
PEACE NEVER CAME

SYSTEMATIC WAR CRIMES AND HUMAN RIGHTS VIOLATIONS PERPETRATED BY
THE TATMADAW IN TA'ANG AREAS OF NORTHERN SHAN STATE

April 2016 to December 2019



Ta'ang Women's Organization (TWO)



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Acknowledgements

We would like to express special thanks to all the victims and the communities who contributed their voices and evidence for the report by sharing their testimonies, and for giving their time and energy to inform this report.

We would like to thank all the individuals and organizations who assisted us with valuable input in the process of producing the “Peace Never Came” report, including friends who drew maps for the report and layout and also the Ta’ang people as a whole for generously helping us access grassroots areas which provided us with invaluable information for this report.

All images: TWO (2019)



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SUMMARY

Throughout Myanmar's long civil war, Ta'ang people and other ethnic nationality populations living in conflict areas have been subjected to a range of human rights abuses, committed primarily by the *Tatmadaw* (Myanmar military).

In 2016, TWO produced the "Trained to Torture" report documenting human rights abuses in Ta'ang communities across Northern Shan State from March 2011 to March 2016. Though the *Tatmadaw* has committed human rights violations in Ta'ang areas for a long time, this was the first time TWO had been able to collect and document the incidents in a report.

TWO aimed to launch the report in Yangon, but the event was blocked three times by authorities. Following a statement and press release, TWO eventually published "Trained to Torture" online through our website and Facebook page.

The report detailed hundreds of instances of torture, shelling, forced portering, unlawful killing, sexual violence, and deliberate destruction of property that had been collected through field

workers in Ta'ang areas. It also documented how *Tatmadaw* incursions had persisted in recent years, despite the ongoing peace process, displacing over 14,000 Ta'ang villagers due to large-scale offensives against ethnic resistance forces, including the Ta'ang National Liberation Army (TNLA).

The findings of "Trained to Torture" have had a wide reach, being cited in the Report of the detailed findings of the Independent International Fact-Finding Mission on Myanmar (2018) and contributing to the strong evidence that led the UN Mission to urge the Myanmar government to take responsibility for the ongoing human rights violations at the hands of the *Tatmadaw*. As the government and *Tatmadaw* have continued to ignore such calls and violations have been ongoing in Ta'ang communities, TWO decided to continue our documentation work and produce this follow-up briefing on further violations.

Between 2016 and 2019, the situation has proven volatile. Promising signs in 2018 were followed by an escalation of offensives the following year, despite declarations of unilateral ceasefires by the *Tatmadaw* throughout 2019.

The Nationwide Ceasefire Agreement (NCA) and peace process have not been effective in ending conflict and violence across Myanmar, including in Northern Shan State. Several constraints have worked to hinder peace, including the exclusionary tactics used by the *Tatmadaw* to engage EAOs, which has left NCA non-signatories out of peace negotiations, and the lack of trust caused by decades of false promises.

Of course, Shan State is not the only scene of ongoing human rights abuses in Myanmar. TWO has spoken together with other members of the women's rights movement to condemn the *Tatmadaw's* abuses in Kachin as well as Rakhine State, where the situation remains too dangerous for people to return to their homes since the situation began deteriorating in 2017.

The culture of impunity that persists in Myanmar must be challenged. Our follow-up report, "Peace Never Came", aims to highlight the abuses that Ta'ang communities are still facing in the hopes that justice will one day be achievable, and the violence will end.

Our teams have worked to gather and analyse cases from across Ta'ang areas in Shan State. The following table summarises the most frequently documented crimes that were reported to our field researchers:

Type of violation	Number of incidents	Number of civilian victims/survivors
Arbitrary arrest, torture, disappearance	66	204
Sexual violence	6	10
Shelling, shooting, landmines	54	132
Forced portering/human shields	7	37
Looting, property destruction	12	34
TOTAL	145	417

Between 2016 and 2019, 46% of cases and 49% of victim/survivors were related to arbitrary arrest, torture or disappearance. Though the number of incidences of sexual violence recorded by our field workers is relatively low, this data is likely to only represent a fraction of the actual offences. Research shows that sexual violence in conflict is difficult to quantify due to various challenges including under-reporting due to stigmatisation of survivors.

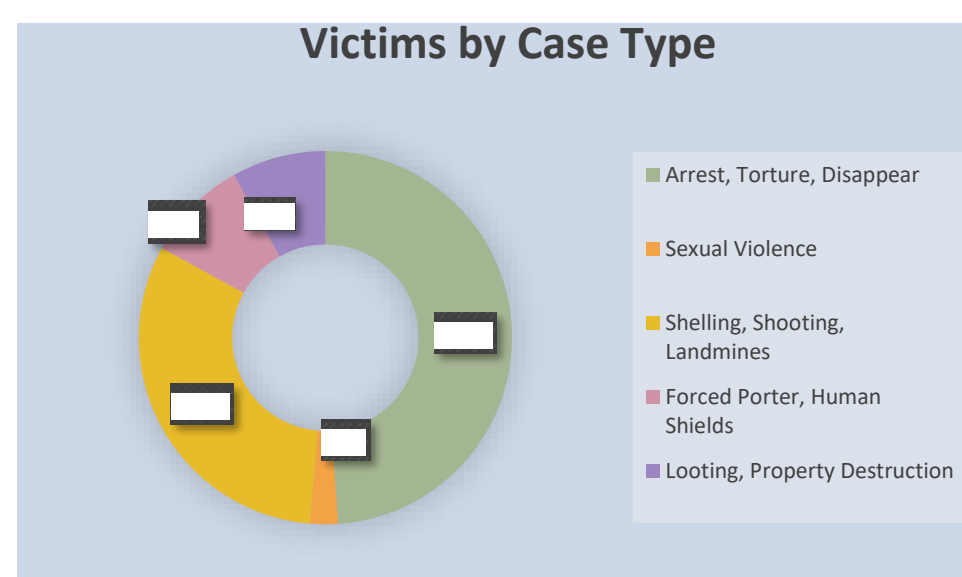
The year-on-year trend of violations is also concerning, as shown in the graph below:



*2016 data has been extrapolated for a 12-month period based upon June-December data

After a decline in 2018, the sharp rise in both cases and victims/survivors in 2019 that represents the worst year of offences recorded during this period. The most significant increase can be seen in cases of shelling, shooting of civilians, or laying landmines in civilian areas. Of the total 54 such cases recorded during the 3.5 year period covered by this report, 37 cases, or 69%, were reported in 2019. These offences occur in homes, market places, and tea farms and have resulted in injuries and deaths of babies and

children as well as adult civilians. The positioning of *Tatmadaw* camps near villages and tea farms is exposing civilians to serious danger while they take no accountability for the harms.



TWO remains gravely concerned that the *Tatmadaw* and its actions remain beyond civilian oversight, a fact that is enabled by law under the 2008 Constitution. The ongoing offensives in ethnic areas not only represent blatant disregard for the peace process but also contraventions of international human rights law. The current method of political power-sharing between the civilian and military arms of government is enabling this ongoing impunity. TWO reiterates our demands outlined in our 2016 report, 'Trained to Torture', which remain outstanding to date, and add:

Demands to the NLD-led government:

- To order the immediate withdrawal of *Tatmadaw* troops in the ethnic areas and cease all offensives in ethnic areas to build trust among the ethnic armed groups to support an all-inclusive peace process
- To denounce and order the *Tatmadaw* to immediately cease: targeting civilians by air strikes; the use of landmines, shelling, or large weapons; the torture of civilians (including the use of civilians as human shields); and all other human rights violations, and to cooperate with all processes aimed towards providing justice to victims and survivors of human rights violations, ensuring accountability and responsibility for all human rights violations in the promotion of national peace and reconciliation
- To ensure that humanitarian aid agencies and local organizations can freely access and assist IDPs in conflict areas and enable their voluntary return by working towards the clearance of mines and removal of military bases in ethnic areas, and to provide effective and sufficient humanitarian aid directly to the ethnic communities affected by conflict, and cooperate with the local CSOs for effective aid distribution
- To authorize an immediate, all-inclusive ceasefire throughout the country and begin a new, all-inclusive peace process in which all ethnic resistance forces/EOs can participate in genuine political dialogue, promoting meaningful and positive peace in Myanmar by working as an impartial, neutral party
- To act in accordance with their responsibilities under international treaties and conventions, including the Geneva Conventions and their Additional Protocols, and the Rome Statute, to protect civilians and ensure their access to justice
- To release all arrested and detained civilians, free of any conditions, and cease targeting civilians – including journalists – under s 66(a) of the 2013 Telecommunications Law which criminalizes peaceful democratic expression, and under the Unlawful Associations Act (1908) which threatens ethnic communities' freedom of association and human rights, and all other laws that operate to deny political freedoms and human rights
- To, in the lead-up to the 2020 elections, demonstrate their commitment to the rights of all Myanmar people, by standing with all communities and being vocal opponents against violence, oppression, and inequality
- To cooperate with international bodies to ensure all avenues for the protection of civilians and the delivery of justice are pursued, and to support and cooperate with international investigations and missions relating to humanitarian and human rights violations, taking accountability for systematic human right violations and working towards justice and truth for victims and survivors

Demands to the NLD-led government (*cont'd*):

- To impose greater sanctions against members of the military and their relatives and cronies to ensure that they do not benefit from the profits of war
- To impose a moratorium on all large-scale infrastructure and resource extraction projects in ethnic areas until there is a new federal constitution, giving ethnic peoples ownership, management and control of their own lands and resources

Demands to the international community:

- To pressure the Myanmar government to support the above recommendations, including:
 - Commissioning an independent review of international support to current peace process
 - Reviewing whether international aid and expertise should continue to go to and through the government while the government continues to restrict humanitarian access to victims of conflict
 - Applying more pressure on the Burmese military to end conflict and human rights violations, withdraw from ethnic areas, and stop blocking democratic constitutional reform by: supporting the referral of Myanmar to the International Criminal Court; using the principle of Universal Jurisdiction to prosecute the *Tatmadaw* in national courts; imposing sanctions on military owned and controlled companies; introducing policies to ensure international aid is not spent on goods and services from *Tatmadaw*-affiliated companies, and embassies do not buy goods or services from such companies; ending all military training and cooperation with the *Tatmadaw*; and supporting a global arms embargo and introducing unilateral arms embargoes until a global arms embargo is in place
 - To stop investment in large-scale infrastructure and resource extraction projects in ethnic areas until there is a negotiated settlement to the civil war, and a new federal constitution, giving ethnic peoples ownership, management and control of their own lands and resources
- To significantly increase funding to support refugees and IDPs from Myanmar, based on the principle of ensuring basic needs for food, shelter, medical care and education are met, ensuring funding is directly reaching ethnic community organizations in ethnic and border areas, cross-border where necessary
- To significantly increase funding for demining and landmine education programmes in Myanmar
- To pressure the Myanmar government to immediately ratify and abide by all international human rights & humanitarian conventions

METHODOLOGY

TWO's Information Documentation and Research Department was set up in 2006 to document human right violations in Ta'ang areas, with the aim of seeking truth and justice for local communities.

Information is collected through a network of field workers in Ta'ang areas, who interview community members that are victims and eyewitnesses of abuses, opening a space for them to share their experience and voice their feelings and concerns.

This report is a compilation of human rights violations documented by TWO's field workers between April 2016 and December 2019 in areas they have been able to access in the following townships and sub-townships of northern Shan State: Namhkan, Namhsan, Mogoke, Mongmit, Muse, Kutkai, Tarmoenye, Namtu, Manton and Tangyan.

After compilation, the violations were analyzed by TWO staff in relation to international humanitarian law, in particular the Geneva Conventions, their added protocols, and the Rome Statute of the International Criminal Court.



BACKGROUND

The Ta'ang (Palaung) people are an indigenous ethnic people of Burma, with a population numbering over one million. Most Ta'ang people live in northern Shan State, with some living in southern and eastern Shan State. The Ta'ang people are traditionally hill dwellers, who in the past enjoyed self-rule and a self-sufficient economy, mainly depending on tea and paddy cultivation. The customary lands of the Ta'ang people are rich in gems and minerals such as silver, zinc, gold and aluminum. After decades of dictatorship and misrule, most of these rich resources have been seized by the Burmese military and their cronies. The monopolisation of the tea industry has crippled traditional Ta'ang economies as tea prices have dived, causing livelihood losses. Over the years, Ta'ang farmers have turned to a variety of dangerous alternatives, such as growing opium or migrating for work. Past reports by TWO (2006-2011) have documented the serious impact of opium addiction on Ta'ang communities, as well as the prevalence of trafficking of Ta'ang women and girls into China (2011). In 2016, TWO released the "Trained to Torture" report, which shed light on the seriousness of human rights violations perpetrated by the *Tatmadaw* in Ta'ang areas of northern Shan State. However, human rights violations have continued to increase in the years since the report was published, making it necessary to publish this follow-up report.

Between 2011 and 2016, TWO recorded an estimated fourfold increase in *Tatmadaw* troops operating in Ta'ang areas of northern Shan State, from 3,000 to 12,000 soldiers. Increases in both aerial

bombings and face-to-face clashes were recorded over the same period, from 20 clashes in 2011 to roughly 60 within the first three months of 2016. After some positive signals in 2018, 2019 saw another upswing in conflict. The unilateral ceasefire periods declared by the *Tatmadaw* in December 2018 – extended four times until September 2019 – failed to provide real peace in practice, and subsequent unilateral ceasefires declared by the Northern Alliance have had limited success.



Image: IDPs in Namtu (supplied: TWO)

As the world has become gripped by the COVID-19 pandemic, communities in northern Shan State remain at risk from conflict and military-protected development projects such as the Shweli Dams and Bawdwin Mine (see maps pages 13 and 14), where *Tatmadaw*

troops are often stationed as part of the Myanmar government's protection of investment and development projects. Both Shweli Dams and the Bawdwin Mine have been criticised for the increased threats that they have brought to local communities. In October 2019, Burma Campaign UK called for the French energy company EDF to cease its involvement with the Shweli 3 Dam project, after Ta'ang Student and Youth Union (TSYU), among other local civil society organisations, drew attention to the link between large-scale development projects, conflict, and human rights violations, seeking a suspension of all major projects in ethnic areas. The Shweli 3 Dam is located in Mongmit Township, close to the Namtu border, in an area that has historically been controlled by the TNLA, KIA, and Shan State Progressive Party (SSPP-SSA). When the dam preparations began in 2015, the influx of *Tatmadaw* battalions (223 and 348) caused hundreds of local people to flee their homes. According to TSYU, these *Tatmadaw* battalions engaged in heavy fighting with TNLA and committed serious human rights violations against local civilians (TSYU, 2016).

Despite the serious impacts from these older dams, new dam projects continue to push ahead. Since 2017, construction has started at the Namtu/Hsipaw dam, a 210 megawatt project that threatens to submerge Lilu village, home to 212 residents. According to Progressive Voice, no Environmental Impact Assessment (EIA) was carried out before construction began, and there was no formal approval granted. The Namtu/Hsipaw dam project holder is Natural Current Energy Hydropower Co. Ltd. (NCEH), a Mandalay-based company. Though they have a

Memorandum of Understanding (MoU) with the Myanmar Government to construct the dam, the company has failed to comply with requirements under the Environmental Conservation Law before clearing protected forests, adding roads for access to the dam site and building workers' housing. Locals have expressed their opposition to the dam amidst concerns for the health and safety of thousands of locals who live along the Namtu river and whose cultural lands and livelihoods are under threat. A press release from Ta Long villagers on March 14, 2020, World Day of Action for Rivers, stated:

“The Namtu-Hsipaw dam will submerge the village of Lilu, with 212 residents. Downstream Hsipaw residents fear disrupted water flows, and flooding from sudden dam releases. They also fear lead pollution in the dam reservoir, from the Bawdwin-Namtu mines about 40 kilometers upstream – which will have particularly damaging impacts on children. Australia-based Myanmar Metals, with 51% shares in the Bawdwin mine, plans to process two million tonnes of lead ore a year, making it the third largest producing lead mine in the world.”
(Progressive Voice, 2020)

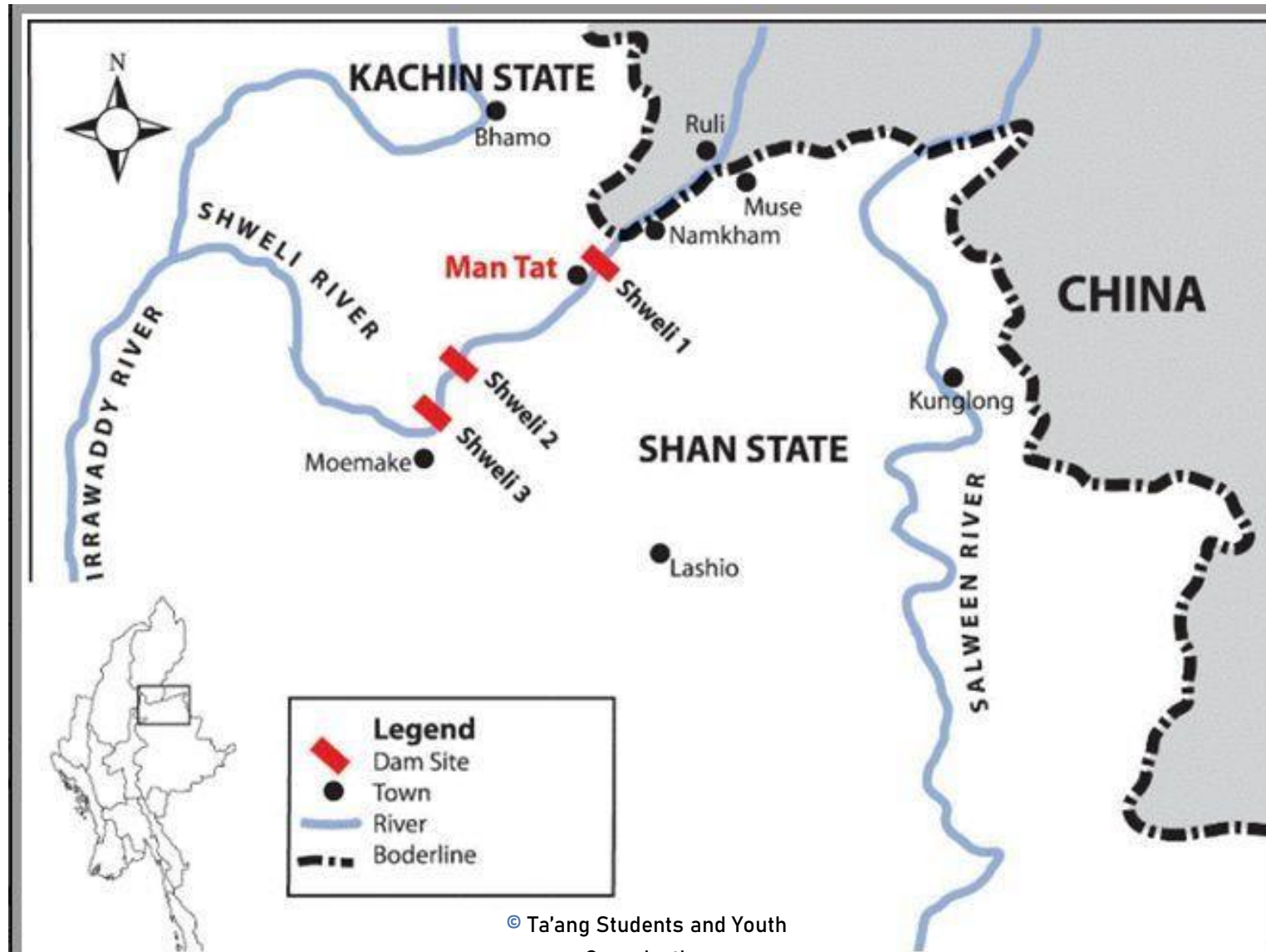
Lilu villagers, whose homes will be destroyed by the dam, have voiced their opposition to moving from their homes. Many thousands of downstream villagers from Hsipaw also oppose the project, which threatens to cause them restricted water flow, unpredictable fluctuations in river levels, and the potential for flooding with a dam collapse, among other concerns. Despite formal complaints being raised in Parliament since 2018, the government's failure to act on this matter highlights the urgency of a moratorium on all dam construction and other large-scale infrastructure and resource extraction projects in ethnic areas until there is a new federal constitution, giving ethnic peoples ownership, management and control of their own lands and resources.

Similarly, the Bawdwin lead-silver mining project in Namtu Township, a joint venture between Australian-based Myanmar Metals (51%), and local companies Win Myint Mo Industries and East Asia Power (24.5% each), has been at the centre of criticism for its failure to address the ongoing conflict and the displacement of thousands of local civilians. In 2019, the project was confirmed to be the world's largest primary lead resource, and ninth-largest silver resource, with all signs showing that investors are willing to overlook the serious impacts of the mine on local communities because of the lucrative nature of the project. Notably, Win Myint Mo Industries has been reported to be a subsidiary of Asia World (despite official records naming the company's two owners as Hla Myint Myanmar and Aye Aye Aung). Asia World was formed by Lo Hsing Han, a Kokang Chinese businessman who US officials dubbed the "Godfather of Heroin" in the 1970s. Asia World now also has a 60

per cent stake in the Australian-Chinese backed Cornerstone Resources (Myanmar) Ltd (CRML), which operates the Lashio Zinc Refinery and Longh Keng zinc mine.

Not only are these projects connected to illicit drug trade, cronyism, and conflict, but the toxic runoffs from decades of mining at Bawdwin have been reported to have had serious health impacts on local workers and communities. Injuries or deaths of local villagers on these sites have also been reported to TWO staff, with no action or accountability for these victims. The unlawful killing and possible rape of six TNLA female medics who were captured by the *Tatmadaw* during a skirmish on the Namtu-Manton-Namhkan Shwe Gas Pipeline also highlights the relationship between development projects, conflict, and human rights violations. Human rights violations are also clustered around Ta'ang controlled areas such as Namhsan and Manton, as the *Tatmadaw* seeks to diminish Ta'ang self-determination prospects. The presence of multiple ethnic armed organisations, including TNLA, KIA, SSPP-SSA, and Kachin Defense Army (KDA militia) in Kutkai and Tarmoenye also make these areas common targets by the *Tatmadaw*, as can be seen on the map on page 17.

MAP: SHWELI DAM SITES



MAP: BAWDWIN MINE PROJECT



ANALYSIS OF HUMAN RIGHTS VIOLATIONS BY THE BURMA ARMY IN TA'ANG AREAS (APRIL 2016 – DECEMBER 2019)

Detailed lists of human rights violations by the Burma Army documented by TWO are contained in the appendix of this report.

The main violations are summarized below.

Violations against civilians	No. of incidents	No. of villagers suffering from violation	No. of villages, townships
Arrest, Torture, Disappearance	66	204	39 villages, 11 townships
Sexual Violence	6	10	6 villages, 4 townships
Shelling, Shooting, Landmines	54	132	34 villages, 7 townships
Forced Porter, Human Shields	7	37	5 villages, 4 townships
Looting, Property Destruction	12	34	13 villages, 4 townships
TOTAL	145	417	11 townships

Violations were reported across 11 townships in total: Namhsan, Kyaukme, Kutkai, Namhkan, Manton, Mongmit, Lashio, Mogoke, Muse, Hseni, and Namtu.

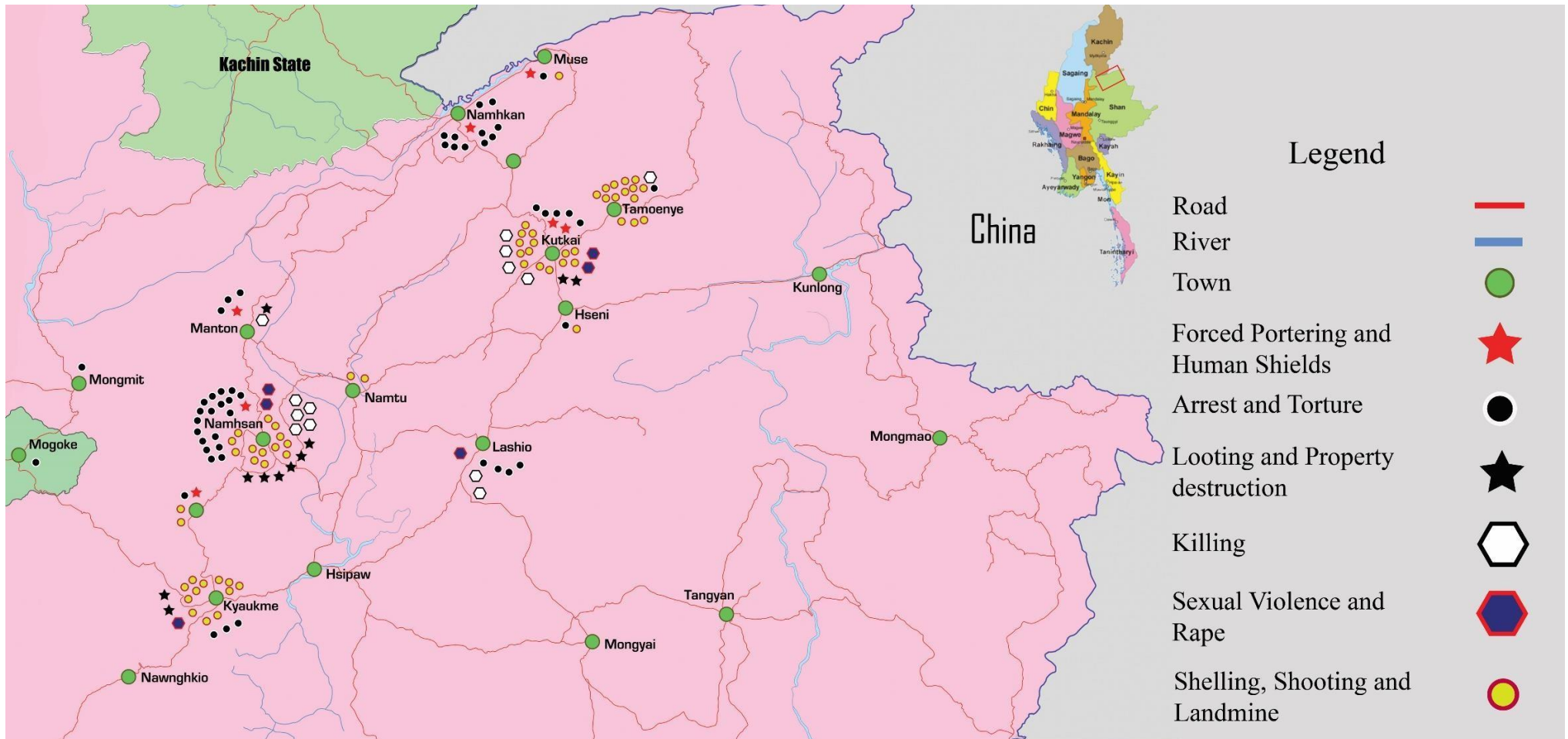
The following map depicts the locations of the violations according to the classification used in the table above.

These classifications are then used to analyse the violations in the following sections of this report.

The term “Infantry Division” refers to large military units, often accompanied by tanks or heavy armory. “Light Infantry Battalion” are smaller units with fewer artillery pieces. These units are referred to in this report by their military abbreviations, “ID” and “LIB” respectively.

MAP: VIOLATIONS BY TYPE IN NORTHERN SHAN STATE

APRIL 2016 – DECEMBER 2019



VIOLATIONS UNDER INTERNATIONAL LAW

This report serves as a part of the documentation of human rights violations that have been, and continue to be, committed by the *Tatmadaw* against Ta'ang communities in northern Shan State. While these violations are abhorrent to all standards of human decency, many of the violations documented here can be classified as violations under international law.

Though the Myanmar government is not party to the Rome Statute (the instrument that established and grants jurisdiction to the International Criminal Court), the international community should be concerned about all alleged violations based on their own commitments to end impunity for the perpetrators of genocide, crimes against humanity, and war crimes, and the principle of 'responsibility to protect' (R2P), committed to by UN Member States in 2005 and "activated when a particular state is clearly either unwilling or unable to fulfil its responsibility to protect or is itself the actual perpetrator of crimes or atrocities" (ICISS 2001, p 17).

The two articles of relevance are crimes against humanity (Article 7) and war crimes (Article 8) as defined under the Rome Statute. War crimes in non-international conflicts (8(2)(c) and 8(2)(e)) include killing, rape, imprisonment, torture, and disappearances

where the acts are committed against persons protected under the Geneva Conventions (civilians are protected under the Fourth Geneva Convention). Crimes against humanity include similar categories, but must also have been committed as part of a widespread or systematic attack directed against a civilian population. Examples of both crimes against humanity and war crimes have been noted by various international groups over the years, linked to *Tatmadaw* (and prior government) policies that aimed to root out ethnic armed organisations and their supporters. The 'Four Cuts' policy aimed at restricting access to food, funds, intelligence, and recruits is also linked to civilians' deprivation of access to crops and food, and there is reason to believe this has been implemented as part of an intentional aim to destroy ethnic communities, in part or whole. If such intent could be proven, such policies also amount to violations of Article 6(c), genocide. Shoot on sight policies have also allowed murder of civilians to be committed with impunity, while torture, rape, enslavement, and forced displacement are also widespread. TWO's ongoing documentation of these cases over the years adds to the body of evidence that points to a pattern of widespread or systematic attack against ethnic populations in northern Shan State, including Ta'ang populations.

Though the Rome Statute is the most well-known example of

international humanitarian law, there are other instruments that offer civilian protections that have been violated through the *Tatmadaw* actions recorded in this report. The International Covenant on Civil and Political Rights (ICCPR), through Article (8)(3)(a), provides protection against the performance of forced or compulsory labour, such as that documented under the ‘forced portering’ section of this report. As Equality Myanmar has rightly discussed, Myanmar’s commitment to democratic reform requires the urgent signing and ratifying of the ICCPR (EQMM 2017).

Myanmar is not a party to many international human rights treaties. However, the respect for fundamental human rights is also a matter of customary international law, which is binding on all states, and includes the recognition of the principle of self-determination, as well as prohibitions against genocide, slavery, and racial discrimination. Because customary international law is not based upon a treaty or covenant, Myanmar cannot escape its obligations in the usual way. Myanmar is also a state party to the following international conventions:

- Convention on the Prevention and Punishment of the Crime of Genocide (Ratified 1956)
- Geneva Conventions of 1949 (Ratified 1992)
- Convention on the Rights of the Child (Ratified 1991)
- Convention on the Elimination of all Forms of Discrimination against Women (Ratified 1997)
- Convention Concerning Forced or Compulsory Labour 1930 (ILO) (Ratified 1955)

- Convention Concerning Freedom of Association and Protection of the Rights to Organise 1948 (ILO) (Ratified 1955)
- International Covenant on Economic, Social and Cultural Rights (Ratified 2017)
- Convention on the Rights of Persons with Disabilities (Ratified 2011)

VIOLATIONS UNDER INTERNATIONAL LAW

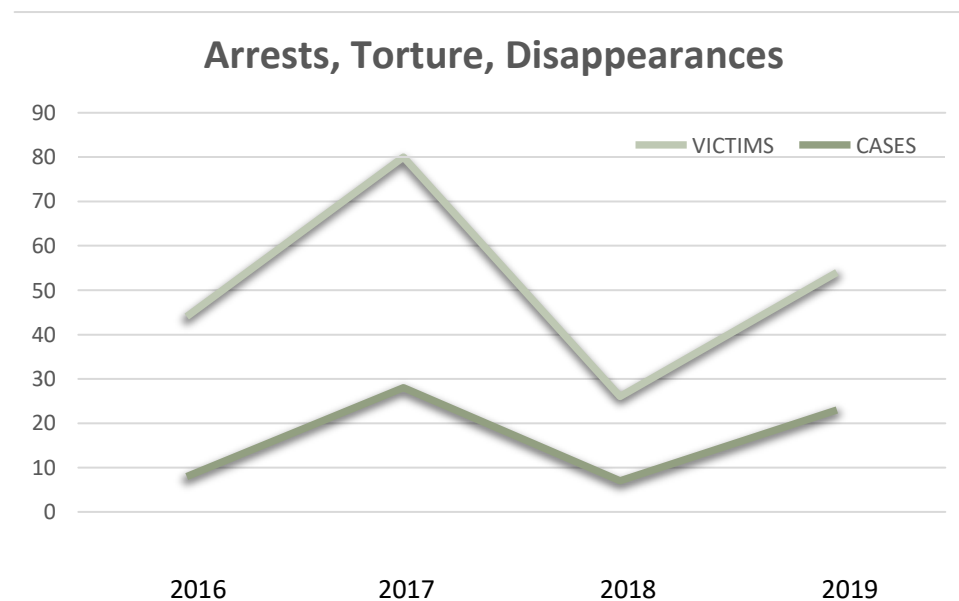
Based upon the evidence gathered and documented in this report, TWO has connected the recorded violations to the following violations under the Rome Statute and forced labor prohibitions:

Crimes against humanity (committed as part of widespread or systematic attack directed against any civilian population, with knowledge of the attack)			
Article #	Violation type	Potential incidences	Potential victims
7(1)(f)	Torture	32	120
7(1)(a)	Murder	16	26
7(1)(e)	Imprisonment	12	36
7(1)(g)	Rape or sexual violence	6	10
7(1)(i)	Enforced disappearance	2	2
War Crimes			
Article #	Violation type	Potential incidences	Potential victims
8(2)(c)(i)	Torture	32	120
8(2)(c)(i)	Murder	16	26
8(2)(e)(i)	Targeting civilians	46	120
8(2)(e)(iii)	Target humanitarian aid	1	1
8(2)(e)(vi)	Rape or sexual violence	6	10
8(2)(e)(xii)	Destroy/seize property	16	65
Forced Labor (portering)		Potential incidences	Potential victims
E.g. ICCPR Article 8(3)(a)		11	54

1. ARREST, TORTURE, DISAPPEARANCE

A total of 66 incidents were recorded by TWO staff, affecting 204 civilians across 39 villages in 11 townships: Namhsan, Kyaukme, Kutkai, Namhkan, Manton, Mongmit, Lashio, Mogoke, Muse, Namtu and Hseni. Though the number of incidents of torture (31) represents a decrease from the 42 cases collected between 2011 and 2016, the total number of victims rose 60%.

The decline in cases in 2018 (7 total) can be seen on the graph below:



However, 2018 was marked by the brutal murder of six female medics from the Ta'ang National Liberation Army (TNLA), who were ambushed by *Tatmadaw* troops while driving with mine workers from Baw Ho Kyan Mining on 11 July 2018. The event took place in east part of Oi-Law Village of Mine Pee Village-Tract in Namhkan Township which is controlled by TNLA brigade 1. The bodies of the six medics were found by villagers who returned on 14 July, where they found the makeshift grave.

“Three of the women had lost the backs of their skulls. All the villagers believed they were tortured and then killed and some believe they wereraped.”

(TWO spokesperson, Frontier Myanmar)

Despite the numerous accounts, including eyewitness testimony from the mine employees who were in the vehicle, the *Tatmadaw* has failed to investigate this case, and now little evidence remains of what occurred.

TWO has spoken to multiple foreign and local news reporters, yet impunity continues to shelter those responsible for this war crime.

The last twelve months have also marked an overall increase in conflict that has been accompanied by an increase in these cases of torture, arrest, and disappearance. October 2019 was one of the worst periods, with six incidences of arbitrary arrest or extrajudicial killing. Two children who were arrested on 9 October 2019 – accused of being TNLA members – were detained for



Image: Torture victim (monk) (Supplied: TWO)

eight months in Kutkai military prison, and are now serving a two year probation period despite the charges being untrue.

Though *Tatmadaw* forces (including ID 66, ID 77, ID 88, and ID 99 and light infantry battalions under them) were responsible for most of the abuses documented, some villagers identified other militia groups, such as Man Pan and Pan Say. For example, Pan Say militia arrested two Ta'ang villagers in February 2019 while they were gathering ceremonial white wood in the forest, and the following week tortured another youth while he was looking after buffalo, as well as two villagers who had been out looking for jobs. In September 2019, Pan Say militia arrested a villager in Namhkan and tortured him. They demanded 1.5 million kyat (15 lakh) from his family for his release. These are clear instances of civilians being targeted and evidence that communities remain at risk due to the militarization and presence of militia in these areas.

Many of the victims in these cases were villagers and farmers, however journalists, monks, and political party members were also targeted by the *Tatmadaw*. Village heads were also targeted and in one instance the village head (Win Ka Bar, Mogoke township) was arrested and jailed in Mandalay for two years under accusation of associating with the TNLA.

The *Tatmadaw* targeted individuals with disabilities, including two

two deaf villagers who were tortured on different occasions in 2017. One of these victims (Pan Kuu, Kutkai) was burned in the forest after being held by the *Tatmadaw* for five days. Whole villages have also been targeted, with groups of up to twenty people arrested and tortured.



Image: Torture victim (male adult) (Supplied: TWO)



Image: Torture victim (male adult) (Supplied: TWO)

2. SEXUAL VIOLENCE

Six cases of sexual violence were recorded by TWO in this period, and due to underreporting prevalent in such cases it can be assumed that this only represents a small portion of actual cases. Like all cases of sexual assault or rape, each case involved a serious violation of human rights, and the ongoing impacts on the mental and physical health of survivors must not be underestimated. Accountability and justice must be the aim in all instances of sexual assault and rape. The following accounts are included in order to shine light on the serious nature of such cases.

In May 2016, *Tatmadaw forces* based in Nam Lan township staked out the house of a villager with mental health impairments. After three nights of waiting behind her house, one soldier raped the woman.

In January 2017, five soldiers from LIB 657 attempted to rape two girls in their house in Man Pan village, Kutkai. The girls were aged eight and five years old. The soldiers fled and returned to their residence after the girls began crying.

Two soldiers from ID 88 entered the house of a woman in Loi Saram

village in Kutkai and sexually assaulted her in June 2017. In November of the same year, three soldiers from LIB 364 attempted to rape four women in their home in Pan Wote Lyan village, Mai Yor-Lashio.

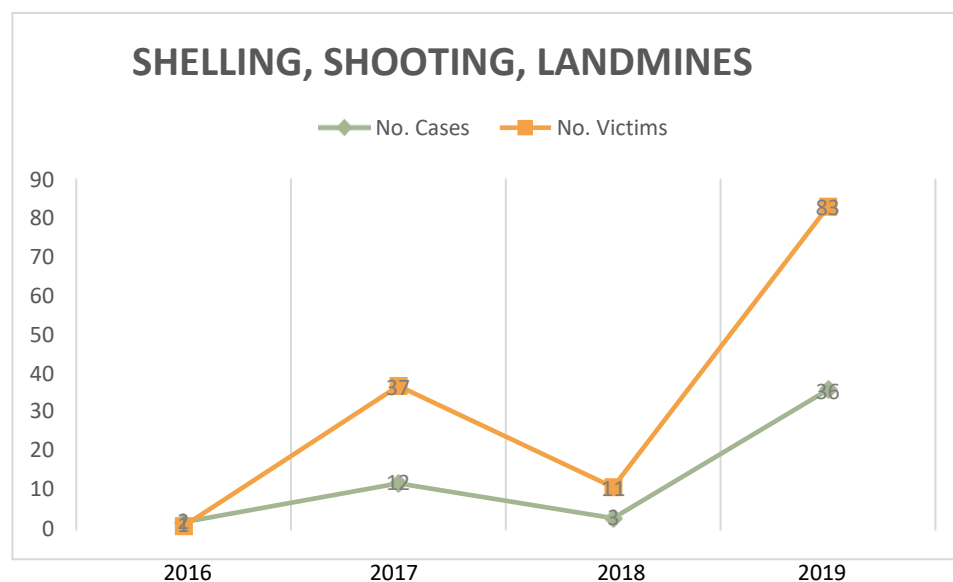
“Most of sexual violence cases which are violated by Tatmadaw is so hard to get justice for women even when we reported the case to police and court. They do not dare to do investigation on Tatmadaw because they are under control of Tatmadaw and they are afraid of Tatmadaw. And Tatmadaw also threaten people and organization that support women.”

(Lway Pakyoul Jar, Ta'ang Women's Organization)

Sources who spoke to TWO in Pan Htan village, Mai Lon, recounted an incident in January 2018, where a soldier from IB 148 raped a woman with a mental illness in her house. The most recent case of sexual violence occurred in May 2019. Two plain-clothed *Tatmadaw* soldiers from LIB 258, 255, or 252 under ID 101 raped a woman at gunpoint while she was working in a tea farm in Hul Kin village, Namhsan. Despite the case being reported to the military leader and at the police station in Namhsan, she has not been able to access justice.

3. SHELLING, SHOOTING, LANDMINES

Between June 2016 and December 2019, 54 cases of shelling, shooting of civilian targets, and laying of landmines in civilian areas were recorded by our research team. A total of 132 villagers were injured or killed as a result of these incidents, including 81 male and 50 female victims (and one baby, gender unknown). Multiple incidents also resulted in injuries to children, with five children injured in February and March of 2017 at Parlan, Pan Kapyin, and Kaw Paung villages, Kyaukme. In April 2019, two children were killed and eight injured when a mine exploded in front of the house where they were playing. It is unknown which military group was responsible for the mines that were found outside this house.

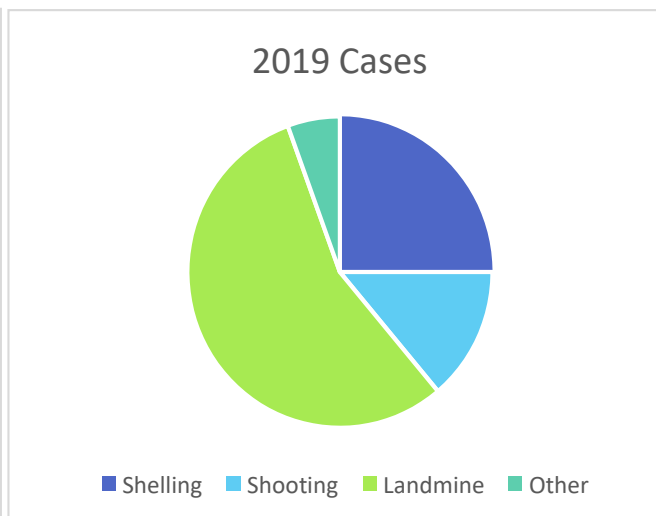


Incidents have not only been increasing in number since 2018, but also in scale. The average number of victims injured or killed in each case rose from 1.94 to 2.24 between 2017 and 2019. Fighting between the *Tatmadaw* and members of the Brotherhood Alliance (the Arakan Army, Myanmar National Democratic Alliance Army, and TNLA) has increased as a result of *Tatmadaw* troops expanding their military operations in the area, and civilians are bearing the consequences, either unable to travel for work due to fighting on the roads, or attacked in their own villages.

Renewed fighting between the *Tatmadaw* and Restoration Council of Shan State/Shan State Army (RCSS/SSA) also presents a threat to civilians. In November 2019, three villagers from Man Warr village, Namtu, were injured by shelling during such fighting, and were unable to receive immediate help from villagers because of the continued shelling. Prospects for peace in Myanmar are reliant upon an inclusive and equitable negotiation process that allows for discussion of all issues that are seen as important, including federalism. Ceasefires must also be respected on all sides and must not be used as opportunities for the *Tatmadaw* to increase troop deployments or expand its operations. Until conditions for peace are seen to be more positive by groups such as the Brotherhood Alliance, fighting will continue to terrorise communities and increase their exposure to harm.

Landmines are also an ongoing threat to civilians, with 24% of cases in 2019 involving injury or death from an exploded landmine. The *Tatmadaw* continue to avoid responsibility for demining, even threatening the village head in Hul Kin, Namhsan, that if *Tatmadaw* troops were affected by landmines while in the area, then they would hold the whole village responsible (May 2019).

There have been many other cases of landmine explosions across the country that have been recorded by other organisations. According to the Lashio office of UK-based Halo Trust, there were 119 landmine explosions across Myanmar in 2017, 45 of which were in Shan State. In 2018, Halo Trust reported 127 landmine explosions in the first five months of the year alone, 49 of which were in Shan State.



Images: Landmine victims (Supplied: TWO)



Image: Landmine victim (Supplied: TWO)

It is often difficult to determine responsibility for specific landmines, due to the number of armed groups that operate in northern Shan State, and the tendency across all groups to use them to target their enemies. An end to all conflict, and an accountable and trusted demining effort in local areas is necessary to ensure civilians' safety and security.

As well as the increase in landmine incidents recorded by TWO over the last three years, cases involving the injury or death of civilians from shelling attacks have also increased. Though the proportion of cases has fallen overall (see graph below), nine cases were reported in 2019 as compared with seven cases in 2017. In 2019 alone, 25 injuries and six deaths were reported to TWO as a result of shelling incidents involving the *Tatmadaw*. A further eight villagers were shot directly by *Tatmadaw* and other armed groups. In one case, two villagers attending a hospital in Nampakar were shot by *Tatmadaw* soldiers. The injuries they sustained were so severe that they required treatment at Lashio hospital.

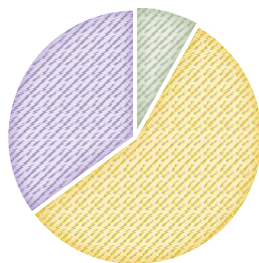
4. FORCED PORTERING

Forced portering is a well-known tactic of the *Tatmadaw* and other armed groups, whereby villagers are required to carry heavy packs for soldiers that may weigh up to half their body weight. Often civilians are used by soldiers in conflict areas to act as human shields for bullets, or as human mine sweepers. Despite Burma becoming a member of the International Labor Organization (ILO) in 1955, and adopting ILO Convention 29 against forced labor, the *Tatmadaw* and other armed groups continue to engage in forced portering with impunity across the country.

Between 2016 and 2019, TWO recorded seven cases of forced portering involving 37 civilians, over half of whom were female.

FORCED PORTERING BY GENDER

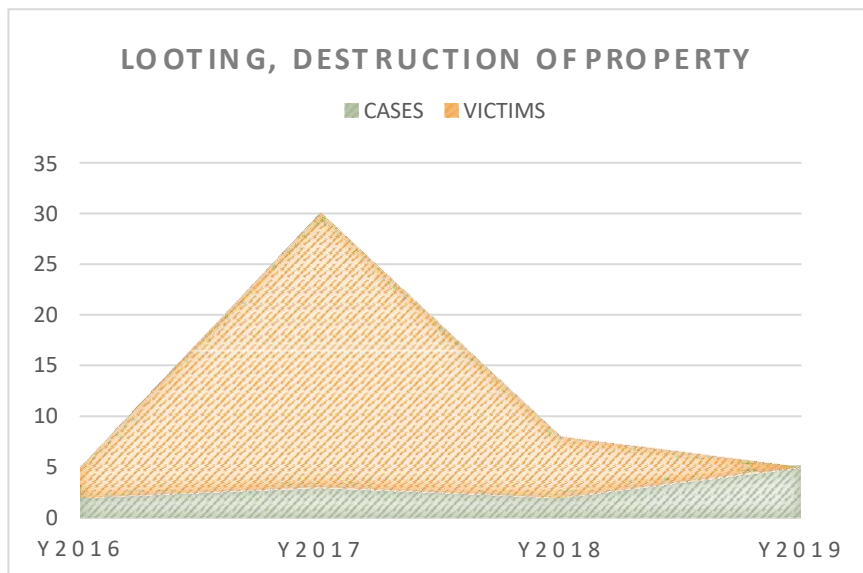
Male Female Unknown



Underreporting of these incidents is likely due to fear of retribution, or even a lack of awareness of rights. Despite the issue being a significant problem for human security, the government has failed to address the situation. In 2018, the Shan Nationalities League for Democracy (SNLD) State Hluttaw MP from Kyaukme submitted a proposal to discuss forced portering in parliament following reports from local residents of a civilian who had been injured by a landmine after being forced to work as a guide for the *Tatmadaw* amidst fighting with the TNLA (Shan Herald Agency for News, 1 June 2018). The refusal of the government to include this proposal in the parliamentary agenda speaks to the continued abuse of power by the *Tatmadaw* and its supporters, who refuse to enable transparency or accountability for these ongoing violations.

5. LOOTING & DELIBERATE DESTRUCTION OF PROPERTY

Looting and property destruction often has less physical impacts on civilians, but can have devastating impacts on their livelihoods when homes, medicines, or household savings are taken. Between 2016 and 2019, TWO recorded twelve cases of looting and destruction of property, with at least 34 people impacted by the violations. Due to difficulties in obtaining data on individuals who were impacted by the cases in 2019, the following graph appears to show a decline in numbers. However, the overall case numbers can be seen to be increasing:



Villages in Mai Nawt, Kyaukme, Namhsan, and Kutkai were sites of property destruction and looting, including several large attacks. For example, in January 2017, the *Tatmadaw* destroyed and looted

the property of 20 monks and villagers after fighting with the TNLA in Anaut Kinn, Namhsan. In September 2019, *Tatmadaw* troops destroyed ten houses in Namkay village, Namhsan, forcing villagers to flee due to fighting. A month earlier in August 2019, *Tatmadaw* ID 99 looted the Ta'ang Education Center (TEC) in Kutkai after fighting with the Brotherhood Alliance.



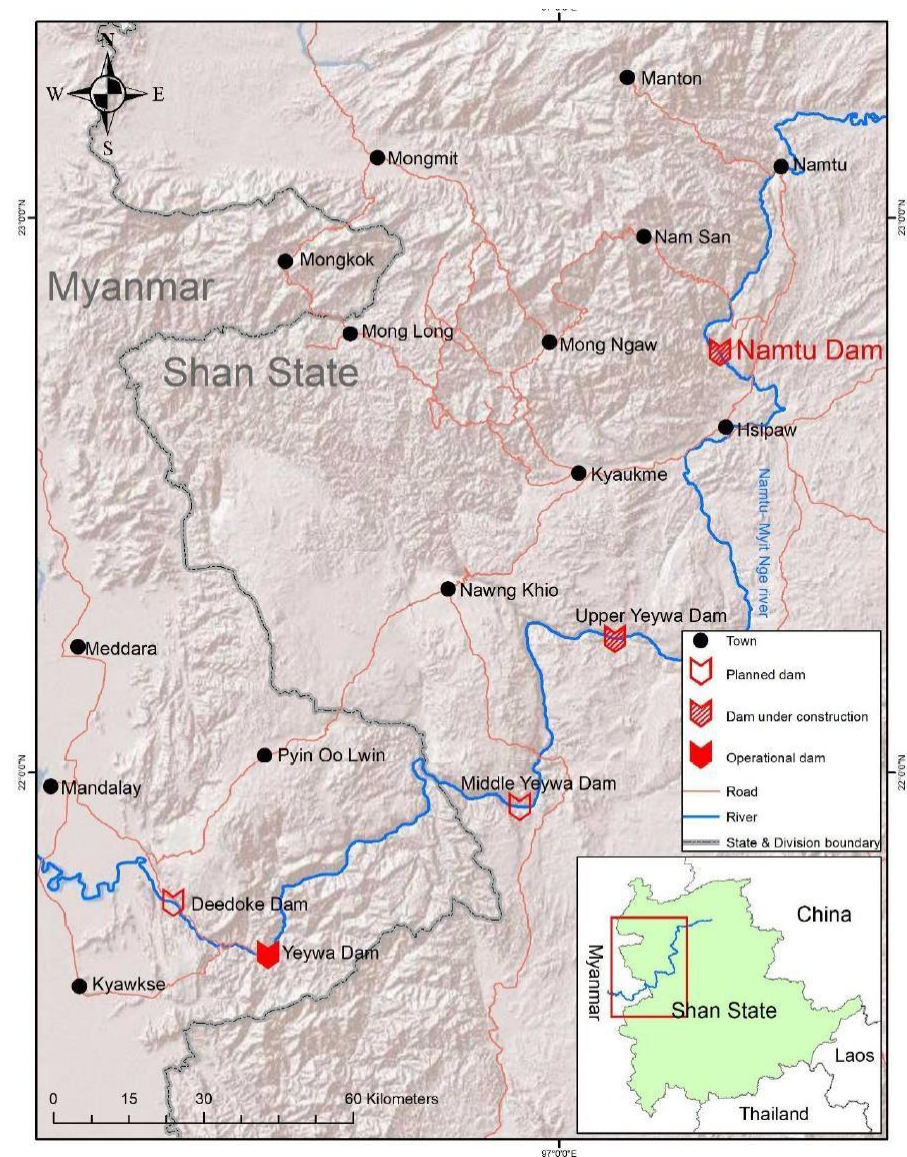
Image: Deliberate destruction of property (Supplied: TWO)

In addition to these larger attacks, targeted looting or destruction of individual homes has also been employed by the *Tatmadaw*. In December 2016, a villager who was carrying medicine at the instruction of the village head was arrested and had the medicine confiscated without reason as he travelled Kyaukme to Mongngawt village. Two villagers in Mai Yu Lay IDP camp (Kutkai) had 5,000 kyat and three mobile phones looted from them by *Tatmadaw* ID 88 in July 2017. Multiple incidents occurred across 2019 of *Tatmadaw* troops looting villagers' homes while they fled to other areas due to fighting. The burning of houses was also reported, in one instance as a final act of cruelty after looting a villager's house in Kyat Tay village, Namhsan. Ongoing conflict is once more a significant driver of these violations, particularly as it provides opportunities for the *Tatmadaw* to commit these offences when property is left unattended due to forced fleeing from violence.

CONCLUSIONS AND RECOMMENDATIONS

Ta'ang communities in northern Shan State, and ethnic communities across Myanmar's ethnic states, are living every day with the burdens of conflict, land grabbing, and large-scale development projects while the Myanmar government and the international community remain at best idle, and at worst complicit in their suffering. The *Tatmadaw* continues to wage war against civilian populations and ethnic armed organisations with impunity, and the current national peace process has failed to produce any meaningful path forward by denying an inclusive dialogue on political reform. Meanwhile, over the last decade international donors have slashed their support of border- and cross-border-based organisations, requiring local organisations to move inside Myanmar or risk losing their funding. Even after TWO moved our offices inside the border, we continue to face funding cuts because of international donors' misunderstandings of the political situation.

International communities are also contributing to ethnic communities' suffering through investments and support of large-scale development projects that put our lives, livelihoods, and homes at risk. The negative impacts of the Shweli Dams, Bawdwin mine project and other development sites are well documented, and yet plans continue to be laid for high-risk projects. Since 2017, illegal deforestation and construction at the Namtu (Hsipaw) hydropower dam site has been protested by local communities and organisations (Action for Shan State Rivers 2020).



Map: Existing and planned dams in Shan State © Action for Shan State Rivers 2020



Images: Victims of unlawful killing (Supplied: TWO)

Despite the significant harm that these projects pose to local communities, including the displacement of local villagers, reduced water sources, pollution (including lead poisoning) for downstream villagers, and the exacerbation of conflict (Shan Human Rights 2016), local communities' wishes have been ignored and construction forges ahead. An Australian-based company, Myanmar Metals, is the majority shareholder in the Bawdwin mine, while other dam projects in the area are receiving funding from Austrian, Chinese, Norwegian, German, Japanese, and Swiss companies.

Ethnic communities in Myanmar deserve justice and the acknowledgement of the violations that continue to be perpetrated against them. An end to impunity must be delivered, with accountability taken by those who are responsible, including the *Tatmadaw*. Political reform based upon democratic federal principles must be pursued by the Myanmar government and supported by the international community through its investment and funding decisions as well as diplomatic means. International aid should be directed toward local organisations while the government is unable to ensure the safety of ethnic communities. The Myanmar government must act decisively to put an end to the *Tatmadaw's* hold on political power, and must vocally denounce their criminal behaviour. A new, inclusive, peace process must be pursued, and the freedoms of media and civil society must be protected. Communities must be empowered to take control of the decisions that impact them, and development must not be pursued at the expense of their safety and their rights to self-determination. We urge everyone to do their part to understand how their actions can make an impact for our Ta'ang communities and for all ethnic communities in Myanmar.

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APPENDICES



List of violations by Tatmadaw and para-state armed groups, documented by TWO (April 2016–December 2019)

Arbitrary Arrest, Torture, Disappearance and extrajudicial Killing								
No	Date of Violation	Location of Violation	Type of Violation	Details of Violation	Number of victims (m/f/t)			Battalion or Division of perpetrators (Infantry Division (ID) or Light Infantry Brigade (LIB))
1	25-Jun-16	Mai Yor, Lashio	Extrajudicial killing	5 villagers were arrested and killed by military while working at a corn farm. The military arrested all of them together at the same place.	5		5	Military
2	5-Jul-16	Loikan village, Pan Kuu Group, Kutkai	Arbitrary arrest and torture	Kaung Khar militia group assumed that the TNLA had arrested of their members, so they arrested and tortured 9 villagers.	9		9	Kaung Khar militia
3	1-Aug-16	Man Pain village, Man Khite Track, Namhsan Township	Arbitrary arrest and torture	5 villagers were arrested without any reason, tied with rope and beaten	5		5	IB 505
4	13-Sep-16	Man Kan village, Maw Taung Track, Muse	Arrested and Detained	A pregnant woman was arrested and detained at the Police Station for keeping a TNLA uniform and hat inside her house		1	1	ID 33

5	9-Nov-16	Mansan village, Loi Homw Group, Namhkan	Arbitrary arrest and torture	8 villagers were forced into portering after being arrested and tortured by the military. The military assumed the villagers had planted land mines because land mines had exploded when they came to the village.	8		8	ID 33
6	2-Dec-16	Zel Tonhone village, Namhsan	Arrested and torture	3 villagers were arrested and tortured by the military at a tea farm because land mines exploded when the military came to the village.	3		3	LIB 115
7	3-Dec-16	Lashio	Arrested and detained	13 villagers who stayed at the Cheery Motel were arrested at 8:30 PM without any reason	7	6	13	SP, Police and the officer of the military camp in Lashio
8	4-Dec-16	Cherry guest house, Lashio	Arbitrary arrest	Police station (1) at Lashio arrested several people around 8:30 while they were resting at the guest house.				Lashio police station (1)
9	4-Jan-17	Man Pan village, Kutkai	Arrested and detained	One villager was arrested and detained without any reason. The military checked his motorbike but they didn't see anything and they took his money.	1		1	IB 45 based in Kutkai
10	8-Jan-17	Kaun Hany, Namhsan	Arrested and tortured	One villager who is deaf and mute was arrested and tortured by military without any reason. The soldiers called him but he couldn't hear their voice. Because he didn't answer, the military beat him.	1		1	Military

11	8-Jan-17	Man Pyain village, Kutkai-Tarmoenye	Arrested and detained	The military arrested 8 villagers and detained them, accusing them under Article 17(1). The military arrested and transferred them to the court. The villagers didn't have any connection with their family for one month.	8		8	ID 88
12	19-Jan-17	Loi Pyat village, Nam Tway group, Namhsan	Arrested and tortured	Over 20 villagers were arrested and tortured by the military. The military came to the village and collected all males without any reason and tortured them.	20		20	LIB 504
13	22-Jan-17	Hul Maung village, Namhsan	Killing and arrested	One villager was killed and two villagers were arrested and tortured by the military without any reason.	3		3	Military
14	5-Feb-17	Sakhan Tar village, Namhsan	Arrested and Tortured	One villager was tortured by the military, who accused him of having connections with TNLA.	1		1	Military
15	9-Feb-17	Man Mai village, Namhsan	Arrested and forced labour	The military arrested one villager without any reason. They held him for one night and forced him to bring food for them.	1		1	Military
16	23-Feb-17	Hoh Main village, Namhsan	Tortured and killed	One villager was in a coma for 7 days and then died as a result of torture by military.	1		1	
17	24-Mar-17	Kyu Sai village, Namhkan	Tortured and Shooting	The head of village sustained injuries from torture and shooting by the military.	1		1	ID 33

18	March, 2017	Pan Lawt village, Kutkai	Killing	One villager died from injuries sustained from being shot by the military. He was arrested and after that he died in the Lashio hospital.	1		1	Military
19	Mar-17	Man Lan village, Namhsan	Arrested and detained	The military arrested one member of the TNLA while he was traveling. Though he is a soldier, at the time he was not on duty and did not wear a uniform.	1		1	Military
20	14-May-17	Loi Pain village, Kyaukme	Arrested and tortured	The military arrested 3 villagers and questioned them about the TNLA. They detained them for one night, during which time the military tortured them.	3		3	Military base in Yan Kin Taung.
21	25-Jun-17	Loi Pyat village, Namhsan Township	Killing and forced portering	While engaged in fighting with the TNLA, the military forced villagers to porter for them. One villager who was forced to porter died after being shot by the military during the fighting with TNLA.	1		1	LIB 504, 506
22	27-Jun-17	Man Lan village, Namhsan township	Arrested and tortured	The military detained all the villagers, holding them in Man Lan monastery after fighting with TNLA. The military accused them all of having connections with the TNLA and tortured over 10 villagers.	10		10	LIB 501, 503
23	27-Jun-17	Ahtet Man Loi village, Namhsan	Torture	3 villagers were tortured by the military without any reason.	3		3	LIB 501, 503

24	27-Jun-17	Man Lan village, Namhsan township	Killing	The military killed one villager after torturing him for one night. After killing him they threw his body by the road near a tea farm.	1		1	
25	11-Jul-17	Pan Kuu village, Kutkai township	Killing	The military arrested a deaf villager and held him for 5 days before burning him in the forest.	1		1	Military
26	20-Jul-17	Namsate village, Namhkan township	Arrested and detained	The military arrested and detained three villagers and transferred them to the police station.	3		3	ID 88
27	4-Aug-17	Man Pan village, Namhsan	Torture	The military tortured one member of the Ta'ang National Party (TNP) near where some journalists were arrested. He sustained many injuries from torture and was treated at the hospital in Namhsan.	1		1	Military
28	5-Aug-17	Jone Nang village, Kutkai	Killing	The military killed one villager for no reason while he was working in the forest.	1		1	Military
29	8-Aug-17	Man Taunt village, Manton	Torture	One villager was tortured by the military for no reason when he came back from picking mushrooms in the forest.	1		1	Military
30	9-Aug-17	Inside Manton township	Arbitrary arrest and torture	The military arrested and tortured 3 villagers inside Manton township after fighting with the TNLA.	3		3	Military
31	16-Aug-17	Mone Hom, Kutkai - Tarmoenye	Killing	The military killed one villager without any reason.	1		1	ID 66

32	21-Oct-17	Pan Lon village, Mongngaw township Kyaukme	Torture and forced portering	The military tortured the head of the village and other villagers because they had seen some TNLA uniforms and munitions near the sports ground. After that they selected 5 villagers and forced them to porter for the military.	6		6	ID 77
33	30-Oct-17	Htam Ma Sai village, Namhsan	Arbitrary arrest and detention	One student was arrested and accused under Article 17(1) (unlawful association) and sent to Mandalay prison for 2 years.	1		1	ID 77
34	10-Nov-17	Man Kan village, Namhsan	Arrested and detained	1 villager was arrested and accused of contacting the TNLA without any evidence. The military transferred him to the Namhsan police station and accused him under Article 17(1) (unlawful association).	1		1	LIB 105
35	12-Nov-17	High Tam village, Man Karn group, Namhsan	Arbitrary arrest and torture	1 villager was arrested and accused under Article 17(1) (unlawful association) as the military suspected him of contacting the TNLA. He was detained at Namhsan police station after which they sent him to Hispaw jail.	1		1	IB 105 under ID 77
36	15-Nov-17	Kaung Khay village, Namhkan	Torture	3 villagers were tortured and accused of contact with TNLA.	3		3	ID 88
37	3-Mar-18	Panta Pyay village, Pan Kaun group, Kyaukme	Arrested and Tortured	One villager was tortured without any reason and lost his tooth.	1		1	IB 502 (based in Pan Kaun)

38	30-Mar-18	Pan Lawr village, Pan Kar group, Namhkan	Arrested and Tortured	2 villagers were suspected of contacting TNLA and were arrested and tortured.	2		2	ID 88
39	11-Jul-18	Awe Law village, Manton	Torture & Killing	Tatmadaw arrested 6 of TNLA medics (women) and torture. After torturing they killed them and put together in one hole.	1	6	7	LIB 301, under ID 88
40	31-Aug-18	Hol lat village, Anaut Kin group, Namhsan	Arrested and Tortured	Three Chinese were arrested and tortured, accused of having contact with TNLA.	3		3	ID 77, 88
41	5-Sep-18	Loiser village, Mongmit Township	Arrested	3 youth were arrested by Tatmadaw for one night.	3		3	Military base in Moe Mate
42	September, 2018	Pan Jain Lon, Mai Yor, Lashio	Arrested and detained	One women was arrested and detained without reason by Militia.		1	1	Man Pan Militia
43	20-Nov-18	Pan Khu, Man Pan village, Kutkai Township	Arrested & detained	9 villagers include one baby were arrested and detained by Tatmadaw.	4	5	9	LIB 45, under ID 99
44	30-Jan-19	Win Ka Bar village, Mogoke Township	Arbitrary Arrested & Detained	Head of village was arrested from Military by assume him connecting with TNLA. They send to Mandalay jail until now after sentence him for two years.	1		1	ID 88
45	2-Feb-19	Sai Lane village, Manton Township	Torture	One villager was torture by Military's soldier in one shop after working volunteer for public place in their village.	1		1	LIB 416, under ID 88
46	15-Feb-19	Naung Ann village, Namhkan Township	Torture	Pan Say militia arrested 2 villagers who look for white wood in the forest to donate by celebrating Ta'ang culture.	2		2	Pan Say militia

47	18-Feb-19	Ohm Malee village, Kutkai Township	Extrajudicial Killing	Two villagers were killed by military while they came back from monastery for participate in Ta'ang festival.	2		2	LIB 361, under Sa Ca Ka
48	21-Feb-19	Naung Ann village, Namhkan Township	Torture	One youth was torture while he find buffalo and another two villagers were torture while they looking for jobs.	3		3	Pan Say militia
49	22-Apr-19	Nam Sayee village, Namhkan Township	Torture	9 villagers were arrested and torture after fighting between Tatmadaw and TNLA because 3 of Tatmadaw soldiers was dead during fighting and the military very angry. The Military force those 9 villagers to clean dead body of soldiers after fighting.	9		9	LIB 101, under ID 88
50	1-May-19	Kaung Wet village, Muse	Torture	One villager was torture by Tatmadaw while he came back from sugarcane farm because something explode before the incident near farm.	1		1	ID 99
51	19-Jun-19	Man Jat & Lon Kain village, Kutkai	Torture and Arrested	10 youth under 18 years old were arrested and torture by Tatmadaw when they visit to their friend at the Carlan village. After 3 nights, 6 of youth were release because of Ta'ang National Party, head of village and other leader in village try to meet with leader of Military and negotiate.	10		10	LIB 45

52	21-Aug-19	Hul Nwet village	Arbitrary arrested and detained	Two villagers were arrested and detained at Pyi Oo Lwin by Tatmadaw until now. But they don't have chance to communicate with family member.	2	0	2	Tatmadaw
53	26-Aug-19	Hul Nwet village, Kutkai	Arbitrary arrested and detained	One of villager was arrested and detained by Tatmadaw until now but family member don't know where they detained him and what happened.	1	0	1	Sa Ca Ka 501, 502
54	31-Aug-19	Namsayee village, Namhkam	Arbitrary arrested	One of women was arrested by Tatmadaw and disappearance until now.	0	1	1	Tatmadaw
55	4-Sep-19	Namhkan	Arbitrary arrested	One car driver was arrested by police in Lashio and sending to Mandalay until now.	1	0	1	Police
56	8-Sep-19	Namhkan	Arbitrary arrested and Torture	Pan Say Militia group arrested one of villager who live in Namhkam and torture. After the incident the militia said if you give (1500000) Kyats they will released him and family member gave to them those amount.	1	0	1	Pan Say militia
57	20-Sep-19	Hol Let village, Namhsan	Killing	One villager was killed by armed group on the main road from Kyaukme to Namsham.	1	0	1	Un know Armed group
58	2-Oct-19	57 mail village, Namhsan	Killing	One villager who was killed by armed group on the main road from Kyaukme to Namsham. That villager	1	0	1	Armed group

59	9-Oct-19	Man Aung Su See village, Kutkai	Arbitrary arrested and detained	Two children were arrested by Tatmadaw by accuse with TNLA and detained in Kutkai military camp until now.	2	0	2	Tatmadaw
60	12-Oct-19	Kaung Lote village, Hseni Township	Arrested	One villager was arrested by accuse contact with TNLA.	1	0	1	Tatmadaw
61	20-Oct-19	Kay Hinn village, Lashio	Killing	One monk was killed by two members of armed group inside the monastery around 6 PM.	1	0	1	Armed group
62	22-Oct-19	Namsayee village, Namhkan	Arrested	Tatmadaw arrested villagers after fighting with TNLA. They put their gun near the villagers head and threatened to follow with them.	Male			Tatmadaw
63	28-Oct-19	Loi Kyawt village, Kutkai	Torture	Tatmadaw arrested and torture 1 monk by assume contacting with TNLA. After torture they force monk to confess what they want.	1	0	1	LIB 45
64	22, November, 2019	Man Mai Main Kawn village, Namhsan	Torture	Head of village got a lot of injury because Tatmadaw bind and torture and he need to take medicine for a long time at hospital. Then, Tatmadaw arrested villagers over 60 to be hostage for one day.	1	0	1	ID 88
65	10-Dec-19	Nar Nawt village, Kan Main-Lashio	Arrested	Kaung Kar militias group arrested and detained 10 villagers because they heard the villagers discuss between them about militia member who using drug.	5	5	10	Kaung Kar militias

66	15-Dec-19	Myian quarter, Namhsan	Arrested	One villager was arrested and detained by Tatmadaw because they accuse he had contacting with armed group.	1	0	1	ID 88
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Sexual Violence and Rape								
No	Date of Violation	Location of Violation	Type of Violation	Details of Violation	Number of victims (m/f/t)			Battalion or Division of perpetrators
1	20-May-16	Anaut Lone Taut, Nam Lin Group, Namhsan	Rape	Military group loitered at a villager's house and a soldier raped a woman with mental health problems after waiting 3 nights behind her house.		1	1	Military based Nam Lan Township)
2	7-Jan-17	Man Pan village, Kutkai	Sexual harassment	5 soldiers tried to rape two girls - an 8 year-old and 5 year-old - in their house. After the girls started crying they stopped and went back to their residence.		2	2	LIB 657
3	2-Jun-17	Loi Saram village, Kutkai township	Sexual violence	One woman was sexually violated when two members of the military came to their house.		1	1	ID 88
4	24-Nov-17	Pan Wote Lyan village, Mai Yor-Lashio	Sexual violence	Three soldiers from the military group tried to rape 4 women inside their house.		4	4	LIB 364
5	7-Jan-18	Pan Htan village, Monglon Township, Kyaukme Division	Rape	One soldier from the military raped mentally ill women in the house, according to sources.		1	1	IB (148)

6	10-May-19	Hul Kin village, Namhsan	Rape	One women was rape by two of soldiers from Tatmadaw by wereing plaint clothes at Tea farm. Her doesn't accept any justice even she report to Tatmadaw leader and police station at Namhsan.		1	1	LIB 258, 255, 252 under ID 101
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Shelling, shooting of civilian target, laying of landmines in civilian areas								
No	Date of Violation	Location of Violation	Type of Violation	Details of Violation	Number of victims (m/f/t)			Battalion or Division of perpetrators
1	10-May-16	Onn Ngal village, Pan San Group, Kyaukme	Shelling	One house damaged by shelling.			0	Military
2	14-Nov-16	Nam Howe village, Muse	Shooting	1 villager was injured by shooting from military and police based at 105 Mai gate.	1		1	Military & police
3	12-Jan-17	Hol Chaung village, Namhsan	Shelling	2 villagers died and 10 villagers got injured by heavy gunfire while traveling from the market to village.	9	3	12	Military
4	16-Jan-17	Moe Gel Quarter, Namhsan	Landmine	One villager got injured by landmines near a tea farm. The military had announced the placement of landmines in other areas in an earlier statement, but had not included this area in their announcement.	1		1	Military

5	28-Jan-17	Manlon village, Namhkan	Shelling	One women was injured by shooting from the military. The military shot inside the village with heavy weapons because they assumed TNLA soldiers were staying inside the village.		1	1	Military
6	12-Feb-17	Parlan and Pan Kapyin village, Kyaukme	Shooting	3 children were injured by shooting from the military. The military saw some TNLA soldiers near the village and began firing.	1	2	3	Military
7	15-Feb-17	Man Nin village, Kutkai	Shelling	One woman was injured by shooting from the military.		1	1	Military
8	30-Mar-17	Kaw Paung village, Kyaukme	Shelling	Two children were injured by shooting from the military when they went to the tea farm with their parents.	2		2	Military
9	2-May-17	Kaung Khay village, Namhkan	Shooting	3 villagers were injured by shooting from the military when they came back from the tea farm. The military held them for questioning and then shot them.		3	3	ID 88
10	21-May-17	Naung Kham village, Kutkai Township	Landmine	One woman was seriously injured from a landmine near the military camp while clearing the farm.		1	1	Military base in Mon Ya.
11	26-Jun-17	Pain Hwe village, Kutkai township	Shelling	Two villagers died and one villager was injured by shelling from military.	2	1	3	LIB 45
12	29-Aug-17	Pan Lawt village, Pan Kar group, Namhkan	Shelling	Some houses (4) were destroyed because of the			0	Military

				military shelling in the village.				
13	9-Oct-17	Kyu Sai village, Namhkan	Shooting	One villager was injured by shooting from the military.		1	1	Military base in Kyuu Sai
14	23-Nov-17	Mai Yu Lay, Kutkai	Shelling	9 houses in Mai Yu Lay camp were destroyed because the military was shelling without any reason.	4	5	9	ID 88
15	8-Mar-18	Mansat village, Kaung Tat group, Namhkan	Shelling	Two villagers got injured by military using heavy guns, shooting inside the village.	1	1	2	Military
16	28-Jun-18	Man Ninon village, Kutkai	Shelling	1 child dead and 5 villagers and 2 pregnant women injured by shooting.	4	4	8	ID 88
17	31-Aug-18	Hol Lat village, Anaut Kin group, Namhsan	Shelling	One baby got injured and one house destroyed by military shooting heavy gun.			1	ID 77, 88
18	25-May-19	Hul Kin village, Namhsan	Threaten	Tatmadaw call head of village and force him to take responsibility for them. They said “if something explode in that area while they moving, the whole village have to take on that”.	1		1	LIB 258, under ID 101
19	9-Mar-19	Mongngaw, Kyaukme	Landmine	One women got injury by landmine when she came back from market and take medicine at Kyaukme hospital.		1	1	Unknow

20	23-Mar-19	Loi Ann village, Kyaukme	Landmine	One of villager go injury by landmine while he find buffo and take medicine at Kyaukme hospital.	1		1	Unknow
21	30-Mar-19	Man Li village, Namtu	Landmine	3 villagers dead and 4 villagers got injury by landmine when they go for job near the village.	2	5	7	Unknow
22	26-Apr-19	Man Pan village, Namhkan	Landmine	2 child dead and 8 children got injury by mine explode when they playing in front of house. Before, the incident they find out one of mine and play together.	7	3	10	Unknow
23	21-Jun-19	Hol Chong village, Namhsan	Landmine	One of women got injury by landmine while going for a job and take medicine at Namhsan hospital.		1	1	Unknow
24	9-Jul-19	Naung San village, Kutkai	Landmine	One villagers got injury by landmine while going to find buffo in the forest.	1	0	1	Armed group
25	23-Aug-19	Loi Pel village, Kutkai	Shelling	3 villagers got injury by shelling from Tatmadaw around 7 PM. Three of them take medicine in hospital at Kutkai.	1	2	3	Tatmadaw
26	31-Aug-19	Mor Hit village, Kutkai	Shelling	5 villagers dead and 3 villagers got injury by shelling from Tatmadaw during fighting with three North alliance. Three villagers dead suddenly during incident and two dead while carry to hospital.	1	4	5	Tatmadaw
27					2	1	3	

28	18-Aug-19	Mor Sai village, Kutkai	Shooting	2 villagers got injury by shooting from armed group while they go to the farm.	2	0	2	Armed group
29	17-Aug-19	Par Phein village, Kutkai	Shooting	1 villagers was shoot by Tatmadaw during he went to Nampakar village.	1	0	1	Tatmadaw
30	24-Aug-19	Pan Nin village, Kutkai	Shooting	Tatmadaw shoot two villagers when they went to hospital at Nampakar to take medicine. Both of them got injury a lot and attend hospital at Lashio.	2	0	2	Tatmadaw
31	29-Aug-19	Taung Palote village, Kyaukme	Shelling	Two villagers got injury by shelling from Tatmadaw. After fighting with three north alliance Tatmadaw use big weapon and shelling inside the village.	2	0	2	Tatmadaw
32	17-Aug-19	Man Ton village, Kutkai	Shooting	Tatmadaw block one villager while he came back from Farm and shoot him.	1	0	1	Tatmadaw
33	25-Sep-19	Man Kaung village, Mongngaw, Kyaukme Township	Landmine	One villager got injury by landmine on the main road from village to tea farm.	1	0	1	Armed group
34	13-Sep-19	Namtawy village, Namhsan	Landmine	Two villagers got injury by landmine while they find buffo between Namsham and Mai Ngot border.	2	0	2	Armed group
35	13-Sep-19	Pan Ta Ao village, Namhsan	Shelling	One villager dead (m) and one got injury (f) by shelling during fighting between Tatmadaw and TNLA. Tatmadaw use helicopter and shoot near the village.	1	1	2	LIB 255 under ID 101

36	8-Oct-19	Taung Palote village, Kyaukme	Landmine	1 villager dead and 1 villager got injury by mine explode during they clean the Tea farm. Before the incident Tatmadaw shelling near the villager on August.	2	0	2	Armed group
37	9-Oct-19	Quarter 1-2-3, Hseni Township	Shelling	7 villagers got injury by shelling during fighting between three North Alliance and Tatmadaw.	2	5	7	Armed group
38	11-Oct-19	Loi Pel Su See village, Kutkai	Shelling	2 villagers got injury and 7 houses and monastery destroy by shelling from Tatmadaw.	1	1	2	Tatmadaw
39	13-Oct-19	Loi Pyat village, Namhsan	Landmine	3 monks got injury by landmine near the village during they came back from Mandalay to village.	3	0	3	Armed group
40	23-Oct-19	Pan Khu village, Kutkai	Landmine	1 villager got injury by landmine during he find buffo in the forest.	1	0	1	Armed group
41	1-Nov-19	Loi Pan Tan village, Kyaukme	Landmine	One villager got injury by landmine inside Tea farm while he came back to village.	1	0	1	Armed group
42	5-Nov-19	Pain Ka Taw village, Kyaukme	Landmine	Two villagers got injury by landmine near the village.	0	2	2	Armed group
43	7-Nov-19	Pan Sayee village, Namhsan	Landmine	Two villagers got injury by landmine near Nam Tawy village and take medicine at Kyaukme hospital.	2	0	2	Armed group
44	10-Nov-19	Loi Pain village, Namshan	Shelling	2 houses destroy by shelling from Tatmadaw without fighting.	0	0	0	Tatmadaw base in Mai Ngot

45	13-Nov-19	Hol Kho village, Kutkai	Shooting	1 monk and 1 villager got injury by shooting from Tatmadaw near Yin Kaw Taung (place name).	2	0	2	Tatmadaw
46	17-Nov-19	Kun Kaw, Tawt Pel village, Kyaukme	Shelling	3 villagers got injury and over 25 houses destroy by fighting between TNLA and Tatmadaw.	3	0	3	
47	19-Nov-19	Man Kan village, Kyaukme	Landmine	One villager got injury by landmine between Man Kan village and Nar Lway village during he came back from farm.	1	0	1	Armed group
48	25-Nov-19	Kyaukme	Block Humanitarian Aid	Tatmadaw block Omm Tamai group (social group) who try to help IDPs for humanitarian aid.				Tatmadaw
49	28-Nov-19	Man Warr village, Namtu	Shelling	3 villagers got injury by shelling during fighting between Tatmadaw and RCSS/SSA. The villagers couldn't help those survivors suddenly because Tatmadaw still shell weapon after the incident.	3	0	3	
50	6-Dec-19	Khon Ngen village, Kyaukme	Landmine	2 youth got injury by landmine while they go to tea farm.	2	0	2	Armed group
51	11-Dec-19	Pan Ninn village, Namhsan	Landmine	1 dead & 1 injury by landmine during prepare hoses in the forest near the village.	2	0	2	Armed group
52	14-Dec-19	Kyat Tay village, Namhsan	Landmine	One women lose her one leg because of landmine.	0	1	1	Armed group

53	14-Dec-19	Zayan Man Mai, Namhsan	Landmine	One villager injury by landmine on the road between village and tea farm.	1	0	1	Armed group
54	17-Dec-19	Pan Sayee village, Namhsan	Landmine	1 dead & 1 got injury by landmine between Pan Sayee village and Myo Thit village when they came back by motorbike.	2	0	2	Armed group

Forced Portering, other forced labour, use of villagers as human shields								
No	Date of Violation	Location of Violation	Type of Violation	Details of Violation	Total victims (m/f/t)			Battalion or Division of perpetrators
1	10-Nov-16	Mansan village, Loi Homw Group, Namhkan	Forced portering	12 women were forced to porter for the military for one day.		12	12	ID 33
2	23-Dec-16	Pan Kyon village, Phar Pheik, Muse	Forced Portering	1 villager was forced to carry the military property	1		1	ID - 88
3	21-Sep-19	Kawn Hai village, Namhsan	Forced Portering	Tatmadaw collected some villagers who came back from the jobs and some are inside the village. And Tatmadaw force some of the villagers to carry their thing and they were released on 22, September, 2019 at 6 PM.	0	7	7	LIB 101
4	17-Jul-19	Ma Yuu Petkar village, Kutkai	Forced Portering	One villager was porter by Tatmadaw event he sick.	1	0	1	ID 88

5	1-Sep-19	Sein Se village, Mongngaw Township, Kyaukme	Forced Portering	Tatmadaw came to the village and ask villager to the head of village for porter.	1	0	1	LIB 218, under ID 99
6	24-Sep-19	Sai Lan village, Manton	Forced Portering	Tatmadaw collected 13 villagers to do porter for them for one day. After one day 11 villagers were released and 2 villagers were released on 26, September, 2019.			13	LIB 412
7	20-Oct-19	Man Puu village, Kutkai	Forced Portering	2 villagers were porter by Tatmadaw for two nights and three days. After three days Tatmadaw released and gave twenty thousand to each person.	0	2	2	Tatmadaw

Looting and deliberate destruction of property								
No	Date of Violation	Location of Violation	Type of Violation	Details of Violation	Total victims (m/f/t)			Battalion or Division of perpetrators
1	12-Mar-16	Pann Lawt and Kyauk Phyu, Mongngaw Township, Kyaukme	Destruction of property	2 villagers' property was looted and the military came to search for TNLA soldiers in the villages, house by house, and destroyed their house			2	ID 77 and ID 33
2	27-Dec-16	Mongngaw, Kyaukme	Looted Property	A villager who was carrying medicine at the instruction of the village head was arrested and had the medicine confiscated with no reason on the trip from	1		1	IB 502

				Kyaukme to Mai Ngwat village.				
3	10-Jan-17	Anaut Kinn, Namhsan	Looted property	The military destroyed monks' property and looted villagers' property after fighting with TNLA.	20		20	ID 88
4	15-Feb-17	Kawn Salam, Kyaukme	Looted property	The military took the villagers' property such as CDMA, ring, necklace, etc after fighting with TNLA outside the village.	5		5	ID 88
5	21-Jul-17	Mai Yu Lay camp, Kutkai	Looted property	The military looted money (5 hundred thousand kyats) and 3 mobile phones from the villagers who lived in the IDP camp.	2		2	ID 88
6	3-Jan-18	Loi Pain village, Myok Tet group, Namhsan	Looted Property	The military looted monk's property inside the monastery.				ID 77
7	14-Jan-18	Kyat Tay village, Kyaut Phyu Lay group, Namhsan	Destruction and Burned Property	The military, based in Naung Cho, destroyed the villager's house and looted the property. After that, they burned 3 houses.			4	IB 504
8	24-Aug-19	Kutkai	Looted Property	Tatmadaw ID 99 looted property in Ta'ang Education Center at Kutkai after fighting with three north alliance.				Tatmadaw

9	16-Sep-19	Namkay village, Namhsan	Looted Property	Tatmadaw destroy 10 houses during the villagers flee to other place because of fighting.				ID 99
10	14-Dec-19	Kyat Tay village, Namhsan	Destroy property	Tatmadaw destroy and take out villager's property during they flee to other place.				ID 88
11	17-Dec-19	Loi Pyat village, Namhsan	Destroy property	One house bund because of fighting between TNLA and Tatmadaw.				
12	23-Dec-19	Hul Nam village, Namhsan	Loot and destroy property	Tatmadaw loot and destroy property during the villagers flee to another place because of fighting.				ID 88

Forced Relocation (IDPs)								
No	Date of Violation	Location of Violation	Type of Violation	Detail of Violation	Total victims (m/f/t)			Battalion or Division of Perpetrator
1	27-Jun-17	Man Lan village, Namhsan	IDPs	All villagers fled to Lashio because they were afraid of the military who threatened them and accused them of being connected with TNLA.			500	LIB 501, 503
2	11-Jan-18	Loi Sapi village, Namtu	IDPs	Lee Sue villagers fled from their village to Nammathu because of fighting between Military and TNLA.	53	45	98	Military and TNLA

3	5-Feb-18	Ngawt Nga village, Man Ninon group, Kutkai	IDPs	The villager fled from their place because the military used gunships and shot inside the village from the air.				Military
4	17-Mar-18	Nar Sai, Lote Lay, Loi Pyay, Namtu	IDPs	The villagers fled from their place because of fighting between Military and TNLA: Nar Sai Village 30, Lawy Pya – 55, Lote Lay – 62, Man Warr – 57, Pan Kut – 90 Total – 234 in Lashio & 264 in Nammathu			498	Military and TNLA

List of government-backed militia operating in Ta'ang areas of Northern Shan State

Name of militia	Area of operation, township	No. of troops
Pansay militia, led by U Kyaw Myint (former USDP MP)	Pansay area, Namhkan	> 200
Namhkan Myo Ma militia	Namhkan township	> 100
Kaung Khar militia, led by U T Hkun Myat, former USDP MP for Kutkai (private party since 2017)	Kaung Khar, Kutkai	> 200
Mai Yu militia, led by U T Hkun Myat (above)	Mai Yu Lay, Kutkai	> 30
Kyu Koke militia	Kyu Koke, Muse	> 50
Mong Koe militia	Mong Koe, Muse	> 50
Phaung Sai militia	Phaung Sai, Muse	> 50
Shauk Haw militia	Shauk Haw, Kutkai	> 80
Lone Kan militia	Lone Kan, Kutkai	> 50
Lone Htan militia	Lone Htan, Kutkai	> 70
Kutkai militia	Kutkai township	> 200
Tarmoneye militia, led by U Myin Lwin (aka Wang Guoda), currently USDP MP for Kutkai	Tamoenye, Kutkai	> 100
Ngawn Sai militia, led by Tun Myat Lay	Ngawn Sai, Namhsan	> 20
Namtu militia	Namtu township	> 30
Manton militia	Manton township	> 30
TOTAL		> 1,260

PEACE NEVER CAME: SYSTEMATIC WAR CRIMES AND HUMAN RIGHTS VIOLATIONS PERPETRATED BY THE TATMADAW IN TA'ANG AREAS OF NORTHERN SHAN STATE

April 2016 to December 2019



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Published July 2020



Image: IDPs preparing food (*Supplied: TWO*)