

INTERNATIONAL COURT OF JUSTICE

**CASE CONCERNING
APPLICATION OF THE CONVENTION ON
THE PREVENTION AND PUNISHMENT OF
THE CRIME OF GENOCIDE**

THE GAMBIA

v.

MYANMAR

**COUNTER-MEMORIAL OF
THE REPUBLIC OF THE UNION OF MYANMAR**

VOLUME IV

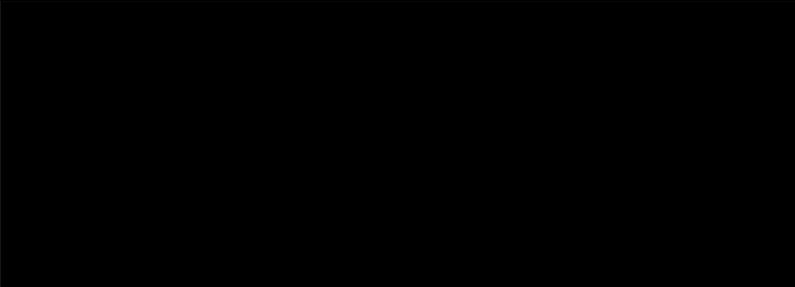
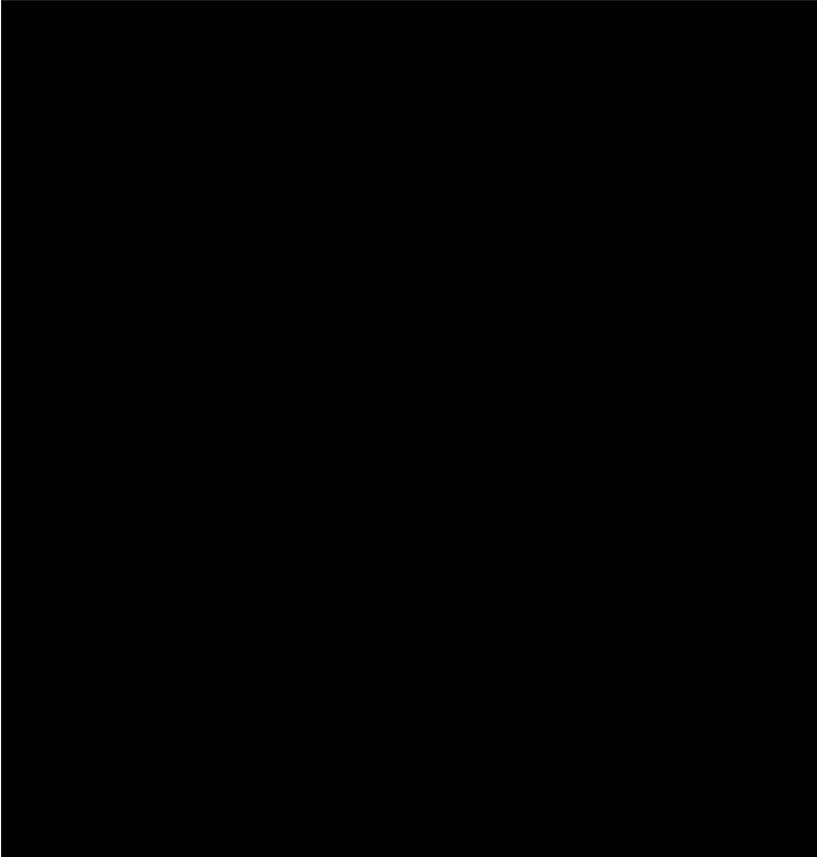
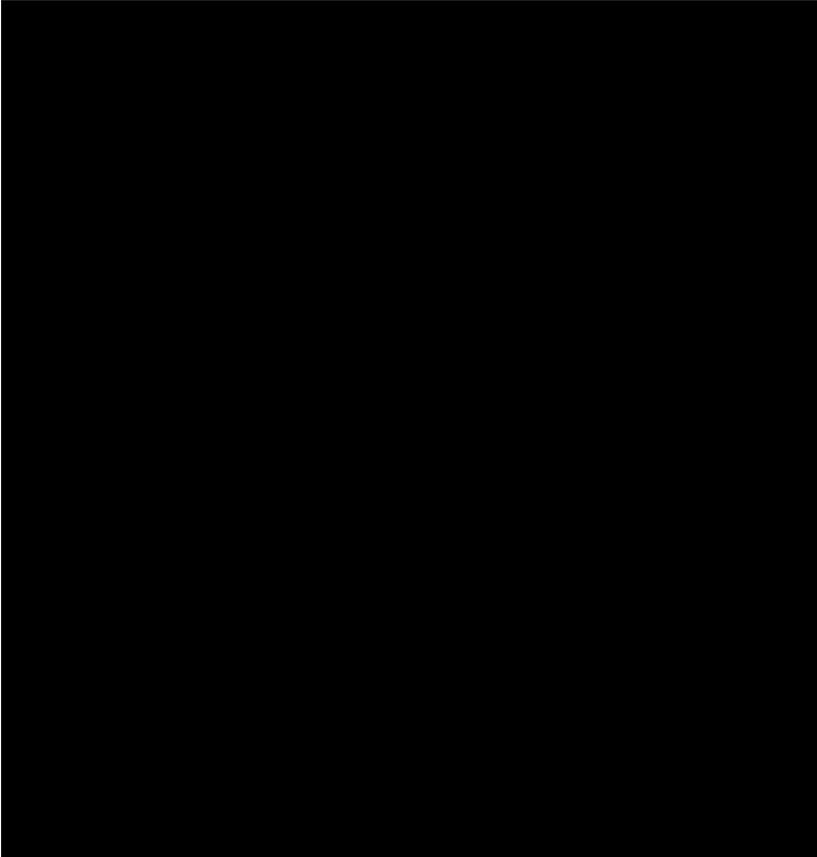
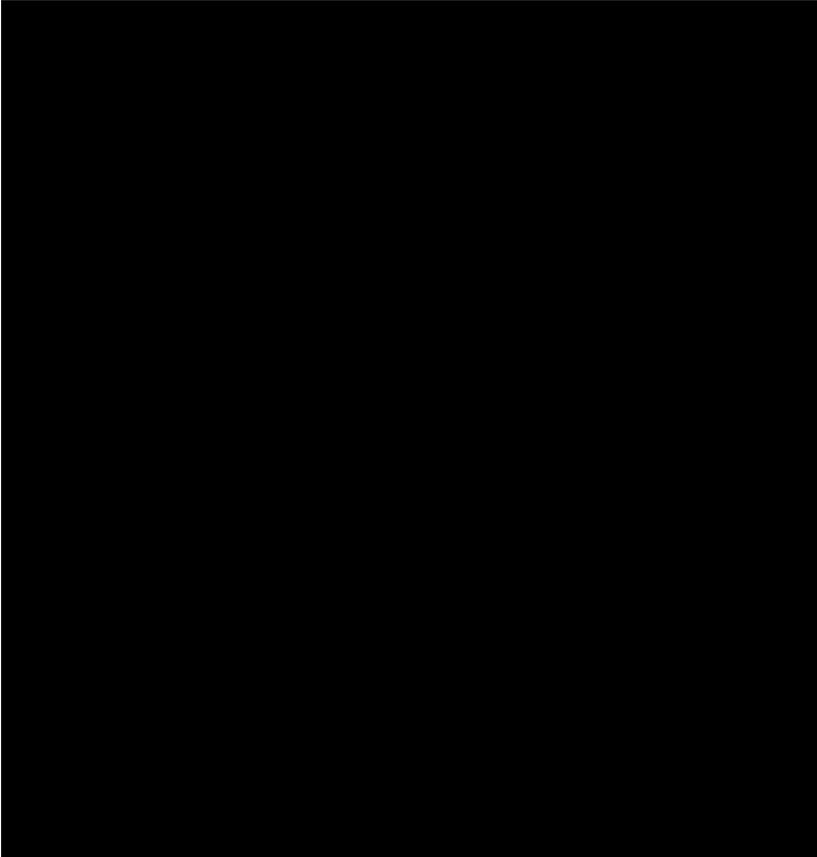
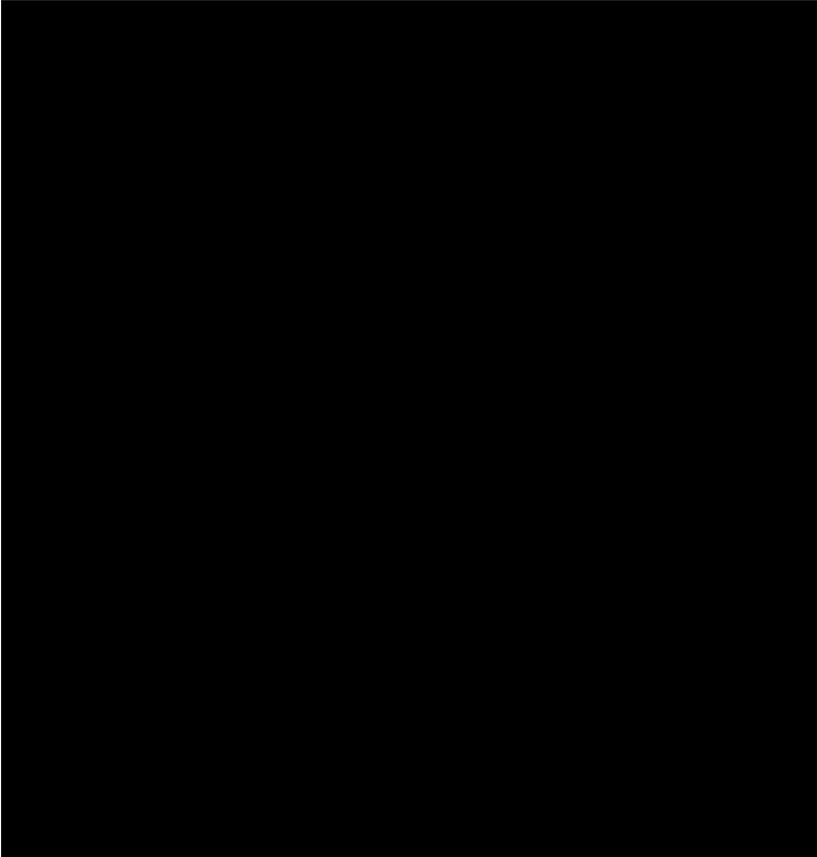
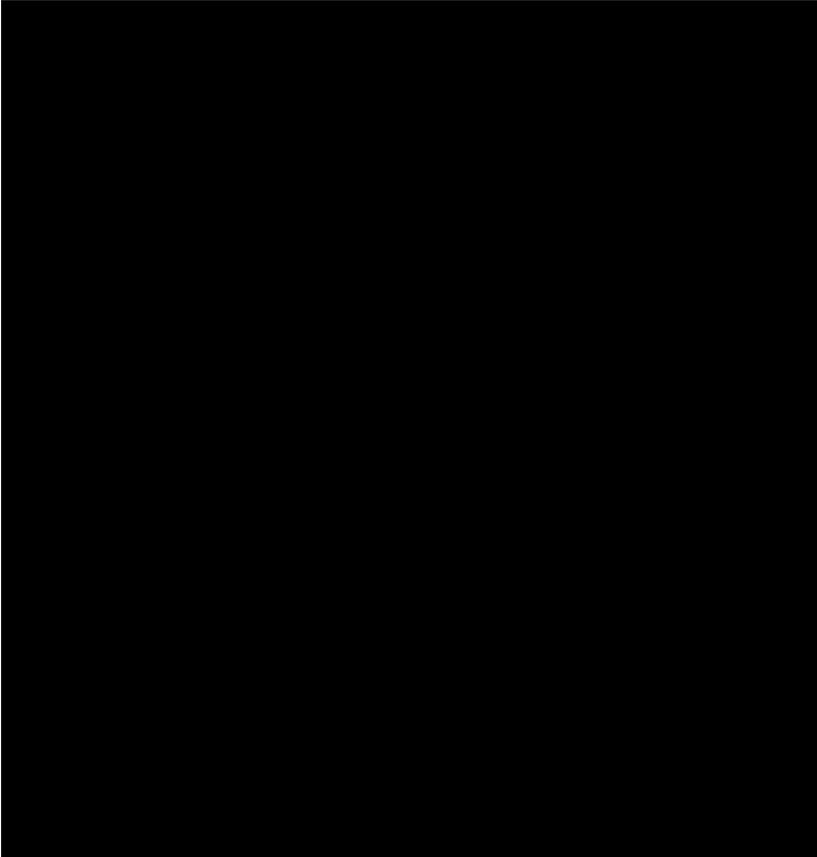
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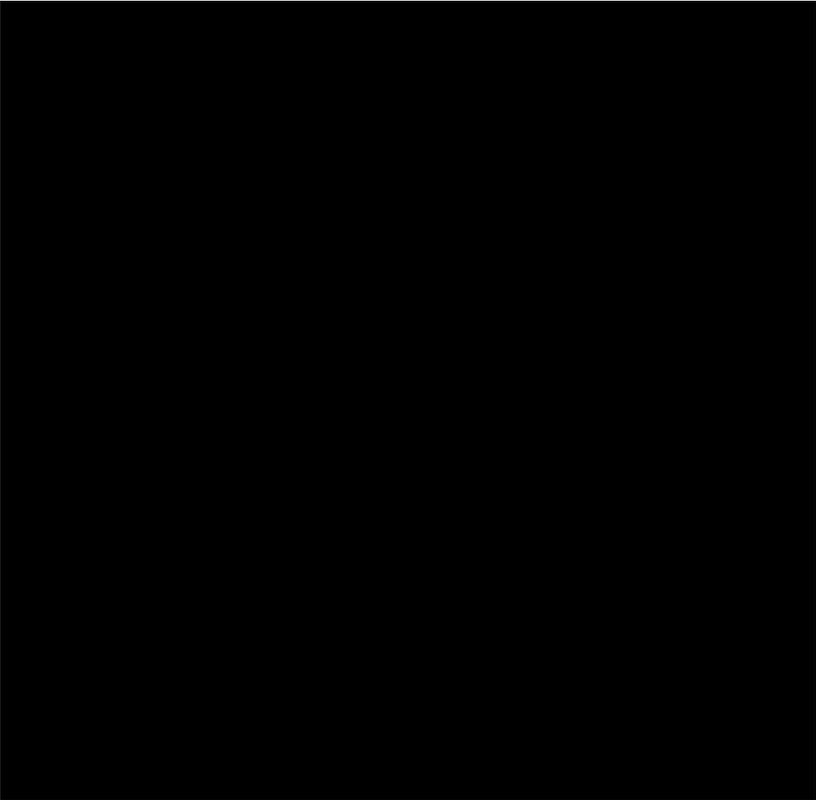
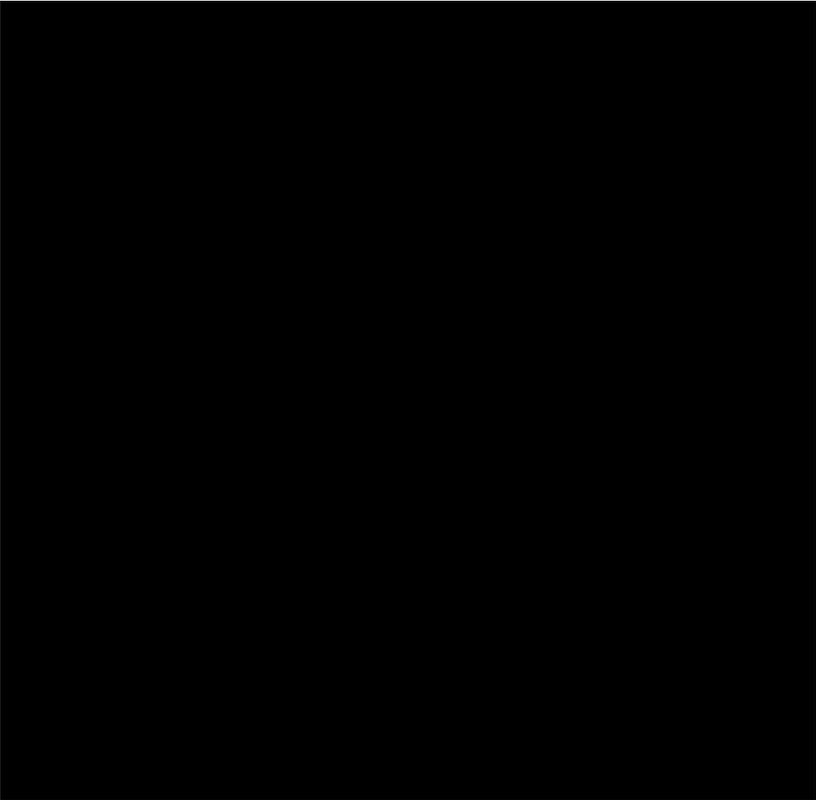
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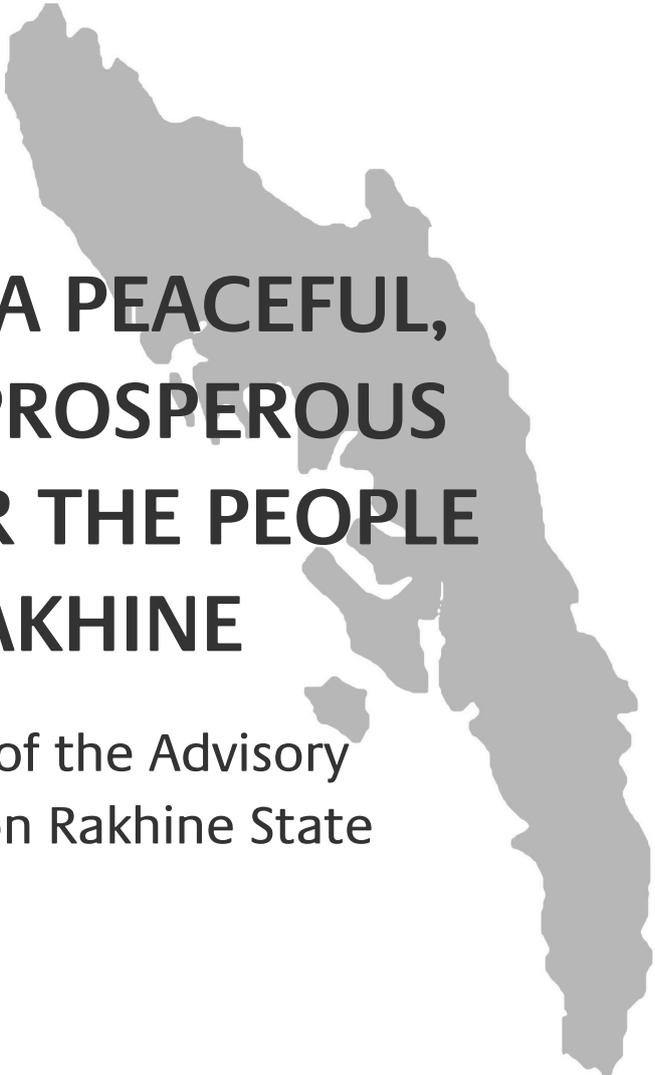
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Annex 107

Advisory Commission on Rakhine State, Towards a Peaceful, Fair and Prosperous Future for the People of Rakhine: Final Report of the Advisory Commission on Rakhine State, 24 August 2017

Available at:

<https://reliefweb.int/report/myanmar/towards-peaceful-fair-and-prosperous-future-people-rakhine-final-report-advisory>



TOWARDS A PEACEFUL, FAIR AND PROSPEROUS FUTURE FOR THE PEOPLE OF RAKHINE

Final Report of the Advisory
Commission on Rakhine State



ADVISORY COMMISSION ON
RAKHINE STATE

AUGUST 2017



3. MAIN FINDINGS AND RECOMMENDATIONS

THE ECONOMIC AND SOCIAL DEVELOPMENT OF RAKHINE STATE

Rakhine is fertile, relatively well-endowed with natural resources, and strategically located. Yet, its economy is marked by stagnation, under-investment and under-development. The state's poverty rate is 78 percent, almost double the national rate of 37.54 percent,⁴ which makes it one of the poorest parts of the country. All communities in Rakhine suffer from poverty, poor social services and a scarcity of livelihood opportunities.

The bulk of the Rakhine economy is made up of farmers, fishermen, and family-run business, and wages in the agricultural sector are low. Landlessness is more common in Rakhine than other parts of the country – especially in the northern part of the state, where 60 percent of households are landless.⁵ While other parts of Myanmar have seen rapid economic growth over the past years, Rakhine has fallen further behind. Current international perceptions of Rakhine as a place marked by unrest and frequent human rights violations, including enforced segregation, continue to discourage foreign investment.

Various factors serve to undermine the prospects for economic growth in the state, including frequent natural disasters, such as cyclones, and the impact of climate change. Yet, many obstacles to growth and development are man-made. The waves of inter-communal violence in 2012 significantly reduced trust between the communities, disrupting trade and commerce across the state, as well as cross-border trade with Bangladesh. As communities were disentangled, businesses relying on both Rakhine and Muslim labour have struggled to maintain their level of productivity. Some Rakhine employers have come under intense pressure from Rakhine nationalists to avoid hiring Muslims, thus disrupting the labour market and depriving the community of employment opportunities. While communal markets do continue in some areas, they are often under threat of disruption from hard-line elements within both communities seeking to undermine interaction between the communities.

4 *Myanmar Poverty and Living Conditions Survey*, World Bank, January 2015.

* Unlike the source stated, the correct source is, "World Bank. *Myanmar: Ending poverty and boosting shared prosperity in a time of transition. A Systematic Country Diagnostic, Report No. 93050-MM*. July 2014." The Commission notes that the Government's figure for the poverty rate in Rakhine is 43.5 percent, as compared with 25.6 percent nationally (*Integrated Household Living Condition Assessment Survey*, 2010).

5 *Food Security Assessment in Northern Rakhine State Myanmar*, World Food Program (WFP), February 2011.

Annex 108

Office of the Commander-in-Chief, Rules of Engagement for Counter-Terrorism and Counter-Insurgency Operations to Restore Normalcy

အကြမ်းဖက်သောင်းကျန်းမှုနှိမ်နင်းရေးဆိုင်ရာ တည်ငြိမ်မှုစစ်ဆင်ရေးအတွက် ထိတွေ့တိုက်ခိုက်မှုစည်းမျဉ်းများ

ရည်မှန်းချက်တာဝန်

၁။ သင်၏ရည်မှန်းချက်တာဝန်မှာ တာဝန်ထမ်းဆောင်ရာ နယ်မြေတွင် အကြမ်းဖက်သောင်းကျန်းသူများကို ချေမှုန်း တိုက်ခိုက်ရန်ဖြစ်သည်။

၂။ သင်သည် မိမိကိုယ်ကိုကာကွယ်ရန်နှင့် ရန်သူကို တိုက်ခိုက်ရန်အတွက် အင်အားအသုံးပြုခွင့်ရှိသည်။

၃။ ဤထိတွေ့တိုက်ခိုက်မှုစည်းမျဉ်းများသည် သင်၏ ကာကွယ်ရန်ခွင့်ကို ကန့်သတ်ရန်မဟုတ်ဘဲ တိုက်ခိုက်မှု နည်းလမ်းများကိုသာ ကန့်သတ်ရန်ဖြစ်သည်။

စစ်သည်တိုင်းအတွက် မိမိကိုယ်ကို ကာကွယ်ရန်ဆိုင်ရာ စည်းမျဉ်းများ

၄။ သေခြေခြင်း သို့မဟုတ် ခန္ဓာကိုယ်ကိုပြင်းထန်စွာ နာကျင်စေခြင်းဖြစ်စေနိုင်သည့်အန္တရာယ်မှ မိမိကိုယ်တိုင်အပြစ် အခြားသူများကိုလည်း ကာကွယ်ရန်နှင့် အစွဲအမူပြုသည်။

၅

၅။ သင်နှင့်သင့်တပ်ဖွဲ့ဝင်များ၏ အသက်အန္တရာယ် သို့မဟုတ် တာဝန်ထမ်းဆောင်ရာနယ်မြေအတွင်းရှိ ပြို့ရွာ များမှ အရပ်သားများ၏ အသက်အန္တရာယ်ကို ကာကွယ်ရန် အတွက် သေစေနိုင်လောက်သည့် မိမိ၏အင်အား သို့မဟုတ် တပ်ဖွဲ့အင်အားကို အသုံးပြုနိုင်သည်။

၆။ သင်သည် အောက်ပါအခြေအနေများတွင် သေစေ နိုင်လောက်သည့် မိမိ၏အင်အား သို့မဟုတ် တပ်ဖွဲ့အင်အားကို အသုံးပြုနိုင်သည်-

(က) သင့်အား လက်နက်တစ်မျိုးမျိုးဖြင့် ပစ်ခတ် သည့်အခါ သို့မဟုတ် ပစ်ခတ်မည့်အခြေအနေ ရှိသည့်အခါ။

(ခ) လူစုလူဝေးများ သို့မဟုတ် အဓိကရုဏ်း လုပ်ဆောင်သူများ သို့မဟုတ် လက်နက်ပါသူ များက လူ့အသက်အန္တရာယ်နှင့် ပုဂ္ဂလိကပိုင် သို့မဟုတ် အများပိုင်ပစ္စည်းကို ထိခိုက်စေခြင်းကို လာသည့်အခါ။

(ဂ) သင်ရောက်ရှိရာနေရာတွင် သင်နှင့် သင့်တပ်ဖွဲ့ဝင် များကို ရန်ပြုမည့်အခြေအနေရှိသောအခါ။

၆

ဖမ်းဆီးထိန်းသိမ်းခြင်းဆိုင်ရာစည်းမျဉ်းများ

၇။ သင်၏ ရည်မှန်းချက်တာဝန် ဖြစ်ပေါ်အောင်မြင်အောင် ဆောင်ရွက်မှုကို ကြားဝင်နှောင့်ယှက်မှု ပြုလုပ်သူနှင့် ပြုလုပ်ရန် အားလှတ်သူမှန်သမျှကို ဖမ်းဆီးထိန်းသိမ်း နိုင်သည်။

၈။ တာဝန်ထမ်းဆောင်ရာ နယ်မြေအတွင်း ရာဇဝတ်မှု ပြုမှုလုနီးသူများကို ဖမ်းဆီးထိန်းသိမ်းနိုင်သည်။

၉။ ဖမ်းဆီးထိန်းသိမ်းထားသူများကို လူသားရင်းစာနာ ထောက်ထားမှုနှင့်အညီ ဆက်ဆံရမည်။

၁၀။ ဖမ်းဆီးထိန်းသိမ်းထားသူများကို သက်ဆိုင်ရာ အာဏာပိုင် တို့ထံ ပြစ်နိုင်သမျှ အမြန်ဆုံးလွှဲပြောင်းပေးရမည်။

၁၁။ ထိတွေ့တိုက်ခိုက်မှုဆိုင်ရာစည်းမျဉ်းများ

၁၂။ လက်နက်ကိုင်အရပ်သားများကို မိမိကိုယ်ကို ကာကွယ် ရန်လိုအပ်စေရန်အတွက် တုံ့ပြန်တိုက်ခိုက်နိုင်သည်။

၁၃။ အရပ်သားများရှိနေသည့် နယ်မြေဧရိယာအတွင်း ရန်သူကို တိုက်ခိုက်ရာတွင် တပ်ရင်းမှနှင့်အတူ တပ်မှူး တစ်ဦးဦး၏ ခွင့်ပြုချက်မရရှိဘဲ အခြောက်၊ စီမံပြောင်း၊ ခံပေးလောင်ချာနှင့် တင်၏ အဓိကလက်နက်တို့ကို အသုံး မပြုရ။

၇

၁၄။ ကရင်ဂါးများရှိနေသည့် နယ်မြေဧရိယာအတွင်း ရန်သူကို တိုက်ခိုက်ရာတွင် အဓိကပေးနိုင်သည့် အာဏာပိုင် တစ်ဦးဦး၏ ခွင့်ပြုချက်မရရှိဘဲ တိုက်ခိုက်ရေး ရဟတ်ယာဉ် တိုက်လေယာဉ်တို့ကိုအသုံးပြု၍ တိုက်ခိုက်ခြင်းမပြုရ။ (တပ်မှူးနှင့်အတူ ကွပ်ကဲသူအရာရှိများသိရှိရန်)

၁၅။ ရပ်ကွက်/ကျေးရွာများအတွင်းရှိ နေအိမ် အဆောက် အဦများတွင် အကြမ်းဖက်သောင်းကျန်းသူများ ခိုအောင်း နေပါက မသက်ဆိုင်သည့် နေအိမ်အဆောက်အဦနှင့် အရပ်သားများကို ထိခိုက်မှုမရှိစေရေး နေအိမ်တကျ ကြိုတင် ပြင်ဆင်ပြီးမှ စီးနင်းတိုက်ခိုက်ခြင်းကို ဆောင်ရွက်ရမည်။

၁၅။ အရပ်သားများရှိနေသည့် နယ်မြေဧရိယာအတွင်း စစ်ဆင်ရေးဆောင်ရွက်မှုအားလုံးကို ဆောက်ပါလက်နက်ကိုင် ပဋိပက္ခဆိုင်ရာ ဥပဒေစည်းမျဉ်းများနှင့်အညီ ဆောင်ရွက် ရမည်-

(က) အရပ်သားများနှင့် တိုက်ခိုက်သူများကို ခွဲခြားခြင်း။

၈

(ခ) စစ်တပ်ပစ်မှတ်နှင့် အရပ်သား အရပ်တက် ဆိုင်ရာများ နေရာထွေးနေသည့်အခါ အရပ်သားနှင့် အရပ်တက်ဆိုင်ရာများကို ဆက်စပ်၍သော် လည်းကောင်း မတော်တဆသော်လည်းကောင်း ထိခိုက်ပျက်စီးမှုအနည်းဆုံးဖြစ်နိုင်သည့် အခြေ ညီညာ (သင့်တင့်မျှတသော) အင်အားကိုသာ အသုံးပြု တိုက်ခိုက်ခြင်း။

(ဂ) တတိန်သမျှ ကြိုတင်သတိပေးမှုပြုလုပ်ပြီးမှ တိုက်ခိုက်ခြင်း။

(ဃ) စစ်ရေးလိုအပ်ချက်အရသာ တိုက်ခိုက်ခြင်း။

(င) လူသားမျိုးစားနာခံခြင်း။

၁၆။ သင် သင့်တပ်ဖွဲ့နှင့် သင့်တပ်ဖွဲ့ကို ဖွဲ့စည်းဆောင်ရွက် နေသော တပ်ဖွဲ့တို့မှ တပ်ဖွဲ့ဝင်များ၏ အသက်အန္တရာယ်နှင့် ပစ္စည်းများအား ဖျက်ဆီးခြင်းကို ကာကွယ်ခြင်းမှတစ်ပါး စေတီပုထိုးများ၊ ဘုန်းတော်ကြီးကျောင်းများ၊ ဗလီများ၊ ခရစ်ယာန်ဘုရားကျောင်းများ၊ ဟိန္ဒူဘုရားကျောင်းများ အစရှိသည့် ဘာသာရေးဆိုင်ရာနေရာများ၊ ဝေရီများ၊ ကောင်းကျောင်းများ၊ ပြတိုက်များ၊ အမျိုးသားအင်္ဂါအဖွဲ့များ၊ များနှင့် အခြားသော သမိုင်းဆိုင်ရာနှင့် ယဉ်ကျေးမှုဆိုင်ရာ နေရာများကို တိုက်ခိုက်ခြင်း မပြုရ။

၉

၁၇။ စေတီပုထိုးများ၊ ဘုန်းတော်ကြီးကျောင်းများ၊ ဗလီများ၊ ခရစ်ယာန်ဘုရားကျောင်းများ၊ ဟိန္ဒူဘုရားကျောင်းများ အစရှိသည့် ဘာသာရေးဆိုင်ရာနေရာများ၊ ဝေရီများ၊ စာသင်ကျောင်းများ၊ ပြတိုက်များ၊ အမျိုးသားအင်္ဂါအဖွဲ့မှတ် များနှင့် အခြားသော သမိုင်းဆိုင်ရာနှင့် ယဉ်ကျေးမှုဆိုင်ရာ နေရာများကို စခန်းချခြင်း၊ ခံစစ်ဆင်ခြင်း၊ အုပ်ချုပ်မှု ဆောင်ရွက်ခြင်း အစရှိသည်တို့အတွက် အသုံးမပြုရ။

၁၈။ အရပ်သားပိုင်ဆိုင်မှုများ အရပ်တက်အဆောက်အဦများ၊ ဘာသာရေးဆိုင်ရာဆောက်အဦများ၊ ဝေရီဆေးခန်း များကို ရန်သူက စစ်ရေးအတွက် အသုံးပြုတိုက်ခိုက်လာ ပါက အဆိုပါနေအိမ်၊ အဆောက်အဦ၊ ဝေရီဆေးခန်းများ နှင့် အရပ်သား ပြည်သူလူထုကို ထိခိုက်ပျက်စီးစေမှု အနည်းဆုံးဖြစ်အောင် လက်နက်ငယ်များဖြင့်သာ အသုံး ပြု၍လည်းကောင်း၊ လက်ဖြင့်သေနတ်သမားများ အသုံး ပြု၍လည်းကောင်း တိုက်ခိုက်ပစ်လက်နက်များ အသုံးပြု၍ လည်းကောင်း ပြန်လည်တိုက်ခိုက်ရန် လိုအပ်ပါက ယင်းတို့ မတိုက်ခိုက်မီ တိုက်ခိုက်တော့မည်ဖြစ်ကြောင်း အသိပေး ကြေညာရန်။

၆

၁၉။ စာသင်ကျောင်းများ၊ ဘာသာရေးဆိုင်ရာဝတ်ပြုရာ နေရာများကို ရန်သူက စစ်ရေးအတွက် အသုံးပြုထားကြောင်း ခိုင်မာသည့် သတင်းရရှိထားပါက ကျောင်းဆင်းပြီးချိန်နှင့် ဝတ်ပြုပြီးချိန်များကို ရွေးချယ်တိုက်ခိုက်ရန်။

၂၀။ ထိတွေ့တိုက်ခိုက်မှု ဖြစ်ပွားနေသည့် နေရာဒေသအတွင်းရှိ အရပ်သားများကို ဖြစ်နိုင်သမျှ ဘေးလွတ်ရာသို့ရွှေ့ပြောင်း နိုင်ရေး ကူညီရန်။

၂၁။ ရပ်ကွက်/ကျေးရွာများအတွင်းရှိ ရန်သူတည်နေရာကို တိုက်ခိုက်မည်ဆိုပါက အရပ်သားများ အပြစ်ထွက်သူအဖြစ် အနည်းဆုံးဖြစ်လျှင် ကမ်းစားချိန် သို့မဟုတ် ညအချိန်တို့ကို ရွေးချယ်၍ ရန်သူနေရာကိုသာ ရွေးချယ်တိုက်ခိုက်ရန်။

၂၂။ အရပ်သားပိုင်ပစ္စည်းများကို ယူဆောင်ခြင်း ဖျက်ဆီးခြင်း မပြုရ။

၂၃။ ကလေးသူငယ်များ၊ အနိမ့်အရွယ်နှင့် သန်စွမ်းသူများကို အထူးကာကွယ် စောင့်ရှောက်မှုပေးရန်။

၇

ကာကွယ်ရေးဦးစီးချုပ်ရုံး



အကြမ်းဖက်သောင်းကျန်းမှု နှိမ်နင်းရေးဆိုင်ရာ တည်ငြိမ်မှုစစ်ဆင်ရေးအတွက် ထိတွေ့တိုက်ခိုက်မှုစည်းမျဉ်းများ

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<p>Rules of Engagement for Counter-Terrorism and Counter-Insurgency Operations to restore normalcy</p> <p>Mission objectives:</p> <ol style="list-style-type: none">1. Your mission objective is to attack and destroy terrorists and insurgents in the assigned territory.2. You have the right to use force to defend yourself and attack the enemy.3. The Rules of Engagement (ROE) place limits on combat methods but nothing in the ROE limits your right to take all necessary and appropriate actions to defend yourself. <p>Rules for Self-Defence for all servicemen</p> <ol style="list-style-type: none">4. You have the right to protect and defend yourself and others from death and from painful physical injury. <p>1</p>	<ol style="list-style-type: none">5. You shall use deadly force to save your life, the lives of your unit, and the lives of civilians in towns and villages in the assigned territory.6. You or your unit shall use deadly force in the following situations:<ol style="list-style-type: none">a. When you are fired upon or about to be fired upon with a weapon,b. When crowds or riot instigators or armed persons are threatening lives, private or public property,c. When you and members of your unit are in a location where attack is imminent. <p>Arrest and detention:</p> <ol style="list-style-type: none">7. You shall arrest and detain all those intervening to prevent achievement of your mission objectives.8. Those who commit crimes in the assigned territory shall be arrested and detained. <p>2</p>	<ol style="list-style-type: none">9. Those who are arrested and detained shall be treated humanely.10. Transfer those who are arrested and detained to the concerned authorities as rapidly as possible. <p>Engagement:</p> <ol style="list-style-type: none">11. Response and attack for self-defense are allowed against civilians armed with weapons.12. In engaging with the enemy on territory with civilian presence, do not use artillery, mortars, rocket-lunched weapon and tank main guns without permission from the battalion commander and above, or from the assigned commander.13. In engaging with the enemy on territory with civilian presence, do not use attack helicopters and fighter aircraft without permission from relevant authorities. (Attention: battalion commanders and above) <p>3</p>	<ol style="list-style-type: none">14. If terrorists or insurgents have taken shelter in houses and buildings, make systematic preparations before attack to minimize collateral damage to non-involved civilians and property.15. In all military operations on territory with civilian presence, the following rules of armed conflict shall be applied:<ol style="list-style-type: none">a. Distinguish between civilians and combatants.b. When military targets are among civilians and their property, minimize collateral damage to civilians and property through the use of proportionate force.c. To the extent possible, give advance warning before attack.d. Attack only when necessary to attain the military objective.e. Ensure respect for humanitarianism. <p>4</p>
	<ol style="list-style-type: none">16. Do not attack religious buildings such as pagodas, monasteries, mosques, Christian churches, and Hindu temples, except to prevent your own death, the death of members of your unit and allied units, and the destruction of military property and equipment.17. Do not use pagodas, monasteries, mosques, Christian churches, and Hindu temples, and other religious buildings, health facilities, schools, museums, national monuments, and other historical and cultural sites to lodge troops for military and administrative operations.18. If the enemy uses civilian homes and other buildings, religious buildings, and health facilities as bases for insurgency or terrorist operations, minimize collateral damage through using only small weapons, snipers, and assault weapons in response, and if necessary, issue warnings before attack. <p>5</p>	<ol style="list-style-type: none">19. If reliable information is received that the enemy is using schools and religious buildings for insurgency or terrorist operations, conduct offensives only after school-hours and after religious services.20. Facilitate the relocation of civilians from the military operations territory to a safer place.21. In conducting military operations against the enemy in villages and towns, select mealtimes and night to attack as most people will then be indoors.22. Do not take or destroy civilian property.23. Ensure special protection for children, women, and people with disability. <p>6</p>	<p>Office of the Commander-in-Chief</p>  <p>Rules of Engagement for Counter-Terrorism and Counter-Insurgency Operations to restore normalcy</p>

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Ministry of Religious Affairs and Culture, “Clarification to the Public (Ministry of Religious Affairs and Culture)”, 30 November 2018

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Unofficial Translation

Clarification to the Public (Ministry of Religious Affairs and Culture, 30 November 2018)

1. From ancient times, different races and members of different religions have lived together in peace and amity in the Republic of the Union of Myanmar.
2. Today, hate speech—that are of conflictual nature and can lead to misunderstanding among ethnic nationalities/ different races and members of different religions who have co-existed peacefully through successive eras—are being provoked through the internet and social media platforms to be transformed into violence at a time when the new democratic nation is being built.
3. In order not to hold hatred towards each other among different races and religions and to avoid conflicts within the country, the Ministry of Religious Affairs and Culture has formed the Interfaith Friendship and Unity Group (now renamed as Interfaith Friendship and Solidarity Committee) with a total of 128 groups at the township/ District /State and Region levels in its endeavour to promote peace, stability and harmony among different religions.
4. In collaboration with representatives from Religions for Peace-Myanmar, the Ministry of Religious Affairs and Culture transferred the Pope's donations to the Rakhine State Government on 30 September 2018 in order to promote peaceful coexistence among communities and alleviate the social difficulties of all people and religions in Rakhine State.
5. Moreover, the Ministry of Religious Affairs and Culture and Religions for Peace-Myanmar jointly held an interfaith peace dialogue on 21-22

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November 2018 to promote peace and reconciliation in Myanmar. The conference aimed to support the draw up and implementation of plans for peace and conflict prevention.

6. On the occasion of the final rites and cremation ceremony of the late Venerable Myaing Gyi Ngu Sayadaw held in Myaing Gyi Ngu Special Region, Karen State on 27 November 2018, the Union Minister while presenting the attending Sayadaws, expressed his deepest condolences for the immense loss of Myaing Gyi Ngu Sayadaw, a peace architect, as the monk had endeavoured for the peace of Kayin State and worked tirelessly for the propagation of Buddhism.
7. In this connection, the Union Minister said that it was not to disregard any other religions and to prevent social conflicts based on religion. The expression “an extremist religion” was not intentional but to refer to any religious extremists from any religion.
8. The Union Minister for Ministry of Religious Affairs and Culture has never discriminated any race or religion but rather uphold the essence of peace and harmony. Measures are being taken unswervingly for the stability and tranquility of the Union.
9. Therefore, it is requested with this clarification to considerately interpret the Union Minister’s word usage with tolerance and to stand and work together to avoid any undesirable problems for the sake of peace and stability.

Ministry of Religious Affairs and Culture

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Ministry of Religious Affairs and Culture, Press Statement, 11 December 2018

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Unofficial Translation

Press Statement of the Ministry of Religious Affairs and Culture (11 December 2018)

1. To accelerate the processes of religions for peace in collaboration with Interfaith Friendship Group is a national duty.
2. In order to smoothly and successfully implement tasks of the processes, it is expressed here that the Union Minister's recent usage of "an extremist religion" and other remarks made—including at the final rites and cremation ceremony of the late Venerable Myaing Gyi Ngu Sayadaw—are nullified and extend an apology to relevant organizations.

Ministry of Religious Affairs and Culture

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Ministry of Foreign Affairs, press release, “Repatriation of Displaced Persons from Bangladesh did not occur as scheduled”, 22 August 2019

Annex 139

Repatriation of Displaced Persons from Bangladesh did not occur as scheduled (22 August 2019)

THE Ministry of Foreign Affairs of Myanmar was informed by the Ministry of Foreign Affairs of Bangladesh on 19 August 2019 that the Government of Bangladesh has undertaken all necessary measures to smoothly conduct the repatriation of displaced persons from Bangladesh, which is scheduled to start on 22 August 2019.

Based on this information, Myanmar side has made all the necessary preparations. Two Ministers of the Rakhine State Government, personnel of the respective Ministries; Ministry of Foreign Affairs, Ministry of Labour, Immigration and Population, Ministry of Social Welfare, Relief and Resettlement, Ministry of Health and Sports, Ministry of Education, among others, waited at the Reception Centre in TaungPyoLetwe.

They were joined by the personnel from ASEAN Secretariat, ASEAN Coordinating Centre for Humanitarian Assistance on Disaster Management (AHA Centre) and the ASEAN ERAT Team since the morning of 22 August 2019. However, the promised repatriation failed to occur.

The Government of the People's Republic of China and the Government of Japan have been trying to facilitate the smooth repatriation of displaced persons from Bangladesh. The Ministry of Foreign Affairs of Myanmar was informed by China on 6 August 2019 that Bangladesh intends to start the repatriation on 22 August.

Accordingly, the Permanent Secretary of the Ministry of Foreign Affairs of Myanmar received the Ambassador of Bangladesh on 9 August 2019 and asked for confirmation and also requested the list of the people to be repatriated as soon as possible. While the confirmation was given on 19 August 2019, no list was provided.

On 20 August 2019, the news media of Bangladesh was quoted the Bangladesh Minister of Foreign Affairs Dr. AK Abdul Momen that both Bangladesh and Myanmar are fully ready to resume the repatriation of Rohingyas to their homeland but some Rohingya leaders and NGOs are reportedly discouraging them to return. It is learnt that members of ARSA have been using threats and intimidation to prevent the inhabitants of the Camps in Cox's Bazar from taking part in the repatriation process.

The Myanmar side had repeatedly requested the Bangladesh side to follow the procedures set out in the bilateral agreement. This would require the agreed Verification Forms to be distributed to the inhabitants of the Camps so that the people, who agreed to return voluntarily, can sign the Forms which would then be forwarded to the Myanmar side. This procedure was not adhered to.

The list provided to Myanmar does not follow this accepted procedure. Despite this, the Myanmar side had verified the list of 3450 people. The list of these verified persons has been sent to Bangladesh authorities in seven batches since January 2019. However, it

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was found out that UNHCR was able to start interviews only on 20 August 2019, just two days before the stipulated date for repatriation.

Another important point is the request by Myanmar side to allow the repatriation of 444 people of Hindu faith who have expressed their desire to return to Myanmar through the Hindu elders and the Indian Embassy in Yangon. Myanmar side had informed Bangladesh its willingness to expedite the repatriation of the 444 people since 23 November 2017. There has been repeated request by Myanmar for the early repatriation of the 444 people. All these requests were ignored.

Smooth repatriation for the displaced persons would require the adherence to the bilateral agreement that the two countries have signed.

Ministry of Foreign Affairs
Nay Pyi Taw
22 August 2019

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Ministry of Foreign Affairs, Press Release, “The Myanmar Delegation led by the Director-General of the International Organizations and Economics Department of the Ministry of Foreign Affairs met with displaced persons at Cox’s Bazar, Bangladesh”, 20 December 2019, *The Global New Light of Myanmar*, 21 December 2019

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CBM to issue one thousand kyats note with Bogyoke Aung San picturesque on 4th Jan

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Senior General Min Aung Hlaing visits Ha Long Bay in Viet Nam

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Saturday, 21 December 2019

National Social Protection Committee produces seven decisions at third meeting

THE National Social Protection Committee held its third meeting at the Ministry of Social Welfare, Relief and Resettlement in Nay Pyi Taw yesterday. Vice President U Myint Swe, who is chairman of the committee, delivered a speech at the meeting.

In his speech, the Vice President said this committee was formed with him in lead and twelve other members, assigned 11 duties, in order to facilitate effectiveness in the National Social Protection Strategic Plan and its related activities. He said they have formed working committees, technical support committees, monitoring and evaluating committees and also formed relevant subcommittees as needed.

The Vice President said that this committee's first meeting

was held on 15 June 2018 and the second meeting on 1 March 2019, where 24 decisions were made from both of these meetings. He said nine of them have been completed and fifteen are ongoing. He added that as social protection benefits all citizens the ongoing processes should have a designated time frame and should be completed swiftly.

The Vice President said the Union government has designed and is implementing the National Action Plan for Myanmar Social Protection and the Myanmar Social Protection Sector Mid-Term Project (2018-2023). He said social protection processes first began in the 2017-2018 FY, especially the Social Protection Monetary Support Programme saw the swift expansion of beneficiaries and

implementation areas.

The Vice President said monetary assistance has also increased and will increase again in the next few years. He said this is why there is a need to establish a system for ensuring process implementation and administration, monitoring and evaluation, and accepting and resolving complaints.

The Vice President said long-term fund income is important for effective implementation of social protection. He said that looking at the source of the funding programmes, the social pension for senior citizens started in 2017-2018 FY, the Maternal and Child Cash Transfer (MCCT) Programme in Rakhine, Kayin and

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Vice President U Myint Swe delivers the speech at the third meeting of National Social Protection Committee in Nay Pyi Taw yesterday. PHOTO: MNA

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Myanmar minister attends cross-border transport meeting for Greater Mekong Subregion

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Yangon University's Myanmar Department reaches 78th year

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Myanmar delegation led by Director-General of International Organizations and Economics Dept of MOFA meets with displaced persons at Cox's Bazar

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Whatever we do, we must keep in mind the good of our Union

Our country is a union. A union is a nation comprised of many ethnic nationalities. Whatever we do, we must keep in mind the good of our Union. Whatever you do, please think for the good of our Union and the peoples of our Union. Further, please work to bring the peoples of our Union closer together, more bonded, more united.

(Extract from the opening speech given by State Counsellor Daw Aung San Suu Kyi on 3 August 2018 at Meeting No. 1/2018 of the National Tourism Development Central Committee.)



Press Release

The Myanmar Delegation led by the Director-General of the International Organizations and Economics Department of the Ministry of Foreign Affairs met with displaced persons at Cox's Bazar, Bangladesh

ANINE-MEMBER Myanmar delegation led by U Chan Aye, Director-General of the International Organizations and Economics Department of the Ministry of Foreign Affairs accompanied by the ASEAN-ERAT Team comprised of six officials from the ASEAN Secretariat and the AHA Centre visited Cox's Bazar, Bangladesh from 18 to 19 December 2019 to meet with displaced persons.

The Myanmar delegation and ASEAN-ERAT Team left Dhaka for Cox's Bazar by air on 18 December 2019 and met with some 50 representatives of displaced persons from various camps at the Office of the extension of Camp No. 4, Cox's Bazar.

Present at the meeting were U Aung Kyaw Moe, Myanmar Ambassador designate to the People's Republic of Bangladesh, Mr. Md Alauddin Vuian, Director, Myanmar Wing, Ministry of Foreign Affairs of Bangladesh and Mr. Mahubub Alam Talukdar,

Bangladesh Refugee Relief and Repatriation Commissioner and responsible officials.

The leader of the Myanmar Delegation briefed on the progress of the preparation work for the repatriation and resettlement of the displaced persons with PowerPoint. He also explained them on the matters pertaining to speeding up of citizenship application process in accordance with the laws, the Government's efforts to address the justice and accountability including security measures to protect all communities in Rakhine State, benefits of holding NVC, implementation of Quick Impact Projects conducted by the UNHCR and UNDP, providing better access to education and health services, and execution of social cohesion among various communities. The ASEAN-ERAT members also explained on the scope of their mandate to assist the repatriation process.



The Myanmar Delegation, accompanied by ASEAN-ERAT members, brief the displaced persons on the Government's efforts on repatriation process at the extension of Camp No 4 in Cox's Bazar. **PHOTO: MNA**

On 19 December 2019, the Myanmar delegation and ASEAN-ERAT Team again went to the Office of extension of Camp No. 4 and met with the displaced persons. The Myanmar delega-

tion again explained the nature of the 1982 Citizenship Law in details, recognition of ethnic groups based on the 1982 Citizenship Law, issuance of the National Registration Cards in Rakhine State and necessity of holding the NVCs for undocumented persons. Myanmar delegation also informed them of the recent adoption of IDP Camps Closure Strategy.

In the afternoon, the Myanmar Delegation separately met with displaced Hindu communities, who are currently residing in Cox's Bazar's camps. The Myanmar delegation coordinated with the Bangladeshi authorities for verification of these people and their expeditious repatriation.

In the evening, Myanmar delegation and ASEAN-ERAT Team met with officials of the Ministry of Foreign Affairs of

Bangladesh at the State Guest House PADMA, Ministry of Foreign Affairs in Dhaka. The leader of the Myanmar delegation briefed them on the outcome of discussions with Muslims and Hindu displaced persons. They informally exchanged views on challenges faced in the repatriation process.

This trip is the follow-up of the visit of the high-level Myanmar delegation led by the Permanent Secretary of the Ministry of Foreign Affairs to Cox's Bazar in July 2019. The Myanmar delegation led by the Permanent Secretary of the Ministry of Foreign Affairs had paid two field trips to Cox's Bazar in October 2018 and July 2019.

Ministry of Foreign Affairs
Nay Pyi Taw
Dated, 20 December 2019



The Myanmar Delegation briefs the displaced persons of Hindu Faith on Government's efforts on repatriation process at the extension of Camp No 4 in Cox's Bazar. **PHOTO: MNA**

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Union Attorney-General Office, Press Release, 23 November 2020, *The Global New Light of Myanmar*, 24 November 2020

Supreme Court of the Union to pass judgements via videoconferencing

The Supreme Court of the Union will pass judgements on cases concerning crimes, civil suits and writs via videoconferencing on 1,2,3,4,7,8,10 and 11 December. The list of cases can be viewed on its website www.unionsupremecourt.gov.mm and its Facebook page of Public Relations www.facebook.com/ousc.publicrelations seven days ahead.—MNA

(Translated by Aung Khin)

Announcement on postponement of recollecting loan, interest for Nov, Dec from microfinance organizations

In accordance with the guidance of National-Level Committee on Prevention, Control and Treatment of COVID-19, microfinance organizations in Yangon Region, Bago Region and Rakhine State which are primarily impacted by COVID-19 will postpone recollecting of their loans and interests to be paid by their members in November and December to the end of April 2021.

The members will have to repay the loans and interests in instalments between May and October 2021. The Myanmar Economic Bank will help microfinance organizations to prevent their losses by providing zero-interest loans for one year.

Financial Regulatory Department
Ministry of Planning, Finance and Industry

Republic of the Union of Myanmar Union Attorney-General Office Press Release

9th Waxing of Tazaungmon, 1382 ME
(23 November 2020)

Press Release on Final Report of Independent Commission of Enquiry

1. The President's Office has formed the Independent Commission of Enquiry (ICOE) on 30 July 2018 to investigate the allegation of human rights violation in Rakhine State during armed clashes between Myanmar Tatmadaw and ARSA terrorist groups in 2016-2017. Regarding the Final Report submitted by the ICOE, the President's Office instructed the Union Attorney-General Office on 21-1-2020 to conduct an investigation into any criminal acts and prosecution if concrete evidence was found, and to carry out further enquiry and prosecution on the destruction of property, looting and other criminal acts committed by civilians during the armed clashes.
2. The President's Office also issued Notification 19/2020 dated 24-1-2020 to form the Criminal Investigation and Prosecution Body. The report of commission said that there is a total of 139 cases for prosecution—87 cases in colluding with ARSA, 23 cases of border guard police forces and 29 cases committed by local ethnic people in 13 incidents.
3. The report of ICOE also said that the accomplices with ARSA committed 87 criminal cases, including murder, arson attacks and destruction of property. Among them, lawsuits have been filed against 67 cases, and 20 cases remain. The report included that the border guard police forces committed 23 crimes, such as murder, arson attack and destruction of property. Lawsuits have been filed against these cases. The report concluded 29 cases of murder, arson attack and destruction of property committed by the local ethnic people. Among them, lawsuits have been filed against 20 cases, and 9 cases remain.
4. Regarding the recommendations in the ICOE report, the Criminal Investigation and Prosecution Body has submitted its first report concerning the criminal cases on 1-5-2020 and the second report on 1-11-2020 to the President's Office.
5. A mechanism to address complaints in relation to the attacks in northern Rakhine State has been set up, and its activities will be released to the public.

Union Attorney-General Office



Myanmar returnees from Malaysia are seen at the Yangon International Airport on 23 November 2020. PHOTO: MNA

33rd relief flight brings 170 Myanmar citizens back home from Malaysia

THE 33rd relief flight of Myanmar Airways International organized by the Myanmar Embassy in Kuala Lumpur landed in Yangon yesterday afternoon with 170 citizens stranded in Malaysia due to suspension of international flights.

The Ministry of Labour, Immigration and Population, the Ministry of Health and Sports and the Yangon Region government arranged 7-day quarantine at

specific places or designated hotels, followed by the 7-day home quarantine for them. Under the directives of Ministry of Foreign Affairs, the Myanmar Embassy in Kuala Lumpur is closely working with relevant organizations in Malaysia to bring Myanmar citizens with no national verification, and those from the detention centres after their national identity has been scrutinized.—MNA

(Translated by Aung Khin)

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