

# PEACE & CONFLICT UPDATE – OCTOBER 2017

**BURMA  
LINK**

Updates archive: <http://www.burmalink.org/peace-conflict-updates/>

Updates archive: <https://www.burmalink.org/peace-process-overview/>

## ACRONYM DICTIONARY

AA	Arakan Army
ALP	Arakan Liberation Party
BA	Burma Army (Tatmadaw)
CSO	Civil Society Organisation
DASSK	Daw Aung San Suu Kyi
EAO	Ethnic Armed Organisation
FPNCC	Federal Political Negotiation Consultative Committee
IDP	Internally Displaced Person
KBC	Karen Baptist Convention
KIA	Kachin Independence Arm, armed wing of the KIO
KIO	Kachin Independence Organization
KNU	Karen National Union
MoU	Memorandum of Understanding
MNEC	Mon National Education Committee
MNHRC	Myanmar National Human Rights Commission
NCA	Nationwide Ceasefire Agreement (in name only, not inclusive and not nationwide)
NLD	National League for Democracy
NRPC	National Reconciliation and Peace Center
PC	Peace Commission
PPST	Peace Process Steering Committee (NCA negotiating body)
SSPP/SSA-N	Shan State Progress Party/Shan State Army (North)
TNLA	Ta'ang National Liberation Army
UN	United Nations
UNFC	United Nationalities Federal Council
UPC	Union Peace Conference
UPDJC	Union Peace Dialogue Joint Committee
UWSA	United Wa State Army
21CPC	21st Century Panglong Conference

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## OCTOBER HIGHLIGHTS

- Over 600,000 Rohingya have been displaced since the August 25 attacks and subsequent 'clearance operations' in Arakan (Rakhine). Talks of repatriation of Rohingya refugees between Burma and Bangladesh have stalled, and many Rohingya refugees reject the prospect of returning in the light of unresolved causes to the violence, and fears of ongoing abuse.
- Displaced populations on the Thailand-Burma border face increasing challenges and humanitarian funding cuts. As of October 1, TBC has stopped distributing food aid to Shan IDP camps and the Ei Tu Hta Karen IDP camp.

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- October 15 marked the two-year anniversary of the NCA. The Burma Government and BA have upheld that the agreement remains a success and a major step towards peace. Signatory EAOs have expressed concerns regarding the implementation of the NCA. The KNU has criticized the NCA for its lack of progress in achieving peace and in resolving ethnic issues.
- Fighting between the KIA and the BA has intensified this month, with numerous clashes in Kachin and Shan States. Local populations have reported that the BA has deliberately fired mortars at villages and randomly fired guns at civilians.
- Villagers in Kachin State reported that the KIA took between 40 and 60 civilian hostages. Fifteen were released a few days later, but the majority remained in KIA custody in an unknown location.
- The two KBC pastors detained by the BA since December 2016 were individually sentenced to four and two years of imprisonment under the Unlawful Association Act by the Lashio Township Court, Shan State.

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## SITUATION IN THE ARAKAN (RAKHINE) STATE

### *Summary of the events*

The UN-Led ISCG (Inter-Sector Coordination Group) estimates that over 600,000 Rohingya refugees have fled into Bangladesh since August 25, 2017, with thousands more waiting to enter at the border. Although military operations have technically ceased, food shortages and security concerns continue to drive people to Bangladesh. Such volume of new arrivals and the density of population in refugee camps have made refugees extremely vulnerable to diseases and malnourishment. Meanwhile, Bangladesh and Burma authorities began talks for repatriation on October 2, but have yet to reach an agreement. At the most recent meeting held on October 24, the two sides were unable to reach a conclusion regarding the addition of amendments to the bilateral 1993 repatriation agreement. Government and military officials continue to dispute international reports citing large-scale, systematic human rights abuses targeting Rohingya Muslims in Arakan. Many Rohingya refugees reject the prospect of returning in the light of unresolved causes to the violence, and fears of ongoing abuse.

### *Domestic and international response*

- A UN report issued on October 11 stated that Burma had launched a “systematic” attack on Rohingya that was meant to permanently remove the community from Arakan, including the destruction of significant landmarks and symbols of Rohingya history and culture.
- EU officials have ceased working with top BA chiefs in response to what they are calling a “disproportionate” use of force against the Rohingya.

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- In a “Report to the People” on October 12, DASSK outlined her plans for addressing and resolving the issues in Arakan through repatriation, rehabilitation, and development. She also announced the establishment of the “Union Enterprise for Humanitarian Assistance, Resettlement and Development in Rakhine” to lead the recovery in Arakan, with herself acting as Chairperson and Dr. Win Myat Aye (Minister for Social Welfare, Relief and Resettlement) acting as Vice Chairman.
- BA Lieutenant-General Aye Win announced on October 13 that he would lead a committee to investigate the actions of military personnel during their counteroffensive in Arakan.
- The EU ministers announced on October 16 that they will suspend invitations to Europe for BA leaders, and will review all practical defense cooperation. They also stated they would hold a “constructive dialogue” with the Burma government at the ASEM Foreign Ministerial Meeting in Naypyidaw in November.
- On October 18, Rex Tillerson, US Secretary of State, announced that the United States holds the BA leaders responsible for the ongoing crisis in Arakan. The next day, the U.S. State Department said in a statement that it was considering “economic options” to target individuals associated with atrocities against the Rohingya.
- On October 24, U.S. officials said that the State Department is considering formally declaring the crackdown to be ethnic cleansing.
- The Office of the Commander-in-Chief announced on October 25 that the BA has withdrawn dozens of soldiers from Maungdaw district. Ethnic affairs expert U Maung Maung Soe described it as an attempt to show they are not using excessive force to the international community.
- The Burma government estimated they can take back 300 refugees a day from Bangladesh at two checkpoints. Bangladesh and Burma, however, have not yet settled on adjustments to their 1993 repatriation agreement for the process to begin. Rohingya refugees also remain wary or returning.

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## DISPLACEMENT

### *Funding Cuts on the Thailand-Burma Border*

- Donors continue to cut funding along the Thailand-Burma border despite the uncertain peace process, sporadic conflict, increasing BA militarisation, ongoing BA abuse, and the presence of landmines. These **cuts are deeply impacting** ethnic civil society and some of Burma’s most vulnerable populations.

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- TBC has ceased food assistance to Karen IDP camp Ei Thu Hta and Shan IDP camps with a total population of over 8,200 people. See Burma Link's ["Keep Supporting" campaign here](#).
- Karen IDP camp Ei Tu Hta, home to around 2,600 IDPs according to camp sources, has not received food aid as of October 1. The **IDPs cannot return home** due to BA militarization within or around their home villages and the presence of landmines. A mountainous terrain, insufficient water resources and ownership of nearby lands by local populations contribute to making agriculture a limited solution.
- A fundraiser entitled "Tears for Ei Tu Hta" was held in Mae Sot, Thailand, on September 30 in an effort to raise money and support.
- Shan IDP camps and the Koungh Jor Shan refugee camp along the Shan-Thai border are **running out of food** supplies as aid was cut at starting this October. Some residents of the camp are hoping to find work as farmers in Thailand, but have not been able to due to heavy rains. Their homes are now occupied by the UWSA, the BA, and militias, according to the Shan State Refugee Committee.
- **Mae Tao Clinic**, which has been providing free medical services to hundreds of thousands of migrants, refugees, and people from rural Burma for 28 years, **is forced to reduce worker salaries by 20%** due to recent funding cuts. Its main sponsor, USAID, will be shifting all funding to humanitarian groups working inside of Burma in 2018. The clinic launched an emergency fundraiser on October 11 to raise money to support their operational costs for 2018.
- State Counselor Office director-general U Zaw Htay announced that the NRPC will provide education, food, and health assistance to Shan IDPs if requested. U Zaw Htay says that Shan IDPs in the country can begin receiving aid immediately, but refugees in Thailand may have to wait, as the NRPC has to work with the Thai government to provide aid. Funding for the aid will come from a combination of the Union and state governments, the NRPC and the Coordination Body for Peace Process Funding (JCB). Local communities and organizations, including the Shan State Refugee Committee, have expressed scepticism with regards to this announcement.

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## PEACE PROCESS

- On October 4, the **KNU Standing Committee held an emergency meeting on the peace process** in Lay Wah, Karen State. Since the latest 21CPC held in May, interaction between the NLD and EAO representatives has been infrequent with only minor political progress. The implementation of the NCA interim program was also discussed. This was the first KNU Standing Committee gathering since March.

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- Padoh Saw Ta Doh Moo, general secretary of the KNU, expressed his concerns over the situation in Arakan, as the military operations in the area are similar to those once implemented against the Karen people. He acknowledged that attempts at peace are being made, but that the government must find nonviolent, political means to resolve the situation. He also **urged the government to change the 2008 Constitution** and create a country of coexistence that will work toward addressing the “remaining negative legacy of colonialism”.
- On October 9, KNU general secretary Padoh Saw Tadoh Moo spoke out about the NCA interim program, which has yet to be implemented. The program was outlined two years ago when the KNU signed the NCA and is meant to address administrative problems in education, healthcare and social welfare, within the seven districts of the KNU-controlled area.
- On October 16 DASSK met with members of the PPST to discuss the implementation of the NCA.
- After a two-week delay, the **PC and the UNFC met for the seventh round of talks** on October 23-24 in Yangon, in order to discuss the eight-point proposal. The four UNFC member reported significant progress with negotiations. Of the 8 points which require ethnic and government agreement, all but one – point n.5 which deals with military affairs – have been successfully addressed. The next meeting between the UNFC and the PC is set for November 8.
- General Lanyaw Zawng Hra, KIO Chairman, criticized **the government’s unwillingness to engage in negotiations with the FPNCC as a group**, in a speech on the 57<sup>th</sup> anniversary of the KIO on October 25. He further stated that the military is refusing to meet with them as a group in an attempt to weaken them.
- On October 25, representatives of the government, BA and NCA signatories met to review the implementation of the agreement in Rangoon. Despite the NCA having been signed in 2015, negotiations regarding the implementation are ongoing and implementation has been challenging and incomplete.
- The 12<sup>th</sup> meeting of the UPDJC was held on October 30 at the NRPC in Naypyidaw. DASSK welcomed NCA non-signatories to partake in the peace process and sign the NCA despite the non-signatories having well founded reasons not to sign in their pursuit towards sustainable peace.
- **October 15 marked the two-year anniversary of the NCA.** Burma government agreed to invite the non-signatory EAOs belonging to FPNCC and UNFC to attend, but the UNFC did not attend as the invitation came too late, whereas the FPNCC declined because all of its members were not invited.
- At the anniversary, BA chief Snr-Gen Min Aung Hlaing made a speech and NCA non-signatories to sign the pact, and the BA and the government insisted that the current NCA has been a success for those who have signed, and that others joining would be a major step towards peace. On the contrary, KNU Chairman General Mutu Say Poe criticized the NCA for its lack of progress in achieving peace and in resolving ethnic issues. The **KNU also criticized the BA**

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**response in Arakan, saying it is reflective of practices used against the Karen people** before, and urged them to find nonviolent means to resolve the conflict.

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## ARMED CONFLICT AND ABUSE

### *Kachin State*

- On October 5, **KIA clashed with BA soldiers** at Nawng Hkoi Kawg in the Bang Htan area. BA troops reportedly fired mortars from their base at the KIA. Battles between the BA currently stationed in Bang Htan Hka's Roman Catholic Church and the KIA went on for another two days from October 6 -7.
- On October 5, locals from Waingmaw Township reported that the KIA took 40 to 60 civilians and farmers as hostages in an unknown location, mainly from Sainglaw, Hongtaung and Kaungkha villages. The KIA has not confirmed the report or the number of people said to be detained. Eight were released on October 7 and subsequently taken for interrogation by the BA. Seven more were released on October 10. The Peace-talk Creation Group, an organization of Kachin businessmen which assists the KIA with negotiations with the BA, has been mediating for the release of the remaining hostages.
- On October 6, KIA clashed with about 30 BA soldiers in the Hkrai Run village cemetery. BA fired two rounds of mortars on Hkum Tsai Yang village after the battle. The next day, the same KIA battalion clashed with BA and Nam Ya Pyithutsits - a local militia backed by the BA - in Hpakant Township. After the battle, the **BA reportedly fired four rounds of mortars in two nearby villages** - Gaw Lu Yang and Hkum Tsai.
- KIA forces clashed with BA troops on October 9, 10 and 12, around Bang Htan village.
- KIA and MKM [KIA civilian militia] troops ambushed Burma Army troops between Hkrai Run and Pya Ung on October 16 and at Ja Hta Kadawng on October 17. A local source reported that **BA soldiers randomly fired at civilians** after being attacked by local militias, injuring one civilian in the leg.
- On October 23, BA fired four rounds of mortars at KIA's 11<sup>th</sup> Battalion's position at Mada Bum. The next day, BA fired mortars at Wa Baw and at Mai Sak Kawnf.
- On October 27, BA troops based in Bang Htan fired at the KIA around Hkang Htan Hkyet and Hka Hpawk Hkyet; while BA troops based at Kai opened fired in N-jung Bum.
- BA and KIA forces clashed between Lahkum Hyket and Man Jak on October 29, with the BA firing four artillery rounds.

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- Magyi Khon Nang, a widow and mother of three, attended a court hearing on September 18 in hopes of receiving justice for the murder of her husband by six BA soldiers in Kachin State's Mansi Township. Her husband, Labya Naw Hkum (27), was arrested, killed and buried in the jungle along with three other villagers (age 22, 27 and 31) on their way home from work on May 25, 2017.

## ***Shan State***

- **Fighting broke out** between the KIA's 9<sup>th</sup> Battalion and the BA in northern Shan State between Ja Chyai Yang and Nawng Gan village on October 2, and again on October 8.
- On October 6, KIA's 36<sup>th</sup> Battalion battled with around 40 BA troops between Kawng Hka and Nam Tau in Muse Township.
- On October 8, KIA troops ambushed BA troops as they moved toward Hpak Gum from Mung Hawm village.
- The 1<sup>st</sup> Military Operations Command and the military affairs security units have ordered the SSPP/SSA to withdraw its troops from the southern side of Mong Hsu-Mong Nawng Road under orders from their superiors. BA reportedly instructed them to withdraw from the area to proceed with a road-building project.
- According to a Mong Hsu resident, BA has been fixing and building new trenches around their base. It has also have been checking travellers for national ID cards and whether or not they speak Burmese at Nam Kat gate on the road between Mong Nawmg and Mong Hsu.
- Two TNLA soldiers raped a 44-year-old school headmistress outside of her home around 1am on October 25 in Kyaukme Township. Brig-Gen Tar Bong Kaw, spokesperson for the TNLA, confirmed that their soldiers were responsible. Both men have been detained and are to be punished by the TNLA military court.

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## **HUMAN RIGHTS AND VOICES FROM THE GROUND**

- On October 7, a **KNU statement announced the delay of development projects in KNU-controlled areas** due to lack of proper laws and regulations protecting local people and the environment.
- The Karen Literature and Culture Committees met in Hpa-an, Karen State, on October 8-10, to discuss plans for the future implementation of Karen literature and language education once the Federal Union is established.

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- **Five were shot dead and over twenty injured by security forces** providing security for the Burma-China joint venture Triple One Company on October 18 in Lone Kin mining area, Kachin State. The miners were scavenging for residues of jade and launched an attack on the police after a policeman allegedly threw a rock at one of the prospectors, leading to police retaliation.
- On October 18, a protest involving around 200 demonstrators regarding the confiscation of 350 acres of land by Tanintharyi region authorities for the Dawei Urban Development Project, was cancelled at the last minute. The police accused demonstrators of using placards and slogans in violation of the peaceful assembly and procession law. Protest leaders felt the protest would lose its power without the placards, and the event was cancelled.
- In Karen, Kachin, Shan and Arakan States, environmental exploitation through resource extraction projects are fueling armed conflicts, ethnic researchers have found. The Burma Environmental Working Group published a two-year long study on October 23, of conflicts over land and natural resources. The group has sent an open letter addressed to DASSK asking for the abolishment of ongoing and future 'development' projects denying ethnic self-determination and environmental rights.
- A joint committee has announced a two-year project to create the first dictionary that features English, Burmese, Sgaw Karen, Western Pwo Karen, and Eastern Pwo Karen languages.
- Chairman of Karen State's Karen Literature and Culture Committee, Saw Aye Mya, accused school administrators of preventing Karen language and literature teaching, with schools lacking Karen textbooks and teachers.
- Mon communities in the U.S. have donated more than 40.7 million Kyats (US\$ 30,000) to the MNEC in support of ethnic Mon education.
- The Union Hluttaw has recently approved plans to incorporate four wards into the Falam Township administrative zone, Chin State, and to disband the Laizo village tract. Ethnic Laizo, Taisum and Lente planned to stage a protest on November 6, fearing they would lose their ancestral culture, land, and language by becoming part of a larger township.
- The Natural Mountain Conservation Network announced on October 25 it would undertake plans to protect the Mi Karen, Taung, Kalay, and Lun Nya mountains, Karen State, and the Min Lwin Mountain, Mon State. The mountains contain large amounts of limestone and are part of rock quarrying projects.

## ***Unlawful Association and Defamation Charges***

- On October 12, ALP member Ko Khaing Myo Tun was sentenced to 18 months in prison for defaming the BA under the Article 505(b) and (c) of the Penal Code, in Sittwe Township Court, Arakan State. The charges are due to an April 24 ALP-issued statement accusing the military of using torture and forced labor against civilians during a clash with the AA on April 16.



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- Kachin pastors Dumdaw Naung Latt (65) and Langjaw Gam Seng (35) were sentenced to respectively four and two years of imprisonment on October 27 by the Lashio Township Court, Shan State. They were charged under Article 17[1] of the Unlawful Association Act and section 8 of Import/Export Act. Dumdaw Naung Latt was additionally charged under section 500 of the Defamation Act in the Penal Code. The **charges are based on the two pastors helping journalists investigate a church that was allegedly destroyed by a BA aircraft**. There had been eight hearings before the announcement of the final verdict. Local and international rights organizations have voiced strong objections to the charges, and the KBC is planning to make appeals.

## *Migrant Workers' Rights in Thailand*

- Thammakaset Co Ltd., a major Thai food corporation, filed defamation charges against migrant workers from Burma. The workers had previously filed a complaint with the human rights commission regarding poor working conditions and human rights violations including forced labor, restriction of movement and unlawful salary cuts. This was the first defamation case against migrant workers ever filed in Thailand.
- Over 150 legal migrant workers who left Burma for Thailand under an MoU have been stranded since September 15 without receiving the contracted jobs promised by brokers. Some workers declared having paid 1,200,000 kyats (US\$ 886) in broker fees and expenses.
- After cutting back workers' salaries, Thailand's ADDA footwear company has signed an MoU for its over 500 workers from Burma, in response to a protest staged by the effected workers. The MoU will now allow the workers to receive a minimum wage, and benefits such as medical care and paid transportation to Burma to obtain a passport. Thai government also agreed to provide travel recommendation letters for the workers to avoid being stopped by Thai police.

## *Other Human Rights Issues*

- A 'Prevention and Protection of Violence against Women Bill' was submitted during the October 17 Parliamentary Session after four years of development and drafting. The draft bill carries harsher punishments for violent crimes committed against women, and gives additional legal and health support to the victims.
- The MNHRC stated the overcrowding and poor delivery of basic services in prisons remains a major human rights and health issue. The commission is due to publish a comprehensive report after the end of its year-long study in December.