INTRODUCTION

This report, prepared by the Office of the High Commissioner for Human Rights, describes the overall human rights situation in Myanmar with a particular focus on accountability for violations that occurred since 1 February 2021 and implementation on recommendations on the human rights situation of Rohingya Muslims and other minorities. The Office does not have access to Myanmar; these findings are based on over 155 interviews and meetings with victims, victim's advocates and witnesses and corroborated by satellite imagery, verified multimedia files, and credible open-source information.

CONTEXT

Alleging electoral fraud in the November 2020 elections, the Tatmadaw launched a coup on 1 February 2021. Nationwide opposition to the military coup manifested through peaceful mass protests and a Civil Disobedience Movement.

Myanmar is now facing violence on a massive scale, including countrywide arbitrary detentions, unnecessary and disproportionate use of force against peaceful protesters, extrajudicial killings, as well as ill-treatment and torture in custody. In response to such mounting repression, individuals across the country formed community-based groups for neighbourhood watch, as others began launching attacks against security forces. Simultaneously, armed conflicts in Myanmar's border areas have continued and resurfaced, particularly in Kachin, Kayin and Shan states.

RIGHT TO LIFE

**KILLED DURING PROTESTS / RAIDS**

- Live ammunition to disperse and target demonstrators and pursuing fleeing protestors, raids and searches to find suspected anti-military individuals

**KILLED IN CUSTODY**

- Due to lack of adequate medical care for injuries obtained in raids
- Cruel and inhuman treatment and torture especially during interrogation
- Increasing incidences – average of 12 cases per month from February to June, July onwards average of 38, 70 deaths in December alone
- Frequently relatives unaware of whereabouts of detainees, remains disposed of without informing family or information not provided when requested
- Where returned bodies showed signs of torture and ill-treatment

**KILLED IN "CLEARANCE OPERATIONS"**

Starting from July 2021 several mass killings

- 40 villagers in Kani Township Sagaing Region in clearance operations in July including 9 corpses found in forest with bound hands and wounds consistent with knives and sticks
- Burnt remains of 11 individuals in Done Taw Village, Sagaing Region in early December
- Burnt remains of 40 individuals in trucks in Hpruso Township in Kayah State on 24 December

*Some examples:*

- 276 in and around Ayeyarwady representing each state, region and union territory
- 220 in and around 330 townships saw armed clashes
- 11,742 at least individuals were detained by the SAC and its affiliated armed elements
- 1,500 at least people were killed by the security forces or their affiliates

**Fig. 1 Number of fatalities by region by security forces and their affiliates**

- All figures are based on available information. The boundaries and names shown and designations used on maps do not imply official endorsement or acceptance by the United Nations.

Created: 30 March 2022  Author: OHCHR Myanmar, IMDA/ERS/FOTCD  Source: OHCHR, OCHA, AAPP, ACLED  Contact: ohchr.bangkok@un.org
Following military custody, which likely amount to both arbitrary detention and enforced disappearance, interviewees explained that the only way to find out whether a loved one was in prison was to send a food packet with the individual’s personal details: if the packet was not returned to the sender, it meant the individual was being held in detention.

Persons released from detention described harsh prison conditions, including significant overcrowding. Physical distancing was impossible and there was no treatment for those who contracted COVID-19. Interviewees held in three different prisons across Myanmar also described a similar situation of some convicts given effective delegated authority by prison authorities to “discipline” political detainees leading to widespread extortion and abuse.

**Legend**

- **Regions with most detainees**
- **Places where alleged torture / ill-treatment occurred**

All figures are based on available information. The boundaries and names shown on maps do not imply official endorsement or acceptance by the United Nations.
Situation of human rights in Myanmar from 1 February 2021 to 31 January 2022

March 2022

Between 1 February 2021 and 31 January 2022, the SAC and its affiliated armed elements detained at least:

- 11,742 individuals
  - 2,311 Women (20%)
  - 9,116 Men (78%)
  - 234 Children (2%)

Another 1,971 individuals are wanted by the SAC, forcing them to go into hiding.

Furthermore, an additional 1,500 individuals were detained between 1 February 2021 and 31 January 2022 with an unknown month of arrest.

INSECURITY, ARMED CONFLICTS, AND OTHER FORMS OF VIOLENCE

Myanmar is wrought with devastation that has destroyed the increasingly prosperous lives that many around the country had in recent years begun to enjoy. There have been armed clashes and attacks in each state, region and union territory, and in around 220 out of 330 townships.

Tatmadaw forces committed many violations during “clearance operations”, combing areas in search of members of armed groups and arresting, torturing, and summarily executing individuals, as well as looting and destroying property.

Killings: Small arms fire killed over 400 individuals; airstrikes, mortar and artillery shelling and other explosions killed approximately 150 persons; landmines or explosive remnants of war accounted for over 88 deaths.

Forced labour and human shields: At least 85 reported incidents involved the Tatmadaw forcing individuals to perform labour and act as human shields as their troops advanced.

Displacement: Over 441,500 people have been displaced from their homes around the country since February 2021.

Property destruction: Over 400 Tatmadaw attacks on populated areas involved property destruction, destroying thousands of houses and other buildings including churches and food stores.

At least 240,000 people in Kayah and Kayin states and other parts of south-east Myanmar, 191,500 people in Chin State, and Sagaing and Magway regions, as well as 10,000 people in Shan and Kachin states. More than 15,000 people have crossed the border to India or Thailand. Many more people have been temporarily displaced and there is a large, pre-existing protracted-displaced population including over 220,000 persons in Rakhine State and over 106,000 on Kachin and northern Shan states.

All figures are based on available information. The boundaries and names shown and designations used on maps do not imply official endorsement or acceptance by the United Nations.
March 2022    Situation of human rights in Myanmar from 1 February 2021 to 31 January 2022

ROHINGYA

» Situation in Rakhine state relatively stable but the overall human rights situation of the Rohingya community has seen no improvement.

» Further deteriorations in some aspects for example new restrictions on freedom of movement for Rohingyas in some areas with additional travel authorisations or permits.

» A COVID-19 vaccination campaign is being rolled out but effective coverage for Rohingya is hindered by travel and authorization costs and access and availability issues.

» Conditions in Rakhine State remain unconducive for safe, voluntary, dignified and sustainable returns of refugees and IDPs.

» Some who chose to return due to security concerns in the camps in Cox’s Bazar were arrested charged and prosecuted for illegal entry.

» Security situation has worsened for Rohingyas in Cox’s Bazar in Bangladesh with criminal groups fighting daily to gain control in the camps and threatening, beating, kidnapping, and killing unaffiliated camp residents.

Outstanding issues that remain:
- deprivation of citizenship rights and civil documentation
- restrictions on freedom of movement
- lack of access to health and education services and livelihood opportunities
- lack of right to return for refugees and displaced persons
- lack of justice and redress for past violations
- humanitarian access is time-limited, location specific and restricted

ACCOUNTABILITY

» Acts by the Tatmadaw may be crimes against humanity as they were carried out in the context of a widespread and systematic attack directed against civilian populations, and in apparent pursuance of a policy. These include, murder, forcible transfer of population, imprisonment or other severe deprivation of physical liberty in violation of fundamental rules of international law, torture, persecution against any identifiable group or collectively on political grounds, enforced disappearances, and other inhumane acts of a similar character intentionally causing great suffering, or serious injury to body or to mental or physical health.

» When linked to an armed conflict, some of these acts may also amount to war crimes. Additionally, in the conduct of hostilities, attacks against civilians and civilian objects, using human shields and forced displacement, constitute serious violations of international humanitarian law amounting to war crimes.

» Avenues for accountability include the current case at the International Court of Justice, the International Criminal Court’s investigation, cases brought under universal jurisdiction and the ongoing work of the Independent Investigative Mechanism for Myanmar.

RECOMMENDATIONS

» To the military authorities: cease all violence and attacks against the population, release all prisoners detained for exercising their rights and discontinue politically-motivated prosecutions.

» To all parties in Myanmar: facilitate unrestricted humanitarian access, fully respect human rights norms and, where applicable, international humanitarian law, cooperate fully with Special Envoys of the UN and ASEAN and accountability mechanisms.

» To the international community: protect and assist individuals crossing international borders including the Rohingya population and ensure any returns are dignified and voluntary, refer the situation to the International Criminal Court, ensure any political solution respects transitional justice measures, prevent the supply of arms, apply targeted sanctions as appropriate, encourage businesses to cease working with military owned or affiliated entities.