

Report Briefer

June 2022

Denied and Deprived: Local communities confronting the humanitarian crisis and protection challenges in Southeast Burma

Since the 2021 military coup, the security and human rights situation in Burma/Myanmar has seriously degraded, creating a dire humanitarian crisis that is being inadequately addressed. A large portion of the population in Southeast Burma is living in conflict-affected areas and enduring forced displacement, extreme food insecurity and constant threats to health and safety. Despite the high number of people fleeing to the Thai border seeking refuge, the vast majority have been unable to enter Thailand or seek protection under international conventions. Forced to remain within national borders, civilians are being subjected to threats to life by the State Administration Council (SAC) due to not only armed conflict, air strikes and other forms of violence, but also the deprivation of humanitarian aid.

The current lack of access to aid is primarily due to deliberate attempts on the part of the SAC to deny lifesaving assistance to civilians in need, combined with barriers regarding the right of civilians to cross international borders to obtain protection – barriers that could constitute refoulement. Thus, it is clear that any true resolution to the current humanitarian crisis requires that the SAC and neighbouring governments respect their obligations under international humanitarian and human rights treaties and conventions. Such demands however continue to be ignored, which is why practical solutions to the existing situation must also be developed, and without further delay. With the primary channels for aid and protection provision largely out of play due to access issues, a better understanding of the situation on the ground is desperately needed in order to determine how new channels can be established that rely more fully on local actors already operating in these areas and how funding can be redirected to be more inclusive of these local actors.

With that goal in mind, this report describes the situation on the ground in Karen State, looking both at the specific needs of villagers and communities, and at the efforts and challenges faced by organisations trying to assist and support them. This report examines the major logistical and security challenges preventing existing aid from effectively reaching its target recipients to help stakeholders better evaluate how aid can be used and implemented. The report also highlights how local efforts and initiatives are currently filling certain gaps, and how greater recognition of and investment in these channels may lead the way to more effective solutions not just in resolving immediate needs but also by supporting more sustainable mechanisms in the long run.



DENIED AND DEPRIVED

Local communities confronting the humanitarian
crisis and protection challenges in Southeast Burma

KHRG Karen Human Rights Group
Documenting the voices of villagers in rural Burma

*The full report is available in English and Burmese at
www.khrg.org*



After the outbreak of clashes in the Lay Kay Kaw area in December 2021, P’Loo Gyi High School in Kaw T’Ree Township, Dooplaya District served as a key site for the distribution of emergency support. Support was provided by local community members and border-based CSO/CBOs. *[Photo: KHRG]*

Methodology

This report is based on 24 interviews conducted in November and December 2021, primarily with local leaders and villagers who are active in their community. In addition, six interviews were conducted with members of local CSO/CBOs about the work they have been undertaking since the coup and the challenges they have faced regarding emergency support and service delivery. Due to the outbreak of fighting and armed attacks since December 2021 in multiple districts, which then led to a deepening humanitarian crisis particularly along the Thai-Burma border area, raw data reports from December 2021 through March 2022 have also been included in the preparation of this report.

The information is drawn from interviews and raw data gathered across only five of the seven districts within KHRG’s operational area: Doo Tha Htoo (Thaton), Kler Lwee Htoo (Nyaunglebin), Mergui-Tavoy, Mu Traw (Hpapun), and Dooplaya. The decision to limit our research to these areas was based on the type of documentation KHRG had been receiving since the coup, and what seemed to be the most critical areas in evaluating the challenges to humanitarian aid.



One of the many displacement sites that have formed along the Burma side of the Moei River since the December 2021 outbreak of fighting and air and ground attacks in Dooplaya District. *[Photo: KHRG]*

Map 1: KHRG operational area (KNU-defined Kawthoolei and Burma government-defined state and region boundaries)



Key Findings

Security risks and threats to life due to the escalation of armed conflict, air and ground attacks, retaliatory activities against civilians, arrests and roundups, and other human rights violations have led to increasing displacements of civilians since the 2021 military coup.

The vast majority of displaced villagers in Southeast Burma remain internally displaced due to restrictions on the right to cross the border into Thailand, and thus are unable to benefit from wider international protections and humanitarian assistance.

Reminiscent of the earlier “four cuts” approach employed by previous military regimes as a means to destroy the support base of ethnic armed organisations (EAOs) in Burma, the new military junta has imposed heavy restrictions on movement and the transportation of goods, confiscated, looted and destroyed medical and food supplies and arrested those providing them, thus cutting off essential resources to civilians.

The SAC’s restrictions violate civilian rights under Article 3 of the Geneva Convention and the principle of humane treatment, which includes the obligation not to intentionally subject civilian populations to situations where their human dignity is threatened through lack of essential supplies.

Reports of food shortages and of deaths due to the inability to access medical care, as well as decisions to remain in areas of heavy conflict and insecurity because there is nowhere else to go, all point to the gravity of the humanitarian crisis and the need for immediate action.

The current efforts of villagers to support each other by drawing on local expertise to figure out alternative healthcare options, and to keep schools running for their children even in displacement show the effectiveness of local, community-driven networks in delivering aid to populations in need.

Local civil society and community-based organisations (CSO/CBOs), ethnic service providers, and faith-based organisations, all of whom have knowledge of and experience with the local context, have been the primary actors providing humanitarian aid and emergency support to displaced villagers. International donors and humanitarian organisations, though unable to deliver the aid themselves, have failed to provide these groups with sufficient support.



On December 23rd 2021, students from Thay Baw Boh (Taw Naw) High School, who had fled to Thailand due to shelling and fighting, crossed back to Thay Baw Boh village in Dooplaya Distict after being told by Thai authorities that they cannot stay in Thailand. *[Photo: KHRG]*

Overview of chapters

Chapter 1: Protection challenges

- Over 170,000 people have been displaced in Karen State since the 2021 military coup.
- The Thai government has stated its commitment to assisting and taking care of people from Burma fleeing unrest who have crossed the border into Thailand. Meanwhile, villagers who crossed into Thailand have reported to KHRG that they were told by Thai soldiers, “Hey!!! No gunfire sound, you cannot come” and forced to return to Burma.
- Because of the difficulty of crossing into Thailand, semi-formal displacement sites on the Burma side of the Moei River are being created through the efforts of border-based CSO/CBOs, mostly Karen-led organisations, along with local faith-based organisations and the Karen National Union (KNU), who are coordinating activities to maximise impact and assure a minimum level of services to the IDPs who are finding refuge there.
- Although ‘formalised’ by local CSO/CBOs to provide better protection for the IDPs, these sites continue to struggle to exist in any official sense that might allow them to operate without obstruction from local governments and military personnel, and to access further funding.
- The total population at these semi-formal sites near and along the Moei River in Dooplaya District has risen from around 4,000 in January 2022 to around 11,400 as of the first week of April 2022, with the number of sites also increasing from five to eight.
- The vast majority of IDPs, however, have little to no access to humanitarian support, and are often unable to bring food, clothes, bedding, cooking equipment and other basic necessities with them. Spread out in nearby jungles, hiding in caves and along waterways, or taking refuge in other villages where they may have relatives, most of these IDPs remain invisible from an aid perspective.



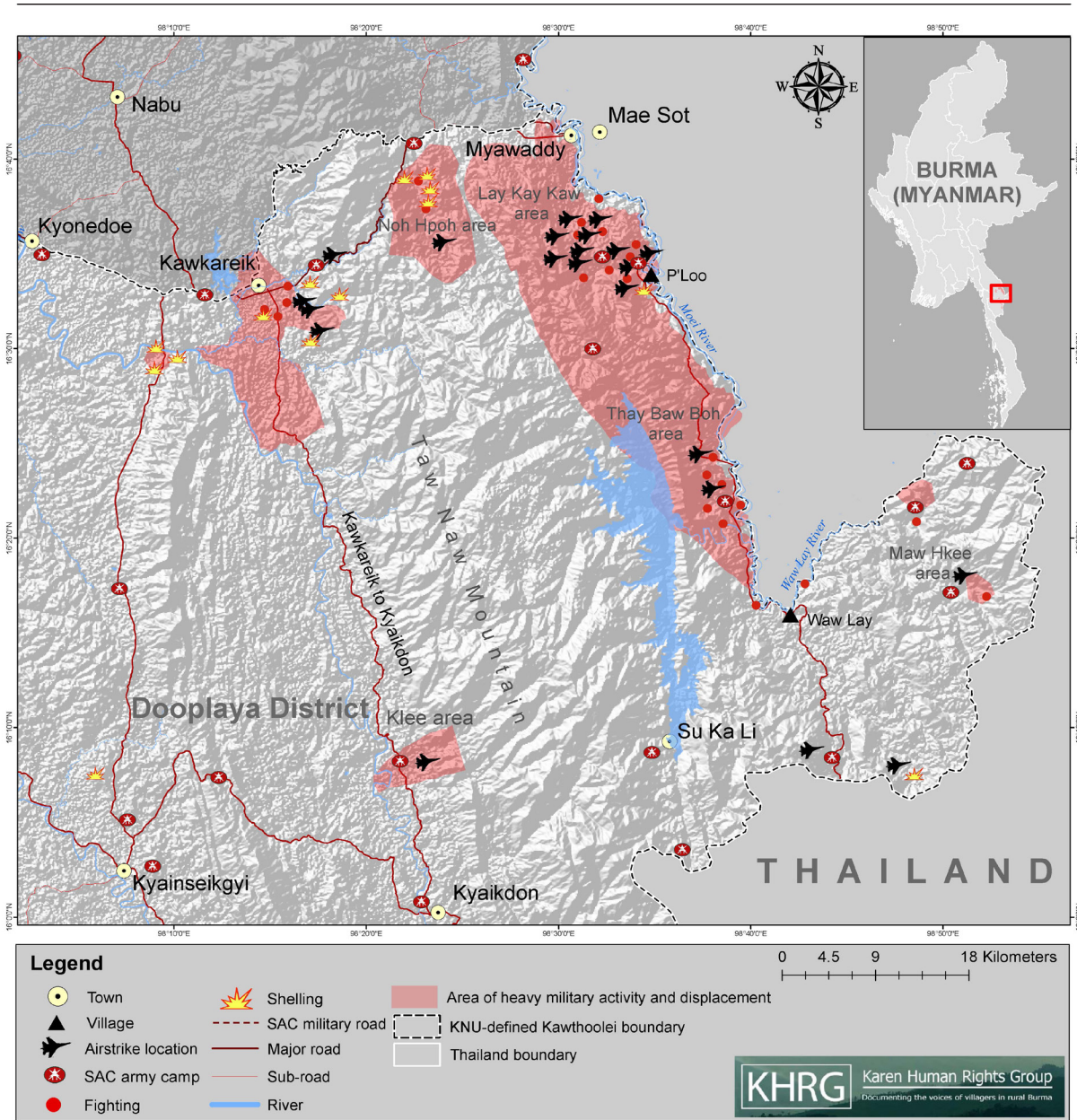
This photo was taken on April 9th 2021, in Day Pu Noh area, Lu Thaw Township, Mu Traw District after an SAC military airstrike on March 27th 2021. It shows villagers finding temporary shelter in a cave while fleeing. *[Photo: KHRG]*



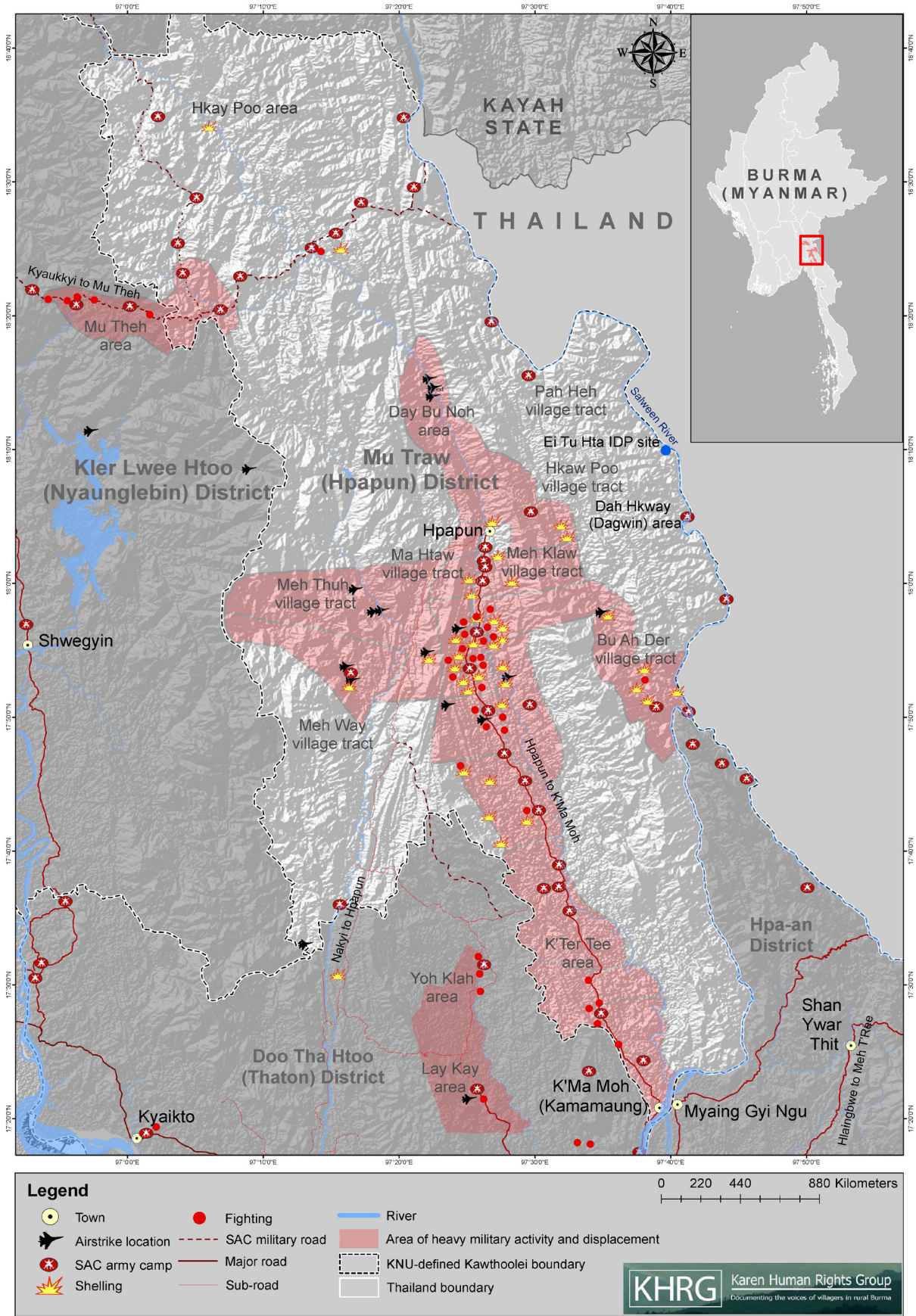
After being forced to relocate multiple times following the fighting in the Lay Kay Kaw area in Dooplaya District in December 2021, some villagers secretly snuck into Thailand to try to find a safe place to stay. These IDPs are hiding in an irrigation channel near the Moei River in Thailand. The photo was taken on January 18th 2022. *[Photo: KHRG]*

- Concerned that supplies going to rural areas are intended for or will be given to ethnic armed groups, the SAC military has been placing heavy restrictions on the movement of goods, including humanitarian support. Thus, not only has it proven difficult to transport emergency relief support from Thailand, any movement of goods within Burma itself is being heavily monitored and restricted. These restrictions on the movement of goods are impacting not only the delivery of humanitarian support to displaced villagers, but also the livelihood and health needs of all rural villagers.

Map 2: Air and ground attacks, fighting and displacements in Dooplaya District



Map 3: Air and ground attacks, fighting and displacements in Mu Traw, Kler Lwee Htoo and Doo Tha Htoo districts



Chapter 2: Livelihoods

Whether they have fled or not, villagers are struggling to meet their livelihood needs, with many running out of food and other necessities, yet also unable to access humanitarian support.

- Since the 2021 military coup, fighting and air and ground attacks by SAC forces as well as increased military activity, including security checkpoints, patrolling and heavy troop movements, have forced many villagers to flee their homes. Villagers often flee with little food and supplies, and have poor access to shelter and potable water.
- Villagers experiencing displacement are also at high risk of having their homes and villages looted and destroyed by SAC soldiers while they are displaced.
- Movement restrictions have resulted in livelihood challenges, insufficient food and higher purchase costs in the community – prices this year are three times higher than the previous year.



SAC troops operating in Aaw Hpa Hpa Doh village tract, Kaw T'Ree Township, Dooplaya District occupied villagers' homes, making temporary beds and using the villagers' materials to cook for themselves while the homeowners had fled from fighting in the area. They also destroyed villagers' personal possessions. This photo was taken on March 4th 2022. [Photos: Local villager]

"I think everybody faces food insecurity because we cannot work on anything as we cannot travel. [...] Villagers just eat food that they keep [have stored away]. They bought that food before the road closed last year. [...] Once that food is gone, they don't know what they are going to do. [...] Some villagers' food [supply] is already gone." -- A villager from Ma Htaw village tract, Dwe Lo Township, Mu Traw District

- Since the coup, villagers in conflict-affected areas have often been unable to harvest crops and take care of their livestock due to fighting and shelling, SAC activities and landmine contamination. KHRG has received a number of reports of villagers being shot at and/or killed while working on their plantations since the start of the coup.
- Villagers have to undergo questioning by SAC soldiers whenever they transport any supplies, including food. After they are questioned by the SAC, their supplies are often confiscated and/or destroyed, and they have also had to pay fines to the SAC soldiers.
- Travel restrictions and high security risks after the coup stopped many organisations from working on community development and prevented humanitarian aid organisations from accessing communities that need help. Villagers and IDPs have been forced to rely on the limited assistance that local organisations, ethnic armed groups and community members themselves are able to provide. Even when IDPs receive humanitarian support, it still fails to meet the needs of most villagers.

Chapter 3: Health care

Although the healthcare system has been in crisis throughout Burma since the 2021 military coup, the healthcare situation for villagers in rural ethnic areas is even more critical since support services have greatly curtailed across districts.

- The SAC has placed heavy restrictions on the transportation of medical supplies and increased the number of military checkpoints. Villagers reported having medicine and medical supplies systematically confiscated at security checkpoints near towns, and having to secretly transport supplies from towns back to their village.
- Health workers themselves have become significant targets of SAC attacks and have become less active in rural areas where health care is already limited. Displaced villagers have frequently stated that they have not received any healthcare support since being displaced, unless a health worker was among those who fled.
- Access to health care varies depending on the conditions of displacement, notably the displaced villagers' ability to travel and the location of the IDP site. Some displaced villagers are able to access healthcare services offered by a network of locally-based border organisations inside the country and operating near the Thai-Burma border.
- In many cases, IDPs cannot travel out of the places they are displaced due to ongoing insecurity. Because they cannot access medical facilities, some villagers have died as a result.
- As many rural villages have been cut off from external aid following the coup, many villagers have been supporting one another on a local level to ensure that the village has sufficient health care. Without support and funding from other organisations, it is unlikely that villagers will be able to sustain healthcare support among themselves.
- Communities facing displacement have been particularly impacted by the third wave of COVID-19. The lack of testing in many areas has also meant that villagers are usually unaware of being infected prior to displacement, and thus unable to take necessary precautions. The spread of the virus has been exacerbated by the fact that few rural villagers have been vaccinated, and most rural villagers do not trust the SAC to administer vaccinations to them.
- Since the coup, women have been facing challenges gaining access to sufficient maternal health care. Pregnant women experiencing displacement are at significant risk of suffering complications during childbirth, yet there is a lack of healthcare workers equipped to help with pregnancy issues and childbirth at displacement sites.
- The elderly and disabled are often those who are unable to displace despite the insecurity of staying in the village. Those who do displace are likely to endure living conditions that are particularly harsh and unsuitable for these more vulnerable populations, and are also more likely to suffer increased health problems as a result.



This photo was taken on December 24th 2021 at an IDP site near P'Loo Lay village in Kaw T'Ree Township, Dooplaya District. This older man passed away about one month later, while still at the IDP site.

[Photo: KHRG]

Chapter 4: Education

Despite the challenging circumstances, villagers are taking great effort to make sure that the children in their communities are able to continue their studies.

- KHRG received multiple reports that enrolments at Karen Education and Culture Department (KECD) schools have increased due to government school closures and students refusing to attend SAC-run schools. In some cases, SAC and Border Guard Force (BGF) soldiers have also threatened teachers, parents and students to try to force them to return to SAC-run schools, only making villagers more concerned about sending their children to these schools.
- But increased enrolments have placed heavy strain on the schools' resources. Many schools reported not having enough teachers for the number of students, not having sufficient supplies and classroom space, and not having the appropriate resources to add additional grades.
- Communities have also turned to creating self-funded schools in an effort to meet the educational needs of the children in their community.
- Although villagers have been able to help each other thus far in order to keep schools running, if the situation continues, communities will have fewer resources. Already, external support has dwindled.
- Villagers and communities facing displacement have encountered the biggest challenges maintaining educational services for their children.
- In some areas, villagers reported that schools have been closed for two years now.
- Social assistance programmes to protect education and keep schools open in situations of insecurity and armed conflict rarely exist, but need to be developed in order to prevent the further marginalisation and denial of rights of ethnic minorities.



Villagers from Kheh Der village tract, Ler Doh Township, Kler Lwee Htoo District have been displaced since December 2020. Still displaced in March 2021, children continue their studies in the jungle. *[Photo: Partners Relief and Development staff]*

Chapter 5: Local actors and the need for funding alternatives

- Little funding is available to the local actors currently providing needed emergency humanitarian support to the growing population of displaced persons. Instead, the majority of funding is directed toward large international NGOs and multilateral organisations, most of whom currently have little to no access to the populations in need.

Only 0.2 % of incoming funds allocated to NGOs (and only 0.069% of total incoming funds) were distributed to local NGOs. --United Nations Office for the Coordination of Humanitarian Affairs (OCHA) Financial Tracking Service, 2016 data for Burma

- Since the coup, some foreign governments and stakeholders, in an effort to avoid working with the SAC and show their non-recognition of the SAC as a legitimate government, have tried to redirect funds to organisations like the Association of Southeast Asian Nations (ASEAN) and other international partners. However, these efforts often fail to address the problem of directing funding elsewhere since the SAC can often still dictate the terms.

- As such, there are few existing channels that allow funding to make its way directly to local service providers and protection agents, despite the fact that under the current situation these are the primary actors providing emergency support. Without sufficient funding, their ability to continue providing support will remain highly limited. Already stretched thin, support for those in need will only become tighter as the population of displaced persons grows.



Over 1,000 IDPs from the Lay Kay Kaw area gathered at P'Loo Gyi High School in Kaw T'Ree Township, Dooplaya District after fighting broke out in mid-December 2021. They were able to receive emergency support and food provided by local community members and border-based CSO/CBOs, as seen here on December 18th 2021. *[Photo: KHRG]*

Conclusion

- Local service providers and local communities themselves have been instrumental in responding to the needs of rural villagers as the humanitarian crisis deepens. Meanwhile, most external NGOs and large international organisations have been prevented from undertaking protection services and offering humanitarian support, whether in Burma or across the border in Thailand.
- There continues to be a failure to recognise the true contributions being made by local actors and the ways in which protection frameworks and funding schemes are set up to exclude local actors from larger decision-making about how aid distribution should and could function.
- Donors and international humanitarian organisations currently face a crucial choice between sticking to orthodox humanitarian practices and principles that ultimately reinforce the military junta's ability to weaponise humanitarian aid and further oppress ethnic populations, or engaging meaningfully with those CSOs and CBOs on the ground that are fully capable of providing aid to the communities they serve.

Donor funding must not sideline ethnic communities from key decisions or through bureaucratic obstacles but be equal partners in aid programs and services.

Recommendations

To the international community, ASEAN, NGOs, funding agencies, and regional and foreign governments

- Acknowledge that the SAC is the root cause of the current human rights and humanitarian crisis.
- Refrain from giving any political legitimacy to the military junta and recognise that any collaboration with the junta only serves to bolster their legitimacy.
- Ensure that the SAC is unable to hold decision-making power over the distribution of aid, and that funds are not indirectly being rerouted through the SAC.
- Recognise that the humanitarian principle of neutrality is frequently misapplied in the case of Burma, and thus often impedes the fulfilment of the wider humanitarian agenda.
- Consult and sign MoUs with the National Unity Government (NUG) and EAOs, rather than the SAC, to address the unfolding humanitarian crisis across the country.
- Call on ASEAN to suspend Burma from ASEAN membership until a democratically-elected civilian government is restored, and to cooperate with international and local actors to end the military junta's violence against the people of Burma.
- Diversify international funding distribution so that more funding is made directly available to non-state actors, particularly ethnic service providers and civil society organisations, regardless of their registration status.
- Prioritise and strengthen methods of service delivery and communication that rely on local CSO/CBOs and ethnic service providers that have the ability and networks (due to consistent access and trust from the community) for local implementation of support programmes.
- Support ethnic health organisations (EHOs) and other non-state health actors, including the COVID-19 Task Force created by the NUG and local EHOs, to boost COVID-19 prevention and treatment, and ensure the provision of other essential health services in rural areas.
- Support self-funded and ethnic-run schools and education programmes by directing funding to local service providers and CSO/CBOs.
- Urge neighbouring countries to ensure that their authorities do not deny entry to people crossing the border seeking refuge; and encourage them to work with cross border organisations to develop support and protection services for those seeking refuge.
- Engage with neighbouring countries to ensure the passage of aid into Burma, in particular via land borders and through cross border aid organizations and local civil society organizations already operating in the area.
- Publicly declare support for an International Criminal Court (ICC) referral and seek out all additional opportunities to hold the Burma military accountable for its vast array of crimes.
- Place sanctions on oil and gas revenues, and impose other measures that will have an economic impact on the junta's ability to wage war against the people of Burma.
- Support a UN Security Council resolution on a global arms embargo.
- Assist in the creation of civilian safe zones (both in Burma and in neighbouring countries) where the protection of civilians is internationally guaranteed.