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*Permanent Mission of the Republic of the Union of Myanmar to
the United Nations Office and other International Organizations*
47 avenue Blanc, 1202 Geneva, Switzerland
Tel. (+41-22) 906 9870, 906 9871 / Fax. (+41-22) 732 8919
E-mail: mission@myanmargeneva.org

Permanent Representative

No. 434 / 3-27/ 91

12 December 2017

Excelsior,

I would like to refer your letter no. AL MMR 5/2017 of 16 August 2017, with regard to the security situation of civilians living in and around mining areas in Tanai, Kachin State. In this connection, I have the honour to convey the information as per attached that I received from the authorities concerned on the aforementioned matter.

Please accept, Madams, the assurances of my highest consideration.

Warm regards,

(Htin Lynn)

Ambassador and Permanent Representative

Ms. Yanghee Lee

Special Rapporteur on the situation of human rights in Myanmar

Ms. Cecilia Jimenez

Special Rapporteur on the human rights of internally displaced persons

**Information in response to the security situation of civilians living in
and around mining areas in Tanai, Kachin State**

**Information on the screening process of civilians fleeing the conflict
area**

- The illegal operation of gold and amber mines in Tanai Township namely Htan Palar, Wan Palar, Aung Lut, Tone Mani, Choungzone, Nambyu, Ja Awng Bar, Zeephyu Kone, Nyaung Pin Kone and Namt Kun have caused negative impact on the natural environment as well as the eco-system of Tanai region. Additionally, KIA armed group has been operating in the area. In order to conduct clearance operation, the Tatmadaw dropped leaflets from helicopter requesting people living at these mines to leave the area by 15 June 2017. As a result, 5,855 migrant workers from these bell pit mines have moved to Tanai Township from 6 to 22 June 2017. These migrants have been provided with temporary shelter, food and health care services. Transportation has been arranged for those who wish to return to their native places. There is no verification and detention of those who fled from mines.

Reason why four out of five passages leaving Tanai remained closed

- The connection roads between Tanai Township and other Townships/villages have been operating without any restriction for the public use.

**Reason for not recognizing those displaced from Tanai Township as
IDPs**

- Those people displaced in Tanai Township are not recognized as IDPs as there is no conflict in Tanai Township currently and those people taking refuge temporarily in Tanai are able to return their respective residential townships.

Assistance and support of the Government

- The migrants arriving in Tanai were provided with food, transportation, accommodation and cash by local government and authorities concerned. Moreover, Ministry of Health and Sport and NGOs such as Medical Action Myanmar have provided health care services and awareness programmes to prevent Malaria disease. On 23

August 2017, members of parliament contributed (774) rice bags, nutrition food and medicines to persons displaced.

Information on delivering humanitarian assistance

- Other communities including the migrants arriving in Tanai have been provided with humanitarian assistance by local government and civil society organizations.

Reason why people displaced were requested to relocate to their original places

- As there is no more conflict in Ingargar, Nan Phyu, Tonemani, Nang Kung in Tanai Township, the people who temporarily fled from the conflict areas are being relocated to their original places.

Procedures in place by security forces to guarantee and facilitate freedom of movement

- Police forces in Tanai Township, in cooperation with local administrative authorities have been patrolling day in and day out for the prevalence of law and order as well as for security of the region. In addition, security forces are taking necessary security measures for the safety of Tanai-Ledo Road in case of necessity.

Information on detention facilities conflict-related suspects

- No one has been detained or arrested under suspicion of having connection with the conflict.

Status of the petition submitted to Kachin State government officials

- No information has been received on the petition submitted by local populace to Kachin State government. People in the conflict area and migrants are being provided with transportation, accommodation, food, healthcare and other basic services. Moreover, private and public contributions are also allowed for the displaced community. Healthcare service and medicines are also being provided to those who are remaining at Tanai Township.

Tamatdaw instruction prohibiting villagers from entering the forests for clearance operation

- There is no instruction issued by Tatmadaw prohibiting villagers from entering into the forest. The clearance operation had been conducted

only after providing explicit information to Ward/Village administrators.

Measure to stop illegal mining and environmental degradation

- In order to prevent illegal mining activities and environmental degradation in Tanai Township, Kachin State, measures are being undertaken by the concerned ministries and local authorities.

Information to seek the free, prior and informed consent of local communities before implementing development projects

- Currently, there are no agricultural, mining and environmental development projects near the illegal mining areas in Tanai Township.

Measures to implement the Guiding Principles of Business and Human Rights

- Measures are being taken in line with the laws, rules and regulations of the Government.

Information about the armed clashed on 8 and 9 July 2017 near Ting Kawk village

- On 8 and 9 July 2017, Tatmadaw took counter measure as KIA launched attacks from Yawan Khone near Ting Kawk village. As a result, one civilian died and 3 people sustained injury. Those injured were taken to No.10 Military Hospital for medical treatments.
