

STATUS OF HUMAN RIGHTS & SANCTIONS IN MYANMAR

OCTOBER 2019 REPORT

Summary. This report reviews the October 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

According to a report released in early October by the United Nations High Commissioner for Refugees (“UNHCR”), Rohingya refugees continue to risk their lives to travel towards safety, leading to a higher rate of death over the past year. The report states that one in every 69 refugees and asylum seekers who embarked on a sea journey last year died or is missing at sea.¹ By comparison, during the period from 2013 to 2015, at the height of Southeast Asia’s refugee and migrant boat crisis in the Andaman Sea, one in 81 refugees died or went missing at sea.² UNHCR Director for Asia and the Pacific, Indrika Ratwatte, said that refugees will continue to feel compelled to undertake dangerous journeys in search of safety for themselves and their families as long as the root causes of displacement are unresolved.³

The repatriation of Rohingya refugees to Myanmar continues to stall, and Bangladesh continues to explore relocation options for the refugees in overpopulated Cox’s Bazar. Bangladesh’s refugee relief and repatriation commissioner has reported that thousands of Rohingya living in Bangladesh refugee camps have agreed to move to Bhashan Char, an island in the Bay of Bengal, despite fears that the island is prone to flooding.⁴ This is welcome news for the Bangladesh government, which has advocated to move 100,000 refugees to Bhashan Char to relieve overcrowding at the refugee camps on the border where nearly one million Rohingya live. Enamur Rahman, the state minister in charge of disaster management and relief, said that approximately 350 Rohingya families (approximately 3,000 people) have agreed to the government’s request that they relocate to Bhashan Char as early as November.⁵

Some refugees see the opportunity to move to Bhashan Char as a chance to improve their lives and their standard of living. They are optimistic that they will have more space to live, cultivate land, and rear cattle.⁶ Some refugees have suggested that the Bangladesh government allow the refugees to visit the island to observe the situation prior to committing to moving. Given that Bhashan Char has been prone to flooding and cyclones in the past, the UNHCR has set conditions regarding the relocation plans, including that relocation must be voluntary.⁷ UNHCR spokeswoman Louise Donovan said that in order to make a decision as to whether or not to relocate, refugees must be provided full information regarding safety and living conditions on Bhashan Char, and that their concerns must be addressed as part of a consultative process between the government and the refugee community.⁸ The United Nations has reached out to the Bangladesh government to seek clarification regarding the relocation plan and next steps in the process.

B. Corruption

Frontier Myanmar reports that concerns are arising around corruption in the goldfields in Mandalay.⁹ According to the Frontier, “sources have told *Frontier* that illegal, small-scale mining is thriving at the goldfields because of weak law enforcement and corrupt officials.”¹⁰ The Ministry of Natural Resources and Environmental Conservation shut down legal mining at the goldfields in February 2018 over disputed bullion payments to the government.¹¹

Police in Maha Aung Myay Township in Mandalay are investigating the distribution of anti-government pamphlets.¹² The pamphlets, among other statements, argued that the government is corrupt.¹³

A Chinese construction company with a history of alleged involvement in bribery and corruption has been contracted to build an extension to a hotel in Yangon.¹⁴ The company—China Communications Construction Company—is also involved in building New Yangon City.¹⁵

C. International Community / Sanctions

Gambia will file a case against Myanmar with the International Court of Justice (“ICJ”) to face charges of genocide against its Rohingya minority.¹⁶ At the 74th Session of the General Assembly of the UN, Gambia Vice President Isatou Touray stated, “The Gambia is ready to lead the concerted efforts for taking the Rohingya issue to the International Court of Justice on behalf of the Organisation of Islamic Cooperation and we are calling on all stakeholders to support this process.”¹⁷ Gambia’s Attorney General and Minister for Justice Abubcarr Marie Tambadou instructed lawyers to file the case at the ICJ and said, “I could smell the stench of genocide from miles away when I visited the Rohingya refugee camp in Cox’s Bazar. It was all too familiar for me, after a decade of interacting with the victims of the Rwandan mass rapes, killings and genocide.”¹⁸

On October 24, Amnesty International called upon the UN Security Council to refer the situation in Myanmar to the International Criminal Court (“ICC”). In a report, the organization said, “Given the renewed military operations in northern Shan State, and reports of further violations against civilians, the Security Council should act not only to ensure accountability for past crimes, but to try to prevent further abuse as [is] consistent with its mandate.”¹⁹ The report says that both the Tatmadaw and ethnic armed groups have committed violations of international humanitarian law and human rights abuses.²⁰ Yanghee Lee, the Special Rapporteur on the situation of human rights in Myanmar, also called for the UN Security Council to refer the situation to the ICC.²¹ Additionally, Yanghee Lee called for sanctions against Myanmar military-run companies and commanders responsible for serious violations.²²

The prime ministers of India and Bangladesh agreed during a state visit that greater efforts to facilitate the safe return of Rohingya refugees are required, including efforts to improve security and socio-economic conditions in Rakhine.²³ Additionally, India Prime Minister Narendra Modi stated that India will provide additional humanitarian aid to help refugees living in camps in Bangladesh.²⁴

China, Myanmar and Bangladesh have agreed to set up a team to work on the repatriation of refugees from northern Rakhine State.²⁵ The three countries have agreed to take steps to ensure the stability and development of areas along the border between Myanmar and Bangladesh and to create more jobs and improve the lives of people in the area, especially the returnees.²⁶

On September 24, the U.S. House of Representatives passed the BURMA Act, which would hold senior Myanmar military leaders accountable for crimes against the Rohingya and

other ethnic minorities in Kachin, Rakhine, and Shan States.²⁷ The BURMA Act would require President Trump to provide humanitarian assistance to people affected by Myanmar military crimes and to pursue justice against the responsible Myanmar leaders.²⁸ The bill would need to be passed by the U.S. Senate and signed by President Trump to become law.

Also on September 24, the U.S. announced that it would provide an additional \$127 million in assistance to Rohingya in Bangladesh and those remaining in Myanmar, as well as the local Bangladeshi communities near the refugee camps in the Cox's Bazar district.²⁹ Mark Green, administrator of the U.S. Agency for International Development, issued a strong warning to Myanmar about the lack of progress over how it treats the Rohingya and other ethnic minority groups.³⁰ Green said, "I don't know that I have seen a greater level of despair than in the eyes of Rohingya – young parents, near Sittwe in Burma, those who were left behind."³¹

The European Union has provided €5 million to fund a three-year extension of the Women and Girls First Programme in Myanmar. The program is being implemented by the UN Population Fund in cooperation with the Myanmar government and local and international nongovernmental and civil society organizations.³² When discussing the extension, EU Ambassador Kristian Schmidt expressed concern about the continued delay in the enactment of the Protection and Prevention of Violence against Women Bill, which the government has been working on since 2013.³³

Myanmar rejects the decision by the ICC to exercise jurisdiction over the displacement of people from northern Rakhine State, a position vocalized by Nyan Lin Aung, alternate representative of Myanmar, at the UN General Assembly.³⁴ Nyan Lin Aung reiterated that Myanmar is not party to the Rome Statute and "therefore, [the ICC] has no jurisdiction over Myanmar." He then assured the UN that the Myanmar government will hold accountable those who committed human rights violations against the Rohingya.³⁵ He also stated that Myanmar opposed the formation of the UN Fact Finding Mission due to deep concerns about its composition and mandate and called reports by the mission biased and inaccurate.³⁶ Myanmar also reiterated that it rejects the establishment of an Independent Investigative Mechanism for Myanmar ("IIMM") by the UN. A senior Myanmar official, Kyaw Tint Swe, told the UN General Assembly that a recent report from IIMM was "inaccurate, distorted and lacked professional objectivity."³⁷ He also asked the UN to question those who accuse the government and Tatmadaw of systemic human rights violations against the Rohingya in northern Rakhine State, saying that some groups had seized on the human rights issue for "political purposes."³⁸

II. Civil and Political Rights

A. Freedom of Speech, Assembly and Association

Three Karen activists charged with violating the Peaceful Assembly and Peaceful Procession Law were found guilty by Kyauktada Township's Court and sentenced to 15 days in prison.³⁹ Naw Ohn Hla, Saw Albert Cho and Sa Thein Zaw Min had been marching—alongside more than 100 others—in memory of Karen revolutionary leader Saw Ba U Gyi, who was murdered 69 years ago.⁴⁰ The activists violated the Peaceful Assembly and Peaceful Procession Law by referring to Saw Ba U Gyi as a "martyr" during their march despite a prohibition on

using the word. The activists were released immediately post-sentencing, since they had already served 22 days in confinement. Nonetheless, the sentence resulted in protests outside the city hall, with protestors singing songs and delivering speeches.⁴¹ Several of the protesters have since been charged with violating the Peaceful Assembly and Peaceful Procession Law.⁴² After their release, the activists noted that they will appeal the sentence.⁴³

The Chinese government froze a number social media accounts associated with individuals living in Northern Myanmar.⁴⁴ Programs such as QQ, WeChat and Alipay have been affected. An affiliate of China's Ministry of Public Security published a notice attributing the shutdowns to "rampant" telecom fraud originating from northern Myanmar, saying the alleged fraud "seriously violated the people's property security."⁴⁵ It remains unclear how many social media accounts have been impacted or how long the restrictions will last.

Recent reports from Rakhine State indicate that local internet shutdowns continue to persist in at least a handful of townships.⁴⁶ The government-sanctioned shutdowns began in late June, allegedly to address "security concerns" after clashes between the Tatmadaw and the Arakan Army ("AA").⁴⁷ Although service has since resumed in some townships, internet remains cut off in the Ponnagyun, Kyauktaw, Mrauk-U and Minbya townships.⁴⁸ There is widespread concern that the shutdown will further endanger the region's marginalized population, preventing access to means of communication and alert systems.

Five members of the Daungdohmyoset Thangyat Troupe—a performance group—were sentenced to one year in prison with labor by local authorities in Yangon after criticizing the military in a satirical performance.⁴⁹ The group was charged in April under Section 505(a) of the penal code. The Mayangone Township Court found that their satirical performances were intended to cause military officers to disregard their duties and a potential mutiny.⁵⁰ Reports indicate that the theater group faces charges in a number of other townships outside of Yangon for similarly satirical performances.⁵¹ Joanne Mariner—the research director for Amnesty International in Southeast Asia—has called for Myanmar authorities to vacate the convictions and set aside all further charges against the theater group.⁵²

Yanghee Lee—a UN human rights expert on Myanmar—has advocated for sanctions against military commanders and military-sponsored companies responsible for retaliation against protesters, activists and journalists reporting on the conflict in Rakhine State.⁵³ Since April, the UN reports that it has observed a "sharp rise" in the number of such cases, noting that the trend is particularly alarming with general elections approaching next year.⁵⁴ Lee reports, "An end to impunity in Myanmar remains a lofty, far-off goal... However, the international community must maintain its resolve and do more if that goal is to become within reach."⁵⁵

B. Freedom of the Press and Censorship

A hotelier is suing a journalist from The Irrawaddy over his coverage of a Rakhine State resort development deal gone sour, which involved a German-registered company. The suit was filed under Article 66d of the Telecommunications Law. The hotelier told a Yangon court on October 30 that she now also wants to sue the outlet's editors as well.⁵⁶ "We see the request as a threat to the media's right to freedom of expression," said Ye Ni, editor of the outlet's Myanmar

edition. “We will legally defend our rights granted by the constitution and the media law.” The defense lawyer for the case said he was confident the journalist would win his case, saying, “Everything in Moe Myint’s reports was factual.” Rights groups have repeatedly called on the government to revoke article 66d, which is frequently used against media, activists and artists who fall foul of powerful interests. Two hundred cases had been filed under the law between November 2015 and July 2019, according to #SayNoto66d, a group that tracks cases and advocates for the law’s repeal.

III. Economic Development

A. Economic Development—Legal Framework, Foreign Investment

Myanmar moved up six places on the World Bank’s 2020 Ease of Doing Business ranking in the bank’s latest report, now occupying the 165th place, largely due to several reforms that have created a friendlier environment for starting a business and greater protections for minority investors.⁵⁷ The World Bank’s report noted that Myanmar has introduced substantial improvements in five areas of doing business, including starting a business, dealing with construction permits, registering property, protecting minority investors and enforcing contracts. At the Myanmar Investment Conference in Tokyo, State Counselor Aung San Suu Kyi said the Myanmar government has aimed to be both strategic and aggressive in liberalizing various key economic sectors, specifically noting the recent insurance sector reform to allow 100% foreign-owned life insurance companies to operate in Myanmar. She further stated that the government is planning to introduce a new Land and Property Bank that aims to expedite processes that involve the lease of state-owned land and properties through centralized electronic means. So far in this fiscal year, government-approved foreign direct investment totals \$4.1 billion, which is nearly a 70% increase from the same period last year, although still short of the country’s \$5.8 billion annual target.

Although Myanmar did not meet its foreign investment target in the 2018-19 fiscal year, the country may achieve its target for the current fiscal year thanks to infrastructure projects, according to Aung Naing Oo, Permanent Secretary of the Ministry of Investment and Foreign Economic Relations.⁵⁸ He also said there is a possibility that Myanmar could see additional investment from foreign companies after they monitor the condition of the new government regime following Myanmar’s 2020 general election. He further speculated that such an inflow of investment from foreign companies into the infrastructure, oil and gas, and telecom sectors in particular would allow Myanmar to meet its investment target.

Myanmar’s economy is expected to expand 6.4% in the current fiscal year and 6.8% in the following year, according to a report on the economy of Southeast Asia released by the Institute of Chartered Accountants in England and Wales.⁵⁹ The report states that the outlook for the economy of Myanmar looks positive as the country’s markets open up to foreign investment. The infrastructure, manufacturing and wholesale and retail services sectors are expected to be the greatest beneficiaries. According to the Myanmar Investment Commission, foreign direct investment inflows rose sharply with a majority of the investment channeled into transportation, communications and manufacturing.

A controversial new tax amnesty aims to mobilize funds hidden in the vast, informal economy of Myanmar, which in turn would ideally encourage new investment and business activity in the economy.⁶⁰ The recently approved Union Tax Law contains a scheme that reduces tax rates for undeclared income, lowering the prevailing tax rates that ranged from 15-30% to as low as 3%. Such undeclared income must be invested in capital assets or businesses in order to qualify for the tax amnesty. The government hopes that the new tax scheme will encourage individuals to move assets from the vast underground economy to the mainstream economy, in particular to give the nation an economic boost before the November 2020 elections. The new tax scheme will only apply to income from legitimate trades, such as undeclared property rental, and not to proceeds from illegal activities, such as drug trafficking, though it is not yet clear how this will be enforced. Critics accuse the new scheme of rewarding tax evaders. However, the business community generally supports the move in the hopes that it will release streams of liquidity into the stalling real estate, motor vehicle and financial asset markets.

Myanmar is expected to call the next bidding round under the Exploration, Prospecting, Development and Production of Petroleum Bill, more commonly known as the draft oil and gas law, in January 2020 after new terms are approved according to Zaw Aung, a retired director general at the Oil and Gas Planning Department.⁶¹ Among the new terms, which have now been published for public consultation, is an adjustment to the terms of Myanmar's production sharing contracts. The adjustment is a key factor in making investments in the country's oil and gas sector more attractive. However, the law still has not clarified the relationship between the state-owned Myanmar Oil and Gas Enterprise, the Petroleum Activities Supervision Central Committee, and the ministry and their respective authorities, and it is also unclear how the bill will interact with the 2012 Environmental Conservation Law and other existing regulations. Investors and industry experts are skeptical that any proposed changes to the law will be approved before the end of the year.

Foreigners living in Myanmar will be allowed to buy and sell on the Yangon Stock Exchange in the first phase of a process designed to open the exchange up to the international market according to the Securities and Exchange Commission of Myanmar.⁶² As an initial step, only foreigners living in Myanmar will be allowed to participate.

B. Economic Development—Infrastructure, Major Projects

On October 8, the Yangon regional government began providing substitute land to original landowners as compensation for land acquired for the New Yangon City Project. The resettlement procedure, which will take place over the course of a few months, is the first phase of the New Yangon City Project. According to the agreement, landowners will retain 80% of the original land located within the project area with the remaining 20% to be compensated with land in Kyeemyindaing township. The lot drawing for the compensation land in Kyeemyindaing township began in early September and temporary land transfer orders and land permits were issued on October 8.⁶³

There are now 2,576 private fuel filling stations across Myanmar, with up to 1,683 in Mandalay, Bago, Sagaing, Ayeyawady, Yangon and Magway regions. In the first eleven months of the current fiscal year, Myanmar imported over 4.9 million tons of fuel worth over \$2.9

billion, falling by over 480,000 tons worth over \$380 million compared to the same period of the last fiscal year.⁶⁴

On October 11, the Hong Kong-listed VPower Group announced that its consortium with Myanmar's Zeya & Associates had been provisionally awarded four of the five emergency power projects tendered by the energy ministry in June. These awards include three projects that would use imported liquefied natural gas in Rakhine's Kyaukphyu township and Yangon's Thanlyin and Thaketa townships, totaling 900 megawatts. It also secured a 20MW project that would use gas supplied by the government in Kyun Chaung. All of the projects are expected to commence commercial operation in the first half of 2020. However, industry experts are skeptical as to whether VPower can meet the aggressive timeline of execution and delivery within seven months while remaining profitable.⁶⁵

On October 17, Toe Aung, the regional Directorate of Water Resources and Improvement of River Systems, announced plans to spend K5.3 billion in 2020 to fortify river banks in an effort to prevent riverbank erosion. The preventative measures will be carried out in 20 villages along the Ayeyarwady River, Panlaung River, Chaung Ma Gyi Creek and Dokhtowady River, which flow across eight townships in the region. Surveys are currently being conducted, with the invitation of tenders to begin in December once the department has carefully verified the designs and calculated the costs. Preparation for work will be completed between January and April 2020.⁶⁶

Myanmar-focused Yoma Strategic Holdings, which is listed on the Singapore stock exchange, and AC Energy, the energy arm of Ayala Corporation of the Philippines, have announced plans to form a 50:50 joint venture to boost access to electricity. The joint venture will invest \$30 million to develop about 200 megawatts of renewable energy projects in Myanmar, including participation in large utility-scale projects. To date, only 40% of Myanmar's rural population has access to grid power.⁶⁷

C. Land Seizure

Buyers of land sold by the Yangon regional government have to pay infrastructure fees, according to the Yangon City Development Committee ("YCDC"), because the land lacks electricity and water supplies.⁶⁸ The regional government has announced that about 530 plots owned by the government will be sold to the public for the purpose of developing business investment and public housing. Than, joint secretary of the YCDC, said more than 9,000 acres (3,640 hectares) of farmland in Yangon Region would also be sold for urban development, as the current landowners had not created the agricultural land the government had planned. Business and industrial zones would be created on 80% of the farmland taken from existing landowners according to Than. On October 7, the regional government started selling application forms for those looking to buy land. The process closes on November 8. Currently, more than 7,700 application forms have been issued, Than said. Than said the proceeds would partly compensate farmers whose land was taken for urban projects. There have been more than 3,000 complaints received by the Yangon committee on confiscated farmlands over confiscated farmland and other property. Compensation of 6.9 billion kyat was awarded to the farmers. For the 2019-20 fiscal year, the regional government said it had set aside compensation of 31 billion kyat for the original landowners.

IV. Peace Talks and Ethnic Violence

A. Ethnic Violence

Three Myanmar government soldiers were killed and at least seven civilians and three other troops were injured in October during an ambush on a military convoy in war-torn northern Shan State.⁶⁹ The Ta'ang National Liberation Army ("TNLA"), an ethnic Palaung armed group, attacked Myanmar soldiers at a market in Hsenwi, also known as Hsenni, township in Lashio district.⁷⁰ Myanmar military spokesman Brigadier General Zaw Min Tun confirmed the attack and casualties among soldiers, but did not provide a specific number of casualties.⁷¹ The TNLA announced that its troops clashed with the government military convoy.⁷²

In Chin State, where fighting in neighboring Rakhine State has spilled over into remote Paletwa township, a pregnant woman and four other ethnic Chin residents have been missing since September according to a local rights organization, the Chin Human Rights Organization ("CHRO").⁷³ On September 14, Maung Hla Khine, Maung Maung Shay, and Maung Saw from Wun Chaung Wa village, one of the communities near Ka Maung Wa, vanished as they returned by boat from Mrauk-U after buying some rice, the CHRO said.⁷⁴ In early October, the pregnant woman disappeared as she searched for her missing husband, said CHRO information officer Salai Taya.⁷⁵ Villagers do not know the reason behind the disappearance, but fear their fellow residents have been detained by the AA or by the Tatmadaw because the two sides are stationed just four miles apart from each other, according to the CHRO.⁷⁶

The Tatmadaw clashed with the TNLA in Kutkai, northern Shan State on October 16, according to the Tatmadaw, which said no casualties were reported.⁷⁷ However, the information department of the TNLA issued an announcement on the same day, saying both sides suffered casualties.⁷⁸ The TNLA said government forces launched an offensive between Marnset and Naung Pike villages in Kutkai, northern Shan State.⁷⁹

In the second week of October, the Tatmadaw and the Kachin Independence Army engaged in their first battle in Kachin State this year in Mohnyin Township.⁸⁰ Fighting between the groups in Kachin State had paused since the Tatmadaw's declaration of a unilateral ceasefire in late 2018, which expired in September.⁸¹

Three monks were injured when the motorcycle they were riding is believed to have hit a landmine in Namhsan Township in Palaung Self-Administered Zone in northern Shan State.⁸² They were injured in a remote area and medics from the TNLA provided them with first aid treatment.⁸³ The incident was the tenth mine explosion following the eruption of fresh clashes between government forces and the TNLA on August 15, which injured scores of civilians.⁸⁴ A week prior, seven civilians were injured when TNLA troops attacked a Tatmadaw convoy in Theinni township, in the latest fighting between the two sides.⁸⁵

B. Peace Talks

On October 14, the Myanmar government's Peace Commission met with a delegation from the Kachin Independence Organization ("KIO"), led by its chairman General N'Ban La, in Thailand.⁸⁶ "The discussion was focused on signing a truce and the Nationwide Ceasefire Agreement," according a source with the KIO. Other topics, including internally displaced persons, were also discussed.⁸⁷

On October 20, the Mon National Liberation Army ("MNLA") and the Karen National Liberation Army ("KNLA") announced that they had reached agreement on at least three points: (i) leaders from both sides would order their forces to stop fighting; (ii) if fighting broke out again, both sides would hold peace talks to find a solution; and (iii) the two sides would work to build trust so that local residents who have fled the recent fighting could return to their villages.⁸⁸ However, on the same day, an MNLA soldier was killed during a clash with the KNLA.⁸⁹

On the fourth anniversary of the signing of the Nationwide Ceasefire Agreement ("NCA") on October 25, and following attacks by ethnic armed groups in a few townships in Mandalay Region and Shan State, Myanmar military chief Senior General Min Aung Hlaing questioned if ethnic groups have the right to commit "terrorist attacks."⁹⁰ State Counsellor Aung San Suu Kyi and the leaders of the 10 ethnic armed groups also attended the fourth anniversary event.⁹¹ Aung San Suu Kyi noted that as the peace process progresses, "the resoluteness, patience and willingness can weaken over time, so it's necessary to continue with each other's help."⁹²

On October 28, the chairman of the Karen National Union met with Aung San Suu Kyi, who is the chairperson of the National Reconciliation and Peace Centre ("NRPC").⁹³ According to a statement released by the State Counselor's Office, Aung San Suu Kyi and KNU leaders "exchanged views on the ways to overcome challenges in the peace making process, making agreements on the frameworks for implementing the NCA, plans for the peace process beyond the 2020 elections, holding a Joint Implementation Coordination Meeting, the absence of the Restoration Council of Shan State from the fourth anniversary of the NCA, and plans for lasting peace and national reconciliation."⁹⁴

On October 29, the Brotherhood Alliance comprising the AA, TNLA and Myanmar National Democratic Alliance Army issued a statement asking the Tatmadaw to end its military offensives in the ethnic armed organizations' areas and to hold genuine peace talks to build trust.⁹⁵ The Tatmadaw responded that it was the Brotherhood Alliance who ignored the ceasefire and warned that civilians should stay in safe locations if fighting resumed.⁹⁶

After the failure to reach an agreement between the parties at the last round of peace talks in Keng Tung in September, the NRPC and the Northern Alliance decided to meet again in October. However, the talks have been delayed by the NRPC due to scheduling conflicts.⁹⁷ The Northern Alliance has subsequently requested to meet in early November, Brigadier General Tar Phone Kyaw said, adding that the meeting should be held as soon possible.⁹⁸

- ¹ Al Jazeera: <https://www.aljazeera.com/news/2019/10/rohingya-refugees-continue-risk-lives-seek-safety-unhcr-191001075311416.html>.
- ² *Id.*
- ³ *Id.*
- ⁴ Al Jazeera: <https://www.aljazeera.com/news/2019/10/bangladesh-thousands-rohingya-agree-relocation-island-191020074723514.html>.
- ⁵ Radio Free Asia: <https://www.rfa.org/english/news/myanmar/bangladesh-rohingya-10212019172102.html>.
- ⁶ *Id.*
- ⁷ *Id.*
- ⁸ *Id.*
- ⁹ Frontier Myanmar, September 27, 2019: <https://frontiermyanmar.net/en/mandalay-region-goldfields-tainted-by-whiff-of-corruption>.
- ¹⁰ *Id.*
- ¹¹ *Id.*
- ¹² The Irrawaddy, October 8, 2019: <https://www.irrawaddy.com/news/burma/nationalist-group-distributes-pamphlets-attacking-myanmar-govt-mandalay.html>.
- ¹³ *Id.*
- ¹⁴ The Irrawaddy, October 25, 2019: <https://www.irrawaddy.com/news/burma/internationally-scandal-tainted-chinese-company-working-second-yangon-project.html>.
- ¹⁵ *Id.*
- ¹⁶ The Daily Star, October 20, 2019: <https://www.thedailystar.net/rohingya-crisis/news/genocide-gambia-file-case-against-myanmar-icj-1816342>.
- ¹⁷ The Conversation, October 15, 2019: <http://theconversation.com/myanmar-might-finally-be-held-accountable-for-genocide-but-the-court-case-must-recognise-sexual-violence-124693>.
- ¹⁸ The Daily Star, October 20, 2019: <https://www.thedailystar.net/rohingya-crisis/news/genocide-gambia-file-case-against-myanmar-icj-1816342>.
- ¹⁹ Frontier Myanmar, October 24, 2019: <https://www.frontiermyanmar.net/en/amnesty-issues-icc-plea-over-rights-violations-in-northern-shan-report>.
- ²⁰ *Id.*
- ²¹ Relief Web, October 25, 2019: <https://reliefweb.int/report/myanmar/myanmar-un-human-rights-expert-calls-targeted-sanctions>.
- ²² *Id.*
- ²³ Myanmar Times, October 7, 2019: <https://www.mmtimes.com/news/india-bangladesh-call-safe-return-rakhine-refugees.html>.
- ²⁴ *Id.*
- ²⁵ Myanmar Today, September 26, 2019: <https://www.mmtimes.com/news/china-myanmar-bangladesh-team-aid-repatriation.html>.
- ²⁶ *Id.*
- ²⁷ Amnesty International, September 24, 2019: <https://www.amnestyusa.org/press-releases/u-s-house-passes-burma-act-senate-majority-leader-mcconnell-should-advance-myanmar-accountability/>; Mizzima, September 25, 2019: <http://mizzima.com/article/us-passes-legislation-hold-senior-myanmar-military-leaders-accountable>.
- ²⁸ *See supra* Note 13.
- ²⁹ ABC News, September 27, 2019: <https://abcnews.go.com/Politics/senior-us-official-issues-strong-warning-myanmar-rohingya/story?id=65890354>.
- ³⁰ *Id.*
- ³¹ *Id.*
- ³² Myanmar Times, September 24, 2019: <https://www.mmtimes.com/news/eu-pumps-eu5m-womens-projects.html>.
- ³³ *Id.*
- ³⁴ Myanmar Times, October 21, 2019: <https://www.mmtimes.com/news/government-slams-icc-over-rakhine-refugee-issue.html>.
- ³⁵ *Id.*
- ³⁶ *Id.*
- ³⁷ Myanmar Times, October 1, 2019: <https://www.mmtimes.com/news/official-slams-myanmar-critics-un.html>.
- ³⁸ *Id.*
- ³⁹ The Irrawaddy, October 2, 2019: <https://www.irrawaddy.com/news/burma/activists-found-guilty-marking-karen-martyrs-day-myanmar.html>.
- ⁴⁰ *Id.*
- ⁴¹ Frontier Myanmar, October 3, 2019: <https://frontiermyanmar.net/en/activists-protest-after-three-sentenced-for-karen-martyrs-day-ceremony>.
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- ⁴³ *Id.*
- ⁴⁴ Mizzima, October 17 2019: <http://www.mizzima.com/article/china-freezes-social-media-accounts-anti-fraud-move-emanating-northern-myanmar>.
- ⁴⁵ *Id.*
- ⁴⁶ International Federal of Journalists, October 11, 2019: <https://www.ifj.org/media-centre/news/detail/category/press-freedom/article/myanmar-internet-shutdowns-persist-in-rakhine-state.html>.
- ⁴⁷ *Id.*
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