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BURMA 2011: STILL A MILITARY DICTATORSHIP

- **Despite the convening of the newly elected Parliament, Burma's 'democratically-elected' regime is nothing more than a disguised version of the military dictatorship that has ruled Burma for the past five decades.**
- **The military-dominated Parliament has placed high-ranking SPDC officials at the top of the country's political system.**
 - **SPDC PM Thein Sein is the President.**
 - **SPDC's former third-in-command Shwe Mann and the junta's Minister of Culture Khin Aung Myint are the Speakers of the People's Assembly and National Assembly respectively.**
 - **Twenty-six of the 30 newly appointed cabinet Ministers (all men) are either retired military officials or outgoing SPDC Ministers.**
 - **All State and Division Chief Ministers are MPs from the USDP or the appointed military bloc.**
- **SPDC Chairman Sr Gen Than Shwe ensures he will continue to "guide" Burma's politics by naming himself the leader of a newly created State Supreme Council.**
- **Than Shwe bypasses Parliament and issues a series of laws that are designed to maintain the military's grip on power.**
- **Parliamentary proceedings take place in a tightly controlled environment. SPDC-imposed procedures for MPs stifle genuine political debate and severely restrict media coverage. MPs denounce detention-like conditions in Naypyidaw.**
- **The NLD steps up its activities in order to promote broad political participation across Burma. The pro-democracy party remains Burma's best hope for genuine dialogue and national reconciliation.**
- **The situation in ethnic nationality areas continues to deteriorate. The SPDC is targeting ceasefire groups that have rejected the junta's Border Guard Force (BGF) scheme. Armed conflict between the SPDC Army and these groups has already displaced tens of thousands of civilians.**
- **The situation for communities living in conflict zones is grim as the SPDC prepares to re-launch its inhumane 'four cuts' campaign.**
- **The legal, constitutional, and ground realities of the post-election scenario do not offer evidence that justifies any softening of the existing EU Common Position. Measures must be taken to ensure there is no deterioration in the ethnic areas, particularly where ethnic opposition parties won seats.**
- **The establishment of a Col is extremely urgent. The creation of a Col has a strong preventive value because it can hold the regime accountable for human rights abuses, deter future violations, promote respect for the rule of law, and obtain justice for the victims of these crimes.**

SPDC still in power

The newly-elected Parliament placed high-ranking SPDC officials at the top of the country's political system:

- SPDC PM **Thein Sein** is Burma's new President.¹
- SPDC's former third-in-command **Shwe Mann** and the junta's Minister of Culture **Khin Aung Myint** are the Speakers of the People's Assembly and National Assembly respectively.²
- Former SPDC Secretary-1 **Tin Aung Myint Oo** and USDP MP Mauk Kham aka Maung Ohn are the Vice Presidents.³
- The new cabinet is composed of 30 Ministers.⁴ Only four are civilians, while 26 are either **retired military officials** or Ministers in the outgoing SPDC cabinet.⁵ No women are included in the list of appointments.⁶
- Of the 14 Chief Ministers at the Division and State level, **six** are **former SPDC Commanders** and **three** are **outgoing SPDC Ministers**. All Speakers and Deputy Speakers are USDP MPs.
- **Tin Aye** is the Chairman of the incoming Election Commission.⁷ A former Lieutenant General, Tin Aye is a protégé of SPDC Chairman Sr Gen Than Shwe.⁸

Than Shwe calls the shots

In a surprise move, Sr Gen Than Shwe ensured he would continue to steer Burma's politics by creating and naming himself leader of the State Supreme Council. The Council, which is not mentioned in the 2008 constitution, is expected to provide "guidance" to the new regime. The Council is comprised of eight current and former top SPDC generals: Sr Gen Than Shwe, Vice Sr Gen Maung Aye, People's Assembly Speaker Shwe Mann, President-elect Thein Sein, Vice President-elect Tin Aung Myint Oo, Election Commission Chairman Tin Aye, and two other senior military officials.⁹

Despite Than Shwe's efforts to place his loyalists in the new regime's top posts, not everyone among the military was happy with his moves. On 10 February, the SPDC reportedly placed Lt Gen Myint Aung under house arrest because he refused the post of Defense Minister.¹⁰

SPDC bypasses Parliament

Beginning in October 2010, SPDC Chairman Than Shwe issued a series of laws designed to maintain the military's grip on power. By enacting these laws before the newly-elected Parliament convened,

¹ AP (05 Feb 11) Burma appoints junta figure as president; NYT (04 Feb 11) Military insider selected as Myanmar's president; FT (04 Feb 11) Burmese parliament chooses junta insider Thein Sein for president; Mizzima News (04 Feb 11) Thein Sein chosen as regime's new President; Myanmar Times (07 Feb 11) U Thein Sein named president; Irrawaddy (04 Feb 11) Junta PM Elected as Burma's First 'Civilian' President

² DPA (31 Jan 11) Myanmar parliament elects military men as house speakers (Roundup); Irrawaddy (31 Jan 11) Senior Junta Officials Elected as Heads of Parliament; Mizzima News (31 Jan 11) Speakers elected to both houses of Parliament; DVB (31 Jan 11) Shwe Mann elected as speaker

³ NLM (04 Feb 11) Meeting of Group of Pyithu Hluttaw representatives elect of Presidential Electoral College resumes; NLM (04 Feb 11) Meeting of Amyotha Hluttaw representatives-elect group of Presidential Electoral College resumes; NLM (04 Feb 11) Group of Defence Services Personnel Representatives elects Thiha Thura U Tin Aung Myint Oo as Vice-President; AP (03 Feb 11) Junta's PM chosen Myanmar's new vice president; AFP (03 Feb 11) Myanmar junta party 'sweeps presidential race'; Xinhua (03 Feb 11) Myanmar union parliament representative groups set last 3 candidates; DVB (03 Feb 11) USDP dominates presidential race; Irrawaddy (03 Feb 11) Two USDP Vice-Presidents Elected; Military Set to Chose Third; Mizzima News (03 Feb 11) Thein Sein and Sai Mauk Kham elected as vice presidents

⁴ NLM (12 Feb 11) Fourth-day regular session of First Pyidaungsu Hluttaw held - Approval sought for Union Ministers Nine members, Chairperson for Constitutional Tribunal of the Union submitted to Pyidaungsu Hluttaw

⁵ AP (11 Feb 11) Myanmar's Parliament approves all Cabinet nominees; AP (09 Feb 11) Myanmar president nominates 30 for new Cabinet; DPA (09 Feb 11) Only four civilians on Myanmar's next cabinet lineup; AFP (12 Feb 11) Ex-military dominate Myanmar's new cabinet; DVB (10 Feb 11) Women absent from new Burma cabinet

⁶ Irrawaddy (10 Feb 11) Burma's Next Cabinet to Include Only Four Civilians; Mizzima News (09 Feb 11) List of new ministers to be appointed on Friday

⁷ NLM (19 Feb 11) Ninth-day regular session of First Pyidaungsu Hluttaw held - Approval sought for appointment of Union Election Commission Chairman - Person suitable to be appointed as Attorney-General of the Union nominated

⁸ Irrawaddy (17 Feb 11) Tin Aye to Become Chairman of Election Commission

⁹ Irrawaddy (10 Feb 11) Than Shwe to Head Extra-Constitutional 'State Supreme Council'

¹⁰ Mizzima News (10 Feb 11) Myint Aung rejects defense minister job; reportedly under arrest; Irrawaddy (10 Feb 11) Myint Aung Dismissed, Placed Under House Arrest; Irrawaddy (10 Feb 11) Myint Aung Dismissed, Placed Under House Arrest

Than Shwe ensured the lawmakers had no say with regard to key policy issues that are vital to the military.

- **21 October: Laws governing parliamentary proceedings**

These laws impose severe restrictions on parliamentary debate and participation.¹¹ As a result of these laws, nothing can happen in the Parliament that does not meet with the approval of regime officials. [See below *Restrictions dominate parliamentary proceedings*]

- **4 November 2010: Military draft law**

The law stipulates that males aged 18 to 45 and females aged 18 to 35 may be drafted to serve in the armed forces for two years.¹² The service term could be increased to five years in times of national emergencies.¹³ The law also states that those who avoid conscription could be imprisoned for up to five years.¹⁴ Observers suggested that the SPDC adopted the new law in an attempt to avoid future claims that recruiters forced people to join the army and to offset the increasing rate of desertions.¹⁵

- **17 January 2011: Special Fund Law**

The law allows the commander-in-chief to use a “special fund” for any expenses related to national defense and security.¹⁶ The law also states that the commander-in-chief is not accountable to any institution for the use of the fund.¹⁷

- **27 January 2011: Budget for the 2011-2012 fiscal year**

The SPDC allocated 23.6% of the 7.6 trillion kyat (US\$8.45 billion) budget for military expenditures.¹⁸ By contrast, the health and education sectors received a paltry 5.4% combined.¹⁹ The budget also earmarked 20 billion kyat (about US\$22 million) for the office of the SPDC.²⁰

New Parliament: MPs under “house arrest”

“Under the tightened security, even USDP members felt like people under house arrest.” - A USDP MP from Mandalay.²¹

On 31 January, the People’s Assembly and the National Assembly convened amid tight security in Naypyidaw for Burma’s first parliamentary session in 22 years.²² The 14 Region and State Parliaments also convened.²³

Many MPs complained about living in detention-like conditions in Naypyidaw.²⁴ When MPs were not in session, they faced severe restrictions on movement.²⁵ MPs were confined to guesthouses in small rooms without radio or TV and no clean running water.²⁶ MPs were barred from receiving visitors at the

¹¹ Irrawaddy (20 Jan 11) Burma's Disciplined Democracy

¹² AP (10 Jan 11) Myanmar enacts military draft law for men, women; Mizzima News (11 Jan 11) Military draft seen as threat to ethnic armed groups; DVB (10 Jan 11) Burma introduces military draft; Chinland Guardian (13 Jan 11) Conscription Law Likely to Drive More Youths out of Burma

¹³ AP (10 Jan 11) Myanmar enacts military draft law for men, women

¹⁴ AP (10 Jan 11) Myanmar enacts military draft law for men, women

¹⁵ Mizzima News (11 Jan 11) Military draft seen as threat to ethnic armed groups

¹⁶ Irrawaddy (04 Mar 11) Than Shwe Grants Himself Power to Access 'Special Funds'; AP (04 Mar 11) Myanmar democracy group slams military fund

¹⁷ AP (04 Mar 11) Myanmar democracy group slams military fund; Irrawaddy (04 Mar 11) Than Shwe Grants Himself Power to Access 'Special Funds'; DVB (07 Mar 11) Politicians decry military budget

¹⁸ AP (01 Mar 11) Myanmar allocates 1/4 of new budget to military; AP (04 Mar 11) Myanmar democracy group slams military fund; DVB (02 Mar 11) Military prioritised as Burma expands airforce

¹⁹ AP (01 Mar 11) Myanmar allocates 1/4 of new budget to military

²⁰ AP (01 Mar 11) Myanmar allocates 1/4 of new budget to military; Irrawaddy (04 Mar 11) Than Shwe Grants Himself Power to Access 'Special Funds'

²¹ Irrawaddy (04 Mar 11) Than Shwe Grants Himself Power to Access 'Special Funds'

²² AP (31 Jan 11) Tight security as new Myanmar parliament opens; CNN (11 Jan 11) Myanmar parliament opens after 20-year lapse; Reuters (31 Jan 11) As Myanmar new parliament opens, junta's shadow looms large; DPA (31 Jan 11) Myanmar parliament elects military men as house speakers (Roundup); Al Jazeera (31 Jan 11) Myanmar parliament opens doors

²³ AP (10 Jan 11) Myanmar parliament set for 1st session in 22 years; Telegraph (11 Jan 11) Burma to hold first parliamentary session in 22 years; DPA (31 Jan 11) Myanmar parliament opens amid tight security; Irrawaddy (31 Jan 11) Senior Junta Officials Elected as Heads of Parliament

²⁴ Irrawaddy (01 Mar 11) Burmese MPs Complain of Detention-like Conditions

²⁵ Irrawaddy (01 Mar 11) Burmese MPs Complain of Detention-like Conditions; Mizzima News (01 Mar 11) Daily MP life: everything you ever wanted to know

²⁶ Mizzima News (01 Mar 11) Daily MP life: everything you ever wanted to know

guesthouse.²⁷ MPs who attended Parliamentary proceedings received a 10,000 kyat (US\$11.50) daily allowance but ended up spending most, if not all of it, on meals, accommodation, and transportation.²⁸

Restrictions dominate parliamentary proceedings

The laws governing parliamentary proceedings gag MPs and restrict civilian access to the newly-elected Parliament.²⁹

- The laws prevent MP from making any comment which is deemed to endanger national security, the unity of the country, or violate the 2008 constitution.³⁰
- MPs face up to two years in jail if they “write, print or distribute by any means parliament-related documents, information, statistics, drawings, charts or other references.”³¹
- MPs must submit parliamentary questions ten days before the start of a meeting. Questions must not affect international relations, lead to the disclosure of state secrets, or undermine the interests of the state and its citizens.³²
- Any person who stages a demonstration in Parliament can be sentenced up to two years in prison.³³
- Anyone, other than MPs, who enters Parliament without authorization while the body is in session is subject to a one-year jail term.³⁴

In addition, the SPDC Election Commission also barred MPs from bringing cameras, laptop computers, mobile phones, and any type of voice transmission or recording devices inside the Parliament buildings.³⁵

No parliamentary debate, no media coverage allowed

“The Parliament representatives [...] are to discuss any matters in unison. It is important not to have a sense of contradiction. The precious time will be lost if they argue with each other. The Parliament should not be in a debate-like situation.” - National Assembly Speaker Khin Aung Myint³⁶

Lack of political debate, severe restrictions on media coverage, and a tightly controlled environment characterized the first session of the National Parliament (31 January - 25 February):

- Meetings were exclusively devoted to the nomination and election of the new regime’s cadre. However, the constitution does not allow for debate over the appointments. The MPs’ only task is to certify that nominees met the constitutional qualifications for the position.
- The average length of a meeting was less than 20 minutes. MPs complained that they could not assess the qualifications of the nominees because of the short time allocated to the process and because personal biographies were usually incomplete.³⁷
- The SPDC barred domestic journalists and foreign correspondents from covering the parliamentary proceedings. The junta allowed only state-run media to cover the session.³⁸ SPDC authorities

²⁷ Mizzima News (01 Mar 11) Daily MP life: everything you ever wanted to know

²⁸ Mizzima News (01 Mar 11) Daily MP life: everything you ever wanted to know

²⁹ Irrawaddy (20 Jan 11) Burma’s Disciplined Democracy; NLM (11 Jan 11) 17 books on law and bylaw in circulation; Xinhua (21 Jan 11) Myanmar heads for first parliamentary sessions in two decades; Xinhua (10 Jan 11) Myanmar enacts 17 new laws under new state constitution; Mizzima News (10 Jan 11) Burmese Parliaments to convene Jan 31

³⁰ AP (10 Jan 11) Myanmar parliament set for 1st session in 22 years

³¹ Irrawaddy (20 Jan 11) Burma’s Disciplined Democracy

³² Irrawaddy (20 Jan 11) Burma’s Disciplined Democracy

³³ AP (10 Jan 11) Myanmar parliament set for 1st session in 22 years

³⁴ AP (10 Jan 11) Myanmar parliament set for 1st session in 22 years; Irrawaddy (20 Jan 11) Burma’s Disciplined Democracy; Myanmar Times (24 Jan 11) Electronic devices banned in parliaments

³⁵ DVB (18 Jan 11) Rules for parliament released; Mizzima News (18 Jan 11) Foreign reporters prepare to cover Parliament news; Irrawaddy (19 Jan 11) Conditions Set for MPs to Attend Parliament; Mizzima News (19 Jan 11) EC asks MPs to wear national dress in Parliament sessions; Irrawaddy (20 Jan 11) Burma’s Disciplined Democracy

³⁶ Mizzima News (02 Feb 11) A Parliament without debate?; Irrawaddy (22 Feb 11) Burma’s ‘15-Minute’ Parliament

³⁷ Mizzima News (22 Feb 11) Lack of information, short sessions upset lawmakers; Irrawaddy (22 Feb 11) Burma’s ‘15-Minute’ Parliament

³⁸ DVB (31 Jan 11) Journalists barred from parliament; DPA (31 Jan 11) Myanmar parliament elects military men as house speakers (Roundup); Irrawaddy (31 Jan 11) Senior Junta Officials Elected as Heads of Parliament; Mizzima News (02 Feb 11) Media group criticises Parliament for lack of media access

questioned reporters who took photographs near Parliament buildings and journalists who tried to approach MPs outside the Parliament premises.³⁹

Starting on 9 March, MPs in both Houses of the Parliament were allowed to discuss motions and have their questions answered by the relevant SPDC Ministers.⁴⁰ However, it soon became apparent that the process was just a façade:

- Ministers brushed off questions that dealt with key issues such as the release of political prisoners, land ownership rights, and education in ethnic nationality areas.⁴¹
- The Ministers' responses included a large amount of statistical and background information and there was no attempt to address the substantive issues raised by the MPs.⁴²
- The Speaker rejected many questions as they were deemed "irrelevant."⁴³

NLD still a key political player

While a minuscule and divided parliamentary opposition is bogged down in a fruitless political process, the NLD remains Burma's best hope for genuine dialogue and national reconciliation. Under the active leadership of its Chairperson Daw Aung San Suu Kyi, the party:

- Stepped up its activities to promote broad political participation across Burma.⁴⁴
- Intensified meetings and contacts with UN officials and members of the diplomatic community in an effort to solve Burma's political, social, and economic crisis.⁴⁵
- Issued statements and position papers on key policy issues, including economic sanctions; trade and investment; and ethnic issues.⁴⁶

Crisis deepens in ethnic nationality areas

Despite the 7 November election's illusory promise of an inclusive democratic system, the situation in ethnic nationality areas continued to deteriorate. In addition to the SPDC Army's ongoing offensives against armed ethnic non-ceasefire groups, the SPDC increasingly targeted ceasefire groups who rejected the junta's Border Guard Force (BGF) scheme. Armed conflict between those groups and the SPDC Army has led to the displacement of tens of thousands of civilians. The situation for residents living in conflict zones of ethnic States remains grim as the SPDC prepares to re-launch its inhumane 'four cuts'⁴⁷ campaign.⁴⁸ Since the elections, the situation in ethnic nationality areas is as follows:

³⁹ Mizzima News (03 Feb 11) Most reporters leave Naypyidaw, return home

⁴⁰ Xinhua (09 Mar 11) Myanmar parliaments due on legislation process

⁴¹ Mizzima News (08 Mar 11) Parliament to discuss prisoners' release, right to form associations; Irrawaddy (11 Mar 11) Burmese MPs Question, Get Stonewalled by Ministers; NLM (10 Mar 11) Existing farmland laws most appropriate to safeguard peasants' rights - Pyithu Hluttaw continues first regular session for sixth day; NLM (16 Mar 11) Education Minister replies to Pyithu Hluttaw representative U Zaw Tun's question

⁴² Irrawaddy (11 Mar 11) Burmese MPs Question, Get Stonewalled by Ministers

⁴³ Irrawaddy (11 Mar 11) Burmese MPs Question, Get Stonewalled by Ministers; DVB (16 Mar 11) Clamp tightened on MPs questions

⁴⁴ AFP (28 Dec 10) Democracy icon Suu Kyi meets Myanmar youths; Irrawaddy (08 Feb 11) Suu Kyi Casts Her Net; NLD (05 Mar 11) NLD CEC and Township Committees' meetings began; NLD (06 Mar 11) Meeting of NLD CEC and Township Committees of Pegu Division held; NLD (09 Mar 11) Meeting of NLD CEC and Township Organizational Committees from Irrawaddy Division held; NLD (15 Mar 11) Meeting with Townships' Committees continued with representatives from Magwe Division; NLD (16 Mar 11) Meeting with Townships' Committees from Sagaing Division; NLD (20 Mar 11) The meeting with NLD Townships of Kachin State; NLD (18 Mar 11) The meeting with NLD Townships' Committees in Shan State; NLD (21 Mar 11) Farmers' Network formed

⁴⁵ DPA (18 Nov 10) Myanmar's Suu Kyi wants talks with United Nations (Roundup); Irrawaddy (22 Nov 10) Suu Kyi's Son to Visit Rangoon; DPA (23 Nov 10) Aung San Suu Kyi reunites with youngest son in Myanmar (Roundup); AFP (27 Nov 10) Suu Kyi, top UN official meet; AFP (03 Dec 10) Belgian ambassador meets Suu Kyi; SAPA (07 Dec 10) SA ambassador meets Suu Kyi; Irrawaddy (10 Dec 10) Suu Kyi Meets Senior US Official; Mizzima News (08 Dec 10) Suu Kyi urges independents to join NLD in social work; Mizzima News (11 Dec 10) NLD hears political inmates' relatives on UN rights day; Irrawaddy (24 Dec 10) Suu Kyi Meets Russian Ambassador; AP (22 Jan 11) Myanmar's Suu Kyi meets Thai Foreign Minister Kasit; AP (23 Feb 11) US talks with Myanmar's Suu Kyi about aid; Mizzima News (25 Feb 11) Suu Kyi supports expansion of ILO in Burma

⁴⁶ NLD (29 Jan 11) An Analysis on Burma Economy; NLD (08 Feb 11) A review on sanctions imposed on Burma is released by NLD; NLD (13 Feb 11) Union Day Statement

⁴⁷ The 'four-cuts' strategy aims to weaken armed opposition groups by severing their links with the ethnic communities who support them. SPDC soldiers cut-off access to four vital resources, namely food, money, potential recruits, and information, often by forcibly resettling villagers and burning down entire villages.

⁴⁸ Irrawaddy (04 Mar 11) Naypyidaw Orders New "Four Cuts" Campaign

Karen State

On Election Day and the days that followed, violence between the SPDC Army and a breakaway faction of the Democratic Karen Buddhist Army (DKBA) spread throughout Southern Karen State.⁴⁹ The clashes have resulted in the single largest refugee influx into Thailand in two decades. More than 27,000 people sought shelter in Thailand and thousands more attempted to find safe havens in the jungles of Southern Karen and Mon States.⁵⁰ Heavy fighting between the SPDC Army and the DKBA continued throughout December, January, and February. In January, the SPDC Army's military operations caused a further 650 civilians to flee to Thailand.⁵¹

Shan State

Fighting between the SPDC Army and the Shan State Army-North (SSA-N) intensified with numerous clashes in March 2011.⁵² In addition, the SPDC has steadily increased its military presence in Shan State with the deployment of thousands of soldiers near territories controlled by the SSA-N and the United Wa State Army (UWSA).⁵³ On 21 March, the state-run newspaper New Light of Myanmar described the Shan State Army-North (SSA-N) as "insurgents."⁵⁴ As part of its 'four cuts' strategy, in early March the SPDC Army ordered the residents of 11 villages in Kunhing, Nansang, and Kyethi Townships in Southern Shan State to leave their homes and burned at least 300 houses.⁵⁵ The offensive caused at least 200 to 300 villagers in Kunhing Township to flee.⁵⁶ In addition, violent skirmishes between the SPDC Army and the Shan State Army-South have continued.⁵⁷

Kachin State

On 7 February the Kachin Independence Organization's (KIO's) armed wing, the Kachin Independence Army (KIA), clashed with the SPDC Army for the first time since signing a ceasefire agreement 13 years earlier. The fighting was triggered by the incursion of SPDC troops into a KIO-controlled area near Mansi Township.⁵⁸ Since the skirmish, the regime has deployed about 12 tanks and 200 soldiers near the KIA's headquarters in Laiza.⁵⁹

Chin State

Even in Chin State, which has seen little fighting in recent times, there have been several outbreaks of violence since the November election. On 3 January and 8 March, Arakan Liberation Army (ALA) and SPDC forces clashed in Paletwa Township. A total of seven SPDC soldiers and four ALA soldiers were killed in the two incidents.⁶⁰ In mid-February, one SPDC Army soldier was killed and another wounded in a skirmish between SPDC Army and Chin National Army (CNA) forces.⁶¹

Mon State

Since the elections, a long-standing ceasefire between the New Mon State Party (NMSP) and the SPDC Army has been on shaky ground. On 4 February, the state-run newspaper New Light of Myanmar described the New Mon State Party (NMSP) as "insurgents" for the first time since its ceasefire

⁴⁹ Nation (09 Nov 10) Panithan: Nearly 20,000 Karen refugees flee into Thailand; AP (08 Nov 10) 15,000 refugees flee Myanmar post-vote fighting

⁵⁰ AAP (09 Nov 10) 20,000 flee fighting on Burma border; Irrawaddy (10 Nov 10) Junta Troops Retake Myawaddy as Residents Return; DVB (11 Nov 10) Burmese army takes DKBA stronghold

⁵¹ Mizzima News (11 Jan 11) DKBA and junta troops engage in two-day fight; Irrawaddy (27 Jan 11) Clashes Continue in Karen State; DVB (27 Jan 11) Villages empty as fighting intensifies

⁵² Irrawaddy (17 Mar 11) Civilians Killed in Shan State Clashes; Mizzima News (14 Mar 11) Second clash breaks out between junta and SSA-N; Mizzima News (15 Mar 11) Burmese Junta and SSA-N fighting continues; Mizzima News (17 Mar 11) Burmese troops overrun SSA-N base in Nam Lao; SHAN (14 Mar 11) Junta, Shan army exchange fire again

⁵³ SHAN (17 Mar 11) Junta offensive puts ethnic alliance to the test; SHAN (14 Mar 11) Junta, Shan army exchange fire again

⁵⁴ Irrawaddy (21 Mar 11) State Media Calls Shan State Army-North 'Insurgents'

⁵⁵ Irrawaddy (17 Mar 11) Civilians Killed in Shan State Clashes; Irrawaddy (07 Mar 11) 'Four Cuts' Forcing Shan Villagers from Homes

⁵⁶ Irrawaddy (07 Mar 11) 'Four Cuts' Forcing Shan Villagers from Homes

⁵⁷ Irrawaddy (24 Feb 11) Three Burmese Soldiers Killed in Southern Shan State; SHAN (23 Feb 11) Junta army beefing up after fight; SHAN (20 Dec 10) Junta army, SSA 'North' at it again

⁵⁸ Mizzima News (07 Feb 11) KIO, junta fighting breaks out; first since 1997; DVB (07 Feb 11) Gunfire exchanged in Kachin state; Kachin News Group (07 Feb 11) Fighting begins between Kachin and Burmese Armies in Northern Burma

⁵⁹ Kachin News Group (24 Feb 11) Junta deploys tanks and troops near Kachin headquarters; Mizzima News (25 Feb 11) Junta sends more tanks to Kachin State

⁶⁰ Chinland Guardian (05 Jan 11) Armed Fighting Erupts in Southern Chin State; Irrawaddy (09 Mar 11) Three Junta Troops Killed by Arakan Liberation Army

⁶¹ Irrawaddy (23 Feb 11) Junta Weighing Options to Reign in BGF Defectors

agreement in 1995.⁶² In response, NMSP leaders stated they were preparing to go to war with the regime.⁶³

CoI needed now more than ever

On 11 March 2010, in his report to the Human Rights Council, the UN Special Rapporteur on human rights in Burma Tomás Ojea Quintana made the unprecedented recommendation that the UN consider establishing a Commission of Inquiry (CoI) into war crimes and crimes against humanity committed by the regime.⁶⁴ During the preparations for the 2010 elections, the SPDC continued to perpetrate crimes against humanity and war crimes with total impunity. Despite the convening of the newly elected Parliament, the regime has continued to commit serious crimes. Of particular concern is the situation of civilians in ethnic nationality areas where the regime is set to re-launch its atrocious and inhumane ‘four cuts’ campaign.⁶⁵

Why is a CoI needed?

- Establishing a CoI will lead to obtaining the truth about what victims of serious international crimes have suffered.
- The creation of CoI has a strong preventive value, as it can hold the regime accountable for human rights abuses may deter future violations, promote respect for the rule of law, and obtain justice for the victims of these crimes.
- The CoI can make a wide range of recommendations related to justice, reparations, and guarantees of non-recurrence.
- The creation of a CoI is part of a long-term effort to end impunity and provide a basis for genuine dialogue and reconciliation in Burma.

Organizations in Burma, such as the NLD, the 88 Generation Students and the All Burma Monk Alliance endorsed the establishment of a CoI. At the international level, 16 governments have showed their support for a CoI.⁶⁶ Additionally, 442 Parliamentarians worldwide, including those from 16 EU countries and four ASEAN countries, have called for the establishment of a CoI.⁶⁷

⁶² IMNA (07 Feb 11) Junta Calls NMSP ‘Insurgents’ After the Collapse of a 15-Year Ceasefire Agreement

⁶³ IMNA (21 Feb 11) We Will Use Guns for Our Freedom” Exclaim Mon Leaders

⁶⁴ Human Rights Council (10 Mar 10) Progress report of the Special Rapporteur on the situation of human rights in Myanmar, Tomás Ojea Quintana (A/HRC/13/48)

⁶⁵ Irrawaddy (04 Mar 11) Naypyidaw Orders New “Four Cuts” Campaign

⁶⁶ Australia, Belgium, Canada, Czech Republic, Denmark, Estonia, France, Hungary, Ireland, Latvia, Lithuania, Netherlands, New Zealand, Slovakia, UK, US

⁶⁷ BCUK (10 Dec 2009) 442 MPs letter to the UNSC (<http://burmacampaign.org.uk/images/uploads/442-MPs-Letter-to-UNSC.pdf>)