

POLITICAL MONITOR NO. 25

OFFICIAL MEDIA

PYITHU HLUTTAW SECOND REGULAR SESSION: 22 August to 2 September

The first Pyithu Hluttaw (People's Parliament/ Lower House) began its second regular session in the Hluttaw Building in Nay Pyi Taw on the morning of 22nd August 2011. The opening parliamentary session was attended by Pyithu Hluttaw Speaker, Thura U Shwe Mann and 389 representatives. During the hluttaw sessions, questions on the transport, agriculture, education, energy, immigration and finance sectors were raised. Amnesty for prisoners, peace-building efforts and the 1990 election results were among the most-debated topics.

Amnesty for prisoners and 1990 elections

On the 25th August, Thein Nyunt, from the Thingangyun Constituency, proposed that ***“parliament request the president to issue general amnesty orders, requested that the Emergency Act of 1950 be revoked and introduced a bill for a Prisons Act which is in keeping with 21st century prison standards and guarantees human dignity.”*** The request for general amnesty received support from two delegations of military MPs, which give the matter a significant chance of being raised at the level of the National Defense and Security Council. However, the proposal to revoke the Emergency Act of 1950, which is used to imprison democracy activists, was rejected by the house.

Similarly on the 29th August, U Thein Nyunt asked ***“if the Union government still recognizes the 120 public representatives who had stood as Pyithu Hluttaw members for about 20 years according to the results of the 1990 multiparty democracy general election.”*** In responding to the question, U Myint Naing, a member of the Union Election Commission answered that according to the documents of the commission (up to 7 March 2010), there were only 107 representatives-elect from the 1990 elections. On 8 March 2010, the State Peace and Development Council issued the Pyithu Hluttaw Election Law (3/2010). Section 91 (a) of this law repealed the previous election law issued in 1989 (Pyithu Hluttaw Election Law: State Law and Order Restoration Council's Law No. 14/89) and declared that the General Election held under the 1989 law was no longer consistent with the constitution. Therefore, the results of the 1990 election were deemed to be invalidated automatically.

Identity cards to Myanmar Muslims in Rakhine State

During the 9th day session on 2nd September, U Zaw Ki Ahmed and U Aung Zaw Win of Maungtau Constituency asked ***“if and when the government would exchange national scrutiny cards (pink card) with temporary national identity cards (white card) for Myanmar local Muslims in Maungtau District of Rakhine State.”*** In response, the Union Minister said that he assumed that the usage of 'local Myanmar Muslim' means Bengalis residing in the region. The existing law says that no one can apply for dual citizenship at the same time and if he or she wants to apply for Myanmar citizenship, he or she must legally forgo the citizenship of other countries. According to the Myanmar Citizenship Law (1982) and Foreigner Registration Act (1940), those living in Myanmar need to have one of the following; a citizenship scrutiny card, an associate citizen certificate, a naturalized citizenship certificate, a foreigner registration certificate or a temporary identity certificate. For those who cannot provide one of these documents, it will be assumed that they are 'doubted' citizens and need to be issued with a temporary identity certificate. In order to receive an identity card under the provision of the Myanmar Citizenship Law (1982), applicants need to apply for citizenship with the recommendation of a "committee for scrutinizing citizens, associate citizens, naturalized citizens", according to Naturalized Citizenship Rules and Regulations 46 (1983). For the applicants, supervisory committees have been formed at region/state and township level. According

to the Union Minister, from 24 November 2009 to date, 105 051 persons who were 'doubted' citizens have been granted citizenship. In order to issue any kind of identity cards to what he termed as 'halfblooded' persons living not only in Maungtau of Rakhine State, but also across the country, measures are being taken in accord with the law, but the paperwork and procedures take time. The Minister cited what he believed to be the illegal migration of Bengalis to Myanmar as the cause of problems and delays to the process. So, he insisted that time will be needed to deal with such issues to ensure national security.

Formation of parliamentary committees and appointments of members

These appointments were made in accordance with Section 24 of the Pyithu Hluttaw Law and Section 79 of the Pyithu Hluttaw Rules.

Sr.	Name	Constituency	Party	Committee Appointed
1.	U Htay Oo	Hinthada, Ayeyawaddy Region	USDP	Rights of Citizens, Democracy and Human Rights
2.	U Thein Zaw	Myitkyina, Kachin State	USDP	National Race Affairs and Internal Peace-making
3.	U Aung Thaung	Taungtha, Magway Region	USDP	Banks and Monetary Development
4.	U Soe Tha	Twantay, Yangon Region	USDP	Planning and Financial Development
5.	U Tin Htut	Zalun, Ayeyawaddy Region	USDP	Peasant, Worker and Youth Affairs
6.	U Hla Myint Oo	Pyinmana, Mandalay Region	USDP	International Relations
7.	U Maung Maung Thein	Kayan, Yangon Region	USDP	Economic and Trade Development
8.	U Thein Swe	An , Rakhine State	USDP	Transport and Construction
9.	Thura U Aye Myint	Wetlet, Sagaing Region	USDP	Culture and Public Relations Development
10.	U Soe Naing	Pyapon, Ayeyawaddy Region	USDP	Agriculture and Livestock Breeding Development
11.	U Htay Myint	Myeik, Taninthayi Region	USDP	Investment and Industrial Development
12.	U Lun Thi	Kungyangon, Yangon Region	USDP	Resources and Environmental Conservation
13.	Dr Kyaw Myint	Chanayethazan , Mandalay Region	USDP	Health Promotion
14.	Dr Chan Nyein	Kanbalu, Sagaing Region	USDP	Education Promotion
15.	Thura U Aung Ko	Kanpetlet, Chin State	USDP	Judgment and Legal Affairs
16.	U Maung Oo	Tatkon, Mandalay Region	USDP	Public Affairs Management
17.	U Maung Maung Swe	Namhsam, Shan State	USDP	Women and Children Care
18.	U Aung Thein Lin	South Okkalapa, Yangon Region	USDP	Reforms and Modernization Scrutiny

The hluttaw sessions also saw the appointments of U Nanda Kyaw Swa, Deputy Speaker of the Pyithu Hluttaw and current Chair of the Bills Committee reshuffled as Chairman of the Existing Laws Scrutiny Commission; U T Khun Myat as Chairman of the Bills Committee and U Saw Hla Tun as Secretary of the Bills Committee; Secretary of Hluttaw Rights Committee, U Hla Myint Oo as Chairman of the International Relations Committee; and member of Hluttaw Rights Committee, Dr Soe Yin as Secretary of the Hluttaw Rights Committee.¹

¹ First Pyithu Hluttaw Second Regular Session begins – <http://www.burmalibrary.org/docs11/NLM2011-08-23.pdf> (NLM) 23 August 2011 (p.1/p.6)/ <http://www.burmalibrary.org/docs11/NLM2011-08-26.pdf> (NLM) 26 August 2011 (p.9)/ <http://www.burmalibrary.org/docs11/NLM 2011-08-30.pdf> (NLM) 30 August 2011 (p.1)/ <http://www.burmalibrary.org/docs11/NLM2011-09-02.pdf> (NLM) 2 September 2011 (p.7)

SECOND REGULAR SESSION OF FIRST AMYOTHA HLUTTAW HELD

The second regular session of the First Amyotha Hluttaw (National Parliament/Upper House) was held at the Amyotha Hluttaw Building in Nay Pyi Taw from 22 August to 2 September. The session was attended by the Speaker of the Amyotha Hluttaw, U Khin Aung Myint and 211 Amyotha Hluttaw representatives. In his introductory speech, the Speaker said the first regular session of the Amyotha Hluttaw was held from 31 January to 23 March at which representatives raised 33 starred questions and submitted 16 proposals.

During the first day of its second regular session, and in accordance with existing laws, the Amyotha Hluttaw saw the formation of seven temporary committees which had been tasked to perform a wide range of issues stemming from human rights to international affairs. The committees formed are as follows:²

Sr.	Name	Constituency	Committee
1.	U San Tun	Kachin State Constituency No.11	National Races Affairs & Domestic Peace
2.	U Zaw Myint Pe	Mandalay Region No.5	Primary Rights of Citizens, Democracy & Human Rights
3.	U San Pyae	Kachin State No.7	National Planning, Economic, Monetary & Tax
4.	U Khin Shwe	Yangon Region No.9	Education, Health & Culture
5.	Dr Mya Oo	Bago Region No.9.	Women & Children Affairs
6.	Col Maung Maung Htoo	Defense Services Personnel Representative	United Nations, ASEAN, AIPA & International Relations
7.	Dr Myint Kyi	Yangon Region No.8	Farmers, Local & Overseas Workers Affairs

Peacebuilding efforts: parliament approves 'Peace Committee'

On 30th August 2011, the Amyotha Hluttaw approved the formation of a "Peace Committee" to mediate with the ethnic groups which are engaged in armed conflict against government forces. A Rakhine (Arakan) MP, Aye Maung, leader of the Rakhine Nationals Development Party (RNDP) said the committee has been named the "Committee for Forever Stability and Peace in the Union of Burma." It is unknown when the committee will be formed and whether it will include opposition leader, Aung San Suu Kyi who was proposed by Aye Maung at the parliamentary session. In an open letter sent by Suu Kyi to President Thein Sein and the ethnic groups last month, Suu Kyi said that she is ready to become involved and use her influence to help end the conflicts and build peace in the nation. Tensions between ethnic groups and the Burmese military have boiled over into bloody clashes in recent months, most notably between the Burmese army and the Kachin Independence Army, the Karen National Union and the Democratic Karen Buddhist Army.³

Other Parliamentary business

Other bills and proposals submitted to the Upper House (Amyotha Hluttaw) included the bill by the Union Election Commission to amend certain sections of the existing elections laws. The bill was proposed by UEC member, U Myint Naing on August 22 at the sitting of the first day. Questions on

² Second Regular session of First Amyotha Hluttaw held – <http://www.burmalibrary.org/docs11/NLM2011-08-23.pdf> (NLM) 23 August 2011(p.16/p.9)/ <http://www.burmalibrary.org/docs11/NLM2011-08-27.pdf> (NLM) 27 August 2011 (p.10)/ <http://www.burmalibrary.org/docs11/NLM2011-08-30.pdf> (NLM) 30 August 2011 (p.9)/ <http://www.burmalibrary.org/docs11/NLM2011-08-31.pdf> (NLM) 31 August 2011 (p.9)

³ Parliament approved 'Peace Committee' - http://www.irrawaddy.org/article.php?art_id=22003 (Irrawaddy) 1 September 2011

environmental conservation, health sector development, poverty alleviation and national economic development were discussed by MPs during the sessions. U Shu Maung of Shan State Constituency No. 8 submitted a proposal to amend the Hotels and Tourism Law; while Daw Yi Yi Myint of Mon State Constituency No.1 submitted proposals to amend the following Acts; the Myanmar Trademark Law, Agricultural Product Markets Act, 1947 Staple Products and Undertakings Act, Basket Standard Measure Act, the Myanmar Telegraph Act (1885), the Myanmar Post Office Act (1898), and the Myanmar Wireless Telegraphy Act (1933)". U Khet Htein Nan of Kachin State Constituency No.1 tabled a proposal on sustainable exploration of jades and gems in Phakant township in Kachin State.

Dr Khin Shwe of Yangon Constituency No.9 on 26 August submitted a proposal for the government to initiate a single foreign exchange rate in Myanmar instead of various foreign exchange rates. This was also later discussed by U Ye Myint from Constituency No. 4 of Bago Region and U Thein Win of Constituency No. 9 of Sagaing Region.

Another significant bill to be introduced was that of the Labour Organisation Bill submitted to the Amyotha Hluttaw by the Minister for Labour on 29th August. Health care, energy supplies, education, construction of new hotels and airports as well as upgrading existing infrastructure facilities were discussed and tabled during the parliamentary session.

VISIT OF UN HUMAN RIGHTS SPECIAL RAPPORTEUR MR THOMAS OJEA QUINTANA

The speaker of the Pyithu Hluttaw (Lower House), Thura U Shwe Mann, and the Speaker of the Amyotha Hluttaw (Upper House), U Khin Aung Myint, received the Human Rights Special Rapporteur Mr Thomas Ojea Quintana and party during his visit to the country. Members of both Hluttaws also met with him.⁴

Union Minister for Foreign Affairs, U Wunna Maung Lwin also met with the Human Rights Special Rapporteur at the Minister's Office in Nay Pyi Taw. They discussed progress of Myanmar and improvement and protection of human rights. Later on the same day, the Special Rapporteur called on the Chair of Human Rights Committee of Myanmar and Home Affairs Minister Lt-Gen Ko Ko at his office. They focused on improvement and protection of human rights in Myanmar. The guests also met Vice-Chief of the Myanmar Police Force (MPF), Brig-Gen Zaw Win of the Ministry of Home Affairs at the MPF Headquarters and discussed issues relating to promoting and improving the human rights situation in Myanmar.⁵

⁴ Pyithu Hluttaw Speaker receives Human Rights Special Rapporteur Mr Thomas Ojea Quintana and party - <http://www.burmalibrary.org/docs11/NLM2011-08-24.pdf> (NLM) 24 August 2011 (p.7) & Amyotha Hluttaw Speaker receives Human Rights Special Rapporteur - <http://www.burmalibrary.org/docs11/NLM2011-08-24.pdf> (NLM) 24 August 2011 (p.9). Present at the call were Pyithu Hluttaw and Amyotha Hluttaw representatives of the Union Solidarity and Development Party, Solidarity and Democratic Party (Sa Da Ka), Kayin State Democratic and Development Party, "Wa" Democratic Party, Chin Progressive Party, National Development and Solidarity Party, Shan Nationalities Democratic Party, National Democratic Force, Pa-O National Organization, Kayin Peoples Party, Mon Democratic Party, Chin National Party, Taaung (Palaung) National Party, Phalon-Sawaw Democratic Party, Rakhine Nationalities Progressive Party, Inn National Development Party and independent representatives: U Thurein Zaw (*Union Solidarity and Development Party*), U Khet Htein Nan (*Unity and Democracy Party of Kachin State*), U Mann Aung Tin Myint (*Kayin State Democratic and Development Party*), U Hsai Paung Nap (*Wa Democratic Party*), UKhun Lein (*Chin Progressive Party*), U Bran Shoung (*National Unity Party*), U Nelson (a) U Hsaung Hsi (*Shan Nationalities Democratic Party*), Dr Than Win (*National Democratic Force*), Nyunt Tin (*Rakhine Nationalities Progressive Party*), U Nay Win Tun (*Pa-O National Organization*), U Saw Nay Kaw Gyi (*Kayin Peoples Party*), U Sakhon Teint Yein (*Independent candidate*), Dr Banyar Aung Moe (*All Mon Region Development Party*), Daw Zar Talam (*Chin National Party*), U Aik Mone (*Taaung 'Palaung' National Party*), Daw Nan Say Owa (*Phalon-Sawaw Democratic Party*), U Win Swe (*Inn National Development Party*) and U Thein Nyunt (*National Democratic Force*).⁴

⁵ Union Ministers receive Human Rights Special Rapporteur – <http://www.burmalibrary.org/docs11/NLM2011-08-22.pdf> (NLM) 22 August 2011 (p.2)

5TH FEALAC FOREIGN MINISTERS' MEETING

The Myanmar delegation led by Dr Myo Myint, Deputy Minister for Foreign Affairs attended the 5th Foreign Ministers' Meeting of the Forum for East Asia-Latin America Cooperation (FEALAC) which was held in Buenos Aires, Argentina from 24 to 25 August. The meeting is intended to promote dialogue on Security, Strengthening Trade and Cooperation between the two regions. Ministers exchanged views on a wide variety of issues including; the global financial and economic crisis, reform of global governance and the international financial system, environment and sustainable development, disaster risk reduction and management, climate change and food. The meeting also adopted the 'Buenos Aires Declaration'. Furthermore, Deputy Minister Dr Myo Myint received Mr Paul Jean-Oritz, Director of Asia-Oceania Department of the Ministry of Foreign Affairs of France on 22 August in Paris and met with Mr Marcos Rodriguez Costa, Vice Minister for Foreign Affairs of Cuba on 25 August on the sideline of the meeting. During the bilateral meetings, they exchanged views on promotion of bilateral relations and matters relating to cooperation for mutual interests.⁶

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UNFC FORMS PEACE GROUP FOR GOVT. TALKS

Leaders of an umbrella organization of ethnic parties, the United Nationalities Federal Council (UNFC), formed a peace talk group last week in preparation for future negotiations with the Burmese government. UNFC Secretary, Nai Hang Tha said, "There are eight representatives within the group which include Mon, Shan, Karenni, Chin, Arakanese, Karen, Kachin and Pa-O people". Nai Hang Tha explained that he will head the group with Colonel Lapai Hla, from the Kachin Independent Army (KIA), acting as deputy. "We are prepared to talk about equal rights for ethnic people in the country. We will also talk about reforming the new constitution so that a genuine federal union will exist [in Burma]," he said. "We will ask [the government] to stop their military offensives launched in ethnic areas and announce a nationwide ceasefire. If possible, we will ask them to have tripartite dialogue," he added.

Leaders of the UNFC said that they want to hold peace talks with the government on the Burmese border or at a location within a neighboring country. "It is best to talk within neighboring countries if those nations allow us to do so," said Nai Hang Tha. Or we can talk at the border where there is security for us, like Kachin people have done in the past as they control their area." UNFC leaders decided to invite neutral persons who are well respected in the country—including pro-democracy icon Aung San Suu Kyi—to witness talks, and aim to sign an agreement on paper as evidence of their commitment.

The leaders do not want the government to offer peace talks on a group-by-group basis, as they do not believe this can solve problems in the country. State-run newspaper *The New Light of Myanmar* reported on 18th August that the government offered an "olive branch" to the armed groups, encouraging them to contact their respective state or division authorities as a first step toward meeting with a union government delegation. "The government should not divide groups to have peace talks individually because our country's problems are not down to only one group. They need to talk with the UNFC as we represent all the ethnic groups," said Nai Hang Tha. The UNFC was formed in February at a meeting in northern Thailand attended by a dozen ethnic groups. These included the Kachin Independence Organization, Karen National Union, Karenni National Progressive Party, Chin National Front, New Mon State Party, Shan State Progress Party, Pa-O National Liberation

⁶ Dy FM attends 5th FEALAC Foreign Ministers' Meeting – <http://www.burmalibrary.org/docs11/NLM2011-08-31.pdf> (NLM) 31 August 2011 (p.9)

Organization, Palaung State Liberation Front, Arakan National Council, Lahu Democratic Union, Wa National Organization and Kachin National Organization.⁷

SPECIAL DEVELOPMENT REGION MOTION FOR CHIN STATE IN HLUTTAW SESSION

Proposals calling for the improvement of road communication, education and industry development in Chin State were submitted to the Hluttaw session. MP U Paul Htan Htai of Chin State Constituency on 13th September asked “if the Ministry of Border Affairs had plans to carry out poverty alleviation in impoverished States/Regions on a priority basis”. Mr No Than Kap, President of the Chin Progressive Party (CPP) and Chin Minister of Sagaing Region said “Chin State is poor and undeveloped compared to other States and Regions in the country and the government has the responsibility to develop it.” He stated that the current session was better than the previous sessions and that discussions and submissions of motions by Hluttaw representatives had increased. Whereas almost all the motions of the opposition parties were rejected in the previous session, the current session had become more constructive and open.

According to a United Nations Development Program (UNDP) report in June 2011, Chin state is one of the poorest states/divisions of Burma, with 73.3% per cent people living below the poverty line. The survey was conducted in cooperation with the government Planning and Economic Development Ministry and then joined later by another UN agency, UNICEF, and the Swedish International Development Agency. “Road communication is mainly needed in the state because it was destroyed by the floods following heavy downpours for days in Teddim and Tonzang townships in Chin state this year,” said a member of the CPP.⁸

UEC APPROVES NEW POLITICAL PARTY

The Union Election Commission (UEC) has approved the formation of a new political party led by former members of the National Democratic Force. The New National Democracy Party received the green light from the commission to register on 23rd August, in a notice published in state media the following day. The Thingangyun township-based party has 20 founding members and is led by U Thein Nyunt, the township’s Pyithu Hluttaw representative. Amyotha Hluttaw representative, U Kyi Myint will be the party’s vice chairman. U Kyaw, a Yangon Region Hluttaw representative for Thingangyun said “we’ll submit our party registration application in early September. U Thein Nyunt and U Kyi Myint are now at the parliament so we will have to wait until they are free to register because we need their signature”. “After the UEC approves our application to register then we’ll formally sign up 1000 party members within the allotted 90 days,” U Kyaw said. The party submitted its application to form to the commission on 4th July 2011. “We already have more than 1000 party members, mostly from Thingangyun township. As soon as we get the green light from the UEC, we will start signing up members from not only Yangon Region but also other states and regions,” U Thein Nyunt said.⁹

⁷ UNFC forms peace group for govt. talks – http://www.irrawaddy.org/article.php?art_id=21992 (Irrawaddy) 31 August 2011

⁸ Special development region motion for Chin State in hluttaw session - <http://khonumthung.org/?p=278> (Khonumthung) 26 August 2011

⁹ UEC approves new political party – <http://www.mmtimes.com/2011/news/590/news59006.html> (Myanmar Times) 29 August 2011

ANALYSIS

The on-going sessions of both the Amyotha Hluttaw (Upper House) and Pyithu Hluttaw (Lower House) have seen discussions on peace-building, amnesty for prisoners as well as formation of labour unions. While uncertainties and problems may exist in parliament regarding procedural matters, the recent sessions have witnessed MPs having the opportunity to raise and debate issues based on real concerns rather than the simple rubber stamping of government decisions. MPs have been accorded the liberty to criticize government policies and put forward motions, something which in the past was unthinkable. Although it may be early days to prejudge the outcome, the mere fact that MPs are given the opportunity to table such questions within the two parliamentary assemblies can be regarded as a positive step. The introduction of the Labour Organisation Bill introduced in the Upper House is far from being completed, with adoption and approval still pending. That being said, the tabling of such a contentious issue to be discussed in parliament is a sign that Myanmar/Burma could be on the verge of change. The fact remains to be seen how far the new government is prepared to go with regards to making reforms. Parliamentary committees and commissions have also been created in both parliamentary Houses with the aim of taking up issues ranging from human rights to international relations. However, the decision to appoint senior Union Solidarity and Development Party (USDP) officials as chairs to all the various parliamentary committees has come under fire and sharp criticism from opposition MPs. Many are unhappy at the way in which the selection process was conducted and will no doubt raise questions of the intentions of the government.

While debates and discussions are taking place in the corridors of the hluttaw buildings in Nay Pyi Taw, sounds of gunfire continue to rage in many parts of the country. The government's recent peace proposal to the armed groups has been rejected since it is being seen as a "divide and rule" tactic to isolate the ethnic groups. However, the alliance known as the United Nationalities Federal Council (UNFC), which was formed earlier this year and which includes most of the major ethnic armed groups in Burma, has issued a statement in which it reiterated that negotiations should be conducted between the government and with the UNFC. It is difficult to see the reasoning and logic of the central government in entrusting such urgent matters of State to a secondary level of administration. At such a crucial juncture in time, the authorities in Nay Pyi Taw will need to take stock of the outcome of the on-going parliamentary sessions and transform them into meaningful policies and actions. The task to transform and find solutions to the on-going issues and conflicts will surely be a tall order for the present government to accomplish in the near foreseeable future.