

Executive Summary

In this report, AAPP details evidence of *Sit-Tat*'¹ crimes against humanity in Burma since the failed military coup, focusing on 2022 and following its previous report, *Accountability for the Junta Criminals*. The evidence herein supports the findings of the Independent Investigative Mechanism for Myanmar that crimes against humanity have been and continue to be committed in Burma since the failed coup on February 1, 2021.² With this report, AAPP calls on international actors to embrace the responsibility to collaborate to hold *Sit-Tat* accountable for its crimes through international justice mechanisms, such as the International Criminal Court (ICC) and universal jurisdiction where available. As ongoing victims of *Sit-Tat*'s crimes, the people of Burma desire international support in seeking accountability for and deterring the recurrence of conflict and mass atrocities in the country.

To provide evidence of *Sit-Tat*'s crimes against humanity, this report is structured under the sub-articles of Article 7(1) of the Rome Statute, which reflects international standards for these crimes. Specifically, this report provides quantitative and qualitative data regarding *Sit-Tat*'s crimes against humanity of murder, imprisonment, torture, rape and sexual violence, and persecution. All quantitative data is as of December 31, 2022.

Article 7(1)(a) Murder: In 2022, *Sit-Tat* killed 1,250 pro-democracy supporters across every state/region, impacting 145 townships. *Sit-Tat* killed around 40 percent of them by detainment. *Sit-Tat* also killed civilians by, *inter alia*, gunshots, artillery shelling, and airstrikes.

Article 7(1)(e) Imprisonment: In 2022, *Sit-Tat* detained 3,738 pro-democracy supporters across every state/region, impacting 262 townships. Many of those detained were civilians. As of December 31, 2022, *Sit-Tat* had detained a total of 16,704 pro-democracy supporters since February 1, 2021, with 13,217 remaining in detention on December 31, 2022.

Article 7(1)(f) Torture: Through interviews with 18 released political prisoners, AAPP uncovered some of *Sit-Tat*'s torture methods used against detainees. AAPP also documented 45 deaths which mostly likely resulted from torture in detainment. *Sit-Tat*'s torture methods included, *inter alia*, severe physical and sexual assault and deprivation of food, water, and sleep.

Article 7(1)(g) Rape and Sexual Violence: *Sit-Tat*'s use of rape and sexual violence remain extremely underreported. In 2022, 11 cases of rape in conjunction with murder were reported, mainly in Sagaing and Magway. AAPP also documented cases of rape and sexual violence, including verbal and physical assault, against civilians in military interrogation centers.

Article 7(1)(h) Persecution: Across the country, *Sit-Tat* has arbitrarily seized civilian property of pro-democracy supporters, which may amount to persecution. In 2022, *Sit-Tat* seized 534 pieces of property across 132 townships, impacting 419 pro-democracy supporters. *Sit-Tat*'s seizures included 435 houses. According to AAPP documentation, property seizure is often connected with an intent to detain, or following the detainment of, a civilian due to perceived or actual support for the pro-democracy movement.

¹ *Sit-Tat* refers, hereinafter, to the military and its armed branches that staged the failed coup on February 1, 2021. *Sit-Tat*, or an armed group, is used in this report because the military no longer deserves the prestigious name of *Tatmadaw*, as it has abused its power and abandoned its primary duty to protect the people of Burma.

² Rep. of the Indep. Investigative Mechanism for Myan., para. 30, U.N. Doc. A/HRC/48/18 (2021) [hereinafter IIMM 2021 Report]; Rep. of the Indep. Investigative Mechanism for Myan., para. 7, U.N. Doc. A/HRC/51/4 (2022) [hereinafter IIMM 2022 Report].

Key Recommendations

As elucidated by this report, there is a growing body of evidence indicating that *Sit-Tat* has committed and continues to commit crimes against humanity across Burma. With this evidence in mind, AAPP calls on international actors—including, but not limited to, UN Member States, intergovernmental organizations, and non-governmental organizations—to take immediate and decisive action in pursuit of accountability for these crimes, as well as justice and support for the people of Burma. These recommendations are the following:

- AAPP calls on **UN Member States and the broader international community to continue their support of the IIMM**. To fulfill its mandate and pursue accountability for *Sit-Tat*'s crimes against humanity, the IIMM must be provided the proper resources.
 - Specifically, AAPP calls on the **UN Fifth Committee and the Advisory Committee on Administrative and Budgetary Questions** to recommend—and the General Assembly to approve—considerable funding for the IIMM.
- AAPP calls on **ICC Member States to refer the situation in Burma to the Court** with the further recommendation that the ICC accept the NUG's declaration accepting the Court's jurisdiction.
- AAPP calls on the **UN Special Rapporteur on the situation of human rights in Myanmar to look more closely at and draw international attention to *Sit-Tat*'s use of property seizure** against civilians across the country.
- AAPP calls on **ASEAN Member States to adopt universal jurisdiction statutes** that could facilitate the prosecution of *Sit-Tat* for committing crimes against humanity, providing a pathway to justice for the victims and their families across Burma.
- AAPP calls on governments to immediately impose **targeted sanctions against all State Administration Council (SAC) members** and other known *Sit-Tat* officials.
 - Specifically, AAPP calls on the **U.S. government to impose Global Magnitsky sanctions** on all SAC members and other known *Sit-Tat* officials.
- AAPP calls on **UN Member States to provide generous resources for mental health and psychosocial support, as well as other material support and interim reparations**, for survivors and victims, including those still in Burma and those who have fled.