

MONTHLY OVERVIEW

Human Rights Situation in Mon State, Karen State & Tanintharyi Region

DECEMBER
2022



Indiscriminate Firing, Mortar Shelling and Ongoing Abductions by the Military Junta Force Thousands of Civilians in Southeastern Burma to Flee

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Over the last twelve months, the Human Rights Foundation of Monland (HURFOM) has continued to document the widespread and systematic atrocities perpetrated against innocent civilians by the Burma Army. As the year 2022 ends, HURFOM has concluded that the human rights situation has shown no improvement based on our findings and analysis. The military has resorted to violence to advance its authoritarian agenda, even at the cost of innocent lives. This includes more abductions, torture and conflict-related sexual violence.

The justice system, now wholly sabotaged, has made prospects for justice impossible. Courts are stacked with military appointees who disregard the rule of law in favour of profit and protection. Thousands remain arbitrarily detained on baseless charges. Calls to the international community have garnered a slow response, and to date, no significant course of action has been taken to hold the military accountable. And so, the people continue to suffer.

In December 2022, 41-year-old Ko Yazar Htun faces 48 years in Dawei prison. This decision is the highest prison sentence in the Tanintharyi Region, according to the volunteer lawyers who spoke to HURFOM. In

another miscarriage of justice, the Chief Minister of Mon State was sentenced to additional two years in prison for a total of 27 years. The Mon State junta-backed Jury passed the judgment on December 6 against the former State's Chief Minister, Dr. Aye Zan. He was ordered to serve two more years of imprisonment in a court in military-ruled Mawlamyine. The State Chief Minister was arrested and detained at the Kyaikmayaw Central Prison for nine charges by the junta. These charges include 505 (b) Panel Codes under Section 130 (a) and 171 (f). According to lawyers close to State Chief Minister, he said there is no need to appeal against the unfair trial.

Deeply ingrained military impunity has shielded the soldiers who burn homes, raid villages, and violently detain innocent people. A flawed Constitution regards the Burma Army as the highest authority, paying no mind nor interest in their vast crimes, which have spanned decades. To the Generals, they are the exception to every rule, including the ones that they dictate and which technically make their coup a violation of their own accord.

It has been a devastating period for the people who have suffered at the hands of dictators. These acts of violence regularly

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displace people, and a worsening humanitarian crisis fueled by the junta's pro-war policies has disrupted aid routes. Many have died from preventable diseases, and survivors suffer from a lack of nutritional food, water and medicine. Children living in conflict zones no longer have safe and reliable access to educational pathways. Families are struggling to survive on the bare minimum.

Hundreds of residents who fled conflicts in their native villages in Bokpyin Township, Tanintharyi Region, since the last week of November 2022, have not been able to return to their homes, according to reporters in that region. Families are suffering from food shortages. Local aid organizations that used to deliver rice to these communities said the situation had not stabilized enough for them to return home. A HURFOM reporter noted that between December 4 and 10, the junta forcibly relocated another 400 local villagers living in Yadanap (Mining) village to the Myanmar-Thailand border: "Now the number of people is about 700, including children and the elderly who face risks," said a humanitarian aid worker.

HURFOM fieldworkers have spoken with communities at length about the challenges they face and the fears they carry regularly. No one is safe. The beginning of December 2022 began with two military fighter jets

attacking Lead Mine No. 6 located in Mae-Ka-Tha village, Three Pagodas Pass, 17 miles from the border of the Thai-Burma Border Line. Residents who talked to HURFOM reporters said the shelling may have killed at least four civilians. The month prior, on November 6 and 16th, the junta's fighter jets attacked this area, and the entire mine camp exploded, killing three civilians and injuring eleven.

Alongside the armed conflict, villagers in Karen State have been forced to porter for the junta. Those who refuse are being punished. On 3 December, Column No. 1 of Light Infantry Battalion No. 432 ordered every village to provide ten male villagers to carry army supplies. The porters were required to bring food, ammunition, and other materials from their homes, according to the sources from the Kama MOUNG village, Kyiannseikyi Township, Karen State. A Win-You villager confirmed the food supplies are for an offensive the Burmese military is launching against the Karen National Union (KNU) Brigade No.6 and the People's Defense Forces (PDF) in KNU-controlled areas. This joint armed group has been fighting since the attempted coup. The offensive, they said, will bring more abuses.

The junta is also attempting to legitimize prospects for their planned 2023 election. The military junta launched a coup two

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years ago and denied the results of the 2020 election by dubiously claiming significant mistakes with the voter list. The junta is planning to hold an election in 2023. The Union Election Commission (UEC), controlled by the military, has collected names for a new voters' list via the General Administration Department. According to sources within the GAD, there is little confidence the new voter list will be accurate because of corruption within the Immigration Department, which has been tasked to make national registration cards and a household list of voters.

“It has been a long time since they’ve checked to see if the people in the constituency and those on the household list are the same. Many have different household lists and don’t live in the township they are registered to vote in.” Some names hold two or three different ID cards. If corruption can’t be eliminated, the voter list won’t be accurate,” said a source who is close to the township GAD. It is worth noting that the junta has also been putting pressure on small or ethnic political parties. The UEC recently informed all political parties of an amendment driven by the junta establishing new membership numbers and requiring parties to pay a fee to the UEC.

An extension of the junta’s flawed bureaucracy includes fear by civil society

organizations of a crackdown in the coming weeks by the military junta, who will be looking to see if they have a valid registration in Mon State. The military approved a new organizational registration law on October 28, 2022. The law states that organizations operating without an official registration will face a three-year imprisonment sentence and a one million Myanmar Kyat fine (approximately 477 USD).

This month, villagers also told HURFOM that the junta is threatening them not to share news related to armed clashes, bomb explosions or any information related to the revolution against the military via their social media accounts. Those who do share reports of such incidents will be arrested. The junta has also banned taking photos of armed clashes and bomb explosions and sharing such incidents on social media. The junta ban interferes with the flow of information.

“Even if it happened in our village, we dare not take a photo. We dare not share the news,” said a villager. However, villagers are unaware of what is happening and how to stay safe without the news. “Now, we live in silence,” said a villager from Taung Kalay village, Kyaikmayaw Township, Mon State.

Before the coup, people could freely share information about their areas on social media. Now the military junta routinely

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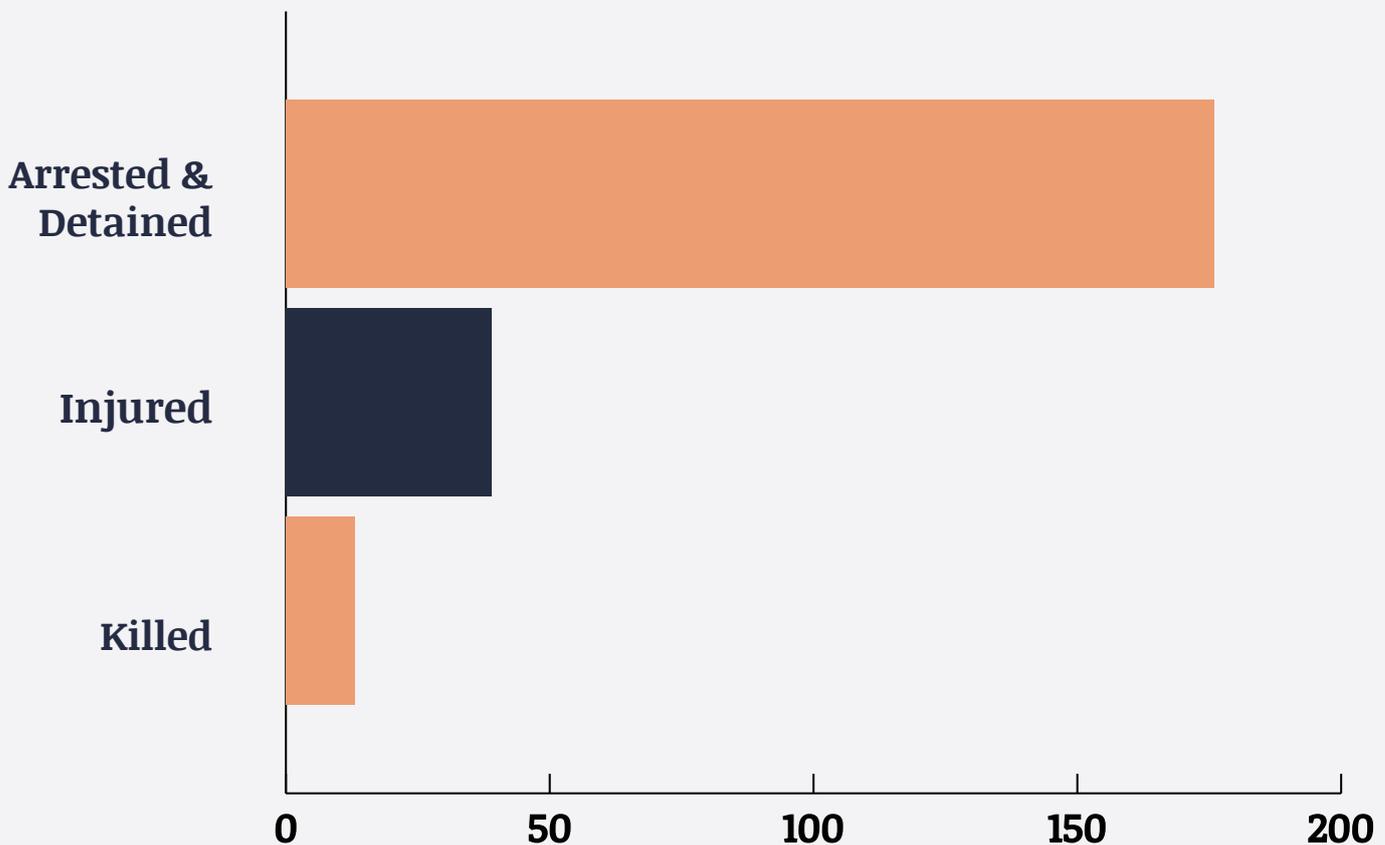
arrests reporters and anyone who records incidents with their mobile phones. The junta has arrested 166 individuals who violated the social media ban and sentenced more than 50 to imprisonment in HURFOM-targeted documentation areas.

The actions of the military junta continue to betray international norms and principles. Their behaviour is far outside the Universal Declaration of Human Rights and other UN treaties. Under the junta, life for civilians has worsened, yet some countries have acknowledged the senior leaders of the Burma Army by presenting their credentials, including UN bodies. The preservation of human rights must precede diplomatic ties, especially when the junta has a record of lawlessness.

SCALED UP HUMAN RIGHTS VIOLATIONS

HURFOM fieldworkers continue to take great risks to document the human rights violations being perpetrated in target areas of Mon State, Karen State and Tanintharyi region. By the end of **December 2022**, HURFOM recorded **least 107 arrested, 69 detained, 39 injured and 13 killed**.

Civilians Arrested, Injured & Killed in December 2022 in Mon State, Karen State and Tanintharyi region



2+

Pro-Democracy Activists targeted by the junta as well as 1 NLD member, and 1 Strike Committee Member

9

PROTESTS ACROSS TARGET
AREAS IN DECEMBER 2022

7

TANINTHARYI
REGION

1

MON STATE

1

KAREN STATE



30 000+

CIVILIANS DISPLACED ACROSS TARGET AREAS

CIVILIANS TARGETED IN MON, KAREN STATE
& TANINTHARYI REGION

13+

DISMISSED FOR
INVOLVEMENT
IN THE CIVIL
DISOBEDIENCE
MOVEMENT

8+

PROTESTERS/
ACTIVISTS
SENTENCED IN
JUNTA COURTS

2+

ENFORCED
DISAPPEARANCES
BY THE MILITARY



KAREN STATE

9,580+ Newly Displaced

15 Injured, 5 Killed



Mon State



Tanintharyi Region

Karen State was targeted in a series of air and ground attacks in December 2022. The junta targets civilian areas such as schools and clinics as they mobilize troops. Villagers are worried about the potential armed clashes in the area and are fleeing their homes. The junta military officials informed an Abbot in Kyarinnseikyi that if the Karen National Liberation Army (KNLA) and the PDF launch any attacks, they will enter Karen territory. The military is poised to enter via Thanbyuzayat – Three Pagodas Pass, Kha Lae – Da Gon Die and Eastern Zami River Routes. Indications are they will launch a counter-attack.: “If the Karen forces pull the trigger, the Burmese army will launch their attack,” said a villager who has closely monitored the military movement and situation. After the KNLA and the PDF attacked and occupied the Taung Kalay Police Station, hundreds of Burmese troops entered Aye Chan Myine and Kha Lae – Da Gon Die area and established their bases: “Villages in Kha Lae – Da Gon Die are full of Burmese troops. There are no villagers left. They have all fled.”

Villagers reported that within a week, at least fourteen local residences were destroyed, and a 26-year-old male villager was injured due to the artillery fired by the junta troops in the villages of Kawkareik township. On December 3, a series of artillery shells were fired by the Kawkareik-based junta Infantry Battalion into a Karen village called, Baw-Dai village, damaging a house and causing 26-year-old villager Maung Aye Zaw to suffer a head injury. “I have received reports of damages to local farm animals and other livestock harmed by the heavy weapons in Taung-Kyar-Inn and Kyun-Taung villages, located in southern Kawkareik Township,” a village committee from Kyun Taung village told reporters. Some agricultural tools and equipment were confirmed damaged as well. Due to these attacks by the Burmese Army, about 300 villagers fled, according to the KNU Brigade 6 administrative.

A few days later, on December 7, artillery shells fired by the junta battalion based in Kawkareik exploded in MOUNGMA Village's New Monastic Education School, injuring one teacher and one student. The next day, the KNU Education and Culture Department also confirmed that a 30-year-old teacher at MOUNGMA School was injured in the face and hand by an Artillery shell fired by the junta. An 8-year-old student was also seriously injured. Both are currently receiving medical treatment from the Karen National Union. Residents said that the school building was almost ruined. The school was closed until today because detonated weapons exploded inside the school. The attacks forced another 200 civilians to flee to safer places.

Since December 16, new armed clashes between the military council's LIB No. 231 and KNLA joint forces in southern Kawkareik Township Karen State have continued fiercely until the reporting time. The junta continues to carry out air and ground strikes, including heavy missile fire. This has destroyed local property. At least three people have been injured, and hundreds of residents fled their homes. On 18 December in the morning in Yankot village and Koh Nweh villages in the south of Kawkareik, the junta indiscriminately fired with artillery and bombarded fourteen homes. At noon that day, the junta fired another round of artillery weapons toward the village of Phakya, Kawkareik Township, eradicating four more homes and injuring two male villagers. Due to the targeted attacks in the village, the local people of Phakya village were terrified and no longer comfortable.

In another case, on 19 December, a 9-year-old boy and a 97-year-old man from the village of Kohnweh were injured by weapons fired by the Junta troops LIB 231 during the fighting in Koh-Nweh, Kawkareik Township. "So far, KNU Brigade is aiding with the medical treatment of these injured. But, medicine and equipment for emergency responses are still scarce, as is food. The situation is very worrying."



MON STATE

4,850+ Newly Displaced

7 Injured, 2 Killed



Karen State



Tanintharyi Region

The military has recently deployed over one hundred troops to Ye Township, Mon State, and conducted large-scale area restrictions in southeastern parts of the township, repeatedly arresting and extorting targeted young people, according to the residents. On December 6 afternoon, four young men, originally from Alaesakhan village, Yebyu, were stopped for no reason at Ye-Exit-Cement Bridge and arrested. The reporters received two accounts of two out of four young men abducted. “I am still unsure why these young people were stopped and arrested. First, the security troops searched their motorcycles, bags, and bodies. Then, a soldier accused one of the young men of being a PDF member by showing a black and white A4 size warrant list. One of the four was ordered to be arrested because he looked similar to the picture on the military’s arrest lists. All four were confirmed to have been arrested,” a source said.

More than 4,000 civilians fled their homes as the junta fired artillery, which targeted them and damaged at least four houses in Thein Zayat, Kyaik Hto Township, Mon State, according to the Karen National Union based in the areas.

On December 4th, the Junta Artillery Base No. 310, originally from Thein Zayat, started indiscriminate shelling into Kyauk Phayar and Zee Pyaung villages at night, according to the information confirmed by the KNU. The heavy artillery fired exploded in Kyauk Phayar village. According to the residents who witnessed the incidents, nearly nine shells were dropped in Zee Pyaung village, and seven mortars exploded. Four houses were destroyed due to the mortar blasts. The Information Division of KNU in Kyaik Hto township said if the junta forces began such ground attacks with indiscriminate heavy weapons, more attacks would likely follow. On the morning of December 3, around 200 forces entered Pyin Kato Khome village.

Extortion continues in Mon State. The junta council in Mon State conducted a surprise check and raided market stall owners, then arbitrarily confiscated Thai goods and abducted at least eight business people in the Mawlamyine Dry Market, according to the victims’ families. Among them, three medium-scale business owners were arrested for providing financial assistance to the local armed groups: “The junta

confiscated Thai goods worth 80 million Myanmar Kyat without giving any reason. They took them with their Army lorries. To be released, they were ordered to pay the ransoms of 10 million per person,” said a witness.

“From my brother’s shop, they confiscated more than 500 gallons of Thai cooking oil and MSG bags. These vendors have already paid taxes on all goods from the Thai-Burma border. Illegal trade is only tax evasion. This incident is just acting arbitrarily and misapplying with their power,” said a family member of one of the business owners.

On 11 December, a daughter and mother who were working at a rubber plantation located between San Pya and Hnin Zone villages, Ye Township, Mon State, were both raped by Burmese soldiers. The rape victim lived with the daughter’s husband at the plantation. The daughter was pregnant. The soldiers were estimated to be troops from LIB No. 586 under the administration of Military Operation Management Command MOMC No. 19 based in Ye Town, Mon State, who came to the plantation when the daughter, her mother, and her husband were together. The junta ordered the husband to go into the village and buy them alcohol. After he left the plantation, the soldiers raped the mother and daughter. The victims have left the plantation and returned to their native village. Since the coup, it has become commonplace for authorities to neglect such criminal cases, even when they are reported to the police.

“They were ordered to pay the ransoms of 10 million per person.”



Tanintharyi region

16,300+ Newly Displaced

17 Injured, 6 Killed



Karen State



Mon State

Fourteen more villagers have been abducted again from Pala Township, Myeik. Since 28 November, at least 40 local villagers have been arbitrarily arrested by the junta and have not been released yet, as confirmed by families in Pala township, Myeik District, Tanintharyi. However, most of them seemed unable to do so, as the junta demanded extremely high payments. Family members believe the ransoms are based on each detainee's wealth status. "This is one of the largest kidnapping cases. They need money, so they arrest a whole group of innocent people, torture them, and exchange them for money," another 30-year-old resident said. Thousands have fled, fearing arrest by the junta.

An innocent Dawei resident was shot dead in his house by the junta's indiscriminate firing. The killing occurred at 8 AM on December 6. Several soldiers, temporarily situated in the village primary school, entered and opened fire randomly in Thin-Gan-Tone village. U Than Win, age 57, who stayed in his residence, was struck and killed. "He was found dead at home with several gunshot wounds. The soldiers unexpectedly came and indiscriminately opened fires for twenty minutes. Most

villagers had already fled their homes," said a local.

A 50-year-old woman from Thin-Gan-Tone village told HURFOM on condition of anonymity, "The soldiers opened fire for a long time. My daughters and I had to flee. We have been running from clashes all year, three times this month. How can we work and live like this?"

According to family members, a pregnant woman about to give birth who was detained by the military council in Dawei has not been released yet. On December 5, 2022, families and friends appealed the arrests of four residents, including two women arbitrarily abducted. One was a pregnant woman from Talaing Hetein Ward, Dawei. She is innocent and not affiliated with any political movements, said her family members and close friends. The arrested people include Ma Mee Maw's mother and two siblings. No one knows where all four arrested, including Ma Mee Maw, were detained."

Artillery fire also continues to threaten civilian livelihoods. HURFOM received reports from Palaw Township that four people were seriously injured by artillery shells indiscriminately fired by the junta

on the morning of December 8. At 8 AM, about 20 artillery shells were fired by Infantry Battalion No. (285) 2/4 in Palaw, Southern Tanintharyi_Region into Lakku village, harming four villagers; a man and woman of four were reportedly in critical condition, and several homes were destroyed.

One shell fired by IB #285, hit the house of U Nyan Kywe, a resident of Lakku village, harming U Nyan Kywe and his wife, Ma Bae-U, who were inside the house. Another two villagers confirmed as U Naung Ni and U Pho Wa, were from the same village, were hit by shells from nearby. Those struck by heavy weapons are receiving medical treatment at Pulau hospital. “Not all the injured villagers get the chance to receive medical treatment. All are being treated by the community who know first aid treatment. Two are facing a worrying situation,” said a local reporter who described the situation.

The last two weeks of December 2022 saw an increase in the junta’s heavily armed attacks. As a result of the clashes between the Karen opposition forces, between 2,000 to 3,000 villagers from twenty different villages fled their residences and have been unable to return in Pu Law Township, Myeik Tanintharyi Region. Some villagers fled to cities, and others sought shelter at nearby plantations. Villagers’ livelihoods are threatened, and those with health problems fear how they will manage over the coming winter.

Women remain deeply unsafe in the crossfire of violence and in the presence of the military regime. At 6:00 AM on December 28, a local woman from Yebyu township died on the spot after being hit by military lorries on the road to Dawei: “A woman named Pan Ei Phyu, age 20, a resident of Zee-Kya village of Yebyu, died after being hit by one of the lorries of the junta,” said a witness. There were about 14 military lorries with soldiers and ammunition in each truck. Families said no army member had come to confess or acknowledge this murder. The families were advised to go to the police station to open a case because the army committed this killing. However, no one dares to open a case. Local social support groups have transported the deceased woman’s body to Yebyu Public Hospital.

KEY OBSERVATIONS

1. Inflation across all target areas has had a devastating toll on civilians who cannot meet their basic needs.
2. There has been a noticeable uptick in violence against women, including beating a pregnant woman and ongoing detainment of young women who face beatings in junta custody.
3. Local residents reported that they were forced to take sentry duty by the junta in Kyaik Hto, Mon State and had to pay duty fees for those absent from guarding.
4. Clashes have led to forced internal displacement in Burma as instability and tensions move people from their homes.
5. Police and junta-backed militias continue to initiate door-to-door checks and arrest those on their wanted lists.
6. Concerns have spread as the military junta begins to make decisions that would bar competing democratic parties from the next election in Burma. The military junta has been trying to change/manipulate the numbers of constituencies.
7. Motorcycles, mobile devices, and money are confiscated and extorted from civilians at checkpoints stationed by the junta deliberately along critical routes. Civilians are forced to pay excessive bribes to retrieve their possessions. However, very few were able to afford the high costs.
8. Torture remains rampant in Burma and across target areas where innocent civilians are subjected to grueling, horrifying acts by the junta to extract information.
9. The international community, including UN bodies and ASEAN, is not responding swiftly enough to the situation in Burma, which demands urgent attention and consequences for the junta.
10. Military impunity remains deeply ingrained in the institutions representing the Tatmadaw, which only encourages the junta to continue perpetrating human rights violations.
11. Children are targeted by the military junta and deprived of basic needs, including medical attention, food, education, and the right to live safely.
12. The arbitrary arrests and unlawful detention by the junta are ongoing, as are warrantless raids and indiscriminate firing into civilian areas.

RECOMMENDATIONS

1. A referral of the situation on the ground in Burma made immediately by the United Nations Security Council to the International Criminal Court.
2. Concerted and coordinated action by global actors for an urgently mandated global arms embargo which would prevent the free flow of weapons into the hands of the murderous junta.
3. Aviation fuel sanctions to put an effective end to the airstrikes in Burma which have contributed to significant loss of life, particularly among innocent civilians.
4. Targeted sanctions on military junta officials, as well as their families, which puts holds on their financial assets and possessions and undercuts their ability to do corrupt business dealings abroad.
5. Strengthened and renewed protection mechanisms which grant civilians who are vulnerable and at risk of assault in a position where they are able to access justice referral and accountability pathways.
6. Renewed and continued funding support for local organizations responding to the needs of their communities on the ground. Cross-border aid pathways must be accessed and all humanitarian aid in the hands of local actors.
7. Foreign investors in Burma must immediately cease their operations and withdraw their involvement from all development projects in the country, including but not limited to airports, seaports, and cement businesses.
8. An abrupt and immediate halt to the use of torture by the military junta, and further we call for investigations to probe the unlawful deaths of civilians in Burma who have been tortured to death, as well as those who have been forced to endure trauma and long-term injuries as a result.

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