

Protecting Myanmar's environmental defenders in conflict

Submission to the UN Special Rapporteur on the human right to a healthy environment – August 2026

Introduction

This submission to the UN Special Rapporteur's report on the right to a healthy environment documents the experiences of environmental human rights defenders (EHRDs) in Myanmar. EHRDs include indigenous peoples, local communities, journalists and civil society actors defending land, water, forests and livelihoods. They operate amid armed conflict, military rule and fragmented territorial control, where extractive projects frequently proceed without safe participation or effective remedy. The risks are both individual and collective because attacking one defender can silence a community, obstruct access to environmental information and weaken collective stewardship.

Risks, criminalisation, and attacks against EHRDs

Restricted civic space

Since the 2021 coup, the military regime has severely [restricted](#) freedoms of expression, association, assembly, and access to information. For instance, the military-decreed [Article 505A](#) of the Penal Code criminalises broadly formulated conduct, including causing fear, spreading information characterised as “false” and certain forms of incitement against government employees. Wider arrests and surveillance compound the risks faced by EHRDs.

Although these measures are not specific to environmental activity, they restrict reporting, community organising and challenges to official decisions. Communities cannot participate safely if meetings, travel or criticism expose them to arrest. Journalists cannot investigate extractive operations without fear of reprisal. Conflict, displacement and militarised project areas can also prevent communities from monitoring environmental harm or participating in decisions.

Project-related repression may also be enforced through military violence. In the Dawei Special Economic Zone, military operations in 2026 [intended](#) to secure or advance the project resulted in the killing of EHRDs and other community members, arbitrary [arrests](#), arson, and mass displacement. These operations [prevented](#) affected communities from monitoring environmental harm, [participating](#) in assessment processes and continuing collective stewardship of their land.

Letpadaung and criminalisation through general laws

The Letpadaung copper mine in Sagaing Region illustrates the use of general laws against EHRDs. Concerns about land acquisition, forced eviction, environmental assessment, and repression of opponents have been [documented](#) for years. The mine [involves](#) a Chinese company and a Myanmar military-linked company.

Naw Ohn Hla, a prominent woman EHRD, repeatedly campaigned for suspension of the mine. In 2013, she received two years' [imprisonment](#) with hard labour under section 505(b) after organising a peaceful protest. In 2015, she and five other defenders received cumulative [sentences](#) of four years and four months under criminal and assembly provisions. The proceedings raised serious fair trial [concerns](#), including sentencing in the absence of her lawyer.

Her case shows how repeated arrests, overlapping charges, imprisonment, legal costs and travel restrictions can divert defenders from community organising and create a cumulative chilling effect. It also demonstrates that formal environmental [safeguards](#) are ineffective when [participation](#) exposes affected people to prosecution or retaliation.

Environmental journalism and impunity

Journalists investigating natural-resource exploitation perform an essential EHRD function by identifying responsible actors and informing affected communities. Soe Moe Tun, a Sagaing Region journalist reporting on illegal logging and timber smuggling, was found [beaten to death](#) near Monywa in 2016, days after [identifying](#) people allegedly connected to the timber trade. His killing and the absence of accountability illustrate the [risks](#) of investigating powerful resource interests. Such attacks [deter](#) other journalists and deprive communities of information needed to understand and challenge environmental harm.

Retaliation by a non-State authority

Protection must also address non-State authorities exercising effective territorial or administrative control, while recognising that their legal position is not identical to that of the State.

In 2026, villagers in Lashio Township [protested against](#) gold mining and the seizure of agricultural land, which residents said had proceeded without meaningful consultation, consent or compensation. The Myanmar National Democratic Alliance Army reportedly detained 36 villagers. Detainees were allegedly [beaten](#) and subjected to coercive questioning intended to identify organisers. They were [released](#) following [interventions](#) by community representatives, youth organisations and local political actors.

The reported detentions show how an armed authority's involvement in extraction can transform peaceful environmental action into collective intimidation. The releases also indicate that rapid documentation, collective advocacy and third-party intervention can provide limited protection. These measures did not remedy the alleged mistreatment or resolve the underlying land dispute.

Conflict-linked extraction and international supply chains

Rare-earth extraction in Kachin State

Heavy rare-earth elements used in electric vehicles, wind turbines and other energy-transition technologies are increasingly extracted in conflict-affected Kachin State. Chinese imports of heavy rare-earth oxides from Myanmar [rose](#) from 19,500 tonnes in 2021 to 41,700 tonnes in 2023. By 2025, Kachin had more than 370 rare-earth mining sites and 2,795 leaching pits, representing a 194% [increase](#) since 2021.

Extraction occurs in territories controlled by military-aligned militias and the Kachin Independence Organisation (KIO). Mining revenues and taxation benefit armed actors and contribute to the conflict economy.

Rare-earth mining has been [linked](#) to acidic and arsenic-contaminated water, health problems, declining fisheries and agricultural productivity, dangerous employment and wider social disruption. Young people have reportedly left education to work in mines. Women and girls face heightened risks of [exploitation](#) and [sexual](#) and gender-based violence around mining camps.

Risks are differentiated. Indigenous communities face the loss of collective territory, cultural practices and ecological knowledge. Women may be excluded from decisions despite their [specialised](#) knowledge of water, forests, agriculture, food and medicinal plants. Young defenders may lead protests without access to established protection networks.

EHRDs may therefore confront commercial operators, territorial authorities benefiting from extraction and international demand simultaneously. The global energy transition risks externalising pollution, conflict financing and human rights costs onto Indigenous communities with little access to protection or remedy.

Community opposition to a proposed lead mine near Thi Kyeik village in Pekon Township provides a further example of preventive environmental defence. In May 2025, members of the Pradawng community, including young people, reportedly blockaded roads after machinery was installed without adequate consultation. Although no retaliation was documented, the campaign indicates that communities need timely information, independent technical advice and safe participation before extraction begins.

Mansi and effective collective resistance

Community opposition to proposed rare-earth mining in Mansi Township provides an example of effective collective action under a non-State authority. Beginning in 2022, communities [opposed](#) a project associated with the KIO and Kachin Independence Army because of feared harm to water and land. Following approximately six months of mobilisation, the project was [cancelled](#) in 2023.

Communities maintained collective ownership of the [movement](#), framed land protection through Christian faith and obtained support from Kachin communities inside Myanmar and abroad. These features distributed responsibility across villages and reduced dependence on a single visible organiser.

The outcome should not be overstated. Communities were [pressured](#) and intimidated, while cancellation created neither an independent regulator nor a permanent grievance mechanism. The case demonstrates the protective value of distributed leadership, culturally grounded advocacy and external solidarity. It also shows that environmental protection should not depend on exceptional mobilisation against every proposal. Authorities exercising effective control should institutionalise access to information, safe participation, independent review and effective remedies.

Downstream businesses, financial institutions, and States

Myanmar-origin rare earths are generally processed in China before reaching manufacturers of permanent magnets used by renewable-energy and automotive industries. Existing supply-chain relationships create serious risks for downstream businesses, but do not establish that magnets purchased by particular vehicle or wind-turbine manufacturers [contain](#) minerals originating in Myanmar.

Businesses may not be accused of using Myanmar-origin minerals without sufficient evidence. However, opaque supply chains do not establish that risks are absent. Traders, processors, manufacturers, investors and financial institutions should apply heightened, conflict-sensitive human rights and environmental due diligence beyond their immediate suppliers.

Due diligence should address beneficial ownership, territorial control, armed-actor involvement, conflict financing, environmental contamination, customary tenure, community participation, reprisals against EHRDs and access to remedy. Where severe risks cannot be traced, prevented or remedied, businesses should use their commercial leverage to obtain disclosure and corrective action or suspend or disengage responsibly.

Reported heavy-metal [contamination](#) in the Kok, Sai, Ruak, and Mekong river systems also raises [concerns](#) for communities in northern Thailand. Although the sources of all contaminants have not been verified, the issue demonstrates the need for neighbouring States, home States, businesses and financial institutions to cooperate with affected communities and EHRDs on independent monitoring, disclosure, prevention, and remedy.

Collective and structural protection

Indigenous governance and collective protection

[Salween Peace Park](#) is an indigenous Karen initiative covering approximately 5,400 square kilometres of customary lands, forests and protected areas. Its [governance](#) connects ecological protection with peace, cultural survival, customary tenure and self-determination.

Saw O Moo worked with the Karen Environmental and Social Action Network from 2006 as a community forest coordinator, wildlife researcher and adviser on customary land stewardship. In 2018, Myanmar military soldiers [shot](#) and killed him as he returned from a meeting concerning assistance for displaced villagers.

There was no effective investigation, so an environmental motive cannot be clearly established. His killing nevertheless removed a forest coordinator, ecological knowledge holder, and indigenous governance participant. His family was [unable](#) to recover his body, causing further family, cultural and psychosocial harm.

His case illustrates the role of collective protection. Shared knowledge, distributed leadership, and customary institutions can allow environmental stewardship to continue when an individual defender is killed, detained, or displaced. These measures do not prevent attacks or replace accountability. Support should combine emergency protection and psychosocial assistance for individuals with secure communications, shared monitoring, and institutional continuity.

Thawthi Taw-Oo Indigenous Park is a newer Karen initiative drawing on Salween Peace Park. It [links](#) customary tenure and indigenous knowledge with community monitoring, livelihoods and distributed decision-making. Its long-term effectiveness cannot yet be assessed, but it indicates that collective environmental governance can be adapted to other territories. Support for such initiatives should include direct assistance for women's [specialised](#) environmental knowledge and leadership, particularly during conflict and displacement.

Grievance mechanisms and safe participation

Myanmar's main protection gap is not the complete absence of formal environmental procedures, but the absence of safe and independent implementation. Project-level grievance mechanisms are ineffective where complaints expose EHRDs to surveillance or retaliation, investigators lack independence, or remedies cannot be enforced.

Businesses and other non-State actors should provide confidential and culturally appropriate complaint channels, independent investigation, protection against retaliation, and enforceable remedies. Communities must be free to select their representatives. Where local mechanisms are unsafe, complaints should be accepted through trusted civil society organisations or channels outside the project area.

Participation must occur before principal investment decisions and include women, young people, displaced communities and customary land users. It cannot be considered meaningful where armed personnel are present, relevant information is withheld, or opposition creates a risk of punishment.

Conclusion

Myanmar demonstrates that attacks on EHRDs are also attacks on environmental information, collective governance, and the right to a clean, healthy, and sustainable environment. Protection must encompass individuals and the communities, territories and institutions through which stewardship is exercised. Accountability should be accompanied by safe civic space, effective remedy, sustained support for Indigenous governance and conflict-sensitive responsibility throughout international extractive and transition-mineral supply chains.

Recommendations

- Recognise collective protection in conflict settings, extending EHRD protection to communities, customary territories, ecological knowledge, and indigenous institutions.
- Call on the Myanmar military and all effective authorities to protect EHRDs, enable safe participation, cease reprisals, release detainees, investigate violations, and provide remedy.
- Address the use of criminal law, surveillance, and security teams against EHRDs. Consultation is not meaningful if armed personnel, displacement, or fear block opposition.
- Require heightened due diligence across extractive and transition-mineral supply chains, including ownership, territorial control, armed actors, conflict financing, contamination, tenure, and reprisals.
- Create safe, independent, and effective grievance and remedy mechanisms with confidential complaints, protection from retaliation, independent investigation, and enforceable remedies. Home and neighbouring States should also cooperate on monitoring and remedy.
- Provide direct, flexible, long-term support for indigenous, women-led, and youth-led environmental governance, while preserving indigenous decision-making and avoiding publicity or reporting requirements that expose EHRDs or reinforce exclusion.