LAND CONFISCATION & HUMAN RIGHTS ABUSES IN BURMA/MYANMAR SINCE 2011: UPROOTING REFORMS

- Land confiscation in Burma/Myanmar causes forced displacement of hundreds of thousands of people, sending many into severe poverty.
- Land rights activists face violence from authorities and at least three have been killed since 2014. Authorities have used white phosphorus grenades and live ammunition against protestors at the Letpadaung (Monywa) copper mine in Sagaing Division.
- Against the backdrop of a crackdown on free expression, and a 172% rise in political detentions, land rights protestors are increasingly targeted with criminal charges and imprisonment.
- Authorities have intimidated and coerced many to accept inadequate compensation, sign over land, and leave confiscations unchallenged.
- Authorities have exploited sectarian violence and armed conflict to confiscate land for international economic projects. In Arakan/Rakhine State, authorities enlarged the site for the Kyaukpyu SEZ by confiscating land left vacant by Rohingya and Rakhine who fled atrocities by extremist groups.
- People living in areas targeted for land confiscation are much more vulnerable to a range of human rights abuses, including forced labor.
- Land confiscation provides developers, state-owned enterprises, the military and cronies access to profits from natural resources, while impoverishing civilians and exposing them to severe human rights abuses.
- International investors risk being complicit in human rights violations committed by authorities in relation to development projects in Burma, and some have been directly involved.
- Land confiscation for development projects in ethnic areas can trigger conflict and devastate communities during peacetime, increasing instability and threatening to reignite hostilities.
- The 2008 military-drafted Constitution and subsequent laws are used to legitimize arbitrary land confiscation, deny access to justice, and perpetuate an environment of impunity. Authorities have failed to follow international guidelines on land acquisition.
- Human rights violations relating to land confiscations are in violation of Burma’s international obligations, particularly its recent signing of the ICESCR and the adoption of the UN Sustainable Development Goals. UN Special Rapporteurs on human rights in Myanmar have repeatedly condemned land confiscations.
Land confiscation and crackdowns on land rights protestors have increased in Burma/Myanmar since the transition from a military junta to a nominally civilian government took place in 2011. The authorities have allowed unbridled land confiscation for infrastructure, commercial and military development projects, including commercial agriculture, Special Economic Zones and extractive industries aimed at
attracting international investment.\(^1\) Despite claims that these efforts are aimed at poverty reduction, multiple investigations provide evidence that such projects decrease people’s standard of living through forced displacement, involve serious human rights abuses, enrich an elite military-crony class, and trigger conflict.\(^2\)

A 2012 Physician for Human Rights report found that residents that live close to dams, mines and other development sites are “almost eight times more likely to have been forced to work for the army and over six times more likely to have been uprooted or had restrictions placed on their travel.”\(^3\)

Given that an estimated 70% of the population depends on small and medium-scale agriculture for their livelihoods, land confiscation has a devastating impact.\(^4\)

**LEGAL FRAMEWORK**

Parliament fails to address land confiscation, creates new laws to make it worse

Burma/Myanmar has constitutionally identified the State as the ultimate owner of all land in the country,\(^5\) and still retains antiquated laws such as the 1894 Land Acquisition Act that give the state the right to take over any land, leaving local people extremely vulnerable to forced displacement without any recourse or remedy.\(^6\) Amnesty International has described the situation in Burma as a “perfect storm” of rich natural resources and a weak regulatory framework.\(^7\)

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<tr>
<th>Laws that Support Land Confiscation</th>
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<td><strong>The Land Acquisition Act (1894):</strong> Has until recently been the main legal justification used by the state to confiscate land. The Act has provisions for appropriate land acquisition procedures including compensation, but these have usually been disregarded. A sister law, the Land Acquisition (Mines) Act (1895), applies to cases involving minerals or mines.(^3)</td>
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<td><strong>Constitution of the Republic of the Union of Myanmar (2008):</strong> Article 37 of the constitution identifies the state as being the ultimate owner of all land in Burma, giving the government the right to forcibly acquire land from its citizens.(^9)</td>
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<td><strong>Special Economic Zone Law (2011):</strong> Places responsibility on investor or developer to relocate or compensate those whose lands are designated by a Central Body as desirable for investment, and grants developers the right to lease land for up to 30 years with two possible renewals of 15 years thereafter.(^10)</td>
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<td><strong>Foreign Investment Law (2012):</strong> Allows the Myanmar Investment Commission (MIC) to designate the minimum amount of investment capital for foreign businesses. Foreign investment is restricted in 11 areas, including agriculture, livestock breeding, and fishing sectors. However, foreign investors can form a joint venture with a Burmese counter-part, with foreign-ownership caps to be set at a later stage. Foreign investors can be allowed into restricted sectors in cases of national interest. Foreign investors can lease land from the state or from authorized private owners for up to 50 years with possible extension up to 70 years.(^11) This law has been seen as a motivator for local cronies to seize land in anticipation of such deals.</td>
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<tr>
<td><strong>Vacant Lands, Fallow Lands and Virgin Lands Management Law (2012):</strong> Gives the State the authority to designate a piece of land as vacant, fallow, or virgin, which greatly affects villagers and communities who (often lacking the means to formally register their land) set aside land on a seasonal basis. Land designated as vacant, fallow, or virgin can be used for domestic activities as specified by the authorities, or for foreign investment with the agreement of the MIC. This law also allows the regime to seize back land if natural resources are found within the plot or if the land is needed for a project that is “in the interest of the State.”(^12)</td>
</tr>
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\(^1\) Ta”ang Students and Youth Organization (October 2011) Land Confiscation Report – Working Paper
\(^2\) PHR (05 Oct 15) Forced Displacements and Destroyed Lives around Upper Paunglaung Dam in Shan State, Myanmar; Al (10 Feb 15) Myanmar: Foreign mining companies colluding in serious abuses and illegality; Karen Human Rights Group (30 Jun 15) With Only our Voices can we Do?: Global Witness (23 Oct 15) Jade: Myanmar’s ‘Big State Secret’
\(^3\) Physicians for Human Rights (27 Aug 12) Bitter Wounds and Lost Dreams: Human Rights Under Assault in Karen State, Burma
\(^4\) US Institute of Peace (Jun 10) The Economy of Burma/Myanmar on the Eve of the 2010 Elections
\(^5\) Constitution of the Union of Myanmar 2008, Article 37(a)
\(^6\) Burma Environmental Working Group (Jun 11) Burma’s Environment: People, Problems, Policies
\(^7\) Al (10 Feb 15) Open for business? Corporate Crime And Abuses at Myanmar Copper Mine
\(^9\) Constitution of the Republic of the Union of Myanmar (2008), Chapter 1
\(^10\) Displacement Solutions (May 2015) Land Acquisition Law and Practice in Myanmar
\(^11\) Foreign Investment Law, Articles 10(a)(iii), Article 4, Article 10(a)(iv), Article 5, and Articles 30 and 31 respectively
\(^12\) Vacant, Fallow and Virgin Land Management Law, Chapter III, Article 4 and 7, Chapter VI, Article 16(g); and Chapter VII, Article 19(b),(c),(d) respectively
Instead of addressing land confiscation complaints, Burma/Myanmar’s Parliament made the problem worse by introducing new repressive laws. The Farmland Law, introduced in 2011 and enacted in March 2012, legalizes land confiscation for activities ranging from the construction of factories, power lines, roads, railways, pipelines, amusement parks, to any other project that the authorities deem to be of “national interest.” The law also limits farmers’ access to judicial remedy by stipulating that newly created agencies under the Agriculture and Irrigation Ministry will have jurisdiction over land-related disputes ahead of the courts.\(^1\)

Besides the Farmland Law, several other laws provide legal justification or economic motivation for land confiscation [see textbox Laws that Support Land Confiscation].

**DEVELOPMENT PROJECTS & HUMAN RIGHTS VIOLATIONS**

**Large-scale development projects the main source of controversy**

President Thein Sein has continued down the path set by the January 2011 Special Economic Zone (SEZ) Law, designed to attract foreign investment, and directly linked to land confiscation. Current major multi-billion dollar SEZ development projects include Kyaukpyu in Arakan/Rakhine State and Thilawa in Rangoon/Yangon Division’s Thanlyin/Syriam Township.\(^2\)

The Letpadaung (Monywa) copper mine in Sagaing Division, has also been at the forefront of land confiscation controversies mainly due to the scale of the project, and the intensity of violence and human rights abuses against residents and activists.

Growing economic relations with neighboring countries has seen increased road construction and export-oriented hydropower projects uprooting communities, alongside new concessions for mining of gold, stone, and minerals; logging of timber; and industrial-scale monocropping.\(^3\)

**Kyaukpyu SEZ, Arakan/Rakhine State: Site of violence and discrimination against Rohingya**

The Kyaukpyu Special Economic Zone (SEZ) has been the site of serious sectarian violence, which has left many dead and displaced thousands of Muslim Rohingya during bouts of violence in 2012 and 2013. In the aftermath of the violence, areas left by fleeing residents have been confiscated and absorbed into the SEZ. The authorities’ exploitation of the violence – in a region of high tension between Buddhists and Muslims – as a means to confiscate land sets a disturbing precedent, which has been followed by prosecutions of those who seek to challenge confiscations.

In October 2009, Burmese authorities initially confiscated approximately 200 acres (0.8 km²) of land on Rambree Island, Arakan State, to make way for the Shwe Gas project’s onshore gas terminal complex, a deep sea port, railway, airport, and industrial areas as part of the SEZ.\(^4\) Local communities were not consulted or informed about the project which would affect tens of thousands of people.\(^5\)

In 2012, sectarian violence in Kyaukpyu Township in Arakan State provided a convenient way to acquire more land for the Special Economic Zone (SEZ). In October, violence between Buddhist Rakhine and Muslim Rohingya ethnic groups broke out in Mrauk U, Kyaukpyu, Kyauktaw, Rathidaung, Pauktaw, Sandoway/Thandwe and Rambree Island Townships, Arakan State.\(^6\) The most serious

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\(^1\) AHRC (01 Nov 11) BURMA: Draft land law denies basic rights to farmers

\(^2\) Irrawaddy (22 Jun 12) This Tiger Needs to Earn its Stripes

\(^3\) Karen Human Rights Group (30 Jun 15) With Only our Voices what can we Do?

\(^4\) SGM (Sep 11) Sold Out: Launch of China pipeline project unleashes abuse across Burma; Arakan Oil Watch (Dec 12) Danger Zone

\(^5\) AOW (Dec 12) Danger Zone

violence was perpetrated on 23 and 24 October when Buddhist Rakhine razed an entire Muslim Rohingya quarter in Kyaukpyu, causing multiple deaths and preventing Rohingya from returning to the area, which was then secured for the Kyaukpyu SEZ. The violent and systematic persecution of Muslims, particularly Rohingya, in Arakan State has been an increasing focus of the UN Human Rights Council, UN General Assembly, and the UN Security Council.

Protests demanding compensation for land confiscation linked to the Kyaukpyu SEZ have met various forms of suppression. On 19 April 2013, police in Kyaukpyu Township charged 10 local villagers under the Peaceful Assembly Law for participating in a protest on 18 April against the Kyaukpyu-Kunming oil and gas dual pipeline in Kyaukpyu Township, without obtaining prior official permission. Protest organizers said they went ahead with the demonstration after the authorities twice refused to grant a protest permit. On 26 September 2013, a court in Kyaukpyu Township sentenced the 10 activists to three months in prison for the demonstration.

On 9 September 2013, a court in Sandoway Township, Arakan State, sentenced activist Soe Wai to nine months in prison for demonstrating against land confiscation on 2 September. Resistance to land confiscation dissipated when the area was hit by new anti-Muslim riots weeks later, resulting in the deaths of seven civilians, the displacement of 480 people, and the destruction of 110 houses and two mosques.

In 2015, residents have continued to demand compensation for past land confiscation and opposed new developments in Kyaukpyu, to no avail:

- **19 February**: Fifty farmers protested in Kyaukpyu Township, demanding compensation for farmland that was destroyed by mud from the construction of the Kyaukpyu-Kunming oil and gas dual pipeline.
- **6 May**: Local residents opposed a new 600 acre (2.43 km²) coal-fired power station in Kyaukpyu during a meeting with officials from US company MCM Energy, Korean conglomerate Daewoo and the regime Electric Power Ministry.
- **3 June**: One hundred and fifty farmers protested against South Korea’s Daewoo International for neglecting to provide compensation in an ongoing land dispute over 60 acres (0.24 km²) of ruined paddy fields near the site of the Shwe gas project.

**Thilawa SEZ, Rangoon/Yangon Division: Land grabs leave residents in poverty**

The signing of an agreement between Japan and Burma/Myanmar to develop the Thilawa Special Economic Zone (SEZ) in April 2012 marked the beginning of land confiscations and forced relocations that deprived many former residents of their livelihoods and left them facing food insecurity and

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19 Irrawaddy (25 Oct 12) Kyaukpyu’s Muslim Quarter Razied to the Ground
20 Reuters (17 Apr 14) U.S. envoy Power urges Myanmar action to stop Rakhine violence; Reuters (20 Nov 13) U.N. committee slaps Syria, Iran, N.Korea, Myanmar for rights abuses; HRC, 25th session, Situation of human rights in Myanmar, UN Doc A/HRC/25/L.21/Rev. 1
21 RFA (18 Apr 13) Hundreds Protest Pipeline in Burma’s RakhineState; Narinjara News (23 Apr 13) 10 villagers charged with staging illegal a demonstration against CNPC; Mizzima News (23 Apr 13) 10 Maday islanders charged following pipeline protest; Myanmar Times (25 Apr 13) Ten charged over anti-CNPC protest
22 RFA (26 Sep 13) Myanmar Jails Activists Over Protest Against China-Led Petroleum Project
23 Narinjara News (14 Sep 13) Solo protestor sent to prison
24 AP (29 Sep 13) Sectarian tensions flare in Myanmar town; Reuters (30 Sep 13) Muslims in hiding in Myanmar after sectarian strife flares, Irrawaddy (02 Oct 13) Violence Continues in Southern Arakan State, 6 Reported Killed, 60 Homes Destroyed; Myanmar Times (03 Oct 13) Ineffective security at the heart of Rakhine conflict; ICG, Myanmar Times (05 Oct 13) “The police let them burn our homes”; OCHA (15 Oct 13) Report on Findings and Recommendations by Inter-Agency Mission to Thandwe Township in Rakhine State - 4 to 6 October, 2013
25 Narinjara News (24 Feb 15) Farmers demand compensation for farmland destroyed by gas pipeline
26 RFA (06 May 15) Villagers Voice Opposition to Coal-Fired Power Plant in Western Myanmar
27 Irrawaddy (04 Jun 15) Farmers Protest Against Daewoo in Kyaukpyu

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poverty.28 The authorities’ failure to properly compensate displaced villagers, provide adequate new housing and address residents’ subsequent lack of income, among other things, is in direct violation of their right to adequate food and housing, right to work and right to health. These rights are set out in the International Convention on Economic, Social and Cultural Rights (ICESCR), which Burma signed on 16 July 2015[see Burm/Myanmar’s international obligations].

Hundreds of households in Thanlyin/Syriam and Kyauktan Townships outside Rangoon/Yangon were told to vacate their homes by 14 February 2013 to make way for the development of the SEZ.30 In October 2013, villagers facing relocation said regime officials threatened to bulldoze their homes and pressured them into accepting an unfair compensation offer for the loss of their farmland.31 In May 2014, Burmese authorities had reportedly forced 300 local residents to relocate to a new site that lacked adequate housing, clean water, sanitation, and farmland.32 Installed water pumps provided muddy water, compelling relocated residents to buy drinking water. Children were forced to drop out of school because there were no jobs for their parents, while transportation to school cost US$30 per month, or the equivalent of 10 days’ wages.33

On 13 November 2014, Physicians for Human Rights (PHR) released a report entitled, “A Foreseeable Disaster in Burma: Forced Displacement in the Thilawa Special Economic Zone,” which found that forced displacement of residents had a negative impact on people’s livelihood and led to lack of food security, malnutrition and inadequate access to medical care.34

Poor relocation conditions and insufficient compensation led to an increase in protests over land confiscation. On 2 July 2014, local residents launched a formal complaint against the Japanese development group Japan International Cooperation Agency (JICA).35 Affected residents also met with the SEZ Management Committee, Rangoon Division authorities, and the Thilawa Social Development Group to request higher compensation for loss of land in July 2014.36

Phase one of the Thilawa SEZ opened for business on 23 September 2015.37 According to the PHR report, phase two will require the relocation of 3,869 people.38

Letpadaung copper mine: Land confiscation and live ammunition

Since work began in 2011, the Letpadaung (Monywa) copper mine project, operated by China’s Wanbao company and the state-owned Union of Myanmar Economic Holdings (UMEH), has resulted in massive land confiscation. Locals who lost land and livelihoods due to the project’s continued expansion have sought to challenge the confiscations and have been met with sometimes fatal violence from police, including the shooting to death of a farmer and the use of white phosphorus grenades against protestors.39 In 2015, residents of the villages surrounding the mine have continued to face threats to their land, livelihoods and security, while impunity for land confiscation and excessive use of force by state authorities persists.

28 Japan Times (22 Apr 12) Japan to cancel 60% of Myanmar’s debt
29 GNLM (21 Jul 15) Myanmar signs International Covenant on Education, Social and Cultural Rights
30 Myanmar Times (11 Feb 13) Impending evictions taint Thilawa economic zone
31 Irrawaddy (12 Oct 13) Thilawa Farmers Say Govt Pressured Them to Accept Compensation Offer; Myanmar Times (13 Oct 13) Compensation for affected Thilawa residents stalled; Irrawaddy (18 Oct 13) JICA Meets with Thilawa Villagers Over Relocation
32 Bangkok Post (12 May 14) Time for transparency, Myanmar-based businesses told
33 Irrawaddy (9 Apr 14) Relocated Thilawa SEZ Villagers Persist in Calls for JICA Meeting
34 Physicians for Human Rights (13 Nov 14) A Foreseeable Disaster in Burma: Forced Displacement in the Thilawa Special Economic Zone
35 Japan Times (02 June 14) JICA said funding Myanmar evictions; Irrawaddy (3 June 14) Thilawa Residents Formally Complain to Tokyo; Asian Tribune (03 Jun 14) Displaced Villagers File Complaint Regarding Japan’s Investment in Myanmar’s Thilawa Special Economic Zone; DVB (06 June 14) Displaced Thilawa villagers descend on Tokyo
36 Irrawaddy (22 Jul 14) Investigator Meets With Thilawa Residents Over JICA Complaint
37 Xinhua (24 Sep 15) Opening of Myanmar’s first special economic zone marks new chapter of investment
38 Physicians for Human Rights (13 Nov 14) A Foreseeable Disaster in Burma: Forced Displacement in the Thilawa Special Economic Zone
39 RFA (05 Sep 12) Thousands Protest Copper Mine
According to the Upper Burma Lawyers Network and the US-based Justice Trust, officials used fraud and coerced villagers to sign contracts to hand over land for the Letpadaung (Monywa) copper mine’s expansion. Land has often been confiscated without consultation, warning or official permission by the Burmese authorities and Wanbao. The Letpadaung (Monywa) confiscations have so far involved at least 6,785 acres (27.5 km²) of land from 30 villages, in addition to the original land confiscated for the broader Monywa mine project.

In early September 2012, activists, Buddhist monks, and residents of 26 villages in Salingyi Township, Sagaing Division, began campaigning against the expansion of the mine. They demanded that the mine operators stop the project, return confiscated land, and address the mine’s negative environmental impacts. The Burmese/Myanmar authorities reacted to the protests with arrests and excessive use of force. On 10 September 2012, authorities detained and beat 12 female activists for a prayer vigil to protest against the expansion of the Letpadaung (Monywa) copper mine. On 29 November 2012, after three months of protests, police in Salingyi Township used white phosphorus grenades, tear gas, and incendiary devices to disperse a peaceful protest near the mine. Over 100 villagers and Buddhist monks were injured in the attack, many suffering severe burns. The crackdown triggered another wave of demonstrations: activists and Buddhist monks in Sagaing, Rangoon/Yangon, Mandalay, Magwe/Magway, and Irrawaddy/Ayeeyarwady Divisions, and in Shan State, led peaceful demonstrations to demand action against those responsible for the crackdown.

After 2012, police continued to violently suppress protests and charge, detain, and jail activists protesting against the Letpadaung (Monywa) copper mine. Villagers have in some instances been sentenced to hard labor for resisting eviction. On 13 December 2014, police fired rubber bullets into a crowd of farmers at a demonstration near the mine, leaving two protesters injured.

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<td><strong>13 December 2014:</strong> Police fired rubber bullets into a crowd of farmers at a demonstration near the mine, leaving two protesters injured.</td>
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<td><strong>22 December 2014:</strong> Police fired live ammunition at a group of 60 protesters in Hse Tae Village, Salingyi Township, fatally shooting farmer Khin Win.</td>
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<td><strong>23 December 2014:</strong> Three more were injured by police using rubber bullets in Hse Tae.</td>
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<tr>
<td><strong>10 February 2015:</strong> Police clashed with local protesters, injuring at least nine after protesters tried to stop Wanbao bulldozers from entering confiscated land.</td>
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</tbody>
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40 BBC (14 Feb 13) Burma police ‘used white phosphorous’ on mine protesters; VOA (14 Feb 13) Burma Authorities Accused of Fraud, Coercion at China-Backed Mine
41 AI (10 Feb 15) Open for business? Corporate Crime And Abuses at Myanmar Copper Mine
42 Myanmar Times (17 Sep 12) Arrests in Monywa as mine protests escalate; Irrawaddy (03 Sep 12) Family of Detained Rights Activist to Sue
43 RFA (05 Sep 12) Thousands Protest Copper Mine
44 RFA (11 Sep 12) Hundreds Want Activists Released; Irrawaddy (11 Sep 12) Nine Copper Mine Protesters Released; DVB (12 Sep 12) Freed copper mine protesters assaulted by police
45 RFA (28 Nov 12) Police Disperse Mine Protesters; AP (29 Nov 12) Crackdown on copper mine protest in Myanmar injures dozens hours before Suu Kyi visit; Irrawaddy (29 Nov 12) Copper Mine Protesters Burned Out in Police Raid; Myanmar Times (10 Dec 12) Commission will find fair solution, says NLD leader; DVB (06 Dec 12) Commission sidelines gov’t in crackdown investigation; AP (14 Feb 13) Myanmar protesters want justice for mine crackdown; BBC (14 Feb 13) Burma police ‘used white phosphorous’ on mine protesters; Irrawaddy (14 Feb 13) Fraud, Excessive Force Used at Letpadaung Mine: Report; Myanmar Times (18 Feb 13) Lawyers’ Network urges government to act over crackdown
46 RFA (28 Nov 12) Police Disperse Mine Protesters; AP (29 Nov 12) Crackdown on copper mine protest in Myanmar injures dozens hours before Suu Kyi visit; Irrawaddy (29 Nov 12) Copper Mine Protesters Burned Out in Police Raid; Myanmar Times (10 Dec 12) Commission will find fair solution, says NLD leader; DVB (06 Dec 12) Commission sidelines gov’t in crackdown investigation; AP (14 Feb 13) Myanmar protesters want justice for mine crackdown; BBC (14 Feb 13) Burma police ‘used white phosphorous’ on mine protesters; Irrawaddy (14 Feb 13) Fraud, Excessive Force Used at Letpadaung Mine: Report; Myanmar Times (18 Feb 13) Lawyers’ Network urges government to act over crackdown
47 Reuters (01 Dec 12) Calls grow for probe into police violence at Myanmar mine
48 AP (03 Dec 12) Myanmar mine protesters denied release on bail; RFA (03 Dec 12) Mine Probe Panel Revamped: BBC (03 Dec 12) Burma courts charge protesters over copper mine protest; Irrawaddy (04 Dec 12) Six Mine Protesters Charged With Incitement; Mizzima News (04 Dec 12) 88 Generation students urge government not to arrest protesters; EMG (06 Dec 12) Police files suit against copper mine protesters; AP (04 Dec 12) Myanmar Mine Protesters Denied Bail; AFP (14 Dec 12) Burmese officials make new mine protest arrests; RFA (14 Dec 12) More Mine Activists Arrested; Irrawaddy (14 Dec 12) Anti-Copper Mine Activists Detained; DVB (18 Dec 12) Protesters set up new camps near controversial mine
49 AHRC (29 Apr 13) BURMA: Criminalization of rights defenders and impunity for police; RFA (29 Apr 13) Hundreds Demand Probe of Burmese Mine Crackdown Five Months On; Irrawaddy (08 Jul 13) Complaints About Over Letpadaung Implementation Committee; RFA (09 Jul 13) Myanmar Activist Jailed 10 years For Anti-Mine Protest; DVB (17 Feb 14) Protestors arrested after

crowd of farmers at a demonstration near the mine, leaving two protestors injured.\(^{50}\) On 22 December, police fired live ammunition at a group of around 60 locals protesting near the mine in Hse Tae Village, where Wanbao was fencing off villagers’ land without official permission or consultation. Police presence had been increasing in the area as land confiscation efforts were stepped up. The police shot dead one woman, Khin Win, and injured up to 20 other people.\(^{51}\) The next day, three more were injured by police using rubber bullets in Hse Tae.\(^{52}\) From 22-23 December, Wanbao also bulldozed and demolished palm trees and crops in Ohn Thin Pin Village.\(^{53}\)

After the killing, international and national rights organizations called on the authorities to investigate,\(^{54}\) and 300 protestors clashed with police in Rangoon in front of the Chinese Embassy where they were demanding the closure of the mine.\(^{55}\) Four activists were arrested following the protest,\(^{56}\) and, more recently, independent candidate in the 8 November 2015 elections Myat Nu Khine was charged for her involvement in the protests and detained in Insein prison.\(^{57}\) On 5 January 2015, the committee appointed by Naypyidaw to investigate the killing released a statement blaming “instigators” for the violence, while the National Human Rights Commission recommended action being taken against the police.\(^{58}\) To date, no one has been held accountable for the killing.

Arrests and imprisonments of activists protesting Letpadaung have continued throughout 2015:

- **10 February**: Police clashed with local protestors at the Letpadaung (Monywa) copper mine project site in Salingyi Township, Sagaing Division, injuring at least nine people after protestors tried to stop Wanbao bulldozers from entering land that had been confiscated for the project.\(^{59}\)
- **1 April**: Rangoon’s Bahan Township Court sentenced activist Naw Ohn Hla and Than Swe to four months in prison each under Article 18 of the Peaceful Assembly Law for a protest against the Letpadaung (Monywa) copper mine in Sagaing Division in November 2014.\(^{60}\)
- **15 May**: Rangoon’s Dagon Township Court sentenced six activists to four years and four months in prison under Articles 147, 353, 505(b) of the Criminal Code, and Article 18 of the Peaceful Assembly Law for a 29 December 2014 demonstration against the shooting by police of villager Khin Win.\(^{61}\) On 20 August, Ahlone Township Court, Rangoon Division, sentenced five of the activists to an additional four months in prison under Article 18 of the Peaceful Assembly Law.\(^{62}\)
- **3 August**: Police in Salingyi Township, Sagaing Division, temporarily detained seven people for a peaceful confrontation with Letpadaung copper mine employees, who they had asked to take appealing for Latpadaung activist’s release; Irrawaddy (05 Feb 14) Eight Detained as Opposition to Burma’s Letpadaung Copper Mine Continues; DVB (22 Mar 12) Villagers resist eviction, sentenced to hard labour

DVB (14 Dec 14) Two injured as Latpadaung protestors clash with police; EMG (16 Dec 14) Mine security fires on protesting villagers

DVB (22 Dec 14) Riot police open fire on Latpadaung protestors; AP (22 Dec 14) Woman Fatally Shot at Myanmar Mine Protest; Reuters (22 Dec 14) Police fire on Myanmar protesters, one dead, 20 hurt: reports; Irrawaddy (22 Dec 14) Police Kill Villager in Copper Mine Standoff; NYT (22 Dec 14) Woman Killed While Protesting Chinese Copper Mine in Myanmar; WSJ (22 Dec 14) Protesters Clash With Authorities in Myanmar Over Copper Mine; RFA (22 Dec 14) Woman Shot Dead During Clash With Police Over Myanmar Mine Project; Mizzima News (23 Dec 14) Police kill villager during Letpadaung copper mine protest; DVB (25 Dec 14) Latpadaung protestor was killed by gunshot, says coroner

DVB (23 Dec 14) Two more injured at Letpadaung as police fire rubber bullets; AP (23 Dec 14) Myanmar Villagers Remain in Standoff Over Mine; Irrawaddy (23 Dec 14) More Villagers Injured in Letpadaung Mine Protests; Mizzima News (24 Dec 14) Two people ‘shot’ in further clashes at Letpadaung copper mine; RFA (23 Dec 14) Clashes Continue Over Myanmar Mining Project

Al (10 Feb 15) Open for business? Corporate Crime And Abuses at Myanmar Copper Mine

Al (27 Nov 14) Myanmar: Serious risk of further human rights abuses at controversial Letpadaung mine; Irrawaddy (26 Dec 14) CSOs Condemn Govt Response to Mine Protests

Mizzima News (30 Dec 14) Mine protestors clash with police at Chinese embassy; DVB (30 Dec 14) Nay Myo Zin, Naw Ohn Hla arrested over Latpadaung protest; EMG (30 Dec 14) Letpadaungtaung protests clash with police at Chinese embassy; RFA (31 Dec 14) Four Charged in Myanmar Anti-Mine Protest

Al (10 Feb 15) Open for business? Corporate Crime And Abuses at Myanmar Copper Mine


GNLM (06 Jan 15) Committee for implementing Latpadaungtaung copper mine investigation report calls on people for being aware of instigations to prevent undesirable accidents; Irrawaddy (06 Jan 15) Locals Condemn Letpadaung Committee Claims on Compensation, Police Conduct; DVB (06 Jan 15) Villagers, activists condemn Letpadaung committee report; EMG (06 Jan 15) Official statement on controversial mining project takes heat; GNLM (15 Jan 15) MNHRC makes a statement on Letpadaungtaung riot; Irrawaddy (15 Jan 15) Human Rights Commission Faults Police Over Copper Mine Shooting; DVB (15 Jan 15) Letpadaung killing; Police slammed for conduct

DVB (11 Feb 15) Latpadaung: slingshot fight leaves 9 villagers injured; Myanmar Times (16 Feb 15) Fresh tension, injuries at Letpadaung mine

EMG (04 Apr 15) Letpadaungtaung protestors sentenced to four months in prison

Irrawaddy (15 May 15) Activists Get 4-Plus Years for Embassy Protest of Letpadaung Killing; DVB (15 May 15) Six Latpadaung activists jailed for more than four years; AP (15 May 15) Myanmar court hands hard-labor sentences to 6 activists; EMG (18 May 15) Six jailed for protest over Letpadaungtaung killing

DVB (20 Aug 15) Additional sentences for Letpadaung activists
responsibility for exacerbating floods in the area which destroyed crops and homes through construction of dirt embankments around the mine.\textsuperscript{63}

On 10 February, Amnesty International released its report, “Open for Business? Corporate Crime and Abuses at Myanmar Copper Mine.” The report documented how international mining firms, including Wanbao, were complicit in and derived financial benefit from serious human rights abuses, including forced evictions and authorities’ excessive use of force to quell protests against the Letpadaung project [see Implications for Investment]. It also found that Chinese company Wanbao was directly involved in forced evictions, a clear indication of the link between international investment in natural resource extraction, and human rights abuses including and related to land confiscation. Amnesty International described the Letpadaung (Monywa) copper mine as a project characterized by human rights abuses and a lack of transparency.\textsuperscript{64}

DEVELOPMENT PROJECTS & CONFLICT

The ‘resource curse’: A trigger for conflict and cause of uneasy peace

Control over Burma/Myanmar’s vast natural resources – including oil, gas, teak, precious gems, minerals, and hydropower potential – has both precipitated conflict and undermined peace accords between the central government and ethnic nationality groups. This is due to the fact that most natural resources exist in ethnic minority areas, yet the authorities have prioritized export of natural resources as a primary source of revenue without addressing local concerns.\textsuperscript{65} Increase in foreign investment since 2011 has amplified the situation, leading to greater volatility in the world’s longest-running civil war.

Myitsone mega-dam: Conflict unplugged

A key development project highlighting the intersection of land confiscation and ignition of armed conflict is the 2011 breakdown of a 17-year ceasefire between the Kachin Independence Organization/Army (KIO/A) and Naypyidaw due to the Myitsone mega-dam near Myitkyina, Kachin State. 2011 saw 99% of foreign investment directed toward oil, gas, mining and power sectors.\textsuperscript{66} China earmarked $3.6 billion to build Myitsone, which would’ve been Burma’s largest dam, flooding an area the size of Singapore while returning 90% of the energy generated to China.\textsuperscript{67} Besides the KIA’s decision to not transform into a state-sanctioned border guard force (BGF) in 2009, the group’s refusal to relinquish control of “areas with lucrative Chinese hydropower projects” was a direct precursor to Tatmadaw hostilities, according to Kachin Women’s Association Thailand (KWAT), among others.\textsuperscript{68}

Strong condemnation of the Myitsone project, due to its negative impact on local communities, including the displacement of 12,000 people, and the serious threat it posed to the environment,\textsuperscript{69} caused President Thein Sein to suspend the Myitsone Dam project on 30 September 2011.\textsuperscript{70} Despite the suspension of the project, human rights violations related to the development of the Myitsone Dam continued. In March 2012, the regime ordered the destruction of homes and buildings next to the project site in Tang Hpre Village, Myitkyina Township, and arrested more than 10 villagers displaced by the project for attempting

\textsuperscript{63} Irrawaddy (04 Aug 15) Letpadaung Villagers Briefly Detained After Flood Confrontation

\textsuperscript{64} Al (10 Feb 15) Open for business? Corporate Crime And Abuses at Myanmar Copper Mine

\textsuperscript{65} Asia Foundation (17 June 14) Natural Resources and Subnational Governments in Myanmar: Key considerations for wealth sharing; Asia Correspondent (18 Oct 13) Analysis: Burma’s natural resources curse

\textsuperscript{66} TrustLaw (30 Aug 12) Steeped in poverty, Myanmar targets natural resources

\textsuperscript{67} TrustLaw (30 Aug 12) FACTBOX - Lure of Myanmar's natural resources; VB (04 Apr 12) Leaked document reveals Myitsone dam set to reopen

\textsuperscript{68} Kachin Women’s Association Thailand (Oct 11) Burma’s covered up war: Atrocities against the Kachin People; TrustLaw (30 Aug 12) FACTBOX - Lure of Myanmar's natural resources

\textsuperscript{69} AP (11 Aug 11) Myanmar’s Suu Kyi urges reassessment of dam.; BBC (30 Sep 11) Burma dam: Why Myitsone plan is being halted; Huffington Post (04 Oct 11) The Myitsone Dam Decision in Burma; The Guardian (4 Mar 14) Burmese villagers exiled from ancestral home as fate of dam remains unclear

\textsuperscript{70} AP (30 Sep 11) Myanmar to stop construction of controversial dam; Irrawaddy (02 Sep 11) ‘Save the Irrawaddy’ Campaign Gains Momentum; Mizzima News (14 Sep 11) Gov’t must choose: the benefits of Myitsone dam or people’s protests?; Irrawaddy (16 Sep 11) Burma’s Burning Issue - The Myitsone Dam Project; Asian Tribune (19 Sep 11) Burma must be vigilant to avoid the disastrous dam on Irrawaddy River; Irrawaddy (21 Sep 11) The Myitsone Dam: A Cause for Unity or an Uprising in the Making?; IRIN (21 Sep 11) MYANMAR: Dam busts fight back; Irrawaddy (22 Sep 11) Myitsone Dam Outrage Turns Toward Chin; Mizzima News (26 Sep 11) Myitsone Dam study should be made public: Dr. Htin Hla; Irrawaddy (26 Sep 11) Is the Myitsone Dam Burma’s WMD?; Myanmar Times (26 Sep 11) Dammed if you do: youth urge govt to scrap project; Myanmar Times (26 Sep 11) Environmentalists ramp up fight to halt hydro project
to return to their homes.\textsuperscript{71} Those affected were relocated to a resettlement village with inadequately constructed housing.\textsuperscript{72}

The resulting war in Kachin and Shan States is ongoing and has displaced at least 120,000 people, with many clashes occurring in jade and ruby rich areas or along trade routes.\textsuperscript{73} Despite the suspension and continued negative impacts of the project, President Thein Sein in July 2013 told the UK-based think-tank Chatham House that a new government might decide to continue construction of the dam project after an environmental impact assessment.\textsuperscript{74}

**Ceasefires: Land open for the taking**

Episodic peace since the 1990s has been overshadowed by the collusion of private and public entities forcibly evicting villagers from their land. This worrisome trend has been called “ceasefire capitalism,”\textsuperscript{75} and entails armed actors clearing private and communally-held land, allocating concessions to contractors, and securing holdings for companies in previously off-limits areas.\textsuperscript{76} Regime officials, domestic and foreign corporations, and state and non-state armed groups are responsible for nearly all land confiscation in these instances.\textsuperscript{77}

**Kachin state: Resource and land grabs set stage for 2011 war**

In the wake of the 1994 ceasefire with the Kachin Independence Organization/Army (KIO/A), Burmese and Chinese firms overran local economies in Kachin State, attracted by the landless surplus labor and extra-legal concessions created by Tatmadaw officials.\textsuperscript{79} The scaling up of extractive industries – especially gold mining – frequency of land grabs, and increase in the Tatmadaw’s presence in Kachin State were all positively correlated.\textsuperscript{80} Nearly 20% of the state’s land was allocated to mining, and 200,000 acres of the Hugawng Valley Tiger Reserve transformed into monoculture croplands by crony businessmen from Yuzana Company, causing the eviction of at least 163 households.\textsuperscript{81} Some of those forcibly relocated to “model villages” were prohibited from growing anything other than tapioca for Yuzana.\textsuperscript{82} The exceptional reserves of Hpakant Township’s jade mines similarly came under the junta and Tatmadaw’s control at this time,\textsuperscript{83} and the resulting jade trade was recently reported to have netted high-level government officials, former junta leader Than Shwe, and their associates US$31 billion in 2014 – perhaps “the biggest natural resource heist in modern history,” according to Global Witness.\textsuperscript{84}

In the Hugawng Valley alone, Kachin Development Networking Group documented the forcible confiscation of over 250 acres of homesteads and farmlands from 1991 to 2005 by battalion officers, contractors, and securing holdings for companies in previously off-limits areas. Regime officials, domestic and foreign corporations, and state and non-state armed groups are responsible for nearly all land confiscation in these instances.

\textsuperscript{71} Kachin News Group (08 Mar 12) Despite Myitsone dam halt government to destroy village; Kachin News Group (07 Mar 12) 10 arrested after returning home to Myitsone dam village
\textsuperscript{72} Irrawaddy (16 Oct 15) Myitsone Dam, Kachin Conflict under Spotlight in New Film
\textsuperscript{73} Irrawaddy (21 Sep 15) Scores Displaced Following Fighting in Kachin State’s Mansi Township; Myanmar Times (08 Oct 15) Renewed attacks cast doubt on ceasefire pledge
\textsuperscript{74} Irrawaddy (13 Aug 15) As Elections Draw Near, Fate of Myitsone Dam Remains Uncertain
\textsuperscript{75} Kevin Woods (14 Sep 11) Ceasefire capitalism: military–private partnerships, resource concessions and military–state building in the Burma–China borderlands; L Gum Ja Htung (N/A) Land Grabbing As A Process Of State-Building In Kachin Areas, North Shan State, Myanmar
\textsuperscript{78} KDNG (2010) Tyrants, Tycoons and Tigers: Yuzana Company Ravages Burma’s Hugawng Valley
\textsuperscript{80} KDNG (2007) Valley of Darkness
\textsuperscript{81} Francis Wade (29 Nov 13) Ceasefire Capitalism: Why Burma’s rebels have every reason to be suspicious of government emissaries talking peace; KDNG (2010) Tyrants, Tycoons and Tigers: Yuzana Company Ravages Burma’s Hugawng Valley
\textsuperscript{82} KDNG (2010) Tyrants, Tycoons and Tigers: Yuzana Company Ravages Burma’s Hugawng Valley
\textsuperscript{83} Images Asia (Nov 2004) At what price? Gold mining in Kachin State, Burma
\textsuperscript{84} Irrawaddy (23 Oct 15) $31b Jade Trade Enriches Elite, Fuels Ethnic Conflict: Report
including Regional Operations Command authorities. Entire towns, such as Danai, were effectively taken over. Kachin script was outlawed, and military farms imported prison labor. Previously well-off farmers were given useless marshlands or forced to search for work in Myitkina, upland fields, or in military-procured gold mines. Villagers from ruptured families and communities were also driven to participate in the burgeoning drug and prostitution economies that flourished around gold mining operations under military oversight.

Karen/Kayin State: More peace, more grabbed land

In southeast Burma, more recently, the 2012 ceasefire with the Karen National Union (KNU) similarly led to increased militarization by the Tatmadaw in tandem with three types of development projects: infrastructure, natural resource extraction, and commercial agriculture.

During 2013 and 2014, 126 cases of forcible land confiscation were documented in Karen/Kayin and Mon States and Tenasserim/Tanintharyi and Pegu/Bago Divisions. Hti Lom Dam in central Karen State alone flooded 3,000 acres of villagers’ lands. While liberalization of the economy underlies the crisis, the lack of strong regulatory mechanisms, independent oversight, or judicial remedy means responsible parties need not provide consultation prior to seizure or monetary compensation after the fact. Rigged laws, such as the Vacant, Fallow and Virgin Lands Management Law (2012) are instruments used by land grabbers to justify their claims [see textbox Laws that support land confiscation].

The precedents set by the 2012 ceasefire — and the 1994 KIO/A accord — do not bode well for the achievement of sustainable peace under 2015’s Nationwide Ceasefire Agreement (NCA, only ratified by less than half of the ethnic bloc), which “in principle” charters more equitable terms of self-determination and wealth sharing commensurate with land management. Nine days after the 15 October signing of the NCA, the Tatmadaw flouted the KNU’s request that government troop movements in KNU-held territory receive clearance beforehand, with heavy weapons and troops rotated in order to defend “against outside enemies.” This recalls years of reinforcements sent to Kachin State after 1994 that provided a tactical advantage when the regime provoked conflict in 2011.

Ethnic leaders speak out

In September, 2015, prominent ethnic leader and Shan Nationalities League for Democracy Chairman Hkun Htun Oo told press that reforming constitutional articles to equalize natural resource revenues is a “focal point” for ethnic people. Karenni National Progressive Party Secretary 2 Shwe Myo Thant told the media in October 2015 that the main issue facing the new government in Karenni/Kayah State is “The land issue. Sixty percent of the people here depend on the land for their livelihoods. And there are still so many land confiscations.” These concerns have been echoed by Shan State youth, Kachin State candidates, and voters in Tenasserim Division. Conversely, the regime has signaled its own desires: At a post-signing press conference on 15 October, 2015, President’s Office Minister and chief regime ceasefire negotiator Aung Min promoted Naypyidaw’s plans to underwrite development projects in ceasefire areas – including areas under non-signatory control if these groups consent – with domestic and foreign capital, especially industrial zones with garment factories and commercial agribusinesses.
IMPLICATIONS FOR INVESTMENT

Foreign investment in Burma/Myanmar: a risky venture

Development projects linked to land confiscation often involve the engagement of security forces and militias, firstly, to force residents to leave, and secondly, to secure the emptied zone. The militarization of these zones increases the threat of violence against civilians and fuels armed conflict [see Development projects and conflict]. Foreign investors and companies benefiting from land grabbed under such circumstances therefore risk being complicit in serious human rights violations and risk damage to their reputations, or future lawsuits from individuals claiming ownership rights. Some foreign investors have also been directly involved in human rights violations, particularly land confiscation, through collusion with Burmese authorities. An Amnesty International report released in 2015 found that Chinese company Wanbao, which jointly operates the Letpadaung (Monywa) copper mine in Sagaing Division, provided and operated bulldozers used to confiscate villagers’ farmland near the mine [see Letpadaung copper mine: Land confiscation and live ammunition].

Several reports released in 2015 highlighted risks that foreign investors face when pursuing joint ventures in Burma:

- **24 March**: The Asian Development Bank’s (ADB) “Myanmar: Cross-Cutting Governance Challenges” highlighted economic governance deficiencies; problems in the land market due to the military’s prominence in land confiscation; and the pervasive militarization of the bureaucracy.
- **20 July**: The Myanmar Centre for Responsible Business found a substantial lack of transparency among companies, with only around eleven of 100 domestic companies surveyed providing clear and accessible information on human rights, health and safety policies on their website.

INTERNATIONAL RESPONSE & OBLIGATIONS

Burma/Myanmar backtracks on reforms: UN concern over land grabs

The UN, through its Special Rapporteur on the situation of human rights in Myanmar, has directed sharp criticism at Burmese authorities for failing to address land confiscation and human rights violations in relation to development projects. In February 2014, former Special Rapporteur Tomás Ojea Quintana criticized Naypyidaw for failing to address land grabs, and the subsequent loss of livelihood and health problems, related to the Letpadaung (Monywa) copper mine. Current Special Rapporteur Yanghee Lee has repeatedly emphasized land confiscation and forced evictions as “major challenges” that may jeopardize reform in Burma. In 2015, Yanghee Lee issued multiple statements criticizing the authorities’ backtracking on reform in relation to development projects, which lack adequate consultation with affected communities, as well as continued land confiscation and forced eviction. On 28 October 2015, Yanghee Lee submitted a report to the UN General Assembly on her August visit to Burma, reiterating her concerns, adding that land rights issues, among other things, “lie at the heart of decades of conflict,” and should be included in political dialogue in order to build sustainable peace [see Development projects and conflict].

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99AI (10 Feb 15) Open for business? Corporate Crime And Abuses at Myanmar Copper Mine  
100ADB (24 Mar 15) Myanmar: Cross-Cutting Governance Challenges  
102UNIC Yangon (19 Feb 14) Myanmar: UN rights expert hails changes, but highlights remaining challenges  
105OHCHR (28 Oct 15) Statement by Yanghee Lee, Special Rapporteur on the Situation of Human Rights in Myanmar at the 70th session of the General Assembly
Burma/Myanmar’s international obligations

On 25 September 2015, the UN adopted 17 Sustainable Development Goals (SDGs) and 169 targets building on the previous “Millennium Development Goals.” The goals include the eradication of poverty by, among other things, ensuring that everyone has equal access to “basic services, ownership and control over land and other forms of property,” and implementing “sound policy frameworks at the national, regional and international levels, based on pro-poor and gender-sensitive development strategies.” The goals also include a target to be met by 2030 to “double the agricultural productivity and incomes of small-scale food producers,” through secure ownership and control of land, and enhancement of participatory, responsive and representative decision-making at all levels of the state. Burma’s continued land confiscation, arrest and intimidation of land rights activists, denial of compensation and lack of transparency in development projects undermines the SDGs and places doubt on the authorities’ commitment to sustainable development and democratic reform.

On 16 July 2015, Burma signed the International Convention on Economic, Social and Cultural Rights, which requires state parties to guarantee the rights to work, health, and adequate housing, among others. The authorities’ continued confiscation of land, provision of poor housing for those relocated and the subsequent poverty experienced by those displaced by land confiscations clearly violate these rights, which the country has expressed its intention to uphold by taking this step towards ratification.

CRACKDOWN ON LAND RIGHTS ACTIVISTS

Land rights activists jailed or facing trial, 3 killed

Restrictions on freedom of expression and peaceful assembly in Burma/Myanmar have increased over the past year, with a 172% increase in political prisoners from September 2014-2015. One of the most noticeable trends is the increase in arrests and imprisonment of land rights activists, described by Human Rights Watch as the “new political prisoners.” A recent report by Physicians for Human Rights found that 58 of 115 political prisoners currently behind bars in Burma were arrested for protesting land confiscations, and 86 land activists and 961 farmers had been charged or were facing trial, according to data from the Assistance Association for Political Prisoners (AAPP). The report found that 64% of people felt compelled to accept confiscation of their land and poor compensation from authorities due to intimidation and fear of what would happen if they refused, evidence of a chilling effect created by the authorities’ crackdown on land rights activism.

Since June 2014, there have been three documented cases of land rights activists being killed, one of whom was shot dead by police, while unidentified assailants murdered the others. Police have also used excessive force against protestors in multiple instances, shooting at least two. In at least one of the killings, no one has been charged. In contrast to this impunity, authorities have increased their use of criminal charges against peaceful protesters challenging land confiscations. In the past year and a half, there have been at least 75 documented cases of activists being charged and/or sentenced for protests and other actions relating to land rights.

Documented arrests, imprisonments & use of force against land rights protestors

During 2014

• 4 June: Two unidentified men abducted land rights defender and local National League for Democracy (NLD) Vice-Chairman San Tun – who had been helping farmers demand the return of land confiscated by the Tatmadaw – from his home in Hopong Township, Shan State. On 5 June, San Tun’s body was found near his village with bullet holes in the back of his head and wounds on his hands.110

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106 UNGA (25 Sep 15) Transforming our world: the 2030 Agenda for Sustainable Development, UNGA, 70th session, UN Doc A/RES/70/1
107 See Altsean Burma (04 Oct 15) Post-2014 UNGA Resolution Developments In Burma; AAPP (13 Sep 15) 109 political prisoners list in prison; AAPP (01 Sep 15) Update Total Facing Trial List, 460
108 HRW (15 Aug 15) Burma: Land Rights Activists Are Newest Political Prisoners
109 PHR (05 Oct 15) Forced Displacements and Destroyed Lives around Upper Paunglaung Dam in Shan State, Myanmar
110 Irrawaddy (06 Jun 14) Local NLD Leader Shot Dead in Shan State; DVB (05 Jun 14) Politician murdered in Taunggyi; VOA (05 Jun 14) Land Rights Activist Murdered in Burma
4 June: Kyauktada Township Court sentenced Movement for Democracy Current Force (MDCF) activist Htin Kyaw to three months in prison under Article 18 of the Peaceful Assembly Law for protesting against land confiscation in Thameelay Village, in Rangoon/Yangon’s Hlegu Township.  

9 July: Bahan Township Court sentenced MDCF leader Htin Kyaw to an additional three months in prison under Article 18 of the Peaceful Assembly Law for attempting to visit Aung San Suu Kyi regarding a land confiscation in Mayangone Township, Rangoon/Yangon Division.  

14 August: Police opened fire on a group of about 200 protesters in Singu Township, Mandalay Division, who had been demanding the return of land confiscated by the regime in 1991. At least two villagers were injured, including one woman who was shot in the leg.  

29 October: Hpa-an Township Court, Karen/Kayin State, sentenced six farmers to one month in prison or a 20,000 kyat (US$20) fine each for a protest on 25 August, during which they called on authorities to return confiscated land.  

13 December: Police fired rubber bullets into a crowd of farmers at a demonstration near the Letpadaung (Monywa) copper mine in Salingyi Township, Sagaing Division, leaving two protestors injured.  

18 December: Authorities in Rangoon’s Kyauktada Township arrested activist Wai Lu and charged him the following day under Article 505(b) of the Criminal Code for assisting protesters from Michaungkan Village in Rangoon’s Thingangyun Township demanding the return of land confiscated by the Tatmadaw in the 1990s.  

18 December: Rangoon’s Hlaing Township Court charged MDCF leader Htin Kyaw under Articles 18 and 19 of the Peaceful Assembly Law for a March 2014 protest against land confiscation in Rangoon’s Mayangone Township. In total, Htin Kyaw has been sentenced 14 times for several demonstrations in 2014 and faces 13 years and four months in prison, six months of which relate to land grab protests.  

22 December: Authorities charged five protesters under Articles 341, 342, and 343 of the Criminal Code for obstructing the entrance to Rangoon City Hall. The protestors, from Michaungkan Village, Thingangyun Township, Rangoon Division, had camped out in Maha Bandoola Park, opposite the Rangoon City Hall in Kyauktada Township, since 24 March to demand the return of land confiscated by the Tatmadaw in the 1990s.  

22 December: Police fired live ammunition at a group of around 60 locals protesting in Hse Tae Village near the Letpadaung (Monywa) copper mine. The police killed one woman, Khin Win, and injured up to 20 other people.  

23 December: Police fired rubber bullets at protestors protesting in Hse Tae Village near the Letpadaung (Monywa) copper mine, injuring three.  

During 2015  

21 January: Naypyidaw’s Pobhathiri Township Court sentenced 19 residents of Webyan Village, Zeyaethi Township, Naypyidaw, to prison terms ranging from four to seven years with hard labor for a plow protest against the regime’s confiscation of their land.
• **27 January**: Tatmadaw troops in Maymyo/Pyin Oo Lwin Township, Mandalay Division, threw stones and beat local villagers, seriously injuring one, after a confrontation with farmers over the fencing off of their land.  

• **10 February**: Police clashed with local protesters at the Letpadaung (Monywa) copper mine project site in Salingyi Township, Sagaing Division, injuring at least nine people after protesters tried to stop Wanbao bulldozers from entering land that had been confiscated for the project.  

• **18 February**: A court in Rangoon’s Kyauktada Township sentenced 14 activists to six months in prison each under Article 18 of the Peaceful Assembly Law and Articles 143 and 341 of the Criminal Code for protesting in front of Rangoon City Hall in December 2014 against the confiscation of their land in Michaugkkan Village, Thingangyun Township, Rangoon Division.  

• **26 February**: Authorities in Tenasserim/Tanintharyi Township, Tenasserim/Tanintharyi Division, charged 14 villagers under Articles 294 and 447 of the Criminal Code after a clash between farmers and authorities over land that had been confiscated by developers for a palm oil plantation project.  

• **26 March**: Sandoway/Thandwe Township Court, Arakan/Rakhine State, sentenced Ko Soe Wai to three months in prison under Article 18 of the Peaceful Assembly Law for protesting for the return of confiscated farmland in the township on 28 January 2015.  

• **1 April**: Rangoon’s Bahan Township Court sentenced activist Naw Ohn Hla and Than Swe to four months in prison each under Article 18 of the Peaceful Assembly Law for a protest against the Letpadaung (Monywa) copper mine in Sagaing Division in November 2014.  

• **8 April**: Rangoon’s Kyauktada Township Court sentenced activist Wai Lu to one year in prison under Article 505(b) of the Criminal Code for supporting land rights defenders from the Michaugkkan community who were challenging land confiscation by staging a sit-in protest near Rangoon’s City Hall in December 2014.  

• **23 April**: Padaung Township Court, Pegu/Bago Division, sentenced land rights defender Ye Kyaw Thu to one year and six months in prison under Article 505(b) of the Criminal Code for supporting farmers staging a protest against land confiscation in Prome/Pay Township, Pegu Division.  

• **27 April**: Pruso/Pruso Township Court in Karenni/Kayah State, sentenced three land rights defenders from Solyaku Village, Pruso Township, to 15 days in prison or a 500 kyat (US$0.50) fine for an August 2014 plow protest against the confiscation of more than 1,200 acres of land by the Tatmadaw in the 1990s.  

• **29 April**: Authorities in Mandalay arrested two NLD members (Kyaw Thu Myint and Aung Ko Win) and charged them under Articles 143, 147, and 505(a) of the Criminal Code for filming a confrontation between police and farmers in Mandalay’s Myo Thar Industrial Park.  

• **15 May**: Rangoon’s Dagon Township Court sentenced six activists to four years and four months in prison under Articles 147, 353, 505(b) of the Criminal Code, and Article 18 of the Peaceful Assembly Law.

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**Women arrested after uncle’s self-immolation in protest of land grabs**

On 21 May 2015, farmer Myint Aung from Yepu village in Taunggyi Township, Shan State, set himself on fire in protest against Tatmadaw attempts days before to seize villagers’ land to build a barracks. He died in hospital on 23 May after suffering severe burns over 90% of his body.

Later, on the same day as Myint Aung’s self-immolation, a Tatmadaw official filed charges at Nyaungshwe police station, Shan State, against the farmer’s two nieces. The charges were under Articles 427 and 447 of the Criminal Code for vandalism and trespassing.

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123 EMG (28 Jan 15) Farmers clash with troops near Pyin Oo Lwin military school

124 DVB (11 Feb 15) Letpadaung: slingshot fight leaves 9 villagers injured; Myanmar Times (16 Feb 15) Fresh tension, injuries at Letpadaung mine

125 Myanmar Times (25 May 15) Farmer burns himself to death in protest against army land grab; Irrawaddy (25 May 15) Funeral Held for Farmer After Land Seizure Protest

126 DVB (02 Jun 15) Nieces of self-immolating farmer charged with trespassing

127 DVB (18 Feb 15) Six month jail-time for 14 Michaungkkan activists; Irrawaddy (19 Feb 15) 14 Michaungkkan Protestors Get Six-Month Prison Terms


129 Natrinjara News (01 Apr 15) Land Protester Imprisoned for Three Months

130 EMG (04 Apr 15) Letpadaungtaung protesters sentenced to four months in prison

131 EMG (09 Apr 15) Michaungkkan supporter sentenced to one year in prison; FIDH (Apr) HRDF Update

132 FIDH – May HRDF update

133 DVB (28 Apr 15) Anger as ‘plough protest’ farmers found guilty; DVB (04 May 15) ‘Plough protest’ supporters rally in Loikaw

134 Myanmar Times (01 May 15) NLD duo arrested for filming stand-off
Law for a 29 December 2014 demonstration against the shooting by police of villager Khin Win. On 20 August, Ahlone Township Court, Rangoon Division, sentenced five of the activists to an additional four months in prison under Article 18 of the Peaceful Assembly Law.

- **21 May:** At Nyaungshwe Township police station, Shan State, a Tatmadaw official filed charges against a farmer’s two nieces, under Articles 427 and 447 of the Criminal Code for vandalism and trespassing, on the same day that their uncle commits self-immolation in protest against the seizure of his land by the Tatmadaw.

- **26 May:** Meikhtila District Court, Mandalay Division, sentenced six farmers to five months in prison under Articles 447 and 427 of the Criminal Code for a plow protest in 2013 against land confiscated by the Tatmadaw in 1991.

- **2 July:** Unknown assailants shoot and kill land rights activist and local NLD chairman Saw Johnny outside his home in Einnel Village, Hpa-an Township, Karen State.

- **8 July:** Local miners and police clashed, leaving 20 miners and eight police injured in Thabeikkyin Township, Mandalay Division, over a land dispute related to a gold mine in the area.

- **23 July:** Police in Pegu Division arrested and detained land rights activist Su Su Nway for trespassing under charges filed by Tatmadaw Captain Hein Zaw, after she met with farmers in Nyaunglebin Township, Pegu Division, who were protesting against the Tatmadaw’s seizure of their lands.

- **3 August:** Police in Salingyi Township, Sagaing Division, temporarily detained seven people for a peaceful confrontation with Letpadaung (Monywa) copper mine employees, who they had asked to take responsibility for exacerbating floods in the area which destroyed crops and homes through construction of dirt embankments around the mine.

- **13 October:** Troops from Tatmadaw Battalion 330, called in by local Loi Khan Lone Company management, opened fire on 20 villagers from Na Hai Long Village, Tachilek Township, Eastern Shan State, who had trekked to inspect if gold mining had ceased as agreed a year prior. A 50-year-old man later died in Mong Phyak hospital, while five others were injured.

- **16 October:** Police arrested and charged independent Pegu Division election candidate Myat Nu Khine under Article 505(b) of the Criminal Code and Article 18 of the Peaceful Assembly Law and detained her in Insein Prison for taking part in a protest in December 2014 against the killing of a protestor at the Letpadaung (Monywa) copper mine.

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“Sold out: Launch of China Pipeline Project Unleashes Abuse across Burma”  Shwe Gas Movement  http://goo.gl/PPHznh

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