

Information Update on Recent Developments in Myanmar including Rakhine State (Geneva, 4 September 2019)

1. Strengthening Democracy and Human Rights

(a) Amending 2008 Constitution

The Joint Committee of the Union Parliament to amend 2008 Constitution was held its 31/2019 meeting in Nay Pyi Taw on 2 September 2019. The Joint Committee, formed on 19 February 2019, is tasked to amend undemocratic provisions of the constitution in line with democratic norms. Since its inception, the Joint Committee has held the meetings for 31 times as of 4 September 2019.

(b) Union Parliament agrees to ratify Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict

Pyidaungsu Hluttaw (Union Parliament) agreed to ratify Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict at the 19th-day meeting of the Second Pyidaungsu Hluttaw's 13th regular session on 2 September 2019.

The main objective is to prohibit in recruiting and using children under the age of 18 as soldiers in the armed conflicts.

(c) Combating trafficking in persons

Union Minister for Social Welfare, Relief and Resettlement Dr. Win Myat Aye received Mr. Akio Nakayama, Chief of Mission of International Organization for Migration (IOM) in Nay Pyi Taw on 2 September 2019 and discussed provision of assistance to the victims, capacity building and technical assistance to the Ministry, rehabilitation programmes and adopting standard operation procedures (SOP) for prevention of human trafficking at the IDPs.

2. Peace Process

(a) NRPC holds talks with KIO, MNTJP, PSLF, ULA representatives over ceasefire agreement proposal

Representatives of National Reconciliation and Peace Centre (NRPC) and representatives of the four ethnic armed organizations (KIO-Kachin Independence

Organization, PSLF–Palaung State Liberation Front, MNTJP–Kokang’s Myanmar National Truth and Justice Party and ULA–United League of Arakan) met in Kengtung Township on 31 August 2019 and discussed matters pertaining to ending ongoing armed clashes with an aim of signing a bilateral ceasefire agreement. They agreed to meet again on 16–17 September 2019.

(b) Tatmadaw extends unilateral ceasefire till 21 September

The Office of the Commander-in-Chief of Defence Services issued a statement on 31 August 2019. It is mentioned in the statement that the unilateral ceasefire was extended until 21 September 2019 in five military command areas in Kachin and Shan states.

3. Recent Developments in Rakhine State

(a) Repatriation of Displaced Persons from Bangladesh does not occur as scheduled

From 27 to 29 July 2019, Myanmar delegation led by Permanent Secretary of the Ministry of Foreign Affairs and ASEAN ERAT visited Cox’s Bazar, met with some displaced persons from various camps, and informed them the preparations for the repatriation. The delegation also handed over Factsheets on repatriation process to the Bangladesh side, for distribution among the prospective returnees in the camps.

On 6 August 2019, Myanmar was informed by China that Bangladesh intended to start the repatriation on 22 August. On 9 August 2019, the Permanent Secretary of the Ministry of Foreign Affairs confirmed it with the Ambassador of Bangladesh. On 19 August 2019, Myanmar was officially informed by Bangladesh that Bangladesh had undertaken all necessary measures to smoothly conduct repatriation, which was scheduled to start on 22 August 2019. Based on this confirmation, Myanmar has made all necessary preparations. However, the promised repatriation failed to occur.

Myanmar government invited ASEAN representatives to witness the repatriation programme – 6 representatives from Indonesia, Malaysia, Thailand, the ASEAN Secretariat and the AHA Centre. They were waiting to see the returnees on the scheduled date.

It was learnt that there have been movements by some NGOs as well as threats by ARSA in the Camps to stop displaced persons from taking part in the repatriation process.

Smooth repatriation of the displaced persons would require the adherence to the bilateral agreements that the two countries have signed.

UNHCR was able to start interviews with displaced persons only on 20 August 2019, just two days before the stipulated date for repatriation.

Since 23 November 2017, Myanmar side also requested Bangladesh for the repatriation of 444 people of Hindu faith who have expressed their desire to return to Myanmar through the Hindu elders and the Indian Embassy in Yangon. Myanmar side had informed Bangladesh its willingness to expedite the repatriation of the 444 people. There has been repeated request by Myanmar for the early repatriation of the 444 people. All these requests were ignored.

Myanmar has been ready to start the repatriation of verified displaced persons from Rakhine State since 23 January 2018, as agreed in the bilateral Arrangement. Then, it was agreed again between Myanmar and Bangladesh to start the repatriation on 15 November 2018 at the 3rd Joint Working Group (JWG) meeting held in October 2018. Although Myanmar side had prepared necessary arrangements, the repatriation did not occur on the agreed scheduled date.

Union Minister for Labour, Immigration and Population and Union Minister for Social Welfare, Relief and Resettlement and officials explained the immaterialized repatriation programme in Sittway on 23 August 2019 as they met with the personnel from the ASEAN Secretariat, AHA Centre, and ASEAN-ERAT.

The Union Ministers expressed thanks for the visit of ASEAN representatives to the Reception Centre.

Director of ASEAN Secretariat Mr. Ky Anh Nguyen expressed thanks for the invitation of Myanmar to witness the repatriation programme, and reaffirmed readiness of the bloc to continue their support, and to implement recommendations in the Preliminary Needs Assessment for Repatriation in Rakhine State. He also pledged to coordinate with ASEAN Plus 3 countries China, Japan and Korea. He also confirmed that they have witnessed the preparedness of the

Myanmar government for the repatriation programme, although Bangladesh side failed to realize it as informed.

(b) Myanmar has verified 89 % of the list of displaced persons

As of 26 August 2019, Myanmar has already verified 19,897 persons, that is, 89 % of the list of 22,432 persons provided by Bangladesh after the 3rd JWG meeting held in Dhaka in October 2018. Among them, 12406 were verified as former residents; 114 as suspects involvement in the terrorist attacks; 7377 as not included in the registered list of family household in Myanmar.

(c) Union Minister for International Cooperation and Chinese Ambassador discuss repatriation

Union Minister for International Cooperation U Kyaw Tin received Ambassador of the People's Republic of China to Myanmar Mr. Chen Hai in Nay Pyi Taw on 22 August 2019. During the meeting, they discussed the planned repatriation of the verified displaced persons which did not occur as scheduled as well as peace process.

(d) Union Minister for International Cooperation receives UN Resident Coordinator, a.i.

Union Minister for International Cooperation U Kyaw Tin received UN Resident and Humanitarian Coordinator, a.i. Mr Knut Ostby, who is leaving Myanmar upon completion of his tenure in Myanmar in Nay Pyi Taw on 23 August 2019. During the meeting, they exchanged views on matters on strengthening of cooperation between Myanmar and the United Nations, Myanmar's efforts for commencing repatriation of displaced persons from Rakhine State, finalization of the Government-led draft "National Strategy for Closure of IDP Camps in Myanmar", the implementation of MoU signed between the Government of Myanmar, UNDP and UNHCR and the designation of new Resident Coordinator of United Nations to Myanmar.

(e) Deputy Minister for Social Welfare, Relief and Resettlement and Japanese Ambassador inspect repatriation readiness in Maungtaw

Deputy Minister for Social Welfare, Relief and Resettlement U Soe Aung, Japanese Ambassador to Myanmar Mr. Ichiro Maruyama, and Japanese journalists,

visited Maungtaw in Rakhine State on 27 August 2019 and met with displaced persons who returned to Myanmar in 2018 and 2019, on their own volition, under the UEHRD plan.

They also visited the Taung Pyo Letwe Reception Centre and Hla Pho Khaung Transit Center and inspected modular houses, assembly board houses, drinking water, toilets, and clinics for the displaced people.

(f) Visit of ICOE Advanced Team to Bangladesh

The Advance Team of the Independent Commission of Enquiry (ICOE) has visited Dhaka and Cox's Bazar, Bangladesh from 17 to 20 August 2019. The purpose of the Advance Team visit is to obtain better understanding of the situation on the ground, to prepare the ground work and seek the necessary approvals for the dispatch of ICOE's Evidence Collection and Verification Team (ECVT) in Cox's Bazar to interview and collect evidence from those who are residing in the Camps therein. The Advance Team was co-headed by Ambassador Kenzo Oshima and Professor Dr. Aung Tun Thet.

In Dhaka, ICOE's Advance Team paid courtesy calls on Foreign Minister and Foreign Secretary of Bangladesh. They also met with the Director-Generals of South East Asia Wing, UN Wing and "Rohingya Cell" from the Ministry of Foreign Affairs. They also discussed with the Additional Secretary of Ministry of Disaster Management and Relief and Joint Secretary of Ministry of Home Affairs.

In Cox's Bazar, they met with the Commissioner of Refugee, Relief, and Repatriation, Additional Deputy Commissioner (Tourism and Protocol) and Police Superintendent. They met with the local representatives from UNHCR, UNICEF and IOM. The Advance Team also conducted one day visit to the Camps in Cox's Bazar : Balukhali, Jamtoli and Kutupalong. The field visit is essential for obtaining a real understanding of the situation on the ground and also for information, necessary for the ECVT.

(g) Court-Martial is underway

A Court of Inquiry, formed in accordance with the Defence Services rules, might convene a court martial due to a possible weakness in following military instructions during incidents at Gutabyin Village according to the Tatmadaw True

News Team. Members of the Court of Inquiry, chaired by Maj-Gen. Myat Kyaw, have already visited Buthidaung and Maungtaw areas in Rakhine State from 15 July to 5 August while conducting a second investigation. The Court of Inquiry will continue to pursue the investigation according to the Tatmadaw True News Team.

(h) Provision of aids to displaced persons in Rakhine

Ministry of Social Welfare, Relief and Resettlement held a ceremony to hand over aid to the IDPs and locals displaced by armed conflicts in Rakhine State in Sittway on 22 August 2019. At the event, Union Minister Dr. Win Myat Aye handed over rice money of K156.582 million for the IDPs. The aid started in the third week of December, 2018, and this was the 6th time.

(i) Media team visits Maungtaw

A group of local and foreign media persons visited the Hla Pho Khaung Transit Centre on 29 August 2019 and Taung Pyo Letwe Reception Centre on 30 August 2019. The group included media persons from Courrier Japon, Nishinipon Shimbun, Nippon TV, VOA, BBC, MRTV, MITV, MIR, and MNA.

This is the 34th visit by media persons to Maungtaw. They have visited once in 2016, eight times in 2017, 20 times in 2018, and 5 times so far in 2019. Media team also visited the Kainggyi (Mro) and Indin villages on 31 August 2019.

4. Economic and Investment Reforms

(a) State Counsellor highlights the importance of responsible investment

State Counsellor Daw Aung San Suu Kyi delivered a speech at the Myanmar-Japan-US Tripartite Forum held in Yangon on 20 August 2019.

In her speech, the State Counsellor highlighted that Myanmar's trade policy, guided by new Myanmar Sustainable Development Plan, is continuously revised to be in line with regional and global commitments in accordance with liberal economic principles.

Myanmar promotes a more favourable, friendly and predictable, enabling environment which offers her investors a fair and level playing field and attracts responsible investment that creates jobs, provides new opportunities, sustains growth, and spreads prosperity further.

(b) One year extension for visa exemption and visa on arrival schemes to promote tourism

Myanmar will extend preliminary schemes of visa exemption and visa on arrival another one year for the visitors from Japan, South Korea, China and India to attract more tourists into the country, according to the announcement of Ministry of Hotels and Tourism.

Visa exemption was preliminarily allowed for the visitors from Japan, South Korea, Hong Kong and Macao Special Administrative Regions of China from 1st October 2018 to 30th September 2019. The Chinese citizens who entered by air enjoyed visa on arrival at the airports for the same period. Now, the scheme will be extended from 1st October 2019 to 30th September 2020.

Meanwhile, Indian citizens who took flights to Myanmar were permitted visa on arrival (tourists) for one year from 1st December 2018. The period will also be extended from 1st December 2019 to 30th November 2020.

Permanent Mission of the Republic of the Union of Myanmar,
Geneva.

4 September 2019