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The Permanent Mission of the Republic of the Union of Myanmar to the United Nations Office and other International Organizations in Geneva presents its compliments to the Office of the United Nations High Commissioner for Human Rights and has the honour to refer to the Joint Communication from Special Procedures dated 21 April 2026 with reference no. AL OTH 30/2026.

In this regard, the Permanent Mission of Myanmar encloses herewith Myanmar's responses on the said Joint Communication.

The Permanent Mission of the Republic of the Union of Myanmar to the United Nations Office and other International Organizations in Geneva avails itself of this opportunity to renew to the Office of the United Nations High Commissioner for Human Rights the assurances of its highest consideration.

Geneva, 17 June 2026



Office of the United Nations High Commissioner for Human Rights

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Myanmar's responses to Joint Communication from Special Procedures

(15 June 2026)

- On 20 April 2026, the Joint Communication from Special procedures was transmitted to the leadership of the former/then State Administration Council (SAC) through United Nations Human Rights Office of the High Commissioner (OHCHR). In fact, the SAC was subsequently reconstituted as the Myanmar National Defence and Security Council (NDSC) in August 2025 and later as President's Office in April 2026.
- The Joint Communication contains allegations concerning transboundary environmental and human rights violations stemming from mining-related contamination in the Mekong Region, particularly in relation to Kok River.
- Myanmar notes with concern that Joint Communication appears to rely on unverified and one-sided information. It does not adequately reflect publicly available information and actions undertaken by the Government of Myanmar, nor does it sufficiently consider the Government's efforts to monitor and address concerns relating to water quality in the Kok River.
- Myanmar hereby provides the following response and factual clarifications regarding the allegations and assertions contained in the Joint Communication.
- This response should not be construed as acceptance of, or agreement with, any allegation, assertion, conclusion or point contained in the Joint Communication that remains unaddressed herein.

Myanmar Government's efforts regarding the water quality of the Kok River

- Following concerns raised by the Thai side regarding the water quality of the Kok River in May 2025, with related reports first appearing in Thai media in March 2025, local authorities in Shan State conducted an initial inspection and field assessment along the Kok River on 13 May 2025. The inspection covered three key locations namely the river's source, a middle section, and the point near the Thai border.
- The assessment found that while Turbidity and Total Suspended Solids (TSS) exceeded the permissible level, all other parameter, including the Arsenic level, remained within the acceptable limit Myanmar's National Drinking Water Quality Standard (NDWQS)¹ and National Surface Water Quality Standard

¹ **National Drinking Water Quality Standard (NDWQS)** of Myanmar, the permissible Arsenic level in drinking water is 0.05 mg/L. This standard is adopted by several other countries, including Bangladesh, Cambodia, Lao PDR, Sri Lanka, Russia and Pakistan. **WHO's drinking water quality** guideline sets the Arsenic limit at 0.01 mg/L.

(NSWQS)² and adopted in 2019 and 2024 respectively. Accordingly, the water quality could not be classified as polluted under the applicable national standards.

- Following the initial assessment, the Government of Myanmar promptly dispatched a second inspection team in June 2025, comprising officials from relevant ministries, including the Ministry of Natural Resources and Environmental Conservation (MONREC), to conduct a more comprehensive assessment.
- Water quality assessments were undertaken at seven (7) locations in Mong Hsat District, Shan State including seven locations along the Kok River: three in the upstream areas, two near the Thai border, and two located to the north and south of the lead factory respectively. The findings for water quality indicate that arsenic contamination remain within the standards set under NDWQS and NSWQS.
- Water samples were collected from all locations and subjected on-site testing using a U 536 water quality analyzer. The samples were subsequently examined at the laboratory of the Environmental Conversation in Shan State for further analysis.
- Myanmar further notes that arsenic may occur naturally in groundwater and river systems through geological processes involving arsenic-bearing rock formation and soil layers.
- Nevertheless, taking into full consideration the concerns expressed by Thailand, and recognizing that the matter affects local communities in both countries, Myanmar remains committed to constructive cooperation with Thailand in addressing water quality concerns.
- To ensure ongoing safety, Myanmar continues to conduct monthly monitoring of water quality along the Kok River within its territory.

Inspection conducted by Myanmar Armed Forces

- On 28 May 2025, an inspection team led by the Colonel of the Triangle Regional Military Command, conducted a field inspection along the Nam Kok River.
- During the inspection, the team identified an abandoned gold extraction site, that had reportedly ceased operations approximately a year ago. The inspection

² **National Surface Water Quality Standard (NSWQS) of Myanmar**, the permissible Arsenic level in surface water is 0.05 mg/L. This standard is adopted by several other countries, including Malaysia, India, Indonesia, Korea, China and Vietnam.

team also identified a mineral extraction facility operated by the United Wa State Army (UWSA), which had reportedly been active since 2022 and was subsequently suspended in June 2025.

- The facility had employed approximately 50 workers, who have departed the site. Officials from the Triangle Regional Military Command instructed the UWSA to dismantle all structures and remove equipment and vehicles from the site, and not to resume operations in the future.

Bilateral efforts between Governments of Myanmar and Thailand

- As part of ongoing bilateral engagements, a high-level ministerial meeting between Myanmar and Thailand was held on 20 August 2025 in Nay Pyi Taw to strengthen cooperation on environmental matters. During the meeting, both sides reaffirmed their commitment to sustainable water quality management, and agreed to enhance coordination among relevant agencies through technical dialogues, information sharing and data exchange. Additionally, both sides also discussed the establishment of a Joint Technical Working Group to facilitate practical cooperation in areas focusing technical assistance, capacity building and public awareness.
- Subsequently, on 5 December 2025, the Ministry of Natural Resources and Environmental Conservation (MONREC) established a Joint Working Group on the Myanmar side for the management of water quality in boundary and trans-boundary rivers shared by Myanmar and Thailand.
- The Terms of Reference (TOR) for the Joint Working Group, are currently being finalized.
- Furthermore, on 24 October 2025, a video conferencing relating to the water pollution of transboundary Rivers was held between Thai delegation led by Mr. Phattharaphong Leelaphat, Vice-Chairperson of the Standing Committee on Natural and Public Disasters Prevention and Mitigation of the House of representatives of Thailand and Myanmar delegation led by Permanent Secretary of Ministry of Natural Resources and Environmental Conservation. During the meeting, the Myanmar side addressed Thai's parliament queries regarding Myanmar water standards, inspection results, legal frameworks, and mining restrictions near the internal and trans-boundary rivers.

Responses regarding water quality monitoring results

- With reference to paragraph 1 of the information received mentioned in the Joint Communication, Myanmar notes that water quality monitoring conducted along the Kok River from May 2025 to April 2026 indicates that the turbidity level at monitoring stations across 10 locations exceeded the National Surface

Water Quality Standard (NSWQS-Myanmar) specification (100 NTU) during the 2025 rainy season.

- The elevated turbidity level was primarily associated with seasonal climatic conditions, including heavy rainfall and storm events, which caused natural erosion of soil and rock along riverbanks, resulting in temporary sediment transport.
- Monitoring data confirms that turbidity levels during the summer and winter seasons remained within the limits prescribed under the NSWQS.
- Reference is made to paragraph 5 of the information detailed in the Joint Statement.
- The watershed area of the Kok River falls within the Mae Pan Protected Public Forest (29,977 acres) in Mong Hsat Township, Eastern Shan State. No gold or mineral mining operations are permitted inside the Mae Pan Protected Public Forest, along the Nam Kok River, or in their surrounding areas.
- Since villages such as Pan Kham, Nar Hine Lone, and Mong Hpat are located along the Kok River on the eastern side of Mong Hsat areas highly vulnerable to transboundary pollution, Myanmar is prioritizing water quality conservation to protect local residents from the adverse effects of water pollution.
- By implementing proactive solutions and collaborative measures to prevent pollution along the Kok River, both Myanmar and Thailand can prevent water pollution issues from escalating further.

Responses regarding the allegations related to rare earth and other mining activities

- Myanmar rejects all allegation concerning rare earth mining activities contained in the Joint Communication.
- No legally authorization or official permit has been granted for rare earth mining operations in the areas referred to in the Joint Communication, including Eastern Shan State and along the Kok River.
- Furthermore, no gold or mineral mining extraction activities are legally permitted within the Mae Pan Protected Public Forest, along the Kok River, or in its immediate vicinity.
- The Government of Myanmar has not issued any permission for mineral extraction blocks near the headwaters of the Kok River.
- Companies that hold permits for other categories of mineral extraction required to prepare and obtain approval for Environmental Impact Assessments (EIA), Initial Environmental Examinations (IEE) and Environmental Management Plans (EMP) as applicable.

- Mining operations must comply with nine major national frameworks,³ covering from waste management and water safety to biodiversity and chemical hazards.
- Permitted operations must systematically construct and maintain compliant tailing ponds to manage mining waste.
- Environmental compliance monitoring reports must be submitted every six months. Relevant authorities, including the Department of Mines and the Environmental Conservation Department, conduct routine inspections to verify compliance.
- The Government also employs legal enforcement measures and public awareness programmes to prevent unauthorized and illegal extraction activities.
- Before any mining permit is granted, companies must consult with local residents, village administrators, and regional governments to get advance consent. As part of their Environmental Compliance Certificate (ECC), project owners must collaborate with stakeholders to draft and implement a Community Development Plan.

Conclusion

- Based on scientific assessments conducted by the relevant authorities of Myanmar, arsenic concentrations in the Kok River remain strictly within the limits prescribed under the NSWQS and NDWQS. Any differences in the interpretation of pollution status likely arise from variations in national standards and testing methodologies applied by different countries.
- Myanmar deeply regrets that the Joint Communication relied on selective, unverified information while completely ignoring the extensive monitoring, military inspections, and legal enforcement framework established by the Government. This omission violates the core principles of objectivity, impartiality, and professional integrity expected of United Nations Special Procedures mandate holders. Thus, Myanmar rejects any findings or conclusions that are not supported by verified evidence.
- Reaffirming its commitment to environmental safety, Myanmar believes that a collaborative, pragmatic approach through existing bilateral mechanisms provides the most effective means to manage the Kok River basin.

³ 1. National Environmental Policy of Myanmar;
2. Myanmar Mining Law and Rules;
3. Environmental Conservation Law and Rules;
4. Environmental Impact Assessment Procedures;
5. National Environmental Quality (Emission) Guidelines;
6. Myanmar National Waste Management Strategy and Master Plan;
7. Conservation of Water Resources and Rivers Law and Rules;
8. Prevention from Danger of Chemical and Associated Materials Law;
9. Conservation of Biodiversity and Protected Areas Law.

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- Myanmar remains fully prepared to continue working closely with Thailand in the spirit of longstanding friendship and good-neighborly relations to promote sustainable water resource management.
