

“THE WORLD MUST KNOW”

A briefing paper by the Karenni Human Rights Group and the Network for Human Rights Documentation – Burma on the human rights violations committed by the Myanmar Junta in Karenni (Kayah) State

Cover photo: Scorched vehicles after the Myanmar junta rounded up villagers and set the bodies on fire in Hpruso Township. (KNDF via AP)(Uncredited / Associated Press)



INTRODUCTION

The Myanmar junta has a long history of brutal repression. For over 70-years, civil war has been raging in the country. Despite long-standing attempts for dialogue with the international community, civil society organizations, and ethnic revolution groups (EROs), the regime has consistently failed to listen to the voices of those existing outside of its deeply flawed architecture. The junta has endlessly violated international laws and perpetuated atrocities against civilian populations.

One year ago, on 1 February 2021, the military junta toppled a short-lived democratic period. The military arrested the nation's elected leaders and attempted a coup on the basis of unproven claims of electoral fraud. These actions were illegal and reflective of the junta's greed through a deliberate attempt at seizing power. Immediately after, the military junta ignited a campaign of violence against unarmed, innocent civilians, committing grave, systematic human rights violations.

Since the failed coup, countless protesters have been shot, civilians killed in their own homes, and resistance fighters hunted down. Millions have been pushed to the brink of poverty as economic stability plummets. The rule of law and fundamental freedoms have been desolated.

Karenni (Kayah) State is among the many states and regions in Myanmar which has been overwhelmed by expanding military operations. This joint briefing paper produced by the Karenni Human Rights Group (KnHRG) and the Network for Human Rights Documentation – Burma (ND-Burma), in conjunction with data and insights from a local women's organization who prefers to remain anonymous for security reasons, will provide analysis of the situation in Karenni (Kayah) State. The synopsis of the events from the beginning of 2021 to January 2022 are contextualized with interviews from ND-Burma conducted with victims of the junta's attacks.

METHODOLOGY

The Network for Human Rights Documentation – Burma has documented war crimes and crimes against humanity in Kayah (Karenni) State perpetrated by the military junta through desk research, interviews and data from civil society organizations including KnHRG.

All parties involved in the collection of data and interviewees agreed to share their information and experiences with ND-Burma for the purpose of this report. ND-Burma has changed the identities of individuals who requested anonymity for safety and security reasons.

Since the attempted coup, it has become increasingly more challenging to document human rights violations. The military troops have leveraged a barrage of checkpoints across the country, in villages and townships, where anyone traveling is subject to interrogations which frequently become violent. In these scenarios, military troops confiscate mobile devices, computers and any other possessions that the regime deems a 'threat.' Therefore, the information and data presented are approximates which were available at the time of writing. Numbers of internally displaced people and the number of clashes are increasing, as are the numbers of those killed, injured and missing.

ND-Burma recognizes the great risks which have been taken to ensure evidence is collected and testimonies are shared to pursue justice for victims and their families at various international judiciaries.

Photo (left): More than 100,000 people have been displaced in Karenni state amid fighting in the aftermath of the military coup on February 1 [Al Jazeera: File: AP]

Photo (right): KSCC Asks UN Agencies For Relief For IDPs in Karenni State via news article from Burma News International



BACKGROUND

Throughout 2021, attempts for dialogue and peace were squandered by the military junta. Ceasefire negotiations with EROs were quickly exhausted as the majority of them rejected the coup and fought alongside newly established People's Defense Forces (PDFs) against the junta. Several EROs have shown their support for the National Unity Government (NUG). The NUG, a government by and for the people, was founded on 16 April 2021, and has been a vocal opponent of the junta. Alongside their calls for an end to state-wide violence has been ongoing efforts to involve international investigators to refer the junta's crimes, which include the inhumane massacring of civilians, to the International Criminal Court.¹

As the year 2021 came to an end, attempts to squander dissent from pro-democracy forces, including EROs, were aggressively expanded by the military junta. States, regions and their respective townships which had been relatively peaceful in Myanmar, are now under ongoing attacks by the junta who continue to use violent tactics to crush the various opposition forces which have emerged since the failed coup.

Chin State, Karen State, Karenni (Kayah) State and Sagaing region are among those to be targeted with routine air and ground strikes. In light of these attacks, the United Nations called for an immediate halt of weapons being supplied to Myanmar following a resolution adopted by the General Assembly with the support of 119 countries.² China and Russia were among the 36 countries who abstained. While the statements of condemnation are an acknowledgment of the atrocities taking place, the situation demands much more concrete actions to hold the junta liable for their crimes.

The unremitting attacks have forced hundreds of thousands of people to flee to neighboring Myanmar townships and bordering countries including Thailand and India. Among the many crises that the junta is responsible for creating, a refugee emergency is one of them. Just six weeks after the overthrow of the democratically elected government, civilians began fleeing to neighboring Thailand.³ However, safety was not guaranteed as incidents of push-backs by the Thai authorities prompted calls from rights groups for the Thai government to adhere to the principle of non-refoulement.⁴

Attempts by regional blocks to halt the junta's attacks including the Association of Southeast Asian Networks (ASEAN) have been unsuccessful. On 24 April 2021, ASEAN agreed to a 'Five Point Consensus' which intended to curb the attacks against civilians by the regime.⁵ The junta has unsurprisingly failed to adhere to their commitments and has shown no regard to member countries including Singapore, Malaysia and



Photo: An internally displaced person (IDP) is seen at Demoso Township on December 20 (Myanmar Now)

Indonesia who have distanced themselves from the junta's complete and utter disregard for civilian life.

Against Myanmar's harrowing current backdrop, the people have stood tall in the midst of ongoing terrors and threats to their livelihoods. Of the 593, 000 internally displaced people (IDPs) in Myanmar, over 300, 000 have been displaced since 1 February 2021.⁶ During intensified clashes at the end of 2021, and early 2022, internal displacement became even more rampant across northwest and southeast Myanmar. Despite repeated calls by civil society organizations and international bodies to the military junta to immediately cease their assaults on civilian lives, the atrocities are incessant.

SITUATION OVERVIEW IN KARENNI (KAYAH) STATE

Human rights violations perpetrated in Karenni (Kayah) State by the terrorist junta have increased as has in other states and regions since 1 February 2021. The safety of civilians has been seriously undermined as ongoing bombardments threaten to further destabilize the state. Problematic patterns of impunity have jeopardized prospects for justice as residents are ruthlessly targeted while soldiers evade accountability.

The destruction of property, torture, indiscriminate firing and artillery shelling, forced displacement and arbitrary arrest are among the tools of oppression the junta is carrying out. Hospitals, schools, and places of religious worship are being destroyed by air attacks. In civil war, airstrikes are a violation of international humanitarian law, as are targeting innocent non-combatants. Countries such as China and Russia who are supplying aviation fuel to the regime are complicit in these crimes.

There has so far been no accountability for these offenses despite evidence documented of ongoing crimes against humanity and war crimes.⁷ The Independent Investigative Mechanism for Myanmar alone has received over 200,000 communications and over 1.5 million items of evidence analyzed in relation to the junta's campaign of violence since 1 February 2021.⁸ The victims of the junta's assaults include women, children and the elderly. The soldiers do not discriminate on the basis of age, gender, religion or socio-economic status. Ethnic people especially have been targeted by the military for decades.

BY JULY 2021, OVER 700 REFUGEES FROM KARENNI (KAYAH) STATE WHO HAD FLED WERE LIVING IN DIRE CONDITIONS IN THE FORESTS AND OTHER REMOTE AREAS.



Photo: Villages empty, civilian armed groups rise in eastern Myanmar via Al Jazeera, 7 June 2021

Fighting between the joint forces of the local PDFs and the Karenni Nationalities Defense Force (KNDF) against the military junta began escalating in May 2021 and progressively worsened throughout the rest of 2021. Demoso Township was hit particularly hard and resulted in a quarter of the population displaced.

By July 2021, over 700 refugees from Karenni (Kayah) State who had fled were living in dire conditions in the forests and other remote areas.⁹ Others sought protection in Thailand on a journey by foot. Half of those who made the perilous crossing were women and children.¹⁰ Their lives are filled with uncertainty as fighting has shown no sign of slowing and humanitarian aid has become much more difficult to distribute. The junta targets aid workers and blocks key routes to transport urgently needed material goods.

Civilians are continuing to flee terrifying conditions in their homelands which have forced them to abandon their livelihoods. Those who have chosen to remain in their villages have been encouraged by the Karenni State Consultative Council (KSCC) to dig bomb shelters to protect themselves from the threat of airstrikes by the junta.

By the third week of January 2022, almost two dozen civilians had been killed from artillery shelling.¹¹ The junta has also cut off utilities to people in Karenni (Kayah) State including electricity, water and Internet.¹² By weaponizing communications and basic access to water, the regime is attempting to force more villagers to flee by depriving them of basic essentials needed to survive. According to a local women's organization, villagers have been displaced from the following villages:

- **88 villages in Demoso Township**
- **46 villages in Pae Khon (along the Shan/Kayah border)**
- **45 villages in Hpruso Township**
- **23 villages and surrounding areas in Loikaw**
- **13 villages in Shar Daw Township**
- **2 villages in Maese**
- **1 village in Hparsaung**



APPROXIMATELY 30, 000 PEOPLE HAVE FLED TO SOUTHERN SHAN STATE. ANOTHER 10 000 WENT INTO NEIGHBORING THAILAND AND AN ADDITIONAL 500 TO CITIES SUCH AS YANGON AND MANDALAY. CLASHES HAVE PREDOMINANTLY TAKEN PLACE IN LOIKAW AND DEMOSO TOWNSHIPS. IN DEMOSO TOWNSHIP ALONE, AT LEAST 70, 000 CIVILIANS HAVE BEEN FORCIBLY DISPLACED.

The villages include, Htoo Poe Kloe village, Daw Klaw Du, Daw Pu, and Daw Ta My Kyi which are in Eastern Demoso Township. Villagers have fled to Pin Laung, Aung Ban and Hsi Hseng and Taunggyi Township.

The junta troops, specifically soldiers from Battalion 108, Light Infantry Division 66, are responsible for the displacement of 170,000 civilians in Karenni (Kayah) State since the fighting began. The escalated conflict has pushed some 120,000 people to seek shelter inside various religious buildings and also in the jungle.¹³

The orders to issue air and ground attacks are from coup leader, Min Aung Hlaing, who is the Commander-in-Chief of the military junta. There are also military informers and plain-clothes police officers who are accountable for the arbitrary arrests and unlawful detention of pro-democracy individuals, including senior level members of the National League for Democracy.

Approximately 30, 000 people from Karenni (Kayah) state have fled to Southern Shan state. Another 10 000 went into neighboring Thailand and an additional 500 to cities such as Yangon and Mandalay.¹⁴ Clashes have predominantly taken place in Loikaw and Demoso Townships. In Demoso township alone, approximately 70, 000 civilians have been forcibly displaced.

EROs are among those who have called on the international community and ASEAN to implement no-fly zones against the military junta, and to take greater steps to ensure civilian safety. Karenni police officers have also called for the dictatorship to be dismantled and have demanded justice for victims by ensuring the regime is put on trial at the International Criminal Court for crimes against humanity.¹⁵

HUMAN RIGHTS VIOLATIONS IN KARENNI (KAYAH) STATE

While clashes between the junta's opponents persist, unyielding hostilities are deployed against innocent civilians. The military junta has said that if opposition groups do not submit and put down their weapons, that junta aircrafts would destroy the capital city of Loikaw.¹⁶ Despite the majority of residents in Karenni (Kayah) State not engaging in combat, they have nonetheless been targeted.

Displaced people have faced execution, unlawful arrest and torture. The military has destroyed houses, burned and stolen civilian property and livestock. Villagers have been abducted in order to guide soldiers on the battlefields. The junta has also planted landmines in villages where IDPs would attempt to return home for food and materials. Alongside the conflict, COVID-19 cases continue to rise.

The following are case studies which include testimonies from victims and their family members of the crimes perpetrated against them by the junta between December 2021, and the end of January 2022. It is important to note that all of these crimes have been committed by the Myanmar junta with impunity.

24 DECEMBER 2021: THE CHRISTMAS EVE MASSACRE

On 24 December 2021, KnHRG reported that Light Infantry Battalion (LIB) 108 entered Moso village and captured approximately 40 villagers including women, children, and the elderly. Two of those detained were staff members from the non-government organization, *Save the Children*. Negotiations for their release by Border Guard Forces (BGF) were unsuccessful. The BGF was established by the junta to transform EROs under their command. However, the junta forces refused to allow them to intervene and instead executed the men trying to save the victims.¹⁷ Then, those held by the military junta were handcuffed, and burned alive in 15 different vehicles.¹⁸

The same day, the junta indiscriminately fired artillery shells into Loikaw Township and two civilians were struck in their homes. One of them from Bar Do village died. In the morning, LIB 108 under the command of LID 66 also destroyed houses in Daw Nyae Khu village, Hpruso township.

Days after the attack, the Karenni State Police, a unit formed in opposition to the military junta, announced at a press conference that autopsies were carried out on 31 bodies (26 males and 5 females).¹⁹ There were also remains reduced to ash in three plastic bags.²⁰ Family members of the victims, deep in trauma, recounted endless phone calls that went unanswered because they were caught in the junta's merciless attack.

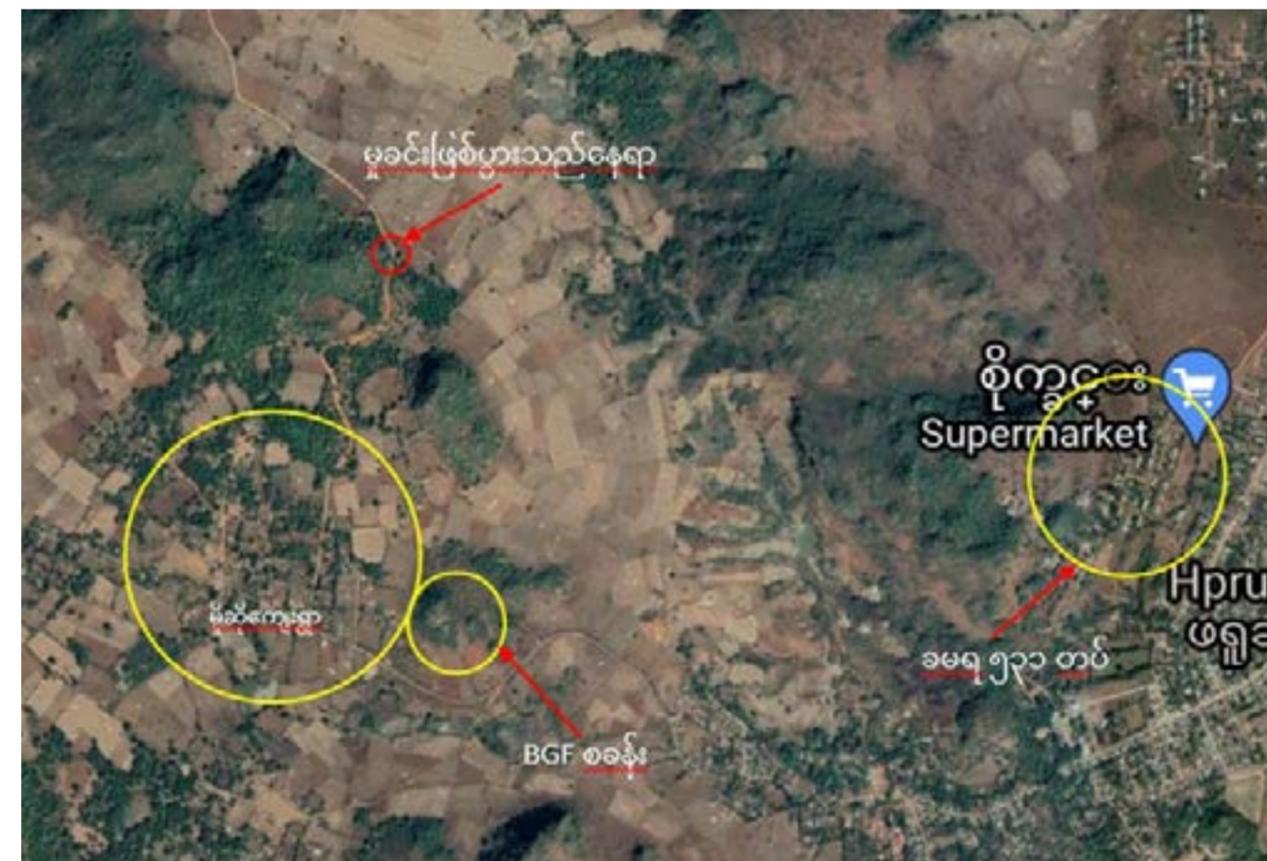


Photo: A map from KnHRG shows the location of the military junta's attack in Hpruso Township where the Christmas Eve massacre took place. Credit: KnHRG

In an interview conducted by ND-Burma on 28 December 2021 with the sister of one of the victims of the Christmas Eve massacre, she recalls fearing for the worst when she heard her brother was trapped:



“I'm the sister of Maung Hla Chay who was killed and burned alive in Hpruso Township on 24 December 2021. My younger brother is an employee of the Municipal department in Hpruso but he is participating in the Civil Disobedience Movement. Those burned alive included my younger brother and three cousins. My brother is the youngest one among our brothers and sisters. He was 19 years old. My cousins are Phe Bu (25), Shar Reh (18) and Pa Ku Moe (20).

When fighting broke out, we felt unsafe. Some villagers from Law Gyar village, Hpruso Township, moved to Nar Nat Taw village, Loikaw Township, with some of their belongings on 20 December. On 23 December, more villagers fled to Loikaw. While we prepared to get our things in the village, the incident in Hpruso Township took place.



Around 10PM, the villagers had not returned. I phoned them but it was raining so no one answered. I started to worry. I called other phone numbers but no one responded. I prayed that nothing had happened to them. The next day, we heard the news about the victims being burned alive. The military junta arrested whoever they saw and killed them. Their cars and motorcycles were also confiscated.

As far as I know the victims are: 1 from Daw Ka Htaw, 2 from Payeitaw, 4 from Law Gyar, 1 from Doeparei, 1 from Hpruso, 2 from Save the Children and 1 from Mar Craw Shay.

The acts by these soldiers are not comparable to anything. They are not human. There are no words for the crimes they have committed which are so far outside the bounds of law. The world must know the cruel acts which have taken place in our Kayah State.”

The list of the victims from Lao Gya village, Hpruso include;

Hla Chay (Male-19)

Pha Bu (Male-25)

Shar Reh (Male-18)

Pa Ku Moe (Female-20)

Doctors examining remains of the victims told the public that they were ‘murdered in the cruelest, most inhumane manner.’²¹ Details of the attack are harrowing. Several of those burned were found with their hands bound behind their backs, were gagged or had punctures to their chests and lungs.²² Medical forensic teams were unable to initially retrieve the deceased bodies as soldiers fired artillery shells at anyone who attempted to enter the area.²³ Numerous rights groups including KnHRG issued a joint statement calling for the military junta to be held accountable for the massacre and expressed deep sadness at the senseless killing.²⁴

Fifty-nine civil society organizations denounced the massacre of the Karenni victims which amplified calls to the United Nations Security Council and the international community to respond and take concerted action.²⁵ The military junta, in addition to being guilty of committing this horrific assault, also attempted to destroy evidence of the crime. Between 1 February 2021, and 16 January 2022, almost 200 civilians were killed by junta forces in Karenni (Kayah) State.²⁶

Daw Nga Mar, age 47 from Law Gyar village, Hpruso Township, is the mother of two victims who were burned alive in the Christmas Eve massacre. She recalled the day they went missing:



“On 12 December 2021, we left for Doe Pa Reh village which is near Law Gyar village to escape the fighting. However, we did not feel safe in Doe Pa Reh so we decided to flee to another town. On 19 December, I found a place in Loikaw to stay and rebuild a hut but we needed materials including bamboo to do so. We began building a new shelter on 20 December 2021 and on 23 December, we left to pick up family members in Hpruso Township who were also trying to escape the clashes.

I contacted my family at 9AM on the morning of 24 December by phone and they said: “We are in Koi Ngan and will arrive home soon.” However, by 10AM they were still not home. I called them again and heard the automated message which said their phones were off. I tried to call them many times but there was no answer.

At 1PM, we saw evidence of burning around Moso village. I asked the villagers in the area what happened and they said the junta troops arrested some villagers and detained them somewhere. I couldn’t sleep when I heard this news. At 6AM on 25 December, I heard that cars were burnt with people inside. There were dead bodies found in these vehicles.

After seeing photos of the burnt cars on social media, I realized my family members were inside. My daughter, Pa Ku Moe, age 20 is a student from Nationalities Youth Resource Development Degree College and my son, Sha Reh, is just 18 years old.

They did not participate in the fighting so why were they burned alive? How could the soldiers be so cruel? Does the junta know the laws?



The international community must act to ensure justice for the survivors. The junta spokesperson, Zaw Min Htun, always lies and denies the crimes of the Myanmar soldiers at press conferences.

I have never experienced such a tragedy like this in my life, and now I suffer from significant trauma. My husband passed away, and now my children have been taken away so brutally without doing anything wrong. I must grow old without them. I feel so much pain. Sometimes I am mad, and I feel insecure. I try to heal through my religion but I am still suffering.”



Photo: An image supplied by the Karenni Nationalities Defense Force (KNDF) shows burnt vehicles in Hpruso township in Kayah state. (Handout via AFP)

It is the continuation of crimes like this which have created a legacy of deep-rooted resentment against the junta. Time and time again, the military has exercised tactics of fear and intimidation which often result in death and trauma among ethnic communities in particular.

According to data from KnHRG, those killed in the vehicles included two people from *Save the Children*, four villagers from Muso village, one officer from the Forestry Department, one employee from the Civilian Health and Development Network, one local militia soldier from the Karenni National Peace and Development Party and 30 other civilians.

NEW YEAR CONFLICT: 6 JANUARY 2022

Civilians were caught in the midst of clashes between joint forces of the KNDF, the Karenni Army, the Karenni Democratic Front and local PDFs against the Myanmar junta. The fighting took place early in the morning in Loikaw when anti-coup resistance groups ambushed the regime.²⁷ Over the course of 30 minutes, approximately 15 junta soldiers were killed. Another ambush against junta troops took place in front of Loikaw Technological University.²⁸ The junta retaliated and fired artillery shells which injured two civilians.²⁹



7, 8, 9 JANUARY 2022

Photo: Damage from the airstrike at the camp near Ree Khee Bu(KFBR) via Myanmar Now, 17 January 2022

Six civilians were killed on 7 January 2022, according to the KNDF when the junta targeted civilian areas. On the first weekend of the new year on 8 and 9 January 2022, the military junta attacked Loikaw township through air and ground attacks, which forced half of the population to flee.³⁰ Helicopters were used to attack KNDF bases and five civilians were killed and others seriously injured. According to local media, the junta launched approximately 12 airstrikes as of Saturday, 8 January 2022.³¹

A local women’s organization reported that 100,000 villagers from Loikaw township fled to the jungle and to Southern Shan State, Yangon, Mandalay and Naypyidaw. Following the offensive, the junta warned that Loikaw would be an ‘example’ of what was to come if opposition groups did not submit to the regime.³² The fighting has only exacerbated the already growing need for humanitarian assistance in the State with 200,000 out of a population of 300,0000 urgently requiring emergency support.³³

Currently, IDPs from Demoso and Shadaw Township who fled near the Thai-Karenni border area are also trapped in a conflict zone and facing food and water shortages.

17 JANUARY 2022

In the early morning hours of 17 January 2022, the military junta led airstrikes at a refugee camp near the village of Ree Khee Bu in Hpruso Township. Three people, including two children were killed.³⁴

The victims were among the 700 people taking shelter after being forced to flee their village at the end of December 2021, following the Christmas Eve massacre. This attack against innocent civilians were unprovoked. There were no clashes taking place which would have prompted the junta to fire. Efforts have been ramped by local Karenni (Kayah) groups including the KNPP, calling on foreign countries to enforce a 'safe zone.'³⁵ This targeted offensive is yet another cruel indicator of the lengths the junta is willing to go to instill fear into the population.

Volunteers and humanitarian responders have been struggling to provide shelter and supplies to those that are fleeing violence. While civilians desperately seek avenues for protection, junta soldiers have raided the homes of displaced villagers in Karenni (Kayah) townships, including Loikaw.³⁶

No one appears to be safe from the military junta's violence. Villagers were urged by the KSCC to build bomb shelters for their own protection.³⁷ The announcement came after two IDP camps were bombed with aerial strikes which killed six people on 17 January. The day before, on 16 January, three medical volunteers were also killed in airstrikes in Nann Mal Khon village, in yet another incident where civilians have once again been directly targeted.³⁸ The KSCC said, "the regime is clearly murdering both innocent civilians and resistance fighters without any discrimination. [They] are committing genocide and it will potentially increase in ferocity."³⁹

"THE REGIME IS CLEARLY MURDERING BOTH INNOCENT CIVILIANS AND RESISTANCE FIGHTERS WITHOUT ANY DISCRIMINATION."

CONCLUSION

The situation in Karenni (Kayah) State is not unlike other states and regions across the country. Fearful and without many options, civilians are forced to live in uncertainty of what barrage of unlawful tactics will be unjustly deployed against them.

The crimes being committed in Myanmar demand international action and a coordinated humanitarian response which meets the urgency of the current situation. For too long, the Myanmar generals have enjoyed impunity which has only emboldened them to commit further atrocities. The junta has made a mockery of the rule of law in Myanmar.

Domestic accountability mechanisms cannot be relied upon to ensure justice for the hundreds of thousands of victims of the regime's brutality. Therefore, there is a global moral and legal obligation to intervene in the many crisis's unfolding in Myanmar. The United Nations Security Council must take steps to impose a global arms embargo and immediately refer the situation on the ground to the International Criminal Court. The NUG must be recognized as the government of Myanmar which reflects Members of Parliament who were democratically elected and represent the voices of the people.

It must be made clear that the leader of coup, Min Aung Hlaing, is a criminal guilty of mass crimes including those which amounts to genocide. He, and other officials must be prosecuted at the highest level to send a strong message that widespread human rights violations are a crime which they must be held accountable for.

RECOMMENDATIONS

TO THE INTERNATIONAL COMMUNITY

1. Refuse to engage with the Myanmar junta and any representative the regime claims as legitimate. In doing so, the representation of any military junta official at international affairs, meetings, summits and gatherings must be strictly prohibited. All efforts to engage with the country's leadership must be with the National Unity Government.
2. Publicly condemn the systematic, wide spread oppression of civilians in Myanmar and take concrete actions to dismantle business ties which the junta profits off of at the expense of innocent people. This includes targeted sanctions.
3. Recognize the human rights violations being perpetrated by the military junta as violations of international law which they must be held accountable for at the International Criminal Court.
4. Advocate for a safety zone where IDPs can safely access urgently needed humanitarian aid.

TO THE UNITED NATIONS SECURITY COUNCIL

1. Impose and enforce aviation fuel sanctions.
2. Refer the Myanmar junta to the International Criminal Court.
3. Immediately adopt a resolution which acknowledges the worsening of the human rights crisis on the ground in Myanmar and impose a global arms embargo which would halt the free flow of weapons into the conflict-torn country.

TO THE ROYAL THAI GOVERNMENT

1. To provide temporary safety and shelter to refugees fleeing violence by the junta.
2. To permit the free flow of humanitarian assistance to meet the needs of displaced people.
3. To adhere to the principle of non-refoulement and work closely with local organizations in the provision of aid, and services.

ENDNOTES

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