

Joint contribution to CESCR General Comment on ESCR in Situations of Armed Conflict.

Introduction.

This submission, prepared by International Network for Economic, Social and Cultural Rights (ESCR-Net)¹ members,² seeks to provide interpretive clarity on the application of the ICESCR in situations of armed conflicts. The scope of this submission includes: 1) the effects of armed conflicts on economic, social and cultural rights (ESCR); 2) corporate complicity; 3) the effects of armed conflicts on ESCR in Global South countries; 4) the effects of global rearmament on ESCR; and 5) post-war effects and peace-building with an ESCR focus.

International law distinguishes between international and non-international armed conflicts.³ However most of the times, whether framed as external invasions or internal hostilities, conflicts are rooted in colonial structures and legacies, including patterns of dispossession, racialized and patriarchal hierarchies, fragmentation of social fabrics, and unequal control over land and resources with an intention to grow the power and capital of economic elites. We invite the Committee to address the structural colonial, patriarchal and capitalist roots that underpin these forms of armed violence, through an intersectional-feminist analysis, in order to push for a deep transformation of the economic and financial structures that enable the production and sale of weapons and technologies vital for armed conflicts, and with it, the profiting from a well-designed

¹ ESCR-Net is a network consisting of 360 members, including social and feminist movements, Indigenous Peoples, NGOs, and environmental and human rights defenders spread across 80 countries, many of whom carry out their work in contexts of armed conflict. For 20 years and counting, the Network continues to work towards social justice through human rights including the right to self-determination, the right to development and economic, social, cultural and environmental rights.

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³ The First Geneva Convention distinguishes between two types of armed conflict in its articles 2 & 3: international armed conflicts, including situations of invasion or occupation between States, and non-international armed conflicts, often characterized as "civil wars," occurring within the territory of a State between governmental forces and non-state actors or among such groups.

economy of war. The central argument we seek to advance is that war and the war economy, driven by corporations and States, together with the growing State investment in military infrastructure and armaments, restrict the resources necessary for the full realization of ESCR, while progressively creating the material conditions that erode their protection and promotion.⁴

1. Effects of armed conflicts on ESCR.

In situations of armed conflict, all violations can fall under the lens of the right to life, given that the privation of right to life extends to all the panoply of ESCR. In its Views in *Toussaint v. Canada*,⁵ the Human Rights Committee understood that the right to life is interconnected and interdependent upon the full range of ESCR. In this way, the full realization of the right to life means that it is inseparable from the material conditions necessary to ensure access to a life with dignity, including the rights to health, education, food, water, adequate housing, clean, healthy and sustainable environment and work.⁶ Consequently, States' obligations are not limited to refraining from arbitrarily depriving individuals of life, but also include positive obligations of protection. Denying, for example, access to health services, where there is a foreseeable risk of death or irreversible harm constitutes a violation of the right to life.⁷

The Committee should reaffirm that the obligation to respect, protect and fulfil ESCR remains part of States' immediate obligations under the Covenant in situations of armed conflict.⁸ As the International Court of Justice recently asserted,⁹ the Covenant continues

⁴ The genocide in Gaza perpetrated by the State of Israel, the US invasion in Iran, the severe humanitarian and human rights crisis in Myanmar caused by the military junta, the cases of West Papua, Timor Leste, and Sri Lanka, the Manipur conflict and the Bauxite mining in India, and the US military bases in Northern Mariana Islands have largely inform the lessons and recommendations we seek to convey to the Committee in this submission.

⁵ See the Views of the Human Rights Committee in *Toussaint v. Canada*: <https://juris.ohchr.org/casedetails/2541/en-US>

⁶ Aligned with General Comment No. 36 of the Human Rights Committee, which states that the right to life includes the right to enjoy a life with dignity: <https://www.ohchr.org/en/calls-for-input/general-comment-no-36-article-6-right-life>

⁷ Through this lens, we are proposing the Committee to approach this issue not only from the perspective of humanitarian aid, but in its entirety, recognizing that the problem lies not just in the insufficiency of humanitarian assistance, but in the war itself, as well as its causes and consequences. The realization of ESCR is disrupted by war, impacting on the availability of sufficient resources to address them, and exacerbated by the lack of adequate humanitarian aid.

⁸ See:

<https://geneva-academy.ch/wp-content/uploads/2025/12/Economic-Social-and-Cultural-Rights-and-Armed-Conflict.pdf>

⁹ See the Advisory Opinion on the Legal Consequences arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem:

<https://www.icj-cij.org/sites/default/files/case-related/186/186-20240719-jud-01-00-en.pdf>

to apply in occupied territories, and occupying powers remain bound to ensure the enjoyment of ESCR without discrimination.¹⁰

The Committee should clarify that the rights to health and food give rise to concrete obligations during armed conflict, including the provision of essential medicines, access to healthcare facilities, goods and services, and the availability of adequate food on a non-discriminatory basis, particularly for vulnerable and marginalized populations.¹¹ The General Comment should explicitly prohibit attacks against infrastructure indispensable for human well-being, including hospitals, clinics, water systems, housing, educational institutions, and religious and cultural sites. In this regard, the Committee should further develop the concept of “domicide” and its legal consequences. The deliberate attack of healthcare or educational facilities and the persecution of medical personnel, students and educators should be explicitly recognized as serious violations of the Covenant, particularly Articles 12 and 13, and as war crimes under international law. Similarly, the Committee should recognize and support community-based and community-led

¹⁰ Accordingly, States experiencing armed conflict must refrain from interfering with an individual's enjoyment of ESCR, particularly of women and LGBTIQ+ people, and, in fact, actively protect the enjoyment of these rights from attacks by third parties. The obligations under the Covenant cannot be postponed or put aside until peacetime, and are a priority even when situations of armed conflict constrain available resources. Further, call for timely investigation and prosecution for such crimes as a deterrent of recurrence. In Myanmar, for instance, with the intensified deterioration of ESCR since the 2021 coup, women face job loss, displacement, food insecurity, sexual and gender-based violence and the collapse of the health system, when they are the primary caregivers in precarious and violent environments. The junta has also encouraged the use of hate speech to limit ESCR of LGBTIQ+ people who face legal and extra-legal violence. Since the 2021 coup and as of June 2024, the junta has killed at least 12 LGBTIQ+ people participating in protests against the coup or advocating for the civil disobedience movement. Dozens more have been detained and subjected to torture, punishment, and other forms of cruel, inhuman, or degrading treatment.

¹¹ These obligations also inform the responsibilities of occupying powers to ensure access to medical supplies and functioning health systems for populations under their control.

education systems as essential mechanisms for ensuring the right to education in conflict settings.^{12 13}

Particular attention should be given to the use of food and water as weapons of war. The Committee should strongly condemn such practices, which have been documented in multiple contexts, such as Yemen, Congo, Sudan, or Palestine, and affirm that the deliberate destruction of food systems and the use of starvation as a method of warfare constitute serious violations of ESCR and international law. According to the Food and Agriculture Organization (FAO), armed conflict is the single greatest driver of hunger globally.¹⁴

733 MILLION	3.1 BILLION	60%	\$2.7 trillion
people hungry globally (AO SOFI 2024)	cannot afford a healthy diet (FAO)	of the hungry live in conflict zones (WFP)	global military spending in 2024 (SIPRI)

Sources: FAO State of Food Security 2024 | WFP Global Report 2024 | SIPRI Military Expenditure Database 2024

In this regard,¹⁵ the Committee should call for the “demilitarization of food systems”,¹⁶ including the cessation of economic sanctions, trade blockades, and agricultural destruction as instruments of political coercion. The recognition of food sovereignty is

¹² In addition, violence directed at cultural events, ceremonies, and religious or heritage sites should be understood as grave violations of the right to participate in cultural life and should trigger international accountability mechanisms. The Committee should also recognize that access to the internet and to other means of communication and information is critical to the survival of vulnerable communities and protection of their ESCR, noting in particular cases where parties to a conflict have deliberately cut communication lines.

¹³ In relation to labour rights, the Committee should reaffirm that the right to decent work must be respected and ensured without discrimination in armed conflict settings. States must protect workers from abuses by employers and third parties and ensure that labour disputes are addressed with conflict sensitivity. Particular attention should be paid to situations in which employers resort to military or security forces in response to labour organizing. In the Xing Jia factory incident in Myanmar, the management called in the junta's armed forces just one day after these forces killed 65 people in the Hlaing Thayar massacre, approximately 5 km from the factory. The workers had gathered to ask for 15 days' wages as well as overtime pay they were owed. Not long after the workers gathered, junta forces arrived and, without any verbal exchange, started shooting at the assembled workers using live ammunition. The first person shot and killed was the woman leading the protest. Another four men were shot, three of whom were killed, and 17 people were arrested. Six of the people arrested were sentenced by a military court to three years in prison.

¹⁴ Position paper from La Via Campesina: “Food sovereignty in the face of war, imperialism, and the hunger of peoples around the world”, April 2026. See: <https://drive.google.com/file/d/1v2LZ8hUYmTj65Jn-21dVv3FCKtbGvtA/view>

¹⁵ According to the UN, ending hunger by 2030 would cost US\$ 93 billion a year, under one percent of the 21.9 trillion spent on military budgets over the past decade. See: <https://news.un.org/en/story/2025/11/1166397>

¹⁶ Position paper from La Via Campesina.

critical, including the right of communities to produce food with dignity, on their own land, using their own seeds and according to their own cultural practices. This, especially considering that armed conflicts are many times exploited to impose privatization and deregulation, ensuring that the same powerful actors, mainly based in the Global North, are the ones who rebuild and promote new technologies for the food and services production systems.

When land, water, seeds, minerals, and other essential resources become scarce marketable resources, and powerful States perceive their supply is threatened, armed conflicts are used as an instrument to appropriate those resources. In this regard, the Committee should affirm that armed conflict must not result in the impoverishment or dispossession of the affected populations, especially already marginalized groups, and that States must take all necessary measures to prevent such consequences. This must include full reparations for the damages caused, and the prohibition of land dispossession during and after conflict, as well as the prohibition on destroying land.

It is fundamental to center the right to self-determination, including its political, economic, social and cultural dimensions, as recognized in the UN Declaration on the Right to Development.¹⁷ This includes the rights of Indigenous Peoples, peoples under colonial domination, foreign occupation, or racial subjugation to freely determine their political status and pursue their development. In this context, States must respect and protect land rights, including collective rights of Indigenous Peoples, and must adopt measures to secure land tenure systems, particularly for marginalized groups.¹⁸ Accordingly, the Committee should underscore how occupation violates the right to self-determination of the occupied population,¹⁹ and urge State parties and other stakeholders to avoid and prevent the targeting of civilians asserting their self-determination.

The Committee should emphasize the right of civilian populations, including in non-international armed conflicts, to receive humanitarian assistance, coming from

¹⁷ See the ESCR-Net Collective Submission for the Draft General Comment on ESCR and the Environmental Dimension of Sustainable Development :

<https://www.escr-net.org/resources/collective-submission-for-the-draft-general-comment-on-escr-and-the-environmental-dimension-of-sustainable-development/>

¹⁸ This also entails preventing illegal occupation and the appropriation of natural resources, promoting inclusive land-use systems with meaningful community participation, and supporting peasant seed systems and agroecological practices.

¹⁹ See paragraph 243 of the Advisory Opinion on prolonged occupation aggravating the violation:
<https://www.icj-cij.org/sites/default/files/case-related/186/186-20240719-jud-01-00-en.pdf>

international solidarity and solidarity movements, like the flotillas that have attempted to provide aid to Gaza. Attacks against humanitarian aid constitute war crimes under the Rome Statute and breach of the UN Charter (Articles 55 and 56), and generate intergenerational harm.²⁰

The Committee should also recommend coordinated international action to prevent and respond to violations of ESCR in armed conflict.²¹ This includes the use of diplomatic pressure, targeted sanctions, restrictions on access to weapons and financial systems, comprehensive embargoes on materials that facilitate attacks on civilian infrastructure -like aviation fuel used in airstrikes or technologies for surveillance-, and halt the supply of resources²² that facilitates the destruction of vital infrastructure.

2. Corporate complicity.

The intensified corporate capture of decision-making processes has been drastically undermining democratic governance, particularly in situations of armed conflict. In decision-making, economic elites are driven by their profit at the cost of hundreds of thousands of lives and the deteriorating conditions of our planet.

The genocide in Palestine and other armed conflicts are facilitated in corporate boardrooms, financial markets and logistical systems that allow violence to operate at scale and with continuity, making the machinery of armed conflict inseparable from corporate interests.²³

²⁰ States and international bodies should ensure unimpeded humanitarian access, including cross-border humanitarian assistance to displaced populations, and should hold perpetrators accountable for the deliberate destruction of civilian subsistence systems.

²¹ Article 1 of the Geneva Convention states that “The High Contracting Parties undertake to respect and to ensure respect for the present Convention in all circumstances.” Thus, it is clear that the Convention imposes an obligation on States to take action.

²² The United Nations Special Rapporteur on human rights in Myanmar, Tom Andrew, has called for States to take strategic and coordinated action to hinder supply chains: “Diplomatic pressure and sanctions are among the tools that States have at their disposal. States could coordinate actions to isolate the military-backed government, including by denying its legitimacy and access to weapons and the international finance system.” See: [A/HRC/61/XXCRP.9 \(27 Apr 2026\) From impunity to justice: accountability for grave human rights violations in Myanmar](#)

²³ The United Nations Special Rapporteur on the Occupied Palestinian Territories, Francesca Albanese, argues in the report “From Economy of Occupation to Economy of Genocide” (A/HRC/59/23) that the genocide has relied on the collaboration of 85 states and a vast corporate network. See: <https://digitallibrary.un.org/record/4088356?v=pdf>

In particular, the fossil fuel and the military industries represent two expressions of the same destructive system.²⁴ Military power relies on fossil energy to fuel aircraft, vehicles and digital systems, while fossil extraction frequently profits off of the military security to protect infrastructure and suppress resistance.²⁵ In tandem, they uphold a form of fossil capitalism that is structurally violent, extractive and colonial in its effects.²⁶ Fossil fuels are an operational necessity that sustains military logistics.²⁷ Therefore, the Committee needs to see energy trade -with its global trade routes, corporate actors and financial systems- as another layer of support to war crimes, crimes against humanity and the systematic violation of ESCR.

Responsibilities are fragmented across subsidiaries, contracts and subcontracting chains, while compliance frameworks often do not prevent harm. Violence can thus be externalized while profits remain insulated from consequence. The Committee should recall that non-state actors have the duty to respect the ICESCR and should be held accountable if they participate in its violation. Particularly, clarify and broaden the interpretation of the obligations that corporations have in contexts of armed conflict. The Committee must encourage the participation of States in the negotiations of the Open-ended intergovernmental working group on transnational corporations and other business enterprises with respect to human rights.²⁸

This violent global order diverts states' resources away from essential public services, entrenching colonial systems that profit from conflicts, illegal occupations and planetary destruction. Moreover, energy has increasingly become a commodified tool of war,

²⁴ The fossil fuel and military industries are huge Greenhouse Gases emitters, and the weapons industry is often subsidized by States. See ICJ's Advisory Opinion on climate change that addresses the problem of States subsidizing fossil fuels: <https://www.icj-cij.org/case/187>

²⁵ In some cases, fossil fuel extraction sites are only becoming available to companies following military aggression, like in Gaza off-shore oil reserves. See : <https://www.alhaq.org/advocacy/22619.html>

²⁶ To better understand the implications of fossil fuel industry in the context of climate crisis, please see: <https://www.escr-net.org/resources/cop-30-policy-brief-centering-peoples-led-solutions-our-common-agenda-for-a-decolonized-climate-future/> [particularly, point 5 of ESCR-Net COP30 Briefing Note (pages 11-12) that addresses the environmental costs of militarism].

²⁷ Ana Sánchez Mera (2026). "The Economy of Genocide : Fossil capitalism, corporate complicity and the infrastructures of violence in Palestine", in: <https://www.brennpunkt.lu/en/the-economy-of-genocide-fossil-capitalism-corporate-complicity-and-the-infrastructures-of-violence-in-palestine/>

²⁸ See "ESCR-Net's Red Lines: Principles and Legal Protections that States Must Include in the Legally Binding Instrument to Stop Corporate Impunity", particularly, title 2.4. "Protection in Conflict-Affected Areas": <https://www.escr-net.org/resources/red-lines-urgent-action-needed-for-a-binding-treaty-to-end-corporate-impunity/>

instead of a tool for realizing ESCR. Across different countries, like Cuba, Ukraine or Palestine, access to fuel and electricity is used to discipline populations and shape political outcomes.

The Boycott, Divestment and Sanctions movement has exposed the role of corporations in sustaining apartheid and occupation in Palestine, and concrete victories have been achieved.²⁹ The Committee should reaffirm key demands by civil society to corporations, regarding responsibilities in the supply chain, and policies that can be taken.³⁰ It should also amplify the demands of the collective campaign on Global Energy Embargo for Palestine (GEEP).³¹

The Committee should call for States to set regulations, enhanced due diligence and accountability frameworks,³² divestment and disengagement policies for corporations, with the participation of civil society, to stop corporate impunity, and interrupt business relationships and supply of weapons, technologies, fuel and supplies that are part of the military and surveillance infrastructure needed to develop armed conflicts. This may involve the recommendation of a menu of measures that States must develop, including sanctions to corporations and other States complicit in genocide, war crimes, and other atrocities by supplying, financing, or profiting from such aggressions, and ensure their exclusion from trade and investment relations. The General Comment shall clearly articulate States' extraterritorial human rights obligations, including their responsibility to regulate and sanction corporations for its harms and the urgent need for national legal

²⁹ Additionally, there are good reports that the UN has issued, including the 2013 UN Fact-Finding Mission on Israeli Settlements and the 2016 Security Council resolution 2334. However, these recommendations haven't been implemented. See: <https://www.ohchr.org/en/hr-bodies/hrc/regular-sessions/session19/israeli-settlements-in-the-opt> & <https://www.un.org/webcast/pdfs/SRES2334-2016.pdf>

³⁰ HSBC divested from Israeli arms manufacturer Elbit Systems after prolonged campaigns highlighting the bank's financial links to companies supplying weapons used against Palestinians. Campaigns targeting security contractor G4S for its role in Israeli prisons and checkpoint infrastructure contributed to contract losses and divestment decisions in several countries. The suspension of coal exports from Colombia to Israel has shown that even energy flows, often treated as untouchable, can be interrupted when political pressure becomes impossible to ignore.

³¹ See: <https://palenergyembargo.com/>

³² Prior to the commencement of business activities -noting that in certain conflictive contexts, businesses should not enter- and throughout all phases of operations, guaranteeing that operations will neither directly cause, contribute to, nor be directly linked to human rights abuses or violations of human rights and humanitarian law standards arising from business activities or from contractual business relationships across the value chain, including with respect to products and services. Entities already engaged in business activity in conflict-affected areas, including situations of occupation, shall adopt and implement urgent and immediate measures, such as divestment and disengagement policies where they are profiting the oppressed.

systems prohibiting the influence of corporate actors and economic elites on decision-making processes. Similarly, multilateral processes at the UN and other international bodies must be safeguarded from the influence of corporations.³³

3. Effects of armed conflicts on ESCR in Global South countries: deepening inequalities.

The economic crisis caused by armed conflicts can be seen not just in fuel scarcity, but also unaffordable food, and fiscal capacities stretched to the breaking point in Global South countries. After the US military incursion in Iran, domestic gasoline prices in many African countries have risen by 50%,³⁴ and fertilizer prices have surged by more than 40%, just as the planting season has arrived in West and Central Africa, which may easily lead to a harvest and food crisis.³⁵ In India, the government is scrambling to secure emergency supplies ahead of the country's June sowing season.³⁶ States individually are very limited to react to this global landscape: in some cases they can deploy subsidies to shield consumers from the steepest price hikes, but to do so they will have to borrow at high interest rates and, in many cases, that will be impossible, given that many countries are already facing deep fiscal constraints.

With debt-servicing and repayment costs already high, this dynamic is becoming one of the cruelest features of the US-Israel war on Iran's global fallout in Global South countries.³⁷ The Committee should investigate the global impacts of war and increasing military expenditure in the realization of ESCR, in inequalities between and within countries, climate change, and in the path to a just and equitable energy transition.

³³ As occurred with the Framework Convention on Tobacco Control. Corporate capture of the UN and other international bodies is evident in the increasing participation of private actors in decisions that affect peoples' human rights and fundamental freedoms under the guise of multistakeholderism. This presents a real danger to the advancement of ESCR, particularly in the context of armed conflict which is often driven by profit margins.

³⁴ Many African economies are net importers of oil and gas, which leaves them highly exposed to any disruption in the Middle Eastern supply chains. Even oil producers like Nigeria are suffering the consequences of war in their prices. See: <https://www.project-syndicate.org/commentary/iran-war-costs-for-africa-confirms-global-financial-architecture-is-broken-by-yemi-osinbajo-2026-04>

³⁵ Given that about one-third of global seaborne trade in fertilizers passes through the Strait of Hormuz.

³⁶ See: <https://www.project-syndicate.org/commentary/iran-war-costs-for-africa-confirms-global-financial-architecture-is-broken-by-yemi-osinbajo-2026-04>

³⁷ That were expecting lower interest rates, which are currently unthinkable given the inflationary pressures.

The Committee should emphasize the principle of differentiated responsibilities, and clarify that States driving, enabling, or benefiting from war economies must repair the environmental, fiscal, and social harms generated by armed conflicts in other States, including harms that undermine their capacity to fulfill ESCR. The General Comment should articulate the causal link between the neoliberal macroeconomic policies, that is often imposed in the context of war and post-conflict reconstruction processes, and the violation of ESCR of people in Global South countries at large. Furthermore, the Committee should underline historical responsibilities of Global North countries and urge States to realise the long overdue commitment of 0.7% of the GNI for Official Development Assistance (ODA),³⁸ which can easily be met by reducing military and defense national budgets and budgets allocated for military alliances, such as NATO.³⁹

The Committee should support the development and adoption of a UN Framework Convention on Sovereign Debt, that places human rights at its core and advances the transformation of International Financial Institutions to allow maximum available resource allocations for the realization of ESCR.⁴⁰ The General Comment should address the responsibility of harmful IMF policies, especially its conditionalities on ESCR, and the IMF's obligations to uphold human rights in accordance with the UN Charter.⁴¹ It should also encourage States from the Global South to strengthen South-South cooperation in order to build food, energy, and health systems independent from imperial trade structures.

³⁸ The process is the opposite: a reversal of decades of gains with the collapse of international aid. Just days before the Spring Meetings, the OECD announced that Official Development Assistance has been cut by almost 25 per cent - the steepest drop in recent history. See: https://www.eurodad.org/spring_meetings_2026_response

³⁹ Although, we acknowledge that ODA may cover just a part of colonial debt that Global North countries owe to the Global South. Therefore, there is room to discuss additional mechanisms such as grants and non-debt-creating financial and technical transfers for Global South countries to support their material capacity to fulfill their obligations regarding ESCR. Also, the promotion of long-term debt sustainability, the cancellation of odious or illegitimate debts linked to colonialism, guaranteeing the right to default in times of war/armed conflicts, and avoiding debt distress so that States particularly affected by debt burdens can allocate adequate resources to reconstruction in the post-war scenario and refrain from adopting austerity measures.

⁴⁰ This involves a variety of options to overcome the crisis, including debt cancellation and predictable, fair, and inclusive processes that can bring all creditors (bilateral, multilateral, and private) and debtors into the same table.

⁴¹ This involves, among other duties, due diligence policies to ensure that financing does not enable regimes engaged in armed conflicts to prolong and intensify attacks on civilians and negatively impact the protection and fulfilment of ESCR. Particular consideration must be given to preventing loans and grants that will enable regimes to perpetrate violence while driving the country into debt. Further, financial institutions must take steps to prevent money laundering and illicit financial transfers by regimes to obtain weapons and the means used to deliberately attack civilians and their ESCR.

4. Effects of global rearmament on ESCR.

The Committee should address the human rights implications of increasing military expenditure and reaffirm that demilitarization, disarmament and equitable redistribution of resources are essential for the realization of ESCR and a just and equitable transition. Global rearmament has extraterritorial impacts on ESCR and erodes ESCR in national contexts by diverting budget that should have been allocated to their realization.⁴² The Committee should reaffirm that this use of public funds breaches the State obligation to use the maximum available resources for ESCR, given that increasing military spending has opportunity costs for education, health, and social welfare.

Global military expenditure has steadily increased since the early 2000s,⁴³ with significant rises following the wars in Ukraine and Gaza.⁴⁴ In 2025, military spending reached US\$2.88 trillion, marking the 11th consecutive year of growth and the highest spending level ever recorded,⁴⁵ while the FAO estimates that ending world hunger would cost US\$267 billion per year. The Committee should address the issue of rising military expenditure and potential allocations of State budgets to social spending by systematically requesting States to provide information on the evolution over the past 10 years of ESCR relevant areas, including military expenses as a percentage of gross domestic product and of the public budget.⁴⁶

⁴² Wars damage the hard and soft infrastructure necessary for ESCR, and at the same time drive States into deeper debt and deprive national budgets of resources to sustain and/or rebuild such infrastructure. This is clear in the example of Myanmar. Myanmar's national debt is up by 50% since the 2021 coup, while spending on health and education is down. Myanmar's GDP, which fell 18% in the immediate aftermath of the coup, is 50% below its expected trajectory. In spite of holding an election, which disenfranchised over 10 million voters, was boycotted by millions more, and was widely criticized as undemocratic, the government formed by the junta is illegitimate and unrepresentative and has no power in international law to contract or borrow on behalf of the State. Declaring all debt instruments issued by the junta as 'odious' can cast doubt that they will be honored by future legitimate governments of Myanmar. This could also disincentivize financial support for the junta from countries as well as entities within Myanmar collaborating with its misrule. See: Sean Turnell (2025). "The Military, Money, and Myanmar: Breaking the Nexus": <https://specialadvisorycouncil.org/wp-content/uploads/2025/02/SAC-M-The-Military-Money-Myanmar-ENGLISH.pdf>

⁴³ Which also includes the increase in security and surveillance policies and technologies, which are phenomena associated with rising militarism that the Committee should also take into consideration.

⁴⁴ See: <https://drive.google.com/file/d/1v2LZ8hUYmTtj65Jn-21dVy3FCKtbGvtA/view>

⁴⁵ See: https://demilitarize.org/media_news/new-sipri-data-the-world-spent-2-88-trillion-in-the-military-in-2025/

⁴⁶ Global military expenditure rose in 2025 despite a drop in spending by the United States, the world's biggest spender. A sharp increase in European spending and continued growth in Asia and Oceania offset the decrease in US spending during the year. World military expenditure, excluding the USA, grew by 9.2 per cent in 2025. The USA's military spending fell to \$954 billion in 2025 (representing approx. 33% of global spending), while China's spending rose by 7.4 per cent to an estimated \$336 billion. The five biggest spenders in 2025 were the United States, China, Russia, Germany and India, which

In this context, CESCR General Comment No. 3 (1990) remains relevant in that “any deliberately retrogressive measures (...) would require the most careful consideration and would need to be fully justified.” Article 26 of the UN Charter mandates that states should maintain international peace and security “with the least diversion for armaments of the world’s human and economic resources.” The 2016 CESCR’s Statement on public debt and austerity measures suggests pre-budget human rights impact assessments, tracking distributional impacts, sunset clauses and periodic reviews for exceptional measures.

This framework provides a basis for the Committee to hold States driving the global rearmament accountable for the use of military equipment, military industrial complex and hyper-surveillance technologies, including the use of AI for military purposes and social control in contexts of armed conflict.

The Committee should affirm that global rearmament intensifies the climate crisis, which is interconnected with ESCR realization, and clarify States’ obligations to assess, prevent, and remedy the ecological impacts of military expansion, arms industries, and conflict-related extractivism, including their transboundary and intergenerational impacts. The Committee should also call States to reorient military budgets toward the realization of ESCR, including accessible healthcare systems, community-led solutions to the climate crisis, food sovereignty, and agricultural resilience programs in areas affected by armed conflict. These measures should be accompanied by accountability mechanisms.

5. Post-war effects and peace-building with an ESCR focus.

Transitional justice for peace-building has traditionally ignored ESCR.⁴⁷ The Committee has to position violations of ESCR as equally important to other human rights to build a pathway for peace, reparation, healing and justice. Recognizing that violations of ESCR often constitute early warning signs of conflict, the Committee should emphasize the

together accounted for 58% of world military spending. In 2025, the total spending by all 32 NATO members exceeded \$1.58 trillion and accounted for 55% of the world’s total, and US spending accounts for 60% of NATO’s total.

⁴⁷ Its focus has been violations of civil and political rights as the primary grave human rights violations to be addressed when seeking justice for past atrocities. See: <https://journals.sagepub.com/doi/abs/10.1177/016934411403200205>

importance of preventive action that addresses root causes of armed conflicts, including inequality, extractivism, exclusion, and climate injustices.⁴⁸

The General Comment should affirm that peace-building programmes and post-conflict reconstruction efforts must be grounded in reparative justice, restoration of ecological and care systems, community-led solutions, self-determination, and ESCR in general, including strengthening of healthcare systems. The Committee, therefore, should call on States to ensure the meaningful participation and leadership of the historically oppressed and subjugated communities, especially in the Global South, in shaping reconstruction and just transition pathways.

States that hold sovereign debt or are home to private creditors imposing debt burdens bear the duty to take all necessary measures to ensure that indebted States can equitably allocate maximum available resources towards the full realization of ESCR in response to the post-war scenario. This includes introducing domestic laws to force private creditors to participate in mechanisms or schemes for debt cancellation.⁴⁹

The Committee should develop a framework to understand the meaning and scope of comprehensive reparations in post-war scenarios in consultation with affected communities. Reparations must address the destruction of ecosystems, livelihood, and health and environmental harms caused by armed conflicts, considering the rights of future generations.⁵⁰

The Committee should reaffirm specific remedies that the States must recognize, especially community-led dispute settlement, ensuring they provide fair, reliable, accessible, and non-discriminatory ways of promptly resolving disputes in the peace-building process.

⁴⁸ There is a need for accountability and transitional justice to address both deliberate violations of ESCR resulting from conflict or repression, but also structural violations which have acted as root causes of conflicts within the State. This will deepen the understanding of the contribution ESCR can make to sustaining peace through forward looking preventative mechanisms -and not just seen as a measure for addressing past violations. The Committee should encourage State parties to incorporate ESCR within their strategies for risk assessment, early warning and within conflict prevention measures more broadly, for example dealing with grievances based on ESCR violations as part of mediation processes.

⁴⁹ States should ensure that any post-conflict development involving non-state actors such as international financial institutions, development agencies and private businesses, consider ESCR as a priority and carry out human rights, environment, and gender impact assessment and due diligence.

⁵⁰ This entails restricting present resource extraction and unsustainable consumption and production patterns to ensure the enjoyment of ESCR, as well as the obligation to redress loss and damage for ESCR and environmental harms.

Finally, and in order to redress and repair the multidimensional harm caused, the Committee should encourage States to plan and implement redistributive land reforms after armed conflict situations, in order to remedy and compensate dispossessed communities. States should also incentivize agroecological approaches to land management, recognising women's leadership, with the aim of regenerating soils, restoring biodiversity, and ensuring food sovereignty.

Annex: Relevant Case Studies.

Case Study 1: West Papua (Loss of Sovereignty, Resource Extraction and Displacement of Indigenous Peoples).

In 1961, West Papuans declared their independence from the Dutch, but was invaded by Indonesia who was interested in their natural resource. Following the invasion, in 1968, the UN and United States supervised the Indonesian invasion of West Papua, in which the Indonesian government hand-picked a fraction of West Papua's population, and forced them to vote in favor of Indonesian annexation.⁵¹ The United States and the UN allowed West Papua's annexation to further marginalize Indonesia's communist party during the height of the Cold War, and gain access to West Papua's natural resources (e.g. gold, copper and natural gas).⁵² In such a way, the UN's decolonization efforts were always controlled by the Global North. Towards the end of the Cold War, the UN's decolonisation efforts died down, and with this the UN failed to support West Papua's independence, denying that West Papua is a colonized territory.⁵³ This denial has deprived West Papuans of UN resources to fuel their struggle for self-determination. A group of Indigenous West Papuans established the Free Papua Movement (OPM) in 1962, and later on created the West Papua Liberation Army (TPNPB) in 1973, aiming to liberate West Papua from Indonesian occupation.⁵⁴ The UN's denial of West Papua's struggle for independence has also led to the worsening of gross human rights violations in Indonesian-held West Papua, yet the UN has not yet intervened in this territory.⁵⁵

In the late 1960s, Indonesia partnered with the US mining company, Freeport McMoran, eventually creating the jointly-owned PT Freeport Indonesia to establish mining projects in

⁵¹ Kluge, E. (2020). West Papua and the International History of Decolonization, 1961-69. *The International History Review*, 42(6), 115-1172. <https://doi.org/10.1080/07075332.2019.1694052>.

⁵² Walton, A.A. (2005). *Papua: Another East Timor?* Foreign Policy in Focus. https://fpif.org/papua_another_east_timor/, Kluge, E. (2020, January 23). *How the world failed West Papua in its campaign for independence*. The Conversation. <https://theconversation.com/how-the-world-failed-west-papua-in-its-campaign-for-independence-129623>

⁵³ Doherty, B. & Lamb, K. (2017, September 30). West Papua independence petition is rebuffed at UN. *The Guardian*. <https://www.theguardian.com/world/2017/sep/30/west-papua-independence-petition-is-rebuffed-at-un>; Kluge, Emma. (2025). Papuan petitions as an archive of decolonisation. *The Journal of Imperial and Commonwealth History*, 53(3), 658-683. <https://www.tandfonline.com/doi/full/10.1080/03086534.2025.2500357#d1e501>

⁵⁴ Sorabut, A. M., Sipa, A. (2025). *Women and Their Rights in the Midst of Armed Conflict: Intan Jaya and Maybrat Cases in West Papua*. [Unpublished]. ELSHAM Papua in partnership with the Asia Pacific Forum on Women, Law and Development.

⁵⁵ Srinivasan, P. (2016). How the UN failed West Papua. *The Diplomat*. <https://thediplomat.com/2016/09/how-the-un-failed-west-papua/>

West Papua.⁵⁶ Indonesia gained large tax revenues, fees and shares, while the US mining company gained access to West Papuan territory.⁵⁷ The military also protects mining projects in West Papua.⁵⁸ The occupation has been labelled as a 'slow-motion genocide' with around half a million West Papuan civilians⁵⁹ internally displaced since 1969, and an 'ecocide' driven by large-scale mining operations and palm oil plantations⁶⁰. Indonesia's transmigration policy in West Papua relocated over 300,000 Indonesians from 1972 to 2000, and drove away Indigenous West Papuans from their ancestral land.⁶¹ This program has helped the Indonesian government in securing control of West Papua's natural resources. Indigenous West Papuans, especially women who are Internally Displaced People (IDP), had multiple sources of income in their ancestral lands but have lost their livelihoods because of militarisation.⁶² At present, migrants have dominated the labor market in West Papua.⁶³ The Indonesian military proliferates and exacerbates the racism, discrimination and stigmatisation that Indigenous West Papuans, especially IDP women, experience.⁶⁴ Because of racism and displacement, IDP Women and their communities continuously have difficulty in accessing health services, education, and economic opportunities. Wearing dreadlocks, having darker skin can automatically label them as

⁵⁶ Taylor, N. (2011, October 19). West Papua: A history of exploitation. *Aljazeera*. <https://www.aljazeera.com/opinions/2011/10/19/west-papua-a-history-of-exploitation>

⁵⁷ Taylor, N. (2011, October 19). West Papua: A history of exploitation. *Aljazeera*. <https://www.aljazeera.com/opinions/2011/10/19/west-papua-a-history-of-exploitation>

⁵⁸ Sorabut, A. M., Sipa, A. (2025). *Women and Their Rights in the Midst of Armed Conflict: Intan Jaya and Maybrat Cases in West Papua*. [Unpublished]. ELSHAM Papua in partnership with the Asia Pacific Forum on Women, Law and Development.

⁵⁹ Catholic Justice and Peace Commission of the Archdiocese of Brisbane. (2016, May 1). *We will lose everything: A report on human rights fact finding mission to West Papua*.

<https://cjpbrisbane.com/wp-content/uploads/2016/05/we-will-lose-everything-may-2016.pdf>

⁶⁰ Hutapea, T. (2025, May 19). We are witnessing ecocide in West Papua, one of the world's richest biodiversity centres. *Civicus*.

<https://lens.civicus.org/interview/we-are-witnessing-ecocide-in-west-papua-one-of-the-worlds-richest-biodiversity-centres/>;

NEPCon. (2017, August). *Palm oil risk assessment: Indonesia - West Papua*. <https://www.preferredbynature.org/sites/default/files/library/2017-09/NEPCon-PALMOIL-Indonesia-West-Papua-Risk-Assessment-EN-V1.pdf>;

World Rainforest Movement. (2024, August 22). The insane expansion of industrial oil palm in the land of Papua, and the resistance struggle of Kampung Bariat. <https://www.wrm.org.uy/bulletin-articles/the-insane-expansion-of-industrial-oil-palm-in-the-land-of-papua-and-the-resistance-struggle-of-kampung-bariat>;

Center for Creative Ecologies. (2018, March). West Papua conflict: from genocide to ecocide: An interview with Nabil Ahmed.

<https://creativeecologies.ucsc.edu/west-papua-conflict-from-genocide-to-ecocide/>

⁶¹ International Parliamentarians for West Papua. (2024, October 29). Transmigration to West Papua: IPWP statement. <https://www.ipwp.org/statements/transmigration-to-west-papua-ipwp-statement/>

⁶² Sorabut, A. M., Sipa, A. (2025). *Women and Their Rights in the Midst of Armed Conflict: Intan Jaya and Maybrat Cases in West Papua*. [Unpublished]. ELSHAM Papua in partnership with the Asia Pacific Forum on Women, Law and Development.

⁶³ International Parliamentarians for West Papua. (2024, October 29). Transmigration to West Papua: IPWP statement. <https://www.ipwp.org/statements/transmigration-to-west-papua-ipwp-statement/>

⁶⁴ Sorabut, A. M., Sipa, A. (2025). *Women and Their Rights in the Midst of Armed Conflict: Intan Jaya and Maybrat Cases in West Papua*. [Unpublished]. ELSHAM Papua in partnership with the Asia Pacific Forum on Women, Law and Development.

'criminals' or associate them with the liberation movement. They are not allowed to carry sharp objects, and their belongings are looted by the Indonesian military. The stigmatization of IDPs is part of a broader strategy that freely allows the military to commit acts of violence, assault, and discrimination, especially against women (e.g. gender-based violence in refugee camps, sexual violence towards IDP women).⁶⁵ IDP women are also marginalized in terms of political participation. There is a 30% quota for women to participate in elections, but it is tokenistic. There are several cases where it is still the men who represent their families during elections.⁶⁶ Furthermore, ever since Dutch missionaries spread Christianity in West Papua, the cultural role of women changed, and patriarchal values have diminished women's role in West Papuan society.⁶⁷

Case Study 2: Manipur Conflict, Impact of long overlooked armed conflict in North East India

The north east conflict has been severely overlooked by State authorities and governing forces. Over 260 people have been killed, 60,000 displaced and thousands living vulnerably in temporary relief camps since 3 years, longing to go back to their homes and villages.⁶⁸ In Manipur, Since May 3, 2023 clashes between the Meitei and Kuki-Zo communities, which arose from community disagreements over Judiciary's decision to allow in-valley (Meitei communities) to buy lands in the surrounding hilly regions mostly inhabited by several tribal communities including Kuki and Zotah. Tribal and Indigenous communities have claimed Meitei communities already hold large influence and representation in the available state machinery and resources, and therefore opening the access by buying their land would add to the existing inequalities.

ICESCR recognises that the rights under the ESCR framework are derived from the inherent dignity of the human person, and recognises the equal and inalienable rights of all members of the human family as the foundation of freedom, justice, and peace. However during armed conflicts, women are stripped off their dignity first as revenge

⁶⁵ Sorabut, A. M., Sipa, A. (2025). *Women and Their Rights in the Midst of Armed Conflict: Intan Jaya and Maybrat Cases in West Papua*. [Unpublished]. ELSHAM Papua in partnership with the Asia Pacific Forum on Women, Law and Development.

⁶⁶ Sorabut, A. M., Sipa, A. (2025). *Women and Their Rights in the Midst of Armed Conflict: Intan Jaya and Maybrat Cases in West Papua*. [Unpublished]. ELSHAM Papua in partnership with the Asia Pacific Forum on Women, Law and Development.

⁶⁷ Sorabut, A. M., Sipa, A. (2025). *Women and Their Rights in the Midst of Armed Conflict: Intan Jaya and Maybrat Cases in West Papua*. [Unpublished]. ELSHAM Papua in partnership with the Asia Pacific Forum on Women, Law and Development.

⁶⁸ Human Rights Watch. (2025) *India: Ethnic Clashes Restart in Manipur*. <https://www.hrw.org/news/2025/03/27/india-ethnic-clashes-restart-manipur>

tactics. In May 2023, two Kuki-Zo women were stripped, paraded and gang-raped by a mob in Manipur's Thoubal district — an attack in which the brother and father of one of the survivors were killed — three accused in the case remain absconding. Communities across the Manipur region deeply feel the apathy from both central and state authorities. Mobs, targeted killings of religious figures, and death of civilians have been on rise over the last three years. People's cry for the government's accountability and protection of civilians in the conflict has been met with deaf ears⁶⁹. Manipur has faced the longest internet blockade in comparison to other states in India which is imposed mostly to protect disturbing news from going outside. India overall has been declining in the World Press Freedom Index ranking now at 156th amongst 180 countries.

Health and well-being (physical, mental, and emotional), education, and social stability of the communities has severely disrupted. An APWLD member from North East India shares, "The conflict has created suspicion among communities, stimulated further violence, caused displacement, and increased malnutrition among young children and infants. It has also led to the breakdown of social and cultural fabrics. Women, who traditionally depended on their sisters, friends, and neighbors for mutual support, have lost these important networks. This is especially evident in the neighboring State of Manipur, where women play a major role in sustaining the economy and local markets. The conflict has disrupted long-standing systems of dependency and supply chains. Many people are fighting for identity and self-determination, resulting in the deaths of many men during the clashes, leaving behind widows and children growing up without fathers. With limited livelihood opportunities, many women—mothers, wives, sisters, and daughters—have been forced into smuggling drugs from neighboring countries in order to survive."

Conflict in the North East region is generally perceived through the prism of insurgency and militancy. However, it should not be overlooked that the deeply entrenched struggles over economic, social, and cultural aspirations and interests. Systematic power struggles at various levels—among individuals, communities, tribal villages, and different actors—over resources, land, and settlements are driving many people to take up arms. APWLD members inform us of the colonial mindset continuing to persist intensely, and even after 78 years of Indian independence, many communities still feel neither fully

⁶⁹The Wire. April (2026). *Manipur Needs No More Repression or Coercion. It Needs a Deeper Understanding.* <https://thewire.in/security/manipur-needs-no-more-repression-or-coercion-it-needs-a-deeper-understanding>

liberated nor at peace. The cycle of armed conflict and bloodshed continues, preventing lasting harmony and reconciliation.

Case study 3: Bauxite mining in Central India.

The Tijmali case in Odisha, India, centres on the struggle of Indigenous Kandha Adivasi communities and other forest-dependent peoples against a proposed bauxite mining project by Vedanta Limited. Tijmali, located in the Gandhamardan mountain range of the Eastern Ghats, is surrounded by around 45 villages across Rayagada and Kalahandi districts. For the communities, the mountain is not merely a mineral deposit; it is a sacred living space, the abode of their deity Tij Raja, and a vital source of water, forests, food, livelihoods, culture and spiritual identity. Nearly 100 perennial hill streams flow from the area, sustaining Adivasis, Dalits, farmers, forest dwellers and agricultural workers. Therefore, mining in Tijmali threatens the ecological, cultural and economic foundations of community life.

The conflict intensified after Vedanta received a 30-year lease in February 2023 to mine bauxite over 1,549 hectares. The project is linked to Vedanta's aluminium refinery in Lanjigarh and to wider global supply chains connected to construction, digital technologies, aerospace and military industries. This reflects a wider pattern in which Indigenous territories are treated as sacrifice zones for corporate profit and industrial expansion. The community's resistance is therefore not simply environmental opposition; it is a struggle for self-determination, land rights, cultural survival and development justice.

Self-determination is central to the Tijmali case. Under international human rights law, peoples have the right to determine their own political, economic, social and cultural development, control their natural resources and not be deprived of their means of subsistence. In Tijmali, the proposed mining project threatens this right because it would affect ancestral lands, forests, streams, sacred sites, food systems and livelihoods. For the Kandha Adivasi and neighbouring communities, self-determination means the collective authority to decide whether mining should happen on their sacred land and to protect a development vision based on land, water, culture, food sovereignty and ecological balance.

The communities fear that mining will dry up perennial streams, destroy sacred trees, contaminate farmlands, damage homes and schools through blasting, and increase risks of sexual violence against women and girls because of the presence of outside workers, soldiers and security forces. These harms would not only affect individuals; they would weaken the collective conditions necessary for community survival.

The case also reveals violations of free, prior and informed consent. Indigenous communities must be able to give or withhold consent before projects affecting their lands are approved. Vedanta and state officials allegedly used intimidation to influence village council processes. District officials reportedly attempted to hold unlawful meetings and later submitted forged resolutions falsely showing community consent for forest diversion. Consent cannot be genuine when communities face police presence, paramilitary pressure, curfews, false criminal cases, arrests and forged documents.

The Tijmali struggle also highlights violations of women human rights defenders' rights. Women leaders and environmental defenders have been central to the resistance. They defend land, forests, water, Indigenous identity, food systems, cultural rights and the right to dissent. Because of this, they have faced criminalisation, intimidation and restrictions on peaceful organising. In August 2023, false cases were reportedly filed against hundreds of community leaders after villagers stopped company officials from entering the Tijmali hilltop without village council permission. Twenty-four leaders reportedly spent seven months in jail. In October 2023, hundreds of paramilitary personnel barricaded roads leading to a public environmental hearing, restricting community testimony.

Women defenders such as Rina Majhi and Naring Dei Majhi have exposed these violations. Rina Majhi described how Indigenous Peoples' Day and World Environment Day gatherings were restricted by curfews and prohibitory orders. Naring Dei Majhi stated that those challenging illegalities by Vedanta or officials face false cases and arrest. She was reportedly arrested on 2 August 2025 from a district hospital while accompanying her daughter-in-law for childbirth and charged in six alleged false cases.

Despite repression, the communities continue to resist through Right to Information requests, legal challenges, objections to approval bodies, public gatherings and sacred rituals. The Tijmali case shows that violations of self-determination and WHRDs' rights are interconnected. A rights-based response requires cancellation of approvals obtained without genuine consent, recognition of forest and community rights, withdrawal of false

cases, protection of WHRDs, investigation into forged resolutions and an end to militarised intimidation for all future generations.⁷⁰

Case Study 4: US Military Bases in Northern Mariana Islands.

Indigenous peoples in the Northern Mariana Islands are living amidst United States (US) military buildup, threatening indigenous self-determination.⁷¹ The Northern Mariana Islands (NMI) have experienced a long history of colonisation, imperialism and militarisation, with significant impacts on Indigenous populations. Since 1970, they have been a US territory, used extensively by the US military for bases, training and testing, with the US Military's Mariana Island Training and Testing (MITT) study area occupying the entirety of the islands.

In the Peace Feminist Participatory Action Research (Peace FPAR) supported by APWLD, Indigenous women from NMI raised their concerns on land use and environmental devastation due to military practices, as well as the harms the military presence is creating for indigenous communities and cultures. Indigenous women expressed that they are being adversely impacted by militarism in numerous ways. In terms of impacts to the environment, their personal safety and health (for both humans and the environment) is at risk due to the intense carbon footprint of US military activity, destruction of biodiverse ecosystems and pollution due to weapons testing, and unexploded ordnance from World War II across the island.⁷² Their access to ancestral land is also threatened because of the designation of areas converted as US military bases. Furthermore, their Indigenous customs and cultures' continuity is being threatened by militarisation due to colonisation and imperialism. For example, their ancestral lands and burial sites are desecrated and have become inaccessible because these have been converted to military bases and training areas. And while the island's constitution states that Indigenous peoples have the right to land in NMI, the US military disregards and disrespects this and increasingly

⁷⁰ Nayak, S. (2025, December 18). In the line of fire: A community confronts a powerful military-industrial complex. Asia Pacific Forum on Women, Law and Development. <https://apwld.org/in-the-line-of-fire-a-community-confronts-a-powerful-military-industrial-complex/>

⁷¹ APWLD. (2023). Northern Mariana Islands. How does militarism impact indigenous women's self determination?. <https://apwld.org/wp-content/uploads/2024/09/Peace-FPAR-Country-Briefers-Northern-Mariana-Islands-as-of-February-22.pdf>.

⁷² APWLD. (2023). Northern Mariana Islands. How does militarism impact indigenous women's self determination?, 3. <https://apwld.org/wp-content/uploads/2024/09/Peace-FPAR-Country-Briefers-Northern-Mariana-Islands-as-of-February-22.pdf>.

designates several areas in the islands as sites for military testing, training and bases. One woman expressed in the FPAR that she is fearful of 'Loss of land resources, loss of assets... If the military buildup takes full effect, we will lose the [ability to] lease back lands, which will force us to either sell our livestock or relocate.'⁷³ Also, Indigenous women fear cultural loss as there is an increase in the recruitment of young Indigenous youth by the US military.⁷⁴ In terms of livelihoods and economic development, the population in NMI lacks food and energy security, with 52% of the population living below the federal poverty line and a decline in tourism, closure of garment industry and high fuel costs.⁷⁵ Some women pointed out that they are a vulnerable target if a war breaks out, due to their geographic location, and their history of colonisation and imperialism.⁷⁶ They also expressed their concern on the lethal impact of nuclear weapons storage and transport, and its potential environmental harms and how it will further make their ancestral lands inaccessible. Furthermore, they pointed out that the Free Prior and Informed Consent (FPIC) of Indigenous people is not respected. The women expressed that just speaking about militarisation, especially in public, threatens their jobs and reputations, as their lives and livelihoods are entangled with the US military.⁷⁷ The US's conceptions of national security over Indigenous communities' varied visions for their futures is prioritised. Their Indigenous rights are overridden, as decision-making in the NMI is controlled by the white men-led Department of War (formerly the Department of

⁷³ APWLD. (2023). Northern Mariana Islands. How does militarism impact indigenous women's self determination?, 4. <https://apwld.org/wp-content/uploads/2024/09/Peace-FPAR-Country-Briefers-Northern-Mariana-Islands-as-of-February-22.pdf>.

⁷⁴ APWLD. (2023). Northern Mariana Islands. How does militarism impact indigenous women's self determination?, 4. <https://apwld.org/wp-content/uploads/2024/09/Peace-FPAR-Country-Briefers-Northern-Mariana-Islands-as-of-February-22.pdf>; US Department of Commerce. (2022, May 3). U.S. Census Bureau Releases key stats in honor of Asian American, native Hawaiian, and Pacific Islander heritage month. <https://www.commerce.gov/news/blog/2023/05/us-census-bureau-releases-key-stats-honor-2023-asian-american-native-hawaiian-and>; US Department of Defense. (2021). 2021 demographics profile of the military community. Department of Defense (DoD), Office of the Deputy Assistant Secretary of Defense for Military Community and Family Policy (ODASD (MC&FP)). <https://download.militaryonesource.mil/12038/MOS/Reports/2021-demographics-report.pdf>;

⁷⁵ APWLD. (2023). Northern Mariana Islands. How does militarism impact indigenous women's self determination?, 5. <https://apwld.org/wp-content/uploads/2024/09/Peace-FPAR-Country-Briefers-Northern-Mariana-Islands-as-of-February-22.pdf>; US Department of Health and Human Services. (n.d.). III.B. Overview of the state - Northern Mariana Islands - 2020. [https://mchb.tvisdata.hrsa.gov/Narratives/Overview/ad48c169-b39e-4883-84a0-ea7e5bcf9695#:~:text=Approximately%2052%20percent%20of%20the,185%20percent%20of%20poverty%20level](https://mchb.tvisdata.hrsa.gov/Narratives/Overview/ad48c169-b39e-4883-84a0-ea7e5bcf9695#:~:text=Approximately%2052%20percent%20of%20the,185%20percent%20of%20poverty%20level;);

⁷⁶ APWLD. (2023). Northern Mariana Islands. How does militarism impact indigenous women's self determination?, 5. <https://apwld.org/wp-content/uploads/2024/09/Peace-FPAR-Country-Briefers-Northern-Mariana-Islands-as-of-February-22.pdf>.

⁷⁷ APWLD. (2023). Northern Mariana Islands. How does militarism impact indigenous women's self determination?, 6. <https://apwld.org/wp-content/uploads/2024/09/Peace-FPAR-Country-Briefers-Northern-Mariana-Islands-as-of-February-22.pdf>.

Defense), mainland US government, and the US military.⁷⁸ Also, the community has limited access to information regarding militarisation, are unable to vote in US presidential elections and congress even if they are US citizens, inhabiting their meaningful participation.⁷⁹ While the Commonwealth of NMI (CNMI) governs the islands, women report that it has limited control over military matters since these are viewed to be national security questions, and the CNMI government prioritises in maintaining a good relationship with the DoW.⁸⁰

Case Study 5: Timor Leste (Post War Context).

The UN's involvement (and non-involvement) with East Timor's struggle for independence further reveals who ultimately controls the resolutions in the organisation. Declassified US documents released in 2005 revealed how the United States gave way to the 24-year Indonesian invasion of East Timor from 1975 until 1999.⁸¹ In 1975, Indonesia, with the support of the United States launched its invasion of East Timor. The United States maintained a policy of silence, suppressing news and discussions on East Timor, including Indonesia's human rights violations towards Timorese civilians. The US then increased their military support to Indonesia, and prevented any interference from the UN.⁸² In the late 1970s, the US-backed Indonesian government led by the dictator Suharto killed over 200,000 East Timorese due to war and famine. The United States continuously provided military weapons to the Indonesian government in the name of 'counter-insurgency.' Multiple US administrations have tried to prevent information on the Indonesian invasion of East Timor from coming out, to avoid any ban on weapons trade to

⁷⁸ APWLD. (2023). Northern Mariana Islands. How does militarism impact indigenous women's self determination?, 6. <https://apwld.org/wp-content/uploads/2024/09/Peace-FPAR-Country-Briefers-Northern-Mariana-Islands-as-of-February-22.pdf>.

⁷⁹ APWLD. (2023). Northern Mariana Islands. How does militarism impact indigenous women's self determination?, 6. <https://apwld.org/wp-content/uploads/2024/09/Peace-FPAR-Country-Briefers-Northern-Mariana-Islands-as-of-February-22.pdf>;

⁸⁰ APWLD. (2023). Northern Mariana Islands. How does militarism impact indigenous women's self determination?, 6. <https://apwld.org/wp-content/uploads/2024/09/Peace-FPAR-Country-Briefers-Northern-Mariana-Islands-as-of-February-22.pdf>;

⁸¹ Simpson, B. (2005, November 28). A Quarter century of U.S. support for occupation. The National Security Archive. <https://nsarchive2.gwu.edu/NSAEBB/NSAEBB174/>

⁸² East Timor Action Network.(2000, May). U.S. policy towards East Timor. <https://etan.org/timor/uspolicy.htm>

Indonesia. Indonesia invaded East Timor using almost entirely US equipment, and that the use of the equipment was illegal.⁸³

In post war and post conflict contexts, development is almost always rooted in neoliberal extraction serving the needs of donors primarily led by the imperial financial institutions, the International Monetary Fund and the World Bank. The Global South nations who are in dire need of economic assistance in the context of overcoming post-conflict conditions are forced to undertake measures that pushes forward the Global North agenda citing them as investment versus the local needs of recovery such as care support, healthcare, gender equality, education and access to justice that are considered as consumption. Encouraging foreign investments and enabling their unrestricted movement is given top priority with the IFIs interest also in using the foreign reserves for servicing of debts pushed on these countries.^{84,85}

The World Bank strategically installed itself in the post-war reconstruction of Timor Leste managing the grants provided by international actors and imposing the neoliberal policies.⁸⁶ The post-war reconstruction in Timor Leste relied heavily on the oil and natural gas resources in the Timor Sea thereby ignoring other sectors such as agriculture and manufacturing.⁸⁷ Such high dependence on the oil and gas sector did not match the socioeconomic context of the Timorese population wherein 70-80 per cent of the population dependent on subsistence agriculture, and the oil and gas sector has been able to generate less than 1 per cent of employment. Furthermore, the resources generated from oil and gas have been hugely invested in infrastructure to promote their extraction and associated private enterprises while expenditure on health and education decreased up until 2013.

⁸³ AFP. (2005, December 3). US 'backed East Timor invasion. Aljazeera. <https://www.aljazeera.com/news/2005/12/3/us-backed-east-timor-invasion>, Simpson, B. (2005, November 28). A Quarter century of U.S. support for occupation. The National Security Archive. <https://nsarchive2.gwu.edu/NSAEBB/NSAEBB174/>

⁸⁴United Nations Development Programme (2008). Post-conflict economic recovery enabling local ingenuity. <https://www.undp.org/sites/g/files/zskgke326/files/publications/undp-cpr-post-conflict-economic-recovery-enable-local-ingenuity-report-2008.pdf>

⁸⁵Cohn, C. & Duncanson, C. (2020). Whose recovery? IFI prescriptions for post-war states. *Review of International Political Economy*, 27(6), 1214-1234. https://www.pure.ed.ac.uk/ws/portalfiles/portal/131012158/Cohn_Duncanson2019RIPEWhoseRecovery.pdf

⁸⁶Toussaint, E. (2024, June 19). The World Bank and IMF have set their sights on East Timor, a state officially born in May 2002. Committee for the Abolition of Illegitimate Debt. <https://www.cadtm.org/The-World-Bank-and-IMF-have-set-their-sights-on-East-Timor-a-state-officially>

⁸⁷ Dal Poz, A. (2018). 'Buying peace' in Timor-Leste: Another UN-success story?. *Peace Human Rights Governance*, 2(2), 185-219. https://phrg.padovauniversitypress.it/system/files/papers/2018_2_3.pdf

Case Study 6: Women with Disabilities in Post-Civil War Sri Lanka.

Seventeen years have passed since the 26-year Sri Lankan civil war ended in 2009 between Sinhalese-led Sri Lankan government and the Liberation Tigers of Tamil Eelam (LTTE), who aimed to create a separate Tamil state after years of marginalisation by the Sinhalese majority.⁸⁸

The civil war left over 100,000 people killed from 1983 to 2009, including the massacre of around 40,000 Tamil civilians in the last months of the war in the Tamil-majority Northern and Eastern provinces. The UN keeps on failing to hold anyone accountable for war crimes and genocide of the Tamil population, even with the establishment of the Sri Lanka Accountability Project in 2021.⁸⁹ UN resolutions have continuously regressed leaving the prosecution in Sri Lanka's domestic mechanisms, instead of an independent hybrid court with foreign judges and prosecutors.⁹⁰ In 2012, a draft of an internal UN report was leaked, revealing the UN's systemic failure in Sri Lanka.⁹¹ It highlighted how the UN kept its silence regarding the Sri Lankan government's atrocities and the violations in 'No Fire Zones' while the war was ongoing. Furthermore, the US is directly complicit in the war, providing military and political support to the Sri Lankan government, as they advance their imperialist aims to access Sri Lanka's sea ports and strategic geographic location in terms of trade and military operations.⁹² When the peace process began in 2002, the USA and the UK did their best to alter the balance of power and destroy the negotiations.⁹³ In 2007 as the peace process deteriorated, the US continued to provide support to the Sri Lankan government despite publicly stating that they have stopped being involved with

⁸⁸ Anandakugan, N. (2020, August 31). The Sri Lankan civil war and its history, revisited in 2020. Harvard International Review. <https://hir.harvard.edu/sri-lankan-civil-war/>.

⁸⁹ Nandakumar, T. (2025, October 14). The UN's Sri Lanka failure. The Diplomat. <https://thediplomat.com/2025/10/the-uns-sri-lanka-failure/>; Ganguly, M. (2024, May 14). 15 years since Sri Lanka's conflict ended, no justice for war crimes. Human Rights Watch. <https://www.hrw.org/news/2024/05/14/15-years-sri-lankas-conflict-ended-no-justice-war-crimes>.

⁹⁰ McKernan, L. (2025, October 6). UN extends evidence-gathering mandate for Sri Lanka war crimes. Human Rights Watch. <https://www.hrw.org/news/2025/10/06/un-extends-evidence-gathering-mandate-for-sri-lanka-war-crimes>; Nandakumar, T. (2025, October 14). The UN's Sri Lanka failure. The Diplomat. <https://thediplomat.com/2025/10/the-uns-sri-lanka-failure/>.

⁹¹ Doucet, L. (2012, November 13). UN 'failed Sri Lanka civilians', says internal probe. BBC. <https://www.bbc.com/news/world-asia-20308610>.

⁹² Permanent People's Tribunal. (2013, December). People's Tribunal on Sri Lanka. https://www.ptsrilanka.org/wp-content/uploads/2017/04/ppt_final_report_web_en.pdf.

⁹³ Permanent People's Tribunal. (2013, December). People's Tribunal on Sri Lanka. https://www.ptsrilanka.org/wp-content/uploads/2017/04/ppt_final_report_web_en.pdf.

Sri Lanka.⁹⁴ Through the Access and Cross Servicing Agreement (ACSA), a secret military agreement between the US and the government of Sri Lanka, the US continued to provide military strategy, weapons, and satellite imagery as they valued the secure access to Trincomalee Harbour for US naval/military assets in the Indian Ocean.⁹⁵ For the US, it was vital to defeat LTTE, through the Sri Lankan Government, to fully access Trincomalee Harbour.⁹⁶

Thousands were left disabled⁹⁷ by the war, and have faced difficulties in accessing medical, economic and social support, especially with the increase of cost for healthcare/medical services specific to Persons With Disabilities (PWDs). There is also a huge difference between the experiences of PWDs from the Southern province, compared to the Northern and Eastern provinces (who suffered the most during the civil war).⁹⁸ For example, in a survey of 6004 PWDs from the Eastern and Southern provinces of Sri Lanka, it was found that more PWDs in the Eastern province do not have regular access to basic medical care and rehabilitation, are not able to receive medical treatment, are not able to access doctors, do not have access to services to alleviate their disability, are unemployed (even if skilled), and lack access to government financial support.⁹⁹

Women with disabilities are the most vulnerable group in post-war and post-conflict situations, experiencing the highest levels of gender-related violence, poverty, stigmatisation and exclusion.¹⁰⁰ APWLD's partners in Sri Lanka shared the long-term effects of the disabilities caused by the civil war on women, especially those living in rural

⁹⁴ Permanent People's Tribunal. (2013, December). People's Tribunal on Sri Lanka. https://www.ptsrilanka.org/wp-content/uploads/2017/04/ppt_final_report_web_en.pdf.

⁹⁵ Permanent People's Tribunal. (2013, December). People's Tribunal on Sri Lanka. https://www.ptsrilanka.org/wp-content/uploads/2017/04/ppt_final_report_web_en.pdf.

⁹⁶ Permanent People's Tribunal. (2013, December). People's Tribunal on Sri Lanka. https://www.ptsrilanka.org/wp-content/uploads/2017/04/ppt_final_report_web_en.pdf.

⁹⁷ In a baseline survey done by Navajeevana in the Southern and East parts of Sri Lanka, the most common disability categories in Sri Lanka are: physical impairment, mental disorder and hearing & speech impairment, and visual impairment; Navajeevana. (2020). Baseline survey on access to basic medical care and rehabilitation services for persons with disabilities in southern and eastern provinces in Sri Lanka.

⁹⁸ Samararatne, D., & Soldatic, K. (2018). 'Out of the shadows': War-affected women with disabilities in Sri Lanka. https://lst.lk/wp-content/uploads/2024/02/Out-of-the-Shadows_Final-Report-English-2-2018.pdf; Navajeevana. (2020). Baseline survey on access to basic medical care and rehabilitation services for persons with disabilities in southern and eastern provinces in Sri Lanka.

⁹⁹ Navajeevana. (2020). Baseline survey on access to basic medical care and rehabilitation services for persons with disabilities in southern and eastern provinces in Sri Lanka.

¹⁰⁰ Samararatne, D., & Soldatic, K. (2018). 'Out of the shadows': War-affected women with disabilities in Sri Lanka. https://lst.lk/wp-content/uploads/2024/02/Out-of-the-Shadows_Final-Report-English-2-2018.pdf

areas. During the recent cyclones and flooding in 2024 and 2025, Navamani¹⁰¹ from Batticaloa (Eastern province) who has a prosthetic leg due to the war, expressed that she faced difficulties in evacuating her house because of her mobility issues. Her situation is worsened by the lack of government support to get her to any emergency shelter. Even after the cyclones, she received no government support.¹⁰²

Furthermore, the lack of support for women with disabilities in post-conflict Sri Lanka is exacerbated by the effects of Sri Lanka's economic collapse in 2022, and the subsequent neoliberal IMF bailout. The consequences of this loan include budget cuts on public sector salaries, removal of subsidies, tax increase, the government's use of people's pensions, and increased energy costs; all of which are burdens that the rural communities and the working class are forced to carry.¹⁰³ Furthermore, the government officials who are responsible in the economic collapse are also deeply involved in the civil war and genocide from 1983 to 2009.¹⁰⁴

Half of Sri Lanka's population have been found to be multidimensionally vulnerable, with women and children suffering the most, due to the economic crisis and the conditions of the IMF bailout.¹⁰⁵ This relates to the story of Nimala¹⁰⁶, from one of APWLD's partner communities, who has shell pieces in her head due to the war, and gets regular seizures because of this.¹⁰⁷ Due to the economic crisis and transport costs being too high, she stopped going to her clinics for her medical check-ups. She is also unable to get insurance for her crops because she does not own the land that she tills. In reality, the IMF does not help women with disabilities in conflict areas in the Global South like Nimala, rather, the IMF passes on the burden of revenue mobilisation to the rural people and

¹⁰¹ Not her real name.

¹⁰² Suriya Women's Development Centre. (2025). Long term vulnerabilities of women in the post war context - Sri Lanka. [Unpublished].

¹⁰³ Asia Peoples Movement on Debt and Development. (2023, August 31). IMF, hands off Sri Lanka!. <https://apmdd.org/imf-hands-off-sri-lanka/>; Silva, A.V. & Wedagedara, A. (2025, August 29). Sri Lanka's crisis shows how debt is devouring the Global South. Aljazeera. <https://www.aljazeera.com/opinions/2025/8/29/sri-lankas-crisis-shows-how-debt-is-devouring-the-global-south>.

¹⁰⁴ News Agencies. (2023, November 13). Sri Lanka top court finds Rajapaksa brothers guilty of economic crisis. Aljazeera. <https://www.aljazeera.com/news/2023/11/15/sri-lanka-top-court-finds-rajapaksa-brothers-guilty-of-economic-crisis#:~:text=Sri%20Lanka's%20Supreme%20Court%20has,crisis%20by%20mishandling%20the%20economy>

¹⁰⁵ Kadirgamar, N. (2025, February 27). Sri Lanka : IMF's iron clasp, a maiden budget and protecting the poor. CADTM. <https://www.cadtm.org/IMF-s-iron-clasp-a-maiden-Budget-and-protecting-the-poor>

¹⁰⁶ Not her real name.

¹⁰⁷ Suriya Women's Development Centre. (2025). Long term vulnerabilities of women in the post war context - Sri Lanka. [Unpublished].

working class of the Global South, while protecting the riches, resources and economic interest of the Global North.

Case Study 7. Myanmar.

Myanmar signed the International Covenant on Economic, Social, and Cultural Rights (ICESCR) on July 16, 2015. Myanmar formally ratified the ICESCR on October 6, 2017, and the treaty entered into force for the country on January 6, 2018.

For historical context, Myanmar has been ruled by successive military regimes following a coup in March 1962, 14 years after gaining independence in January 1948. This widened and deepened systemic and structural discrimination against social, ethnic, and religious minorities that intensified military conflicts. The national military, i.e., the Tatmadaw, implemented a counter-insurgency strategy known as the “four cuts” since the 1960s to block armed resistance groups from accessing food, funds, intelligence, and recruits. This involved targeting civilians with atrocities, burning villages, destroying local schools and health services, and restricting aid. The country had “transitioned” into a nominally civilian government with the military controlling key functions at the time of ratification. At the time, the Rohingya genocide (in Rakhine state in the west) was in full force, the resumption of the war in Kachin state (in the north) had entered its 7th year, with armed conflicts breaking out sporadically in other parts of the country, worsening the legacy of gaps in ESC rights.

Following the attempted coup on 1 February 2021, the junta plunged the country into a severe humanitarian and human rights crisis, violating its obligations under the Covenant. Between February 1, 2021, and March 31, 2026, there were 65,978 armed clashes and attacks against civilians, resulting in the deaths of 17,871 civilians across 328 townships (the country has a total of 330 townships). The junta launched 6,991 airstrikes on 190 townships.¹⁰⁸ The conflict in Burma displaced at least 3,730,700 people as of 20 Apr 2026.¹⁰⁹

Access to information has been recognized by the treaty body as fundamental to the fulfillment of rights listed in the ICESCR. In Burma, access to information, particularly via

¹⁰⁸ ACLED (10 Apr 2026) Data Accessed 10 Apr 2026

¹⁰⁹ [UNHCR Myanmar \(20 Apr 2026\) Total Internally Displaced Persons \(IDPs\)](#)

the internet, is vital to survival during armed conflict. The critical dependence on internet communications stems from extremely poor access to traditional telecommunications, especially in rural and ethnic minority areas. There has been a clear pattern where internet shutdowns have increased vulnerability to airstrikes targeting civilians. The Myanmar Internet Project reported that the junta conducted 423 airstrikes, which killed at least 728 civilians, during January - March 2026. Of the recorded incidents, 406 strikes - or nearly 96% of airstrikes and nearly 94% of civilian deaths - occurred in areas subjected to internet shutdowns.¹¹⁰

It is recommended that the general comment recognizes that access to the internet and other avenues of information and communication during times of armed conflict is critical to the survival of vulnerable communities and protection of their ESC rights. The GC should clearly prohibit attacks and restrictions on such infrastructure.

7.1. Self-Determination

Following the 2021 attempted coup, local populations and ethnic communities have exercised their right to self-determination by establishing federal units and administrative bodies. Examples include the Sagaing, Magway, and Mandalay Federal Units, and ethnic councils like the Karenni Interim Executive Council (IEC), the Chinland Council, and the Kawthoolei administrative units in Karen State. This has provoked increased violence targeting local civilians. For example, on 11 April 2023, the junta launched an airstrike on Pazigyi village in Kanbalu Township, Sagaing Region. Military fighter jets bombed the area and killed over 165 people, mostly civilians, including more than 30 children, who had gathered for the opening ceremony of a local governance office. MI-35 attack helicopters followed up with more attacks on survivors and first responders. A survivor reported that civilians who were injured in the first attack but had survived were killed in the second attack. The junta helicopter opened fire again on first responders attempting to rescue survivors and gather the bodies of those killed. On 20 Apr 2023, regime aircraft bombed Pa Zi Gyi village again, setting some remaining buildings on fire, before junta troops on

¹¹⁰ [Myanmar Internet Project \(19 Apr 2026\) Report on Communication Disruptions and Impacts in Regions Affected By Airstrikes \(Jan - Mar 2026..\)](#)

the ground shelled and raided the village.¹¹¹ These attacks targeted local civilian support for local governance.

7.2. Junta blocks the means of subsistence and causes forced displacement

The junta and its aligned militias have forcibly evicted residents and confiscated property under the guise of "vacant land" seizures. For example, in Hopong Township (Shan State), arbitrary seizures by the junta and the Pa-O National Organization (PNO) have escalated significantly, forcing indigenous and farming communities off their ancestral lands.¹¹² Additionally, the properties and homes of members of the National League for Democracy (NLD), which won the 2015 and 2020 general elections, as well as resistance affiliates and civilians, are routinely confiscated.

The junta's deliberate planting of internationally banned landmines in and around civilian infrastructure and rice fields in Kachin, Karen, and Karenni States has fundamentally restricted communities from accessing their means of subsistence.¹¹³

7.3. Four cuts campaign

In Burma, where there is evidence of the junta committing genocide against Rohingya,¹¹⁴ the intensified deterioration of ESC rights since the 2021 coup has disproportionately affected women, girls, LGBTIQ+ persons, and ethnic minorities. Documented serious crimes by junta forces include killings, torture, sexual violence, forced labor, and looting, targeting communities in Arakan, Kachin, and Shan States. For decades, junta forces carried out systematic killings and other harmful measures under its Four Cuts strategy. These crimes are documented at length by UN experts such as the Special Rapporteur on the situation of human rights in Myanmar and the Independent International Fact-Finding Mission on Myanmar.¹¹⁵

¹¹¹ [Myanmar Now \(17Apr 2023\) 'Can nobody save us?' – Eyewitnesses recount Myanmar military airstrike on Kanbalu; RFA \(17 Apr 2023\) Death toll from Myanmar junta air attack on northern village rises to 200; Irrawaddy \(21 Apr 2023\) Myanmar Junta Bombs Pazi Gyi Nine Days After Massacre; RFA \(20 Apr 2023\) Junta bombs Myanmar village again where earlier strike killed 200](#)

¹¹² [The Transnational Institute \(14 Mar 2024\) Crisis in the Pa-O Region: A renewed conflict-zone in Myanmar; SHAN \(4 Apr 2026\) 12 Arrested in Hopong Township After Protesting Land Seizures](#)

¹¹³ [Amnesty International \(20 July 2022\) Myanmar: Military's use of banned landmines in Kayah State amounts to war crimes; Karen Human Rights Group \(4 Apr 2023\) 2023 International Day for Mine Awareness and Assistance in Mine Action](#)

¹¹⁴ [Application of the Convention on the Prevention and Punishment of the Crime of Genocide \(The Gambia v. Myanmar: 11 States intervening\)](#)

¹¹⁵ [A/HRC/39/64 \(EN\) \(12 Sep 2018\) Report of the independent international fact-finding mission on Myanmar](#)

7.4. Impact on women

Women face job loss, displacement, food insecurity, and the collapse of the health system, particularly since they are the primary caregivers in precarious and violent environments. Meanwhile, the junta deliberately targets organizations providing support to women, girls, and LGBTIQ+ people, increasing their vulnerability to violence, trafficking, and exploitation.¹¹⁶

7.5. Violent discrimination against LGBTIQ+ people

The junta has also encouraged the use of hate speech to limit the economic, social, and cultural rights of LGBTIQ+ people who face legal and extra-legal violence. Burmese law criminalizes same-sex relations, which are punished by up to 10 years in prison under Penal Code 1860, Section 377 Carnal Intercourse Against the Order of Nature. Military control over law enforcement, post-coup and in a situation of violent conflict, has led to increased harassment, arbitrary detention, and abuse of LGBTIQ+ persons, severely impacting access to health, food, relief assistance, work, employment, and education. Since the 2021 coup and as of June 2024, the junta has killed at least 12 LGBTIQ+ people participating in protests against the coup or advocating for the civil disobedience movement. Dozens more have been detained and subjected to torture and other forms of cruel, inhuman, or degrading treatment or punishment. These include hot irons placed on breast implants, cigarette burns to nipples, implements inserted into genitals, the shaving of heads, stripping prisoners naked, and parading them in public. Military personnel have also shared images of such abuse on social media.¹¹⁷

The UN Committee on ESCR considers Articles 6, 7, and 8 of the Covenant interdependent. These rights are, across the board, violated in Burma.

The International Trade Union Confederation (ITUC) ranks Burma as one of the 10 worst countries in the world for workers.¹¹⁸ Members of the Confederation of Trade Unions Myanmar (CTUM), an affiliate of ITUC, have been subjected to multiple forms of repression, including imprisonment, torture, and sexual abuse during interrogation. CTUM's entire leadership is under arrest warrants; those caught have had their passports

¹¹⁶ [A/79/5500 \(EN\) \(25 Oct. 2024\) Situation of human rights in Myanmar Note by the Secretary-General](#)

¹¹⁷ [OHCHR \(Jun 2024\) Killing of LGBTIQ+ persons in military-controlled Myanmar](#)

¹¹⁸ [ITUC \(16 May 2025\) Global Rights Index 2025](#)

seized, while others in exile had their citizenship revoked. 151 members are imprisoned, with two serving life sentences. ITUC reports a death in custody and the execution of a fellow trade unionist.¹¹⁹

7.6. Hlaing Tharyar massacre

In Burma, junta security forces have attacked and killed workers participating in pro-democracy protests and demanding minimum rights, such as unpaid wages. On 14 March 2021, junta forces deliberately trapped and then shot dead at least 65 protestors and bystanders in Hlaing Tharyar Township (Yangon Region). Hlaing Tharyar is an impoverished industrial zone where many trade unionists live and work. On 14 Mar, protestors set up barricades ahead of a planned early morning sit-in against the coup. At around 10 am, about 200 junta personnel, armed with military assault rifles, moved in and trapped protestors from the east and west. Verified video and witness accounts show junta forces deliberately fired on protestors to kill or maim, although there was no threat to their safety from protestors. The following day, the junta blamed the violence on “rioters” and imposed martial law in Hlaing Tharyar Township.¹²⁰

7.7. Firing on workers asking for backwages

On 15 Mar 2021, workers gathered outside the Chinese-owned Xing Jia shoe factory in Hlaing Tharyar to ask for 15 days’ wages as well as overtime pay. The factory had already been shut for a week, and workers were told to return in three months due to the civil unrest following the February coup. A report by local labor organization, Action Labor Rights (ALR), says not long after the workers gathered, a junta truck arrived and, without any verbal exchange, started shooting at the assembled workers using live ammunition. The first person shot and killed was the woman leading the protest.¹²¹ Another four men were shot, 3 of whom were killed, and 17 people were arrested. Six of the people arrested were sentenced by the military court to 3 years in prison.¹²²

7.8. History of attacks on workers

¹¹⁹ [ITUC \(13 Feb 2026\) For democracy in Myanmar](#)

¹²⁰ [HRW \(2 Dec 2021\) Myanmar: Protesters Targeted in March Massacre](#)

¹²¹ [Myanmar Now \(17 Mar 2021\) At least six killed after factory owner calls in military in Hlaing Tharyar](#)

¹²² [OpenDemocracy \(17 Jun 2021\) Report says soldiers shot three dead at Myanmar factory making US cowboy boots](#)

Burma has a history of attacks against workers and union leaders that predates the 2021 coup. However, the attacks intensified as security crackdowns and political repression accompanied situations of armed conflict. On 5 June 2025, the International Labour Organization (ILO), for only the third time in its history, triggered article 33 of its constitution on the subject of Burma.¹²³ The recommended measures include review of investments, supply chains, and cooperation that may indirectly support the regime, as well as the supply of weapons, jet fuel, and financial flow to the junta. The ILO resolution noted with deep concern the continuing egregious violations of the fundamental rights to freedom of association and freedom from forced labor and the basic civil liberties of the people in Burma.¹²⁴

7.9. Right to food

Armed conflict is a primary obstacle to realizing the right to food. The starvation of civilians is expressly prohibited in armed conflict, and the prohibition is violated when food shortages or denial of access to food causes death or when a population is starved through deprivation of food sources or supplies.¹²⁵

In Burma, as of Oct 2024, 18.6 million people require humanitarian assistance, with 13.3 million people facing emergency levels of food insecurity. Hundreds of thousands of people in Arakan State are completely cut off from humanitarian assistance and threatened by exposure, starvation and disease. The United Nations Special Rapporteur on human rights in Myanmar Tom Andrews has warned that the failure to act will result in an “untold number” of deaths.¹²⁶

A disturbing trend has been airstrikes targeting trucks carrying food and humanitarian supplies. In Dec 2025, in Sagaing Region, the junta blocked the Shwebo-Myitkyina road and then conducted an airstrike on hundreds of vehicles that were stranded as a result. Junta forces also fired mortars and machine guns, killed one civilian and injured 6

¹²³ [ITUC \(5 Jun 2025\) Myanmar: Historic decision to hold junta accountable a 'victory for justice, workers' rights and international solidarity'](#)

¹²⁴ [ILO \(5 Jun 2025\) Resolution concerning the measures recommended by the Governing Body under article 33 of the ILO Constitution on the subject of Myanmar](#)

¹²⁵ [CRC \(Dec 2001\) The right to food in situations of armed conflict: The legal framework](#)

¹²⁶ [A/79/550 \(EN\) \(25 Oct 2024\) Situation of human rights in Myanmar Note by the Secretary-General](#)

others.¹²⁷ In Mar 2026, in Magway Region, the junta bombed a rest area where a number of trucks were parked , killing at least 25 people and injuring many others.¹²⁸

7.10. Aid and natural disasters

Burma is also where conflict and natural disasters intersect, most recently following the March 2025 earthquake. The junta weaponized aid by blocking access to the worst-hit areas, imposing a curfew and checkpoints with extended checking, questioning, and long queues, and attacked a convoy carrying relief supplies. Relief agencies described shortages of food, water, and fuel, with trucks carrying aid stranded at military checkpoints. The UN said the junta deprived the Burmese population of aid as a form of punishment. It is a repeating pattern.¹²⁹

7.11. Similarities to the Sri Lankan conflict

It is also a familiar pattern. In Sri Lanka, which shares characteristics with Burma including Buddhist nationalism and ethnic conflict, the government blocked aid to hundreds of thousands of northern Tamils, forcibly interred in camps from May 2009 to Sep 2012. They faced food shortages and the spread of epidemics due to poor sanitation. The government refused an in-person request by the UN Secretary General to ease access to aid in favor of maintaining “national security” and weeding out any Liberation Tigers of Tamil Eelam (LTTE) combatants mixed in with civilians.¹³⁰

7.12. Persecution of healthcare workers

Healthcare professionals participating in the Civil Disobedience Movement (CDM) are subjected to arbitrary arrest, threats, and targeted killings by regime forces, severely hindering the provision of medical care and emergency response. Between February 1, 2021, and January 31, 2026, there were at least 1,873 documented incidents of violence against or obstruction of health care in Myanmar. Health facilities were reportedly

¹²⁷ [Myanmar Now \(20 Dec 2025\) Civilians fleeing Myanmar junta offensive killed by airstrikes in Sagaing](#)

¹²⁸ [Myanmar Now \(2 Mar 2026\) Junta airstrike kills at least 25 at truck stop in Magway](#)

¹²⁹ [BBC \(3 Apr 2025\) How aid becomes a weapon in Myanmar's war zone](#)

¹³⁰ [Tamil Guardian \(2 Jun 2009\)... as Sri Lanka rejects aid access](#)

damaged or destroyed 472 times and used for non-medical military purposes 228 times during this period. At least 170 health workers were killed, and 909 were arrested.¹³¹

7.12. Mrauk-U General Hospital airstrike

On 10 Dec 2025, in Mrauk-U Township (Arakan State), junta forces dropped two 500-pound bombs on Mrauk-U General Hospital on International Human Rights Day, and killed at least 33 civilians and injured about 76 others. Reports described it as the deadliest junta airstrike on a healthcare facility since the attempted coup.¹³²

7.13. Underground hospitals targeted

On February 18, 2026, in Natogyi Township (Mandalay Region), the junta destroyed a 100-bed hospital in a targeted explosion by planting explosives in the facility near Pe Gyi Khin village. The hospital is built physically underground to avoid junta airstrikes in the region. The facility was built with the support of the National Unity Government and started functioning in late 2024.¹³³

7.14. Terrorizing teachers and students

The Assistance Association for Political Prisoners (AAPP) reported that junta attacks killed 112 teachers and students during 2025, including 80 killed by airstrikes alone. Of the 96 fully verified victims, 71 were children under the age of 18. Sagaing Region recorded the highest toll with 39 deaths, followed by Arakan State with 27.¹³⁴

7.15. Let Yet Kone school attack

On 16 Sep 2022, in Tabayin Township (Sagaing Region), junta helicopters fired at a school inside a Buddhist monastery in Let Yet Kone village, which killed 14 people, including 12 children. Junta troops then raided the school, arresting 20 students and teachers.¹³⁵

7.16. Decapitation of a CDM teacher

¹³¹ [ReliefWeb \(12 Mar 2026\) Attacks on Health Care in Myanmar: 18 February - 03 March 2026](#)

¹³² [The Irrawaddy \(11 Dec.\) Hospital Massacre in Mrauk-U: Junta Airstrike Kills 33, Injures 76](#)

¹³³ [Mizzima \(21 Feb 2026\) နားထိုးကြီးရဲ့ မြေအောက်ဆေးရုံကို စစ်တပ်မရှင် မိုင်းခဲဖျက်ဆီး](#)

¹³⁴ [DVB \(22 Jan 2026\) စစ်တပ် တိုက်ခိုက်မှုကြောင့် တနှစ်အတွင်း ဆရာ၊ ဆရာမနှင့် ကျောင်းသား ၁၁၂ ဦး သေဆုံး](#)

¹³⁵ [RFI \(22 Sep 2022\) Teachers recount carnage of Myanmar school helicopter attack ; Reuters \(20 Sep 2022\) Myanmar army helicopters fire on school, killing 13, media and residents say](#)

In October 2022, military troops in Pauk Township, Magway Region, abducted Saw Moe Tun, a 46-year-old mathematics teacher participating in the CDM. Soldiers decapitated him, severed three fingers (a symbol of the pro-democracy resistance), and hung his head on the gates of the Taung Myint village school. They subsequently set the school on fire to terrorize the local community into abandoning alternative education initiatives.¹³⁶

7.17. Killing students sitting for exams

On 12 May 2025, in Tabayin Township (Sagaing Region), the junta bombed a secondary school in Oe Htein Twin village, killing 22 children and two teachers. The attack injured 105 others, of whom 40 lost limbs. It was reported that about 200 students were taking exams at the time of the bombing. The junta fighter jet flew past the school before circling back to drop two bombs directly on the school buildings.¹³⁷

7.18. Religious and cultural destruction

Myanmar Witness documented 312 airstrike incidents impacting religious buildings affecting monasteries, churches, mosques and temples between January 2024 and December 2025, averaging approximately 13 targeted sites per month. Buddhist monasteries accounted for the vast majority of the destruction, with 261 affected buildings (84%), followed by churches, with 44 affected buildings (13%). 65% of the incidents resulted in "major damage" or "complete destruction" of the cultural and religious sites.¹³⁸

7.19. A Nang Pa concert massacre

On 23 Oct, 2022, in Hpakant Township (Kachin State), junta jet fighters bombed a musical concert celebrating the anniversary of the Kachin Independence Organization in A Nang Pa village, killing at least 62 attendees, including prominent local musicians and cultural figures.¹³⁹

7.20. Incendiary bombs on tea shop patrons watching a football match

¹³⁶ [Myanmar Witness \(19 Oct 2022\) School teacher killed and body mutilated](#) ; [Myanmar Now \(21 Oct 2022\) Regime forces attacked with drones after decapitating teacher](#); [Irrawaddy \(18 Apr 2022\) Myanmar Junta Troops Behead NUG Teacher](#)

¹³⁷ [Irrawaddy \(13 May 2025\) A Familiar Lie: Myanmar Junta Denies Deadly School Bombing](#)

¹³⁸ [Myanmar Witness \(2 Apr 2026\) Myanmar's protected religious sites devastated by airstrikes](#)

¹³⁹ [Myanmar Now \(28 Oct 2022\) A Nang Pa airstrike fatalities expected to rise as Myanmar military blocks victims' access to medical care](#); [Reuters \(24 Oct 2022\) Air strike during Myanmar concert kills at least 50 - media, opposition](#)

On 5 Dec 2025, in Tabayin Township, a junta aircraft dropped 2 bombs on a crowded tea shop in Marakan village, killed 18 civilians and injured 22 others who had gathered to watch a Burma-Philippines football match during the 33rd Southeast Asian (SEA) Games. Local resistance forces concluded that the junta used incendiary bombs due to the complete leveling of 19 surrounding homes.¹⁴⁰

7.21. Bombing a football match

On 15 Jan 2026, in Natogyi Township (Mandalay Region), 2 junta fighter jets dropped two 500lb bombs on a Football for Friendship match between local resistance members and residents in Zee Phyu Kone village. The airstrike killed 4 people and injured around 25-30 others. There was no fighting at the time of the attack.¹⁴¹

7.22. Pagoda Festival Strike

On 23 Feb 2026, in Ngazun Township (Mandalay Region), 3 junta paramotors bombed a pagoda festival in Talin Kone village and killed 3 civilians. Recent attacks in the area forced thousands of civilians to flee villages along the Irrawaddy River.¹⁴²

¹⁴⁰ [Myanmar Now \(8 Dec 2025\) ဒီပဲယင်း လက်ဘက်ရည်ဆိုင် လေကြောင်းတိုက်ခိုက်မှု ၁၈ ဦး သေဆုံးကြောင်း NUG အတည်ပြု](#)

¹⁴¹ [DVB \(17 Jan 2026\) နွားထိုးကြီးက ချစ်ကြည်ရေးဘောလုံးပွဲကို စစ်တပ်ဗုံးကြဲ ၄ ဦးသေပြီး အများအပြား ဒဏ်ရာရ](#)

¹⁴² [Myanmar Now \(25 Feb 2026\) Woman, two girls killed in Myanmar junta attack on Buddhist festival](#)