



A LICENSE TO TORTURE ?



**Short Analysis of the Myanmar Military's Torture
Since the 2021 Coup Attempt**

Executive Summary

Myanmar military has a long history of using torture to stop and break down the peaceful protests and target the innocent civilians in the areas where armed clashes broke out. Torture in Myanmar can be divided into two types – torture by security forces especially in interrogation and prisons and torture of innocent civilians in areas of clashes by regime forces. Torture victims can also be divided into two main groups. The two are political society and innocent civilians in the areas where the armed resistance broke out.

The Myanmar military's torture has increased since the 1988 uprising. During the so-called democratization process under quasi-civilian governments which began in 2011, the Myanmar military's atrocities including torture and ill-treatment of innocent civilians continued in ethnic minority areas. Yet, most of the documented evidence of the Myanmar military's atrocities did not garner adequate attention from the public and support from the international community to hold those responsible for the atrocities accountable. However, the Myanmar military proved its brutality and evilness by its blatant violence against people peacefully resisting the coup attempted on February 1, 2021.

Since the coup attempt, the military junta has used torture as a means not only to extract information from the accused but also punish and retaliate them for their pro-democracy activities and to instill fear among the people. The act of torture by the Myanmar military's security forces is based on arbitrary grounds while the patterns of torture are proven systematic and widespread. The junta has increasingly arrested civilian protesters, activists, members of CDM, politicians, members of NLD party, people with ties with NLD party and people supporting the National Unity Government (NUG), Committee Representing Pyidaungsu Hluttaw (CRPH), National Unity Consultative Council (NUCC) and ethnic revolutionary organization (EROs).

Women and LGBTQI individuals face disproportionate rates of torture and violence compared to men. This systemic targeting not only violates their human rights but also perpetuates a culture of discrimination and oppression. In various forms, such as sexual violence, women and LGBTQI individuals are particularly vulnerable to torture.

In conflict situations, women and LGBTQI individuals including transwomen are also at heightened risk of torture. Perpetrators exploit their vulnerability, using sexual violence as a weapon of war. Rape, forced prostitution, and sexual slavery are common tactics employed to instill fear, control populations, and destroy social bonds. These acts of

torture not only cause immediate physical harm but also inflict long-lasting trauma on the survivors.

Furthermore, women and LGBTQI individuals in detention centers, including prisons and interrogation centers, are often subjected to sexual violence and other forms of torture. These abuses can range from invasive searches to the denial of essential healthcare, isolation, and verbal abuse. Such mistreatment perpetuates a culture of fear and silencing, making it difficult for survivors to seek justice or support.

Torture occurs during security forces raids, arrests, interrogations, detentions and in prisons. The security forces commit unlawful arrests, arbitrary arrests, gender-based violence, sexual harassment, sexual violence, torture and ill-treatment in a systematic and widespread¹ manner while the interrogation centers, detention centers and prisons do not comply with international standards and international conventions. Furthermore, torture is often interconnected with violations of other intrinsic rights, for instance, the right to religion and belief and the right to life.

Numerous individuals have lost their lives while incarcerated, leaving grieving families without the opportunity to bid farewell to their loved ones. Moreover, many families have discovered disturbing wounds and bruises on the bodies of their deceased family members. These distressing findings serve as evidence that many prisoners were subjected to torture, ultimately causing their death within prison walls.

The tragedy of families not being able to see the bodies of their deceased loved ones is an all too common occurrence. The plight of families in Myanmar who have lost loved ones in prisons is a heartbreaking testament to the human rights violations that persist within the country. The denial of access to the bodies and the presence of visible signs of torture on those who are returned only reinforces the fact that many prisoners were killed as a result of brutal acts committed within the prison walls.

While the military junta violates not only humanitarian law but also customary international law, it has been responsible for numerous human rights violations, including torture and violence against vulnerable groups such as women, children, and persons with disabilities. These acts of torture are in direct violation of international treaties that Myanmar has already ratified, namely the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), the Convention on the Rights of the Child (CRC), and the Convention on the Rights of Persons with Disabilities (CRPD).

¹ “Myanmar military uses systematic torture across country”, AP, October 28, 2021, <https://apnews.com/article/myanmar-torture-military-prisons-insein-abuse-390fe5b49337be82ce91639e93e0192f> (accessed June 10, 2023)

CEDAW, CRC, and CRPD are international legal instruments that aim to protect the rights and well-being of specific groups in society. These treaties establish clear guidelines and obligations for state parties, including Myanmar, to ensure the prevention of torture and violence against women, children, and persons with disabilities.

The Myanmar military's atrocities extend beyond violence and include heinous crimes committed against the civilian population. These crimes have particularly targeted areas where ethnic revolutionary organizations and local communities reside. These actions have resulted in widespread suffering and loss of lives among innocent civilians.

This analysis recalls the historical background of the Myanmar military's torture practice against political prisoners and innocent civilians in armed conflict areas. This analysis also highlights the situation in interrogation centers, police detentions, prisons and areas of armed clashes in the context of torture and other cruel, inhuman and degrading treatment or punishment. Equality Myanmar has documented more than 200 cases of human rights violation mainly related to torture in which political detainees, political prisoners and innocent residents in areas affected by clashes between the armed resistance groups and the regime troops, have experienced.