

BURMA BULLETIN



A month-in-review of events in Burma



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

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- UN Special Rapporteur says that Burmese authorities are “presiding over a worsening security and human rights situation” and urges the govt to accept the UN fact-finding mission.
- Burmese authorities repeat that a UN investigation in Arakan State will only aggravate tensions.
- Lower House of Parliament denounces Yanghee Lee’s latest end of mission statement.
- Shan State: deteriorating security situation, and inadequate assistance to civilians.
- Insecurity and sectarian violence further triggered in Arakan State; new accounts of abuse surfaced.
- Burmese journalists further detained and/or charged for expressing their opinion and doing their job, despite general outcry and governmental promises to amend the Telecommunications Law.
- Tatmadaw calls off a Shan meeting in Thailand, further undermining the ethnic groups’ confidence in the peace process
- Fighting between Tatmadaw and Northern Alliance continues; hundreds of civilians displaced.
- Investigators say that the Tatmadaw plane crashed due to bad weather.
- Crackdown on Burmese migrant workers in Thailand.
- Flooding displaces thousands, kills two, washes away a Buddhist pagoda.
- Influenza virus plagues Burma, kills 10.
- Tatmadaw urges the government to “take necessary actions” against Rangoon Chief Minister; Chief Minister apologizes.
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- Upper House approves the new Myanmar Companies Law.
- US officials insist that Burma should cut any remaining links with North Korea amid Burmese officials’ denials.

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KEY STORY: SECURITY AND HUMAN RIGHTS SITUATION IN BURMA “WORSENING”

On 21 Jul, UN Special Rapporteur on the situation of human rights in Myanmar Yanghee Lee concluded her 6th visit to Burma/Myanmar.¹ Yanghee Lee accused national authorities of “presiding over a worsening security and human rights situation” in the country.²

The UN independent expert expressed disappointment at the Burmese government’s restrictions placed on her visit, raised serious concerns about the increased human rights and humanitarian crisis affecting the country, and called for concrete actions to be taken, including a thorough investigation of all alleged human rights violations.³ Burmese authorities responded that a UN fact-finding mission would only aggravate tensions.⁴

Yanghee Lee reported increasing cases of alleged human rights violations, deteriorating security situation, and inadequate assistance to civilians in Shan and Arakan/Rakhine states, as well as denial of UN access to non-government controlled areas of Kachin State amid escalating fighting. Serious concerns in regard to land confiscation, humanitarian aid, and unfair civil documentation process were also described in Karen/Kayin State.⁵ Moreover, Burmese authorities prevented her from visiting Hsipaw prison and meeting the 3 journalists arrested on 26 Jun in northern Shan State [see *June Bulletin*], despite Hsipaw being a tourist destination.⁶

Yanghee Lee expressed astonishment in regard to the government’s recent decision to deny access to Burma to the delegates of the UN fact-finding mission established by the UN Human Rights Council to investigate the allegation of human rights abuses in the country [see *March and May Bulletin*], as well as the new condition that the government tried to impose on Yanghee Lee’s last visit.⁷ The Burmese government requested her

MAIN CONCERNS EXPRESSED BY UN SPECIAL RAPPORTEUR YANGHEE LEE:¹

Intimidation against persons who speak out.

Deteriorating situation in northern Shan State:

- Denial of visit to 3 journalists detained at Hsipaw prison.
- Reported increase of forced recruitment and abductions, abuses against civilians.

Denial of access to Kachin State:

- Lack of access to non-government controlled areas.
- Increased insecurity in Tanai area.

Problematic issues in Arakan/Rakhine State:

- Land confiscation without due consultation and compensation, particularly in the 3 Special Economic Zones (SEZs).
- Non-uniform, discriminating and segregating resettlement practices for internally displaced persons (IDPs).
- Incidents of Rohingya being targeted for applying to be verified as a citizen, and Muslims being targeted for working with authorities. Absence of protection.
- Denial of legal representation and fair trial for persons arrested in relation to the 9 Oct attacks [see *October Bulletin*], detention of under-age individuals, and deaths in custody.
- Conditional humanitarian access.

Concerns related to Karen/Kayin State:

- Land confiscation without due consultation and compensation, forced eviction.
- Increased domestic violence and violence against children.
- Reduction of assistance for IDPs and refugees displaced along the Thai-Burmese border.
- Denial of access to the Myaing Ka Lay cement factory.
- Time consuming and expensive civil documentation process.

Increased prosecutions under Article 66(d) of the Telecommunications Law.

¹ OHCHR (21 Jul 17) End of Mission Statement by Special Rapporteur on the situation of human rights in Myanmar

² OHCHR (24 Jul 17) Myanmar: UN expert lists catalogue of concerns as human rights slide in worsening conflict

³ DVB (22 Jul 17) UN human rights envoy piles pressure on govt in latest Burma critique

⁴ RFA (18 Jul 17) Myanmar Official Tells Diplomats That UN Probe Will 'Aggravate' Situation in Rakhine

⁵ UN News (24 Jul 17) Back from visit to Myanmar, independent UN rights expert says situation 'worsening'

⁶ OHCHR (21 Jul 17) End of Mission Statement by Special Rapporteur on the situation of human rights in Myanmar

⁷ OHCHR (21 Jul 17) End of Mission Statement by Special Rapporteur on the situation of human rights in Myanmar

to not undertake any activities related to the UN fact-finding mission, openly offending the independence of Yanghee Lee's mandate as Special Rapporteur.⁸

"We are told not to expect Myanmar to transition into a democracy overnight - that it needs time and space," Yanghee Lee noted. "But in the same way, Myanmar should not expect to have its close scrutiny removed or its special monitoring mechanisms dismantled overnight. This cannot happen until there is real and discernible progress on human rights."⁹

In response, Burmese authorities denounced Yanghee Lee's latest end of mission statement. On 21 Jul, the Office of the State Counsellor said that it "had hoped that the Special Rapporteur's statement would reflect the difficulties of resolving the problems that are a legacy of decades of internal conflict, isolation and underdevelopment. The Special Rapporteur's statement instead contains many sweeping allegations and a number of factual errors."¹⁰ On 25 Jul, lawmakers from the Lower House of the Parliament unanimously approved a proposal condemning the remarks expressed by the international expert.¹¹

New accounts of abuse surface in Arakan State

On 14-15 Jul, victims and witnesses of the recent violence in Arakan State lined up to tell reporters of fear and abuse as Burmese security forces escorted 18 national and international media to villages in Maungdaw and Buthidaung townships.¹²

Villagers feared reprisals, but new accounts of abuse immediately surfaced when some journalists insisted on speaking to them away from security forces. Several women reported of under-age detention and arrests on false grounds. A schoolteacher said that at least 32 people from Kyar Gaung Taung village were arrested and 10 killed. A woman was arrested merely for filing a complaint about the killing of her husband. Other persons talked about torched houses with residents kept burning inside, rape cases, and reprisals for speaking out committed by security forces.¹³

Commander of Border Guard Police Brig Gen Thura San Lwin said that some villagers gave wrong information and were subsequently charged and jailed for lying. Burmese officials continued claiming that domestic investigations were the appropriate solution.¹⁴

Earlier in Jul, High Commissioner for Refugees Filippo Grandi urged the Burmese government to allow grant citizenship to the Rohingya.¹⁵ U.S. Ambassador to the UN Nikki Haley called on the Burmese government to allow the UN fact-finding mission to do its job.¹⁶

Sectarian violence and insecurity further triggered

In Jul, incidents of sectarian violence were registered throughout the country, spreading increased fears of insecurity. On 4 Jul, a mob of Rakhine Buddhists killed 1 Rohingya man and injured 6 others in Sittwe, Arakan State.¹⁷ The 7 men were allowed to leave the Dapaing camp for internally displaced persons (IDPs) to serve as witnesses in a trial at Sittwe Township court.¹⁸ Sittwe district police chief Lt Col Win Naung said that the group went to Ywar Gyi Mrauk quarter in downtown Sittwe – a restricted area for Rohingya Muslims – where the aggression happened.¹⁹ One policeman escorted the group but

⁸ OHCHR (21 Jul 17) End of Mission Statement by Special Rapporteur on the situation of human rights in Myanmar

⁹ UN News (24 Jul 17) Myanmar: UN expert lists catalogue of concerns as human rights slide in worsening conflict

¹⁰ DVB (26 Jul 17) MPs approve unanimous rebuke of UN human rights envoy

¹¹ DVB (26 Jul 17) MPs approve unanimous rebuke of UN human rights envoy

¹² RFA (14 Jul 17) Journalists Tour Violence-Ridden Areas of Myanmar's Rakhine State; Reuters (15 Jul 17) Rohingya villagers tell media of abuses during army crackdown

¹³ Reuters (15 Jul 17) Rohingya villagers tell media of abuses during army crackdown

¹⁴ Reuters (15 Jul 17) Rohingya villagers tell media of abuses during army crackdown

¹⁵ Reuters (07 Jul 17) UNHCR chief urges Myanmar to grant Rohingya citizenship

¹⁶ Reuters (11 Jul 17) U.S. urges Myanmar to allow U.N. inquiry into crimes against Rohingya

¹⁷ Reuters (04 Jul 17) One Rohingya man killed, six hurt after argument in Myanmar's Sittwe

¹⁸ The Irrawaddy (04 Jul 17) BREAKING: Mob Kill Rohingya Muslim in Rakhine; Reuters (04 Jul 17) One Rohingya man killed, six hurt after argument in Myanmar's Sittwe

¹⁹ The Irrawaddy (04 Jul 17) BREAKING: Mob Kill Rohingya Muslim in Rakhine

fled the scene because he was unarmed and unable to stop the mob.²⁰ As a response, authorities tightened security in Sittwe.²¹

On 10 Jul, Buddhist nationalists attacked a Muslim man at his house in Meikhtila Township, Mandalay Region, after a neighbor reported him to the Association for the Protection of Race and Religion – Ma Ba Tha – for discussing “religious issues”.²² Security forces were subsequently put on high alert but NLD chairperson for Meikhtila Township said that the incident occurred near the police station and that officers did not respond in a timely manner.²³ Police later denied reports indicating that members of the Ma Ba Tha were involved in the assault.²⁴

On 15 Jul, a dead body of a man was found in Maung Hna Ma, Buthidaung Township. Masked men previously kidnapped him from his house.²⁵ On 22 Jul, another man disappeared and was later found murdered in Buthidaung Township.²⁶ Burmese officials said that Rohingya insurgents were behind the recent slew of killings registered in the area.²⁷

Meanwhile, skirmishes between Burmese security forces and alleged members of an obscure group of Rohingya militants triggered further tensions in Arakan State [see *June Bulletin*]. On 9 Jul, security forces killed 2 people during an attack by “armed terrorists” in Buthidaung Township. The Office of State Counsellor Aung San Suu Kyi said that attackers opened fire from a house near Tinmay village, Buthidaung Township, and security forces returned the fire.²⁸ The statement also said that a handmade gun, a remote control mine, 2 car pistons and 8 detonators, as well as Bangladeshi money, 2 walkie-talkies, 6 swords, 4 daggers and a machete were found inside the house.²⁹ On July 22, police arrested 31 alleged militants in Maungdaw Township, Arakan State, after they failed to produce family registration documents.³⁰

Burmese political parties called on the government to order martial law in the most unstable areas of Arakan State, believing that civilian agencies are unable to maintain public order and safety. They also urged the government not to accept the UN international fact-finding mission.³¹

HUMAN RIGHTS

Freedom of expression still threatened

Following the recent national and international outcry [see *June Bulletin*], State Counsellor Aung San Suu Kyi declared that her administration was considering amendments to the notorious Telecommunications Law.³² On 25 Jul, 13 lawmakers in the Upper House of Parliament debated amendments to the law proposed by the Upper House Bill Committee.³³ Seven lawmakers proposed scrapping the law while National League for Democracy (NLD) lawmakers called for granting bail to the defendants and only allowing the aggrieved party to file a case.³⁴ Tatmadaw representatives rejected both proposals. Maj. Thet Min argued against the amendments because granting bail would amount to

²⁰ RFA (05 Jul 17) One Rohingya Dead, Six Injured in Attack by Buddhist Mob in Myanmar's Rakhine; Reuters (05 Jul 17) Myanmar policeman fled deadly mob attack on Rohingya men; The Irrawaddy (05 Jul 17) Sittwe Police: Security Escort For Attacked Muslims Was Unarmed

²¹ RFA (05 Jul 17) One Rohingya Dead, Six Injured in Attack by Buddhist Mob in Myanmar's Rakhine

²² DVB (11 Jul 17) Muslim man attacked by Buddhist nationalists in Meikhtila

²³ DVB (11 Jul 17) Muslim man attacked by Buddhist nationalists in Meikhtila

²⁴ The Irrawaddy (11 Jul 17) Ma Ba Tha Not Involved in Meikhtila Assault: Police

²⁵ Reuters (20 Jul 17) Myanmar sees insurgents behind Rohingya killings in northwest

²⁶ RFA (24 Jul 17) Myanmar Police Arrest 31 For Possible Links to Recent Violence in Rakhine State

²⁷ Reuters (20 Jul 17) Myanmar sees insurgents behind Rohingya killings in northwest

²⁸ RFA (10 Jul 17) Myanmar Security Forces Kill Two in Shootout in Rakhine's Buthidaung Township; The Irrawaddy (10 Jul 17) Security Forces Kill 2 Suspected Militants in Rakhine

²⁹ The Irrawaddy (10 Jul 17) Security Forces Kill 2 Suspected Militants in Rakhine

³⁰ RFA (24 Jul 17) Myanmar Police Arrest 31 For Possible Links to Recent Violence in Rakhine State

³¹ RFA (06 Jul 17) Myanmar Political Parties Call For Martial Law in Northern Rakhine State

³² Reuters (06 Jul 17) Myanmar mulls change to law seen as violating free speech: Suu Kyi

³³ The Irrawaddy (26 Jul 17) Army Resists Article 66(d) Reforms

³⁴ The Irrawaddy (26 Jul 17) Army Resists Article 66(d) Reforms

the legislative branch intervening in the judicial sector.³⁵ He added that “it is not appropriate to grant bail to individuals and organizations that disrupt the communications network”.³⁶

Meanwhile, Burmese journalists continued to be detained and charged for expressing their opinion and doing their job. On 30 Jul, police arrested Myanmar Now editor Swe Win at the Rangoon/Yangon International Airport.³⁷ Airport police said Swe Win was arrested because he tried to leave the country despite the defamation charges he was facing for criticizing ultra nationalist monk Wirathu.³⁸ On 26 February, extremist monk Wirathu thanked the assassins of Muslim constitutional lawyer Ko Ni and expressed “relief for the future of Buddhism” on social media. On 28 Feb, Swe Win reported that senior monks thought encouraging murder was an “unforgivable offence in the monastic practice”. Wirathu’s supporters later filed the defamation complains which led to the current arrest of Swe Win [see *March and April Bulletin*].

On 7 Jul, the Bahan township court rejected the sixth bail request of Kyaw Min Swe, editor-in-chief of The Voice Daily, citing a lack of sufficient facts.³⁹ Kyaw Min Swe was arrested with columnist Kyaw Zwa Naing, also known as British Ko Ko Maung, on 2 Jun for allegedly defaming the Tatmadaw by sharing on social media a satirical article on Burma/Myanmar’s armed conflict and peace process. The columnist was later acquitted of violating Article 66(d) of the Telecommunications Law and released [see *May and June Bulletin*]. However, on 21 Jul, Bahan Township court accepted another case filed by the same plaintiff for the same article but under Article 9(g) the News Media Law.⁴⁰ The News Media Law prescribes fines between K300,000 to 1 million (US\$220 to US\$730), which can be applied if a journalist’s writing style deliberately affected the reputation of a specific person or an organization, if a news outlet published others’ intellectual property without permission, or if photos or voices were modified in “improper” ways.⁴¹

On 20 and 21 Jul, NLD executives Kyaw Myo Lwin and Thet The Maw also appeared before Lewe court for their first hearing under defamation charges. They were arrested by police after being sued under Article 66(d) of the Telecommunications Act for sharing a Facebook post showing a photograph of local administrator Tin Htay during his recent trial for misappropriation of public funds.⁴²

In a related development, on 6 Jul, State Counsellor Aung San Suu Kyi said that the arrests of 3 journalists in northern Shan State on 26 Jun should not be seen as a problem between the media and the Tatmadaw, but rather as a question of whether existing laws are just.⁴³ Therefore, the government, considering the case a matter for the judiciary, could not interfere in it.⁴⁴ The 3 journalists were charged under the colonial-era Unlawful Associations Act for allegedly having connections with the Ta’ang National Liberation Army (TNLA). They were covering a drug-burning event organized by the TNLA in northern Shan State [see *June Bulletin*].

On 7 Jul, Hsipaw Township court remanded the 3 journalists in custody until the beginning of their trial, set for 21 Jul.⁴⁵ On 21 Jul, the 3 defendants requested to be freed on bail, which the judge would decide during their next hearing on Aug 4.⁴⁶ International Commission of Jurists Legal Consultant Sean Bain warned that “[t]he prospect of facing criminal charges for lawfully reporting on issues without malice and in the public interest will have a chilling effect on the media’s exercise of free expression in Myanmar”.⁴⁷ UN Special Rapporteur on the situation of human rights in Myanmar Yanghee Lee was prevented from visiting the 3 journalists in jail [see *Key Story*].

³⁵ The Irrawaddy (26 Jul 17) Army Resists Article 66(d) Reforms

³⁶ The Irrawaddy (26 Jul 17) Army Resists Article 66(d) Reforms

³⁷ Frontier Myanmar (30 Jul 17) Myanmar Now editor Ko Swe Win arrested at Yangon Airport; DVB (31 Jul 17) High-profile journalist detained at Rangoon airport

³⁸ The Irrawaddy (30 Jul 17) Breaking: Myanmar Now Editor Arrested

³⁹ RFA (07 Jul 17) Myanmar Court Rejects Sixth Bail Request by Detained Editor

⁴⁰ DVB (21 Jul 17) More legal trouble for The Voice duo over satirical article

⁴¹ The Irrawaddy (21 Jul 17) Voice Daily’s Editor, Columnist Charged Under Media Law

⁴² DVB (22 Jul 17) 2 NLD executives arrested under Article 66(d)

⁴³ RFA (06 Jul 17) Arrests of Myanmar Journalists a Matter of Whether Laws Are Just: Aung San Suu Kyi

⁴⁴ DVB (07 Jul 17) DVB, Irrawaddy reporters remanded in custody until 21 July

⁴⁵ DVB (07 Jul 17) DVB, Irrawaddy reporters remanded in custody until 21 July

⁴⁶ RFA (28 Jul 17) Myanmar Court Considers Evidence in Trial of Three Reporters in Shan State

⁴⁷ DVB (07 Jul 17) DVB, Irrawaddy reporters remanded in custody until 21 July

Other developments:

7 Jul: Chin youth sent a letter to Chin State Chief Minister Salai Lian Luai accusing the Tatmadaw and Arakan Army (AA) of committing human rights violations. The allegations were collected during a tour of villages in Paletwa Township, Chin State, and included use of civilians as human shields, physical assault, forceful recruitment, and robberies as regular abuses committed by the soldiers in the area.⁴⁸

8 Jul: Religious Affairs Minister Thura Aung Ko said that authorities will take action against the ultra-nationalist Ma Ba Tha group if it proceeds with the plan to rebrand itself as the Buddha Dhamma Charity Foundation to circumvent the government's ban on it. The governmental decision to order the Ma Ba Tha to end all its activities came as part of a renovated effort to halt the increased religious hate speech and violence affecting the country [see *May Bulletin*].⁴⁹

MILITARY

Tatmadaw plane crashes due to bad weather, say investigators

On 19 Jul, investigators said that irregular weather conditions caused the crash of a Y-8F 200 Tatmadaw aircraft, which led to the death of 122 people on board [see *June Bulletin*].⁵⁰ Investigators clarified that the aircraft did not crash from any act of sabotage, explosion or engine failure.⁵¹ The accident happened when the plane went into a nose dive after icing built up on the wings and a sudden increase in cross wind caused the plane to stall or lose the ability to attain lift.⁵²

ETHNIC AFFAIRS AND CONFLICT

Ethnic groups' confidence in the peace process undermined

In Jul, ethnic groups engaged in the peace process strongly questioned it, especially after the Tatmadaw called off a meeting of the Committee for Shan State Unity (CSSU) – a coalition of Shan political parties, civil society organizations and 2 ethnic armed groups (EAGs) – scheduled for the 20-21 Jul in Chiang Mai, Thailand.⁵³ The Tatmadaw alleged that the CSSU discussions were not in line with the official peace process for including the Shan State Progress Party/Shan State Army-North (SSPP/SSA-N), a non-signatory to the 'Nationwide' Ceasefire Agreement (NCA).⁵⁴

In response to the Tatmadaw's move, on 20 July, CSSU explained that the purpose of the meeting was "to gather common perspectives" on the 5 key themes discussed at the 21st Century Panglong Peace Conference [see *May Bulletin*].⁵⁵ Shan Nationalities League for Democracy secretary Sai Nyunt Lwin said that the Tatmadaw overstepped the role of the government's peace commission.⁵⁶ Restoration Council of Shan State (RCSS) chairman Shan Gen Yawd Serk said that the peace process was in limbo and faced deadlocks especially due to the Tatmadaw not following the NCA path.⁵⁷ He concluded that, if the situation continues as it is, 2017 cannot be the year of peace envisioned by State Counsellor Aung San Suu Kyi.⁵⁸

Earlier in Jul, leaders of the Peace Process Steering Team (PPST) – negotiating body of the NCA-signatory EAGs – said that the current process a deviation from the original agreement and that keeping the peace process on track was "the biggest challenge" they were facing.⁵⁹ Thus, the PPST formed an

⁴⁸ Khonumthung (07 Jul 17) Chin youth accuse AA, Tatmadaw of committing human rights violations

⁴⁹ Asian Correspondent (08 Jul 17) Burma: Govt to take action against banned Ma Ba Tha offshoot – minister

⁵⁰ GNLM (19 Jul 17) Transport plane crashed due to adverse weather: investigators

⁵¹ GNLM (19 Jul 17) Transport plane crashed due to adverse weather: investigators

⁵² GNLM (19 Jul 17) Transport plane crashed due to adverse weather: investigators

⁵³ The Irrawaddy (20 Jul 17) Myanmar Military Calls Off Shan Coalition Meeting in Thailand

⁵⁴ The Irrawaddy (20 Jul 17) Myanmar Military Calls Off Shan Coalition Meeting in Thailand

⁵⁵ The Irrawaddy (20 Jul 17) Myanmar Military Calls Off Shan Coalition Meeting in Thailand

⁵⁶ The Irrawaddy (20 Jul 17) Myanmar Military Calls Off Shan Coalition Meeting in Thailand

⁵⁷ The Irrawaddy (21 Jul 17) Shan General: 2017 Not a 'Year of Peace'

⁵⁸ The Irrawaddy (21 Jul 17) Shan General: 2017 Not a 'Year of Peace'

⁵⁹ The Irrawaddy (04 Jul 17) NCA Signatories Recommend Review of Peace Path

NCA implementation review and reform team led by Karen National Union (KNU) vice chairman Kwe Htoo Win.⁶⁰

On 5 Jul, leaders of the NCA-signatory Karen National Liberation Army (KNLA) warned their soldiers to remain cautious of the ceasefire. Lt Gen Saw Baw Kyaw Heh said that the ceasefire was a “political game” and could break down.⁶¹

Fighting between the Tatmadaw and ethnic groups continues

In July, more clashes were reported in Burma/Myanmar, killing a 2-year-old child, injuring the parents,⁶² and forcing hundreds of people to flee their houses.⁶³ The majority of the clashes and tensions were registered between the Tatmadaw and members of the Northern Alliance – an ethnic coalition composed of Ta’ang National Liberation Army (TNLA), Kachin Independence Army (KIA), Arakan Army(AA)and Myanmar National Democratic Alliance Army (MNDAA) – in Shan and Kachin states.

4-5 Jul: The Tatmadaw and TNLA clashed in Namtu, Kyaukme District, northern Shan State, after the Tatmadaw trespassed the TNLA area.⁶⁴

5 Jul: Tatmadaw IB 251 and Kachin Independence Army (KIA) troops from Brigade 2, Regiment 6, clashed near Aing-lay-tu village, Mohnyin Township, Kachin State.⁶⁵ KIA leaders said that fighting broke out because the Tatmadaw conducted clearance operations in the area where the KIA troops were stationed.⁶⁶ Shan families living in the area reported of shells from the battle falling near their farm huts and forcing them to flee.⁶⁷

8 Jul: The Tatmadaw distributed pamphlets in Lashio, northern Shan State, warning residents of an imminent attack by KIA and TNLA.⁶⁸ KIA and TNLA officials denied the allegations and accused the Tatmadaw of “spreading lies” with the intention of “damaging the dignity” of the KIA and TNLA among the public.⁶⁹

10 Jul: The Tatmadaw arrested and shot 2 TNLA members in Namhkam, northern Shan State, for suspicions of extorting money from local business. One of them later died of gun wounds. TNLA Brig Gen Tar Bone Kyaw denied the criminal allegation, saying that the TNLA only collected appropriate taxes in areas under its control.⁷⁰

13 Jul: The Tatmadaw reported that artillery fire hit a farm in Tein Kauk village, Tanai Township, Kachin State, killing a 2-year old child and injuring the parents. The Tatmadaw was fighting against KIA troops. Both sides put the blame on the other for the death and injuries.⁷¹

20 Jul: The Tatmadaw and TNLA troops moved into Hsenwi Township, Lashio District, northern Shan State.⁷² The growing military tension forced hundreds of villagers to preemptively flee their homes. Villagers accused TNLA soldiers of extorting money and abducting people who were not able to pay. Hundreds of civilians found shelter in a Buddhist monastery of Hsenwi.⁷³

⁶⁰ The Irrawaddy (04 Jul 17) NCA Signatories Recommend Review of Peace Path

⁶¹ KIC (06 Jul 17) KNLA leaders warn soldiers to remain cautious of the ceasefire

⁶² The Irrawaddy (13 Jul 17) Child Killed by Artillery Fire in Kachin’s Tanai

⁶³ RFA (05 Jul 17) New Clash Between Ethnic Militia And Myanmar Troops Begins in Kachin State; RFA (20 Jul 17) Villagers Flee as Myanmar Army, Rebel Troops Move Into Shan State’s Hsenwi Township

⁶⁴ DVB (07 Jul 17) Armed clashes flare in Kachin and Shan states

⁶⁵ RFA (05 Jul 17) New Clash Between Ethnic Militia And Myanmar Troops Begins in Kachin State; DVB (07 Jul 17) Armed clashes flare in Kachin and Shan states

⁶⁶ DVB (07 Jul 17) Armed clashes flare in Kachin and Shan states

⁶⁷ RFA (05 Jul 17) New Clash Between Ethnic Militia And Myanmar Troops Begins in Kachin State

⁶⁸ DVB (10 Jul 17) Burmese military warns of imminent ‘terrorist attack’ in Lashio

⁶⁹ DVB (10 Jul 17) Burmese military warns of imminent ‘terrorist attack’ in Lashio; The Irrawaddy (11 Jul 17) KIA, TNLA Deny Planning Lashio Attacks

⁷⁰ The Irrawaddy (12 Jul 17) Myanmar Army Arrests, Shoots TNLA Members in Namhkam

⁷¹ The Irrawaddy (13 Jul 17) Child Killed by Artillery Fire in Kachin’s Tanai

⁷² RFA (20 Jul 17) Villagers Flee as Myanmar Army, Rebel Troops Move Into Shan State’s Hsenwi Township

⁷³ RFA (20 Jul 17) Villagers Flee as Myanmar Army, Rebel Troops Move Into Shan State’s Hsenwi Township; DVB (21 Jul 17) TNLA accused of misconduct in northern Shan State’s Hsenwi

Moreover, the Tatmadaw IB 249 and Shan State Army-South (SSA-S) – armed wing of the NCA-signatory RCSS – unexpectedly clashed near Hai Khai village, Hopong Township, Taunggyi District, Shan State.⁷⁴

Other developments:

7 Jul: Amid the fighting, Chin youth accused the Tatmadaw and Arakan Army (AA) of committing human rights violations – including the use of civilians as human shields, physical assault, and forceful recruitment – in Chin Sate [see *Human Rights*].

17 Jul: Momauk Township court, Kachin State, accepted a case against Min Htay – central committee member of the NCA-signatory All Burma Students' Democratic Front (ABSDF) – under Article 17 of the Unlawful Associations Act for allegedly helping the KIA. Min Htay declared his innocence, and pointed out that despite ABSDF being an NCA-signatory, he was still being charged. He thus called on his colleagues to reconsider the NCA.⁷⁵

DISPLACEMENT

Crackdown on Burmese migrant workers in Thailand

On 23 Jun, the Thai government started implementing a new law containing stronger punishments, with fines of up to B800,000 (US\$ 24,000), for employers hiring an undocumented foreign worker.⁷⁶ More than 34,000 migrant workers returned to Burma/Myanmar after about 500 Burmese migrant workers were arrested during a crackdown on illegal immigrants.⁷⁷ On 4 Jul, the Thai government suspended the implementation of the new labor law at the request of the Myanmar Labour Ministry to its Thai counterpart.⁷⁸

Other developments:

3 Jun: Church leaders said that about 1,000 evacuees from Tanai's mining areas, Kachin State [see *June Bulletin*], were sheltering in churches of Tanai Town, but needed long-term solutions.⁷⁹

5 Jul: Over 150 Karenni people lost their houses due to a fire which broke out at a refugee camp in northern Thailand.⁸⁰

20 Jul: Hundreds of villagers were forced to preemptively flee their homes as Tatmadaw and TNLA troops moved into Hsenwi Township, Shan State [see *Ethnic Affairs and Conflict*].⁸¹

HUMANITARIAN

Flooding across Burma displaces thousands, kills two

As of 23 Jul, flooding has displaced over 130,000 people in Magwe/Magway, Sagaing, Pegu/Bago, Irrawaddy/Ayeyarwady, and Naypyidaw regions and Rakhine, Mon and Karen states and caused at least 2 deaths.⁸² One man drowned in the floods in the Sagaing region and another one was swept away

⁷⁴ The Irrawaddy (17 Jul 17) Myanmar Army Clashes With SSA-S in Shan State

⁷⁵ The Irrawaddy (17 Jul 17) Court Accepts Unlawful Associations Lawsuit Against ABSDF Member

⁷⁶ Bangkok Post (29 Jun 17) New foreign labour law: Harm potential to Thai economy

⁷⁷ The Irrawaddy (06 Jul 17) 34,000 Migrant Workers Return From Thailand; Myanmar Times (29 Jun 17) Embassy warns illegal workers in Thailand to return home

⁷⁸ Reuters (04 Jul 17) Thai junta suspends new labor law, extends deadline after exodus

⁷⁹ DVB (03 Jul 17) Tanai's mining evacuees need long-term solutions, say Kachin church leaders

⁸⁰ DVB (10 Jul 17) More than 60 homes lost in Karenni refugee camp fire

⁸¹ RFA (20 Jul 17) Villagers Flee as Myanmar Army, Rebel Troops Move Into Shan State's Hsenwi Township

⁸² The Irrawaddy (26 Jul 17) Myanmar Floods Displace More Than 130,000

while crossing a stream in Chin State.⁸³ Magwe was the most severely affected region with more than 60,000 people forced to flee.⁸⁴

On 20 Jul, rising floodwaters swallowed a Buddhist pagoda in Magwe region.⁸⁵ The pagoda was built far away from the river in 2009, but the river eroded the land year by year, causing the pagoda to fall into the river.⁸⁶

Influenza virus plagues Burma

As of 31 Jul, 10 people have died in an outbreak of H1N1, also known as swine flu, virus.⁸⁷ The Ministry of Health and Sports were monitoring 138 people suspected to have the virus while 51 people were confirmed to have contracted the virus.⁸⁸ One child is also infected with a type of seasonal influenza H3N2.⁸⁹ On 30 Jul, the Mandalay government cancelled the annual Taungbyone Nat (Spirit Medium) festival to contain the H1N1 outbreak.⁹⁰

Burma's livestock also suffered from outbreak of H5N1– so-called “bird flu”. Since 16 July, about 5,000 chickens have died at a chicken farm in Tavoy/Dawei, Tenasserim/Tanintharyi Region due to the virus.⁹¹ On 26 Jul, authorities imposed a temporary ban on chicken and egg sales in the area.⁹²

DEMOCRACY AND GOVERNANCE

Tatmadaw urges the government to “take necessary actions” against Rangoon Chief Minister

On 11 Jul, the Tatmadaw filed a complaint with the government to “take necessary actions” against Phyto Min Thein for saying on 9 Jul that there are “no civil-military relations in the democratic era” and the “military commander-in-chief position is the same as a director general, in accordance with protocol”.⁹³ The following day, the Tatmadaw said that Phyto Min Thein was not suitable for “constructive, long-term relations” with the Tatmadaw, and called his comments about the Tatmadaw chief an “insult”.⁹⁴

On 13 Jul, the National League for Democracy (NLD) warned Rangoon/Yangon Chief Minister Phyto Min Thein for his controversial comments.⁹⁵ NLD spokesperson Zaw Htay said that the chief minister's remarks did not reflect the policy of the government and had “caused misunderstandings between the government and the military”.⁹⁶ Zaw Htay added that the NLD already “instructed him to do what he needs to do”.⁹⁷ On the same day, Phyto Min Thein sent an apology by mail delivery service to Tatmadaw Commander-in-Chief Sen-Gen Min Aung Hlaing.⁹⁸

Rights groups file case to rewrite the Constitution

On 4 Jul, 5 rights organizations – the Association of Elected Lawmakers from the 1990 General Elections, United National Democratic Organization, Farmer's Union, Human Rights Violations Investigation Committee and the Karen Women's Organization – started an initiative to rewrite the

⁸³ The Irrawaddy (26 Jul 17) Myanmar Floods Displace More Than 130,000

⁸⁴ Frontier Myanmar (24 Jul 17) Floodwaters swallow pagoda in Magway Region

⁸⁵ Frontier Myanmar (24 Jul 17) Floodwaters swallow pagoda in Magway Region

⁸⁶ Frontier Myanmar (24 Jul 17) Floodwaters swallow pagoda in Magway Region

⁸⁷ Reuters (31 Jul 17) Myanmar H1N1 swine flu death toll rises to 10

⁸⁸ Myanmar Times (31 Jul 17) Mandalay cancels Taung Pyone over H1N1 fears; Reuters (31 Jul 17) Myanmar H1N1 swine flu death toll rises to 10

⁸⁹ Myanmar Times (27 Jul 17) Myanmar confirms two more cases of H1N1, H3N2 influenza

⁹⁰ Myanmar Times (31 Jul 17) Mandalay cancels Taung Pyone over H1N1 fears

⁹¹ GNLM (29 Jul 17) 5,000 chickens with avian flu dead in Dawei Township

⁹² RFA (26 Jul 17) Authorities Ban Chicken Sales in Myanmar's Dawei After Confirmation of 'Bird Flu' Outbreak

⁹³ The Irrawaddy (11 Jul 17) Breaking: Myanmar Army Calls for Action Against Yangon Chief Minister

⁹⁴ The Irrawaddy (13 Jul 17) Minister's Comments 'Insult' Myanmar Army

⁹⁵ The Irrawaddy (16 Jul 17) NLD Warns Yangon Chief Minister for Controversial Remarks

⁹⁶ The Irrawaddy (13 Jul 17) Yangon Chief Minister's Comments 'Cause Misunderstanding'

⁹⁷ The Irrawaddy (13 Jul 17) Yangon Chief Minister's Comments 'Cause Misunderstanding'

⁹⁸ Myanmar Times (17 Jul 17) Yangon chief minister apologises to military chief: Tatmadaw

2008 Constitution and filed a lawsuit with the Dekkhinathiri District Court, Naypyidaw.⁹⁹ On 18 Jul, the court did not accept the lawsuit because the case did not fall within its jurisdiction.¹⁰⁰ On 25 Jul, the groups filed a lawsuit with the Mandalay Region high court. The court also refused to accept the case because the case was beyond its mandate.¹⁰¹

The groups argued that the 2008 Constitution was based on the wrong numbers, contrary to the Contract Act.¹⁰² Their main argument was that when the 2008 Constitution was approved, the population was said to be 57 million, but the 2014 national census indicated that that the population was only 51 million.¹⁰³

The groups said that they would continue to push the case forward by submitting it to the Union high court in Naypyidaw.¹⁰⁴

PARLIAMENT WATCH

Upper House approve Myanmar Companies Law

On 27 Jul, the Upper House of Parliament approved the new Myanmar Companies Law.¹⁰⁵ Upper House Bill Committee Secretary Dr. Myat Nyana Soe said that the draft law would make it easier to set up companies and it would be possible to register them electronically.¹⁰⁶

INTERNATIONAL RELATIONS

US to Myanmar: Cut military ties with North Korea

On 17 Jul, US special envoy for North Korea Ambassador Joseph Yun met with State Counsellor Aung San Suu Kyi and Tatmadaw Chief Snr-Gen Min Aung Hlaing in Naypyidaw.¹⁰⁷ Ambassador Yun's trip came after North Korea's test of an intercontinental ballistic missile on 4 Jul, highlighting US' worries over the links between Burma/Myanmar and North Korea.¹⁰⁸

Current and former US officials pressed Burma to completely break off any remaining links with North Korea, even after the National League for Democracy (NLD)-led government said that "there's no such relations between military to military".¹⁰⁹ A State Department official said, however, that Burmese authorities did not explicitly deny that some ties remained but said that "those ties are not what they were in the past".¹¹⁰

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⁹⁹ The Irrawaddy (05 Jul 17) Groups to File Lawsuit Against Govt to Rewrite 2008 Constitution

¹⁰⁰ Myanmar Times (20 Jul 17) District court refuses to accept civil suit against State to abolish '08 Constitution

¹⁰¹ The Irrawaddy (25 Jul 17) Mandalay Court Rejects Lawsuit Against 2008 Constitution

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¹⁰³ The Irrawaddy (25 Jul 17) Mandalay Court Rejects Lawsuit Against 2008 Constitution

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¹⁰⁵ The Irrawaddy (29 Jul 17) This Week in Parliament (July 24-July 28)

¹⁰⁶ The Irrawaddy (21 Jul 17) New Companies Law Submitted to Parliament

¹⁰⁷ Reuters (17 Jul 17) Myanmar insists no North Korea links as U.S. envoy visits

¹⁰⁸ Reuters (17 Jul 17) Myanmar insists no North Korea links as U.S. envoy visits

¹⁰⁹ Reuters (22 Jul 17) Exclusive: U.S. presses Myanmar to cease military ties with North Korea

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