

‘The Silence We Bear’: Conflict Related Sexual Violence in Myanmar



Equality



Myanmar

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Executive Summary

The ongoing conflict in Myanmar has led to widespread and severe human rights violations, with conflict-related sexual violence (CRSV) standing out as one of the most alarming and pervasive issues. The current conflict in Myanmar began in February, 2021 after a coup led by the military junta or State Administration Council (SAC) overthrew the democratically elected government led by Aung San Suu Kyi and the National League for Democracy (NLD) citing unsubstantiated claims of election fraud. This was followed by massive nationwide protests, strikes, and a brutal crackdown on civilians by security forces[1]. Women and girls have been particularly vulnerable during this period, as the military's widespread use of violence and intimidation tactics have included widespread sexual violence. According to the UN Secretary-General's 2022 report on conflict-related sexual violence, over 25 verified cases of sexual violence were committed by the military (Tatmadaw) against women and girls. However, the actual number of cases is likely much higher, reflecting the underreporting and fear of retaliation that survivors face.

This situational report provides a critical examination of conflict-related sexual violence (CRSV) in Myanmar, shedding light on the pervasive patterns of abuse and the harrowing realities faced by survivors. Drawing on testimonies from local civil society organizations (CSOs) and human rights defenders (HRDs), it prioritizes the voices of survivors while contextualizing these violations within Myanmar's ongoing conflict and systemic gender inequality. The key objectives of this study have been to identify the prevalence of CRSV in Myanmar, understand who is perpetrating these acts as well as highlight the legal gaps in addressing and preventing CRSV in the context of Myanmar. The findings demonstrate that sexual violence remains widespread throughout the country and has included acts such as rape, gang rape, attempted rape, sexual harassment, forced marriage, and forced prostitution. The primary perpetrators are armed groups, including the Tatmadaw (from the SAC), People's Defence Force (PDF) soldiers, and individuals from various ethnic resistance organization and ethnic revolutionary alliances (ERO/ERA). However, civilians have also been implicated as perpetrators of sexual violence. Victims are predominantly female but also include males, LGBTQ+ individuals, and children under the age of 18. It should be noted that the research revealed that children, primarily girls, were frequently targeted for sexual violence by members of various armed groups. However, incidents of such violence perpetrated by civilians were also documented, highlighting the pervasive nature of this abuse.

Data collected by Equality Myanmar indicates that geographically, the highest concentrations of CRSV incidents have been documented in regions with high levels of conflict, such as Sagaing (45 cases), Magway (23), and other areas such as Bago, Mandalay, and Yangon. Detention settings, including interrogation centers and prisons, have also become common sites for sexual violence, including towards males. Areas such as Northern Shan State, Karen, Karenni, and Mae Sot in Thailand where many Burmese have fled the conflict, have also seen a rise in incidents, highlighting the broader scope of the crisis. While specific cases may not be available for detailed inclusion in this report, it is essential to acknowledge this overall trend to provide a comprehensive understanding of the situation and underscore the urgent need for systematic documentation and action in these regions. Structural barriers to accessing justice and support include limited access to justice mechanisms, harmful cultural practices that perpetuate victim blaming, the dismantling of Civil Society Organizations (CSO) since 2021 and a pervasive culture of impunity. For instance, international Non Governmental Organizations (NGOs) have reported that less than 10% of survivors have access to adequate medical or psychosocial support in conflict-affected regions. Despite widespread condemnation and calls for accountability, such as those voiced in UN General Assembly resolutions in 2022 and 2023, armed groups continue to act with impunity, perpetuating cycles of violence and silencing survivors.

[1] Council on Foreign Relations (CFR). (n.d.). Myanmar: A history of the coup, military rule, ethnic conflict, and the Rohingya. Retrieved December 10, 2024, from <https://www.cfr.org/backgrounder/myanmar-history-coup-military-rule-ethnic-conflict-rohingya>



A significant legal and institutional gap remains, largely due to the instability of the conflict environment, the disruption of traditional justice mechanisms, and the existence of competing entities like the military junta (SAC), the National Unity Government (NUG), and various ERO/ERAs which makes the implementation of justice difficult. Furthermore, Myanmar's lack of ratification of key international conventions creates additional barriers to accessing justice through international courts. This report offers actionable recommendations for addressing CRSV in Myanmar and advocates for survivor-centered solutions, strengthened accountability mechanisms, and the dismantling of cultural and systemic barriers to justice. By doing so, it aims to contribute to a deeper understanding of CRSV and support meaningful interventions to restore dignity and safety to affected individuals and communities.

Conflict related sexual violence constitutes a grave violation of human rights, targeting individuals in ways that inflict profound harm and perpetuate inequality and oppression. Immediate and concerted action is required to prevent armed groups and civilians from continuing to commit acts of sexual violence and those responsible must be held accountable. This should include providing comprehensive support to survivors, and addressing systemic inequalities that enable sexual violence. Ensuring justice and rebuilding trust are critical steps toward fostering sustainable peace and restoring dignity to affected individuals and communities. Sexual violence is a grave violation of human rights and international law, and it can never be justified under any circumstances.



Introduction

The conflict in Myanmar has intensified since the military coup of February 2021, resulting in widespread human rights abuses, with sexual violence emerging as one of the most severe and pervasive crimes. Conflict-related sexual violence refers to acts of sexual violence that occur during times of war, conflict, or political turmoil, often employed as a tactic of control, repression, and fear by both state and non-state actors. CRSV can be directly or indirectly linked to conflict and include acts such as rape, sexual slavery, forced prostitution, forced pregnancy, forced sterilization, and other forms of sexual violence committed against individuals during times of war, conflict, or instability[2]. These crimes inflict devastating physical and psychological harm, disproportionately affecting women, girls, LGBTQ+ individuals, and children. CRSV not only destroys individual lives but destabilizes entire communities, deepening cycles of violence and entrenching societal fragmentation. The culture of impunity, combined with the collapse of justice systems and limited access to accountability, ensures that these crimes often go unreported and unresolved, leaving survivors without support and fostering further violence.

The current conflict in Myanmar began after the coup on February 1, 2021. It has been reported that the junta has committed widespread human rights abuses against civilians. These include extrajudicial killings, arbitrary arrests, the detention of tens of thousands, and torture which has led to deaths in custody. The junta has conducted unlawful airstrikes on civilian areas, violating international humanitarian law, and suppressed political dissent by targeting activists with arrests and abuse[3]. These actions have deepened Myanmar's human rights crisis and drawn international condemnation. The National Unity Government (NUG) in Myanmar emerged as a response to the 2021 military coup, consisting of pro-democracy activists, ethnic leaders, and civil society representatives opposing the military junta. The NUG states that they seek to restore democracy and promote federal governance, collaborating with ethnic armed organizations (EAOs) and local resistance groups to challenge military rule. Its efforts are supported by international actors advocating for democracy in Myanmar. According to the International Crisis Group (2023), the NUG continues to operate as a shadow government, relying on international recognition and resistance networks to assert its legitimacy and work toward a democratic transition.

In Myanmar, evidence suggests that CRSV is widespread with perpetrators ranging from the Myanmar military, known as the Tatmadaw, to resistance groups and ethnic armed organizations. The pervasive nature of this violence, coupled with the lack of justice mechanisms and the breakdown of traditional support systems, has created a crisis of impunity, leaving countless survivors without recourse or meaningful support. There continues to be significant gaps in justice and accountability, emphasizing that CRSV is not a mere byproduct of conflict, but a deliberate and systematic violation of human rights. The findings underscore the urgent need for international action to hold perpetrators accountable, provide essential support to survivors, and ensure that these grave crimes are addressed through both national and international legal frameworks. This report calls for immediate and sustained efforts to break the cycle of violence and pave the way toward justice and dignity for all those affected by conflict-related sexual violence in Myanmar.

[2]United Nations. (n.d.). Conflict-related sexual violence (CRSV) survivors: A journey of 15 years. Retrieved December 12, 2024, from <https://www.un.org/en/exhibits/exhibit/conflict-related-sexual-violence-crsv-survivors-journey-15-years>

[3]Reuters. (2024, September 17). Myanmar military intensifies civilian killings and arrests, says UN report. Retrieved from https://www.reuters.com/world/asia-pacific/myanmar-military-intensifies-civilian-killings-arrests-says-un-report-2024-09-17/?utm_source=chatgpt.com



Methodology

Data Collection

The findings from this research are based on a combination of primary and secondary sources using both qualitative and quantitative methods. The research was carried out remotely, and individual interviews were organized to gather firsthand insights. Key informant interviews (KIIs) were conducted with CSOs and Human Rights Defenders (HRDs) operating both within Myanmar and those in other countries, who had direct knowledge and experience related to CRSV in Myanmar. Additionally, secondary data, including documented cases, reports from reputable organizations such as the United Nations, international NGOs, academic studies, and news sources, were analysed to corroborate and contextualize the findings. This report utilized EQMM's advanced database and documentation process to collect and analyze data on CRSV cases in Myanmar. EQMM's comprehensive documentation ensured that a wide range of CRSV incidents were accurately recorded and referenced.

Data Analysis

Data collected from interviews and secondary reports were thoroughly analyzed, using thematic analysis to identify trends, patterns, and gaps. Cross-verification of information was prioritized, utilizing multiple data sources to triangulate evidence and enhance the credibility of the report. Themes were coded and categorized based on recurring issues, regional variations, and the specific vulnerabilities faced by survivors of CRSV.

Ethical Considerations and Limitations

The researcher adhered to strict ethical protocols to ensure the confidentiality and safety of all participants. All interviews were conducted remotely with the assurance that identities and sensitive information would remain anonymous. Interviewees were briefed on the purpose of the study, how the information would be used, and informed that they had the right to withdraw at any time without repercussions. Interviews included using secure communication channels and care was taken to ensure that the interviewees were comfortable with the questions they were being asked.

There were several limitations in carrying out the research for the report. The remote nature of the research restricted direct engagement with survivors of sexual violence and the researcher relied on intermediaries to organize individual interviews. The highly sensitive nature of CRSV as well as societal stigma, fear of reprisal, and the volatile security environment often makes survivors unwilling or unable to speak out which made identifying participants challenging. It should also be noted that as a result of these limitations, the verified figures for CRSV cases are likely much higher than reported, highlighting the urgent need to improve survivor-centred methodologies and resources for accurate documentation of violations in Myanmar.



Patterns of Conflict Related Sexual Violence in Myanmar

The findings presented in this section shed light on the patterns, victims and perpetrators of CRSV in Myanmar. These insights are drawn from the testimonies of CSOs and HRDs who are actively working on the ground documenting cases of sexual violence. Numerous reports documenting sexual violence in Myanmar were also reviewed to offer critical context to understand the prevalence and underlying mechanisms of CRSV in Myanmar's ongoing conflict. The discussion below highlights specific instances, patterns, and impacts of sexual violence, focusing on its profound effects on affected populations and the roles played by armed groups in Myanmar.

Between February 2021 and November 2024, Equality Myanmar documented over 150 cases of CRSV with 320 victims. The violations included rape, gang rape, attempted rape, and sexual harassment. Of the 320 individuals identified as victims, 90% were subjected to violence by Myanmar's military. Notably, 20% of victims were killed following the assaults, and many others endured ongoing torture or arbitrary detention. Additionally, there have been increasing accusations against resistance groups, including those operating under the nominal control of the NUG and the ERO/ERAs. Independent resistance groups have also been accused of committing sexual assaults during the ongoing conflict. Women and girls continue to bear the brunt of this violence and according to data from Equality Myanmar, comprise 77% of the documented survivors, with 9% being girls under 18. Men represent 29% of cases, and at least 13 survivors from the (LGBTQ+) community were also reported. Vulnerable groups, including individuals with disabilities, have also been exposed to CRSV. These acts of sexual violence are often linked with other grave human rights abuses, such as extrajudicial killings, torture, and arbitrary detention, underscoring the need for urgent action to prevent further violations, hold perpetrators accountable, and provide support to survivors.


The study identified multiple forms of sexual violence in Myanmar, including rape, gang rape, attempted rape, sexual harassment, forced marriage, and forced prostitution. One of the most commonly cited forms of violence was rape and gang rape, with testimonies consistently highlighting the extreme physical brutality associated with these acts such as biting, cutting, and the insertion of objects into victims' bodies, reportedly used as tools of torture and intimidation. Survivors have described enduring repeated acts of violence over extended periods, with physical injuries ranging from internal damage and infections to long-term disabilities. Emotional consequences have included profound psychological distress, stigma, and social isolation within their communities. Additional testimonies detail similar instances of multiple girls being gang-raped by military forces, with perpetrators using threats of violence and intimidation to silence witnesses and prevent justice.

In 2023, three girls in Tamu town were stopped by members of the Pyu Saw Htee militia, Meitei armed group, and junta soldiers while riding their bicycles home. The girls were taken to a remote location, blindfolded, and interrogated. Two of the girls reported being sexually assaulted, while the third girl has refused to speak about what happened to her. The armed groups called their families and demanded \$700 per girl for their release. Though they were unable to pay, so the families received help from a community member who sold a wedding ring to raise the funds. After the ransom was paid, the girls were released. One girl was so severely injured she needed to be hospitalized and have ongoing psychological care, the other two received counselling and are recovering. Out of fear for their safety, the girls were sent to stay with relatives in India. Despite the level of the violence, the perpetrators remain unpunished. (Human Rights Defender)

There is a lot of gang rape by police and military soldiers. There was one case where there were three girls aged 14, 16 and 17 years old and they were gang raped by the military junta. They were staying in a restaurant and they came and took them to the police station and raped them there. There were many police and soldiers. They then took them back to the restaurant but came back twice more to take them back to the police station to rape them. The youngest of the girls was so injured she had to go to the hospital. The people around knew that was happening but the police officers threatened to kill them and threatened to kill the shop keeper if they spoke about it. We had to move them to a safe house. (Human Rights Defender)



Attempted rape was reported as another common form of violation, with survivors describing experiences involving threats and violent intentions. Sexual harassment, including unwanted sexual advances, verbal abuse, and other degrading behaviors, was reported as a common method used to demean and intimidate individuals, particularly women. Forced marriage, identified as a form of sexual violence, was also reported and linked to societal and economic pressures. In some cases, young girls were forced into marriage to avoid military conscription, to secure economic stability for their families, or to preserve the reputation of their villages. Survivors of sexual violence also reported being compelled to marry their rapists, with threats of expulsion from their communities if they refused. These practices highlight the profound impact of cultural and social norms on survivors' lives, often perpetuating cycles of violence and insecurity.

A photograph of a village in Myanmar. In the background, a military helicopter is flying over the village. The village has traditional wooden houses and a large pagoda. In the foreground, a woman is seen from behind, wearing a white top and a red patterned skirt. The ground is littered with debris, suggesting a conflict zone.

There was a case where a girl with disabilities was raped. Afterwards, some of the villagers found the man and forced the girl to marry him. She didn't want to but the villagers forced her. The village chief and other people think that if you have lost your virginity out of marriage then this is not good for the reputation of their village, so they have to marry. If you don't want to marry the rapist then you have to leave the village otherwise other people will think that you are not good. They are still married and there's a lot of domestic violence. These kinds of cases are happening around Myanmar but mostly in villages. (Human Rights Defender)

There are families forcing their young girls to marry because of the conscription law. According to the conscription law, if they are pregnant then they don't have to become a soldier. In some places women are forced to marry because of economic issues, like with young women who don't have any parents. The young generation must take care of their siblings and elderly people so they are forced to marry for the survival of their family. Some of the young girls are raped and they become pregnant. When this happens some of the village elders will force them to get married, or else they are pushed out of the village, this is a problem in the village areas. (Human Rights Defender)

With the current situation, there is an economic crisis and a lot of poverty so there are many young girls and families who have no income. There are men fleeing to other countries to avoid the conscription law so a lot of women have been left to manage alone. Because the situation is so insecure, there is a lot of gambling and bars around, so they are collecting girls to work in these places. They give them drugs and push them to work as sex workers. This is happening everywhere around Myanmar. (Human Rights Defender)

The Survivors

A significant proportion of the survivors in this study were reported to be women and girls, with the majority falling within the age range of 10 to 40 years. A large number of underage victims were also reported, particularly among girls.

It was reported that women and girls who had fled the conflict in Myanmar and living without legal documentation in Thailand are at heightened risk of sexual violence. Lacking official status, they are often unable to access protection or report these crimes without fear of deportation. Perpetrators consequently take advantage of their vulnerable position. Despite the severity of these violations, there is little to no intervention from local authorities or international organizations to provide safety or hold offenders accountable.

Men and boys, traditionally viewed as less vulnerable to sexual violence in conflict settings have also been identified as victims of CRSV in Myanmar. These cases have been reported in detention settings, where individuals have been subjected to rape, sexualized torture, and other forms of sexual violence as part of broader patterns of abuse and interrogation tactics. Reports were also made of men in villages being subject to sexual violence by armed groups as a means of torture. The nature of these abuses is often explicitly gendered, intended not only to cause physical harm but also to emasculate and humiliate victims, with lasting psychological and social consequences. In one case, a soldier recounted how he was made by the military command to rape men.

Transgender individuals are also at risk of targeted sexual abuse in militarized environments and detention facilities. During this research, transgender individuals reported facing not only physical and sexual violence but also social stigmatization and exclusion, contributing to their marginalization and further complicating their access to justice and support services.

Many women and girls are living on the border area and have no documentation. So they are experiencing sexual violence, there is nowhere to report these things. There is no one to support them because they are not legal so they can't express their feelings or speak up about what has happened to them. If they speak up then they will have issues with the fact that they are undocumented. (Human Rights Defender)

In January 2023, I heard about a case from a friend in Pale Township, Sagaing region. During a military operation, seven women aged between 10 and 17 years old were hiding in a house. The military junta found them and gang raped all of them. (Human Rights Defender)

In one interview, there were some young boys who were fleeing from the military place, they were saying that they were made to rape another man. They said that if you refuse, then someone from higher in the command will rape him. So systematically, the highest levels of the military command are using rape as a weapon. I asked them why they are doing this, are there no more women? They said that they are doing it because they are obeying a request. Also, because every morning they give them a pill and a drink and they are forced to drink it, it's a type of drug, so they will do whatever they are told. (Human Rights Defender)

In 2021, I was in Kachin state for basic military training with the PDF. One night they were in the barracks, there were maybe 50 men sleeping there. Because I was born as a man, they made me sleep with the men. After 12pm they were drinking alcohol and some of them came to try and sexually abuse me. I shouted for help so nothing happened. The commander punished them by putting them in the EO military jail and took them out of the training. I don't feel that it was a fair punishment. Afterwards, many of the girls who were in the training with me were bullying me, saying that I was just a drama queen and that I couldn't get pregnant. I was crying all the time. (Civil Society Organisation)

In the prison the military controlled areas men are victims of these kinds of things. (Human Rights Defender)

Most of the victims are women and girls but also LGBTQ. (Human Rights Defender)



The Perpetrators

Sexual violence in Myanmar has been committed by a range of actors, both state and non-state. The Myanmar military, under the control of the SAC, stands out as the primary and most consistent perpetrator of CRSV. Its operations against ethnic minority groups, such as the Rohingya and Kachin populations, have included acts of extreme sexual violence, often described as a hallmark of its campaigns[4]. SAC forces, particularly elite military units such as the 'Ogre Military Column' from the SAC[5], in Sagaing have been implicated in some of the most severe violations, including gang rape, sexual torture, and other forms of sexual abuse as well as targeting of vulnerable civilians, the destruction of villages and extrajudicial killings.



The military junta, everybody knows that they are systematically violating civilians (Human Rights Defender).

There is a group called the Ogre Military Column, this is where the worst soldiers go. They burn villages and homes and commit rape. (Civil Society Organisation)

Opposition groups such as the PDFs and certain ERO/ERAs have also been implicated in committing sexual violence.

The situation is terrible in Myanmar. For a long time, the military junta has carried out sexual violence against the ethnic groups. But before the coup we could count on the EO groups but after the coup we can't count on them anymore. There are now many armed organizations on the ground for revolutionary reasons. So after the coup, women and girls, and also men and boys are having to deal with sexual violence from armed actors. Most of our civilians are affected by CRSV in every way. (Human Rights Defender)

There are so many cases of PDF carrying out acts of sexual violence. Also, the Kuki national army is also part of that but when their soldiers carry out a case of sexual violence, we go and talk to one of their leaders and ask how they can punish them. But with the PDF groups, we can't do anything. They won't let us go into their areas. There have been cases where we have tried to provide assistance to a rape victim in a PDF controlled areas but they refused to let us in to help her. (Civil Society Organisation)

The limited reach of law enforcement in many parts of Myanmar, especially rural and conflict-affected regions has also created opportunities for civilians to perpetrate sexual violence with impunity. In these areas, the weakened or absent rule of law means that crimes are less likely to be reported or prosecuted which has reportedly emboldened individuals to carry out acts of sexual violence. The absence of effective mechanisms for reporting sexual violence further exacerbates this issue and creates an environment where such crimes can continue unchecked.

[4]Global Survivors Fund. (2023). Myanmar: Reparations, conflict, and survivors – March 2023 report. Retrieved December 8, 2024, from https://www.globalsurvivorsfund.org/fileadmin/uploads/gsf/Documents/Resources/Global_Reparation_Studies/GSF_Report_MYANMAR_EN_March2023_WEB.pdf
[5]Burma News International (BNI). (n.d.). Horrendous war crimes by military council's ogre column. Retrieved December 4, 2024, from <https://www.bnionline.net/en/news/horrendous-war-crimes-military-councils-ogre-column>



Identifying the perpetrators of sexual violence remains a significant challenge due to the presence of numerous armed groups in the conflict zones and the victims' widespread fear of retaliation for reporting such incidents. This ambiguity is further compounded by the breakdown of law and order, ineffective justice systems, and cultural factors such as patriarchy and victim-blaming attitudes. The collapse of social structures has created an environment where civilians are also exploiting the situation to perpetrate acts of sexual violence with impunity. This highlights the urgent need for stronger mechanisms to identify perpetrators, protect survivors, and restore accountability in affected areas.

There are many other cases of sexual violence happening but most people have no channel or way to report to them. In the liberated areas its okay, they can report to the NUG. But for the people who are living in the SAC area, if they report to the NUG they can be arrested by the military for having a connection with the NUG, so people are afraid. (Human Rights Defender)


In 2023, there was a rape case where the victim was 12 years old and the rapist was her 59 year old neighbor. As nobody knew that it was happening, he raped her many times and she got pregnant. He threatened her and said that she could not tell anybody but once it was known that she was pregnant, the people knew what he had done. The man ran into the jungle which is currently run by the junta, so they haven't been able to get any justice for the girl. She had the baby but refused to have anything to do with it, so she gave it up for adoption. (Human Rights Defender)

We think that the perpetrator can be anyone, anyone can be a perpetrator. (Human Rights Defender)

Mapping the Spaces of Sexual Violence

The Green Thumb
Conservation Society

Sexual violence in Myanmar has been reported throughout the country, reflecting the pervasiveness of the problem. According to the testimonies of survivors, these incidents have taken place in numerous locations including in detention facilities and interrogation centers.



In Sagaing, most of the people who have committed sexual violence are groups related to the military junta. There are many cases of sexual assault at checkpoints, especially at night time when they are drunk. Also, when women and girls drive through checkpoints, the soldiers pretend to do a body search. Sometimes they wear uniform and sometimes they don't. If women and girls are with their father or an older man then the armed groups tend not to do anything but if they go with young men or boys then they might say lewd or bad words. They often ask for money or they will check their phone to see if there is anything political on it or they might make them leave their motorbike. (Human Rights Defender)

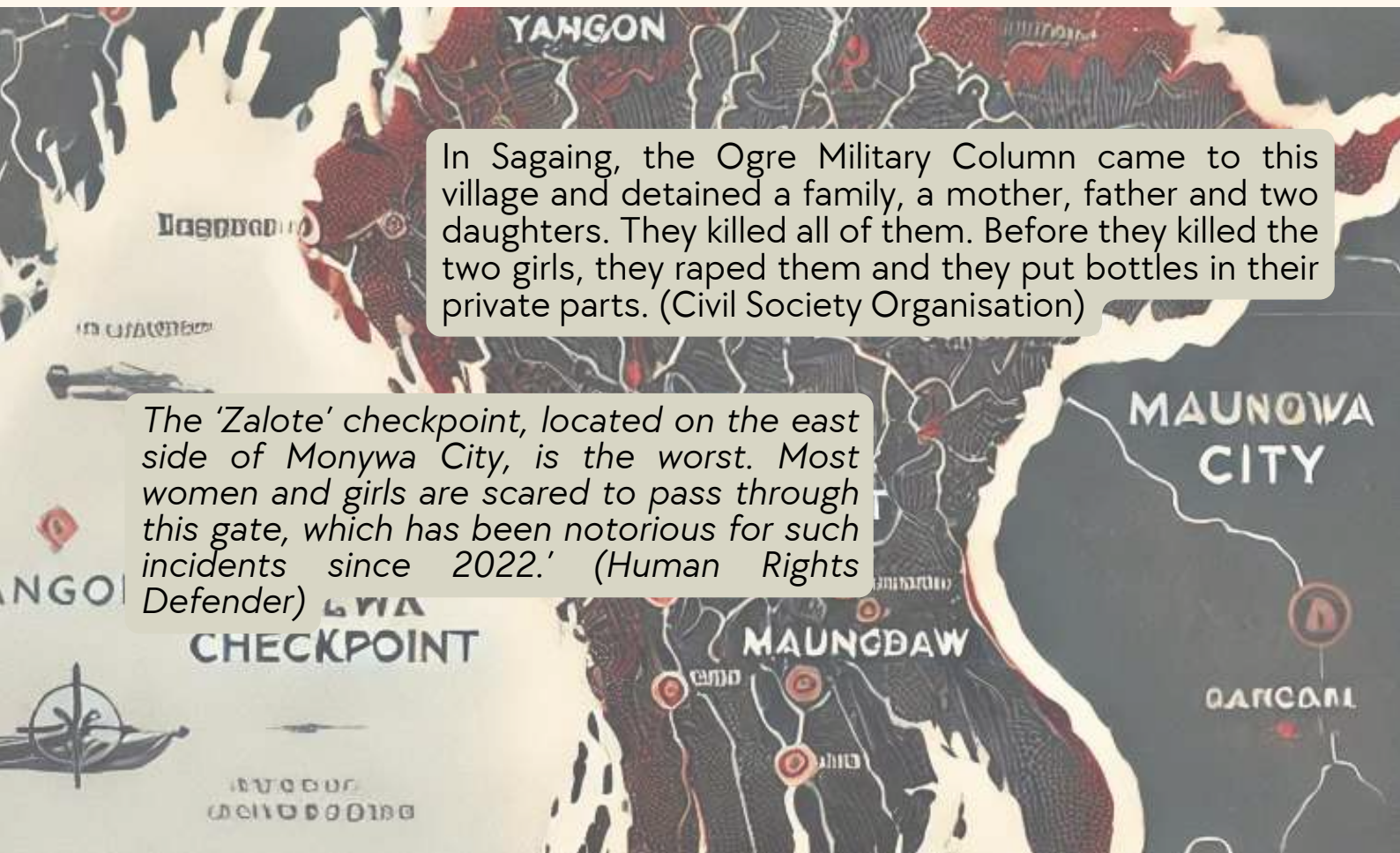
There were two female students aged between 20 - 25 who were sexually assaulted in a detention center in Yangon. They felt disgusted with themselves because of what happened. It was soldiers who did the sexual assault. We don't know who exactly who it was because they put a black bag over their heads so they can't identify them. They were accused of being related to the people's defence forces. So if somebody supports the opposition, they will arrest them and try to get them to admit that they are supporting this group. If they don't answer as they want, then they use torture including rape. (Human Rights Defender)

There was a case where 6 women tried to pass through a military checkpoint in Maungdaw city. The youngest was 17 and the oldest woman was 40. They all lived in the same village and were travelling together to go to a monastery because one of the girls had a relative there. The city wasn't far and people often go to sell their flowers because they think that it is safe. But this time they went at around 2am and the soldiers at the checkpoint were drunk. The soldiers then took them to an office building and raped them there. There was nobody there at that time so there were no witnesses. I think that they do this because they want people to be afraid of them so they will do what they want. Afterwards, one of the girls committed suicide. Another one of the women was blamed by her husband, he said that he didn't want to live with her anymore because she was raped, so they are now divorced. (Human Rights Defender)

Reports have also indicated that sexual violence occurs at military checkpoints, where women and girls face significant risk of harassment, intimidation, and assault. In areas such as Sagaing, incidents frequently involve soldiers or affiliated armed groups like the Pyu Saw Htee. Soldiers often exploit their power under the guise of conducting invasive body searches which are conducted without justification and target women traveling alone or with younger companions. Testimonies indicate that these incidents are more likely to occur during night time, especially when soldiers are intoxicated. Soldiers may also use checkpoints to extort money or possessions, check mobile phones for politically sensitive content, or seize motorbikes as punishment or leverage. Women accompanied by older men or family members are less likely to experience direct harassment, whereas those traveling with young men or alone are often subjected to degrading comments, threats, or inappropriate behavior. The lack of accountability is compounded by the fact that perpetrators are not always in uniform, making it difficult for victims to identify or report them.

The 'Zalote' checkpoint, located on the eastern side of Monywa City in Sagaing, was reported to be notorious for acts of sexual violence since 2022. It was reported that many women and girls in the area fear passing through this checkpoint, knowing that it is often manned by soldiers from the military junta and the Pyu Saw Htee Group.

In rural areas, women and young girls working in fields are particularly vulnerable to harassment and assault by armed groups. These perpetrators exploit the isolation and lack of protection in remote settings, targeting individuals who are often alone or far from the safety of their communities. Reports indicate that the perpetrators take advantage of the victims' lack of resources to escape or seek help, leaving them particularly exposed to acts of violence. Similarly, homes and villages targeted during armed raids are frequently reported as sites of sexual violence. These incidents not only cause physical harm but also deeply erode the victims' sense of safety and security. The familiarity of these settings, intended to be places of refuge, magnifies the psychological impact, as survivors are left to grapple with the trauma of being attacked in spaces once considered to be safe.



The patterns of violence reported in all spaces underscore the systemic nature of sexual violence perpetrated by armed groups in regions with limited presence of law enforcement and inadequate protections for civilians. Survivors and their families are left with enduring trauma and stigmatization, underscoring the critical need for enhanced protections and mechanisms to ensure accountability for these violations.

Social Norms, Gender Inequality and Stigma

One of the most critical challenges for victims of sexual violence in Myanmar that remains is the pursuit of justice. One of these barriers to justice is the gender inequality that is deeply embedded in Myanmar's cultural, social fabric. Patriarchal norms that promote male dominance, male superiority, and female subservience, combined with the view of women as guardians of family honor, contribute to the normalization of sexual violence and perpetuate a culture of silence around such abuses. These societal beliefs foster an environment where survivors face discrimination, stigma, and pressure to remain silent, thereby discouraging them from reporting their experiences or seeking justice. Women, in particular, are often blamed for the violence they endure, making it difficult for them to access legal or social support.

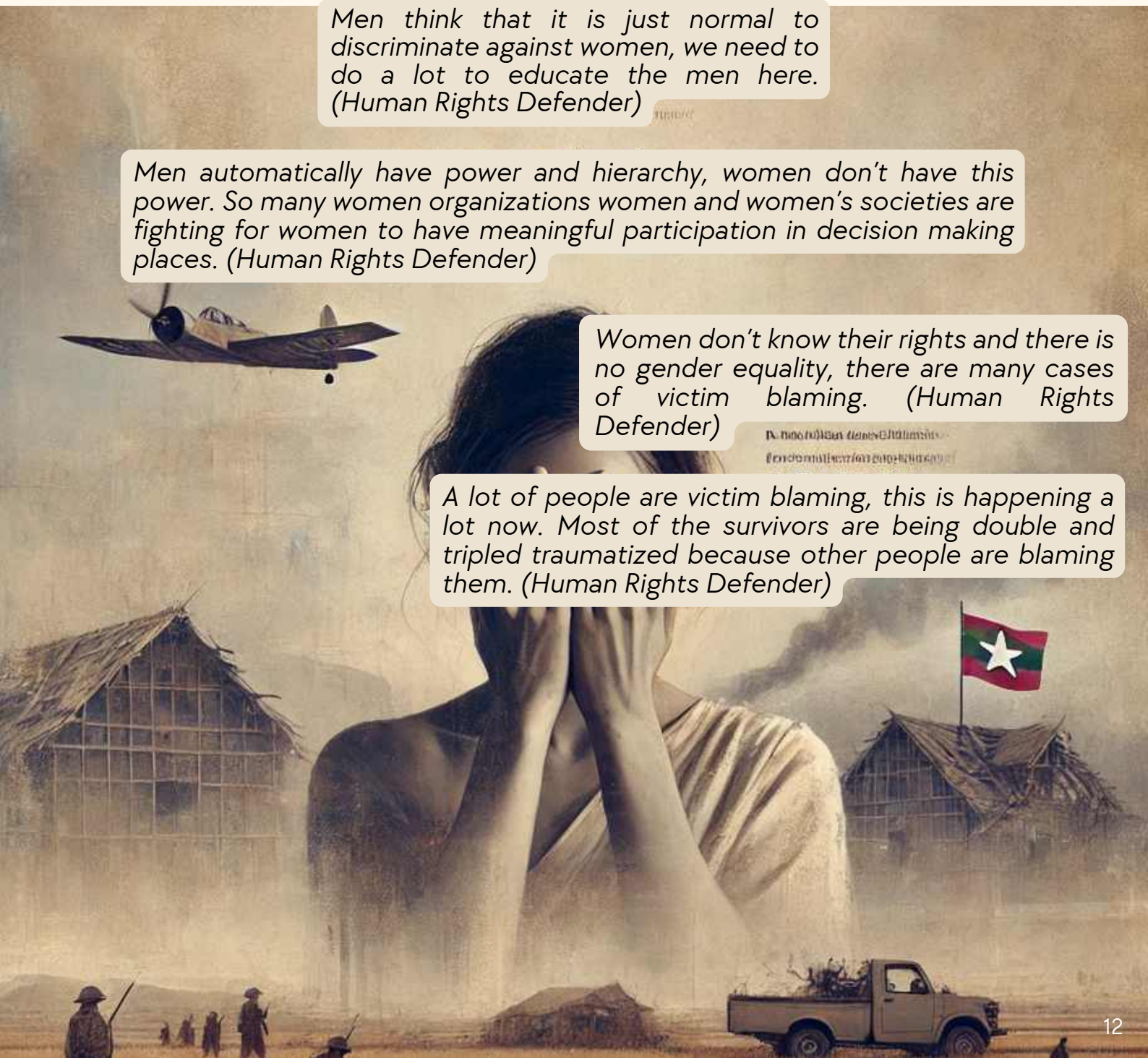
It was reported that survivors of sexual violence face severe social repercussions, including being labeled as 'tainted,' which reduces their social standing and prospects for marriage. Survivors often fear being ostracized by their families or communities or subjected to victim-blaming, with societal narratives framing them as responsible for the violence they endured. The consequences of reporting can be severe, with survivors risking isolation from their communities and a loss of their perceived social value.

Men think that it is just normal to discriminate against women, we need to do a lot to educate the men here. (Human Rights Defender)

Men automatically have power and hierarchy, women don't have this power. So many women organizations women and women's societies are fighting for women to have meaningful participation in decision making places. (Human Rights Defender)

Women don't know their rights and there is no gender equality, there are many cases of victim blaming. (Human Rights Defender)

A lot of people are victim blaming, this is happening a lot now. Most of the survivors are being double and tripled traumatized because other people are blaming them. (Human Rights Defender)



Fear of community ostracization and concerns about bringing dishonor to their families compel many survivors of sexual violence in Myanmar to remain silent. In some cases, the stigma associated with being a survivor has led to families choosing to relocate or withdraw from public spaces in order to protect their reputation. These barriers are further compounded by societal attitudes that prioritize familial and community honor over the needs of survivors. As a result, many face challenges in speaking out, accessing support services, or pursuing justice.

In our culture if there is a rape case then most people will blame the victim, this happens all over the country. In Myanmar, when a girl is not a virgin anymore they think that she has no worth at all. In our generation we are changing but older people still think that girls must be virgins before marriage. (Human Rights Defender)

Furthermore, existing support mechanisms for survivors, such as legal representation, medical care, and counseling services, are often inaccessible or non-functional, particularly in remote and conflict-affected areas. The services that are available are frequently overstretched, underfunded, and inadequately equipped to address the complex and multifaceted needs of survivors. For instance, it was noted that trauma-informed counseling services are scarce, and the limited availability of female service providers can discourage survivors from seeking assistance. Reports also indicate that this scarcity disproportionately impacts women and girls from ethnic minority communities, who are often located in regions experiencing protracted conflict and are least likely to have access to essential services.



There was an incident where some military soldiers launched an offensive and took 7 girls from 3 different families and raped them, they were aged between 10 – 17. After this happened, I went to speak with them to offer help but they refused to speak with me. I think that they felt ashamed and frightened. The parents tried to convince the children to speak with me but they refused, now they just stay inside and don't go anywhere. Two of the families moved to other cities because of this, I think because they don't want anybody to know about what happened because of the shame associated with it. The girls haven't received any justice for what happened to them. When I went to speak to the three young girls who were raped, they didn't allow me to talk to them directly or provide any psychosocial support, I think that this was likely due to shame. Now they don't want to go outside or go to school because they are so afraid. Two families (four girls) moved to another city, not wanting to live with people who know about the case. They have not been able to get any justice for what happened. (Human Rights Defender).

The Silence

When silence surrounds sexual violence, the devastating consequences for survivors are magnified, particularly where deeply rooted cultural norms, stigmas, and systemic barriers impede action. This silence is not merely a passive absence of response, it is a reflection of fear, shame, victim-blaming, and entrenched gender inequality that pervades societal attitudes. Survivors of sexual violence often carry the unbearable weight of isolation as they fear being ostracized, rejected by their families, or subjected to further violence should they come forward. This results in many survivors living with profound suffering, both physical and psychological, without access to the services they need to heal.

The military can do anything that they want without punishment. People are afraid to die, they are torturing a lot, there is a lot of torture. They are beating people's faces, they are pulling out people's hair, they are cutting people's face with the knife, there is a lot of torture. (Human Rights Defender)

Fear of retaliation from perpetrators and mistrust of government institutions further dissuade individuals from seeking justice, leaving crimes unreported and perpetrators unaccountable. This creates a cycle of impunity where violence becomes normalized, and survivors are denied not just justice but their very dignity.

There is some sexual exploitation in the ethnic organizations but women are quiet about it. We don't really get a lot of information about this but what we notice is silence. (Human Rights Defender)

Here you have power if you have a gun, guns are the power here. We are scared to talk. (Human Rights Defender)

The emotional toll is significant as survivors are denied not only safety and justice but the opportunity to rebuild their lives free from fear. Without the willingness to break this silence, support systems will remain inaccessible, impunity will continue, and survivors will continue to bear the heavy burden alone. Silence in this sense is not simply a lack of words but is a systematic denial of human rights and a failure to address the urgent needs of the most vulnerable. Breaking this cycle requires a collective effort to dismantle harmful stigmas, strengthen support systems, and ensure justice for all survivors of sexual violence.

People are not telling their stories. In liberated areas, some of the civilians and young women and girls are being affected by the violations. But nobody can speak out about this because they think that they have to keep quiet because this is the revolutionary time. So most of the women and girls shut up about their experiences. So nobody is speaking about these things. (Human Rights Defender)

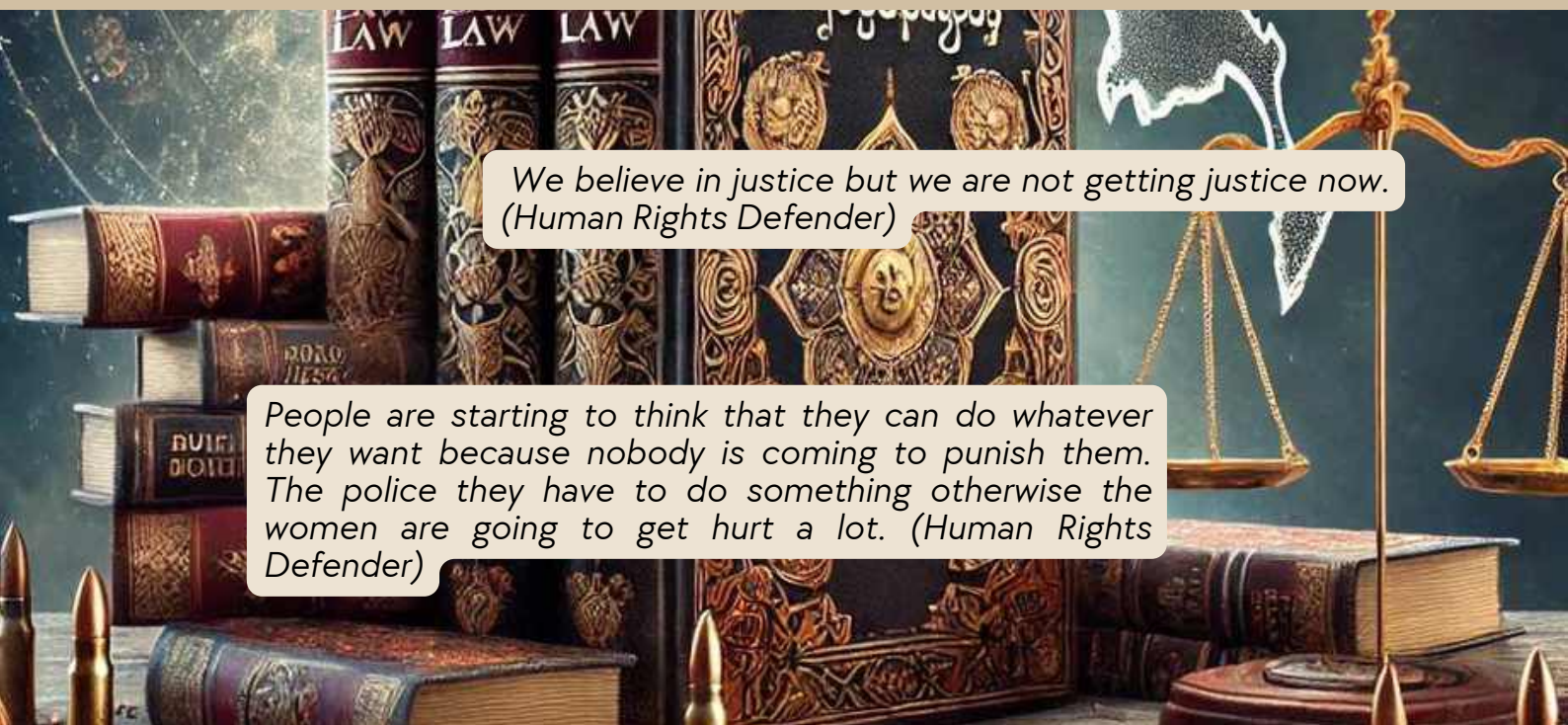
It should also be further noted that in Myanmar, the effects of conflict-related sexual violence may vary significantly based on the gender of the survivors, reflecting deeply rooted societal norms and cultural stigmas. Women survivors are often the primary focus of response mechanisms, with efforts directed toward providing medical care, psychosocial support, and community reintegration. However, these efforts are frequently undermined by pervasive victim-blaming attitudes and the risk of social ostracism, which deter many women from seeking help or reporting incidents. Male survivors however, may face even greater obstacles in accessing support services due to cultural taboos surrounding male sexual violence, which challenge traditional notions of masculinity. Concepts of masculinity can contribute significantly to the harm experienced by men who have been sexually assaulted. Societal expectations often dictate that men embody strength, resilience, and the role of a protector. Consequently, the fear of humiliation and the stigma of being perceived as weak or powerless can deter men from seeking help or disclosing their experiences. This pressure to conform to traditional masculine norms, coupled with the fear of being labeled a 'loser' or failing to uphold societal ideals, can exacerbate the emotional and psychological impact of the assault. As a result, male survivors often remain silent, further limiting their access to critical medical and psychosocial care as well as justice.

Legal Frameworks and Accountability Challenges for Addressing Sexual Violence in Myanmar

Having established the grave and violent nature of the sexual violence taking place in Myanmar, it is critical to explore the legal avenues available to address these atrocities. This section will therefore outline potential legal actions that could be undertaken to confront and address these heinous crimes, ensuring accountability and justice for the victims. By examining international and domestic legal frameworks, this section aims to provide actionable pathways to combat CRSV and promote long-term solutions for affected individuals and communities.

Myanmar's legal framework for addressing sexual violence, including conflict-related sexual violence, remains underdeveloped and outdated. Key provisions are rooted in legislation such as the 1861 Penal Code, which while criminalizing rape, provides inadequate definitions and fails to criminalize marital rape in most circumstances[9]. The legal system also lacks explicit recognition of sexual violence as a weapon of war or specific measures to address it in conflict settings. Efforts to modernize legislation, such as the long-awaited Prevention and Protection of Violence Against Women Law, have stalled, leaving survivors with limited avenues for justice[10].

Barriers to justice are further exacerbated by systemic issues within Myanmar's judiciary. Survivors face delays, discriminatory practices, and a lack of gender-sensitive procedures. Additionally, laws addressing sexual violence are inconsistently enforced, and survivors frequently encounter societal pressure to resolve cases through informal or customary systems, which rarely deliver justice or adequate remedies. It was reported that since the military coup in 2021, the situation has significantly worsened, with Myanmar's military reportedly retaining substantial legal autonomy, including immunity under the 2008 Constitution which severely limit the ability to hold perpetrators accountable in cases of CRSV[11]. Additionally, the lack of functioning judicial mechanisms was highlighted as a factor that has further exacerbated the problem, leaving survivors without access to justice or support services.



*We believe in justice but we are not getting justice now.
(Human Rights Defender)*

*People are starting to think that they can do whatever they want because nobody is coming to punish them. The police they have to do something otherwise the women are going to get hurt a lot.
(Human Rights Defender)*

Widespread distrust in authorities, combined with the normalization of abuse, discourages many survivors from reporting incidents of sexual violence. This distrust is said to stem from perceptions that authorities are either unwilling or incapable of delivering justice, often due to corruption, bias, or inefficiency in handling such cases. Survivors reportedly perceive significant risks in coming forward, such as being disbelieved, blamed, or exposed to further harm, which are often seen to outweigh any potential benefits. This lack of reporting perpetuates a harmful cycle where survivors remain unheard, perpetrators avoid accountability, and a culture of impunity persists and denies survivors justice.

[9] Baker McKenzie. (n.d.). Introduction and framework guiding domestic violence law in Myanmar. Retrieved December 12, 2024, from <https://resourcehub.bakermckenzie.com/en/resources/fighting-domestic-violence/asia/myanmar/topics/2-introduction-framework-guiding-domestic-violence-law>

[10] Global Justice Center. (n.d.). Myanmar's proposed Prevention of Violence Against Women Law: A failure to meet international human rights standards. Retrieved December 9, 2024, from <https://www.globaljusticecenter.net/myanmar-s-proposed-prevention-of-violence-against-women-law-a-failure-to-meet-international-human-rights-standards/>

[11] Harvard Human Rights Clinic. (n.d.). Beyond the coup in Myanmar: A crisis born from impunity. Harvard Law School. Retrieved December 5, 2024, from <https://humanrightscampus.harvard.edu/beyond-the-coup-in-myanmar-a-crisis-born-from-impunity/>

International Human Rights Law and Accountability Mechanisms in Myanmar

To effectively address CRSV in Myanmar, it is essential to situate these crimes within the broader international legal and policy frameworks designed to combat gendered violence in conflict. Global mechanisms, such as the United Nations Women, Peace, and Security (WPS) Agenda and international humanitarian law, provide a foundation for recognizing, prosecuting, and preventing such acts[12]. The Women, Peace, and Security (WPS) framework, established through UN Security Council Resolution 1325 and subsequent resolutions also provides a blueprint for addressing conflict-related sexual violence (CRSV). It emphasizes the protection of women and girls, accountability for perpetrators, and the inclusion of women in peace processes. In the context of Myanmar, where armed groups have been accused of widespread sexual violence, the WPS framework can offer guidance for justice efforts[13]. By aligning with WPS principles, international and local actors can work to hold perpetrators accountable and create pathways for justice and healing for survivors. These frameworks not only reaffirm the rights of survivors but also hold perpetrators accountable, setting critical precedents for justice. By exploring how these mechanisms have been applied globally, valuable insights can be gained to strengthen accountability and prevention efforts in Myanmar.

The Geneva Conventions, alongside other international legal frameworks, play a pivotal role in establishing sexual violence as a violation of humanitarian law and ensuring that perpetrators face prosecution. The Geneva Conventions and associated international humanitarian laws categorically address sexual violence in conflict, treating it as a serious breach. Under the Conventions, rape and other forms of sexual violence are not explicitly listed as 'grave breaches' but are classified under acts such as torture, inhuman treatment, or intentionally inflicting great suffering[14]. Sexual violence in conflict settings is addressed not only in international armed conflicts but also in non-international ones. For example, Common Article 3 of the Geneva Conventions and Additional Protocol II prohibit such acts implicitly, categorizing them as serious violations of international humanitarian law[15]. The Preventing Sexual Violence in Conflict Initiative (PSVI) further emphasizes the war crime designation of rape and sexual violence, underscoring their inclusion in existing legal frameworks.

[12] UN Women. (n.d.). *Preventing violence against women and girls*. UN Women. Retrieved December 2, 2024, from <https://wps.unwomen.org/preventing/>

[13] United Nations Women. (2023). A guide to UN Security Resolution 1325 and the Women, Peace and Security agenda in Myanmar. Retrieved from <https://asiapacific.unwomen.org/en/stories/news/2023/10/the-women-peace-and-security-agenda-in-myanmar>

[14] International Committee of the Red Cross (ICRC). (n.d.). Rule 93: Prohibition of sexual violence. International Humanitarian Law Database. Retrieved December 2, 2024, from <https://ihl-databases.icrc.org/pt/customary-ihl/v2/rule93>.

[15] Gaggioli, V. (2020). International review of the Red Cross: Rule 93 and the prohibition of sexual violence in armed conflict (Vol. 94, No. 894). International Committee of the Red Cross. Retrieved December 3, 2024, from <https://international-review.icrc.org/sites/default/files/irrc-894-gaggioli.pdf>.

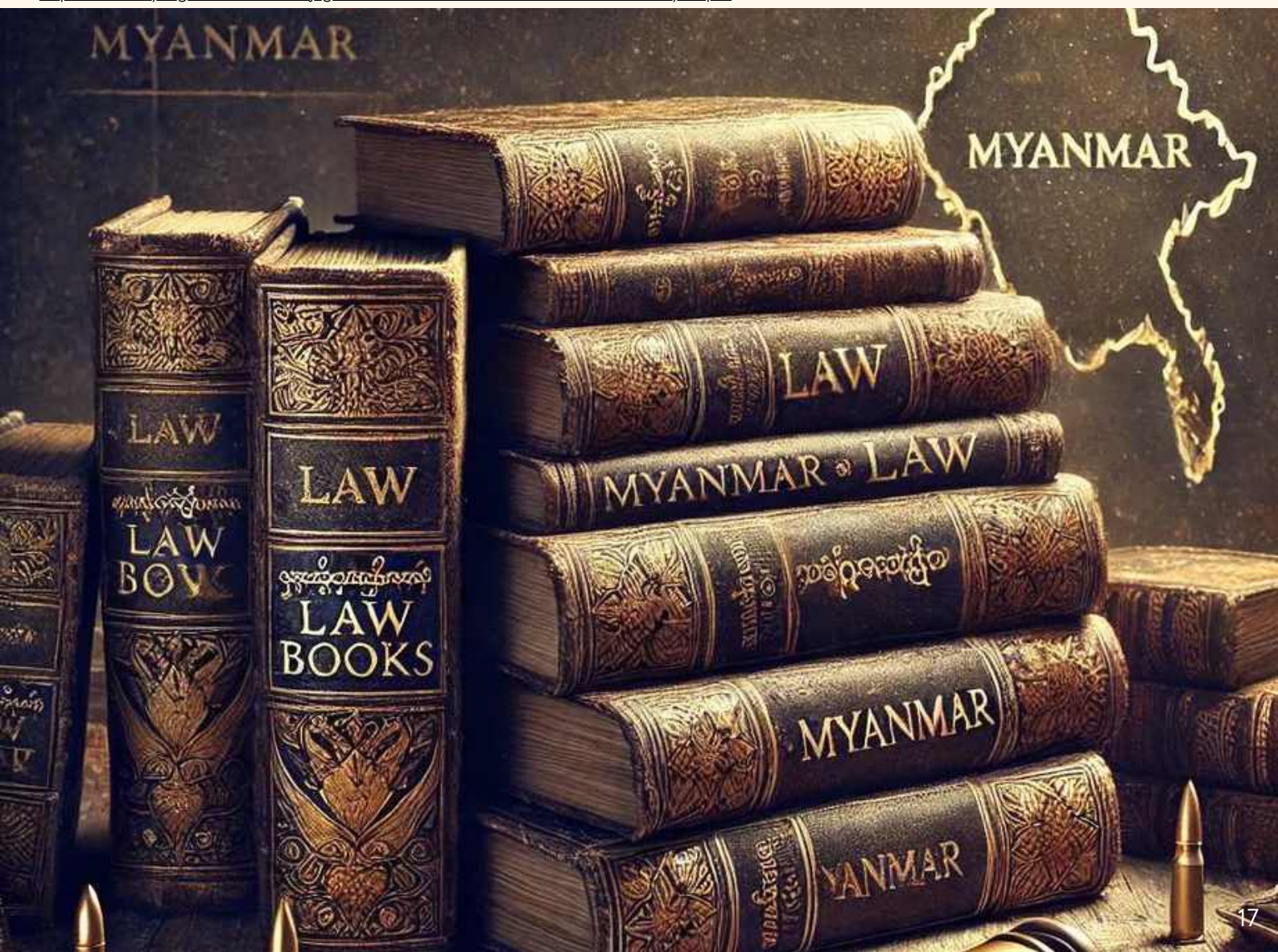


The successful prosecution of sexual violence as a war crime and crime against humanity in international tribunals demonstrates that conflict-related sexual violence can be addressed under established international law frameworks. Precedents set by tribunals following the Rwanda Genocide and the Yugoslav Wars highlight the global commitment to holding perpetrators accountable under international law frameworks such as the Geneva Conventions and related statutes. The International Criminal Tribunal for Rwanda (ICTR) was the first international tribunal to prosecute sexual violence as a war crime. In 1998, it delivered a landmark decision in *The Prosecutor v. Jean-Paul Akayesu*, where rape and sexual violence were recognized as constitutive acts of genocide and crimes against humanity. The ICTR determined that the widespread sexual violence perpetrated against Tutsi women was a deliberate act of genocide aimed at the destruction of the Tutsi population. This decision marked a significant precedent in international law by explicitly linking sexual violence to genocidal intent and other grave violations of human rights[16].

In the *Celebici* case under the International Criminal Tribunal for the former Yugoslavia (ICTY), rape was also prosecuted as a form of torture. The *Čelebići* case was adjudicated by the ICTY in 1998 and in this landmark case, the ICTY ruled that rape could constitute torture under international law. This marked a significant development in the recognition of sexual violence as a serious crime and a violation of international humanitarian law. The tribunal found three individuals guilty of committing war crimes and crimes against humanity, including acts of sexual violence in a detention camp in Bosnia and Herzegovina during the Bosnian War. The ruling emphasized that sexual violence, when committed as part of a systematic attack or with the intent to intimidate, coerce, or punish, could qualify as torture and set a precedent for addressing sexual violence as a prosecutable crime under international law[17]. These cases establish a clear precedent for the prosecution of conflict-related sexual violence under international law, demonstrating that such acts are recognized as grave crimes and can be punished in international courts. This provides a potential path forward for holding perpetrators accountable for sexual violence in Myanmar, signalling that the international community can take action to ensure justice for survivors.

[16] International Criminal Tribunal for Rwanda (ICTR). (n.d.). *Prosecutor v. Jean-Paul Akayesu*. International Committee of the Red Cross. Retrieved December 12, 2024, from <https://casebook.icrc.org/case-study/ictcr-prosecutor-v-jean-paul-akayesu>.

[17] International Criminal Tribunal for the former Yugoslavia (ICTY). (1998). *Prosecutor v. Mucic, Landzo, Delic & Delalic: Summary of the judgment (Case No. IT-96-21-T)*. International Criminal Tribunal for the former Yugoslavia. Retrieved December 12, 2024, from https://www.icty.org/x/cases/mucic/tjug/en/981116_Mucic_Landzo_Delic_Delalic_summary_en.pdf.



Myanmar, International Law and CRSV

Myanmar's engagement with international and regional legal frameworks highlights a complex interplay of commitments and challenges in addressing CRSV. As a party to key treaties such as the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)[18] and the Convention on the Rights of the Child (CRC)[19], Myanmar is obligated to prevent and respond to sexual violence, especially against women and children, and to ensure protection even in conflict settings. The country's ratification of the Genocide Convention further underscores its responsibility to address sexual violence when used as a tool of war. However, critical gaps remain in its legal framework. Myanmar has not ratified the Convention Against Torture (CAT)[20] or the Rome Statute of the International Criminal Court which are mechanisms that could enable the prosecution of CRSV as a form of torture or war crime[21]. The absence of the International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED) and the optional complaint mechanisms associated with treaties it has ratified further limits survivors' access to justice and accountability[22].

Myanmar's position as a signatory to the Geneva Conventions binds it to minimum humanitarian standards, including prohibitions on CRSV, as outlined in Common Article 3[23]. However, the lack of ratification of the Additional Protocols, particularly Additional Protocol II addressing non-international armed conflict, presents challenges to the full implementation of these norms. Regionally, Myanmar's participation in the Association of Southeast Asian Nations (ASEAN) offers frameworks such as the ASEAN Declaration on the Elimination of Violence Against Women and the ASEAN Declaration Against Trafficking in Persons[24]. However, enforcement remains weak, particularly in the context of ongoing conflict.

Additionally, the Convention on the Rights of Persons with Disabilities (CRPD) offers a critical framework for addressing justice for survivors of conflict-related sexual violence with disabilities in Myanmar. As a State Party to the CRPD, Myanmar is obligated to ensure equal access to justice for persons with disabilities which includes implementing accommodations such as accessible communication methods, sign language interpretation, and physical access to judicial processes, which are often lacking in Myanmar's current legal system. The CRPD's emphasis on eliminating discrimination also provides a foundation for demanding tailored legal and psychosocial services for survivors with disabilities which are essential to addressing the unique challenges faced by survivors in seeking justice, including physical and psychological trauma. The CRPD also obligates Myanmar to establish and provide rehabilitation programs that address the specific needs of persons with disabilities, enabling survivors to rebuild their lives while addressing the long-term impacts of sexual violence[25]. Additionally, the CRPD's focus on combating stigma and raising awareness is essential in challenging societal and institutional biases that deter survivors from reporting crimes or accessing justice.

[18] UN Women. (n.d.). Myanmar and CEDAW: Promoting human rights and gender equality. Retrieved December 1, 2024, from <https://asiapacific.unwomen.org/en/focus-areas/cedaw-human-rights/myanmar>.

[19] Office of the High Commissioner for Human Rights (OHCHR). (n.d.). UN Treaty Body Database: Myanmar. Retrieved December 1, 2024, from https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?CountryID=119&Lang=EN.

[20] Office of the High Commissioner for Human Rights (OHCHR). (n.d.). UN Treaty Body Database: Myanmar. Retrieved December 1, 2024, from https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?CountryID=119&Lang=EN.

[21] International Criminal Court. (n.d.). Bangladesh/Myanmar. International Criminal Court. <https://www.icc-cpi.int/victims/bangladesh-myanmar>.

[22] Assistance Association for Political Prisoners (AAPP). (2018). Ratification of treaty and convention obligations by Myanmar. Retrieved December 3, 2024, from <https://aappb.org/wp-content/uploads/2018/09/Ratification-of-treaty.pdf>.

[23] Online Guide to Humanitarian Law. (n.d.). Conventions by country: Myanmar. Retrieved December 3, 2024, from <https://guide-humanitarian-law.org/content/conventions/by-country/124-myanmar/>.

[24] Association of Southeast Asian Nations (ASEAN). (2021). The Declaration on the Elimination of Violence Against Women and the Elimination of Violence Against Children in ASEAN. ASEAN. <https://asean.org/wp-content/uploads/2021/01/The-Declaration-on-the-Elimination-of-Violence-Against-Women-and-Elimination-of-Violence-Against-Children-in-ASEAN.pdf>

[25] United Nations. (2006). Convention on the Rights of Persons with Disabilities. OHCHR. Retrieved from <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-persons-disabilities>



The gap between Myanmar's international commitments and domestic enforcement is significant. While formal commitments exist under treaties such as CEDAW and the CRC, systemic barriers including weak legal institutions, limited access to justice, and state complicity undermine these obligations. The military's impunity and the absence of robust domestic legislation addressing CRSV exacerbate the issue which can be highlighted through the International Criminal Court's (ICC) 2019 investigation into crimes against the Rohingya[26]. While the investigation covers acts like rape and sexual slavery as crimes against humanity and war crimes, it is limited to crimes occurring within ICC state party territories, such as Bangladesh, leaving other CRSV within Myanmar unaddressed.

Addressing CRSV in Myanmar requires ratifying key treaties such as the Rome Statute and CAT, strengthening domestic legal frameworks, and fully implementing existing international obligations. Without these measures, Myanmar's capacity to combat CRSV effectively will remain constrained, and survivors will continue to face significant barriers to justice and accountability. Alternative avenues for accountability include the International Independent Investigative Mechanism for Myanmar (IIMM), which is tasked with investigating human rights violations, including CRSV, under both international criminal law and universal jurisdiction. The IIMM has reportedly accumulated a wealth of evidence, including items such as witness statements, photos, and videos, although challenges remain in obtaining signed witness statements due to the difficulties of accessing witnesses and securing cooperation from states[27]. Despite these obstacles, the IIMM continues to rely on information from CSOs to corroborate claims and build a comprehensive case for international accountability.

It should be noted however, that while international law and accountability mechanisms, such as the IIMM and the ICC, are vital, they have faced significant challenges, particularly in their reliance on CSOs for collecting and documenting evidence. Civil society documentation plays a critical role in ensuring accountability by providing evidence for truth-telling and reparations processes and influencing the prioritization of CRSV in international investigations. Cultural taboos, fear of retaliation, and the potential for retraumatization of survivors continues to hinder documentation efforts as survivors are often reluctant to speak out. This can limit full interactions with international accountability mechanisms which then consequently limits their capacity to hold perpetrators accountable.

In a significant move towards accountability, Myanmar's NUG submitted a declaration to the ICC in July 2021, accepting the Court's jurisdiction over international crimes committed on Myanmar's territory since 2002. This declaration potentially opens a new avenue for investigating and prosecuting CRSV committed by Myanmar's military junta, although its legitimacy is contested. If the ICC accepts this declaration, it could provide a path to greater accountability for crimes perpetrated by the Tatmadaw and other armed groups[28]. However, the political dynamics and ongoing legal challenges surrounding this declaration complicate the process, and its impact remains uncertain.



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[26]The Diplomat. (2022, August 31). The ICC must engage with Myanmar's democratic government and hold the junta to account. Retrieved from <https://thediplomat.com/2022/08/the-icc-must-engage-with-myanmars-democratic-government-and-hold-the-junta-to-account/>

[27] International Criminal Court. (n.d.). Bangladesh/Myanmar. International Criminal Court. Retrieved from <https://www.icc-cpi.int/victims/bangladesh-myanmar>

[28] International Independent Investigative Mechanism for Myanmar (IIMM). (n.d.). IIMM. Retrieved from <https://iimm.un.org/>

Conclusion

The prevalence of CRSV in Myanmar underscores a breakdown in governance, societal norms, and accountability structures. Addressing these violations requires a survivor-centered, multi-sectoral approach that combines legal reform, institutional strengthening, and societal transformation. Key priorities must include education to shift harmful societal attitudes, particularly among men, that perpetuate behaviors that lead to victim blaming and survivors consequently choosing to remain quiet. This should also include mandatory gender sensitivity training for the military and awareness on international laws and conventions that punish perpetrators of sexual violence. Comprehensive reforms to legal and judicial systems are needed to dismantle impunity and provide survivors with pathways to justice and healing.

International collaboration remains crucial. Stronger global laws against sexual violence, backed by enforcement mechanisms, could significantly deter such crimes. Moreover, the collection of credible and quantifiable data across NUG-controlled, ERO/ERA-controlled and junta-controlled areas is essential to inform policy, advocacy, and accountability efforts. Ultimately, addressing CRSV in Myanmar is not just about justice for survivors but also about rebuilding a society grounded in gender equality, accountability, and peace. Achieving this requires sustained commitment from all stakeholders—local, national, and international.

It must also be understood that everyone has the inherent right to live a safe and fair life, free from the threat of sexual violence. Such acts are never acceptable, under any circumstances, and perpetrators must always be held fully accountable for their actions. Survivors must feel empowered to come forward and report these crimes without fear of stigma or retaliation. No one should ever be silenced or forced to endure the burden of such atrocities in silence. By ensuring justice and amplifying the voices of survivors, society can take meaningful steps toward ending the cycle of violence and impunity. Survivors of sexual violence should never be left to bear the burden of sexual violence in silence. Ever.

We just have to live in silence (Human Rights Defender)



Recommendations

For the National Unity Government (NUG)/Shadow Government:

1. *Strengthen Legal Protections:* Enact comprehensive laws criminalizing all forms of gender-based violence (GBV) and CRSV, and remove constitutional provisions granting military immunity.
2. *Document Cases:* Enhance evidence collection and establish mechanisms for systematic documentation of CRSV cases, ensuring data is credible and quantifiable.
3. *Support Survivors:* Provide survivor-centered systems, including safe houses, medical care, legal aid, and psychological counseling.
4. *Provide Gender-Sensitivity Training:* Implement mandatory gender equality and anti-GBV training for all ranks of the military and ensure adherence through oversight mechanisms
5. *Educate Military Personnel:* Conduct mandatory training for the military on gender equality and the unacceptability of sexual violence, alongside accountability measures for violations.
6. *Promote Restorative Justice:* Establish survivor-led restorative justice mechanisms to address the harm caused by CRSV, focusing on acknowledgment, accountability, and the reintegration of survivors into their communities with dignity and support.

For Ethnic Resistance Organizations (EROs) and Ethnic Revolutionary Alliances (ERAs) in Myanmar:

1. *Strengthen Advocacy and Coordination:* EROs and ERAs should enhance collaboration and coordination among themselves and with international partners to ensure a unified approach to combating CRSV. This includes sharing information, strategies, and evidence to strengthen advocacy efforts for accountability and justice.
2. *Support Community-Based Responses:* EROs and ERAs should prioritize community-based approaches that provide survivors with access to protection, medical care, legal support, and psychosocial services. These groups should ensure that survivors have safe spaces and that local mechanisms are in place to document and advocate for their rights.
3. *Raise Awareness and Challenge Norms:* Work within communities to challenge harmful cultural norms that perpetuate GBV and CRSV. Efforts should be directed at educating both men and women on gender equality, respect for women, and the unacceptability of sexual violence.
4. *Build Capacity and Train Personnel:* Provide gender-sensitive training to ERO and ERA members on the prevention of CRSV and the importance of accountability. This includes enhancing understanding of human rights principles, gender equality, and mechanisms for documenting and reporting violations.
5. *Advocate for Legal Reform:* Support efforts to push for legal frameworks that criminalize CRSV and GBV, ensuring that ethnic regions have mechanisms for holding perpetrators accountable, particularly where the military's influence and governance structures pose challenges.



Recommendations

For the International Community:

1. *Provide Technical Assistance:* Train healthcare and legal professionals in forensic evidence collection and survivor-centered approaches.
2. *Support Evidence Collection:* The international community should continue supporting organizations like the Independent Investigative Mechanism for Myanmar (IIMM) to collect, preserve, and analyze evidence of CRSV and other international crimes.
3. *Advocate for Accountability:* Increase diplomatic pressure on the State Administration Council (SAC) and military groups to halt CRSV and ensure justice for survivors.
4. *Support NUG Efforts:* Back the NUG's work with the ICC and IIMM to build strong cases against perpetrators.
5. *Strengthen International Law:* Push for the creation and enforcement of stronger international laws that impose severe penalties for sexual violence, ensuring that these laws are universally binding and supported by multilateral treaties.
6. *Advocate for a United Nations Security Council (UNSC) Referral:* Member states should urge the UNSC to refer the situation in Myanmar to the ICC under Article 13(b) of the Rome Statute, despite Myanmar not being a State Party. This approach requires sustained diplomatic pressure and strategic efforts to overcome potential vetoes by permanent UNSC members.
7. *Expand the ICC's Existing Jurisdiction:* Leverage the ICC's ongoing investigation into the forced deportation of the Rohingya from Myanmar to Bangladesh, a State Party to the Rome Statute. Advocates should push for the inclusion of CRSV as part of the broader investigation into crimes against humanity committed during the Rohingya crisis.
8. *Engage Regional Bodies:* Work with ASEAN and other regional organizations to increase pressure on Myanmar's authorities to cooperate with investigations into CRSV.
9. *Diplomatic Pressure:* Countries should use bilateral and multilateral diplomatic channels to advocate for accountability for CRSV in Myanmar.

For Civil Society:

1. *Assist Survivors:* Expand initiatives providing medical care, legal aid, and psychosocial support.
2. *Raise Awareness:* Conduct public campaigns to challenge harmful cultural norms, reduce stigma, and promote gender equality.
3. *Educate Men and Boys:* Launch education initiatives targeting men and boys to teach gender equality, respect for women, and the unacceptability of sexual violence.
4. *Partner with International Mechanisms:* Work closely with the IIMM and other bodies to document cases and advocate for justice.



Appendices

List of Acronyms

ASEAN - Association of Southeast Asian Nations

CAT - Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

CEDAW - Convention on the Elimination of All Forms of Discrimination Against Women

CRC - Convention on the Rights of the Child

CRSV - Conflict-Related Sexual Violence

CSO - Civil Society Organization

ERO/ERA - Ethnic Resistance Organization/Ethnic Revolutionary Alliance

HRD - Human Rights Defender

ICC - International Criminal Court

ICCPED - International Convention for the Protection of All Persons from Enforced Disappearance

ICTR - International Criminal Tribunal for Rwanda

ICTY - International Criminal Tribunal for the former Yugoslavia

IIMM - Independent Investigative Mechanism for Myanmar

LGBTQ+ - Lesbian, Gay, Bisexual, Transgender, Queer/Questioning, and others

NLD - National League for Democracy

NUG - National Unity Government

PDF - People's Defense Forces

PSVI - Preventing Sexual Violence in Conflict Initiative

SAC - State Administration Council

WPS - Women, Peace, and Security

