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The State of the World's Human Rights; Myanmar 2023

The human rights crisis in Myanmar worsened as the military authorities continued their crackdown on peaceful opposition and intensified operations against growing armed resistance. Unfair trials of pro-democracy activists and others regarded as opponents of the military authorities continued and more than 1,600 people were sentenced to imprisonment, hard labour or death. More than half a million people were displaced by internal armed conflicts. Tens of thousands of ethnic Rohingya people forcibly displaced over a decade ago remained in squalid displacement camps in Rakhine State. The military authorities prevented humanitarian aid from reaching them after a devastating cyclone in May. Multiple countries imposed sanctions on companies and individuals responsible for supplying the Myanmar military with aviation fuel which it has used to carry out aerial attacks including on civilians and houses, places of worship and other civilian infrastructure. Rights to freedom of expression, association and peaceful assembly remained severely curtailed and journalists were among those imprisoned for their legitimate work.

Background

Military rule continued after the ousting of the democratically elected government on 1 February 2021. Myint Swe remained the military-appointed president while army general and coup leader, Min Aung Hlaing, continued to lead the State Administration Council. The military authorities persisted with their campaign to eliminate all opposition and international efforts proved ineffective in stemming the violence and preventing grave human rights violations against civilians.

The State Administration Council twice extended the state of emergency by six months and reneged on its commitment to hold multi-party elections in 2023. The National Unity Government, formed in 2021 by ousted representatives of the deposed National League for Democracy-led government, and armed groups collectively known as People's Defence Forces, continued to oppose military rule. Fighting intensified in central Myanmar, and in October an alliance of three non-state armed groups known as the Three Brotherhood Alliance launched a large-scale offensive known as Operation 1027, seizing military bases, checkpoints and border crossings in north-eastern Myanmar. They also targeted locations where victims of human trafficking were forced to work in cyber scams.

Unlawful attacks and killings

Since the coup more than 4,000 people, mostly civilians, have been killed by the military in its attempt to assert control, including at least 1,345 people in 2023. Unlawful killings particularly occurred in the context of military aerial and ground attacks that constituted acts of collective punishment against civilian populations, and also following the capture of both armed and peaceful opponents of the coup. There were also reports of over 30 deaths in custody, including as a result of torture or other ill-treatment. The military intensified air strikes, which were frequently indiscriminate or directly targeted civilians and civilian objects.

Aerial attacks, that previously occurred mainly in border areas, intensified in Myanmar's heartlands. Sagaing Region, located in central and north-western Myanmar, was increasingly targeted with devastating consequences. On 11 April, in the single deadliest aerial attack since the coup, military aircraft bombed a gathering of people who were inaugurating a new local

administrative office in the village of Pa Zyi Gyi in Kanbulu township. At least 100 civilians were killed, including 35 children, as well as 18 people aligned with armed opposition groups. The military admitted the attack but claimed that the high number of fatalities was due to explosives stored at the site of the gathering. On 27 June, an aerial attack near a monastery in Nyaung Kone village in Sagaing Region's Pale township reportedly killed a monk and at least nine other civilians. According to media reports, air strikes or aerial attacks resulting in civilian deaths also took place in Bago Region and in Chin, Kachin, Kayah, Kayin, Mon and Rakhine states.

On 9 October, a military air strike followed by mortar fire from ground forces on a camp for internally displaced persons in Mung Lai Hkye village, Kachin State, killed at least 28 civilians, including children, and injured at least 57 others. Amnesty International investigations pointed to the use of an aerial delivered unguided bomb, an inaccurate weapon whose effects cannot be limited as required by international humanitarian law.¹

Intensive ground operations also took place in Sagaing Region and elsewhere during which there were reports of extrajudicial executions and sexual violence. A military unit known as the Ogre Column was identified as being responsible for particularly brutal attacks including beheadings and dismembering and mutilating the bodies of victims. On 11 March, military forces reportedly killed at least 22 civilians at a monastery in Nan Nein village in southern Shan State.

Arbitrary detention and unfair trials

By the end of 2023, the number of people arrested by the authorities since the coup had surpassed 25,000. According to the Assistance Association for Political Prisoners, as of December nearly 20,000 people remained in detention, including political opposition leaders and activists, human rights defenders, journalists, students, lawyers and medical workers.

Grossly unfair trials continued in which more than 1,600 people were sentenced to terms of imprisonment, hard labour and, in some cases, death. Trials took place in makeshift courts in prisons and in military tribunals, and defendants typically had limited or no access to lawyers. In May, political activist and writer Wai Moe Naing was found guilty of high treason and sentenced to 20 years' imprisonment. He was originally arrested in 2021 for leading peaceful protests and was already serving 34 years in prison on related charges. In August, Byu Har, a well-known hip-hop artist, was reportedly sentenced to 20 years' imprisonment following his arrest in May after he publicly criticized military leaders for repeated electricity blackouts.

In September, the military authorities arrested Kyaw Aye, the father of prominent political activist Kyaw Ko Ko who was wanted by the military authorities. The detention of relatives of political opponents had become a familiar tactic of retribution.

The military authorities announced several amnesties during the year in which over 20,000 prisoners were released. Most were held on criminal charges, although 2,153 of those released in May were serving sentences under Article 505(a) of the Criminal Code, which criminalizes dissent against the military and has been widely used to crack down on peaceful opposition since the coup. In one instance, the military said that it was pardoning them on "humanitarian" grounds to mark a Buddhist holiday but threatened to reimprison anyone who "reoffended".²

Under a pardon in August, ousted president Win Myint's prison sentence was reduced by four years and former state counsellor Aung San Suu Kyi's by six years. However, they continued to serve eight and 27 years in prison respectively, having previously been found guilty of a series of politically motivated charges.

Lack of access to detention facilities by independent observers meant that information on the health of detainees was scarce, although in October the military announced that family visits to prisoners, suspended during the Covid-19 pandemic, could resume. Individuals sentenced to death and those serving life sentences were reportedly denied visits by family members. Inhumane conditions of

detention continued as did reports of torture and other ill-treatment of detainees. There were also reports of political prisoners being killed or going missing while being transferred between detention facilities.

Human trafficking

OHCHR, the UN human rights office, estimated that around 120,000 people were held in compounds in areas often controlled by pro-military militias, bordering Thailand and China, where they were forced to work in cyber scams and illegal gambling run by criminal gangs. In November, the Three Brotherhood Alliance, which has ties to China, said it had released victims from compounds along the Chinese border as it targeted Laukkai township, a notorious cyber-scramming centre in Shan State. Many of those forced to work in the scams were lured to Myanmar from neighbouring countries, including China and Viet Nam, with promises of jobs and then forced, sometimes under threat of violence, to participate in online scams.

Internally displaced people's rights

According to OCHA, more than 2.6 million people were internally displaced. This included at least 500,000 people displaced as a result of intensified fighting following the start of Operation 1027 in late October. Many displaced people continued to live in deplorable conditions, often lacking essential goods and services and at constant risk from air strikes and other military operations.

Approximately 148,000 Rohingya and other Muslim people remained internally displaced and subjected to the long-standing state-sponsored institutionalized system of segregation and discrimination so severe that it amounts to the crime against humanity of apartheid. The majority remained confined in squalid internment camps in Rakhine State where they have been since 2012.

The appalling conditions in which Rohingya people lived was considered a significant contributing factor to the number of fatalities resulting from Cyclone Mocha that hit western Myanmar in May. At least 100 Rohingya living in internment camps in Sittwe township in Rakhine State reportedly died. In addition to the severe impact on internment camps, houses and infrastructure in the townships of Rathedaung and Sittwe as well as in Chin State and Sagaing and Magway regions were also destroyed, disproportionately affecting internally displaced people and other vulnerable communities.

In the aftermath of Cyclone Mocha, the military authorities impeded and, in some cases prevented, humanitarian assistance from reaching affected communities. There were also reports that the military authorities delayed authorizations to international humanitarian organizations trying to scale up their operations to provide humanitarian aid in the region.³

Corporate accountability

Following evidence linking foreign and domestic companies to the supply of aviation fuel to the Myanmar military, the UK, the USA, Canada, the EU and Switzerland imposed sanctions of varying severity on companies and individuals in Myanmar and Singapore involved in the procurement and distribution of aviation fuel into Myanmar. In August, the USA extended the reach of potential sanctions, stating that anyone involved in this industry was at risk. In an apparent attempt to evade sanctions, the supply chain shifted from direct transport of jet fuel from suppliers to Myanmar, to indirect transfers through Viet Nam and Singapore.⁴

The Swedish H&M clothing company announced that it would phase out its operations in Myanmar following the August publication of a report by the NGO Business and Human Rights Resource Centre that found serious abuses including low or unpaid wages, gender-based violence and a

crackdown on union activities in Myanmar's garment sector. It followed a similar announcement in July by the Spanish company that owns the Zara fashion brand.

Freedom of expression, association and assembly

The military crackdown made peaceful protest virtually impossible. Nearly 100 people were reportedly arrested for wearing, selling or buying flowers on 19 June, the birthday of Aung San Suu Kyi.

Surveillance was pervasive. People continued to be arrested in connection with online posts, creating an atmosphere of self-censorship.

The military continued to use unlawful association laws to prosecute perceived opponents. In April, a court inside Myitkyina Prison in Kachin State sentenced prominent religious leader and human rights defender Hkalam Samson to six years' imprisonment for unlawful association, terrorism and inciting opposition.

Media freedoms remained severely restricted. At least six journalists and other media workers were arrested or sentenced to prison terms during the year. They included photojournalist Sai Zaw Thaike, who was accused of disseminating information that could cause public alarm or misunderstanding towards the military authorities. He was found guilty on a bogus charge of sedition by a military tribunal in Yangon's Insein Prison in September and sentenced to 20 years' imprisonment with hard labour. Sai Zaw Thaike had worked for the online news outlet Myanmar Now, which was banned by the military after the coup. In May, a court in Yangon sentenced photojournalist Hmu Yadanar Khet Moh Moh Tun to 10 years in prison with hard labour on terrorism charges. She was already serving a three-year prison sentence for incitement to rebellion and the dissemination of so-called false news.

According to Reporters Without Borders, over 60 journalists and other media workers were detained as of December. On 10 June, authorities revoked the media licence of the independent news outlet the Ayeyarwaddy Times for allegedly publishing information that disrupts public peace and tranquillity. On 29 October, military authorities reportedly raided the office of the news outlet Development Media Group in Sittwe township, arresting a reporter and an office guard.

Death penalty

Death sentences continued to be imposed, including on political prisoners, but no executions were known to have taken place. Death sentences against 38 people were reportedly commuted to life imprisonment in an amnesty granted in May.

Abuses by armed groups

According to OHCHR, armed opposition groups regularly carried out attacks against civilians and civilian infrastructure. Local administrators, civil servants and others perceived as being affiliated to or collaborating with the military were among those reportedly killed. In some cases, attacks involved bomb and grenade attacks on public offices, including one in June on a tax office in Yangon in which four employees and two other individuals were injured. OHCHR reported that the National Unity Government had responded to its requests to adopt measures to ensure that anti-military armed groups affiliated with it comply with relevant provisions of international law.

1. [“Myanmar: 28 civilians killed in military air strike – new investigation and witness testimony”, 13 October](#)
2. [“Myanmar: Follow ‘long overdue’ pardons by releasing all those unjustly detained”, 3 May](#)

3. "Myanmar: Military Authorities Exacerbate the Suffering Caused by Cyclone Mocha",
14 June
4. "Myanmar: New shipments of aviation fuel revealed despite the military's war crimes",
1 March