

Are the cries of the victims of Tatmadaw atrocities in vain?

Aung Pue confronts the reality that Tatmadaw atrocities are continuing, with few repercussions.

Rape...murder...torture...beatings: these and other human rights violations, war crimes, and crimes against humanity committed by the Tatmadaw (Myanmar military) continue unabated year after year with no end in sight, despite the testimonies of their victims to United Nations officials, human rights organizations, and the international media.

On 6 September 2018, the Pre-Trial Chamber of the International Criminal Court (ICC) issued a [decision](#) that it may exercise jurisdiction over the alleged deportations of Rohingya from Myanmar to Bangladesh as a possible crime against humanity. The decision allows the ICC prosecutor to determine whether there is sufficient evidence to file charges against those Tatmadaw soldiers and others who committed possible crimes against humanity.

On 27 August 2018, the United Nations Human Rights Council released their report, [Report of the Independent International Fact - Finding Mission on Myanmar](#), which detailed the gross human rights violations and abuses committed in Kachin, Rakhine, and Shan States. In their words, “Many of these violations undoubtedly amount to the gravest crimes under international law”. The “gravest crimes under international law” mentioned in the Report are genocide, crimes against humanity, and war crimes. The Report recommended that there be accountability for these crimes.

In May 2018, a media investigation of the Tatmadaw and Myanmar police atrocities against non-Bamar people in Myanmar was made widely available to international audiences. This investigated piece, [Myanmar's Killing Fields](#), graphically shows video footage of the results of the killing and maiming of the Rohingya as well as first hand stories of rapes, beating, tossing babies into burning huts, and many other atrocities by the Tatmadaw and police.

The [End of Mission Statement](#), issued on 1 February 2018 by Ms. Yanghee Lee, Special Rapporteur on the Situation of Human Rights in Myanmar, referred to the many accounts of human rights violations by the Tatmadaw, which were shared with her on the mission trip.

In 2014, the International Human Rights Clinic at Harvard University issued [Legal Memorandum: War Crimes and Crimes against Humanity in Eastern Burma](#), which documented the human rights violations, war crimes, and crimes against humanity

committed by specific Tatmadaw units. This document also outlined the legal case against three Tatmadaw general officers involved with those Tatmadaw units which committed these acts. However, none of these three generals have been legally held accountable, either by the Myanmar Government or the international community, for these violations and crimes. To add insult to injury, one of the cited generals, Major General Ko Ko, served as the Union Minister for Home Affairs from 2011-6 and was promoted to Lieutenant General upon his retirement from the Tatmadaw.

The victims of these reported human rights violations, war crimes, and crimes against humanity committed by the Tatmadaw have shared their accounts of these incidents so that the perpetrators would be brought to justice and what has happened to them will not happen to others. Through their accounts, they relived the horrors they faced and risked possible retribution by the Tatmadaw or Myanmar Government for sharing their stories. To date, no Tatmadaw officers have ever been indicted for these acts and no human rights violations, war crimes, and crimes against humanity committed by the Tatmadaw have been prevented or stopped. This is unacceptable. Collecting and reporting these violations and crimes are not enough. The victims deserve more from human rights organizations and the international community for protection and justice.

These reports and investigations follow years of many other reports and investigations from both international and ethnic human rights organizations as well as numerous media outlets. Yet, these have been, and continue to be, summarily dismissed by the Myanmar Government and have not led to any actions by the international community which would compel the Myanmar Government to impartially investigate these incidents and bring those who are responsible to account.

ASEAN and China, both of which have key economic interests in the country, refuse to interfere in the internal affairs of Myanmar, such as the abuses and crimes committed by the Tatmadaw. The UN has been generally helpless to address the situation as any legal action, such as referral to the ICC, must be authorized by the UN Security Council since Myanmar is not a state party to the Rome Statute. Both China and Russia can be expected to veto any such actions against Myanmar. Hopefully, the recent action by the ICC to investigate the crimes against humanity in respect to the Rohingya will result in actions to stop abuses and crimes committed by the Tatmadaw and bring the perpetrators to justice.

Inside Myanmar, the government of Aung San Suu Kyi has chosen not to address this issue and instead proactively denies or defends the actions of the Tatmadaw. The ethnic armed organizations (EAOs), which say they stand with their ethnic people, have neither included transitional justice in their peace negotiations nor made the waiving of Section

445 of the 2008 Constitution, which confers immunity on Tatmadaw soldiers for any acts committed by them, a condition for signing the Nationwide Ceasefire Agreement.

How can anyone deny these atrocities any more than that those committed by the Nazi regime? Is there not a responsibility to protect and act? How many rapes, murders, beatings, stabbing, maiming, burnings, and displacements does the international community deem necessary to pave Aung San Suu Kyi's so-called road to democracy? Don't wait for the ICC or international community to act. It is time for action and not talk!!

Earlier boycott and sanction initiatives against the former military government must be reintroduced, strengthened and implemented again to publically paint Myanmar as a pariah country. Visiting, investing, buying products made in Myanmar, and doing business in Myanmar shows indifference to the suffering of these Tatmadaw victims. To not visit, not invest, not buy Myanmar products and not do business in Myanmar is an act of protest and solidarity with these victims. International human rights' and Burma advocacy organizations must pressure:

- Travel agencies, which book travel to Myanmar, to stop any such bookings. They are boycotted and would be publically shamed if they do not. Travel writers and bloggers are similarly pressured to support a travel boycott of Myanmar. They also would be publicly shamed if they do not. It is not morally right to travel to this pariah country!
- Investment funds to stop investing in companies which do business in Myanmar. They would be publically shamed if they do not. It is not morally right to invest in this pariah country!
- International companies, which operate in Myanmar, to withdraw from the country since supporting any regime, which commits human rights violations, war crimes, and crimes against humanity, is not corporately socially responsible or ethical. They are boycotted and would be publically shamed if they do not. It is not morally right to do business in or with this pariah country!
- International consumer businesses and their domestic customers to boycott products from Myanmar. It is not morally right to buy products made in this pariah country!

Realistically, China and ASEAN will not support such actions as history has shown that their strategic and economic interests are more important than human lives. But other countries and organizations should show that human lives do matter to them more than strategic and economic interests. They cannot continue to ignore the cries of the victims of the Tatmadaw.

Moreover, international human rights' and Burma advocacy organizations must:

- Enlist celebrities to create and post online videos with high emotional content to publicize human rights violations, war crimes, and crimes against humanity committed by the Tatmadaw, similar to the US Campaign for Burma's ["Burma: It Can't Wait."](#)
- Create and post high emotional content music videos online, with staged scenes which depict the types of human rights violations, war crimes, and crimes against humanity committed by the Tatmadaw.
- Hold film festivals and panels in key global capitals, followed by public speeches and marches, about the Tatmadaw's human rights violations, war crimes, and crimes against humanity, with commentaries by those who have experienced the Tatmadaw's horrors first hand. The media and key political and business leaders are invited to attend.
- Conduct massive, but coordinated, OpEd campaigns targeting leading global media outlets about the Tatmadaw's human rights violations, war crimes, and crimes against humanity.
- Seek speaking engagements with key media sources and foreign government legislative committees to share the voice of the victims of Tatmadaw abuses and crimes and their support for action to stop these acts.

Furthermore, other initiatives must be implemented by international human rights' and Burma advocacy organizations as well as individual activists to agitate, disrupt, shun, vilify, and otherwise proactively confront the Myanmar Government, Tatmadaw, and their individual members and families with respect to human rights violations, war crimes, and crimes against humanity. These initiatives include:

- Pressure the EAOs to make transitional justice for any human rights violations, war crimes, and crimes against humanity committed by the Tatmadaw or any other armed group after 1 January 2018 as a condition for any further participation by them in Union Peace Conferences.
- Place international pressure upon the Myanmar Government and Tatmadaw to amend the Immunity Clause (Section 445) of the 2008 Constitution for any human rights violations, war crimes, and crimes against humanity, under international law, committed by any member of the Myanmar Government to include the Tatmadaw. All foreign aid to Myanmar is stopped should they fail to pass this amendment in the Union Parliament.
- Advocate to foreign governments to pressure the Myanmar Government to become a signatory to the *Rome Statute of the International Criminal Court*.
- Charge specific Myanmar Government officials and Tatmadaw officers with human rights violations, war crimes, and crimes against humanity committed by Tatmadaw units in both criminal and civil courts in countries such as

Australia, Canada, the USA, or the United Kingdom, by resettled victims from Myanmar.

- Conduct [symbolic trials](#) outside Myanmar to indict and prosecute those Tatmadaw officers who command units which commit human rights violations, war crimes, and crimes against humanity. International arrest warrants are issued by these symbolic courts and sent to Interpol and the media. Wanted posters are created and posted online as well as secretly in public places inside Myanmar.
- Develop and implement a “Name and Shame” Campaign which collects, documents, and reports these incidents, naming the involved Tatmadaw units and their chain of command officers. The Campaign would create a website to upload incident reports and provide for media access. On a weekly basis, the Myanmar expatriate media would access the site to collect incident reports to:
 - Broadcast the human rights’ violations, war crimes, and crimes against humanity committed by the Tatmadaw on ethnic online/television/radio media, at the same broadcast time every week.
 - Print the human rights’ violations, war crimes, and crimes against humanity committed by the Tatmadaw in the ethnic news’ media in the same page slot on the same print day every week.
- Undertake coordinated social media initiatives about the Tatmadaw’s human rights violations, war crimes, and crimes against humanity.
- Meet all press conferences and talks by Myanmar Government officials globally with protests, heckling, and disruption.
- Identify, haunt, and verbally confront those Tatmadaw generals’ and key NLD government officials’ sons and daughters who are living or attending universities in foreign countries and deny or are otherwise indifferent to the human rights’ atrocities committed by the Tatmadaw.
- Pressure those cities outside Myanmar, which are “sister cities” with cities/towns in Myanmar, to sever their sister city relationships. They would be publically shamed if they do not.
- Create a public simulation event, similar to Crossroads Foundation’s [Refugee Run: A Day in the Life of a Refugee](#), which places the international media, politicians, and public into multi-hour, high-intensity situations reflecting some of the acts perpetrated by the Tatmadaw.
- Fund and expand a “Village Agency” program, such as of the one that the Karen Human Rights Group implements in ethnic villages in ceasefire and conflict areas, especially in Northern Shan State and Kachin State, to assist them in preventing, minimizing, and documenting the human rights violations, war crimes, and crimes against humanity committed by Tatmadaw units entering their villages. The villagers would also be taught and

encouraged to use their cell phone cameras to record these incidents on hidden applications and share them with the “Name and Shame” Campaign and human rights groups.

- Partner with key religious and anti-authoritarian political groups to mount campaigns toward their own governments to change their accommodating foreign affairs and assistance policies toward the Myanmar Government unless those governments take a public stand and action against the Tatmadaw’s human rights violations, war crimes, and crimes against humanity.
- Encourage anti-genocide organizations to institute media campaigns about the Tatmadaw’s human rights violations, war crimes, and crimes against humanity.

So do you hear the cries of the Tatmadaw's victims for protection and justice...their cries for the injustices to cease? Then stand with them and act in their behalf to stop these atrocities, using their suffering as your fire, and your words and actions as weapons against the Tatmadaw and Myanmar Government. Silence and inaction make one complicit in these atrocities. It is time for the world to take a moral stand against the human rights violations, war crimes, and crimes against humanity committed by Tatmadaw as well as Aung San Suu Kyi’s denial of such atrocities.

We must take a moral stand and say: *“NLD government and Tatmadaw...you do not treat human beings like this! Since you choose to do this, we will not visit, invest, or do business in your country. We will not buy products from your country. We do not want your political and Tatmadaw leaders or their families to visit, live, go to school/university, work, or do business in our countries. If they do, we will shun them, embarrass them, ostracize them, heckle them, and disrupt any of their activities – all in a non-violent and legal manner”*.

Aung Pue is the pseudonym for a human rights activist now living in Canada.