STATUS OF HUMAN RIGHTS & SANCTIONS IN MYANMAR

APRIL 2024 REPORT

Summary. This report reviews the April 2024 developments relating to human rights in Myanmar.

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I. <u>Coup, Crackdown on Protests and Civilian Resistance</u>

On April 4, resistance groups conducted airstrikes in Naypyitaw, targeting military chief Min Aung Hlaing's residence, the military headquarters and a major airbase next to the Naypyitaw International Airport.¹ The National Unity Government ("NUG") claimed responsibility for the airbase attack and confirmed that People's Defense Forces ("PDFs") and the Shar Htoo Waw conducted the assault using drones.²

A spokesperson for the military government, Major General Zaw Min Tun, announced on April 17 that former State Counselor Aung San Suu Kyi was moved from prison in Naypyitaw to house arrest due to the recent heat wave.³ However, Zaw Min Tun did not disclose her exact location. *The Irrawaddy* reported that informed sources in Naypyitaw and Yangon believe that Aung San Suu Kyi is still being held in the prison in Naypyitaw.⁴ One of Aung San Suu Kyi's sons, Kim Aris, told news outlets that he believes the news of his mother's transfer to house arrest is "questionable" as prior similar announcements have turned out to be false.⁵

At the end of April, the Mandalay PDF captured the Myanmar regime's base in War Poe Chat village.⁶ A lieutenant colonel was among eleven regime troops killed in the attack by the PDF on the military's base in Sintgu township.⁷

II. <u>Political Developments</u>

A. Rohingya Refugee Crisis

The Aceh Office of Indonesia's Law and Human Rights Ministry stressed to a UNHCR representative on April 4 that the handling of Rohingya refugees in Aceh must take into account the country's national interest.⁸ The head of the Ministry emphasized that Indonesia has no binding obligation to shelter Rohingya refugees, as it is not a party to the 1951 Convention Relating to the Status of Refugees, and remarked that the influx of Rohingya refugees into Indonesia, especially Aceh, continues while locals refuse their presence for social and economic reasons.⁹

In April, the Myanmar junta allegedly forced Rohingya recruits to burn down Buthidaung town in Rakhine State in an attempt to boost ethnic hatred.¹⁰ According to media reports, the Myanmar regime has been seizing Rohingya men in Rakhine State and pressuring them to serve in the military since the Conscription Law was announced in February.¹¹

B. Corruption

On April 4, *Burma News International* reported that Chinese bloggers have suggested that the ongoing investigation into telecom scamming in Myanmar could implicate high-ranking officials, including General Min Aung Hlaing. Major General Aung Lin Tun, the Deputy Interior Minister, and other top military officers are currently under investigation at an interrogation center, following allegations of their involvement in telecom scamming operations in northern Shan State and the Shwe Kokko area of Kayin State.¹² According to *Burma News International*, the source also mentioned that more individuals may face interrogation.¹³ Major General Aung Lin Tun, who is currently being interrogated, is known for his significant wealth and assumed

the role of Deputy Interior Minister under the coup regime after graduating from the Defense Services Academy.¹⁴

It was reported that two Kachin State ministers who served under the National League for Democracy ("NLD") government have been released from Myitkyina Prison.¹⁵ Naw Li, Minister of Development Affairs, and Win Nyunt, Minister of Transport, were detained on February 1, 2021 and were each sentenced to four years in prison on charges related to anti-corruption laws, disaster management laws and Myanmar's penal code. They were released on April 1 after nearly three years in prison.¹⁶ Both men have returned home and are in good health.¹⁷

C. International Community / Sanctions

On March 29, the Myanmar junta released a statement criticizing a U.S. aid package, saying the United States should consider whether its actions amount to support for terrorism.¹⁸ The junta went on to suggest that the implementation by the United States of the BURMA Act was manipulating Myanmar to counter China's influence in the region because the aid package disproportionately benefits Myanmar's opposition groups.¹⁹

On April 1, China's special envoy for Asian affairs visited Myanmar to discuss peace talks between Myanmar's military and armed ethnic groups with the leader of Myanmar's military regime.²⁰ Following the meeting, China began live-fire exercises near its border with Myanmar on April 2.²¹

On April 4, during the United Nations Security Council's first open meeting on Myanmar since 2019, senior United Nations officials stated that Myanmar's human rights situation is further deteriorating.²² The officials noted that Myanmar's junta has ramped up attacks on civilians, including airstrikes, and increasingly blocked humanitarian aid, causing refugees to flee to Bangladesh, China, India and Thailand.²³ At the Security Council meeting, the United States called for restricting the Myanmar military's access to jet fuel.²⁴ China and Russia continued to block consideration of an embargo or any other measures, disputing that the situation in Myanmar is within the Security Council's mandate.²⁵

On April 7, the Thai Prime Minister said that the current regime in Myanmar is "starting to lose some strength" and that it may be "time to reach out and make a deal."²⁶ The Thai Foreign Minister followed up on the Prime Minister's remarks later in the month by reiterating his country's offer to mediate between military junta forces and rebel groups to "restore peace quickly" in Myanmar.²⁷

On April 16, at a press briefing with a spokesperson for the Chinese Foreign Ministry called on all parties in Myanmar to stop the fighting, resolve disputes through dialogue and consultation and in peaceful means, and avoid any escalation of the situation."²⁸

On April 18, the foreign ministers of the Association of Southeast Asian Nations ("ASEAN") released a statement urging "all parties for an immediate cessation of violence" and stating that ASEAN was "deeply concerned over the recent escalation of conflicts" in Myanmar.²⁹

On April 28, the European Union extended its sanctions on Myanmar through April 30, 2025.³⁰ In its statement, the European Union noted that the decision to extend the sanctions "was taken on the basis of the annual review of the restrictive measures and in view of the continuing grave situation in Myanmar, including actions undermining democracy, as well as serious human rights violations."³¹

III. Civil and Political Rights

A. Freedom of Speech, Assembly and Association

According to the latest annual report by ASEAN Parliamentarians for Human Rights, a network of current and former ASEAN parliamentarians, Myanmar remains the worst country when it comes to jailing members of parliaments.³² Every jailed parliamentarian from an ASEAN member country is imprisoned in Myanmar and all but one had been members of the NLD.³³ The report states that attacks against NLD members of parliament continued in 2023.³⁴

On April 17, the junta regime released 3,303 prisoners to mark Myanmar's New Year but only about 101 (~4%) of those prisoners were political prisoners.³⁵ Those who were released were only given conditional amnesties that could be reversed for any reason and re-offenders will serve the remainder of the suspended sentences with additional time behind bars.³⁶ Former Kachin Baptist Convention president Dr. Hkalam Samson, previously imprisoned on charges of unlawful association, state defamation and terrorism, was rearrested early on April 18, hours after being freed from Kachin State's Myitkyina Prison.³⁷

According to the Political Prisoners Network Myanmar, at least 13 political prisoners died in junta detainment in the first quarter of 2024, compared with two in the same period last year.³⁸ Six inmates were killed by junta forces and seven died after being denied medical care in Kyaikmaraw, Daik-U, Obo, Dawei, Myingyan, Kale and Magway prisons and Monywa police station.³⁹

On March 31, more than 80 inmates were beaten by guards, police and soldiers at Pyapon Prison in Ayeyarwady Region and 20 of them, including seven political prisoners, were so severely injured that they cannot walk.⁴⁰ The prisoners received only emergency treatment despite serious injuries.⁴¹

On April 24, a junta court sentenced Lwin Cho Myint, the former General Secretary of the Student Union of the Sagaing Technological University, to 17 years in prison for violation of Sections 51(c) and 52(d) of the Counter-Terrorism Law.⁴² Before her arrest, Lwin Cho Myint actively participated in the nonviolent CDM movement after the military coup.

B. Freedom of the Press and Censorship

The Myanmar junta recently reactivated the film censorship law originally enacted in 1996 by the previous military regime, according to an April 3 *Radio Free Asia* ("RFA") article.⁴³ Under the law, music videos and film series can only be produced and distributed with permission of the video censor board established by the Ministry of Information.⁴⁴ Violators may be sentenced to a maximum of three years in prison and fines.⁴⁵ An anonymous composer

told *RFA* that the video censors mainly aim to monitor messages about the revolution that are disseminated to the public through movies and songs.⁴⁶

On or around April 5, the Military Council announced the prosecution of singer May Thu, whose music video "Beer Belly" was recently published on social media.⁴⁷ The junta filed a case against the singer under Section 33 (a) of the Electronic Communications Act, which states that "anyone who commits any act that harms national culture can be sentenced to at least five to seven years in prison and may also be fined."⁴⁸

On April 8, the Ministry of Information announced, via *The Global New Light of Myanmar*, that creators do not have to submit music videos to the censorship board, as long as they adhere to the six-point censorship requirements published by the government.⁴⁹ The Ministry also indicated it has informed filmmakers, actors and broadcasters that failure to adhere to censorship requirements will result in legal consequences.⁵⁰

On March 21, the Karen National Union ("KNU") announced new media guidelines, including that (i) all media workers operating in KNU areas must register with identification documents, (ii) filming without permission is prohibited and (iii) only authorized KNU members are permitted to give interviews.⁵¹ On April 16, the Karenni State Interim Executive Council ("IEC") announced guidelines requiring journalists to show letters of accreditation, notify the IEC in advance of their reporting, wear uniforms and show identification cards.⁵² The guidelines also prohibit actions that could disrupt the operations of Kayah State.⁵³

On or around April 27, the Independent Press Council of Myanmar ("IPCM") responded to the new KNU and IEC media guidelines, calling for journalists' freedom and access to information in liberated areas.⁵⁴ The ICPM intends to engage in negotiations with the relevant parties and it announced its plan to release a code of conduct for journalists on May 3.⁵⁵

On April 28, the junta opened a case against artists involved in two Thingyan music videos, for purportedly broadcasting traditional songs in "shameless clothes."⁵⁶ Chen Luo and Brown, the singers of "Kar Pek" and "Bor Lhe Khon Pa Aee Chii Ka," were implicated, along with music video actors and dancers.⁵⁷ The artists have been charged under Section 33 (a) of the Electronic Communications Act.

IV. <u>Economic Development</u>

A. Economic Development—Legal Framework, Foreign Investment

Myanmar's junta is racing to assure Chinese officials that it can ensure security on the border and elsewhere in the country since the Arakan Army ("AA") encircled the site of a US\$ 8 billion investment project in Rakhine State, which is considered to be the pearl of economic cooperation between Naypyitaw and Beijing.⁵⁸ The deep-sea port and special economic zone are to be developed on an island off the coast of Rakhine State. The AA, the armed wing of the United League of Arakan ("ULA"), is fighting to drive junta troops out of the state. It seized a town near the port in March and the ULA has claimed that it is the legitimate and de facto government in the state.⁵⁹ The ULA invited foreign investors in Rakhine State to work with its Arakkha People Revolutionary Government to ensure their investment projects proceed

smoothly.⁶⁰ The junta responded on April 2, noting that Min Aung Hlaing had met China's Special Envoy for Asian Affairs Deng Xijun to discuss peace talks with ethnic armed groups for both border security and internal stability.

Having previously announced its intent to dispose of its Myanmar investments, Axiata Group Berhad, a Malaysian multinational telecommunications conglomerate, said in a public filing on April 4 that its 63%-owned Edotco Group Sdn Bhd is proposing to dispose of its 87.5% stake in Edotco Myanmar for US \$150 million cash.⁶¹ According to reports, the purchaser is Pun Tower Investments Ltd, which is wholly-owned by Yoma Group founder Serge Pun.

B. Economic Development—Infrastructure, Major Projects

There have been no material updates since the prior report.

C. Land Seizure

There have been no material updates since the prior report.

V. Peace Talks and Ethnic Violence

A. Ethnic Violence

Toward the end of March, the AA launched an offensive in Rakhine State's Ann township where the Myanmar junta's Western Military Command is located.⁶² This offensive follows the AA's seizure of nearly half of Rakhine State since November 13, 2023.⁶³ The fall of Ann township would likely open up southern Chin State AA attacks.⁶⁴

In early April, Myanmar junta warplanes dropped several cluster bombs on civilian targets in the Auk Chaing village of Mindat township.⁶⁵ According to the administrative office of the village, five civilians, including two toddlers, were injured in the bombings, which also destroyed a dozen homes and damaged a school, religious buildings and administrative buildings.⁶⁶ Since the November 2023 offensive, the AA's Humanitarian and Development Coordination Office estimate around 180 civilians have been killed and more than 460 wounded across Rakhine State and neighboring Paletwa township in southern Chin State as a result of the Myanmar junta's shelling and airstrikes.⁶⁷ The AA claims that they have seized over 170 junta bases and the whole of Paletwa township in southern Chin State, controlling six townships and three other towns out of Rakhine State's 17 townships.⁶⁸

Following the launch of its offensive in March, the Kachin Independent Army ("KIA") reportedly seized the Myanmar junta's Infantry Battalion 141 headquarters controlling the Irrawaddy River route to the Kachin State capital, Myitkyina.⁶⁹ According to media reports, a Myanmar junta battalion commander was killed along with several soldiers and another battalion commander was injured.⁷⁰ Since March, the KIA have controlled the Myitkyina-Bhamo road after seizing ten junta headquarters and more than 60 positions along the road, and it also seized the Momauk-Loije road and controls Loije on the Chinese border.⁷¹ A clash broke out between the KIA and Myanmar junta forces in mid-April in which three civilians were killed and three others were injured from the junta's shelling and airstrikes over Momauk town in Kachin State.⁷²

Since mid-March, around 70% of the approximate 9,200 residents of Momauk have fled their homes.⁷³

As April went on, fighting between the AA and the Myanmar junta broke out in Thandwe township, Rakhine State where a deputy battalion commander was allegedly among dozens of junta soldiers killed.⁷⁴ The fighting followed earlier clashes between the two forces near the Tha Htay hydropower plant, where the Myanmar junta utilized naval boats and airstrikes to battle the AA.⁷⁵ On April 27, the AA seized the Myanmar junta's Taw Hein Taung hilltop base in Ann township after over a month of attacks.⁷⁶

Between April 5-10, the KNLA successfully seized military bases near Myawaddy in Kayin State.⁷⁷ Myawaddy is a strategic location for the Myanmar military because it is the site of an important border crossing between Myanmar and Thailand.⁷⁸ Hundreds of refugees crossed the border to Thailand to seek refuge from the conflict.⁷⁹ The remaining military troops in the area fled to the Second Friendship Bridge in Mae Sot and sought to cross the border as well.⁸⁰ However, a week later, military troops were able to return to their military base in Myawaddy after the KNLA withdrew from Myawaddy and left the town under the control of the Karen National Army ("KNA").⁸¹ On April 20, the military conducted airstrikes near the Second Friendship Bridge to support their remaining troops fighting to regain their base.⁸²

B. Peace Talks

There have been no material updates since the prior report.

¹ The Irrawaddy, April 4, 2024: https://www.irrawaddy.com/news/war-against-the-junta/myanmar-resistance-drones-target-junta-

chiefs-residence-military-hq-and-airbase-in-naypyitaw.html. 2 Id. ³ Reuters, April 17, 2024: <u>https://www.reuters.com/world/asia-pacific/myanmars-ex-leader-suu-kvi-moved-house-arrest-says-junta-</u> spokesperson-2024-04-17/. The Irrawaddy, April 18, 2024: https://www.irrawaddy.com/news/burma/myanmars-suu-kyi-remains-in-prison-informedsources.html. ⁵ CNN, April 23, 2024: <u>https://edition.cnn.com/2024/04/23/asia/myanmar-suu-kyi-son-kim-aris-intl-hnk/index.html</u>. ⁶ The Irrawaddy, May 1, 2024: https://www.irrawaddy.com/news/war-against-the-junta/video-shows-mandalay-pdf-seizing-anotherbase-from-myanmar-military.html 7 Id. ⁸ ANTARA, April 5, 2024: <u>https://en.antaranews.com/news/310137/indonesian-interest-must-be-considered-in-rohingya-refugee-</u> issue-govt. ⁹ Id. ¹⁰ The Irrawaddy, April 19, 2024: <u>https://www.irrawaddy.com/news/burma/myanmar-junta-using-rohingya-recruits-to-sow-ethnic-</u> hatred-activists.html ¹¹ *Id*. ¹² Burma International News, April 4, 2024: <u>https://www.bnionline.net/en/news/chinas-lists-myanmar-generals-deeply-involved-</u> telcom-scams-triggers-embarrassing-corruption ¹³ *Id*. ¹⁴ *Id*. ¹⁵ Eleven Media, April 3, 2024: <u>https://elevenmyanmar.com/news/two-kachin-state-ministers-serving-under-nld-government-released</u> ¹⁶ *Id*. ¹⁷ Id. ¹⁸ Voice of America News, April 23, 2024: <u>https://www.voanews.com/a/myanmar-junta-slams-us-aid-plan/7581977.html</u>. ¹⁹ Id. ²⁰ Nikkei Asia, April 3, 2024: https://asia.nikkei.com/Politics/Defense/China-begins-live-fire-military-drills-near-Myanmar-border. ²¹ *Id*. ²² Human Rights Watch, April 4, 2024: <u>https://www.hrw.org/news/2024/04/04/un-shows-conflicting-approaches-myanmar-crisis</u>. ²³ Id. ²⁴ Id. ²⁵ Id. ²⁶ The Straits Times, April 8, 2024: <u>https://www.straitstimes.com/asia/se-asia/thai-pm-says-myanmar-regime-losing-strength.</u> ²⁷ Radio Free Asia, April 24, 2024: https://www.rfa.org/english/commentaries/myanmar-asean-ceasefire-04242024164252.html. ²⁸ The Irrawaddy, April 17, 2024: https://www.irrawaddy.com/news/myanmar-china-watch/china-ramps-up-pressure-for-myanmarpeace-talks-as-junta-loses-more-ground.html. ²⁹ The Irrawaddy, April 20, 2024: https://www.irrawaddy.com/news/myanmars-crisis-the-world/asean-deeply-concerned-byescalating-myanmar-violence.html. ³⁰ NarinJara News, April 28, 2024: <u>https://www.narinjara.com/news/detail/662e4398e7ae4ac1d4e416b6</u>. ³¹ *Id*. ³² ASEAN Parliamentarians for Human Rights, April 25, 2024: <u>https://aseanmp.org/2024/04/25/new-report-shows-southeast-asian-</u> parliamentarians-remain-at-risk-despite-democratic-trappings/. ³³ The Irrawaddy, April 26, 2024: https://www.irrawaddy.com/news/burma/network-of-asean-parliamentarians-says-only-myanmaris-locking-up-lawmakers.html. ³⁴ Id. ³⁵ The Irrawaddy, April 18, 2024: https://www.irrawaddy.com/news/burma/new-year-old-tactic-myanmar-juntas-amnesty-skipspolitical-prisoners.html. ³⁶ Id. ³⁷ The Irrawaddy, April 18, 2024: <u>https://www.irrawaddy.com/news/burma/myanmar-christian-leader-rearrested-hours-after-release-</u> in-amnesty.html. ³⁸ The Irrawaddy, April 9, 2024: https://www.irrawaddy.com/news/burma/at-least-13-political-prisoners-died-in-early-2024activists.html. ⁴⁰ The Irrawaddy, April 5, 2024: <u>https://www.irrawaddy.com/news/burma/myanmar-political-prisoners-among-those-left-unable-to-</u> walk-after-mass-beating.html. ⁴¹ *Id*. ⁴² Mizzima, April 29, 2024: <u>https://eng.mizzima.com/2024/04/29/9411</u>. ⁴³ Radio Free Asia, April 3, 2024: <u>https://www.rfa.org/burmese/program_2/film-music-censorship-03042024003454.html</u>. ⁴⁴ Id. ⁴⁵ Id. ⁴⁶ Id. ⁴⁷ Radio Free Asia, April 4, 2024: <u>https://www.rfa.org/burmese/news/culture-singers-actors-council-take-action-</u> 04042024234038.html. ⁴⁸ Id. ⁴⁹ The Global New Light of Myanmar, April 8, 2024: <u>https://www.gnlm.com.mm/no-video-censorship-required-if-standards-met/.</u> ⁵⁰ Id. ⁵¹ Democratic Voice of Burma, April 25, 2024: <u>https://english.dvb.no/resistance-forces-withdraw-from-base-near-myawaddy-the-</u> karen-and-the-karenni-announce-media-guidelines/. ⁵² Id.

⁵³ The Burma News International, April 19, 2024: <u>https://www.bnionline.net/en/news/some-iecs-guidelines-ethical-reporting-karenni-state-may-be-threat-press-freedom.</u>

⁵⁴ The Burma News International, April 27, 2024: <u>https://www.bnionline.net/en/news/ipcm-seeks-stronger-press-freedom-guarantees-</u> resistance-held-areas.

⁵⁵ Democratic Voice of Burma, April 29, 2024: <u>https://english.dvb.no/karen-and-karenni-issue-media-guidelines-for-war-reporting/</u>.

⁵⁶ Radio Free Asia, April 28, 2024: <u>https://www.rfa.org/burmese/news/culture-singers-take-action-04282024232325.html</u>.
⁵⁷ Id.

⁵⁸ The Irrawaddy, April 2, 2024: <u>https://www.irrawaddy.com/news/politics/myanmar-junta-scrambling-to-hang-on-to-pearl-of-economic-partnership-with-china.html</u>.

⁵⁹ Id. ⁶⁰ Id.

⁶¹ The Star, April 5, 2024: <u>https://www.thestar.com.my/business/business-news/2024/04/05/axiata039s-myanmar-exit-will-bolster-investor-confidence-say-analysts</u>.

⁶² The Irrawaddy, March 29, 2024: <u>https://www.irrawaddy.com/news/war-against-the-junta/arakan-army-attacks-myanmar-juntas-rakhine-power-base.html</u>

⁶³ The Irrawaddy, April 11, 2024: <u>https://www.irrawaddy.com/news/politics/aa-chief-neighbors-propping-up-myanmar-junta.html</u>
⁶⁴ Id.

⁶⁵ The Irrawaddy, April 26, 2024: <u>https://www.irrawaddy.com/news/burma/as-patients-slept-in-chin-state-hospital-myanmar-military-jets-dropped-bombs.html</u>

⁶⁶ Id. ⁶⁷ Id.

" Id.

⁶⁸Id.

⁶⁹ The Irrawaddy, April 29, 2024: <u>https://www.irrawaddy.com/news/war-against-the-junta/kia-seizes-myanmar-junta-hq-near-kachin-state-capital.html</u>

⁷⁰ Id.

⁷¹ Id.

⁷² The Irrawaddy, April 23, 2024: <u>https://www.irrawaddy.com/news/war-against-the-junta/myanmars-military-traps-and-bombs-civilians-in-a-town-in-kachin-state.html</u>

⁷³ Id.

⁷⁴ The Irrawaddy, April 29, 2024: <u>https://www.irrawaddy.com/news/war-against-the-junta/deputy-battalion-commander-captain-killed-near-myanmars-ngapali-beach-residents.html</u>

⁷⁵ The Irrawaddy, April 22, 2024: <u>https://www.irrawaddy.com/news/war-against-the-junta/aa-battles-myanmar-junta-forces-near-rakhine-tourist-hotspot.html</u>

⁷⁶ The Irrawaddy, April 29, 2024: <u>https://www.irrawaddy.com/news/war-against-the-junta/deputy-battalion-commander-captain-killed-near-myanmars-ngapali-beach-residents.html</u>

⁷⁷ CNN, April 11, 2024: <u>https://edition.cnn.com/2024/04/11/asia/myanmar-myawaddy-knu-military-junta-intl-hnk/index.html</u>.

⁷⁸ The Guardian, April 9, 2024: <u>https://www.theguardian.com/world/2024/apr/09/myanmar-military-rebels-myawaddy-karen-state-</u><u>surrender-thailand</u>.

⁷⁹ Id.

⁸⁰ Reuters, April 12, 2024: <u>https://www.reuters.com/world/asia-pacific/exodus-thailand-continues-after-fall-key-myanmar-border-town-2024-04-12/</u>.

⁸¹ The Irrawaddy, April 24, 2024: <u>https://www.irrawaddy.com/news/burma/knu-blames-border-militia-for-myanmar-juntas-myawaddy-return.html</u>.

⁸² The Irrawaddy, April 20, 2024: <u>https://www.irrawaddy.com/news/burma/myanmar-junta-airstrikes-target-myawaddy-after-clashes-</u> resume.html.