
POLITICAL MONITOR NO.16

OFFICIAL MEDIA

MANDALAY PLACED UNDER CURFEW

Local authorities imposed a curfew in Mandalay, after two nights of unrest on the 1st and 2nd of July. Reports said hundreds of rioters attacked a tea shop after its owner was prosecuted for a rape case. A lawsuit under Section 376 of the Penal Code was filed against Nay Win, the owner of Sun Teashop located at the corner of 27th and 82nd Streets in Mandalay. On 1 July, some rioters started gathering near the tea shop at 7:30 pm, with the group becoming larger before the attack. When security forces tried to control them, they moved to the corner of 26th and 86th Streets where they broke windscreens of three cars. After the mob threw bricks and bottles at some houses, security forces put up barricades and used rubber bullets to disperse the crowd. At 2 a.m. on Wednesday, about 450 rioters with sticks and knives gathered between 83rd and 84th Streets. They then set a car on blaze on 26th Street at 3 a.m. At 11.30 pm on the same day, a 50-strong crowd hurled stones and bricks at a police station in Chanayethazan Township and dispersed 5 minutes after security forces arrived at the scene. Four suspects have been charged in connection with the violence, police officials said. Six men were reported to have fired air-guns at a religious building in the township, too. According to reports, eight communal conflicts, three on 2 July and five on 3 July, broke out, leaving 2 people dead and 14 injured.

To ensure the riots do not spread to other townships, officials have placed Aungmyethazan, Chanayethazan, Mahaangmye, Chanmyathazi, Pyigyidagun and Amarapuratownships under a curfew to restore security and the rule of law in the townships, according an announcement by local authorities. Local people have been ordered not to go outside from 9 p.m. to 5 a.m. The order bans the gathering of five or more people on the streets during that particular time, to curb protests and riots. Mandalay Region government held a press conference on 3 July and Chief Minister Ye Myint explained that deterrent action will be taken against the offenders.¹

US ASSISTANT SECRETARY OF STATE FOR DEMOCRACY, HUMAN RIGHTS AND LABOUR MEETS FOREIGN MINISTER

US Assistant Secretary of State for Democracy, Human Rights and Labour Tom Malinowski visited Minister for Foreign Affairs Wunna Maung Lwin on 26 June, where they explored future cooperation in the area of human rights and future enhancing bilateral relations between the two countries. The US delegation also met the Chairman of the Union Election Commission Tin Aye and exchanged views on political reforms, the organizational structure of the commission, electioneering rights, cooperation with international organizations, arrangements for free and fair by-elections and general elections in 2015, official permission for local and foreign observers, study tours of international elections, and constitutional issues.²

¹ Mandalay placed under curfew – <http://www.burmalibrary.org/docs18/NLM2014-07-04-red.pdf> (NLM) 4 July 2014 (p. 1 & 9) / Security tightened as Mandalay communal violence erupts – <http://www.burmalibrary.org/docs18/NLM2014-07-04-red.pdf> (NLM) 4 July 2014 (p. 9) / Police disperse hundreds of rioters in Mandalay – <http://www.burmalibrary.org/docs18/NLM2014-07-03-red.pdf> (NLM) 3 July 2014 (p. 1)

² Union FM discusses human rights with American expert – <http://www.burmalibrary.org/docs18/NLM2014-06-27-red.pdf> (NLM) 27 June 2014 (p. 2) / Myanmar, US discuss rights to electioneering and constitution – <http://www.burmalibrary.org/docs18/NLM2014-06-27-red.pdf> (NLM) 27 June 2014 (p. 2)

VICE-CHAIR OF EMERGENCY COORDINATION CENTRE FOR RAKHINE STATE MEETS LOCALS

A meeting on an action plan for the stability and development of Rakhine State was held at the Myanmar Peace Center in Yangon on 26 June. At the meeting Vice-Chairman of the union-level Emergency Coordination Centre (ECC) Gen Maung Maung Ohn, said that the purpose of the meeting is to discuss Rakhine State affairs without bias after considering the opinions and wishes of national race organizations and Rakhine nationals and youths and for development projects in Rakhine State to be carried out in a more practical manner. He promised to place emphasis on the national interests of Rakhine State. Maung Maung Ohn continued to say that he would uphold the national interests, international norms and provisions of the state constitution in accordance with guidance of President Thein Sein. He also invited the opinions, wishes and visions of Rakhine youths at the meeting and urged the participants to focus their discussions on the interests of the race, religion and region without racial hatred in order to overcome the communal conflicts. Social organizations in Rakhine State, international organizations and diplomats from foreign embassies in Myanmar also discussed the points stated in the action plan for development of Rakhine State on 27 June.³

IMMIGRATION MINISTER KHIN YI EXPLAINS CENSUS TAKING PROCESS TO FOREIGN DIPLOMATS

Immigration and Population Minister Khin Yi briefed foreign diplomats on 23 June on the first nationwide census conducted in Myanmar during March and April earlier this year. Minister Khin Yi said the government conducted the census with the help of the United Nations Population Fund (UNFPA) and the Instituto Tecnológico de Buenos Aires (ITBA) from Argentina. He also acknowledged the contribution of ethnic armed forces in this process. The Minister said that his ministry is working out to be able to issue preliminary statistics of the population soon before the release of the final and official record. The briefing was attended by diplomats from Laos, Cambodia, the United Kingdom, Australia, Indonesia, Malaysia, Norway, Finland, Switzerland, Sweden and Thailand.⁴

PREPARATIONS TO HOLD FREE AND FAIR MID-TERM ELECTIONS AND 2015 GENERAL ELECTIONS DISCUSSED

Chairman of the Union Election Commission Tin Aye received Chinese Ambassador to Myanmar Yang Houlan at the commission office in Nay Pyi Taw on 23 June and discussed matters relating to cooperation between the two countries and the on-going political reform process in Myanmar. They also exchanged views of matters of mutual interest including strengthening of bilateral ties between Myanmar and China, development, peace and stability of Myanmar, goodwill visits of political parties to China, preparations to hold free and fair mid-term elections and the 2015 general election under the law and constitutional issues.⁵

HLUTTAW SESSIONS – Highlights

Pyithu Hluttaw (Lower House) sessions

The 10th Regular Session of the First Pyithu Hluttaw (Lower House) held its 17th day meeting on 23rd June. At the session the discussions on name changing of the Armed Forces Day to Resistant Day was raised and discussed.

- Union Minister Soe Maung responded to a question on **whether to change the Myanmar Armed Forces Day into its previous name “the Resistant Day”**. Minister Soe Maung said, **on 27 March 1945, the Myanmar Armed Forces led the people to fight against fascist Japan**

³ ECC vice chairman promise to uphold national interest, international norms and constitutional provisions – <http://www.burmalibrary.org/docs18/NLM2014-06-27-red.pdf> (NLM) 27 June 2014 (p. 9)

⁴ Union Minister explains census taking process to foreign diplomats – <http://www.burmalibrary.org/docs18/NLM2014-06-24-red.pdf> (NLM) 24 June 2014 (p. 2)

⁵ Preparations to hold free and fair mid-term elections and 2015 general elections discussed – <http://www.burmalibrary.org/docs18/NLM2014-06-24-red.pdf> (NLM) 24 June 2014 (p. 3)

and the day was later designated as the Resistance Day, on the 10th Resistance Day in 1955 and that General Ne Win changed the name into Armed Forces Day to honor the Myanmar Armed Forces. He pointed out the designation of armed forces days around the world and said that the government had no plans to rename the anniversary;

- **the drafting of the Prison Bill** was also discussed at the session.⁶

The 10th Regular Session of the First Pyithu Hluttaw (Lower House) held its 19th day meeting on 26th June. At the session the question on Myanmar migrant workers working in the People's Republic of China was raised and discussed.

- MP Sai Bo Aung of Muse Constituency raised the **question on the status of Myanmar migrant workers in China and if the government was issuing the necessary documents and papers to them.** Union Deputy Minister for Labour, Employment and Social Security Htin Kyaw said that as **China had not officially offered to accept Myanmar workers, Myanmar labourers are not entitled for a long stay and could only go there with temporary passes individually.** The Deputy Minister also said that **Myanmar workers are subject to human trafficking, with women being sold as brides, for instance. They fall into the hands of human trafficking brokers in other countries and have to endure months or years of abuse.** He however, **said that his ministry is systematically trying to effectively protect migrant workers, so they could travel safely and enjoy their rights in accordance with the laws of the countries concerned.** In addition, the Deputy Minister added that his ministry is cooperating with the International Labour Organization, the International Organization for Migration, International Non-governmental Organization, the United Nations and the media to educate Myanmar migrant workers. He said his ministry would be able to help Myanmar workers in China to enjoy their rightful benefits and rights by signing MoUs as the ministry has done with Korea and Malaysia only when China offers to accept Myanmar migrant workers officially.⁷

Amyotha Hluttaw (Upper House) sessions

The 10th Regular Session of the First Amyotha Hluttaw (Upper House) held its 19th day meeting on 26th June. At the session, the following issues and questions were raised and discussed:

- MPs debated the proposal **to adopt proportional representation system for the upcoming elections for the MP Phone Myint Aung of Rangoon Constituency No. 3** raised asked if **army veterans** who lost limbs in battles and families of those who died in action, are entitled to benefits. Union Deputy Minister for Defence Maj-Gen Kyaw Nyunt said that **the benefits for retirees from military services includes pensions, good service awards, monthly cash provisions for Thingaha Award, cash awards for other titles, scholarships for their children offered by the military personnel board and healthcare services.** In addition, those who have lost their limbs can receive promotion, gratuities, and money for care services, he added. Families of those who died in action are entitled to cash, special pensions for family members, scholarships, health care services and foreign study trips and those who retired from military services can apply for land plots. From 1987 to February 2014, a total of 3,953 houses and land plots were handed over and those entitled were also provided with jobs from Myanmar Economic Holding Limited.⁸

⁶ No plan to rename Armed Forces Day: Lower House – <http://www.burmalibrary.org/docs18/NLM2014-06-24-red.pdf> (NLM) 24 June 2014 (p. 3)

⁷ Myanmar workers in China have rights only when finally allowed to work there officially: Union Deputy Minister – <http://www.burmalibrary.org/docs18/NLM2014-06-27-red.pdf> (NLM) 27 June 2014 (p. 9)

⁸ Former military personnel with disabilities entitled to a number of benefits – <http://www.burmalibrary.org/docs18/NLM2014-06-27-red.pdf> (NLM) 27 June 2014 (p. 9)

Pyidaungsu Hluttaw (Union Parliament) sessions

The 10th Regular Session of the First Pyidaungsu Hluttaw (Union Parliament) held its 5th day meeting on 25th June. At the session, the Vice Governor of the Central Bank Dr Set Aung briefed the session on opening of foreign banks in Myanmar:

- In his briefing, Vice Governor of the Central Bank of Myanmar Dr Set Aung said **there are both advantages and disadvantages when foreign banks are allowed to operate in Myanmar either as foreign bank branches, as new companies, as joint venture branches with local partners, or as locals banks after they have bought shares from local banks. The Central Bank takes into consideration the advantages and disadvantages, but more importantly emphasis is placed on the interests of the country, the people, local banks and local companies;**
- the session also **approved the proposal to appoint Union Deputy Minister Soe Win of the Ministry of Religious Affairs as the Minister of the same ministry.**⁹

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PEACE PRINCIPLES OF ETHNIC PARTIES 75 PER CENT COMPLETED

The draft of peace principles, proposed by 20 ethnic parties and designed for political dialogue, has advanced 75 per cent before completion, a source said.

“The principles are being written by member ethnic parties of Nationalities Brotherhood Federation (NBF) since 2013. In drafting, the ethnic parties met and discussed with peace organisations, international political scientists as well as referring to the principles of establishing the Union,” said NBF spokesman Nai Saw Myint Than.

The NBF would not release the partial draft of the principles, he said, noting that future steps for peace and the attitude of ethnic people are key factors in framing the political dialogue which would be organised after the nationwide ceasefire deal. He said the NBF-drafted principles would be combined with those done by ethnic armed groups.

The NBF has factored in proposals advanced by the government and the Nationwide Ceasefire Coordination Team, he said. The drafted peace principles would include suggestion for the establishment of Myanmar as federal union, he added.¹⁰

NDF ABOUT-FACE ON PR IN ETHNIC STATES

The National Democratic Force (NDF) party has said that its proposal to adopt a proportional representation (PR) system was only meant for majority Burman-populated divisions and not ethnic states. The proposal, submitted to Burma’s upper house of parliament two weeks ago by NDF MP Khin Waing Kyi, was passed by standing vote, with 177 MPs in support, 85 against and three abstaining. Following approval of the bill by the Upper House, the proposal has been tabled for the Lower House.

However, the NDF has now announced that it did not intend for the PR debate to be applied to ethnic regions where it has been met with widespread opposition by smaller parties and ethnic nationalist groups. The NDF on 23 June released a statement clarifying its recommendation: that a PR system only be adopted in the seven administrative divisions. “We do not wish to have a political system dominated by a single majority party,” said NDF leader Khin Maung Swe. “At the moment,

⁹ Foreign banks to serve interest of local people, banks and companies: central bank vice governor – <http://www.burmalibrary.org/docs18/NLM2014-06-26-red.pdf> (NLM) 26 June 2014 (p. 3)

¹⁰ Peace principles of ethnic parties 75 per cent completed – http://www.elevenmyanmar.com/index.php?option=com_content&view=article&id=6542:peace-principles-of-ethnic-parties-75-per-cent-completed&catid=32:politics&Itemid=354 (Eleven News Media) 21 June 2014

the USDP is dominating parliament and we never see them working steadfastly to adopt laws and policies beneficial to the public. “We believe that a PR system will stop a major party from single-handedly dominating the parliament and will give every party an equal opportunity to take up legislative seats and help facilitate reforms.”

The NDF statement said that Khin Waing Kyi, the MP who submitted the PR proposal, has received threats by telephone and was mocked by fellow MPs in parliament. The party has now submitted the same bill, recommending the adoption of a PR system, to the lower house, but a decision on when the house will debate the bill has not yet been released.¹¹

ARREST OF ACTIVISTS HAMPERS LAW ON POLITICAL PRISONERS

The arrest of political activists under catch-all sections of the penal code is thwarting efforts to create a law differentiating political prisoners from criminal offenders.

According to a committee tasked with seeking the release of remaining political prisoners, many activists continue to be arrested for offences such as trespassing and causing public offence but are handed stiff sentences aimed at intimidating those involved in political activities.

“The arresting of political activists is different compared to the previous regime. Sometimes, the authorities arrest activists on political charges, but mostly activists are arrested under other clauses in the penal code. This is making it difficult to define the meaning of political prisoners,” said Ye Aung a member of the Remaining Political Prisoners Scrutinising Committee (RPPSC).

The committee is composed of government officials, rights group advocates and former political prisoners, and is tasked with proposing a list of political prisoners to the president's office. However, many are in disagreement over who should constitute a political prisoner and efforts to devise a law to protect prisoners of conscience have been hampered by infighting. Despite a general amnesty announced by President Thein Sein and the release of 354 prisoners in 2013, as many as 46 dissidents remain behind bars, according to the Assistance Association for Political Prisoners (AAPP). Around 70 others are also awaiting trial and another 148 have sentenced, some in absentia, under catch-all laws.

“Lack of cooperation between the government and the parliament leads to the delay in enforcing the law on definition of political prisoners,” said Bo Kyi, a former political prisoner and head of AAPP. “We will seek advice from international legal experts in an effort to define the meaning of political prisoners,” he added. Despite the good will gesture and international praise the President received after declaring a general amnesty, there has been no effort to rehabilitate former prisoners or provide medical or financial support. Many former prisoners are forced to live in poverty after their release and still suffer from ailments due to poor treatment and even years of torture in Myanmar's jails.¹²

NLD SCHEDULES FIRST YOUTH CONGRESS IN EARLY JULY

After several delays, the National League for Democracy (NLD) said it has finally set a firm date for its first nationwide youth congress, which will be held from 5 to 6 July.

Burma's biggest opposition party twice announced it would hold the conference, once in January and then in April, but then postponed the event, most recently because the NLD started its nationwide campaign calling for amendments to the Constitution's Article 436.

¹¹ NDF about-face on PR in ethnic states – <http://www.dvb.no/news/ndf-about-face-on-pr-in-ethnic-states-burma-myanmar/41774> (DVB) 24 June 2014

¹² Arrest of activists hampers law on political prisoners – http://www.elevenmyanmar.com/index.php?option=com_content&view=article&id=6555:arrest-of-activists-hampers-law-on-political-prisoners&catid=32:politics&Itemid=354 (Eleven News Media)

“We had various reasons to reshuffle the date; the campaign for amending Article 436 was a priority for example. So now, the two-day Congress has been set with a firm date and Daw Aung San Suu Kyi will attend during those two days,” said Maung Maung Oo, the central commission chairman for the Youth Congress. He added the event would be held in Rangoon.

Maung Maung Oo said a total of some 200 youth leaders, who were selected based on their level of experience, are expected to attend the congress. Representatives, aged between 16 to 35 years, were chosen from the NLD’s township, district, division and state commissions. They will represent the NLD youth members who number about 100,000 across the country. “We want to promote the youth’s role in the party, and we will select 15 major youth leaders at this congress,” to form the central working committee of the NLD youth wing, Maung Maung Oo said. He added that another 57 representatives will be selected to join the NLD youth wing’s central leading committee. Maung Maung Oo said the congress would focus on regional development and the role of youth in Burma’s development. He said there would be about 30 young women representing NLD Township and district committees, and four women representing NLD committees from Kachin, Arakan and Mon states and Bago Division.

NLD leader Aung San Suu Kyi has long aspired to hold a youth congress. The idea received more backing last year after the NLD held a national assembly of about 900 members in March—also a first for the party, which was outlawed before President Thein Sein’s nominally civilian government came to power in 2011. Although the party is hugely popular, questions have been raised over its organizational capacity, ageing leadership and an overdependence on Suu Kyi’s leadership, which has left little room for the development of other NLD leaders. The NLD wants to revitalize ahead of the elections and develop a younger generation of leaders, as many of its current central leaders are in their 70s and 80s.¹³

VACANT POSITIONS AT AMDP’S EXECUTIVE COMMITTEE FILLED

The All Mon Regions Democracy Party (AMDP) has filled four vacant posts of its central executive committee (EC) at a meeting held in Moulmein, Mon State on 22 June. According to Nai Than Shwe, AMDP spokesman, the newly appointed members include Nai Chan Htoy of Chaungzone Township, Nai Khin Maung Yin of Rangoon Division, Nai Chan Nai of Moulmein, and Nai Khin Maung Myint of Tenasserim Division.

“Those positions were left vacant [because] former chairman Nai Ngwe Thein and [former EC member] Nai Chit Oo resigned from the party, while [former EC member] Nai Sein Aung passed away, and [Joint Secretary-2] Nai Khin Aung is having health problems”, said Nai Than Shwe.

Former AMDP chairman and EC member Nai Ngwe Thein and EC member Nai Chit Oo had ambitions to unite the AMDP and Mon Democracy Party (MDP), later to be known as the Mon National Party (MNP). In response, the AMDP released a statement wherein the party dismissed the two men from their positions within the AMDP.

“We acknowledge that [Nai Ngwe Thein and Nai Chit Oo] broke the rules, which should be respected, as they said that the two parties merged, since each party did not [decide] to unite, but only individual members left the party and joined another”, said AMDP General Secretary Dr. Min Nwe Soe. According to Dr. Min Nwe Soe, who spoke at the press conference during AMDP’s first annual conference last May, in the current political situation, there is no possibility, as of yet, for to Mon parties to merge. After the 2015 election, and based upon analysis on the political situation at that time, Dr. Min Nwe Soe notes that two parties will probably unify.

¹³ NLD Schedules First Youth Congress in Early July – <http://www.irrawaddy.org/burma/nld-schedules-first-youth-congress-early-july.html> (Irrawaddy) 25 June 2014

At the AMDP's 2014 annual conference, the party also appointed 21 members to the executive committee, including Nai Seik as party chairman, Dr. Nai Hla Aung as vice-chairman, Dr. Min Nwe Soe as General Secretary, and Nai San Tin as Joint General Secretary 1.¹⁴

SANGHA COMMITTEE RULES ON 70 MONASTERY OWNERSHIP DISPUTES

The raid on Mahasantisukha Monastery on 10 June has thrust the decision-making of the State Sangha Maha Nayaka Committee in the spotlight. The monastery at the centre of a dispute between Penang Sayadaw, who built the monastery, and the Sangha committee, which was given the monastery by the government about 10 years ago.

It's undoubtedly the most high-profile dispute over monastery ownership in recent years.

But figures from the Yangon Region Ministry of Religious Affairs show that the Sangha committee ruled on 69 ownership disputes between 2010 and 2013, the majority in Yangon, Mandalay and Magwe regions, which have the largest monastic communities.

Cases were also recorded in Ayeyarwady, Sagaing and Bago regions and Mon, Kayin and Rakhine states. The appeals are heard by a 15-member sub-committee of the State Sangha Maha Nayaka Committee. Members are drawn from the State Central Working Committee, which comprises 400 monks, including the 47 members of the State Sangha Maha Nayaka.

Ministry of Religious Affairs director Tun Nyunt said cases take at least one month to resolve. He said there are most likely many more disputes that never make it to the sub-committee. "Some arguments are resolved by the different parties themselves," Tun Nyunt said.

U Nyanissara, a monk who holds a master of arts in Buddha Dhamma, said donations from the public can be a source of contention between monks within a monastery. "In general, arguments happen when monks put personal possessions ahead of the Buddha's teachings," he said.¹⁵

ANALYSIS

The recent outbreaks of violence in Mandalay are further signs that the democratic transition in Burma is far from smooth and simple. What is alarming is that such communal conflicts are occurring periodically and that the authorities both regional and federal governments have been unprepared but more importantly failed not only in resolving but adopting measures to address such critical issues. After communal unrest in the past, an investigative commission and inquiries were formed, but to date they have not been able to prevent such violence from occurring. As a result, some believe that the recent outbreaks are being instigated and orchestrated with ulterior motives. While the authorities have been quick in responding to the recent outbreak in Mandalay, question remains why preventive measure were not put in place. However, while it is the prerogative of the authorities and security forces to maintain law and order, the task of preventing such communal violence is also a shared responsibility of the public and community and religious leaders alike. The government will now need to embark and put in place a more vigorous plan of action since tensions between the two communities are rising and that a spark could yet ignite further communal unrests in Burma.

¹⁴ Vacant positions at AMDP's executive committee filled – <http://monnews.org/2014/06/25/vacant-positions-amdps-executive-committee-filled/> (IMNA) 25 June 2014

¹⁵ Sangha committee rules on 70 monastery ownership disputes – <http://www.mmtimes.com/index.php/national-news/10816-sangha-committee-rules-on-70-monastery-ownership-disputes.html> (Myanmar Times) 27 June 2014