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JAPAN VOWS TO ASSIST PEACE PROCESS IN MYANMAR

Prime Minister Shinzo Abe told Myanmar's President's Office Minister U Aung Min in a meeting in Tokyo that Japan is backing peace talks in Myanmar and hopes to see a cease-fire accord between the two sides at an early date, according to the Japanese Foreign Ministry. The two governments agreed on 14 April to step up cooperation in advancing the peace process between the government and ethnic armed organizations (EAOs) in Myanmar.

Minister U Aung Min also delivered a letter to Abe from President Thein Sein, which stated that he is committed to success of the peace talks and ready to engage in political dialogue after the signing of the National Ceasefire Accord. The meeting came after Myanmar's government and 16 ethnic armed organizations (EAOs) reached agreement 31 March on a draft cease-fire accord aimed at ending decades of armed conflict in the country.

In his meeting with Abe, Myanmar government's chief peace negotiator U Aung Min, expressed hope for Japan's continued assistance toward achieving national reconciliation in Myanmar. The two sides affirmed that 10 billion yen, or \$83.5 million, in aid Japan pledged last year for a five-year period will continue to be used to improve livelihoods in conflict-affected areas, according to the ministry. U Aung Min also said that along with national reconciliation, President Thein Sein attached importance to promoting democracy in Myanmar. Abe said Japan expects Myanmar to ensure that it holds a general election slated for November in a "free and fair" manner.¹

TATMADAW CAPTURES STRATEGIC KOKANG POSITION

Tatmadaw columns repelled an advance by Kokang troops into Laukkai on 13 April, forcing them to retreat to steep mountains east of Parsinkyaw village near the Myanmar-China border. Tatmadaw columns managed to recapture Kokang positions and camps including at Point 1845 mountain after launching synchronized artillery and armored corps operations. Tatmadaw personnel also recaptured the strategic mountain overlooking Tarkahtan Village. During the fighting, 5 Tatmadaw members were killed while 18 were wounded. Government's forces also seized weaponry including machineguns, rocket-propelled grenades and land mines. With the recapture of strategically important mountains and areas around Tarkahtan Village, Tatmadaw columns have established complete control over the communication routes east of Parsinkyaw Village.²

UNOFFICIAL MEDIA

ETHNIC ARMED ORGANISATIONS CONFERENCE DATE SET

A conference of ethnic armed organizations (EAOs) is to be hosted by the United Wa State Army (UWSA) at their headquarters from 1 to 3 May. UWSA spokesperson Aung Myint told local news media: "It was decided by the ethnic groups last year to hold this conference, and that the Wa would organize it. We made the decision in February, at which time the ceasefire agreement was still under discussion. "We aimed to hasten the process to call this conference. On 31 March, the agreement was signed on the draft text between the UPWC and NCCT. The President urged us to sign. This conference will include the tasks needed to sign the ceasefire agreement. It will be the main agenda." The conference is scheduled for 2 days, with a possible extension if needed to conclude

¹ Japan vows to assist peace process in Myanmar –

<http://www.burmalibrary.org/docs21/GNLM2015-04-15-red.pdf> (GNLM) 15 April 2015 (p. 1 & 3)

² Tatmadaw captures strategic mountains from Kokang insurgents –

<http://www.burmalibrary.org/docs21/GNLM2015-04-14-red.pdf> (GNLM) 14 April 2015 (p. 2)

discussions, said Aung Myint. Meanwhile, an open letter from a leading figure in Burma's ethnic bloc has urged the President to stop offensives throughout the country, citing fear for the tentative progress towards a ceasefire. In the letter, dated 13 April, United Nationalities Federal Council (UNFC) chairman Lt-Gen N'Ban La called on the President to solve its problems through negotiation, remarking with particular concern the ongoing conflict in the Kokang region. Copies of the open letter were sent to commander in chief of Army General Min Aung Hlaing as well as UPWC and UNFC members.³

GOVERNMENT FORCES HAVE HIGH CASUALTIES IN KOKANG HOSTILITIES, SAYS MNDAA

A surge of fierce fighting has been observed between government forces and Kokang troops close to the China-Burma border with the Burmese army suffering heavy losses, according to a Kokang spokesperson. Tun Myat Lin of the Myanmar Nationalities Democratic Alliance Army (MNDAA) told local news media that violence has spiked since 8 April in the Tong San area of Shan State, southeast of the regional capital Laogai. "I think that there were about 700 dead and injured from the Tatmadaw [Burmese army] over the five days from 8 to 12 April. On our side, there were about 60 casualties," Tun Myat Lin said.

He said that the Burmese army had launched a heavy offensive: "The fighting intensified on 8 April and is still going on. They are using more heavy weaponry. More mortars were fired, supported by armed cars and tanks. "They are also using more manpower. All of the light infantry divisions (LID) except for LID 22 are in the area. All of the troops came to this narrow area. Also, more operational commands have come. There are about 20 percent of all of the army here in our Kokang area," he said.

He says that the MNDAA are looking for peace with the government, adding that the group are not officially recognized, and will continue with their defence. The Ta-Ang National Liberation Army and Arakan Army forces are fighting alongside the MNDAA in the region. The MNDAA was excluded from the recent peace talks that resulted in agreement on a draft text of a Nationwide Ceasefire Agreement, although it is a member of the ethnic bloc's Nationwide Ceasefire Coordination Team (NCCT) and welcomed the news of the agreement.⁴

GOVT GAGGING PRE-ELECTION PROTESTS, SAY LAWYERS

Legal experts and political activists have criticized the sentencing of democracy activists to between three and six months in prison, claiming the jail terms are politically motivated. Before 2015, those charged under Section 18 of the Peaceful Assembly and Procession Law, which is used to take action on demonstrators who protest without permission, was mostly given one month sentences or fines. But this year has seen sentences of three to six months being handed out. It is seen as an attempt to stifle protest ahead of November's general election by commentators who say the judiciary is coming under pressure to stiffen sentences.

"It's not good to give 3 to 4 month sentences to peaceful demonstrators. It is an abuse of human rights. The government is pressurizing political activists as the 2015 election draws near. It is a bad sign," said lawyer Robert San Aung. The 2008 Constitution says: "Every citizen shall be at liberty ... to express and publish freely their convictions and opinions, assemble peacefully without arms ... and to form associations and organizations." Robert San Aung said the judiciary was influenced by the

³ Date set for NCCT conference, as ethnic leader calls on Thein Sein to halt aggression – <http://www.dvb.no/news/date-set-for-ncct-conference-as-unfc-leader-calls-on-thein-sein-to-halt-aggressions-burma-myanmar/49993> (Democratic Voice of Burma) 14 April 2015

⁴ 700 army casualties in resurgent Kokang hostilities, says MNDAA – <http://www.dvb.no/news/resurgency-in-kokang-hostilities-enters-sixth-day-says-mndaa-burma-myanmar/49977> (Democratic Voice of Burma) 14 April 2015

administration and judges had no freedom to sentence on cases. It was essential to have an independent judiciary he said.

Prosecutions under Section 18 include Thein Aung Myint and 4 others who protested over increased electricity charges in Mandalay. They received up to 6-month terms on 23 March. Soe Wai, from Thandwe Township in Rakhine State, was given a three-month sentence on 26 March for accusing the military of grabbing land on Ngapali beach. Lawyer Myint Aye and activist Myo Thu Htut from Pyi, Bago Region, were handed four-month terms and hard labour under Section 18 on 2 April for demanding that the student union was rebuilt. Naw Ohn Hla and Than Swe, two leaders from the Letpadaungtaung clashes, were sentenced to four months on 2 April by Bahan Township court in Yangon Region.

Lawyer Thein Than Oo said: "Internationally, it is normal that when elections are due, the ruling party will jail activists from the opposition parties. Myanmar is doing the same. If you apply for a permit to protest, you may be put to prison without reason." Moe Thway, a democratic activist, said: "We have tried to amend and abolish Section 18. In amending, the government reduced sentences to six months in prison. So nothing significant changed. Now that the election is getting near, if the government controls activists, we can assume that the election will not be free and fair."

There are 296 political prisoners charged with Section 18, and sections 505(b), 147 and 143 of the Penal Code, according to Thet Oo, a member of Assistance Association for Political Prisoners. Section 143 of the Penal Code can be used to prosecute members of an unlawful assembly. Section 505(b) is used to prosecute whoever makes, publishes or circulates any statement, rumor or report with the intent to commit an offence against the state or public tranquility.⁵

MON PARTY GIVEN WARNING BY STATE ELECTION SUB-COMMISSION

The Mon National Party (MNP) has been given a warning by the Mon State Election Sub-commission due to the party's joint statement with New Mon State Party (NMSP) that supported the student's protest against the national education bill.

Concerned with the joint-statement released by MNP and NMSP on 12 March, the Mon State Election Sub-commission issued letters to 3 members of MNP party to meet with the commission on 3 April and the sub-commission proceeded to issue the warning on 7 April.

"We do not accept this warning from the election sub-commission. It is not the sub-commission who gave us a warning, the state government forced them to do it. The state government already knew about the statement," said Nai Soe Myint, joint secretary (1) of MNP, who was one of the three members that met with the State Election Sub-commission.

Even though the party members' signatures were given for the State Election Sub-commission's warning report, Nai Soe Myint went on to state that MNP did not accept such a warning/notice. However, it was important that the formalities of the meeting were recorded.

The State Election Sub-commission's warning stated the following;

- 1) being concerned with MNP and NMSP's joint statement, it is recorded that Mon State Election Sub-commission gave notice to MNP and therefore MNP will respect and follow the articles 405 and 407 of the Constitution of the Republic of the Union of Myanmar as well as law article 12 of party registration;
- 2) MNP signed as requested below because the MNP understands that it was invited and given notice.

⁵ Govt gagging pre-election protests, say lawyers – <http://www.nationmultimedia.com/aec/Govt-gagging-pre-election-protests-say-lawyers-30257851.html> (the Nation/Eleven Media) 15 April 2015

According to Nai Soe Myint, the State Election Sub-commission stated that although warning letters were given to NMSP, the commission did not recognize the NMSP as an unjust party.

The joint-statement by NMSP and MNP declared that the NMSP and MNP supported the protests by student groups who demanded an amendment to the national education bill; the NMSP and MNP condemned police cohorts forcibly breaking down protesting students, public and media groups by attacking them; the NMSP and MNP urged to negotiate and find solution and then release the arrested students; the NMSP and MNP will fight until the federal union with the rights of national equality and self-determination is established.

The meeting was attended by Mon State Election Sub-commission Chairman U Thein Htun and members of the State Election Sub-commission and Nai Soe Myint and Nai Maung Nyunt from the MNP.⁶

KACHIN STATE LEGISLATURE TOSSES OUT QUESTION ON STALLED MYITSONE DAM

During a recent sitting of the Kachin State Hluttaw, officials from the Kachin state government refused to provide any details about the status of the stalled Myitsone dam and other large scale hydro projects set to be built in Burma's most northern state. A question about the status of the dam projects was submitted by MP An Fraung Gam from Hpakant Township Constituency on 2 April. The proposal was rejected by Kachin State Hluttaw chairman citing that the issue should be discussed at Assembly of the Union and not at the Region/State level.

Under the current constitution the state level legislatures have very little authority over much of what happens in their respective states and regions. Hydro dam projects which are part of the national grid remain under the jurisdiction of central government authorities. Only small scale hydro projects that aren't part of the national grid are under the purview of the state government and the state legislature. While most of the electricity that was expected to be generated by the Myitsone dam was slated to go to China, a small fraction was supposed to go to the national grid and therefore the dam project and the other mega dams planned for the upper Irrawaddy fall on under the national parliament.

Backed by the Chinese firm China Power Investment (CPI) the deeply unpopular multibillion dollar Myitsone dam project was officially suspended by presidential decree in September 2011, a few months after a 17 year ceasefire between the Kachin Independence Organization (KIO) and the central government dissolved. None of the thousands of people forcibly evicted to make way for the dam have been legally allowed to return to their homes since they were displaced in 2010 and 2011.⁷

ANALYSIS

The latest pledge by Japan to provide assistance to the on-going peace process in Myanmar is welcomed and appreciated. But Japan with its historical ties with Myanmar should try to be more aware and sensitive of the complex nature of the long-running military conflicts in the country.

The recent signing of the NCA draft between the Union Peace-making Working Committee (UPWC) and the National Ceasefire Coordination Team (NCCT) representing the ethnic armed organizations (EAOs) is indeed positive. However, continued fighting in the Kokang Region shows that much more needs to be done to achieve peace and that challenges still remain. More importantly, the fact that

⁶ MNP given warning by State Election Sub-commission – <http://monnews.org/2015/04/11/mnp-given-warning-by-state-election-sub-commission/> (Independent Mon News Agency) 11 April 2015

⁷ Kachin state legislature tosses out question on stalled Myitsone dam – <http://www.kachinnews.com/news/2744-kachin-state-legislature-tosses-out-question-on-stalled-myitsone-dam.html> (Kachin News Group) 11 April 2015

the Myanmar National Democratic Alliance Army (MNDAA) and several other EAOs were sidelined from the talks does not bode well for the peace process. Even if the government is unable to meet the demand of every armed group, all possible options should be explored in seeking to promote an all-inclusive process to achieve peace.

The international community including Japan can contribute to peace but they should also pay attention towards the transition to democracy in Myanmar. And in doing so, they will need to adopt a realistic and patient approach.