Civil society and women’s groups slam the Union Peace Conference, all but one NCA non-signatory armed group boycott event.

Tatmadaw ignores peace talk participants’ calls for constitutional amendments, insists armed groups disarm before political policies are decided.

KWAT and LAN call for justice one year on from the rape, torture and murder of two school teachers in Shan State; highlight ongoing impunity for sexual violence in conflict. TNI urges prioritization of gender commitments in peace process, and obligations under CEDAW and UNSCR 1325.

President Thein Sein releases 52 political prisoners, on the same day authorities sentence aid worker Patrick Khum Ja Lee to six months in prison for a Facebook post. Since 2011, 2% of prisoners released have been political prisoners.

Police arrest Saffron Revolution leader and former political prisoner Gambira in Mandalay on spurious immigration charges.

Detained Letpadan student activists face worsening health crisis from police beatings and lack of medical treatment.

Parliament approves the Former Presidents’ Security Bill granting blanket immunity to President Thein Sein for all actions in office.

The NLD announces its nominations for parliamentary speakers including USDP and ANP representatives.

Thein Sein makes a move for military control of the Immigration Ministry; Parliament rejects the proposal before ending its final session.

Shan State ceasefire monitoring committee formed on heels of Tatmadaw’s attack against local NCA signatory armed group.

Tatmadaw vows to “eliminate” Arakan Army, with hundreds displaced, others used as porters; elsewhere new armies re-emerge.

Five new landslides in Jade-rich Hpakant, Kachin State, kill up to 26 people with dozens feared missing.

CSOs urge US to renew and strengthen Reporting Requirements for US investment in Burma.
Union Peace Conference (UPC) held amidst lack of trust

From 12-16 January, Naypyidaw hosted around 700 UPC participants to discuss political, social, economic, and security issues in accord with the ‘Nationwide’ Ceasefire Agreement (NCA).\(^1\) Seats were reserved for 150 representatives from the Tatmadaw, 150 from NCA-signatory ethnic armed organizations (EAOs), 150 from political parties, 75 from the government, 75 from parliament, 50 from non-signatory EAOs, and 50 special guests.\(^2\)

While President Thein Sein celebrated the opening of the conference as “one of the most significant days” for his administration,\(^3\) Tatmadaw offensives continued against non-signatory armed groups across the country, and civilians complained of forced labor by the Tatmadaw in Arakan/Rakhine and Chin States [see Ethnic affairs & conflict].

Civil society organizations (CSOs), women’s rights groups, and the ethnic bloc raised concerns about the legitimacy and inclusiveness of the event:\(^4\)

- CSOs and women’s groups demanded greater inclusion in the peace process, and for dialogue and policy commitments to include justice for victims of sexual violence in conflict.
- Nearly all NCA non-signatory EAOs – who spent nearly two years helping to draft the NCA text – boycotted the event due to their marginal representation.
- Leaders of EAOs and political parties criticized the Tatmadaw’s call for disarmament and integration of EAOs into the Tatmadaw.
- EAOs challenged the possibility of genuine federalism without constitutional reform.

Though final decisions on policies were not made, four principles were agreed upon: 1) Political dialogue will be completed within three to five years, 2) A second UPC will convene as soon as possible, 3) Future dialogue will include at least 30% female representation, and 4) All UPC participants will be recognized and honored.\(^5\)

Despite initially boycotting the UPC, Aung San Suu Kyi attended the opening day and said that conflict would only end through a fully inclusive peace process where all armies can meet equally.\(^6\) On 14 January she said that the “real peace conference must be organized by the next government.”\(^7\)

**UPC not credible: civil society, political parties, women’s groups**

On 5 January, 126 CSOs requested that the UPC be postponed and stakeholder groups be reduced to the initial three (government, political parties, EAOs) to reduce the Tatmadaw’s influence.\(^8\) Shan Nationalities League for Democracy (SNLD) leaders compared the event to the exclusive drafting of the 2008 Constitution and sent lower-ranking delegates to the UPC in a show of distrust.\(^9\)

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\(^1\)GNLM (06 Jan 16) Next on the agenda: Union Peace Conference to cover five topics
\(^2\) EMG (12 Jan 16) Union Peace Conference to commence today; GNLM (16 Dec 15) UPDJC approves draft framework, sets ratio of stakeholder groups in political dialogue
\(^3\) Irrawaddy (12 Jan 16) Notable Absences as Political Dialogue Begins in Capital
\(^4\) IMNA (07 Jan 16) 100+ CSOs urge reconsideration of representation in upcoming peace conference; RFA (07 Jan 16) Myanmar NGOs Seek Postponement of Peace Talks; DVB (12 Jan 16) Peace summit begins without chief combatants or civil society; Irrawaddy (08 Jan 16) Ethnic Alliance to Boycott Political Dialogue; Irrawaddy (07 Jan 16) UWSA Will Not Attend ‘Meaningless’ Political Dialogue; Myanmar Times (13 Jan 16) Conflicting calls mark peace conference; Irrawaddy (14 Jan 16) Talk of Disarmament Will Not Bring Peace, Ethnic Leaders Say; Reuters (15 Jan 16) Suu Kyi must be clear on peace policy: rebel leader; Myanmar Times (14 Jan 16) Conference tackles constitutional reform
\(^5\) GNLM (17 Jan 16) The four-point proposal approved by the first Union Peace Conference; Irrawaddy (18 Jan 16) Peace Conference Closes with Prompt Promise of Restart
\(^6\) AP (12 Jan 16) Suu Kyi takes part in talks to boost myanmar cease-fire
\(^7\) RFA (14 Jan 16) Interview: Five Days is Too Short to Complete a Peace Conference
\(^8\) IMNA (07 Jan 16) 100+ CSOs urge reconsideration of representation in upcoming peace conference; RFA (07 Jan 16) Myanmar NGOs Seek Postponement of Peace Talks
\(^9\) SHAN (08 Jan 16) SNLD leaders opt not to attend political dialogue; SHAN (12 Jan 16) NCA non-signatory groups permitted to speak at Peace Conference
January, 518 CSOs released a statement labeling the UPC a sham that failed to incorporate the full range of ethnic and civil society voices in political dialogue.10

On 10 January, the Burma Women’s Union issued a statement demanding that women’s rights groups be included in the peace process, to no avail.11 Though the conference finished with a commitment to ensuring 30% participation by women in future dialogue, reports released by human rights organizations in January found that the peace process and government have consistently sidelined women and gender-based issues, and ignored the question of justice for Tatmadaw sexual violence in Burma/Myanmar’s conflicts [see Call for justice for Tatmadaw sexual violence: KWAT & LAN report, Women’s inclusion in peace process vital: “No Women, No Peace” report].

**EAOs boycott**

On 7 January, the United Nationalities Federation Council (UNFC) announced it would boycott the UPC, condemning Naypyidaw’s “discriminatory” treatment of NCA non-signatories and denouncing the political dialogue framework.12 Two days earlier the United Wa State Army (UWSA), – an NCA non-signatory, and one of the largest EAOs – also said it would boycott the “meaningless” UPC.13 The only non-signatory EAO to attend was the National Socialist Council of Nagaland-Kaplan (NSCN-K).14

The long-shunned Myanmar National Democratic Alliance Army (MNDAA), the Ta’ang National Liberation Army (TNLA), and the Arakan Army (AA) were not invited.15 It was reported on 11 January that an anonymous source said the National League for Democracy (NLD) may be overpowered by the Tatmadaw on the National Defense and Security Council if they try to include the MNDAA, TNLA, and AA in the peace process.16

**Tatmadaw calls for disarmament and integration**

Tatmadaw Commander-in-Chief Sr Gen Min Aung Hlaing made firm declarations that the Tatmadaw will remain the country’s only military, asserting that disarmament, demobilization and reintegration, and security sector reform were prerequisites to political talks with EAOs, and must be accomplished within a set timeline. He said that having one army was a global standard that Burma should follow.17

EAOs and the Arakan National Party responded with concern that the Tatmadaw’s demands could deter non-signatories from joining future peace talks.18 Lt Gen Yawd Serk told press on 14 January that the Shan State Army-South (SSA-S) will “never” disarm.19

**Ethnic bloc demands federalism, new self-administered zones**

On 13 January, Karen National Union (KNU) leader Gen Saw Mutu Say Poe, Chin National Front senior member Salai Lian Hmung, and other ethnic leaders advocated for constitutional reform to enable genuine federalism, but Union Solidarity and Development Party (USDP) member and former Lt Gen Myint Soe said that the 2008 Constitution’s legal framework is already well-suited to federalism, and reiterated Min Aung Hlaing’s call for one military.20

On 14 January, during ongoing discussions of federalism, the Wa Democratic Party, Ta’ang National Party, and Shan-ni delegates of the Tai-Leng Nationalities Development Party all asked for new self-
administered zones in parts of Shan and Kachin States, and Sagaing Division for their respective ethnic nationalities. Though PNLO Chairman Col Khun Okkar supported the idea, SNLD spokesperson Sai Leik asked for ethnic unity based on the principles of the 1947 Panglong Agreement rather than factionalism and territorial separation.

Call for justice for Tatmadaw sexual violence: KWAT & LAN report

On 19 January, marking the one-year anniversary of the rape, torture and murder of two teachers in Shan State, Kachin Women’s Association in Thailand (KWAT) and Legal Aid Network (LAN) released a report entitled “Justice Delayed, Justice Denied: Seeking Truth about Sexual Violence and War Crime Case in Burma.” The report highlighted the targeted use of sexual violence against ethnic women by the Tatmadaw, amounting to war crimes, and the failure by the authorities to bring justice for the victims. It stated that this “ominous silence” was a “catalyst” for the recurrence of such crimes.

The report focused on the case of 20-year-old Maran Lu Ra and 21-year-old Nan Tsin, two ethnic Kachin women who were allegedly gang-raped, tortured and murdered by Tatmadaw soldiers from LIB 503 in Kawng Kha Shabuk Village, Muse Township, Shan State, on 19 January 2015. To date, no one has been charged with the crime in an apparent cover-up by authorities, which threatened criminal charges against anyone who accused the army of involvement. In addition, a flawed investigation failed to abide by standards of evidence collection. The report highlighted three other cases to show a pattern of impunity for egregious crimes committed by the Tatmadaw in ethnic areas.

The report criticised the lack of commitment to justice for victims of serious human rights violations in the recent ‘Nationwide’ Ceasefire Agreement (NCA), and called on the international community to stop its “policy of appeasement” with the Burmese government, which remains heavily controlled by the Tatmadaw. On 20 January, it was reported that National League for Democracy (NLD) MP Susana Hla Hla Soe said the party would pursue the investigation of the case when in government.

Women’s inclusion in peace process vital: “No Women, No Peace” report

On 13 January, the Transnational Institute (TNI) released the report “No Women, No Peace: Gender Equality, Conflict and Peace in Myanmar,” which highlighted an urgent need to prioritize women’s involvement in Burma/Myanmar’s ongoing peace process.

According to the report, women and girls disproportionately experience social, psychological, and physical trauma in warfare. If their concerns are sidelined during the drafting phase of peace agreements, the “likelihood is drastically reduced of them ever being addressed,” according to the Center for Humanitarian Dialogue. TNI cited peace and reconciliation mechanisms in various countries to show that “peace and development were more sustainable when diverse views are considered.”

The report called for women’s inclusion at every level of decision-making and for peace mechanisms to account for the gender-based experiences of women. TNI urged the next government to amend the 2008 Constitution to make transitional justice mechanisms possible, and called on international actors to press Naypyidaw to fulfill its obligations under CEDAW and UNSCR 1325.

ETHNIC AFFAIRS & CONFLICT

Arrests, IDPs in new Tatmadaw offensive against Arakan Army (AA)

From 28 December to 4 January, the Tatmadaw launched a large-scale offensive against the AA, and clashed with them 15 times in Kyauktaw Township, Arakan/Rakhine State. From 1-8 January,
Tatmadaw battalions indiscriminately fired at border pillars 40, 46, and 47 to root out the AA. The Tatmadaw has said it will “eliminate” the armed group, and has detained civilians for suspected AA association while also forcibly recruiting villagers as porters [see Civilian abuse]. Detentions include:

- **9 January**: Police in Taungup, Arakan State, arrested two men for alleged affiliation with the AA.  
- **22 January**: Tatmadaw officers arrested Hsan Win Tun and Kyaw Soe Moe from a market in Akyab/Sittwe, Arakan State, giving no reason for the arrests. 
- **23 January**: Tatmadaw personnel arrested three Arakan nationals, including respected social worker Maung Aye, in Laik Khamaw Village, Kyaukpyu Township, Arakan State, also without explanation.

Over 300 villagers (mainly women and children) sought refuge in monasteries located in Kyi Yar Pyin and Zaydi Taung Villages, Mrauk U Township, and Ywar Ma Pyin Village, Kyauktaw Township. The Tatmadaw reportedly demanded that IDPs not return home for three years, and UNOCHA staff was monitoring the situation, though local relief agents have already called for cold weather supplies and other help.

On 10 January, AA Deputy Chief of Staff Col Nyo Tun Aung told media that the AA was ready to hold political and military discussions with the Tatmadaw, which Tatmadaw Col Khin Mg Cho later said was impossible to do without the AA’s full surrender, calling it “an insignificant group.” On 25 January, Tatmadaw troops clashed with AA soldiers near Naungtan Village, Paletwa Township, Chin State.

### First state-level ceasefire Joint Monitoring Committee formed in Shan State

On 9 January, the first state-level ceasefire Joint Monitoring Committee (JMC-S) to oversee the de-escalation of conflict was established in Kolam, Nansang Township, Shan State. According to the national-level JMC’s third meeting in Rangoon/Yangon from 7-8 January, other JMC-S’s will be formed in Tenasserim/Tanintharyi and Pegu/Bago Divisions, and Karen/Kayin, Mon, and Chin States.

On 8 January, the JMC met with international funders, including the UN, in Rangoon and explained that a three-year budget for the establishment and maintenance of multiple levels of monitoring committees across several states and divisions will cost US$21 million.

On 2 January, the Restoration Council of Shan State/Shan State Army- South (RCSS/SSA-S) sent a letter to chief government negotiator and President’s Office Minister Aung Min, the Tatmadaw’s Chief of Eastern-Central Military Command, and the Shan State Border Affairs Minister asking why the Tatmadaw attacked the group on 31 December, despite their having signed the ‘Nationwide’ Ceasefire Agreement. The issue was reportedly discussed at the 7-8 January meeting of the JMC.

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26 Kaladan News (08 Jan 16) Burmese army march to Burma- Bangladesh Border  
27 Myanmar Times (14 Jan 16) Tatmadaw.IntegerField(1295, 1244, 1318, 1251) villages flee Tatmadaw attacks  
26 Chinland Guardian (23 Jan 16) More villagers flee in fear of AA-Tatmadaw clashes in Paletwa  
29 Irrawaddy (11 Jan 16) Two Men Held for Alleged Ties to Arakan Army  
30 Narinjara (25 Jan 16) Arakanese nationals arrested by Burma Army  
31 Narinjara (25 Jan 16) Arakanese nationals arrested by Burma Army  
32 Irrawaddy (07 Jan 16) Locals Protest Ongoing Skirmishes in Arakan State; Myanmar Times (15 Jan 16) Rakhine IDPs call for international aid  
33 Myanmar Times (15 Jan 16) Rakhine IDPs call for international aid; Myanmar Times (08 Jan 16) Tatmadaw pledges to "eliminate" Arakan Army in Rakhine fighting  
34 Myanmar Times (11 Jan 16) Tatmadaw rejects Arakan Army offer of talks  
35 Chinland Guardian (27 Jan 16) Arakan Army clashes with Burma Army soldiers in Chin State  
36 GNLM (09 Jan 16) JMC unveils shan plan; IMNA (15 Jan 16) First state-level JMC established in Shan State  
37 GNLM (10 Jan 16) Joint-committee on monitoring cease-fire in Shan State formed  
38 GNLM (08 Jan 16) Divide and monitor: NCA parties to set up truce observation scheme in Shan State  
39 GNLM (10 Jan 16) Ceasefire monitoring mechanism needs $21 million for three years  
40 Myanmar Times (04 Jan 16) Military accused of ceasefire breach
Armed conflict: clashes continue, new armies on the map

Besides hostilities in Arakan/Rakhine State, armed conflict continued in Shan, Kachin, and Karen/Kayin States, and Sagaing Division:

- **3 January**: Tatmadaw troops from LID 77 clashed with Ta’ang National Liberation Army (TNLA) Battalion 478 in Namkham Township, Northern Shan State. Tatmadaw troops from LID 99 clashed with TNLA Battalion 571 in Nam Loi Lai Village, Muse Township, Northern Shan State, using helicopters to attack the TNLA Brigade 1 base nearby.

- **11 January**: Tatmadaw IB 369 clashed with the Shan Nationalities Army (SNA) in Homalin Township, Sagaing Division, near the Burma-India border.

- **12 January**: Tatmadaw troops from LID 99 clashed with TNLA Regiment 447/335 in Kutkai Township, Northern Shan State, near celebrations for Ta’ang Revolutionary Day; the two armies also clashed in Namtu Township, Northern Shan State.

- **15 January**: Tatmadaw troops from LIB 86 clashed with Kachin Independence Army (KIA) Battalion 14 near Sut Chyai Pa, Htang Hpra Village, western Kachin State.

- **17 January**: TNLA forces clashed with the Shan State Army-South (SSA-S) in Kyaukme, Hsipaw and Namhsan Townships, Northern Shan State, accusing the SSA-S of cooperating with Tatmadaw ID 66 in Kyaukme Township, which the SSA-S denied.

- **18 January**: TNLA troops clashed with SSA-S forces in Koong Hawd Village, Hsipaw Township and in Tawsang Village, Kyaukme Township, Northern Shan State, with both groups trading accusations of trespassing.

- **23 January**: Tatmadaw troops from LID 77 clashed with TNLA forces in Namhsan, Shan State. Tatmadaw troops and a Karen Border Guard Force (BGF) clashed with the newly resurgent Democratic Karen Buddhist Army (Buddhist DKBA) near the village of Pyar Pin, Kawkareik Township, Karen State.

- **26 January**: Tatmadaw troops and a Karen BGF clashed with the Buddhist DKBA after the joint pro-government force burnt down at least 10 houses the day before in Pyar Pin Village, Kawkareik Township, Karen State.

On 20 January, it was reported that the Democratic Karen Buddhist Army (DKBA) had reactivated and was operating along major trade routes in Karen State. The group’s members reportedly include sacked officers from the Democratic Karen Benevolent Army (an offshoot of the original DKBA), and members of the original ‘Buddhist’ DKBA who refused to join the government’s border guard force in 2010. On 25 January, it was reported that the “Red Shan” (Shan-ni in Burmese, Tai-leng in Shan) formed an independent armed group called the Shan Nationalities Army (SNA).

Civilian abuse

In January, instances of civilian abuse in conflict zones included the following:

- **1 January**: The Arakan Army (AA) returned two women to Nga Win Tuang Village, Paletwa Township, Chin State, after they were detained the previous day.

- **2 January**: The AA returned five civilians to Pyinngu and Ng Win Tuang Villages, Paletwa Township, Chin State, after they were detained on 31 December.

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41 Irrawaddy (04 Jan 16) Renewed Fighting Between Govt, TNLA in Shan State
42 Irrawaddy (04 Jan 16) Renewed Fighting Between Govt, TNLA in Shan State
43 SHAN (25 Jan 16) “Red Shan” form army in northern Burma after demand for new state
44 SHAN (25 Jan 16) Shan State battles rage in tandem with peace talks
45 Kachinland News (17 Jan 16) Battle Rages Between KIA’s 14th Battalion and Burmese Army’s 86th LIB Troops
46 Irrawaddy (20 Jan 16) Deadly Clashes Reported Between Ta’ang and SSA-S Forces; DVB (19 Jan 16) Casualties as rebel armies clash in Shan State
47 SHAN (19 Jan 16) RCSS/SSA-S and TNLA trade trespassing accusations as clashes continue in northern Shan State
48 DVB (13 Jan 16) Shan State battles rage in tandem with peace talks
49 Irrawaddy (26 Jan 16) DKBA Splinter Group, Govt Army and Allied BGF Clash in Karen State
50 Irrawaddy (26 Jan 16) DKBA Splinter Group, Govt Army and Allied BGF Clash in Karen State
51 Myanmar Times (20 Jan 16) Security heightened along Asian Highway as factions reactivate DKBA
52 SHAN (25 Jan 16) “Red Shan” form army in northern Burma after demand for new state
53 Chinland Guardian (04 Jan 16) Arakan Army frees seven Chin abductees
5 January: The Ta’ang Women’s Organization and Ta’ang Students and Youth Organization (TSYO) held a press conference, accusing Tatmadaw LIB 324 and the state-backed Pansay militia of arresting 81 people from Say Khin, Man Puu, Pan Yok, and Man Pann Villages, Namkhamb Township, Northern Shan State on 23 December, torturing some and threatening to burn villages.55

8 January: A Tatmadaw soldier severely injured a 25-year-old pregnant woman, Galau Htang, in a hand grenade accident in Daknai Village, Kutkai Township, Northern Shan State; Tatmadaw troops brought her to a military hospital.56 Meanwhile, in Arakan/Rakhine state, the AA accused the Tatmadaw of using civilians as human shields, saying that two people had been injured after being forcibly recruited as porters.57

10 January: Tatmadaw troops arrested and questioned two elderly residents of Nam Sheng Village, Hpakant Township, Kachin State, for raising Kachin flags on Kachin State Day.58

11 January: It was reported that deaths and illnesses were mounting for communities around a state hospital in Pacha Klo Village, Hsihsang/Hsihseng Township of Shan State’s Pa-O Self-Administered Zone, as nearly all staff had fled due to security concerns.59

15 January: It was reported that IDPs from the Tatmadaw-AA conflict said the Tatmadaw had forced men to be porters and guides.60

19 January: TSYO leader Mong Cyruk told press that six ethnic Ta’ang youth returned to Nant Onn Village, Muse Township, Shan State, after escaping from a KIA military training camp. Nine other youths remained there after all 15 disappeared on 28-29 December.61

21 January: 47 AA soldiers stole rice and shot livestock in Tetchaung Village, Paletwa Township, Chin State, threatening to burn the village if the Tatmadaw was informed of their visit; Tatmadaw officials later compensated villagers with 200,000 kyat (US$152.25).62

23 January: An artillery shell injured three children from one family during a clash between the Tatmadaw LID 77 and TNLA forces in Namhsan, Shan State.63

26 January: The AA released 35 recently detained people, mostly in Tanthaung Village, Paletwa Township, Chin State.64

**DEMONCACY & GOVERNANCE**

**Immunity for President Thein Sein secured as USDP-controlled Parliament ends**

Since December, the outgoing Union Solidarity and Development Party (USDP) Parliament has sought to enact several laws and structural changes that would consolidate the power of Burma/Myanmar’s military, which will retain its 25% allotment of seats when the new Parliament sits on 1 February.

On 28 January, the National Parliament approved the Former Presidents’ Security Bill.65 The Bill was proposed on 21 December [see December 2015 Burma Bulletin] and strongly criticized by human rights organizations for the blanket immunity it would give to ex-presidents for any and all crimes committed in office.66 Its adoption, with an immunity clause for actions “in accordance with the laws,” shields President Thein Sein from domestic prosecution for war crimes and serious human rights abuses.67

On 22 January, President Thein Sein asked National Parliament Speaker Shwe Mann to introduce a proposal to merge the Immigration Ministry, soon to be under NLD control, with the military-run Home

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54 Chinland Guardian (04 Jan 16) Arakan Army frees seven Chin abductees
55 Irrawaddy (06 Jan 16) Palaung CSOs allege rights abuses by Burma Army in N. Shan State
56 Kachinland News (10 Jan 16) A pregnant woman injured by hand grenade explosion in Daknai
57 Myanmar Times (08 Jan 16) Tatmadaw pledges to ‘eliminate’ Arakan Army in Rakhine fighting
58 Kachinland News (10 Jan 16) Two Village Elders Questioned for Raising Kachin National Flags
59 DVB (11 Jan 16) Pa-O villagers dying after doctors abandon hospital
60 Myanmar Times (15 Jan 16) Rakhine IDPs call for international aid
61 Myanmar Times (20 Jan 16) Six missing youths said to have escaped from KIA
62 Chinland Guardian (26 Jan 16) Arakan Army soldiers extort rice, pig from Chin villagers
63 Irrawaddy (25 Jan 16) Three Children Reported Injured After Burma Army, TNLA Clash
64 Chinland Guardian (27 Jan 16) Two midwives among 35 detained by Arakan Army
65 Myanmar Times (29 Jan 16) Presidential immunity secured;
66 ALTSEAN-Burma (06 Jan 16) December 2015 Burma Bulletin; HRW (23 Dec 15) Burma: Brazen Bid for Presidential Immunity
67 AI (28 Jan 16) Myanmar: Scrap or amend new law that could grant immunity to former presidents; GNLM (29 Jan 16) Pyidaungsu Hluttaw ends debate on Former Presidents’ Security Bill; Irrawaddy (13 Jan 16) Upper House Debates Presidential Protection, Immunity Bill
Affairs Ministry. This would allow the Tatmadaw, which will also retain control of the Defense and Border Affairs Ministries, complete authority over immigration and citizenship matters.68 However, on 28 January it was announced that the Joint Bill Committee rejected the proposal, a decision supported by all but three parliamentarians.59

On 5 January, National Assembly Speaker Khin Aung Myint told reporters that the National Defense and Security Council (NDSC) Bill, proposed in December [see December 2015 Burma Bulletin], would not be considered until the new Parliament took over as it had run out of time to be formally proposed to Parliament.60 The Bill would lessen the soon-to-be NLD-appointed President’s power in the NDSC by removing their right to vote on issues unless there was a deadlock.71

Parliament’s 13th and final session

In January, Burma/Myanmar’s outgoing Parliament completed its final session before the transfer to a National League for Democracy (NLD)-dominated legislature.

- 1 January: The National Parliament approved the Road Transportation Bill, the Rail Transportation Bill and the Arbitration Bill.72
- 5 January: The National Parliament approved a bill amending the Criminal Code after it was sent back with remarks from the President.73 National Assembly Speaker Khin Aung Myint told reporters that the National Defense and Security Council (NDSC) Bill would be deferred to the next Parliament.74 President Thein Sein signed into law the second amendment bill for the Ward and Village-Tract Administration.75 The People’s Assembly Public Accounts Joint Committee recommended cuts of 2.36 trillion kyat (US$1.83 billion) to the 21.37 trillion kyat (US$16.56 billion) 2016-2017 budget set for government ministries; defense budget cuts were not recommended.76
- 6 January: National Parliament Speaker Shwe Mann released a statement saying that Burma’s newly elected Parliament would convene for the first time at 10am on 1 February 2016.77
- 8 January: The National Parliament approved the third amendment bills on the People’s Assembly, National Assembly and Regional Assembly Election Laws.78
- 14 January: The National Parliament approved the Commercial Tax on Special Goods Bill and the Legal Supports Bill with remarks from the President.79
- 19 January: The National Parliament approved the National Planning Bill, the Union Budget Bill for 2016, the Pesticide Bill, the New Plant Species Protection Bill, and the Criminal Procedure Amendment Bill.80
- 22 January: The National Parliament approved the Financial Institutions Bill and the Union Tax Bill 2016.81
- 27 January: The National Parliament approved the Myanmar Gemstone Bill with remarks from the President.82 The National Parliament discussed a proposal by President Thein Sein to merge the Immigration Ministry with the Home Affairs Ministry.83
- 28 January: The National Parliament approved the Former Presidents’ Security Bill.84 The Parliament rejected Thein Sein’s proposal to merge the Immigration and Home Affairs Ministries.85

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68 Myanmar Times (27 Jan 16) NLD resists expansion of military ministries
69 Myanmar Times (29 Jan 16) Parliament rejects military expansion; Irrawaddy (28 Jan 16) Parliament Defers Military Takeover of Immigration Portfolio
70 DVB (05 Jan 16) Defence Council bill delayed until NLD parliament
71 ALTSEAN-Burma (06 Jan 16) December 2015 Burma Bulletin
72 GNLM (02 Jan 15) PyidaungsuHuttaw approves three bills, put two on record
73 GNLM (06 Jan 16) PyidaungsuHuttaw discusses Union Budget Bill for next FY
74 DVB (05 Jan 16) Defence Council bill delayed until NLD parliament
75 GNLM (06 Jan 16) Ward and Village-Tract Administration 2nd Amended Bill signed into law
76 Myanmar Times (07 Jan 16) Committees urge minor budget cuts
77 DVB (06 Jan 16) Burma’s new parliament to convene in February; RFA (06 Jan 16) Myanmar’s New Parliament to Hold First Meeting on Feb. 1; Irrawaddy (06 Jan 15) New Parliament to Convene on Feb. 1
78 GNLM (09 Jan 16) PyidaungsuHuttaw approves third amended election laws
79 GNLM (15 Jan 16) PyidaungsuHuttaw Round-up
80 GNLM (20 Jan 16) Parliament gives nod to National Planning bill and four others; Myanmar Times (21 Jan 16) USDP majority parliament passes trimmed budget for next govt
81 GNLM (23 Jan 16) PyidaungsuHuttaw passes three bills
82 GNLM (28 Jan 16) PyidaungsuHuttaw approves joint committee’s reports, discusses two bills
83 Irrawaddy (27 Jan 16) Parliament Mulls Proposed Military Ministerial Expansion; Myanmar Times (27 Jan 16) NLD resists expansion of military ministries
• **29 January:** The National Parliament ended its 13th and final session. At a press conference discussing the transition of power, Shwe Mann said that while the military will remain in government, “its main focus should be security and defense.”

On 19 January, it was reported that the new Parliament would inherit more than 20 unfinished bills from the outgoing Parliament, including revisions to the Prisons Law and the NDSC Bill.

**NLD nominates Speakers and military MPs appointed ahead of transition**

On 28 January, the National League for Democracy (NLD) confirmed its nominations for Speakers and Deputy Speakers of the National Parliament as follows:

- **National Assembly Speaker:** NLD MP Win Khaing Than, an ethnic Karen who was elected to Parliament for the first time in 2015.
- **People’s Assembly Speaker:** NLD MP Win Myint, a member of the NLD Central Executive Committee and former political prisoner. He was elected in the 1990 elections before being imprisoned when the results were annulled by the ruling regime, and served as a People’s Assembly MP in the previous Parliament after the 2012 by-elections.
- **National Assembly Deputy Speaker:** Arakan National Party (ANP) MP Aye Thar Aung, a former political prisoner and Chairman of the Arakan League for Democracy.
- **People’s Assembly Deputy Speaker:** Union Solidarity and Development Party (USDP) MP Ti Khun Myat, reportedly an ally of outgoing National Parliament Speaker Shwe Mann, who was elected to Parliament in the flawed 2010 elections. He has been accused of involvement in the illegal drug trade in Shan State, and led a regime-sponsored militia in Kutkai Township, Shan State. He also helped draft the 2008 Constitution.

On 25 January, Aung San Suu Kyi met with Tatmadaw Commander-in-Chief Sr Gen Min Aung Hlaing to discuss the transition of power and the peace process, among other issues.

On 18 January, the Election Commission announced the names of military MPs appointed to serve in the 166 National Parliament seats (56 in the National Assembly, 110 in the People’s Assembly) and 220 Regional Parliament seats reserved for the Tatmadaw in the new legislature. Of the 386 Tatmadaw officials appointed, three are women.

**HUMAN RIGHTS**

**President Thein Sein announces another half-hearted amnesty**

On 22 January, the President’s Office announced President Thein Sein’s 19th prisoner amnesty, which released 102 prisoners. Since 2011, the President has released 53,134 prisoners, only 2% of whom were political prisoners [see table Thein Sein’s prisoner amnesties]. On 25 January, Deputy Home Affairs Minister Kyaw Kyaw Tun told Parliament that 2,374 murderers and 1,726 rapists were among...
those freed in amnesties since 2011 – in comparison to 1,195 political prisoners. The amnesty also
commuted 77 death sentences to life imprisonment.99

Of the 102 released, 52 were political prisoners, including:100

- Naing Ye Wai, President of the Yadanabon University Student Union, who was arrested on 1 July 2015 for a peaceful anti-regime graffiti protest calling for student activists to be freed. He was charged under Articles 114, 143, 147 and 505(b) of the Criminal Code, alongside charges under Article 18 of the Peaceful Assembly Law brought in May 2015, and detained in Obo Prison, Mandalay Division.101 Naing Ye Wai was sentenced to nine months in prison on 9 October 2015.102
- Than Htike Oo, Chairman of the People’s Democracy Party (PDP), who was arrested in October 2012 and charged under Articles 500 and 505(b) of the Criminal Code for accusing the Kachin State Chief Minister of demanding bribes in the PDP’s monthly bulletin.103 On 30 April 2014 he was sentenced to four years in prison, having already spent a year and a half in pre-trial detention.104
- Thirteen protestors from Michaungkyan Village, Thingangyun Township, Rangoon/Yangon Division, who were arrested on 26 February 2015 after police stormed their protest camp, where they were demanding the return of land seized by the regime. They were charged under Article 18 of the Peaceful Assembly Law and Article 68 of the Yangon City Development Committee Law, and on 13 November they were sentenced to seven months in prison.105

The release came days after US Deputy Secretary of State Anthony Blinken met with President Thein Sein and other officials, and called for the release of all political prisoners.106 Human Rights Watch criticized the limited release, which was accompanied by the sentencing of new political prisoners [see More activists arrested, sentenced despite amnesty], calling it a “revolving door of political prisoner releases and convictions.”107

According to the Assistance Association for Political Prisoners (AAPP), 84 political prisoners are still detained in Burma, and 408 are currently facing trial for political actions.108 On 4 January, National League for Democracy (NLD) spokesperson Tun Tun Hein told media that the party will legally define the term political prisoner and end arrests for political actions when it comes to power. However, Tatmadaw control of the Home Affairs Ministry, which controls police and decisions on criminal cases and may claim it as a security matter, could make this impossible.109


<table>
<thead>
<tr>
<th>Date</th>
<th>Total released</th>
<th>Political prisoners</th>
</tr>
</thead>
<tbody>
<tr>
<td>16 May 11</td>
<td>14,578</td>
<td>58</td>
</tr>
<tr>
<td>12 Oct 11</td>
<td>6,399</td>
<td>240</td>
</tr>
<tr>
<td>4 Jan 12</td>
<td>6,656</td>
<td>36</td>
</tr>
<tr>
<td>13 Jan 12</td>
<td>651</td>
<td>302</td>
</tr>
<tr>
<td>3 Jul 12</td>
<td>80</td>
<td>25</td>
</tr>
<tr>
<td>17 Sep 12</td>
<td>514</td>
<td>88</td>
</tr>
<tr>
<td>15 Nov 12</td>
<td>452</td>
<td>0</td>
</tr>
<tr>
<td>19 Nov 12</td>
<td>66</td>
<td>51</td>
</tr>
<tr>
<td>23 Apr 13</td>
<td>93</td>
<td>59</td>
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<tr>
<td>17 May 13</td>
<td>23</td>
<td>19</td>
</tr>
<tr>
<td>23 Jul 13</td>
<td>73</td>
<td>73</td>
</tr>
<tr>
<td>8 Oct 13</td>
<td>56</td>
<td>56</td>
</tr>
<tr>
<td>15 Nov 13</td>
<td>69</td>
<td>69</td>
</tr>
<tr>
<td>11 Dec 13</td>
<td>44</td>
<td>41</td>
</tr>
<tr>
<td>31 Dec 13</td>
<td>5</td>
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</tr>
<tr>
<td>3 Jan 14</td>
<td>13,274</td>
<td>3</td>
</tr>
<tr>
<td>7 Oct 14</td>
<td>3,073</td>
<td>5</td>
</tr>
<tr>
<td>30 Jul 15</td>
<td>6,966</td>
<td>13</td>
</tr>
<tr>
<td>22 Jan 16</td>
<td>102</td>
<td>52</td>
</tr>
<tr>
<td>Total</td>
<td>53,134</td>
<td>1,195</td>
</tr>
</tbody>
</table>

Sources: NLM; AAPP

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98 EMG (26 Jan 16) 2374 murderers, 1726 rapists freed in amnesties: deputy minister
99 DVB (22 Jan 16) 52 political prisoners freed in amnesty
100 AAPP (22 Jan 16) 52 Released list last Updated on 22 Jan 2016 (Eng)
101 Irrawaddy (2 Jul 15) Students Arrested in Mandalay for Graffiti Protest; EMG (22 May 15) Protest demands students’ release
102 EMG (12 Oct 15) Yadanabon students get heavy sentences; Myanmar Times (12 Oct 15) Jailed students urge voters to elect new govt
103 Irrawaddy (23 Nov 12) PDP Leaders Detained for Defamation, Incitement
104 AAPP (01 Feb 15) Political Prisoner Profile
105 RFA (26 Feb 15) Myanmar Authorities Arrest 14 Villagers, Charge Them With ‘Illegal’ Land Protest; EMG (16 Nov 15) Gov’t continues sentencing under Peaceful Procession Act
106 US State Department (19 Jan 16) Readout of Deputy Secretary Blinken’s Trip to Burma
107 HRW (22 Jan 16) Burma: Political Prisoner Amnesty Falls Short; AI (22 Jan 16) Myanmar: Prisoner Amnesty Marred By Outrageous Jailing Of Activist For Facebook Post
108 AAPP (22 Jan 16) AAPP Raises Concerns Despite Presidential Amnesty
109 Myanmar Times (06 Jan 16) NLD pledges no more political prisoners; Myanmar Times (20 Jan 16) Call to release prisoners by US may be untenable
110 AAPP (22 Jan 16) 52 Released list last Updated on 22 Jan 2016 (Eng)
One step forward, two steps back: new political arrests, sentences despite amnesty

On 22 January, the same day that President Thein Sein released 52 political prisoners, Hlaing Township Court, Rangoon/Yangon Division, sentenced aid worker Patrick Khum Ja Lee to six months in prison for sharing a Facebook photo deemed insulting to the military in October 2015 [see October 2015 Burma Bulletin]. He is the second activist in recent months to receive a lengthy prison sentence for a Facebook post, after the sentencing of Chaw Sandi Tun in December [see December 2015 Burma Bulletin].

On 19 January, almost exactly four years since he was released from prison in a January 2012 presidential amnesty, former political prisoner and Saffron Revolution leader Gambira was arrested in Mandalay on immigration charges. Human rights groups criticized the charges as spurious, with Amnesty International calling them “contrived, arbitrary and politically motivated.” Gambira suffers serious mental health problems related to torture he was subjected to at the hands of authorities during his more than four years in detention.

On 29 January, seven days after student activist Naing Ye Wai was released in an amnesty after being imprisoned for a graffiti protest in July 2015, Amarapura Township Court, Mandalay Division, sentenced student activist Ye Yint Paing Mu to six months in prison under Article 18 of the Peaceful Assembly Law for the same protest.

Detained students left out of amnesty face deteriorating health

Among the 84 political prisoners currently detained in Burma/Myanmar’s prisons are 53 student activists arrested during the violent crackdown in Letpadan, Pegu/Bago Division, in March 2015. A report released on 25 January by the All Burma Federation of Student Unions (ABFSU), Letpadan Justice Committee, and Justice Trust, found that 24 of the students were suffering from serious health problems, including tuberculosis, gastrointestinal illnesses, kidney problems, and hypertension. Twenty-three were subjected to beatings by police when arrested, but only six received ‘medical treatment’ for injuries suffered, consisting of over-the-counter pain medication.

The report found that the treatment of the students violated the UN Standard Minimum Rules for the Treatment of Prisoners, as well as the right to health set out in the International Covenant on Economic, Social and Cultural Rights (ICESCR), which the Burmese government signed in July 2015.

Fortify Rights released a statement alongside the report, calling for the release of all political prisoners, including the “untold number” of Muslim political prisoners detained in Arakan/Rakhine State.

NATURAL RESOURCES

Lone Khin village epicenter of jade mining landslides

In January, at least five landslides occurred at refuse sites around jade mines in Hpakant Township, Kachin State. Dozens of people were feared trapped beneath the rubble, with up to 26 people dead.

Several of the landslides occurred within the same village tract, Lone Khin, where a 21 November 2015...
landslide killed 114 people and left 100 missing [see November 2015 Burma Bulletin].

A local jade sifter told media after one of the collapses that, “it is normal for residents here, we hear about the deaths of hand-pickers almost every day.”

- **5 January:** A small landslide of jade mining refuse occurred near Lone Khin Alae mining camp, killing at least two people.
- **7 January:** A landslide of jade mining refuse occurred near Lone Khin Alae mining camp, killing up to 15 people. It was reported that several tributaries of the Uru River, which flows through Kachin State’s Hpakant town, Lone Khin and other surrounding village tracts, have been destroyed by jade mining waste and are not reaching villages further downstream.
- **12 January:** A landslide of jade mining refuse occurred near Seik Mu Village, Hpakant Township, Kachin State, killing at least three people. At least 40 people were reported missing, but the government was absent from relief efforts.
- **25 January:** Two landslides occurred in jade mining areas in Hpakant Township, killing at least six and potentially leaving dozens missing. The first landslide occurred near Lone Khin Village at a dump site used by three companies (Yadanar Yaungchi, Yadanar Ahti Pahti, and Myintsone Ayeyar). After the second landslide in Sapop Village, Ahti Pahti sent assistance and recovered five bodies, but it remains unclear how many were eventually recovered from the first incident, where relief efforts by companies were slow. On 27 January, Hpakant Baptist Church deacon Dut La said that a funeral was being prepared for six victims. Local NLD member Khin Maung Chit said an investigation team found four workers huts buried by one of the landslides, and that more than a dozen people may have been killed. Another NLD member, Law Khan, relayed eye witness accounts saying that 40-50 people were possibly buried during the day.
- **27 January:** Five migrant workers died after falling off the edge of a mountain of earth at a jade mine in Hpakant.

**ECONOMY**

Civil society requests greater transparency for US & European investments

On 27 January, Earth Rights International (ERI) urged the US State Department to renew and strengthen the Reporting Requirements for Responsible Investment in Burma/Myanmar.

This was reportedly backed up by over 40 civil society organizations (CSOs), activists, and political parties based in Burma and along the Thai border who submitted similar requests to the US regarding General License No. 17 (GL 17). Under GL 17 any US firm investing US$500,000 or more in Burma must report their business, anti-corruption, human rights and environmental policies to the US State Department, and disclose their partners within 180 days of investment, then annually on 1 July.

ERI said non-renewal would be premature given that US-based Chevron and Conoco Phillips only began engaging in the high-risk oil and gas sectors in Burma in late 2015, and have yet to submit their first reports.
On 14 January, 518 organizations from the Myanmar Alliance on Transparency and Accountability, 53 agencies from Lands in Our Hand and other CSOs published a letter sent to European Commission that asked for greater transparency regarding a prospective EU-Burma Investor Protection Agreement, saying that such an agreement should not be signed until greater internal reforms take place.\textsuperscript{135}

OTHER BURMA NEWS IN JANUARY

<table>
<thead>
<tr>
<th>No.</th>
<th>Event</th>
<th>Source</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>Tatmadaw Brig Gen. Win Min Tun visited Hai Par Shaung IDP camp near Monghsu, Shan State, telling the near 1,000 IDPs to return home, promising that their destroyed villages will be repaired; he was escorted by SSA-N troops in accord with a bilateral truce established in late November.\textsuperscript{136}</td>
<td>Myanmar Times (18 Jan 16)</td>
</tr>
<tr>
<td>4</td>
<td>Tatmadaw Commander-in-Chief Sr Gen Min Aung Hlaing said in a speech at an Independence Day ceremony in Naypyidaw that the Tatmadaw is fighting a “just war” for the “justice and well-being” of the state and its people.\textsuperscript{137}</td>
<td>DVB (05 Jan 16)</td>
</tr>
<tr>
<td>6</td>
<td>Zabuthiri Township Court, Naypyidaw, held the second hearing in the trial of four NLD members accused of removing ballot boxes from polling stations on election day...\textsuperscript{138}</td>
<td>Myanmar Times (19 Jan 16)</td>
</tr>
<tr>
<td>8</td>
<td>It was reported that Tharawaddy Township Court, Pegu/Bago Division, denied bail applications from detained student activists Htein Lin Aung and Mya Gy; the two have been receiving medical treatment in hospital for an intestinal infection and injuries to the skull and jaw.\textsuperscript{139}</td>
<td>The Arakan Project’s Chris Lewa told reporters that 1,500 people are thought to have boarded boats from Burma/Myanmar and Bangladesh from September to December 2015, compared to 32,000 in the same period in 2014; UNHCR Regional Spokesperson Vivian Tan says the organization has also recorded fewer instances.\textsuperscript{140}</td>
</tr>
<tr>
<td>13</td>
<td>Police stopped around 200 farmers marching from Mogyopiyin Village, Salingyi Township, Sagaing Division, to the Wanbao Mining Company offices, operators of the Letpadaung Copper Mine; the farmers were protesting a decision by the company not to offer compensation for crops destroyed or displaced by the mine.\textsuperscript{141}</td>
<td>It was reported that 1,500 people are thought to have boarded boats from Burma/Myanmar and Bangladesh from September to December 2015, compared to 32,000 in the same period in 2014; UNHCR Regional Spokesperson Vivian Tan says the organization has also recorded fewer instances.\textsuperscript{142}</td>
</tr>
<tr>
<td>15</td>
<td>Lt Gen Yawd Serk and 13 other members of the Restoration Council of Shan State (RCSS)/SSA-S flew to Switzerland for a 10-day study of the country’s federal government system.\textsuperscript{143}</td>
<td>It was reported that the Arakan National Party threatened to block the NLD in the Arakan/Rakhine State Parliament if it is not allowed to govern in the divided state.\textsuperscript{144}</td>
</tr>
<tr>
<td>16</td>
<td>It was reported that the Arakan National Party threatened to block the NLD in the Arakan/Rakhine State Parliament if it is not allowed to govern in the divided state.\textsuperscript{145}</td>
<td>Over 1,500 workers demonstrated in Rangoon/Yangon’s Hlaing Tharyar industrial area, demanding legal revisions to allow the labor Arbitration Council to punish factory owners with jail time rather than the current maximum 1 million kyat (US$757.28) fine, which employers easily pay to avoid rehiring laid-off workers.\textsuperscript{146}</td>
</tr>
<tr>
<td>17</td>
<td>A 19-year-old member of anti-drug vigilante group Pat Ja San was shot and killed as he and community members cleared poppy fields in the Hukawng Valley of Tani Township, Kachin State.\textsuperscript{147}</td>
<td>It was reported that, according to NLD spokesperson Win Hein, the party intends to make significant cuts to the number of government ministries once it is in government.\textsuperscript{148}</td>
</tr>
<tr>
<td>19</td>
<td>It was reported that, according to NLD spokesperson Win Hein, the party intends to make significant cuts to the number of government ministries once it is in government.\textsuperscript{149}</td>
<td>Transparency International ranked Burma/Myanmar among the 20 most corrupt countries in the world in its &quot;Corruption Perceptions Index 2015.\textsuperscript{150}</td>
</tr>
<tr>
<td>27</td>
<td>The Confederation of Trade Unions of Myanmar called for the dissolution of the labor Arbitration Council, arguing that its decisions are biased in favor of employers and that employees lack proper representation.\textsuperscript{151}</td>
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<td>It was reported that the Arakan National Party threatened to block the NLD in the Arakan/Rakhine State Parliament if it is not allowed to govern in the divided state.\textsuperscript{153}</td>
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</tr>
</tbody>
</table>

\*Please visit [www.altsean.org/ChronologyHome.php](http://www.altsean.org/ChronologyHome.php) to access Alsean-Burma’s full database of chronology entries covering Burma-related events.\*
REPORTS ON BURMA RELEASED IN JANUARY

“No Women, No Peace: Gender Equality, Conflict and Peace in Myanmar” Transnational Institute
https://goo.gl/tCtkRn

Kachin Women’s Association Thailand and Legal Aid Network http://goo.gl/G9QStH

“Briefing Paper: Medical Crisis for Political Prisoners of Letpadan Case”
All Burma Federation of Student Unions, Justice Trust, and Letpadan Justice Committee http://goo.gl/g8RQiW


“Nyaunglebin Situation Update: Kyaukkyi, Mone and Shwegyin townships, October to November 2014”
Karen Human Rights Group http://goo.gl/A50z5C


“Building Infrastructures for Peace: The Role of Liaison Offices in Myanmar’s Peace Process”
Centre for Peace and Conflict Studies http://goo.gl/0vyRfo

“Karen Unity Building Initiatives: Towards sustainable peace in Myanmar”
Centre for Peace and Conflict Studies http://goo.gl/CbYCE7

“Education Needs Assessment in North Rakhine State, Myanmar” REACH http://goo.gl/3KkPys


“EITI Report for the period april 2013- march 2014”
Myanmar Extractive Industries Transparency Initiative https://goo.gl/Wtb67A

“Myanmar Kachin & Northern Shan States camp profiling rounds 1-3”
Joint IDP Profiling Service & Stats Norway http://goo.gl/5YDMf0

“Political Parties and Peacebuilding”
Norwegian Peacebuilding Resource Center http://goo.gl/c5jKMe