STATUS OF HUMAN RIGHTS & SANCTIONS IN MYANMAR

MAY 2024 REPORT

Summary. This report reviews the May 2024 developments relating to human rights in Myanmar.

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I. Coup, Crackdown on Protests and Civilian Resistance

According to the United Nations, more than 3 million people have been forced to flee their homes for safety since the February 2021 military coup. The UN notes that this number has increased by 50% over the last six months, as the fighting between the military and resistance groups escalated across the nation. Around half of the 3 million displaced persons live in the northwestern regions of Chin, Magway and Sagaing.

Moreover, as of April 30, since the February 2021 coup, the military has conducted 2,471 airstrikes and has killed at least 1,295 people.⁴ According to the Nyan Lin Thit Analytica research group, military airstrikes have killed more than 359 civilians, including 61 children, during the first four months of 2024 alone.⁵

On May 11, the military raided Lethtoketaw village in Sagaing Region, killing 33 people, most of whom were hiding at a local monastery.

The military government has drafted hundreds of additional men and women into military service in May as part of its second and third batches of conscriptions since enacting the conscription law in February. Women in the Ayeyarwaddy and Bago regions have reportedly been drafted for the third batch of conscriptions based on a draw system. Furthermore, the regime has suspended all applications by conscription-age men for overseas work permits. This announcement reportedly caused an increase in new volunteers for the People's Defense Forces in the Mandalay Region. Authorities have reportedly been increasingly aggressive with their drafting efforts in the region, conducting surprise checks in homes and subjecting households to intense questioning if not all conscription-age residents are present.

II. Political Developments

A. Rohingya Refugee Crisis

The UN High Commissioner for Human Rights, Volker Turk, said in a statement on May 19 that he is "deeply alarmed" by a resurgence of violence in Rakhine State and warned of further "atrocities." Clashes have rocked Rakhine since the Arakan Army ("AA") attacked security forces in November, ending a ceasefire that had largely held since the 2021 military coup. "I am deeply alarmed by reports of renewed violence and property destruction in Buthidaung Township in Myanmar's northern Rakhine State, resulting in the displacement of potentially tens of thousands of civilians, mainly Rohingya," Volker Turk said in a statement. The UN High Commissioner for Human Rights indicated that the UN was seeking to "corroborate information indicating serious violations." He added, "With inter-communal tensions between ethnic Rakhine and Rohingya high—and being actively stoked by the military—this is a critical period when the risk of yet further atrocity crimes is particularly acute."

The AA launched a large-scale attack on Maungdaw town in northwestern Rakhine State near the border with Bangladesh on May 21.¹⁷ The attack followed the AA's capture of Buthidaung town the previous week.¹⁸ The people who live in the area are predominantly Rohingya.¹⁹ If the AA seizes Maungdaw, only one town in northern Rakhine will remain under

the regime's control: Sittwe, the state's capital.²⁰ Capturing Maungdaw will also give the AA control over the 270-km border with Bangladesh.²¹

Nearly 200 revolutionary groups and civil society organizations have called on the AA to protect all civilians in Rakhine State amid accusations that its troops burned Rohingva houses in Buthidaung and persecuted the community during its successful offensive to capture the town.²² In a joint statement issued on May 22, the groups cited reports of massacres, arrests and killings of Rohingya people in Thankyaukkhe and Ywetnyotaung villages in Buthidaung, and Thayetoak village in northern Maungdaw, in April and May.²³ AA troops also reportedly burned down and destroyed Rohingya civilians' houses in Buthidaung town on the night of May 17, the organizations said, describing the incident as a "war crime and a crime against humanity." ²⁴ The AA has rejected the allegations of abuses as groundless and claimed the houses caught fire due to a junta aerial attack late on May 17.25 The AA also said it "strictly adheres to its principle of fighting under the military code of conduct and never targets non-military objects."²⁶ Furthermore, the AA said it has been helping people evacuate to safer areas.²⁷ The signatories also said that the military junta has consistently oppressed, and committed torture, killings, genocide and crimes against humanity against, the Rohingya.²⁸ According to the joint statement, under the newly activated conscription law the military junta is abducting Rohingya people, taking them to the front lines and using them as human shields and soldiers to perpetrate violence on its behalf—including burning more than 200 homes of Rakhine people in Buthidaung.²⁹ In addition, the groups claim that the junta forced Rohingya people residing in internally displaced persons camps in Buthidaung and Sittwe to join protests against the AA and they accused the regime of promoting public misperceptions of Rohingya people in order to inflame ethnic conflict.30

The United Nations' Independent Investigative Mechanism for Myanmar ("IIMM") said in a statement on May 23 that it is tracking the escalating fighting in Rakhine State and probing reports that thousands of Rohingya have been displaced to assess "if crimes against humanity and war crimes have been committed."³¹

The *AFP* reports that militant Rohingya groups in Bangladesh have forcibly recruited hundreds of young Rohingya men and boys to fight alongside the military regime against the AA.³² In their recruitment drive, the militant groups say Rohingya need to ally with old enemies in the Myanmar military to face the new threat posed by the AA.³³ However, the families of those forced into combat say that their relatives were not given a choice.³⁴ *AFP* spoke with six families who said men from their household had been forcibly recruited by three Rohingya armed groups with an established presence in the refugee camps.³⁵ On May 30, gunmen in Bangladesh killed a teacher and a student in a Rohingya refugee camp for refusing to return to Myanmar to fight the AA.³⁶ The fathers of the two victims blamed the Rohingya Solidarity Organization for the murders.³⁷

B. Corruption

On May 22, the *Irrawaddy* published an article detailing the illicit activities of Myanmar junta-allied Karen Border Guard Force ("BGF"), including cyber scam parks, with the involvement of companies and individuals from Myanmar, Malaysia, Thailand and other Asian countries.³⁸ The BGF leader, Colonel Saw Chit Thu, and his family are reportedly central to

these operations, controlling several businesses and receiving immense profit.³⁹ According to the *Irrawaddy*, BGF has allied with the Myanmar military since 2010, benefiting from material support and space to build criminal businesses, while the military gains revenue from BGF's organized crime.⁴⁰ The BGF's annual earnings, estimated at \$192 million from the Shwe Kokko Project, are partly shared with the Myanmar army.⁴¹

C. International Community / Sanctions

On May 1, Myanmar's regime banned all men from working abroad.⁴² According to the Ministry of Labor Permanent Secretary, Nyunt Win, this law is "temporary" and will remain in effect "as needed."⁴³ A representative of an overseas employment agency in Myanmar stated that "the restrictions on working abroad were likely imposed to prevent men from leaving the country amid implementation of the military draft law."⁴⁴

On May 3, Laotian police transferred 17 Myanmar nationals to junta soldiers at a border checkpoint in the northern Golden Triangle region.⁴⁵ This was the first time that Laos arrested and handed over anti-junta activists to Myanmar.⁴⁶ All of the arrestees were taken to the junta's Golden Triangle Command headquarters where they were interrogated.⁴⁷

The junta's air force chief and India's Assistant Chief of the Air Staff (Intelligence) met on May 15 to discuss cooperation between the two militaries, sending junta trainees to India, cementing ties between the two air forces and technical cooperation.⁴⁸

On May 16, Myanmar state media reported that Myanmar's military chief held talks with top Association of Southeast Asian Nations ("ASEAN") officials on the junta's participation in the regional bloc, from which it has been isolated since the 2021 coup.⁴⁹ While still a member of ASEAN, Myanmar's generals had been excluded from top-level bloc meetings over their refusal to engage in a peace plan and with their opponents.⁵⁰

On May 17, Secretary-General of ASEAN Dr. Kao Kim Hourn joined Special Envoy of the ASEAN Chair on Myanmar Alounkeo Kittikhoun during the latter's visit to Myanmar. ⁵¹ As part of the visit, Dr. Kao met with ASEAN ambassadors in Yangon to discuss ASEAN community-building and held meetings with representatives of UN agencies, the International Federation of Red Cross and Red Crescent Societies, the International Committee of the Red Cross and the World Bank to discuss the humanitarian situation in Myanmar. ⁵²

The European Union, the United States and their allies issued a joint statement on May 24 regarding the surge of violence in Myanmar, saying they "are deeply concerned by the escalating conflict in Myanmar and in particular the increasing harm to civilians, which is driving a worsening and devastating human rights and humanitarian crisis across the country." ⁵³

III. Civil and Political Rights

A. Freedom of Speech, Assembly and Association

On May 8, a regime spokesman said that the junta had "no reason to facilitate" the request by the head of Cambodia's Senate, Hun Sen, for talks with Aung San Suu Kyi, who has

been detained since the 2021 coup.⁵⁴ The junta has consistently denied requests by a series of international envoys and officials to meet with Aung San Suu Kyi.⁵⁵

On May 18, two female political prisoners in Mon State's Kyaikmayaw prison were sexually abused by prison guards. ⁵⁶ The guards allegedly groped the prisoners' breasts and buttocks and vaginally and anally fingered the prisons in front of soldiers and police officers after the prisoners refused to be searched. ⁵⁷

In May, a Myanmar court sentenced Wai Moe Naing, a leading anti-junta activist, to 20 additional years in prison, bringing his total prison term to 74 years. Wai Moe Naing was arrested in April 2021 after leading protests against the junta in Monywa, Sagaing Region. After the arrest, he was interrogated in a detention center and represented himself in court because his lawyers were also arrested as part of junta's crackdown on lawyers defending political activists.

B. Freedom of the Press and Censorship

Myanmar is ranked 171st among 180 countries based on the Reporters Without Borders' press freedom index.⁶¹ Journalists working in the country are exposed to significant risks of being torture, jailed and murdered, according to Reporters Without Borders.⁶² According to local media monitoring data, approximately 208 journalists and media workers have been arrested in Myanmar since the coup.⁶³ Seventy journalists have been convicted, seven have died in detention and 152 have been released.⁶⁴ As of March 2024, 55 journalists remain in prison.⁶⁵

According to a May 15 report published by *Access Now*, in 2023, 37 internet shutdowns were recorded in Myanmar and 13 out of 14 states or regions were affected by the shutdowns.⁶⁶ The report alleges that at least 11 of the shutdowns coincided with junta human rights abuses and/or war crimes, including airstrikes targeting civilians.⁶⁷ According to the report, approximately 80 of Myanmar's townships face ongoing internet shutdowns.⁶⁸

Around May 16, detained reporter Htet Aung's family learned that military authorities filed a terrorism charge against him in January, adding to the defamation charge previously filed against him.⁶⁹ Htet Aung, a reporter for *Development Media Group* ("DMG"), faces 12 years in prison if he is convicted of both charges.⁷⁰ Htet Aung was arrested in Sittwe in late October 2023 while photographing a Buddhist festival.⁷¹ Shortly after, soldiers and police officers raided and shut down *DMG*'s office, arresting a security guard and confiscating computers and cameras.⁷² Htet Aung is currently being held in detention at Sittwe Prison.⁷³

IV. Economic Development

A. Economic Development—Legal Framework, Foreign Investment

Intense fighting near the deep seaport and special economic zone ("SEZ") project in Dawei, Tanintharyi Region is increasing doubts about the Myanmar junta's ability to secure Russian investment to resume the stalled project.⁷⁴ Locals and anti-regime activists in Dawei argue the junta lacks the authority to invite foreign investment because it is not a legitimate government and is instead a group of "armed terrorists."⁷⁵ The Dawei seaport project and SEZ are currently the

focus of frequent clashes between junta troops and resistance groups, according to locals. ⁷⁶ However, junta chief Min Aung Hlaing told Russia's *ITAR-TASS* media agency on March 18 that his regime is seeking Moscow's help to kick-start the port project. ⁷⁷

B. Economic Development—Infrastructure, Major Projects

Myanmar's military regime formed a committee to evaluate hydropower projects on the Ayeyarwady River amid concerns that it plans to revive the controversial Myitsone Dam hydropower project near the river's source in Kachin State, more than a decade after it was shelved amid a public outcry. The committee, led by the regime's Deputy Electricity Minister Aye Kyaw, was formed on April 24 and the junta-appointed Kachin State natural resources minister is the deputy chairman of the committee. The committee will undertake research, develop technical solutions and handle public relations for Ayeyarwady River projects together with the Myitsone project's Chinese developer, State Power Investment Corporation Yunnan International Power Investment Co. Ltd., which was previously known as China Power Investment.

C. Land Seizure

There have been no material updates since the prior report.

V. Peace Talks and Ethnic Violence

A. Ethnic Violence

Following the AA offensive in April in the Rakhine State, on May 3 the AA seized the Kyee Kan Pyin Border Guard Police headquarters, 12 km north of Maungdaw Township. ⁸¹ Local media reported that allegedly 50 junta troops surrendered to the AA following the seizure. ⁸² The Myanmar junta launched repeated air and artillery strikes on Maungdaw, Buthidaung and Pauktaw townships over May 3-4 against the AA who are attacking junta bases in those regions. ⁸³ On May 19, the AA announced it had taken Buthidaung near Myanmar's border with Bangladesh. ⁸⁴ On May 21, the AA launched a large-scale attack on Maungdaw Township, targeting two border guard police battalions. ⁸⁵ The Myanmar junta conducted predawn airstrikes that killed at least one civilian and seriously injured at least five civilians. ⁸⁶ The AA is also attacking Myanmar junta positions between Thandwe and Taungup in southern Rakhine State. ⁸⁷ Since its November offensive, the AA has taken control of nine out of 17 townships in the Rakhine State, and also taken control of Paletwa Township in Chin State. ⁸⁸

On May 29, Myanmar junta forces, with the participation of the Arakan Liberation Party, conducted a raid in Byian Phyu village in Sittwe Township, Rakhine State, where they allegedly killed at least 76 civilians.⁸⁹ It is further alleged that military soldiers raped at least three female villagers and two women were killed, with over 80 homes and a monastery at Byian Phyu burned by the soldiers.⁹⁰

On May 18, the Kachin Independence Army ("KIA") allegedly shot down a Myanmar junta helicopter in Waingmaw Township as the KIA and its allies fought Infantry Battalion 321 and ten junta outposts in the region. This incident follows prior alleged seizures of the major Gidon outpost on May 6 and other Myanmar junta strongholds on May 5 by the KIA. The KIA

continued to conduct raids on battalion headquarters in Momauk and Mansi, which are viewed as key to the Myanmar junta's defense of Bhamo. On May 13, a Myanmar junta airstrike on Momauk destroyed at least 20 houses and a school. Since March 7, the KIA have allegedly seized over 90 junta outposts and bases, including at least 11 battalion headquarters along the Bhamo-Myitkyina road in Momauk, Waingmaw, Myitkyina, Mansi, Sumprabum and Tanai townships while Dawthponeyan, Lwegel, Hsinbo and Sumprabum towns have been occupied along the Chinese border.

Over the course of May 18-20, the KIA launched attacks against Waingmaw outposts and Light Infantry Battalion 321 headquarters. ⁹⁶ The KIA seized all of the outposts and claimed that it has now captured all junta outposts along the Waingmaw-Myitkyina road to Laiza town, which is home to the KIA headquarters. ⁹⁷ However, the Light Infantry Battalion 321 headquarters remained under Myanmar junta control. ⁹⁸

B. Peace Talks

From May 14 to 16, the Brotherhood Alliance, comprised of the AA, Myanmar National Democratic Alliance Army and Ta'ang National Liberation Army, and the junta held a fifth round of peace talks, which followed the Beijing-brokered negotiations in January. The focus of the latest round of talks was reportedly on fighting by the AA in western Myanmar's Rakhine State and border trade with China through northern Shan State. However, the two sides did not reach an agreement on the fighting in Rakhine State or on other topics.

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⁸⁸ *Id*.

⁸⁹ The Irrawaddy, June 4, 2024: https://www.irrawaddy.com/news/burma/arakan-army-myanmar-junta-killed-76-in-villagemassacre.html.

⁹⁰ *Id*.

91 The Irrawaddy, May 18, 2024: https://www.irrawaddy.com/news/war-against-the-junta/kia-claims-myanmar-junta-helicopter-shotdown.html.

⁹² *Id*.

⁹³ *Id*.

⁹⁴ *Id*.

⁹⁶ The Irrawaddy, May 20, 2024: https://www.irrawaddy.com/news/burma/myanmars-kia-claims-big-gains-in-lightning-kachinoffensive.html.

⁹⁷ Id.

⁹⁸ *Id*.

⁹⁹ The Irrawaddy, May 17, 2024: https://www.irrawaddy.com/news/burma/no-agreement-between-myanmar-junta-and-brotherhoodalliance-in-latest-peace-talks.html

¹⁰⁰ *Id*.

¹⁰¹ *Id*.