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Updated briefer on Water Contamination linked to Cement Factory and Unjustified Charges against Environmental Activist

Since October 2019, villages near a cement plant run by the Burma military's Myanmar Economic Corporation (MEC) have been burdened by contaminated water and mass fish die-offs in local lakes and streams. As a consequence of the contamination, local villagers face difficulties in accessing drinking water, and have experienced health issues, and other social and economic impacts due to this environmental crisis and changes to the local ecosystem. The villagers believe that this is a result of a MEC owned 4,000-ton coal-fired cement factory, which recently transitioned from using natural gas as a power source to coal. However, the authorities connected to the cement plant deny the connection between the water pollution and the cement factory without conducting independent studies or providing scientific assessments of the water contamination issue. Without investigating the root cause of the water contamination issue, The authorities connected to the cement factory provided the villages with unsustainable short-term solutions such as artesian wells and ponds.

To seek remediation for this crisis, the affected villagers came together to organize a traditional public prayer ceremony lead by village monks on January 17, 2020 at Nant Kone Village. Many community-based organizations, Karen artists, and activists joined the ceremony. Throughout the water contamination crisis these community based organizations and activists have provided safe drinking water and other forms of support for the villagers. They have also sought ways to solve the water pollution problem, with no expectation of any personal or political benefits in return.

On March 6, 2020, the police entered and searched the family home of Karen activist Saw Tha Phoe, who participated in the prayer ceremony and provided support for the local villagers. The police accused Saw Tha Phoe of offense against the state as outlined in Penal code 505(b).

To quickly resolve this water contamination issue and to request the withdrawal of all unfair charges against Saw Tha Phoe, Karen Rivers Watch releases a briefing paper "**DARK WATERS & FORBIDDEN PRAYERS**" along with the following statements and recommendations:

1. The government must allow any water donor to donate water directly to the villagers without restriction. This includes villagers facing water shortages due to the water contamination crisis and the decrease of water levels in local streams and wells during hot season. If necessary, the government must cooperate with and assist the donors.
2. A joint multi-stakeholder mechanism must be established, consisting of representatives from the government, MEC, Karen National Union (KNU), independent experts, affected community members, civil society, and media for the development of a long term solution. This mechanism must be officially mandated to facilitate a transparent and accountable process to monitor and test water samples, gather relevant information related to the water contamination, as well as to provide science-based recommendations to the government. There must be no pressure on or threats against anyone involved in this mechanism.

3. Saw Tha Phoe is a community-based human and environmental rights activist working closely with local communities in Southeast Myanmar on environmental and social protections. Saw Tha Phoe is doing his work as a citizen, advocating for social and environmental rights of these communities. The government's response to this case by charging him under penal code 505(b), is an act of restricting citizens' rights from the practicing rule of law. These charges set a precedent that communities cannot respond- even in an organized and peaceful manner- to environmental challenges and threats to their natural resources.
4. Statements released about this case by local organizations in Myanmar and international civil society organizations clearly demonstrate that the people of Karen State, community based organizations and civil society organization across Myanmar, and international civil society organizations disapprove of the Myanmar government's actions against Saw Tha Phoe.
5. Statements released by several groups from within the country and internationally demonstrate unified and strong condemnation for the charges against Saw Tha Phoe. Several of these statements have called into question the basis of the charges and call for the charges to be dropped immediately. The charges against Saw Tha Phoe under Penal Code 505(b) for defamation of the state by the Karen State government are an act which violates human rights and weakens the rule of law in Myanmar by harming the dignity and wellbeing of Saw Tha Phoe and his family.

Thus, we strongly condemn the legal proceedings being taken against Saw Tha Phoe and call for the Karen State government to immediately drop all charges against him.

Additionally, Myanmar laws, such as Penal Code 505 (b), which criminalize freedom of speech and restrict the freedom of movement and social, environmental and human rights of activists or citizens must be amended.

For further information, please contact the following contact people and see our latest briefing paper "**DARK WATERS & FORBIDDEN PRAYERS.**"

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Link to the briefer:

<http://kesan.asia/resource/dark-waters-forbidden-prayers/>