

STATUS OF HUMAN RIGHTS & SANCTIONS IN MYANMAR

MARCH 2019 REPORT

Summary. This report reviews the March 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

On March 1, Bangladesh's foreign secretary informed the United Nations Security Council that Bangladesh cannot accept any more Rohingya refugees fleeing from Myanmar.¹ Currently, over 740,000 Rohingya who were driven from Myanmar's Rakhine State during military crackdowns in 2016 and 2017 are living in refugee camps located in Bangladesh.² Myanmar's government has entered into agreements with Bangladesh and United Nations agencies to repatriate the Rohingya, but currently the Rohingya remain in Bangladesh.³ Myanmar has expressed a willingness to receive refugees, but said that it could not find volunteers to return. As of March 1, no Rohingya have volunteered to return to Rakhine State because they do not feel return would be safe.⁴

While Bangladesh Foreign Secretary Shahidul Haque did not state when Bangladesh would stop accepting Rohingya refugees, he stated that Bangladesh "would no longer be in a position to accommodate more people from Myanmar."⁵ Haque accused Myanmar of "hollow promises and various obstructionist approaches" during negotiations regarding refugee returns.⁶ Myanmar's ambassador to the United Nations, Hau Do Suan, asked for patience, citing "huge physical as well as psychological barriers" in repatriating the Rohingya.⁷ He also referenced a need for time and patience to build trust and confidence among different communities in Rakhine State.⁸

Bangladesh hopes to eventually relocate 100,000 Rohingya refugees to Bhasan Char, an uninhabited island prone to cyclones.⁹ However, Yanghee Lee, the United Nations special rapporteur on Myanmar, who recently visited Bhasan Char, told the Human Rights Council in Geneva on March 11 that she was unsure if Bhasan Char is "truly habitable."¹⁰ She warned that such "ill-planned" relocations without the consent of refugees would have the potential to create a new crisis.¹¹ Advocates for the Rohingya have said that the refugees would effectively be trapped on Bhasan Char, an island that floods frequently during monsoon season and offers few livelihood opportunities.¹² Nay San Lwin, a Rohingya activist, said that he believed that everyone currently living in refugee camps would refuse to be relocated to Bhasan Char, and that the only way officials would be able to relocate people to the island would be by force.¹³

B. Corruption

In early March, the CEO of the New Yangon Development Company, which is developing a Yangon-backed project to build a new city on the Yangon River, defended the involvement of a Chinese firm, China Communications Construction Company, Ltd. ("CCCC"), in the project. CCCC has been accused of engaging in corruption and bribery relating to development deals in at least 10 countries in Africa and Asia.¹⁴ The CEO acknowledged the firm's reputation, but insisted that the Chinese company's situation has changed. He said, "I don't want to comment on [the firm's] past. But they have to stay on the right track when working with us" and that "[m]y responsibility is to keep it on the right track."¹⁵

Following a month-long investigation, the Anti-Corruption Commission ("ACC") arrested Tanintharyi Chief Minister Lei Mar on bribery and corruption charges.¹⁶ The

investigation found that the Chief Minister had engaged in multiple corrupt acts since her appointment in 2016.¹⁷ The findings include details of the Chief Minister's corrupt activities in awarding contracts for the construction of a pavilion for a Myanmar New Year event in 2016 and for the removal of unwanted bushes from Dawei University and outside Dawei Airport in November 2016. It stated that the Chief Minister allowed a budget of 400 million kyats (\$263,000) for the removal of unwanted bushes outside the airport. She also asked a director from the regional road management department in October 2018 to build a wall around two plots of land in Dawei owned by her husband but didn't pay the cost until the commission started the investigation against her, the ACC said. The ACC also reported that she sold her house, which was valued at 32 million kyats (\$21,000) for 200 million kyats (\$131,000) to the Global Grand Services Company. In return, the company was awarded a number of contracts including for an electricity distribution project in Dawei, as well as for the construction of a fish market, a city hall and low-cost housing. Three others—Global Grand Services Managing Director Thein Htwe, Director Aung Myat, and General Manager Thura Ohn—were also arrested in connection with the ACC's findings.¹⁸

Shortly after the Chief Minister's arrest, two other Tanintharyi Region ministers—Planning and Finance Minister Phyo Win Tun and Electricity and Energy Minister Kyi Hlaing—resigned, sparking speculation that they were also linked to the ACC's corruption investigation.¹⁹

C. International Community / Sanctions

In a report to the UN Human Rights Council, Yanghee Lee, Special Rapporteur on the situation of human rights in Myanmar, highlighted several areas of concern across the country, including abuses linked to the flight of 700,000 Rohingya Muslims from Rakhine State in August 2017. A separate UN investigation last year called for the prosecution of top Myanmar military commanders for alleged genocide, crimes against humanity and war crimes. Myanmar's Kyaw Moe Tun, Permanent Representative of the Republic to the UN, rejected the Special Rapporteur's report.

Under the terms of a 2018 UN-led agreement between Myanmar and Bangladesh, Myanmar agreed to create conditions conducive to the voluntary, safe, dignified and sustainable repatriation of Rohingya refugees. The Special Rapporteur said that these conditions have not been met, despite the fact that the deal expires in a few months, and that there was “nothing to indicate that conditions have improved for the Rohingya who remain in Myanmar.” Lee said that in fact clashes between the Arakan Army (“AA”) and the Tatmadaw had forced 10,000 people to flee since November 2018. Given the gravity of the situation, Lee appealed for the UN Security Council to take the international lead on the matter. “I still firmly believe that the situation in Myanmar must be referred to the International Criminal Court (“ICC”) by the Security Council... Victims must not be forced to wait in the purgatory of international inaction,” she said.

The Council heard testimony from two Rohingya refugees, Hamida Khatun from Shanti Mohila and Muhub Ullah from the Arakan Rohingya Society for Peace and Human Rights. Khatun said that she had “three requests for the international community: first, justice including compensation; second, to return home in safety and security including citizenship; and third, access to education.”

In response to Lee's appeal for an international tribunal to investigate alleged abuses, Kyaw Moe Tun insisted that his country "will not accept any call for referring the situation in Myanmar to the ICC. The Government of Myanmar established an Independent Commission of Enquiry in July last year. The Commission will investigate...as part of Myanmar's effort to the address the issue of accountability," he said, adding that the government "is willing and able to address the accountability issue."

The Special Rapporteur also investigated allegations of misuse of Myanmar's natural riches, particularly in the gemstones and timber sectors. Lee explained, "Revenues from natural resource extraction needed for vital services and development being diverted to the military and its allies undermines the civilian government, democratic reforms, the peace process, sustainable development and the realization of rights."²⁰

Bangladesh announced on March 13 that it would implement a controversial plan to relocate tens of thousands of Rohingya refugees from overcrowded camps to a remote island vulnerable to extreme weather. Shelters and flood walls have been constructed on Bhashan Char, a muddy silt islet that only rose from the Bay of Bengal in 2006, in the hope of shifting 100,000 Rohingya refugees there. Kamal Hossain, the government administrator of Cox's Bazar district where the vast Rohingya camps are located, told AFP they are "preparing a list of refugees who would voluntarily go to the island." A top U.N. rights expert in January warned that moving the refugees to Bhashan Char could spark a "new crisis" for the Rohingya. U.S. ambassador Earl Miller met with Bangladesh government officials on March 12 in Cox's Bazar to "learn more" about the island relocation. "He welcomed assurances that any movements to the island will be fully voluntary, based on informed consent, and those who choose to go will have free movement off the island to maintain connections with the rest of the Rohingya community in Cox's Bazar," a statement from the U.S. embassy said.²¹

Representatives of the UN High Commissioner for Refugees ("UNHCR") said on March 14 that the international community needs to offer protections to ethnic Chin refugees, due to deteriorating security in southern Chin State. In June 2018, the UNHCR had announced that the social, political and security situation in Chin State had sufficiently improved and that refugees from the region would no longer be recognized as such. Those in Malaysia and India were told they could return to Myanmar or undergo individual interviews reevaluating their refugee status. The move was widely protested by members of the Chin community, who insisted that a return to Myanmar would be premature amid ongoing instability. The statement on March 14 acknowledged continued conflict in Chin State, which has manifested as fighting between the Tatmadaw and the AA. Volker Türk, the assistant high commissioner for protection within the UNHCR, said, "We officially recognize that Chin refugees still need the international community's protection, because the security situation is getting worse in southern Chin State." According to the UNHCR's report, there are at least 18,000 Chin refugees registered with their agency, 15,000 of whom are in Malaysia, with the others in India, Thailand and Nepal. The UNHCR maintains that it will continue to manage the safe and voluntary return of Chin refugees to Myanmar if they wish to go back.²²

II. Civil and Political Rights

A. Freedom of Speech, Assembly and Association

Karenni activists sent a letter to the Kayah State government, warning that, unless a statue of General Aung San that was put up in a park in Loikaw over the objections of many residents was removed by March 17, the activists would remove it themselves.²³ Following a major anti-statue protest in Loikaw on February 12, the government agreed to activists' request to meet with a committee of government supporters responsible for implementing the construction of the statue. The meeting was held the same day, but ended without any agreement being reached. However, on March 15, the Union President's Office requested a meeting with the rights activists to avoid further protests on March 17.²⁴ The rights activists accepted the invitation and agreed to suspend their protest activities. During the meeting held on March 20, Kayah Chief Minister L Phaung Sho proposed that the text of the Panglong Agreement, a historically important agreement declaring autonomy for a number of ethnic areas, be placed below the statue and that the government would allow the local rights activists to install a statue of their own respected ethnic leader near the Gen. Aung San statue.²⁵ A spokesperson for the rights activists said they could not accept the Chief Minister's proposals and continued to demand that the statue be removed and instead erected at the local National League for Democracy ("NLD") office in Loikaw.

B. Freedom of the Press and Censorship

Myanmar's Supreme Court heard the appeal of the two Reuters journalists imprisoned for breaking a colonial-era official secrets law.²⁶ Reporters Wa Lone and Kyaw Soe Oo have spent more than 15 months in detention since they were arrested in December 2017 while investigating a massacre of Rohingya Muslim civilians involving Myanmar soldiers. A judge found the two guilty under the Official Secrets Act in September and sentenced them to seven years in prison. "Myanmar's Supreme Court has the opportunity to correct the serious miscarriage of justice inflicted on Wa Lone and Kyaw Soe Oo for the last 15 months," Reuters Editor-in-Chief Stephen J. Adler said in a statement. "They are honest, admirable journalists who did not break the law, and they should be freed as a matter of urgency." The appeal, submitted last month, cited lack of proof of a crime and evidence that the pair was set up by police. The Supreme Court is expected to take about a month to reach a decision.²⁷

A local newspaper, the Myitkyina Journal, reported that two of its journalists were assaulted and detained by Tha Khin Sit Mining, Import and Export Company, a mining company in Kachin State, after the journalists reported on local residents' concerns over a controversial Chinese tissue-culture banana plantation in Waimaw Township.²⁸ Local residents accuse the banana plantation operator of land grabbing and causing environmental damage. The reporters were detained in separate rooms in the company's compound. One of the company employees slapped the female reporter's face with a copy of the Myitkyina Journal. The male reporter was forced to do 300 sit-ups as punishment. The two reporters were only released after the journal contacted Waimaw Township police station, who sent police officers to surround the company. The Myitkyina Journal editors opened a case against the managing director and five other employees of the mining company under five charges: assault of a women with intent to outrage her modesty; obscene acts; wrongful restraint; voluntarily causing hurt; and abettor present when

offence is committed.²⁹ If found guilty, they could face a one-month to two-year prison sentence and a fine. In response, the mining company filed a defamation lawsuit against two editors and a reporter from the Myitkyina Journal over their coverage.³⁰ The Committee to Protect Journalists condemned the treatment of the journalists and called on Myanmar authorities to thoroughly investigate the case and hold those responsible to account.³¹

III. Economic Development

A. Economic Development—Legal Framework, Foreign Investment

The Asian Development Bank (“ADB”) expects Myanmar’s economy to resume growth in 2019 and 2020 due to additional foreign investment and a positive response to the government’s economic and policy reforms. The Asian Development Outlook 2019 forecasts Myanmar’s economy to grow by 6.6 percent in 2019 and by 6.8 percent in 2020. In 2018, Myanmar’s growth slowed to 6.2 percent, down from 6.8 percent in 2017. The ADB said foreign direct investment (“FDI”) approvals in Myanmar nearly doubled from \$823 million between October 2017 and January 2018 to about \$1.5 billion over the same period one year before. The growth came from Singapore and other Asian countries, with investors taking larger stakes in the country’s manufacturing and service sectors.³²

The flow of FDI into Myanmar has increased for the first time after a decline for the last two years, according to Myanmar Investment Commission (“MIC”). This is the first increase in FDI since Aung San Suu Kyi came to power in 2016. From October 1, 2018 to March 15, 2019, Myanmar received \$1.9 billion in approved FDI. During October 2017 to mid-March 2018, the country received \$1.3 billion for over 80 projects. Moreover, Singapore has overtaken China as the country with the most approved FDI.³³

Mandalay held an international trade fair and business forum on March 23, 2019 with the aim of attracting foreign entrepreneurs to invest and do business in the city. The three-day event was jointly organized by the Ministry of Commerce, the MIC and the Mandalay Region Chambers of Commerce and Industry.³⁴

Myanmar, one of the last two Southeast Asian countries that do not have a legalized casino industry, is pushing forward with a new gambling bill that is currently awaiting approval in Parliament. Gambling analysts expect Myanmar to approve the 2018 Gambling Law as it already has the recommendation of President Win Myint and expect it to be enacted in May 2019. Prior to the 2018 Gambling Law, legislation on gambling in the country dates back to 1986. The new law was drafted in 2017, spawned by a petition made by the Ministry of Hotels and Tourism to the Ministry of Home Affairs. The new gambling law aims to boost tourism in the country and also increase tax revenues. Currently, only Myanmar and Thailand have no operating casinos.³⁵

B. Economic Development—Infrastructure, Major Projects

Capital Diamond Star Group Co., one of Myanmar’s leading diversified companies, and Sunway Group of Malaysia have signed a memorandum of understanding to implement infrastructure and construction projects in Myanmar. The agreement was signed on April 1,

2019 and foresees the companies jointly investing in projects such as mixed-use developments, offices, and hotels in Yangon and Mandalay, as well as infrastructure projects in other areas.³⁶

German wholesaler Metro has opened a massive logistics center near Yangon, serving hotels and eateries, betting on the industries' growth as tourist traffic from other parts of Asia picks up. The 5,800-sq.-meter facility located inside the Thilawa Special Economic Zone went into full swing in early March 2019, supplying fresh food and other items to hotels and upscale restaurants serving foreign tourists. Initial investment in the site totaled around \$10 million. Metro secured a \$20 million loan from the World Bank Group in February, and plans to step up investment in the country. Metro aims to source 75% of its merchandise from within Myanmar.³⁷

Japan's Super Hotel chain has opened the first lodgings in Myanmar's Thilawa Special Economic Zone outside Yangon, anticipating demand from business travelers as foreign companies build factories in the region. Thilawa's development serves as the centerpiece of Japan and Myanmar's public-private partnership to improve the country's economy. The industrial park opened in 2015 with 105 tenants committed to moving in. Super Hotel Myanmar Thilawa is the only full-fledged commercial facility at the site, however, amid lagging construction in the residential and commercial area adjacent to the industrial area. The four-story hotel cost about \$13.5 million. The recently opened property consists of 129 rooms, mostly with single beds. The Thilawa location is the Osaka-based business hotel chain's second facility in Myanmar. The first opened in Yangon in 2015.³⁸

The New Yangon Development Company ("NYDC") announced in early March that it has received 77 expressions of interest ("EOI") letters from 45 local and foreign companies for six infrastructure projects. Among the 77 EOI letters, there are 20 in the power supply and distribution sector, seven in the public transport sector, 13 in the cyber connectivity infrastructure sector, 15 in the municipal waste disposal sector, 14 in the natural gas supply and distribution sector, and eight in the convention sector, with some companies submitting EOIs for more than one business.³⁹

During the China-Myanmar Trade and Investment Forum held in Yangon on March 12, 2019, the Deputy State Administrator for Guangdong Province in China announced that Guangdong Province will cooperate with Myanmar to support the development of four sectors under the Belt and Road Initiative: the infrastructure sector, productivity sector, trade promotion sector and social sector. In particular, Guangdong Province will help to develop trade and transport infrastructure through bridge and port construction.⁴⁰

The Chin State Investment and Product Fair was held on March 16-17. The Chin State Investment Fair is part of the government's Myanmar Investment Promotion Plan launched last year. According to the State's Directorate of Investment and Company Administration, 800 investors attended the fair. The Chin State government signed four memoranda of understanding with private companies for projects totaling more than \$54 million, including a \$50 million power project with Norway Power Co. Ltd.⁴¹

In mid-March, fighting between the Tatmadaw and the AA broke out near the Mrauk-U ancient cultural area. This has raised concerns about impact on the development of the Kaladan Multi-Modal Transit Transport Project, a strategic project for Myanmar and India that aims to connect the Seaport of Kolkata, India, with Sittwe in Rakhine State, to Paletwa in Chin State and Mizoram in India. In particular, the AA has been accused of attacking and sinking a watercraft on March 16 carrying construction material worth 1 billion kyats to build the Paletwa Bridge.⁴² Further, the AA is accused of detaining workers from the Su Htoo San Company, the company building the Paletwa-Mizoram highway, after suspecting them of gathering information for the Tatmadaw. The Tatmadaw denies such accusations.⁴³

On March 16, 2019, Sembcorp Industries opened a \$310 million (S\$420 million) power plant in Myanmar. The facility, located in the Myingyan district in Mandalay, is the most efficient power plant in the country and the first power plant in Myanmar to feature integrated solar power generation. It will generate around 1,500 gigawatt hours of electricity a year and help meet the power needs of approximately 5.3 million people. The project was funded by multilateral institutions such as the Asian Development Bank, Asian Infrastructure Investment Bank and International Finance Corporation, as well as global commercial lenders, including Clifford Capital, DBS Bank, DZ Bank and OCBC Bank.⁴⁴

On March 19, State Counselor Aung San Suu Kyi and Thai Prime Minister Prayut Chan-o-cha opened a new 3.9-billion-Thai-baht (190 billion kyats), 270-meter-long bridge linking Mae Sot district in Thailand's Tak province with Myanmar's border city of Myawaddy. Survey work for the project began in May 2012, and a groundbreaking ceremony was held in August 2015.⁴⁵

On March 19, Kachin State rejected a gold mining proposal by the Inner Mongolian Duojin Investment Company Ltd. The proposal covers an area that includes the largest national park in the country, an ASEAN Heritage park and wildlife sanctuary, protected forests and the headwaters of the Ayeyarwady (Irrawaddy) river, the lifeline of Myanmar.⁴⁶

On March 30, the Offshore Fixed Pilot Station project opened in Yangon to support transportation through Yangon port, the main trading hub of the country. The project was constructed by a Chinese engineering company and is managed by the Myanmar Port Authority under the Ministry of Transport and Communications.⁴⁷

A protest was held in front of City Hall in Yangon on March 25 in opposition to the Myitsone Dam project. A network of protestors, which will be set up on April 1, will serve as an umbrella body for organizations, entities, and people opposed to the project.⁴⁸ The \$3.6 billion dam, ranked as one of the biggest hydropower projects in the region, was suspended by former President Thein Sein in 2011 amidst widespread protests among the united ethnic groups living along the river and nationwide.⁴⁹ Protests were held on March 13 and 14 in Mandalay, representing the first time civil society groups from across the country have come together to protest against the dam.⁵⁰

C. Land Seizures

In a statement, Human Rights Watch said that the Myanmar government should immediately suspend the implementation of an amendment to the Vacant, Fallow, Virgin lands management law requiring claims to be made by March 11, 2019.⁵¹ Instead, the government should undertake an open and inclusive consultation on land issues with the full participation of civil society and affected communities, including ethnic communities whose members have been displaced by armed conflict, the organization said. The law, amended in September 2018, requires anyone occupying or using “vacant, fallow, or virgin” land to apply for an official permit to use the land for 30 years or face eviction and up to two years in jail. The law creates incentives for authorities to take land from traditional communities that have for generations passed down land to their children by traditional or informal means. The law also opens the possibility that businesses and private companies can make claims to this land, adding to the potential for land conflicts. “Large numbers of people in Myanmar are unaware of the law and the risks of not filing a claim, or have been displaced by armed conflict and are unable to file for a permit,” said Brad Adams, Asia director. “This law could result in millions of people losing their land rights or risk being charged with trespass for remaining on land they have lived or worked on their whole lives. If this is mishandled, it could even spark widespread civil unrest and a return to armed conflict in parts of the country.” The UN Special Rapporteur on human rights in Myanmar also called on the Myanmar government to immediately suspend and review the law, saying that it fails to recognize shared land ownership practices, such as customary tenure, and land belonging to internally displaced people and refugees of conflict that has been left unattended.⁵²

The Irrawaddy reports that since the easing of political and economic restrictions began in 2011, demand for industrial land has surged — while natural disasters and a manufacturing boom in Yangon and Mandalay have spurred migration to these cities.⁵³ The Myanmar government launched a plan in 2018 to relocate 440,000 slum dwellers in Yangon, where 30% of the population lives in informal settlements. Residents relocated as part of this government plan were not consulted or compensated for losing their homes, which some said they built on land bought from other villagers. Authorities said residents are encroaching on private land, and relocation will improve the lives of the tens of thousands living in shanty towns that lack electricity, running water and sewage systems and that are prone to flooding. But human rights groups and the U.N.’s settlements agency, UN-Habitat, warned forced resettlement could make people poorer. “There is a history of government-orchestrated forced resettlement in Myanmar, and in Yangon in particular, to make way for urban development,” UN-Habitat said in a report last year. “Development-induced forced displacement and resettlement is increasing, uprooting and impoverishing people and undermining basic human rights.”

The Mandalay City Development Committee (“MCDC”) has begun streamlining land records such as maps, surveys and title deeds, to be in line with rules and regulations.⁵⁴ The city’s mayor said the department would strictly enforce the rules and regulations on accessing land records “because some brokers and real estate agents view land records at the department” to carry out dishonest schemes. He said that if these brokers find a vacant plot of land under government title, they copy them and make false documents using digital technology to take over the land. “There is no original inventory at the land department, so no verification can be made. Only when the real owner turns up is the scheme uncovered,” he said. “These dishonest people

sell the land once they get the title deed. Therefore, the copying of maps and land records will be carefully scrutinized,” he said.

Farmers were paid on March 13 for land seized by the Prisons Department when Mandalay Central Prison was built in Aung Myay Tharzan Township.⁵⁵ The government paid 30 million kyats per acre for 13 acres owned by three farmers. Farmer Myint Oo, whose land was confiscated for the prison, said he was only compensated for seven acres though more than that was seized. He did not say how many hectares were taken from him. “I’m happy to finally get compensation after submitting claims about my farmland to successive governments.”

When the NLD came to power in 2016, farmers in Ayeyarwady Region hoped that the land taken from them by past military regimes would be returned.⁵⁶ However, three years into the NLD’s administration, farmers are beginning to feel frustrated with the lack of progress. The military regime grabbed farms as well as vacant and virgin land from residents in Irrawaddy for various reasons including the construction of government offices and barracks, factories, hotels, railroads and reservoirs. According to a parliamentary committee formed under the previous Union Solidarity and Development Party government to investigate land disputes, there are more than 81,000 hectares (200,000 acres) of confiscated land in Irrawaddy. After Win Myint took over from Htin Kyaw as president in 2018, he instructed regional governments to investigate all the land disputes in their jurisdictions by the end of the year and submit reports to the Union government. But the Irrawaddy committees still have yet to finish their investigations. According to Ayeyarwady Region Chief Minister Hla Moe Aung, his committee has managed to investigate only 1,311 of 1,544 land disputes, or about 85%.

IV. Peace Talks and Ethnic Violence

A. Ethnic Violence

Renewed conflict in late March between the Tatmadaw and the Shan State Progressive Party (SSPP)/Shan State Army-North and the Ta’ang National Liberation Army (“TNLA”) in northern Shan State’s Namtu Township has displaced more than 200 villagers and damaged buildings, local residents said.⁵⁷ Residents reported that military helicopters fired in the area between the two villages, and that gunfire from the Tatmadaw’s Namtu-based troops continued.⁵⁸ According to an update issued by the United Nations Office for the Coordination of Humanitarian Affairs, nearly 45,000 people have been temporarily displaced by fighting in 21 townships in northern Shan and neighboring Kachin States since January 2018.⁵⁹

Ethnic villagers held a press conference in the central Myanmar city of Mandalay to draw attention to civilians who have been abducted by the TNLA in the Pansay area of Namkham Township in northern Shan State.⁶⁰ The TNLA, a Palaung ethnic armed group, said it had apprehended locals involved in the illegal drug trade in Namkham, an area controlled by a Tatmadaw-backed militia.⁶¹ According to the Kholon Lishaw Information Committee the TNLA is committing various acts of persecution in the region, including arresting and abducting civilians and extorting money for their release, demanding as much as 3 million to 5 million kyats (\$2,000-\$3,500) as ransom.⁶² Other Pansay residents say the TNLA is arresting all people, regardless of gender or age.⁶³

B. Peace Talks

The Myanmar government invited eight ethnic armed groups, who are non-signatories to the Nationwide Ceasefire Agreement (“NCA”) to peace talks in Naypyitaw on March 21. The National Reconciliation and Peace Center (“NRPC”) invited each of the following organizations, which are all political wings of ethnic armed organizations, to send two representatives each: the United Wa State Party (“UWSP”), Kachin Independence Organization (“KIO”), Mongla’s Eastern Shan State Peace and Solidarity Committee (“PSC”), Shan State Progressive Party (“SSPP”), Kokang’s Myanmar National Truth and Justice Party (“MNTJP”), Palaung State Liberation Front (“PSLF”), United League of Arakan (“ULA”) and Karenni National Progressive Party (“KNPP”).⁶⁴ At the meeting, the parties agreed to continue meeting frequently to work towards resolving their political differences and ending armed conflicts.⁶⁵

The Karenni National Progressive Party (“KNPP”) said that the controversy surrounding the installation of a statue of Bogyoke Aung San in Kayah State may delay the signing of the NCA.⁶⁶ KNPP spokesperson Nei Neh Plo said the group opposes installation of the statue of the country’s independence hero in a park in Kayah’s Loikaw Township. “The issue of the statue impacts the entire state,” he told reporters after KNPP leaders met with government peace negotiators. “It could be an obstacle to peace talks with the government to sign the NCA.”

The talks also failed to result in an agreement on a proposal to allow the AA to establish a base in Rakhine.⁶⁷ The AA and Tatmadaw have engaged in sporadic clashes since November, resulting in heavy casualties on both sides and displacement of thousands of civilians. “As attempts by an armed group to settle in a peaceful area is posing a threat to peace and security, the government has been taking necessary measures,” a spokesperson for the NRPC said.

Karen National Union (“KNU”) Chairperson Gen. Mutu Say Poe and Restoration Council of Shan State (“RCSS”) Chairperson Yawd Serk have stepped down from their respective positions as chairperson and vice-chairperson of the Peace Process Steering Team (“PPST”), a group representing 10 ethnic armed group signatories of the NCA.⁶⁸ A new chairperson and vice-chairperson will be elected formally at the next summit, though the two outgoing leaders delegated authority to KNU General Secretary Padoh Saw Ta Doh Moo and RCSS Deputy Chief of Staff Brigadier General Pao Khay.⁶⁹ The leadership change is aimed at putting the process back on the right track and continuing peace talks with the government based on common ground, said Saw Ta Doh Moo.

- ¹ BBC, March 1, 2019: <https://www.bbc.com/news/world-asia-47412704>
- ² *Id.*
- ³ *Id.*
- ⁴ Time: <http://time.com/5541706/bangladesh-no-more-rohingya-myanmar-united-nations/>
- ⁵ *Id.*
- ⁶ Reuters, February 28, 2019: <https://www.reuters.com/article/us-myanmar-rohingya-un-idUSKCN1QI37H>
- ⁷ BBC, March 1, 2019: <https://www.bbc.com/news/world-asia-47412704>
- ⁸ *Id.*
- ⁹ Al Jazeera, March 11, 2019: <https://www.aljazeera.com/news/2019/03/warns-bangladesh-crisis-rohingya-relocation-plan-190311131237440.html>
- ¹⁰ *Id.*
- ¹¹ *Id.*
- ¹² *Id.*
- ¹³ *Id.*
- ¹⁴ The Irrawaddy, March 8, 2019: <https://www.irrawaddy.com/news/burma/new-yangon-city-chief-grilled-chinese-contractors-reputation.html>.
- ¹⁵ *Id.*
- ¹⁶ The Irrawaddy, March 11, 2019: <https://www.irrawaddy.com/news/burma/tanintharyi-chief-minister-arrested-bribery-corruption-charges.html>.
- ¹⁷ *Id.*
- ¹⁸ *Id.*
- ¹⁹ The Irrawaddy, March 21, 2019: <https://www.irrawaddy.com/news/burma/two-tanintharyi-ministers-resign-wake-chief-ministers-arrest.html>.
- ²⁰ UN News, March 11, 2019: <https://news.un.org/en/story/2019/03/1034461>
- ²¹ The Globe Post, March 13, 2019: <https://theglobepost.com/2019/03/13/bangladesh-rohingya-island-2/>
- ²² Burma News International, March 18, 2019: <https://www.bnionline.net/en/news/unhcr-continue-protection-chin-refugees>
- ²³ The Irrawaddy, March 13, 2019: <https://www.irrawaddy.com/news/burma/take-statue-march-17-will-activists-warn-kayah-govt.html>.
- ²⁴ The Irrawaddy, March 18, 2019: <https://www.irrawaddy.com/news/burma/union-level-officials-meet-karenni-anti-statue-activists-week.html>.
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