

**STATUS OF HUMAN RIGHTS & SANCTIONS IN MYANMAR**

**FEBRUARY 2019 REPORT**

**Summary.** This report reviews the February 2019 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**

Violence in Rakhine State has continued to increase over the past month following an intensification of military activity in early January when the Arakan Army (“AA”) attacked four police posts, reportedly killing thirteen officers. Myanmar soldiers have been shelling villages, detaining civilians, and blocking aid as part of a new crackdown in Rakhine State by some of the army units implicated in human rights violations against the Rohingya.<sup>1</sup> A young civilian woman was killed when Tatmadaw soldiers responded to a land mine explosion by firing their weapons into a village.<sup>2</sup> Villagers told Amnesty International that they had fled their homes under military bombardment, and when they returned to collect their belongings, they discovered that money and other valuables were missing. They suspected soldiers of the theft because troops had been securing the area.<sup>3</sup> The United Nations estimates that more than 5,200 people have been displaced by this recent fighting, with dozens of families reportedly fleeing into Bangladesh.<sup>4</sup> Most of these newly displaced people belong to Buddhist ethnic minorities and are not Rohingya.<sup>5</sup>

Repatriation of the Rohingya to their native state of Rakhine is still halted. Bangladesh’s foreign minister, AK Abdul Momen, has called on Russia, China, India, and ASEAN states to help the country to tackle the Rohingya refugee crisis.<sup>6</sup> In an interview, Momen said that the Bangladeshi government proposed to establish a safe zone in Rakhine State. Momen believes that if a safe zone is created and monitored by China, Russia, India, and the ASEAN states, then the Rohingya people will be encouraged to return to their homes. He warned that if Rohingya refugees continue to live in squalid makeshift settlements for a longer period of time, there may be an increase in radicalism, threatening the stability not just of Myanmar and Bangladesh, but of the entire region.<sup>7</sup> In addition, Momen noted that guaranteeing Myanmar citizenship to the refugees who return to Rakhine will be a precondition of the proposal.<sup>8</sup> This has been supported by India, and Momen hopes that other countries will follow suit.

### **B. Corruption**

The Anti-Corruption Commission’s (“ACC”) Corruption Prevention Unit will conduct trainings for officials of the ministries that have received the most public complaints.<sup>9</sup> Between November 2017 and December 2018, the ACC received 10,747 complaints, the majority of which were directed toward fourteen ministries.<sup>10</sup> The Ministry of Home Affairs received the most complaints.<sup>11</sup>

State Counselor Aung San Suu Kyi visited the Tanintharyi region, meeting with locals and delivering an address urging government employees to work “truthfully and transparently.”<sup>12</sup> Her visit came after complaints were filed against Tanintharyi officials, including Lei Lei Maw, a regional minister accused of giving business contracts and government jobs to relatives.<sup>13</sup>

Online commenters leveled charges on Facebook against the Union Solidary and Development Party (“USDP”), a military-backed party.<sup>14</sup> The commenters called the USDP the “party of thieves” and accused it of illegal appropriation of public property.<sup>15</sup> In response, USDP spokesperson, Thein Tun Oo, called the commenters pawns of Western interests and insinuated

that organized interests are behind the comments.<sup>16</sup> Thein Tun Oo also called attention to recent allegations against the government for corruption and questioned the government's record.<sup>17</sup>

On February 20, the Environmental Investigation Agency, a London-based environmental watchdog, published a report detailing corruption between Cheng Pui Chee, a late teak trader, and senior military and government officials.<sup>18</sup> The report alleged that Cheng Pui Chee had illegal arrangements with government officials allowing him to avoid paying fair value for teak, a commodity regulated by the state-run Myanmar Timber Enterprise.<sup>19</sup>

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

Bangladesh announced that it expects the international community to compel Myanmar to take back the Rohingya refugees. Over 1.1 million Rohingya are living in Bangladesh, including the recent arrival of over 700,000 who fled ethnic cleansing in the Rakhine State. Speaking at a seminar on February 12, Planning Minister MA Mannan said the international community needs to come forward to resolve the crisis. "Myanmar must take back Rohingyas from Bangladesh ensuring their all rights, including citizenship," he said. "It's not possible for Bangladesh to resolve the complex problem alone." Similarly, Director General of the foreign ministry's Southeast Asia wing, Delwar Hossain, said, "We expect more engagement of the international community so that Myanmar feels compelled to react in a decisive manner to create conducive environment so that their people can go back at the earliest possible."<sup>20</sup>

In New York, the question of justice dominated discussions at a February conference on the persecution suffered by the Rohingyas in Myanmar. Panelists, including international legal experts, Rohingya refugees, members of the diaspora and human rights activists called on the international community to take collective and decisive action against the Myanmar government. Without the specter of accountability or justice, the atrocities would simply multiply, according to Tun Khin, president of the Burmese Rohingya Organization UK. "The people in the [refugee] camps want justice," he said. "If there is no accountability, the oppression will continue. Why would the military stop if they know there will be no consequences for their actions?" Gregory Stanton, from Genocide Watch, told the conference that the Rohingya, who continue to suffer intimidation, murder and displacement, deserve protection, justice and ultimately reparation.<sup>21</sup>

The Myanmar Times reported that analysts are not expecting the EU or the U.S. to revoke Myanmar's tariff-free access to their markets in the coming months. Following a UN report last year examining human rights abuses inflicted on the Rohingya population by the Tatmadaw, the EU announced that it was considering trade sanctions against Myanmar, which could potentially revoke Myanmar's tariff-free access to the EU if implemented. However, according to a report by Fitch Solutions Macro Research, such trade sanctions are unlikely because they would significantly weaken the economy and undermine Myanmar's civilian government. "The human rights abuses at issue have been attributed to the Tatmadaw and Western policymakers have long expressed concern that imposing blanket trade sanctions would primarily harm ordinary citizens, weaken support for civilian leaders and push Myanmar firmly into China's sphere of influence," the report said. The EU has not yet triggered a formal six-month review of Myanmar's status under its 'Everything But Arms' trade initiative. The U.S. also has not imposed new sanctions on the country. Nevertheless, the report notes, "Even without sweeping trade sanctions, the government's implication in human rights abuses has

generated significant reputational risks to doing business in Myanmar. Anecdotal evidence suggests that tourism from Western countries has been curtailed severely and would-be investors have stepped away due to wariness of reports surrounding Myanmar's internal conflicts."<sup>22</sup>

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

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

On February 1, police detained 20 ethnic rights activists for protesting against the Kayah State government's placement of a statue of independence hero General Aung San in Loikaw.<sup>23</sup> The activists, who were released on bail later the same day, were arrested under Article 19 of the Peaceful Assembly and Peaceful Procession Act, which prohibits people from protesting without first obtaining permission from police. The activists said the statue "stains" the history of Kayah State. On February 4, residents of Kayah State opposed to the statue set up a protest camp in front of the local office of the National League for Democracy.<sup>24</sup> Khun Thomas, spokesperson for the rights activists, said the protesters blame the ruling NLD for the statue of the late independence hero and that about 40 of them were camping out in front of the party office to demand that NLD officials meet with them and discuss their objections. On February 7, police detained 36 of the activists camped in front of the NLD's local office.<sup>25</sup> Township authorities rejected the group's permission to hold a protest on two occasions, according to the rights activists. Their first request was to protest at the park where General Aung San's statue has been erected.

The Kayah State government dropped lawsuits against the 55 rights activists charged for their participation in a series of protests over the past year against the installation of the statue of General Aung San in Loikaw.<sup>26</sup> A protest march against the statue by thousands of local residents led by the Karenni State Youth Force led to talks between the protest leaders and the state government. Police used water cannons and rubber bullets to disperse demonstrators who attempted to break through a police cordon. Over 20 people were injured in the clash. The demonstrators agreed to disperse in exchange for a promise that the lawsuits would be dropped. Since February 2018, authorities had opened 86 cases against 55 youths for protesting against the installation of the General Aung San statue, and for offenses relating to their efforts to promote a Kayah perspective on history.<sup>27</sup>

On February 22<sup>nd</sup> the European Commission ("EC") issued a press release indicating that the EC and the European External Action Service sent a high-level mission to Myanmar to evaluate the progress on human rights in Myanmar.<sup>28</sup> The mission focused on hate speech and media freedom, among other issues. While in Myanmar, the mission held discussions with the government of Myanmar and with United Nations agencies.

Wa Lone and Kyaw Soe Oo, the two Reuters reporters who have been imprisoned in Myanmar (while working on a story about the massacre of ten Rohingya men and boys), have been awarded a prestigious award for their reporting, the George Polk Award in Foreign Reporting.<sup>29</sup>

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

A court in Tanintharyi Region fined a local weekly paper 500,000 kyats (\$327) for a satirical article it published more than a year ago that offended the region's chief minister.<sup>30</sup> The editor-in-chief of the Tanintharyi Journal said the decision was not fair, especially given the government's efforts to establish a liberal democracy that respects the freedom of expression. The journal was sued by the deputy director of the regional government office over a November 20, 2017, article that referred to an unnamed female incumbent planning to contest a coming election for ward and village administrators. The complaint said the article was targeting the regional chief minister, Lei Lei Maw, and damaged the government's reputation. In December 2017, the journal was charged under Article 25 (b) of the Media Law — which carries a maximum fine of 1 million kyats for news that “deliberately affects” the reputation of a specific person or organization.” The editor-in-chief said that he would consult with a lawyer before deciding whether to appeal.

Facebook has banned the Northern Alliance, a coalition consisting of the AA, the Kachin Independence Army (“KIA”), the Myanmar National Democratic Alliance Army (“MNDAA”) and the Ta'ang National Liberation Army (“TNLA”), calling the groups “dangerous organizations.”<sup>31</sup> Facebook said all related praise, support and representation of the AA, KIA, MNDAA and the TNLA would also be removed. In a statement, the company said, “There is clear evidence that these organizations have been responsible for attacks against civilians and have engaged in violence in Myanmar, and we want to prevent them from using our services to further inflame tensions on the ground.” A spokesman for the AA said he was not aware of the ban and declined to comment. On Twitter, however, the group's deputy chief-of-staff, Nyo Tun Aung, said the alliance members were freedom fighters and questioned Facebook's decision to label them “dangerous organizations.” Some Facebook users criticized the company's decision to take down the pages and accused it of selectively targeting armed groups that have not signed Myanmar's Nationwide Ceasefire Agreement (“NCA”). Facebook has been lambasted for its slow and ineffectual response to incendiary posts, particularly against Rohingya Muslims, for several years.<sup>32</sup>

Ten reporters for a Nay Pyi Taw news journal have been arrested by police over accusations that they demanded 200,000 kyats (\$132) from Saw Naing, a charcoal maker.<sup>33</sup> Saw Naing alleged that the reporters threatened to report to local authorities that he was making bamboo charcoal in the Kyaukphyu forest reserve if he did not pay them. The Ministry of Information said that the reporters have admitted to police that they had extorted about 1 million kyats from charcoal makers in the area over a five-day period. The chief editor of the Nay Pyi Taw Times, where the reporters worked, said the reporters had been falsely accused because they had filed assault and robbery charges against the charcoal makers and were there to investigate an illegal logging gang.

The two Reuters journalists jailed for seven years on charges linked to their reporting of the Rohingya crisis lodged an appeal with the Myanmar Supreme Court.<sup>34</sup> A statement from Reuters said, “Our petition asks that the Supreme Court finally provide justice to Wa Lone and Kyaw Soe Oo, reverse the lower courts' errors, and order the release of our journalists.” The process is expected to take several months.

A former police captain, Moe Yan Naing, who testified in court that the two Reuters journalists had been entrapped by police, was released after one year in jail on February 1.<sup>35</sup> Moe Yan Naing was arrested for violating the Police Disciplinary Act by testifying.

### **III. Economic Development**

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

In 2018, foreign direct investment (“FDI”) in Myanmar rose by close to 45% to an estimated value of \$4 billion. This is the third consecutive year of increase in FDI, driven by investment from the ASEAN region. Key sectors with strong FDI growth are the extractive industry, manufacturing industry, services industry and infrastructure sector.<sup>36</sup> However, the World Bank reported recently that the stream of FDI may slow in 2019 as new FDI commitments approved by the Directorate of Investment and Company Administration fell from \$4.1 billion in the first half of 2017-2018 by more than 50% to \$1.7 billion in the first half of 2018-2019.<sup>37</sup>

U.S. investors are showing interest in Myanmar following its recent efforts to open up and regulate several sectors of the economy, such as banking and finance, and education. In February, the U.S. Ambassador to Myanmar, Scot Marciel, met with businessmen from the Union of Myanmar Federation of Chambers of Commerce and Industry (“UMFCCI”) to discuss potential investment opportunities. According to the Directorate of Investment and Company Administration, the U.S. has invested over \$400 million in 20 Myanmar companies over the past 30 years and is ranked as the 13th largest foreign investor in the country.<sup>38</sup>

At a Rakhine foreign investment forum on February 22, Myanmar State Counsellor Aung San Suu Kyi praised Rakhine State’s “untapped” economic potential, particularly highlighting the promise of tourism, manufacturing and specifically the oil and gas sector as “one of the shining assets of Rakhine State.” Aung San Suu Kyi glossed over the ethnic and religious conflict in Rakhine State, which led more than 740,000 Rohingya Muslims to flee to Bangladesh after a Tatmadaw crackdown in August 2017. Rakhine, a strategically important stretch of arable land covering Myanmar’s western edge, with off-shore oil and gas deposits and a long coastline, is also one of the country’s poorest states. The forum attracted participants from India, Japan, Korea, Thailand and China. China is currently building a large port in the south of Rakhine State and pipelines running through the State. Aung San Suu Kyi criticized the international community for focusing “narrowly on negative aspects related to problems” in the northern part of the State rather than the potential to uplift Rakhine through development. Rakhine, she said, is filled with opportunities and “warm and friendly people, all eager to be part of the development adventure.”<sup>39</sup> The investment forum resulted in the signing of an estimated \$5.2 billion in new investment proposals, mainly in the hotel and tourism, agriculture, energy, livestock and fishery, production, construction and human resource and development sectors.<sup>40</sup>

On February 7, the leaders of several foreign investment groups in Yangon signed an open letter calling on foreign investors to invest in Myanmar, stressing the critical role foreign direct investment plays in the country’s transition. “Having been in isolation for so long, Myanmar now requires the broad regeneration of its economy to meet the demands of modern-day trade. As a result, there exists a significant range of private sector investment opportunities across every sector of the economy,” the letter said, referencing the opportunities presented in

the Myanmar Sustainable Development Plan which was announced last year. The letter was co-signed by the British, Australian, American, European, Italian, German and French chambers of commerce in Myanmar. These groups together include more than 600 companies from over 30 countries. “Existing investments by our members contribute significantly to transformative social and economic development from within Myanmar,” the letter stated. The letter is a rare show of support for the government from the international business community. Trade with western economies has been critical for Myanmar’s economic growth. The country’s export industries have benefitted from its tariff-free access to the EU market since 2013, creating hundreds of thousands of jobs. However, Brussels is currently considering ending Myanmar’s trade privileges due to alleged human rights violations in northern Rakhine State.<sup>41</sup>

Myanmar is offering a tax exemption to entrepreneurs investing in a New Yangon City Project, with the aim of attracting even more investors to the city expansion project on lands west of Yangon River. Investors in Zone-1 are offered a seven-year tax break, while those investing in Zone-2 are offered a five-year tax break. Investors in Zone-3 are offered a three-year tax break. The New Yangon Development Company (“NYDC”), which is fully owned by the Yangon region government, is implementing the project. According to the Yangon regional government, the project is expected to create about 2 million jobs. Phase-1 of the project will include the construction of five townships, two bridges, a 26-km-long arterial road, a 10 square-kilometer industrial zone, an electric power generation factory and facilities, and water treatment plants.<sup>42</sup>

In January 2019, Singapore-based Ascent Capital Partners Pte. Ltd. launched its first Myanmar-focused private equity fund backed by sovereign wealth fund Temasek and the Asian Development Bank (“ADB”). ADB signed an agreement to invest \$10 million into the Myanmar-focused private equity fund to provide much-needed capital investment for the growth and expansion of small and medium-sized enterprises (“SMEs”). The fund aims to support local companies, particularly SMEs led by women or with potential to make a significant contribution to inclusive and sustainable economic growth in Myanmar.<sup>43</sup>

The Myanmar Government has begun efforts to reform the country's intellectual property laws. The Ministry of Education, Science and Technology and other government agencies have prepared four draft bills for (i) a trademark law, (ii) an industrial design law, (iii) a patent law, and (iv) a copyright law. On January 30, the Assembly of the Union passed the trademark and the industrial design bills. However, both laws will only be effective and implemented after the Myanmar President passes relevant notifications.<sup>44</sup>

The latest regulation by the Central Bank of Myanmar (“CBM”) permitting foreign institutions to invest up to 35% in local banks has been well-received by the banking and financial industry. However, experts have flagged the need for further clarity in its provisions. The experts requested that the CBM further clarify if foreign banks are allowed to invest solely in public banks or if they are free to invest in private banks or family-owned banks. The recent regulation of the CBM comes shortly after it also permitted foreign banks to expand their networks and services, including lending to local banks, in November last year.<sup>45</sup>

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

The first meeting of the Steering Committee for Implementation of Beijing’s Belt and Road Initiative (“BRI”) in Myanmar occurred on Monday, February 18 in Naypyitaw. During the meeting, Aung San Suu Kyi, who chairs the panel, emphasized the need to thoroughly scrutinize the projects in the initiative and assess the short and long term impacts on the country and the public. The steering committee comprises 25 members including 18 Union ministers (from ministries ranging from Home Affairs to Hotels and Tourism); five chief ministers (from Kachin, Mandalay, Rakhine, Yangon and Shan states); the foreign affairs permanent secretary; and the chairman of the Naypyitaw Council.<sup>46</sup>

On February 1, the Myanmar Times reported that the Muse-Mandalay Kyaukphyu railway line, for which the China Railway Eryuan Engineering Corporation started a partial survey, is expected to be one of the largest road and railway projects in the country.<sup>47</sup>

Speculation is rising in Myanmar about the future of the suspended Myitsone hydropower project.<sup>48</sup> The project is an important unresolved issue in China-Myanmar infrastructure cooperation, and its abrupt suspension has tested political trust between the two countries. Thaug Tun, chairman of Myanmar’s investment commission, has put forth alternative options including scaling back the dam, moving it to a different location or offering the operator an alternative project at an investment conference on January 29. The renewed claims and hurry to revive the project led to protest by thousands of people in Kachin State, calling for a permanent stop to the project amongst concerns by ethnic Kachin people.<sup>49</sup>

AsiaBaseMetals Inc. announced its intention to pursue mining opportunities in Myanmar and, in connection with its announcement, has filed for and obtained a registration from the Directorate of Investment and Company Administration, which handles company registrations for foreign businesses and serves as a secretary to the Myanmar Investment Commission.<sup>50</sup>

February 13 saw the kickoff of the construction of a Japan-funded bridge in Myanmar with a groundbreaking ceremony in Yangon.<sup>51</sup> The bridge, funded by a ¥31 billion (K427.5 billion) low-interest loan from the Japan International Cooperation Agency, will be constructed over the Bago River and is expected to be completed by the end of 2021. The 2-kilometer-long bridge will allow heavy container trucks to access the SEZ via a shorter and more convenient route than at present.

On February 14, Deputy Construction Minister Kyaw Lin announced that a final approval for the development of the Eco Green City project is expected to be inked before the end of this month.<sup>52</sup> The project aims to meet expectations set out under the Yangon 2040 Master Plan to build a new smart city providing low-cost housing and rental homes for low-income earners, as well providing jobs to improve social standards. The Eco Green City is next in line in a series of four projects slated for development by the Urban and Housing Development Department in joint ventures with the private sector. In total, the project will consist of the equivalent in value of 4,000 low-cost housing units or about 3,000 affordable housing units over 200 acres of land. About \$2 billion will be spent on the project over ten years. Some 50,000 jobs will be created during the project implementation period, and about 15,000 permanent jobs after completion of the project.



A housing project to be built in Yay Tagon Taung in Mandalay Region's Patheingyi Township is expected to create tens of thousands of jobs.<sup>53</sup> The project site is on 202 hectares of land on a golf course owned by the Mandalay City Development Committee about six kilometers east of Mandalay city. The project's master plan features an economic zone, golf course zone and housing zone. The development will include residences, a school, hospital, hotels, golf course, playgrounds and a shopping mall. Work has already begun, and the project is expected to take three to six years.

Ye Htut Aung, Deputy Director General of the Department of Civil Aviation, announced that Surbung Airport in Falam Township, Chin State, will open in September 2020.<sup>54</sup> This will be the first major airport in the state.

### **C. Land Seizures**

The six-month window for the registration of vacant, fallow and virgin land for the use of agribusiness in accordance with the newly amended Vacant, Fallow and Virgin Lands Management Law will come to a close on March 11.<sup>55</sup> The law gave rise to public outcry from those who condemned it as unfair and a threat to land rights of the ethnic minority groups who practice traditional customary tenure and who fear losing their lands that they own without legal statutory tenure. The Chin Land Affairs Network ("CLAN"), with members from all nine townships of Chin State, urged for the law to be revoked, saying it would ignite conflict in the area. In December, the Karen National Union ("KNU") publically objected to the law and urged for it to be revoked, saying it goes against the principles of the NCA, which stipulates that the drafting of land policies is to take place at sessions of the Union Peace Conference.

The Kayin State government has demolished 30 houses that were illegally built on forest land in the Democratic Karen Buddhist Army's ("DKBA") new town project in Myawady Township. A spokesperson for the Forest Department said that the houses were demolished because the owners of the structures did not dismantle them after receiving two weeks' notice. The spokesperson also said, "The houses have been removed as no one was staying in them." The land was originally owned by residents in the area who had no title deeds. When the DKBA started to implement its new town plan in 2017, they started selling the land to non-residents. The State Agriculture and Irrigation minister said that the state government had never approved the project and that demolition will continue until all of the structures have been removed.<sup>56</sup>

The government-led Leading Committee for Farmers Rights, Protection and Promoting of Interests set a fine for the use of farmland for purposes other than growing crops.<sup>57</sup> The fine is set at 30% of the land's market value. The deputy permanent secretary of the ministry said that many businesses are using farmland for commercial purposes without applying for permits.

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

### **A. Ethnic Violence**

More than 120 residents of Chin State's Paletwa Township displaced by fighting between the Tatmadaw and the Arakan Army(AA) are taking shelter in territory under the control of the

AA near the border with India.<sup>58</sup> An additional 250 displaced Arkanese and ethnic Chin from Paletwa Township were displaced into neighboring Bangladesh.<sup>59</sup> Clashes from January 20-February 4 have displaced people in seven villages, including Khamaungwa, Kin Talin, Khaw Sa and Tawagu. Fighting between the AA and the Tatmadaw continued, displacing a further 500 residents of Saung Du Village in northern Rakhine State's Kyauktaw Township between February 9-10.<sup>60</sup>

At least three burned bodies were found on February 21, two days after a series of clashes between the Tatmadaw and AA near Yan Aung Pyin village in northern Rakhine State.<sup>61</sup> The military announced it had killed nine AA insurgents and seized one RPG, but the AA said it lost only three fighters during the clashes. The AA also announced that it had killed at least 30 Tatmadaw troops in a series of clashes in Mrauk-U Township. Based on firsthand eyewitness accounts, indiscriminate shootings by Tatmadaw troops in northern Rakhine State clearance operations have killed two civilians this month. The Office of the Commander-in-Chief said a Myanmar military major was killed during fighting with the AA in northern Rakhine State's Buthidaung Township, near where the rebel group killed 13 border police officers in early January. Brigadier General Zaw Min Tun, a spokesman with the office, identified the dead officer as Major Aung Ko Nyein.<sup>62</sup>

The Rakhine State government granted permission to state police and the Tatmadaw to carry out a household check operation in seven townships of northern Rakhine State, in an attempt to find members of the AA who may be hiding in the villages.<sup>63</sup> The Rakhine State government received reports in January stating that AA members are mingling in villages in several townships in northern Rakhine. The Union government has opened a case against the AA under the Counter Terrorism Act for attacking four border outposts in northern Rakhine in which 13 policemen were killed and dozens of firearms and a large quantity of ammunition were seized on January 4. On February 4, police arrested 26 people in northern Rakhine State's Kyauktaw Township on suspicion of having connections with the AA.<sup>64</sup> A social activist, Ko Zaw Win, from Kyauktaw Township said those arrested are 24 displaced villagers from Shin Let Wa village, located in an active conflict zone in the upper Paletwa region in Chin State, and the married couple who hosted the displaced villagers.

Amid intense fighting between the Tatmadaw and the AA in northern Rakhine, AA Major-General Tun Myat Naing told the Arakanese public that the AA will build a temporary headquarters in Rakhine State in the near future.<sup>65</sup> He also urged Arakanese who live abroad to return to Rakhine State to take part in what he said was a turning point in the history of the region.

The AA warned private bus companies in Rakhine State not to transport Tatmadaw troops after learning that the military was using private vehicles in addition to its own trucks to move its personnel into conflict zones.<sup>66</sup> The AA told all private transport companies to report their passenger information to the AA in a timely manner via email or the Viber social media platform. It said it would not be responsible for what happened to those highway coach owners who failed to follow the order. It also urged the Arakanese public to avoid traveling in the region at night and to steer clear of private vehicles carrying soldiers. The AA claimed responsibility for mine blasts involving two coaches in Ponnagyun Township, saying the

vehicles were carrying Tatmadaw troops from Sittwe to a location in northern Rakhine State. Footage that went viral online shows two express coaches as they were struck by the mines. In a previous statement, the AA claimed that one of the vehicles was forced to return to Sittwe to seek medical treatment for wounded passengers.

Three explosive devices detonated in Rakhine State's Ann Township minutes after a military convoy passed through the area on February 4.<sup>67</sup> No one was injured in the explosion. Township administrator Ko Ko Myat said, "Those mines were targeting the military convoys. But because they only exploded 15 minutes after the convoy passed the area, no man or truck was damaged." The Tatmadaw cleared the area afterwards, searching for the culprits.

The International Committee of the Red Cross ("ICRC") announced that a number of its activities in northern Rakhine State have been stalled for weeks due to ongoing fighting between the Tatmadaw and the AA.<sup>68</sup> On January 10, the state government banned international relief agencies, including those affiliated with the United Nations, from five townships in northern Rakhine. The ICRC and World Food Program were exempt. However, the Tatmadaw has also blocked aid shipments from local civil society groups and limited the access of the ICRC and World Food Program.

The National Socialist Council of Nagaland-Khaplang ("NSCN-K") denied the Tatmadaw's accusation that it violated their bilateral ceasefire agreement and said that it expects government troops to withdraw from its headquarters in the Naga Self-Administered Zone of Sagaing Region peacefully.<sup>69</sup> The group's headquarters in Taga village were occupied by the Tatmadaw troops in late January, after the Tatmadaw began an operation against Indian rebel groups disguised as NSCN-K fighters in the area. From January 29 to February 5 the Tatmadaw seized three outposts and two military training schools run by rebel groups fighting the Indian government in Assam and Manipur. It also seized small weapons and ammunition. The Tatmadaw accused the NSCN-K of allowing rebels against the Indian government to shelter in its areas and said it arrested six NSCN-K members and two Kathae rebels. It claimed to have "evidence that Kathae and Assam insurgents resided [in the area] and relevant documents on [their] links with [the] NSCN-K."

More than 1,000 residents of northern Shan State's Kyaukme Township fled their homes to escape fighting between the Shan State Progress Party ("SSPP") and Restoration Council of Shan State ("RCSS").<sup>70</sup> The Myanmar Red Cross Society, the Ministry of Social Welfare, Relief and Resettlement, non-governmental organizations and regional lawmakers have distributed relief supplies to the families, but many still do not have enough food.

## **B. Peace Talks**

The Myanmar government has agreed to meet the Northern Alliance, a coalition consisting of the AA, the KIA, the MNDAA and the TNLA, as a single entity for peace talks.<sup>71</sup> The government previously would only negotiate bilaterally with the members. The meeting will take place in Kunming, China on February 24.<sup>72</sup>

Tatmadaw commander-in-chief Senior General Min Aung Hlaing met with Kachin religious leaders to discuss internally displaced persons ("IDPs"), the peace process and the

controversial China-backed Myitsone Dam project, amid discussions with the Kachin armed group on how to move forward with peace negotiations.<sup>73</sup> The Kachin Baptist Convention (“KBC”) expressed a desire to create transparency in the peace process focusing on lasting peace, and securing the return of IDPs with the help of Kachin groups, including religious and community-based organizations.

- <sup>1</sup> The Guardian: <https://www.theguardian.com/world/2019/feb/11/myanmar-army-shelling-villages-in-rakhine-state-rights-group-told>.
- <sup>2</sup> Radio Free Asia: <https://www.rfa.org/english/news/myanmar/villager-dies-in-shootout-02212019165505.html>.
- <sup>3</sup> Al Jazeera: <https://www.aljazeera.com/news/2019/02/myanmar-forces-violating-human-rights-rakhine-unrest-amnesty-190211033817667.html>.
- <sup>4</sup> The Guardian: <https://www.theguardian.com/world/2019/feb/11/myanmar-army-shelling-villages-in-rakhine-state-rights-group-told>.
- <sup>5</sup> *Id.*
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- <sup>7</sup> *Id.*
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