

POLITICAL MONITOR NO.5

OFFICIAL MEDIA

PRESIDENT THEIN SEIN RECEIVES CHINESE VICE MINISTER

President Thein Sein received a Chinese delegation led by the Deputy Minister and Vice Minister of the International Department of the Central Committee of the Communist Party of China (CPC) Ai Ping on 24 February. They discussed matters on promotion and cooperation between both governments and peoples, Burma's national reconciliation process, stability and the rule of law as well as strengthening economic ties between China and Burma. The delegation held separate meetings with the Speaker of Pyidaungsu Hluttaw and Pyithu Hluttaw Thura Shwe Mann and called on party leaders of the Union Solidarity and Development Party (USDP). Vice Minister Ai Ping also met NLD patron Tin Oo and Central Information Committee officials Nyan Win and Aye Kyu on 26 February exchanged views on increased engagement between the two parties.¹

VICE PRESIDENT SAI MAUK KHAM ADDRESSES PEACE-MAKING WORK COMMITTEE

A coordination meeting of Union Peace-Making Work Committee was held on 24 February and attended by Vice-President and Chairman of the UPWC Dr Sai Mauk Kham, Vice-Chairmen of the Committee Deputy Commander-in-Chief of Defence Services Commander-in-Chief (Army) Vice-Senior General Soe Win, Union Ministers Aung Min, Pyithu Hluttaw representative Thein Zaw, Union Ministers, Region/State Chief Ministers, deputy ministers, MPs, deputy Attorney-General, Police Chief and other officials.

In his speech, Vice-President Mauk Kham said that in attempt to resolve the country's long-standing armed conflicts, peace talks with ethnic armed organizations (EAOs) have been held since the current government took office. As a result, the Union Peace-Making Central Committee and Work Committee were formed in May 2012 and the government has spent 30 of 35 months of its tenure towards peace-making efforts.

Furthermore, the government is seeking every possible way to end the armed conflicts by conducting peace talks at the negotiation table. The country sees good potentials to finalize the peace talks in the near future, after reaching preliminary ceasefires with 16 EAOs . Thanks to these, peace and stability has been restored to almost all conflict-affected regions.

However, fighting between government forces and the EAOs still occurs from time to time. Vice-President Mauk Kham expressed his hope that a nation-wide ceasefire will be signed soon and noted that the ceasefire is the beginning of peace-building process. He also pointed out that all stakeholders, including the MPs, are responsible for reaching an eternal peace through the ceasefires and Burma's on-going democratization process has been recognized by the international community, and that armed conflict has been a key hindrance to the country's economic growth.

The KNU, RCSS and CNF pointed out in a peace talks on 30 September 2013 that political crisis is the root cause of the armed conflicts and that the Unlawful Association Act is a major barrier to close

¹ President U Thein Sein receives Vice Minister of PRC –
<http://www.burmalibrary.org/docs17/NLM2014-02-25.pdf> (NLM) 25 February 2014 (p. 1) /
Myanmar, China discuss amity & bilateral cooperation –
<http://www.burmalibrary.org/docs17/NLM2014-02-25.pdf> (NLM) 25 February 2014 (p. 16) /
CPC High-Level Delegation Visits Myanmar –
<http://mm.china-embassy.org/eng/sgxw/t1133731.htm> (Embassy of the People's Republic of China, Myanmar) 24
February 2014 /
NLD eyes closer relations with China –
<http://english.dvb.no/news/nld-eyes-closer-relations-with-china-burma-myanmar/37892> (DVB) 28 February 2014

relations between the two sides. Burma's future is now at the crossroads. Finally, the Vice-President said the prevalence of armed conflicts could cause less foreign investment to flow into the country, and that Burma may fall into the hands of superpowers and he urged all to contribute in make the peace-making process a success.²

HLUTTAW SESSIONS – Highlights

Pyithu Hluttaw (Lower House) sessions

The 9th Regular Session of the First Pyithu Hluttaw (Lower House) held its 17th day meeting on 24 February. The following issues and questions were raised or discussed:

- MP Daw Zartalam of Thantlang Constituency asked if there were plans to establish a ministry to promote women's' affairs. Union Minister at the President Office U Soe Maung said that **there is no discrimination against women in Burmese society according to Burmese custom, tradition and culture and they have better opportunities compared to women in other Asian countries.**

He continued that **provisions on gender equality are stated in the Constitution, adding that Social Welfare Department held 2 workshops with the participation of representatives from political parties and MPs for the enactment of a law on against violence against Burmese women in coordination with the Gender Equality Network.**

Burma had signed The United Nations Committee on the Elimination of Discrimination against Women (CEDAW) in July 1997 and launched National Level Strategic Plan for Advancement of Women for 10-year period.

The Social Welfare Department had **formed a Working Group for Enhancing Women's Empowerment and has been undertaking development task for women and gender equality in collaboration with international donors, UN agencies and concerned departments.**

He also noted that plans are underway to establish an enhancement of women and gender equality division led by a director.

- The session also **sought the approval of the MPs for "Anti-Terrorism Bill".**
- Deputy Minister for Immigration and Population U Win Myint replied to a **question whether there is a plan to approve the list of 135 national races after census has been made. He said that the national census taking processes were carried out in 1973 and 1983 based on 135 national races. When the census has been taken, the number of national races will be re-approved. Depending on the actual list of national races on the ground, necessary organization will review the list.**
- Dr Win Myint Aung of Sagaing Region Constituency No 4 and Daw Yi Yi Myint of Mon State Constituency No 1 read out the **2013-14 third quarter work report of Amyotha Hluttaw National Planning and Development Project Committee.**³

The 9th Regular Session of the First Pyithu Hluttaw (Lower House) held its 18th day meeting on 26 February. The following issues and questions were raised or discussed:

- Union Minister at the President Office U Soe Maung responded to the question on **whether there is a plan to reply to the questions raised by the Hluttaw committees to the ministries**

² Myanmar's step towards a democratic country at the crossroad: Vice-President Dr Sai Mauk Kham – <http://www.burmalibrary.org/docs17/NLM2014-02-25.pdf> (NLM) 25 February 2014 (p. 16 & 9)

³ Union government gives first priority to rural development and poverty alleviation – <http://www.burmalibrary.org/docs17/NLM2014-02-25.pdf> (NLM) 25 February 2014 (p. 16 & 9)

concerned that the Ministry at the President Office had made 1328 replies to Hluttaw Office, 337 to Myanmar National Human Rights Commission and 229 in President Office website. He added that delays in replying were due to some cases needing more time to make field trips. Regarding the matters that have had no reply, Minister Soe Maung called on the Hluttaw Office to give phone numbers if possible apart from the number of the complaint letters, date, matters and name of the department that sent the letters.

- The session also approved a bill amending the National Drug Law that was sent back by Amyotha Hluttaw with amendments.
- Regarding questions about rural electrification, Deputy Minister at the President Office U Aung Thein said a rural electrification plan benefiting 1000 households in 18 villages in Falam Township through a hydropower station will be implemented depending on the budget allocation after receiving an estimated cost for the plan from Hydropower Implementation Department.⁴

Amyotha Hluttaw (Upper House) sessions

The 9th Regular Session of the First Amyotha Hluttaw (Upper House) held its 17th day meeting on 26 February. The following issues and questions were raised or discussed:

- The session sought the approval of the MPs on amendments and approved the Bill amending the Highway Law and Bill amending the Utilization of Road and Bridge Law.
- A work progress report of Amyotha Hluttaw Public Complaint and Petition was presented to the session. The report stressed the need to fight against corruption for ensuring the clean government as letters of complaint carried bribery cases. The Speaker invited MPs who would like to discuss the report to list their names.⁵

Pyidaungsu Hluttaw (Union Parliament) sessions

The 9th Regular Session of the First Pyidaungsu Hluttaw (Union Parliament) held its 16th day meeting on 21 February. The following issues and questions were raised or discussed:

- Chairman of Pyithu Hluttaw's Reform and Development Scrutinizing Committee Aung Thein Lin proposed and urged the Pyidaungsu Hluttaw to set aside a **budget of 7,000 million Kyat to spend on the peace process for the 2014- 2015 Fiscal Year**. He also stated that the estimated expense budget of the 2013-2014 FY reached 11,553.041 million Kyat, and the budget of 15,303.796 million Kyat has been proposed for the 2014-2015 FY, the increase of 3,750.755 million Kyat was due to the pay rise for the president, the vice-presidents, Union ministers and deputy ministers.
- The Secretary of the Pyithu Hluttaw's Investment and Industry Development Committee U Kyi Tha submitted a plan to cut the rural area power supply budget of 36,590.774 million kyat drawn up by the Ministry of Livestock, Fisheries and Rural Development or the rural area power supply budget of over 79,000 million Kyat proposed by Nay Pyi Taw Council to be able to draw up the budget of 5,000 million Kyat for small-scale hydropower plants in Naga and Chin states.
- The Pyithu Hluttaw's national people's affairs, socio-economy development in rural areas and internal peace implementing committee chairperson Daw Dwal Bu suggested an

⁴ Gold mining operators of failing to pay gold debts to government have to face court action – <http://www.burmalibrary.org/docs17/NLM2014-02-27-red.pdf> (NLM) 27 February 2014 (p.16 & 9)

⁵ Gold mining operators of failing to pay gold debts to government have to face court action – <http://www.burmalibrary.org/docs17/NLM2014-02-27-red.pdf> (NLM) 27 February 2014 (p.16 & 9)

increase to the 2014-2015 estimated budget of the Border Affairs Ministry from 65,309.227 million Kyat to 88,154.017 million Kyat.⁶

The 9th Regular Session of the First Pyidaungsu Hluttaw (Union Parliament) held its 17th day meeting on 25 February. The following issues and questions were raised and approved:

- The session approved the formation of the Anti-Bribery Commission comprised of 15 members led by U Mya Win.
- Deputy Minister for Finance Dr Lin Aung presented the 2014 Union Taxation Bill to the Pyidaungsu Hluttaw and also gave an account of the submission of the bill, saying that Pyidaungsu Hluttaw is responsible to amend tax laws before passing the bill as of this year in accord with the Constitution. He also clarified the report on the Union Budget account for the first 6 months of fiscal year 2013-2014;
- The Public Accounts Joint Committee submitted its findings on the report to the Hluttaw.⁷

The 9th Regular Session of the First Pyidaungsu Hluttaw (Union Parliament) held its 18th day meeting on 27 February. The following issues and questions were raised or approved:

- The session put on record a petition by 1,335,600 led by Buddhist monks to make laws to safeguard nationality and religion.

The petition calls for the enactment of 4 laws regarding converting to another religion, marriage among different faiths, monogamous marriage and maintaining the balance of the birth rate.

According to the petition, **the 4 laws should be enacted to ensure transparency in converting from one faith to another systematically, to protect the rights of ethnic people when they marry a person of a different faith, to not to create social problems and to be able to safeguard the country's sovereignty in terms of keeping balance the population and the area of the country, to be able to carry out tasks for development of economy and to be able to provide enough health and education services to the people of different faiths in the country. The session decided to put the petition on record.**

- The Joint Bill Committee of Pyidaungsu Hluttaw put forward their reports on the controversial Printing and Publishing Bill and Media Bill to Pyidaungsu Hluttaw.⁸

UNION MINISTER FOR IMMIGRATION & POPULATION GIVES CLARIFICATIONS ON NATIONAL CENSUS

Union Minister for Immigration and Population Khin Yi clarified matters related to upcoming national census to representatives from 10 ethnic organizations on 27 February, where he said that in order to encourage diversity during the national census and meet the international human rights standards, the Ministry has worked together with the United Nations Population Fund (UNFPA) and international experts to hold the census, which is planned for 30 March to 10 April. He also stressed the need to answer questions correctly as the census would help the country ensure its development. Regarding the census taking place in some areas controlled by the ethnic armed organizations, Khin Yi replied that all EAOs were ready to cooperate with the government and it has

⁶ MP proposes to set aside 7,000 million kyat for peace making in 2014-15 FY – <http://www.burmalibrary.org/docs17/NLM2014-02-22.pdf> (NLM) 22 February 2014 (p.16 & 9)

⁷ Pyidaungsu Hluttaw approves Anti-Bribery Commission – <http://www.burmalibrary.org/docs17/NLM2014-02-26-red.pdf> (NLM) 26 February 2014 (p.16) /

⁸ Pyidaungsu Hluttaw puts petition for enacting laws to safeguard nationality, religion on record – <http://www.burmalibrary.org/docs17/NLM2014-02-28-red.pdf> (NLM) 28 February 2014 (p. 9)

taken about 2 years to prepare for its implementation. He also stated that the last census in Burma was conducted in 1983.⁹

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NEW INSTITUTE TO BRING TOGETHER ETHNIC GROUPS, SUPPORT PEACE PROCESS

A new study and research centre, the Pyidaungsu Institute, was officially opened in Chiang Mai on 27 February to help ethnic armed organizations (EAOs), NGOs and political parties gain a better understanding of Burma's ongoing peace process and support the ethnic groups as they negotiate with the government. Its director Khuensai Jaiyen (an adviser to the Restoration Council of Shan State (RCSS)) said the project would help Burma's ethnic groups come together and share ideas and resources, so that the groups can develop a common approach to the decades-old ethnic conflict. "It is set up to create 'a common voice' for the [upcoming] political dialogue, instead of ethnic groups having different demands in the ceasefire process," he said.

President Thein Sein's government has signed ceasefires with 14 EAOs in recent years and in the past few months Naypyidaw has been seeking a joint nationwide ceasefire agreement with the armed groups. Such a ceasefire would be followed by a political dialogue between the Bamar-dominated central government and ethnic minority groups who are seeking greater political autonomy for their regions through the formation of a federal union. Signing the nationwide ceasefire has, however, proven elusive so far. Meanwhile the Burma Army continues to engage in clashes with the Kachin and Palaung EAOs in Kachin and Shan state, where about 100,000 civilians are displaced by conflict. Khuensai Jaiyen said the Pyidaungsu Institute would help provide the 14 EAOs develop a shared political vision and present political demands during their negotiations.

Salai Lian Hmong Sakhong, a member of the Institute's Board of Directors, said the role of Pyidaungsu Institute was in some ways similar to the Myanmar Peace Centre (MPC). This group of advisors has been influential in shaping the government's approach to the peace process and provides the government peace negotiations team of Minister Aung Min with information during peace talks. "It seems the ethnics' institute is similar to the government-affiliated Myanmar Peace Centre, but they are distinctly different. While the MPC is the driving force for [only the] the government, this institute is not for just one group, we work for all different ethnic groups," he said.

The Pyidaungsu Institute also plans to open an office in Rangoon this year. Khuensai Jaiyen added that while the MPC has officially recognized the Pyidaungsu Institute, the centres will not share information at this stage of the peace process. The new institute will initially focus on supporting Burma's various EAOs with information that can be used during the peace process, but it will expand to provide research, training and discussion opportunities to all ethnic students, activists and anyone interested in the peace process. "We work to build up 'relevant and factual information and it is our task to become a service-oriented centre,'" said Salai Lian Hmong Sakhong.

Kristine Gould, an adviser for strategic communications at the institute, said, "It is a facility that is impartial and independent. And we welcome anyone who involved in the peace process to come here." "It shifts ownership of peace process. Having a facility that supports you helps legitimize what it is you are doing," she said, adding that the institute would be "extremely helpful for ethnic leaders. I think, in the future, it would also be helpful for the Burmese government."¹⁰

⁹ Union Immigration & Population Minister clarifies national census to ethnic organizations – <http://www.burmalibrary.org/docs17/NLM2014-02-28-red.pdf> (NLM) 28 February 2014 (p. 16)

¹⁰ New Institute To Bring Together Ethnic Groups, Support Peace Process – <http://www.irrawaddy.org/burma/new-institute-bring-together-ethnic-groups-support-peace-process.html> (Irrawaddy) 28 February 2014

LAWMAKERS AGAIN DEMAND PARTICIPATION IN PEACE PROCESS

Members of the Parliament Committee on National Race Affairs and Internal Peacemaking (CNRAIP) have called on President Thein Sein's government to let lawmakers participate in Burma's ongoing peace process. CNRAIP members met with Vice President Sai Mauk Kham, the chair of the Union Peacemaking Work Committee (UPWC) on 24 February and urged him to increase the participation of MPs, according to Thein Aung, a committee member and representative of the Phalon Sawaw Democratic Party, a Karen opposition party.

Vice President Kham said that the CNRAIP, which was formed in 2011, has had little to do with the ongoing peace process and that the committee had met only twice in recent years with the UPWC and had only been briefed on the peace process on these occasions. The UPWC comprises of officials from the Ministry of Defense, union and regional level ministers, parliamentarians and scholars.

The Vice Chairman of the UPWC, President's Office Minister Aung Min, has led all negotiations with ethnic armed organizations (EAOs) and has signed ceasefires with 15 main EAOs since 2012. Despite these agreements, a joint nationwide ceasefire between all groups and Naypyidaw remains elusive, while the Burma Army continues to clash with the Kachin and Palaung in northern Burma.

CNRAIP secretary Dwe Bu, an ethnic Kachin Lower House MP, said MPs should be regularly informed about the peace process, adding that lawmakers and chief ministers of Burma's states and divisions should also be directly included in ongoing nationwide ceasefire talks. The Vice President reportedly told meeting participants that he would find ways for the CNRAIP members to participate in peacemaking activities.

It is not the first time that lawmakers have complained over a lack involvement in the peace process. Both Parliament Speaker Shwe Mann and opposition leader Aung San Suu Kyi have indicated that they would like to be involved. However, government peace negotiators say they would prefer to sign a nationwide ceasefire with the EAO's first and then let Parliament handle the thorny issue of finding a political solution for the EAOs long-standing demands for greater political autonomy for their regions. The EAOs have said there can be no nationwide ceasefire until the government guarantees that genuine political dialogue will follow after an agreement is signed.¹¹

CONFERENCE URGES WOMEN'S ROLE IN PEACE PROCESS

The Women's League of Burma organized a five-day conference 24-28 February in Chiang Mai with a main objective to encourage more people, especially women, to participate in the peace process. 13 women's organizations, including representatives of the Kachin, Shan, Kayin, Kayah, Kayan, Pa-O, Palaung, Rakhine ethnic groups, as well as the majority Bamar group participated and were briefed on talks between the government and ethnic armed organizations that are aimed at securing a nationwide ceasefire agreement, from senior members of the Pa-O National Liberation Organization, New Mon State Party and Karen National Union.¹²

KNU TRAIN KAREN POLICE FORCE

The Karen National Union (KNU) held a two-week training program for a Karen police force in KNU controlled areas, with the aim of improving the law enforcement capabilities of the Karen national police force. The course, which was held from 10-21 February at Lay Wah in Hlaing Bwe township of Karen State, was organized by the KNU's Department of the Interior and Religion and included a training of existing Kawthoolei (the official Karen term for Karen State) criminal law, Kawthoolei

¹¹ Lawmakers Again Demand Participation in Peace Process – <http://www.irrawaddy.org/burma/lawmakers-demand-participation-peace-process.html> (Irrawaddy) 25 February 2014

¹² Conference urges women's role in peace process – <http://mizzima.com/mizzima-news/myanmar/item/10937-conference-urges-women-s-role-in-peace-process> (Mizzima) 26 February 2014

customary law, a special enacted law on witchery, police and crime investigation procedures. The participants included officials from the KNU Justice Department, Karen police forces from 7 [KNU administered] districts and representatives from Karen Women Organization.¹³

CONSTITUTION COMMITTEE TO TARGET MILITARY VETO

According to a prominent Union Solidarity and Development Party member, the new constitution committee will focus on removing the military's veto on constitutional change. Secretary Aye Mauk said that the Constitutional Amendment Implementing Committee would focus its attention on section 436, which requires more than 75 % of MPs to support an amendment for it to be approved. The military currently holds 25 % of all seats, effectively giving it a veto. He expected the military to support changes but the committee would first negotiate between all sides. "If they are the people's Tatmadaw, they will look after the interests of the people ... The results of our discussion will reflect the desire of the military and each and every political party."

On 16 February, the National League for Democracy (NLD) released a statement saying it would cooperate with the 88 Generation to amend section 436. Suu Kyi told reporters last week it was important to study how constitutions can be amended in other countries. "The current government often uses the phrase 'international standard'. So we should study carefully whether [section 436] meets international standards," she said.

While the military has not commented officially on the committee, Tatmadaw MP Lieutenant Colonel Saw Shwe said it was up to parliament to decide. On 18 February Pyidaungsu Hluttaw Speaker Thura Shwe Mann instructed the committee to submit a bill to amend the constitution to parliament no less than six months before elections scheduled for late 2015. The speaker told MPs that the committee should make chapter 12 of the constitution, which outlines the process for amending the document and includes section 436, its top priority. He also said the bill should ensure the Tatmadaw's role conforms to democratic norms and gives more autonomy to states and regions. In a surprise move, he also instructed them to review the process of selecting the president and two vice presidents, and consider whether the president, vice president and Union Government ministers should have to resign from their party and as MPs if they are appointed to the government, as currently required.

Under the current presidential electoral college system, elected MPs in the upper house, elected MPs in the lower house and appointed military MPs each select one presidential candidate. The president is selected by a vote in the Pyidaungsu Hluttaw, or combined upper and lower houses, with the two other candidates becoming vice presidents. Thura Shwe Mann said the review team should meet at least once a week while the parliament is in session and once a month at other times in order to prepare the constitutional amendment bill.

The 31-member committee was formed on 3 February to implement the findings of a 108-member review committee that submitted a report to parliament on 31 January. Lower house representative Daw Dwe Bu said section 436 should be amended "urgently" to enable MPs to discuss other necessary amendments without fear of the military veto.¹⁴

¹³ KNU Train Karen Police Force - <http://karennews.org/2014/02/knu-train-karen-police-force.html/> (Karen News) 24 February 2014

¹⁴ Committee to target military veto - <http://www.mmtimes.com/index.php/national-news/9682-committee-to-target-military-veto.html> (Myanmar Times) 24 February 2014

BATTLES RAGE IN NORTHERN SHAN STATE BETWEEN KIA & ARMY

KIA's 9th Battalion troops and Burmese army troops from 123rd Light Infantry Battalion (LIB) clashed on 24 February near Chying Htawng village in northern Shan State. No casualties on either side have been reported so far. Another battle took place on the same day between KIA's 3rd section troops under 36th Battalion and Burmese army's 241st LIB troops at a location between Gyu Mwi and Ba H pang village in northern Shan State, also with no known casualties. The same two sides, KIA's 36th Battalion troops and Burmese army's 241st LIB troops, engaged in a fierce battle near Nam Gut village in northern Shan State on 22 February. The Burmese army has increased its troop movements in the past weeks by rotating some frontline troops, and expanding its controlled territory by capturing some KIA frontline posts. Troops under 33rd Light Infantry Division (LID) who have been stationed in Gang Dau Yang, Ja Pu, Na Hpaw, and Nam San Yang returned to Myitkyina the previous week. More government troops under 3rd Military Operation Command (MOC) had been sent to Bum Re, Nam Ngau and Gang Dau Yang. A local source says Burmese army troops have been building a motor road between Sumpyi Yang and Ntsi Yang to reach KIA's 3rd section post in 1st Brigade area in Kachin State.¹⁵

ANALYSIS

The opening of the Pyidaungsu Institute (PI) is another common space initiative which will contribute and serve as a resource centre for the ethnic armed organizations, civil society, political parties and public as they strive to achieve peace and end decades of fighting. On a similar note, the recent submission in parliament to allocate 7,000 million Kyat towards the peace process can be regarded as a positive step, although the function and role of the parliament in the on-going peace process will need to be clearly identified. Unfortunately, this is counter balanced by new clashes in Northern Shan State between government forces and the Kachin Independence Army (KIA), which will be another hurdle to move forward with the national reconciliation process.

The peace process has come to a point where there is an overall push to include more actors, especially women, civil society and other government actors including MPs. While calls to push for greater women's participation in all areas of political life, including the peace process are valid and crucial, their voices have thus far been sidelined by both the government and ethnic armed organisations alike. More importantly, it remains unclear as to why women are absent from negotiating table, when they (together with children) are the most affected by conflicts and post-conflict situations in Burma. Therefore, it will be incumbent for the government and the ethnic armed organisations to consider the inclusion of women in their peace teams in future talks.

In addition, through the new Constitutional Amendment Implementing Committee and its recent intuitive to remove the 25% veto of the military MPs, the parliament is also charting untested waters. While the task at hand may seem insurmountable, the fact that this issue is being debated and discussed indicates that reforms do seem to be having a larger effect. However, the outcome of the discussions will depend mainly on the desires of the military, who do, nonetheless, seem willing to engage and all political parties.

¹⁵ Battles Rage in Northern Shan State - <http://kachinlandnews.com/?p=24218> (KNL) 25 February 2014