



NO FREEDOM TO DEFEND: Myanmar's Environmental Defenders Continue to Fight for Environmental and Social Justice In the Face of Authoritarian Junta Control

THE ALL BURMA INDIGENOUS PEOPLES ALLIANCE



About the All Burma Indigenous Peoples' Alliance (ABIPA)

The All Burma Indigenous Peoples Alliance is a national network of Indigenous civil society and community based organisations. The alliance was formed after the coup in response to intensifying attacks and threats on the lives, lands and biodiversity of indigenous peoples in Burma.

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Abbreviations

ABIPA	All Burma Indigenous Peoples Alliance
BGF	Border Guard Force
CBO	Community Based Organisation
CSO	Civil Society Organisation
EAO	Ethnic Armed Organisation
EHRD	Environmental Human Rights Defender
ICCA	Indigenous and Local Community Conserved Area
KIO	Kachin Independence Organisation
KNU	Karen National Union
MW	Megawatt
SAC	State Administration Council
SEZ	Special Economic Zone



Introduction/ Executive Summary

In the wake of the 2021 military coup, the futures of Myanmar's lands, forests and biodiversity, hang in the balance. In addition to the reignition of armed conflict that has seen over 1.7 million people displaced¹, 20,000 arrested, and 3,000 killed², across the country, illicit mining operations have proliferated, destroying forests, unearthing mountains and polluting surrounding rivers and streams. The Myanmar junta and their allied militias, BGFs, and companies, as well as EAOs have taken advantage of the instability created by the coup, utilising this window to make fast profits at the expense of Myanmar's people, land and forests.

In the face of growing authoritarianism and rapid destruction of Myanmar's environment and natural resources, indigenous and local environmental human rights defenders (EHRDs) continue to fight for the protection of their lands, forests, rivers and biodiversity. This task, however, has become extremely high risk, due to growing militarization, surveillance, conflict and political instability. A growing number of environmental defenders now either languish

1. <https://data.unhcr.org/en/country/mmr>
2. <https://aappb.org/>

in prison, facing extensive jail sentences under false charges, or have had to go into hiding, taking refuge in the forests, borderlands, or neighbouring countries for safety. The introduction of a new set of repressive laws mean that personal freedom and privacy of citizens have been curtailed, and those suspected of engaging in environmental and human rights protection activities can be easily detained.

Environmental defenders also report that a growing network of checkpoints manned by the SAC or other armed actors, particularly around areas where high-value resources are being extracted, has made it increasingly difficult to carry out their work. Defenders and community members are regularly interrogated and searched at checkpoints, making travelling between communities extremely difficult. These enormous pressures have made the work of environmental and human rights defenders increasingly challenging. While civil society groups and networks have had to either disband, go underground or scale-back their operations, community-based organisations and activists report that it is difficult to organize and that many are fearful of conducting conservation activities in the forest as they had done in the past.

Faced with such enormous challenges, environmental defenders are making huge sacrifices in order to continue to protect their lands and forests. Some have had to separate from their families to protect them, and others facing extreme levels of depression due to gravity of the



situation. Further, environmental defenders that continue to fight for their lands do so in the knowledge that they or their family's personal safety could be jeopardised at any time.

Despite the most challenging of circumstances, environmental defenders continue to protect their lands, forests and rivers by organizing their communities, demonstrating and advocating against rapidly expanding natural resource extraction projects, and strengthen local resource management systems. Working in defiance of growing authoritarianism, environmental defenders continue their efforts and sacrifices to protect their communities and biodiversity from destruction and exploitation at the hands of the junta.

Myanmar's EHRDs stand on the forefront of global struggles against the onset of climate change and biodiversity extinction. As the coup has created a situation in which resources are being rapidly unearthed and the environment degraded, the work of environmental defenders has never been so critical. Despite the critical importance of environmental defenders and the unprecedented challenges they face, many continue under resourced and under supported. This briefing report details the challenges that environmental defenders are facing and calls on local, national and global actors to provide greater support and protection for environmental defenders.

Recommendations

In order to protect the future of our environment, our people and those who work tirelessly to defend them, we call upon:

Conservation INGOs, Donors, and UN agencies to:

1. Discontinue all collaborations with the SAC. Organisations that are continuing to work with the SAC regime will only serve to legitimise the coup, and support them in committing further crimes against Myanmar's people and environment
2. Provide support to environmental defenders, who are working on the front lines in high-risk environments against rapid environment destruction. This support should include; technical support, financial support, and emergency grants for resettlement, court cases and other urgent needs.
3. Provide support to indigenous communities and administrations, both in terms of humanitarian aid for fast growing numbers of IDPs in their territories, and for continued efforts for the protection and sustenance of their lands and biodiversity.
4. Focus on the drivers of environmental destruction, rather than the establishment of protected areas. These include military impunity, unregulated resource extraction,

and illicit commodity trades. Work with community-based organisations and environmental defender networks to prevent further environmental destruction.

5. Provide support to civil disobedience movements and community-based networks that continue to work for the restoration of democratic values.

Ethnic Resistance Organisations and Administrations:

1. Promote democratic values and practices, that respect the consent and aspirations of local communities. In line with these values all resource extraction projects must first seek the free, prior and informed consent of local and indigenous communities.
2. Prioritise long-term objectives over short term gains. The lands, forests and biodiversity are the heritage of local and indigenous peoples, plunder of these for quick revenues will deprive future generations of their inheritance and ultimately lead to failure of long-term struggles for self-determination.
3. Protect the rights of environmental defenders and community-based organisations that continue to work for the protection of communities and the environment.

The National Unity Government and Affiliated Resistance Organizations:

1. Create policies that respect and protect the rights and self-determination of indigenous peoples to govern their forests and biodiversity, and that prioritise people and planet over profits, unlike the previous NLD government which sold our lands and natural heritage to commercial companies.
2. Refrain from seeing our natural resources as a source of quick revenues. Instead, view our rich forests and biodiversity as the source of heritage, livelihoods and culture of our future nation. Sustaining this is of the utmost importance.
3. Respect self-determination of ethnic and indigenous peoples by promoting and supporting local governance systems and practices, refraining from undermining or overriding them.

UNFCCC and Other UN Agencies:

1. Study the links between violent conflict, authoritarian regimes and environmental destruction, and promote policies that address structural drivers of climate change
2. Focus on the drivers of climate change and extinction such as unfettered capitalism, illicit commodity trades, and dirty and outdated sources of energy rather than policies such as 30x30 which stand to dispossess indigenous peoples from their lands.
3. Center the voices of indigenous peoples and environmental defenders in conversations on climate change mitigation, as it is these groups that stand on the front lines of the battle for the survival of our planet



Figure 1: Indigenous communities in Karen State protest against the military dictatorship Threats to the Environment



Threats to the Environment

"In Shan State, when the communities requested to help them with natural resource extraction and the impact, we couldn't help them. Only we can do is giving suggestions and help them remotely. Logging are happening in the region. The mining which stopped in the past is operating again. In the next two years, [our forests and biodiversity] may all be gone."

Environmental Defender, Shan State.

Following the 2021 military coup, in addition to mass displacement of communities across the country, and worsening human rights and humanitarian situation, levels of environmental devastation have also rapidly increased.³ A receding rule of law and civic space, collapsing economy, and increasing militarization have created an environment in which resources are rapidly extracted through smash and grab style operations. These are having disastrous impacts on the resources and livelihoods of local and indigenous communities, whose lands and forests are being fast depleted.

Rapidly expanding gold mining conducted across the country, particularly on the banks of rivers and waterways, is having a devastating impact on local ecosystems and livelihoods.⁴

3. <https://progressivevoicemyanmar.org/2022/11/05/caught-at-the-crosshairs-of-the-climate-change-and-the-coup-indigenous-people-in-myanmar-speak-up-on-the-juntas-plundering-of-myanmars-forests/>
 4. <https://e360.yale.edu/features/as-conflict-persists-gold-mining-boom-is-ravaging-myanmar>

Local communities report that gold mining has altered the flows of streams and rivers, has led to extensive mercury pollution, and has resulted in erosion of riverbanks. Further, many villages from which communities have been forced to flee as a result of armed conflict have been transformed into gold mines, leaving IDPs with nowhere to return. While many communities engage in gold mining as a subsistence livelihood, mining areas and value chains are controlled by armed actors.

The scale of rare earth mining is also fast expanding in northeast Kachin State, under the control of both military aligned militias and EAOs.⁵ Leaching extremely dangerous chemicals

"Unlawful mining projects are destroying the homes of many displaced people, leaving them with nowhere to return to. No organization is providing support or taking the responsibility to solve this issue."
 Environmental Defender – Kachin State



Figure 2: The aerial scenes of gold mining on the bank in Myitsone river

5. <https://www.globalwitness.org/en/press-releases/new-evidence-shows-massive-and-rapid-expansion-illicit-rare-earths-industry-myanmar-fuelling-human-rights-abuses-environmental-destruction-and-funding-military-linked-militias/>

into the surrounding environment, rare earth mining has resulted in the transformation of surrounding hills and forests and has polluted rivers and streams beyond use. Rare earth mines are largely operated in cooperation with Chinese companies, and materials enter into global commodity chains for green energy technologies.⁶

Since the coup, we see that rare earth extraction has increased by more than 5 times. When the locals are faced with land problems, they don't know where to go for help. There is no rule of law at all, the locals are helpless. – Environmental Defender - Kachin

Illicit logging operations have also spiked during this period of political upheaval and conflict, as the SAC, militias, EAOs, and opportunistic businessmen have plundered state and community managed forests in order to generate quick revenues. Community-based environmental defenders report large numbers of logging trucks passing through neighbouring borders, and taxed at checkpoints from many different authorities. While the majority of valuable Burmese hardwoods make their way

to China, some have also entered the EU and the US where they are used to construct luxury yachts.⁷

While many large-scale infrastructure projects have halted in Myanmar since the coup due to increasing physical and economic instability, talks between the SAC and dam developers have continued. For example, the SAC leader announced the resumption of the 1,360MW Hatgyi dam in northern Karen state shortly after the coup. The Hatgyi Dam is being supported by Chinese state-owned enterprise Sinohydro and Thai state energy enterprise, EGAT, and is a development that would displace hundreds of thousands and compromise the last free-flowing cross-boundary river that provides livelihoods for over 10 million people.⁸

6. <https://www.globalwitness.org/en/campaigns/natural-resource-governance/myanmars-poisoned-mountains/>
7. <https://eia-international.org/report/acts-of-defiance-how-us-traders-are-ignoring-sanctions-to-import-conflict-teak-from-myanmar/>
8. <https://earthrights.org/wp-content/uploads/HatgyiBriefer.pdf>

Myanmar's Environmental Human Rights Defenders

As in many other countries in the region, land and environmental defenders living within communities, or working in civil society organizations play a leading role in protecting forests, land and biodiversity from plunder in Myanmar. Working in often extremely high risk environments, environmental defenders engage in campaigns for environmental justice, with actions including campaigns for the closure of damaging commercial mining, mega investment projects such as energy, or agribusiness operations, organizing their communities to strengthen and enforce local resource management systems, conducting local knowledge research, and engaging in advocacy to change laws and policies which priorities private profits over the lives and livelihoods of local communities.

The efforts of local and indigenous environmental defenders in Myanmar have been recognized globally. The Salween Peace Park, a 6,000km² indigenous conserved territory was established in 2014 by indigenous Karen communities, political institutions and civil society organizations to protect their forests and biodiversity from expanding dam and mining projects, and envision a peaceful future shaped by harmonious relations between humans and nature.⁹ The Salween Peace Park received the Equator Prize in 2020, and Saw Paul Sein Twa, the Salween Peace Park President and Executive Director of KESAN won the Goldman Prize in 2021, elevating the initiative to one of global significance.¹⁰

Likewise, during the 10-year period (2011-2021) of democratic transition, environmental defenders were able to successfully campaign against large-scale commercial projects, resulting in large-scale projects including the Myitsone Dam¹¹, a large-scale planned power plant in Dawei, and the Ban Chaung Coal Mine¹² being cancelled or suspended. Despite a growing influx of land and resource-based investment projects, environmental defenders demonstrated that when united, they were able to promote and protect the environment and human rights.

9. <https://report.territoriesoflife.org/territories/salween-peace-park-burma-myanmar/>
10. <https://www.goldmanprize.org/recipient/paul-sein-twa/>
11. <https://www.nytimes.com/2011/10/01/world/asia/myanmar-suspends-construction-of-controversial-dam.html>
12. <https://www.burmalink.org/myanmar-military-cronies-and-thai-companies-must-immediately-suspend-illegal-and-destructive-coal-mining-at-ban-chaung-dawei-district/>

Despite growing resistance from environmental defenders to protect their lands and territories in Myanmar, risks continued to be high. In 2018, for example, Tee Oo Moo, an environmental defender from Muttraw District and leader of the Salween Peace Park was shot dead by the military.¹³ In 2015, environmental campaigner Chit Paing Daing, involved in anti-mine campaigns and land demarcation was killed at a public concert by unknown assailants¹⁴. Saw Tha Poe, an environmental activist from Karen State, was sought for arrest in 2020 for his role in community organizing against a harmful cement factory¹⁵.



Justice for Saw O Moo

Saw O Moo (1975 – 2018) was a community leader and environmental defender from Mutraw District in northern Karen State. He had worked tirelessly to protect the lands and forests of indigenous peoples in Mutraw, including some of the last old-growth forests in Burma. He was also one of the most active community leaders in the establishment of the Salween Peace Park, a 6,000km² indigenous community conserved area located across Mutraw District.

On the 5th April 2018, Saw O Moo was shot dead by the Myanmar military as he returned from a community meeting in Lu Thaw, where he discussed the delivery of humanitarian assistance to those displaced by recent military incursions. Despite several attempts, his body was not returned to his family. He was succeeded by his wife Naw Paw Tha and seven young children.

Saw O Moo's death is a reminder of the suffering protracted civil war has caused in Myanmar, and of the huge sacrifices that environmental defenders and community leaders have made to protect their lands and peoples from destruction. His dedication to build peace and protect his ancestral lands will not be forgotten.



13. http://kesan.asia/aiovg_videos/saw-o-moo-defender-of-indigenous-karen-territories-the-environment-and-way-of-life/
 14. <https://www.fidh.org/en/issues/human-rights-defenders/burma-murder-of-ms-chit-pandaing>
 15. <https://www.article19.org/resources/myanmar-drop-charges-against-karen-environmental-activist-saw-tha-phoe/>



Challenges Faced by Myanmar's Environmental Human Rights Defenders (EHRDs)

Since the 2021 military coup, the work of environmental defenders has become much more difficult, and the risks incurred significantly higher. Many environmental defenders have faced detention, torture, intimidation and heavy surveillance for attempting to protect their territories from corporate interests. Despite these difficulties, environmental defenders continue to work underground, continuing to organize their communities, document indigenous community conserved areas (ICCAs), monitor impacts of mining operations, and campaign against damaging commercial projects among local authorities and upstream value chains.

Environmental defenders that once carried out activities that were perceived as beneficial to society, such as community development and environmental protection, have overnight turned into terrorists in the eyes of the military dictatorship. As exploitation and plunder of our country's natural resources continues to grow, those who speak up or oppose growing environmental and community harms are targeted by the SAC and armed groups. This section presents some of the challenges and difficulties that environmental defenders face in post-coup Myanmar.

Checkpoints and Surveillance

"Two young environmentalists from Southern Shan State were being searched for by SAC authorities, and so they went into hiding. People who are related to them have been arrested and their family are being watched. Their family dare not to go outside."
– Environmental Defender – Southern Shan State

Due to the increasing instability and the deteriorating security situation, local communities and environmental defenders fear arbitrary arrest or attacks, and are no longer able to travel freely throughout the territories. Growing numbers of checkpoints have been erected by the SAC and other armed actors, particularly around areas of resource extraction, at which community members searched and interrogated. Those found with laptops, phones, money, books or cameras are often interrogated. Further, at checkpoints in conflict zones or areas of resource extraction, arrests and abductions are a regular occurrence.

"I was conducting CF monitoring, documenting with pictures and videos. Then, on my way back home, I met soldiers at the checkpoint. So, my phone was checked and they saw the documentation. The SAC told me; "I don't want to see that kind of thing again. If it was at another gate, you would be arrested and face interrogation" – Environmental Defender – Tanintharyi Region

This widespread network of checkpoints has enabled the SAC, EROs, BGFs, and other armed actors to tax resource extraction and prevent local resistance, continuing a culture of impunity which has devastating impacts on Myanmar's remaining natural resources and biodiversity.

As well as growing numbers of checkpoints, known activists and EHRDs, and their families are also surveyed and monitored by the SAC. Further, the offices of many environmental organizations across the country have been raided and checked. Many environmental defenders who are under surveillance have either gone underground, moving from place to place, or fled to EAO controlled areas or neighbouring countries. In many cases, where authorities cannot find environmental defenders, they have arrested family members, including children, instead.

Proliferating militarized checkpoints and surveillance have made the work of environmental defenders increasingly difficult. Travelling to monitor sites of extraction or meet with affected communities has become a challenge, and many communities have also internalized this fear, too scared to travel outside of their communities, or to accept civil society groups and environmental defenders into their villages.



Figure 4: Customary forest management ritual performed by Indigenous Karenni Environmental Defenders. Source KEAN

Legal Oppression and Arrests of Environmental and Human Rights Defenders

The introduction and amendments of draconian laws have also enabled the SAC to expand its control of and surveillance over the public since the coup. Legislative changes have handed SAC the power to search, interrogate and monitor citizens without probable cause, to enforce heavy punishments on those accused of participating in resistance related activities, and to control the activities of civil society organizations working in Myanmar.

The coup and the introduction of increasingly draconian legal instruments has led to an astronomical increase in the numbers of arrests across Myanmar. As of April 2023, a total of 20,942 people have been arrested by the SAC, including 557 children and 4,222 women.¹⁶ In detention, those arrested often face grievous human rights violations. According to documentation by the Association of Political Prisoners, over 1,070 people have been killed in detention, often in extremely traumatic and violent circumstances.¹⁷

In addition to the introduction of these repressive legal instruments that have enabled the SAC to imprison tens of thousands of political opponents, they have also placed over 50 townships under martial law, these include townships in Mon, Karen, Karenni, Chin and Kachin States, as well as Sagaing, Tanintharyi and Mandalay Regions.¹⁸ The imposition of martial law effectively means that these townships have been placed under the authority of military command centres that are directly responsible for war crimes and grievous human rights violations.

16. <https://aappb.org/?p=24576>

17. https://aappb.org/wp-content/uploads/2023/03/English_Deaths-in-Junta-Detainment-27-March-2023.pdf

18. <https://www.hrw.org/news/2023/02/27/myanmar-junta-extends-martial-law>

Changes to the Junta's Architecture of Legal Oppression

Amendments to section 5,7 and 8 of the Personal Liberty and Personal Security of Citizens Law¹⁹ have enabled the SAC to arrest, interrogate and search peoples' properties without having a warrant. In addition to this, the law requires people to register guest lists with ward and village administrators if outsiders come to the village.

The Anti-Terrorism Law (2021)

The 2014 Anti-Terrorism Law was amended on 1st August 2021, and holds heavy punishments for those who are charged with it. The law targets those who are engaged in vaguely defined "acts of exhortation, persuasion, propaganda, or recruitment of any person to participate in... acts of terrorism". The law has been used to restrict and delimit the rights and freedoms of civilians across the country, including EHRDs, and has even in some cases been used to prosecute lawyers defending EHRDs. The amendment also increased the penalties carried by the law, now giving sentences between 5-10 years for minor cases, life sentences for heavier cases, and death penalties for severe cases.

Electronic Transactions Law (2021)

The 2004 Electronic Transaction Law was amended shortly after the coup on 15th February 2021. Section 38 and 29 of Chapter 10 were amended, overturning personal privacy and security on electronic devices. The law also carries penalties of up to three years imprisonment for poorly defined crimes such as; failure to manage personal data, spreading misinformation, and damaging foreign relations. The law has been used to curtail freedom of expression, and people's electronic devices are regularly checked, with arrests made for sharing social media posts perceived to be criticizing military rule.

The Registration of Associations Law (2022)

The Registration of Associations Law was introduced by the SAC in October 2022, repealing the former association registration law in 2014. This amended law imposed poses

significant threats and dilemmas for NGOs, CSOs, CBOs and humanitarian organisations who wish to continue to operate in Myanmar. While it is not unusual for organisations to share information about their activities, the law requires the declaration of funding sources, locations of operation and activities. Operating while being unregistered comes with heavy financial penalties and potential prison time. Failure to comply with the law carries a fine of up to 5 million Myanmar Kyat (approximately \$2,400 USD) and a maximum five-year prison sentence.

The Legal Aid Law (2021)

On 29th April 2021 the SAC amended the 2016 Legal Aid Law, creating significant obstacles to those who have been arrested to request legal aid to support their cases. The amended law stipulates that it is only those who have already been charged or sentenced that can request legal aid, effectively denying those who have been arrested without the right to counsel or the right to a fair trial. Further, the amendments also restrict who can provide legal aid, often disallowing those who are involved in Legal Aid Teams from providing legal aid, as it argued that they are working to defend protestors. According to the Assistance Association for Political Prisoners (AAPP), there were 17043 detainees as of March, 2022. These amendments will make it very difficult if not impossible for those detained to get legal aid and therefore access to a fair trial.

Tribute to Environmental Defenders Who Have been Arrested by the Junta

Environmental Defenders in Myanmar face extreme threats for protecting their lands, forests and communities from exploitation and destruction. These threats have been intensified by the 2021 military coup, and the brutal crackdown on public resistance to it. The fast-closing civic space has resulted in many environmental and human rights defenders from across the country being arrested, killed, or forced into hiding. Many in our extended networks have faced such threats, and now languish in prison, facing inhumane conditions. While we cannot precisely quantify the numbers of environmental defenders who have been arrested under new draconian lines, conversations with

19. https://www.myanmar-responsiblebusiness.org/pdf/Law-Protecting-Privacy-and-Security-of-Citizens_en_unofficial.pdf

environmental defenders across the country suggests the number is well into the hundreds.

Here we pay tribute to our friends and comrades, the Environmental and Human Rights Defenders who have been detained and arrested for the crime of protecting their planet, their environment and their communities. Many of the EHRDs cases that we have been able to follow have been arrested on false pretences under the Counter Terrorism Law, charged in some cases with prison sentences of over 10 years. Some of EHRDs have had their family members and affiliates arrested, held as hostage in order to capture them. Others have had their limbs broken, and denied medical treatment. Several of our comrades are also being kept incommunicado, their families unable to meet with them, and with no information provided as to their well-being. Furthermore, many of the EHRDs that have been arrested have been badly tortured for their work trying to protect their lands and communities.

It is hard to imagine how EHRDs who have dedicated their lives to protecting people and planet will be able to overcome such trauma and hardship.

Personal Impacts and Sacrifices of Environmental Defenders

I started to flee in March of 2021, as the SAC were looking for me. I have had to move to different places... [and] as a security precaution I had to divorce my wife legally and cut the communication with my children, otherwise, they can trace, arrest to me and my family members. SAC try to arrest me even I'm dead or alive... It has been two years that I didn't see my family and we no longer stay together. After the revolution, I hope I can meet my family." – Environmental Defender – Tanintharyi Region

The growing pressures on environmental defenders have resulted in significant personal plights and sacrifices.

Many environmental defenders face serious psychological well-being issues, including depression, breakdowns and suicide attempts. Recurring dreams and hallucinations of being followed, arrested, and shot haunt many, and large numbers have sought help from councillors despite limited availability.

Others have been forced to separate from their families and children to protect them from arrest or persecution. Many environmental defenders have had to go into permanent hiding, seeking refuge in the forest, in EAO territories or in neighbouring countries – not knowing if they will ever be able to return home. These huge personal sacrifices that environmental defenders have had to make illustrate what is at stake in the struggle to protect forests and biodiversity from plunder.

As well as individual sacrifices that environmental defenders have had to make to continue their work protecting their lands and communities, youth across the country also feel that they have had their futures, hopes and dreams taken away from them.

" I don't want to live under the control of this military regime, I feel like I have no freedom. As a young person, I feel they have blocked our opportunities. Our future is uncertain. Currently, the regime considers our young people as their enemy so we are in fear of them... we are even afraid to travel to the city." – Anonymous

"We need to live secretly. So, our minds have been impacted. We feel insecure, afraid to travel and are unable to be active. We don't want to work. Then, we don't want money. Later, we got depression and until we want to commit suicide. That's why, we need counselling. I have to take 20 counselling sessions." – Environmental Defender – Kachin State

The Continued Work of Environmental Defenders and the Challenges That They Face

"In some areas the SAC blocks the road or river...in some villages, we couldn't travel to until now, and when we get there we can't stay in the village for long. The villages are afraid to accept the outsiders even though they know us for a long time. Because there are a lot of checkpoints, we can be arrested at any time. If we are arrested, no one can help us." – Environmental Defender, Tanintharyi Region

As a result of growing authoritarianism, conflict, and surveillance, the work of environmental defenders has become incredibly high risk and challenging. Environmental defenders have had to try and adapt their work, using new tactics and approaches to meet with communities, collect data, and protect forests and biodiversity from plunder. Despite these changes, defenders continue to face serious challenges in conducting their work.

Growing authoritarianism and legal changes prevents groups of more than 5 people gathering in one place. Further, intensifying surveillance and intimidation from authorities has meant that communities are increasingly fearful of meeting with environmental defenders or participating in actions to protect their territories. As a result, CSOs and CBOs try to continue their work online, providing trainings and technical assistance, engaging in meetings and conducting research through encrypted communication channels. This is also extremely difficult as many areas at risk from environmental plunder have very poor connection, making continued communication with these areas extremely difficult.

Environmental monitoring has also become increasingly challenging since the coup. While in the past, civil society groups and affected communities formed formal monitoring groups to monitor and report on mining and resource extraction operations, these have all been disbanded, and members have had to go into hiding. Those that continue to try and carry out environmental monitoring are often harassed, threatened or intimidated by armed authorities

or companies at the site. Finally, the deterioration of rule of law means that environmental defenders don't know where to report environmental crimes or abuses anymore.

Growing risks associated with conducting environmental work have also been internalized by communities, many of whom are fearful of engaging in actions and activities. Environmental defenders report that it is difficult to gather communities to meetings, and community members report that some people are too scared to continue to conduct forest tracking and monitoring activities.



Figure 5: Indigenous Karen community conserve old growth forest in their territory



Continuing Resistance to Environmental Plunder

Despite the huge risks, communities and environmental defenders continue to resist encroaching environmental plunder in their territories. Public demonstrations of resistance to land and environmental destruction show that environmental defenders in Myanmar continue to stand on the front lines of a struggle against environmental and climate collapse. From communities protesting against expanding rare earth mining, to those continuing to campaign for free-flowing rivers, environmental defenders need greater support to protect Myanmar’s remaining forests, rivers, land and biodiversity from destruction, degradation and plunder.

Growing Movements to Halt Rare Earth Mining in Mansi, Kachin State

While rare earth mines have been operating in northern Kachin State since around 2010, under the authority of the NDA-K and the KIO, in recent years scale of mining and production has increased substantially. The expansion rare earth mines had resulted in serious environmental and human rights violations, including the pollution of waterways, destruction of mountains and farmlands, and corrosive health impacts.

In January 2020, the KIO announced a series of new rare earth mines in Ding Sin Pa and Nba Pa villages in Mansi Township in northern Kachin State. Despite growing local opposition from communities, church groups and CSOs, the KIO continued with plans for the operations, which started in December 2022.

More than 200 community members from 9 villages in the area gathered at the KIO Eastern District Headquarters to discuss the new mines, with the KIO announcing that they would continue the mining and take action against those who stood against it.²⁰ One 56-year-old woman had a heart attack on hearing the news and was rushed to hospital. She died on the way.



Figure 6: Over 900 people protesting against rare earth mines in Man Shi Township on March 21, 2023. Communities destroyed the mining camp. Photo credit: Kachin News.

20. https://burmese.kachinnews.com/2023/02/24/zm1-46/?fbclid=IwAR1rLWrY004dQJILyBUDJTfHQiGTH6vIM7GS3MIw7GP_Q4Zhe9v9TXRjPis

The local community sent a letter to the KIO again in February 2023 to request that Chinese companies desist from working in the area.²¹ When companies and the KIO failed to follow the demands in the letter, communities gathered in large numbers to protest against the mining operation, destroying the mining shelters and workspaces.²²

On April 15, 2023 KIO Chairman Nban La called a public meeting in Mai Ja Yang to discuss the future of rare earth mining in Ding Sin Pa. Over 1,500 community members gathered in the centre of the town, where it was announced that mining at the two sites would be stopped, in line with local demands.²³

Indigenous Communities Continue to Protect, Sustain and Strengthen ICCAs Despite Military Attacks: Cases of the Salween Peace Park and Tawthi Taw Oo Indigenous Park

Despite heavy military aerial offensives in Mutraw District, Northern Karen State, indigenous communities and environmental defenders have continued to take strong actions in protect, document and strengthen their indigenous community conserved area. The Salween Peace Park is a 6,000km² indigenous conserved territory that spans across that encompasses the ancestral lands or kaw of over 23 communities. Established in 2014, the Salween Peace Park is an initiative led by indigenous Karen communities to protect and sustain their territory and culture for generations to come against threats of militarization and environmental plunder. The area is managed through a grassroots democratic governance structure, led by elected community representatives, civil society organizations and the KNU.²⁴

In 2021, however, following the coup, the Myanmar military started to launch aerial attacks at Salween Peace Park and other civilian targets in Mutraw District. 25 Between

2021 and 2023 there have been over 174 aerial attacks, that have destroyed schools, houses, and community buildings.²⁵ Aerial attacks have resulted in over 104,471 people being displaced, both into the forest and across the border into Thailand.²⁶ Community members say that military jets fly overhead every day, and people have to sleep in the forest, as it is too risky to sleep in the village.²⁷

Despite these immense hardships, indigenous communities and environmental defenders in the Salween Peace Park have continued to work hard to organize their communities and protect their lands and forests from destruction and degradation. Together, communities have conducted local knowledge and historical research, held two general congresses, conducted watershed management activities, community conservation area boundary demarcation, forest rules and regulation strengthening, and continued revitalization of local culture and customary land management.

As well as continuing efforts to defend, strengthen and sustain the Salween Peace Park, indigenous communities in Taw Oo District have also taken significant steps to protect their territories despite intensifying ground and aerial attacks. In 2019, the community established



Figure 7: Indigenous Karen communities gather to discuss continued protection of the forest at the 3rd Salween Peace Park General Assembly, January 2023. Photo credit: KESAN & Salween Peace Park

the Tawthi Taw Oo Indigenous Park, a 5,750km² indigenous community conserved area that encompasses the lands customary lands of 18 communities.²⁸ Despite increasing difficulties, the community has conducted research, organized communities throughout the area, and conducted conservation activities across the forests in their area.

21. <https://burmese.kachinnews.com/2023/03/21/မကြွေးတူးဖော်ရေး-လုပ်ငန်း/>
 22. <https://www.facebook.com/watch/?v=210333398264228>
 23. <https://burmese.kachinnews.com/2023/04/15/rare-earth-ld-2/>
 24. <https://kesan.asia/salween-peace-park-program>

25. <https://www.iccaconsortium.org/2021/04/05/alert-myanmar-junta-bombs-indigenous-salween-peace-park/>
 26. <https://www.karenpeace.org/report/kawthoolei-idp-update/>
 27. https://www.karenpeace.org/wp-content/uploads/2021/05/Terror-from-the-Skies_Briefing_KPSN_English.pdf
 28. <https://kesan.asia/resource/we-protect-our-kaw-and-our-kaw-protects-us>

Attempts of Environmental Defenders Shut Down Gold Mining in Kachin State

Expanding and proliferating gold mining operations in Kachin State have been met with considerable resistance from local communities and environmental defenders who continue to struggle to protect the rights of their communities and health of the environment. Resistance efforts, however are often met with intimidation and crackdowns by the SAC, militias, EAOs and companies, who wish to continue extracting resources uninterrupted. Despite significant risks, local communities and environmental defenders continue to protect their lands and resources from capture.

Following the military coup, community members came together in Lan Door Village in Putao Township to try and stop large-scale gold mining in their territories. Despite their efforts, the mining continued. On February 18th, 2022, around 50 people from local communities in Putao came together to protect their territory, demonstrating against the mine and issuing an official complaint letter to companies and authorities in the area.²⁹ Despite the complaints and efforts of communities to protect their lands, the mining has continued. Communities continue their efforts to close these mining operations.

N'dum Latep is located on the banks of the Malikha River in Putao Township, and is a landmark for Kachin peoples, who built walls along the river many generations ago when they first settled the area. Gold mining in N'dum Latep began in early October 2022, instigated by two businessmen with the permission of the KIO, a local militia, and the SAC. Since its inception, over eight companies have joined operations, expanding their mining area over 100 acres of community lands.³⁰ The community submitted a letter to the KIO, calling for them to halt gold mining in the area. Despite local resistance, the mining has continued in their areas. Communities continue to struggle for the operation's closure.

In Myitsone in Kachin State, community members were forced to flee after speaking out on the impacts of gold mining in their territories, as SAC troops and mining operators came to arrest them. While community opposition to mining had resulted in smaller

mining operations closing down, large-scale operations have continued to expand their operations, particularly Jadeland Company, owned by Kachin tycoon Yup Zag Hkawng. Communities continued to be threatened by both the SAC and EAOs for standing up to resource extraction and environmental plunder in Kachin State.

Campaigns for Free-Flowing Rivers in Karen and Kachin States

On International River Day, on March 14th, 2023, Indigenous and local communities in Karen State along the Salween River to demand that rivers continue to run free. Over 700 people gathered on the banks of the river from to demand that rivers be left to flow free, that dam plans be cancelled, and for an end to the military dictatorship which continues to destroy and plunder the rivers, lands and resources of ethnic and indigenous communities in Myanmar.³¹

On the same day, over 400 people from Kachin indigenous groups joined across Bhamaw, Laiza and Myitsone to make public demonstrations and prayers that the Irrawaddy River be left to run free. They demanded the cancellation of the planned Myitsone mega-dam that threatens to destroy the heart of the Kachin homeland, stop large-scale gold mining in the area, and restore the right of communities to freely protect their environment.³²

Continued protests and demonstrations against dams and development projects on Myanmar's rivers demonstrate the continued strength of local and indigenous communities and environmental defenders to continue protecting their lands, rivers and forests despite insurmountable risks.



Figure 8: Indigenous communities gather on the banks of the Salween River in Karen State to demand an end to dams and the dictatorship. Source: KAREN RIVERS WATCH

29. <https://burmese.kachinnews.com/2023/02/21/y11-59/>

30. <https://burmese.kachinnews.com/2023/02/21/y11-59/>

31. <https://www.facebook.com/theKachinNews/>

32. <https://www.facebook.com/The74Media/posts/>



Conclusion

Following the military coup on February 1st, 2021, Myanmar's future has been thrown into uncertainty. While a (re)ignition of conflict across the country has resulted in the displacement of over 1.7 million, deepening authoritarian rule has resulted in the arrest of over 20,000, and the killing of over 4,000 civilians.³³ As well as the enormous human cost, the Myanmar military are also waging a war against nature. Expansive illicit logging and rapid mining expansion have been reported across the country, as the military and its affiliates seek to generate profits from an ailing economy. Rapid resource extraction has resulted in widespread deforestation, the pollution of rivers, the erosion of land and riverbanks and the collapse of local livelihoods.

Local communities and environmental defenders that continue to protect and defend their lands, forests and rivers from exploitation and destruction have also come under extreme danger. While some languish in prison under anti-terrorism charges, others have had to go into hiding, either taking shelter in the forest, on the border, or in neighbouring countries, not knowing when they will be able to see their families again. Expansive networks of checkpoints

manned by the SAC and armed groups and intensifying surveillance has meant that travelling between communities or conducting conservation activities has become increasingly high risk and has also resulted in communities being increasingly fearful about participating in environmental actions. Further, intense pressures have resulted in huge sacrifices of environmental defenders, many of whom have had to separate from their families, and face serious mental health challenges.

Despite the enormity of these threats, communities and environmental defenders have continued to fight to protect, sustain and strengthen their lands, forests and communities from threats of militarization, resource exploitation and environmental degradation. In Kachin State, communities and environmental defenders continue to demonstrate and advocate against expanding gold and rare earth mining in their territories. While in Karen State, indigenous communities continue to strengthen their community conservation areas and campaign for free-flowing rivers. As the military have launched a destructive war both against the people and the environment, it is Myanmar's environmental defenders who stand at the forefront of the battle to protect forests, biodiversity and ecosystems from plunder and collapse.

At a time of climate breakdown and ecological collapse, environmental defenders in Myanmar are fighting to protect some of the region's last remaining rainforests, wildlife and

33. <https://aappb.org/>

biodiversity from theft and plunder. Despite their efforts under such immense pressures, many environmental defenders continue doing their crucial work with minimal available support or resources. We call on the donors, international organisations, and international governmental agencies to recognise the enormous role that environmental defenders play in protecting our planet’s remaining rich biodiversity from capture and destruction by some of the of the world’s most brutal regimes.



Figure 8: Indigenous communities in Mutraw protect their forest. Source: KESAN

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