable villagers into debt during a time of crisis and may have a negative impact on the whole village, whose economic situation is often precarious.

As documented by KHRG, villagers also provide an array of practical assistance to victims in the aftermath of enforced disappearance including giving food, transport, advice, and collecting the victim upon release. The needs of villagers in the aftermath of an enforced disappearance are unpredictable, the loss of a spouse or son creates many unexpected additional needs, to which

⁸¹ This refers to a type of militia that was created by the Burma military in the early 1960s under the Ne Win regime to be Burma military-supported community-based militias, or ‘people’s militia’. Coordinated by the Burma military, they were created as part of the regime’s national defence strategy. One of their primary duties was to assist with village defence and serve as guides and informants.

other villagers, including friends and extended family, are responding to. For example, Naw N---, a villager from Ci--- village, Hsaw Thuh Hkee village tract, Kyeh Htoh Township, Doo Tha Htoo District, mentioned how another villager took her by motorcycle to her medical appointments after her son was disappeared. Villagers cited that receiving food assistance from other villagers or from external organisations as part of broader humanitarian programs was often essential support in the aftermath of an enforced disappearance. One such villager interviewed, Saw A---, from Ca--- village, Noh Hpoh village tract, Kaw T'Ree Township, Dooplaya District, explained how he had received rice rations distributed at a local church while coping with the impacts of having been disappeared and then returned.

Victims who have been released or escaped from an enforced disappearance require support for many basic needs resulting from the traumatic impacts of the experience. In one instance, Naw Ak--- from Dh--- village, Noh Taw Pla village tract, Noh T'Kaw Township, Dooplaya District, who was seriously injured whilst disappeared and used as a human shield, received advice on how to open a bank account from a female nurse in the village, help with transportation, and financial support. Naw Ak--- expressed: *"She [the nurse] helped me with the transportation and helped me while I was in hospital. She pities me because a civilian was injured by the enemy."* In another incident reported, three villagers were given rice after having escaped from being disappeared by the SAC in Ta Kun Taing village tract, Waw Ray Township, Dooplaya District.

Chapter 5. Villagers' views and recommendations

Villagers in Southeast Burma understand the occurrence of enforced disappearances in communities as a result of the ongoing conflict. Villagers interviewed for this report recognised that the SAC acts with impunity in its intent to terrorise and punish civilians due to the weak legal system in the region. Interviewees asked to be treated as neutral in the conflict and not be targeted for military purposes. Participants also requested to hold accountable those guilty of conducting disappearances and justice for the abuses and violence experienced.

Strengthened systems of governance and rule of law

Villagers highlight the need for the strengthening of justice systems and the enactment of the rule of law. They understand that without the rule of law in Southeast Burma, enforced disappearances and other human rights abuses will continue to occur and remain unpunished. Saw Bp---, a village tract leader from Ek--- village, Cu--- village tract, Noh T'Kaw Township, Dooplaya District, expressed: *"The law is supposed to protect civilians. When there is no rule of law, such abuses continually happen. This affects the feelings of people. We, community leaders, also have weakness to solve the issue because there is no rule of law. Therefore, we cannot protect villagers completely in the end. There is a need for strong governance systems, with the rule of law, so that civilians are not abused anymore. The rule of law is very important."*

Villagers often spoke of wanting KNU authorities and local leaders to help them find information about the forcibly disappeared villagers or seek justice. Following the disappearance of her nephew, Naw Ag--- from Cn--- village, Ma Htaw village tract, Dwe Lo Township, Mu Traw District demanded: *"If you are a leader, take care of us. We trust you so help us. What can we do if a leader doesn't help us and doesn't take care of us? We believe that leaders will help us"*. In reference to the enforced disappearance of the human rights defender Saw Y---, from Daw Hpa Hkoh Township, Taw Oo District, his daughter expressed dissatisfaction with the strength of response from local authorities: *"In order to release my father, I tried to ask help from local authorities. I feel like they don't care about my request because they think I am a young woman. I don't feel good about it. During this difficult time, they didn't encourage me. Instead, they made me feel more discouraged."* Likewise, following the enforced disappearance of his brother, Kyaw By--- from Er--- village, P'Law area, Ler Muh Lah Township, Mergui-Tavoy District, hopes that the KNU can negotiate with the SAC to release his brother, who was arrested for allegedly having links with the KNU and PDF.

Villagers also wish to know more about their rights regarding enforced disappearance and the laws in place to help them. Saw Bp---, from Noh T'Kaw Township, Dooplaya District, added: *"Civilians need to be provided with awareness training [on enforced disappearance] so that they know to speak up about the abuses they face. They should also be familiar with the laws that protect them and their rights to freedom of expression. This will help them to speak out about their suffering on time."*

Saw Aw---, a villager from Dy--- village, Ma Htaw village tract, Dwe Lo Township, Mu Traw District, expressed that he wants the international community and relevant stakeholders to pay attention to cases of enforced disappearance and establish a proper way to look for the missing people as he believes that they may be able to get information and help find the disappeared people. When asked what changes he would like to see in the future, Saw Aw--- responded: *"I would like to see a situation that vanish oppression over civilians in the future. I would like our leaders and human rights organisations [to] take up actions to decrease the action of oppression over civilians."*

Respect civilians' rights in war and peace

Villagers expressed to KHRG that enforced disappearance are happening due to the ongoing civil armed conflict in Southeast Burma. Villagers ultimately want peace, but amid the conflict, they demand armed actors to respect civilians as neutral, and not treat them as military targets. Expressing his desire for peace, Saw Aw---, a villager from Dy--- village, Ma Htaw village tract, Dwe Lo Township, Mu Traw District, shared his views that the SAC seems to attack civilians instead of fighting their enemies, stating: *"If they fight, fight the army, not the civilians. Now, it joins with [impacts] the civilians, and we cannot even do our jobs. We need to displace at the riverbank or in the fields."* Similarly, following the disappearance of her son, Naw Bi--- from Ej--- village, Ma Htaw village tract, Dwe Lo Township, Mu Traw District, expressed: *"I would like to see peace in the future. If there is no peace, we will continue experiencing this kind of disappearance."*

Another mother whose son was disappeared by the SAC, Naw Bc--- from Dz--- village, Maung Ma Ywa Thit village tract, Kaw T'Ree Township, Dooplaya District, remarked: *"Before the coup, we could live with some freedom [of movement] and we are currently living with difficulties regarding transportation, and we have to live with security concerns and fear of everything... We are always in fear and always have to listen [for attacks]. Whenever we hear the sound of mortars, we have to run to our bunker."*

Villagers want to be recognised as civilians, and not attacked as military targets. As Saw Bb---, from Cw--- village, T'Kuh Hkee village tract, Noh T'Kaw Township, Dooplaya District, expressed: *"We are not against and [are] not the armed group from any side. We just do our own work for our livelihood, by transporting and selling. We want to have our right to travel without any disturbance. [...] If they [Burma Army soldiers] [must fight] against [someone], it should be only against their enemies, not civilians. [This is] my wish."* Villagers want to live in peace, and not in constant fear of violence committed by military actors in Southeast Burma.

Justice and accountability

When enforced disappearances and other human rights abuses occur, villagers want accountability and to bring justice to the victims of these crimes and their families. According to Saw Aa---, a villager from El--- village, T'Hka Kloh village tract, Noh T'Kaw Township, Dooplaya District, perpetrators of enforced disappearances should be named and condemned publicly regardless of who they are. He expressed: *"Whether Burma government [SAC] or local armed groups [are the perpetrator], if they do something wrong, we should publish it in the news so people will know more about it."* However, Saw Aa--- emphasised that because of the lack of security villagers are facing, especially if their family member has been disappeared, it can be unsafe for the family to publicise the incident and so *"if the victims' family members do not want it to be shared due to security concerns, we cannot do anything."*

Saw Ao--- a villager from Ds--- village, Dg--- village tract, Ler K'Saw Township, Mergui-Tavoy District, recalled how the PDF arrested and killed an SAC-installed village head from Dw--- village, Dg--- village tract, Ler K'Saw Township. He expressed: *"They [armed groups] have to find out why the villagers act like 'dalan' [informants]. [...] I can say that they [PDF] are wrong about what they did to villagers because we all have the right to live. They should consider villagers' feelings and listen to villagers' voices. It is important that we should get justice for this."* He explained how some villagers may become entangled in conflict dynamics due to financial insecurity. In this way, Saw Ao--- expresses that justice ought to be conducted in fair courts of law, not through extrajudicial measures against villagers.

Many interviewees expressed that unless proper and concrete actions are taken by relevant stakeholders and the preparators are held accountable, the occurrence of these crimes will persist and perpetuate the suffering of innocent civilians. Saw Aa---, from El--- village, also stated: *“I want the United Nations to take action in holding the SAC or other armed groups accountable for the crimes they commit against villagers. The accountability should involve their adherence to the Geneva Conventions and military rules. It is essential that they receive training to ensure their awareness of and compliance with the Geneva Conventions. [...] There have been instances where SAC soldiers have committed human rights abuses or crimes but they did not face legal consequences for their actions. This lack of accountability has led soldiers to think that they are not guilty of their wrongdoing because they receive no punishment for the crimes they committed against villagers. As a result, the UN should put pressure on both SAC and other armed groups to be held accountable for the crimes they commit.”*

Conclusions and discussion

Amidst the ongoing conflict in Southeast Burma, enforced disappearances are perpetrated pervasively by armed actors with impunity. Despite the recurrence of this crime, no data on its occurrence in rural Southeast Burma seems to be available, and no services accessible for victims and their family members. This report investigates on the nature of this crime in locally-defined Karen State, the patterns followed by perpetrators, the needs of the victims and communities, and the agency strategies taken by villagers to cope with such abuses, in order to understand how they can be better supported. If no strong action is taken by international stakeholders to hold perpetrators accountable and provide justice for victims, disappearances will continue to occur in the communities, deeply impacting the lives and security of villagers and the human rights situation in the country.

Enforced disappearances in locally-defined Karen State

The State Administration Council (SAC) is the main perpetrator of disappearances in Southeast Burma, as with other international law abuses. These enforced disappearances are political: either the junta is specifically targeting civilians they deem to be political opponents, including human rights defenders; or they indiscriminately target any villager, as a way to assert their domination of terror on Southeast Burma over civilians whom they consider enemies. Villagers who are disappeared by the SAC following political arrests –mostly young men— often face torture and killings. The SAC also disappears villagers who breach arbitrary rules, especially martial law and curfews that impose heavy restrictions on villagers' daily lives. Finally, the SAC often takes villagers as human shields, whose fate remains unknown until they are released or able to return. Given their widespread and systematic nature, the actions committed by the SAC amount to the crime against humanity of enforced disappearance, and junta leaders should be prosecuted as such.

Other non-SAC-affiliated armed groups present in Southeast Burma, as well as armed resistance groups also forcibly disappeared villagers. Armed resistance groups target villagers, often village heads, accusing them of being informants or communicating with the SAC. As explained by local villagers, some civilians are pushed into these positions against their wishes, due to the current financial hardships, and find themselves victims of the violence of armed groups. In most cases, victims are extrajudicially killed in a particularly cruel way, without a trial. This mistreatment of spies and other civilians taking part in hostilities is prohibited under international law.

Needs of survivors and the families of forcibly disappeared villagers

Disappearances are severely impacting villagers' lives and communities. Civilians being forcibly disappeared suffer fear, trauma, torture and death. Their families face long-lasting emotional impacts, while left in the dark about the whereabouts, condition and fate of their loved ones. Sometimes they incessantly continue to look for their relatives, chasing rumours from one place to the other; other times, they lose hope of finding out the truth of what happened. Families are also impacted financially, after the loss of a breadwinner, and as they dedicate time and large amounts of money to find news, which threatens deeply their livelihood, short and long-term. Family members, friends and entire communities suffer threats to their safety and many have to flee, both internally in Southeast Burma and across the border.

To cope with these impacts, villagers cannot count on formal assistance. Despite the widespread and severe nature of this crime, no specific support services are available for victims in Southeast Burma in looking for their loved ones, negotiating their release, or obtaining reparations or financial assistance. Rather, communities in rural Burma create a network of help, by sharing

information and resources and by supporting each other emotionally and financially, that is crucial to their survival. These actions must be supported.

Legal implications of the findings

The Burma Army cannot be prosecuted under civilian courts in Burma, hence leaving villagers with no possibility to find justice when crimes are committed by SAC soldiers. Moreover, since the 2021 coup, the SAC has suspended the laws protecting citizens in the country, meaning anyone can be arrested at any time for an indefinite period of time. The SAC is arbitrarily arresting and forcibly disappearing villagers in locally-defined Karen State with total impunity. In addition, amidst the armed conflict in Southeast Burma, the Karen National Union (KNU) is facing difficulties in holding soldiers who commit crimes in KNU-controlled areas accountable. Therefore, villagers have no possibility of finding justice internally, and can only hope for international proceedings.

Enforced disappearances are committed by the SAC in a widespread and systematic attack against pro-democracy supporters and human rights defenders, and arbitrarily extended to all villagers in locally-defined Karen State, amounting to crimes against humanity. This calls for urgent action by international stakeholders to protect civilians in Burma and uphold human rights standards enshrined in international instruments. These disappearances are usually combined with other grave violations of customary international law, including humanitarian, human rights and criminal law. These abuses, including killings, torture, inhumane and degrading treatment, or persecution, also amount to war crimes and crimes against humanity.

Policy implications of the findings

The primary purpose of this report is to shed light into the enforced disappearances of villagers and human rights defenders being committed in Southeast Burma. KHRG documentation shows that civilians in Southeast Burma are unprotected by formal structures, and the disappeared unaccounted for, as national actors are unable to bring perpetrators to justice. Families can only count on the mutual support of their communities in bearing the impacts of this crime. Through several additional interviews conducted with organisations active in the region, KHRG also found that whilst some protection services exist in Burma to support families facing this crime, these are not reaching rural communities in locally-defined Karen State.

Therefore, it is urgent that relevant stakeholders, including foreign government and INGOs, take the appropriate measures to ensure that Southeast Burma does not remain a blindspot of their activity. Understanding the characteristics of this crime in Karen State would be a first step in acknowledging the SAC's targeting of villagers in the region, politically motivated, and the urgent need for action if violence, terror, and human rights violations are to be stopped. Moreover, it is essential to support villagers' agency strategies taken against this crime, as well as their demands to the international community in order to obtain justice. Likewise, as disappearances committed are forcing civilians to flee from their homes and villages, either internally or across the border into Thailand, international protection should be extended beyond formal refugee camps along the border to reach all civilians and human rights defenders escaping arrests, detention, torture, and killings. Humanitarian aid entering the country should reach villagers directly, through grassroots organisations and ethnic service providers.

These findings should also underpin any line of communication established with the SAC by international stakeholders to find the whereabouts of the disappeared, aware that inquiries cannot be initiated directly by local civil society organisations due to the acute risk of becoming targets themselves. However, these organisations should be involved and consulted in any international response to reach and protect villagers, and their efforts supported. Moreover, as currently international organisations cannot guarantee the protection of families in the country

if dialogue is initiated with perpetrators, these actions must be paired with the local response in the region. Here there is a concerning gap in the current way international systems aim to protect civilians and uphold human rights principles that must be urgently addressed.

Enforced disappearance is one of the cruellest crimes being committed in Burma, deeply impacting victims, families and whole communities. The international community remains inactive, while civilians in Southeast Burma are suffering from the impunity that remains widespread. This report is only scratching the surface of the issue: the number of disappearances in Southeast Burma is much higher than presented here, as this crime remains highly underreported. Further research is also necessary into other abuses being committed in the region, that could also amount to enforced disappearances, like forced recruitment and human trafficking. KHRG hopes that this report accrues concern for the extensive reach of this crime, and leads to international action to both understand the issue and address it.

Photos: Front and back cover

Front cover photo:

The front cover is a compilation of photos of villagers who have been forcibly disappeared in Southeast Burma between November 2021 and August 2023. *[Photos: Villager/KHRG]*

Back cover photo:

The photo, taken in Kh--- area, Lu Pleh (Hlaingbwe) Township, Hpa-an District on November 6th 2022, shows Saw Y--, a local human rights defender, singing a love song before attending a human rights workshop. Saw Y--- was forcibly disappeared on February 2nd 2023 by the SAC. *[Photo: Villager]*



Since the 2021 military coup, widespread human rights abuses against civilians have increased in Southeast Burma, and villagers are being systematically attacked. Amidst the ongoing conflict, enforced disappearances are perpetrated pervasively by armed actors against villagers. Perpetrators are committing this crime against civilians with total impunity.

This report investigates the crime of enforced disappearance committed in locally-defined Karen State by the State Administration Council (SAC), including the political targeting of villagers, the forcible disappearance of civilians after breaking martial law, as well as the disappearance of villagers forced to act as human shields. It also presents incidents of enforced disappearance committed by other armed groups. This report examines the impact of this crime on the disappeared victims themselves, their family members, and their communities, including displacement following the disappearance, financial insecurity, and emotional distress. It also describes the agency strategies used by villagers in Southeast Burma in response to this crime: the mutual support of their community providing emotional comfort, helping to locate the disappeared or finding out information, praying for the victims, and providing practical support as needed. The report includes the views and demands of villagers themselves, as well as their hopes for the future.

The occurrence of this crime in Southeast Burma is met with underreporting, due to fear of retaliation from the perpetrators as well as the inability to hold the military accountable locally. No formal support is available to villagers in rural Southeast Burma, and mechanisms offered by international organisations in Burma are failing to adequately reach those affected. Villagers have no possibility of finding justice internally, and can only hope for international proceedings. If no strong action is taken by international stakeholders to hold perpetrators accountable and provide justice for victims, disappearances will continue to occur in the communities, deeply impacting the lives and security of villagers and the human rights situation in Southeast Burma.

KHRG

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.