

BURMA BULLETIN

XXXXXXXX A month-in-review of events in Burma XXXXXXXX

ALTERNATIVE ASEAN NETWORK ON BURMA
campaigns, advocacy & capacity-building for human rights & democracy

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- OHCHR releases report on atrocities committed against Rohingya Muslims.
- Burma's government promises to investigate OHCHR allegations. Military "investigates" and declares it did not act unlawfully.
- The international community calls for an independent Commission of Inquiry.
- Bangladeshi officials call for funding to relocate Rohingya refugees to desert island.
- Authorities partially discloses plot behind Ko Ni's assassination, Aung San Suu Kyi breaks her month-long silence on the killing.
- Burma's government postpones Panglong peace conference.
- Aung San Suu Kyi urges all armed groups to sign the NCA. NCA non-signatory EAGs call for a new all-inclusive peace process.
- Ethnic groups hold national-level political dialogues.

KEY STORY: "UNPRECEDENTED" VIOLENCE AGAINST ROHINGYA MUSLIMS

"..The devastating cruelty to which these Rohingya children have been subjected is unbearable – what kind of hatred could make a man stab a baby crying out for his mother's milk. And for the mother to witness this murder while she is being gang-raped by the very security forces who should be protecting her" - UN High Commissioner for Human Rights Zeid Ra'ad Al Hussein.¹

On 3 February, the Office of the High Commissioner for Human Rights (OHCHR) released a damning report on violence against Rohingya based on interviews of refugees who fled to Bangladesh. The report found that "while discrimination against the Rohingya has been endemic for decades ... the recent level of violence is unprecedented".² It reported testimonies of extrajudicial killings, enforced disappearance, sexual violence, physical assault including torture, arbitrary detention, lack of emergency medical care, destruction of property, and ethnic and religious discrimination.³

¹ UN News (03 Feb 17) UN report details 'devastating cruelty' against Rohingya population in Myanmar's Rakhine province

² OHCHR (03 Feb 17) Flash Report: Interviews with Rohingyas fleeing from Myanmar since 9 October 2016

³ OHCHR (03 Feb 17) Flash Report: Interviews with Rohingyas fleeing from Myanmar since 9 October 2016

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According to the OHCHR report, more than 1,000 died and 69,000 Rohingya Muslims fled during the recent crackdown in Arakan State [See *October Bulletin*]. Findings included:

- 52% of Rohingya women interviewed said security forces raped or sexually assaulted them.
- 50% of Rohingya interviewed reported that security forces burnt or destroyed their property.
- 47% reported that security forces killed a family member.
- 45% reported that a family member disappeared.
- 44% reported that security forces beat them.⁴

The report concluded that the information gathered raised serious concerns that what was occurring was the result of a purposeful policy of ethnic cleansing, of crimes against humanity.⁵

UN High Commissioner for Human Rights Zeid Ra'ad Al Hussein expressed skepticism of the national commission established by Naypyidaw to investigate violence in Maungdaw [See *December Bulletin*], and stated that an international commission of inquiry would be needed.⁶

The international community expresses concerns about violence against Rohingya

On 3 February, UNICEF condemned the reported atrocities and said that “allegations of child rights violations must be thoroughly investigated, violators must be prosecuted, and the child victims need and deserve support.”⁷

On 6 February, Special Adviser on the Prevention of Genocide Adama Dieng considered the violence against Rohingya to be “revolting and unacceptable”.⁸ Adama Dieng said that “the existing Commission is not a credible option to undertake the new investigation” and urged “any investigation to be conducted by a truly independent and impartial body that includes international observers”.⁹

On 6 February, U.S. State Department spokesperson Katina Adams said that the U.S. was “deeply troubled” by the OHCHR findings and urged the Burma’s government to investigate the allegations “in a thorough and credible manner”.¹⁰

On 8 February, Pope Francis strongly criticized the violence against Rohingya Muslims and the increased religious discrimination reported in Burma.¹¹

On 16 February, the Australian Senate passed a motion urging the government to call for a UN Commission of Inquiry into human rights abuses in Burma, and Foreign Minister Julie Bishop said that she was “deeply concerned” and expected a “through, credible and impartial” investigation.¹²

On 18 February, UN Special Rapporteur on the situation of human rights in Myanmar Yanghee Lee visited Cox’s Bazaar refugee camps, Bangladesh, and called for a UN Commission of Inquiry into the violence against Rohingya Muslims. She said that a report would be published shortly.¹³

In notable departure from the international outcry, on 4 February Cambodian PM Hun Sen opposed to the internationalization of the Rohingya issue. Considering it as a mere domestic affair, Hun Sen ruled out any ASEAN intervention.¹⁴

⁴ OHCHR (03 Feb 17) Flash Report: Interviews with Rohingyas fleeing from Myanmar since 9 October 2016

⁵ OHCHR (03 Feb 17) Flash Report: Interviews with Rohingyas fleeing from Myanmar since 9 October 2016

⁶ New York Times (03 Feb 17) Rohingya Face ‘Campaign of Terror’ in Myanmar, U.N. Finds

⁷ UNICEF (03 Feb 17) UN-STATEMENT: UNICEF concerned about serious violations of children’s rights in the northern part of Rakhine state reported in OHCHR report

⁸ UN News (06 Feb 17) Violence in Myanmar’s Rakhine state could amount to crimes against humanity – UN special adviser

⁹ UN News (06 Feb 17) Violence in Myanmar’s Rakhine state could amount to crimes against humanity – UN special adviser

¹⁰ Reuters (06 Feb 17) U.S. deeply troubled by UN report of Myanmar atrocities against Muslims

¹¹ Reuters (08 Feb 17) Pope issues stinging criticism of Myanmar’s treatment of Rohingya; RFA (08 Feb 17) Myanmar comes under international pressure for Rohingya mistreatment

¹² The Sydney Morning Herald (19 Feb 17) Julie Bishop presses Myanmar leader for credible Rohingya investigation

¹³ Dhaka Tribune (13 Feb 17) UN special envoy to visit Rohingya camp

¹⁴ The Cambodia Daily (06 Feb 17) Cambodia against ‘Internationalization’ of Rohingya crisis

Burma's government responds

On 3 February, UNHCHR Zeid Ra'ad al-Hussein said that Aung San Suu Kyi promised to investigate the reported atrocities.¹⁵

On 6 February, President's Office spokesperson Zaw Htay confirmed that the OHCHR allegations were serious, but said he could not comment on the discrepancies between the UN and government figures yet (the latest Burma's military reports recounted less than 100 deaths from clearance operations in Arakan State).¹⁶

On 9 February, Foreign Affairs Ministry spokesperson Aye Aye Soe said that the government would find "how truthful the allegations are".¹⁷ The national investigation commission on the violence in Maungdaw [See *December Bulletin*] has requested the formation of a military and a police team probing the accounts.¹⁸

On 9 February, the Tatmadaw said it formed a military 5-member inquiry board chaired by Lt Gen Gen Aye Win to determine if soldiers committed abuses against Rohingya Muslims.¹⁹ On 28 February, Tatmadaw top generals held a conference and denied unlawful military actions in Arakan State. Sr Gen Min Aung Hlaing and Gen Mya Tun Oo reported that military investigators did not find evidence of human rights violations.²⁰

On 12 February, the Ministry of Home Affairs (MOHA) said it formed a "departmental inquiry" chaired by Brig Gen Win Tun to investigate if police forces committed illegal actions and potentially charge them under the Police Disciplinary Law.²¹ It said that the policemen caught beating Rohingya villagers on the video that went viral on January [See *January Bulletin*] have already been sentenced to two months detention.²² Burma's police court later sentenced three border guard officers to 1 - 3 years' imprisonment for negligence regarding security during the 9 October attacks.²³

MAIN NATIONAL-LEVEL INVESTIGATIONS

2012 Commission on Violence in Rakhine:

- ✓ Allegations rejected as "smear campaign".
- ✓ No investigation of human rights abuses.
- ✓ Proposed increased military presence and discrimination: Birth control, segregation and controversial citizenship verification process targeting Muslims.

2014 Inquiry Commission for DuuCheeYarTan:

- ✓ Reports of violence rejected as false allegations to destabilize Burma.
- ✓ Suspension of UN and MSF activities.
- ✓ No investigation of human rights abuses.
- ✓ Proposed more police weapons capacity and implementation of controversial Rakhine State Action Plan

2016 Advisory Commission on Rakhine State (headed by Kofi Annan):

- ✓ No investigation powers.
- ✓ Mandate: Only humanitarian and development.

2016 Investigation Commission on Maungdaw:

- ✓ Former military general led commission tasked with investigating the military
- ✓ Human rights violations rejected as "fabricated rumors and news" to discredit the government.
- ✓ Response to UN report: "... the OHCHR report (was) far from the situation on the ground".
- ✓ As of 28 Feb 2017, no final report.

OTHER INVESTIGATIONS ON MAUNGDAW:

Oct 24, 2016 State-level Committee:

- ✓ Chair Aung Win said it was impossible that soldiers had raped Rohingya women because "they are very dirty... They are not attractive."
- ✓ Human rights violations denied.
- ✓ Proposed to increase security

Feb 09, 2017 Military Inquiry Board:

- ✓ Military to investigate the military
- ✓ Army chiefs declared no evidence of violations, soldiers acted lawfully.
- ✓ As of 28 Feb, no final report yet.

Feb 11, 2017 Police Departmental Inquiry:

- ✓ Police to investigate the police.
- ✓ As of 28 Feb, no final report yet.

¹⁵ Reuters (03 Feb 17) Myanmar's Suu Kyi vows to investigate crimes against Rohingya; UN's Zeid

¹⁶ The Irrawaddy (07 Feb 17) Burma government asks UN for more evidence on human rights claims

¹⁷ Voice of America (10 Feb 17) Analysis detail changes needed to resolve Myanmar's Rohingya situation

¹⁸ The Irrawaddy (13 Feb 17) Team to probe police abuse in Arakan State; The Global New Light of Myanmar (19 Feb 17) Investigation commission writing full report on Maungdaw

¹⁹ RFA (09 Feb 17) Myanmar government to conduct investigation of violence against Rohingya in northern Rakhine

²⁰ Reuters (28 Feb 17) Myanmar army defends operation against Rohingya, denies report of abuses

²¹ Reuters (13 Feb 17) Myanmar to probe police over allegations of crimes against Rohingya; The Irrawaddy (13 Feb 17) Team to probe police abuse in Arakan State

²² Reuters (13 Feb 17) Myanmar to probe police over allegations of crimes against Rohingya

²³ Reuters (24 Feb 17) Senior Myanmar police jailed for negligence over Rohingya attacks; The Irrawaddy (24 Feb 17) Govt jails Maungdaw border guard police for negligence

On 10 February, the national investigation commission on violence in Maungdaw started a 6-day fact-finding mission to investigate the OHCHR allegations.²⁴ On 14 February, commission member Saw Thalay Saw said that the interviewed villagers refuted several OHCHR allegations. On 21 February, commission secretary Zaw Mying Pe said that the commission completed the probe of violence and “the OHCHR report (was) far from the situation on the ground”.²⁵ As of 28 February, a full report was unavailable.²⁶

National commission discredited

Questions over the credibility and independence of the national commission rose throughout the month.

On 21 February, Amnesty International said that the national commission was “unlikely to deliver justice, truth, and reparations for victims and their families” and warned that failure to adequately investigate credible reports of human rights violation would undermine the peace process. It also added its voice to the national, regional and international call for a UN Commission of Inquiry.²⁷

The media reported that commission translators and representatives altered eyewitnesses’ accounts and omitted elements of rape allegations.²⁸ On 26 January, BBC journalist Jonah Fisher uploaded a documentary preview showing a manipulated eyewitness interview conducted by the national investigation commission on the violence in Maungdaw. The state broadcasted the same witness interview, but without subtitles.²⁹

“Commission rep: Did you see if those women were raped or not?”

Eyewitness: I did not.

Commission rep: So it’s not true.

Eyewitness: Yes and no... They were bleeding directly from here (she points to between the legs)

Commission rep: Don’t say that. Don’t say bleeding. Just say whether you saw the rape or not.”

- Asian Correspondent (29 Jan 17) Burma: Is the Burmese state media altering witness accounts of Rohingya rape? (Transcript from MRTV broadcast)

Home Affairs: Clearance operations over. Tatmadaw: No, it's not

On 10 February, the Sittwe District Court sentenced to death Uruma (also known as Mammud Nu and Ular) - a Muslim man who allegedly led the 9 October attack on three border guard posts in Maungdaw Township, Arakan State [see *October Bulletin*].³⁰ Thirteen other Muslim men were on trial.³¹ Another 450 were still detained in Buthidaung prison without legal representation or contact with their families, according to UN Special Rapporteur Yanghee Lee [See *January Bulletin*].

On 15 February, national security advisor Thaug Tun said that the Tatmadaw ended its clearance operation in Arakan State.³² MOHA deputy minister Maj Gen Aung Soe reportedly confirmed that “security, peace, rule of law and government administration mechanisms have been restored”.³³ On 16 February, military spokesperson Gen Aung Ye Win said he was not aware of any ceasing of operations.³⁴ On the same day, four bodies were found buried in a field near Luuphanpyin village, Maungdaw Township, Arakan State. Police was investigating.³⁵

²⁴ RFA (10 Feb 17) Myanmar investigation commission begins fact-finding mission in Maungdaw

²⁵ RFA (21 Feb 17) Myanmar commission prepares to submit report on Rakhine

²⁶ RFA (14 Feb 17) Myanmar investigation commission cannot verify UN report on Rakhine violence; The global new light of Myanmar (19 Feb 17) Investigation commission writing full report on Maungdaw

²⁷ RFA (21 Feb 17) Myanmar commission prepares to submit report on Rakhine

²⁸ Asian Correspondent (29 Jan 17) Burma: Is the Burmese state media altering witness accounts of Rohingya rape?

²⁹ YouTube: <https://www.youtube.com/watch?v=iYpYUzpjKag> (last access on 01 Mar 17)

³⁰ DVB (14 Feb 17) Man sentenced to death for role in 9 October attacks; The Irrawaddy (14 Feb 17) Death sentence for Maungdaw attacker raises questions about state executions in Burma;

³¹ The Irrawaddy (14 Feb 17) Death sentence for Maungdaw attacker raises questions about state executions in Burma

³² RFA (16 February 17) Myanmar government ends security lockdown in volatile northern Rakhine; The Irrawaddy (16 Feb 17) Burma says security operation in troubled Arakan has ended

³³ Myanmar Times (16 Feb 17) Security tightened in Rakhine since October: MOHA

³⁴ The Irrawaddy (25 Feb 17) Have Burma army operations in northern Arakan State really ended?

³⁵ AFP (22 Feb 17) Burmese police probe murders in Maungdaw

HUMANITARIAN

Malaysian aid flotilla arrives in Burma/Myanmar and Bangladesh

On 9 February, a Malaysian aid flotilla [See *January Bulletin*] arrived at Thilawa international port, Rangoon/Yangon, and reportedly unloaded 500 tons of relief supplies. Minister of social welfare, relief and resettlement, Win Myat Aye expressed his “deepest appreciation” and said the government would distribute the aid “without discrimination” to “needy areas at the earliest possible times.”³⁶ On 13 February, the Malaysian food flotilla arrived in Chittagong port, Tefnak, Bangladesh.³⁷ The vessel reportedly unloaded 1,700 tons of relief supplies, which would be delivered by the International Organization for Migration (IOM) to Rohingya refugees in Cox’s Bazaar camps.³⁸

Outside the Thilawa port, anti-Rohingya nationalists and monks protested against the aid flotilla and the recognition of the Rohingya ethnicity. Buddhist monk Thi Suceitta and Myanmar National Network chairperson Win Ko Ko Latt strongly criticized the use of the word Rohingya, denied the Rohingya’s right to identify themselves, and demanded the international community consider them as mere “Bengali” illegal immigrants.³⁹

Other developments:

7 Feb: The State Counsellor's Office announced that K300 million (around US\$ 220,000) cash assistance would be delivered to internally displaced persons (IDPs) within government-controlled areas of Kachin State, but not to areas controlled by the Kachin Independent Organization (KIO), due to “security concerns”.⁴⁰

20 Feb: Vice chairman of the IDP camp in Namtu Township, Shan State, Sai Ba Nyan said that the IDPs would soon face food shortages. As of 20 February, almost 1,000 people remained at the camp, but the program would stop if the government did not provide any aid within the next few months.⁴¹

DISPLACEMENT

Bangladesh asks for aid to relocate Rohingya to desert island

On 5 February, Bangladeshi officials – including Foreign Minister A.H. Mahmood Ali and his political adviser H. T. Imam – met with international authorities in Dhaka to address the crisis. The Bangladeshi government requested for funding to relocate the Rohingya refugees to the vulnerable and flooded island of Thengar Char [See *January Bulletin*].⁴²

Meanwhile, the office of the UN High Commissioner for Refugees (UNHCR) has asked for Bangladeshi permission to negotiate resettlement of Rohingya refugees to the United States, Canada and Europe. H.T. Imam, said the proposal was “unrealistic” due to reluctance in the United States and Europe to take further Muslim refugees. However, UNHCR Bangladesh representative Shinji Kubo insisted that “regardless of the change in government or government policies... UNHCR has a clear responsibility to pursue a protection-oriented resettlement programme.”⁴³

³⁶ DVB (10 Feb 17) Malaysian aid flotilla for Arakan State docks in Rangoon

³⁷ Reuters (13 Feb 17) Malaysian aid ship for Rohingya arrives in Bangladesh; The Malay mail online (13 Feb 17) Food flotilla for Myanmar arrives in Bangladesh

³⁸ RFA (13 Feb 17) Malaysian Aid Ship Arrives in Bangladesh with Supplies for Rohingya

³⁹ DVB (10 Feb 17) Malaysian aid flotilla for Arakan State docks in Rangoon; Myanmar Times (10 Feb 17) Malaysian humanitarian mission arrives in Yangon

⁴⁰ Myanmar Times (07 Feb 17) K300 million aid for IDP camps in Kachin

⁴¹ The Irrawaddy (20 Feb 17) ‘If We Waited for Aid From the Govt, the IDPs Would Have Starved’

⁴² Reuters (09 Feb 17) Bangladesh says it is stopping Rohingya militants, allowing ‘helpless’ refugees; RFA (08 Feb 17) Bangladesh Plan to Move Rohingya Refugees to Island in ‘Very Initial Stage’: Diplomat

⁴³ Reuters (16 Feb 17) UN wants to negotiate with U.S., Canada to resettle Rohingya refugees

Other developments:

13 Feb: The Border Guard Force (BGF) ordered to internally displaced persons (IDPs) to leave Shing Chyai camp, Sadung sub-township, Kachin State, and threatened to burn the camp.⁴⁴

20 Feb: Hundreds of people who fled last year's violence in Buthidaung Township, Arakan/Rakhine State, were “still in limbo” and faced another displacement.⁴⁵ Landowners have ordered the 420 men, women and children to leave the IDP camp in Sedaung village, Arakan State. Another 62 ethnic Khami people were still sheltered at the monastery of Alechaung, Buthidaung Township, Arakan State, and feared to return to their villages.⁴⁶

HUMAN RIGHTS

Police investigates Ko Ni's assassination

On 2 and 3 February, police officers confirmed that they detained a suspect named Myint Swe over the 29 January assassination of prominent Muslim lawyer, U Ko Ni.⁴⁷ On 3 February, the President's Office said that police arrested a suspect named Aung Win Zaw.⁴⁸

On 15 February, the President's Office said that the alleged mastermind of Ko Ni's assassination was former army Lt Col Aung Win Khaing. He allegedly instructed and paid his elder brother Aung Win Zaw to kill U Ko Ni. Aung Win Zaw then allegedly promised to pay the gunman Kyi Lin to shoot the prominent NLD legal advisor. The statement did not mention reason or motive for the assassination.⁴⁹

On 25 February, Ministry of Home Affairs (MOHA) Lt Gen Kyaw Swe said that Ko Ni's assassination happened because of “extreme nationalism” and “personal grudges” of “young men”.⁵⁰ Critics received the information with skepticism and said noted that the suspects were former army official over 40 years old.⁵¹ The MOHA also revealed details about a friendship between suspect Zeya Phyo, suspect Aung Win Khaing, and USDP lawmaker and former army Col Lin Zaw Tun, who denied any involvement in the assassination.⁵² NLD secretary member Win Thein said that the MOHA used the press conference to “fan the flames” of public alarm and confusion.⁵³

On 26 February, the NLD party held a memorial service for Ko Ni. Aung San Suu Kyi attended the ceremony and broke her month-long silence on the assassination. She said that losing Ko Ni was a “deep loss” and called both him and taxi driver Nay Win, “martyrs”. Nay Win, who tried to apprehend the assassin, was also shot dead in the incident.⁵⁴

In the wake of this shocking event, 34 national and international human rights organizations signed a joint statement urging the government to “stop the hate”.⁵⁵ They demanded the establishment of an independent and impartial investigation into Ko Ni's assassination, and implementation of effective actions on hate speech and discrimination to address growing intolerance in Burma.⁵⁶

⁴⁴ The Irrawaddy (16 Feb 17) Displaced Persons Ordered to Leave Kachin Camp

⁴⁵ DVB (20 Feb 17) One year on, Arakanese IDPs still in limbo

⁴⁶ DVB (20 Feb 17) One year on, Arakanese IDPs still in limbo

⁴⁷ Myanmar Times (02 Feb 17) Second suspect arrested; DVB (03 Feb 17) Police detain suspected mastermind of Ko Ni assassination

⁴⁸ RFA (03 Feb 17) Myanmar Authorities Detain Key Suspect in Murder of Prominent Rights Lawyer

⁴⁹ The Irrawaddy (15 Feb 17) Third Suspect Named in U Ko Ni Assassination Plot; RFA (15 Feb 17) Retired Myanmar Army Officer Ordered Prominent Lawyer's Murder, Government Says; Reuters (15 Feb 17) Former army officer suspected in killing of Ko Ni

⁵⁰ Reuters (25 Feb 17) Suu Kyi legal advisor Ko Ni killed by extremist patriotism, says Burmese police; The Irrawaddy (25 Feb 17) Police chief: Assassination of U Ko Ni was driven by 'personal grudge'

⁵¹ The Irrawaddy (27 Feb 17) Who was behind U Ko Ni's assassination?; The Irrawaddy (27 Feb 17) U Win Htein accuses Home Ministry of “fanning the flames” of U Ko Ni assassination;

⁵² The Irrawaddy (27 Feb 17) USDP lawmaker denied involvement in U Ko Ni case

⁵³ The Irrawaddy (27 Feb 17) U Win Htein accuses Home Ministry of “fanning the flames” of U Ko Ni assassination

⁵⁴ The Irrawaddy (26 Feb 17) Aung San Suu Kyi breaks silence on assassination of legal advisor U Ko Ni; AFP (26 Feb 17) Suu Kyi breaks silence on killing of top lawyer

⁵⁵ Press release (10 Feb 17) International organizations urge Burma/Myanmar govt: stop the hate

⁵⁶ Press release (10 Feb 17) International organizations urge Burma/Myanmar govt: stop the hate

Burma's notorious Telecommunications Law: More developments

1 Feb: Kamaryut Township Court decided to pursue defamation charges against NLD member Myo Yan Naung Thein over a Facebook post suggesting that Burma's commander-in-chief Sr Gen Min Aung Hlaing should resign [See *November Bulletin*].⁵⁷

11 Feb: Myanmar Journalist Network organized a press conference to advocate for journalist Oo Oo Nyein who had been sued by the Tatmadaw, police and militias under the Telecommunications Law, the Unlawful Association Act, and the Media Law, because he reported on illegal logging and cattle-rustling activities in Kachin State. Oo Oo Nyein also received death threats, and his co-defendant Ko Zaw Min Lay's house was bombed. When approached for assistance, the Myanmar Press Council said that the issue was out of its jurisdiction.⁵⁸

Other developments

4 Feb: Medical student Nyan Myo Aung staged a solo protest for peace outside the City Hall building of Magwe/Magway. Magwe police commander Maj Tin Htoo arrested the student and said that law requires permission for assembly and procession. Nyan Myo Aung objected that he was only one person and not moving anywhere.⁵⁹

23 Feb: Authorities denied a visa to human rights activist and executive director of Burma Campaign UK Mark Farmaner. They reportedly told him that "further applications would also be rejected".⁶⁰

WOMEN'S RIGHTS

Traffickers sell Rohingya girls as child brides in Malaysia

On 15 February, the media reported that human traffickers caught and sold hundreds of Rohingya girls fleeing to Malaysia. Trafficker agents held them in jungle trafficking camps near the Thai-Malaysian border. If families could not pay for their release, trafficking agents sold the girls as child brides in Malaysia.⁶¹

Families also arranged marriages for underage Rohingya girls. Malaysia tolerated child marriages and allowed Muslim girls under 16 to marry with the permission of the Shariah court, but in most cases of Rohingya marriage, there was no court involvement.⁶²

ETHNIC AFFAIRS AND CONFLICT

Aung San Suu Kyi urges compromise and postpones Panglong peace conference

On 12 February, at the 70th Union Day commemoration, Aung San Suu Kyi urged all the Nationwide Ceasefire Agreement (NCA) non signatory armed groups to have the "courage and self-confidence" to join the accord.⁶³ She defined the Panglong promise as "finding solutions through mutual consultation and collaboration", but did not address the ethnic groups' request to implement the 1947 Panglong agreement.⁶⁴ The 21st century Panglong conference was then postponed to March (from the scheduled date of 28 February) because of upcoming national-level political dialogues.⁶⁵

⁵⁷ Myanmar Times (02 Feb 17) Court presses ahead with 66(d) charge

⁵⁸ DVB (13 Feb 17) Burmese journalist sued, threatened after logging, cattle-rustling reports

⁵⁹ Myanmar Times (06 Feb 17) Medical student arrested for staging one-man protest

⁶⁰ Frontier Myanmar (23 Feb 17) Rights campaigner again denied entry to Myanmar

⁶¹ Reuters (15 Feb 17) Sold into marriage: How Rohingya girls become child brides in Malaysia

⁶² Reuters (15 Feb 17) Sold into marriage: How Rohingya girls become child brides in Malaysia

⁶³ The Irrawaddy (12 Feb 17) State Counselor Urges Compromise in Union Day Speech; DVB (13 Feb 17) 'Join us,' Suu Kyi says in Union Day speech urging ceasefire accession

⁶⁴ The Irrawaddy (12 Feb 17) State Counselor Urges Compromise in Union Day Speech; DVB (13 Feb 17) 'Join us,' Suu Kyi says in Union Day speech urging ceasefire accession

⁶⁵ Eleven Myanmar (21 Feb 17) Peace conference moved to March

Seven ethnic armed groups declare they will not sign the NCA

On 21 February, the United Wa State Army (UWSA) hosted a three-day summit for Nationwide Ceasefire Agreement (NCA) non-signatories armed groups in Panghsang, Wa Region, to discuss how to handle the peace process and the Tatmadaw's most recent offensives.⁶⁶ Participants were the Kachin Independence Army, the Ta'ang National Liberation Army, the Arakan Army, the Myanmar National Democratic Alliance Army, the Shan State Army-North and the National Democratic Alliance Army. The Karenni National Progressive Party (KNPP) and the New Mon State Party (NMSP) reportedly did not join the summit, but sent documents stating their views.⁶⁷

The groups were especially concerned about peace process “stagnation” and increased fighting along the China border.⁶⁸ At the end of the summit, they decided to not sign the NCA and instead, formed a committee to discuss a “new path to peace”. The final statement called for an end to Tatmadaw offensives, the formation of a federal state, and the start of an all-inclusive political dialogue.⁶⁹

Other NCA updates:

1 Feb: Media reported that the peace commission invited the Kachin Independence Army (KIA) to Rangoon/Yangon for private peace talks.⁷⁰

16 Feb: Karen National Union (KNU) chairperson Gen Saw Mutu Say Poe and Kachin Independence Organization (KIO) central committee met to discuss the peace process.⁷¹ They released a joint statement, asking for more efforts and collaboration to achieve peace.⁷²

16 Feb: Police locked down the first Kachin national conference at Majoi Hall in Myitkyina, Kachin State capital.⁷³ Some 500 Kachin representatives from all over Burma were invited to attend the three-day event, but in the early morning police locked venue gates and doors. Later in the afternoon, police allowed some key participants to join the conference.⁷⁴

17 Feb: United Nationalities Federal Council (UNFC) deputy secretary Tun Zaw said that the government invited them to meet with Aung San Suu Kyi before the peace conference.⁷⁵ They would reportedly meet on 1 March.⁷⁶

18 Feb: Kachin armed groups issued a demand that the government to remove the “terrorist” label imposed on them, which was an obstacle to an all-inclusive peace process.⁷⁷

20 Feb: At the end of their national-level political dialogue, Pa-O people decided to promote the idea of a secular state at the 21st Panglong peace conference.⁷⁸

20 Feb: A 9-member supervisory committee for Chin dialogue was formed to supervise organization of the three-day Chin national-level political dialogue, scheduled to start on 28 February.⁷⁹

⁶⁶ The Irrawaddy (20 Feb 17) UWSA to host summit of ethnic armed groups

⁶⁷ The Irrawaddy (22 Feb 17) Two invited ethnic parties do not join Panghsang summit

⁶⁸ DVB (23 Feb 17) Wa leader warns no peace in sight

⁶⁹ RFA (24 Feb 17) Ethnic Militias Decide Not to Sign Myanmar Government's Cease-fire Agreement; Frontier Myanmar (27 Feb 17) Armed groups say they won't sign NCA in current form

⁷⁰ RFA (01 Feb 17) Myanmar's Peace Commission Invites Kachin Rebels to Negotiating Table; Myanmar Times (02 Feb 17) Govt agrees to private talks with KIA

⁷¹ The Irrawaddy (16 Feb 17) KNU Chairman Meets KIO Central Committee in Laiza

⁷² DVB (17 Feb 17) KNU, KIO call for more peace efforts; DVB (17 Feb 17) KNU chair leads delegation to meeting with KIA in Laiza;

⁷³ The Irrawaddy (15 Feb 17) Kachin National Conference to Commence in Myitkyina

⁷⁴ DVB (16 Feb 17) Police in Myitkyina lock down Kachin conference; The Irrawaddy (16 Feb 17) Authorities Block Kachin National Conference

⁷⁵ RFA (17 Feb 17) Aung San Suu Kyi Invites Ethnic Militias to Meet Before Next Peace Conference

⁷⁶ The Irrawaddy (21 Feb 17) State Counselor to meet UNFC's Peace Negotiation Team; The Irrawaddy (27 Feb 17) State Counselor and UNFC peace negotiation team to meet this week

⁷⁷ Myanmar Times (20 Feb 17) Kachin armed groups want terrorist label removed

⁷⁸ The Irrawaddy (23 Feb 17) Pa-O political dialogue calls for a secular state

⁷⁹ Myanmar Times (21 Feb 17) Committee for Chin dialogue formed

21 Feb: The Arakan Liberation Party (ALP), the Arakan National Party (ANP) and Arakanese civil society publicly met in Sittwe, Arakan/Rakhine State, to discuss the peace process. They threatened to boycott the 21st century Panglong peace conference if the government did not authorize an Arakan national-level political dialogue.⁸⁰

22 Feb: UNFC vice chairman Nai Hongsa urged Aung San Suu Kyi to include all armed groups in the NCA and take a clear position on the UNFC's demands.⁸¹

22 Feb: Pa-O representatives left a three-day civil society forum in Taunggyi, Shan State, complaining of ethnic discrimination. Organizers said it was a misunderstanding between communities.⁸²

24 Feb: Union Peace Dialogue Joint Committee (UPDJC) secretary Sai Nyunt Kyaw reportedly said that federalism would be on the agenda of the upcoming 21st century Panglong peace conference.⁸³

Ethnic clashes and tensions:

11 Feb: The Tatmadaw accused ethnic armed groups of committing crimes against civilians. KIA information officer Maj Naw Bu and TNLA information officer Mai Ai Kyaw rejected the allegation, saying that it was the Tatmadaw that committed those crimes.⁸⁴

14 Feb: The Tatmadaw forced the Mon National Liberation Army (MNLA) to abandon two small military bases on the roads to Thanbyuzayat and to the Three Pagoda Pass, Mon State.⁸⁵

15 Feb: The Tatmadaw raided a New Mon State Party (NMST) office in Ye Township, Mawlamyine District, Mon State. NMST chief of the Ye office Nai Apang said that the Tatmadaw was allegedly searching for weapons, but violated the prior notice requirement imposed by the NCA.⁸⁶

16 Feb: The Tatmadaw clashed with the Arakan Army (AA) in an area north of Buthidaung Township, Maungdaw District, Arakan State.⁸⁷ The State Counsellor's Office said that two Burma's security forces members were injured in the clash.⁸⁸

17 Feb: Clashes between the Tatmadaw and the Myanmar National Democratic Alliance Army (MNDAA) reportedly increased in Kon Kyan and Maw Htike, Kokang self-administered zone.⁸⁹

MILITARY

Army wants more money, more weapons

On 31 January, the military-controlled Defense Ministry asked the Union Parliament for nearly 2.9 trillion kyats (US\$2.1 billion)—14 percent of the government's 21 trillion kyats (\$15.4 billion) budget for the 2017-18 fiscal year.⁹⁰

The Tatmadaw is in "advanced negotiations" to obtain a license from Pakistan to build JF-17 fighter jets, after purchasing 16 JF-17's in 2015.⁹¹ The first of the 16 JF-17's are expected to go into service later in 2017.⁹²

⁸⁰ The Irrawaddy (23 Feb 17) Arakanese politicians threaten to boycott Panglong peace conference

⁸¹ DVB (22 Feb 17) Ethnic leader calls on Suu Kyi to include all armed groups

⁸² The Irrawaddy (22 Feb 17) Pa-O delegates walk out a civil society forum

⁸³ DVB (24 Feb 17) federalism on the agenda at peace talks, says conference secretary

⁸⁴ The Irrawaddy (14 Feb 17) Ethnic armed groups reject Burma army accusation of killings, abuses

⁸⁵ The Irrawaddy (15 Feb 17) Burma army seizes two military bases from Mon armed group

⁸⁶ The Irrawaddy (15 Feb 17) Burma army seizes two military bases from Mon armed group; DVB (16 Feb 17) Tensions high in Mon State as NMSP office searched

⁸⁷ DVB (16 Feb 17) Arakan Army clashes with government troops

⁸⁸ Reuters (20 Feb 17) Two security personnel injured in clash with militants in Arakan

⁸⁹ The Irrawaddy (17 Feb 17) Fresh clashes break out between Burma army and MNDAA

⁹⁰ The Irrawaddy (01 Feb 17) NLD Draws First Budget, Defense Ministry Asks for Nearly 14 Percent Share

⁹¹ The Irrawaddy (08 Feb 17) Burma Army Seeks to License-Build Pakistani Fighter Jets

⁹² The Irrawaddy (08 Feb 17) Burma Army Seeks to License-Build Pakistani Fighter Jets

On 13 February, a prominent Ukrainian military expert announced that Ukraine would deliver new armored vehicles to the Tatmadaw, and that Ukraine is enthusiastic about boosting its military cooperation with Burma/Myanmar.⁹³

DEMOCRACY AND GOVERNANCE

Issuance of national verification cards to Rohingya stirs protests

On 8 February, the Office of the President formed a six-member body to speed up issuing of national verification cards (NVCs) to “those in Arakan State waiting for citizenship verification.”⁹⁴ The body is chaired by the Minister of Labour, Immigration and Population.⁹⁵

On 12 February, members of the Arakan National Party (ANP) protested in Sittwe, and accused regional immigration Chief Win Lwin, of violating the 1982 Citizenship Law by issuing a national ID card to an allegedly ineligible Rohingya woman named Mya Nandar Khin.⁹⁶ ANP said that the woman in question was born to non-Burmese parents and thus, unqualified for citizenship.⁹⁷

On 27 February, around 400 people in Sittwe and 200 in Maungdaw in Arakan/Rakhine State protested against the government decision to give 53 Muslims official identification cards, saying that the move was illegal.⁹⁸

Other important developments:

4 Feb: An unannounced meeting between State Counsel Aung San Suu Kyi and Sr Gen Min Aung Hlaing took place in Naypyidaw.⁹⁹ Sr Gen Ming Aung Hlaing reportedly asked Aung San Suu Kyi to convene a meeting of the National Defense and Security Council (NDSC) as soon as possible.¹⁰⁰

18 Feb: The President’s Office reformed the committee to set a new minimum wage.¹⁰¹ The committee included financial experts, ministries and representatives from labor and employer groups.¹⁰²

20 Feb: Myanmar National Human Rights Commission (MNHRC) member Khin Maung Lay said that MNHRC was coordinating with the Education Department to include human rights education in second grade school curriculum starting next academic year (2017-2018).¹⁰³

23 Feb: Myo Nyunt, chairman of the complaints section of the NLD, said that it received complaints against around 150 lawmakers in the first year of the new Parliament.¹⁰⁴ The chairman added that most of the current complaints are related to the 100 million kyat (US\$102,000) regional development funds, which the Union Parliament approved in March 2014.¹⁰⁵

⁹³ The Irrawaddy (13 Feb 17) Ukraine Wants Closer Military Ties With Burma, Expert Says

⁹⁴ The Irrawaddy (09 Feb 17) Govt to Speed Up NVC Issuing Process

⁹⁵ The Irrawaddy (09 Feb 17) Govt to Speed Up NVC Issuing Process

⁹⁶ DVB (13 Feb 17) Arakan nationalists protest immigration officer who granted Rohingya citizenship

⁹⁷ DVB (13 Feb 17) Arakan nationalists protest immigration officer who granted Rohingya citizenship

⁹⁸ RFA (27 Feb 17) Myanmar’s Decision to Give Some Muslims Official IDs Stirs Protest

⁹⁹ The Irrawaddy (09 Feb 17) The Unpublicized Summit in Naypyidaw

¹⁰⁰ The Irrawaddy (09 Feb 17) The Unpublicized Summit in Naypyidaw

¹⁰¹ Eleven (18 Feb 17) New committee to reset minimum wage

¹⁰² Eleven (18 Feb 17) New committee to reset minimum wage

¹⁰³ Eleven (20 Feb 17) New curriculum to include human rights education

¹⁰⁴ The Irrawaddy (23 Feb 17) Complaints Filed Against Nearly 150 NLD Lawmakers in Parliament’s First Year

¹⁰⁵ The Irrawaddy (23 Feb 17) Complaints Filed Against Nearly 150 NLD Lawmakers in Parliament’s First Year

Important developments:

6 Feb: A senior official of the Directorate of Investment and Company Administration (DICA) said that the regulations for the national investment law would be completed in late February and released in early March, in time for the beginning of the 2016-2017 fiscal year.¹⁰⁶

7 Feb: Nine foreign business associations said that the proposed stringent requirements in the draft Law Concerning Foreigners and Foreign Worker Law were excessive and would discourage overseas companies from setting up business in the state. This included a requirement for official permission for foreign workers' absence of more than 24 hours from their registered place of residence,¹⁰⁷

7 Feb: Deputy Minister for Transport and Communications Kyaw Myo said that the ministry is reviewing the 2013 Telecommunications Law with the assistance of legal experts from the World Bank and Asian Development Bank to determine whether or not section 66(d) should be amended.¹⁰⁸ (Section 66(d) has been widely criticized for being used to stifle freedom of expression).

14 Feb: Minister for Agriculture, Livestock and Irrigation Dr Aung Thu said that the Lower House of Parliament would amend the Farmland Law, followed by the amendment of the Vacant, Fallow, and Virgin Lands Management Law.¹⁰⁹

20 Feb: Director of the Ministry of Social Welfare, Relief and Resettlement's Department for the Development of Women Naw Tha Wa confirmed that a planned Law for the Prevention of Violence Against Women would "overrule and annul some points" in the four race and religion protection laws championed by the extremist Ma Ba Tha.¹¹⁰ For instance, Naw Tha Wa said that the new law would give women the right to make their own decisions on family planning and conception, contradicting provisions of the Population Control Healthcare Law.¹¹¹

ECONOMY

Thilawa SEZ expands, Dawei SEZ might restart soon

On 24 February, developers of the Japanese-backed Thilawa Special Economic Zone (SEZ) launched an expansion project. Completion of the project is scheduled for mid-2018.¹¹² So far, 78 companies from 16 countries have opted to set up factories, production facilities, or logistics facilities in Thilawa, with total investment reaching more than US\$1 billion.¹¹³

On the other hand, on 15 February, Thailand's Transport Minister Arkhom Termpittayapaisith, who led a Thai delegation to meet Burma/Myanmar's officials, confirmed that work on the long-delayed Dawei development project will continue.¹¹⁴ This was after the government of Burma agreed to borrow baht 4.5 billion (around \$US\$ 128 million) from Thailand to finance the construction of a 132-kilometer road from Dawei's proposed deep-sea port to Ban Phu Nam Ron in Kanchanaburi. Italian-Thai Development Plc (ITD) President Premchai Karnasuta said that ITD already invested \$200 million in the initial phase of the project, which would include roads in the industrial estate, a small port, water facilities, electricity, a township and the cost for land expropriation for road construction from the Thai border to the Dawei project.

¹⁰⁶ The Irrawaddy (06 Feb 17) New Investment Law Rules to be Announced in March

¹⁰⁷ Myanmar Times (07 Feb 17) Big business groups say proposed laws on foreigners will deter investors

¹⁰⁸ DVB (08 Feb 17) Ministry mulling change to telecoms law's e-defamation clause

¹⁰⁹ Myanmar Times (14 Feb 17) Two laws to be amended to solve land disputes

¹¹⁰ Frontier Myanmar (20 Feb 17) Tensions ahead over changes to 'race and religion' laws

¹¹¹ Frontier Myanmar (20 Feb 17) Tensions ahead over changes to 'race and religion' laws

¹¹² Bangkok Post (24 Feb 17) Thilawa SEZ expanding in Myanmar

¹¹³ Bangkok Post (24 Feb 17) Thilawa SEZ expanding in Myanmar

¹¹⁴ Bangkok Post (15 Feb 17) B 4.5 bn Dawei development loan okayed

Meanwhile, Htay Aung, a spokesperson from the SEZ Management Committee President's Office, said that Japan would likely get involved during the final phase of the SEZ's development where development would move towards higher value-added sectors like electronics, fertilizers, and pharmaceuticals.¹¹⁵ Dawei Development Association (DDA) founder Lay Lwin said that before restarting the project, officials should make sure that compensation and relocation for the community is clear.¹¹⁶

NATURAL RESOURCES

World Bank's hydropower assessment workshops face protests

On 31 January, the World Bank's International Finance Corporation (IFC) faced protests from local residents during assessment workshops held in Myitkyina, Kachin State.¹¹⁷ Protesters believed that the IFC would lend money to resume the Myitsone Dam.¹¹⁸ IFC denied this allegation and said that it does not plan to engage in large hydropower developments in the Ayeyarwady or Thanlwin river basins.¹¹⁹

Meanwhile, a member of the government commission to review and scrutinize hydropower projects along the Ayeyarwady River, speaking on condition of anonymity, said that members were preparing to meet to begin research and work on a second report.¹²⁰

Letpadaung copper mine receives more criticism

On 10 February, Amnesty International urged Burma/Myanmar's authorities to stop operations at Sagaing Division's Letpadaung copper mine considering the ongoing land grabs, environmental damage, and human rights violations surrounding the project [see *Reports*].¹²¹

On 14 February, Magwe Division lawmaker Aung Khin Win questioned the Ministry of Resources and Environmental Conservation's tax profits on the project during a Lower House session. Minister Ohn Win replied that the government obtained US\$20 million from royalties, production sharing, commercial taxes, and income taxes, between 5 May 2016 and 31 January 2017.¹²²

Lawmaker Aung Khin Win said that taxation should have begun in March 2013 as the Myanmar Investment Commission approved the project in March 2010 with a 3-year tax-free period. Minister Ohn Win replied that the government negotiations with local villagers caused delays that resulted in 2 extensions of the tax-free period until May 2016. When asked on which laws, rules or regulations allowed the extension, the Minister said that he would answer through a letter.¹²³

On 21 February, protesters blocked trucks carrying copper from the mine, and demanded for the 1,900 acres of land they were supposed to receive as compensation under recommendations of a parliamentary commission.¹²⁴ On 25 February, Sarlingyi Myoma police in Sagaing Region charged 25 residents, including a monk, for blocking trucks from entering the mine.¹²⁵

Other important developments:

23 Feb: Lawyers and activists reported that some 350 farmers from Mandalay Region have faced court cases filed by the Tatmadaw and the cronies since the National League of Democracy (NLD) took

¹¹⁵ Myanmar Times (02 Feb 17) Tanintharyi officials say work on Dawei SEZ could restart

¹¹⁶ Myanmar Times (02 Feb 17) Tanintharyi officials say work on Dawei SEZ could restart

¹¹⁷ The Irrawaddy (01 Feb 17) Myitsone Residents Protest World Bank's Hydropower Assessment Workshop

¹¹⁸ Myanmar Times (08 Feb 17) IFC says it's not part of Myanmar hydropower projects

¹¹⁹ Myanmar Times (08 Feb 17) IFC says it's not part of Myanmar hydropower projects

¹²⁰ Myanmar Times (08 Feb 17) Longer wait for final word on Myitsone dam project

¹²¹ The Irrawaddy (10 Feb 17) Amnesty International Urges Govt to Suspend Letpadaung Copper Mine

¹²² The Irrawaddy (15 Feb 17) Lawmaker Questions Letpadaung Revenues

¹²³ The Irrawaddy (15 Feb 17) Lawmaker Questions Letpadaung Revenues

¹²⁴ Mizzima (21 Feb 17) Myanmar Villagers Demand Land Compensation From Copper Mine Operator

¹²⁵ Eleven (25 Feb 17) Sagaing residents charged for blocking copper trucks

power. Farmers were charged mostly under sections 427 and 448 of the penal code, for allegedly causing “mischief” and for “trespassing”.¹²⁶

23 Feb: Forest Ministry Director Tin Tun said that authorities confiscated 40,000 tonnes of timber since April 2016, months before the NLD-led government issued a nationwide ban on logging. This is the highest amount of timber that the government has ever confiscated, in terms of tonnage.¹²⁷

INTERNATIONAL RELATIONS

Tatmadaw saves soldiers' lives by firing on fishing boats

On 6 February, the Tatmadaw opened fire on fishing boats that illegally entered Burma territorial waters in Naf River, Arakan/Rakhine State. One person was killed and two were injured.¹²⁸ The State Counsellor Information Committee said that the army shot in self-defense, since “the illegal boats surrounded the marine patrol boat in maneuvers that suggested they were going to attack” and the Tatmadaw opened fire “to ensure security and the lives of the soldiers”.¹²⁹

REPORTS

“Burma: UN body urged to establish a Commission of Inquiry into recent atrocities in Rakhine State” International Federation on Human Rights, ALTSEAN-Burma, Odhikar <https://goo.gl/Bc5lYy>

“End of mission statement by Special Rapporteur on the situation of human rights in Myanmar” UNOHCHR <https://goo.gl/UMkmma>

“Joint NGO letter to UN Secretary-General António Guterres about the situation in Myanmar's Rakhine State” Amnesty International, Physicians for Human Rights, Fédération Internationale des Ligues des Droits de l'Homme, Refugees International, Global Centre for the Responsibility to Protect, Fortify Rights <https://goo.gl/CqTJiA>

“Myanmar: Populations at Risk - Current Crisis (15 February 2017)” Global Centre for the Responsibility to Protect <https://goo.gl/yuv0kc>

“Mountain of Trouble: Human rights abuses continue at Myanmar's Letpadaung mine” Amnesty International <https://goo.gl/DDB0Qx>

“Profile at a glance: Kachin & Northern Shan, 2016” UN High Commissioner for Refugees, CCCM Cluster, Joint IDP Profiling Service <https://goo.gl/EWhdgC>

“Report of OHCHR mission in Bangladesh, Interviews with Rohingyas fleeing from Myanmar since 9 October 2016 – Flash Report” UNOHCHR <https://goo.gl/lXZJya>

“Whose Crops, At What Price? Agricultural investment in Myanmar” Oxfam <https://goo.gl/DaLNm8>

¹²⁶ Frontier Myanmar (23 Feb 17) 350 Mandalay farmers facing court over land grabs

¹²⁷ AFP (22 Feb 17) Myanmar makes record seizures of illegal timber

¹²⁸ The Irrawaddy (08 Feb 17) Burma navy opens fire on illegal fishing trawlers, killing one;

¹²⁹ State Counsellor Office Information Committee (08 Feb 17) One shot dead, two injured on illegal fishing boats; Reuters (08 Feb 17) Myanmar says it killed Bangladeshi fisherman in self-defense