

INTRODUCTION

This report, prepared by the Office of the High Commissioner for Human Rights, describes the overall human rights situation in Myanmar, including that of Rohingya Muslims and other minorities. The Office does not have access to Myanmar; findings are based on over 96 interviews and meetings with victims, survivors and corroborated by satellite imagery, verified multimedia files, and credible open-source information as well as regular collaboration, data and information exchanges within the UN system. Figures of casualties likely represent an underestimation of the reality on the ground.

CONTEXT

Two years after the military coup, people in Myanmar remain exposed to daily human rights violations.

Myanmar's conflict landscape has changed dramatically, highlighting concerns for the protection of civilians. By late 2021, and throughout 2022, violence intensified especially in the north-west and south-east, with the military employing its "four-cuts" strategy: indiscriminate

Between 1 February 2021 and 31 January 2023

at least **2,940** people were killed by the security forces or their affiliates

at least **17,572** individuals were detained by the SAC and its affiliated armed elements

in and around **255** out of 330 townships saw armed clashes representing each state, region and union territory

deployment of airstrikes and artillery shelling, mass burnings of villages to displace civilian populations, and denial of humanitarian access.

The military also unilaterally adopted rules to decimate anti-coup opposition and to dismantle the expanded civic space that had significantly contributed to Myanmar's development.



VIOLENCE, CONFLICTS, AND PROTECTION OF CIVILIANS

- There is **widespread use of extrajudicial executions** by the military often following arrests carried out in villages and towns after raids.
- In the past year, there were **at least 24 incidents where 5 or more people were detained and then killed** in a single incident.
- At least **920 people have died while in military custody** since 1 February 2021.
- Individuals were also **killed in airstrikes, by artillery fire and during arson attacks on villages**.

Fig. 1 Tactic (airstrikes, artillery, burnings, detentions) by number of incidents by year since the coup

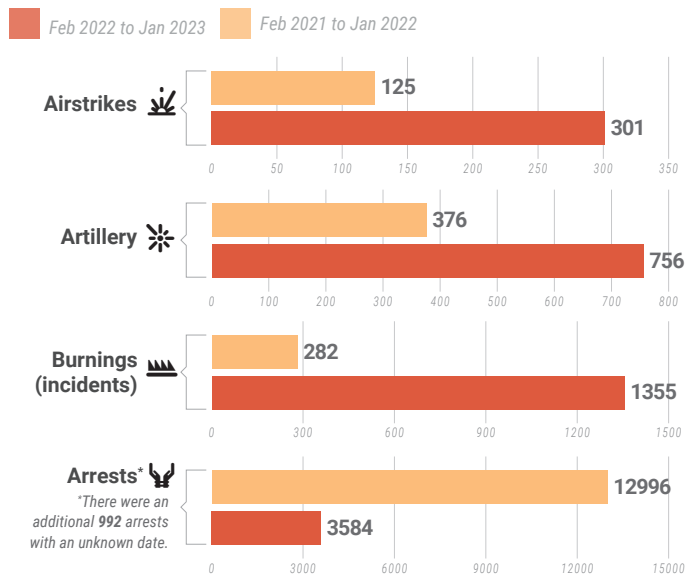
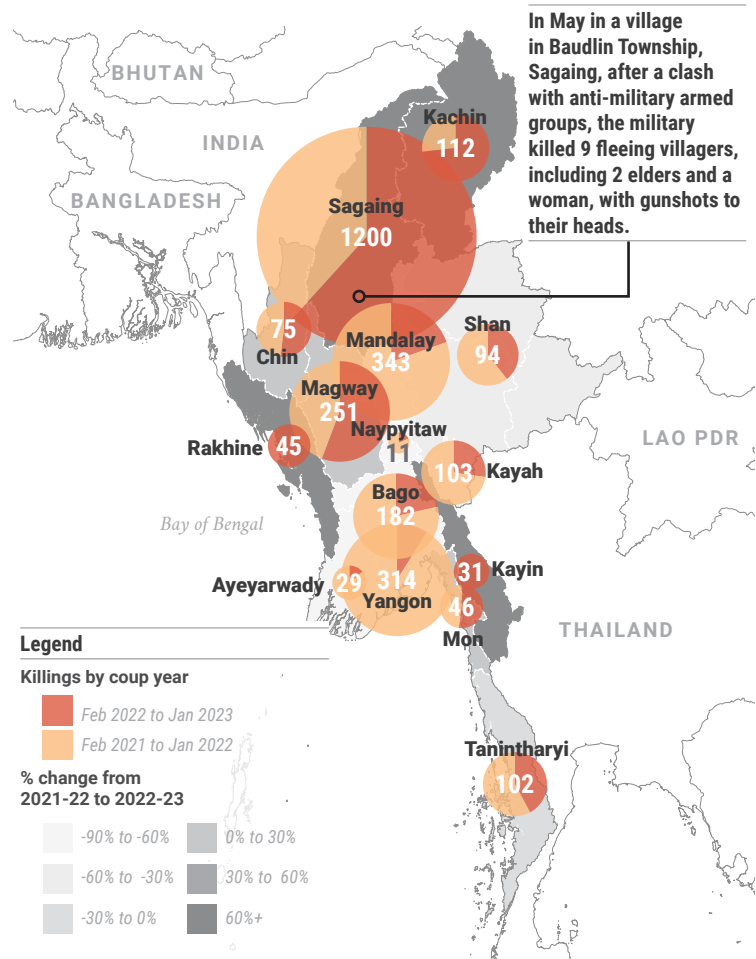


Fig. 2 Killings by region by year since the coup



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.

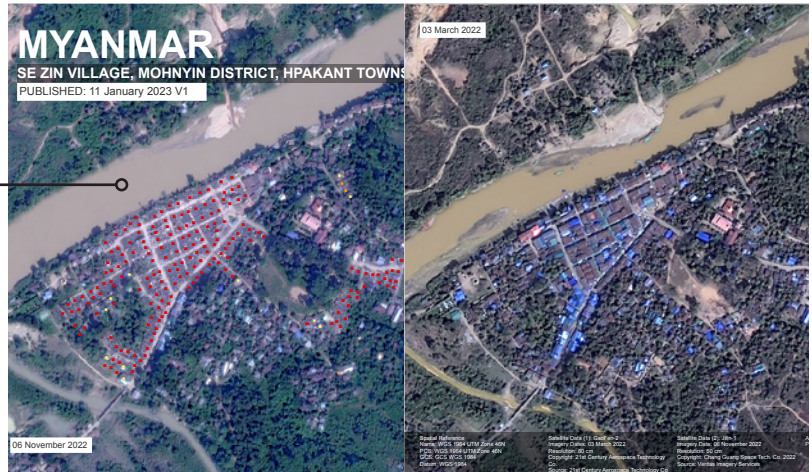
AIRSTRIKES AND ARTILLERY SHELLING

Since mid-2022, the military increasingly relied on aerial attacks and carried out widespread and indiscriminate use of artillery against villages and towns nationwide.

On 9 August, the military bombed and then raided Sezin village, Kachin killing at least 16 civilians. Satellite images confirm that minimum 200 houses were burnt.

On 16 November, in Gyt Chaung village of Maungdaw Township, Rakine, a shell landed on a house where a naming ceremony of a child from the Mro community was being held. A relative of the victims reported that 13 people, including 6 children, were killed, and 21, including 12 children, were wounded.

In at least 3 instances, the Myanmar military reportedly entered the airspace or fired into neighboring countries.



RIGHT TO LIBERTY AND SECURITY OF PERSON

The military has progressively targeted individuals accused of association with anti-military armed groups; use of torture and ill-treatment by the military continued to be reported, including of children.

Family members of persons with outstanding arrest warrants increasingly faced arbitrary arrest and detention, including through repeated abductions and hostage taking of children, as young as three, constituting in some cases enforced disappearances.

Interviewees continued to report inadequate conditions in detention, which may amount to torture, including overcrowding; insufficient sanitation and hygiene; and lack of access to or denial of healthcare services, food, and water.

BURNINGS

Soldiers moved from village to village even if there was no active fighting, looted properties, occasionally stayed overnight, and burnt down houses before departing.

Often ground raids are preceded by artillery fire or airstrikes to rush villagers out so they leave valuables behind.

Soldiers also immolated people, set food storage facilities on fire, and burnt cattle.

1 May in Ah Shey See, Kale Township, Sagaing, satellite images confirm the burning of almost the entire village with 621 structures destroyed

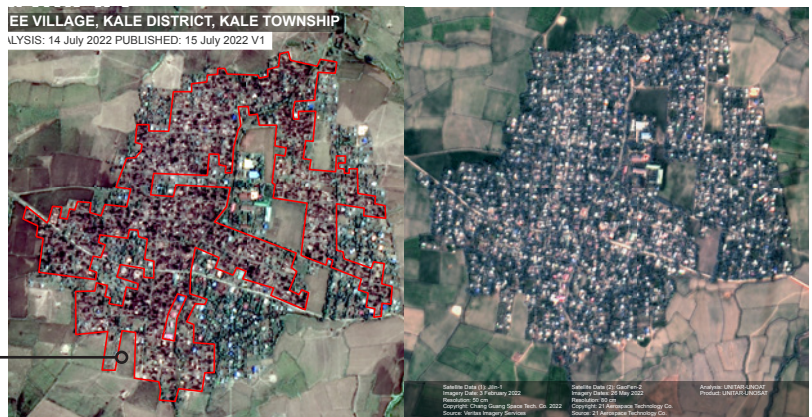
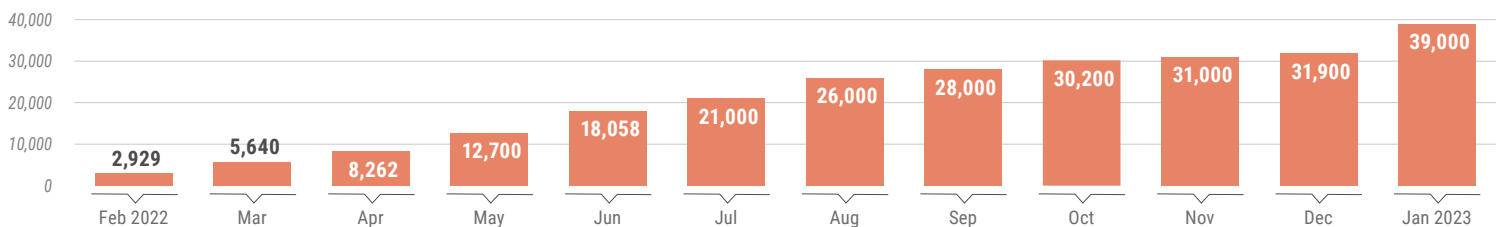


Fig. 3 Civilian properties burnt or destroyed by month



OTHER VIOLATIONS

The military also carried out enforced disappearances, particularly of prominent political figures, and religious and community leaders, family members of sought individuals to force them out of hiding and in the context of raids on villages.

Sexual and gender-based violence, including rape, were perpetrated in interrogation centres and other formal detention settings against women, men and LGBTQI+ community members, as well as in villages during military raids.

Gender-based crimes, including trafficking, early and forced marriages, sexual harassment and violence, exploitation, and forced prostitution, are reported to be on the rise.

CRIMES BY ANTI-MILITARY ARMED GROUPS

OHCHR received reports of **targeted killings by anti-military armed groups of individuals perceived as informers** or pro-military militia members, particularly in urban areas.

Between February and end January 2023, over **127 local administrators were killed** nationwide, with 71 incidents occurring in Mandalay and Yangon, 38 claimed by anti-military armed groups.

Bomb attacks have also been reportedly carried out in areas with a high risk of causing casualties among the civilian population.

“ I want the international community to know that this is not fair, that innocent people are being killed.”

– An interviewee related to a victim reported to OHCHR that the victim had been killed by an anti-military armed group after being falsely accused of being a militia member. Moreover, the family was threatened and forced into hiding.



ROHINGYA

- » 5 years after the 2017 military operations that killed thousands and displaced over 700,000 Rohingya, the estimated 600,000 community members remaining in Myanmar continue to face grave risks and systemic discrimination in all walks of life.
- » Renewed conflict between the Arakan Army and Myanmar military exacerbated Rohingya community’s protection concerns. Both sides were accused of fighting close to Rohingya villages, deliberately putting Rohingya civilians at risk.
- » Due to denial of citizenship rights, Rohingya are forced to pay bribes and extortion money to receive travel authorizations, access basic services and conduct livelihood activities.

- » As a result of the systemic discrimination, hundreds of Rohingya attempted to flee to safer conditions, often taking immense risks including dangerous sea crossings or paying human traffickers to smuggle them out of Myanmar.
- » According to UN figures, more than 3,500 Rohingya attempted deadly sea crossings in 2022 as compared to 700 in 2021. Over 2,000 Rohingya were arrested for “unauthorised travel” in 2022, more than twice the numbers in 2021.
- » Conditions in Rakhine State remain un conducive for safe, voluntary, dignified and sustainable returns of refugees.

Violation patterns that continue unabated:

- ▶ **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**



RULE OF LAW AND CIVIC SPACE

INSTRUMENTALIZATION OF THE LEGAL FRAMEWORK AND SUBVERSION OF THE JUDICIARY

Military has unilaterally adopted so-called laws, amended existing provisions, and used laws and institutions (e.g. judiciary) to **target opponents and suppress dissent**.

As of 31 January 2023, **143** people have been sentenced to death, of which **42** have reportedly been tried in absentia.

Examples

1 2021 amendments to the Counter Terrorism Law: introduced higher penalties and vague formulations open to arbitrary application. **Charges were brought against 226 individuals, and sentences issued against 124 individuals** since 1 February 2022.

2 Amendment of the 2014 Association Registration Law further restricts the ability of civil society to operate and to deliver humanitarian assistance by:

introducing compulsory registration and criminal penalties of up to 5 years imprisonment for lack of compliance

increasing other requirements, including the payment of fees, reporting obligations, and mandatory approvals by various local authorities

FUNDAMENTAL FREEDOMS

Freedom of expression, especially online, continues to decline

Example

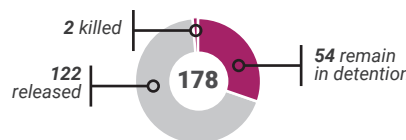
1 the military included posting “likes” on social media among conduct demonstrating support to anti-military armed groups, therefore punishable by up to 10 years imprisonment

Internet shutdowns continue to prevent safe communications and access to life-saving information in violence-affected areas.

Media and press:

Since the coup the military has:

Arrested 178 journalists



Convicted 60 journalists (18 in 2021; 42 in 2022)

Revoked the licenses of at least 13 independent press outlets and eight publication and printing houses.

Space of trade unions, workers, and labour activists has shrunk, prompting the International Labour Organization’s Governing Body to establish in March a Commission of Inquiry in respect of violations of the right to freedom of association.

Despite the military’s lethal crackdown on opponents, **peaceful resistance persisted in 2022** with people in both cities and villages continuing to voice their dissent.



ECONOMIC AND SOCIAL RIGHTS

HLP RIGHTS

In general, the military orchestrated deliberate **destruction of homes and properties** through forced evictions, property seizures, as well as airstrikes, arson and use of landmines

▶ at least
758,500

displacements from February 2022 to January 2023 – an increase from **441,500** the prior year

HEALTH

Attacks on health care continued throughout 2022, in conjunction with military operations. The **military arbitrarily arrested health workers and people transporting medical supplies**, obstructed access to health care through imposition of physical roadblocks and bureaucratic and discriminatory authorization regime, and confiscated and destroyed medical supplies.

FOOD

In areas affected by violence and conflict, the **military is sabotaging access to food by imposing roadblocks and preventing transportation of food items**, driving up prices. Increasingly, soldiers also actively confiscated food supplies, destroyed food stocks, and killed livestock.

more than
15.2M

people face acute food insecurity

POVERTY

approximately **40%** of the **population estimated to be living below the national poverty line**, erasing a decade of progress on poverty reduction

EDUCATION

at least **3.7M** children are not attending the military-run education system, with a significant proportion of education staff participating in the civil disobedience movement

ACCOUNTABILITY

- » Progress on accountability has been scarce and inadequate compared to the gravity of the situation in Myanmar.
- » There are reasonable grounds to believe that some of the most serious violations committed by the military may amount to crimes against humanity. These are murder; forcible transfer, imprisonment or other severe deprivation of physical

liberty in violation of fundamental rules of international law; torture; rape; persecution of an identifiable group or collective on political grounds; enforced disappearances; and other inhumane acts causing great suffering and serious injury.

- » Some of these acts, when committed in relation to armed conflicts, may also constitute war crimes. These include

attacking civilians and protected objects; murder; mutilation; torture; cruel treatment; outrages upon personal dignity; taking of hostages; execution without due process; displacing civilians; starvation; and destroying or seizing properties.

RECOMMENDATIONS

▶ **To the military authorities:** cease immediately all violence and attacks directed against the people of Myanmar across the country, release all those arbitrarily detained for exercising their rights and discontinue politically-motivated prosecutions, refrain from restrictions on delivery of humanitarian assistance, and abstain from actions targeting members of the Rohingya community

▶ **To all parties in Myanmar:** adhere in full to applicable international human rights law and comply with international humanitarian law, facilitate unrestricted humanitarian access, cooperate with relevant international human rights and accountability mechanisms

▶ **To the Security Council and international community:** refer the full scope of the current situation in Myanmar to the International Criminal Court; refrain from supporting any electoral process not ensuring free and fair outcomes; continue funding humanitarian efforts in Bangladesh, voluntary resettlement policies to third countries and rescue and grant asylum to those undertaking perilous travels at sea; ensure enhanced human rights due diligence by private companies engaging in Myanmar; provide flexible direct funding to local humanitarian organisations