



Daw Aung San Suu Kyi
State Counselor
Naypyidaw
Myanmar

December 2020

Subject: Open letter from the recipient of the 2020 Goldman Environmental Prize for Asia, Saw Paul Sein Twa, to the State Counselor on Human Rights Day, urging the government to take immediate action in resolving water contamination case in Myaing Ka Lay area

Your Excellency;

First of all, I am Saw Paul Sein Twa, the Chairperson of the Salween Peace Park in Mutraw District, Karen State, Kawthoolei, Eastern Myanmar, which recently was awarded the 2020 Equator Prize. I work closely with local Indigenous Karen people and walk with them as they struggle to establish and govern their Indigenous territory known as the Salween Peace Park. I am working to protect our natural environment and precious biodiversity through the preservation of our Indigenous Karen people's culture and through the recognition of their Indigenous rights to create a model of sustainable development that is harmonious with our Indigenous Karen people's way of life in their ancestral lands.

Since October 2019, the communities from over 17 villages around Myaing Ka Lay area, Hpa-an Township, Karen State, have been experienced water contamination, abnormal fish deaths, skin diseases from using contaminated water, and other health problems. I learned about this environmental crisis and challenges that the people are facing here from various media reports by international news agencies, video documentaries, and a joint report by Karen Rivers Watch (KRW), Advancing Life and Regenerating Motherland (ALARM), and the Myanmar Alliance for Transparency and Accountability (MATA).

Besides this, I have also learned that there have been restrictions placed on civil society groups to prevent them from actively participating to address this problem and provide assistance to the affected people. One example of this was when the Karen State Government used sections 505 (b) of Myanmar Penal Code to file charges against the environmental activist Saw Tha Phoe, who had been supporting communities affected by the water pollution to help them find solutions. This action by the Karen State Government has negatively affected the collaboration between government and civil society groups to work together to address this problem. This will not solve the problem, instead, it will only serve lengthen the time it takes to solve it.

If the situation like this continues, this water pollution problem and its consequences could spread out to wider places and will be more costly for both the State and Union Government. It will put more unnecessary pressure on the government's resources and capacities to address the problem. Moreover, the lives of many people will be seriously affected. This precious fresh water resource will be lost, along with the biodiverse life that it supports. These tragic effects will occur, without a doubt, if nothing is changed.

Recently, on December 4th, the Karen State Government conducted testing on the water, soil and air quality in the affected areas. For this, on behalf of the local Indigenous people, I would like to say that I sincerely acknowledge and appreciate the efforts of the Karen State Government in carrying out such actions to resolve these issues during this difficult pandemic time.

But this is not enough. Besides these actions, the Karen State Government should cooperate with expert and civil society groups in their efforts to address this problem, as well as providing emergency drinking water, which is very crucial for the local people and which is a fundamental human right. Moreover, the Karen State Government should work with international experts to determine the origin of the water pollutants, and devise a plan to respond to the problem as soon as possible. The entire process must be transparent and its aim must be to ensure the well-being of the local people, since this water contamination problem directly affects the most important and basic human right- the right to life.

Protecting Indigenous peoples' rights is equivalent to protecting fundamental human rights. Freedom of expression is also a fundamental human right that must be protected. Democracy is a necessity for Myanmar. The government must ensure that fundamental human rights of all the people of Myanmar are equally fulfilled.

Therefore, as communities which share the free-flowing Salween River together with these affected people, in solidarity with them for their wellbeing, we, the civil society groups, are requesting to be allowed to actively participate and assist in systematically addressing this water contamination problem. Moreover, I firmly believe that Saw Tha Phoe has been working in accordance with democratic principles to help solve this environmental problem, and to assist affected community members attain environmental and human rights justice. Therefore, in light of today's commemoration of Human Rights Day, I would like to urge the government to drop all charges against Saw Tha Phoe in line with human rights and democracy standards, and to create a space where the government and our civil society groups can work together in order to find the optimal solution for this water contamination problem.

With respect,



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