

# STATUS OF HUMAN RIGHTS & SANCTIONS IN MYANMAR

## July 2018 REPORT

**Summary.** This report reviews the July 2018 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. Rohingya Refugee Crisis**

Beginning in August of 2017, approximately 700,000 Rohingya fled from Rakhine State in western Myanmar across the border to Bangladesh, making the ongoing Rohingya refugee crisis the fastest-growing refugee crisis in the world.<sup>1</sup> The Rohingya, a Muslim ethnic minority in Buddhist-majority Myanmar, were fleeing a military campaign of slaughter, rape and the burning of their villages that some United Nations officials have said may amount to genocide.<sup>2</sup> Recently, the Myanmar government has coordinated with the United Nations on repatriation efforts, even though conditions are not yet conducive to voluntary return. In June and July of 2018, the government of Bangladesh and the United Nations High Commissioner for Refugees (“UNHCR”) launched a joint verification exercise for Rohingya refugees in Bangladesh.

#### ***Repatriation Efforts***

On June 6, 2018, the UNHCR, the United Nations Development Programme (“UNDP”), and the Government of the Republic of the Union of Myanmar signed a tripartite Memorandum of Understanding (“MoU” or the “Memorandum”).<sup>3</sup> This agreement aims at eventually allowing hundreds of thousands of Rohingya sheltering in Bangladesh to return safely and voluntarily.

While the exact contents of the Memorandum were meant to be secret, the text of the MoU recently leaked online, leading to strong criticism by Rohingya leaders and activists.<sup>4</sup> Rohingya leaders say that the MoU fails to address the key concerns of the community.<sup>5</sup> In particular, the Rohingya community is concerned with the way the Myanmar government avoided the issue of citizenship in the MoU, despite the fact that the Rohingya have long sought a guarantee from the government of restoration of citizenship rights prior to Rohingyas’ return.<sup>6</sup> Tun Khin, president of Burmese Rohingya Organisation UK, finds it unethical not to involve the refugee community before drafting the agreement.<sup>7</sup> It remains to be seen how the drafting parties of the MoU will react to the criticisms voiced in the aftermath of the leaked MoU text.

#### ***Bangladesh / UNHCR Verification of Rohingya Refugees***

At the end of June, the government of Bangladesh and UNHCR launched a joint verification exercise for Rohingya refugees in Bangladesh. The exercise is expected to take up to six months to complete and aims to consolidate information into a unified database for the purposes of protection, identity management, documentation, provision of assistance, population statistics and ultimately repatriation solutions for the estimated 900,000 refugees who have fled from Myanmar to Bangladesh.<sup>8</sup>

This verification should play a key role in establishing refugees’ identities and their declared places of origin in Myanmar. Biometric data is used to confirm individual identities for all refugees, and at the end of the process, each refugee will be provided with a new identity card. For many refugees, this will be the first time that they have possessed an individual

identity document. The exercise also seeks to enhance the accuracy of data on refugees in Bangladesh, which will help the Bangladeshi government and humanitarian partners increase their understanding of specific needs amongst the refugee population. This would allow both the government and non-governmental organizations to better plan and target assistance to avoid duplication of services.<sup>9</sup>

According to the Inter Sector Coordination Group's Situation Report of the Rohingya Refugee Crisis, as of July 18, 2018, a total of 9,756 individuals in 2,124 families have been verified through this joint verification exercise.<sup>10</sup> In addition to ID cards, all households received a family certificate, which will be used for the provision of protection and assistance in Bangladesh.

### ***Risk of Human Trafficking***

A recent report from the International Organization for Migration ("IOM"), the UN migration agency, states that thousands of refugees are at risk of falling victim to human trafficking. Seventy-eight victims of trafficking have been identified in Cox's Bazar over the past ten months.<sup>11</sup> IOM is calling for a multi-actor response to prevent an increase in human trafficking of refugees; stressing that the exploitation may only be prevented if authorities, local and international agencies and communities work together.<sup>12</sup>

### **B. Corruption**

On July 2, the Anti-Corruption Commission ("Commission") and the Union of Myanmar Federation of Chambers of Commerce and Industry ("UMFCCI") announced they would join forces to tackle corruption.<sup>13</sup> The two organizations signed a joint statement affirming that they will draft a code of conduct regarding anti-bribery measures and will issue guidelines to domestic businesses.<sup>14</sup> They will also organize anti-corruption educational programs and plan to raise awareness among the business community by sharing best practices being used already in the industry.<sup>15</sup> This initiative is linked with anti-corruption efforts from UN Global Compact Network Myanmar.<sup>16</sup> The chair of the Commission, Aung Kyi, stated that they are also planning to establish anti-corruption units in different departments as well as sub-regional governments in order to curb corruption.

Aung Kyi also announced at a seminar on business ethics hosted by UMFCCI that those who pay bribes will also be punished, not just those who take them.<sup>17</sup> This announcement comes after the recent amendments made to the 2013 Anti-Corruption Law in early June.<sup>18</sup> Article 3(a) was amended, defining in greater detail the giving and receiving of bribes, since the original article did not specify the giver and the recipient, and now allows for action to be taken against anyone involved.<sup>19</sup> The government has also broadened the definition of what constitutes a bribe, stating that "not only cash and pricey gifts, but also treating [to lavish dinners, etc.] and service charges will be regarded as a bribe."<sup>20</sup> A by-law is also being formulated by the Commission to facilitate the enforcement of the amended Anti-Corruption Law, which is expected to be completed within three months.<sup>21</sup>

On July 4, the Supreme Court in Thailand issued another arrest warrant for fugitive former prime minister Thaksin Shinawatra. He is accused of malfeasance over the Export-Import Bank of Thailand's 4-billion-baht loan to Myanmar that favored his own family business.<sup>22</sup>

On July 16, the Commission issued a press statement which states that they have registered a case against twelve customs officials and employees in connection with the import of vehicles.<sup>23</sup> Complaints have been lodged, asserting that delivery van importers had to pay bribes to customs officials through customs clearance agencies for clearing their vehicles from Yangon port and bribes for clearing vehicles which were imported in violation of policies made by the Vehicles Importing Supervision Committee.<sup>24</sup>

A new report from New York-based Human Rights Watch was released. The report states that many farmers whose lands were confiscated during military rule are still waiting to see any kind of positive progress.<sup>25</sup> Thousands of claims remain adjudicated, farmers who have submitted dozens of claims have heard nothing in response, and hundreds have been arrested for "trespassing" on land seized that farmers say is rightfully theirs.<sup>26</sup> Many activists and farmers have complained of corruption and conflicts of interest within the communities that are charged with investigating, releasing, and returning the land.<sup>27</sup>

### **C. International Community / Sanctions**

On July 10, 2018, the United States Department of Homeland Security announced visa restrictions for a number of Myanmar government officials in the ministries of Labor, Immigration and Population and Home Affairs due to their lack of cooperation in accepting Myanmar citizens deported by the United States. Under Section 243(d) of the Immigration and Nationality Act of the United States, if countries refuse to take back their nationals deported by the U.S. government, the Secretary of State must order consular officers to suspend the issuance of visas until informed by the Secretary of Homeland Security. The ban would not have any effect on ordinary tourists planning to visit the U.S., however it does affect the officials' immediate family members.<sup>28</sup>

In the wake of new European and Canadian sanctions imposed on Myanmar officials who were involved in atrocities committed against the Rohingya population, the U.S. has been criticized for its slow reaction. The Trump administration has a list of between six and nine senior Myanmar officials to sanction over the Rohingya crisis, but the effort has stalled amid internal debates over sanctions' effectiveness and U.S. leadership on this issue. The U.S. has sanctioned only one Myanmar official, even after Canada and the European Union targeted seven senior military leaders last month. The slow reaction by the U.S. over almost a year has angered activists, and has also led to questions within the administration about U.S. prominence on an issue where other Western countries have now taken the lead.<sup>29</sup> For example, Human Rights Watch wrote to congressional leaders on July 9, 2018, together with 45 other nongovernmental and faith-based organizations, to demand that the U.S. adopt legislation to enhance targeted sanctions against Myanmar military commanders who are implicated in human rights abuses. The groups said it is "imperative" that Congress address the human rights crisis in Myanmar.<sup>30</sup>

It is reported that U.S. legislative efforts to sanction Myanmar officials for involvement in the Rohingya crisis have stalled because of Senate Majority Leader Mitch McConnell. McConnell was reportedly responsible for the removal of provisions in a House defense policy bill (the National Defense Authorization Act), which restricted security engagement with Myanmar, imposed sanctions on Myanmar officials responsible for human rights abuses and required the State Department to make a determination whether the atrocities committed against the minority Rohingya people constitutes ethnic cleansing, crimes against humanity or genocide. McConnell has expressed a long-term interest in Myanmar, and he has supported and defended State Counsellor Aung San Suu Kyi, even as she has come under significant criticism in recent years.<sup>31</sup>

Meanwhile, on July 31, 2018, the Chairman of the Bangladesh National Human Rights Commission, Kazi Reazul Hoque, emphasized the imposition of sanctions on Myanmar by the international community to resolve the Rohingya crisis. He said the international community should put more pressure on Myanmar for safe return of Rohingyas to their homeland. UN Resident Coordinator Mia Seppo expressed her frustration over the under-funding of the international humanitarian response to Rohingya refugees, and called for additional funding.<sup>32</sup>

## **II. Civil and Political Rights**

### **A. Freedom of Speech, Assembly and Association**

Criticism over Facebook's role in spreading fake news in Myanmar has continued, with British politicians joining the UN in accusing Facebook of spreading false information and hate speech about the persecuted Rohingya group.<sup>33</sup> The British politicians' report claims that a popular internet service called "Free Basics", which Facebook provides in Myanmar, potentially curbed the success of Britain's £129 million aid program in Myanmar and worsened the ongoing ethnic cleansing of the Rohingya. The report argues that Facebook is essentially "synonymous with the internet in Myanmar"<sup>34</sup> and has become a platform for spreading false information. For instance, when the ultra-nationalist monk Wirathu posted on Facebook a false accusation that a Muslim teashop owner in Mandalay (Myanmar's second-largest city) had raped a female Buddhist employee, riots broke out and over a multi-day melee, two men (one Muslim and one Buddhist) were killed and around 20 others were injured.

On July 12, Myanmar police arrested a prominent government critic at his home.<sup>35</sup> Reuters was unable to determine what prompted his arrest or his current whereabouts. Myanmar has detained at least 38 journalists since State Counselor Aung San Suu Kyi came to power in 2016.

### **B. Freedom of the Press and Censorship**

In early July, a judge ruled that the two Reuters journalists who were arrested in December would face trial.<sup>36</sup> The two reporters, Wa Lone and Kyaw Soe Oo, face up to 14 years in prison under Myanmar's colonial-era Official Secrets Act. The President and Editor-in-Chief of Reuters, Stephen J. Adler, called the case against the reporters a "protracted and baseless

proceeding” and said that the decision “casts serious doubt on Myanmar’s commitment to press freedom and the rule of law.”

Wa Lone testified in mid-July that he and Kyaw Soe Oo were arrested after they met two police officers in a Yangon restaurant.<sup>37</sup> This testimony contradicted the prosecution’s assertion that the two reporters were detained during a routine traffic stop. The reporters said that one of the officers arranged a meeting for that day and in the restaurant handed the reporters rolled-up documents that “had nothing to do with” the conversation. The reporters said they were then arrested before they could even look at the documents. One police officer, Naing Lin, testified that he had met the journalists but had not given them anything. A police captain, Moe Yan Naing, however, told the court that a more senior officer had ordered Naing Lin to plant documents on the reporters to entrap them. After testifying, this police captain was sentenced in secret to a year in prison for an unspecified violation of the police disciplinary code.

### **III. Economic Development**

#### **A. Economic Development—Legal Framework, Foreign Investment**

The Myanmar Federal Chambers of Commerce and Industry recently established the Myanmar Ethnic Entrepreneurs’ Association (“MEEA”) to represent the interests of local ethnic businesses in Myanmar. The main objective of the MEEA is to provide assistance to local ethnic entrepreneurs so that they can promote their businesses by connecting to other ethnic businesses as well as local and foreign investors.<sup>38</sup> The project will focus on exporting goods from ethnic businesses to expand the market for such products.<sup>39</sup> However, the Myanmar Times notes that in order to ensure that the MEEA’s plans are effectively and sustainability implemented, it will be important to also promote the extension of access to electricity to rural areas and the improvement of roads for the easy transport of goods to other areas of the country.<sup>40</sup>

The union government of Myanmar has been focusing on attracting foreign investment into Myanmar’s economy by remodeling its tax regime with a slew of tax incentives for foreign investors.<sup>41</sup> Incentives for foreign investors include a tax exemption for five to seven consecutive years and various deductions and exemptions from customs duty and domestic taxes on imported materials and equipment, among other benefits.<sup>42</sup> While these tax benefits are to promote foreign investment, the benefits are tempered by the need to collect more tax revenues.<sup>43</sup> Despite being one of the fastest growing economies in Asia, Myanmar’s tax revenue collection has been one of the lowest, and this has consequently created roadblocks to other areas of economic development in Myanmar.<sup>44</sup>

#### **B. Economic Development—Infrastructure, Major Projects**

Myanmar’s Ministry of Commerce is negotiating with a Chinese consortium to build a strategic deep-sea port in Rakhine as part of the planned special economic zone in the region. The deep-sea port is part of the broader Myanmar-China economic corridor initiative whereby the two countries are implementing measures to promote trade and commerce with each other.<sup>45</sup>

The deep-sea port project is expected to encourage development in the Rakhine State and to provide increased job opportunities for local people.<sup>46</sup>

The China-Myanmar high-speed railway project that was derailed in 2014 is now back on track under the National League for Democracy-led government. The project was previously abandoned due to social opposition, lack of financial feasibility and national security concerns.<sup>47</sup> The railway will extend to major economic areas in Myanmar, such as Yangon and Kyaukphyu, where special economic zones and deep-sea ports are located.<sup>48</sup> The project has been experiencing backlash, however, due to its lack of transparency.<sup>49</sup> The government of Myanmar has signed agreements with Chinese investors regarding the development plan for the project without public notice or comment.<sup>50</sup>

### **C. Land Seizures**

Human Rights Watch, a U.S.-based advocacy group, released a report on July 17, 2018 discussing land seizures, which it views as a “central challenge” for Myanmar.<sup>51</sup> Human Rights Watch based the report on interviews with 39 farmers over a 6 month period in late 2016 to early 2017.<sup>52</sup> Most of the interviewees reported “little or no notice [of an impending land seizure] and meager, if any, compensation” for their land.<sup>53</sup> In cases where compensation was offered, the report criticized it as “uniformly inadequate,” noting that it “did not even cover the cost of relocating” in some cases.<sup>54</sup> In cases where former farmers were able to find work after losing their land, they reported that the wages paid were “not enough to live on.”<sup>55</sup> In addition to having trouble affording food, former farmers reported being unable to pay for medical care and education for their children, many of whom are now forced to look for jobs as manual laborers alongside their parents.<sup>56</sup> Families who have had land seized are often reluctant to engage with the authorities over the seizure and, even in cases where they have done so, have rarely received their land back.<sup>57</sup> Even in cases where they receive a favorable verdict, land is often sold by local administrators to companies or given to those who worked on the land subsequent to seizure.<sup>58</sup> Farmers taking more direct action, including protesting, face a risk of being arrested.<sup>59</sup> If arrested and charged, they may be subject to a lengthy trial which can exhaust their financial resources and may result in a jail sentence.<sup>60</sup>

In Mandalay, villagers claim they were blocked by police from reaching the regional capital to protest against the construction of a cement factory.<sup>61</sup> The planned factory has allegedly blocked some communal grazing lands and locals fear that it may further damage the local area. In connection with the locals’ protest, five villagers were sued under the Peaceful Assembly and Peaceful Procession Law and for disrupting road work. The impacted villagers reported that they have “no idea” why they were sued given that they had received official permission to stage the protest.<sup>62</sup> The village administrator who “stood with his fellow villagers in protest” was reportedly sacked from his post by the Township General Administration Department.<sup>63</sup> Villagers felt that the dismissal of the village administrator elected by the people was a “direct threat to the people.”<sup>64</sup>

Hospital officials from the Yangon General Hospital have reported difficulties “dealing with squatters who live on the hospital’s grounds.”<sup>65</sup> Hospital administrators have submitted

plans to remove hawkers and squatters from the grounds and plan to take action once they get approval to do so from the regional government and Ministry of Health and Sports.<sup>66</sup> There is concern that the hawkers reduce access to the wards and may hamper attempts to maintain hygiene levels at the hospital.<sup>67</sup>

In Kayin State, settlers who have allegedly encroached on the Myawady Forest have been instructed to dismantle their houses by the first week of August.<sup>68</sup> Approximately 5,000 houses are impacted.<sup>69</sup> The disputed land is occupied by residents with no title deeds but whose families have occupied the land for generations or who bought the land from the Democratic Karen Buddhist Army.<sup>70</sup> The town has constructed a plan under which the town plans to sell portions of the land which has raised the issue.<sup>71</sup>

Protests against the Letpadaung copper mine continue.<sup>72</sup> Farmers are protesting against the company's alleged failure to follow the recommendations of a government report and the company's attempt to give them substitute land in an "undesirable location" that is approximately 40 miles from their villages.<sup>73</sup>

In the Tanintharyi Region, farmers staged a protest against an oil-palm company that confiscated their land and destroyed their crops without providing any compensation.<sup>74</sup> The company has reportedly threatened farmers, who, despite having complained to government departments, indicate that the issue remains unresolved.<sup>75</sup>

#### **IV. Peace Talks and Ethnic Violence**

##### **A. Ethnic Violence**

The Ta'ang National Liberation Army ("TNLA") said in July that government troops killed six female medics held in captivity, amid ongoing fighting in Shan State.<sup>76</sup> According to the TNLA, government forces took the women as prisoners of war after ambushing them on the afternoon of July 11 in northern Shan's Namkham township as they were traveling to a village in the northern part of the State. The TNLA also said that government forces killed a TNLA soldier trying to protect the women.<sup>77</sup> The TNLA said that the bodies of the six female medics and one soldier were found together in a grave on July 14. Two of the bodies had gunshot wounds and the other four had stab wounds and bruises from beatings.<sup>78</sup>

Fighting broke out in mid-July between the Restoration Council of Shan State/Shan State Army-South ("RCSS/SSA-S"), and a joint force of the TNLA and Shan State Progress Party/Shan State Army-North ("SSPP/SSA-N") near Mingmu village.<sup>79</sup> The clash between rival ethnic armies forced nearly 1,000 local residents of Mingmu village in Shan State's Namtu township to flee their homes and seek safety in Buddhist monasteries in the nearby townships of Namtu and Thibaw, also known as Hsipaw.<sup>80</sup> The RCSS blamed the hostilities on an offensive launched by the TNLA and SSPP against the ethnic militia's positions, claiming that it had withdrawn its troops on four different occasions to avoid clashes with Northern Alliance armies, but that TNLA-SSPP joint forces attacked its units.<sup>81</sup>



Also in mid-July, soldiers from the Restoration Council of Shan State/Shan State Army-South (“RCSS/SSA-S”) took 50 boys from a few villages in Mong Pan township of Shan State, according to the National League for Democracy (“NLD”).<sup>82</sup> The NLD said the RCSS/SSA-S compiled a list of young men in the area and informed their parents that it would recruit them as new members, and the boys went with the RCSS/SSA-S because they did not want the ethnic militia to threaten their parents if they refused.<sup>83</sup> RCSS/SSA-S spokesman Lieutenant Colonel Sai Oo told Radio Free Asia that he was not aware of the forced recruitment in the villages and could not confirm it.<sup>84</sup>

Earlier in July, fighting between Myanmar forces and the RCSS/SSA-S in Hanngin and Hikhe villages of Shan State’s Mong Kung township forced about 500 residents to flee to safety in monasteries.<sup>85</sup> Four days of fighting between the two sides left 12 Myanmar army troops and one RCSS/SSA-S soldier dead.<sup>86</sup>

Rights groups have accused both government troops and ethnic soldiers of human rights violations in Myanmar’s conflict zones, including kidnapping, torturing, and killing civilians, and forcing them to work as laborers and as recruits.<sup>87</sup>

## **B. Peace Talks**

The third session of the 21<sup>st</sup> Century Panglong Peace Conference, held July 11-16, 2018, did not include discussions on the rights of ethnic minorities because of objections from the Tatmadaw.<sup>88</sup> The Tatmadaw agreed only to discuss the topic of gender equality, arguing that “citizens’ rights” includes ethnic rights. The Conference ended with 14 additional basic principles on all issues, except security, adopted as Part II of the Union Accord.<sup>89</sup> Only one of the principles is in the economic sector. Ten principles rejected by the Tatmadaw included the Union and state/regional governments being allowed to draft policies for private sector businesses, intending to increase transparency and responsible business practices. Other rejected considerations regarded issues such as fair revenue sharing between the Union and state/regional governments; full rights to draft a budget and raise revenue and expenditures; subsidiary principles for regional authorities; and macroeconomic stability and a macroeconomic monitoring program. The Conference also concluded with a commitment to hold three more rounds of the meeting before the end of 2019 and that a major congress would be held by 2020 as necessary.<sup>90</sup>

The Myanmar government invited all members of the Federal Political Negotiation and Consultative Committee (“FPNCC”) to attend the Panglong Peace Conference.<sup>91</sup> The FPNCC is a political alliance of armed groups based in northern Shan and Kachin states. Its members include the United Wa State Army, the Kachin Independence Army, the National Democratic Alliance Army, the Shan State Progress Party, the Ta’ang National Liberation Army, the Arakan Army and the Myanmar National Democratic Alliance Army. According to the peace conference rules, participation in discussions is limited to existing ethnic armed groups who have signed the Nationwide Ceasefire Agreement (“NCA”).<sup>92</sup> The FPNCC’s invitation permitted the members to attend meetings, but they were not able to participate in the meetings as representatives since they have not signed the NCA.<sup>93</sup> Additionally, representatives of the

FPNCC met with State Counselor Aung San Suu Kyi and Myanmar Armed Forces Chief Senior-General Min Aung Hlaing.<sup>94</sup> The FPNCC said it discussed reopening the lines of communication between the coalition and the government peace negotiator.<sup>95</sup>

The Karen Peace Support Network, a group of more than 20 ethnic Karen Civil Society groups that operate along the Thai-Myanmar border, released a statement ahead of the Panglong Peace Conference, accusing the Tatmadaw of blocking proposals for building a federal political system in the future.<sup>96</sup> The statement also called for amending or repealing laws, including the 2008 Constitution, that give the central government strong authority over land and natural resources.

In a speech on the first day of the third session of the Panglong Peace Conference, Commander-in-Chief Senior-General Min Aung Hlaing said that the Myanmar government and the Tatmadaw are actively seeking peace, but that this should not be misread as a sign of weakness on the part of the armed forces.<sup>97</sup> He criticized ethnic armed groups, saying that they are responsible for the stalled peace process, which is “drowning our country.”<sup>98</sup> He went on to say that the armed groups should operate according to international peace principles and not waste time on discussions unrelated to peace. His comments are widely believed to be in response to a proposal from ethnic armed groups at informal talks that the Tatmadaw’s role in political dialogue should end within the next ten years. In his speech, Senior-General Min Aung Hlaing also claimed that the Tatmadaw represents all Myanmar nationals.<sup>99</sup> This claim drew a strong negative response from the public on social media.

Arakan National Party (“ANP”) Vice Chairwoman Aye Nu Sein’s speech on the first day of the Conference also sparked controversy and debate among political analysts and prompted the Union Peace Dialogue Joint Committee (“UPDJC”) bloc of political parties, of which the ANP is a member, to disavow the speech.<sup>100</sup> The speech highlighted the violence in northern Rakhine State last year in which tens of thousands of non-Muslim people were displaced in Maungdaw District and 700,000 Rohingya individuals were driven out to Bangladesh by Tatmadaw clearance operations. The Vice Chairwoman also criticized the ruling party’s failure to consult the local Arakanese party, which holds seats in the Rakhine State Parliament, in its response to the crisis. In a statement, the UPDJC said the ANP’s speech did not reflect the views of the political bloc and that the address was delivered without consultation with other parties.

The Tatmadaw made a conditional offer for the Ta’ang Nationalities Liberation Army (“TNLA”), the Myanmar National Democratic Alliance Army (“Kokang”) and the Arakan Army (“AA”) to sign the NCA following a period of dialogue.<sup>101</sup> The deputy head of the Tatmadaw made the offer during a sidelines meeting with the leaders of the three ethnic armed groups during the Panglong Peace Conference. The offer is conditioned on the ethnic armed groups announcing that they would agree to disarm prior to engaging in a dialogue to sign the NCA.

The United Wa State Army (“UWSA”), the largest armed ethnic group in Myanmar, said it still has some concerns over signing the NCA.<sup>102</sup> The government’s Peace Commission plans to visit northeastern Myanmar to attempt to assuage the UWSA’s concerns.

In her closing address to the third session of the 21<sup>st</sup> Century Panglong Peace Conference, State Counselor Aung San Suu Kyi said that a peace strategy is required to achieve all parties' common goals for Myanmar. She said that the UPDJC had already formed working committees tasked with implementing this strategy. The conference concluded with the signing of agreements under Part 2 of the Union Accord. These agreements included 14 principles that were discussed and approved by the UPDJC. Of these principles, four were in the political sector, one economic, seven social, and two involved land. No agreement has yet been reached on the security sector. Some delegates expressed disappointment with the results of the conference. A Karen National Union delegate said the wording "to encourage the participation of at least 30 percent of women in every sector" is concerning because there should be a specific polity to enhance the participation of women, not merely encouragement. Additionally, there is disappointment over the inclusion of only two principles in the land sector with many demands of ethnic groups left out of the final text.

The Myanmar government began informal meetings with ethnic armed groups as agreed at the third round of the 21<sup>st</sup> Century Panglong Peace Conference.<sup>103</sup> The government's Peace Commission held separate meetings with the Kachin Independence Organization ("KIO") and the Restoration Council of Shan State/Shan State Army-South ("RCSS/SSA-S) in Chiang Mai, Thailand just days after the end of the conference on July 16. The meetings aimed to enhance trust between the government and armed ethnic groups through the NCA.

In an interview, the Vice Chair of the New Mon State Party ("NMSP") said that conditions got worse for the group after signing the NCA due to growing doubts about the intentions of the Tatmadaw.<sup>104</sup> The NMSP, which signed the NCA on February 13, hasn't been allowed to join the Joint Monitoring Committee, and the Tatmadaw has seized three NMSP camps.

Chinese Special Envoy Sun Guozhang told reporters that although China has helped facilitate peace negotiations between the Myanmar government and ethnic armed groups based along the China-Myanmar border, China does not have its own interests in supporting Myanmar's peace process.<sup>105</sup> He said that China is committed to supporting Myanmar in achieving peace for the sake of all Myanmar nationals and that if peace is achieved, the China and Myanmar border would be stable.

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- 2 New York Times, May 31, 2018: <https://www.nytimes.com/2018/05/31/world/asia/myanmar-rohingya-refugees-return.html>
- 3 UN, June 6, 2018: <https://news.un.org/en/story/2018/06/1011491>
- 4 The Guardian, July 5, 2018: <https://www.theguardian.com/world/2018/jul/06/rohingya-refugees-reject-un-myanmar-repatriation-agreement>
- 5 *Id.*
- 6 *Id.*
- 7 *Id.*
- 8 UNHCR, August 3, 2018: <http://www.unhcr.org/news/briefing/2018/7/5b3f2794ae/joint-bangladeshunhcr-verification-rohingya-refugees-gets-underway.html>
- 9 *Id.*
- 10 Inter Sector Coordination Group, July 19, 2018: [https://reliefweb.int/sites/reliefweb.int/files/resources/iscg\\_situation\\_report\\_19\\_july\\_2018.pdf](https://reliefweb.int/sites/reliefweb.int/files/resources/iscg_situation_report_19_july_2018.pdf)
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- 24 *Id.*
- 25 Myanmar Times, July 20, 2018, <https://www.mmtimes.com/news/myanmar-farmers-are-still-waiting-their-confiscated-land-and-justice.html>.
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