

## POLITICAL MONITOR NO. 24

### OFFICIAL MEDIA

#### **VICE-PRESIDENT ADDRESSES PEACE-MAKING WORKING COMMITTEE, EMPHASIZES IMPORTANCE OF PEACE TO BURMA'S FUTURE**

Chairman of the Union-level Peace-making Working Committee Vice-President Dr Sai Mauk Kham addressed the committee at its first ever meeting in Nay Pyi Taw on 12 August. The Vice-President said that the purpose of the meeting was to explain the progress of the government's peace measures, to rally the participation of all stakeholders in peace making process in regions where initial peace deals have been reached and to acquire suggestions of how to establish peace in regions where it has yet to be established.<sup>1</sup> He explained that the peace-making process has 3 steps, which include discussions at 1) the State level, 2) the Union level and 3) the Pyidaungsu Hluttaw level.<sup>2</sup> He added that the reason why the government is committing to peace is to develop the socio-economy of the country as the over 50-year armed conflicts have wasted time and wealth of the country. Therefore, he urged efforts to fulfil the socio economy needs of those who exchanged arms for peace. Finally, the Vice-President stated that the government is committed to peace and stressed the importance of peace to bring about the development of Burma and get it off of the LDC list, and called on those present to make an all-out effort to achieve these goals.<sup>3</sup>

#### **HUMAN RIGHTS COMMISSION ISSUES STATEMENT ON KACHIN STATE VISIT, KACHIN WOMEN'S GROUP DEMANDS MHRC CONDUCTS IN-DEPTH INVESTIGATION INTO ABUSES**

The Myanmar National Human Rights Commission (MHRC) published a statement on 14 August regarding their visit to Kachin State from 23 to 27 July where they met officials from the regional government as well as witnesses of human rights violations. According to the MHRC, those living in the relief camps were keen to return home but their resettlement plans were being hampered due to the presence of landmines in the areas. The Commission urged cooperation among the armed groups and the relevant NGOs and INGOs in addressing the on-going crisis and also to be for the villagers to be educated about land mines.<sup>4</sup> (*Please see Appendix A for the full text of the statement.*)

#### *Unofficial media:*

The Kachin Women Association Thailand (KWAT) has urged the MHRC to conduct a comprehensive and in-depth inquiry into the number of displaced persons caused by Burma Army offensives in the Kachin State. The Burma Army has been fighting against the Kachin Independent Army (KIA) since June 2010 and as many as 70,000 people have been forced to flee from their homes and thousands seeking refugee across the border in China. Moon Nay Li, Coordinator of KWAT, said that the

<sup>1</sup> The 11-member Union-level Peace-making Central Committee was formed on 3 May 2012 with the President as the chairman by the Order No (11/2012) of the President Office. The working committee was formed on the same day with 52 members. It is responsible for submitting report to the central committee after accomplishing duties.

<sup>2</sup> The discussion at the State level includes ceasefire, staying only in designated area, not holding weapons beyond the designated area, opening liaison offices and fixing dates and venues for Union level discussions. The discussion at the Union level includes living forever in the Republic of the Union of Myanmar, accepting Our Three Main National Causes, lawful business activities, participation in anti-narcotics drives, participation in politics by establishing political parties, accepting the constitution and amending at the Hluttaw if they want to and transformation into only one armed organization. The third stage includes the discussion at the Pyidaungsu Hluttaw, signing the eternal peace deal by all national races at the Pyidaungsu Hluttaw.

<sup>3</sup> As nation's future totally depends on peace, prevailing peace in the country is a must. Vice-President Dr Sai Mauk Kham attaches great importance to peaceful Myanmar –

<http://www.burmalibrary.org/docs13/NLM2012-08-13.pdf> (NLM) 13 August 2012 (p. 1 & 8)

<sup>4</sup> Statement of Myanmar National Human Rights Commission on its trip to the Kachin State (5/2012) – <http://www.burmalibrary.org/docs13/NLM2012-08-14.pdf> (NLM) 14 August 2012 (p. 7)

humanitarian situation is much worse than as reported by officials from the MHRC who visited Kachin State from 23 to 27 July to assess the situation. She added that the refugees are still in need of food and healthcare assistance. Access should be given to UN and other organizations to assist those affected and that the government forces are continually abusing the locals and preventing them from returning to the homes. She also added that at the Kachin refugee displacement camps, people's needs are an emergency situation and they need urgent assistance and she demanded the Human Right Commission to do a more in-depth and comprehensive assessment to solve the issue. According to the MHRC statement, officials from the commission visited 16 displacement sites to meet with people, talk to witnesses of human right violations that were reported to the commission, and held a meeting with the Chief Minister and other government Ministers of Kachin State to share their views.<sup>5</sup>

### THAI DEFENSE MINISTER MAKES OFFICIAL VISIT

Thai Defence Minister Air Chief Marshal Sukumpol Suwanatat made a 2-day official visit to Burma from 15-16 August. He met President Thein Sein on 15 August on his 1<sup>st</sup> ever visit to Nay Pyi Taw and discussed cross-border issues covering drugs and illegal migration, and also held separate meetings with the Commander-in-Chief of Defence Services Vice-Senior General Min Aung Hlaing and his Burmese counterpart Lt-Gen Hla Min and discussed the promotion of ties between the two defence services, as well as peace and tranquillity of border affairs, cooperation in eradication of producing, planting and distributing of narcotic drugs and cooperation in security along the Mekong River.<sup>6</sup>

### HLUTTAW SESSIONS – Highlights

#### Pyidaungsu Hluttaw (Union Hluttaw) Sessions

The 4<sup>th</sup> Regular Session of the First Pyidaungsu Hluttaw (Union Hluttaw) held its 8<sup>th</sup> day meeting on 15 August. During the session, **Vice-President U Nyan Tun was appointed and sworn-in in accordance with Section 65 of the State Constitution and Section 37 of the Pyidaungsu Hluttaw Law** and in the presence of the Pyidaungsu Speaker.<sup>7</sup>

#### Pyithu Hluttaw (Lower House) sessions

The following proposals and laws were submitted and discussed during the 24<sup>th</sup> to 28<sup>th</sup> day sessions of the Pyithu Hluttaw (Lower House):

- Pyithu Hluttaw (Lower House) Speaker Thura U Shwe Mann and several MPs discussed a proposal to impeach the Chairperson and Members of the Constitutional Tribunal. (26<sup>th</sup> day session) The Speaker made following points:
  - He received the proposal to impeach the Chairperson and Members of the Constitutional Tribunal of the Union on breach of any of the provisions under the constitution as prescribed in Section 334, Subsection (a) (i) of the constitution and inefficient discharge of duties assigned by law as prescribed in Sub-section (v) of the same section, signed by 301 Pyithu Hluttaw representatives from the Hluttaw Rights Committee for the second time.

<sup>5</sup> Kachin women demand Myanmar Human Right Commission hold in-depth investigation into Kachin abuses – <http://karennews.org/2012/08/kachin-women-demand-myanmar-human-right-commission-hold-in-depth-investigation-into-kachin-abuses.html/> (Karen News) 15 August 2012

<sup>6</sup> President U Thein Sein receives Thai Defence Minister – <http://www.burmalibrary.org/docs14/NLM2012-08-16.pdf> (NLM) 16 August 2012 (p. 1) / Vice-Senior General Min Aung Hlaing receives Thai Defence Minister – <http://www.burmalibrary.org/docs14/NLM2012-08-16.pdf> (NLM) 16 August 2012 (p. 2) / Union Defence Minister Lt-Gen Hla Min meets Thai Defence Minister Air Chief Marshal Sukumpol Suwanatat – <http://www.burmalibrary.org/docs14/NLM2012-08-17.pdf> (NLM) 17 August 2012 (p. 7)

<sup>7</sup> Vice-President elected to fill vacant Vice-President at Pyidaungsu Hluttaw Session – <http://www.burmalibrary.org/docs14/NLM2012-08-16.pdf> (NLM) 16 August 2012 (p. 16 & 9)

- Despite reluctance to make such impeachment, he would handle requests and duties assigned fairly by the Hluttaw representatives and while alternatives besides impeachment are being sought, the MPs should exercise patience.
- He also stated that he would undertake negotiations with the President and other parliamentary officials to avoid impeachment and would seek the best way to settle the issue.<sup>8</sup>
- **5 questions regarding the Dawei Deep Sea Port Project** were raised by U Thein Nyunt of Thingangyun Constituency (NDF). (24<sup>th</sup> day session)<sup>9</sup>
- Daw Le Le Win Swe of Tamway Constituency (USDP) raised a **question on providing social protection to women in accordance with the UN Convention on Elimination of All Forms of Discrimination Against Women (CEDAW)**. (24<sup>th</sup> day session)<sup>10</sup>
- U Aung Thein Lin of South Okkalapa Constituency (USDP), U Pike Htwe of Kanma Constituency (USDP) and U Win Than Thabaung Constituency (USDP) discussed **adopting a migration policy for the security of Burmese migrants workers abroad**. (24<sup>th</sup> day session)<sup>11</sup>
- U Aung Hsan of Pabedan Constituency (USDP) asked if there are **plans to provide workers in Rangoon Region with social security benefits**. (25<sup>th</sup> day session)<sup>12</sup>
- Daw Nann Wah Nu of Kunhein Constituency (SNDP) submitted a proposal calling for **the Union Government to define duties, rights and entitlement of the Chief Ministers and Ministers of the Region/State governments** as prescribed in Section 264 (d) of the Constitution and to introduce the bill to the Pyidaungsu Hluttaw. (26<sup>th</sup> day session)<sup>13</sup>
- **9 MPs** discussed a proposal submitted by U Thein Nyunt of Thingangyun Constituency on 30 July **“urging the Union government to draft Non-Governmental Organization registration law commensurate with the age as the President called for cooperation with civil societies in democratic transition”**. (27<sup>th</sup> day session)<sup>14</sup>

#### Amyotha Hluttaw (Upper House) sessions

The following proposals, questions and laws were submitted and discussed during the 24<sup>th</sup> to 28<sup>th</sup> day sessions of the Amyotha Hluttaw (Upper House):

- U Maung Aye Tun of Rakhine State Constituency No.9 (USDP) submitted a proposal calling on **the Union Government to prevent riots such as those which occurred in Rakhine State in June, 2012, to uncover the illegal migrants who entered the country through borders and to take actions against them in accordance with the law, and to provide security to local people and ensure their livelihood**. The proposal was put to the vote and rejected as it did not receive the required number of votes. (25<sup>th</sup> day session)<sup>15</sup>

<sup>8</sup> Speaker requests patience of parliamentarian; row over Union level organization definition to be sent to President – <http://www.burmalibrary.org/docs14/NLM2012-08-15.pdf> (NLM) 15 August 2012 (p. 16, 9 & 10)

<sup>9</sup> Directives given to local companies to take leading roles in Dawei Special Economic Zone / Myanmar citizens except experts, skilled workers and supervisors must be employed – <http://www.burmalibrary.org/docs13/NLM2012-08-11.pdf> (NLM) 11 August 2012 (p. 1 & 8)

<sup>10</sup> Ibid.

<sup>11</sup> Ibid.

<sup>12</sup> There are 0.6 million registered workers who have rights to enjoy social security across the country / Union Ministries are taking actions against staff who break the rules regardless of posting areas – <http://www.burmalibrary.org/docs13/NLM2012-08-14.pdf> (NLM) 14 August 2012 (p. 16 & 7)

<sup>13</sup> Speaker requests patience of parliamentarian; row over Union level organization definition to be sent to President – <http://www.burmalibrary.org/docs14/NLM2012-08-15.pdf> (NLM) 15 August 2012 (p. 16, 9 & 10)

<sup>14</sup> NGOs play a key role in handling disasters promptly: MPs – <http://www.burmalibrary.org/docs14/NLM2012-08-16.pdf> (NLM) 16 August 2012 (p. 16 & 9)

<sup>15</sup> School textbooks and six exercise books each provided to students from KG to fourth standard free of charge in realizing compulsory education system – <http://www.burmalibrary.org/docs13/NLM2012-08-14.pdf> (NLM) 14 August 2012 (p. 16 & 9)

- Dr Tin Shwe of Yangon Region Constituency No.6 (USDP) raised the question “**whether there is a forum with foreign countries that have experience in solving the difficulties or challenges that may arise due to the establishment of ASEAN Free Trade Area in 2015**”. (26<sup>th</sup> day session)<sup>16</sup>
- U Hla Swe of Magway of Region Constituency No.12 (USDP) submitted a proposal **urging the Union Government to enable staff to enjoy their rights according to their levels for to ensure a “Clean Government”**. (26<sup>th</sup> day session)<sup>17</sup>
- Chairman of Amyotha Hluttaw National Planning Committee U Zaw Myint Pe submitted a proposal **urging the Union government to consider the proposal of a National Development Plan and its 15 main points and calling for drawing of a National Comprehensive Development Plan**. (27<sup>th</sup> day session)<sup>18</sup>

## UNOFFICIAL MEDIA

### NAVY CHIEF SELECTED AS NEW VICE-PRESIDENT

The Commander-in-Chief of Burma’s navy Nyan Htun has been selected as the country’s new Vice President during 8<sup>th</sup> day of the Pyidaungsu Hluttaw (Union parliament) session held in Nay Pyi Taw on 15 August. Nyan Tun (59) was nominated by the military representatives in parliament, is a graduate of the 16<sup>th</sup> Intake of the Defense Services Academy (DSA), and is believed to be loyal to Vice-Snr-General Min Aung Hlaing, the Commander-in-Chief of the Burmese armed forces. Both were close to the now-retired military regime leader Snr-Gen Than Shwe. Admiral Nyan Tun replaces Tin Aung Myint Oo, the ex-vice president who resigned from his post for health reasons in May. The latter was also widely regarded as a hardliner within the government and unhappy with President Thein Sein’s reforms. The chief minister of Rangoon Division former general Myint Swe was originally nominated as vice president on 10 July, but was later disqualified because of a family connection after it became known that one of his children lives in Australia and has become an Australian citizen. Therefore, the military appointees finally picked Nyan Htun as their candidate for vice president.<sup>19</sup>

### BURMESE POLITICAL PARTIES CALL FOR QUINTANA’S REMOVAL

The leaders of 14 minority political parties have called for the removal of the United Nations Special Rapporteur on Human Rights Tomas Ojea Quintana for perceived biased reporting regarding the recent conflict in Rakhine State. The parties made the recommendation to Marianne Hagen, an assistant to the UN Secretary General’s Special Adviser on Myanmar Vijay Nambiar, during a meeting in Yangon on 10 August, according to General-Secretary of the Unity and Peace Party U Tun Shwe. Those who participated in the meeting demanded the removal of the Quintana due to “bias in his report about ethnic conflict following his two trips to Rakhine State.” “It’s not appropriate to get involved in ethnic matters if he doesn’t know about the issue. He needs to know more about the situation in Rakhine State [before commenting],” said Chairman of Modern People’s Party U Tun Aung Kyaw. Ms Hagen took note of the party leaders’ concerns, but did not offer any comments.<sup>20</sup>

<sup>16</sup> Miners have no rights to enjoy fixed pension rates like Tatmadawmen as they are not Tatmadawmen – <http://www.burmalibrary.org/docs14/NLM2012-08-15.pdf> (NLM) 15 August 2012 (p. 16 & 8)

<sup>17</sup> Ibid.

<sup>18</sup> Speed of service doubled for ADSL Internet as trial without changing fee in proper uplink transmission places of Yangon, Nay Pyi Taw and Mandalay as of 15 July – <http://www.burmalibrary.org/docs14/NLM2012-08-16.pdf> (NLM) 16 August 2012 (p. 16 & 9)

<sup>19</sup> Burma Navy chief selected as new Vice-President – <http://www.irrawaddy.org/archives/11530> (Irrawaddy) 15 August 2012

<sup>20</sup> Parties call for Quintana removal – <http://www.mmtimes.com/2012/news/639/news63916.html> (Myanmar Times) 13-19 August 2012

### **ELECTED SHAN LEADER CALLS FOR MORE POWER TO THE STATES**

The leader of the Shan Nationalities League for Democracy (SNLD) which won the majority of the parliamentary seats in the Shan State in the 1990 elections, Hkun Htun Oo, has called for more decentralization by the central government for the States and Regions. "Power is still very much concentrated in the central government", he said, despite that President Thein Sein had spoken of a "reduction of centralization" a few days after his inauguration in March 2011. "The state governments should be empowered more so they get used to handling their own affairs by themselves in the future." Shan State was a self-supporting state during the pre-independence days, and the 1947 Panglong Agreement also promised administrative autonomy, democracy, human rights and "financial autonomy." Regarding the ongoing peace process Hkun Htun Oo said, "What all the ethnic nationalities aspire is neither ownership of lands nor business concessions, but to resolve existing political issues by political means. We should draw lessons from our past experiences and apply them." He spoke to more than 250 representatives from over 20 political parties and CBOs at the official opening of the SNLD head office in Mayangone Township, Rangoon Region.

The meeting also elected the following 11 members to the SNLD's central executive committee:

- |                                |   |                                  |
|--------------------------------|---|----------------------------------|
| 1. Hkun Htun Oo                | - | Chairman                         |
| 2. Sai Saw Aung                | - | Vice Chairman                    |
| 3. Sai Nood aka Sai Nyunt Lwin | - | General Secretary                |
| 4. Sai Lake                    | - | Joint Secretary and Spokesperson |
| 5. Sai Fa                      | - | Public Relations                 |
| 6. Nang Htwe Mon               | - | Treasurer                        |
| 7. Sai Lern Myat               | - | Auditor                          |

4 others represent Shan State (North, South and East) and Outside Shan State.<sup>21</sup>

### **AMERICAN MUSLIMS LAUNCH 'BURMA TASK FORCE USA'**

Prominent Muslim-American groups have come together to launch Burma Task Force USA with the objective of raising the profile of the Rohingya issue while speaking out against alleged atrocities and human rights violations which have forced thousands to flee and seek refuge in neighboring Bangladesh. Chairperson of Burma Task Force USA Imam Abdul Malik Mujahid demanded that "those responsible for the mass rapes and mass murder of thousands of Rohingyas be charged with crimes against humanity and genocide by the International Court of Justice". The Burma Task Force is based on a previous successful effort of American Muslims, the Bosnia Task Force, where its members worked with the interfaith leadership and women's rights organizations against the genocide of Muslims in the former Yugoslavia. Mujahid said the objective of the group is to stop perceived ethnic cleansing in Burma. "We will be working with leaders of other faith groups, interfaith groups, women's rights organizations and peace movements to put pressure on the US government and the American business community to warn the Burmese government to stop the ethnic cleansing," he said. Many of the founding members of Burma Task Force USA have been actively working to stop this new violence in western Burma ever since it first flared in June, said Mujahid. American Muslims are taking their cue from the previous efforts of Coalition Against Genocide, wherein Muslims of Indian origin living in the US worked with other communities to revoke the diplomatic visa of Narendra Modi, the chief minister of the western Indian State of Gujarat, for his alleged role in communal riots there some 10 years ago.<sup>22</sup>

<sup>21</sup> Elected Shan leader calls for more power to the states – [http://www.shanland.org/index.php?option=com\\_content&view=article&id=4872:elected-shan-leader-calls-for-more-power-to-the-states&catid=85:politics&Itemid=266](http://www.shanland.org/index.php?option=com_content&view=article&id=4872:elected-shan-leader-calls-for-more-power-to-the-states&catid=85:politics&Itemid=266) (Shan Herald) 16 August 2012

<sup>22</sup> American Muslims Launch 'Burma Task Force USA' – <http://www.irrawaddy.org/archives/11466> (Irrawaddy) 14 August 2012

## **ANALYSIS**

Key positions within the Burmese hierarchy have in the past always been dominated by the army (Tatmadaw Kyee). The appointment of Nyan Tun, a former navy commander, is interesting. How he will assert his authority within the defence services will be a major challenge.

While the on-going parliamentary assemblies are engaged in debating and enacting laws crucial to promoting democratic changes, the government has yet to find ways in which to address the communal unrests in the Rakhine State and the plight of those displaced by the fighting taking place in the Kachin State. The government has taken steps to address both issues by launching an official inquest into the violent unrests in Rakhine and also dispatching its human rights watch-dog - the MHRC - to visit the Kachin State. While such efforts will not be enough to satisfy anyone, they could become part of a process on national reconciliation. If it were to embark on such a process which could include convening a Panglong-type conference, the government would not only be showing its sincerity in achieving national reconciliation but also bring eternal peace to the country.

## **APPENDICES**

### **Appendix A:**

#### **Statement of Myanmar National Human Rights Commission on its trip to the Kachin State (5/2012)**

The Secretary of the Myanmar National Human Rights Commission and two members of the Commission visited Myitkyina and Waingmaw of the Kachin State from 23 to 27 July 2012 and carried out the following tasks of the Commission:-

- Visited 16 relief camps, met with the people of the camps and expressed words of encouragement to them.
- Summoned and examined the witnesses in connection with the complaints, assumed to involve the violations of human rights in the Kachin State.
- Met with the Chief Minister and the Ministers of the Kachin State Government and exchanged views on the prevailing situation in the Kachin State.

Based on the activities and the findings of the Commission team, the following recommendations are made:

- on studying and examination of the camps that the Commission team visited, it was found that although over one year has elapsed, the basic needs of the peoples of the camps were able to be fulfilled as before. The departments and the organizations concerned are urged to supply additional medicines required for the provision of health care for and treatment of ailments caused by seasonal changes.
- the people at the relief camps expressed that they wished to return to their villages and that land mines in the surrounding areas of the villages be cleared. To carry out mine clearance before the resettlement work is commenced, there should be cooperation among the armed groups and the relevant domestic and foreign organizations. The villagers should be educated about land mines.
- according to the statements of the witnesses made in connection with the complaints, it was found that there were certain violations of human rights of the populations of the villages by the armed groups. Therefore, it is strongly urged not to violate human rights under any circumstances and to act in accordance with human rights standards.
- according to the statements of the witnesses from the Tarlawgyi village of the Myitkyina Township, there were instances of forced recruitment of soldiers from villagers of Tarlawgyi by the KIA. It was learnt that 53 villagers of Tarlawgyi who were serving as the people's militia of the KIA have returned to the legal fold. It is urged that no armed group should engage in forced recruitment of soldiers in any area.
- it was learnt that the Tatmadaw arrested and interrogated two villagers of Tawlawgyi in early January 2012 and they were prosecuted by the authorities concerned under the existing laws. In order not to adversely affect the rights of the persons concerned, the court proceedings should be expeditiously concluded.
- the Commission does not wish to make any comment on the interrogation of the suspects by security forces for security reasons and on their prosecution in accordance with the law. However, torture during the interrogation constitutes violation of human rights and must be avoided.

The Government has received encouragement and support from within and outside the country in establishing a democratic state. Similarly, the Government has made historic accomplishments in its efforts to bring about lasting peace. Under these circumstances, concerted efforts should also be made by all to establish peace in the Kachin State in accordance with the desire of the people.

**The Myanmar National Human Rights Commission**

Dated: 14 August 2012<sup>23</sup>

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<sup>23</sup> Statement of Myanmar National Human Rights Commission on its trip to the Kachin State (5/2012) – <http://www.burmalibrary.org/docs13/NLM2012-08-14.pdf> (NLM) 14 August 2012 (p. 7)