

“Extrajudicial killings are on the rise in the region”

— 45-year-old local from Wet Chaung village, Yebyu Township, Dawei

26 June 2022

International Day in Support of Victims of Torture





The prohibition of torture is a peremptory norm in public international law—meaning that it is forbidden under all circumstances—as well as being forbidden by international treaties such as the United Nations Convention Against Torture.

“[T]he term ‘torture’ means any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity. It does not include pain or suffering arising only from, inherent in or incidental to lawful sanctions.”

– *Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (1984, art. 1, para.1)*

All Forms of Torture Must Immediately Be Put to An End in Burma

In target areas of the Human Rights Foundation of Monland, including Mon State, Karen State and Tanintharyi region, torture has been perpetrated by the military junta on a regular basis. HURFOM field workers have documented rising levels of fear as the junta increases their presence in civilian areas. **Torture is considered a human rights violation under international law.**

Torture in particular is a tactic which is deployed to scare and intimidate villagers. It is a way to force confessions and to exert power over unarmed, innocent populations. These acts have been committed with impunity. Villagers expressed to HURFOM that victims are denied their final death rights before they are killed. There are growing levels of frustration and uncertainty amid the current situation.

Across HURFOM areas, there have been reports of people being detained by the junta, and tortured to death in military run prisons. All political prisoners are subject to state-sponsored violence in the form of torture. Sexual violence is also considered a form of torture that robs civilians of their dignity. HURFOM has reported incidents of sexual violence against women while being interrogated. Female inmates have also been deprived of food and water. Women in Burma are regularly denied their rights in military custody and are an increased risk of being victims of sexual violence. Prison conditions are unsanitary and also deprive prisoners of their fundamental human rights.

HURFOM condemns the use of torture by any and all parties and calls for investigations to probe the unlawful deaths of civilians across the country who have been tortured to death, as well as those who have been forced to endure trauma and long term injuries as a result.

According to the National Unity Government, there were:



2800

war crimes committed by the junta between 1 December 2021 and 31 May 2022, including arbitrary killings, extra-judicial executions, the use of torture, using civilians as human shields, air and artillery strikes on civilian targets, the looting and burning of houses and the use of sexual violence.

Documented Cases of Torture Across Target Areas:*

Mon State

290+

Karen State

120+

Tanintharyi Region

380+

*Deaths & Injuries Related to Physical and Mental Torture**

45+

Deaths

300+

Injuries

** Period between 1 February 2021 - Present*

Case Studies

15 January 2022

A villager from Sawwa village in Dawei Township was arrested and beaten to death for having links to an armed group. A villager who is a relative of the victim said that the body of U Lwin Moe Aung, aged 50, was tortured to death during interrogation at 11 am on January 15 20202.

11 February 2022

A man named Ko Win Thiha, age 28, who was arrested at a hotel in Dawei on the evening of February 7, was tortured during interrogation in a detention center in Dawei. He was stabbed multiple times on his body, and was in critical condition.

16 March 2022

On March 16, 2022, a man was arrested at his home in Uttarang Ward, Dawei. He was beaten and tortured by the junta and transferred to solitary confinement. On March 14, when Ko Yazar Tun came to the trial for the decision, he wore a campaign t-Shirt. For his act of solidarity with the Spring Revolution, his legs were chained and he was put in solitary confinement.

Case Studies

20 June 2022

Violent tactics were deployed against prisoners in Hpa-An, Karen State after two political prisoners managed to escape. Nearly 73 inmates were confirmed injured in riots involving prison authorities, between June 3–5, 2022. Young inmates who were detained were struck with electric sticks and shot at with iron nuts attached to slingshots from outside the cells, according to a source who asked to remain anonymous: “The prison authorities used the senior criminals to do their dirty work in the prisons, rather than themselves. On the nights of June 3 and 4, when the inmates were napping, the Warden ordered their criminals to stab the young inmates from outside the cells. It was covered in blood, and many inmates were injured. The inmates were also deprived of food and water for days. At least four dozen inmates suffered injuries.

The prison authorities used the senior criminals to do their dirty work in the prisons, rather than themselves.

Recommendations

On the International Day in Support of Victims of Torture, HURFOM calls for the following:

1. For donors to support rehabilitation programs which help survivors in their physical and mental trauma from torture.
2. For international bodies to support calls for an end to stop torture in all forms not only in Burma, but globally.
3. For the military junta to immediately put an end to torture used in detention centers and military run prisons.
4. For the immediate and unconditional release of all political prisoners and medical treatment, including counseling, to meet the needs deprived within the prison.
5. For international stakeholders to engage solely with the National Unity Government as the legitimate governing body of Burma.
6. The Independent Investigative Mechanism for Myanmar must be sure to use the cases of torture perpetrated by the junta in accordance with international law to use as evidence of persecution of the military junta.
7. The United Nations Security Council should take immediate action against the military junta who uses torture as a tool of coercion and in violation of international law.
8. Survivors of all torture, including sexual violence, must be granted immediate channels to protection and reparations while perpetrators are held accountable.