

POLICY BRIEF

Civilian protection and safe returns in Myanmar

SRL Swiss | EN | 25.10.2026

Scope and principal conclusion

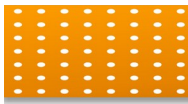
The report examines civilian violence, displacement, humanitarian restrictions and returns from Malaysia using publications available by 9 October 2026. It calls for protection by every armed party, independent assessment before removal and practical monitoring after return. Political changes do not replace scrutiny of conduct or protection needs.

Findings from the case records

The 28 September Kyauktaw market airstrike caused severe civilian harm. Around 50 deaths were reported, while Myanmar Witness identified visual indicators consistent with at least 33 deceased people. These are different methods of assessment, not figures to add together.

UNHCR could not meet the 1,476 people returned by Malaysia on 29 September or assess whether their decisions were free and informed. Reported arrival does not demonstrate safety afterward, and family accompaniment does not replace assessment of a child's individual needs.

Military forces and other armed parties must be assessed against their respective conduct and applicable duties. In Rakhine this includes the Arakan Army's treatment of civilians and humanitarian access. Evidence collection, individual criminal responsibility and State responsibility involve different international mechanisms.



Priorities for action

1. Armed parties must protect civilians and civilian objects, end torture and arbitrary detention and facilitate impartial relief. Donors should provide predictable support to local organisations with safeguards that do not transfer disproportionate administrative burdens to them.
2. Malaysia should suspend further returns until UNHCR access, interpretation, legal help, individual risk assessment and effective pre-removal appeal are ensured. Apply child-specific protection and best-interests assessment rather than assuming family return is sufficient.
3. Support independent confidential post-return interviews and monitoring of detention, family contact and renewed displacement. Protect personal data and preserve evidence securely. Distinguish the IIMM's investigative support from ICC criminal proceedings and ICJ State-responsibility proceedings.

Evidence and limits

The source report's October 2026 information limits remain applicable. Casualty estimates use different methods; later returns and subsequent public or confidential court decisions are not established by this summary.

SRL Swiss, Myanmar Civilian Protection and Human Rights Situation Assessment, 10 October 2026, pp. 2–8.

Source PDF