

POLITICAL MONITOR NO. 36

OFFICIAL MEDIA

INDIAN AIR FORCE CHIEF AND PARTY VISITS BURMA

An Indian defense delegation led by Air Chief Marshal N.A. K. Browne arrived in Napyitaw on 26 November to begin his four-day official visit to Burma. During his visit, Browne met Burmese President Thein Sein and held comprehensive discussions on enhancing bilateral cooperation through further promotion of bilateral friendship and fine traditions between the two countries, boosting investments, ensuring peace and stability of border region between the two countries and sector-wise cooperation between the two armed forces. The Indian Air Force also met Burma's Defense Services Chief Snr-General Min Aung Hlaing and the two exchanged views on promoting capacity building and exchange of visits between the two armed forces.

This is the second time high-level delegations from the two nations have met this year to discuss this issue. Earlier in August, Burmese Commander-in-Chief Min Aung Hlaing visited India and met the Indian Defense Minister A.K. Antony and the heads of India's army, air force and navy.¹

HLUTTAW SESSIONS – Highlights

Pyithu Hluttaw (Lower House) sessions

The 5th regular session of the First Pyithu Hluttaw was held for the 15th day at Pyithu Hluttaw Complex in Naypyitaw and attended by Pyithu Hluttaw Speaker Thura U Shwe Mann and 373 MPs. During the session, 6 questions were raised and answered, 4 bills and 3 proposals submitted. The key proposals were:

- U Soe Win of Sangyoung Constituency submitted a proposal urging the Union Government and Hluttaw **to amend or abrogate or enact a new law regarding the law to protect the rights of Myanmar citizens.** Deputy Attorney-General U Tun Tun Oo seconded the proposal to amend the law, and Hluttaw approved the proposal.
- Daw Khin San Hlaing of Pale Constituency submitted an important proposal through the Speaker of Pyithu Hluttaw to the President **to form an independent State level commission to investigate whether Latpadantaung copper mining project and Kyay-zintaung, south of Sabetaung copper mining project should be allowed or not and how it should proceed after pending the findings, assessments and suggestions done by the public;**
- In responding to Daw Khin San Hlaing's proposal, **the Minister for Defence Lt-Gen Wai Lwin** replied that the Myanma Economic Holdings Limited and Chinese company Wanbao Mining Ltd were allowed to jointly run Latpadantaung copper mining project in accord with the Order No. (0003/2010) dated 5-3-2010 and full investment of US\$ 999 million;
- Land compensations totaling Kyats 11119.3 million and FEC 9651.1 had been spent for granting compensation, transportation and construction of new villages from 5 April to 5 July 2012;
- Free health care, supply of free drinking water, spending of over K 150 million for drinking water and grant of K 5.8 million for stipends of university students were provided to the locals in the project area;

¹ President U Thein Sein receives Chairman of Chiefs of Staff Committee of India Chief of Air Staff and party – <http://www.burmalibrary.org/docs14/NLM2012-11-28.pdf> (NLM) 28 November 2012 (p. 1)/
Chairman of Chiefs of Staff Committee Chief of India takes salute of guard of honour – <http://www.burmalibrary.org/docs14/NLM2012-11-28.pdf> (NLM) 28 November 2012 (p. 8)/
Security, political and economic stability needed for development – <http://www.burmalibrary.org/docs14/NLM2012-11-28.pdf> (NLM) 28 November 2012 (p. 9)/
Burmese Military Chief in India for Week-long Visit – <http://www.irrawaddy.org/archives/10815> (Irrawaddy) 3 August 2012

- All works related to the project have been managed in line with international standards and also abiding to the findings and suggestions of Amyotha Hluttaw Mines and Minerals Committee and Myanmar Human Rights Commission;
- Currently, the profit and loss sharing of Latpadantaung Copper Mining Project is composed as follows: the State (16.8 %), Myanma Economic Holdings Ltd (13.8%, investor (13.33%) and production costs (56 %);
- From the political view point, there are no eternal friend and eternal enemy in the international relations, but only the interest of the State;
- And thus under the circumstances, if the current project is to be discontinued the State would stand to lose a monthly loss of US \$ 2 million in income generation;
- And finally, it is important to follow and abide the law, without being biased and furthermore, and in addition it needs to make sure none other practices except democratic practices flourish even at the majority's demand;
- The Minister welcomed the proposal to form independent committee to investigate, assess, recommend alternatives while at the same time standing by the right side if the said proposal will serve to promote the interests of the nation.²

HLUTTAW SESSIONS – Highlights

Amyotha Hluttaw (Upper House) sessions

The 5th regular session of the first Amyotha Hluttaw held its 15th day at Amyotha Hluttaw Hall and attended by Amyotha Hluttaw Speaker U Khin Aung Myint and 192 MPs.

During the session, 3 questions were raised and answered, 5 proposals submitted and 1 report discussed. The key proposal discussed included:

- A proposal urging the Union government **to open Arts and Culture College in each and every state of national races in the country** was submitted by U Maung Saw Pyu of Rakhine State Constituency No (4). In responding, the **Deputy Minister for Culture U Than Swe** explained that it would be better for the lessons about traditions and cultures of national races to be on the curriculums of National Culture and Arts Universities, and therefore, if the respective regions/states governments wish to submit a proposal to open them in their own regions, coordination will be made accordingly with the Ministry of Education. The session voted not to approve the proposal for further discussions.³

UNOFFICIAL MEDIA

GOVERNMENT CRACKS DOWN ON MINE PROTESTERS

Protesters demanding a complete shutdown of a Chinese-backed copper mining project near Monywa in Upper Burma were forcefully dispersed by security forces in the early hours of Thursday morning (29 November) leaving more than 80 people injured, including many Buddhist monks.

In a statement read on state television on 27 November (Tuesday), the Home Ministry said protesters at the six camp sites had been asked to leave in order that a parliamentary commission could carry out an investigation and those failing to do so would face legal action since their gathering were against the law. According to locals, some protesters heeded the government's ultimatum and left their camp sites, a group including 100 monks defied the authorities to continue their protest. After repeated calls to vacate the mine site were ignored, riot police descended on the protest camps to end the crisis.

² Proposal to send large numbers of scholars to foreign countries approved – <http://www.burmalibrary.org/docs14/NLM2012-11-24.pdf> (NLM) 24 November 2012 (p. 16 & 6)

³ Pyu paper reading session to be held in Yangon is nothing related with Culture Ministry – <http://www.burmalibrary.org/docs14/NLM2012-11-24.pdf> (NLM) 24 November 2012 (p. 16 & 10)

The issue which had been brewing for some months, took a turn for the worse when in September, local residents and villagers from 12 villages in the Latpandangtaung mountain ranges staged protests against the \$1 billion copper mine expansion project and demand its closure, citing environmental destruction, forced relocations and illegal land confiscation. Local residents state that more than 7,800 acres (3,160 hectares) of land from 26 villages have been unlawfully confiscated to make way for the extension of the project.

The violent crackdown has been condemned by various opposition and civil society groups including leader of the National League for Democracy (NLD) Aung San Suu Kyi who met locals from Latpadantaung on 29 November and said that she would intervene to bring an end to the escalating crisis.

In an announcement posted on the presidential office's website on 29 November (Thursday), the government defended its decisions to crack down on hundreds of activists protesting at the Latpadantaung Copper Mine in Monywa, northern Burma was in accordance with "democratic principles" and the "rule of law". However, in an unusual move, the statement was later retracted without explanation.⁴ (*Please see Appendix A for the full statement of the Press Release issued by the Ministry of Home Affairs*).

SHANS GATHER FOR PEACE CONFERENCE

A three day conference attended by 150 Shan representatives from across Burma was held in Rangoon from 26-28 November. The three day conference entitled "Shan Conference on Trust-building for Peace," was attended by senior government ministers, Shan leaders as well as some 170 delegates representing 3 Shan political parties; 4 Shan armies; 11 domestic or foreign-based Shan organizations; community leaders from 42 townships; and 17 experts, academics and special guests.

Speakers on the opening day of the conference included: Hkun Htun Oo; Sao Hso Ten from the Shan State Progressive Party (SSPP); and representatives from the Shan National Democratic Party, and from the Restoration Council of Shan State. Senior government Ministers who also attended the first day of the conference included U Aung Min and Soe Thein from the President's Office as well as Minister for Electrical Power Khin Maung Soe.

Altogether 23 separate issues and proposals ranging from the peace process, Shan political issues, economy, social issues, literature, natural resources, and environmental issues were raised and discussed during the three-day conference which concluded on 28 November.

According to an official statement issued at the conclusion of the conference: "To settle the conflicts, we must seriously cooperate as opposed to participate. We therefore encourage each other to implement the issues of the ongoing peace process in each sector." "Trust-building is the

⁴ Copper mine protesters burned out in police raid –

<http://www.irrawaddy.org/archives/20064> (Irrawaddy) 29 November 2012 /

Mine protesters injured after police raid -

<http://elevenmyanmar.com/national/1495-mine-protesters-injured-after-police-raided-the-camps> (Eleven Myanmar) 29 November 2012/

Myanmar activists held over latest copper mine protest –

<http://www.reuters.com/article/2012/11/28/myanmar-mine-idUSL4N0981X820121128> (Reuters) 28 November 2012 /

Suu Kyi to reconcile Lapadangtaung copper mine project –

<http://elevenmyanmar.com/politics/1502-suu-kyi-to-reconcile-lapadaungtaung-copper-mine-project> (Eleven Myanmar) 29 November 2012/

Thein Sein's office says crackdown protects 'rule of law' –

<http://www.dvb.no/news/thein-sein%E2%80%99s-office-says-crackdown-protects-%E2%80%99rule-of-law%E2%80%99/25053> (DVB) 29 November 2012/

Press release of Ministry of Home Affairs –

<http://www.burmalibrary.org/docs14/NLM2012-11-28.pdf> (NLM) 28 November 2012 (p. 2)

most important thing in achieving peace in the country,” said Hkun Htun Oo, the chairman of the Shan Nationalities League for Democracy. “At this time, ethnic issues are the major dilemma that Burma faces,” he continued. “To solve these issues, this country needs to establish a true federal union. Peace is essential while building a true union. And without equality, there will be no peace.” A similar event is due to be held in the near future in Shan State, involving all the ethnic groups of the region.⁵

CNF AND GOVERNMENT SET DATE FOR TALKS

A meeting between the government and the Chin National Front (CNF) is set to take place in Rangoon from 7-8 December 2012. CNF sources said that the third round of peace talks with the government will be held at Myanmar Peace Centre Hall in the former capital Rangoon and it is expected that political and other items will be discussed at the meeting. The CNF team will be led by Secretary General Pu Zing Cung, while the number of other CNF members to attend the meeting has yet to be confirmed. A team of independent observers both international and national are expected to attend the talks.

The Chin armed group and Union-level Peace Team of Burma's government reached a 15-point agreement on 7 May this year following the 9-point preliminary agreement signed on 6 January 2012. In recent months, CNF established three liaison offices in Matupi, Thantlang and Teddim towns of Chin State. A series of public consultations have been organized by CNF with Chin communities from both inside and outside of Burma as parts of preparation for the ongoing peace process. Earlier this month, the President Office's Minister U Aung Min announced that Burma's government has plans to hold a political dialogue in December with ethnic armed groups that have signed a ceasefire agreement.⁶

GOVERNMENT CHIEF PEACE NEGOTIATOR TO VISIT 'WA REGION'

U Aung Min, President's Office Minister for ethnic and NGO affairs, is due to visit Panghsang, the capital of Wa on the Sino-Burmese border, in December, according to sources close to the United Wa State Army (UWSA) leadership. “He had given 1 December as a tentative date,” said a source on the border last night. “But he is yet to confirm it.” This will be the first visit to Panghsang by U Aung Min, also Vice Chairman of the Union Peacemaking Work Committee (UPWC), and also referred to as *'Minister without Borders'*. In the past, the two sides have already held 1 state level and 2 union level meetings, and on all 3 occasions, the government delegation was led by U Aung Thaug, who was said to be very close to the Wa leaders, especially Wei Xuegang, Commander of the Thai-Burmese border based 171st Military Region.

Key agreements reached at these meetings include:

6 September 2011	State level	Ceasefire
1 October 2011	Union level	Non-secession from the Union
26 December 2011	Union level	To “continue negotiating” on the representation in the parliament

⁵ Shan delegates call for an end to conflict –

<http://mizzima.com/news/inside-burma/8474-shan-delegates-call-for-an-end-to-conflict.html> (Mizzima) 30 November 2012

⁶ CNF-Govt Confirmed Date for Rangoon Meeting –

<http://chinlandguardian.com/news-2009/1923-cnf-govt-confirmed-date-for-rangoon-meeting.html> (Chinland Guardian) 27 November 2012

Since then, no negotiations have taken place between the two sides. U Aung Thuang had also “resigned” in May 2012, when the UPWC was formed.⁷

AGING KNU CHAIRMAN TO STEP DOWN

Chairman of the Karen National Union (KNU) General Tamla Baw, 93, announced that he would be stepping down as leaders in order to make way for a new, younger leader. The announcement was made at the opening ceremony of the KNU’s 15th congress held Hlaing Bwe Township on 26 November. In addressing the congress, Baw stressed the need to elect the right person to lead the organization at the upcoming election. While the decision on the new KNU chairman is yet to be decided, it is expected that the incumbent will be tasked with guiding the group during the ongoing peace talks with the Burmese government.

Likely candidates tipped to succeed Tamla Baw are Karen National Liberation Army (KNLA) Commander Gen Mutu Say Poe and the KNU’s current General-Secretary Zipporah Sein, daughter of Tamla Baw. Both candidates are believed to have ties to different factions within the KNU. Gen Mutu Say Poe is said to have support from KNLA Brigades 1, 3, 4, 6 and 7, while Zipporah Sein is supported by Brigades 2, 5 and the majority of the KNU’s Central Committee.

Recently, rifts have appeared within its leadership over the peace deal that the group is negotiating with a government delegation led by the President Office’s Minister Aung Min. The KNU signed an initial ceasefire-agreement with the government on Jan. 12, 2012. During a meeting between the KNU and Karen civil society groups in Rangoon on 20 November, the CSOs urged the KNU to unite and allow younger members within its leadership. However, sources within the KNU leadership said that internal problems within the leadership remain. The KNU reportedly also had disagreements over the choice of a venue for its congress. Each of the candidates for the KNU presidency had wanted to stage the congress in a place where its supporting faction held most control but with the majority support it was finally decided to hold the congress in Pa-an district, where Brigade 7 is based and where Gen Mutu Say Poe enjoys strong support.

The KNU congress is attended by all representatives from seven brigades and seven districts including leaders from its military wing, Karen National Liberation Army (KNLA) and is set to continue for two weeks with new leaders scheduled to be elected on the final day.⁸

BURMA DRAFTS INTELLECTUAL PROPERTY LAW

The Geneva-based World Intellectual Property Organization (WIPO) will help Burma in developing a law to protect intellectual property rights in the country. During a press conference on November 14 in Yangon, World Intellectual Property Organization (WIPO) Director-General Francis Gurry said the organization will provide legal and technical trainings and assist in finalizing the intellectual property law, which is being drafted by the government. Sittwe lawyer Than Maung said with the absence of such a law, no one has ever been sued for intellectual property infringement, which covers patents, designs, trademarks, and copyright protection. WIPO and the Union of Myanmar Federation of

⁷ Minister without border’s to visit Wa – http://www.english.panglong.org/index.php?option=com_content&view=article&id=5106:minister-without-borders-to-visit-wa&catid=85:politics&Itemid=266 (S.H.A.N) 29 November 2012

⁸ Aging KNU Chairman to Step Down – <http://www.irrawaddy.org/?slide=aging-knu-chairman-to-step-down> (Irrawaddy) 27 November 2012/
Younger, more active and united leadership wanted from KNU Congress – <http://karennews.org/2012/11/younger-more-active-and-united-leadership-wanted-from-knu-congress.html/> (Karen News) 18 November 2012/
KNU Leaders Meet Karen Civil Society to Discuss Peace Talks – <http://www.irrawaddy.org/archives/19456> (Irrawaddy) 21 November 2012

Chambers of Commerce and Industry (UMFCCI) signed an agreement on 17 November in Yangon to support commercial innovation in the country.⁹

ANALYSIS

The successful holding of the Shan conference in Rangoon and scheduled talks between the government and Chin National Front (CNF) are positive signs in promoting and achieving national reconciliation. While the Shan conference was attended by ethnic Shan nationals and organizations alike, its aim was to discuss key issues in promoting unity and understanding not only between Shans but also in dealing with other stakeholders involved in the national reconciliation process. Similarly, the scheduled talks between the government and CNF will no doubt be focused on promoting trust and also to continue the dialogue between the two in achieving peace.

While positive steps are being taken to achieve national reconciliation between all stakeholders are progressing, the government is now confronted in addressing another major issue related to land rights. The Latpandantaung mine crisis, now unfolding should not be seen merely as a campaign or protest against the Chinese Wangbao mining company but rather that the Burmese people will no longer tolerate injustice. However, the aggressive manner in which the recent protests have been handled by the government will no doubt bring political consequences and even complicate the existing reform process. The protest is the latest major example of increased activism by citizens since the elected government took over last year and it would seem that the people are now getting acquainted in exercising their basic rights. However, the Monywa mine is far from being settled and at best the government has been able to remove those occupying the mine. More significantly, this issue will become more pertinent and contentious due to the involvement of the Union of Myanmar Economic Holdings (UMEH) a major conglomerate run by the military through the Ministry of Defense. Furthermore, the response made by the Minister of Defense in responding to proposal submitted during a recent parliamentary session is a clear indication reflecting the importance of the matter and seriousness shown by the military on the issue.

President Thein Sein, is now confronted by a long line of issues including that of the national reconciliation and peace; promoting democratic reforms but most importantly in dealing with the military which still retains a major influence over the government and even the country's destiny. His engagement with the ranks within the military while attempting to broker peace will now become two of his major challenges before his tenure in office expires in 2015.

⁹ Myanmar drafts intellectual property law – <http://elevenmyanmar.com/politics/1455-myanmar-drafts-intellectual-property-law> (Eleven Myanmar) 26 November 2012
WIPO, UMFCCI sign MoU – <http://www.burmalibrary.org/docs14/NLM2012-11-18.pdf> (NLM) 18 November 2012 (p. 7)

APPENDICES

Appendix A:

PRESS RELEASE BY MINISTRY OF HOME AFFAIRS

The following is an unofficial translation of the Press Release No (7/2012)

1. Daw Khin San Hlaing of Pale Constituency submitted an important proposal at 15th day of the 5th regular session of first Pyithu Hluttaw, 2012, urging the Union government to form an independent State level commission with reliable persons to investigate whether Latpadantaung copper mining project and Kyayzintaung, south of Sabetaung copper mining project should be allowed or not and how it should be done after informing the public of findings, assessments and suggestions. The Union Minister for Defence made clarifications at the Pyithu Hluttaw regular session on the same day.
2. The Pyithu Hluttaw decided to approve the proposal.
3. The proposal requires to “form an independent State level commission with reliable persons”. The commission will be formed soon and it will visit the project area.
4. Due to strike at six camps in the project area where Section 144 is declared, the project activities are suspended since 18 November, 2012.
5. The commission will not be able to look into the project as usual if the project activities are suspended. The commission will be able to independently investigate and correctly assess the project only when it is running as usual.
6. The protesting organizations around the project area are to break away not later than 12 pm on 27 November, 2012, to enable the commission conduct independent investigation.
7. If not, the measures will be taken under the existing laws in line with the constitution.¹⁰

¹⁰ Press release of Ministry of Home Affairs –
<http://www.burmalibrary.org/docs14/NLM2012-11-28.pdf> (NLM) 28 November 2012