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**Promotion and protection of human rights: human rights situations and reports of special rapporteurs and representatives**

## **Situation of human rights of Rohingya Muslims and other minorities in Myanmar**

### **Report of the Secretary-General**

#### *Summary*

The present report is submitted pursuant to General Assembly resolution [78/219](#) and covers the period from 15 August 2023 to 31 July 2024. The report focuses on the deteriorating situation and expanding crisis in Myanmar following the military takeover of February 2021. Pre-existing vulnerabilities and the human rights situation of the Rohingya Muslims and other minorities have been exacerbated. Security operations by the Myanmar armed forces have continued to intensify and severely affect civilians. Ethnic armed organizations and resistance forces have stepped up coordinated operations against the military, making territorial gains, notably in border areas and in particular since October 2023. According to estimates for 2024, 18.6 million people, a third of the population, will need humanitarian assistance. More than 3.2 million people are currently internally displaced. Challenges remain regarding access for delivering humanitarian aid and providing essential services at scale, which are compounded by significant funding shortfalls and insecurity. Over 5,000 civilians have reportedly been killed since the military takeover, including over 600 children, with reports of sexual and gender-based violence committed by the military and other armed actors mostly targeting women and girls. In response to battlefield losses, the military has increasingly resorted to indiscriminate air strikes, mortar shelling and arson, affecting education and health infrastructure. Transnational crime, including drug trafficking, trafficking in persons and scam operations, have flourished amid worsening socioeconomic conditions, and poverty and food insecurity have been on the rise. Rohingya people remained displaced internally and abroad, including almost 1 million refugees in Bangladesh, where security conditions in refugee camps have worsened, pushing growing numbers of Rohingya to embark on dangerous sea journeys. No meaningful action has been taken by the military authorities to address the root causes that led to the forced displacement of the

\* [A/79/150](#).



Rohingya population. Since the breakdown of the informal ceasefire between the Myanmar armed forces and the Arakan Army in Rakhine State in November 2023, the intensification of the conflict has affected the most vulnerable, including the Rohingya and other communities in one of Myanmar's poorest states, leading to the renewal of protection concerns and intercommunal tensions instigated by conflict parties. The forced conscription of both women and men by the Myanmar military has had serious implications, especially for young people across the country. On 5 April 2024, the Secretary-General appointed Julie Bishop of Australia as his Special Envoy on Myanmar and, since 27 May 2024, she has begun broad engagement with Myanmar stakeholders, Member States and civil society.

## I. Introduction

1. The present report is submitted pursuant to General Assembly resolution 78/219, in which the Assembly requested the Secretary-General to continue to provide his good offices and to pursue his discussions relating to Myanmar, involving all relevant stakeholders, to offer assistance to Myanmar and to submit the report of the Special Envoy on all relevant issues addressed in the resolution to the General Assembly at its seventy-ninth session. The present report covers the period from 15 August 2023 to 31 July 2024.

2. During the reporting period, the political, security, humanitarian and human rights situation in Myanmar deteriorated further, and socioeconomic conditions worsened. Since the military takeover, the breakdown in the rule of law had led to a significant increase in illicit activities, including trafficking in persons, drug production and smuggling, and scam operations. As armed conflict and violence has intensified, the regional implications thereof have widened, in particular since October 2023, with over 3.2 million people internally displaced across Myanmar at the time of writing, and many seeking asylum across borders. Access constraints caused by instability, bureaucratic impediments and the disruption of essential services compounded suffering in conflict-affected areas.

3. Credible reports continued to be received of brutal actions committed by the Myanmar military, including indiscriminate aerial bombardments, mass killings of detainees, dismemberment and desecration of bodies, sexual and gender-based violence, mostly targeting women and girls, and the deliberate burning of civilian infrastructure. Credible sources have verified that over 5,000 civilians, including more than 600 children, had been killed since the military takeover. There were also reports of violence and human rights abuses against civilians committed by resistance groups and ethnic armed organizations.

4. The Secretary-General repeatedly condemned all forms of violence, reiterating calls for the protection of civilians and a cessation of hostilities. He appealed, in particular when engaging with countries neighbouring Myanmar, for international actors, to leverage their influence over the military to end its campaign of violence targeting civilians and of political repression, and for those responsible to be held to account. In a statement ahead of 1 February 2024, which marked three years since the military takeover, the Secretary-General expressed his continued solidarity with the people of Myanmar and their desire for an inclusive, peaceful and just society. He underscored the urgency of forging a path towards a democratic transition with a return to civilian rule and reiterated his concern regarding the military's stated intention to move towards elections amid intensifying conflict and human rights violations.<sup>1</sup>

5. The Secretary-General called for sustained international and regional attention and coherent collective action. With the appointment of Julie Bishop as his Special Envoy on Myanmar on 5 April 2024, the Secretary-General reiterated his commitment to work with all stakeholders, including the Association of Southeast Asian Nations (ASEAN) and other regional actors, to help secure a sustainable and inclusive peace in Myanmar.<sup>2</sup>

6. In follow-up to its resolution 2669 (2022), the Security Council convened a private meeting on 5 February 2024, during which the ASEAN Special Envoy briefed

<sup>1</sup> See <https://www.un.org/sg/en/content/sg/statement/2024-01-31/statement-attributable-the-spokesperson-for-the-secretary-general-%E2%80%93-myanmar>.

<sup>2</sup> See <https://www.un.org/sg/en/content/sg/personnel-appointments/2024-04-05/ms-julie-bishop-of-australia-special-envoy-myanmar>.

the Council on his initial engagements, and a representative of the Department of Political and Peacebuilding Affairs briefed the Council on the situation in Myanmar. The Council also met for an open meeting on 4 April 2024, which was focused on Rakhine State and included briefings from representatives from the Department of Political and Peacebuilding Affairs and the Office for the Coordination of Humanitarian Affairs. The Council held closed consultations with the Emergency Relief Coordinator on 23 August 2023 following his visit to Myanmar and was briefed by the Office for the Coordination of Humanitarian Affairs on 3 July 2024 on the humanitarian situation. An Arria formula meeting was held on 29 May 2024, at which a representative of the United Nations Children's Fund briefed the Council on the impact of the conflicts in Myanmar on children and young people.

7. On 23 October 2023, representatives of the Department of Political and Peacebuilding Affairs and the Independent Investigative Mechanism for Myanmar, as well as the Special Rapporteur on the situation of human rights in Myanmar, briefed the Third Committee of the General Assembly in an interactive dialogue on their respective work pursuant to resolution 77/227. On 19 December 2023, the General Assembly adopted, by consensus, resolution 78/219 on the situation of human rights of Rohingya Muslims and other minorities in Myanmar.

8. In response to increased indiscriminate aerial attacks by the Myanmar military, including against hospitals and schools, the Human Rights Council adopted resolution 55/20 on the situation of human rights in Myanmar by consensus on 4 April 2024, calling upon all Member States to refrain from the export, sale or transfer of jet fuel, surveillance goods and technologies and less-lethal weapons to Myanmar. The Special Rapporteur on the situation of human rights in Myanmar had reported in March 2024 that there had been a fivefold increase in air strikes against civilians since the launch of "Operation 1027" in October 2023 (see A/HRC/56/23, paras. 11–19).

9. During the reporting period, senior United Nations officials visited Myanmar to reinforce the system-wide commitment to stay and deliver in Myanmar, to call for the protection of civilians and to work with all stakeholders to attain sustainable peace. The Emergency Relief Coordinator visited Myanmar from 14 to 17 August 2023 and engaged with various stakeholders, including with the Commander-in-Chief of the Myanmar armed forces, Senior General Min Aung Hlaing, to press for expanded humanitarian access and the removal of bureaucratic obstacles to enable humanitarians to scale up direct aid to populations in areas affected by conflict and natural disasters. The Emergency Relief Coordinator expressed concerns about the protection risks facing civilians and humanitarian workers, in particular in conflict areas. He also met with families affected by conflict and by Cyclone Mocha, including with Rakhine and Rohingya communities. Following his visit, he called for increased funding to assist millions of people in need across Myanmar.<sup>3</sup> The Under-Secretary-General for Safety and Security visited Myanmar from 3 to 7 April 2024 and engaged with various conflict parties in order to establish operational links to ensure the safety and security of United Nations personnel and partners amid deteriorating security conditions.

10. Following her appointment, the Special Envoy of the Secretary-General on Myanmar held consultations at United Nations Headquarters and then conducted a regional tour, including visits to Indonesia, the Lao People's Democratic Republic and Malaysia (the previous, current and incoming ASEAN Chairs), which reflected her commitment to working closely with ASEAN and neighbouring countries in support of a Myanmar-led process. She also visited Thailand as part of her aim of early engagement with countries that share borders with Myanmar.

<sup>3</sup> See <https://myanmar.un.org/en/242467-lack-access-and-funding-hampering-aid-18-million-people-myanmar-un-humanitarian-chief-martin>.

11. On 5 September 2023, ASEAN leaders attending the forty-third ASEAN Summit in Indonesia reiterated their position that the five-point consensus remained their main reference for addressing the political crisis in Myanmar, and expressed their grave concern at the lack of substantial progress on its implementation by the “Authority in Myanmar”, despite its commitment to the agreement in April 2021.<sup>4</sup> In his address to ASEAN leaders on 7 September 2023, the Secretary-General noted his appreciation of the principled approach of ASEAN through the five-point consensus, and acknowledged the efforts of Indonesia, as ASEAN Chair in 2023, to engage all sides of the conflict in political dialogue. He also called upon the Myanmar military to free all detained leaders and political prisoners and ensure the full restoration of democratic rule.<sup>5</sup>

12. At a retreat for Ministers for Foreign Affairs of ASEAN members, held on 29 January 2024 in the Lao People’s Democratic Republic, the Ministers welcomed the humanitarian efforts by ASEAN and an initiative between Thailand and Myanmar to scale up assistance along the border through the respective Red Cross societies of the two countries.<sup>6</sup> Under the initiative, the first delivery of relief items across the border to internally displaced persons in Kayin State was made on 25 March 2024. At their 57th meeting, held on 25 July 2024 in the Lao People’s Democratic Republic, the Ministers for Foreign Affairs of ASEAN urged all parties to take concrete action to immediately halt indiscriminate violence in Myanmar, denounce any escalation, exercise utmost restraint, ensure the protection and safety of all civilians and create a conducive environment for the delivery of humanitarian assistance and inclusive national dialogue. The Ministers also welcomed the appointment of Julie Bishop as the Special Envoy of the Secretary-General on Myanmar and emphasized the need for close coordination between the Special Envoys of ASEAN and of the United Nations.<sup>7</sup>

13. Escalating conflict across Myanmar is driving growing humanitarian needs, causing surges of displacement and worsening food insecurity. Under the Humanitarian Needs and Response Plan for Myanmar for 2024, a record 18.6 million people were identified as being in need of humanitarian assistance, among whom 5.3 million people were prioritized for urgent assistance. The funding required to implement the Plan is \$994 million, and the Plan was only 19.5 per cent funded as at 29 July 2024. Although the United Nations and implementing partners faced constraints and risks in delivering assistance, aid workers have shown that they are able to deliver support, even in conflict-affected areas, including through strong partnerships with local responders. Humanitarians reached 3.2 million people in 2023 and almost 950,000 people in the first quarter of 2024. Partners have the capacity to do more but require more resources and access at scale.

14. The State Administration Council continued to limit access for the United Nations and its partners to affected populations in many parts of the country, and increasing bureaucratic impediments and interference in the operations by other conflict parties have hindered the timely delivery of assistance. Since February 2021, the military has continued to extend the state of emergency and introduced martial law in over 60 townships, alongside Internet shutdowns, thereby eroding civic space and restricting the exercise of human rights. The enactment of forced conscription based on the People’s Military Service Law (2010) was a factor that had contributed

<sup>4</sup> See <https://asean.org/wp-content/uploads/2023/09/CHAIRMAN-STATEMENT-OF-THE-43RD-ASEAN-SUMMIT-FIN-2.pdf>.

<sup>5</sup> See <https://www.un.org/sg/en/content/sg/speeches/2023-09-07/secretary-generals-remarks-the-asean-un-summit>.

<sup>6</sup> See <https://asean.org/wp-content/uploads/2024/01/Press-Statement-by-the-Chair-of-the-AMM-Retreat-29-Jan-2024.-Final.pdf>.

<sup>7</sup> See <https://asean.org/wp-content/uploads/2024/07/Final-Joint-Communique-of-the-57th-AMM.pdf>.

to many young people leaving Myanmar or joining resistance forces. Enforcement of the conscription law has also intensified social unrest and violence. The reduction in the number of young people in the workforce is also contributing to the dire socioeconomic outlook for Myanmar, with credible reports of increased levels of child labour. The Secretary-General has expressed concerns about reports of detention and forcible recruitment of young people, including Rohingya, and the potential impact of forced conscription on human rights and the social fabric of communities in Myanmar.<sup>8</sup>

## II. Context and political developments

### A. Situation on the ground

15. The military continued to face difficulties in consolidating or regaining territorial control across Myanmar. The National Defence and Security Council has continued to extend the state of emergency since the military takeover on 1 February 2021, with the most recent six-month extension having been announced on 31 July 2024. Recent extensions have been attributed to the “unusual or exceptional situation”<sup>9</sup> and “to ensure the improvement of peace and stability, the rule of law and security measures”<sup>10</sup> despite provisions in the 2008 Constitution stipulating that the state of emergency was to last for a maximum of two years.

16. The State Administration Council said that it would hold elections in 2025, in line with its five-point road map, although polls might not be held nationwide. On 31 July 2024, the Commander-in-Chief said that efforts were under way to conduct a population and household census in some areas in October 2024 as part of the preparations for elections. He also said that polls might be held at first in stable regions of Myanmar, depending on regional security measures.<sup>11</sup>

17. During the reporting period, the Secretary-General reiterated his concern regarding the military’s stated intention to move towards elections amid intensifying conflict and human rights violations across the country, and stressed that an inclusive solution to the crisis required conditions that permitted the people of Myanmar to exercise their human rights freely and peacefully.

18. On 30 January 2024, the State Administration Council issued some revisions to its Political Parties Registration Law, which had initially been announced a year before and had led to the dissolution of the most widely supported political parties, including the National League for Democracy. The revisions are expected to impede political participation, should elections be held.

19. Most members of the elected Government of Myanmar, including the President, Win Myint, and the State Counsellor, Aung San Suu Kyi, remained in detention, despite the Security Council having reiterated its deep concern and urging the military to immediately release all arbitrarily detained prisoners, including the President and State Counsellor. The exact whereabouts of the State Counsellor were not known at the time of writing. Since the military takeover, the only known contact of the State Counsellor with a foreign dignitary had been a meeting with the then Minister for Foreign Affairs of Thailand, Don Pramudwinai, in July 2023. Requests by other

<sup>8</sup> See <https://www.un.org/sg/en/content/sg/statement/2024-03-18/statement-attributable-the-spokesperson-for-the-secretary-general-myanmar>.

<sup>9</sup> See <https://www.gnlm.com.mm/meeting-1-2024-of-national-defence-and-security-council-of-the-republic-of-the-union-of-myanmar-held/>.

<sup>10</sup> See <https://www.gnlm.com.mm/sac-extends-six-month-term-for-serving-state-responsibilities-under-constitution/>.

<sup>11</sup> Ibid.

foreign dignitaries to meet with the State Counsellor have reportedly been denied by the military. Nationwide celebrations of her birthday on 19 June 2024 demonstrated popular support for the State Counsellor and for the return to a path of democratic transition.

20. Individuals publicly advocating the return of Myanmar to a path of democratic transition continued to be targeted, arrested and charged, including for alleged terrorism or incitement. According to the Assistance Association for Political Prisoners, more than 27,000 people were arrested between February 2021 and July 2024, and over 20,000 remained in detention at the time of writing. Moreover, 168 people were sentenced to death during the same period, of whom 44 were tried and sentenced in absentia. Reports were received on the treatment of political prisoners in detention that included allegations of the intentional deprivation of basic requirements, such as adequate food and drinking water.

21. Armed clashes across the country have increased, especially since the Three Brotherhood Alliance<sup>12</sup> launched a coordinated offensive against the military and its allies in northern Shan State in October 2023. “Operation 1027” has inflicted sustained battlefield losses on the military and led to the capture of Laukkaing, the capital of the Kokang self-administered zone, by an Alliance member, the Myanmar National Democratic Alliance Army. The ethnic armed organization ousted the military-aligned Border Guard Force, which had controlled the area since 2009 and perpetrated criminal global online scams from the area.

22. In Kunming, from 9 to 11 January 2024, China had brokered the third round of talks between the Three Brotherhood Alliance and the Myanmar military and mediated a ceasefire in northern Shan State. In a statement, the Alliance claimed that it had agreed to abstain from offensives in the area, and the military stated that it would not assault territory controlled by the ethnic armed organizations. The agreement reportedly included the reopening of overland trade routes between Myanmar and China, and a revenue-sharing agreement between the Myanmar National Democratic Alliance Army (an Alliance member) and the military authorities.

23. In late June 2024, however, another Alliance member, the Ta’ang National Liberation Army, resumed operations against the military, supported by armed resistance forces in northern Shan State and parts of Mandalay, claiming frequent violations of the ceasefire by the military. The Myanmar National Democratic Alliance Army also clashed with the military in Lashio, the largest city in northern Shan State.

24. In Rakhine State, the conflict between the Arakan Army (an Alliance member) and the military had escalated since the breakdown of the informal ceasefire in November 2023. By July 2024, the Arakan Army had claimed effective control of 10 out of 17 townships in Rakhine State. The escalation was accompanied by an increase in intercommunal tensions, including through the promotion of disinformation and hate speech. In adjacent Chin State, the Arakan Army gained control of Paletwa township, which borders India, which inflamed tensions with the Chin National Front and compounded the risk of inter-ethnic tensions between Rakhine and Chin communities.

25. In other parts of the country, ethnic armed organizations and resistance actors made significant territorial gains. The Kachin Independence Army launched an offensive in March 2024 that initially sought to protect its base in Laiza and control adjacent roads, including to China. The offensive then expanded, with the Kachin

<sup>12</sup> The Three Brotherhood Alliance comprises the Arakan Army, the Ta’ang National Liberation Army and the Myanmar National Democratic Alliance Army.

Independence Army capturing Lweje, one of five main China-Myanmar border trade hubs, and clashing with the military near Kachin State's second largest city, Bhamo. Several ethnic armed organizations claimed that they had never been better resourced or had such expansive control.

26. Both resistance actors and the Myanmar military expressed confidence that they would prevail through military means. As a result, they showed little interest in de-escalation and dialogue without preconditions. A joint position statement issued on 31 January 2024 by the National Unity Government and three ethnic armed organizations stated that any negotiations with the military would be subject to the “unconditional acceptance” by the military of their six political objectives, including abrogation of the 2008 Constitution, civilian command over armed forces and the addressing of injustices.<sup>13</sup>

27. Efforts to strengthen cohesion among resistance actors in their articulation of their vision for an inclusive federal democracy continued, including through discussions at the second People's Assembly, convened by the National Unity Consultative Council in April 2024, two years after the first Assembly, held in January 2022.

28. As the ASEAN Chair in 2023, Indonesia supported various initiatives, including dialogue among resistance actors. In November 2023, Indonesia convened a meeting involving resistance actors, ethnic armed organizations, and “interlocutors for the Myanmar authority”. The initiative included the “exchanges of ‘messages’ from each group that were expected to pave the way for a possible preliminary dialogue”.<sup>14</sup> The Lao People's Democratic Republic, as the ASEAN Chair in 2024, has continued to engage with Myanmar stakeholders, including those blacklisted by the military, and a representative of the ASEAN Chair in 2024 visited Myanmar twice. The Special Envoy of the Secretary-General on Myanmar, in her consultations and in line with Security Council resolution 2669 (2022), has also engaged with all parties.

29. The State Administration Council continued to promote its Nationwide Ceasefire Agreement, with certain signatory ethnic armed organizations, as the basis for a viable peace process. The agreement continued to be seen as controversial by some Myanmar actors, who argued that it had become void following the military takeover. The military-led peace talks included discussions with signatory ethnic armed organizations on the occasion of the eighth anniversary of the agreement, held in Nay Pyi Taw on 15 October 2023. Key ethnic armed organizations, including several signatories fighting against the military, declined to participate in the discussions. In 2024, two more signatory ethnic armed organizations fractured, with some elements of the New Mon State Party and the Pa-O National Organization taking up arms.

30. In February 2024, the State Administration Council announced the enforcement of the People's Military Service Law (2010). Since its enactment, the law has reportedly prompted thousands of young people to flee the country in search of protection through both documented and irregular modes of travel, placing themselves at risk of being trafficked and facing precarious working conditions abroad. Many who were not in a position to leave became vulnerable to recruitment by the military or by other conflict parties. The situation contributed to the deterioration of the mental health of young people, as reflected in increased reports of suicides among young people. The implementation of the law also affected livelihood opportunities, causing labour shortages in several local industries, and in

<sup>13</sup> See [https://knuhq.org/admin/resources/statements/pdf/NUG-ERO-Postion\\_Statement\\_\\_EN\\_Final\\_30012024.pdf](https://knuhq.org/admin/resources/statements/pdf/NUG-ERO-Postion_Statement__EN_Final_30012024.pdf).

<sup>14</sup> See <https://kemlu.go.id/portal/en/read/5545/berita/office-of-the-special-envoy-engagements-with-myanmar-stakeholders-jakarta-20-22-november-2023>.



turn, increased child labour and the risk of child rights abuses. The reduction in the workforce, affected in particular by the departure of qualified individuals, compounded the already difficult socioeconomic situation in Myanmar. The increase in irregular migration, in particular to neighbouring countries, further exacerbated the regional implications of the crisis.

31. Following the breakdown of the informal ceasefire in Rakhine State between the military and the Arakan Army in November 2023, the Arakan Army claimed to have captured more than half of the State's townships, including two of the three townships in northern Rakhine State and much of Maungdaw township. Maungdaw and Buthidaung townships, taken by the Arakan Army in May 2024, are home to some 350,000 Rohingya, around half of the Rohingya population in Rakhine State. The Arakan Army also reportedly captured Thandwe airport in southern Rakhine State, which was the first time in decades that an ethnic armed organization had seized control of an airport and that sustained conflict had occurred in that area.

32. Several reports point to the military forcibly recruiting Rohingya to fight against the Arakan Army. Caught in the middle of the conflict, civilians, including the Rohingya, continued to face grave protection concerns amid elevated intercommunal tensions. Rohingya communities remained restricted in their movement, which further increased their vulnerability to abduction or forced recruitment, while also being denied citizenship. The conditions in Rakhine State have become even less conducive than in previous years to the safe, voluntary, sustainable and dignified return of Rohingya refugees, including for the close to 1 million refugees in Bangladesh.

33. The prolonged crisis has also compounded vulnerabilities and protection risks for women, girls, and persons with diverse sexual orientations, gender identity and expression and sex characteristics. Reports continued of the use of sexual violence by the military and affiliated militias, along with increased allegations against the armed resistance and ethnic armed organizations, including allegations of gang rape and reprisal.

34. Violence and harassment in the digital space also continued. Pro-military social media channels specifically targeted women human rights defenders and female celebrities and alleged resistance supporters, including by posting sexually explicit images, many of which had been digitally altered, and using hateful, sexualized and discriminatory rhetoric.

35. The grave situation of Rohingya women further deteriorated. Restrictions on mobility, systemic discrimination and extortion in Rakhine State continued to hinder women's and girls' access to basic services, including urgent medical and reproductive care, and timely access to justice for survivors of sexual violence. The prevailing climate of insecurity also affected women's and girls' access to health care, education and livelihood opportunities across communities.

36. Despite facing severe risks and challenges, including difficulties in accessing funding, women's organizations across Myanmar continued their efforts to provide life-saving assistance to populations in need, including in hard-to-reach areas. Women-led organizations and women's rights organizations continued to support women, including survivors of gender-based and conflict-related sexual violence in Myanmar, with many operating under the radar. Ethnic organizations also experienced difficulties in accessing funding. Some members of such organizations were detained, and others remained hesitant about registering their organizations, fearing increased scrutiny or reprisal from the military.

37. The children and young people of Myanmar continued to be severely affected by the ongoing crisis. Access to education remained limited for children and

adolescents across the country, including for those with disabilities. At least 4.5 million children had restricted or no access to learning.

38. The increase in air strikes on schools and health facilities further hindered access to education and health care. In 2023, violations against children in Myanmar increased by 123 per cent, with 2,799 grave violations against 2,093 children (1,694 boys, 385 girls and 14 sex unknown). Verified instances of recruitment and use of children in armed conflict in Myanmar increased by nearly 400 per cent (see [A/78/842-S/2024/384](#)). Over 20 per cent of the civilian casualties of landmine and explosive ordnances were children.

## **B. Human rights**

### **Shrinking civic space and freedom of expression**

39. The environment for free expression, media and civil society in Myanmar continued to deteriorate.

40. Since 2021, the United Nations Educational, Scientific and Cultural Organization has recorded numerous incidents of media repression. As at 27 July 2024, at least 7 media workers had been killed and 204 arrested, including 30 women. A total of 15 media outlets and 11 printing or publication houses had seen their licences revoked. Two media outlets and two printing or publication houses, whose licences had been revoked, were also charged for various offences, and four media outlets were charged but their licences were not revoked. At least 14 newsrooms had been raided and at least 19 independent media had to suspend operations. Numerous media workers had moved abroad or were in hiding.

41. Many journalists in Rakhine State reportedly went into hiding, in particular after State-level military authorities circulated a list in August 2023 of individuals, including 10 journalists, wanted for alleged security-related crimes.

42. The State Administration Council also revised the Printing and Publishing Enterprise Law and the Television and Radio Broadcasting Law in 2023, which further increased the military's control over media operations inside the country, including through targeted Internet and phone blackouts for controlling access to information. Some townships, in particular in Sagaing Region and Rakhine State, still experience regular blackouts. Reports also indicated increasing disruptions of virtual private network services, limiting access to social media and independent news platforms. Social media surveillance and the suppression of criticism online have become a growing concern, as some 2,000 people have reportedly been arrested over the past two years for criticizing the military online.

43. The State Administration Council continued developing an electronic identity card initiative, gathering the biometric and biographic data of over 52 million individuals and the details of over 13 million households in the process, which are now stored in a cybersecurity management system.

### **Accountability**

44. During the reporting period, a culture of impunity in Myanmar continued unabated, with the further breakdown of the rule of law. Shortcomings reportedly persisted in court proceedings in areas under military control, with an increase in the discriminatory use of legislation against political opponents. Human rights defenders, lawyers and activists continued to be subjected to surveillance, intimidation tactics, arbitrary arrests and detention owing to perceived association with the resistance movement. The Myanmar National Human Rights Commission, which has been subsumed within military structures, offers no credible human rights protection.

45. In areas outside military control, parallel legal systems continued to emerge, providing communities with basic tools to respond to minor disputes, but the monoethnic control of those structures reportedly often led to discrimination against individuals from other minorities.

46. Challenges to the protection of housing, land and property rights of customary land users, displaced persons and other vulnerable groups also persisted. Inadequate legislation, a failure to recognize customary land tenure and land grabbing intensified owing to a lack of accountability and reliable legal institutions. In Rakhine State, such challenges have been exacerbated since the resumption of hostilities in November 2023.

47. At the international level, in November 2023, Canada, Denmark, France, Germany, Netherlands (Kingdom of the) and the United Kingdom of Great Britain and Northern Ireland jointly filed, and Maldives also filed, a declaration of intervention in the proceedings concerning the *Application of the Convention on the Prevention and Punishment of the Crime of Genocide (The Gambia v. Myanmar)* before the International Court of Justice. In July 2024, the Court unanimously decided that the declarations of intervention were admissible. Further to a request from Myanmar, the Court had twice previously extended the time limits for Myanmar to file its counter-memorial, most recently to 24 August 2023. The Court issued an order authorizing the Gambia to file its reply on the arguments made by Myanmar by 16 May 2024 and Myanmar to submit its rejoinder by 16 December 2024.

48. Proceedings regarding Myanmar and possible international crimes committed by the military continued in domestic jurisdictions in Argentina, the Philippines and Türkiye, under the principle of universal jurisdiction for the most serious international crimes. In Germany, the Federal Public Prosecutor General issued a decision in September 2023 declining to open a structural investigation requested by 16 applicants from Myanmar, supported by Fortify Rights, who had submitted a criminal complaint against senior military officials and others.

49. During the reporting period, the Independent Investigative Mechanism for Myanmar engaged with over 800 partners and sources and collected and processed a substantial amount of information items, including over 320 witness statements and screening notes. In relation to investigating crimes committed against the Rohingya, the Mechanism has made considerable progress, developed tailored analytical products and shared evidentiary items with ongoing proceedings at the International Criminal Court, the International Court of Justice and the Office of the Federal Prosecutor in Argentina.

## **C. Vulnerable communities and domestic and regional implications of the political crisis**

### **Stateless and internally displaced persons**

50. The human right to a nationality continued not to be fully respected for members of ethnic minorities not listed among the 135 ethnic groups recognized under the 1982 Citizenship Law, and they continued to suffer from the effects of exclusionary, discriminatory and arbitrary practices. According to the latest estimates, there were over 632,800 stateless Rohingya in Rakhine State, in addition to those of Hindu descent and Kaman Muslims, who are also at risk of statelessness.

51. Discrimination continued to hinder access to citizenship and civil documentation in Rakhine State, in particular for the Rohingya, as citizenship can only be obtained if they agree to be identified as “Bengali” or a different ethnicity recognized by the Citizenship Law, as the term “Rohingya” is not recognized. The United Nations has

repeatedly expressed concern over the refusal to recognize the right of Rohingya to self-identification and the refusal to grant them full legal recognition of the right to citizenship and issuance of appropriate civil documentation.

52. Rohingya and other minorities in Rakhine State continued to face barriers in obtaining birth registration, either owing to the lack of equitable access or because their movements were restricted, due to their absence of civil documentation. According to the 2019 Myanmar intercensal survey, almost 60 per cent of children in Rakhine State had not been registered at birth.

53. As at 22 July 2024, more than 3.2 million persons remained internally displaced, with close to 3 million having fled their homes since the military takeover and more than 289,000 people remaining in protracted displacement situations from before 2021. Of those 3.2 million, almost half were displaced in north-west Myanmar (Sagaing and Magway Regions and Chin State). In south-east Myanmar (Kayah, Kayah and Mon States, southern Shan State, and Bago and Tanintharyi Regions), forced displacement affected 920,000 persons. At the time of writing, over 500,000 people are displaced in Rakhine State. Significant displacement has also occurred in northern Shan and Kachin states, with over 260,000 persons affected. Many of the newly displaced are living without proper shelter, enduring severe weather during the monsoon season.

54. The State Administration Council continued to push for the premature closure of displacement camps and sites. The closures affected locations in Kachin, Shan and Rakhine States, where displaced persons lost access to services and livelihoods, and incurred a heightened risk of violations of their fundamental rights, including the right to return to their area of origin.

55. Gaining access to displaced populations and conflict-affected areas continued to be difficult. Displaced communities were left increasingly isolated owing to shortages of basic goods and services, roadblocks, movement restrictions and curfews. Worrying reports emerged in June 2024 of landmines being placed and trenches being dug in displacement camps in Rakhine State, raising concerns about the civilian nature of the camps and underscoring the need to protect displaced persons amid the escalation of conflict. Electricity, Internet access and telecommunications have been cut in large parts of Rakhine State since January 2024.

56. As at December 2023, 155,500 of 632,800 stateless persons in Rakhine were displaced. Many remained internally displaced in camps set up following previous cycles of violence.

### **Displacement across borders**

57. Between 1 February 2021 and 22 July 2024, an estimated 132,400 refugees moved throughout the region, of whom 66,500 remained in India. Around 52,100 people moved to Thailand, including some who may have subsequently returned to Myanmar. That figure is in addition to the over 90,000 refugees that Thailand had been hosting for decades along its border with Myanmar. Reports indicate that tens of thousands of people are displaced along the Thailand-Myanmar border, where humanitarian actors have limited access or capacity to respond.

58. As the conflict intensified in the south-east of Myanmar, the Government of Thailand indicated its readiness to receive up to 100,000 arrivals. In February 2024, the Government of India announced the closure of the India-Myanmar border and the suspension of the free movement regime. As the conflict in Rakhine State intensified, the Government of Bangladesh maintained a closed border policy. Denial of entry and deportations took place and the risk of refoulement from other countries in the region has increased over recent months.

59. The Office of the United Nations High Commissioner for Refugees estimates that 6,500 persons attempted land and sea movements in 2023 from Bangladesh and Myanmar. Over 4,300 Rohingya refugees embarked on perilous sea journeys and 416 people were reported deceased or missing, making 2023 the deadliest year on record since 2015. Between 2021 and the end of 2023, maritime movements increased by 483 per cent.

60. The increase in arrivals by sea over the past year has seen the region witness an alarming increase in misinformation and disinformation about Rohingya refugees and the humanitarian organizations working with them, as well as hate speech targeting Rohingya refugees.

61. Sustained clashes in border areas have led to increased risks for civilians in neighbouring countries, with reports indicating that military shells had landed in all countries bordering Myanmar. Media reports indicated that several hundred Myanmar military and border guard personnel had defected and fled across the border into Bangladesh and India and had later been repatriated.

### **Voluntary, safe, dignified and sustainable repatriation of refugees**

62. The majority of the 1.1 million Rohingya refugees in the region have indicated their wish to return to Myanmar should conditions be in place for their safe, voluntary, sustainable and dignified return. Refugees have also reiterated that critical factors to enable their return have not been addressed, including citizenship rights, the right to return to their place of origin, and guarantees of safety and protection upon return. The prospects for return have been more uncertain since the escalation of conflict in Rakhine State.

63. The security situation in the refugee camps in Cox's Bazar, Bangladesh, further deteriorated during the reporting period. In 2023, over 1,820 serious security incidents were reported, representing an increase of 180 per cent since 2022. Attacks within the camps targeted refugee volunteers and community leaders. There was also an increase in gender-based violence. Recruitment, including by force, and cross-border movements of young refugees through various means into Rakhine State were also reported, notably an alarming increase in May 2024, coinciding with the escalation of conflict in northern Rakhine State.

64. The humanitarian response in Bangladesh remains severely underfunded. Although additional funding had been identified to allow for the return of World Food Programme (WFP) food rations for refugees to the original amount of \$12 per person per month, the joint response plan in 2024 had only achieved 33 per cent of the required funding as at 29 July 2024.

65. At the Global Refugee Forum in December 2023, the international community affirmed its support for the Rohingya response and committed to strengthening the system of burden- and responsibility-sharing. Under a multi-stakeholder pledge for the Rohingya community, 26 entities made 45 commitments for political, financial and technical support for achieving comprehensive solutions and strengthened resilience. In May 2024, the Board of Directors of the World Bank approved two new projects for Bangladesh, with a cost totalling \$700 million, of which \$585 million was allocated for providing basic services and building disaster and social resilience for host communities and displaced Rohingya in Cox's Bazar and Bhasan Char Island.

### **Illicit activities**

66. The special regions in Shan State, which are largely under the control of armed groups, continue to be home to significant illicit economies, including the production of illicit drugs, online fraud scams and trafficking in persons, as well as sophisticated

industrial-scale money-laundering, underground banking and unregulated gambling operations. Intensifying conflict and the breakdown in security, socioeconomic insecurity and governance challenges in those areas, have contributed to the further expansion of illicit economies.

67. In 2023, the United Nations Office on Drugs and Crime reported another increase in opium cultivation, both in terms of the area under cultivation (18 per cent) and the yield of opium, which was at the highest level since records began in 2002. According to the *World Drug Report 2023*, the increase followed a previous 33 per cent increase, recorded in 2022. Prices have also increased and will likely continue to rise, given an impending global shortage. Synthetic drug production, in particular of methamphetamines and ketamine, in Shan State reached record high levels.

68. So-called scam centres related to online and cryptocurrency fraud were prevalent along the Myanmar-Thailand and Myanmar-China borders. The centres reportedly housed 120,000 persons in forced labour, many of whom were victims of trafficking in persons. Thousands of individuals escaped or were repatriated from the compounds in late 2023 and reported horrendous conditions, cruel, inhuman or degrading treatment, and sexual abuse and slavery.<sup>15</sup>

#### **D. Public health and the socioeconomic situation**

69. The health sector in Myanmar continued to face severe challenges, including attacks on health-care facilities, attrition of health-care workers, the large-scale migration of health professionals, and acute unavailability and unaffordability of essential medicines and vaccines. Health facilities and patients remained targets. Reports suggest that the State Administration Council has started to revoke licences of private clinics and hospitals so as to punish them for employing medical personnel allied with the civil disobedience movement.

70. The denial of access to areas controlled by ethnic armed organizations meant that health workers and life-saving medical supplies did not reach health facilities in those areas. The sharp depreciation of the kyat led to the unaffordability of medicines. There were shortages of essential and life-saving medicines caused by prolonged import licensing procedures, import restrictions and delayed customs clearance.

71. Access to sexual and reproductive health services was also limited. Movement restrictions and security checkpoints, in particular at night, posed significant challenges for people seeking urgent medical attention, including for women with pregnancy-, delivery- or abortion-related complications.

72. In several townships in Rakhine State controlled by the Arakan Army, the military blocked entry and exit points, which caused severe shortages of vaccines. Recent reports indicate that newborn babies were deprived of routine immunization owing to an inadequate supply of vaccines or problems with the cold-chain system caused by transport restrictions.

73. In April 2024, over 80 people reportedly died of dysentery in displacement camps in Rakhine State, as a result of poor living conditions, the unavailability of medical staff and medicine shortages. Seasonal water scarcity and cases of acute watery diarrhoea caused by sanitation and hygiene issues worsened the suffering of displaced communities. In July 2024, an outbreak of cholera occurred in Yangon Region and by 26 July, at least 1,199 individuals had reportedly been hospitalized, of

<sup>15</sup> Office of the United Nations High Commissioner for Human Rights, “Online scam operations and trafficking into forced criminality in Southeast Asia: recommendations for a human rights response” (2023).

whom 141 were confirmed as having cholera. At the time of writing, efforts to contain and stop the transmission were ongoing.

74. In Rakhine State, a shortage of cash caused by banking disruptions and skyrocketing prices affected people's ability to purchase essential goods and services. The management of malnutrition for children under 5 and pregnant and lactating women was severely affected.

75. During the reporting period, there were significant disruptions to the overall socioeconomic conditions of people throughout Myanmar. The prices of basic commodities, including food and fuel, continued to surge, in particular in ethnic minority areas, further eroding household purchasing power and access to food and basic goods. WFP estimated that 13.3 million people were food-insecure and the average cost of a basic food basket has quadrupled compared with the cost prior to the military takeover. Crop production continued to suffer as people abandoned their land in conflict-affected areas.

76. The United Nations Development Programme reported that the proportion of the population below the poverty line had reached 50 per cent across the country, more than double the 2017 levels. In addition, 26 per cent of the population was just above the poverty line of 1,590 kyat (around \$0.76) a day. Ethnic minority areas continued to have the highest number of people below the poverty line, namely 73.4 per cent in Chin State, 66.9 per cent in Rakhine State, and 63.8 per cent in Kachin State. Women-headed households were 1.2 times more likely to live in poverty, and households with more children also had higher instances of poverty. Poverty rates also increased in urban areas, including Yangon and Mandalay.<sup>16</sup>

### III. Observations

77. I am alarmed by the deteriorating situation and expansion of conflict in Myanmar. Since the Myanmar military overturned the democratically elected Government and detained its leaders, including the President, Win Myint, and the State Counsellor, Aung San Suu Kyi, in February 2021, the political, humanitarian and human rights crisis has deepened throughout the country. The number of armed organizations and armaments of varying levels of sophistication is growing as conflict continues to fuel the proliferation of illicit activities and criminal networks with serious regional ramifications. In that zero-sum situation, many actors continue to seek a resolution to the situation through military means and the people of Myanmar caught up in the fighting are suffering immensely. I reiterate my call to end all forms of violence and for all parties to comply with their obligations under international law, including international humanitarian law, notably regarding the protection of civilians. I also appeal for urgent international and regional attention and collective action in order to support a Myanmar-led path to democratic transition, with a return to civilian rule.

78. Regional organizations are well positioned to use their comparative advantages to promote confidence-building and dialogue, and to help prevent and peacefully resolve conflicts. The support of the General Assembly and Security Council has been fundamental in reinforcing the central role of ASEAN, as well as the role of the United Nations, in engaging all relevant stakeholders as we continue our collective efforts towards an inclusive, peaceful and Myanmar-led political resolution to the crisis. Geopolitical rivalries, however, continue to complicate efforts to enhance regional

<sup>16</sup> See United Nations Development Programme, "Poverty and the household economy of Myanmar: a disappearing middle class" (New York, 2024).

and global unity. It remains imperative that our actions be guided by the will and needs of the people, especially of those in the most affected areas.

79. The partnerships with ASEAN and the Organization of Islamic Cooperation are key for the United Nations and I welcome their role in the pursuit of a coherent approach to address the crisis and its root causes and to engage with all parties in order to achieve a comprehensive political solution and sustainable, inclusive peace in Myanmar. I reiterate my support for ASEAN and the further implementation of its five-point consensus. I remain committed to working closely with ASEAN, including through my Special Envoy on Myanmar, to leverage our respective expertise and ensure the complementarity of our efforts.

80. Following the military takeover, a unique opportunity presents itself to help the people of Myanmar build on new, unprecedented unity across religious, ethnic and communal divisions towards an inclusive and tolerant future. It is important to help realize such aspirations and guard against the dangers of self-interest, as well as any re-emergence of communal and intra-ethnic tensions. The prevalence of transnational crime, especially in border areas, and historical tensions linked to decades of internal armed conflict are of specific concern and raise key risk mitigation issues.

81. I am deeply concerned by continued reports of serious human rights violations by conflict parties, including indiscriminate air strikes by the military that continue to kill and injure many civilians. Reports of an increase in grave violations against children and of sexual and gender-based violence are especially concerning. A peaceful future for Myanmar, based on national reconciliation, can only be achieved through accountability. The international community must redouble its efforts to ensure accountability for serious crimes committed in Myanmar, including against the Rohingya and other minorities. I urge full cooperation with relevant mechanisms such as the Independent Investigative Mechanism for Myanmar, including through providing access to Myanmar, as well as to witnesses, victims and crime scenes. I strongly urge Member States, in particular those in the region, where many of the potential witnesses are located, to fully cooperate with the Independent Investigative Mechanism and make the arrangements necessary to enable it to work in their territory.

82. Promoting the youth and peace and security agenda must be a priority. The trauma of the ongoing conflicts and violence carries grievances and wounds that can perpetuate cycles of violence. Forced recruitment of young people to the front line of escalating fighting, including of young Rohingya, has had a compounding negative impact on young people, their families and communities. I urge the international community to strengthen solidarity with those young people and ensure that they have access to education, livelihood opportunities, protection services and psychosocial support.

83. The United Nations remains committed to staying and delivering inside the country. In line with humanitarian principles, the United Nations and its partners continues to deliver humanitarian assistance to people in need by working impartially through all available and effective channels. Aid workers have proved their resilience in finding ways to overcome the access blockages being imposed, including through strong partnerships with local responders. It is imperative that the United Nations and the international community be able to continue to work with stakeholders in Myanmar, including in innovative ways with credible and trusted local organizations, in order to support all those in need. We must also support the key role of women's rights organizations and women-led organizations in delivering humanitarian assistance. It is critical to increase entry points and channels for women's groups to be able to deliver social services. To that end, strengthened international support is crucial. Hard-won humanitarian access through all available channels must be



supported by adequate funding for humanitarian efforts. Severe underfunding of the response in Myanmar has left supply pipelines and contingency stockpiles depleted and coping capacities exhausted. The funding shortfall negatively affects the depth and quality of assistance and has long-term detrimental impacts on communities. I urge all Member States to support the Humanitarian Needs and Response Plan for Myanmar for 2024.

84. I reiterate my call for the protection of civilians, including aid workers, in accordance with international humanitarian law and international human rights law, for the cessation of hostilities and for humanitarian access. Conflict parties must uphold their obligations under international humanitarian law to ensure that humanitarian facilities are respected and protected, and that safe, rapid and unimpeded humanitarian access is provided for the delivery of vital assistance to those in urgent need. In addition to the unlawful denial of humanitarian access, landmine and other explosive ordnance contamination is now a daily danger for civilians in conflict areas, in particular for children, and will be a deadly long-term legacy of the crisis. Risk education for protecting the civilian population from the dangers of explosive remnants of war, along with the marking and clearing of those remnants, should be carried out systematically in order to enhance community safety.

85. I am deeply concerned by the expansion of conflict in Rakhine State, which is driving displacement and exacerbating pre-existing vulnerabilities and discrimination. I am alarmed by the incitement to intercommunal violence, the forced conscription of Rohingya and the ongoing targeting of civilians, in particular by the military. Addressing the underlying issues of the Rohingya crisis must be a central part of any political solution in Myanmar. The situation also requires the international community to demonstrate greater solidarity with the Rohingya community and with host countries in the region, in particular Bangladesh, which generously hosts close to 1 million refugees. Greater urgency is needed in addressing the root causes and creating the conditions for the safe, voluntary, dignified and sustainable return of all refugees. The ultimate responsibility for that rests with Myanmar. The current circumstances in Rakhine State do not allow for the prospect of the safe, dignified and sustainable repatriation of the Rohingya to their places of origin or choice. In order to create conditions conducive to their return, structural issues related to citizenship and fundamental rights and freedoms, including equality before the law, must be addressed in line with the recommendations of the Advisory Commission on Rakhine State and consistent with international human rights norms and standards. Such an approach will be critical for establishing a sustainable pathway out of the crisis. It is important that all parties in Rakhine State protect the Rohingya population.

86. In Bangladesh, the United Nations, working with its partners, including the Government of Bangladesh, will continue to support the education and the building of transferable skills and livelihood opportunities of refugees that will facilitate their eventual return and sustainable reintegration in Myanmar. I urge Member States to increase support for the 2024 joint response plan for the Rohingya humanitarian crisis, which remains critically underfunded. More needs to be done to bolster the resilience of refugees and to address the impact on host communities. I count on Member States to honour their commitments made at the Global Refugee Forum in December 2023.

87. I commend countries in the region, in particular Bangladesh, that continue to provide international protection to refugees affected by the crisis in Myanmar and I call for greater burden- and responsibility-sharing by the international community. I remain deeply concerned by reports of denial of entry and deportation of those seeking safety in neighbouring and regional countries amid growing misinformation, disinformation and hate speech. I reiterate my call to countries in the region to provide access to their territory and coordinated support for refugee protection and assistance.

Those in need of assistance, including Rohingya refugees, are risking their lives on dangerous journeys, often in the hands of unscrupulous smugglers. The growth in illicit activity has fuelled instability in the region, with the most vulnerable falling prey to criminal networks.

88. It is my hope that my appointment of Julie Bishop as Special Envoy on Myanmar can help bring about renewed international and collective action towards achieving sustainable and inclusive peace in Myanmar. My Special Envoy has prioritized an all-stakeholder engagement approach, including close collaboration with regional organizations in line with her General Assembly mandate and with Security Council resolution [2669 \(2022\)](#). I urge Member States and stakeholders at all levels to leverage their influence to support her efforts towards a Myanmar-led political solution to the crisis. The United Nations system will continue to work across its pillars to comprehensively and coherently respond to the human rights, humanitarian, development and peace and security challenges faced in Myanmar. The work of the Organization and its partners requires unified support from Member States.

89. I thank my Special Envoy on Myanmar, the United Nations country team leadership and all United Nations staff in Myanmar for their tireless work and dedication in support of peace and stability in the country.

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