

POLITICAL MONITOR NO. 31

OFFICIAL MEDIA

SPEAKERS OF LOWER AND UPPER HOUSE ATTEND MEETING ON THE CLARIFICATION OF LAWS NEEDING AMENDMENT OR REVOCATION, & THE PROMULGATION OF NEW LAWS

On 25 and 27 October at the Hluttaw Building in Nay Pyi Taw, Pyidaungsu Hluttaw (Upper House) Speaker U Khin Aung Myint and Pyithu Hluttaw (Lower House) Speaker Thura U Shwe Mann attended a meeting on clarifying laws which need to be amended or revoked and new laws which need to be promulgated. The two-day meeting was also attended by MPs, senior government officials and law experts. The discussions focused on existing laws enacted in the country during pre-independence, post-independence, the time of the Revolutionary Council and the time of the State Law and Order Restoration Council and State Peace and Development Council. At the meeting, law experts from universities and with academic backgrounds presented clarifications on related laws which needed to be amended or revoked as well as those which needed to be newly promulgated.¹

HLUTTAW SESSIONS (39th to 42nd Day) – Highlights

Pyithu Hluttaw (Lower House) session:

The following key issues were discussed during the session:

- **Dawei Deep-Water Seaport Project**

U Win Oo of Yaybyu Constituency (USDP) raised a question on the current developments on the Dawei deep-water seaport project, on the plans for development of the region and on what arrangements are being made for the resettlement of local people and the resumption of their farming businesses.

Deputy Minister for National Planning and Economic Development U Kan Zaw responded that:

- A Memorandum of Understanding on the Dawei deep-water seaport and industrial zone project between the Myanma Port Authority of the Ministry of Transport and the Italian-Thai Development Public Co Ltd (ITD) was signed on 12.06.2008 and a further agreement was made on 02.10.2010.
- The work being carried out under the ‘Dawei Special Economic Zone’ project is under supervision and is being implemented in accordance with the law.
- Investment will be allowed in production-based businesses, services, infrastructural businesses and other businesses set by the central committee in accordance with the agreement of the Union government.
- Regarding the on-going work, a land survey for the special economic zone (an area of 204.508sq/km) has been carried out and will be submitted to the Union government.

¹ Pyidaungsu Hluttaw Speaker U Khin Aung Myint, Pyithu Hluttaw Speaker Thura U Shwe Mann attend meeting on clarifying laws needed to be amended and revoked among existing laws and new laws to be promulgated - <http://www.burmalibrary.org/docs12/NLM2011-10-26.pdf> (NLM) 26 October 2011 (p. 11) / Pyithu Hluttaw Speaker attends meeting on clarification of amendment, revocation and promulgation of laws - <http://www.burmalibrary.org/docs12/NLM2011-10-28.pdf> (NLM) 28 October 2011 (p. 7)

- The regional government, the Dawei Special Economic Zone Supportive Group (temporary) and the ITD Company are coordinating to reimburse villagers for the loss of annual and perennial crop plantations at current prices.
- The ITD Co has been directed to give back the villages enough land for accommodation and agriculture in the new settlements and to reclaim lands for farming and growing perennial crops. They should also provide monthly cash assistance to families in the interval while they are not making a profit from farming and should relocate them gradually by allowing them to continue farming on their current land while starting crop plantations in the new settlement.²

- **Myanmar-Japan Parliamentarian League**

On 19 October 2011, the Speaker of Pyithu Hluttaw met the Chairman of the Japan-Myanmar Parliamentarian League who proposed **to establish a Myanmar-Japan Parliamentarian League for promotion of the relationship between Burma and Japan**. The Speaker informed the Hluttaw that U Htay Myint of Myeik Constituency (USDP) would be assigned as the Chairman of the Myanmar-Japan Parliamentarian League and U Kyi Tha of Gwa Constituency (USDP) as Secretary.³

- **Private Universities Bill**

A proposal to draft a Private Universities Bill allowing the opening and establishment of private universities was submitted by Dr Soe Yin of Kamayut Constituency (USDP). U Than Nwe of Butalin constituency (USDP) and Daw Tin Nwe Oo of Dagon Myothit (North) constituency (NDF) supported the proposal.

Deputy Minister for Education U Aye Kyu responded by saying that the bill should be carried out taking the proper time as it is an appropriate bill. The Hluttaw approved the proposal and decided to draft the bill at an opportune time.⁴

- **Political Parties Registration Law**

The Bill Committee Chairman submitted a report of the committee regarding the Bill to amend the Political Parties Registration Law approved and sent by the Upper House on 20 October. **The Hluttaw approved the bill.**⁵

Amyotha Hluttaw (Upper House) Session:

Similarly, the Amyotha Hluttaw discussed the following issues:

- **Bill on Peaceful Gathering and Procession**

A discussion was held on the Peaceful Gathering and Procession Bill by U Hla Swe of Magway Region Constituency No. 12 (USDP), U Saw Tun Mya Aung of Kayin State Constituency No. 5 (USDP), U Khin Maung Yi of Ayeyawady Region Constituency No. 6

² Second regular session of first Pyithu Hluttaw continues for 39th day/Ten questions answered, one new proposal submitted -

<http://www.burmalibrary.org/docs12/NLM2011-10-22.pdf> (NLM) 22 October 2011 (p.16, 8, & 9)

³ Second regular session of first Pyithu Hluttaw continues for 41st day/Twelve questions raised and answered - <http://www.burmalibrary.org/docs12/NLM2011-10-26.pdf> (NLM) 26 October 2011 (p.8, 9 & 10)

⁴ Second regular session of first Pyithu Hluttaw continues for 42nd day/Seven questions replied, one new proposal submitted, one bill approved and scrutiny of one bill suspended - <http://www.burmalibrary.org/docs12/NLM2011-10-28.pdf> (NLM) 28 October 2011 (p.8 & 9)

⁵ Second regular session of first Pyithu Hluttaw continues for 42nd day/Seven questions replied, one new proposal submitted, one bill approved and scrutiny of one bill suspended - <http://www.burmalibrary.org/docs12/NLM2011-10-28.pdf> (NLM) 28 October 2011 (p.8 & 9)

(USDP) and U Ohn Tin of Rakhine State Constituency No. 10 (RNDP), which was sent by the Pyithu Hluttaw with amendments.

The MPs discussed that Burma's democracy is still not even a year old and that coordination for regional peace is being made in some States. Therefore the law should be enacted when peace and stability is restored in all Regions and States, and it would be best to wait for an opportune time for its implementation. The Hluttaw assigned the Bill Committee to re-submit the bill at a later date for further discussions.⁶

UNOFFICIAL MEDIA

RANGOON POLICE DISPERSE FARMERS' PROTEST

Police in Rangoon broke up a demonstration of around 100 farmers protesting against the confiscation of their land and detained three people on Thursday, 27 October, according to officials. Led by a human rights lawyer, Phoe Phyu, the demonstrators staged an early morning sit-in outside the Department of Human Settlement and Housing Development in downtown Rangoon. The lawyer and two farmers were later detained by the authorities for questioning.⁷

SHAN STATE ARMY – SOUTH (SSA-S) OUTLINES PEACE PROPOSAL

Prior to the expected talks with the government, the Restoration Council of Shan State / Shan State Army (RCSS/SSA), better known as the SSA South, says it intends to resolve the on-going conflict "by political means". According to Major Lao Hseng, spokesman for the movement, the group would use the following points as its basic demands in negotiating with the government:

- The resolution of all political issues in the Union by political means (as opposed to military means)
- Having fought each other for so long, a certain period for confidence building is necessary;
- A clarification of what role the government would like the RCSS/SSA to play in resolving the on-going crisis by political means.⁸

The Nay Pyi Taw government issued an announcement on 18 August 2011 inviting all armed movements for peace talks. So far, it has signed ceasefire agreements with the United Wa State Army (UWSA) and the National Democratic Alliance Army (NDAA), two groups that are non-members of the 12-party United Nationalities Federal Council (UNFC). The alliance, formed in February 2011, has rejected the government's proposed "group wise" negotiations and instead demanded that Nay Pyi Taw deals with it directly. The SSA North is a member of the UNFC, while the SSA South is not.

GOVT PUSHES FOR PEACE TALKS WITH KNU & SSA-SOUTH

Two of Burma's main ethnic rebel groups, the Shan State Army-South (SSA-South) and the Karen National Union (KNU), are preparing to hold separate peace negotiations with a government delegation in the near future, according to sources close to the two groups. The talks will focus only

⁶ Second regular session of first Amyotha Hluttaw continues for 40th day/Four questions answered, two bills discussed, one bill submitted -

<http://www.burmalibrary.org/docs12/NLM2011-10-26.pdf> (NLM) 26 October 2011 (p.10 & 11)

⁷ Rangoon police disperse farmers' protest -

<http://www.dvb.no/news/rangoon-police-disperse-farmers-protest/18424> (DVB) 27 October 2011

⁸ SSA outlines peace proposal -

http://www.shanland.org/index.php?option=com_content&view=article&id=4147:ssa-outlines-peace-proposal&catid=85:politics&Itemid=266 (Shan Herald) 27 October 2011.

on establishing Nay Pyi Taw's plan for making peace and its sincerity to stand by any agreement. The proposal comes at a time when government troops have launched a military offensive against Kachin rebels in northern and northeastern Burma. Before holding talks with the government delegation, the SSA-South will gather the opinions of Shan civilians and Buddhist monks, said a Shan rebel spokesman.

The KNU, for its part, has been fighting the Burmese army almost continuously for more than 60 years. However, Karen sources said that they were confident talks with a government delegation will go ahead, although no date has yet been fixed. "If they are really serious, we wish to talk with them. If they want peace, we will pursue political dialogue," said Zipporah Sein, the General Secretary of the KNU. However, KNU officials maintain that they prefer to hold talks in a neighboring country, assumed by observers to mean Thailand. A source close to the KNU said that a Burmese government delegation tried to meet up with KNU officials last week in Myawaddy. A government delegation has previously met once with KNU representatives and once with the rebel New Mon State Party, although both times the talks concluded without an agreement.⁹

TWO ETHNIC ARMED GROUPS SUPPORT 'SECOND PANGLONG CONFERENCE'

The Arakan Liberation Party (ALP) and the Chin National Front (CNF) have welcomed the idea of convening a "21st Century Panglong Conference" representing all ethnic parties and armed groups. "If a Panglong agreement is really implemented, we would welcome it, since the [first] Panglong Conference was intended to form a genuine Federal Union based on equality," said Khaing Thu Kha, spokesman for the ALP. Similarly, the Zomi National Congress (ZNC), another ethnic group, issued the "Kalay Declaration" on 24 October which also urged for the need to reconvene of an all-inclusive "Second Panglong Conference" for national reconciliation. The Kalay Declaration supports building a Federal Union based on democracy and national equality rather than a unitary system. The declaration was signed by NLD leaders Tin Oo and Win Tin, non-parliamentary groups and 11 prominent politicians.

The Panglong Conference, held in February 1947, was an historic meeting that took place at Panglong in the Shan States in Burma between the Shan, Kachin and Chin ethnic minority leaders and Aung San, head of the interim Burmese government. On the agenda was the united struggle for independence from Britain and the future of Burma after independence as a unified republic.¹⁰

JAPAN LIKELY TO RESUME DEVELOPMENT AID SOON

Japan's parliamentarians are now reassessing the possibility to resume development aid to Burma, 12 years after it was suspended by the Official Development Assistance (ODA) programme. The comments came after some Burmese representatives met a Japanese "friendship" delegation led by Mr Watanabe Hideo, a former senior speaker of the Japanese House of Counsellors. Mr Watanabe, also a former chairman of the Japan-Myanmar Parliamentary League, in his recent visit to Burma, held discussions with Amyotha Hluttaw (Upper House) Speaker U Khin Aung Myint and Pyithu Hluttaw Speaker (Lower House) Thura U Shwe Mann. "It appears likely that ODA will once again be given," said Dr Khin Shwe, an Amyotha Hluttaw representative and chairman of the Japan-Myanmar Friendship Association. He went on to add that the Chairman of the Japanese ODA agency was

⁹ Govt Push for Peace Talks with KNU, SSA-South – http://www.irrawaddy.org/article.php?art_id=22337 (Irrawaddy) 27 October 2011

¹⁰ Two ethnic armed groups support 'Second Panglong Conference' – <http://mizzima.com/news/inside-burma/6108-two-ethnic-armed-groups-support-second-panglong-conference.html> (Mizzima) 26 October 2011

among those who attended the meeting and indicated that Japan was keen to resume ODA assistance to Burma.¹¹

ANALYSIS

The recent discussion in Burma's Upper House on the Bill for Peaceful Gathering and Procession should be regarded as a positive step in the right direction. In a country where basic human rights are rarely protected or acknowledged, the enactment of laws allowing the formation of trade unions and peaceful demonstrations will be seen by many inside Burma as too good to be true. Whatever the outcome may be, the initiatives by President U Thein Sein will become a firm basis in bringing about changes and promoting democracy in the country.

News that two of Burma's main ethnic armed groups are considering entering peace talks with the government is once again another positive note for all parties involved. While details of the negotiations have not yet been agreed upon, it is of the utmost importance for both sides to end years of fighting and provide the people of the affected regions peace and stability. The government's true sincerity on entering a peace accord will once again be put to the test as negotiations proceed.

On the international front, resuming Official Development Assistance (ODA) to Burma by Japan will certainly go a long way in bridging relations between the two countries. Prior to 1988, Japan stood out as the top ODA provider to Burma. However, after 1998, Japan's role as aid provider has been replaced by China. Thus, the rivalry between the two Asian powers as they bid to assert their influence in shaping the new political dynamics of Burma will be no doubt be of keen interest to many, while at the same time provide the Nay Pyi Taw government with options on courting its allies.

¹¹ Japan likely to resume ODA soon – Japan likely to resume ODA soon - <http://www.mmmtimes.com/2011/news/598/news59806.html> (Myanmar Times) 24 October 2011