



General Assembly

Distr.: General
XX August 2021

English only

Human Rights Council

Forty-eighth session

13 September–1 October 2021

Agenda item 4

Human rights situations that require the Council's attention

Written statement* submitted by European Centre for Law and Justice, The / Centre Européen pour le droit, les Justice et les droits de l'homme, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[21 August 2021]

* Issued as received, in the language(s) of submission only.

REQUESTING THAT THE U.N. RECOGNISE THE CONTINUING VIOLENCE AGAINST CHRISTIANS AND OTHER RELIGIOUS MINORITIES IN THE REPUBLIC OF THE UNION OF MYANMAR AND TAKE IMMEDIATE ACTION TO PROTECT THE CITIZENS OF MYANMAR FROM ITS OWN GOVERNMENT

1. INTRODUCTION

The ECLJ has previously submitted five reports to this Council detailing that innocent civilians within the Republic of the Union of Myanmar (Burma) are under threat from the Burma Army, which is the main hindrance in Myanmar's transition into a democratic state. The military insists on retaining political power and a dominating presence in Myanmar, despite accusations "of genocide and other atrocities against religious minority groups[1]". The Burma Army's desperation to maintain its control came to a head on 1 February 2021, when the Burma Army alleged electoral fraud occurred in Myanmar's 2020 election and staged a military coup. The Burma Army are staunch Buddhists as Buddhism is the dominant religion in Myanmar with 87.9% of the population practicing Buddhism in comparison to only 6.2% of the population practicing Christianity[2]. In addition to violent atrocities being perpetrated indiscriminately on Myanmar citizens, Christians and other religious minorities are targeted for violence by the Burma Army for failing to subscribe to Buddhism[3].

2. BACKGROUND

On 1 August 2021, "six months after seizing power from the elected government, Burma's military leader . . . declared himself prime minister and said he would lead the country under the extended state of emergency until elections are held in about two years[4]". Under the state of emergency, the Burma Army has instituted government mandates that restrict citizens' access to outside communications and restrain the rights of those who wish to protest the coup[5]. In addition to implementing mandates, the Burma Army uses violence as a response to those who are opposed to the coup[6].

3. VIOLATIONS

As of 20 August 2021 (the date of this submission), 201 days have passed since the coup began in February 2021. In these 201 days, the Burma Army has murdered at least 999 people and currently has 5,712 citizens under detention with 1984 warrants outstanding[7]. These numbers have increased since the ECLJ's last submission in May 2021, and the violence is continuing as the Burma Army raids citizens' homes, rob citizens of their belongings, and instill fear that makes the people of Myanmar afraid to leave their homes[8]. Simultaneously, the Burma Army's violent attacks on the people of Myanmar has led to mass displacement within the country. For example, our on the ground sources, the Free Burma Rangers, reported on 2 July 2021 that during June 2021 "the Burma Army has increased its air and ground attacks in Karenni State, displacing over 100,000 people. Initial displacement reports by township show: 19,050 displaced in Loikaw Township, 73,335 in Demoso Township, and 10,863 in Hpruso Township, for a total of 103,248[9]" internally displaced people (IDPs) in Karenni State alone.

Since May 2021, the Burma Army has continued to attack the people of Myanmar. In June 2021, according to our on the ground sources, 300 Burma Army troops attacked multiple villages in the Demoso and Loikaw areas of Karenni State, "firing indiscriminately at anything that moved[10]". The Burma Army soldiers "are now staying in the villagers' homes," as others "continue[] to look the villages and homes[11]".

In June 2021, there was a "reported tally of 34 artillery missions, 13 uses of mines and improvised explosive devices, and 27 troop contacts that resulted in short or prolonged

fighting between EAO's and Burma Army forces[12]" in Shan and Kachin states. One villager who was forced to flee stated:

The Burma Army camp is very close to our village; they often shell mortars into the village at any moment. All villagers there are now hiding in the forest; no one stays behind. And it is really difficult for us to go back and get the food. Burma Army patrol into the village and will shoot you if they see you. All civilians dare not go back to their homes. We have no food to eat, we don't know what do to next[13].

Another stated: the "Burma Army is shooting mortars into our village. Food prices are rising day by day, we cannot afford the food. We needed to move to a place that was safer and where we can survive[14]".

In July 2021, there were a reported seventy-two military actions: thirty incidents of troops in conflict, twenty-three incidents of indirect fire, eighteen uses of landmines, and one airstrike[15]-- again in Shan and Kachin states alone. One of the military clashes in Momauk Township resulted in injuries to five civilians, including a two-year-old child[16]. In another attack on a village, the Burma Army "burned down buildings and 860 people fled into hiding in the jungle[17]". These two states and their incident reports are merely examples of the indiscriminate violence the Burmese people are facing at the hands of the Burma Army.

In August 2021, "heavy fighting . . . between the Burma Army and Karenni National Defense Force (KNFD)" displaced "262 villagers, including 123 children", from the Be Thu Village, who fled their village in the night to escapes over 200 Burma Army soldiers[18]".

When the Burma Army is not looting and destroying villages and homes, it also works to intimidate civilians and prevent them from living their everyday lives. For example, a widow and mother of five living in Karen State told our on the ground sources:

As I tried to plant my rice this morning, Burma Army machine guns opened up on me. Bullets stitched the water to my left and my right less than one foot from me as I ran. In my panic I ran back and forth and it seemed like the more they shot, the more they enjoyed shooting at me, like it was a game. But I thank God they missed and I dove into the bushes and down into the stream bed. You know, the only thing I can do is plant my rice, without it we don't have food[19].

This widow's story is just one of the countless stories that can be told about the Burma Army which "wants to kill and if they cannot kill all, then to stop all planting and starve the people[20]".

4. REQUEST

Due to the recent coup, the Burma Army has assumed the role of a dictator, with its leader now appointing himself as Prime Minister. The violence against the people of Myanmar is both continuing and deeply concerning. The current political state of Myanmar renders the government incapable of enacting or upholding laws that guarantee basic human rights, including the right to life and freedom of religion. The continuing conflict within Myanmar has not only displaced thousands of people within the country itself, but has led to the murder of thousands of citizens at the hands of the Burma Army. We urgently request the United Nations to aid and protect the people of Myanmar from the continued atrocities that they are facing at the hands of the dictatorial military.

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- [2] OPEN DOORS, MYANMAR: COUNTRY DOSSIER 10-11 (2020), available at <https://www.opendoorsusa.org/wp-content/uploads/2016/09/Myanmar-WWL-2021-Country-dossier.pdf>.
- [3] World Watch List: Myanmar, OPEN DOORS, <https://www.opendoorsusa.org/christian-persecution/world-watch-list/myanmar/> (last visited May 14, 2021).
- [4] Burma Military Chief Extends State of Emergency Until 2023, Democrat Gazette (2 Aug. 2021, 1:00 AM), <https://www.nwaonline.com/news/2021/aug/02/burma-military-chief-extends-state-emergency-until/?business>.
- [5] Int'l Ctr. for Not-For-Profit Law [ICNL], *supra* note 8, at 5-6.
- [6] Mass Murders Reported in Bago as Troops 'Drag Away' Injured and Dead, Destroy Evidence of Crimes, MYANMAR NOW (11 Apr. 2021), <https://www.myanmar-now.org/en/news/mass-murders-reported-in-bago-as-troops-drag-away-injured-and-dead-destroy-evidence-of-crimes>.
- [7] Daily Briefing in Relation to the Military Coup, ASSISTANCE ASS'N FOR POL. PRISONERS (17 Aug. 2021), <https://aappb.org/?p=17104>.
- [8] Mass Murders Reported in Bago as Troops 'Drag Away' Injured and Dead, Destroy Evidence of Crimes, *supra* note 7.
- [9] Burma Army Onslaught Drives 100,000 People into Hiding in Karenni State, FREE BURMA RANGERS (5 July 2021), <https://www.freeburmarangers.org/2021/07/12/burma-army-onslaught-drives-100000-people-into-hiding-in-karenni-state/>.
- [10] Burma Army Attacks Drive Over 55,000 Karenni into Hiding, FREE BURMA RANGERS (June 2021), <https://www.freeburmarangers.org/2021/06/26/burma-army-attacks-drive-over-55000-karenni-into-hiding/>.
- [11] *Id.*
- [12] Burma Army Attacks Continue to Upend Life in Kachin and Northern Shan States: Attack Counts for June and July, FREE BURMA RANGERS (16 Aug. 2021), <https://www.freeburmarangers.org/2021/08/16/burma-army-attacks-continue-to-upend-life-in-kachin-and-northern-shan-states-attack-counts-for-june-and-july/>.
- [13] Burma Army Onslaught Drives 100,000 People into Hiding in Karenni State, *supra* note 9.
- [14] *Id.*
- [15] Burma Army Attacks Continue to Upend Life in Kachin and Northern Shan States, *supra* note 12.
- [16] *Id.*
- [17] Burma Army Burns Homes and Drives Four Villages into Hiding in Western Karen State, FREE BURMA RANGERS (5 Aug. 2021), <https://www.freeburmarangers.org/2021/08/05/burma-army-burns-homes-and-drives-four-villages-into-hiding-in-western-karen-state/>.
- [18] Burma Army Attacks Drive 123 Children into the Jungle Amidst Monsoon Rains, FREE BURMA RANGERS (5-6 Aug. 2021), <https://www.freeburmarangers.org/2021/08/10/burma-army-attacks-drive-123-children-into-the-jungle-amidst-monsoon-rains/>.
- [19] Planting Rice Under Fire, FREE BURMA RANGERS (29 June 2021), <https://www.freeburmarangers.org/2021/07/01/planting-rice-under-fire/>.
- [20] *Id.*