

Assistance Association for Political Prisoners (Burma)

နိုင်ငံရေးအကျဉ်းသားများကူညီစောင့်ရှောက်ရေးအသင်း (မြန်မာနိုင်ငံ)

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MONTHLY CHRONOLOGY – FEBRUARY 2010

Summary of current situation

There are a total of **2,185** political prisoners in Burma. This is an overall decrease of 10 in comparison to last month's figure of 2,195. In February, 1 activist was arrested and 15 political prisoners were released. The AAPP also received information about activists who were arrested and released before February 2010, and this retroactive information explains why there is actually an overall decrease of 10 this month.

These include:

CATEGORY	NUMBER
Monks	253
Members of Parliament	12
Students	283
Women	177
NLD members	430
Members of the Human Rights Defenders and Promoters network	33
Ethnic nationalities	210
Cyclone Nargis volunteers	20
Teachers	28
Media activists	42
Lawyers	12
In poor health	137

Since the protests in August 2007 leading to September's Saffron Revolution, a total of **1,160** activists have been arrested and are still in detention.

Monthly Trend Analysis

During the month of February 2010, at least **1** activist was arrested, **7** were sentenced, **5** were transferred, and **15** were released. At least **137** political prisoners are in poor health due to the harsh prison conditions, transfers to remote prisons where there are no doctors, and the denial of proper medical care.

Highlighting the month of February were disappointing verdicts for two high profile political prisoners. On 10 February, following nearly a four month trial, naturalized US citizen Nyi Nyi Aung was found guilty of forging a national identity card, failing to declare currencies at customs, and failing to renounce his Burmese citizenship, and thus sentenced to five years hard labor, commuted to three years hard labor. On 26 February, Daw Aung San Suu Kyi received similarly disappointing news as the Supreme Court rejected the opposition leader's latest appeal. Daw Suu's lawyer, Nyan Win, will make a final appeal to Burma's chief justice within the next week. It is as of yet unknown how the appeal verdict will influence the participation of the National League for Democracy (NLD) in the impending 2010 national elections. Both verdicts engendered significant international outcry.

On 15 February, UN human rights envoy Tomas Ojea Quintana began a five-day visit to Burma. In an apparent ploy for positive international attention in advance of the human rights envoy's visit, 83 year-old NLD vice-chairman Tin Oo (U) was released from house arrest on 13 February after six years of confinement. Tin Oo o□v□□□rs nadg

Treatment of prisoners and their families

In February, political prisoners in Burma continued to be subjected to torture, malnutrition, inadequate health care, and transfers to remote prisons. It was reported in early February that NLD member Myo Kyaw Zin and 88 Generation leader Aung Thu were tortured and placed in solitary confinement following complaints regarding the prison authorities' use of shackles. Later in February, six political prisoners at the infamous Inseign Prison engaged on a hunger strike in support of "basic human requirements" for Burma's 2,100+ political prisoners. The list of complaints included cramped prison cells and denial of medical treatment.

On the health front, senior SNLD party member Sai Hla Aung was reported to have been suffering from poor health. The 66 year-old Shan leader, who is currently detained at the remote Kyaukphyu prison in Arakan State, has lost 40 pounds and is losing his hair. Sai Hla Aung's family also reported that other detained Shan leaders were in poor health including SNLD leader Khun Htun Oo, SNLD secretary Sai Nyunt, and former Shan State Army-North chief General Hso Ten.

February also saw the transfers of numerous political prisoners including recently sentenced American citizen Nyi Nyi Aung, three NLD members, Shwe Gyo, Sein Hlaing, and Ma Cho, who were transferred to remote prisons, and Mya Mya Theint, who was sentenced under charges of defaming Buddhist concepts and supporting "unlawful association."

Prisoners Released

February brought the release of 15 political prisoners. The most high profile of the released prisoners was NLD vice-chairman Tin Oo (U) who was released on 13 February following a six-year house arrest term. Also of note was the release of 11 farmers whose land confiscation case had been brought before the International Labour Organization. These farmers include Than Soe, Aye Win, Ko Myo, Ko Thet, Myint Thein, Tun Kyi, Naing Soe, Win Naing Oo, Mi Mar, Thein Win, and Thein Tun. Additionally, Democratic United Front member Ba Myo Thein was released on 4 February, and HRDP member Chan Aung and author Zaw Naing were released on 10 February.

National League for Democracy

There are at least 430 members of the National League for Democracy (NLD) that are currently detained. This presents an increase compared to the 429 that were detained in January. Perhaps the most exciting news to emerge in February was the release of 83-year old NLD vice-chairman Tin Oo (U), who had been under house arrest for the past six years. Most observers, however, viewed the release as political posturing, as it occurred just days in advance of the arrival of the UN human rights envoy on 15 February. Nevertheless, Tin Oo (U) wasted little time getting back to work, as he arrived

at NLD headquarters on 15 February, and met with the visiting UN delegation on 18 February. This month also brought the transfers of three NLD members to remote prisons, as well as reports that NLD member Myo Kyaw Zin had been tortured and placed in solitary confinement at Patao prison. Burmese courts sentenced prominent 'prayer' activist Naw Ohn Hla along with four others to two years imprisonment with hard labor on 16 February. Later in the month, four NLD members and two others detained in Rangoon's infamous Insein prison engaged on a hunger strike to protest the lack of "basic human requirements" for political prisoners in Burma. On 26 February, the NLD Central Executive Committee (CEC) approved 100 members of the new Central Committee (CC).

26 February 2010

NLD CEC approves 100 CC members

The CEC of the NLD in Burma approved on 26 February 100 members of the new CC. The CEC began the selection and scrutiny of nominees for the CC sent by branches of States and Divisions of the party as of February 22. It approved the finalized list of new CC members today. The final list has to be sent to the party Chairman U Aung Shwe tomorrow for his approval following which it will be released in the first week of next month, Party Information Department in-charge Khin Maung Swe told Mizzima. "We finalized the list today and approved 100 nominees as new CC members but we need to seek the approval of our party chairman. The CEC has approved the list," Khin Maung Swe, who is also a CEC member, said. The list of CC nominees was submitted to the CEC on February 16 and 17. The party fixed the number of its CEC and CC members at 20 and 100 to 120 respectively and the number of nominees for the CC was over 100. A NLD statement said the party Central Committee has been formed to consolidate and strengthen the party and efficiently handle the party's future plans. Party functionaries said that they selected nominees on the basis of loyalty to the party, having calibre and capability, staying capacity and serving the party, standing by the principles and policies of the party and from among those against whom no disciplinary action was taken. There were 80 CC members, when it was first formed in 1990, but most of the CC members were arrested by the regime in 1997 and party activities and party work were crippled, it is learnt. ([26 February 2010 Mizzima](#))

25 February 2010

Imprisoned NLD staff 'must not be omitted'

Detained opposition party members who deserve to be in the party's central committee must be included, opposition leader Aung San Suu Kyi has announced. The pledge was made following the release last week of the NLD party deputy, Tin Oo, who had been kept under house arrest since 2003. His and Suu Kyi's imprisonment, as well as crippling restrictions placed on the party by the Burmese junta, has led observers to complain that progress by the party has been slow. Around 430 NLD members are currently behind bars. A recent reshuffling of the senior-level CEC, whose members rank above the central committee, included the addition of younger members to dilute

the ageing leadership and was seen as the first step in reinvigorating the NLD. “A person who deserves to be a [central committee member], even if currently imprisoned, must not be omitted purely because their imprisonment stops them from working,” lawyer Nyan Win quoted Suu Kyi as saying. Lawyers met with Suu Kyi yesterday at her Rangoon house-cum-compound where she has been detained for 14 of the past 20 years. He added that party members who carry out valuable social work should also be included in committee dialogue. “The CEC is now working within the boundary of this policy,” he said. The announcement of the formation of the central committee is due to be made tomorrow, NLD spokesman Khin Maung Swe said. ([25 February 2010 DVB](#))

23 February 2010

Six on hunger strike in Insein prison

Six Burmese political inmates in Rangoon’s infamous Insein prison are on hunger strike after complaining that authorities there are refusing to provide for “basic human requirements”. Inmates in Insein prison, where the majority of Burma’s 2,100 political prisoners are held, have long complained of dire conditions, with up to four prisoners often crammed into tight cells and denied medical treatment. The six, who include opposition NLD party members Nyi Pu, Kyaw Myo Naing, Nyi Nyi Aung and Nay Moe Aung, as well as Aung Naing Myint and Aung Naing, who are in jail for their links to the banned All Arakan Students' and Youths' Congress (AASYC), have said they began the strike yesterday and will continue to refuse food until 25 February. A number suspected of leading the strike have now been placed in solitary confinement, the source said, after calling for greater medical assistance, better quality food and permission to read and write. Their demands, first made on 17 February, coincided with a visit to Burma by UN special rapporteur for human rights, Tomas Ojea Quintana. He was however denied a meeting with any political prisoners, including detained opposition leader Aung San Suu Kyi. It also coincides with reports that 71 inmates in the remote Buthidaung prison in Burma’s western Arakan state are on hunger strike in protest at the insufficient amounts of food given to prisoners. The 71 are all non-Burmese, mainly Bangladeshi, who were also denied a meeting with Quintana when he visited Buthidaung last week, according to the Dhaka-based Narinjara news agency. ([23 February 2010 DVB](#))

NLD leader Tin Oo (U) awarded

Tin Oo (U) the Vice-Chairman of the National League for Democracy was awarded for “bravery for national reconciliation” by the UNA, a coalition of ethnic parties, and his colleagues on February 20. Pu Cing Tsian Thang the President of the Zomi National Congress (ZNC) said, “The bravery award for national reconciliation was given to him for his effort in achieving freedom and democracy for the people.” The award recipient said, “I don’t think of myself as a hero. The fact is since Daw Aung Suu Kyi began leading the movement, I also participated so that my experiences could be useful to her.” Tin Oo (U) said he felt grateful and happy on receiving the gift from ethnic Chins, and considered it as “a symbol of their cooperation towards our efforts in accomplishing common political hopes, aims, and objectives. Only with unity and trust of ethnic nationals, we can have a

federal union. I will try playing a part in nation-building, which must be a blend of unity and trust among ethnic nationals.” ([23 February 2010 Mizzima](#))

18 February 2010

UN envoy meets with Tin Oo (U)

On 18 February, the UN envoy met with Tin Oo (U), the vice-chairman of the NLD, who was released after six years of house arrest last weekend, as well as other senior officials of the party as part of his five-day visit in Burma to study the human rights conditions ahead of the election. During the one-hour meeting, Quintana told Tin Oo (U) and five NLD officials, including Win Tin, that he is hopeful of meeting with Suu Kyi before he concludes his visit on Friday, said NLD spokesman Khin Maung Swe who also joined in the meeting. “U Tin Oo told Quintana that Aung San Suu Kyi should be released if the regime wants her to participate in the national reconciliation process and also because she is detained under a law from the 1974 Constitution which no longer exists,” Khin Maung Swe told The Irrawaddy. When Quintana asked about the NLD's position on the election, the party officials replied that they have not yet decided whether to participate or not. The decision will be made only after meeting with party leader Suu Kyi, they said. “We said that even after the election law is released, it will be a challenge for the party to decide to participate in the election without the release of Aung San Suu Kyi,” Khin Maung Swe said. “First, it is important to meet with Daw Suu, and second it is important to meet with Snr-Gen Than Shwe,” said Khin Maung Swe, adding that without those steps there will be no political solution. ([18 February 2010 Irrawaddy](#))

Authorities seize NLD member's property

Authorities in Mandalay have auctioned out a shop space owned by a National League for Democracy member currently in prison in connection with 2007 monk-led protests. Win Mya Mya, organising wing member of the NLD in Mandalay was arrested during the so called ‘Saffron Revolution’ in Burma in September 2007. Recently, the municipal government in Mandalay announced the auction of the fabric shop owned by Win Mya Mya's family in the town's renowned Zay Cho Market which was confiscated in June 2007 for displaying the NLD's flag. Her family has previously made several pledges to ruling State Peace and Development Council's leader Than Shwe via letters to have it back but they received no response. Win Mya Mya's brother Ba Soe said the municipal council at the auction yesterday sold the shop to a Chinese business man for a 50 million Kyat bid. ([18 February 2010 DVB](#))

17 February 2010

Tin Oo (U) speaks after captivity

DVB were one of the first to interview the NLD deputy, Tin Oo (U) after his release from 6-years under house arrest. In an exclusive interview, the 83-year old discussed the proposed election, the military, his hopes, and being released from incarceration.

To view the interview, visit: <http://english.dvb.no/news.php?id=3320>

16 February 2010

'Prayer' activists sentenced

Four detained organizers and participants of weekly prayer ceremonies that called for the release of Burmese political prisoners were each sentenced to two years' imprisonment with hard labour by a court in Rangoon yesterday. "When passing the sentence, the court could not provide strong evidence against them as there is no (reliable) witness," their lawyer Kyaw Ho said. "The punishment is unacceptable legally, and I am making preparations to appeal." The sentence was passed by eastern Rangoon district court on the day the UN human rights envoy Tomas Ojea Quintana arrived in Burma to examine the country's progress on human rights. Naw Ohn Hla, Cho Cho Lwin, Cho Cho Aye and San San Myint were arrested on 3 October after attending a religious ceremony at a monastery and charged with section 505(b) of the penal code (disturbing public tranquility) for handing a Buddhist prayer book to a monastery abbot in Magwe division. The charge has been used to imprison a number of perceived dissenters, including journalist Eint Khaing Oo, who was recently honoured with the Kenji Nagai journalism award. Naw Ohn Hla, is a member of Aung San Suu Kyi's NLD party. Her husband Aung Than expressed his dismay at the verdict and serious concerns for her. "Her health is not good. She has heart condition and blood pressure problems," he said. ([16 February 2010 DVB](#))

NLD leadership expansion talks begin

Discussions within the leadership of Burma's opposition NLD on selecting members for the party's central committee began in Rangoon on Tuesday. At the end of the meeting, no candidates had yet been chosen, party spokesman Khin Maung Swe announced. In the most significant move to reorganize the party since the 1990's, the NLD is choosing about 90 members for the reconstituted central committee, which was abolished by the regime in 1991. The discussions within the central executive committee were led by NLD vice-chairman Tin Oo (U), who returned to take up his duties after being released from six years of house arrest at the weekend. Representatives from all states and divisions except Kayah State took part in the discussions, party officials said. The selection of candidates for the party's second-line leadership has come in for criticism from some members, particularly in Pegu Division. "Party expansion is good, but what's most important is if it is democratically processed, said Myat Hla, the party chairman of Pegu Township who is currently suspended from his post for demanding the resignation of aging NLD leaders. During this week's discussions, seven central committee members will be selected from each big state or division, such as Rangoon and Mandalay, and five from small states such as Mon State. ([16 February 2010 Irrawaddy](#))

15 February 2010

Tin Oo (U) back at work

Wearing a traditional terracotta-colored Burmese shirt and a black longyi, Vice Chairman of the NLD Tin Oo (U) arrived at the Burmese opposition party's headquarters

in Rangoon at about 11 a.m. On Monday morning, two days after his release from seven years under house arrest. Fixed on his chest was the emblem of a peacock, the symbol of the NLD, and a badge with a portrait of Aung San, Burma's independence hero. About 100 party members had assembled outside the office to greet Tin Oo (U) and he was met with warm smiles and a round of applause. Members also hung a wreath of flower around his neck, a mark of respect in Burmese culture. Tin Oo (U) addressed his supporters who were joined by local journalists outside the NLD headquarters. "I will continue my duties as vice chairman of the party," he said. "I want to urge all democracy supporters to work successfully together." Tin Oo (U) said that the release of detained NLD leader Aung San Suu Kyi would be a "good sign" and that junta chief Snr-Gen Than Shwe had promised she will be released under the terms of her house arrest "if she behaves well." Responding to a reporter's question, Tin Oo (U) said that he welcomed the visit on Monday of the UN's Human Rights Envoy to Burma Tomás Ojea Quintana, but that tangible results must be made during his trip. Ohn Kyaing, a leading member of the NLD, said, "Tin Oo (U) is one of the members who will lead the party effectively before the release of Aung San Suu Kyi. All party members and democracy supporters are very happy. This is very encouraging." After addressing the rally, Tin Oo (U) held a meeting with NLD leaders in the party office for several hours before returning to his home at about 3 p.m. ([15 February 2010 Irrawaddy](#))

14 February 2010

NLD vice-chairman Tin Oo (U) released

Burma's main opposition party National League for Democracy's vice-chairman Tin Oo (U) was released on the night of 13 February at the end of his six-year house arrest. He was freed around 8.30 p.m. after a government officer entered his home at Thanlwin road in Rangoon and read a release order. The 83-year-old, looking thin but energetic, told reporters waiting outside his home that he would return to work as early as Monday and carry out his duties in accordance with the NLD's policies. Before his release, Tin Oo (U) was allowed to undergo eye surgery at the American Eye Vision Hospital in Rangoon. Retired Commander-in-Chief Tin Oo (U) was arrested and imprisoned after he was attacked by a pro-junta mob near the town of Depayin in upper Burma's Sagaing Division, as he and colleagues including Aung San Suu Kyi were travelling in a motorcade on an organizational tour on May 30th 2003. He has been under house arrest since February 2004, serving a sentence under the law 'Safeguarding the State from the Danger of Subversive Elements'. ([14 February 2010 DVB](#))

9 February 2010

Nominations for NLD central committee

Branches of the National League for Democracy from two divisions and one state have sent their nominees to be selected as central committee members to the party headquarters in Rangoon, it is learnt. The Rangoon and Irrawaddy Divisions sent seven nominees each and Mon State sent five nominees yesterday, an NLD CEC member said. "We are yet to be sent all nominees from all states and divisions. And we are yet to

discuss and negotiate with CEC members," CEC member Khin Maung Swe told Mizzima. The CEC issued a circular to all branches in states and divisions last month to select seven nominees for each division and five nominees for each state for the CC. The 'Central Committee' is being revamped to make the NLD stronger and consolidate organizational matters for future activities. ([9 February 2010 Mizzima](#))

Prisoners tortured and placed in solitary confinement

It has been reported that NLD member Myo Kyaw Zin and 88 Generation Students' leader Aung Thu, who are serving lengthy sentences in Putao prison in Burma's far-north Kachin state, were tortured and placed in solitary confinement after complaining to authorities that one had been kept in shackles for five weeks. ([9 February 2010 DVB](#))

NLD members transferred to remote prisons

Three NLD members, Shwe Gyo, Sein Hlaing and Ma Cho, who were recently handed three-year prison terms have been transferred to remote prisons, their families said. ([9 February 2010 DVB](#))

4 February 2010

Suu Kyi's deputy 'may be released next week'

The detained deputy leader of Aung San Suu Kyi's opposition party in military-ruled Burma should be released next week and is set to resume political activities, a party spokesman said Thursday. Tin Oo (U), 83, vice chairman of the NLD, has been detained without trial since he was arrested with Suu Kyi after an attack on their motorcade during a political tour in 2003. "We are waiting and watching. They [the government] have to release him as the continued arrest order finishes next week," NLD spokesman Nyan Win told AFP. "He will definitely come back to the office," he said, adding that the detention should end on 13 February. Tin Oo (U), a retired general, was transferred from prison to house arrest in Rangoon in February 2004 under an anti-subversion law. He has been allowed to leave his home for medical check-ups, and Nyan Win said the detainee's health was "fine" after having an eye operation at a private clinic a few days ago. ([4 February 2010 DVB](#))

2 February 2010

Four women activists await court verdict

District Court in Rangoon's notorious Insein prison has set February 15 for pronouncing the verdict of four women activists including popular activist Naw Ohn Hla, who are supporters of Aung San Suu Kyi. The East District Court on Monday announced that it would pronounce the verdict on February 15, after the court had conducted the proceedings for the past four months against the activists. "We submitted our final arguments. And the court fixed February 15 for pronouncing the verdict," a defence counsel Kyaw Hoe told Mizzima. Kyaw Hoe said, the public prosecutor made no arguments in court but said he would present a written argument later. "The

prosecution has to defend the legal points raised by the defence. But he did not give any counter arguments,” lawyer Kyaw Hoe said. ([2 February 2010 Mizzima](#))

88 Generation Students

There are at least 41 members of the 88 Generation Students group currently in detention. In early February, military authorities attempted to extract information from jailed members of the 88 Generation Students group in exchange for their release from prison, however, the 88 Generation members refused to release any information.

1 February 2010

Jailed 88 Generation leaders refuse to compromise

Burma's military authorities have recently tried unsuccessfully to pressure jailed members of the 88 Generation Students group into accepting the government's election process in return for their release, according to one of their colleagues. "I can confirm that an exchange took place between military authorities and 88 Generation Student leaders Min Ko Naing and Ko Ko Gyi," said Soe Tun, a 39-year-old former political prisoner and a leading member of the 88 Generation group who is now in hiding. "However, they didn't cave in to any form of pressure." Last week, the 88 Generation Students group issued a statement calling for the release of Aung San Suu Kyi and all other political prisoners so that all stakeholders can participate in the political process. The statement also urges the regime to seek peaceful ways in resolving the conflicts with armed ethnic groups. Speaking to The Irrawaddy on Monday, Soe Tun said that Min Ko Naing and Ko Ko Gyi refused the regime's offer to "sign a 401," which would effectively suspend their sentences and allow for their release. The offer was on the condition that both leaders accept the junta's election process, which is due to be held this year. Section 401 of the Burma's Criminal Procedure Code is a mechanism used by the Burmese regime to provide suspended sentences to jailed political activists. "Their response, as far as I know, was that they want to see a dialogue between all the political stakeholders and the regime," said Soe Tun, who went into hiding after the 2007 Saffron Revolution was brutally suppressed by the Burmese junta. He added that both student leaders refused to sign a 401 during their previous periods of incarceration. In a letter from his prison cell late last year, another imprisoned 88 Generation Students group leader, Hla Myo Naung, called for a blanket amnesty for Burma's political prisoners before this year's election and an inclusive political process, and said these were two of the cornerstones of the group's election policy. Asked to clarify his group's stance, Soe Tun said, "We are not rigid. We are ready to accept the best options for the sake of the country." ([1 February 2010 Irrawaddy](#))

Ethnic Nationalities

There are at least 210 members of ethnic nationalities currently held in prison. Amnesty International released a report in February declaring that an end to minority repression

is an integral factor in ensuring free and fair elections in 2010. Shan leader Sai Hla Aung was reported to have been suffering from poor health in February while serving a five-year sentence at the remote Kyaukphyu Prison. The 66-year old leader is said to be losing hair and weight. UN Special Rapporteur on human rights, Tomas Quintana, met with political prisoners at Buthidaung prison in Arakan State on 17 February.

17 February 2010

UN human rights envoy meets political prisoners in Arakan

Visiting UN Human Rights Envoy Tomas Ojea Quintana met with political prisoners at the infamous Buthidaung prison in Arakan State during his tour to the township on Wednesday, said an official from the prison. He said, "The UN envoy Quintana met with Ko Htay Khwe, Ko Mrat Tun, Ko Kyaw Min, Miha Ahmad, and Ko Tun Nyo in the special hall at Buthidaung prison. But we do not know what they discussed." Mr. Quintana came to Buthidaung from Sittwe in a speed boat owned by the UNHCR and arrived in Buthidaung at 10 am. Nasaka Commander Colonel Aung Gyi received him at the Buthidaung Jetty. "He spent at least three hours in meetings with political prisoners. He left the prison at 2 pm," he said. Quintana also met with some political prisoners at the Sittwe prison on Tuesday soon after he touched down in Arakan from Rangoon. According to a source, he met with Ko Than Tin, Ko Pyi Pho Hlaing, Ko Aung Tun Myint, and U Sanda Thiri. ([17 February 2010 Narinjara](#))

16 February 2010

Burma must end minority repression before polls: Amnesty

A leading rights group Tuesday called on Burma's military government to end repression of ethnic minority groups ahead of polls this year, as a UN envoy visits the country for talks on human rights. Amnesty International accused the regime of arresting, jailing, torturing and killing minority activists in a bid to crush dissent, in a report released in Bangkok Tuesday after what the organisation said was two years of research. Burma is made up of several ethnic groups, with some waging decades-long armed uprisings along the country's eastern border claiming neglect and mistreatment. Others have become political activists in opposition to the junta's iron-fisted rule. "The government has responded to this activism in a heavy-handed manner, raising fears that repression will intensify before the elections," said Benjamin Zawacki, Burma researcher for London-based Amnesty. The junta has promised to hold elections before the end of 2010 but has not set a date. Critics say the polls, the first since 1990, are a sham that is designed to tighten the regime's hold on power. "Any resolution of the country's deeply troubling human rights record has to take into account the rights and aspirations of the country's large population of ethnic minorities," he added. Amnesty said it conducted interviews for its report with 700 activists from the seven largest minorities, including the Rakhine, Shan, Kachin, and Chin, covering a two-year period from August 2007. The report was released on the second day of UN rights envoy Tomas Ojea Quintana's visit to Burma and as he headed to Rakhine state near Burma's border with Bangladesh where large numbers of ethnic Rohingya claim repression. ([16 February 2010 DVB](#))

9 February 2010

Shan leader 'losing hair and weight'

A senior member of the Shan political party that came second in the 1990 Burma elections is reportedly in declining health, five years into a 79-year prison sentence. Family members of 66-year-old Sai Hla Aung reported the details to the Shan National League for Democracy (SNLD) after visiting him in the remote Kyaukphyu prison in Burma's western Arakan state. Conditions in Kyaukphyu are said to be poor, and like many prisons in Burma, access to medical assistance is sporadic, and often only achievable through bribes. "[Sai Hla Aung]'s family has left from Kyauk Phyu after hearing that he is in pretty bad health; apparently he is losing hair and his body weight dropped to 120lbs from 160lbs," said Sai Lek, spokesperson for the SNLD. "We heard he is also having sores on his arms and legs." He added that other detained Shan leaders were also in bad health, including Khun Htun Oo, SNLD secretary Sai Nyunt, and former Shan State Army-North (SSA-N) chief, General Hso Ten, who is serving a 106-year sentence. He also said that their families were unable to pay regular visits due their detention in remote places, and that insufficient medical assistance in prisons has made the situation worse. "It would be good if the International Committee of the Red Cross [ICRC] or doctors were allowed to go into the prisons for medical check-ups." The ICRC was banned from visiting prisoners in Burma in 2005. "Also the Shan leaders, if they are not to be released soon, should be moved to prisons [with better accessible transportation], such as [Rangoon's] Insein prison." ([9 February 2010 DVB](#))

Monks

There are at least 253 monks currently held in prison.

20 February 2010

Junta plans to tighten controls on monks

Burma's ruling military junta and the government-backed state monks committee plan to introduce new rules that will further restrict the activities of monks in the country, according to reports in the state-run media. The official Burmese-language newspaper Myanma Ahlin reported on Saturday that Ashin Kumara, the chairman of the State Sangha Maha Nayaka Committee, said he planned to call a meeting of all senior abbots to discuss the new regulations, which he said were aimed at improving monastic discipline. "Usually, the State Sangha Maha Nayaka Committee and the heads of the various Buddhist monastic orders hold their meetings separately. The fact that this meeting will include senior leaders of all nine gana [Buddhist sects] means that the State Sangha Committee is planning to take some action," said Ashin Issariya, a scholar monk from the State Pariyatti Sasana University in Rangoon who is now living in exile. Observers also said that it was also clear that the government was behind the push to impose tighter restrictions on monks. ([20 February 2010 Irrawaddy](#))

19 February 2010

Charity Monk Jailed

A Buddhist monk arrested last year at Rangoon's international airport was sentenced to seven years' imprisonment by the Rangoon western district court on 17 February. Venerable U Gawthita of Nga Htat Gyi Leikpyakan monastery in Bahan township was arrested on 26 August after returning from a missionary tour in Taiwan. "He was arrested with seven other monks... and sentenced under the emergency immigration act, unlawful association act and for keeping foreign currency," a lawyer Aung Thein said. Seven other monks were allowed to change money at the airport while U Gawthita was unable to do so and arrested for possessing foreign currency, he added. "The other monks were released and they could change money, and there is no evidence that he joined any association in foreign countries, and you can't say that he reentered the country illegally because he came out of the country with a Burmese passport and reentered [the country] through Mingaladon airport with the Burmese passport." Aung Thein said the monk's lawyer Kyaw Htay will appeal the sentence. U Gawthita was actively involved in providing help to victims of Cyclone Nargis which devastated the delta region of lower Burma in 2008. ([19 February 2010 DVB](#))

3 February 2010

Monks sentenced for 2007 uprising

Three monks and two civilians in Burma have been handed lengthy prison sentences, some as much as nine years, for their role in the September 2007 uprising, lawyers say. After a lengthy trial inside Rangoon's notorious Insein prison court, the five men were found guilty under the Unlawful Associations Act, as well as possession of foreign currency and illegal border entry. The three monks, U Waryama, U Yaywata and U Weithuda, all hail from Burma's central Magwe division. Three other men were also involved in the trial, but have not yet been sentenced. "The five [sentenced] were on trial without a lawyer so the verdict was quicker for them. They were given sentences from five to nine years," said Kyaw Ho, lawyer for two of the co-defendants. "A trial cannot be fair for someone without any lawyer. At least [authorities] should have allowed them to contact their families and hire lawyers." Analysts predict that the ruling junta will step up its intimidation of opposition groups in the run-up to elections this year, rumoured to be in October. ([3 February 2010 DVB](#))

Cyclone Nargis Volunteers

There are currently at least 20 Cyclone Nargis volunteers currently held in prison.

There is no news to report in February.

Journalists, Bloggers and Writers

There are currently at least 42 journalists held in prison. Zaw Naing was released from Katha prison in February 2010, after 16 years imprisonment (AAPP).

The DVB documentary, *Burma VJ*, continued to garner significant international attention in February. The film received a nomination for the best documentary Oscar, and won the award for best film at the Mumbai Film Festival. Also in February, France condemned Burma for its ongoing practice of arresting journalists.

10 February 2010

Burma VJ wins top prize at Mumbai Film Festival

Burma VJ - Reporting from a Closed Country captured the award for best film for the producer at the 11th Mumbai International Film Festival held today in Mumbai, India. Produced by Dane Lise Lense Molle, the film focuses on the undercover reporting of Buddhist monks marching in protest in September 2007 against the Burmese regime, which had drastically raised fuel prices overnight a month previously. Armed with hand-held cameras, Burmese video journalists (VJs) took great risk in reporting from the streets of Rangoon and smuggling footage out of the country to be broadcast around the world by the international media. The film is also nominated in the same category for next month's Oscars as well as already being honored at Amsterdam IDFA 2008, Sundance Film Festival 2009, Berlinale 2009, Bodil 2009 and the Boulder International Film Festival 2009. ([10 February 2010 Mizzima](#))

9 February 2010

Burmese rock star-journalist wins international award

Win Maw, a 47-year-old activist-rock musician, has won the 2009 Kenji Nagai Memorial Award for his commitment as a freelance journalist in Burma. He is currently serving a total of 17-years imprisonment for his journalistic activities. Hla Hla Win, a 25-year-old female DVB video journalist who is serving a 27-year sentence in Kathar Prison for interviewing monks in Pakkoku, shared the award with Win Maw. She also was convicted for giving information to an exiled news organization. "In fact, he didn't mean to become a journalist, yet, his desire to expose the real situation inside Burma turned him into an undercover journalist for an exile news station," said his brother, Win Zaw. In 2006, Win Maw visited Mae Sot on the Thai-Burma border to meet Win Zaw, who had fled from Burma in 2004. After he returned from the trip, he would occasionally send music, songs, news, photos and videos on various issues to the Democratic Voice of Burma (DVB). He was arrested for those activities in 2008. By that time, he had covered a variety of sensitive news, including activities of the National League for Democracy, the 88 Generation's activities and their members' arrests, and the monk-led Saffron Revolution in September 2007. During the Saffron Revolution, he wrote a song, "May the People's Desire be Fulfilled." His wife, Tha Zin, said his health has seriously deteriorated as a result of imprisonment and torture during his initial interrogation. The award was created by the Japanese video news agency APF and the exile-based Burma

Media Association (BMA) one year after the Japanese photojournalist Kenji Nagai was shot dead by Burmese soldiers in Rangoon during the Saffron Revolution in 2007. ([9 February 2010 Irrawaddy](#))

4 February 2010

Burma VJ nominated for best documentary oscar

The Documentary film, directed by Anders Østergaard, follows the story of video journalists (VJs) working inside Burma, for Norway based media outlet Democratic Voice of Burma (DVB). It documents their role in reporting the monks-led demonstrations of September 2007, known as the Saffron Revolution. The film emphasizes the huge risks taken by DVB journalists collecting this material, in an attempt to show the events captured on film to the world. Burma VJ has won over 40 international awards so far including best Investigative documentary at the San Francisco International Film Festival. This nomination will not only highlight the work of DVB but also draw attention to the struggle of the Burmese people against the military dictatorship. The 82nd Academy Awards, will be presented on March 7, 2010. ([4 February 2010 DVB](#))

France condemns Burma for incarcerating journalists

The French Ministry of Foreign Affairs has condemned Burma's military rulers for the harsh sentencing of a journalist to 13 years in prison and urged the regime to respect freedom and fundamental rights of the people. "France condemns the sentencing of a Burmese journalist Ngwe Soe Lin to 13 years in prison after being charged with working illegally for a media in exile," the ministry said in a statement released on Friday. On January 27 Rangoon's western district court, sentenced Ngwe Soe Lin (28) reporter of the Oslo-based Democratic Voice of Burma (DVB), to 10 years under the Electronic and Immigration Acts and three years under Emergency Acts. The journalist was arrested on June 26, 2009 from an internet café in Rangoon's Tamwe Township. The French Ministry of Foreign Affairs said it is concerned about the multiple violations of freedom of expression, which the Burmese authorities are engaging in, as well as the lack of media freedom. "France calls on the Burmese authorities to respect freedom and fundamental rights, including that of the press," the release said. ([1 February 2010 Mizzima](#))

Women

There are at least 177 women currently held in prison.

3 February 2010

Woman transferred to Myitkyina prison

A woman in Rangoon previously sentenced in connection with the 2007 uprising was transferred on 19 January from a Mandalay prison to Kachin state's remote Myitkyina prison. Mya Mya Theint, a private computer instructor, was arrested in October 2007 and sentenced to five years' imprisonment under charges of defaming Buddhist concepts and supporting an "unlawful association". As well as Mya Mya Theint, 16 other political

prisoners have been recently transferred to remote prisons, many along the hostile China-Burma border. Family members complained that they were not told of the transferal. “I think [authorities] intend to make lives of the families miserable as some old people will be unable to make visit to their loved one. I don’t think I stand a chance to see my son again,” said the 72-year-old mother of Myo Han, who was transferred to Burma’s northeastern Shan state. ([3 February 2010 DVB](#))

Human Rights Defenders & Promoters Network

There are at least 33 members of the Human Rights Defenders & Promoters Network currently held in prison.

Chan Aung, a member of Human Rights Defenders and Promoters, was released from Katha prison in February 2010 (AAPP).

Labour Activists

There are currently at least 37 labour activists held in prison. February brought the early release of eleven farmers arrested for their role in a land confiscation case that was taken up by the International Labour Organisation (ILO). Eight others remain in prison for their role in the ILO case.

AAPP received information that three labour activists are in poor health. Khaing Mar Soe detained in Bassein prison, is suffering from lung problems, since 15 January 2010. Win Myint, a lawyer and labor activist, detained in Tharawaddy prison, is suffering from Hypertension and is not receiving adequate treatment. Tin Hla, Assistance Engineer of Burma Railway Union, detained in Insein prison, is suffering from Diabetes (AAPP, 9 February 2010).

23 February 2010

Land dispute farmers get early release

Eleven Burmese farmers whose controversial sentencing last year after a land dispute with the Burmese junta received widespread attention have been released from prison early. The farmers, from Aunglan in central Burma’s Magwe division, are now back at home after judges last week reduced their sentences to four months, according to one of the farmers, Than Soe. Their case had been taken up by the ILO, which monitors land dispute and forced labour cases in Burma. The ILO had repeatedly expressed concern at the hefty prison sentences, including one of five years’ with hard labour, given to the farmers who were deemed guilty of trespassing after returning to work on land confiscated by the Burmese junta. Pho Phyu, one of the lawyers defending the farmers, was also sentenced to four years’ imprisonment by the same Magwe division court in March 2009 after being charged under the Unlawful Associations Act. “I didn’t know we

were going to be released. The prison's officials informed us that they received [release] warrants and we had to sign some papers," said Than Soe, adding that prison officials collected family details before releasing them. He also said that the eleven were warned against contact with foreign media; one of the key reasons why they were imprisoned in the first place. Eight other people, including Pho Phyu and National League for Democracy (NLD) member Zaw Htay, remain in prison. The majority of the eight had simply assisted the farmers in lodging the complaint with the ILO. ([23 February 2010 DVB](#))

Students

There are currently at least 283 students held in prison.

There is no news to report in February.

Lawyers

There are currently at least 12 lawyers detained in prison.

15 February 2010

UN rights envoy meets Suu Kyi's lawyers

Tomas Ojea Quintana, United Nations' Special Rapporteur on the situation of human rights in Burma, today met with lawyers of detained democracy leader in Rangoon. A meeting with Aung San Suu Kyi's lawyers Kyi Win, Nyan Win, Hla Myo Myint and Khin Htay Kywe was arranged by government officials at Mya Yeik Nyo hotel in Rangoon, Nyan Win said. "We explained to him the lack of independence in judicial process and the dire lack of open court [system]," he said. "U Kyi Win also explained to him in details the situation of Daw Aung San Suu Kyi's case." Nyan Win also briefed the envoy on the state of judiciary process in Burma, detailing lack of freedom and reasonableness and the imposition of harsh sentences on political activists. ([15 February 2010 DVB](#))

4 February 2010

Layer Pho Phyu may be released

Young lawyer Pho Phyu, put in prison after taking up the case of farmers relating to farmland confiscation, is likely to be released, lawyer Myint Thwin, fighting his case said. "The Chief Justice took up the case under section 8 of the 2000 Judicial Law and since he took it up we hope he will be released," lawyer Myint Thwin said. "Under section 8 of the 2000 Judicial Law, the Chief Justice usually takes up only one case in a year. Since this was taken up under the judicial principles by the Chief Justice, we hope he will be released," he added. The case will be heard again on February 15. The Magwe Divisional Court is likely to pronounce its judgment on the case on February 17. ([4 February 2010 Mizzima](#))

Individual Activists

After nearly four months of hearings and proceedings, the trial of detained naturalized citizen, Nyi Nyi Aung, concluded on 10 February when the pro-democracy activists was sentenced to five years with hard labor, commuted to three years with hard labor. Nyi Nyi Aung, who was reported to have flown to Burma in September to visit his sick mother, was subsequently transferred to Pyay Prison on 15 February. While many feared that Nyi Nyi Aung, would face a harsher sentence, the verdict was nevertheless met with significant international outcry, as many observers denounced the charges as a sham intended to punish Nyi Nyi Aung for his history of political activism. The United States urged the Burmese junta to release Nyi Nyi Aung immediately, and stated that the verdict could hinder relations between the two nations. Since sentencing, Washington-based Freedom Now has taken Nyi Nyi Aung's case to the UN, urging the UN Working Group on Arbitrary Detention to investigate the case. Nyi Nyi Aung's fiancé has publically lambasted the United States, stating that she felt betrayed by the US government's lackluster response to the arrest and sentencing.

22 February 2010

Fiancé of Burma prisoner 'betrayed' by US

The fiancé of an American rights activist imprisoned by Burma said she felt betrayed by the US government and urged a more robust response to the military regime. In a piece to appear in Monday's Wall Street Journal, Wa Wa Kyaw said she and her fiancé Nyi Nyi Aung had been grateful to become US citizens as their adopted country "cherished democracy, freedom and human rights." "But over the past five months our government has betrayed us," wrote Wa Wa Kyaw, a nurse in the eastern state of Maryland. Supporters say Nyi Nyi Aung, a democracy campaigner who also goes by Kyaw Zaw Lwin, returned to Burma in September to visit his ailing mother, herself a jailed activist. He was arrested and on 10 February handed a three-year sentence on fraud and forgery charges. State Department spokesman Philip Crowley has urged the junta in Burma, earlier known as Burma, to release him, calling the conviction "unjustified" and "politically motivated." But Wa Wa Kyaw faulted secretary of state Hillary Clinton for not doing more on his case before the verdict. President Barack Obama's administration has launched a dialogue with Burma aiming to end its isolation. "President Obama and Secretary Clinton, my message is simple. Neither your words nor your actions show that you take my fiance's imprisonment seriously," she wrote. "I beg you to stop ignoring his plight, and to help secure his release from this illegal and unjust imprisonment. Just as Nyi Nyi continues to live up to the oath we took to defend America, please, live up to the promise America made to defend us." ([22 February 2010 DVB](#))

17 February 2010

Rights group takes Nyi Nyi Aung case to UN

The Washington-based organization Freedom Now has asked the UN Working Group on Arbitrary Detention to investigate the case of the Burmese-American Nyi Nyi Aung, who was sentenced by a Rangoon court last week to three years imprisonment. A 17-page petition was submitted to the UN panel on behalf of Nyi Nyi Aung's fiancée, Wa Wa Kyaw, who said: "I hope that the United Nations will help the junta to see that they cannot continue to imprison people for their political actions." Freedom Now President Jared Genser said: "We are deeply concerned about Nyi Nyi's health and welfare both because his three-year sentence includes hard labor and because the junta has arbitrarily and permanently denied him family visits; the primary way prisoners in Burma receive food, vitamins, and medicine." "In addition to not being able to adequately prepare a defense because he was not provided access to his lawyers, the Burmese junta did not allow Mr Aung to present defense witnesses under the same conditions that the prosecution presented its witnesses," the petition said. "Mr Aung was only allowed to present two witnesses on his behalf. The government was allowed to present at least 16 witnesses," Freedom Now charged. After his sentencing on February 20, Nyi Nyi Aung was transferred from Rangoon's Insein Prison to a prison in Prome to begin serving his sentence. Freedom Now said it believed he was transferred to a location far from Rangoon to prevent information on his condition from leaking to the media and to make regular visits difficult. ([17 February 2010 Irrawaddy](#))

15 February 2010

US Citizen transferred to Burma's Pyay prison

Burmese-born US citizen Nyi Nyi Aung who was sentenced to three years' imprisonment with hard labour by a Rangoon courtroom was transferred to Pyay prison, Bago divisional in central Burma, his aunt said. "He is not there anymore, I was told. He was sent to Pyay jail," said Khin Khin Swe who went to see her nephew at Rangoon's Insein on Saturday, after hearing rumours of his transfer. "At least they should notify his relatives." She added when she rang Pyay jail, she was told by its governor that higher authorities told him not to allow Nyi Nyi Aung have any contact with his relatives. Forty-year-old Nyi Nyi Aung, also known as Kyaw Zaw Lin was sentenced on 10 February by a court inside Insein prison and transferred to Pyay prison the following day. He was found guilty of forging a national identity card, failing to declare currencies at customs, and failing to renounce his Burmese citizenship. Nyi Nyi Aung was arrested in September last year upon arrival at Rangoon airport, during a trip to see his ailing mother who is languishing in jail for her political activities. Critics of the Burmese junta say that the charges were a ploy to punish him for activist work carried out since he fled Burma to the US in 1993. "We believe the charges against Kyaw Zaw Lwin were politically motivated," a US embassy spokesperson in Rangoon told DVB. "We continue to urge Burmese authorities to abide by international rules, laws and standards by releasing him and allowing him to return home to the US," he said. Nyi Nyi Aung was reportedly tortured in Insein and in December, he staged a hunger strike in protest at

prison conditions, and was subsequently moved to the prison's 'dog cells'. ([15 February 2010 DVB](#))

11 February 2010

US says sentencing of American can damage relations

The US government and various lawmakers have urged the Burmese military junta to immediately release a US human rights activist, saying his 3-year imprisonment could hinder the ongoing dialogue between the two countries. Saying his conviction was based on politically motivated charges, Assistant Secretary of State for Public Affairs P. J. Crowley said the Obama administration considers the sentence unjustified. "The United States is deeply concerned by the Burmese authorities' decision to convict US citizen Kyaw Zaw Lwin (aka Nyi Nyi Aung) on politically motivated charges," he said in a statement issued on Wednesday. "We continue to urge the Burmese regime to release him and allow him to return home to the United States," Crowley said. The US House majority leader, Steny H. Hoyer, said: "I am disappointed with the Burmese junta's decision today, and urge them to release Nyi Nyi Aung immediately." As the US seeks a new approach to Burma, its treatment of Nyi Nyi Aung, a resident of Hoyer's home state of Maryland, seriously hinders that effort, Hoyer said. "Reports of torture and denying him access to consular services through the U.S. Embassy is completely unacceptable. I will continue to work with House Foreign Affairs Committee Chairman Howard Berman and the Obama administration to secure the release of Nyi Nyi Aung," the House majority leader said. Howard Berman, the chairman of the House Committee on Foreign Affairs, said, "The sentencing of Nyi Nyi Aung is a serious impediment to improved relations with the United States at a time when our country has embarked on a new approach toward Burma." "Months after this new approach was announced, it is disappointing that the junta has failed to respond to formal diplomatic complaints regarding his reported severe mistreatment, including allegations of torture and repeated, lengthy denials of access to consular services through the U.S. embassy," he said. Berman called on the US departments of state and treasury to consider tightening sanctions on the Burmese regime, in keeping with the Obama administration policy to encourage progress in human rights. ([11 February 2010 Irrawaddy](#))

10 February 2010

US citizen given 3 years' hard labour in Burma

Burmese-born US citizen Nyi Nyi Aung was sentenced on 10 February to three years' imprisonment with hard labour by a Rangoon courtroom, his legal counsel announced. "He's going to be forced to spend three years in prison on sham charges, and we're calling on the ruling junta [in Burma] to immediately release him and deport him back to the US," said Beth Schwanke, legislative counsel at the Washington-based Freedom Now, which has been advocating for his release. The sentence, passed in a courtroom inside Rangoon's Insein prison, was commuted from five years' with hard labour. He was found guilty of forging a national identity card, failing to declare currencies at customs, and failing to renounce his Burmese citizenship. Forty-year-old Nyi Nyi Aung, also known as

Kyaw Zaw Lwin, was arrested in September last year upon arrival at Rangoon airport. Critics of the Burmese junta say however that the charges were a ploy to punish him for activist work carried out since he fled Burma to the US in 1993. Schwanke said that the sentencing “unquestionably” stemmed from his activism. “[The junta] has been tracking him for a while now, and his profile was raised by the recent handing of a petition to the UN on political prisoners,” she told DVB. His US-based fiancé, Wa Wa Kyaw, said in a statement that “all of Burma knows that these are bogus charges”. “The junta is looking to stifle Nyi Nyi just as they have the 2,100 other political prisoners in Burma. I can only hope that the Government of the United States won’t let Burma illegally imprison its own citizen.” A US embassy spokesperson in Rangoon told DVB that “we believe the charges against Kyaw Zaw Lwin were politically motivated”. “We continue to urge Burmese authorities to abide by international rules, laws and standards by releasing him and allowing him to return home to the US,” he said. The spokesperson however refused to comment on whether the sentencing would affect new US policy to Burma, which advocates engagement in place of isolation. The last time a US citizen made headlines in Burma was in May last year when John Yettaw swam across a Rangoon lake and entered opposition leader Aung San Suu Kyi’s house-cum-prison. Judges found Suu Kyi guilty of “sheltering” Yettaw, and sentenced her to a further 18 months under house arrest. Yettaw was initially given a seven-year sentence with hard labour, before a successful intervention by senior US official, Jim Webb, who flew to Burma and secured his release. Schwanke said that they could “only hope” for a similar outcome, but that “with Nyi Nyi it’s a little different to John Yettaw because he is Burmese-American, and [the junta] sees him as a really big threat to the junta, with his democracy activism”. The US has said that all political prisoners should be released as a prerequisite for free and fair elections this year. ([10 February 2010 DVB](#))

4 February 2010

US detainee ‘refusing food from family’

The Burmese-born US citizen detained in a Rangoon jail has declined food sent by his family, according to prison officials who spoke to a relative. Nyi Nyi Aung, also known as Kyaw Zaw Lwin, has been held in Insein prison since arriving in Burma in September last year. In December he staged a hunger strike in protest at prison conditions, and was subsequently moved to the prison’s ‘dog cells’. His aunt, Khin Khin Swe, the family has been sending him food through prison officials in recent weeks following a ban on him receiving visits, which has been in place since 6 January. “[The official] told me to come and pick up the parcel we left for Nyi Nyi Aung that morning. He said [Nyi Nyi Aung] refused to accept it,” said Khin Khin Swe. “I was already worried as [the family] hasn’t been allowed to see him. This raised suspicions in my head that he was sick or on a hunger strike like he did previously. She added however that she thought it was neither of these, and instead a protest against the ban on visitors. “We heard that he was allowed to have one hour walk [outside of his cell] everyday so can assume he has been healthy,” she continued. ([4 February 2010 DVB](#))

Daw Aung San Suu Kyi

Over one month after Burma's Supreme Court heard the final arguments for Daw Aung San Suu Kyi's latest appeal, Burma's high court ruled to reject the appeal on 26 February. The ruling did not come as a surprise to most international observers, as her latest house arrest sentence is largely seen as a politically motivated attempt to bar the detained opposition leader from taking part in the 2010 national elections. Nevertheless, the ruling was met with significant international disappointment, as the United States, Britain, and United Nations chief Ban Ki-moon all issued condemnations of the Supreme Court decision. It remains to be seen how this verdict will influence the NLD's participation in the impending national elections.

27 February 2010

International community condemns Burma on Aung San Suu Kyi decision

The United States has criticized Burma's Supreme Court for not releasing opposition leader Aung San Suu Kyi from her extended house arrest. A State Department official told reporters the Burmese court's ruling Friday was "purely political." He noted that the U.S. has consistently urged the ruling military in Burma to free its political prisoners. New York Congressman Joe Crowley, a member of the House Committee on Foreign Affairs, issued a statement calling Aung San Suu Kyi's continuing house arrest "a sham from day one." Crowley said the military must face consequences for violating the human rights of the Burmese people. He said it is time for the United States to fully implement increased targeted sanctions against officials in Than Shwe's military regime under the Tom Lantos Block Burmese JADE Act. United Nations chief Ban Ki-moon said he is "disappointed" Aung San Suu Kyi's appeal was dismissed. He called for the release of all political prisoners in Burma and for their participation in its political process. British Prime Minister Gordon Brown said he was "appalled and saddened" at the court's decision. He also said the sole purpose of Aung San Suu Kyi's trial was to prevent her from taking part in this year's elections. The government of Singapore issued a statement urging talks between the Burmese military, Aung San Suu Kyi and other political groups ahead of the elections. Singapore said those talks would offer the best chance for "national reconciliation and the long-term political stability" of Burma. ([27 February 2010 Voice of America](#))

26 February 2010

High court rejects Suu Kyi appeal

Burma's highest court on Friday rejected Aung San Suu Kyi's appeal against her continued detention under house arrest, according to her lawyer. "The Supreme Court rejected our arguments against the sentences of Daw Suu and two of her inmates," said the lawyer, Nyan Win. He said that he will make a final appeal to Burma's chief justice within the next one or two days. Suu Kyi had her latest round of house arrest extended in August for violating the terms of her house arrest by briefly sheltering an uninvited American intruder in her home in May 2009. In a trial widely condemned as a farce, the 64-year-old Nobel Peace Prize laureate was initially sentenced to three years in prison

with hard labor, but the sentence was commuted to 18 months house arrest by junta chief Snr-Gen Than Shwe. Burma's highest court heard final arguments by the lawyers of Burmese pro-democracy leader Aung San Suu Kyi and government lawyers on Jan. 18. Suu Kyi's lawyer argued that her house arrest extension was unlawful because it was based on provisions from the 1974 Constitution which was no longer in effect. Government lawyers countered that the 1974 Constitution could still be cited since it was not officially abolished. "The court today accepted the arguments made by the government lawyers," Nyan Win said. Diplomats from France, Britain, Australia and the United States gathered in the courtroom to hear the decision, he said. National League of Democracy party spokesman Khin Maung Swe said, "The decision shows that the election will be nowhere near all-inclusive, free and fair. With the party leader detained, the party remains in a difficult position on the election." ([26 February 2010 Irrawaddy](#))

11 February 2010

Suu Kyi says 'too early' for election decision

It is still too early to make a decision on whether to participate in the Burmese elections this year, detained opposition leader Aung San Suu Kyi has said. The ruling junta in Burma is yet to announce either the laws governing participation in the elections nor a date for polling, although rumours are circulating that they could be held in October.

Suu Kyi yesterday met with her lawyer, Nyan Win, at the Rangoon compound where she has been held under house arrest for 14 of the past 20 years. "[Suu Kyi] said it is impossible to decide at this time whether or not to enter the elections that authorities are planning in this year," said Nyan Win. "She said no election will be free and fair unless there is freedom of information and the freedom of expression. She was not referring to the 2010 elections, but to any elections." It is unlikely that the junta will release Suu Kyi, whose party won a landslide victory in the 1990 elections which was subsequently ignored, prior to polling. Even if free, however, several laws in the 2008 constitution bar her from participating. The constitution, which was rushed through in May 2008 as the country was still reeling from cyclone Nargis, also guarantees 25 percent of parliamentary seats to the military prior to voting. Nyan Win said that the party will hold a plenary meeting when the election laws are released to decide whether it will participate. ([11 February 2010 DVB](#))

5 February 2010

Suu Kyi, brother in court over house dispute

A lawyer for Burma's detained pro-democracy leader Aung San Suu Kyi says a court in Rangoon will hear testimony next week on a dispute between the detained opposition leader and her brother over efforts to renovate her lakeside home. Suu Kyi was forced to suspend repairs on her house in December after her estranged brother Aung San Oo lodged his objections. Her brother, an American citizen, has long fought for partial ownership of the home and its nearly 2-acre (1-hectare) plot. The dilapidated, two-story home serves as an unofficial prison for the Nobel Peace Prize winner, who stays there under house arrest. She has been detained 14 of the past 20 years. Suu Kyi's lawyer

Nyan Win said the Rangoon Division Court has agreed to hear the case Feb. 10. ([5 February 2010 Irrawaddy](#))

4 February 2010

Suu Kyi ‘may be freed during election’

Aung San Suu Kyi may be freed during the national elections in Burma, Thai Foreign Minister Kasit Piromya said on Tuesday, predicting that the polls could be held during the second half of 2010. "What is the gut feeling? Maybe at the time of the declaration or the holding of the elections," he said, responding to a question on when the opposition leader, whose house arrest sentence had recently been extended until November 2010, could be freed. "Around that time...maybe a day after or a day before," added Kasit.

A date has still not been announced for the elections, which will be the first since 1990 when the junta refused to recognise the landslide win of the National League for Democracy (NLD) led by Suu Kyi. But Kasit believes that "the elections most probably will be in the second half of the year". He noted that during ASEAN meetings, Burma's prime minister had been "giving us the assurance ... that elections will be held this year" and that there will definitely be a "new government". "He (the prime minister) mentioned about 70 to 80 per cent completion of election law and political party law and the completion of the parliamentary site in the new capital and so on, so I predict it will take place in the second half of this year," added Kasit. ([4 February 2010 DVB](#))

Key International Developments

UN human rights envoy Tomas Ojea Quintana's five-day visit to Burma, which began on 15 February, highlighted the month of February. While in Burma, Quintana met with recently released NLD vice-chairman Tin Oo (U), senior members of the military regime, and visited Rangoon's Insein Prison, as well as two prisons in Arakan state. However, Quintana's failure to secure meetings with detained NLD leader Aung San Suu Kyi, and Senior General Than Shwe, led many observers to qualify the trip as disappointing and unproductive.

22 February 2010

Burma opposition downcast over UN visit

Opposition activists and politicians yesterday lamented last week's "fruitless" visit to Burma by the UN rapporteur on human rights, Tomas Ojea Quintana. Quintana was denied a meeting with imprisoned opposition leader Aung San Suu Kyi during the five-day visit, despite being allowed to hold talks with the recently released opposition vice-chairman, Tin Oo (U). Observers have echoed Quintana's reflections on the apparent intransigence of the Burmese junta, and said that the visit failed to reap any concrete results. It coincided with the high-profile sentencing on Wednesday of a monk who had helped victims of cyclone Nargis in 2008. Bo Kyi, joint secretary of Assistant Association for Political Prisoners-Burma (AAPP), said that the trip was "fruitless" and that the junta's failure to acknowledge the presence of political prisoners in the country meant

that it was unlikely any would be release prior to elections this year. Quintana told ABC Radio in Australia today that “there is no sign, no indication that the government is willing to respect human rights and in that sense the election won't be acceptable”. The spokesperson for Suu Kyi's National League for Democracy (NLD) party, Nyan Win, said however that the trip “could not bring a change to the human rights situation in Burma overnight”. “We can consider that there are benefits if the UN special rapporteur has learnt more about the human rights situation in the country and thus can pass his knowledge on to the world,” he said. His views were echoed by lawyer Min Lwin, from the Asian Human Rights Commission (AHRC), who said that Quintana's findings could be used to inform the next UN Human Rights Council meeting in March. During the trip Quintana also met with members of the government-backed National Unity Party, leaders of ethnic ceasefire groups, and the ruling junta's labour and liaison minister Aung Kyi. Visits were also made to three prisons, two in Burma's remote western Arakan state, and the other Rangoon's notorious Insein prison, where the majority of the country's 2,100 political prisoners are kept. ([22 February 2010 DVB](#))

Junta bans reporting Quintana's comments

News journals in Burma have been barred from carrying news about the Feb.19 press conference of Tomas Ojea Quintana, the UN special rapporteur on the situation of human rights in Myanmar (Burma), sources said. Quintana held a press conference in Rangoon's international airport on his departure from the country at the end of his five-day visit that began on Feb. 15. A Rangoon-based journalist from inside Burma told The Irrawaddy that PSRB director Maj. Tint Swe attended the conference. “Maj. Tin Swe was there and he knows what Quintana said but he doesn't allow us to publish it,” said the journalist, who is a news editor in his 40s. Journals are only permitted to carry news about UN rights envoy's trip to Burma and his visit to politicians, lawyers and prisons during his stay in the country. Rangoon-based journalists said the military regime's ban on reporting the envoy's comments was abuse of freedom of expression. “Even the rights of the UN special rapporteur on human rights were violated. It becomes more obvious how brutal this regime is, which has even beaten, tortured and imprisoned monks,” said an executive editor from a news journal. However, most Burmese people heard and welcomed Quintana's comments after hearing them on exiled radio stations that covered his comments exclusively. “The rights envoy's speech has awakened those who have been indecisive under the regime's deceptive strategy. What he said absolutely reflects what is happening in Burma now,” said a Rangoon-based lawyer. ([22 February 2010 Irrawaddy](#))

19 February 2010

UN envoy meets ministers but not Than Shwe

A UN rights envoy held talks in Burma's remote capital with senior members of the military regime Friday but was not granted an audience with reclusive junta supremo Than Shwe, officials said. Tomas Ojea Quintana travelled to Naypyidaw on the fifth and final day of a trip that has focused on elections promised by the military government at some point in 2010. He met Foreign Minister Nyan Win and was due to see the home

affairs minister, chief justice, attorney general and police chief, before flying to the commercial hub Rangoon and then Bangkok, officials said. Quintana was due to address the media in Rangoon on the progress of his trip, during which he has also met key members of the opposition, although not detained pro-democracy leader Aung San Suu Kyi. He held talks on Thursday with Tin Oo (U), the elderly vice chairman of Suu Kyi's National League for Democracy (NLD) who was freed from seven years of detention at the weekend. "We met for about one hour. We discussed the release of Daw Aung San Suu Kyi and the political prisoners," Tin Oo (U) told reporters late Thursday. Daw is a Burmese-language term of respect. "We also spoke of our request for a meeting between the Senior General (Than Shwe) and Daw Aung San Suu Kyi, and for a meeting between (her) and our central committee members so that we can continue our work for the future," he said. Quintana told the NLD members that he had asked to meet Suu Kyi but had had no answer yet from the junta, Tin Oo (U) said, adding that the party had not yet decided if it would take part in the elections. Earlier in the trip Quintana visited the northwestern town of Sittwe, where rights groups accuse the junta of repressing ethnic minority groups. ([19 February 2010 DVB](#))

18 February 2010

UN envoy Quintana meets prisoners

A UN envoy visiting military-ruled Burma to inspect progress on human rights ahead of elections has met prisoners in the country's remote northwest, officials said Wednesday. Special rapporteur Tomas Ojea Quintana, on the third day of a five-day trip to the Southeast Asian nation, travelled to Butheetaung prison in Rakhine state on the border with Bangladesh, they said. "He will meet with some prisoners in Butheetaung prison. He met some prisoners already in Sittwe (the state capital) on Tuesday. He will go back to Yangon on Thursday morning," a Burmese official told AFP. He did not specify whether or not they were political prisoners. On Friday he will go to the remote new capital Naypyidaw to meet the home affairs minister, foreign minister, chief justice, chief attorney general, police chief and human rights officials before leaving Burma. ([18 February 2010 DVB](#))

15 February 2010

UN human rights envoy arrives in Burma: Official

A UN human rights envoy arrived in Burma Monday for a five-day visit ahead of the country's elections, an official said. Tomas Ojea Quintana arrived by commercial flight at Yangon airport and was taken to his hotel before meeting with UN staff, the official said on condition of anonymity. "He arrived at about 9:00 am," (0230 GMT) he said. Quintana is to examine Burma's progress on human rights ahead of national polls expected this year. His visit comes days after the junta freed a key aide to detained democracy icon Aung San Suu Kyi, her elderly party deputy Tin Oo (U). The Burma official said Quintana would meet with diplomats on Monday following the talks with UN staff, and would then be permitted to meet lawyers from Suu Kyi's National League for Democracy party. NLD spokesman and one of Suu Kyi's lawyers, Nyan Win, said he and

three other party lawyers had been summoned to meet the envoy. "We four lawyers will meet with Mr Quintana this evening.... We do not know the reason. It's their proposal. I still do not know yet whether the envoy will meet with the NLD party," Nyan Win said. Quintana will also meet with two judges on Monday, the official said, before flying to Sittwe in western Rakhine State, close to the country's border with Bangladesh. He is expected to return to the country's economic hub Yangon on Thursday when the Argentine diplomat will visit the notorious Insein prison where dozens of political dissidents are held, and representatives of ethnic groups. Some ethnic groups along Burma's eastern border continue to wage armed opposition to the government. On Friday, the final day of his visit, Quintana will fly to the remote capital Naypyidaw to meet senior officials, although he is not expected to meet junta head Senior General Than Shwe. ([15 February 2010 DVB](#))

12 February 2010

Senator says US must engage Burma on sentence

Senator Jim Webb, who paid a rare visit to Burma last year, called Thursday for the United States to keep engaging the military regime after it handed a three-year sentence to a US citizen. Webb, who heads the senate foreign relations subcommittee on East Asia, said he was concerned about Burma's sentence on Thursday of activist Kyaw Zaw Lwin, who also goes by Nyi Nyi Aung. "The circumstances of Kyaw Zaw Lwin's arrest, confinement and trial demonstrate clearly the need for more consistent high-level engagement between our two governments," said Webb, a Democrat from Virginia. "It is strongly in the national interest of the United States to continue to promote a democratic transition in Burma," Webb said. Webb last year visited Burma and secured the release of an eccentric American who had swum to the home of democracy icon Aung San Suu Kyi, who remains under house arrest. The United States has demanded that the regime immediately release Kyaw Zaw Lwin, who has been active in Burma's pro-democracy movement and said he returned to his native country to see his ailing mother. The court convicted him of fraud and forgery, in part for not formally renouncing his former nationality. The conviction led representative Howard Berman, a Democrat who heads the House Foreign Affairs Committee, to call on president Barack Obama's administration to consider tightening sanctions on the regime. The Obama administration last year entered talks with Burma to coax it out of isolation. The regime plans this year to hold elections, which Western governments and the opposition fear will be a sham. ([12 February 2010](#))

UN rights envoy en route to Burma

UN human rights envoy Tomas Ojea Quintana will begin a five-day visit to Burma on 15 February, a UN official said Thursday, as the military junta prepares to hold national polls this year. "He will be there 15 to 19 February. It's his regular programme, he's supposed to visit the country two times a year," said human rights officer Hannah Wu. A Burmese official confirmed the visit and said Quintana would visit Sittwe in western Arakan state, close to the country's border with Bangladesh. This will be the envoy's third visit to the country after a previous mission last year was postponed, and comes a

day after the regime jailed an American human rights activist despite demands from the United States for his release. On 10 February, a court in the military-ruled nation sentenced Kyaw Zaw Lwin, to three years in prison on fraud and forgery charges. United Nations special rapporteur Quintana expects to meet with Burmese foreign minister Nyan Win but not with junta head, senior general Than Shwe during this visit, said Wu. She said he will report back from his visit to the Human Rights council and then to the General Assembly. ([11 February 2010 DVB](#))

8 February 2010

Australia to increase Burma aid

Australia will increase aid to Burma by 40 percent over the next three years, despite maintaining sanctions on the pariah Southeast Asian state, the Australian foreign minister announced yesterday. The increase will bring to \$AUS50 million (\$US43 million) the total annual aid provided by Canberra. Burma currently receives only \$US4 per head in foreign aid, the lowest of all the Southeast Asian countries, despite also being one of the poorest. Foreign minister Stephen Smith said that it was time for the international community to “help prepare Burma for the future” through “rebuilding...economic and social structures”. He continued, “this is not a reward for Burma's military, but a recognition of the immense task faced by current and future generations of Burmese.” ([8 February 2010 DVB](#))

7 February 2010

Philippines sees ‘farcical’ Burma elections

Burma is likely to hold elections around September but they are shaping up to be a “farce” with democracy icon Aung San Suu Kyi unable to run, Philippine Foreign Secretary Alberto Romulo said Friday. On a visit to Washington, Romulo said he expected the fellow Southeast Asian nation's military regime to release Nobel laureate Aung San Suu Kyi, who has spent most of the past 20 years under house arrest. “I believe the election will go through in September -around that time - and I believe that perhaps from what we hear that Aung San Suu Kyi would be released before the election,” Romulo said at the Center for Strategic and International Studies think-tank. But he said that the junta would likely prohibit Aung San Suu Kyi from running as well as some members of her National League of Democracy, which won the last election in 1990 but was never allowed to take power. “If this is so, then it's a mockery of Burma's own roadmap to democracy,” he said. “Such an election would be a farce.” The Philippines has been outspoken in demanding the release of Aung San Suu Kyi, with Romulo calling his country a “strong and sometimes solitary voice” on Burma in the 10-nation Association of Southeast Asian Nations (ASEAN). ([7 February 2010 DVB](#))

3 February 2010

Burma absent from UN Security Council's February agenda

Burma is not on the February agenda of the United Nations Security Council because no member has raised the issue, according to Ambassador Gérard Araud of France, the country holding the council's rotating presidency this month. "As for Myanmar (Burma), for the moment really, no security council member has raised the issue in our contacts I had yesterday with most of them," Araud told a press conference on Tuesday following consultations among members on the council's February program of work. On Monday, the French Foreign Ministry issued a statement condemning Burma for violations of freedom of expression and lack of media freedom. The statement followed a Rangoon court's sentencing of two Burmese reporters to long prison terms. Commentators say that after the attention given by the Security Council to the Burma question following the 2007 demonstrations and the 2008 cyclone, Burma has become a side issue within the UN chamber. Analysts say that the relatively subdued UN approach on Burma is probably because the US administration wants to resolve the Burmese issue by means of its direct engagement policy with the regime. ([3 February 2010 Irrawaddy](#))

2 February 2010

Obama proposes \$36.5 million to support democracy in Burma

US President Barack Obama has earmarked \$36.5 million in his 2011 budget to support democracy and humanitarian programs for Burma and along the Thai-Burma border. The money, earmarked under the US Administration's "Economic Support Fund," would be used within Burma but also for programs and activities involving Burmese student groups and other unnamed organizations located outside the country. The proposed budget, covering the year beginning in Oct. 2010, now goes before the US Congress for its approval. The Administration proposes that in addition to aid for Burmese refugees provided under the heading "Migration and Refugee Assistance," \$ 4 million shall be made available for community-based organizations operating in Thailand to provide food, medical and other humanitarian assistance to internally displaced persons in eastern Burma. According to the 2011 budgetary proposals, when implementing activities with funds appropriated for assistance for Burma, the implementing agency shall only support activities that are consistent with the principles and goals of the National League for Democracy in Burma. The budgetary proposals also reiterate that the Obama administration will continue to oppose at any international forums any loans or financial assistance to Burma. ([2 February 2010 Irrawaddy](#))