

LINCOLN LEGAL SERVICES (MYANMAR) LIMITED

NEWSLETTER 203 - 1 August 2025

Dear Readers,

Welcome to a new edition of our newsletter.

Martial law in various townships (current situation)

We understand that the nationwide state of emergency was lifted following the transition on 31 July 2025 from the State Administration Council to a [State Security and Peace Commission](#), chaired by Senior General Min Aung Hlaing, and a new Union government.

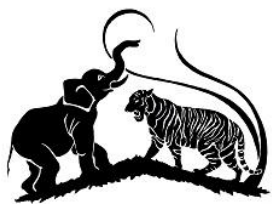
However, at the same time, a state of emergency and martial law were declared for the townships listed in the grey box below. "Martial law" means that all administrative and judicial functions are carried out under the command of the regional military commander who may, among others, establish military courts to summarily try civilians for a broad array of listed offences; the death penalty or life imprisonment may be imposed for any such offence. Details are provided in Martial Law Order 2/2025 of which an English translation can also be found below in the grey box.

Of note, none of the townships under martial law are in Yangon, Ayeyarwaddy, Bago and Tanintharyi Regions, Mon State, and the Nay Pyi Taw Union Territory. We understand, however, that this has no impact on any curfews that may still be in place, and that curfews would have to be separately lifted.

CONVENIENCE TRANSLATION - ACCURACY NOT GUARANTEED

Republic of the Union of Myanmar
National Defence and Security Council
Declaration of a State of Emergency
Ordinance No. 1/2025
1387, 7th Waxing Day of Wagaung
(31 July 2025)

1. To suppress armed terrorist insurgencies and to effectively implement regional stability, peace and the rule of law, a state of emergency is hereby declared in the following townships in the following Regions and States according to article 412 (a) of the Constitution of the Republic of the Union of Myanmar (2008):
 - (a) **Kachin State**
 - (1) Sumprabum Township



- (2) Shwegu Township
- (3) Injangyang Township
- (4) Hsawlaw Township
- (5) Chipwi Township

(b) **Kayah State**

- (1) Shadaw Township
- (2) Hpasawng Township
- (3) Mese Township

(c) **Kayin State**

- (1) Kawkareik Township
- (2) Kyainseikgyi Township

(d) **Chin State**

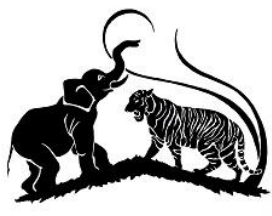
- (1) Kanpetlet Township
- (2) Thantlang Township
- (3) Paletwa Township
- (4) Tonzang Township
- (5) Mindat Township
- (6) Matupi Township
- (7) Falam Township

(e) **Sagaing Region**

- (1) Htigyaing Township
- (2) Kawlin Township
- (3) Pinlebu Township
- (4) Khin-U Township
- (5) Wetlet Township
- (6) Kani Township
- (7) Depayin Township
- (8) Pale Township
- (9) Indaw Township

(f) **Magway Region**

- (1) Pauk Township



- (2) Myaing Township
- (3) Saw Township
- (4) Htilin Township
- (5) Yesagyo Township

(g) Mandalay Region

- (1) Mogok Township
- (2) Singu Township
- (3) Ngazun Township

(h) Rakhine State

- (1) Ramree Township
- (2) Pauktaw Township
- (3) Ponnagyun Township
- (4) Rathedaung Township
- (5) Gwa Township
- (6) Maungdaw Township
- (7) Buthidaung Township
- (8) Kyaukphyu Township
- (9) Minbya Township
- (10) Mrauk-U Township
- (11) Myebon Township
- (12) Thandwe Township
- (13) Ann Township
- (14) Taungup Township

(i) Shan State

- (1) Namtu Township
- (2) Mabein Township
- (3) Kutkai Township
- (4) Namhkam Township
- (5) Hsipaw Township
- (6) Kunlong Township
- (7) Namhsan Township
- (8) Mantong Township



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- (9) Hopang Township
- (10) Laukkai Township
- (11) Konkyan Township
- (12) Mongmit Township
- (13) Kyaukme Township
- (14) Hsipaw Township
- (15) Mongla Township

2. This ordinance shall remain in effect for 90 days from today.

(Signature)

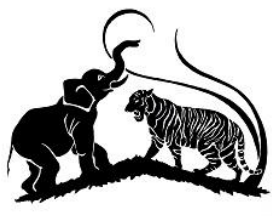
Min Aung Hlaing
Senior General
Interim President (Acting)

Republic of the Union of Myanmar
National Defence and Security Council
Issuance of a Martial Law Ordinance
Ordinance No. 2/2025
1387, 7th Waxing Day of Wagaung
(31 July 2025)

1. To restore administration, communal peace and prosperity, and the rule of law to their original state in the townships where a state of emergency was declared by Ordinance No. 1/2025, martial law is hereby declared according to article 413 (b) of the Constitution of the Republic of the Union of Myanmar, and the administrative and judicial duties in these townships are conferred to the Commander-in-Chief of the Defence Services.
2. The Commander-in-Chief of the Defence Services may exercise these powers and duties himself or may delegate them to an appropriate military authority.
3. This ordinance shall remain in effect for 90 days from today.

(Signature)

Min Aung Hlaing
Senior General



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Interim President (Acting)

Republic of the Union of Myanmar
Office of the Commander-in-Chief of the Defence Services
Martial Law Order No. 1/2025
1387, 7th Waxing Day of Wagaung
(31 July 2025)

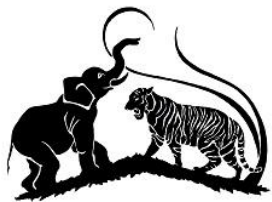
1. To suppress armed terrorist insurgencies and to effectively implement regional stability, peace, and the rule of law, the National Defence and Security Council issued Ordinance No. 1/2025 and declared a state of emergency in the townships referred to in this ordinance. For the townships referred to in this ordinance that are situated in the relevant regional command areas, the exercise of administrative and judicial powers under martial law are hereby conferred according to article 413 (b) of the Constitution to the commander of the relevant regional military command.
2. The relevant regional commander may exercise the powers under martial law either himself or by delegating duty to military zone commanders, depending on the changing circumstances.

(Signature)

Min Aung Hlaing
Senior General
Commander-in-Chief of the Defence Services

Republic of the Union of Myanmar
Office of the Commander-in-Chief of the Defence Services
Martial Law Order No. 2/2025
1387, 7th Waxing Day of Wagaung
(31 July 2025)

1. With Ordinance No. 1/2025 and Martial Law Ordinance No. 1/2025 dated 1387, 7th Waxing Day of Wagaung (31 July 2025) of the National Defence and Security Council, and Martial Law Order No. 1/2025 of the Office of the Commander-in-Chief of the Defence Services, the exercise of administrative and judicial powers under martial law regarding the townships referred to therein have been conferred according to article 413 (b) of the Constitution to the



commander of the regional military command so as to more effectively maintain security, rule of law, and peace in the townships declared as areas under martial law.

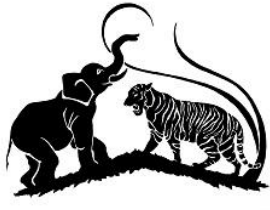
2. Local authorities at all levels within the area under martial law shall carry out their respective duties under the command of the relevant regional commander.
3. The relevant regional commander may designate military zones within areas under martial law and appoint military zone commanders by issuing a martial law order with the approval of the Commander-in-Chief of the Defence Services.
4. The relevant regional commander shall, within the area under martial law, either personally or through a military zone commander or through any person or group to whom authority was delegated, accomplish the following matters:

(a) **Administration**

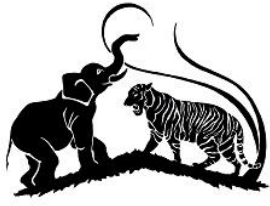
- (1) Security matters;
- (2) social matters;
- (3) trade matters;
- (4) transportation matters.

(b) **Judiciary**

- (1) Establishment of courts: The relevant regional commander may try criminal cases during the period of martial law either through courts established under existing law or through military courts established by issuing a martial law order.
- (2) Trial by military court: Military courts may try criminal cases summarily.
- (3) Sentencing: If a person is convicted by a military court of any of the offences listed in the annexed schedule A, he shall be sentenced to one of the following punishments according to the laws in force:
 - (aa) Death penalty;



- (bb) imprisonment with hard labor for an indefinite term;
 - (cc) the maximum punishment prescribed for the relevant offence.
- (4) Review: The decisions and judgments rendered by military courts shall be final. However, a death sentence will only become effective if confirmed by the Commander-in-Chief of the Defence Services. A sentence to imprisonment for an indefinite term will only become effective if confirmed by the relevant regional commander. The following powers may be exercised when reviewing a sentence:
 - (aa) Overturning the conviction;
 - (bb) reducing the punishment;
 - (cc) commuting the sentence to a lesser form of punishment;
 - (dd) confirming the conviction.
- (5) Appeal: There shall be no right of appeal against the decisions and sentences passed by military courts.
- (6) Application for reversal: If the military court imposed the death penalty, an application for reversal may be made to the Commander-in-Chief of the Defence Services within 15 days from the date of the sentence, and in case of any other punishment, an application for reversal may be made to the relevant regional commander within 15 days from the date of the sentence. The Commander-in-Chief of the Defence Services or the relevant regional commander may also initiate a reversal at his own discretion. The following powers may be exercised when carrying out a reversal:
 - (aa) Overturning the conviction;
 - (bb) reducing the punishment;
 - (cc) commuting the sentence to a lesser form of punishment;
 - (dd) confirming the conviction.



- (7) Where the Commander-in-Chief of the Defence Services or the relevant regional commander initiates a reversal at his own discretion, the punishment may be increased in addition to the powers contained in sub-paragraph 6 above.
5. The relevant regional commander may establish a martial law advisory team to assist him in carrying out his responsibilities.
6. The relevant regional commanders shall report all situations occurring within the area under martial law to the Commander-in-Chief of the Defence Services.

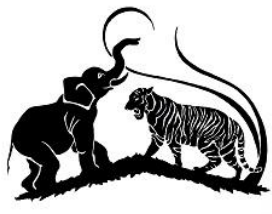
(Signature)

Min Aung Hlaing
Senior General
Commander-in-Chief of the Defence Services

Schedule A

Offences to be tried by a military court

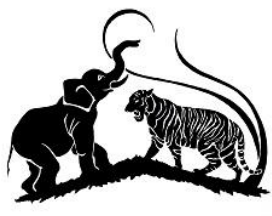
1. High treason (section 122 Penal Code);
2. discrediting the government (section 124A Penal Code);
3. delaying or disrupting the operation of the Defence Services or a law enforcement group (section 124C Penal Code);
4. obstructing or harassing Defence Services personnel or government employees (section 124-D Penal Code);
5. section 505 Penal Code;
6. intimidation, incitement, or dissemination of false information, either directly or indirectly, to cause a government employee to commit an offense (section 505-A Penal Code);
7. offenses under the Unlawful Associations Act;
8. offences under the Arms Act;



9. murder;
10. homicide;
11. rape;
12. robbery;
13. banditry;
14. corruption;
15. offences under the Narcotic Drugs and Psychotropic Substances Law, 1993;
16. offences under the Public Property Protection Act;
17. offences under the Public Property Protection Law, 1963;
18. offences under the News Media Law;
19. offences under the Printing and Publishing Enterprise Law;
20. offences under the Burma Immigration (Emergency Provisions) Act, 1947;
21. offences under the Electronic Transactions Law;
22. offences under the Ward or Village Tract Administration Law;
23. offences under the Counter-Terrorism Law.

We hope that you have found this information useful.

Sebastian Pawlita
Managing Director



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About Lincoln Legal Services (Myanmar) Limited

Lincoln Legal Services (Myanmar) Limited provides the full range of legal and tax advisory and compliance work required by investors. We pride ourselves in offering result-oriented work, high dependability and a fast response time at very competitive prices. Please do not hesitate to contact us:

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