

STATUS OF HUMAN RIGHTS & SANCTIONS IN MYANMAR

APRIL 2017 REPORT

Summary. This report reviews the April 2017 developments relating to human rights in Myanmar. Relatedly, it addresses the interchange between Myanmar’s reform efforts and the responses of the international community.

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I. Political Developments

A. Governance and the Rule of Law

Twelve Myanmar political parties, including the Union Solidarity and Development Party (“USDP”), have issued a joint statement accusing leaders of the National League for Democracy (“NLD”) of violating Union Election Commission (“UEC”) rules.¹ In particular, the joint letter alleged that Aung San Suu Kyi’s national address commemorating one year of her NLD party’s leadership amounted to a campaign speech in contravention of UEC rules regulating campaign speeches and outreach.² The NLD maintains that the address was “an objective and dignified review of the strong and weak points of governance over one year,” and as such was permitted under UEC rules.³

On April 1, Myanmar held parliamentary elections for 19 parliamentary seats that had been vacant for various reasons, including where former Members of Parliament had become cabinet ministers in the new administration.⁴ Only approximately one quarter of the two million registered voters participated in the elections, with many blaming the low voter turnout in part on voters not being well informed regarding the elections. In a potentially worrying result for Aung San Suu Kyi’s party, the NLD won only nine of the contested seats and generally had a poor showing in the regional representations.⁵ The USDP, the military-controlled party ousted by the NLD one year ago, gained two parliamentary seats, while the Shan Nationalities League for Democracy (“SNLD”) secured six.⁶ The SNLD’s relative success—no other ethnic party has had such a successful showing in either of the two previous by-elections—may be attributable to the NLD’s failure to resolve violence between ethnic groups, particularly in Shan State.⁷ In addition, NLD support from Myanmar’s Rohingya population has largely evaporated since the 2015 election as the Muslim group has been frustrated by what it perceives to be a lack of support from Aung San Suu Kyi and the NLD.⁸

Further frustrating the NLD’s ability to build on the electoral momentum it gathered last year is the slow pace at which it has been able to enact changes in governance that it campaigned on.⁹ While this can be attributed somewhat to the inefficient bureaucracy and nationwide conflicts that it inherited, the NLD has largely failed to implement initiatives over which it has more unilateral control, including initiatives to promote governmental transparency.¹⁰ Despite having campaigned on a platform that included increased transparency, the NLD has achieved little in the way of increased visibility into or communication with leadership: press conferences by President Htin Kyaw and State Counsellor Aung San Suu Kyi are rare or non-existent, the government releases only select information to the media and generally does not permit follow-up questions, and discussion of certain topics (including the ongoing regional ethnic hostilities and the seemingly belabored peace process) in Parliament appear to be forbidden or restricted, with the NLD appearing to be censoring certain issues that other members of Parliament seek to raise.¹¹

Relatedly, the NLD has walked back its campaign promise to disclose the financial assets of NLD party members. Prior to the 2015 election, Aung San Suu Kyi said that “[p]eople will not be able to trust the representatives who cannot show their assets.” Following the NLD’s 2016 victory, however, the party reversed course, saying that there was no plan for ministers to declare their assets.¹²

B. Official Corruption, Sanctions and the International Community

Official Corruption

In an effort to suppress illegal trade at its borders, the Myanmar government launched the Yaypu Border Inspection Camp in January 2017.¹³ The Inspection Camp, headed by the Ministry of Planning and Finance, reportedly seized roughly Kyat 2.266 billion (approximately USD \$1.7 million) worth of jade and timber within the first two months of its operation.¹⁴ As an incentive to uncover as much illegal trade activity as possible, the Inspection Camp's staff will receive 50% of the value of seizures as a bonus, according to Kyaw Win, the Union Planning and Finance Minister.¹⁵

An investigation into a missing Kyat 7.5 billion (approximately USD \$5.5 million) government fund, which had been designated to finance hand-dug oil wells in Magwe Region, was completed with reports sent to the Ministry of Home Affairs for action.¹⁶ According to one Parliament official, Kyat 4.18 billion (approximately USD \$3.07 million) of the missing amount was found to have been used for general development in the Magwe Region, Kyat 1.7 billion (approximately USD \$1.25 million) was found to have been used for the USDP, and Kyat 1.575 billion (approximately USD \$1.15 million) was found to have been transferred to the Shwe Thukha Microcredit Association, a Myanmar lending firm.¹⁷ According to the Parliament official, "if [misconduct is] revealed, there will be legal action. This is not a case which can be hidden or settled by compensation. [...] Following the leadership of the Union, we plan to do what we should do in accordance with the laws without personal or group considerations."¹⁸

According to an April report issued by Myanmar's Auditor General, the previous USDP administration had agreed to lease commercial space to three construction companies in deals that have cost Yangon's regional government Kyat 13.153 billion (approximately USD \$9.6 million) since 2015.¹⁹ The report revealed that space from three construction projects which began as joint ventures between private companies and the Yangon City Development Committee ("YCDC") had then been leased to the companies at rates well below standard commercial rents for the area.²⁰ The projects were not the only major losses recorded in the report; the regional government also suffered a Kyat 57.923 billion (approximately USD \$42.5 million) loss from long-term reduced rent leasing agreements for land within public parks signed by the previous government and private companies.²¹

Sanctions and the International Community

In an interview published by The Irrawaddy in April, United States Ambassador to Myanmar Scot Marciel hinted at possible reasons for the limited influx of U.S. investments into Myanmar despite the lifting of most economic sanctions under the Obama administration.²² According to the Ambassador, most U.S. businesses were waiting for additional insight with respect to Myanmar's new Investment Law and relevant regulations, as well as for more clarity on U.S. policy with respect to Myanmar.²³ Furthermore, the Ambassador mentioned that there were doubts in the U.S. business community regarding the availability of a sufficient supply of electricity in Myanmar, especially for major infrastructure and construction-related projects.²⁴

II. Civil and Political Rights

A. Freedom of Speech and Assembly

During its most recent session, the United Nations Human Rights Council received a report from Yanghee Lee, UN Special Rapporteur for Myanmar. In her briefing, Lee commented that “considering the number of former political prisoners in the ranks of Myanmar’s Cabinet and Parliament, it is disappointing to see the continued misuse of laws such as section 505 of the Penal Code and increasingly section 66(d) of the Telecommunications Act to suppress voices of dissent, including through arrest and imprisonment.”²⁵

The controversial section 66(d) of Myanmar’s Telecommunications Act imposes fines and up to three years’ imprisonment for online defamation and has been widely criticized for its use to silence government critics and stifle free speech.²⁶ Approximately 54 cases have been filed under section 66(d) since the NLD administration assumed political power in March 2016,²⁷ compared to a total of seven cases between the law’s enactment in 2013 and the March 2016 political transition.²⁸ Attempts to abolish the law have been defeated by Parliament and the NLD administration.²⁹ In April 2017, Myanmar’s Ministry of Transport and Communications announced plans to revisit certain parts of the law, principally the restrictions on offering bail to those arrested, but acknowledged that it had no plans to abolish the law completely.³⁰

Section 505(b) of Myanmar’s Penal Code prohibits the publishing or circulation of information which may cause public fear or alarm, and which may incite people to commit offences against the state or “public tranquility.”³¹ The broadly-worded provision, breach of which carries a penalty of up to two years’ imprisonment and/or a substantial fine,³² has been used to prosecute political protestors (often together with Myanmar’s Peaceful Assembly and Peaceful Procession Law).³³

In its draft resolution following the session, the UN Human Rights Council noted the increasing use of criminal charges in Myanmar to target “journalists, politicians, students and social media users for their peaceful expression, online as well as offline, in particular under section 66 (d) of the Telecommunications Act, the Electronic Transactions Law and provisions of the Penal Code, including section 505(b).”³⁴ The Council further acknowledged that “the Unlawful Associations Act and the Peaceful Assembly and Peaceful Procession Law continue to be abused to arbitrarily arrest and detain individuals for exercising their rights to freedom of expression, peaceful assembly and association, including on the basis of their ethnicity or political beliefs”³⁵ and called for “open and participatory legislative processes to reform those laws in line with the international human rights law obligations of the Government of Myanmar.”³⁶

The UN Human Rights Council further resolved to extend the mandate of Lee for an additional year and to carry out an independent fact-finding mission in Myanmar, focusing on alleged human rights violations and abuses in the Rakhine State and any censorship by the government to suppress reporting of such abuses. It is expected that the mission will present an oral report to the UN Human Rights Council in September 2017, with a final report presented to the UN Human Rights Council in March 2018.³⁷

On March 8, 2017, Myanmar’s government enacted the Privacy and Security Protection Law, which prohibits putting persons under surveillance without permission from the court, government or president.³⁸ Despite intentions to protect citizen’s freedom to privacy,³⁹ a number of civil society groups have criticized the law as ‘hastily’ prepared and lacking in clarity, in particular regarding failing to define a transparent process for the granting of permission for surveillance and the retention of data obtained,⁴⁰ resulting in a process that could “affect free expression rather than provide full protection for citizen’s privacy and security.”⁴¹

A Buddhist monk has been banned from giving sermons for a year by Myanmar’s Buddhist authority, in an effort to prevent hate speech.⁴² The monk, known as Wirathu, is known for his links with anti-Islamic and nationalist groups, his praise for the assassination of a top government aide, Ko Ni,⁴³ and his radicalized views targeted against Myanmar’s Rohingya population, for which he was named the “face of Buddhist Terror” by *Time* magazine in 2013.⁴⁴ Myanmar’s Ministry of Religion and Culture has supported the ban and announced that it will take legal action should Wirathu contravene the prohibition.⁴⁵

The trial of Myo Yan Naung Thein, a researcher charged under section 66(d) of Myanmar’s Telecommunications Law for criticizing the Tatmadaw’s response to an attack in the Rakhine state, concluded on April 7.⁴⁶ Myo Yan Naung Thein was convicted and sentenced to 6 months’ imprisonment; he was also credited with time served in custody since his arrest in October 2016.⁴⁷ Following the verdict, Myo Yan Naung Thein warned against the misuse of section 66(d).⁴⁸

B. Freedom of the Press and Censorship

A follower of the nationalist monk Wirathu filed charges under section 66(d) of Myanmar’s Telecommunications Law against a prominent reporter for Myanmar Now, Swe Win. The claim related to a statement by the journalist on Facebook, alleging that Wirathu had committed a Buddhist disrobing offence by praising the assassination of government aide, Ko Ni, and, as a result, should lose his status as a monk.⁴⁹ The claim, which was filed at both the Yangon and Mandalay courts, was dismissed by the judge in Yangon on the basis that it had not been directly filed by the aggrieved party.⁵⁰ The claim continues in Mandalay, where it is awaiting a court date.⁵¹

The publisher of *The Iron Rose*, a weekly news journal critical of the former regime, was found stabbed to death on April 16 at the journal’s offices.⁵² In the wake of calls from Reporters Without Borders⁵³ and the Committee to Protect Journalists⁵⁴ to investigate the murder, Myanmar police have rebutted claims that the killing was related to the journal’s content. Instead, the police have stated that the murder was in retaliation for an extramarital affair.⁵⁵ Both Reporters Without Borders⁵⁶ and the Committee to Protect Journalists⁵⁷ further criticized Myanmar for failing to find a suspect for the murder of Daily Eleven newspaper reporter, Soe Moe Tun, who was found beaten to death in December 2016.

Amnesty International has called for urgent action in support of Nay Min Aung, the chief editor of Root Investigative Agency (“RIA”), a body of journalists reporting on affairs in the Rakhine State.⁵⁸ Nay Min Aung has been the subject of death threats following a report published in April 2017 on the Arakan Army (“AA”), in which he referred to the AA as a “rebel

group,” a label rejected by the AA.⁵⁹ In March 2016, Nay Min Aung’s home was bombed in retaliation for previous reports by the RIA.⁶⁰ Amnesty International has called for authorities to take immediate action to ensure the safety of Nay Min Aung, to investigate both the threats and bombing, and to ensure journalists are able to conduct their investigations without fear of retribution.⁶¹

Reporters Without Borders’ 2017 World Press Freedom Index, released in April, ranked Myanmar 131st out of 180 countries for press freedom, an improvement from 143rd of 180 in 2016.⁶² The World Press Freedom Index is an annual ranking system for rating press freedom, based on an evaluation of pluralism, independence, quality of legislative framework and journalists’ safety. Data is collected from journalists, lawyers, researchers and other specialists and used to calculate a score for each country.⁶³ In its index commentary, Reporters Without Borders commented that “media freedom unfortunately does not have a place amongst the new government’s priorities.”⁶⁴ While highlighting that “journalists imprisoned under Thein Sein have been amnestied and the state of emergency law has been repealed,” Reporters Without Borders criticized self-censorship in connection with government and military officials, the exertion of pressure on, and direction intervention into, media policies by government authorities and the prevention of free and independent coverage in the Rakhine state.⁶⁵

III. Economic Development

A. Legal Framework and Foreign Investment

The International Finance Corporation (“IFC”), a member of the World Bank Group, and the Securities and Exchange Commission of Myanmar (“SECM”) signed a memorandum of understanding (“MOU”) to strengthen corporate governance regulatory standards and practices in Myanmar.⁶⁶ The goal of the MOU is to increase investor confidence, attract more foreign investors and develop a more mature capital market in Myanmar.⁶⁷ According to IFC’s Vice President and Treasurer Jingdong Hua, Myanmar needs to improve its social, physical and financial infrastructure to achieve its full economic potential.⁶⁸

The World Bank will provide a loan of USD \$100 million to the Myanmar Financial Development Project.⁶⁹ The project aims to promote a strong and stable financial sector, expand the banking sector and make changes to improve loan and financial services.⁷⁰

Although the Myanmar government has recognized in its official economic policy that small and medium enterprises (“SMEs”) are important for the Myanmar economy, SMEs are still struggling and they claim that not much has changed since the NLD government assumed power in March 2016.⁷¹ Sean Turnell, an economic adviser to the NLD administration, recently contended that the Myanmar government has taken measures to improve the situation of SMEs.⁷² For example, according to Turnell, the government has supported entrepreneurs and small and medium enterprises by providing loans to more than 450 entrepreneurs. Furthermore, he stated that the administration has been working with the Japanese government to provide additional loans to almost 200 other businesses and that a credit guarantee insurance system had been established to facilitate loans for entrepreneurs who could not provide collateral.⁷³

Economists and business owners in general are also complaining that the new government is only focused on achieving peace and stability and that the economy has been neglected.⁷⁴ Turnell has countered that such critics underestimate the legacy of economic problems leftover from the previous USDP administration and that achievements by the current government are too often overlooked.⁷⁵ Ye Min Oo, another economic adviser of the NLD administration, recently stated that while the first year of the NLD's administration was largely a learning and transition period, the government has gained valuable experience this year and is now better placed to tackle the economic problems of Myanmar.⁷⁶ Indeed, according to a recent report, foreign direct investment is expected to increase in the second half of 2017 as the country's economic policy gains clarity and investors begin to act on the new foreign investment policies.⁷⁷

President Htin Kyaw visited China to discuss bilateral ties, border affairs and economic cooperation between Myanmar and China.⁷⁸ More than 30 Myanmar delegates participated in the trip.⁷⁹

After releasing initial regulations related to the Myanmar Investment Law on April 1, including a list of business sectors that the administration will aim to promote through the law, the administration is expected to soon announce additional details regarding restricted and prohibited foreign investments and joint ventures.⁸⁰

B. Land Seizures

In Mandalay, real estate agents have expressed concern about squatters building huts and temporary shacks on land before selling the land on to unsuspecting buyers and investors.⁸¹ The squatters enter unfenced and unguarded land before building a temporary fence and shack on the land.⁸² If the true owner does not show up within a few weeks, the trespassers often sell the land to third-party buyers.⁸³ In some cases these buyers do not suspect that the "seller" does not have title to the land, while other buyers have been described as "opportunists [that] buy in the hope of making a quick buck."⁸⁴ The Mandalay City Development Committee announced that owners must fence in their vacant plots or risk the land being seized, and that owners who have leased vacant land must apply for a permit to build a structure within six months of the lease grant.⁸⁵

In Nay Pyi Taw, approximately 240 people have claimed that they have had their land confiscated after they were reportedly pressured to move out of their homes to make way for a military installation.⁸⁶ The affected villagers, most of whom work on nearby farms and as laborers, claim they were given approximately one month to vacate their homes, and have expressed concern that there is no place for them to go if they move out.⁸⁷ The villagers do not anticipate receiving compensation, and have protested the fact that they have been living on the land since before it was marked as military property and are now being treated as squatters.⁸⁸ The villagers have previously been the subject of eviction attempts, and have sent letters protesting such eviction attempts to the President's Office on two separate occasions—once in 2014 and once in 2016.⁸⁹ However, their appeals to the President's Office went unanswered in both instances.⁹⁰

Meanwhile, thirteen farmers staged a protest at the end of April to demand compensation for farmland improperly seized in 2007, 2009 and 2015 in the Saigaing region.⁹¹ The protesters claimed that, in 2015, 130 acres of farmland belonging to 31 farmers was seized to build a sugar factory for a private company.⁹² At the time, farmers were told that the land was being seized for a state project. Farmers were provided with some compensation, though the compensation was worth only approximately one-third of the value of the land.⁹³ Additionally, fumes from the new factory have caused health problems among locals living in a nearby village to which the farmers were forced to relocate.⁹⁴

In Kayah State, villagers reported that a member of the Upper House of Parliament had threatened villagers while attempting to seize a five-acre plot of land.⁹⁵ The villagers reported that the Parliament member claimed ownership of the land and harassed villagers who contested his claim.⁹⁶ The land survey office indicated that it had no record of the MP's alleged purchase of the land.⁹⁷

IV. Peace Talks and Ethnic Violence

A. Ethnic Violence

In an interview with the BBC, when asked whether she would be remembered as the Nobel laureate who ignored ethnic cleansing in her own country, Aung San Suu Kyi stated that “ethnic cleansing” was too strong a term to describe what was happening in northern Rakhine state.⁹⁸ As noted last month, a UN report accused security forces of committing various human rights violations against the Rohingya which could amount to crimes against humanity.⁹⁹

According to the Myanmar government, the situation in Rakhine state has stabilized and the government is consequently preparing to shut down the numerous camps for internally displaced people (“IDP”) in the area.¹⁰⁰ Meanwhile, National Security Advisor Thaung Tun met with local-based foreign diplomats and UN representatives in Yangon on April 11 to brief them on the peace and national reconciliation progress in Rakhine state.¹⁰¹ Thaung Tun also stated that suggestions made in the interim report the Rakhine State Advisory Commission (led by Kofi Annan) are being immediately implemented.¹⁰² These include shutting down IDP camps, granting free travel to the media, allowing Red Cross members to visit jails, promoting humanitarian aid and facilitating the national verification card process.¹⁰³ He went further to state that an investigation commission has visited and inspected alleged areas of human rights abuses and, if evidence thereof is found, legal action will be taken.¹⁰⁴

The Shan State Army-South, the armed wing of the Restoration Council of Shan State which itself is a signatory to the NCA, clashed with the Tatmadaw in Panglong in southern Shan state early this month.¹⁰⁵ The fighting lasted for about half an hour and no casualties or injuries were reported, but the Restoration Council of Shan State/Shan State Army-South (“RCSS/SSA-S”) reported the incident to the state-level joint ceasefire monitoring committee.¹⁰⁶ The RCSS/SSA-S alleged that Tatmadaw troops had entered RCSS/SSA-S territory without prior notice, in direct contravention of the ceasefire agreement between them.¹⁰⁷

Early this month, there were reports that approximately 200 members of the Ta’ang National Liberation Army (“TNLA”) had entered two villages in the Nawngcho area of Shan

state, causing the inhabitants to flee and seek refuge in a nearby monastery.¹⁰⁸ However, there were no reports of any fighting having taken place.¹⁰⁹

B. Peace Talks

At the Joint Implementation Coordination Meeting (“JICM”) between ethnic armed organizations who had signed the nationwide ceasefire agreement (“NCA”), the Tatmadaw and the NLD administration held in Nay Pyi Taw on April 24, it was decided to begin the Second 21st Century Panglong Conference on May 24.¹¹⁰ The peace conference was originally scheduled to be held in February.¹¹¹

Also at the JICM, leaders of the RCSS/SSA-S discussed the lack of agreement regarding the venue for holding ethnic-based national-level dialogues in Shan State.¹¹² The RCSS/SSA-S want to hold the Shan political dialogue in Taunggyi or Panglong, but government authorities merely replied by saying that they would consider the issue.¹¹³ Ongoing territorial disputes between the Tatmadaw and the RCSS/SSA-S have added to the Tatmadaw’s reluctance to allow the RCSS to hold dialogues in Taunggyi.¹¹⁴ National-level dialogues are mandatory steps under the NCA and of the eight signatory groups to the NCA, only the RCSS/SSA-S and Arakan Liberation Party have yet to hold national-level political talks.¹¹⁵

Participants at the JICM did, however, agree to invite UN Secretary General, António Guterres, to the opening of the Second 21st Century Panglong Conference.¹¹⁶

After the Kachin Independence Army (“KIA”) and the Shan State Progressive Party (“SSPP”), both members of the United Nationalities Federal Council (“UNFC”), endorsed a statement issued by the United Wa State Army (“UWSA”) at the Pangkham summit in February calling for the NCA to be replaced, rumors began to surface that the two groups would leave the UNFC, which has recently endorsed the NCA-driven peace process.¹¹⁷ In response, the UNFC held an emergency meeting and its deputy leader, Naing Han Thar, confirmed that the KIA and SSPP were still members of the UNFC and would abide by its direction in negotiations with the government regarding the ceasefire and peace process, which negotiations are to be based on the NCA.¹¹⁸ According to Naing Han Thar, there is a divide between the Southern and Northern ethnic armed groups, with the former in favor of following the NCA and the latter preferring its replacement.¹¹⁹ The rift in the group followed an announcement by the government that five UNFC members would sign the NCA, although the groups later said that that had not been officially decided.¹²⁰ The UNFC also changed its stance on the demand that all ethnic armed groups be invited to sign the NCA due to the fact that, in its view, the Arakan Army, TNLA and Myanmar National Democratic Alliance Army (“MNDAA”) were not following the NCA-driven process.¹²¹

A meeting of all ethnic armed groups, including signatories and non-signatories of the NCA, was held in Chiang Mai, Thailand on April 8 and 9 in order to review, among other things, the agreements reached by the Delegation of Political Negotiation (“DPN”) with State Counsellor Daw Aung San Suu Kyi and the government’s peace commission on nine peace process proposals submitted to the government for consideration.¹²² At the meeting, the participants approved a list of eight basic principles that they say will be the basis of a future federal union in Myanmar, being: sovereignty, self-determination, establishment of a genuine

federal union, protection of ethnic rights, democratic rights and basic human rights, gender equality, a multi-party democratic system and secularism.¹²³ After the meeting, the groups released a statement calling for all ethnic armed organizations to have equal status at the upcoming 21st Century Panglong Conference.¹²⁴ The groups also stated that they would work towards the signing of the NCA by non-signatory groups and reiterated calls for talks to resolve the conflicts in Kachin and northern Shan states.¹²⁵

A meeting of seven non-signatory groups, constituting the Union Political Negotiation Committee (“UPNC”)¹²⁶ and led by the UWSA, was held from April 15 to 19.¹²⁷ At the meeting, the UPNC pledged to collectively negotiate with the government to overcome the deadlock in the peace process, being the failure to include all ethnic armed organizations in peace dialogues.¹²⁸ The UNPC was formed after the constituent groups agreed that the NCA-based peace process was obsolete and called for the replacement of the NCA.¹²⁹ Neither the government nor the Tatmadaw have officially responded to the newly-formed committee and its call for a new peace process.¹³⁰ However, the Tatmadaw’s commander-in-chief, Senior General Min Aung Hlaing, has repeatedly said that all peace negotiations must follow the NCA.¹³¹ That said, an MP from the National League for Democracy has said that the government is open to talks with the new committee.¹³²

Two prominent members of the UNFC, the Kachin Independence Army and the Shan State Progress Party/Shan State Army-North (“SSPP/SSA-N”) took part in the UPNC meeting, even though, as mentioned above, the UNFC has maintained that both groups will follow the NCA-driven peace process.¹³³

The possible signing of the NCA by most of the UNFC members was discussed at a meeting between the government peace commission and the DPN in Chiang Mai, Thailand on April 28.¹³⁴ The two bodies met last month in Yangon to negotiate the DPN’s nine-point proposal, which proposal was agreed “in general terms” by the government.¹³⁵ However, matters concerning the ceasefire monitoring mechanism and the composition of political dialogue required further “talks” with the Joint Committee and the Union Peace Dialogue Joint Committee (“UPDJC”).¹³⁶ DPN leaders had previously stated that they would sign the NCA if negotiations with the government on the nine-point proposal were satisfactory.¹³⁷ Despite government optimism regarding the signing of the NCA by non-signatory groups, it is unlikely that all groups will sign the NCA considering the formation of the UPNC, which includes the Kachin Independence Army and Shan State Progressive Party.¹³⁸

The two groups also discussed the UNFC’s position on joining the upcoming Panglong Conference.¹³⁹

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