

POLITICAL MONITOR NO. 12

OFFICIAL MEDIA

ITALIAN FOREIGN MINISTER TERZI MEETS BURMESE LEADERS

Italian Foreign Minister Giulio Terzi accompanied by former EU Special Envoy to Burma and current Mayor of Turin Pierre Fassino called on Burmese President Thein Sein in Nay Pyi Taw on 25 April. The Italian delegation also met the Speaker of the Lower House (Pyithu Hluttaw) as well as Ministers for Foreign Affairs, Finance, Culture and Railways, and discussed matters of mutual interest and strengthening of ties between the two countries. With the Minister for Culture Kyaw San, they also discussed increased cooperation and training for human resources development in the cultural and information sectors between Italy and Burma.¹

Following his meetings in Nay Pyi Taw, Minister Terzi travelled to Rangoon and met National League for Democracy (NLD) leader Aung San Suu Kyi at her residence on 26 April. They had a cordial meeting lasting two hours and discussed on-going political developments taking place in the country and opportunities to provide development assistance to Burma. Terzi said he was looking forward to engaging in “common efforts” with the Suu Kyi and with “all institutions sincerely committed to real democratic transition”, and that the Burmese people can count on Italy’s full support in ensuring that the democratic transition does not backslide”. He also extended an invitation to Aung San Suu Kyi to visit Italy.

The head of the Italian Development Cooperation Agency Elisabetta Belloni also announced that Italy had offered to contribute to demining projects in the areas of Burma devastated for decades by conflict.²

SWISS ASST MINISTER FOR FOREIGN AFFAIRS NOBS VISITS BURMA

The Swiss Assistant Minister for Foreign Affairs and Assistant State Secretary for Asia and Pacific Dr. Beat Nobs made an official visit to Burma where he met Lower House (Pyithu Hluttaw) Speaker U Shwe Mann, Union Minister for Border Affairs and for Myanmar Industrial Development Lt-Gen Thein Htay and Deputy Minister for Foreign Affairs Dr Myo Myint in Nay Pyi Taw on 23 & 24 April. They discussed the promotion bilateral relations as well as the strengthening of ties between the Burma and Switzerland’s parliaments, as well as bilateral cooperation tasks for regional development.³

¹ President U Thein Sein receives Italian FM and party - <http://www.burmalibrary.org/docs13/NLM2012-04-26.pdf> (NLM) 26 April 2012 (p. 7) /
Pyithu Hluttaw Speaker meets Italian delegation - <http://www.burmalibrary.org/docs13/NLM2012-04-26.pdf> (NLM) 26 April 2012 (p. 6) /
Union Minister for Foreign Affairs receives Minister of Foreign Affairs of the Italian Republic and party - <http://www.burmalibrary.org/docs13/NLM2012-04-26.pdf> (NLM) 26 April 2012 (p. 2) /
Union Minister for Finance and Revenue receives Italian delegation - <http://www.burmalibrary.org/docs13/NLM2012-04-26.pdf> (NLM) 26 April 2012 (p. 11) /
Union Information and Culture Minister receives Italian delegation - <http://www.burmalibrary.org/docs13/NLM2012-04-27.pdf> (NLM) 27 April 2012 (p. 2) /
Rail Minister receives Italian guests - <http://www.burmalibrary.org/docs13/NLM2012-04-26.pdf> (NLM) 26 April 2012 (p.11) /

² NLD Chairperson Meets Italy Foreign Minister - <http://www.nldburma.org/political-activity/88-headquarters/493-nld-chairperson-meets-italy-foreign-minister-.html> (NLD) 27 April 2012 /
Myanmar Irreversible reforms, say Terzi and Thein Seine - San Suu Kyi invited to Italy, our country at your side - http://www.esteri.it/MAE/EN/Sala_Stampa/ArchivioNotizie/Approfondimenti/2012/04/20120426_myanm_thein.htm (Italian Ministry for Foreign Affairs) 26 April 2012

³ Speaker of Pyithu Hluttaw Thura U Shwe Mann holds talks with Swiss Assistant Minister for Foreign Affairs Dr. Beat Nobs - <http://www.burmalibrary.org/docs13/NLM2012-04-24.pdf> (NLM) 24 April 2012 (p. 8) /

HLUTTAW SESSIONS – Highlights

Pyithu Hluttaw (Lower House) sessions

The 3rd regular session of the First Pyithu Hluttaw continued for the 19th day session was attended by Pyithu Hluttaw Speaker Thura U Shwe Mann and 377 Pyithu Hluttaw representatives, during which affirmation of office was taken, 3 questions were raised and answered and 1 new proposal submitted. The key issues were:

- **The 40 newly appointed Defence Services Personnel took their oaths as MPs to the Pyithu Hluttaw.**
- **Questions on 1) how relevant departments should handle minor and major car accidents in accordance with the law, 2) laws banning illegal acquisition of property by unregistered brokers, and 3) the allocation of funds for reconstruction of public schools** were raised by U Sai Bo Aung of Muse Constituency (SNDP), U Tin Maung of Chanmyathazi Constituency (USDP) and U Thein Tun of Kungyangon Constituency (USDP).
- MP Thura U Aung Ko of Kanpetlet Constituency (USDP) **submitted a proposal on ensuring the uprightness of the judicial pillar**. MPs wishing to participate in the discussions on the proposal were urged to register.⁴

On the 20th day session Speaker Thura U Shwe Mann and a total of 380 representatives attended, 3 questions were raised and answered, 1 proposal discussed and 1 bill submitted. The main issues included:

- **11 MPs discussed the proposal on ensuring the uprightness of the judicial pillar** submitted by Thura U Aung Ko of Kanpetlet Constituency (USDP). **Union Supreme Court Judge U Soe Nyunt responded** to the points raised by the MPs:
 - Only when if the judicial pillar is firm and upright, will the rule of law reign. Then the people will be able to earn their livelihoods in peace and within the framework of the law.
 - It is necessary to expose bribery and corruption and any intervention on judicial affairs is unacceptable.
 - An independent judiciary policy has been enshrined in the current constitution and Union Judiciary Law. Independent judgment is based on freedom from corruption. To be free from bribery and corruption, educative measures must be taken to have high morale and morality, follow codes of ethics, have discipline to carry out judicial matters in accordance with the prescribed procedures, rules and law.

The proposal was approved.

- The Chairman of Pyithu Hluttaw Education Promotion Committee Dr Chan Nyein **submitted the 2012 Examination Board Bill**.⁵

Union Minister receives Swiss Assistant State Secretary for Asia and Pacific -
<http://www.burmalibrary.org/docs13/NLM2012-04-25.pdf> (NLM) 25 April 2012 (p. 2) /

Dy FM receives Assistant State Secretary of Switzerland -
<http://www.burmalibrary.org/docs13/NLM2012-04-25.pdf> (NLM) 25 April 2012 (p. 8)

⁴ Pyithu Hluttaw session continues for 19th day / Affirmation of office taken, three questions answered, one new proposal submitted and informed to Hluttaw -

<http://www.burmalibrary.org/docs13/NLM2012-04-24.pdf> (NLM) 24 April 2012 (p. 1 & 8)

⁵ Pyithu Hluttaw session continues for 20th day / Three questions answered, one proposal discussed, one bill submitted -
<http://www.burmalibrary.org/docs13/NLM2012-04-25.pdf> (NLM) 25 April 2012 (p. 16 & 8)

During 21st day session the Speaker and 383 representatives attended, 4 questions were raised and answered, 1 bill approved, 1 report clarified and 1 bill submitted. The key issues were:

- U Soe Win of Sangyoung Constituency (NDF) stated that **“Section 359 of the Constitution prohibits the use of forced labour except when done in the interest of the Union.”** He asked how the ministries concerned would implement this provision, how complaints could be made regarding the use of forced labour, and why farmers are not allowed to grow the crops they want to.”

The **Deputy Minister for Labour U Myint Thein** responded:

- Para 2, sub-para 1 of ILO Convention No. 29 stated that the term forced or compulsory labour shall mean all work or service which is exacted from any person under the menace of any penalty and for which, the said person has not offered himself voluntarily.
 - In addition, Para 2, Sub-para 2 also says that the term forced or compulsory labour shall not include any work or service exacted in virtue of compulsory military service laws for work of a purely military character.
 - Any work or service exacted from any person as a consequence of a conviction in a court of law, provided that the said work or service is carried out under the supervision and control of a public authority and that the said person is not hired to or placed at the disposal of private individuals, companies or associations; any work or service exacted in cases of emergency, that is to say, in the event of war or of a calamity or threatened calamity, such as flood, earthquake, violent or epidemic, in general any circumstances that would endanger the existence or the well-being of the whole or part of the population.
 - Minor communal services of such kind being performed by the local community in the interest of the said community, can therefore be considered as a civic duty or obligations incumbent upon the members of the community, provided that the members of the community or their direct representatives shall have the right to be consulted in regard to the need for such services.
 - Assignment of duties by the State in accord with the law for the interest of the general public means that every works making cooperation with the local people must benefit them directly and special emphasis are to be placed not to be a massive burden to them when there occurs emergency that causes damage to the interest of people and the local people.
 - Affected region and time are to be fixed and disclosed in assigning duties for that emergency condition.
 - The period for necessary participation of the people must not exceed the period needed for the emergency, therefore the ministries are now instructed to follow and abide according to the provision as stipulated in the Constitution.
- **The Important Goods and Services Bill was approved.**
 - **Clarifications on the 2012 Examination Board Bill were made**
 - **The Basic Education Bill was submitted.**⁶

⁶ Pyithu Hluttaw session continues for 21st day / Four questions raised and answered; one bill approved; report clarified and one bill submitted -

<http://www.burmalibrary.org/docs13/NLM2012-04-26.pdf> (NLM) 26 April 2012 (p. 5 & 6)

Amyotha Hluttaw (Upper House) sessions

The 3rd regular session of the first Amyotha Hluttaw continued for the 19th day. Speaker U Khin Aung Myint (USDP) and 215 Amyotha Hluttaw representatives attended. 7 questions were raised and answered, 1 draft bill with amendments submitted by the Pyithu Hluttaw discussed, 3 bills submitted by the Pyithu Hluttaw for deliberations within the Amyotha Hluttaw taken up and 2 new proposals submitted. The key issues included:

- Secretary of Bill Committee U San Tun **submitted the Import, Export Bill amended by Pyithu Hluttaw, along with the report of the committee to Amyotha Hluttaw for its consideration.**
- The Speaker announced that discussions on **the bill amending the 1955 Government House (Expelling) Act, Foreign Investment Bill and the Social Security Bill** amended and submitted by the Pyithu Hluttaw would be held and those wishing to participate should register.
- U Maung Aye Tun of Rakhine State Constituency (9) (USDP) **proposed that the government should amend the punishments of criminal law articles 417, 426 and 427.**
- U Myo Myint of Mandalay Constituency (6) (USDP) **urged the government to recruit local and international experts to compile reports on economic and engineering developments in Burma and create a high-level working committee to supervise.**⁷

During the 20th day the Speaker and 216 MPs attended, 1 bill was approved and 2 proposals were discussed and approved.

The key issues included:

- Bill Committee Member U Myint Tun **read the committee report on the Foreign Currency Expenditure Bill which was sent to the Amyotha Hluttaw by the Pyithu Hluttaw with amendments.** The speaker sought approval for the amended bill.
- U Zaw Myint Pe of Mandalay Region Constituency (5) (USDP), U Steven Thabeik of Chin State Constituency (4) (CNP), Dr Myint Kyi of Yangon Region Constituency (8) (USDP) and U Nyan Lin of Ayeyawady Region Constituency (3) (USDP) discussed the proposal submitted by U Myo Myint from Mandalay Region Constituency (6) (USDP) **urging the government to recruit local and international experts to compile reports on economic and engineering developments in Burma as well as forming a high-level working committee.**
- Daw Khin Waing Kyi of Yangon Region Constituency-1 (NDF) seconded the proposal **“urging the Union government to amend penalties in Sections 417, 426 and 427 of Penal Code”** submitted by U Maung Aye Tun of Rakhine State Constituency-9 (USDP). She stated that the rule of law is important in the country and therefore there is a need to draft new legislation in accordance with the present day and age, amend old laws accordingly, and abide to them.⁸

Pyidaungsu Hluttaw (Union Hluttaw) Sessions

The 3rd regular session of First Pyidaungsu Hluttaw held its 27th day session, attended by Speaker U Khin Aung Myint (USDP), Pyithu Hluttaw Speaker Thura U Shwe Mann (USDP) and 597 representatives of Pyidaungsu Hluttaw. During the session:

- **The Speaker read out the messages sent by the President to the Hluttaw while it was adjourned.** The messages included: **sending an annual and quarterly reports of the Union**

⁷ Amyotha Hluttaw session continues for 19th day / Seven questions answered, two new proposals submitted - <http://www.burmalibrary.org/docs13/NLM2012-04-24.pdf> (NLM) 24 April 2012 (p. 16 & 9)

⁸ Amyotha Hluttaw session continues for 20th day - <http://www.burmalibrary.org/docs13/NLM2012-04-26.pdf> (NLM) 26 April 2012 (p. 5 & 6)

Government, practicing new foreign exchange system, reducing salaries of union-level personnel, increasing pensions of retired service personnel and establishing a Myanmar Human Rights Commission.

- During the session devoted to clarification of reports, the Chairman of the Joint Bill Committee read out the committee's findings regarding **a recent decision taken by the Union Constitutional Tribunal.**⁹

On the 28th day Pyidaungsu Hluttaw MPs participated in discussions, clarifications on bills were made and messages were put on record. The key issues were:

- The Pyidaungsu Hluttaw **recorded the message on the Press Release issued by Cambodia representing the ASEAN by-elections monitors' group on behalf of the ASEAN Chair, message on report on 20th ASEAN Summit and message on Japan's rewriting of Burma's debt.**
- U Kyaw Naing Htay of Intaw Constituency (USDP), U Myint Soe of Pyawbwe Constituency (USDP), U Thein Nyunt of Thingangyun Constituency (NDF), U Shwe Maung of Buthidaung Constituency (USDP), U Ye Tun of Hsipaw Constituency (SNDP) , Daw Tin Nwe Oo of Dagon Myothit (North) Constituency (NDF), U Zung Hlei Thang of Chin State Constituency (2) (CPP), U Thein Win of Sagaing Region Constituency (9) (USDP) , U Win Naung of Yangon Region Constituency (5) (USDP) and Daw Khin Waing Kyi of Yangon Region Constituency (1) (NDF) **discussed the report of Joint Bill Committee on resolution of the Constitutional Tribunal of the Union that defining committees, commissions and organizations formed by respective Hluttaws as Union level organizations is not in line with provisions in the current constitution.**
- The Speaker **tasked the Joint Bill Committee to recompile the report based on discussions and suggestions of the Hluttaw representatives and to submit its report on 30 April.**¹⁰

UNOFFICIAL MEDIA

ETHNIC ASSOCIATION VISITS JAPAN TO DISCUSS AID AND CEASEFIRES

Leaders from the United Nationalities Federal Council arrived in Japan on 25 April to discuss and brief Japanese lawmakers regarding the on-going peace process in Burma. The group was to hold meetings with Japanese NGOs concerning humanitarian aid in conflict zones and other related issues. "The Japanese government has a [role] in the peace process inside the country and they summoned us here because the UNFC is one of the important ethnic organisations," said UNFC Vice President and Karen National Union's Vice-Chairman Saw David Thackapaw. Founded in February 2010, the UNFC is an umbrella organisation comprised of 11 armed ethnic groups that was created to negotiate with the government at union-level meetings. "We are going to ask for humanitarian assistance and for help negotiating [a peace deal] if they can," said Thackapaw. He also added that the group would seek aid in education, health and agricultural sectors for those affected by the fighting taking place in the conflict zones. The Pa-O National Liberation Organization's Chairman and Joint-Secretary of the UNFC Khun Okker said that their aim is to acquire aid and assistance to help civilians in the affected areas, not to help the armed groups.¹¹

⁹ Pyidaungsu Hluttaw session continues for 27th day / Messages put on record, reports discussed - <http://www.burmalibrary.org/docs13/NLM2012-04-25.pdf> (NLM) 25 April 2012 (p. 1)

¹⁰ Pyidaungsu Hluttaw session continues for 28th day / Messages put on record, MPs involved in discussions and clarifications made on bills - <http://www.burmalibrary.org/docs13/NLM2012-04-27.pdf> (NLM) 27 April 2012 (p. 10)

¹¹ Ethnic association visits Japan to discuss aid, ceasefires - <http://www.dvb.no/news/ethnic-association-visits-japan-to-discuss-aid-cease-fires/21725> (DVB) 26 April 2012

GOVERNMENT RELAXES NGO REGISTRATION PROCESS

According to a presidential advisor, the government is planning to amend the NGO registration law for local and international organizations working in Burma. The advisor, Dr. Nay Zin Latt, said “the current law for [registration of] NGOs will be amended following a proposal from a member of parliament, The government wants to increase cooperation with NGOs with the aim of loosening restrictions gradually.” The amendments being considered focus on the waiting time for NGO registration and extending the length of validity for registration. Local NGOs and civil society groups alike have welcomed the news, while others have continued to express their concerns. “We had to wait for two years for our application to register to be approved and yet we still had to promise to do only social affairs,” said U Nay Myo from Ratana Metta Organisation. According to Dr. Sit Naing from Marie Stopes International despite the relaxation of the registration process, many local organizations are still not interested in applying to register. U Myo Yan Naung Thein, the Director of the Bayda Institute, a political education training centre based in Yangon, said the restrictions on political activities in the current law should be removed. “It is not fair that NGOs are unable to join political movements. This meant that during the Myitsone Dam affair some environmental NGOs did not participate,” he said. “If NGOs are able to operate freely it will improve the democratic reforms in Myanmar. I want to apply to register our organisation because I want to work according to the law but we cannot do so under these restrictions ... I would like to suggest to the government that the 1988 registration law is too restrictive and the government should create a new law that is very free and fair.”¹²

GNU TO CLOSE DOWN ANTIMONY MINING COMPANIES

The Karen National Union (KNU) is set to close down two mining companies operating in the Maw Lu Taung (known locally) area in Papun Township in KNU controlled area. According to local news media, the KNU will stop the mining companies activities by the end of April 2012. KNU chairman of Papun District Padoh Saw Tender said, “We permitted companies to mine in the area from January to April last year. But we now need to reconsider it again for this year as local people complained to us about problems associated with the mining.” The (Yangon-based) companies involved are Myint Myat San and Htut Khaung, both of which had permission by the KNU to operate in Papun Township, Karen State and Bilin Township, Mon State since 2006. Locals in the affected areas have accused the companies of destroying their plantations and killing their cattle, and in some villages the waterways had been polluted. Villagers have not received compensation from the companies for the damages caused due to the mining activities on their land. The KNU has not released official details of the income generated from the outsourcing of mining concessions.¹³

MON PARTY TO REGISTER UNDER A NEW NAME

The Mon National Democratic Front (MNDF) will be renamed as the Mon Democracy Party (MDP) and will formally register with the government, according to Party General Secretary Dr. Min Soe Linn. HE said that the MNDF will be renamed as the MDP and submit its official application for registration. The group’s leaders have made arrangements to travel to Nay Pyi Taw to register the party in time for the next elections in 2015. The two Mon parties, the All Mon Democratic Party (AMDP) which contested the 2010 election and the soon-to-be-registered MDP, took the decision to rename the MNDF on 22 April by and decided that December 2014 would be the deadline for the union. The MNDF was founded in 1988 and contested in the 1990 election with 19 candidates, winning five parliamentary seats; however, its legitimacy was denied in 1992.¹⁴

¹² Govt relaxes NGO registration process - <http://www.mmtimes.com/2012/news/623/news62305.html> (Myanmar Times) April 16 - 22, 2012

¹³ KNU to close down antimony mining companies - <http://karennews.org/2012/04/knu-to-close-down-antimony-mining-companies.html/> (KIC) 24 April 2012

¹⁴ MNDF will register under a new name - <http://monnews.org/?p=3851#respond> (IMNA) 23 April 2012

NLD OPENS NEW OFFICE IN MAUNGDAW TOWNSHIP, RAKHINE STATE

After succeeding in taking the majority of seats in the recent 1 April by-elections, the National League for Democracy (NLD) has stepped up its political campaign and launched its Maungdaw township branch in Northern Rakhine State on 25 April 2012. The opening ceremony was attended by the acting Chairman of the NLD in Rakhine State U Maung Pwa Aung, Arakan State NLD executive committee members Daw Kyaw Nyo Aye (Women's Affairs), U Aung Pan Tha and San Aye Shwe Tun, as well as local communities leaders and invited guests.¹⁵

ANALYSIS

The visits of the Italian Foreign Minister and the Assistant Foreign Minister from Switzerland reflect the overwhelmingly positive international response to the changes taking place in Burma.

While what lies ahead remains unclear, the re-assumption of parliamentary sessions in the near future should give a good indication. Both the Upper and Lower Houses saw the appointment of forty new Defence Services Personnel taking up positions as MPs. The fact that junior and mid-level military officers have been replaced by more senior ones indicate that the military is taking the institution of parliament more seriously, which could be a good sign.

The visit to Japan by a delegation representing the United Nationalities Federal Council (UNFC) once again reflects the changes taking place in the country. Japan recently waived 303.5 billion Yen (\$3.72 billion) debt and overdue charges of the Burmese government. From this, it is evident that Japan is seeking to reassert its role in mapping Burma's political landscape. The visit by UNFC will also provide the Japanese government with an ethnic perspective on the conflicts which have plagued the country for over half a century since independence in 1948. Japan and the international community seem to be more aware now that unless the ethnic conflicts are resolved peacefully, there can be no peace and prosperity in the country, and no sustainable democracy in Burma.

¹⁵ NLD opens new office in Maungdaw Township - http://www.kaladanpress.org/v3/index.php?option=com_content&view=article&id=3636:nld-opens-new-office-in-maungdaw-township-&catid=149:april-2012&Itemid=2 (Kaladan Press Network) 26 April 2012