* **Tatmadaw Commander-in-Chief Sr Gen Min Aung Hlaing reiterates military's "leading role", warns against “disorderly democracy.”**

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* **National League for Democracy (NLD) President Htin Kyaw sworn in, alongside hard-line military Vice President Myint Swe and NLD Vice President Henry Van Thio. The appointment of Myint Swe sparks concerns as he remains subject to US sanctions and has presided over violent crackdowns on peaceful assembly.**
* **New cabinet ministers approved and Aung San Suu Kyi appointed to four ministries, including Foreign Minister; NLD proposes new powerful “State Counselor” position for her in new government. She is the only woman appointed to a cabinet.**
* **The UN Special Rapporteur on Human Rights in Myanmar’s third report highlights land rights, impunity for sexual violence, calls for release of political prisoners and public denouncement of discrimination.**
* **On anniversary of violent Letpadan crackdown, national and international rights groups call for the release of around 50 students still arbitrarily imprisoned.**
* **UN Human Rights Council adopts weakened text in Item 4 resolution, while states seek to downgrade it to Item 10 as new government takes power.**
* **Amnesty International urges release of political prisoners in new report detailing “disturbing resurgence” in repression since 2014.**
* **State of Emergency lifted in Arakan/Rakhine State but future remains uncertain for Rohingya.**
* **Myanmar Peace Centre, responsible for the ‘Nationwide’ Ceasefire Agreement, is dissolved by outgoing government.**
* **NLD regional chief ministers appointed, causing tension in Shan, Arakan/Rakhine and Kachin States.**
* **US State Department report highlights “severe and disproportionate” rights restrictions against Rohingya, but says not genocide.**

# KEY STORY: TRANSFER OF POWER

**New NLD government takes power, Tatmadaw not going anywhere**

On 30 March, the official ceremony for the transfer of power from President Thein Sein’s administration to the new National League for Democracy (NLD) government, headed by new President Htin Kyaw and party leader Aung San Suu Kyi, took place in Naypyidaw. Htin Kyaw is Burma/Myanmar’s first civilian president since the military seized power in 1962.[[1]](#footnote-1)

The new government officially began its administration on 31 March, following months of transition talks with the military. On 24 March, at an Armed Forces Day parade in Naypyidaw, Tatmadaw Commander-in-Chief Sr Gen Min Aung Hlaing said that the Tatmadaw would cooperate with the new government, but reiterated the importance of the military’s “leading role” in politics and warned that “The two main obstructions in our country’s progress toward democracy are weakness in obeying rules, regulations and laws, and having armed insurgents. This could lead to disorderly democracy.”[[2]](#footnote-2)

**NLD President Htin Kyaw, hard-line military VP Myint Swe, NLD VP Henry Van Thio sworn in**

On 30 March, Htin Kyaw, National League for Democracy (NLD) member and long-time friend of party leader Aung San Suu Kyi was sworn in as the new President of Burma/Myanmar.[[3]](#footnote-3)
NLD leader Aung San Suu Kyi, who is barred from the presidency by the 2008 military-drafted Constitution, will still maintain significant power.[[4]](#footnote-4)

On 10 March, each of the two chambers of the National Parliament nominated a presidential candidate, while military MPs, who are guaranteed a quarter of seats, nominated the third. A joint-chamber session elected the president for a five-year term, while the rest became first and second vice presidents, in order of votes.[[5]](#footnote-5)

Htin Kyaw won with 360 of the 652 votes cast on 15 March. Military-nominated Myint Swe received 213 votes, winning the position of first Vice President.[[6]](#footnote-6) Henry Van Thio, also from the NLD, won 79 votes to become second Vice President.[[7]](#footnote-7) According to the Constitution, if the Office of the President falls vacant due to resignation, “death, permanent disability, impeachment” or any other cause, the first Vice President (Myint Swe) will serve as president for a short period while a new leader is elected.[[8]](#footnote-8)

**President Htin Kyaw: Former political prisoner with gilded NLD pedigree**

Htin Kyaw, a central executive committee member of the NLD, is a longtime friend and confidant of Aung San Suu Kyi.[[9]](#footnote-9) Htin Kyaw studied economics at Yangon University and computer science at the University of London Institute of Computer Science.[[10]](#footnote-10)  He served as a government employee but was jailed for four months in 2000 after aiding Aung San Suu Kyi during her time under house arrest.[[11]](#footnote-11) Htin Kyaw also worked as a senior executive of the Daw Khin Kyi Foundation, a charity founded in honor of Aung San Suu Kyi's late mother.[[12]](#footnote-12) Htin Kyaw’s father was the writer and poet Min Thu Wun, who ran as an NLD candidate in the 1990 election. Htin Kyaw’s wife, Su Su Lwin, is an NLD MP in the People’s Assembly representing Thonegwa Township, Rangoon/Yangon Division; she is also the daughter U Lwin, a senior leader and founder of the NLD.[[13]](#footnote-13)

**Vice President** **Myint Swe: Military leader of violent crackdowns and on US sanctions list**

A close ally of former military regime leader Than Shwe, retired Lieutenant General Myint Swe graduated from the Defense Services Academy in 1971, becoming Brigadier General and Commander of LIB 11 in 1997.[[14]](#footnote-14) He was appointed as Commander of Southeastern Command and a member of the State Peace and Development Council in 2001, then promoted and transferred to Rangoon.[[15]](#footnote-15) After Khin Nyunt was purged from office in 2004, Myint Swe became the Chief of Military Security Affairs.[[16]](#footnote-16) In 2006 he became the Chief of Bureau of Special Operations 5.[[17]](#footnote-17) Myint Swe served as the Chief Minister for Rangoon and was head of military intelligence during the Saffron Revolution in 2007, ordering a crackdown which killed dozens of peaceful protestors and resulted in thousands being arrested.[[18]](#footnote-18) He also presided over a crackdown on student protests in the city in March 2015.[[19]](#footnote-19) In 2012, Myint Swe was disqualified from running for the vice presidency because his son-in-law possessed Australian citizenship, violating the same clause of the 2008 military-drafted Constitution which bars Aung San Suu Kyi from becoming president, Article 59(f).[[20]](#footnote-20) However, government officials said the son-in-law surrendered his foreign citizenship before the 2016 election, allowing Myint Swe to run for the presidency.[[21]](#footnote-21) Myint Swe remains a subject of US sanctions, and US State Department Spokesperson John Kirby said in press briefing on 11 March, “We have made our concerns known about this individual and this process, quite frankly, and we’ll monitor it going forward.”[[22]](#footnote-22)

**Vice President Henry Van Thio: Ethnic Chin NLD representative with military and commercial background**

An NLD MP in the National Assembly, Henry Van Thio is from Htantlang Township, Chin State, and served as a military officer in at least seven locations across Burma.[[23]](#footnote-23) It was reported that after entering the civil service, he ran a tobacco factory in Mandalay and was a deputy general manager in the Industry Ministry.[[24]](#footnote-24) He studied law at Mandalay University and Yangon University and in the Philippines in 2009 and 2010.[[25]](#footnote-25) He also served as head of several companies including Virginia Industry (Mandalay) and Belin Beverage Industry.[[26]](#footnote-26) As an ethnic Chin representative he has been publically supported by National Assembly MP Hlyel Htan, a fellow ethnic Chin.[[27]](#footnote-27)

**Aung San Suu Kyi takes four ministries, seeks powerful new role in government**

On 23 March, Aung San Suu Kyi was sworn into four ministerial posts, including as Foreign Minister, which gives her a place on the military-dominated National Defense and Security Council (NDSC).[[28]](#footnote-28) On 31 March, the NLD announced it would create a position for Aung San Suu Kyi as “State Counselor” which would give her an official position as a “coordinator between the government and the Parliament.”[[29]](#footnote-29) The bill would allow Aung San Suu Kyi to work with political parties and organizations in an advisory capacity and was the first piece of legislation tabled in parliament on the first day the new government took office.[[30]](#footnote-30) This position, combined with the four cabinet positions held by Aung San Suu Kyi, would make her the most powerful person in the government.[[31]](#footnote-31) The Union Solidarity and Development Party (USDP) and military told media they opposed the bill and that the proposed role was unconstitutional, suggesting the bill be referred to the Constitutional Tribunal, a nine-member group of legal experts chosen by the President.[[32]](#footnote-32)

**Government ministries cut and new cabinet ministers appointed by NLD**

Burma/Myanmar’s new government appointed 18 ministers in a parliamentary session which lasted less than 15 minutes on 22 March; none of the lawmakers in attendance had any objection to the names put forward for ministerial posts.[[33]](#footnote-33) The new government has cut 30 ministries established under the last government to 21. Three of these - Defense, Home Affairs and Border Affairs - will remain under the control of the military, which appointed its own ministers.[[34]](#footnote-34) Aung San Suu Kyi is the only woman in the cabinet.

**Abolished Ministries:**[[35]](#footnote-35)
Cooperatives Ministry

Rail Transportation Ministry

Science and Technology Ministry

Sports Ministry

**Merged Ministries:**[[36]](#footnote-36)

Electric Power Ministry/Energy Ministry

Agriculture and Irrigation Ministry/Livestock, Fisheries and Rural Development Ministry

Communication Ministry/Transport Ministry

Culture Ministry/Religious Affairs Ministry

Environmental Conservation and Forestry Ministry/Mining Ministry

Labor, Employment and Social Security Ministry/Immigration and Population Ministry [[37]](#footnote-37)

**New Ministries and Ministers:**

|  |  |
| --- | --- |
| **Office**  | **Name**  |
| Agriculture, Livestock and Irrigation Minister | **Aung Thu** – NLD National Assembly MP for Rangoon/Yangon Constituency (6).[[38]](#footnote-38) |
| Border Affairs Minister | **Lt Gen Ye Aung** – Military representative in peace talks between the government/Tatmadaw and ethnic armed groups, former Commander of Central Command, currently military Judge Advocate General.[[39]](#footnote-39)  |
| Commerce Minister | **Than Myint** – NLD People’s Assembly MP, Chair of Hlaing Tharyar Township, Rangoon Division, NLD chapter.[[40]](#footnote-40) Than Myint listed a Phd from a US University, since closed and described as a “diploma mill” that issued degrees without requiring students to meet criteria of academic merit. He has been asked to submit his thesis and other documentation to the NLD.[[41]](#footnote-41) |
| Construction Minister | **Win Khaing** – Not party-affiliated. Member of the Myanmar Investment Commission (MIC), National Energy Management Committee, Myanmar Industrial Development Committee, Myanmar Board of Engineers, Committee for Quality Control of High-rise Buildings Projects, ASEAN Federation of Engineering Organizations and ASEAN Academy of Engineering and Technology.[[42]](#footnote-42)  |
| Defense Minister | **Lt Gen Sein Win** - Defense Minister in the previous government, served as Chief of the Bureau of Air Defense.[[43]](#footnote-43) |
| Education Minister | **Aung San Suu Kyi** - NLD leader. |
| Energy and Electric Power Minister | **Aung San Suu Kyi** - NLD leader. |
| Ethnic Affairs Minister | **Naing Thet Lwin** - Vice Chairperson of the Mon National Party.[[44]](#footnote-44) |
| Foreign Affairs Minister | **Aung San Suu Kyi** - NLD leader. |
| Health Minister | **Myint Htwe** – Not party-affiliated. Member of the Legal Affairs and Special Cases Assessment Commission, central executive committee member of the Myanmar Academy of Medical Science.[[45]](#footnote-45) |
| Home Affairs Minister | **Lt Gen Kyaw Swe** - Border Affairs Minister in the previous government. Served as Principal of the Defense Services Academy, Commander of South West Command, Military Security Affairs Chief.[[46]](#footnote-46) |
| Hotels and Tourism Minister | **Ohn Maung** – NLD member, former CEO of Inle Princess Resort, elected as an NLD parliamentarian in Burma’s 1990 election.[[47]](#footnote-47) |
| Industry Minister | **Khin Maung Cho** – Not party-affiliated. Executive engineer at Super Seven Stars Motor Industry Company Ltd.[[48]](#footnote-48) |
| Information Minister | **Pe Myint** – Not party-affiliated. Winner of Burma’s national literature award in 1995.[[49]](#footnote-49) |
| Labor, Immigration and Population Minister | **Thein Swe** – USDP central executive committee member, People’s Assembly MP for Ann Township, Arakan/Rakhine State. Minister for Transport from 2005 to 2010, in military service from 1967 to 2003, promoted to Major General.[[50]](#footnote-50) |
| Natural Resources and Environmental Conservation Minister | **Ohn Win** - Not party-affiliated. Former professor at the University of Forestry in Yezin, Naypyidaw.[[51]](#footnote-51) |
| Planning and Finance Minister | **Kyaw Win** - NLD People’s Assembly MP for Dagon Seikkan Township, Rangoon Division.[[52]](#footnote-52) It was reported that two degrees listed on Kyaw Win’s resume were from false universities, and he has since acknowledged this and said he would stop using the title Dr when referring to himself.[[53]](#footnote-53) He said he sent an incorrect resume with the qualifications to the party by mistake.[[54]](#footnote-54) |
| Religious Affairs and Culture Minister | **Aung Ko** - USDP central executive committee member, People’s Assembly MP and Chairperson of the Judicial and Legal Affairs Committee during Thein Sein’s administration.[[55]](#footnote-55) |
| Social Welfare, Relief and Resettlement Minister | **Win Myat Aye** – NLD National Assembly MP for Pegu/Bago Division Constituency (4). A paediatrician with a history of volunteer work.[[56]](#footnote-56) |
| Transport and Communications Minister | **Thant Zin Maung** – NLD People’s Assembly MP for Monywa Township, Sagaing Division.[[57]](#footnote-57) |
| President’s Office Minister | **Aung San Suu Kyi** – NLD leader |

# Democracy & governance

**Regional Chief Minister positions announced**

On 25 March, 14 regional chief ministers were officially appointed at state and division parliaments.[[58]](#footnote-58) All of the appointed regional chief ministers are National League for Democracy (NLD) members.[[59]](#footnote-59)

|  |  |
| --- | --- |
| **Chief Ministers**[[60]](#footnote-60) | **State/Division** |
| Nyi Pyu | Arakan/Rakhine State |
| Salai Lian Luai | Chin State |
| Mahn Johnny  | Irrawaddy/Ayeyarwady Division |
| Khat Aung  | Kachin State |
| Nang Khin Htwe Myint\* | Karen/Kayin State  |
| L Phaong Sho | Karenni/Kayah State |
| Aung Moe Nyo | Magwe/Magway Divison |
| Zaw Myint Maung | Mandalay Division |
| Min Min Oo | Mon State |
| Win Thein | Pegu/Bago Division |
| Phyo Min Thein | Rangoon/Yangon Division |
| Myint Naing | Sagaing Division |
| Lin Htut | Shan State |
| Lae Lae Maw\* | Tenasserim/Tanintharyi Division |

\*The only women to be appointed as Chief Ministers

**NLD appoints chief ministers in states without NLD majority**

Confirmation that the National League for Democracy (NLD) had followed through on promises to appoint all regional chief minister positions from within the party was met with criticism from ethnic parties in Arakan/Rakhine, Shan and Kachin States, where the NLD holds a minority in state parliaments.[[61]](#footnote-61)

**Arakan/Rakhine State**

The Arakan National Party (ANP) criticized the NLD for its appointment of NLD member Nyi Pui as Chief Minister in Arakan State and about two dozen ANP MPs staged a walk out in protest on 25 March.[[62]](#footnote-62) The Arakan Liberation Party, the political wing of the Arakan Liberation Army, released a statement on 24 March demanding that the ANP, which holds 23 seats in the 47-member regional legislature, be given control of local governance in Arakan State through the regional chief minister position.[[63]](#footnote-63) On 23 March, over 1,000 Akyab/Sittwe residents staged a rally in support of the ANP, prompting Aung San Suu Kyi to meet ANP legislators.[[64]](#footnote-64) However, Tun Aung Kyaw, ANP general secretary, told media that his party would refuse to accept any positions in the state executive in scheduled follow-up talks, since the NLD has already taken the regional chief minister position.[[65]](#footnote-65)

**Shan State**

On 25 March, Shan MPs and activists criticized the NLD for failing to appoint a regional chief minister from an ethnic minority.[[66]](#footnote-66) The NLD choice for Shan State, Lin Htut, was criticized as he is an ethnic Bamar (Burman).[[67]](#footnote-67) Former MP for the Shan Nationalities Democratic Party, Ye Htun, told media that Lin Htut could face problems with the Union Solidarity and Development Party (USDP) military majority in the state parliament, particularly in passing the state budget.[[68]](#footnote-68)

**Kachin State**

New Chief Minister Khat Aung, a 70-year-old Kachin Christian, only became a member of the NLD last year and was not politically active under the military regime.[[69]](#footnote-69)

Despite being left out of the decision-making process for chief minister positions, Manam Tu Ja, chair of the Kachin State Democracy Party, told media that his party would cooperate with the NLD if the party was dedicated to the development of Kachin State.[[70]](#footnote-70) However, he said that attempts to control the state parliaments through the appointment of NLD chief ministers could add to delays and difficulties in implementing the budget and development projects and might impede attempts at national reconciliation.[[71]](#footnote-71)

**New Election Commission chair and members nominated**

On 28 March, Burma/Myanmar’s President-elect Htin Kyaw nominated a new chairperson and five members of the Election Commission (EC), to replace the current 15-member Commission and oversee the country’s 2020 general election.[[72]](#footnote-72) Hla Thein, Aung Myint, Soe Reh, Tun Khin and Hla Tint were nominated, with Hla Thein proposed as Chairperson.[[73]](#footnote-73) Most nominees are lawyers from the Attorney General’s Office; none are current members of the EC.[[74]](#footnote-74) The EC holds authority to arrange, postpone or cancel elections, monitor political parties and candidates, and judge election-related disputes.[[75]](#footnote-75) Hla Thien, a retired rector of Meiktila University in Mandalay, currently heads the Meiktila District Election Commission.[[76]](#footnote-76) The previous EC was headed by military and Union Solidarity and Development Party (USDP) ally Tin Aye, and was criticized for its lack of independence and incompetence during the 2015 elections.[[77]](#footnote-77) The new EC will be responsible for by-elections which will likely be held for vacancies created by MPs joining the Cabinet.

# Ethnic Affairs & Conflict

**Arakan/Rakhine state of emergency lifted after three years**

In a surprise move on 29 March, the outgoing government announced it was ending the state of emergency in Arakan State, which was imposed in 2012 following an outbreak of sectarian violence which killed almost 200 people and displaced 140,000, mostly Rohingya Muslims.[[78]](#footnote-78) Explaining the decision, outgoing President Thein Sein said “no threats to the lives and property of the people were found.” Early responses have been mixed with Buthidaung Township administrator, Than Shwe, saying there were no immediate plans to withdraw the curfew, and Hla Myint, an ethnic Rakhine leader adding that he thought it should not be withdrawn yet either. Democracy and Human Rights Party leader Kyaw Min welcomed the move but called for better conditions for IDPs and Muslim communities.[[79]](#footnote-79)

UN Special Rapporteur on the situation of human rights in Myanmar Yanghee Lee had previously advised the new government to remove severe restrictions on Rohingya within its first 100 days in office and Human Rights Watch has said that the lifting of the state of emergency should promptly be followed by the end of abusive restrictions on Rohingya and other Muslims.[[80]](#footnote-80) UNOCHA Director of Operations John Ging said following a visit to Arakan State in February that the Rohingya must not be forgotten in the country’s progress towards democracy, saying “segregation and disenfranchisement are flawed and inhumane policies.”[[81]](#footnote-81)

**Myanmar Peace Center dissolved, assets transferred to two new organisations**

A Presidential Directive published in state-run media on 11 March ordered the transfer of assets of the Myanmar Peace Center (MPC) to two, as of yet unnamed, newly created non-governmental organisations. It was reported that the plans for dissolving the MPC were approved by President’s Office Minister Soe Thein.[[82]](#footnote-82) The EU commented that the outgoing government assured it that the assets would remain under the control and management of the government as state property; while a senior National League for Democracy (NLD) official said it had no knowledge of the transfer of assets to two new organizations.[[83]](#footnote-83) The EU also confirmed that it will stop funding the MPC from the end of the month.[[84]](#footnote-84)

**Citizenship granted to ethnic group in Shan State**

On 11 March, the Immigration Ministry announced plans to grant full citizenship to more than 60,000 ethnic ‘Mong Wong’ Chinese living in Kutkai Township, Shan State, enabling them to vote and enjoy other rights previously withheld.[[85]](#footnote-85)

Offering full citizenship could be seen as an attempt by the military to ensure allegiance in the region, said Mai Aike Kyaw, a spokesman for the Ta’ang National Liberation Army (TNLA). Former National Assembly MP for northern Shan State, Sai Maung Tin, said whilst the group had the right to citizenship, other ethnic groups in the area should have been consulted first, adding “the government has made this case more controversial now.”[[86]](#footnote-86)

**Armed conflict: clashes, civilian abuse**

In March, although hostilities reduced from previous months, clashes were still reported in Shan and Arakan/Rakhine States. There were also incidents of civilian abuse.

* **1 - 6 March:** It was reported that the Tatmadaw clashed with the Ta’ang National Liberation Army (TNLA) in TNLA-held territory over a number of days.[[87]](#footnote-87)
* **3 March:** It was reported by the Arakan Army (AA) that it had killed over 30 Tatmadaw soldiers in Buthidaung Township, Arakan State.[[88]](#footnote-88)
* **13 March:** It was reported that two people were executed by the United Wa State Army, in the Wa Special Administrative Zone, Shan State, after they were convicted of murder.[[89]](#footnote-89)
* **14 March:** The Ta’ang Women’s Organization reported that 23 local men from Kutkai Township, Shan State, were arrested by the Tatmadaw for supporting the TNLA, and that eight of the 23 had been subjected to torture by the Tatmadaw.[[90]](#footnote-90)
* **21 March:** It was reported that the Tatmadaw had detained more than 100 ethnic Ta’ang activists from 6 - 18 February under suspicion of supporting the TNLA.[[91]](#footnote-91)
* **30 March:** Kyauktaw Township Court, Arakan State, sentenced12 men to three to five years in prison each under the Unlawful Associations Act for suspected ties to the AA.[[92]](#footnote-92)

# HUMAN RIGHTS

**UN Special Rapporteur presents report to Human Rights Council**

On 14 March, the UN Special Rapporteur on Human Rights in Myanmar Yanghee Lee presented her third report to the UN Human Rights Council (UNHRC) 31st session in Geneva, Switzerland. The report highlighted the “formidable human rights challenges” faced by the new government, and stated that effective implementation of the rule of law in Burma/Myanmar would require amendment of the 2008 Constitution.[[93]](#footnote-93)

The Special Rapporteur:

* Expressed concern at the adoption of the Former Presidents’ Security Law in January, which could grant immunity for serious human rights violations, and highlighted numerous specific laws and provisions in need of reform to conform with international human rights standards.[[94]](#footnote-94)
* Expressed concern at the ongoing detention of Letpadan student protestors, and Saffron Revolution leader Gambira, and called on the government to grant bail to those suffering serious health conditions.
* Stated that the draft law on the prevention of violence against women must include a comprehensive definition of rape and provisions against rape and other forms of sexual violence by the military and security forces. She welcomed the conviction of two military officers for rape in 2014, but noted this was not indicative of the general trend, and said structural challenges continue to result in impunity.
* Called land rights “one of the most pressing challenges” for the new government.

In her recommendations, Yanghee Lee made a final call for the outgoing government to release all political prisoners, which was not heeded before the handover of power. She urged the new government to publicly condemn discrimination against minorities.

**UN Human Rights Council adopts weakened resolution on Burma/Myanmar**

In the lead-up to the UN Human Rights Council (UNHRC) 31st session, dozens of international and national organizations, including 121 Burmese CSOs, Human Rights Watch, Amnesty International, the International Federation for Human Rights (FIDH), and ALTSEAN-Burma, had urged states at the UNHRC to maintain the mandate of the Special Rapporteur on the situation of human rights in Myanmar and ensure a strong resolution.[[95]](#footnote-95) On 8 March, International Women’s Day, Burma Partnership and FORUM-ASIA issued a statement calling on states at the UNHRC to address “deeply entrenched” impunity, particularly for sexual violence against women from ethnic and religious minorities.[[96]](#footnote-96) Amid ongoing human rights violations but decreasing international interest following elections in November, organizations stressed that “now is exactly the wrong time to relax international scrutiny.”[[97]](#footnote-97) Some States, including Australia, had reportedly sought to downgrade Burma from agenda Item 4 (“Human rights situations that require the Council’s attention”) to agenda Item 10 (“Technical assistance and capacity-building”) in discussions on the drafting of the resolution.[[98]](#footnote-98)

However, on 24 March, the UNHRC adopted by consensus a new resolution on the Situation of Human Rights in Myanmar.[[99]](#footnote-99) The resolution, tabled by the EU, extended the mandate of the Special Rapporteur for another year, and was adopted under Item 4.

The resolution:[[100]](#footnote-100)

* Stressed the need for continued reforms, including allowing all ethnic and religious groups in Burma to have their votes “reflected in the overall composition of parliament.”
* Called on all actors to bring the military and all other institutions under full civilian control.
* Called for the involvement of women from conflict-affected communities in decision-making in the peace process and an end to conflict.
* Recalled serious concerns over human rights violations, particularly the situation in Arakan/Rakhine State regarding Rohingya, and urged the government to repeal discriminatory laws and policies.
* Called upon the government to “consolidate the progress made” to end all remaining human rights violations, particularly regarding freedom of religion or belief and freedom of expression, association and peaceful assembly, and release all remaining political prisoners.
* Encouraged the government to strengthen the rule of law and highlighted the need to reform legislation, particularly the Constitution.
* Called on the government to “actively consider the ratification of” key human rights treaties.

In contrast to the previous year’s resolution, the resolution failed to make any reference to sexual violence against women and other abuses against civilians in conflict zones and ongoing impunity. It also failed to make specific references to human rights violations including arbitrary detention, arbitrary deprivation of property and other land rights violations, and torture and inhuman or degrading treatment or punishment.[[101]](#footnote-101)

The Burmese government dissociated itself from the resolution, calling it “too ambitious, too idealistic” and again suggested the term Rohingya did not exist in Burma. It also stated that “no one is in detention, nor in prison, on political grounds.”[[102]](#footnote-102)

**UPR adoption shows outgoing government’s lack of commitment, denial of Rohingya**

On 17 March, the UN Human Rights Council (UNHRC) adopted the outcome of Burma/Myanmar’s second Universal Periodic Review (UPR) which took place in November 2015 [see *November 2015 Burma Bulletin*].[[103]](#footnote-103) During the adoption, the Burmese government stated it would accept 42 of 88 deferred recommendations, bringing the total accepted recommendations to 166 out of 281. Human rights organizations including Human Rights Watch, Amnesty International, International Federation for Human Rights (FIDH) and ALTSEAN-Burma criticised the government for refusing to accept any of 27 recommendations making specific reference to Rohingya, and for failing to release political prisoners. They also noted that while recommendations on ratification of core human rights treaties had been accepted, similar recommendations from the country’s previous UPR had been accepted and remained unaddressed. In her report presented to the UNHRC on 14 March [see *UN Special Rapporteur presents report to Human Rights Council*], UN Special Rapporteur on the situation of human rights in Myanmar Yanghee Lee stated that she regretted that many important recommendations were not accepted, particularly regarding the Peaceful Assembly Law, Citizenship Law and the four Protection of Race and Religion Laws, and urged the new government to consider implementing these.[[104]](#footnote-104)

**Persecution of Rohingya not genocide: US government**

On 17 March, the US State Department released its “Atrocities Prevention Report,” saying it was “gravely concerned” at the continued persecution of and discrimination against Rohingya Muslims in Arakan/Rakhine State. However, despite recognizing “severe and disproportionate” rights restrictions, the report concluded that the treatment did not amount to genocide.[[105]](#footnote-105) This is in contrast to a legal analysis released in October 2015 by Fortify Rights and the International Human Rights Clinic at Yale Law School, which concluded that “the acts committed against the Rohingya, individually and collectively, meet the criteria for finding acts enumerated in the Genocide Convention and have been perpetrated against a protected group.”[[106]](#footnote-106)

The report noted that the security conditions had been driven by a lack of investment by the government in the region. The state has the highest poverty rate in the country with 78% of the local population determined as living in poverty by the World Bank.[[107]](#footnote-107) In addition, the continued lack of path to citizenship and the recent withdrawal of the ‘white card’ identity document left the Rohingya vulnerable without access to even basic social services.

The US State Department called for the Burmese government to meet the political, social, and economic challenges in the state through “a framework that stresses respect for human rights for all equally.”[[108]](#footnote-108) It also called for the development of a voluntary path to citizenship or restoring citizenship for stateless persons across Burma/Myanmar, including for Rohingya.

**End resurgence of political imprisonments: Amnesty International Report**

On 24 March, Amnesty International released a report detailing a “disturbing resurgence” of crackdowns on human rights defenders and other activists in Burma/Myanmar since 2014.[[109]](#footnote-109) The report, “New expression meets old repression,” details a series of new and old laws and practices increasingly used to stifle dissent, and called on the new government to take this “crucial opportunity” to end the cycle of arrest and imprisonment. Amnesty called for the creation of a new, or reformed, Prisoners of Conscience Committee and the unconditional release of those imprisoned, while noting that military control over key ministries and the General Administrative Department (GAD) could hinder progress on the issue.

The report found:

* Authorities used multiple charges for the same protest or action, charges in multiple different townships for the same protest or action, and non-bailable charges to create long detention periods for activists. There was an “alarming increase” in the use of Article 505(b) of the Criminal Code which is non-bailable and ensures activists remain in lengthy pre-trial detention.
* Authorities targeted the leaders of organizations to prevent those organizations from carrying out their work, and targeted anyone associated with protest movements, such as the 2015 student protests, to create a climate of fear which led activists to self-censor their activities. The fact that charges were often brought months or even years after an event exacerbated this fear and uncertainty.
* There was a rise in politically-motivated arrests resulting from pressure by nationalist groups, such as the charges brought against six men in November for publishing a calendar referring to Rohingya as an ethnic group in Burma.

Amnesty also reiterated the need to repeal or amend the following laws in order to bring them into line with international human rights standards: the 2008 Constitution, the Peaceful Assembly Law, the Telecommunications Law, Articles 505(b), 141-149, 259(a), 499 and 500 of the Criminal Code, the Unlawful Associations Act, and the Official Secrets Act.

**Anniversary of Letpadan crackdown sees scores still imprisoned**

On 9 March, ahead of the one year anniversary of the violent police crackdown on student protestors at Letpadan, 26 Burmese CSOs held a press conference in Rangoon/Yangon calling for the release of around 50 students still in prison and facing trial a year after the peaceful protest.[[110]](#footnote-110) On 10 March, Amnesty International released a statement also calling on the government to release the students.[[111]](#footnote-111) Many of the students have suffered serious health problems while in prison, and more recently numerous new charges have been added, which are likely to prolong already excessive pre-trial detention [see *January* and *February 2016 Burma Bulletins*].

National League for Democracy (NLD) spokesperson Win Htein told media that the party would secure the release of political prisoners, but he could not yet explain their plan.[[112]](#footnote-112) On 18 March, it was reported that jailed student activists Kyaw Ko Ko and Phyo Phyo Aung expressed concern about the election of military representative and former Rangoon Chief Minister Myint Swe as Vice President, as he had presided over police crackdowns on student protestors in the city, saying he would be “detrimental” to reforms.[[113]](#footnote-113)

# natural resources

**Jade investigation finds illegal activity, leads to low-level dismissals**

On 3 March, following the recent spate of fatal landsides, it was reported that a three-month investigation by the President’s Office into the export of jade and the import of trucks from China at Hpakant, Kachin State, had found illegal activity, and led to a number of dismissals. However, the initial focus of the investigation, Kachin State Chief Minister La John Ngan Hsai and two members of his cabinet, escaped reprimand.[[114]](#footnote-114) Amongst those dismissed were Tun Thein, Director General of the Customs Department, and Nyunt Aung, Director General of the Commerce Ministry’s Trade Department.[[115]](#footnote-115) La Sai, National League for Democracy (NLD) MP for Hpakant, accused the President’s Office of using lower-ranking staff as scapegoats.[[116]](#footnote-116)

Following the publication of a damning report by NGO Global Witness on Burma/Myanmar’s jade industry last October, pressure on the government to clean up the sector has been intensified.[[117]](#footnote-117) Global Witness reported that the trade could be worth up to US$31 billion a year, while official figures show revenue from exports as only around US$1 billion.[[118]](#footnote-118)

**China pushes new NLD-led government to restart Myitsone Dam project**

On 8 March, Wang Yi, China’s Foreign Minister stated that Burma/Myanmar and China were proactively working together on the controversial Myitsone Dam project, near Myitkyina, Kachin State, describing previous difficulties in communication as “growing pains” whilst expressing confidence in future relations.[[119]](#footnote-119) On 17 March, Liu Zhenmin, China’s Deputy Foreign Minister, emphasized that the dam is an “important cooperation project” and that the contract terms are still enforceable.[[120]](#footnote-120)

National League for Democracy (NLD) MP Hantha Myint, head of the party’s economics committee, expressed concern at the plans previously agreed on by the outgoing government but suspended after a public outcry in 2011. However, he suggested that the project could still go ahead with a redesign moving the dam further upstream and away from an active fault line.[[121]](#footnote-121) Aung Moe Zaw, Chairman of the Democratic Party for a New Society, and Tu Jar, Chairman of the Kachin State Democracy Party, have both called for the new NLD government to consider the wishes of the people before going ahead with the project.[[122]](#footnote-122)

On 30 March, ethnic Shan communities called for four other hydropower dam projects on the Namtu River, some in conflict zones, to be scrapped, at the launch of a report highlighting the irreversible impact for both the local ecology and the lives of tens of thousands of local people who rely upon it. In a joint statement, local Shan residents, the Shan Human Rights Foundation (SHRF), the Shan Sapawa Environmental Organization and Shan State Farmers Network alleged that foreign firms from China, Japan, Norway, and Switzerland were exploiting resources in ethnic conflict areas.[[123]](#footnote-123) Shan MP Sai Kham Aung, from the Shan Nationalities League for Democracy (SNLD), also said that in addition to their environmental concerns, villagers have not yet received compensation for the farmland that was seized in order to build road infrastructure for the new dam projects. [[124]](#footnote-124)

# OTHER BURMA NEWS IN MARCH

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| --- | --- |
| 1 | The Kachin Ethnic Network of Shan State called on the government to clear landmines which were recently left in Hopone village, Shan State, after recent clashes between the Ta’ang National Liberation Army (TNLA) and the Kachin Independence Army (KIA).[[125]](#footnote-125) |
| 1 | The United Wa State Army (UWSA) and the National Democratic Alliance Army (NDAA) jointly called for the TNLA and the Shan State Army-South (SSA-S) to stop fighting and to start negotiations towards a peaceful solution.[[126]](#footnote-126) |
| 2 | Golden Prize Tuna Canning agreed to pay a settlement of 48 million baht (US$1.3 million), divided between 1,750 workers, including over 1,400 from Burma/Myanmar, to compensate exploitative work conditions at its factory near Bangkok, Thailand, that included illegal salary deductions, unpaid overtime hours and insufficient breaks; between 150 and 200 workers said they were not included in the settlement. [[127]](#footnote-127) |
| 3 | The Government’s Department of Hydrology and Meteorology announced that summer 2016 would be the hottest ever and warned of the need to take food security measures.[[128]](#footnote-128) |
| 7 | It was reported by researchers at the University of Oxford that climate change will have such a severe impact on food production that it could lead to 4,450 deaths in Myanmar by 2050.[[129]](#footnote-129) |
| 9 | Kachin CSOs called on the incoming National League for Democracy (NLD)-led government to ensure power sharing in managing resources and the implementation of development mega-projects in Kachin State.[[130]](#footnote-130) |
| 9 | Activist Mee Mee told Mingalar Taung Nyunt Township Court, Rangoon/Yangon Division, that she would rather remain in jail than pay a fine over charges relating to a peaceful protest, calling them “unacceptable.”[[131]](#footnote-131) |
| 10 | Maha Aung Myay Township Court, Mandalay Division, formally charged Saffron Revolution leader Gambira under Article 13(1) of the Immigration Law and denied his seventh bail application.[[132]](#footnote-132) |
| 10 | A bomb exploded at the home of journalist and editor for Root Investigative Agency Min Min in Sittwe, Arakan/Rakhine State.[[133]](#footnote-133) |
| 12 | The Tatmadaw released 46 children and young people from military service in its first child soldier discharge of the year.[[134]](#footnote-134)  |
| 14 | Tatmadaw Commander-in-Chief Sr Gen Min Aung Hlaing addressed the 13th ASEAN Chiefs of Defence Forces Informal Meeting to call for extended “cooperation, coordination and collaboration so as to prevent extremism and terrorism as well as the Bengali issue.”[[135]](#footnote-135) |
| 16 | UN Secretary-General Ban Ki-moon welcomed the election of Htin Kyaw as the first civilian president of Burma/Myanmar in more than five decades.[[136]](#footnote-136) |
| 22 | The Tatmadaw announced that legal action will be taken against those who post defamatory messages regarding the military on Facebook.[[137]](#footnote-137)  |
| 25 | More than three months after it launched, the Yangon Stock Exchange opened with more than 110,000 shares of First Myanmar Investment, the only company listed on the stock exchange, changing hands on its first trading day.[[138]](#footnote-138)  |
| 29 | Hundreds of locals in Hpa-an, Karen/Kayin State, gathered in protest of a recently revived proposal to develop a limestone quarry and cement factory, villagers said they were concerned about potential land confiscation and environmental and health consequences.[[139]](#footnote-139) |
| 31 | The Union of Myanmar Economic Holdings Limited (UMEHL) announced that, after being linked to the military for more than two decades, the conglomerate has transitioned into a public company.[[140]](#footnote-140) |

*\*Please visit* [*www.altsean.org/ChronologyHome.php*](http://www.altsean.org/ChronologyHome.php) *to access Altsean-Burma’s full database of chronology entries covering Burma-related events.\**

# REPORTS ON BURMA RELEASED IN MARCH

**“New Expression Meets Old Repression”** Amnesty International <https://goo.gl/etJRmP>

**“Everywhere is Trouble: A Briefing on the Situation of Rohingya Refugees from Myanmar in Thailand, Malaysia, and Indonesia”** Fortify Rights and BROUK <http://goo.gl/d3BhCB>

**“Report of the Special Rapporteur on the situation of human rights in Myanmar**” UNHRC <http://goo.gl/EqTehm>

**“Atrocities Prevention Report**” US Department of State <http://goo.gl/oQz36V>

**“The Border Consortium Annual Report, January - December 2015”** The Border Consortium <http://goo.gl/bOhB7A>

**“Special Report: Crop and Food Security Assessment Mission to Myanmar**” UNWFP <http://goo.gl/PjlnFl>

**“Ongoing Underage Recruitment and Use by the Myanmar Military and Non-State Armed Groups”** Child Soldiers International <http://goo.gl/ngWFq6>

**“The 2014 Myanmar Population and Housing Census”** UNFPA/Government of Burma/Myanmar <http://goo.gl/MHpr4i>

**“Under Pressure: A Study of Labour Conditions in Garment Factories in Myanmar which are wholly Korean owned or in a Joint Venture with Korean Companies”** Action Labor Rights <http://goo.gl/G4ifbA>

**“Breaking the curse: Decentralizing Natural Resource Management in Myanmar”** Arakan Oil Watch <http://goo.gl/qvAGJy>

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