



**Australian Government**  
**Refugee Review Tribunal**

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# Country Advice

## Myanmar

Myanmar – MMR39711 – Political  
Climate – Security Situation

23 January 2012

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**1. Please provide an updated overview of the current political climate and security situation in Burma.**

Burma (Myanmar) was, until 2011, ruled by a military junta that had a long history of human rights abuses, including suppression of dissidents. In 2010, Burma's first general election in two decades was widely condemned as a sham, and was boycotted by the main opposition group, the National League for Democracy (NLD),<sup>1</sup> partly for excluding NLD leader Aung San Suu Kyi as a candidate.<sup>2</sup> The NLD was subsequently removed from the list of approved political parties as a result of the boycott.<sup>3</sup> A nominally civilian government was installed in March 2011, led by President Thein Sein; however, the military retains significant influence.<sup>4</sup>

In August 2011, the US Department of State reported that "Burma remains an authoritarian country dominated by active or former members of the military... The military remains an institution unto itself, and the head of the armed forces retains the right to invoke extraordinary powers including the ability to suspend civil liberties and abrogate parliamentary authority".<sup>5</sup>

Nevertheless, the Burmese government has made some reforms in more recent months, including releasing a number of political prisoners, signing a ceasefire with rebels of the Karen ethnic group,<sup>6</sup> and allowing the NLD to participate in the April 2012 by-election.<sup>7</sup> Additionally, in December 2011, President Sein signed "a law allowing peaceful demonstrations for the first time", while in September 2011, he "suspend[ed] construction of [the] controversial Chinese-funded Myitsone hydroelectric dam, in [a] move seen as showing greater openness to public opinion".<sup>8</sup>

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<sup>1</sup> 'Burma profile' 2012, *BBC News*, 12 January <http://www.bbc.co.uk/news/world-asia-pacific-12990563> – Accessed 18 January 2012

<sup>2</sup> Mydans, S. 2012, 'Aung San Suu Kyi Confirms She Will Run for Parliament', *The New York Times*, 10 January <http://www.nytimes.com/2012/01/11/world/asia/aung-san-suu-kyi-will-run-for-myanmar-parliament.html?ref=myanmar> – Accessed 16 January 2012

<sup>3</sup> Mydans, S. 2012, 'Aung San Suu Kyi Confirms She Will Run for Parliament', *The New York Times*, 10 January <http://www.nytimes.com/2012/01/11/world/asia/aung-san-suu-kyi-will-run-for-myanmar-parliament.html?ref=myanmar> – Accessed 16 January 2012

<sup>4</sup> 'Burma profile' 2012, *BBC News*, 12 January <http://www.bbc.co.uk/news/world-asia-pacific-12990563> – Accessed 18 January 2012

<sup>5</sup> US Department of State 2011, 'Background Note: Burma', 3 August <http://www.state.gov/r/pa/ei/bgn/35910.htm> – Accessed 18 January 2012

<sup>6</sup> 'Burma profile' 2012, *BBC News*, 12 January <http://www.bbc.co.uk/news/world-asia-pacific-12990563> – Accessed 18 January 2012

<sup>7</sup> Mydans, S. 2012, 'Aung San Suu Kyi Confirms She Will Run for Parliament', *The New York Times*, 10 January <http://www.nytimes.com/2012/01/11/world/asia/aung-san-suu-kyi-will-run-for-myanmar-parliament.html?ref=myanmar> – Accessed 16 January 2012

<sup>8</sup> 'Burma profile' 2012, *BBC News*, 12 January <http://www.bbc.co.uk/news/world-asia-pacific-12990563> – Accessed 18 January 2012

A January 2012 article in *The Irrawaddy* reports that the government expects its recent actions “to normalize long-strained relationships with Western nations. This includes the lifting of economic sanctions imposed on Burma for more than two decades in response to its poor human rights record”. The same source notes that the NLD’s decision to contest, rather than boycott, the upcoming by-election is in recognition of “recent democratic overtures by the new quasi-civilian government”. Aung San Suu Kyi recently stated that Burma “is on the verge of a democratic breakthrough”. Thura Shwe Mann, a senior government official and a former senior army general, similarly stated recently that Burma must embrace democracy.<sup>9</sup>

The release of prominent political prisoners in January 2012 was reported by *The Guardian* to be “the latest step towards wholesale reform in the country”.<sup>10</sup> Over 600 prisoners, including a number of notable anti-government leaders, were released in an amnesty, generating some optimism about the government’s commitment to reforms. However, some commentators remain sceptical, as the dissidents were released under a condition of Burma’s Criminal Procedure Code, which allows for political activists “be re-arrested and forced to serve their time if they resume political activities that infringe on existing laws”.<sup>11</sup>

In an article in *The Guardian*, the daughter of one of the political activists released in January 2012 questions the genuineness of the reforms, stating that “[t]his wasn’t a true amnesty or pardon, the sentences have just been suspended. They still have criminal records... The laws under which [my father] was arrested remain in place. There is change, but not yet reform. Nothing that has taken place so far is irreversible. There is nothing to stop him being jailed again for campaigning for democracy and human rights... This is one of the reasons why despite seemingly positive steps by the military-backed government, many of us are still very cautious”.<sup>12</sup>

Additionally, concerns have been raised about the number of political activists who remain imprisoned. According to an article in *The Irrawaddy*, current estimates of the number of political prisoners remaining in Burma since the 13 January 2012 releases range from “none (President Thein Sein) to 128 (Burma’s home minister) to around 300 (opposition National League for Democracy or NLD) to 1,260 (campaign group Assistance Association for Political Prisoners or AAPP)”. The AAPP also claim that only 287 of the 651 prisoners released were political dissidents.<sup>13</sup>

Further recent reforms implemented by the government include a truce deal with rebels of the Shan ethnic group, an order to cease military operations against ethnic Kachin rebels, and a ceasefire signed with rebels of the Karen ethnic group.<sup>14</sup> Violence between the Burmese military and ethnic minority groups have previously resulted in massive displacement and significant human rights abuses. The signing in January 2012 of a ceasefire with Karen rebels has been reported as “a big step toward ending one of the world’s longest-running

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<sup>9</sup> Kaung, B. 2012, ‘Suu Kyi: Good Will Not Enough for NLD Candidates’, *The Irrawaddy*, 17 January [http://www.irrawaddy.org/article.php?art\\_id=22864](http://www.irrawaddy.org/article.php?art_id=22864) – Accessed 18 January 2012

<sup>10</sup> Burke, J. 2012, ‘Burma releases political prisoners’, *The Guardian*, 13 January <http://www.guardian.co.uk/world/2012/jan/13/burma-prisoner-release-begins> – Accessed 16 January 2012

<sup>11</sup> Kaung, B. 2012, ‘The Moment of Triumph for Burma’s Dissidents’, *The Irrawaddy*, 13 January [http://www.irrawaddy.org/article.php?art\\_id=22841](http://www.irrawaddy.org/article.php?art_id=22841) – Accessed 18 January 2012

<sup>12</sup> Pwint Thon, W. H. 2012, ‘My father’s release from prison is good. But there is still no reform in Burma’, *The Guardian*, 15 January <http://www.guardian.co.uk/commentisfree/2012/jan/15/burma-prisoners-release-political-reform> – Accessed 16 January 2012

<sup>13</sup> ‘Burma’s Remaining Jailed Dissidents’ 2012, *The Irrawaddy*, 17 January

[http://www.irrawaddy.org/article.php?art\\_id=22867&page=1](http://www.irrawaddy.org/article.php?art_id=22867&page=1) – Accessed 18 January 2012

<sup>14</sup> ‘Burma profile’ 2012, *BBC News*, 12 January <http://www.bbc.co.uk/news/world-asia-pacific-12990563> – Accessed 18 January 2012

insurgencies”. Nevertheless, Karen groups have warned that it is still unsafe for exiled Karen people to return to Burma. Military operations against the Kachin people are also reportedly continuing, despite the president’s order given in December 2011. Aid workers report that the situation for the Kachin minority is deteriorating.<sup>15</sup>

Furthermore, the situation for the Rohingya ethnic minority group is largely unchanged. Despite the reforms, Rohingyas reportedly remain subject to arrest, forced labour, extortion, intimidation and abuse, and lack legal rights, freedom to travel, and employment opportunities. Chris Lewa, coordinator of the Arakan Project, a group campaigning for Rohingya rights, recently stated that “there ha[s] been no sign of improvement for Rohingyas in Myanmar, either in terms of policy towards them, or on the ground, ‘and little hope’ that things could change in the near future. The new Burmese government still consider[s] Rohingyas ‘illegal immigrants from a neighbouring country’ and has no intention of granting them citizenship or relaxing restrictions on them”.<sup>16</sup>

Nevertheless, in response to the Burmese government’s reforms, Australia is easing some economic and travel sanctions against the country, in recognition of it “taking important steps towards open democracy”. Foreign Affairs Minister Kevin Rudd recently stated that “[w]e hope positive developments, such as the increased participation of opposition parties in the political process, the release of around 220 political prisoners and new labour laws that will legalise trade unions, will continue... In this context we will keep our approach to sanctions under review”.<sup>17</sup>

*The Irrawaddy* reports that the Australian government is removing some Burmese individuals from its sanctions list, including tourism officials, as well as former ministers and deputy ministers who are no longer involved in politics. Australia’s arms embargo against Burma, however, will remain in place. Some Burmese political activists in Australia have nevertheless expressed disappointment as they believe Australia has acted too early in lifting sanctions, highlighting “the slow progress of reforms and the continued detention of hundreds of political prisoners in Burma”.<sup>18</sup>

United States Secretary of State Hillary Clinton visited Burma in December 2011, where she stated that the US would similarly “consider easing sanctions if further progress was made towards political reform”.<sup>19</sup> Following the release of political prisoners in January 2012, Clinton further announced that the US would restore full diplomatic relations by exchanging ambassadors with Burma, and “identify further steps it could take to support reforms”.<sup>20 21</sup>

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<sup>15</sup> Burke, J. 2012, ‘Burma signs ceasefire with Karen rebels in step towards ending isolation’, *The Guardian*, 12 January <http://www.guardian.co.uk/world/2012/jan/12/burma-ceasefire-karen-rebels-isolation> – Accessed 16 January 2012

<sup>16</sup> ‘BANGLADESH: Rohingyas wary of Burmese reforms’ 2012, *IRIN News*, 13 January <http://www.irinnews.org/report.aspx?reportid=94639> – Accessed 20 January 2012

<sup>17</sup> ‘Australia eases sanctions against Burma’ 2012, *ABC News*, 9 January <http://www.abc.net.au/news/2012-01-09/australia-eases-sanctions-against-burma/3764490> – Accessed 17 January 2012

<sup>18</sup> Kaung, B. 2012, ‘Australia Relax Some Sanctions on Burma’, *The Irrawaddy*, 9 January [http://www.irrawaddy.org/article.php?art\\_id=22800](http://www.irrawaddy.org/article.php?art_id=22800) – Accessed 18 January 2012

<sup>19</sup> ‘Burma profile’ 2012, *BBC News*, 12 January <http://www.bbc.co.uk/news/world-asia-pacific-12990563> – Accessed 18 January 2012

<sup>20</sup> ‘US and Burma to swap ambassadors in ‘substantial step for reform’ 2012, *The Guardian*, 13 January <http://www.guardian.co.uk/world/2012/jan/13/us-burma-swap-ambassadors-reform> – Accessed 16 January 2012

<sup>21</sup> Myers, S. L. & Mydans, S. 2012, ‘U.S. Restores Full Ties to Myanmar After Rapid Reforms’, *The New York Times*, 13 January <http://www.nytimes.com/2012/01/14/world/asia/united-states-resumes-diplomatic-relations-with-myanmar.html?ref=myanmar> – Accessed 16 January 2012



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