

# 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

Issue 119

November 2016

- **Rohingya Muslims flee to Bangladesh as violence in northern Arakan/Rakhine State escalates.**
- **The government creates a special Information Committee to handle news about the situation in northern Arakan state, and dismisses rape reports.**
- **The UNHCR describes the situation of the Rohingya as "ethnic cleansing".**
- **The special electoral tribunal disqualifies two Union Solidarity and Development Party (USDP) MPs-elect for using race and religion in their 2015 election campaigns.**
- **The Union Parliament deletes the provision in the Ward and Village Tract Administration Law requiring residents to report their overnight guests.**
- **Different ethnic armed groups join forces to attack police and military outposts in northern Shan State.**
- **More cases of alleged violations under the Telecommunications Law are filed against those who criticized government authorities.**
- **Repatriated refugees from Thailand cannot afford housing in Burma.**
- **Japan promises US\$7.73 billion in aid.**

## KEY STORY

### Violence in northern Arakan/Rakhine state escalates

On the weekend of 12-13 November, violence escalated in Maungdaw Township, Arakan/Rakhine State.<sup>1</sup> The Tatmadaw said that 30 villagers attacked them with machetes and wooden clubs. In response, the Tatmadaw brought in helicopter gunships, leaving more than 30 people dead.<sup>2</sup>

Since the security crackdown began in early October [see *October bulletin*], the Tatmadaw killed 70 people

<sup>1</sup> DVB (14 Nov 16) At least 30 killed in latest Arakan clashes

<sup>2</sup> RFA (15 Nov 16) Nearly 70 Killed by Myanmar Security Forces to Date in Rakhine State; Myanmar Times (21 Nov 16) 30,000 displaced by violence in northern Rakhine State: UN.

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and detained more than 130 people at various police stations in the township.<sup>3</sup> Human Rights Watch reported that the Tatmadaw burned more than 1,250 houses in five villages in Maungdaw Township between 10 to 18 November [see *Reports*].<sup>4</sup> The government and the Tatmadaw denied this report and blamed the “violent attackers” for razing their own houses.<sup>5</sup> Maungdaw Police Major Kyaw Mya Win declared that “the villagers have become insurgents, including women”.<sup>6</sup>

## **More Rohingya Muslims flee to Bangladesh**

The violence in Arakan State forced 10,000 Rohingya Muslims to flee to Bangladesh.<sup>7</sup> The Tatmadaw shot nearly 72 people who tried to cross the Naaf River that separates Burma/Myanmar and Bangladesh.<sup>8</sup> Several people crossed the border with untreated bullet wounds but did not seek medical attention, fearing detention and deportation.<sup>9</sup> Between 1 October and 17 November, the Border Guard Bangladesh (BGB) pushed back 278 people who tried to enter the country.<sup>10</sup> Bangladesh Home Minister Asaduzzaman Khan said that “Rohingya infiltration is an uncomfortable issue for Bangladesh”.<sup>11</sup>

## **Independent journalists and activists report that the Tatmadaw raped Rohingya women**

Human rights organizations and international media reported that Tatmadaw troops sexually assaulted and raped Rohingya women in Maungdaw Township since the military operation began there.<sup>12</sup> As of 28 October, the number of alleged victims was around 30. Eight Rohingya women from U Shey Kya village testified to media and documenters about the sexual violence and looting by soldiers.<sup>13</sup>

Presidential Spokesperson Zaw Htay and Rakhine State police chief Col Sein Lwin, denied the allegations and accused Muslim residents and insurgents of spreading false propaganda.<sup>14</sup>

## **Government intensifies crackdown on media**

Since October, the Tatmadaw has denied independent journalists and activists access to the area.<sup>15</sup> The government established a special Information Committee to spread news about the events happening in northern Arakan State and “to counter damning reports by outside groups”.<sup>16</sup>

At the beginning of November, Myanmar Times newspaper fired journalist Fiona MacGregor after she published an article reporting that the Tatmadaw raped dozens of Rohingya Muslim women in northern Arakan State.<sup>17</sup> MacGregor’s management claimed that her articles “breached company policy by damaging national reconciliation and the paper’s reputation”.<sup>18</sup>

On 11 November, award-winning Canadian-American photographer Greg Constantine was stopped at the Rangoon/Yangon Airport because his name was on a “blacklist”.<sup>19</sup> Constantine was going to attend an exhibition of his work about stateless people, which would have featured pictures of Rohingya in

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<sup>3</sup> Myanmar Times (21 Nov 16) 30,000 displaced by violence in northern Rakhine State: UN; RFA (17 Nov 16) Myanmar Security Forces Detain 60 More Suspected Militants in Rakhine State; Reuters (18 Nov 16) Hundreds of Rohingya flee Myanmar army crackdown to Bangladesh-source.

<sup>4</sup> Myanmar Times (22 Nov 16) HRW satellite data shows 1250 Maungdaw structures destroyed

<sup>5</sup> Irrawaddy (16 Nov 16) Govt Rejects Human Rights Report on Arakan State Violence

<sup>6</sup> Reuters (18 Nov 16) Hundreds of Rohingya flee Myanmar army crackdown to Bangladesh-source.

<sup>7</sup> RFA (30 Nov 16) 10,000 Rohingya from Myanmar Have Landed in Bangladesh: U.N.

<sup>8</sup> Reuters (18 Nov 16) Hundreds of Rohingya flee Myanmar army crackdown to Bangladesh-sources

<sup>9</sup> Amnesty International (24 Nov 16) Bangladesh pushes back Rohingya refugees amid collective punishment in Myanmar

<sup>10</sup> RFA (17 Nov 16) Bangladesh Pushes Back Hundreds Trying to Enter from Myanmar: Border Police

<sup>11</sup> The Hindu (23 Nov 16) Bangladesh shuts border to Rohingya refugees

<sup>12</sup> Myanmar Times (27 Oct 16) Dozen of rapes reported in northern Rakhine State.

<sup>13</sup> Reuters (28 Oct 16) Exclusive: Rohingya women say Myanmar soldiers raped them amid crackdown on militants.

<sup>14</sup> Reuters (28 Oct 16) Exclusive: Rohingya women say Myanmar soldiers raped them amid crackdown on militants

<sup>15</sup> Reuters (18 Nov 16) Hundreds of Rohingya flee Myanmar army crackdown to Bangladesh-sources

<sup>16</sup> RFA (16 Nov 16) Myanmar Creates Information Committee to Handle News About Volatile Rakhine

<sup>17</sup> The Guardian (04 Nov 16) Myanmar journalist says she was fired over story on military rape allegations

<sup>18</sup> The Guardian (04 Nov 16) Myanmar journalist says she was fired over story on military rape allegations

<sup>19</sup> Myanmar Times (18 Nov 16) Photographer barred from entering Myanmar

camps in Arakan state.<sup>20</sup> Immigration Department Director Ye Tun Oo confirmed the blacklisting of Constantine, but declined to give further information.<sup>21</sup>

## **Burma/Myanmar reintroduces limited humanitarian access**

On 23 November, the government granted the World Food Program (WFP) permission to deliver aid to four villages in northern Arakan State.<sup>22</sup> This was the first time for the government to grant humanitarian access to the affected areas of Maungdaw Township since the 9 October attacks.<sup>23</sup> However, the UN Office for the Coordination of Humanitarian Affairs (OCHA) reiterated its call for full access to the area where tens of thousands remain cut off from assistance.<sup>24</sup>

## **International and national authorities respond**

On 2 November, foreign diplomats, parliamentarians from Southeast Asian countries, and a UN representative visited the Maungdaw Township, and called for an independent and credible investigation of human rights abuses in the area.<sup>25</sup> State Counsellor Aung San Suu Kyi said that the government was exercising caution about who to blame for the border guard attacks and the subsequent violence in Arakan state.<sup>26</sup> She pledged to conduct a thorough investigation in accordance with the law.<sup>27</sup>

On 14 November, the Arakan Advisory Commission met with representatives from the state government and from ethnic Rakhine and Muslims communities in Sittwe in an effort to reconcile the conflict between the two communities.<sup>28</sup>

## **"Ethnic cleansing"**

On 24 November, United Nations High Commissioner for Refugees (UNHCR) official John McKissick told BBC that Burma seeks the ethnic cleansing of the Rohingya Muslims from the country.<sup>29</sup> Burma's delegate to the UN lodged a protest against the UNHCR on 28 November, for "unjust allegations made without substantiating evidence [against] the [Myanmar] government".<sup>30</sup>

Meanwhile, Rakhine State Police began arming and training non-Muslim residents to be part of the new auxiliary police force in Arakan State.<sup>31</sup> The recruits will be given training courses including martial arts, use of weapons, and riot control, and will be deployed to guard border posts in northern Arakan State.<sup>32</sup>

## **DEMOCRACY AND GOVERNANCE**

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### **Special electoral tribunal disqualifies two USDP representatives from taking Mandalay parliament seats**

On 18 November, the special electoral tribunal found two Union Solidarity and Development Party (USDP) lawmakers---retired military officer Ko Ko Naing, representing Mandalay's Yamethin Township in the Lower House of the Union Parliament, and Kyaw Myint elected as MP in the Mandalay regional parliament---guilty of using race and religion to generate public support in their

<sup>20</sup> Myanmar Times (18 Nov 16) Photographer barred from entering Myanmar

<sup>21</sup> Myanmar Times (18 Nov 16) Photographer barred from entering Myanmar

<sup>22</sup> Reuters (7 Nov 16) Myanmar allows food aid delivery to conflict-torn region

<sup>23</sup> Reuters (7 Nov 16) Myanmar allows food aid delivery to conflict-torn region

<sup>24</sup> Reuters (7 Nov 16) Myanmar allows food aid delivery to conflict-torn region

<sup>25</sup> RFA (02 Nov 16) U.N. Official, Diplomats And Lawmakers Assess Situation in Myanmar's Maungdaw Township; RFA (03 Nov 16) U.N. Envoy Urges Myanmar Government to Launch Probe of Maungdaw Violence

<sup>26</sup> RFA (04 Nov 16) Myanmar 'Careful' in Assigning Blame During Probe of Maungdaw Violence

<sup>27</sup> RFA (04 Nov 16) Myanmar 'Careful' in Assigning Blame During Probe of Maungdaw Violence

<sup>28</sup> Irrawaddy (16 Nov 16) Commission Meets Community Leaders in Arakan State

<sup>29</sup> BBC News (24 Nov 16) Myanmar wants ethnic cleansing of Rohingya- UN official

<sup>30</sup> RFA (28 Nov 16) Myanmar Protests U.N. Official's Comments on 'Ethnic Cleansing' in Rakhine

<sup>31</sup> Reuters (18 Nov 16) Myanmar's training for non-Muslim police stokes fear in Rakhine

<sup>32</sup> Reuters (18 Nov 16) Myanmar's training for non-Muslim police stokes fear in Rakhine

2015 election campaigns.<sup>33</sup> The special electoral tribunal replaced them with National League for Democracy (NLD) representatives Aung Myo Oo, who will now take his seat in the Mandalay regional parliament, and Tun Tun Win who will now sit in the Lower House of the Union Parliament.<sup>34</sup>

### **Parliament amends Ward and Village Tract Administration Law**

On 21 November, the Union Parliament approved the amendment of the Ward and Village Tract Administration Law to remove the clause requiring residents to report the names of overnight guests to the ward or village tract administrator.<sup>35</sup> However, house guests staying for more than one month must still report to the relevant ward or village administrator.<sup>36</sup>

### **NLD relieves three members from parliamentary committee and party duties**

On 25 November, the National League for Democracy (NLD) officially relieved three lawmakers from their positions on parliamentary committees and the party:

- MP Sein Win from Maubin Township lost his leadership post in the Lower House of Parliament's Farmers and Labor Affairs Committee for suing a fellow NLD lawmaker against the will of the party's senior leaders.<sup>37</sup> MP Sein Win would no longer be an executive member of the Maubin Township NLD.<sup>38</sup>
- MP Soe Moe Thu from Myaungmya Township was dropped from the Farmers and Labor Affairs Committee after he was accused of adultery.<sup>39</sup>
- MP Nyan Lin from Shwepyithar Township was removed from the Bill Committee after facing trespassing charges for causing a disturbance in a hotel in Rangoon/Yangon's Shwepyithar.<sup>40</sup> MP Nyan Lin would no longer be an executive member of Shwepyithar Township NLD.<sup>41</sup>

The three remain as lawmakers and as ordinary members of the party.<sup>42</sup>

## **ETHNIC AFFAIRS AND CONFLICT**

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### **Ethnic armed groups attack security forces in northern Shan State**

On 20 November, the Kachin Independence Army (KIA), together with the Ta'ang National Liberation Army (TNLA), the Myanmar National Democratic Alliance Army (MNDAA), and the Arakan Army (AA) launched an offensive against police and military outposts and a business center in Muse and Kutkai townships in northern Shan State.<sup>43</sup> At least eight people were killed and 29 were wounded in the assault.<sup>44</sup> China's Foreign Ministry spokesperson Geng Shuang confirmed that "some stray bullets" crossed the Ruili River into Chinese territory, and wounded one Chinese national.<sup>45</sup> About 3,000 residents fled to China to escape the fighting.<sup>46</sup> More than 2,700 others were displaced from their homes and took shelter in four camps in Muse town.<sup>47</sup> Muse Township's 105<sup>th</sup> mile trade zone was closed due

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<sup>33</sup> DVB (18 Nov 16) Two USDP representatives stripped of Mandalay parliament seats

<sup>34</sup> Myanmar Times (22 Nov 16) Two MPs replaced by NLD runners-up

<sup>35</sup> Myanmar Times (22 Nov 16) Parliament approves amended ward, village tract law

<sup>36</sup> Myanmar Times (22 Nov 16) Parliament approves amended ward, village tract law

<sup>37</sup> Myanmar Times (29 Nov 16) Parliamentary committee roles rescinded for lawmakers in NLD doghouse; Irrawaddy (28 Nov 16) Lower House Dismisses NLD Lawmakers from Committee Posts

<sup>38</sup> Eleven Myanmar (27 Nov 16) NLD dismisses 3 MPs from positions

<sup>39</sup> Irrawaddy (28 Nov 16) Lower House Dismisses NLD Lawmakers from Committee Posts; Myanmar Times (29 Nov 16) Parliamentary committee roles rescinded for lawmakers in NLD doghouse; Myanmar Times (28 Nov 16) NLD censures MPs, upholds axing of two Shan party members

<sup>40</sup> ; Myanmar Times (29 Nov 16) Parliamentary committee roles rescinded for lawmakers in NLD doghouse; Myanmar Times (28 Nov 16) NLD censures MPs, upholds axing of two Shan party members

<sup>41</sup> Eleven Myanmar (27 Nov 16) NLD dismisses 3 MPs from positions

<sup>42</sup> Myanmar Times (28 Nov 16) NLD censures MPs, upholds axing of two Shan party members; Eleven (27 Nov 16) NLD dismisses 3 MPs from positions

<sup>43</sup> DVB (22 Nov 16) 8 killed as ethnic rebels hit Muse.

<sup>44</sup> DVB (22 Nov 16) 8 killed as ethnic rebels hit Muse.

<sup>45</sup> Myanmar Times (23 Nov 16) Tatmadaw pleads ignorance s China claims cross-border fire

<sup>46</sup> RFA (22 Nov 16) Fearing Spillover of Rebel Attacks, Police Step up Security in Myanmar's Kachin State

<sup>47</sup> Irrawaddy (22 Nov 16) At least 10 People Killed in Shan State Conflict

to the clashes and trucks were stuck en route. The 105<sup>th</sup> mile trade zone trades at least US\$5 billion per year, making it the biggest trading point in Burma/Myanmar.<sup>48</sup>

On 21 November, the four militias stated that they launched these attacks because the government left out some of the armed groups in the peace process.<sup>49</sup>

As the fighting continued in northern Shan State, State Counsellor Aung San Suu Kyi urged ethnic armed groups to sign the nationwide ceasefire agreement (NCA).<sup>50</sup>

## HUMAN RIGHTS

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### More cases of alleged defamation under the Telecommunications Law filed

On 9 November, the Rangoon/Yangon regional government filed a lawsuit against Eleven Media Group's (EMG) CEO Than Htut Aung and chief editor Wai Phyo for alleged violation of Article 66(d) of the Telecommunications Act. The article published in the Daily Eleven newspaper and the Eleven Media website allegedly suggested that that National League for Democracy's (NLD) Rangoon Division Chief Minister Phyo Min Thein was involved in corruption.<sup>51</sup> It reported that an unnamed chief minister received a US\$100,000 Patek Philippe watch from a property developer who recently won the tender for a new project.<sup>52</sup>

On 30 November, the Tamwe Township court in east-central Rangoon denied the EMG officers bail. Than Htut Aung and Wai Phyo continued to be detained in Insein prison.<sup>53</sup> Lawyer Kyi Myint said that he would appeal the decision to a higher court.<sup>54</sup>

Meanwhile, two people were sentenced to prison and one arrested, also for alleged violations of the Telecommunications Act. On 11 November, a court in Rangoon's Myangone Township sentenced Hla Phone to two years in prison for allegedly posting digitally altered photos of former President Thein Sein and Commander-in-Chief Sr Gen Min Aung Hling on social media.<sup>55</sup> In a separate instance, on 17 November, Mawbi Township court sentenced political activist Yar Pyae to six months in prison for allegedly defaming Sr Gen Min Aung Hlaing and cabinet members on Facebook.<sup>56</sup> Yar Pyae was eventually released after six months' detention in Insein prison throughout the trial proceedings.<sup>57</sup> Finally, senior National League for Democracy (NLD) official Myo Yan Naung Thein was arrested on 3 November, after being charged with defamation for suggesting in a Facebook post that Sr Gen Min Aung Hlaing should resign.<sup>58</sup>

Earlier in November, a member of the parliamentary Commission for the Assessment of Legal Affairs and Special Issues said that the commission plans to review the Telecommunications Law in light of the public criticism of the legislation.<sup>59</sup>

## DISPLACEMENT

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### Repatriated refugees from Thailand can't afford housing in Burma/Myanmar

After the repatriation of 71 refugees from Thailand [see *October bulletin*], the returnees faced problems because they were not able to afford housing in Burma/Myanmar.<sup>60</sup> The Rangoon/Yangon regional

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<sup>48</sup> Irrawaddy (22 Nov 16) Shan State Clashes Disrupt China Border Trade

<sup>49</sup> RFA (21 Nov 16) Kachin Independence Army Teams Up with Other Fighters in Myanmar Attack

<sup>50</sup> Irrawaddy (23 Nov 16) State Counselor Addresses Shan State Conflict by Calling for Groups to Sign the NCA

<sup>51</sup> Eleven (12 Nov 16) EMG CEO and Chief Editor appears at police station for questioning

<sup>52</sup> DVB (10 Nov 16) Eleven Media chiefs summoned over cronyism allegations

<sup>53</sup> RFA (30 Nov) Myanmar Court Denies Bail for Detained Eleven Media CEO and Editor

<sup>54</sup> RFA (30 Nov) Myanmar Court Denies Bail for Detained Eleven Media CEO and Editor

<sup>55</sup> Eleven (12 Nov 16) Alleged FB user gets 2 years in jail

<sup>56</sup> Eleven (18 Nov 16) Hoax FB gets six-month sentence

<sup>57</sup> DVB (18 Nov 16) Fake Facebook case: Yar Pyae walks free; Eleven (18 Nov 16) Hoax FB gets six-month sentence

<sup>58</sup> Myanmar Times (04 Nov 16) NLD member charged for defamation

<sup>59</sup> Myanmar Times (9 Nov 16) Legal commission to review Telecoms Law as push to amend gathers steam

government arranged housing for the repatriated refugees, but required them to buy apartments for K9.8 million (US\$7,450) in installments, paying 30 percent upfront and the rest over eight years.<sup>61</sup> The repatriated refugees are currently staying in a temporary shelter at a warehouse run by the Relief and Resettlement Department's Rangoon/Yangon office in Mayangone Township.<sup>62</sup>

Nearly 100 refugees from the Nu Po camp in Thailand's Tak province are expected to return to Burma next year, forming the second batch under the government's repatriation scheme.<sup>63</sup>

## **MILITARY**

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### **Tatmadaw still needed for "immature" democracy**

On 8 November, Commander-in-Chief Sr Gen Min Aung Hlaing told a meeting of the European Union Military Committee that the Tatmadaw's involvement in politics continues to be important in upholding Burma/Myanmar's "immature" democracy.<sup>64</sup>

## **ECONOMY**

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### **World brands linked to UWSA**

On 28 November, a Reuters investigation of supply chains found that the United Wa State Army (UWSA) tin mine circumvented US sanctions. The report stated that some of the world's best known brands including Apple, Starbucks, and Tiffany & Co. bought supplies from Chinese-controlled companies who in turn bought tin ore from the UWSA tin mine. US placed UWSA under sanctions for alleged narcotics trafficking in 2003.<sup>65</sup>

## **INTERNATIONAL RELATIONS**

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### **Japan promises to give Burma/Myanmar \$US7.73 billion in aid**

On 1 November, Aung San Suu Kyi arrived in Japan and met with Japanese PM Shinzo Abe to seek investment and aid.<sup>66</sup> On 2 November, PM Shinzo Abe announced that Japan will provide aid worth 800 billion yen (US\$7.73 billion) to Burma/Myanmar for over five years to support its peace-building efforts.<sup>67</sup>

## **REPORTS RELEASED ON BURMA IN NOVEMBER**

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**"Burma: End Prosecutions for Critical Speech"** Human Rights Watch

<https://goo.gl/JZryHa>

**"Burma: Massive Destruction in Rohingya Villages"** Human Rights Watch

<https://goo.gl/Vj69XA>

**"Burma: New Wave of Destruction in Rohingya Villages"** Human Rights Watch

<https://goo.gl/WppTLO>

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<sup>60</sup> Myanmar Times (02 Nov 16) Refugees rue return amid housing woes; Irrawaddy (22 Nov 16) Rangoon's Returnees Scramble to Build New Lives

<sup>61</sup> Myanmar Times (02 Nov 16) Refugees rue return amid housing woes; Irrawaddy (22 Nov 16) Rangoon's Returnees Scramble to Build New Lives

<sup>62</sup> Myanmar Times (02 Nov 16) Refugees rue return amid housing woes; Irrawaddy (22 Nov 16) Rangoon's Returnees Scramble to Build New Lives

<sup>63</sup> Myanmar Times (23 Nov 16) Second batch of refugees due back from Thai camps next year

<sup>64</sup> Myanmar Times (11 November 16) Tatmadaw chief defends military's political role at EU meet

<sup>65</sup> Reuters (28 Nov 16) For Apple and others, tin supply chain has ties to rebel-held Myanmar mine

<sup>66</sup> Irrawaddy (1 Nov 16) Foreign Minister Aung San Suu Kyi Visits Japan, Seeking Investment

<sup>67</sup> DVB (3 Nov 16) Japan PM promises Burma \$7.73 billion in aid



**“Myanmar: IDP Sites in Kachin and northern Shan States (September 2016)”** UN Office for the Coordination of Humanitarian Affairs

<https://goo.gl/blKaTj>

**“Still Adrift: Failure to Protect Rohingya in Malaysia and Thailand”** Refugees International

<https://goo.gl/tzq1US>

**“Stories of Impact: Roads to Recovery in Myanmar”** GFDRR

<https://goo.gl/7ZQODx>

**“‘The Farmer Becomes the Criminal’: Land confiscation in Burma's Karen State”** Human Rights Watch

<https://goo.gl/fQ73BQ>

**“World Food Programme Myanmar October - November 2016 Operational Report”** World Food Programme

<https://goo.gl/K3jwQK>

**“WFP Myanmar Situation Report #03 - Situation in Northern Rakhine State, November 2016”** World Food Programme

<https://goo.gl/ZRoF7R>