



In brief: Burma's 'discipline-flourishing democracy'

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On 7 November 2010, Burma held its first nationwide elections for 20 years. Having been prevented from taking office in 1990, the National League for Democracy (NLD) decided this time not to take part following the banning of its leader, Aung San Suu Kyi, from participating as a candidate. The NLD was then 'dissolved' by the authorities.

The political front of the ruling State Peace and Development Council (SPDC), the Union Solidarity and Development Party, along with its allies, won a predictably decisive victory in the November elections. In the months running up to the elections a significant number of senior generals retired from the military in order to stand as 'civilian candidates'. In addition, under the new Constitution, 25% of the seats in the new national assembly had already been reserved for the military. A number of NLD figures broke away to form a new political party, the National Democratic Force (NDF), so that they could participate in the elections. But the NDF made little impact. The junta did not invite foreign observers to monitor the elections. The US and UK Governments made it crystal clear that they viewed the elections as a sham. But Vietnam, the Chair of ASEAN in 2010, called the elections a "significant step forward".

Before the elections, there were official hints that Aung San Suu Kyi, who had been in detention for 15 of the previous 20 years, might be released after the elections. To the surprise of many, this happened within weeks. Since then she has kept a low profile, embarking on extensive consultations with supporters and sympathetic countries. The NLD has developed a more nuanced position on sanctions and has dropped its opposition to tourism. However, in May she announced that she planned to [travel outside Rangoon](#) soon to campaign on behalf of the NLD. This could lead to renewed conflict with the authorities.

Since the elections, a gradual transition to civilian government has been under way. To the surprise of some, the junta's longstanding leader, Than Shwe, did not stand for election as president by the national assembly. Instead, the SPDC's Prime Minister, Thein Sein, was elected in February. While Than Shwe and his close allies will certainly remain highly influential for some time to come, a new generation within the military is inheriting power. The new cabinet also has a smattering of technocrats within its ranks. Analysts are divided between those who believe that nothing has changed and those, like the International Crisis Group (ICG), who believe that the much greater "[diffusion of state power](#)" between the

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presidency, military, parliaments (at the national and state-levels) and the party under the new dispensation will set in motion processes that over the longer-term could be very important for Burma. The formal hand-over of power by the SPDC finally happened on 30 March 2011. Last month, the authorities announced that 14,000 prisoners would be released. However, only 47 of these were [political prisoners](#). Over 2000 political prisoners remain in jail.

The [US](#) and the [EU](#) have renewed their restrictive measures in recent months. Some EU countries, including Germany and Italy, argued unsuccessfully for a significant relaxation of these measures, on the grounds that there had been some political progress, but the UK was opposed. However, following conversations with Aung San Suu Kyi, there were some minor amendments. The prohibition on EU high-level visits has been lifted for one year. An assets freeze and travel ban on lifelong civilian ministers in the new government who had not been subject to these measures in the past was imposed but immediately suspended for one year. The Burmese foreign minister has also been exempted. These steps are time-limited initiatives to explore the potential for reform under the new political dispensation in Burma. Existing bans on trade and investment in timber, precious metals and gems were retained unchanged. The [Burma Campaign](#) welcomed the EU announcement. The [ICG](#), by contrast, continues to argue that Western sanctions are doing much more harm than good.

Within Southeast Asia, ASEAN members remain divided over what, if anything, to do about Burma, with key members prioritising economic and security interests. Burma has bid to chair ASEAN in 2014. No decision is expected until the end of the year. Nearby India and China have no desire to take a lead on Burma, not least because of their heavy involvement in its gas fields. International concerns also remain that the regime may be trying to develop nuclear weapons to help guarantee regime survival. Burma has been accused of assisting North Korea to evade UN sanctions. In May, the US appointed a Burma special envoy, Derek Mitchell.

The UN Special Rapporteur on Burma, [Tomas Ojea Quintana](#), has continued to call for the establishment of an UN-mandated commission of inquiry to investigate allegations of war crimes and crimes against humanity against the civilian population. The US and UK are amongst those that have backed his call. However, the EU as a whole is yet to endorse Quintana's position. Neither the UN Human Rights Council nor the Security Council have done so either. Burma was discussed in a closed session of the Security Council on 19 May. For now, the coalition within the international community in support of such moves is just not broad enough. When Quintana tried to visit Burma last month, he was refused a visa. By contrast, senior UN and US officials have been allowed to enter the country recently.

Anxieties that the efforts of the Burmese authorities to 'pacify' the border areas might trigger renewed military action once the elections were over appear to have been borne out by events. Over the past decade, the regime has made promises of greater autonomy to the country's minority ethnic groups, but has so far delivered little. While a significant number of insurgent groups, ground down by years of violent conflict, have agreed to join the regime's 'Border guard force', others are resisting. In recent months, the Burmese military has embarked upon new offensives against some of those groups, including the United Wa State Army, which funds itself through the illegal drug trade, the [Shan State Army](#) (North and South factions) and the Kachin Independence Army.

For further background, see Library Research Paper 04/16 (23 February 2004), [Burma](#).