



BURMA

Crackdown

Repression of the 2007 Popular Protests in Burma

HUMAN
RIGHTS
WATCH



Crackdown

Repression of the 2007 Popular Protests in Burma

Map of Burma..... 1

Map of Rangoon2

Map of Downtown Rangoon.....3

I. Summary.....5

II. Crackdown After Crackdown: 45 Years of Military Rule 15
 Burma’s Economy: Poverty and Price Rises Spark Protests 21

III. Price Hikes, Peaceful Protests, and the Initial Reaction of the Authorities23

IV. The Monks Join the Protests..... 28
 “Overturning of the Bowls”: The Monks’ Decision to Boycott the SPDC 31
 The Monks March in Rangoon 33
 September 1733
 September 1833
 September 1936
 September 20.....37
 September 2138
 The NLD and Student Groups Rejoin the Protests.....39

V. The Crackdown.....43
 The Government Acts to End the Protests43
 The Last Day of Peaceful Protests: September 25.....44
 September 25-26: The Crackdown Begins.....45
 Crackdown at Shwedagon Pagoda46

Attacks on Protesters near Sule Pagoda	52
Shootings near Thakin Mya Park	52
Continued Protests on September 26.....	54
September 27: Attacks on and Emptying of the Monasteries.....	55
Emptying of the Monasteries	55
Shooting at Sule Pagoda	63
Killings at Basic Education High School 3 (High School 3) in Tamwe.....	69
Order Through Violence: September 28-29	76
September 28: Despair and Rage.....	76
September 29: “The streets were full of soldiers”	79
VI. The Continuing Night Time Raids: Monasteries and Wanted Organizers.....	81
The Fate of the Monks	81
The Continuing Arrest Campaign	83
VII. Detention Centers and Abuses	90
The Large-Scale Ad Hoc Detention Facilities	90
City Hall.....	90
Kyaik Ka San Race Course.....	90
Government Technical Institute (GTI)	92
Insein Prison and Other Official Detention Centers	95
VIII. Security Agencies Involved in the Crackdown.....	98
Army Units.....	99
Military Security Affairs.....	102
Police Units and Lon Htein Riot Police	103
Special Branch Police	104
The Role of “Mass-Based” Organizations for Social Control.....	105
IX. Recommendations	112
Sanctions	112
Humanitarian aid	114
To the United Nations Security Council.....	115
To the United Nations Secretary General and Special Envoy Ibrahim Gambari ..	116

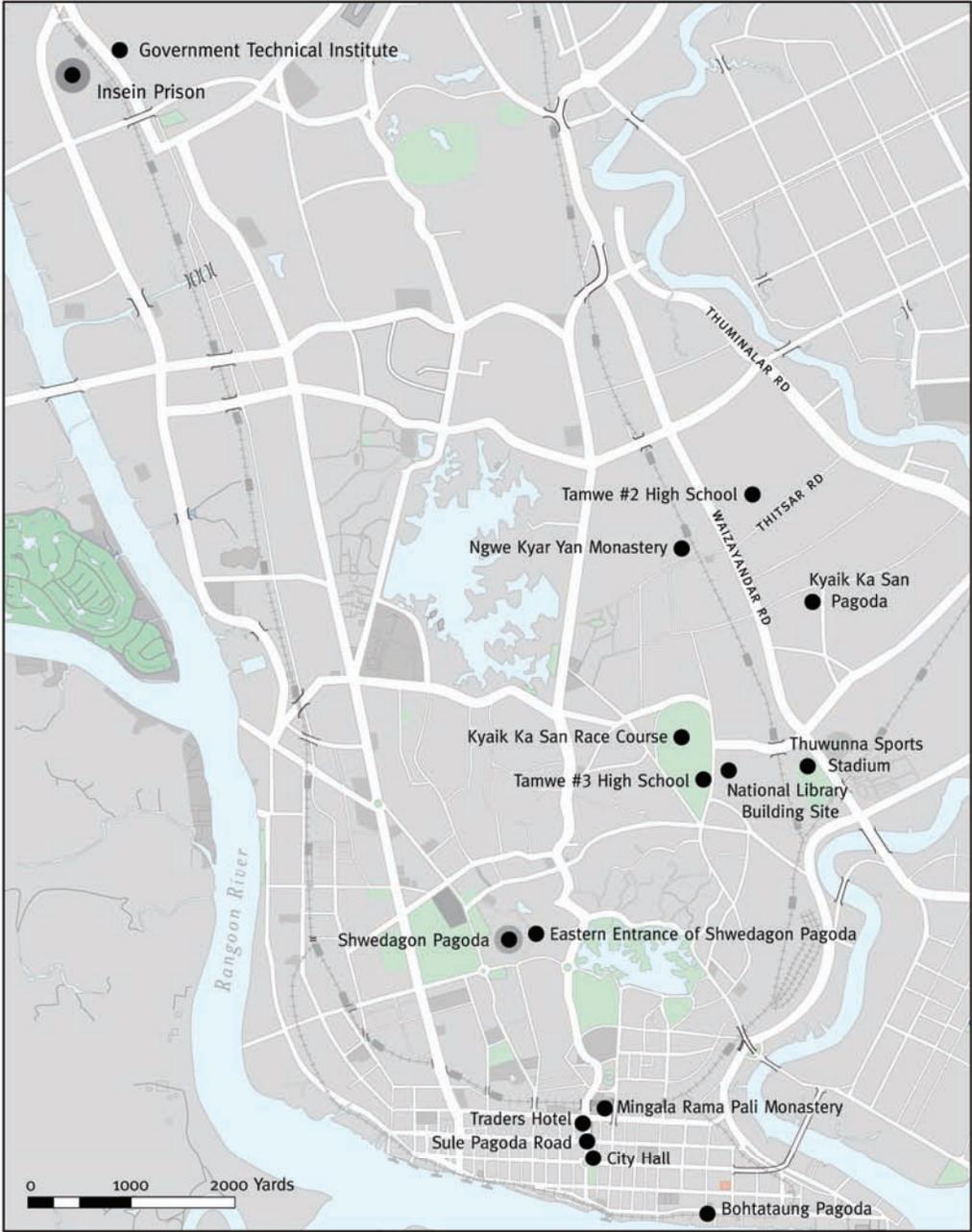
To the United Nations Human Rights Council.....	116
To the Government of Australia	117
To the Government of China	118
To the European Union and its Member States	119
To the Government of India	120
To the Government of Japan	121
To the Government of Russia.....	121
To the Government of Singapore	122
To the Government of Thailand.....	122
To the Government of the United States	123
To the Association of Southeast Asian Nations (ASEAN)	124
Regarding Companies Operating or Investing in Burma	125
Regarding refugees	125
Appendix I: Glossary	126
Acknowledgements.....	129

Map of Burma



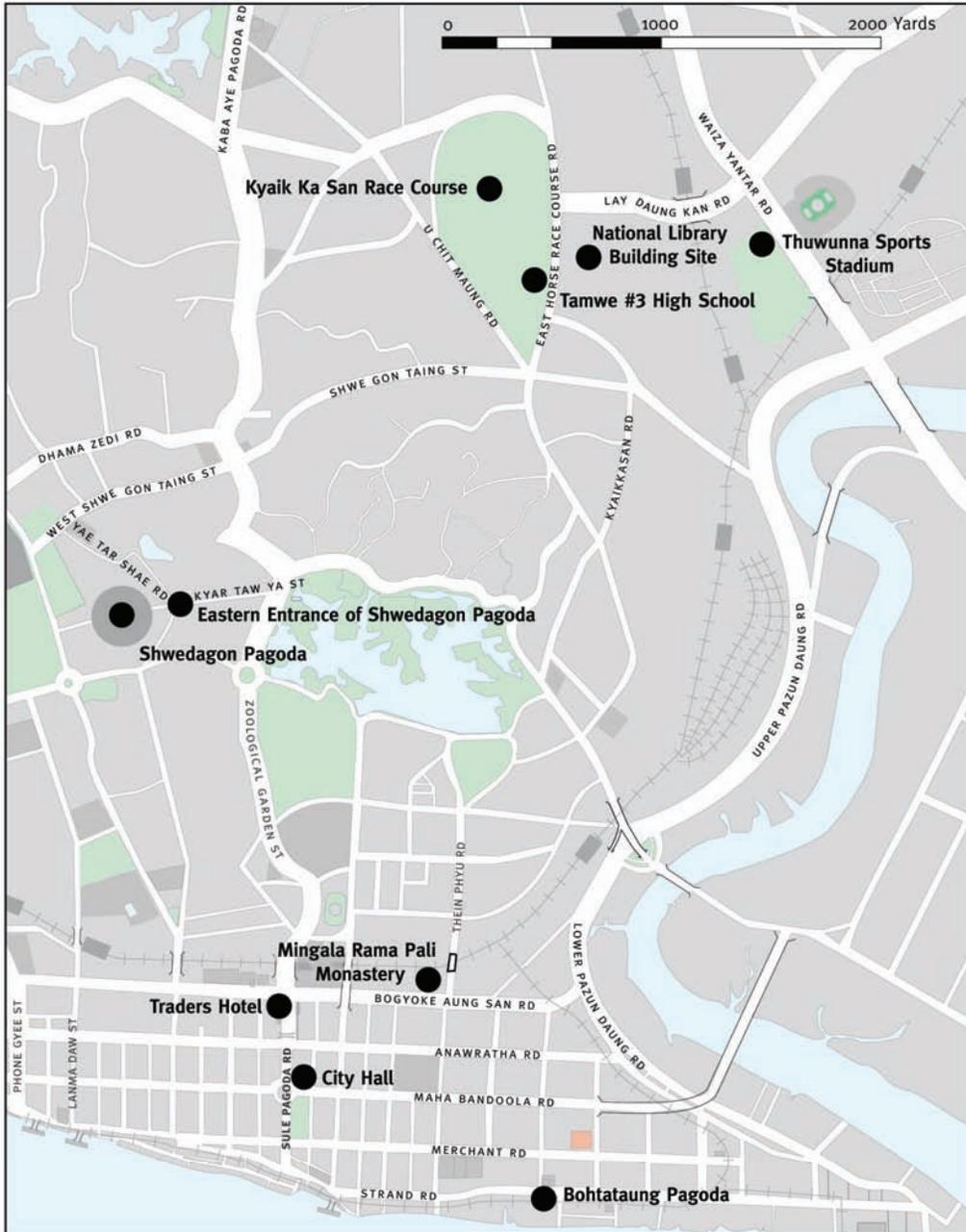
Burma

Map of Rangoon



Rangoon

Map of Downtown Rangoon



Downtown Rangoon

I. Summary

In August and September 2007, Burmese democracy activists, monks and ordinary people took to the streets of Rangoon and elsewhere to peacefully challenge nearly two decades of dictatorial rule and economic mismanagement by Burma's ruling generals. While opposition to the military government is widespread in Burma, and small acts of resistance are an everyday occurrence, military repression is so systematic that such sentiment rarely is able to burst into public view; the last comparable public uprising was in August 1988. As in 1988, the generals responded this time with a brutal and bloody crackdown, leaving Burma's population once again struggling for a voice.

The government crackdown included baton-charges and beatings of unarmed demonstrators, mass arbitrary arrests, and repeated instances where weapons were fired shoot-to-kill. To remove the monks and nuns from the protests, the security forces raided dozens of Buddhist monasteries during the night, and sought to enforce the defrocking of thousands of monks. Current protest leaders, opposition party members, and activists from the '88 Generation students were tracked down and arrested – and continue to be arrested and detained.

The Burmese generals have taken draconian measures to ensure that the world does not learn the true story of the horror of their crackdown. They have kept foreign journalists out of Burma and maintained their complete control over domestic news. Many local journalists were arrested after the crackdown, and the internet and mobile phone networks, used extensively to send information, photos, and videos out of Burma, were temporarily shut down, and have remained tightly controlled since.

Of course, those efforts at censorship were only partially successful, as some enterprising and brave individuals found ways to get mobile phone video footage of the demonstrations and crackdown out of the country and onto the world's television screens. This provided a small window into the violence and repression that the Burmese military government continues to use to hold onto power.

This report, based on more than 100 in-depth interviews conducted by Human Rights Watch researchers with eyewitnesses to the events in Rangoon, offers a detailed account of the protests and the brutal crackdown and mass arrest campaign that followed. It is based on interviews with monks and ordinary citizens who participated in the protests, as well as leading monks, protest organizers and international officials. Our report focuses on the events in Rangoon. It leaves out many deadly incidents and abuses that were reported, but for which — because of government restrictions and the risks involved — we were unable to find eyewitnesses. It is thus not the last word— more investigation is needed to uncover the stories, identify all incidents and victims, and trace the broader consequences of the crackdown.

Despite these limitations, this report provides the most detailed account of the crackdown and its aftermath available to date. The first-hand accounts in this report demonstrate that many more people were killed than the Burmese authorities are willing to admit, and sheds new light on the authorities’ systematic, often violent pursuit of monks, students, and other peaceful advocates of reform in the weeks and months after the protests.

The protests began in mid-August 2007, triggered in part by an unexpected decision by the ruling State Peace and Development Council (SPDC) to remove subsidies on fuel and natural gas prices, which increased some commodity prices overnight by 500 percent. On August 19, the ’88 Generation student movement (which had played a leading role in the 1988 uprising) organized a peaceful march of some 400 protesters in Rangoon. While the immediate issue was the price hikes, the protest and those that were to follow were also a reflection of people’s built up anger and behind-the-scenes mobilization by individuals seeking fundamental political reform and an end to the predatory rule of the military-led SPDC.

The reaction of the SPDC was immediate: on August 21 the authorities began arresting most of the leadership of the ’88 Generation students and other activist groups, and had more than 100 activists in detention by August 25. In addition, the SPDC mobilized members of its “mass-based” civilian wing, the Union Solidarity and

Development Association (USDA), and its abusive militia, *Swan Arr Shin*, to monitor the streets of Rangoon to beat and arrest any protesters who dared to continue the demonstrations. Despite the immediate crackdown, protesters continued to gather in Rangoon, and the protests soon spread to other cities throughout Burma.

On September 5, the protests reached a turning point when a group of Buddhist monks holding signs denouncing the price hikes marched in Pakokku, a religious center located close to the city of Mandalay. The monks were cheered on by thousands of protesters. The army intervened brutally, firing gunshots over the heads of the monks and beating monks and bystanders. Unconfirmed reports that one monk died from the beatings, and that others had been tied to a lamppost and publicly beaten, caused revulsion and anger in a deeply religious society. The next day, an angry mob surrounded government and religious affairs officials during a visit to a leading monastery, burning the cars of the government delegation and causing a tense six-hour standoff.

In response to the violence against monks in Pakokku, the newly formed All Burma Monks Alliance (ABMA) demanded an immediate apology from the SPDC, a reduction in prices, the release of all political prisoners including opposition leader Daw Aung San Suu Kyi, and a dialogue between the SPDC and the political opposition. The ABMA threatened to excommunicate the SPDC leadership from the Buddhist community if it did not meet these demands by September 17. When the SPDC ignored the demands of the ABMA, the ABMA excommunicated the SPDC leaders on September 17 and called for a resumption of the protests. ABMA members began refusing to accept alms from SPDC officials and their families, a symbolically potent act known as “overturning the bowls” (*Patta Nikkujjana Kamma*).

Monks throughout Burma responded to the ABMA’s call and on September 17 began daily marches. Remarkably, the security forces did not directly interfere in the protests for some days, although intelligence officials did photograph and videotape the marchers. It is unclear why the protests were allowed to proceed. The participants grew from the hundreds into the thousands, as an increasing number of monks participated and civilians began to join them.

On September 22, another decisive moment occurred: amidst torrential rain, a group of some 500 monks was allowed to pass through the barricades surrounding Aung San Suu Kyi's home, where she has been held under house arrest for 12 of the past 17 years, and briefly pray with her. This unexpected and unprecedented meeting invigorated the protests.

The next day, an estimated 20,000 protesters, including some 3,000 monks, marched in Rangoon, shouting slogans for the release of political prisoners and Nobel Peace Prize winner, Daw Aung San Suu Kyi, and for the SPDC to relinquish its hold on power. A day later, September 24, the Rangoon protests exploded in size, to an estimated 150,000 people, including 30,000 to 50,000 monks. Many political groups, including elected parliamentarians of the opposition National League for Democracy who were never allowed to take up their seats after the 1990 elections, as well as the banned All Burma Buddhist Monks Union, joined the marches. Well-known public figures such as the comedian Zargana and the movie star Kyaw Thu publicly offered alms to the marching monks to demonstrate support for their cause. Similar marches took place in 25 cities across Burma.

On the evening of September 24, the SPDC signaled it was about to crack down on the protests. The minister of religious affairs appeared on state television to denounce the protests as the work of "internal and external destructionists." The state-controlled *Sangha Maha Nayaka* committee (a state-controlled committee of senior monks that deals with religious issues) prohibited monks from participating in "secular affairs" or joining "illegal" organizations such as the ABMA. USDA and ward Peace and Development Council (PDC) trucks began circulating the next morning, warning people over loudspeakers not to participate in the protests. Despite the warnings, a similarly large crowd of protesters again appeared on the streets of Rangoon on September 25, the last day of protests before the crackdown.

On the night of September 25, the SPDC announced a nighttime curfew and began arresting some prominent figures who had supported the protesters, like the comedian Zargana. A large number of army troops were moved into Rangoon.

The next morning, September 26, the first serious attacks against the protesters took place when riot police and army troops surrounded and attacked monks at the main Shwedagon Pagoda, severely beating many monks. According to several eyewitnesses, the riot police beat one monk to death. When the protesters moved to the Sule Pagoda, three kilometers away, they were again beaten and dispersed by the riot police and *Swan Arr Shin* militia, who beat and detained many of the protesters. A separate group of protesters marching downtown were stopped by army troops and *Swan Arr Shin* militia near the Thakin Mya Park in the western downtown area. Soldiers opened fire directly into the crowd, hitting at least four protesters. As the crowd fled, they were blocked by army troops on Strand Road, where another protester was shot. Other marches continued in downtown Rangoon, creating a chaotic scene. At the end of the day, a one-kilometer-long procession of monks and protesters left the downtown area, showing the public's determination to continue their protests.

During the night of September 26-27, the security forces raided monasteries throughout Rangoon. The most violent raid took place at the Ngwe Kyar Yan Monastery, where the security forces clashed violently with the monks, and detained some 100 monks. Unconfirmed reports claim one monk was killed during the raid.

On the morning of September 27, army troops returned to the Ngwe Kyar Yan Monastery to arrest the remaining monks. They were surrounded by an angry crowd of residents. In the ensuing clashes, at least seven people were killed by the security forces, including a local high school student. Around mid-day, a second clash took place around the Sule Pagoda, as soldiers, riot police, and the *Swan Arr Shin* dispersed a large crowd of protesters, with the troops shooting first in the air and then directly into the protesters. In scenes beamed around the world, Kenji Nagai, a Japanese video-journalist, was deliberately shot and killed, and eyewitnesses saw another man and a woman also shot and likely killed. The riot police and *Swan Arr Shin* proceeded to beat and detain large numbers of protesters. At around 2 p.m., another deadly shooting took place, when soldiers shot dead a student holding the "Fighting Peacock" flag of the '88 Generation student movement at the Pansodan overpass.

On September 27, a separate deadly incident took place when army soldiers surrounded marchers in front of Tamwe High School 3, and then drove a military

vehicle directly into the crowd, knocking down and killing three protesters. When the soldiers got out of the truck, they opened fire on the fleeing crowd. Several others were killed in the ensuing shooting: soldiers shot in the back and killed a student climbing over the wall of his school and shot down three young men who fled into a neighboring construction site by the National Library. As they tracked down protesters, they fired into a ditch filled with fleeing people, and deliberately shot dead a protester hiding inside an empty water barrel. The security forces then detained hundreds of protesters, beating them before taking them to nearby detention facilities. Human Rights Watch confirmed at least eight civilian deaths at this clash.

Although thousands of people continued to try and organize protests on September 28 and 29, the SPDC managed to retake control of the streets by flooding Rangoon with thousands of troops, riot police, and militia members. The role of the *Swan Arr Shin* and USDA militias was particularly important, as they allowed the SPDC to patrol every street with abusive militia personnel willing to beat up and detain anyone even attempting to assemble. Security forces continued to fire live ammunition and rubber bullets at protesters who attempted to gather.

As the crackdown on the streets proceeded, the security forces also began raiding monasteries in Rangoon and other cities involved in the protests, detaining thousands of monks and frequently physically occupying the monasteries. Detained monks were taken to detention centers, de-robed, and ordered to leave their monasteries for their native villages—monks who escaped detention also were often forced to flee back to their native villages, as their monasteries were occupied. Because the massive arrests of monks, their de-robing, and the occupation of their monasteries, monks virtually vanished from the streets of Rangoon. The raiding and occupation of monasteries continues at the time this report was issued in early December: on November 27, the authorities ordered the closure of the well-known Maggin Monastery, which cared for HIV/AIDS patients. Many monks continue to be held in detention.

Monks were not the only target of the arrest raids. The security forces, relying on the photos and videotapes collected by intelligence agents during the protests

immediately began arresting anyone suspected of being involved in the protests. The arrest campaign highlights the SPDCs fear-inducing, totalitarian ability to penetrate the lives of its citizens: using multiple, overlapping networks such as the ward PDC, the USDA, *Swan Arr Shin*, and the security forces, the SPDC has the capacity to closely monitor and intimidate its citizens, arresting anyone it deems suspect. It has done so systematically since the September protest.

The state-controlled press claims that only 2,836 persons were detained, and only 91 remain in detention, but the actual number of detained persons was much greater, as is the number of those who remain in detention. Most worryingly, the SPDC has failed to account for hundreds of persons who have “disappeared” without trace since the protests, with families unable to confirm if their missing relatives are being detained or have been killed.

The detainees were kept at a variety of ad-hoc detention centers, including the City Hall, Kyaik Ka San Race Course, and the Government Technical Institute, where they faced life-threatening and unsanitary detention conditions. Human Rights Watch documented at least seven deaths in these detention facilities, although the total number is likely to be significantly higher. Detainees underwent basic interrogation, and anyone suspected of being an opposition activist or having been involved in the protests was sent for further interrogation at Insein prison and other facilities. Human Rights Watch documented significant abuse and torture at both the ad-hoc detention facilities and Insein prison: one detainee was hung upside down for long periods of time while being punched; several others were beaten unconscious during interrogations, and were forced to endure “stress positions” and sleep deprivation.

Like the raids on the monasteries, the arrest campaign continues at the time this report was issued in early December, with Human Rights Watch receiving almost daily reports of new arrests. In early November, the authorities arrested U Gambira, the head of the All-Burma Monks Alliance, and charged him with treason. On November 13, the labor rights activist Su Su Nway and her colleague Bo Bo Win Hlaing were arrested in Rangoon, during the visit of UN Human Rights Envoy Paulo Pinheiro. On November 20, a number of ethnic leaders and NLD officials were detained in Rangoon.

In the hundreds of thousands, the people of Burma once again showed tremendous courage in standing up to the generals. Their demands have been simple, amounting to basic rights that much of the rest of the world takes for granted: an end to military rule, democratic reform, and the release of political prisoners including opposition leader Aung San Suu Kyi. Perhaps most important, they want to live free from the pervasive fear and violence engendered by the repression in Burma. They wish to freely express themselves, assemble and protest without fear of arrest, detention and torture. The generals, clearly shaken by the open defiance of their rule, responded with bloodshed and repression, desperate to return to “business as usual”—which in Burma means dictatorial rule, widespread human rights abuses, and the silencing of any critical voices.

The Burmese government has taken no steps to address the human rights crisis caused by its brutal crackdown on peaceful protest. Unfortunately, this is nothing new. The government has ignored recommendations for reform from friends and critics alike since it annulled elections in 1990.

The international community has responded unevenly. Immediately after the crackdown, the United Nations Security Council dispatched Special Envoy Ibrahim Gambari, held a public hearing, and issued a presidential statement expressing its concern. It could have done more by adopting a resolution with an arms embargo, financial and other sanctions, and demanding specific, concrete steps towards the restoration of civilian rule and the holding of free and fair elections. The United States responded strongly, announcing new sanctions and pressing China, India, Japan, and the Association of Southeast Asia Nations (ASEAN) to also adopt sanctions and put pressure on the SPDC. The European Union also responded with sanctions and strong statements of condemnation, though it is not clear that it will be willing to adopt the kind of financial sanctions that would really matter to Burma’s leaders.

While China reportedly pressured Burma to allow Special Envoy Gambari and Special Rapporteur Paulo Pinheiro to visit Burma and for the SPDC to meet with Aung San Suu Kyi, Beijing has recently said that it was opposed to further Security Council activity on Burma. China is widely seen as the protector of the SPDC and therefore

part of the problem. ASEAN surprised many with its strong statement of “revulsion” at the time of the crackdown, but it has since closed ranks at its summit in Singapore, even un-inviting Gambari to brief the assembled leaders. India has hardly responded to the crackdown, instead putting its financial interests and its desire to compete with China for influence with the SPDC over its past support peaceful and democratic reform. Another key country, Japan, responded in its traditionally tepid mode. It announced a modest cut in aid, and only then because of public outrage following the killing of a Japanese journalist.

It is almost a truism that “change must come from within.” Change is what the protesters peacefully sought. Violence and repression is what they received in return. Now is the time for the international community to do its part. In a country increasingly reliant on the outside world for arms, trade, investment, and foreign currency, the international community can play a decisive role in pushing for reform in Burma.

Concerned states and international institutions must stand united in condemning the crackdown, imposing financial sanctions on the government and its leaders, adopting and implementing an arms embargo, demanding an international commission of inquiry to establish exactly what happened during the crackdown, and supporting the call for ending repression and promoting respect for basic rights in Burma. Fundamental change is needed in Burma, and international unity is required to bring about such change, particularly the support of China, India, Thailand, Japan, Singapore, and other regional actors. Thus far, the signs are not encouraging.

As the most powerful supporter of the regime, China is the key. In January 2007 it protected the generals by vetoing a United Nations Security Council resolution on Burma. It has made it clear that it will block any future resolutions. China should understand the risks associated with such close support for a ruthless dictatorship, particularly in the run-up to the 2008 Beijing Olympics.

This is a defining moment for the future of Burma, caught in the midst of a wave of repression and arrests, but with the outcome of the struggle for its future still

undecided. History will be a harsh judge of countries such as China, India, and Thailand – powerful neighbors of Burma – who have thus far done little or nothing to stand up for Burma’s long-suffering people. So long as China, India, Thailand and others protect the generals, they are likely to be able to ride out the storm – at least until the Burmese people rise up again, as they almost certainly will.

(A set of detailed recommendations is set forth at the end of this report.)

II. Crackdown After Crackdown: 45 Years of Military Rule

On March 2, 1962, the Burmese army under General Ne Win staged a coup against the democratically elected government in Rangoon and took control of the country. Within weeks, basic freedoms were severely restricted, with political parties outlawed, public gatherings limited or banned, press freedoms sharply restricted, and internal and international freedom of movement regulated by the Burmese army. Those freedoms have never been regained.

The newly formed Revolutionary Council of military officers opposed all forms of perceived political dissent. Following protests by the Rangoon University Students Union on July 8, 1962 the army shot scores of students and blew up the student union headquarters. Many political activists and journalists were jailed for expressing dissent. As part of its plan to gain legitimacy for continued military rule and economic reform, which even General Ne Win admitted the military was ill-equipped to manage, the Revolutionary Council in 1973 staged a national referendum to adopt a new constitution. The vote was rigged, with official results stating that more than 90 percent had voted in favor. The new constitution reformed Burmese federalism, establishing seven predominantly ethnic Burman “divisions” and seven ethnically distinct “states” that formed the Socialist Union of Burma. This system remains in place today.

Soon after the new constitution was promulgated, major demonstrations erupted in Rangoon in late 1974 as the body of former United Nations Secretary-General U Thant was returned for burial. Students and monks seized his casket, which they argued was being sent to a discreet burial, insulting his stature as a Burmese national and world figure. The army and riot police (*lon htein*) cracked down on the protesters, taking scores of lives.¹

The social tensions produced by 26 years of repressive military rule and socialist economic mismanagement came to the surface in March 1988. Following an incident

¹ Andrew Selth, *Death of a Hero. The U Thant Disturbances in Burma, December 1974*, Working Paper no.49, Griffith University, 1988.

between students and local workers at a tea shop in Rangoon, a group of students demonstrated over perceived abuse of power and corruption by local officials. The reaction by local officials and police was to violently disperse the protesters using the *lon htein* riot police, who bundled students into a small police van that drove around in the afternoon heat until some 42 died of asphyxiation and heat.² The deaths of the students sparked more demonstrations by university students. The authorities closed all universities in Rangoon and ordered the students to return home, but this only emboldened the students. Small demonstrations against the government began to spread throughout towns and cities in government controlled areas.

Ne Win resigned from his position and admitted government failings. But he argued that events since March 1988 had gotten out of hand due to the protesters, and sent them a sinister warning:

Although I said I would retire from politics, we will have to maintain control to prevent the country from falling apart, from disarray, till the future organizations can take full control. In continuing to maintain control, I want the entire nation, the people, to know that if in future there are mob disturbances, if the army shoots, it hits—there is no firing into the air to scare. So, if in future there are such disturbances and if the army is used, let it be known that those creating disturbances will not get off lightly.³

Despite these threats, people continued to march in the streets in large numbers. As the government rapidly lost control of the streets, newspapers and political posters were produced and openly distributed. Service personnel from the air force joined the demonstrators.

On August 8, 1988 (commemorated in Burma as 8-8-88), a major nationwide protest took place, with hundreds of thousands of people (some estimate up to one million) marching in Rangoon calling for democracy, elections, and economic reforms. Two

² Bertil Lintner, *Outrage: Burma's Struggle for Democracy*, (Bangkok, Kiskadale Publications, 1995).

³ The Extraordinary Session of the BSPP Congress, "Speech by U Ne Win, July 23," July 23-25, 1988.

days later, as tens of thousands of protesters remained on the streets, army units trucked into Rangoon began shooting at unarmed protesters. At Rangoon General Hospital, five doctors and nurses who were helping the wounded were shot and killed by soldiers.⁴ The government's authority then effectively collapsed. Much of the daily order of towns and cities was now in the hands of ordinary civilians, with the Buddhist monkhood, the *Sangha*, playing an important role as marshals of demonstrations to keep them peaceful and avert rioting, looting, and reprisals. At a rally at the Shwedagon Pagoda in Rangoon on August 26, nearly half a million people came to hear speeches by student leaders, former political figures, and Aung San Suu Kyi, the daughter of independence hero General Aung San. She told the gathering:

At this juncture when the people's strength is almost at its peak we should take extreme care not to oppress the weaker side. That is the kind of evil practice which would cause the people to lose their dignity and honor. The people should demonstrate clearly and distinctly their capacity to forgive. The entire nation's desires and aspirations are very clear. There can be no doubt that everybody wants a multi-party democratic system of government. It is the duty of the present government to bring about such a system as soon as possible.⁵

On September 18, 1988, the army forcibly retook control of the cities and towns. Army chief General Saw Maung declared martial law and the creation of the State Law and Order Restoration Council (SLORC, or *Na Wa Ta*), a collective of senior military officers who would form a "transitional" military government. Through military brutality and a shoot-to-kill policy against the protesters, the SLORC managed to deter further street protests. Estimates of the number killed range from 1,000 to 10,000 deaths nationwide, with 3,000 civilian deaths a commonly accepted figure. Although the army was responsible for the vast majority of the deaths, mobs murdered some suspected military intelligence agents, soldiers, and government bureaucrats.⁶

⁴ Maureen Aung-Thwin, "Burmese Days," *Foreign Affairs*, vol. 68, no. 2, Spring 1989, pp. 143-161.

⁵ "Speech to a Mass rally at the Shwedagon Pagoda," in Aung San Suu Kyi, *Freedom from Fear and Other Writings*, London, Penguin, 1995.

⁶ Maung Maung, "The 1988 Uprising in Burma," Yale University Southeast Asia Studies, January 2000.

To gain internal legitimacy and foreign support for its rule, the SLORC rapidly instituted a series of reforms, including changing the English name of the country to “Myanmar” and promulgating an electoral law that permitted political parties to form and organize.⁷ The National League for Democracy (NLD), led by Aung San Suu Kyi and retired generals such as U Tin Oo and U Aung Shwe, became the most popular and well-organized throughout the country.

The SLORC announced parliamentary elections for May 1990, but placed severe restrictions on political parties and activists. Suu Kyi’s widespread popularity proved to be a major threat to the SLORC, which had embarked on a strategy to discredit the 1988 uprising as instigated by old guard communists, foreign “colonialist” powers, and the Western media.⁸ As Suu Kyi’s speeches drew large rallies throughout the country, the SLORC sentenced her to house arrest in July 1989 on charges of instigating divisions in the armed forces.

The May 1990 elections were surprisingly free and fair. A total of 13 million valid votes were cast out of nearly 21 million eligible voters. The results of the election were overwhelming for the NLD, which won almost 80 percent of the seats and nearly 60 percent of the vote. The SLORC-created National Unity Party won only 10 seats.

The SLORC was taken by surprise by the magnitude of its defeat and the repudiation of military rule. It scrambled to nullify the NLDs victory, announcing months later that the new members of parliament (MPs) were elected only to form a constituent assembly to draft a new constitution, rather than sit as the elected parliament. This generated more protests and arrests. Dozens of elected MPs went into exile in Thailand and the West.

In 1990, the military brutally crushed a protest by Buddhist monks and nuns in Mandalay, called the *patam nikkujjana kamma* (“overturning the bowl”), whereby Buddhist monks refused to accept alms from or confer religious rights on SLORC officials

⁷ “Pyithu Hluttaw Election Law,” SLORC Law No.14/89, May 31, 1989.

⁸ Ministry of Information, “The Conspiracy of Treasonous Minions Within the Myanmar Naing-ngan and Traitorous Cohorts Abroad, Rangoon, News and Periodicals Enterprise,” State Law and Order Restoration Council, 1989.

and their families. Scores of monks were beaten and killed, hundreds deprived of their monkhood by being “de-robed,” and an estimated 3,000 thrown into prison.⁹

Following the reported nervous breakdown and retirement of SLORC head General Saw Maung in 1992, General Than Shwe took control of the SLORC. During the 1990s, the SLORC gravitated between continued repression and limited, often quickly aborted, attempts at economic and political reforms. Basic rights all but disappeared.¹⁰ High schools and universities were often closed for fear of protests. Many teachers and lecturers were forced to attend “refresher courses,” which were basically reeducation courses to deter them from deviating from government regulated curriculums.¹¹ The fear of “MI,” the undercover spies and informants of Military Intelligence, controlled by the Secretary Number 1 of the SLORC, Major General Khin Nyunt, was widespread and curtailed the everyday conversation of many Burmese.¹²

Because the “SLORC” had become a synonym for repression and brutality, in 1997 the name of the regime was changed to the State Peace and Development Council (SPDC). The SPDC further consolidated its control through the establishment of so-called mass-based organizations, most notably the Union Solidarity and Development Association (USDA).

In December 1996, demonstrations by university students in Rangoon were broken up by security forces after a week, and hundreds of students were imprisoned.

International pressure for a political settlement led the government, in 1995, to release Suu Kyi, who in 1991 had won the Nobel Peace Prize. Her unabated popularity led to renewed house arrest in 1997, following violent attacks by USDA thugs on her motorcade in Rangoon. Suu Kyi was again released in 2002, whereupon she and the NLD embarked on a series of rallies around the country that drew crowds of tens of thousands of supporters.

⁹ Gustaaf Houtman, *Mental Culture in Burmese Crisis Politics: Aung San Suu Kyi and the National League for Democracy*, Tokyo, Tokyo University of Foreign Studies, Institute for the Study of Languages and Cultures of Asia and Africa Monograph Series No.33, 1999.

¹⁰ Human Rights Watch, *Burma: Entrenchment or Reform? Human Rights Developments and the Need for Continued Pressure*, vol.7, no.10, July 1995.

¹¹ Article 19 (London), “Our Heads are Bloody but Unbowed”: Suppression of Educational Freedoms in Burma, *Censorship News* no.18, December 1992.

¹² Christina Fink, *Living Silence. Burma under Military Rule*, (London: Zed Books, 2001).

The SPDC organized USDA members to stage anti-NLD demonstrations wherever she made an appearance. On May 30, 2003, an SPDC-organized mob attacked her convoy at Depayin, injuring Suu Kyi and other NLD members. At least four NLD bodyguards were killed. Credible reports suggested that dozens of onlookers were killed in the attack.¹³ The government permitted no independent investigation of the attack.

Suu Kyi was then detained at the notorious Insein prison in Rangoon. She was later moved back to house arrest, according to the SPDC, “for her own security.” She has remained under house arrest and almost completely cut off from the outside world, only occasionally allowed to meet with anyone other than her jailers.

Long-simmering internal divisions within the SPDC, apparently over power succession, financial interests, and economic and political reform, boiled over when, on October 19, 2004 Than Shwe ordered the arrest of his closest rival, Khin Nyunt, the closing down of his powerful military intelligence apparatus, and the arrest of many of his associates. Khin Nyunt was replaced as prime minister by Lt.-General Soe Win, the man allegedly responsible for orchestrating the attack on Aung San Suu Kyi’s motorcade at Depayin in 2003.¹⁴ These events signaled the consolidation of power by the hard-line faction of the SPDC led by Than Shwe and its vice-chairman, General Maung Aye.

The SPDC signaled an even further distancing from the population when it suddenly moved the capital from Rangoon to a jungle redoubt near the central Burma town of Pyinmana in late 2005. The newly constructed capital, called Naypyidaw (“Abode of Kings”), is a vast sprawling complex of new buildings housing all government ministries. Tens of thousands of public servants were forced to relocate to a city with which the International Monetary Fund estimates cost over 2 percent of Burma’s gross domestic product (many observers place the cost much higher).¹⁵

¹³ “Preliminary Report of the Ad hoc Commission on Depayin Massacre (Burma), July 4, 2003,” *Legal Issues on Burma Journal*, No.15, 2003.

¹⁴ Soe Win died in October 2007 after a long illness. He was accorded a state funeral, the first time in decades any official in Burma had been granted such an honor.

¹⁵ Maung Aung Myoe, “The Road to Naypyitaw: Making Sense of the Myanmar Government’s Decision to Move its Capital,” *Asia Research Institute Working Paper 79*, National University of Singapore, November 2006; Charlotte McDonald-Gibson, “As Myanmar’s new capital emerges, analysts question its true cost,” *Agence France Presse*, April 6, 2007.

Burma's Economy: Poverty and Price Rises Spark Protests

The August 2007 protests were sparked by massive fuel prices that a desperately poor population simply could not afford. On August 15, the SPDC announced a sudden and dramatic rise in fuel prices by as much as 500 percent. This change led to immediate rises in prices for basic goods, including rice, and made bus travel unaffordable for many poor residents. Although Burma is rich in fossil fuels, precious stones, and hardwood timber, decades of economic mismanagement, vast spending on the military, and corruption have left the majority of the population deeply impoverished. A large portion of Burma's population lives in poverty, and many of those live in extreme poverty, subsisting on less than a dollar a day. A recent household survey conducted by the United Nations found that more than 30 percent of the population lives "well below the poverty line." In 2006 the UNDP Human Development index ranked Burma 132 out of 177 countries in the world. A 2007 UN survey concluded that living standards had declined markedly in the past ten years.

Corruption¹⁶ and the dominant role of the military in Burma's economy have produced a widening gap between a privileged urban elite connected to the military, and the majority of the population, which lives in the countryside, where government health and education services are virtually non-existent and there are few alternative employment opportunities beyond agriculture. Conditions have also worsened for ordinary urban residents, as they confront rising inflation, high unemployment, frequent power outages, a collapsing sanitation infrastructure, and deteriorating roads and other public infrastructure.

The SPDC spends a significant proportion of Burma's resources to maintain its enormous army and engages in profligate spending on unproductive projects such as the relocation of the capital, yet has some of the lowest social spending of any country in the world. Inadequate nutrition is the fifth leading cause of infant deaths in Burma. Burma is the only country in the world where beri beri, a vitamin deficiency affliction, is a major cause of infant mortality. A recent UN statement summed up the

¹⁶ Burma (together with Somalia) received the lowest ranking in Transparency International's 2007 Corruption Perceptions Index, which evaluated perceptions of public sector corruption in 180 countries. Transparency International, Corruption Perceptions, Index 2007.

plight of the population, finding that “in this potentially prosperous country, basic needs are not being met”:

Today, [Burma]’s estimated per capita GDP is less than half that of Cambodia or Bangladesh. The average household is forced to spend almost three quarters of its budget on food. One in three children under five are suffering from malnutrition, and less than 50 percent of children are able to complete their primary education. It is estimated that close to seven hundred thousand people suffer from malaria and one hundred and thirty thousand from tuberculosis. Among those infected with HIV, an estimated sixty thousand people needing anti-retrovirals do not yet have access to this life-saving treatment.¹⁷

Healthcare in Burma has suffered as a direct result of military rule. Epidemics of HIV/AIDS, malaria and tuberculosis have exacerbated serious health challenges in the country. Restrictions on grassroots health activists and even private health clinics and services by the authorities are commonplace, as the SPDC tries to control even small-scale health initiatives. Healthcare in ethnic conflict areas is even more dire, where death and injury by war, disease, poverty, and poor nutrition is an everyday reality. A 2006 study by mobile health clinics in eastern Burma found that one in four children die before they are five-years old.

The Burmese economy is stifled by an unwieldy dual exchange rate for the national currency, the *kyat*. The official rate is 6 kyat per US dollar, while the market rate fluctuates between 1,000- 1,400. Widespread poverty has been exacerbated by disastrous economic policies, such as the 1987 demonetization in which currency notes of 25, 35, and 75 were summarily withdrawn and replaced with notes of 15, 45, and 90 (the last two of which were apparently chosen by Ne Win because of his affinity for the astrological auspiciousness of the number nine).

¹⁷ UN Country Team, “Statement of the United Nations Team in Myanmar,” October 25, 2007.

III. Price Hikes, Peaceful Protests, and the Initial Reaction of the Authorities

On August 15, 2007 the Burmese government unexpectedly removed most subsidies on fuel and natural gas prices, causing rapid and dramatic increases in the prices of fuel, diesel, and natural gas, as well as basic commodities. Natural gas prices increased overnight by as much as 500 percent, and fuel and diesel costs doubled. The rise in fuel prices had a knock-on effect throughout the population, as already impoverished persons struggled to meet the increased costs of transport and basic goods.

“Su Su Hlaing,” a tea shop owner from Rangoon, explained to Human Rights Watch how her business was affected:

The tea shop business went bad because of the price increases. The milk and charcoal prices rose. People couldn’t afford to buy at the tea shop because the prices were higher. So, there was not much profit for my family...before the fuel prices, the cost of [food delivery] was 200 kyat. After the price increase, it was 400 kyat for the service...as for our daily earnings, before we used to sell 70,000 kyat a day, which gave us a profit of 5,000 kyat. After, we would sell 50,000 kyat a day, which gave us a profit of 1500-2000 kyat a day. And this is [the income] for the whole family.¹⁸

On August 19, an estimated 400 to 500 people, including prominent leaders of the '88 Generation student movement, gathered for a march in Tamwe Township of Rangoon to protest the fuel price increases. “Htet Zin Moe,” a shopkeeper who had joined that protest told Human Rights Watch:

On August 19, I went to Tamwe to [buy shop supplies]. While I was there, I saw the demonstration led by [’88 Generation leader] Min Ko Naing asking the government to reduce the fuel price. At that time, I

¹⁸ Human Rights Watch interview with “Su Su Hlaing,” (location withheld), October 26, 2007. All names in quotation marks in the report are pseudonyms to protect interviewees from government reprisal.

supported the demonstration. I was shouting as I was walking with them, explaining why I was marching. I joined at 11:30 a.m., for about 20 minutes. There were no USDA or *Swan Arr Shin* [militia] giving the people any trouble.¹⁹

Earlier in the year there had been a number of small protests, including a February 22 protest in Rangoon against poor economic conditions that led to the arrests of nine people who were released a week later,²⁰ a follow-up protest by the same group of activists in Rangoon on April 22, 2007, that led to the arrest of eight people,²¹ and a one-person protest on June 19, 2007 (the birthday of Aung San Suu Kyi) in Taungkok township, Arakan state, against inflation. But the August 19 protest was the largest public demonstration in Burma in years.

The government responded on August 21 by arresting prominent activists, targeting most of the leadership of the '88 Generation student movement, including Min Ko Naing,²² Ko Ko Gyi,²³ Min Zeya, Ko Jimmy, Ko Pyone Cho, Arnt Bwe Kyaw, and Ko Mya Aye.²⁴ The government arrested people on a daily basis in its efforts to halt the protests: by August 25, more than 100 people had been detained, including many officials of the NLD, the former chair of the Labor Solidarity Organization, the chair of the Human Rights Defenders and Promoters group, other political activists (most of them former political prisoners), members of the Myanmar Development Committee, and ordinary protesters.²⁵ The detentions of the '88 Generation student leaders were publicly announced in the state-controlled *New Light of Myanmar* newspaper, which claimed that “their agitation to cause civil unrest was aimed at undermining peace

¹⁹ Human Rights Watch interview with “Htet Zin Moe,” (location withheld), October 29, 2007.

²⁰ See “Army-ruled Myanmar Detains Six After Rare Protest,” Reuters, February 23, 2007.

²¹ See “Eight Protesters Detained for Rare Protest in Military-ruled Myanmar,” *International Herald Tribune*, April 22, 2007.

²² Min Ko Naing is a founder and leader of the All Burma Federation of Student Unions (ABFSU), one of the leading organizations behind the 1988 protests in Burma. He was detained after the crackdown on the 1988 protests, and spent 15 years in prison, until his release on November 19, 2004. He was re-arrested in September 2006, released on January 11, 2007, and arrested for a third time less than a week later. He remains in detention at the time this report was published, following his August arrest.

²³ Ko Ko Gyi was deputy chairman of the ABFSU during the 1988 protests. He was detained for more than 14 years from 1991 until March 17, 2005. He was detained again in September 2006, and released on January 11, 2007. He remains in detention at the time this report was published, following his August arrest.

²⁴ See “Burma: Arbitrary Detention of Protesters,” Human Rights Watch news release, August 22, 2007.

²⁵ AAPPB, “List of Arrested Persons,” DATE, and other sources.

and security of the State and disrupting the ongoing National Convention,” and listed criminal charges that could result in long prison sentences.²⁶

As soon as the demonstrations began, the protesters in the street faced harassment from pro-government elements that threatened and at times physically attacked them. These included the SPDC-organized Union Solidarity Development Association (USDA) and the *Swan Arr Shin* (“Masters of Force”) militia.²⁷ (The USDA and *Swan Arr Shinn* militia are discussed in detail in chapter VIII).

According to press and eyewitness accounts, when a second protest of some 100 people was organized on August 22, “armed police took up positions across [Rangoon] alongside truckloads of men from the army’s Union Solidarity and Development Association [who] were carrying brooms and shovels, pretending to be road sweepers.”²⁸ Some of the protesters were physically assaulted by the USDA members. The police present did not intervene to stop the assaults, although they did arrest some of the protesters afterwards.²⁹

On August 23, security forces and militia members detained a group of 30 protesters who were walking “quietly without placards” to the offices of the National League for Democracy, manhandling them into waiting civilian trucks. The same day, U Ohn Than, 61, a former political prisoner, held a solitary protest in front of the US embassy, holding up placards and shouting slogans for about ten minutes before being detained by the security forces.³⁰

²⁶ See “Myanmar Activists Face Legal Action Over Fuel Hike Protests,” Agence France Presse, August 25, 2007.

²⁷ See, “Burma: Violent Attacks on Human Rights Activists,” Human Rights Watch news release, April 24, 2007; See also, Network for Democracy and Development, *The White Shirts: How the USDA Will Become the New Face of Burma’s Dictatorship* (Mae Sariang, Thailand: May 2006); “Security Presence Stifles Protests in Myanmar’s Biggest City,” Associated Press, August 29, 2007 (reporting that “Myanmar’s military government employed menacing gangs of civilians to keep watch at key points in the country’s biggest city Wednesday as it sought to crush a rare wave of protests by pro-democracy activists against fuel price hikes...Three trucks, each carrying about 20 tough-looking young men, were parked on either side of the road Wednesday, watching for any protesters in what has become a familiar scene on the city’s streets over the past week.”); Daniel Howden, “Junta ‘frees prisoners for anti-protest mobs,’” *Independent* (London), August 29, 2007; Larry Jagan, “Fuel Price Policy Explodes in Burma,” *Asia Times*, August 23, 2007.

²⁸ Glenn Kessler, “U.S. Condemns Burmese Arrests of 13 Dissidents,” *Washington Post*, August 23, 2007.

²⁹ “Burma: Arbitrary Detention of Protesters,” Human Rights Watch news release, August 22, 2007.

³⁰ “Myanmar Junta Squashes More Protests in Yangon,” Reuters, August 23, 2007; “Myanmar Protesters March Despite Arrests,” Associated Press, August 23, 2007.

On August 24, militia members broke up a protest near the City Hall in Rangoon, beating and detaining some 20 protesters.³¹

On August 28, 2007, some 50 persons led by the veteran labor organizer Su Su Nway³² shouted “Lower fuel prices! Lower commodity prices!” at the Hledan traffic circle in Rangoon. Militia and uniformed security members assaulted the protesters and detained at least twenty protesters, mostly members of the NLD.³³ Su Su Nway herself escaped arrest by jumping into a taxi, but was detained on November 13, 2007, as she and colleagues were putting up protest leaflets near the hotel where UN Human Rights Envoy Paulo Pinheiro was staying at the time.³⁴

By September 1, 2007, continuing arrests and attacks on protesters by the militias posed a significant challenge to protest organizers in Rangoon. Most of the activists responsible for organizing protests in Rangoon had either been arrested or were now in hiding to avoid arrest, as security forces had distributed the names and photographs of wanted activists to hotels and neighborhood officials.³⁵ However, small protests were now also being staged in other cities including Sittwe, Meiiktila, Taunggok, and Mandalay.³⁶

On September 3, the Burmese authorities announced the completion of the 14-year-long National Convention to draft a new constitution. The Burmese authorities used the convention’s completion as a weapon against the protesters, suggesting that the protesters sought to disrupt Burma’s “roadmap to democracy.”

³¹ “Arrests Thwart New Myanmar Protests,” Associated Press, August 24, 2007; “Myanmar Arrests 20 More Protesters,” Agence France Presse, August 24, 2007; “USDA Members Bash, Arrest 30 activists,” Democratic Voice of Burma, August 24, 2007.

³² In 2005, Su Su Nway became the first person to successfully prosecute local officials for the imposition of forced labor, a common human rights abuse in Burma. Su Su Nway, who suffers from a heart condition, was subsequently sentenced to one and a half years’ imprisonment in October 2005 on charges of “using abusive language against the authorities” and released from prison on June 6, 2006. In 2006, she was awarded the John Humphrey Freedom Award by the Canadian human rights group Rights and Democracy. See http://www.dd-rd.ca/site/humphrey_award/index.php?id=2159&subsection=past_winners.

³³ “Dozens detained over new protest in Myanmar,” Agence France Presse, August 28, 2007. AAPPB, “List of detainees” (listing 20 detainees from the protest).

³⁴ Nora Boustany, “Burmese Authorities Arrest Two Prominent Dissidents: Roundup Continues in Wake of Protests,” *Washington Post*, November 14, 2007.

³⁵ “8 Myanmar Dissidents Dodge Arrest,” Associated Press, September 1, 2007; “Myanmar Steps Up Manhunt for Activists,” Agence France Presse, September 3, 2007.

³⁶ Seth Mydans, “Protests Persist in Myanmar, Despite Arrests by Junta,” *New York Times*, August 31, 2007; “Two Men Arrested in Taunggok,” Democratic Voice of Burma, August 31, 2007; “Twelve Elected MPs Stage Peaceful Protest,” Democratic Voice of Burma, August 30, 2007; “Myanmar Fuel Protests Spread to Northwest City,” Reuters, August 28, 2007.

The same day, authorities immediately detained protesters who planned to march 260 kilometers from Laputta to Rangoon, and a brief 15-person protest was held in Kyaukse, the hometown of Burma's military leader, Senior General Than Shwe.³⁷

³⁷ "Myanmar Protest Hits Junta Leader's Hometown as Calls for UN Action Intensify," Associated Press, September 4, 2007.

IV. The Monks Join the Protests

Although sweeping arrests and the attacks by USDA and *Swan Arr Shin* thugs had effectively contained protests in Rangoon by early September, the movement gained momentum in other parts of Burma, seemingly taking the government by surprise. On September 4, a group of 15 NLD members marched in Taunggok to demand the release of Se Thu and Than Lwin, two NLD members detained at a two-person protest on August 31, and were soon joined by a crowd of up to a thousand local residents.³⁸ The same day, the Burmese authorities arrested Mya Mya San, an NLD member who had led a regular prayer vigil for the release of detained NLD leader Aung San Suu Kyi at Rangoon's Shwedagon Pagoda, dispersing the 15 NLD activists who had joined the prayer vigil.³⁹

On September 5, NLD officials organized a protest rally in the Irrawaddy Delta town of Bogale, giving speeches to a crowd reportedly numbering in the hundreds for several hours before the authorities broke up the crowd and arrested Aung Khin Bo, the NLD's township chairman, who had organized the rally.⁴⁰

Although the protests prior to September 5 were a significant event in Burma's history—they were the first sustained protests against military rule since the bloody crackdown on the August 1988 protests that left more than 3,000 people dead—a turning point occurred on September 5, when several hundred Buddhist monks marched down the streets of Pakokku, a religious center located close to the city of Mandalay.⁴¹ The monks reportedly held placards denouncing the price hikes, and were cheered on by thousands of residents lining the streets.⁴² The decision of the monks to

³⁸ "Myanmar Protest March Attracts 1,000 People," Reuters, September 4, 2007.

³⁹ "Defiant Protesters Stage New Rally in Myanmar," Agence France Presse, September 5, 2007.

⁴⁰ "Defiant Protesters Stage New Rally in Myanmar," Agence France Presse, September 5, 2007; "NLD leader arrested after Bogalay Protest," Democratic Voice of Burma, September 5, 2007.

⁴¹ About 200 monks also held a protest in Sittwe on August 28, 2007.

⁴² "Myanmar Troops Fire Warning Shots at Monk Protest," Reuters, September 5, 2007.

join the protests was of deep significance, as monks have a unique moral standing in Burma and have since colonial times been at the core of political uprisings.⁴³

The army intervened in the protests for the first time. After firing at least a dozen warning shots over the heads of the marching monks, the army reacted brutally, beating the monks and the bystanders with bamboo sticks.⁴⁴ USDA and *Swan Arr Shin* militias joined in the crackdown, beating and apprehending monks and civilians. Rumors circulated, still unconfirmed, that one monk died from a beating received at the protest, and that several monks had been tied to a lamp post and publicly beaten.⁴⁵ The army's abuse of revered monks in their initial appearance at protests caused revulsion and anger throughout the country.

The following day, September 6, a government delegation including the chairman of the Pakokku Peace and Development Council and a representative of Magwe's religious affairs division visited the main Maha Visutarama Monastery, reportedly to apologize to the abbot for the violence of the previous day and to request that he order his monks to stop taking part in protests.⁴⁶ The monastery was quickly surrounded by a crowd of angry monks and civilians numbering around a thousand, who proceeded to burn four cars of the government delegation, prevented the officials inside the monastery from leaving, and demanded the release of detained monks.⁴⁷ After a tense six-hour standoff, the officials managed to leave the monastery through a backdoor exit.⁴⁸

The monk protests in Pakokku were denounced on state-controlled television. Monks were blamed for inciting violence as state television said that attempts to incite violence would not be tolerated and that the people of Burma "would not

⁴³ See generally, Donald E. Smith, *Religion and Politics in Burma*, (Princeton: Princeton University Press, 1965).

⁴⁴ "Myanmar Troops Fire Warning Shots at Monk Protest," Reuters, September 5, 2007.

⁴⁵ "Monks Take Officials Hostage for Hours in Upper Burma Standoff," *Irrawaddy*, September 6, 2007.

⁴⁶ "Myanmar Monks Seize Government Officials," Reuters, September 6, 2007.

⁴⁷ "Myanmar Monks Seize Government Officials, Burn Cars," Reuters, September 6, 2007; "Pakokku Monks Release Detained Officials," *Democratic Voice of Burma*, September 6, 2007; "Monks Take Officials Hostage for Hours in Upper Burma Standoff," *Irrawaddy*, September 6, 2007.

⁴⁸ "Protesting Myanmar Monks Free Hostages," Associated Press, September 6, 2007.

resort to violent means and will never accept attempts to incite unrest like the '88 uprising.”⁴⁹

In response to the violence against monks in Pakokku, a new organization calling itself the All Burma Monks Alliance⁵⁰ issued a statement on September 9, 2007, giving the SPDC until September 17 to comply with four demands or face a religious boycott: 1) an apology by the SPDC to the monks for the Pakokku violence; 2) an immediate reduction in commodity prices including fuel, rice, and cooking oil prices; 3) the release of all political prisoners including Aung San Suu Kyi and those detained during the current protests; and 4) an immediate dialogue with the “democratic forces” in order “to resolve the crises and difficulties facing and suffering by the people.”⁵¹ The deadline of September 17 was symbolic, as September 18 is the anniversary of the date the 1988 pro-democracy movement was decisively crushed and current military rule was established under the State Law and Order Restoration Committee, SLORC (later renamed SPDC).

The SPDC did not meet the demands of the monks. Instead, it tried to buy the loyalty of individual monasteries with financial gifts that the monks largely refused.⁵² The SPDC continued with its crackdown on the protests and vilification of the opposition. On September 9, the state *New Light of Myanmar* newspaper charged that “internal and external pessimists and opposition groups are striving to create riots and internal disturbances” with the aim “to gain power by a short cut,” and accused the protest organizers of planning terrorist attacks and undergoing training, sponsored by an unnamed US organization, in bomb-making.⁵³ The SPDC also deactivated the landlines and mobile phone service of key activists, journalists, and at the NLD headquarters.⁵⁴

⁴⁹ “Protesting Myanmar Monks Free Hostages,” Associated Press, September 6, 2007.

⁵⁰ According to its statement, the All Burma Monks Alliance is a federation representing the All Burma Young Monks Union, the Federation of All Burma Monks Union, the Young Monks Union (Rangoon), and the Monk Duta, and claimed to represent “all monks living in Burma.”

⁵¹ Announcement of All Burma Monks Alliance: 12th Waning Day of Wagaung, 1369BE, Letter No. (1/2007), September 10, 2007.

⁵² “Military Officials in Mandalay Thrown Out by Monks,” Independent Mon News Agency, September 14, 2007; “Military Leader Behind Crackdown Tries to Placate Monks,” *Irrawaddy*, September 13, 2007; “Dignitaries Are Used to Approach Monks,” BBC Burmese Service, September 12, 2007; “Monks Offered Compensation by Government,” Democratic Voice of Burma, September 11, 2007.

⁵³ Kyaw Ye Min, “Interference of US and Britain in Myanmar’s political affairs-III,” *New Light of Myanmar*, September 9, 2007. On September 11, the *New Light of Myanmar* urged citizens to end the protests because protests “are no longer fashionable,” and should be ended “lest the nation will be stepping towards the abyss,” and suggested that the people should express

On September 10, a military tribunal at Insein prison sentenced six labor activists to sentences of 20 to 28 years in prison for attempting to attend a May Day talk on labor rights at the American Center in Rangoon.⁵⁵ In an apparent attempt to counteract the protest movement, the SPDC began organizing nationwide “mass rallies” to welcome the completion of the National Convention, with mandatory attendance required from the local population.

“Overturning of the Bowls”: The Monks’ Decision to Boycott the SPDC

After the SPDC refused to meet the four demands of the All Burma Monks Alliance (ABMA), the ABMA released a second statement on September 14 announcing that all monks would refuse to accept alms from SPDC officials and their supporters through a religious excommunication known as *Patta Nikkujjana Kamma*,⁵⁶ or the overturning of the alms bowls. The statement claimed that senior abbots supported the ABMA’s boycott, and called for the resumption of peaceful protests by the monks on September 18.⁵⁷

The decision to formally invoke a *Patta Nikkujjana Kamma* religious boycott against the SPDC and its supporters and family members was a powerful gesture against the predominantly Buddhist SPDC leadership. In Buddhism, the giving and receiving of alms is a fundamental expression of religious piety, and considered among the most meritorious of acts. Buddhist religious life in Burma centers around gaining “merit” through ones’ actions, so the boycott effectively denied the SPDC and its supporters the ability to gain merit from the elements of the Buddhist community that supported the boycott (although the SPDC leadership could continue to count on the support of government-allied Buddhist abbots and their monasteries).

their views through the “soon” to be held referendum. Maung Deh Doe, “No need to protest: No means other than to express wish,” *New Light of Myanmar*, September 11, 2007.

⁵⁴ “Phones Cut at Myanmar Opposition HQ,” Associated Press, September 13, 2007. Mobile phone service is tightly controlled in Burma, and obtaining mobile phone service requires registering one’s identity and costs several thousand US dollars.

⁵⁵ “Myanmar Generals Threaten Suu Kyi’s Political Party,” Reuters, September 10, 2007; “Six Burmese Labour Rights Activists Sentenced to over 20 Years in Prison,” Mizzima News, September 10, 2007.

⁵⁶ Under the *Vinaya Pitaka*, the Buddhist code of conduct, *Patta Nikkujjana Kamma* can only be invoked for eight listed offenses against Buddhism, including vilifying or making insidious comparisons between monks, inciting dissension between monks, defaming Buddha and Dhamma and the Sangha.

⁵⁷ “Monks ready to demonstrate Tuesday; Regime Ready to Crackdown,” *Irrawaddy*, September 17, 2007; “Monks’ Boycott Looms as Regime Withholds Apology,” *Irrawaddy*, September 17, 2007; “More than 600 Monks March in Peaceful Demonstrations in Burma,” *Irrawaddy*, September 17, 2007.

The boycott also affected the political legitimacy claimed by the SPDC and its supporters as devout Buddhists, a blow to the leadership. Since coming to power, the SPDC generals had sought to cultivate an image of themselves as protectors of the *Sangha*, conducting frequent public “merit-making” ceremonies at which they handed over gifts to monasteries, launching well-publicized pagoda restoration projects (including the Shwedagon in 1999), touring the country with a Buddha tooth relic borrowed from China, and holding a World Buddhist Congress in Burma.⁵⁸ The ABMA’s boycott call was a blatant challenge to the SPDC’s carefully cultivated image as protectors of the *Sangha* and their right to rule a Buddhist nation, an open act of defiance rarely seen in Burma.

A September 21 statement by the ABMA went even further, denouncing “the evil military dictatorship” as the “common enemy of all our citizens” and vowing to “banish the common enemy evil regime from Burmese soil forever.”⁵⁹

The monks knew the risks involved in boycotting the SPDC through *Patta Nikkujjana Kamma*. In 1990, the *Sangha* in Mandalay similarly decided to boycott the ruling SLORC under Senior General Saw Maung, refusing to accept alms from the government or attend state functions. The SLORC responded by issuing two orders on October 20, 1990: the first (Order 6/90) dissolved “illegal” monk organizations and unions, while the second (Order 7/90) declared that any monk who took part in non-religious activities would be expelled from the *Sangha* and prosecuted. The following day, the security forces raided at least 130 monasteries in Mandalay alone, and hundreds of monks were de-robed and arrested. Senior monks were sentenced to long prison terms for their actions, including Thu Mingala, one of Burma’s greatest authorities on Buddhist literature, who was sentenced to eight years in prison. In the aftermath of the 1990 crackdown, the SLORC tried to reorganize the *Sangha* community into a pro-SLORC organization, with limited success.⁶⁰

⁵⁸ Juliane Schober, “Buddhist Just Rule and Burmese National Culture: State Patronage of the Chinese Tooth Relic in Myanmar,” *History of Religions*, vol. 36 No. 3, February 1997.

⁵⁹ All Burma Monks Alliance, “Statement of People’s Alliance Formation Committee to the Entire Clergy and the People of the Whole Country,” September 21, 2007.

⁶⁰ Janette Philp and David Mercer, “Commodification of Buddhism in Contemporary Burma,” *Annals of Tourism Research*, Vol. 26 No. 1, 1999; Bruce Matthews, “Buddhism under a Military Regime: The Iron Heel in Burma,” *Asian Survey*, vol. 33 No. 4, April 1993; Stephen McCarthy, *The Politics of Piety. Pageantry and the Struggle for Buddhism in Burma*, Hong Kong University, Working Paper No.85, April 2007.

The Monks March in Rangoon

On September 14, the ABMA announced that “the SPDC leaders failed to reply” to their demands and said they would go ahead with their threatened action to excommunicate the SPDC leaders and refuse alms from them beginning on September 17. Monks and novices throughout Burma responded in large numbers to the ABMA’s call to relaunch the protests.

September 17

Monasteries throughout Burma responded to the call by the ABMA to restart the protests on the expiry of the September 17 ultimatum issued to the SPDC. On September 17, a group of several hundred monks demonstrated peacefully in Chauk township, Magwe division, for about two hours, reciting traditional *paritta sutta* prayers for protection against evil. Similarly, in Kyaukpandaung, Mandalay division, several hundred monks recited *metta sutta* (loving kindness) prayers while walking in procession. The government apparently allowed both protests to occur without direct interference.⁶¹

September 18

At about 1 p.m., a group of 300 monks gathered at the southern stairway of the Shwedagon Pagoda in Rangoon. The entrance of the pagoda was blocked by a cordon of men in civilian clothes who refused to let the monks enter, thus preventing them from carrying out religious ceremonies inside the pagoda.

According to an eyewitness account provided to Human Rights Watch, the monks then walked down to Sule Pagoda. At this stage, security forces did not intervene with the protesters, and traffic police even stopped traffic as they crossed the main roads. Hundreds of civilians followed the monk parade along the sidewalks. After reaching Sule pagoda, the monks continued to Bohtataung Pagoda, where they sat down in front of the pagoda and prayed for 10 minutes. The monks then stood and applauded, and the estimated thousand onlookers who had gathered applauded back. The monks then walked away from the pagoda and dispersed at about 2:30

⁶¹ “More than 500 monks hold a peaceful protest in central Myanmar town,” Associated Press, September 17, 2007; “More than 600 monks walk in peaceful demonstrations in Burma,” *Irrawaddy*, September 17, 2007.

p.m., going back to their respective monasteries in buses. No uniformed security forces attempted to interfere with the march, although plainclothes militia members and military intelligence officials openly photographed and videotaped the protest.⁶²

According to several sources, the excommunicative boycott decree, presumably composed by the ABMA, was recited at a number of monasteries and religious sites on September 18, bringing the religious decree into effect. A translation of the excommunication decree states:

Reverend Fathers, may you lend your ears to me! The evil, sadistic, and pitiless military rulers who are robbing the nation's finances and indeed are large-scale thieves have murdered a monk in the City of Pakokku. They also apprehended the reverend monks by lassoing. They beat up and tortured, swore at, and terrorized the monks. Provided that monks be bestowed with four deserving attributes, they ought to boycott the evil, sadistic, pitiless, and immensely thieving military rulers. The monks ought not to associate with the tyrants, not to accept four material things donated by them, and not to preach to them. This much is informing, recommending, or proposing.

Reverend Fathers, may you lend your ears to me! The evil, sadistic, and pitiless military rulers who are robbing the nation's finances and indeed are large-scale thieves have murdered a monk in the City of Pakokku. They also apprehended the revered monks by lassoing. They beat up and tortured, swore at, and terrorized the monks. Provided that monks be bestowed with four deserving attributes, they ought to boycott the evil, sadistic, pitiless, and immensely thieving military rulers. The monks ought not to associate with the tyrants, not to accept four material things donated by them and not to preach to them. If the reverend consent to boycotting the military despots, disassociating from them, rejecting their donations of four material

⁶² Eyewitness account from international observer, on file with Human Rights Watch.

things, and abstaining from preaching to them, please keep the silence, and [if] not, please voice objections [now], Fathers...

[Silence follows, signifying consent]

The clergy boycotts the evil, sadistic, pitiless, and immensely thieving military rulers! Excommunication together with rejection of their donations of four material things⁶³ and abstaining of preaching to them has come into effect!⁶⁴

According to press reports, about a thousand monks also held a peaceful march in the city of Pegu, located 80 kilometers north of Rangoon.⁶⁵

In the coastal city of Sittwe, about 400 monks protested with signs asking for the prices of commodities to be reduced and wishing for loving kindness (a traditional Buddhist prayer). The monks were allowed to march freely throughout Sittwe and were followed and greeted by lay people who applauded and paid respect to the monks. The district PDC chairman asked the monk who heads the township *Sangha Nayaka* to warn the protesting monks not to use violence and to protest peacefully. By evening, the number of the monks had increased and over 10,000 people had gathered to join the protests. When the monks reached the area where the Rakhine State General Administration Office, City Hall, and USDA offices are located, they demanded that the authorities release the two men who had been arrested on August 28. Some within the crowd threw stones at the police. Although the monks and police urged the lay people to go home peacefully, police shot tear gas canisters into the crowd. Clashes ensued and protesters and government officials were injured, including two officials from the Rakhine State Peace and Development Council, who

⁶³ The “four material things” traditionally given to monks are robes, medicine, shelter (monastery), and noble rice, considered the items essential for the monks’ survival. All donations to monks must be “clean” – for instance, a monk cannot accept stolen items as donations.

⁶⁴ Political Defiance Committee, “Pattaneikkuzana (Excommunicative Boycott) Recital by Monks Successfully Accomplished Today,” *Burma Update* 181, September 18, 2007; “The Alms Bowl and the Duty to Defy,” Asian Human Rights Commission, September 19, 2007. Human Rights Watch has obtained a voice recording of the decree being read at a religious site in Rangoon, as well as the Burmese text of the decree.

⁶⁵ “Monks March in Myanmar Amid Tight Security at Temples,” Associated Press, September 18, 2007.

were hospitalized. Several monks were detained.⁶⁶ One of the detained monks, U Warathami, later told the Democratic Voice of Burma that army troops kicked him with their boots at the protest, that police then took him to the Sittwe police station where he was beaten unconscious, and that, long after the protest had ended, he was dropped off at his Dhammathukha Monastery.⁶⁷

September 19

Amid heavy monsoon rains, about 150 monks gathered again at Shwedagon Pagoda, and were again prevented from entering the pagoda by a cordon of plainclothes men. The monks first walked through Tamwe Township, and then turned towards the Sule Pagoda at about 2:30 p.m., by which time they had grown in strength to about 250 monks and a growing number of civilians walking closely alongside them, unlike the previous day when most civilians had kept their distance by staying on the sidewalk. “Maung Maung Htun,” a 43-year-old shopkeeper who walked with the monks that day, recalled his decision to join the monks on their march:

On September 19, I went to see the demonstrations. I offered water to the monks. Then, I marched, protecting the monks who were walking to Sule Pagoda. When we arrived at the Traders hotel, I went back to my shop. It was about 11 a.m. when I began to join the march, and marched with them for an hour and a half...I went to join because I wanted to know the real situation for myself. I didn't want to just hear about it from other people. I wanted to see it with my own eyes.⁶⁸

Uniformed security forces were absent from the area, but plainclothes officers videotaped the march, as on the previous day.⁶⁹ According to press accounts, the monks briefly moved aside the security gates at the Sule Pagoda, and entered the

⁶⁶ “What happened in Sittwe Yesterday? An Eyewitness Account,” Mizzima News, September 19, 2009; “Monks on March Again in Restive Myanmar City,” Reuters, September 18, 2007; “Buddhist Monks Stage More Anti-Government Protests in Burma,” Voice of America, September 19, 2007.

⁶⁷ “Monk Bashed During September 18 Sittwe Protest,” Democratic Voice of Burma, September 22, 2007. Human Rights Watch has no information about the fate of U Warathami after the crackdown.

⁶⁸ Human Rights Watch interview with “Maung Maung Htun,” October 30, 2007.

⁶⁹ Eyewitness account from international observer, on file with Human Rights Watch.

pagoda to pray inside, before peacefully dispersing around 4 p.m.⁷⁰ Separate smaller protests also happened in Ahlone, a western suburb of Rangoon, where about 100 monks marched, and South Okkalapa, a northern suburb of Rangoon, where a similar march occurred, both without reported violence.⁷¹

More than a thousand monks staged a peaceful protest in the religious center of Mandalay, again without incident. In Prome, some five hundred monks reportedly held a peaceful march.⁷² In Sittwe, the site of violent clashes the previous day, thousands of monks marched again, and again demanded the release of the two men arrested on August 28. Government officials promised to release the two detainees from Thandwe prison and return them to Sittwe within three days.⁷³

September 20

Unlike the previous two days, when monks gathered at Shwedagon Pagoda at about 1 p.m. on September 20, no one prevented them from entering the pagoda, so the monks began their daily march by entering and praying there. The group of monks, now grown to about 400 to 500, then marched again to Sule Pagoda, where they were joined by a similar number of civilians who marched alongside them and joined hands to form a cordon around the marching monks. Others lined the streets and clapped in support of the marching monks. Uniformed traffic police facilitated the march by stopping traffic at major crossings, and plainclothes intelligence officers again videotaped the march, but did not interfere.⁷⁴

It remains unclear why the authorities allowed the monk protests to proceed virtually without interference for the first few days following the announcement of the religious boycott of the SPDC. It is possible that the SPDC was taken by surprise, and was reluctant to use violence against Burma's revered monks, following the massive reaction to the earlier use of violence against monks in Pakokku on September 5 (see

⁷⁰ "Buddhist Monks Occupy Myanmar Pagoda as Part of Protest," Associated Press, September 19, 2007.

⁷¹ *Ibid*; Human Rights Watch interview, (name and location withheld), October 27, 2007.

⁷² "Myanmar Monks Defy Junta for Third Day with Protests," Agence France Presse, September 19, 2007.

⁷³ "Thousands Protest in Burma," Radio Free Asia, September 19, 2007.

⁷⁴ Eyewitness account from international observer, on file with Human Rights Watch.

above). Perhaps the SPDC wanted to see if the monk protests would naturally disappear after a few days, although the opposite happened: as ordinary people saw the monks march in the streets without interference, they soon joined them in massive numbers.

At Sule Pagoda, the monks marching from Shwedagon Pagoda were met by a separate group of marching monks and civilian supporters, bringing the total number of monks marching in Rangoon that day to an estimated 1,300, supported by a larger number of civilians. A monk walking at the head of the protesters held up an overturned alms bowl, signaling the announced religious boycott of the SPDC.⁷⁵ A neighborhood official confirmed to an international journalist that instructions had been issued by the authorities not to interfere with the protesting monks, saying “We have been instructed to be patient and to even protect the monks.”⁷⁶

According to opposition news reports, hundreds of monks also staged a march in Monywa, Sagaing Division (north of Mandalay), and in Pakokku without interference from the authorities.⁷⁷

September 21

As on previous days, some 800 monks gathered at about noon at Shwedagon Pagoda and marched a different route through Rangoon, ending up again at Sule Pagoda at around 3 p.m. They were joined by hundreds of civilian supporters, despite torrential rains that caused substantial flooding in Rangoon that day. There was no interference by the authorities with the march.⁷⁸ “U Theika,” a monk who participated, told Human Rights Watch of the determination of the monks to continue despite the bad weather:

⁷⁵ “Public Joins Monks in Myanmar Protest,” Associated Press, September 21, 2007; Seth Mydans, “Monks in Myanmar march in protest for third day,” *New York Times*, September 21, 2007.

⁷⁶ “Public Joins Monks in Myanmar Protest,” Associated Press, September 21, 2007.

⁷⁷ “Monywa Monks Defy Official Warnings Over Protests,” Democratic Voice of Burma, September 20, 2007; “Monks Protest in Rangoon, Monywa,” Mizzima News, September 20, 2007.

⁷⁸ Eyewitness account of international observer, on file with Human Rights Watch.

On those days [September 20 and 21], the weather was bad, it was constantly raining. In some places, we were walking up to our knees in water. Our robes were wet, and we didn't have slippers or umbrellas. Every day, more students came to walk with us monks, linking their arms and walking alongside us. Even though it was raining, more people came to watch us day by day.⁷⁹ The monks [told the people], "If you want to join us, you can follow the monks, but no shouting and you can't just do what you want. If you walk peacefully, you are welcome to join us."⁸⁰

The NLD and Student Groups Rejoin the Protests

September 22 saw one of the most important and decisive events of the protests. A group of 500 monks marching down the streets of Rangoon was allowed to pass through the barriers around the house where NLD leader Aung San Suu Kyi has been held under house arrest for 12 of the last 17 years. As the monks approached the house, Suu Kyi was allowed to open the steel gate of her courtyard, and greet the monks from behind a cordon of police guards with riot shields. The monks shouted Buddhist prayers for Suu Kyi, who was in tears, according to eyewitnesses. The picture of Suu Kyi was beamed around the world.

⁷⁹ Other sources told Human Rights Watch that the torrential rain caused participation to decline somewhat on September 21, 2007.

⁸⁰ Human Rights Watch interview with "U Theika," (location withheld), October 27-28, 2007.



Burma's opposition leader, Aung San Suu Kyi, pays obeisance to monks chanting prayers in front of her residence in Rangoon on September 22, 2007. © 2007 Reuters

The sight of Suu Kyi invigorated the protesters: this was the first time in four years that she had been seen in public, and suddenly a stronger political dimension had been added to the protests. Some thought that change was finally within the realm of the possible.⁸¹ “U Pauk,” a 30-year-old monk who was present at the meeting described to Human Rights Watch what happened that day, and the significance of the meeting:

We arrived at her house at about 3 p.m. There were only a few riot police there on that day. The riot police asked the monks not to go down, but the monks who were at the front holding the [Buddhist] flags spoke to them, and they allowed us to go.

⁸¹ Seth Mydans, “Challenge to Myanmar’s Junta Gains Momentum,” *New York Times*, September 23, 2007; “Embolded Myanmar Monks Challenge Junta Rule,” Agence France Presse, September 23, 2007.

We began to pray the *metta sutta* (loving kindness) and after a few minutes Daw Aung San Suu Kyi came out. She opened the gate, or someone opened the gate for her, but she didn't speak. There was a large distance between her and the monks with riot police in between....

We got strength from her, and she got strength from us. My feeling when I saw Daw Aung San Suu Kyi is that my tiredness from walking disappeared. We thought our efforts would be blessed, because we saw this person who sacrificed her life for all of us. After [being placed again under house arrest in] 2003, she was not allowed to see anyone, she has been lonely for so long and that was the first time for her to meet the people.⁸²

The next day, September 23, the protests in Rangoon swelled to an estimated 20,000 protesters, including at least 3,000 monks, the largest anti-government demonstration seen in Burma since the bloody crackdown of 1988.⁸³ The protesters included many ordinary citizens, such as mothers with their children, with monks in the center surrounded by a cordon of civilian supporters. The monks and their supporters walked from Shwedagon Pagoda to Sule Pagoda, and then passed the old US embassy in downtown Rangoon. The protests took on an even more political tone, with monks and their civilian supporters shouting slogans calling for the release of Suu Kyi, in addition to their previous excommunication of the SPDC and their demands that the SPDC relinquish power.⁸⁴ Security forces armed with shotguns appeared along the route of the protest for the first time since the monks started marching. Together with militia forces, they prevented the monks and protesters from returning to Suu Kyi's home.⁸⁵

⁸² Human Rights Watch interview with "U Pauk," (location withheld), October 27 and 28, 2007.

⁸³ Eyewitness account of international observer, on file with Human Rights Watch.

⁸⁴ Eyewitness account of international observer, on file with Human Rights Watch; Seth Mydans, "Challenge to Myanmar's Junta Gains Momentum," *New York Times*, September 23, 2007; "20,000 March Against Myanmar Government," Associated Press, September 23, 2007.

⁸⁵ *Ibid.*

By September 24, an estimated 30,000 to 50,000 monks joined by an equal number of civilians marched in Rangoon, cheered on by large crowds clapping and shouting encouragement from the sidewalks.⁸⁶ The protesters walked almost the entire day, gaining supporters as the day went on. By 4 p.m., the procession, moving at a brisk pace, took some thirty minutes to pass. Members of banned political groups now marched on their own in the protests. A group of about 150 NLD members walked between two groups of monks holding NLD flags. One group of monks walked under the banner of the All Burma Buddhist Monks Union, an organization banned after the 1990 crackdown on the monks. Another group walked under the Elected Parliamentarians Group banner, representing the NLD members of parliament elected in the annulled 1990 elections. Large groups of Buddhist nuns also joined the protests for the first time.⁸⁷ The civilian protesters again shouted openly political slogans such as “Free Aung San Suu Kyi!” and “Free all political prisoners!” That morning, before the monks set out on their protests from Shwedagon Pagoda, well-known public figures including the comedian Zagarna and the movie star Kyaw Thu publicly offered alms to the monks in open support for the protests.⁸⁸ Similar large-scale protests reportedly took place in at least 25 cities and towns across Burma on September 24, with particularly large protests in Mandalay and Sittwe.⁸⁹

⁸⁶ Eyewitness account of international observer, on file with Human Rights Watch.

⁸⁷ Richard Lloyd Parry, “Nuns Join Saffron Revolution,” *The Times* (London), September 24, 2007.

⁸⁸ Eyewitness account by international observer, on file with Human Rights Watch.

⁸⁹ “Protests Grow, But So Do Fears of a Crackdown,” *Irrawaddy*, September 24, 2007.

V. The Crackdown

The Government Acts to End the Protests

On the evening of September 24, the government responded for the first time to the rising tide of protests. Appearing on the state-controlled MRTV television channel, the minister for religious affairs, Brigadier-General Thura Myint Maung, denounced the protests as being the work of “internal and external destructionists, who are jealous of national development and stability.”⁹⁰ The government-controlled State *Sangha Maha Nayaka* Committee, promoted by the government as the supreme authority on Buddhist affairs, issued Directive 93, ordering all *Sangha Nayaka* committees at the state, divisional, township, and ward level to “supervise the Buddhist monks and novices so that they practice only *Pariyatti* [study of Buddhist teachings] and *Patipatti* [engagement in Buddhist practices, including meditation],” and prohibiting monks from participation in “secular affairs”—in other words, a direct religious ban on the participation of the monks and novices in the protests. Monks and novices were also banned from joining “illegal” organizations of monks, such as the non-sanctioned All Burma Monks Association.⁹¹

Although the religious affairs minister’s statement did not refer to any specific legal regulations, Burma has various laws and regulations that have long been used to prosecute protesters, however peaceful, and impose long prison sentences. A foreign observer noted large groups of riot police deploying around University Avenue in Rangoon in the evening, after the protesters had already dispersed for the day.⁹²

⁹⁰ “Root Cause of Problems is Perpetration of Internal and External Destructionists, Who Are Jealous of National Development and Stability, Some Global Powers in Collusion with Group of Destructionists From Inside the Nation Inciting Disturbances,” *New Light of Myanmar*, September 25, 2007.

⁹¹ “State Sangha Maha Nayaka Committee has Duty to Reinforce and Observe Basic Principles and Rules and Regulations and Implement Religious Matters; The Directive States all the Rules and Regulations for the Monks Prohibiting them From Participation in Secular Affairs,” *New Light of Myanmar*, September 25, 2007; “Sayadaws of Monasteries are Requested to give Ovada to Their Disciples to Stay Away from Forming, Joining, or Supporting any Illegal Sangha Organization,” *New Light of Myanmar*, September 25, 2007; All Members of the Sangha to Strictly Follow Directives Articulated in Directive Nos. 81, 83, 85 and 65, Not To Commit Any Activities That Are Not Related to Gantha Dhura and Vipassana Dhura, Magway Sayadaw Gives Ovada to Members of the Sangha,” *New Light of Myanmar*, September 25, 2007.

⁹² Eyewitness account of international observer, on file with Human Rights Watch.

The Last Day of Peaceful Protests: September 25

On the morning of September 25, the televised warnings not to participate in further protests were re-broadcast. At 10 a.m., trucks with loudspeakers began circling the streets of Rangoon, warning the population not to engage in further protests, noting Burma's laws against unlawful assembly, and warning that demonstrators would be dealt with.⁹³

Despite the public warnings, crowds of monks and protesters similar in size to those seen on September 24 marched again down the streets of Rangoon, chanting slogans about non-violence. The protest march began at Shwedagon Pagoda without any government interference, then went to Sule Pagoda, and then throughout Rangoon before returning to their starting point at Shwedagon Pagoda and peacefully dispersing.

Reportedly for the first time in the protests, the banned “fighting peacock” flag of the student movement was carried by some marchers, a symbol of great significance following the role of the students in the 1988 uprising.⁹⁴

On September 25, the All Burma Monks Alliance and the '88 Generation students issued a joint statement, praising the growing protests as “the biggest unity seen [in Burma] in the last twenty years.” The joint statement urged the protesters to unite around the issues of economic reform, the release of political prisoners, and national reconciliation. The two groups warned that everyone should be aware of the dangers of a violent response from the authorities, citing the experience of 1988, but stressed that they were determined to continue the protests: “The monks and students...will join hands with all the people and continue our struggle bravely and resolutely, step by step, for our beloved country.”⁹⁵ The Bar Association of Burma, representing the nation's lawyers, also issued a statement, calling on the authorities to seek “a peaceful political solution” to the “legitimate demands” of the people, and offering a strong rebuke to the SPDCs governance, stating that “genuine politics

⁹³ Ibid.

⁹⁴ Ibid.

⁹⁵ All Burma Mons Alliance and 88 Generation Students, “Joint Statement of ABMA and 88 Students,” September 25, 2007.

should withstand the judgment of the people. We reject any ‘forced politics’ that does not withstand the judgment of the people.”⁹⁶

September 25-26: The Crackdown Begins

In the evening of September 25, trucks with loudspeakers announced a nighttime curfew from 9 p.m. to 5 a.m., and told people again not to participate in the protests. “U Maung Naing,” an eyewitness from the Shwepyitha Township in Rangoon told Human Rights Watch about the announcements:

On the night of the 25th, at 11 p.m., the ward Peace and Development Council and USDA went around and announced the curfew. They said not to go out from 9 p.m. to 5 a.m., not to gather in groups of more than five people, and not to demonstrate by marching around town. They said not to join the monks, stating “The monks’ marches are not the concern of the people.” The announcement was made by loudspeaker. They mentioned it was law [article] 144 [prohibiting unlawful assemblies], but I am not sure what that means.⁹⁷

That night, the authorities began to arrest some of the prominent public figures who had come out in support of the protests, including the comedian Zargana, who offered alms to the monks at Shwedagon Pagoda on September 24, and the opposition politician U Win Naing; both were detained at their homes. Other prominent figures who expressed support for the protests went into hiding.⁹⁸

Overnight, the Burmese military moved large numbers of military forces into Rangoon and fully deployed large numbers of riot police in the city. “Su Su Hlaing” recalled how she saw a large military convoy move into downtown Rangoon at 9:30 p.m.:

⁹⁶ Bar Union of Myanmar, “Statement No. 1,” September 25, 2007. Lawyers had played a significant role in the 1988 protests.

⁹⁷ Human Rights Watch interview with “U Maung Naing,” (location withheld), October 27, 2007. Article 144 of the Burmese criminal code prohibits unauthorized assemblies.

⁹⁸ Human Rights Watch interview, (name and location withheld), October 26, 2007.

I was on Anawratha Road where my relative's house is. I heard some engine noise, and everyone went to look at the road. We saw military trucks going from Sule to Shwedagon. I think they were preparing for security [the crackdown]. I saw nine trucks, they were full of soldiers.⁹⁹

Militia forces, including USDA members and *Swan Arr Shin*, were also on the streets in large numbers, working closely with the authorities.

Crackdown at Shwedagon Pagoda

Some of the most serious violence on September 26 took place at the eastern entrance of the Shwedagon Pagoda. Human Rights Watch interviewed more than a dozen eyewitnesses present during this clash, including a senior monk, bystanders, political activists who had helped organize the protests, and shopkeepers present in the area.

When monks and civilians started gathering as usual at the Shwedagon Pagoda on the morning of September 26, they found a heavy deployment of riot police and soldiers from the 66th and the 77th Light Infantry Divisions (LID) around the pagoda.¹⁰⁰ On the night of September 25-26, the security forces had raided the Kyae Thoon (Bronze Buddha Image) Pagoda where the monks had gathered every morning before proceeding on their marches.

Security forces had erected and were stationed behind barbed wire barricades at several points along Kyaw Taw Ya Street (the main road around the eastern edge of the Shwedagon Pagoda). Plainclothes *Swan Arr Shin* members were also present around the pagoda, working closely with the security forces.¹⁰¹

Several eyewitnesses saw the director-general of the Burmese Police Force, Brigadier-General Khin Ye, who was dressed in a green army uniform, in the area of the

⁹⁹ Human Rights Watch interview with "Su Su Hlaing," (location withheld), October 26, 2007.

¹⁰⁰ One informed source told Human Rights Watch that the soldiers deployed at the Shwedagon Pagoda included the 101st and 105th Light Infantry Regiments of the 77th Light Infantry Division, ordinarily based at Intakaw. The riot police units were the #3 battalion riot police based in Shwemyayar, and the #8 battalion riot police based in Mingladon

¹⁰¹ Human Rights Watch interview with "Shwe Thandar," (location withheld), October 27, 2007.

crackdown. He appeared to be overseeing the crackdown and could be seen giving orders. Brigadier-General Khin Ye also was among the group of officials who spoke with the monks, and was seen pushing a monk away with his hands, a grave insult.¹⁰²

At the eastern entrance of the pagoda, the army and riot police blocked a group of several hundred monks and civilians on the long staircase ascending to the pagoda by placing barbed wire barricades at both the bottom entrance of the stairway and the middle entrances of the stairway (at Ar Zar Ni Road). The security forces refused to allow the monks and civilians to ascend to the pagoda itself, and also refused to allow them to leave the area via Yae Dar Shae Road, instead demanding that the monks get into waiting Army trucks so they could be returned to their monasteries.¹⁰³ The monks refused, afraid they would be detained, and tried to enter into negotiations with Brigadier-General Khin Ye.

At about 11:30 a.m., more soldiers from the 77th LID came to reinforce the riot police. A large crowd of students and civilians gathered around the cordoned-off monks, angry at their treatment. The security forces had earlier enraged the crowd gathered around them by entering the pagoda with their shoes on.¹⁰⁴ They further enflamed the situation by pushing down an old monk who went up to them to request that the monks be allowed to leave. “U Maung Naing,” an eyewitness, told Human Rights Watch:

There was an old monk, over 80-years-old, who requested that the [riot police] make way for the group. At that time, an officer with one star on his rank pushed the monk down. Many people were angry and ready to fight. The monks told the people to calm down. They told the people not to be violent and destroy our aim. The people and others tried to help up the old monk who had fallen.¹⁰⁵

¹⁰² Human Rights Watch interview with “Theing Gyi Khaing,” (location withheld), November 9, 2007; Human Rights Watch interview with “Moe Moe Aye,” (location withheld), November 17, 2007.

¹⁰³ Human Rights Watch interview with “U Theika,” (location withheld), November 2, 2007.

¹⁰⁴ “According to our religion, you must take your shoes off when entering the pagoda, but the soldiers kept their boots on. One of the monks told the soldiers to take their boots off. Starting then, they began to hit the demonstrators with long sticks. They were solid bamboo sticks, but painted black so that it looked like a rubber baton.” Human Rights Watch interview with “Yu Yu Myint,” (location withheld), October 25, 2007.

¹⁰⁵ Human Rights Watch interview with “U Maung Naing,” (location withheld), October 27, 2007. A second eyewitness recounted the same incident: “The army pushed the monks in the chest, so people got angry. I saw with my own eyes. When

Violence and the use of teargas soon followed. “U Theika,” a monk, who was part of the group trapped by the riot police, told Human Rights Watch what happened next, at about 11:45 a.m.:

Every way was blocked by barbed-wire barricades, behind which were the riot police. About seven monks and I talked with the riot police about opening a way for us to march peacefully. We asked them to let the people march, but the commander did not allow it. He said that not more than five people could gather. The monks, students, and other people sat down and recited *metta* prayers. We talked with the authorities for nearly one hour. After that discussion, we were still not allowed to march...

The riot police began to grab the students. We told the riot police not to touch the people, telling them, “Where is your love for the people?” But after that, I knew the police would use violence. The monks began to wet their robes with water, and the people wet their handkerchiefs to protect them from the teargas. When one monk climbed the fence [on the side of the staircase], others followed. While they were climbing, the riot police came and began beating the people...they were using police batons to beat us. I was beaten in the stomach, and some monks were beaten on the head until they were bleeding, they had to cover their wounds with their robes.¹⁰⁶

A second witness, “Wei Wei Mar,” a bystander, gave Human Rights Watch a similar account of what she saw:

The riot police, soldiers, and the monks came face to face for a few minutes. The senior monks called for people to sit and pray. Several minutes later, three or four dozen monks sat down to pray, but others started to flee by trying to climb over the wall of the monastery. The

they pushed the monks, the monk fell down, an 84-year-old monk was among them. They pushed about five monks.” Human Rights Watch interview with “Ju Ju Win,” (location withheld), October 24, 2007.

¹⁰⁶ Human Rights Watch interview with “U Theika,” (location withheld), October 27, 2007.

riot police and the soldiers started to beat the monks who were sitting and praying, using their batons. They did so ruthlessly and then loaded them into cars. Thugs from *Swan Arr Shin* helped the police to make the arrests.

More monks escaped into the monastery. Soon after the riot police started beating the monks, they discharged teargas and fired about nine shots into the air. The riot police and the soldiers were intentionally beating the monks on their heads, and we saw monks with head wounds and blood-stained robes. When the people watching saw these beatings they were surprised and angry, people were crying out in disbelief....Some monks and ordinary people got wooden sticks and stones and went to fight back against the security forces.¹⁰⁷

As the riot police attacked the trapped monks, the students and other protesters gathered outside the cordon tried to come to the assistance of the monks, pushing aside the barricades, and throwing stones at the attacking riot police. Two motorcycles belonging to Military Intelligence officials caught fire, either from angry protesters or from the smoke bombs fired by the security forces.¹⁰⁸ “U Maung Naing,” another witness to the scene, told Human Rights Watch that the riot police responded with teargas and smoke grenades, fired rounds into the air, and began attacking the entire crowd:

After the riot police began to hit the monks, they threw teargas canisters. The people moved back, the group broke down....After the teargas, I heard gunshots, but I couldn't see who was firing—I heard these shots five or six times....We ran to the sides, I had to climb over a wall. I saw riot police beating the people before the stairway. They hit the people with green bamboo sticks and batons, they were beating them on the heads and shoulders. They hit people randomly, but

¹⁰⁷ Human Rights Watch interview with “Wei Wei Mar,” (location withheld), October 25, 2007.

¹⁰⁸ Ibid.

mostly on the heads and shoulders. The monk who had helped up the old monk got an injury on his head. Blood was coming out. Then I couldn't see anymore, I had no time to look back.¹⁰⁹

A fourth eyewitness, “Maung Maung Htun,” gave a similar account:

They hit the people with rubber batons, they beat them. They hit their whole bodies, especially the head and back. The people ran away chaotically. I didn't know where to run. I saw smoke from the teargas, but was not affected because I was farther away. I heard people scream. I heard gunshots, but I do not know if anyone was injured. I cannot count how many gunshots I heard, but it sounded like automatic fire.¹¹⁰

While most monks and other protesters managed to escape from the security forces during the chaos, a number of monks were beaten unconscious and others were detained. Eyewitnesses reported seeing motionless monks lying on the ground following the beatings, unsure if they were dead or unconscious.¹¹¹ “Zaw Thein Htike,” who helped organize food and water for the monks, recounted to Human Rights Watch how he had seen the riot police beat one monk, whom he believed died from the beating:

I saw a monk holding a flag go up to the riot police and get hit. Other monks were running away. At the front of the eastern entrance, the monk holding the flag was beaten to death. I don't know who that monk was, but I could clearly see the three riot police who were beating the monk. Some held rubber batons and others held thick bamboo sticks for the beatings. I was not far from them.

¹⁰⁹ Human Rights Watch interview with “U Maung Naing,” (location withheld), October 27, 2007.

¹¹⁰ Human Rights Watch interview with “Maung Maung Htun,” (location withheld), October 30, 2007.

¹¹¹ According to an opposition news service, a medical source at Rangoon Central Hospital confirmed that three severely beaten monks from the Shwedagon incident were brought to the hospital. “Bloody Sabbath: Over 100,000 people in Rangoon and parts of Burma Protest,” Mizzima News, September 26, 2007.

The monk came up from the street alone and when he arrived at the entrance, he was beaten. At first the riot police didn't notice or do anything about him...they never said anything to him, just started beating him. It happened very fast. One hit him at [the base] of his head, another hit him in the front of the knees. The third one grabbed the flag and it broke. Then, he hit him continuously in the throat with his baton.¹¹²

According to “Zaw Thein Htike,” after the monk was beaten, “[t]he riot police took his body to their truck, they carried him like a dead animal...after they put him on the truck, the fire brigade came and cleaned the blood. They took away all the evidence.”¹¹³ Another monk at the scene, “U Pauk,” also recalled seeing the police drag away what appeared to be a dead monk: “I saw one monk being dragged away, he was bleeding and I thought he was shot when they opened fire. He looked dead the way the riot police were dragging him.”¹¹⁴

The riot police and soldiers detained many monks and protesters and took them away in military vehicles.¹¹⁵ “Min Hlaing,” a teacher who witnessed the beatings, recalled:

When we withdrew, I heard that some monks and people were arrested. When I was waiting at Kandawgyi junction, the arrested people and monks were taken by *Swan Arr Shin* on Dyna trucks and the riot police guarded the backs of the trucks. When we were at the corners, we saw the cars and some protesters shouted [at the security forces and the *Swan Arr Shin*], “Dogs! We don't care! We are not afraid of you!” I saw three Dynas, but I can't be sure if they were all full with arrested people because maybe they were mixed with *Swan Arr Shin*, who were not wearing uniforms, just plain clothes.¹¹⁶

¹¹² Human Rights Watch interview with “Zaw Thein Htike,” (location withheld), October 25, 2007.

¹¹³ Human Rights Watch follow-up interview with “Zaw Thein Htike,” (location withheld), November 10, 2007.

¹¹⁴ Human Rights Watch interview with “U Pauk,” (location withheld), October 27 and 28, 2007.

¹¹⁵ Human Rights Watch interview with “Ju Ju Win,” (location withheld), October 24, 2007.

¹¹⁶ Human Rights Watch interview with “Min Hlaing,” (location withheld), October 2 and October 3, 2007.

Witnesses reported seeing large numbers of detained monks and protesters being taken away from the area after the crackdown. One told Human Rights Watch he saw four small buses of detainees being driven away from the area, each with 30 to 35 persons inside, and that the vast majority of the detainees were monks.¹¹⁷

The protesters dispersed, but then regrouped in several different locations. They tried to make their way downtown to Sule Pagoda. Repeatedly, the groups were confronted by riot police who fired teargas at the protesters, and by army troops and large groups of *Swan Arr Shin* militia in civilian clothes.¹¹⁸ “U Theika,” a monk who escaped from Shwedagon Pagoda and made his way downtown recalled to Human Rights Watch: “Downtown, many streets were blocked by soldiers. They followed us in trucks. We could not go straight. Sometimes, we had to change our way to avoid the soldiers. It was very difficult, but we were hopeful.”¹¹⁹

Attacks on Protesters near Sule Pagoda

By the time protesters made their way downtown between 1 and 2 p.m., a heavy security presence had already been deployed around Sule Pagoda. This included rows of soldiers from the 66th Light Infantry Division, riot police, and *Swan Arr Shin* militia. Many protesters who tried to reach Sule Pagoda that afternoon were prevented from doing so by the security forces, who blocked many downtown streets, forcing protesters to turn back.

When a sizeable crowd of protesters did manage to gather around the Sule area at about 2 p.m., soldiers fired their rifles in the air and fired teargas and smoke bombs into the crowd to disperse them. Meanwhile, the *Swan Arr Shin* and riot police charged into the crowd, beating and detaining the protesters they could catch.

Shootings near Thakin Mya Park

Following the crackdown at Shwedagon Pagoda, a group of protesters including at least 300 monks marched from the Nyaung Doung Monastery (near Shwedagon) to

¹¹⁷ Human Rights Watch interview, (name and location withheld), November 9, 2007.

¹¹⁸ Human Rights Watch interview with “Zaw Thein Htike,” (location withheld), October 25, 2007.

¹¹⁹ Human Rights Watch interview with “U Theika,” (location withheld), November 2, 2007.

downtown Rangoon, reaching the Thakin Mya Park (on the western edge of downtown, at the junction of Strand Road and Aung Yadanar Streets) at about 2 p.m. The marchers were blocked by soldiers of the 66th Light Infantry Division with four army trucks, barbed wire, and a *Swan Arr Shin* Toyota pickup. The soldiers ordered the marchers to disperse. Instead of obeying the order, the marchers sat down in the road and chanted traditional Buddhist prayers.

The monks and the civilians became concerned about the security of the women and children in their midst, and asked them to go home. The remaining protesters, estimated at about 900 monks and civilians, were then pushed back on Strand Road by the advancing soldiers and *Swan Arr Shin*. At Strand Road, the local residents clashed with the *Swan Arr Shin*, and after about 5 minutes of fighting in the streets, the soldiers opened fire on the marchers, shooting directly at the protesters without warning shots or using teargas.

“Zaw Thein Htike” told Human Rights Watch that at least four persons were hit by the bullets and fell down, and that he could see blood on their bodies. Although he could not confirm all four victims were dead, he saw the soldiers dragging away the bodies before he ran away himself.¹²⁰

After the soldiers fired, the marchers ran away, but as they ran down Strand Road, they found their escape blocked by another group of soldiers belonging to the 77th LID. The soldiers began shooting into the crowd of fleeing protesters, hitting one protester in his back, who fell down. Following that shooting, some NLD members from among the protesters approached a lieutenant-colonel in charge of the 77th LID troops, and negotiated to allow the protesters to leave the area peacefully.¹²¹ Monks were allowed to leave, but the civilian marchers were held under armed guard. The eyewitness we interviewed was able to escape from the scene, but said many protesters, including women, remained under armed guard when he left the scene.¹²²

¹²⁰ Human Rights Watch interview with “Zaw Thein Htike,” (location withheld), October 25, 2007.

¹²¹ Ibid.

¹²² Ibid.

Continued Protests on September 26

Despite the deadly shooting incidents, thousands of protesters continued to regroup and challenge the soldiers. On some occasions, stones were thrown at the soldiers, who responded with warning shots.¹²³ At about 3 p.m., a group of protesters, many of whom had fled from the Sule Pagoda, sat down for another vigil at Anawratha Road and 32nd Street, just northeast of the Sule Pagoda. The protesters held up pictures of independence hero Gen. Aung San¹²⁴ and chanted songs protesting the army's use of force against the people, such as "The Army is Bogyoke's [Aung San's] army, for the people, not to kill the people and the monks!" and "We are Bogyoke. This government is not our government, we don't want this government."¹²⁵

In the area around the Shwedagon Pagoda, a second large crowd, estimated at 20,000 people, regrouped after the Shwedagon crackdown, and marched downtown. It was able to proceed virtually unhindered. The marchers waited around the Shwedagon Pagoda for other monks to arrive from their monasteries before proceeding: the first clash at Shwedagon Pagoda had occurred before many of the monks had arrived for their scheduled daily protest march, so monks were still streaming into the area even after the crackdown was finished. The march headed eastwards along Shwegondine Road towards Tamwe Township before heading downtown. As the second march reached downtown, the organizers were informed by phone about the shooting at Sule Pagoda and found their way blocked: "When we got near Sule all of the roads were blocked with barbed-wire barricades and soldiers were waiting with guns, so we couldn't go to Sule anymore."¹²⁶ Instead, the protest march proceeded without incident to the Botahtaung Pagoda on the eastern edge of Strand Road. The monks went inside the pagoda to pray, and then announced they would march the next day from Kyaik Ka San Pagoda. The riot police then arrived and ordered the protesters to disperse, and they did so peacefully. At around 3:10 p.m., this same group, by now a huge, one-kilometer-long procession of monks and

¹²³ "At least 17 Monks Injured in Myanmar," Agence France Presse, September 26, 2007.

¹²⁴ Aung San was the founder of Burma's modern army and the father of Burma's independence and is revered by many in the Burmese Army as well as the pro-democracy movement. He was also the father of Aung San Suu Kyi.

¹²⁵ Human Rights Watch interview with "Su Su Hlaing," (location withheld), October 26, 2007.

¹²⁶ Human Rights Watch interview (name and location withheld), October 2 and 3, 2007.

protesters, walked peacefully one block south of the Sule Pagoda, and then turned west to pass directly in front of the soldiers, apparently without incident.¹²⁷

The total number of those killed and wounded during the violence on September 26 remains unknown. It remains unclear how many persons were killed and wounded near Thakin Mya Park. The state-controlled *New Light of Myanmar* newspaper admitted that soldiers had opened fire on protesters near Sule Pagoda after they refused to disperse and confronted the police with stone throwing, and reported that one man was killed and three protesters wounded.¹²⁸ International wire services, citing Burmese officials, stated four persons died, including two monks who were beaten to death, and a monk and a civilian who were shot dead, although these reports do not specify where in Rangoon the deaths occurred.¹²⁹

The authorities detained hundreds of monks and civilians on September 26 in various monastery raids as well as the clashes at the Shwedagon and Sule Pagodas. One individual told Human Rights Watch that he saw riot police beating and arresting protesters around Sule Pagoda, loading them into a Dyna truck filled with detainees.¹³⁰ Another person reported seeing two military trucks packed with detained monks on Bogyoke Road near the Ministry of Welfare and Rehabilitation as he made his way home at about 4 p.m.¹³¹

September 27: Attacks on and Emptying of the Monasteries

Emptying of the Monasteries

On the night of September 26-27, government security forces maintained their dusk to dawn curfew, using the cover of darkness and the fact that residents were forced

¹²⁷ Eyewitness account of international observer on file with Human Rights Watch.

¹²⁸ "Protesters Throw Stones at Members of Security Forces and Use Catapults; Two Senior Police, Six Others Wounded; One Protester Killed, Three Wounded," *New Light of Myanmar*, September 27, 2007.

¹²⁹ "At Least Four Killed, 100 Hurt in Burma Crackdown," Agence France Presse, September 26, 2007.

¹³⁰ Human Rights Watch interview with "Su Su Hlaing," (location withheld), October 26, 2007.

¹³¹ Human Rights Watch interview with "Zaw Thein Htike," (location withheld), October 25, 2007.

to remain inside their homes to conduct raids on dozens of monasteries around Rangoon. One of the most violent raids took place at the Ngwe Kyar Yan Monastery in South Okkalapa Township. “U Khan Di” a monk injured in that raid, told Human Rights Watch:

The raid at the monastery was around 1 a.m. The soldiers shouted to open the monastery gates, and then broke the gate open by hitting it with their truck when no one came to open. Shouting loudly, they were throwing teargas and firing their automatic guns into the buildings of the monastery, and used their batons to beat the monks whenever they saw them. Many monks ran away, climbing into the trees nearby and escaping by hiding in the houses of the neighborhood. I was injured in the head when I was hit by baton charges. I saw pools of blood, shattered windows, and spent bullet casings on the floor when I came back to the monastery in the morning. We found about 100 monks missing out of 230 monks. They took our money and jewelry, and other valuable things they found at the monastery.¹³²

A second eyewitness to the night raid explained that a fight broke out between the monks and the soldiers raiding the monastery, with both sides throwing bricks. After the soldiers crashed the gate of the monastery, they beat the monks and the civilians under the care of the monastery with bamboo sticks, and then ordered the monks to sit down and continued to kick them with their boots. After about 90 minutes, the soldiers left, detaining an estimated 60 monks and 40 civilians.¹³³ A woman who visited the monastery at 8 a.m. the next morning took photographs of the damage at the monastery, including bullet holes in the walls and roof of the monastery, pools of blood, and ransacked rooms. She also was told by the remaining monks that during the raid, soldiers had stolen gold and jewelry that had been donated to the monastery for future construction.¹³⁴

¹³² Human Rights Watch interview with “U Khan Di,” (location withheld), September 28, 2007. Many of the remaining monks escaped arrest by fleeing into the neighboring civilian homes.

¹³³ “Burmese Soldiers Raid Monastery and Beat Monks,” *The Nation*, September 27, 2007.

¹³⁴ Human Rights Watch interview (name and location withheld), November 30, 2007.

Persistent reports claim that one monk, U Sandima, died from injuries sustained during the Ngwe Kyar Yan Monastery raid, but Human Rights Watch so far has been unable to independently confirm his death.¹³⁵ Among those reportedly detained were U Uttama, the deputy abbot of the monastery, and another senior monk, U Dhammadianna.¹³⁶

On the morning of September 27, approximately 50 residents from the neighborhoods that surround the monastery, as well as people from elsewhere in Rangoon who had heard the news of the raid on the BBC's Burmese news service, gathered at Ngwe Kyar Yan Monastery. Several told Human Rights Watch they were outraged by reported violence and desecration of the monastery. At about 10:30 a.m., U Arnt Maung, the retired director-general of the directorate of religious affairs, arrived at the monastery and spoke with the chief monk U Ye Wa Ta, ordering him to move the remaining monks to the Kaba Aye Monastery, so that damage from the previous night's raid could be repaired. U Ye Wa Ta reportedly refused the order, saying, "I won't leave my monastery."¹³⁷ U Arnt Maung then left the monastery, and U Ye Wa Ta asked all non-residents to leave the monastery and closed its doors.

Approximately one hour later at 10:30 a.m., soldiers and police officers arrived at the monastery while the monks were eating. A young novice ran from the monastery to alert residents in the neighborhood. The soldiers arrested about 12 monks from the monastery and tried to take them away in their army trucks.¹³⁸ However, as the soldiers attempted to leave the area with the detained monks, they were confronted by a large crowd of angry local residents, who put up barricades near the crossing of 13th Street and Waizayandar Road, and began cursing the soldiers and throwing stones at them. According to "Kyaw Zan Htike," an eyewitness:

The people were shouting and cursing. They said, "We want to go see inside the monastery." Some were using rude words, like "Fuck you."
The people threw stones and sticks, almost everyone was throwing

¹³⁵ "Burma Protests: The Situation on September 27," *Irrawaddy*, September 27, 2007.

¹³⁶ "Burmese Soldiers Raid Monastery and Beat Monks," *The Nation*, September 27, 2007.

¹³⁷ Human Rights Watch interview (name and location withheld), September 28, 2007.

¹³⁸ Human Rights Watch interview with "Maung Maung Hla," (location withheld), October 5, 2007.

things. They surrounded the monastery area and were angry, so they began to throw stones.

At the time, there were only 15 soldiers at the [Thitsa Road] junction. The people were carrying [tree trunks and lamp posts] and laying them across the street. ...the crowd was bigger than the [original one]. Maybe there were 10,000 people, because the whole township was there.¹³⁹

The angry crowd effectively blocked the soldiers from leaving, trapping them at the junction of Waizayandar, Thitsar, and Kande Roads. Between noon and 1 p.m., army reinforcements from the 77th Light Infantry Division and riot police arrived in the area. The soldiers lined up in front of the protesting crowd, aiming their rifles at the protesters, and warned the crowd with loudspeakers to disperse: “Article 144 [of the Criminal Code] is in effect. It is prohibited for groups of more than five persons to gather together. We have orders to shoot.”¹⁴⁰

After the warning, the soldiers shot teargas and then fired their guns directly into the crowd, wounding at least two people. The soldiers then overran the barricade, and beat the two wounded people to death. “Kyaw Zan Htike,” an eyewitness to the incident, told Human Rights Watch:

After the warnings, the soldiers in the first row shot teargas into the crowd. Five soldiers shot the teargas. They began shooting immediately after the announcement. People ran in all directions. Twenty soldiers came over the barricade, climbed over, and started beating the people. Two people died....It was not like in the movies. When the soldiers beat those people, they were trying to kill them. They beat them on the head and the abdomen.

¹³⁹ Human Rights Watch interview with “Kyaw Zan Htike,” (location withheld), November 22, 2007.

¹⁴⁰ Ibid.

Then, they were dragged to the junction, while still being beaten. The two were middle-aged men. I do not know if they were conscious or not [at this stage]. The soldiers pulled them by their legs over the barricade...they put the two bodies next to their trucks. People saw this and became angry.¹⁴¹

A second eyewitness confirmed these two killings:

At around 12:30 p.m., four army trucks came from the east on Thitsar Road from behind the crowd. They shot four single shots over the crowd, so the crowd opened up. The soldiers joined the stranded soldiers at the junction of Wizzayanda.

At about 1:30 p.m., they started to disperse the crowd by shooting in the air over the crowd, mainly along Thitsar Road. I estimate they shot more than 500 rounds in the air. The soldiers then charged forward to a small bridge and started shooting...two were wounded nearby and they were beaten to death with bamboo poles. [Later], I saw the two bodies that had died closest to the junction [being held by the soldiers.]¹⁴²

Following the initial shooting and deaths of two protesters, more shootings took place further east on Thitsar Road and in the adjoining neighborhood near Basic Education High School 2 (High School 2). Many protesters had collected in the area, mixed together with the students who were being let out from their schools. The soldiers fired teargas into the crowd and then immediately fired their guns:

The people who had scattered gathered again on Thitsa Road. At the same time, High School 2 was letting out; it was around 2:30 p.m. The students from the school joined the crowd. The soldiers shot teargas three times into the crowd.

¹⁴¹ Ibid.

¹⁴² Human Rights Watch interview with "Maung Maung Hla," (location withheld), October 2007.

After that, they shot three [salvos] with their guns. Some people in the crowd were killed. They shot three people in the foreheads and their skulls exploded in the back, one of them was hit in the temple. These three were middle-aged persons. One child was shot in the chest [and died].

When they fired the teargas, the gunshots came immediately after. The teargas had not yet even hit the ground, so the people still stood facing the soldiers. The child [Zyar Naing, age 16] who was shot was a standard 10 student. He had just changed out of his uniform into street clothes. For the three shot in the head, brain matter came out and was lying in the street.¹⁴³

The eyewitness concluded that seven people died—the two originally beaten to death and five at the subsequent shootings (he did not personally witness the 5th death) outside High School 2. He described how he had personally assisted in removing two bodies to a nearby clinic:

All together, seven people died. We got a trishaw and took two of the bodies to Min Min clinic on Thitsa Road. The doctor there said they were already dead. The other three bodies were taken by residents from Inwa Street, and were sent to Thingangyun Township, to San Pya Hospital. Later, the two bodies at Min Min clinic were also taken to San Pya Hospital. That was around 5 to 6 p.m. I was on the way to San Pya Hospital [accompanying the bodies] and heard the soldiers still shouting to the people to disperse.¹⁴⁴

“Maung Maung Hla,” another witness at the scene, also knew about seven deaths.¹⁴⁵ As in other crackdowns, the army, riot police, and *Swan Arr Shin* militias worked closely together to beat and arrest protesters. One elderly man in his sixties told

¹⁴³ Human Rights Watch interview with “Kyaw Zan Htike,” (location withheld), November 22, 2007.

¹⁴⁴ Ibid.

¹⁴⁵ Human Rights Watch interview with “Maun Maun Hla,” (location withheld), October 2007.

Human Rights Watch how he was detained while hiding at a relative's house, and the army soldiers beat his relatives with bamboo poles. As he was being led away, a soldier came up to him and punched him twice in the face. On his way to the army truck, two *Swan Arr Shin* members, one armed with a metal bar and the second with a bamboo pole wrapped with barbed wire, tried to beat him but he begged them not to hit him and they desisted. As he was being loaded onto the military truck, he watched a soldier repeatedly hit a young woman detainee, her hands bound behind her back, in the face with his rifle, until blood was flowing from her face. Other detainees were also hit with rifle butts.¹⁴⁶

Human Rights Watch has been able to confirm the deaths of eight persons during the violence around Ngwe Kyar Yan Monastery. Myo Min Htun, 22, an unmarried rickshaw driver, was shot in the head. Tun Tun Lwin, 31, also an unmarried rickshaw driver, was beaten at the protests and detained by riot police. His family was informed four days later by the ward PDC that he died in custody. Aung San Oo, 18, a student, died from a shot to the head at the junction of Kone Baung Street and Thit Sar Road. Yan Lynn Aung, 17, a student, died from a shot to the head near the junction of Thit Sar Road and Thu Min Ga Lar Street. Ko Soe Than, 42, was shot in the heart at the junction of Thit Sar Road and Thu Min Ga Lar Street. Zyar Naing, 16, a student, was shot in the chest while holding a protest flag raised on a pole, and died from his injuries. His body was taken to his parents' home by rickshaw, but later taken away by the soldiers who came to his parents' home at about 8 p.m. Naing Myo Aung, 20, a university student, was killed at the junction of Thitsar and Wizzayanda Roads. Than Aung, 43, was on his bicycle going to collect his children from school when he was stopped and beaten to death by soldiers and riot police. None of the families have received death certificates, although most were allowed to attend the cremation service.¹⁴⁷

Eight persons from the Okkalapa neighborhood were confirmed to have died on September 27 by the Assistance Association for Political Prisoners (AAPPB), although the AAPPB does not describe where the deaths occurred. While five of the dead correspond to cases documented by Human Rights Watch, the other three names are

¹⁴⁶ Human Rights Watch interview with "Maung Maung Hla," (location withheld), October 2007.

¹⁴⁷ Human Rights Watch interviews with witnesses, (location withheld), November 30, 2007.

different, suggesting that more people may have died. They were identified as Ko Soe Than, 41; Myo Min Htun, 22; Zayar Naing, 18; Pho Zaw, 40; Tun Tun Lin, 31; Kyaw Kyaw, 33; Than Aung, age unknown; and Ko Phyo, 30.¹⁴⁸

The security forces also raided other monasteries during the night of September 26-27. At 4 a.m., soldiers raided the Mingalar Rama Pali University Monastery on Their Phyu Road in Rangoon, hauling away 99 monks at the institution for “breakfast,” and taking them to the Government Technical Institute (GTI) where they were detained and interrogated.¹⁴⁹ “U Theika, a monk, told Human Rights Watch that he went to the monastery at 6:30 a.m. on September 27 and found the monastery surrounded by riot police and virtually deserted:

When I went there, I found only one monk. He had hidden and escaped. He said that during the night all the monks were arrested and taken away at midnight. There was no one left but him....I saw the monastery was in disarray, everything was scattered. I saw small pools of blood. At the time [of the raid], 200 monks lived there...It seemed like the monks were arrested while they were sleeping. The mosquito nets were still covering the mats and bedding, the bedding was still in place. The monk’s robes were scattered everywhere...the monk told me that the monks were beaten and taken at night.¹⁵⁰

Soldiers also raided the Maggin Monastery, hauling away hundreds more monks.¹⁵¹ Maggin Monastery was ordered permanently closed by the Burmese authorities in late November (see below).

¹⁴⁸ AAPPB, List of Persons Deaths, http://www.aappb.org/died_sept_07.html (accessed December 3, 2007).

¹⁴⁹ Account of monk on file with Human Rights Watch.

¹⁵⁰ Human Rights Watch interview with “U Theika,” (location withheld), November 2, 2007. The witness told Human Rights Watch that he believed the raid had taken place in the night of September 25-26 but other witnesses stated that the raid had taken place on the night of September 26-27.

¹⁵¹ AAPPB, Monasteries Raided since September 26, 2007, <http://www.aappb.org>; “Rangoon Under Siege,” *Irrawaddy*, September 27, 2007.

Shooting at Sule Pagoda

Since Shwedagon Pagoda remained completely blocked off, a crowd of protesters began gathering at the Sule Pagoda in downtown Rangoon around mid-day. The area around Sule Pagoda had a heavy security presence: the pagoda itself had been surrounded with barbed wire and occupied by soldiers and riot police, and the adjacent City Hall—the scene of some of the deadliest massacres of the 1988 crackdown—had at least a dozen military trucks from the 66th Light Infantry Division parked in front of it, plus 7 fire trucks ready for crowd control purposes. The security forces never used the fire trucks for crowd control during their crackdown on the protesters, a nonlethal method of crowd control means that, if used, could have limited the loss of lives.

The crowd sat down just meters away from the security forces who had occupied the Sule Pagoda, around the junction between Sule Pagoda Road and Anawratha Road. This was a short distance (and within easy viewing range) from the Traders Hotel, home to many United Nations agencies. Unlike many of the other crackdowns of that day, the events at Sule Pagoda were witnessed by many international observers. As the protesters sat down, they began to shout traditional protest slogans, such as “the army is the army of Bogyoke [Aung San] for the people, not to kill the people and the monks,” over and over again, as well as a more insulting slogan, with the words, “The idiots who kill the monks, may a thunderbolt kill them.”¹⁵² Initially, the crowd was quite small, but as more people sat down and joined the protesters, the numbers rapidly swelled.¹⁵³ The crowd grew into the tens of thousands, but monks were virtually absent that day.¹⁵⁴ Persons interviewed by Human Rights Watch recalled seeing less than a dozen monks at the Sule Pagoda, since most monks had been detained overnight or were forced to stay inside their monasteries.

At about 12:30 p.m., a group of three army trucks from the 66th Light Infantry Division followed by a truck with plainclothes *Swan Arr Shin* members turned from Bogyoke

¹⁵² Video clip translation on file with Human Rights Watch; Human Rights Watch interview with “Su Su Hlaing,” (location withheld), October 25, 2007; Human Rights Watch interview with “Kyaw Zwa Oo,” (location withheld), October 27, 2007; Human Rights Watch interview with “U Maung Naing,” (location withheld), October 27, 2007.

¹⁵³ Human Rights Watch interview with “Ju Ju Win,” (location withheld), October 24, 2007.

¹⁵⁴ “Rangoon Under Siege,” *Irrawaddy*, September 27, 2007 (estimating the crowd at 70,000). An international observer counted only eight monks among the crowd.

Aung San Road onto Sule Pagoda Road, approaching the crowd slowly from the north.¹⁵⁵ The vehicles were accompanied by riot police on foot, banging their batons on their shields apparently in an attempt to scare the crowd.¹⁵⁶ Riot police with shields, teargas, and rubber bullets also stood in formation at the other end of the crowd, at the base of the Sule Pagoda, with 66th Light Infantry Division soldiers behind them.



Riot police near the Sule Pagoda with Swan Arr Shin members prepare to charge protesters on September 27, 2007.
© 2007 Private

The army trucks approaching the crowd began to issue orders to the crowd to disperse immediately. The warnings can be heard on a videotape obtained by Human Rights Watch:

¹⁵⁵ Video clip on file with Human Rights Watch; Human Rights Watch interview with “Ju Ju Win,” (location withheld), October 24, 2007.

¹⁵⁶ Video clip on file with Human Rights Watch.

Only 10 minutes [to disperse] will be given, only 10 minutes will be given, only 10 minutes will be given. If you do not obey, we will take effective action. The people who gathered on the left and the right of the road [protesting] against the national government [are violating] Article 144 [ban on unlawful assemblies]. If 144 is broken, effective action will be taken. If you do not go back to your place, your region quietly, you will be followed and investigated, and action will be taken.¹⁵⁷

A few youth began to throw stones and bricks at the approaching security forces, but they were stopped by others in the crowd, who wanted to ensure the protests remained peaceful.¹⁵⁸ “Yen Myat Soe,” who watched the events from the nearby Traders Hotel, told Human Rights Watch what he saw next:

The military tried to disperse the crowd with loudspeakers, saying the people had 10 minutes to disperse or they would shoot. Not many people tried to leave then. A few minutes later, they started shooting in the air. Some people got scared and tried to run, but when they realized the soldiers were only firing in the air, most of them returned. Then, a few minutes later, they shot directly into the crowd. First they shot teargas but then they shot directly into the crowd, using live ammunition [and rubber bullets].

People started to run away, the police started to chase them and began beating people. This is when the Japanese journalist was shot—the soldiers were the ones who fired. In addition to the Japanese journalist, two other people fell, including a woman. The Japanese journalist was a bit farther away, the others were a few meters before him.¹⁵⁹

¹⁵⁷ Translation of video clips on file with Human Rights Watch.

¹⁵⁸ Human Rights Watch interview with “U Main Naing,” (location withheld), October 27, 2007.

¹⁵⁹ Human Rights Watch interview with “Yen Myat Soe,” (location withheld), October 12, 2007.

The deliberate fatal shooting of Kenji Nagai, a Japanese video-journalist, was caught on film and aired around the world. It shows a soldier running up to Nagai, who was videotaping the events, and shooting him in the chest at point-blank range. After the shooting, the soldier picked up the camera and walked away. Groups of protesters can be seen fleeing in the background.¹⁶⁰

Eyewitnesses also confirmed to Human Rights Watch that in addition to Nagai, others were shot dead during this incident. “Yi Yi Hla,” who had just gotten off a bus when the shooting started recalled seeing one man shot, and then a second man who turned out to be the Japanese journalist:

I got off from a bus at the corner of Sule Pagoda Road and Anawratha Road at around 2 p.m. The army started shooting and I saw a man get shot and fall to the ground as I was getting off the bus. I then saw another man fall to the ground as the soldiers were advancing—I thought he was Caucasian, but I later learned that he was a Japanese journalist. Burst of gunfire continued for about three minutes as I ran north up Sule Pagoda Road.¹⁶¹

“Kyaw Zin Min,” another eyewitness, also saw several people shot dead at the front of the crowd, as the soldiers opened fire:

The soldiers shouted to the people with their loudspeaker, ordering them to scatter: “We have an order to shoot. If you don’t scatter, we will have to shoot.”

Then they counted from 10 to one. When they counted, the people shouted back that they didn’t care, and weren’t afraid. After they counted, they started firing their guns and also shot smoke bombs. People started running away, and those left behind were beaten by the riot police. I saw three or four students were shot and killed including

¹⁶⁰ Photographs on file with Human Rights Watch.

¹⁶¹ Human Rights Watch interview with “Yi Yi Hla,” (location withheld), October 7, 2007.

those holding the [fighting peacock flags]. ...When I heard the shooting, those students fell down. They didn't move. People started running everywhere, and so did I.¹⁶²

Another person present at the scene recalled seeing three bodies, that of two men and a woman, on the pavement as the crowd scattered.¹⁶³

Following the shooting, the massive crowd dispersed, but groups of protesters kept trying to regroup and continue marching. A truck with stones entered the area of the protest, and was quickly stopped by some of the protesters, who threw the stones at the security forces. One eyewitness told Human Rights Watch, "I saw a truck loaded with stones [near the Traders Hotel]. The workers and people threw the stones onto the road. About 30 people threw stones at the soldiers. But the stones didn't reach the soldiers who were too far away."¹⁶⁴

Dozens of trucks with plainclothes *Swan Arr Shin* members arrived in the downtown area and beat and arrested protesters. The *Swan Arr Shin* militia, present in large numbers in the downtown area that day, were given orders over the loudspeakers to attack and detain the protesters. "Kyi Kyi Soe" recalled to Human Rights Watch:

The *Swan Arr Shin* were then ordered over a loudspeaker to form a line and to charge forward and attack the protesters. They looked very aggressive and angry. They moved rapidly towards the crowd and beat everyone within their reach. They were brutal towards the people, hitting them countless times on their bodies with their rubber, wooden, and bamboo sticks.

I saw many people fall down on the street and men in civilian clothes ran towards the wounded people, arrested them, and took them in Dyna trucks. Those who couldn't walk anymore were dragged to the

¹⁶² Human Rights Watch interview with "Kyaw Zin Min," November 11, 2007.

¹⁶³ Human Rights Watch interview with "Yu Yu Myint," (location withheld), October 25, 2007.

¹⁶⁴ Human Rights Watch interview with "Su Su Hlaing," (location withheld), October 26, 2007.

trucks. This stirred up more anger in the protesters, who responded by attacking the security [with rocks] and the soldiers aimed their guns at the crowd. The riot police shot at the crowd with slingshots. People used stones and bricks to attack the soldiers.¹⁶⁵

At about 2 p.m., another deadly shooting incident took place as protesters walked down Pansodan Road and were confronted by riot police and army troops at the Pansodan overpass. Three monks and two students holding the red “fighting peacock” flag of the student movement were walking at the front of the crowd, and the soldiers opened direct fire on them. According to several eyewitnesses, one of the students holding the flag was shot in the head and died immediately, and a monk was shot in his arm.¹⁶⁶

For the rest of the afternoon, constant clashes occurred in the downtown area as the security forces and the *Swan Arr Shin* sought out groups of protesters to attack and disperse. The *Swan Arr Shin* men were brutal with the people they managed to arrest. “Kyi Kyi Su,” who was watching the events from the sidewalk recalled to Human Rights Watch how she was beaten and detained:

A middle-aged man in civilian clothing ran up to me very quickly and immediately struck me in the face and head while I was sitting down. I fell down into the street, and the man continued to beat me on the back, shoulders, and hands. I tried to get up to protect myself, but he struck me in the legs, causing me to fall down again in the street. I was bleeding from my head and my mouth. Then I was dragged to a car by the *Swan Arr Shin*, and inside the car the policeman ordered me to put my hands on my head and to keep my head down. Then we were taken to City Hall.¹⁶⁷

¹⁶⁵ Human Rights Watch interview with “Kyi Kyi Soe,” (location withheld), October 23, 2007.

¹⁶⁶ Human Rights Watch interview with “Thazin Aye” (location withheld), October 2007.

¹⁶⁷ Human Rights Watch interview with “Kyi Kyi Soe,” (location withheld), October 23, 2007.

Killings at Basic Education High School 3 (High School 3) in Tamwe

Protesters started gathering at the Kyaik Ka San Pagoda around noon on September 27. Very few monks were present, as most had been detained during the night or were confined to their monasteries by troops. All entrances to the Kyaik Ka San Pagoda were blocked by riot police, and the roads leading to the pagoda were blocked by military vehicles.¹⁶⁸

At about 2 p.m., after waiting in vain for more monks to arrive to lead their protests, a senior monk announced his intention to march downtown. He asked all of the marchers to “Just pray, don’t shout, don’t throw rocks. Pray for peace, and protection and love.” He then led the marchers in several prayers before moving on. The group walked southward for an hour or more down Kyaik Ka San Pagoda Road and onto Lay Daungkan Road.¹⁶⁹ When they passed Supermarket 1 on Lay Daungkan Road and turned onto East Horse Race Course Road, they found the road south of the National Library Construction Project blocked by soldiers and riot police. The soldiers ordered the protesters to disperse over megaphones. At the request of the senior monk, the crowd sat down in the road and started chanting Buddhist prayers.¹⁷⁰

The area was very crowded, as it was just in front of Tamwe High School 3, and parents were waiting to collect their children from school. When the marchers sat down, the riot police raised their shields and began banging on them with their batons. According to one of the marchers, “there were many police and soldiers together. Some of the crowd ran, but the rest all sat down and started to pray. They did not throw stones or shout slogans against the government, they just sat and prayed.”¹⁷¹ The soldiers and the police then entered the crowd and began arresting some monks and taking them away.

A second person present on Lay Daungkan Road at the time, “Thazin Aye,” witnessed soldiers and riot police come out of a nearby compound and surround the group of

¹⁶⁸ Human Rights Watch interview with “Min Hlaing,” (location withheld), October 27 and October 28, 2007.

¹⁶⁹ Human Rights Watch interview with “Thein Gyi Khaing,” (location withheld), October 10, 2007.

¹⁷⁰ Ibid; Human Rights Watch interview (name and location withheld), October 27 and 28, 2007.

¹⁷¹ Human Rights Watch with “Thazin Aye,” (location withheld) October 27, 2007.

protesters from behind. The soldiers then began firing their rifles repeatedly into the air and shot tear gas into the crowd.¹⁷² Just then, a second group of protesters arrived at the opposite (southern) side of the police barrier, and were immediately fired upon with tear gas, rubber bullets, and live ammunition by the security forces.

“Min Min Oo,” one of the marchers in the second group of protesters, recalled to Human Rights Watch how the soldiers fired into the crowd and pandemonium ensued:

All of the soldiers were shooting. The soldiers who shot were at the front [barricade]. The bullets were like rain. I saw so many people fall down. Someone standing beside me was shot in his side, I never saw such bleeding: the blood was flowing like water. Others were shot in their legs, on their arms, and in their heads. The shooting was for 10, 15 minutes.

The houses on the side of the road are two-story [apartments]. At first, the gates of the houses were open, so many people ran into the houses after being shot at. After this, the house owners closed the gates, so we couldn't get in. I had to climb a wall and go under barbed wire, many people were doing this and helping each other. People were still being shot. I injured my hand on the barbed wire and ripped my pants. All of the people went into the houses and climbed up the staircases. People were blocked at the top of the stairs. I was at the top of the stairs with 15 people, then we could no longer see anything.

The soldiers also shot into the staircases. They opened the gates, and seven came inside and shot at the houses and told us to come down. A girl in my group was injured then [by ricocheting debris]. The soldiers were using both rubber bullets and regular bullets.¹⁷³

¹⁷² Human Rights Watch interview, (name and location withheld), October 27, 2007.

¹⁷³ Human Rights Watch interview with “Min Min Oo,” (location withheld), November 11, 2007.

Suddenly, a military truck belonging to the 77th Light Infantry Division drove directly into the first crowd of marchers, according to many of the witnesses interviewed by Human Rights Watch. “Htun Kyaw Kyaw,” a student, recalled:

The military trucks entered by hitting the people. People were fleeing on both sides. I saw three people lying in the road; I saw when they were hit: It was a big military truck and it moved quickly into the group, the three people were hit directly in front of the truck. They were lying down.¹⁷⁴

A separate eyewitness, who was later detained in the same area, saw four or five bodies lying in the street as he was being led away from the area.¹⁷⁵

As soon as the military truck had driven into the first crowd, soldiers got out and started firing, first into the air, but then directly at the fleeing civilians. “Htun Kyaw Kyaw,” the student, told Human Rights Watch:

After they hit the three people, the soldiers stopped the truck and got out. The soldiers had the number 77 on their armbands [signifying 77th LID]. They started to shoot into the sky. They shot the people...the riot police were not with them, there were just soldiers. There was no announcement or warning before they started shooting.

The road was full of people. After shooting in the air for three-four minutes, they began to shoot the people. They had shot four-five times in the air. Then, they walked into the crowd. They did not fire continuously. It was one shot and then the next. I was still in the middle of the road.¹⁷⁶

¹⁷⁴ Human Rights Watch interview with “Htun Kyaw Kyaw,” (location withheld), October 28, 2007.

¹⁷⁵ Human Rights Watch interview with “Thein Gyi Khaing,” (location withheld), October 10, 2007.

¹⁷⁶ Human Rights Watch interview with “Htun Kyaw Kyaw,” (location withheld), October 28, 2007.

The soldiers also fired teargas into the crowd. Chaos ensued, as the desperate civilians ran into the neighboring High School 3, an apartment complex, the ditches by the road, and the construction site of the unfinished national library. None of those interviewed by Human Rights Watch saw all of the violence that day, but their individual stories suggest that many people were killed in the ensuing violence.

“Thazin Aye,” a young woman, recounted to Human Rights Watch how she fled with a group of others onto the grounds of the National Library, and hid in the guard house. She told Human Rights Watch that she watched in horror as the security forces entered the compound and killed three of four young men right in front of her:

My friends and I ran away [into the National Library building site]. I saw seven people hiding in the tall grass on the north-eastern corner of the compound. Three or four others ran across the compound and may have escaped. After about 45 minutes, *Swan Arr Shin* informers entered the compound and told the soldiers there were people hiding there. The soldiers entered from the east and western edges of the compound and split into four groups. ...

We were so frightened. My two friends were crying loudly, and I was so frightened that the soldiers would find us. Then the informers pointed to the grass. Seven young people were hiding there. They got up and ran, but the soldiers started firing into their backs. They were only able to run six or seven steps before they fell. Three or four of the young boys aged around 20 to 22, were gunned down straight away. The others tried to run but were caught and taken away in the military cars.¹⁷⁷

The student, “Htun Kyaw Kyaw,” remained in the street, unable to escape because of the firing, and recounted seeing the soldiers shoot a high school student in the back as he tried to climb the perimeter wall of Tamwe High School 3:

¹⁷⁷ Human Rights Watch interview with “Thazin Aye,” (location withheld), October 23 and November 1, 2007.

I saw one boy climb the wall of High School 3...there were four or five other people climbing the wall with him but they were not shot. One soldier had aimed at the people. I heard the gunshot, it hit the boy in the middle of his back. Blood came out of his wound, and then he fell. The boy fell back and died on the spot without making any noise.¹⁷⁸

After seeing the killing of the boy, “Htun Kyaw Kyaw” ran to a retaining wall by some apartment buildings, behind a sewer ditch where people were hiding in. He witnessed a group of soldiers approach the ditch and fire directly at the group:

I heard the gunfire, it was directly in front of me. The sewer ditch is covered in some places, open in others. When I heard the shots, I ran back into the stairway of the building.

What I saw was three or four soldiers, they were wearing the number 77 on their armbands. I saw one soldier aim at the people in the ditch and cock his rifle. Then I heard a gunshot, just one shot. Then I heard two shots fired into the compound behind me, I didn’t see [where they hit]. There were maybe 100 people in that ditch.¹⁷⁹

Human Rights Watch does not know how many people, if any, were wounded or killed in the ditch.

The soldiers and riot police now began systematically rounding up protesters and bystanders throughout the area, detaining hundreds, and severely beating many. One protester who hid in the roadside ditch recalled he was struck three or four times with batons on his back before being ordered to come out of the ditch, and then told to sit cross legged with his hands behind his head and look down; he heard many others screaming and crying out in pain.¹⁸⁰ At the nearby apartment complex, riot police pulled people out of hiding and beat them with their batons. At a

¹⁷⁸ Human Rights Watch interview with “Htun Kyaw Kyaw,” (location withheld), October 28, 2007.

¹⁷⁹ Ibid.

¹⁸⁰ Human Rights Watch interview with “Thein Gyi Khaing,” (location withheld), October 10, 2007.

nearby shop, the police arrested all of the customers, assuming they had participated in the protests.

At least one other protester was killed by the soldiers. At the apartment complex, a person had hidden inside a metal drum, and was shot when he refused to come out:

The soldier yelled, “Come out! If you don’t come out, we will shoot!” The soldier yelled three or four times. There was only one soldier, the others were arresting people. The person who was hiding did not come out, he was shaking and his knees were hitting the side of the drum [from fear]. He didn’t say anything. I saw this with my own eyes: Then, the soldier shot through the drum. The drum became still, and there was no more noise.¹⁸¹

The soldiers and riot police then ordered hundreds of people hiding in the apartment buildings to come out, threatening to shoot into the building:

The soldiers ordered the people hiding to come down or they would shoot, and they shot into the wall...We all went down the stairs. The soldiers and riot police beat us, shouting at us to go faster. They ordered us to put our hands behind our heads and to lie face down on the ground. People hiding in the other buildings were also coming down. Those arrested on the road were brought into the compound.

At the time, a girl wasn’t sure whether to lie down or stand up. A riot police [officer] hit the girl on the side of her face with his baton. The girl collapsed. She was in her twenties – there was blood running down her face, and her skull might have been broken. I’m not sure if she died. No one was able to help her. If we put our heads up, they would hit us and kick us with their boots.¹⁸²

¹⁸¹ Human Rights Watch interview with “Htun Kyaw Kyaw,” (location withheld), October 28, 2007.

¹⁸² Ibid.

The soldiers and riot police gathered at least 500 people in the compound. Then, the security forces ordered the detainees to board waiting public buses and a prison bus. There were so many detainees that not all of them could fit on the buses, so about 100 detainees were allowed to leave, after pledging not to participate in future protests.¹⁸³ The buses were first driven around the neighborhoods several times, with loudspeakers announcing that the people on the buses were being punished for participating in unlawful demonstrations, and warning the public not to participate in demonstrations.¹⁸⁴ They were then driven to the Kyiak Ka San race course stadium, where they remained on the buses for two hours before being allowed to descend, and were then counted. Because of the count, one eyewitness knew the detainees included 191 men, including six monks and many students in their school uniforms; and 51 women.¹⁸⁵

The security forces then put the women and men, separated, into dark rooms at the race track. There was no medical assistance for the wounded, many of whom were crying out in pain. Only a few bottles of water were provided to the protesters. At 1:30 a.m. the next morning, the security forces loaded them onto buses and took them to the Government Technical Institute (GTI) on Lower Mingaladon Road in Insein Township, where they joined thousands of other detainees (detention conditions at GTI are discussed in chapter VII of this report).¹⁸⁶

Based on the evidence available to Human Rights Watch, it is likely that the death toll at the Tamwe High School was among the highest of the entire crackdown. Only some of those killed near the Tamwe High School 3 have been publicly identified. According to the Democratic Voice of Burma, one of the dead was 16-year-old Maung Thet Paing Soe, a student at Tamwe High School 3, who was shot in the back of the head during the crackdown. Soldiers took away the body from the scene, but his family found and recovered the body the next day. The authorities refused to issue the family a death certificate, but the family was allowed to attend the cremation at

¹⁸³ Ibid; Human Rights Watch interview with “Thein Gyi Khaing,” (location withheld), October 10, 2007.

¹⁸⁴ Human Rights Watch interview with “Thein Gyi Khaing,” (location withheld), October 10, 2007.

¹⁸⁵ Ibid.

¹⁸⁶ Ibid.

Hteinbin cemetery on September 28.¹⁸⁷ Tun Lynn Kyaw, another student at Tamwe High School 3, was also identified as one of those killed in front of the school on September 27.¹⁸⁸

Order Through Violence: September 28-29

The SPDC, through its violent crackdown and particularly the widespread deployment of *Swan Arr Shin* militias throughout downtown Rangoon, managed to effectively end large-scale street protests by September 30. The violent crackdown of September 26 and 27 evoked both despair and intense rage among most of the protesters: despair as their hope for peaceful change was crushed violently, and rage at the security forces for attacking revered monks and other peaceful protesters. The protesters saw the possibility of peaceful change slip away from them, and the increasing security presence, widespread arrests, and the violence perpetrated by the security forces made it virtually impossible to organize large-scale protests. The internet was shut down, and landline and mobile phone networks were cut.¹⁸⁹

September 28: Despair and Rage

On September 28, thousands of protesters again descended on downtown Rangoon, but were unable to congregate. “Ju Ju Win,” one protester who went to downtown Rangoon that day, told Human Rights Watch: “On the 28th, there was no way to form groups. Every time we tried, the riot police and the soldiers approached. So I left around 2 p.m., and went home early.”¹⁹⁰ “Zaw Thein Htike,” another eyewitness, painted a similar picture: “The whole day, the *Swan Arr Shin* and the soldiers came up [to groups] and arrested people. When they withdrew, the people gathered again. It was like this the whole day, from noon to 5 p.m.”¹⁹¹

¹⁸⁷ “Family Speaks About Teen Protester’s Death,” Democratic Voice of Burma, October 19, 2007.

¹⁸⁸ AAPPB, List of Persons Deaths, http://www.aappb.org/died_sept_07.html (accessed December 3, 2007).

¹⁸⁹ Andrew Marshall, “Blood, Robes And Tears: A Rangoon Diary,” *Time*, October 22, 2007; OpenNet Initiative, “Pulling the Plug. A Technical Review of the Internet Shutdown in Burma,” ONI Bulletin, October 2007.

¹⁹⁰ Human Rights Watch interview with “Ju Ju Win,” (location withheld), October 24, 2007.

¹⁹¹ Human Rights Watch interview with “Zaw Thein Htike,” (location withheld), October 25, 2007.

One angry crowd of several hundred protesters managed to gather at Shwe Bontha Road at about 12:30 p.m., and began openly taunting the security forces nearby, according “Su Su Hlaing,” one of the protesters:

The people were cursing at the soldiers. Whenever the soldiers aimed their guns, the people would run away, but the soldiers didn’t shoot. The people were shouting things like, “You killed monks and ordinary people, and you will suffer because of it! Your fathers will be in heaven, but you will suffer because you are the one who shot.” The people were clapping. Others began to challenge the soldiers. One woman yelled, “You men—if you have courage, put down your weapons and fight me [with your hands].” Then, one after the other, people challenged the soldiers. Some people lifted their *longyi* [sarong] showing their private parts [to the soldiers]. This lasted 30-45 minutes.¹⁹²

At least one protester began firing his slingshot at the security forces, shattering the windshield of one of their vehicles. Incensed, the commander ordered his soldiers to find and arrest the person responsible. When the soldiers could not find the person, they instead entered a popular restaurant in the vicinity and beat and arrested the owner, and then went into a nearby internet café and arrested all of the customers.¹⁹³

Around 2 p.m., soldiers also fired at a group of protesters who were heading to downtown Rangoon from the Upper Bazundaung Road.¹⁹⁴ Another group began to march around Sule Pagoda at about 2 p.m. The crowd rapidly grew in size. As they turned into Merchant Road just south of Sule Pagoda, they found the road barricaded and were ordered to disperse immediately. Several military trucks drove into the crowd. The military trucks pushed back the protesters away from the downtown area, firing their rifles in the air.¹⁹⁵ The soldiers and *Swan Arr Shin* began detaining protesters:

¹⁹² Human Rights Watch interview with “Su Su Hlaing,” (location withheld), October 26, 2007.

¹⁹³ Ibid.

¹⁹⁴ Human Rights Watch interview with “Htun Kyaw Kyaw,” (location withheld), October 28, 2007.

¹⁹⁵ Eyewitness account of international observer on file with Human Rights Watch.

When the trucks stopped, the people went in all directions. There were some people who remained behind. The soldiers grabbed them by their necks and threw them into the trucks. Demonstrators were not the only ones arrested; bystanders also. They arrested everyone they saw. They were mostly soldiers and *Swan Arr Shin*.¹⁹⁶

“Min Hlaing,” another protester, described the chaotic scene in downtown Rangoon on September 28, as well as the determination of the protesters to keep protesting:

We gathered near Sule around 2 p.m. When we started gathering, there were 1,000 to 2,000 of us. When they shot at us, we ran away and became different small groups gathering in other places again. It was like that again and again. Whenever we gathered in one place, the security forces came and took the place. There was also a *Swan Arr Shin* car whenever they chased the people away.

At around 3 p.m., they shot rubber bullets at us. When they shot, they chased us. So when they chased, the protesters had to run away. The way that I knew they were coming into the crowd was that I could hear their rubber bullets hitting the shop doors, so we would run into the side streets.

At around 4 p.m., we protested on Bogyoke Aung San Road, again gathering from different groups. People always came back together.¹⁹⁷

On a number of occasions, the security forces fired at protesters attempting to march. At about 4 p.m., a small crowd of protesters marched down Natmawk Road, just north of Kandawgyi Lake. When they reached the Ear, Nose, and Throat (ENT) Hospital, they were dispersed by security forces who fired their guns—it is unknown whether they fired into the air or directly at the protesters.¹⁹⁸

¹⁹⁶ Human Rights Watch interview with “Shwe Thandar,” (location withheld), October 27, 2007.

¹⁹⁷ Human Rights watch interview with “Min Hlaing,” (location withheld), October 27 and 28, 2007.

¹⁹⁸ Human Rights Watch interview with “Yu Yu Myint,” (location withheld), October 25, 2007; Human Rights Watch interview with “Kyaw Zwa Oo,” (location withheld), October 27, 2007.

September 29: “The streets were full of soldiers”

On September 29, the UN Special Envoy for Burma, Ibrahim Gambari, arrived in Rangoon for emergency talks with the SPDC. By this time, the security forces and *Swan Arr Shin* had inundated the streets of Rangoon, and responded immediately to any attempt at staging protests. “Naing Soe Myint,” a protest organizer, who attempted to join protests that day, described his experience to Human Rights Watch:

At 12:30, I took a bus to go downtown, but we couldn’t reach downtown, only as far as the *Thamada* (President) Theater [because of roadblocks]. So, from there, I crossed the bridge to the Traders hotel. When I arrived, I didn’t see any [protesters], but many, many soldiers and police holding hard green bamboo sticks. I went on Sule Road and saw many soldiers in front of Traders Hotel, and also many riot police. Across the street, many soldiers and some riot police were lined along the road. Also, the traffic platform in the middle of the intersection was full of soldiers. Along Bogyoke Aung San Road near the Buddhagyi bus station, there were many soldiers...

I went along the road among the soldiers. If the soldiers saw three people come together, they would ask the people what they were doing. It was like they were ready to arrest anyone that they even suspected...I looked at the situation, and there were no NLD, no CRPP and no monks...

[A group of youth unfurled a banner on the bridge over the road, and people clapped]. I saw three *Swan Arr Shin* who followed the [protesters]. They arrested three young guys. ...At the corner, the young guys were kicked with army boots in their faces and punched by three soldiers...Then the *Swan Arr Shin* pointed at me...I thought I was in trouble and that I should leave before I was arrested.¹⁹⁹

¹⁹⁹ Human Rights Watch interview with “Naing Soe Myint,” (location withheld), October 31, 2007.

Others who attempted to protest on September 29 had similar experiences. "Shwe Thandar" told Human Rights Watch:

At 1 p.m., I went downtown to check if there were any demonstrations, but I didn't find any because there were military trucks, and the soldiers and *Swan Arr Shin* were walking around the streets. They were occupying every corner. At the bridges downtown, the *Swan Arr Shin* were there with sticks in their hands. The whole downtown was quiet, but young people were walking around trying to gather [and protest].²⁰⁰

Small groups did manage to occasionally gather and protest, but were immediately dispersed by the security forces, and many protesters were detained. At about 4 p.m., the soldiers dispersed one such small protest near Maha Bandoola Road and Bo Aung Kyaw Street by firing rubber bullets into the crowd.²⁰¹

²⁰⁰ Human Rights Watch interview with "Shwe Thandar," (location withheld), October 27, 2007.

²⁰¹ Human Rights Watch interview with "Zaw Thein Htike," (location withheld), October 25, 2007.

VI. The Continuing Night Time Raids: Monasteries and Wanted Organizers

The Fate of the Monks

In addition to the arrests during protests, the security services also conducted massive raids at dozens of monasteries beginning the night of September 26, some of which have been documented in this report. Many of the nighttime monastery raids were extremely violent, involving severe beatings of monks, gunfire, and significant destruction of religious property. At many of the monastery raids, all of the monks were taken away into detention, or were ordered to de-robe and return to civilian life. Since many monks fled into neighboring civilian areas during the raids, monastery raids often were followed by sweeps of the neighborhoods to locate hiding monks and arrest people that might have assisted the monks.

During these raids, the security forces took several thousand monks into detention throughout Burma, particularly in Rangoon, Sittwe, and Kachin State. Many monasteries were completely emptied of monks, and were occupied by the security forces for weeks following the crackdown—a number of monasteries remain occupied at the time of the publication of this report. At some monasteries, pro-SPDC abbots—or abbots who were afraid of potential repercussions—refused to allow monks who had participated in protests to return.

The security forces' frequent raids on monasteries, arrests and forcible de-robing of monks, and their occupation of the monasteries forced many monks to “vanish” from the streets of Rangoon and to return to their home villages to seek safety. Others were forcibly de-robed and ordered by the security forces to return to their villages. As a result, the streets of Rangoon, once filled with thousands of monks and nuns seeking alms, were virtually emptied of clergy.

“Htet Win Naing,” a taxi driver from Rangoon, recalled to Human Rights Watch that two desperate monks came to his home on October 2 or 3, begging for money to allow them to return to their villages in Rakhine State:

One of them told us he had been the only monk left at his monastery in Yangin Township—all of the other monks had been arrested. He only escaped because he climbed out of a window. ...They just said they couldn't stay in Rangoon anymore, they had to go back [home]. They really appreciated our help, because many houses didn't allow them to enter. They smelled of sweat. They only had one set of robes, nothing else to change into. They had to hide in houses because they couldn't stay at the monastery.²⁰²

Detained monks were subject to forcible de-robing, in addition to humiliating treatment, physical abuse, and extended interrogation. The conversion of monks back to lay status can be conducted only by senior monks and ordinarily requires the consent of the subject. On September 28, the authorities brought several Buddhist monks who were part of the state-controlled *Sangha Nayakas* to the detention facility at the Government Technical Institute (GTI) and ordered them to perform the ritual to de-robe hundreds of monks detained at the GTI; the detained monks were mostly from Ngwe Kyaw Yan Monastery, Maggin Monastery, and Mingalar Rama Pali University. The monks who were summoned to conduct the ceremony refused to do so. Security officials subsequently ordered the detained monks to remove their robes and wear a lay clothes which, unlike ritual de-robing, does not negate the holy status of the monks.²⁰³

Some monks returned to their monasteries after their release, but the security forces ordered the majority to leave the monkhood (*Sangha*) and to return to their native areas. Others returned to their monasteries to find them still occupied by security forces. In some cases, monks stated to Human Rights Watch that the abbots of their monasteries refused to accept them back because they had been involved in the protests or had been detained. One 76-year-old senior monk, who was suffering from intense chest pains and had difficulty breathing because he had been kicked in the side of his chest repeatedly during his arrest, was barred from returning to his monastery after being released from Insein prison on October 25, 2007.²⁰⁴

²⁰² Human Rights Watch interview with "Htet Win Naing," (location withheld), October 26, 2007.

²⁰³ Human Rights Watch interview with "U Thu Mana," (location withheld), October 27, 2007.

²⁰⁴ Human Rights Watch interview (name and location withheld), October 26, 2007.

The forced defrocking or disrobing of the monks, and their forced return to civilian life in their villages, provides part of the answer to the common question about “what happened to the monks.” Although a few monks are known to have been killed during the protests and an undetermined number remain in detention, the available evidence suggests that most of those who “vanished” from public view have since returned to their native villages.

The siege of the monasteries was continuing as this report was being finalized. Many monasteries in Rangoon, particularly those around Shwedagon Pagoda, remain occupied by the security services (who are residing inside the monasteries in some cases) and continue to be empty or largely empty of monks and novices. Monasteries continue to be raided and shut down by the security forces: on November 27, for example, two officials of the Ministry of Religious Affairs and an official from the Township Peace and Development Council ordered the closure of the Maggin Monastery in Rangoon, one of the original monasteries raided on September 27, 2007, shutting down not only the monastery but also the HIV/AIDS care center being run there. The abbot of the monastery and several other monks have been in detention since they were arrested in September.²⁰⁵

The Continuing Arrest Campaign

Following the government crackdown, the security forces undertook a massive witch hunt to track down suspected protest organizers and activists, using the images and information collected during the protests. These continuing arrests highlighted the SPDC’s fear-inducing, totalitarian ability to penetrate the private lives of its citizens. Each household in Burma is required to deposit a register of its inhabitants (with photographs) with the authorities, and immediately announce the presence of overnight guests (including relatives not registered in the household) to the ward Peace and Development Council. Multiple, overlapping organizations keep everything and everyone in Burma under surveillance: the local ward Peace and Development Councils, the USDA, and *Swan Arr Shin* all supplement the capacity of the state to monitor and police its citizens. By mobilizing this dragnet of informants, the government systematically began to track down organizers and activists.

²⁰⁵ November 28 email communication to Human Rights Watch, on file at Human Rights Watch.



Security forces arrest protesters in downtown Rangoon, September 27, 2007. © 2007 Private

The state-controlled *New Light of Myanmar* claimed on November 7 that a total of 2,836 persons had been detained throughout the country during the protests and the subsequent crackdown, and that only 91 persons remained in detention.²⁰⁶ Such figures bear little resemblance to reality: the total number of people arrested in Rangoon alone was much higher than 2,836. Although thousands have indeed been released, available evidence indicates that those who remain in detention, both of the known political leadership of the NLD and '88 Generation students as well as countless unknown protesters and monks, number in the hundreds.

Particularly distressing, the SPDC has failed to provide information on the whereabouts of those detained to their families, violating the international legal prohibition against enforced disappearance. The nongovernmental Assistance Association for Political Prisoners in Burma (AAPPB), based in Thailand, lists 72 persons who have “disappeared” since the crackdown, many of them from the vicinity of the Tamwe High School on September 27, but the actual number of such “disappearances” is undoubtedly much higher, as families frequently do not report their missing relatives to exile organizations. In some cases, families have been able to confirm that missing relatives are being detained or were killed, but many remain uncertain about the fate of their relatives and are too afraid to ask the authorities for information.

The arrest campaign has relied significantly on the photos and videotapes collected by government intelligence agents at the protests. Almost all the protests that took place were carefully videotaped and photographed by plainclothes intelligence agents, and during the crackdown, these photographs were distributed to the ward Peace and Development Councils, USDA, and local law enforcement officials to help them identify and arrest persons who had taken a part in the protests.

On numerous occasions, security forces detained family members of wanted activists when they could not locate the activists themselves, in an apparent attempt to get them to turn themselves in. In mid-October, security officials detained two brothers, a sister, and the parents of U Gambira, the leader of the All-Burma Monks Association (ADMA), reportedly stating that the family members would not be

²⁰⁶ “Clarification on Myanmar’s situation to UNSG Special Envoy Mt Ibrahim Agboola Gambari,” *New Light of Myanmar*, November 7, 2007.

released until U Gambira himself was detained (U Gambira was arrested in early November, but his father and brother remain in detention).²⁰⁷ On October 2, security forces detained the abbot of Thitsar Mandai Monastery, reportedly until his younger brother, a monk involved in the protests, was detained or turned himself in.²⁰⁸ On October 19, security officials detained the mother and mother-in-law of wanted activist Thet Thet Aing, in an attempt to force her to come out of hiding (her mother was released only on November 2).²⁰⁹ Authorities also arbitrarily detained Khin Marlar, the wife of wanted poet Ko Nyein, from October 1 until October 21, to pressure him to turn himself in.²¹⁰ Such “collective punishment” violates the right under international law against arbitrary deprivation of liberty.²¹¹

“Shwe Thandar,” an NLD activist who had participated in the prayer meetings for the release of Aung San Suu Kyi prior to the protests as well as in the protests themselves, told Human Rights Watch that police officials raided her family home at 1 a.m. on September 29. The police searched the entire apartment looking for her, but she escaped arrest by pretending to be the wife of her brother-in-law and feigning to be asleep. Their neighbors “assisted” the police, telling them to check to make sure she was not hiding in the bathroom. The police told her sister that she should report to the police station as soon as possible. “Shwe Thandar” immediately went into hiding, moving from apartment to apartment. In mid-October, the security forces arrested her teenage daughter, who had not played an active part in the protests. The daughter remained in detention at this writing.²¹²

“Naing Soe Myint,” a trader who helped organize some of the protests explained to Human Rights Watch that he was warned on September 29 by a friend who had contacts in the security services that he was about to be arrested and should flee his home, and did so immediately. After he fled, officials from the Ward Peace and

²⁰⁷ “Family Members of Monk Leader Arrested,” *Democratic Voice of Burma*, October 19, 2007.

²⁰⁸ “Head Monk Held in Exchange for Brother,” *Democratic Voice of Burma*, October 18, 2007.

²⁰⁹ Amnesty International Briefing Paper, “No Return to ‘Normal,’” November 2007.

²¹⁰ *Ibid.*

²¹¹ See, for example, UN Human Rights Committee, General Comment 29 (Article 4 of the International Covenant on Civil and Political Rights), UN Doc. CCPR/C/21/Rev.1/Add.11, para 11.

²¹² Human Rights Watch interview with “Shwe Thandar,” (location withheld), October 27, 2007.

Development Council, the police, and the USDA came to his home, showed his wife pictures of him taken at the protests, and demanded to know his whereabouts. When his workers tried to re-open his shop, township security officials ordered them to keep the shop closed, saying that “no business can be run in ‘Naing Soe Myint’s’ name.”²¹³

“Zaw Thein Htike,” a protest organizer, told Human Rights Watch that his apartment was raided on September 29, but he was already hiding elsewhere. When the authorities could not find him, they detained two of his siblings for one day. They confiscated his computer, which stored documents about the democracy movement in Burma. Realizing he was about to be arrested, he fled.²¹⁴

“Tin Htut Khaing,” who had participated for a few days in the protests, explained to Human Rights Watch that he was detained at 3 a.m. on October 3 when the ward Peace and Development Council and army soldiers conducted a mass sweep in Bahan Township. They conducted a house to house sweep, checking the house registries and arresting anyone suspected of involvement in the protests. Because the soldiers counted the detainees at the end of the sweep, he knew that 105 men and 98 women had been detained that night.

“Kyaw Zin Min,” a university student, explained to Human Rights Watch that security officials and ward Peace and Development representatives first came to his neighborhood in Rangoon on October 5, and ordered all the students to accompany them to the ward Peace and Development Council offices for questioning. He was not at his apartment at the time, and so escaped arrest. He then learned from relatives that the ward Peace and Development Council had come to look for him at his home, and decided to go into hiding. His mother told him that the ward Peace and Development Council officials came to check for him every day at her home. On October 12, he and his friends fled to Mandalay, but found the surveillance there even more intense. They were unable to find a place to sleep because of the requirement that the ward Peace and Development Council approve all overnight stays. They returned to Rangoon the same day, before fleeing.²¹⁵

²¹³ Human Rights Watch interview with “Naing Soe Myint,” (location withheld), October 31, 2007.

²¹⁴ Human Rights Watch interview with “Zaw Thein Htike,” (location withheld), October 25, 2007.

²¹⁵ Human Rights Watch interview with “Kyaw Zin Min,” (location withheld), November 11, 2007.

“Kyaw Zwa Oo” explained to Human Rights Watch that the chairman of the ward Peace and Development Council, a Special Branch Investigator, a policeman, and two other officials came to his mother-in-law’s home on October 11, looking for his wife who had participated in the protests. The officials then went to the home of “Kyaw Zwa Oo,” where his wife narrowly escaped arrest after she was tipped off by one of the officials that she was about to be detained. When “Kyaw Zwa Oo” told the officials that he had a fight with his wife and did not know where she was (to protect her), they confiscated his wife’s identification papers. “Kyaw Zwa Oo” and his wife immediately went into hiding to avoid arrest. He explained to Human Rights Watch: “The laws in Burma are [flexible] like a rubber band. Whatever they want to do, they can do. If we showed our faces to them, they will punish us.”²¹⁶

The vast majority of ordinary protesters and bystanders who were detained at the protests themselves appear to have been released after a few days to a week. Many were required to sign a statement in which they admitted their “guilt” and pledged not to take part in further anti-government protests or “unlawful activities.” Generally, a relative was also required to sign a pledge accepting legal responsibility should those released be found to be involved in future protests and “crimes” against the state.

The arrests have not ceased since September. As of this writing in early December, Human Rights Watch was continuing to receive regular, almost daily, reports of new arrests. This was despite repeated statements by the Burmese authorities that the arrests had ended. For instance, Burma’s Permanent Representative at the United Nations, U Kyaw Tint Swe, told the UN Security Council on November 13 that there “had been no further arrests in connection with the demonstrations,” a statement contradicted by the facts on the ground in Burma.²¹⁷

As noted above, in early November, the authorities arrested U Gambira, the head of the All-Burma Monks Alliance (ABMA) which had spearheaded the September

²¹⁶ Human Rights Watch interview with “Kyaw Zwa Oo,” (location withheld), October 27, 2007.

²¹⁷ “3 Burmese Held, Despite Junta’s Assurances,” Associated Press, November 14, 2007.

protests, and reportedly charged him with treason.²¹⁸ On November 13, as UN Human Rights Envoy Paulo Pinheiro was in Rangoon, the authorities detained labor rights activist Su Su Nway and her fellow NLD activist Bo Bo Win Hlaing as they were putting up protests posters near the hotel where Pinheiro was staying (Su Su Nway had been in hiding to avoid arrest since organizing a protest in August).²¹⁹ On November 26, civilian-dressed security officials detained Aung Zaw Zoo, a member of the Human Rights Defenders and Promoters network, from a tea shop in Kyauktada Township in Rangoon.²²⁰

Other recent detentions include the November 5 arrest of U Khaymarwuntha, a monk from Zantila Kamahtan Monastery in Rangoon, for involvement in the protests; the November 15 arrest of U Than Rama, a monk involved in the protests, from a monastery in western Rakhine State; the November 20 arrest of Dr. Myint Naing (an elected NLD member of parliament and former political prisoner from 1990 to 2004); the November 20 arrests and interrogation of three members of the Committee Representing the People's Parliament (CRPP): Aye Tha Aung, Soe Win, and U Pin Cin Saing Thaing; and the November 20 and 21 arrest and questioning of ethnic Arkanese leaders U Tin Ohn, Cin Sian Thang, and U Aye Thar Aung, Mon National Democratic Front leader Naing Ngwe Thein, and ethnic Kachin leader U Hkun Htoo, which compelled many other ethnic leaders to flee (most ethnic leaders were released after questioning).²²¹

²¹⁸ "Junta Arrests Prominent Abbot U Gambira," Mizzima News, November 13, 2007; "3 Burmese Held, Despite Junta's Assurances," Associated Press, November 14, 2007. U Gambira's arrest took place around the same time he published an op-ed in the *Washington Post* on November 4, 2007.

²¹⁹ "3 Burmese Held, Despite Junta's Assurances," Associated Press, November 14, 2007; Amnesty International, "Myanmar: Arrests Continue Two Months On," November 27, 2007.

²²⁰ "Activist Arrested in Rangoon," Democratic Voice of Burma, November 27, 2007; "Junta Arrests Another Human Rights Activist," Mizzima News, November 26, 2007.

²²¹ "Myanmar Opposition Says Arrests Undermine Talks," Reuters, November 22, 2007; "NLD and CRPP Members Taken From Homes," Democratic Voice of Burma, November 22, 2007; "Junta Arrests Ethnic Leaders," Mizzima News, November 22, 2007; "Monk Arrested in South Dagon," Democratic Voice of Burma, November 8, 2007.

VII. Detention Centers and Abuses

The Large-Scale Ad Hoc Detention Facilities

City Hall

One of the first ad-hoc detention centers to be set up was inside the City Hall, next to Sule Pagoda, where troops of the 66th LID based themselves inside the City Hall compound. Many of the people detained in downtown Rangoon during the crackdown were taken directly to City Hall, but so were others arrested at their homes, including the comedian Zargana, who was taken there immediately after his arrest on the night of September 25.

“Kyi Kyi Su,” who was detained on September 27 in downtown Rangoon, explained to Human Rights Watch that after being beaten by *Swan Arr Shin* members, she was taken to City Hall, where she was kept with approximately a hundred other detained persons, and guarded by soldiers and riot police. Each detainee was questioned three times, once by a civilian-dressed person and twice by police officers. The questions focused on basic biographical details and whether the detainees had any affiliation with political opposition groups or protest organizers. The detainees received a basic meal and were then transferred to the Government Technical Institute in army trucks covered with canvas at about 9:30 p.m.²²²

Although the 66th LID continued to use City Hall as one of their main bases well into October, the facility does not appear to have been used for large-scale detentions after the initial crackdown in late September. Most of the detainees were moved out to other ad-hoc detention facilities, such as the Kyaik Ka San Race Course and the Government Technical Institute.

Kyaik Ka San Race Course

Another ad-hoc detention center was created at the Kyaik Ka San Horse Race Course (close to Tamwe High School 3, where the deadly clash took place on September 27).

²²² Human Rights Watch interview with “Kyi Kyi Su,” (location withheld), October 23, 2007.

“Thein Gyi Khaing,” who was detained at the Tamwe High School clash, recounted to Human Rights Watch that he and other detainees were taken from the school in 5 or six buses and a blue prison truck to the race course, where they were separated by gender and counted: because of the count, the detainee knew there were 191 men and 51 women detainees from his convoy, including some monks and students still in their school uniforms.²²³

The men and women were taken to separate dark rooms, and received only limited water. No medical care was given to the wounded, many of whom cried out in pain. He and many other prisoners were transferred to the Government Technical Institute that same night at about 1:30 a.m., but the race course continued to be used as an ad-hoc detention facility after this transfer. For example, on September 30, a group of 162 detainees from GTI were transferred to the race course, and most spent three more days there before being released.

A Burmese security official who had been at the facility reported to Human Rights Watch that at least two people had died at the race course, apparently from exposure and untreated medical conditions and wounds, after being forced to sleep on bare concrete floors, and beatings.²²⁴ A detainee who was moved from the Government Technical Institute to a large detention facility unknown to him but most likely the race course (since this was the only other large-scale ad-hoc detention facility in operation at the time)²²⁵ on October 1 told Human Rights Watch that he had seen the soldiers beat a monk and a second detainee to death. When he refused to sign a document admitting his own guilt and absolving the authorities from any wrongdoing prior to his own release, he was also severely beaten until he agreed to sign the statement.²²⁶ There does not appear to have been extensive interrogation at the race course, and the facility appears to have functioned primarily as a screening facility.

²²³ Human Rights Watch interview with “Thein Gyi Khaing,” (location withheld), October 10, 2007.

²²⁴ Human Rights Watch interview (name and location withheld), November 1, 2007.

²²⁵ Other detainees were transferred from GTI to the Race Course on the same day as this witness, and the Race Course and GTI were the only two large ad-hoc detention centers still in operation in Rangoon at the time.

²²⁶ Human Rights Watch interview (name and location withheld), October 19, 2007.

Government Technical Institute (GTI)

Perhaps the largest ad-hoc detention center during the crackdown was set up at the Government Technical Institute (GTI), located almost adjacent to Insein prison. At the height of the detentions, the GTI housed up to several thousand detainees. Among the detainees were novice monks as young as 12-year old.²²⁷

A variety of army units guarded the facility, but the guards were under the command of the Army Training Depot (*Lei Kyin Ye Tat*) in Yemon, a small military town halfway between Rangoon and Pegu.²²⁸ Members of the 77th Light Infantry Division, the Army Medical Corps, the Air Force, and artillery units also operated at the GTI. Lt. Colonel Tin Thaw of the Yemon Training Depot supervised the GTI and addressed the detainees on several occasions.²²⁹ Detainees were interrogated by a variety of security agencies including Special Branch police officers, Military Security Affairs (MSA) officers, and officers from the Criminal Investigation Department (CID).

Conditions at GTI were unsanitary, crowded, and life-threatening—some detainees died from exposure and untreated medical conditions. “U Thu Mana,” a monk who was detained at GTI told Human Rights Watch that he was kept with 600 other male detainees in a room without latrines. For the first 15 days of his detention, there were no bathing facilities, and even after that the detainees were only allowed to bathe while soldiers verbally insulted and abused them, so he refused to bathe. For the first week, the detainees slept on the cold concrete floor without blankets, until a detainee died and the soldiers put plywood on the floors and gave them blankets. They only received small amounts of water, and two small bags of food per day, which they had to eat with unwashed hands.²³⁰

A second detainee explained that he had arrived at GTI at 3:30 a.m. on September 28 and that the soldiers verbally abused and beat some of the new arrivals. He was put in a 9 meter by 18 meter room with another 190 detainees. The two toilets in the

²²⁷ Human Rights Watch interview with “U Thu Mana,” (location withheld), October 29, 2007.

²²⁸ Two Human Rights Watch interviews (names and location withheld), October 2007.

²²⁹ Ibid.

²³⁰ Human Rights Watch interview with “U Thu Mana,” (location withheld), October 29, 2007.

room quickly filled up and were rendered useless. The next day, 50 of the men in the room received medical attention for wounds received during the previous day's crackdown. They slept on the bare concrete floor until October 2, when they received plywood panels to put down on the floor. They had no opportunity to bathe or even wash their hands, so they used the plastic bags the food came in to cover their hands while eating.²³¹

Severe beatings and torture occurred with some detainees at GTI. In one case documented by Human Rights Watch, the security forces tortured a 39-year-old man because they found two old, out-of-circulation ten-kyat banknotes with the portrait of General Aung San on his person. For this, he was accused of being a protest organizer (Aung San was the father of Aung San Suu Kyi, and the security forces apparently believed the banknotes were a secret sign of opposition membership). Because he had closely cropped hair, the security forces also accused him of having posed as a monk involved in the protests.²³² The soldiers forced him to maintain a push-up position for long periods of time, and beat him with their batons whenever he collapsed. The man required medical attention after his release.²³³ A student from the Institute of Economics who was found with a library card for the American Center in his possession (both the Institute of Economics and the American Center are seen by the SPDC as opposition hotbeds), was repeatedly tortured, including by being hung upside down for long periods of time and being punched repeatedly in the face. He remains in detention at the time of this report.²³⁴

At least two detainees became severely mentally disturbed during their detention at GTI, and at least one was beaten to death after losing his mind. Than Aung, 43, compulsively tried to open the doors and windows of the room in which he was being detained. The guards first beat him every time he tried to escape, but then tied his hands with a cord to the wall. The detainee's hands were soon bleeding from

²³¹ Human Rights Watch interview (name and location withheld), October 2007.

²³² According to the eyewitness, the security forces accused him of being a political activist who had infiltrated the monk protests by posing as a monk, in order to politicize the protests.

²³³ Communication to Human Rights Watch, October 19, 2007, on file at Human Rights Watch. A second witness interviewed separately by Human Rights Watch had been in the same room as this detainee, and confirmed his account of beatings. Human Rights Watch interview (name and location withheld), October 2007.

²³⁴ Human Rights Watch interview (name and location withheld), October 2007.

trying to escape from the cord, and he repeatedly banged as hard as he could against the concrete wall. According to a witness who was detained in the same room, the mentally disturbed Than Aung then refused an order to keep his head down when Lt. Col. Tin Thaw, the commander of GTI, visited the room. Lt. Col. Tin Thaw ordered the beating of Than Aung, and Than Aung subsequently died on October 1, from injuries sustained earlier during the severe beatings.²³⁵

A second detainee also developed severe mental problems, spending two days talking to himself and chanting without pause before being sent to a mental hospital.²³⁶

Three separate witnesses reported that an alcoholic man had died at GTI after suffering from withdrawal problems. U Ye Lwin, a well-known musician, reported that he had seen an alcoholic man die in his room at GTI: “Some of [the detainees] were alcoholics and since they were not able to get alcohol, they lost their minds. One died right in front of me. He had to sleep on the cement floor and he was mentally ill, so people didn’t want to be near him. He was dead in the morning.”²³⁷ Another detainee suffered an epileptic fit and was foaming at the mouth, and was beaten so severely by the guards (who did not understand the detainee was having an epileptic fit) that he died from his injuries.²³⁸ These three deaths were directly observed by former detainees interviewed by Human Rights Watch, but it is likely that other deaths occurred, as detainees were kept in many separate rooms at GTI, and Human Rights Watch did not interview detainees from all of these rooms.

Large-scale releases from GTI took place on October 4, when about 100 detainees were released, and October 6, when up to 500 detainees were released. In each case, the detainees had to sign a blank paper, and it was explained to them by Lt. Colonel

²³⁵ Human Rights Watch interview with “Maung Maung Hla,” (location withheld), October 23, 2007. The death of Than Aung was also reported in the media. See “Dissident Group: Myanmar Guards Brutalized Pro-Democracy Detainees,” Associated Press, October 11, 2007 (reporting that Than Aung, “[d]etained September 27, he suffered severe internal injuries from beatings and died three days later after being denied medical attention.”

²³⁶ Human Rights Watch interview (name and location withheld), October 2007.

²³⁷ “Burma: A Musician’s View of Insein Prison,” RFA Unplugged, October 22, 2007.

²³⁸ Human Rights Watch interviews with “Ant Kyaw Ko,” (location withheld), November 9 and November 20, 2007.

Tin Thaw, the GTI commander, that they had signed a pledge that they would not participate in future protests and had not been abused at GTI.²³⁹

Insein Prison and Other Official Detention Centers

Although many of the detainees arrested during the massive sweeps were taken to ad-hoc detention centers, the majority of the “political” detainees—suspected or known members of the ’88 Generation students movement, NLD officials, protest organizers, and public figures who had expressed support for the protests—were taken to official detention centers, including the notorious Insein prison in Rangoon. Most of these “political” detainees remain in detention, although a significant number of NLD leaders and most public figures, including the musician U Ye Lwin, the comedian Zargana, and the actor Kyaw Thu, have been released.

For eight days, the popular comedian Zargana was held in a special punishment area of Insein prison known as the “Military Dog Cells”—a compound of nine tiny isolation cells measuring two meters by two meters constantly guarded by a troop of 30 vicious dogs. The cells lack ventilation or toilets, and he was forced to relieve himself into a metal plate. When it became full, he tried to urinate under the door but the dogs attempted to bite him. He had to sleep on a thin mat on the concrete floor, and was allowed to bathe once every three days. Zargana knew at least two other political detainees who were also kept at the Military Dog Cells, Than Tin and Myint Soe.²⁴⁰

Most of the ’88 Generation student leaders are believed to be in solitary confinement at Insein prison. U Ye Lwin, a detained musician, reported after his release that he had seen ’88 Generation student leaders Min Ko Naing, Ko Min Zeya, Ko Ko Gyi, Ko Jimmy, and Ko Htay Kyweh being individually taken from isolation cells at Insein prison to wash their faces.²⁴¹ U Ye Lwin stated that ordinary university students did get beaten on occasion: “People were beaten when [the interrogators] couldn’t get the answers they wanted.”²⁴²

²³⁹ Human Rights Watch interview (name and location withheld), October 28, 2007.

²⁴⁰ Human Rights Watch interview (name and location withheld), October 26, 2007.

²⁴¹ “Burma: A Musician’s View of Insein Prison,” RFA Unplugged, October 22, 2007.

²⁴² Ibid.

Human Rights Watch interviewed two of the '88 Generation activists who were detained during the first arrest wave in August, and released on November 1. One told Human Rights Watch that the '88 activists were first taken to the Ministry of Home Affairs compound in Rangoon, and transferred a few days later to Riot Police Battalion Bases 3, 5, and 7 for their initial interrogation, which was limited to taking basic biographical information of the detainees. Then, all 17 of the '88 Generation activists who had been arrested together were transferred to Insein prison, where they were kept at a separate isolation compound, the *Thithan Asaung*.

At Insein, each of the '88 Generation detainees was assigned an interrogation team of three Special Branch officers. During the interrogations, the activists were subjected to sleep deprivation, interrogated for four days and nights without rest and slapped in their faces if they tried to sleep.²⁴³

The two '88 Generation activists interviewed by Human Rights Watch both stated that the 17 members of their group had not suffered forms of torture other than sleep deprivation during their August to November detention.²⁴⁴ However, they did witness Military Security Affairs (MSA, Burma's main military intelligence organization) interrogators brutally interrogating other activists who were suspected of having ties to the National Coalition Government of the Union of Burma (NCGUB) and other exile groups.

Because the interrogators often forgot to close the doors between the interrogation rooms, the witnesses interviewed by Human Rights Watch personally witnessed severe abuse of these suspects, including a detainee who was lying semi-conscious on the floor of the room while being kicked in the ribs by a military security affairs officer, and an unconscious detainee who was picked up from the floor by his hair. The military security affairs officers also used "stress positions" during interrogations, making the suspect's squat on their toes for long periods of time and placing soap bars with tooth picks under their heels. The ex-detainees interviewed by Human Rights Watch gave

²⁴³ Human Rights Watch interviews with two '88 Generation detainees (names and locations withheld), November 3 and 17, 2007.

²⁴⁴ Ibid. Zargana and U Ye Lwin also stated that they had not witnessed the '88 Generation activists being tortured.

details about five separate detainees who were subjected to such brutal interrogations.²⁴⁵

Although the largest and best-known official detention facility in Rangoon, Insein prison is not the only facility that the authorities are using around Rangoon. Among the other detention facilities are a riot police camp in Thanlyin, where some 50 protesters detained in the area of Thanlyin were held; the Shwe Pauk Kan camp run by the Special Branch police, where some NLD officials and '88 Generation students were sent for questioning; the Mawbi base of the 7th Battalion of the Riot Police, where protesters from Paunda were detained; and the Kyaik Ka San police station, where approximately 12 detainees were kept in late October, including monks and NLD members.²⁴⁶ Little is known about the treatment at these detention centers, as Human Rights Watch has not been able to locate and interview any individuals who had been released from these facilities.

²⁴⁵ Human Rights Watch interviews with 2 '88 Generation detainees (names and location withheld), November 3 and 17, 2007.

²⁴⁶ Human Rights Watch interview (name and location withheld), October 22, 2007; Human Rights Watch interview (name and location withheld), October 26, 2007.

VIII. Security Agencies Involved in the Crackdown

The crackdown on the August-September 2007 protests involved elements of the Burmese army (*Tatmadaw Kyi*), the Office of Military Security Affairs (*Sa Ya Pa*), the Riot Police (*lon thein*), divisional police, the Special Branch Police, as well as militias associated with the Union Solidarity and Development Association (USDA) and the *Swan Arr Shin*. Human Rights Watch has been able to collect significant information on the units involved in the crackdown and their commanders from individuals who requested anonymity. While Human Rights Watch can give an overview of the formal command structure involved in the crackdown, we cannot establish the exact responsibilities of particular commanders during the crackdown at this stage of our investigation.

The operational cooperation between various military and police units as well as the various militias in downtown Rangoon during the crackdown is clear from media footage and corroborated from several eyewitnesses interviewed by Human Rights Watch. To clear streets, a line of *lon htein* riot police would form armed with batons and shields, backed up by a line of Burmese army soldiers which would follow behind, directed by an army captain or major with radio communication.²⁴⁷ After a five-to-ten minute warning relayed by loudspeaker, the riot police would advance until protesters were dispersed. In some cases, baton charges, replete with tear gas, rubber bullets, live fire, and beatings of civilians were used to clear streets. Regular army units were predominantly the units who fired weapons with live ammunition.



The insignia of the 11th LID, Rangoon Army Command, and the Burmese Police Forces.

²⁴⁷ Human Rights Watch interviews with Burmese civilians and Western sources (names and location withheld), October 2007.

Army Units

In Rangoon, four main army command units were involved in the crackdown on the democracy protests: the Rangoon military command, the 11th Light Infantry Division (LID), the 66th ID, and the 77th LID.²⁴⁸ However, it is clear that the army crackdown in Rangoon directly involved the most senior levels of the army. The current commander-in-chief of the Burmese Army is Vice Senior General Maung Aye, who is outranked only by the current military leader of Burma, Senior General Than Shwe.

The Rangoon military command is permanently stationed in Rangoon City, and is commanded by Major-General Hla Htay Win, who was involved in the deadly 1988 crackdown on democracy protesters.²⁴⁹ Hla Htay Win also serves as the chairman of the Rangoon Division Peace and Development Council (PDC).²⁵⁰ The deputy commander of the Rangoon Division is Brigadier-General Kyaw Kyaw Tun. The Rangoon military command provided the bulk of troops deployed on the streets during the crackdown on the protests.

Rangoon is divided into four military regions under the Rangoon command. Military region No. 1, under the command of Colonel Myat Thu, is responsible for northern Rangoon townships including Insein (where the GTI ad-hoc detention facility is located), Shwebyitha, North Okkalapa, Mingaladon, Hlaign, Hlegu, Mawbi, and Taikgyi townships. Military region No. 2, under the command of Colonel Nay Myo, is responsible for eastern Rangoon townships including South Okkalapa, Tamwe, Yankin, South and North Dagon, Thingan Kyun, Dawbon, and Thaketa. Military region No. 3, under the command of Colonel Tin Hsan, is responsible for western Rangoon townships including Kyee Myin Taign, Ahlon, Dagon (where the Shwedagon Pagoda is located), Bahan, Kamayut, Hlaingthaya, and Htandabin. Military region No. 4, under the command of Colonel Khin Maung Htun, is responsible for southern

²⁴⁸ Initial reports claiming that the 22 LID, a counterinsurgency force based in Pa-an in Karen State which played a major role in the 1988 crackdown, was involved in the crackdown are not substantiated.

²⁴⁹ "Burma's new Rangoon and special bureau military heads named," *Mizzima News*, January 30, 2006.

²⁵⁰ "Families of Tatmadaw (Army, Navy and Air), wellwishers present provisions and cash to monasteries and nunneries," *New Light of Myanmar*, July 24, 2006.

Rangoon, including the six townships that make up the downtown area, and is headquartered in the City Hall.²⁵¹

The Rangoon military command is also in control of the subordinate 11th LID, which is the Rangoon military command's "mobile response unit." Like the Rangoon military command, the 11th LID was directly involved in the violent crackdown, and further provided security for UN Envoy Ibrahim Gambari's visit to Burma. The 11th LID is commanded by Brigadier-General Hla Min, who supervises three tactical commanders: Colonel Myat Thu, Colonel Htein Lin, and Lieutenant-Colonel Tun Hla Aung.

In addition to military units headquartered in Rangoon, the 66th and 77th LIDs were deeply implicated in many of the violent incidents and killings documented in this report, as shown by eyewitness accounts and videos of the suppression. Elements of the 66th LID 66 were dispatched to Rangoon in September 2007 in response to the growing protest movement. Although the 66th LID is headquartered in Inma, it is an operational combat unit that is frequently deployed in frontline areas to combat ethnic insurgents. The 66th LID based itself inside the City Hall during the crackdown. The 77th LID was also actively engaged in the violent suppression of demonstrations. The 77th LID, also a frontline combat unit, is regularly deployed in Rangoon for security.

Human Rights Watch has been unable to establish the identity of the commander of the 66th LID, but was able to identify two of his three subordinate tactical commanders as Colonel Htwe Hla and Colonel Han Nyunt. The 66th LID consists of five infantry battalions and five light infantry battalions.

²⁵¹ See also Network for Democracy and Development Documentation Unit, "Civil and Administrative Echelon of State Peace and Development Council in Burma," May 2007. The Rangoon military command oversees three garrisons, which are commanded by Brigadier-General Myint Soe (Garrison 1), Colonel Tin Tun (Garrison 2), and Colonel Hla Aye (Garrison 3).



Soldiers of the 66th LID guard the entrance to the Sule Pagoda during the September crackdown. © 2007 Private

The commander of the 77th LID is Brigadier-General Win Myint, and his three subordinate tactical commanders are Lieutenant-Colonel Mya Win, Colonel Win Te, and Colonel Soe Htway. The 77th LID consists of one infantry battalion and nine light infantry battalions.

Human Rights Watch also received reports that the 702nd Light Infantry Battalion (LIB), commanded by Lieutenant-Colonel Tun Aye, was engaged in the crackdown against civilians in South Okalappa on September 27 in which already eight people are believed to have been killed, in many cases from bullet wounds to the head. The 703rd LIB was reportedly involved in recovering the bodies of persons killed in that incident. The 702nd and 703rd LIBs are both special forces units attached to the Operation Control Command No. 4, a division-sized combat unit based in Mawbi, which is commanded by Colonel Tint Wai.

Other smaller army units also were brought into Rangoon for specific duties: for example, troops from the Army Training Depot (*Lei Kyin Ye Ta*) at Yemon, a small military town between Rangoon and Pegu, were brought in for guard duties at the Government Technical Institute in Rangoon. Lieutenant Colonel Tin Thaw of the Yemon Army Training Depot was the overall commander of the Government Technical Institute detention center. Army training units and air force soldiers were also present at the GTI detention center.

Military Security Affairs

The Military Security Affairs (MSA), commonly referred to by its Burmese acronym *Sa Ya Pa*, is the office of the armed forces tasked with intelligence gathering. The MSA played a central role in monitoring the protests, collecting photos and other intelligence during the protests, and using the information collected to help coordinate the widespread arrests that followed the crackdown on the protesters. The Military Security Affairs also took a leading role in the interrogation of detainees who were believed to have connections to exiled dissident organizations and armed groups fighting the Burmese government.

Within Rangoon, the Military Security Affairs has two support units. The commander of MSA Support Unit 1 is unknown to Human Rights Watch; Military Support Unit 2 is commanded by San Nyunt, rank unknown.

Military Security Affairs and Special Branch investigators were involved in extensive interrogations of detainees, particularly at the Insein prison in Rangoon. Both MSA and Special Branch officers used sleep deprivation and slapping of prisoners during their interrogation in addition to brutal beatings and kicking of detainees until they became unconscious. According to former detainees, the head of the Military Security Affairs interrogation team at Insein prison is U Maung Maung Oo, who oversaw the interrogations, reviewed interrogation notes, and sometimes personally participated in the interrogations.²⁵²

²⁵² In Rakhine State, plain clothed officials who were presumed to be from the Military Security Affairs or SB forced detainees to sit for periods of 8-12 hours at a time, over a period of several days to a week, in stress positions on a stool that had ¼” protrusions through the seat. In one incident documented by Human Rights Watch, a detainee had a plastic bags repeatedly placed over his head to stimulate asphyxiation.

Police Units and Lon Htein Riot Police

The Ministry of Home Affairs, currently headed by Major-General Maung Oo (who is not related to the head of the MSA interrogation team at Insein, U Maung Maun Oo), oversees all police units which include the riot police (*lon htein*),²⁵³ the Special Branch, the Bureau of Special Investigation, the Criminal Investigation Department, and regular divisional police forces. All of these offices were identified as having been active in suppressing the demonstrations or interrogating detainees. Photos and film footage reviewed by Human Rights Watch frequently show *lon htein* riot police and regular police forces mixed together during the suppression of protests in Rangoon between September 26 to 29.



The insignia on the left is the Burmese police from Rangoon Command, the insignia on the right belong to the Lon Htein riot police.

The overall director-general of the police, Brigadier-General Khin Ye (also spelled Khin Yi), exercises command control of the regular police and riot police forces. He was personally present during the violent crackdown on protesters at the Shwedagon Pagoda on September 26 and is believed to have played a central role in orchestrating the suppression of the demonstrations in Rangoon. The deputy-director of police is Police Brigadier General Zaw Win. According to a publication of the Ministry of Home Affairs, the deputy director normally “takes responsibility for the proper command, control, and monitor[ing of] all the Departments of the Myanmar Police Force.”²⁵⁴ Four police brigadier generals are responsible for

²⁵³ The formal name of the *Lon Htein* riot police is Combat Police Battalions. There are 16 Combat Police Battalions in Burma: 7 are based in Rangoon, 3 in Arakan State, 2 in Mandalay division, 2 in Pegu, 1 in Mon State, and 1 in Karen State.

²⁵⁴ Endeavors, Ministry of Home Affairs, Government of the Union of Myanmar, undated.

departments concerned with general staffing, personnel, logistics, and battalion control command.

The Ministry of Home Affairs also exercises jurisdiction over jails and other correctional units; the director of the Rangoon detention facilities is U Myo Aung.

Human Rights Watch has not yet obtained details of the *lon htein* battalion commanders in charge of the units that suppressed the demonstrations. All police battalions are subordinate to the Myanmar Police Force under the command of Brigadier General Khin Ye.

Riot Police were deployed throughout the crackdown. Observers in Rangoon estimated that between 800 and 1,000 riot police were deployed during the crackdown in Rangoon, a much higher number than had been previously seen on the streets of Rangoon. Some of the riot police were wearing red helmets with white bands, a previously unknown distinction that may indicate special training. The riot police, dressed in full riot gear with body armor, helmets, riot shields, and bamboo and metal batons, frequently charged into protesting crowds, beating and detaining protesters. They worked closely with the army in most instances, and were frequently armed with rifles or shot guns.

In addition to their role on the streets of Rangoon, the riot police also played a role in the detention of protesters. Many protesters, particularly the '88 Generation protesters detained in August and other suspected opposition activists, were taken to *lon htein* bases for their initial interrogation and detention. Human Rights Watch documented detentions and interrogations at the *lon htein* Battalion Bases 3 at Shwemyayar commanded by Lieutenant Colonel Zaw Win, Base 5 in Mawbi commanded by Major Mya Thaug, and Base 7 at Thanlin Township commanded by Major Aung San Win.

Special Branch Police

The Special Branch (SB) is a special force of the Myanmar Police Force. It is headed by a police brigadier general. Human Rights Watch has not yet identified the Special Branch command structure involved in the suppression of the demonstrations and

related arbitrary arrests and detentions and human rights abuses committed during interrogations.

According to statements made by Burmese police officials to Amnesty International in 2004:

The main purpose of SB is to collect information, especially in political cases, and... the SB functions as the intelligence arm of the police. They went on to say that the initial investigation in custody could be undertaken by Military Intelligence, Bureau of Special Investigation..., SB, or the ordinary police. In criminal cases the police are responsible for the investigation. According to the police, in 'other cases, including National Security cases' different departments. [...] such as the BSI, SB, or Criminal Investigation Department (CID) conduct the investigation.²⁵⁵

Special Branch police were active in overseeing and conducting extensive interrogations of detainees in ad hoc detention centers, police departments, jails and prisons, and other facilities.²⁵⁶ Special Branch police officers used sleep deprivation and slapping of prisoners during their interrogation, and in some cases were involved in brutal beatings and kicking of detainees. A Special Branch facility in Aung The Byae was used to detain and interrogate persons arrested in connection with the protests.

The Role of "Mass-Based" Organizations for Social Control

In order to gain a civilian cover for its military rule, the SPDC has created a dense network of "mass-based" organizations and neighborhood organizations that are directly controlled by the SPDC. These organizations include, among others, the SPDCs own state-level, township-level, and ward-level Peace and Development

²⁵⁵ Amnesty International, "Myanmar, the Administration of Justice - Grave and Abiding Concerns," April 1, 2004, available at <http://www.amnesty.org/library/index/engasa160012004>.

²⁵⁶ Human rights groups have well documented the Special Branch's involvement in arbitrary arrests and detentions and other human rights abuses over the past decade. With the dissolution of the Military Intelligence branch in 2004, the Special Branch appears to have assumed an increasingly prominent role in suppressing non-violent political opposition. See, for example, Amnesty International, "Myanmar, the Administration of Justice - Grave and Abiding Concerns," April 1, 2004.

Councils (PDC), the mass-based “social-welfare” Union Solidarity and Development Association (USDA), the Myanmar Women’s Affairs Federation, and the *Pyithu Swan Arr Shin* (People’s Masters of Force, more commonly referred to as *Swan Arr Shin*), a militia implicated in numerous serious rights abuses.

Although the SPDC tries to portray these “mass-based” organizations as the true voice of the Burmese people, they are in fact institutions directly created and controlled by the military leadership. Their role is not only to serve as a legitimatizing civilian face of the SPDC (and perhaps ultimately to allow the SPDC to transition itself into a “civilian” government through the USDA), but also to serve as a dense network of social control and civilian surveillance that quickly identifies and deals with dissent through intimidation and arrests.

The high level of social control exerted by these SPDC-controlled organizations is perhaps best illustrated by the requirement that all households in Burma provide their local ward PDC officials with a list of persons residing in the household, and must register any overnight guests with the ward PDC officials before dark. Burmese households are regularly subjected to “midnight checks” to ensure that no unauthorized persons are staying at their homes.

The main organizer of state-sanctioned civil society in Burma is the mass-based “social-welfare” called the Union Solidarity and Development Association (USDA). The USDA is being groomed by the military as a future military-controlled civilian government in Burma, if and when there is a transition from military rule. Creation of the USDA emulated past efforts in Burma to foster a nationwide social movement to entrench military rule, such as during the Ne Win era from 1962-1988 when the ruling Burma Socialist Program Party made party membership mandatory for many government employees.

When formed in September 1993, the USDA was registered as a “social welfare” organization to avoid laws banning military members and civil servants from

belonging to political parties. This loophole allowed the association to spread its operations throughout Burma as a parallel arm of military rule.²⁵⁷

In a country of 52 million people, the USDA now has 23 million members throughout the country, with 17 branches at state and divisional level, 65 at district level, 320 at township level and 15,308 branches at the village level.²⁵⁸ The first and continuing “patron” of the USDA is President Gen Than Shwe. Many military officers are members, including the top SPDC leadership. The current secretary general of the USDA, Maj.-Gen. U Htay Oo is also the Minister for Agriculture and Irrigation. According to recent speeches by Prime Minister Soe Win, the USDA is slowly taking control of some local Ward and Village Peace and Development Councils from military officials.

Membership of the USDA is mandatory for civil servants and teachers. It is almost essential for community members who wish to stay on good terms with the local authorities. Students are particularly encouraged or forced to join by teachers, according to many accounts.²⁵⁹ The USDA’s ideology directly mirrors that of the SPDC: its three main national causes and its 12 political, economic, and social objectives are the same as those of the government, which aims for “the promotion and vitalization of national pride.”²⁶⁰

While much of the association’s funding comes from government sources, it has increasingly spread its economic power through loans to local businesses and the rental of market spaces and land, which many sources claim comes from property seized by the military and handed to the USDA. The USDA has been given responsibility by the government to cooperate with international development agencies and accompany foreign workers on inspection trips. It has attempted to accompany the International Committee of the Red Cross on prison visits.

²⁵⁷ David I. Steinberg, “The Union Solidarity and Development Association,” *Burma Debate*, vol.4, no.1, January/February 1997, pp. 5-9.

²⁵⁸ Kyi Win Nyunt, “Cherish the Union, perpetually serve national and people’s interest,” *New Light of Myanmar*, November 7, 2006, p. 7.

²⁵⁹ Human Rights Watch interview with Shan migrant worker, Chiang Mai, Thailand, 7 October, 2006; Network for Democracy and Development, “The White Shirts: How the USDA Will Become the New Face of Burma’s Dictatorship,” Mae Sariang, NDD, May 2006, pp.20-26; “USDA: The Organization Strengthening the Military Rule in Burma,” *The Mon Forum*, April 2005.

²⁶⁰ Information obtained from Union Solidarity and Development (USDA) website, www.usda.org.mm, (accessed March 20, 2007).

Increasingly, the USDA is replacing SPDC officials in minor diplomatic duties, such as receiving delegations of sporting and youth groups, presiding over the opening ceremonies of infrastructure projects, and conducting training projects. The purpose of this is to promote the organization and its leadership as future political leaders. The USDA is, in effect, the acceptable face of the military, even though its pronouncements echo SPDC ideological dogma.

The USDA promotes Burmese military objectives throughout the country in mass rallies, speeches and demonstrations in support of the “Road Map” for a new constitution. It denounces Aung San Suu Kyi and the NLD, ethnic resistance groups, and foreign critics such as the United States. These rallies are televised frequently by the state media, with rows of thousands of men and women wearing the distinctive white shirts of membership and pumping their fists in the air when a dignitary shouts a particularly stirring slogan or denunciation of an “internal or external destructive elements and axe-handle.”²⁶¹

For several years, USDA cadres have harassed and intimidated opposition political figures, in many cases pressuring NLD members to resign from their party. The USDA responded with vindictive vitriol to the UN Security Council debates on Burma. The USDA’s armed wings, which receive training by military units, now operate throughout the country with names such as “People’s Strength Organization,” “Strength of the Nation Group,” and “Anti-Foreign Invasion Force.” It was armed groups such as these that were involved in attacks on Aung San Suu Kyi and her NLD supporters in Rangoon in November 1996 and in Depayin in May 2003.

In addition to the USDA, the SPDC has more recently formed a new paramilitary group called the *Swan Arr Shin* or “Masters of Force.” Although the SPDC rarely officially acknowledges the existence of the *Swan Arr Shin*, almost all Burmese interviewed by Human Rights Watch spoke about the activities of the *Swan Arr Shin* in their neighborhoods, and were able to identify *Swan Arr Shin* members from their areas. According to an opposition leader, the SPDC has strategically recruited *Swan*

²⁶¹ Internal and external destructive elements are a key slogan in state propaganda, and an axe-handle is a symbol of betrayal, taken from a Burmese parable of a man killed by a neighbor with an axe-handle.

Arr Shin members as a means of further dividing Burmese society and undermining a broad social movement:

The military is organizing the *Swan Arr Shin* in poor areas that were very active during the 1988 demonstrations. This is smart, as it will help ensure control over these areas and it will split the poor from the broader [protest] movement. *Swan Arr Shin* members are paid 3,000 kyat a day and given two meals—this is good pay and it is easy work, as most *Swan Arr Shin* are day laborers who are used to doing hard manual labor, like working as porters in the market or at the ports.

Each day, the *Swan Arr Shin* units are sent by bus in a convoy led by an army vehicle to areas other than those where they are resident. They are under the control of an army major and the police. In the area where I saw them working, they were under the command of an officer from the 66th Light Infantry Division. The township offices have to raise funds to feed the *Swan Arr Shin* that are sent into their areas. In our area, each quarter has to provide 500 kyats per day. This leads to resentment, so the officials collect the money under false pretenses, saying it is for street cleaning and such things.²⁶²

In Sittwe, most government departments are also required to provide two or three staff members to join the *Swan Arr Shin* in October 2007. Each village, quarter and ward are also required to send members for training.

Swan Arr Shin members are given rudimentary military training in marching, shouting slogans, organizing participants and basic hand combat techniques. One person told Human Rights Watch that the sports facility at Kyimintaign was used for *Swan Arr Shin* training as recently as September. In Sittwe, the riot police trained recruits at the army's Regional Control Command. Training for this first batch of recruits was abruptly halted and the recruits immediately deployed during the first week of November after reports surfaced that additional protests would occur.

²⁶² Human Rights Watch interview with "Thet Myo Tin," (location withheld), October 11, 2007.

During the crackdown in Rangoon, Dyna car drivers (a form of public transport, a truck with benches on the back) were coerced into providing transport to *Swan Arr Shin* and USDA members, who also used the Dyna cars to transport detained protesters to detention centers.



Police and *Swan Arr Shin* members in commandeered vehicles arrive in downtown Rangoon to assist in the crackdown on September 27, 2007. © 2007 Private

Ordinary *Swan Arr Shin* members are paid 5,000 kyat a month, a bag of rice, and some cooking oil by pro-government business leaders, and are used mostly for routine neighborhood surveillance and police assistance during ordinary times. Other SAS members, mostly known thugs and petty criminals, are used more often to engage in violence against opposition figures, and are paid between 3,000 and 5,000 kyat per day.²⁶³

²⁶³ Human Rights Watch interview (name and location withheld), October 26, 2007.

The SAS command structure parallels that of the local government structure. Ward level SAS units reportedly have 20 members and in some cases are overseen by former ward leaders. Township level SAS units vary in size depending upon the number of wards they comprise. District level SAS units are reportedly overseen by USDA members. *Swan Arr Shin* operations are commanded by the riot police and indirectly overseen by the army.

IX. Recommendations

In this report, Human Rights Watch is not making recommendations directly to the Burmese government, an unusual step for our organization. Since elections were annulled in 1990, international institutions including the UN General Assembly and other UN bodies, concerned governments, and non-governmental organizations such as Human Rights Watch have made dozens of good-faith recommendations to the government that have been systematically ignored. It is obvious that the Burmese government must urgently release those arbitrarily detained and account for those killed or “disappeared,” among other urgent steps, and that all those responsible for serious abuses should be brought to justice. In this report, we address other actors who have or could have influence on the Burmese government to end the broader human rights crisis in the country.

Sanctions

Human Rights Watch urgently recommends the imposition of sanctions on Burma by the United Nations Security Council or, should the council fail to act, multilateral or unilateral sanctions. Sanctions should be pegged to Burma meeting specific human rights conditions. These should include the release of all persons arbitrarily detained for exercising their basic human rights to free expression, association, and assembly, an accurate official accounting of the numbers, whereabouts, and conditions of individuals killed, arrested, and detained by the security forces in the recent crackdown, and a return to civilian rule. Sanctions should include:

- A mandatory and fully enforced embargo on all weapons and ammunition sales and transfers to Burma.
- Targeted sanctions, including financial sanctions, should be targeted at leading officials, both military and civilian, who bear responsibility for abuses, as well as others who may assist in, or be complicit in, the evasion of sanctions by those individuals. Those sanctioned should be identified by means of a fair process, and the sanctions should be subject to regular monitoring of both their impact on human rights and whether the steps outlined below are being reached.

- Impose targeted financial sanctions on companies owned and controlled by the Burmese military or whose revenues substantially benefit the military. These entities include the Burmese government's Myanmar Oil and Gas Enterprise (MOGE), a state company under the Ministry of Energy whose earnings benefit the military. In addition, prohibit payments to or business partnerships with such entities.
- Targeted financial sanctions on Burmese entities and individuals must be designed to not only freeze the assets of identified individuals and companies but also deny them access to financial institutions and services, including by explicitly prohibiting any financial transactions that pass through clearing-house banks or use financial services in the sanctioning government's jurisdiction, such as the Belgium-based Society for Worldwide Interbank Financial Telecommunication (SWIFT) network.
- Sanctioned Burmese individuals and entities also should be prevented from circumventing financial sanctions by originating or terminating financial transactions in non-sanctioning countries. Key to maximizing the effect of targeted banking sanctions is having banking centers (e.g., EU, Switzerland, US) take steps to severely constrain the ability of named individuals and entities ability to carry out transactions via third countries. They should therefore insist that any foreign financial institutions that want to do business in their jurisdiction (such as Singapore banks wanting to do business in the EU, Switzerland, US, etc.) confirm that they also are banning transactions by the named individuals and entities.
- Impose targeted sanctions on imports, exports, and new investment in sectors of Burma's economy that substantially benefit the military and/or are associated with serious human rights abuses. These include, *inter alia*, the petroleum (oil and gas), mining (gems, metals, minerals), and logging (logs and timber) sectors, as well as hydropower and other major infrastructure projects.²⁶⁴

²⁶⁴ See Human Rights Watch statement of November 12, 2007, "Gem Trade Bolsters Military Regime, Fuels Atrocities," at <http://hrw.org/english/docs/2007/11/12/burma17316.htm> and special feature page posted November 19, 2007, "Burma: Foreign Oil and Gas Investors Shore Up Junta," at <http://www.hrw.org/campaigns/burma/drilling/>.

Humanitarian aid

Human Rights Watch urgently recommends a substantial increase in humanitarian aid to Burma from donors to address serious and widespread gaps in food, healthcare, housing, and other basic needs. However, such aid should be provided only if necessary conditions are met. To meet these conditions, the government must:

- Make public commitments to end its practice of interfering with the independent and professional delivery of humanitarian aid.

To ensure maximum effectiveness of humanitarian aid, donors should:

- Ensure that the delivery of humanitarian assistance is carried out independently without unnecessary interference from government or military officials.
- Resist efforts by the authorities to interfere with the independent and impartial delivery of assistance or manipulate it for other purposes, such as to extend military control.
- Be flexible in relations with civil society groups, especially regarding monitoring in remote areas, and be prepared to respond to small-scale project proposals.
- Work with all good faith actors, including ethnic nationalist groups that have not concluded a ceasefire with the government, to provide humanitarian assistance to internally displaced persons (IDPs). Efforts should be made to create a dialogue to better map highly vulnerable IDP movements and to provide assistance. This should be done in the spirit of independent and impartial humanitarian assistance and the protection of civilians.
- Fund studies and surveys on health, education, food, livelihoods, land and property rights, landmines, agriculture, HIV/AIDS, gender, children, and other basic needs in conflict and ceasefire areas in order to draw lessons about how to operate and provide humanitarian aid in each area.
- Develop participatory research programs to identify specific information gaps and humanitarian protection needs.

To the United Nations Security Council

- Demand serious, structured, and time-bound negotiations with all political parties, representatives of Burma's many ethnic groups, social and political activists, the Buddhist clergy, and other civil society groups to create democratic, civilian rule as soon as possible.
- Immediately impose and enforce a mandatory embargo on all weapons sales and transfers to Burma.
- Adopt a resolution to ban all new investment in Burma's oil and gas sector.²⁶⁵
- Adopt a resolution to prohibit financial transactions with entities owned or controlled by the Burmese military, or whose revenues are largely used to finance military activities.
- In accordance with Security Council resolutions 1539 (paragraph 5) and 1612 (paragraph 9) on children and armed conflict, adopt targeted measures to address the failure of the State Peace and Development Council to end the recruitment and use of child soldiers.²⁶⁶
- Hold public discussions of the situation in Burma, issue additional public statements on behalf of the Council, and provide consistent follow-through on the UN Security Council presidential statement of October 11, 2007. That statement called for the release of all political prisoners and remaining detainees, and for a genuine dialogue involving Aung San Suu Kyi and all concerned parties and ethnic groups. None of these demands has been met.
- Adopt a resolution that clearly addresses the government's failure to comply with the demands of the council and notes the seriousness of the human rights crisis in the country.
- Invite the special rapporteur on Burma, Paulo Sergio de Pinheiro, to address the Security Council, allowing members of the council to hear directly about Pinheiro's findings during his November 2007 visit.

²⁶⁵ See <http://hrw.org/english/docs/2007/11/16/burma17356.htm>, published November 19 2007, for details on foreign investment in Burma's oil and gas fields.

²⁶⁶ See for example the Human Rights Watch report *Sold to be Soldiers*, <http://hrw.org/reports/2007/burma1007/>, published on October 31, 2007.

- Demand an end to stonewalling by the State Peace and Development Council, including during any future visit by the UN envoy, Ibrahim Gambari. Insist on the call in the presidential statement of October 11 that “commitments are followed by action.”
- Demand that Gambari should be allowed to meet with all interlocutors requested, including representatives of the '88 Generation students, members of parliament elected in 1990, monks and detainees.
- Note that the few concessions which the Burmese government has offered so far have been in response to international pressure. The small concessions, while welcome, thus provide a reminder of the importance of continued and sustained pressure from the Security Council.
- Demand an end to unnecessary or excessive restrictions on the operations of international humanitarian aid agencies, including UN agencies and international relief organizations.

To the United Nations Secretary General and Special Envoy Ibrahim Gambari

- Press the Burmese government to engage in genuine and good faith negotiations with all political parties, representatives of Burma’s many ethnic groups, social and political activists, the Buddhist clergy, and other civil society groups to create democratic, civilian rule as soon as possible.
- Ensure that such efforts are not used by the Burmese government or its closest diplomatic partners, such as China, simply to buy time or draw the United Nations into dialogue for its own sake instead of towards clear and tangible improvements.
- Push for continued public discussions and statements by the Security Council. Continue to issue public statements to put pressure on the Burmese government to address the human rights and political situation.

To the United Nations Human Rights Council

- Endorse the report of the Special Rapporteur at its December 2007 session.
- Demand a full accounting from the Burmese government of the events of recent months by creating an international Commission of Inquiry.

- Demand full Burmese government cooperation with future independent investigations by the Special Rapporteur, Commission of Inquiry or other special procedures, including by allowing unfettered access to all persons including political prisoners, and to places he wants to visit, including places of detention.

To the Government of Australia

On October 24, 2007, the Australian government imposed some of the toughest financial sanctions under Australian law on the SPDC and its main supporters. Under the Banking (Foreign Exchange) Regulations 1959, the policy prohibits the transfer of funds to 418 individuals without consent of the Australian Reserve Bank. Those named include serving and retired senior SPDC and military officials, their immediate family members, leaders of the USDA, business associates of the military government, and people “who benefit from government economic policies.” Human Rights Watch urges the Australian government to also:

- Ensure compliance by Australian banks and companies with the financial sanctions described above.
- Suspend the inclusion of Burmese police and military officers in Australian-sponsored multilateral transnational crime and counter-terrorism workshops as this offers the stamp of legitimacy to repressive security forces in Burma.
- Institute a vetting procedure to ensure that Burmese police, military, and government officials working with Australian Federal Police (AFP) on counter-narcotics and anti-trafficking initiatives are not involved in human rights violations. Create a mechanism for Australian officials involved in such projects to report on human rights violations in areas where Australian officials work inside Burma.
- Agree to increase humanitarian assistance to the people of Burma of the conditions for providing assistance, outlined above, are met.
- Increase levels of assistance to refugee communities outside Burma, including over 150,000 refugees in Thailand, and to IDP populations in conflict areas, estimated at over 500,000 inside Burma.

- Accept more Burmese refugees. Press Burma's neighbours – Thailand, China, India, Bangladesh, Malaysia, and Singapore – to recognize their obligations under the 1951 Refugee Convention.

To the Government of China

As Burma's most powerful and important neighbor, its major investor and arms supplier, and its strongest diplomatic protector, China has special responsibilities. China should:

- Immediately place an embargo on all weapons transfers from China to Burma and suspend all military training, transport, assistance, and cooperation.
- Support or abstain from vetoing UN Security Council resolutions calling for sanctions or other collective action to address the crisis in Burma.
- Constructively engage with other Security Council members to design and adopt appropriate multilateral sanctions on Burma.
- In the absence of Security Council-imposed sanctions, China (along with other countries) should act to impose targeted sanctions to encourage the steps outlined above.
- Ban new investment and prohibit the importation of select products from Burma.
- Prohibit business partnerships with or payments to entities owned or controlled by the Burmese military, and whose revenues are largely used to finance military operations (as opposed to social spending).
- Suspend involvement by state-owned China National Petroleum Corporation and Sinopec, both official Olympic partners, in the proposed Burma-China oil and natural gas pipelines until the conditions specified above in relation to multilateral sanctions are met. The proposed construction of overland pipelines would exacerbate the serious human rights situation in Burma.
- Suspend activities related to onshore pipeline projects in Burma, as it will not be possible to carry out such projects without becoming complicit in the abuse of human rights.
- Instruct Chinese firms, including state-owned firms with business ties to Burma, to publicly and fully disclose all payments made to the Burmese military, directly or through the entities it controls.

To the European Union and its Member States

In the General Affairs and External Relations Council conclusions of October 15, 2007 the EU concluded that the situation in Burma is extremely serious and this is the time to “increase direct pressure on the regime through stronger measures”

The EU then took an important step when it banned the import of timber, gemstones and precious metals from Burma, the export of equipment to these sectors, and a ban on new investment within these sectors. The EU has long frozen the funds and economic resources of various individuals and organizations with direct ties to the regime, as well as visa restrictions against managers of state-owned enterprises and their family members. The EU already has 386 individuals from Burma on its sanctions list. All of this is welcome. In addition, the EU and its member states should:

- As a logical extension of the current EU sanctions regime, the EU should deny these same entities and individuals access to banking systems within its borders and should prohibit them from making any financial transactions that use clearing house banks within the EU.
- Adopt enhanced anti-money laundering and sanctions measures that would deny foreign financial institutions access to the financial systems within EU Member States if they fail to comply with the EU-imposed sanctions against Burmese entities. Only when international efforts are consolidated will the ruling junta feel the true bite of sanctions.
- Ensure that EU sanctions are kept under constant review and enhanced and well coordinated with other like-minded states to ensure maximum impact.
- Ensure that the newly appointed EU Special Envoy to Burma, Pierro Fassino, is tasked with ensuring the effective implementation of EU sanctions on Burmese officials and entities.

Consistent with the EU’s own Guidelines on Children and Armed Conflict and the arms embargo it has already imposed against Burma, the EU should use its December GAERC meeting to publicly agree to pursue a United Nations Security Council arms embargo against Burma under the Council’s children and armed conflict agenda.

To the Government of India

Though India supported the NLD and the democratic opposition after the 1988 crackdown and the 1990 annulment of national elections, in the past decade it has forged close relations with Burma's military government. It has become a major arms supplier, a major investor, and a major importer of gas. It has even invited Than Shwe for a state visit with full honors. Indian officials say that they are pursuing this policy for economic reasons, particularly related to energy needs, to protect national security in obtaining Burmese support for counter-insurgency operations along its northeast border, and to compete with China for influence in Burma and the region. As the world's largest democracy, India should be expected to have an ethical dimension to its foreign policy, particularly with respect to a highly repressive neighbor such as Burma. Many in India and internationally have been shocked and disappointed in the Indian government's stance. The government should reverse course and:

- Issue public and strong condemnations of Burma for its crackdown on monks and protesters and its systematic human rights violations. Weak and tardy statements calling for restraint or national reconciliation have undermined a united international response and sent a message to Burma's leaders that they retain India's support.
- Immediately place an embargo on all weapons transfers from Russia to Burma and suspend all military training, transport, assistance, and cooperation.
- As a democracy committed to international human rights standards, take a leadership role in imposing the sanctions outlined above.
- Put pressure on the SPDC to engage in dialogue with its critics, and end its repression of them. The Seven Step Road Map to Democracy, which is merely a cover for continued military rule, must be scrapped and replaced with a plan that has the genuine support of Burma's political parties and ethnic groups.
- Urge the SPDC to reconvene a truly representative and participatory national convention that operates through an open and transparent consultative process that could lead to a new constitutional settlement that genuinely reflects the views of all parties and leads to the creation of a civilian government.

To the Government of Japan

Japanese policy towards Burma has moved in a positive direction in the past year. As a non-permanent member of the UN Security Council, Japan voted in favor of the January resolution on Burma. It has taken steps to reduce the number of aid programs it conducts with or through the Burmese government. These are welcome. But Japan's response to the crackdown in Burma has been tepid. Thus far, it has only suspended one project, a human resources development project. Even government officials admit that this would not have happened if Kenji Nagai, a Japanese journalist, had not been killed, outraging public opinion.

As the largest donor to Burma over a long period of time, Japan should speak and act more clearly and strongly. The Japanese government should:

- More publicly and vociferously press the Burmese government to end human rights abuses and engage in political reform.
- Suspend all aid projects in Burma pending a comprehensive review. Only humanitarian aid projects that directly benefit the people of Burma should be restarted. Prime Minister Fukuda recently promised that such steps were underway, but recent Human Rights Watch meetings with foreign ministry officials in Tokyo suggest that this is not yet happening.
- End its policy of not funding human rights and democracy projects and activists, apparently for fear of offending the Burmese government.
- Lead efforts for independent international human rights investigators to be given immediate access to investigate the widespread human rights abuses committed by the military government, including the killing of monks and others, such as Mr. Kenji Nagai.
- Work with UNHCR and NGOs to promptly offer resettlement to refugees from Burma.

To the Government of Russia

- End its use of vetoes of UN Security Council resolutions calling for sanctions or other collective action to address the crisis in Burma, which have placed Russia on the side of a military dictatorship and against the Burmese people.
- Immediately place an embargo on all weapons transfers from Russia to Burma and suspend all military training, transport, assistance, and cooperation.

To the Government of Singapore

- Continue to provide leadership within ASEAN to press for reforms in Burma.
- As the reported location of many official and private bank accounts of the Burmese government and its officials, fully cooperate with targeted financial and banking sanctions.

To the Government of Thailand

Thailand is Burma's biggest trading partner. It is the largest provider of foreign currency, particularly through the petroleum sector, which provided revenue of US\$2.16 billion in 2006 directly to the SPDC. It is also a key diplomatic protector in ASEAN and other international forums. Thailand has great influence in Burma, but has long been an enabler of the regime through financial and diplomatic support. Thailand should:

- Instruct Thai firms, including stated-owned firms with business ties to Burma, to publicly and fully disclose all payments made to the Burmese military, directly or through the entities it controls.
- Prohibit business partnerships with or payments to entities owned or controlled by the Burmese military, and whose revenues are largely used to finance military operations.
- Suspend new investment by the state-controlled PTT Exploration and Production Co Ltd (PTTEP) in proposed oil and natural gas pipelines to Burma as these projects would exacerbate the serious human rights situation in Burma. Similar suspension should also be applied to Thai companies or state-controlled enterprises involved in the construction of hydropower dams in Burma for the same reasons.
- Urge other ASEAN members to design and adopt appropriate collective actions on Burma, using both ASEAN and UN mechanisms.
- As a state on Burma's borders, Thailand should allow the UN High Commissioner for Refugees to resume Refugee Status Determination activities for all asylum seekers from Burma in accordance with its mandate to provide international protection to refugees. At the same time, Thailand should abandon its current policy that only those fleeing armed conflict are entitled to protection and temporary stay in Thailand. Those fleeing Burma should be

treated as refugees where there is a well-founded fear of persecution for one of the reasons stated in the 1951 Refugee Convention, regardless of whether or not this is experienced in the context of armed conflict.

To the Government of the United States

The United States has a longstanding ban on new private investment in Burma and on direct imports. Following the latest crackdown, the US-imposed targeted sanctions on key individuals within the Burmese government, some family members, and close business associates, which prevent them from conducting financial transactions that pass through US banks. That approach takes advantage of new tools available to the US government following the September 11, 2001 attacks, which allow it to deny foreign banks access to the US banking system if they do not comply with US laws, including sanctions imposed on other countries. Though the United States has not yet denied access to a non-cooperative bank, it has reportedly persuaded some banks abroad, including in Singapore, to freeze the accounts of targeted Burmese individuals. The United States should also:

- Support UN-sponsored mediation of the political crisis in Burma, and work to keep Burma on the agenda of the UN Security Council.
- Extend the financial sanctions announced by President George W. Bush on September 24, 2007 to military-owned companies, to all leading SPDC officials who bear responsibility for abuses, and to others who may assist in, or be complicit in, the evasion of sanctions by targeted individuals.
 - Consistent with section 311 of the USA Patriot Act, deny access to the US banking system to non-US banks that continue to do business with Burmese leaders and business entities covered by US financial sanctions.
 - Close the loophole in existing US sanctions that allows gems from Burma to be sold in the United States if they have been processed in a third country.
 - Coordinate implementation of sanctions with the European Union, Australia, Singapore, Japan and other countries that may impose similar restrictions, as well as with major banking centers around the world.

To the Association of Southeast Asian Nations (ASEAN)

ASEAN's members have long been embarrassed by the behavior of Burma, which has time after time promised reform and then reneged on its commitments. It failed to cooperate with Ibrahim Gambari's predecessor, Razali Ismail, who was appointed with the strong and close support of ASEAN, in particular then-Prime Minister Mahathir Mohammed. In recent years ASEAN and some of its members have dropped their non-interference stance by publicly criticizing the Burmese government and calling on it to make progress on democratization and national reconciliation. For these reasons ASEAN issued a strong statement on September 27 on the crackdown that "expressed their revulsion... over reports that the demonstrations in Myanmar are being suppressed by violent force." It is now time to turn these words into action. ASEAN should:

- Support UN Security Council resolutions calling for sanctions or other collective action to address the crisis in Burma.
- In the absence of Security Council-imposed sanctions, ASEAN (along with its member countries) should act to impose targeted sanctions to encourage an end to ongoing repression by banning new investment and prohibit the importation of select products, such as gems and timber, from Burma; and prohibiting business partnerships with or payments to entities owned or controlled by the Burmese military, or whose revenues are largely used to finance military operations (as opposed to social spending).
- Implement an ASEAN arms embargo on Burma.
- Support the work of the UN Special Rapporteur on the situation of human rights in Burma to investigate human rights abuses committed during and after the August and September protests.
- Press Burma to uphold ASEAN's new Charter, adopted in November 2007, which contains provisions on the strengthening of democracy, enhancing good governance and the rule of law, and the protection and promotion of human rights and fundamental freedoms.
- Suspend Burma from ASEAN if it does not uphold the provisions of the Charter.

- Activate its troika mechanism, used in Cambodia in 1997 after Hun Sen's coup, to press Burma to take immediate steps towards political reform and human rights protections.

Regarding Companies Operating or Investing in Burma

- Governments of companies headquartered in their jurisdiction should require companies headquartered in their jurisdictions that have business ties to Burma to publicly and fully disclose all payments made to the Burmese military, directly or through the entities it controls, and where those payments are made.

Regarding refugees

- All states, particularly neighboring countries such as Thailand, China, India and Bangladesh, should uphold the 1951 Refugee Convention and customary international law and allow anyone fleeing persecution in Burma to cross the border and receive necessary and appropriate assistance.

Appendix I: Glossary

ABMA: All Burma Monks Alliance, an umbrella organization of four independent monk organizations that played a leading role in organizing the September protests.

IB: Infantry Battalion.

GTI: Government Technical Institute, a college in northwest Rangoon used as a detention facility by the authorities in the aftermath of the crackdown.

Kyaik Ka San: A park/playground in central Rangoon (Yankin Township) where detained protestors were held, also used as a staging ground for *lon htein* units.

Kyat: Burmese currency.

Lei Kyin Ye Tat: Military Training Unit.

LIB: Light Infantry Battalion.

LID: Light Infantry Division, a combat unit of the *Tatmadaw*.

Lon Htein: Riot Police, a special unit of the Burmese police force.

Metta Sutta: (Pali) loving kindness, one of the most basic and well-known Buddhist prayers.

NLD: National League for Democracy, the political party that won the majority of seats and votes in the 1990 parliamentary elections but has never been permitted to form a government.

Paritta Sutta: (Pali) Protection against evil, a well-known Buddhist prayer.

Pariyatti: (Pali) The study of Buddhist teachings.

Patipatti: (Pali) Engagement in Buddhist practices, including meditation.

Patta Nikkujjana Kamma: Literally “overturning the alms bowl,” a Buddhist religious boycott whereby monks refuse to accept alms or confer religious rights; staged in 1990 and again in September 2007 against Burmese government officials and military personnel.

PDC: Peace and Development Council, the SPDC’s dual civilian/military administrative apparatus that includes councils at every level, from state/division,

region, township, and ward/village. The PDCs are often used as surveillance and monitoring tools for household registration and travel permissions.

Pyithu Sit: People's militia, a local armed group controlled by the Burmese military.

Sangha: Buddhist monkhood.

Sangha Maha Nayaka: The state-controlled Buddhist association of monks.

SLORC: State Law and Order Restoration Council, a military ruling council that seized power in September 1988 and ruled until November 1997 when it was renamed as the SPDC.

SPDC: State Peace and Development Council, the ruling military council currently composed of 12 senior military officials that control the executive, legislative and judicial branches of government.

Swan Arr Shin: "Masters of Force," a government-controlled militia formed to harass and intimidate opposition political parties, protesters and perceived anti-SPDC activities. The militia has been responsible for attacks on grassroots human rights defenders and political opposition figures.

Tatmadaw: Burmese armed forces, inclusive of the *Tatmadaw Kyi* (Army), *Tatmadaw Ye* (Navy) and *Tatmadaw Lay* (Air Force).

USDA: Union Solidarity and Development Association, a government formed and controlled "social welfare" organization with 24 million members, many of whom are coerced or induced into joining. Members of the paramilitary wing of the USDA have been responsible for attacks on Aung San Suu Kyi and other opposition politicians since 1997.

SB: Special Branch, the investigative and intelligence department of the police force that is often involved in arbitrary arrests against perceived political opponents.

Sa Ya Pa: Military Security Affairs (MSA), the *Tatmadaw* intelligence wing created in late 2004 following the purge of the Department of Defense Services Intelligence (DDSI) and its then leader, Prime Minister Khin Nyunt.

Names for cities, states/divisions and rivers before 1989 and SLORC/SPDC designated spelling post-1989 (Human Rights Watch uses the pre-1989 spellings).

Pre-1989	Post-1989
Burma	Myanmar
Rangoon	Yangon
Pegu	Bago
Prome	Pyay
Moulmein	Mawlamyine
Sittwe	Akyab
Pa-an	Hpa-an
Arakan	Rakhine
Karen	Kayin
Karenni	Kayah
Irrawaddy	Ayeyarwady

Acknowledgements

This report was researched and written by Human Rights Watch staff and consultants, based on more than 100 in-depth interviews with eyewitnesses to the events described.

The report was edited by Brad Adams, executive director of Human Rights Watch's Asia Division; David Mathieson, Burma consultant for the Asia division; James Ross, director of the Legal and Policy office; and Joseph Saunders, deputy director of the Program office of Human Rights Watch.

Production assistance was provided by Dominique Chambless, associate in the Asia division; Andrea Holley, publications director; Grace Choi, publications specialist; Jim Murphy, online editor; and Amha Mogus, web coordinator for Human Rights Watch.

Human Rights Watch specially thanks the Burmese men and women whom we interviewed for this report and who assisted us in our investigations. For security reasons, none can be named here. For their safety and the safety of their relatives, all eyewitnesses in this report have been assigned pseudonyms. No actual names of witnesses are used.

Finally, we acknowledge with appreciation the generous support of The New York Community Trust's Ledges Fund and other donors.

Crackdown

Repression of the 2007 Popular Protests in Burma

In August and September 2007, Burmese democracy activists, monks, and ordinary people took to the streets of Rangoon and elsewhere to peacefully challenge nearly two decades of dictatorial rule and economic mismanagement by Burma's ruling generals.

The government's response included baton-charges and beatings of unarmed demonstrators, mass arbitrary arrests, and use of lethal force. To remove the monks and nuns from the protests, the security forces raided dozens of Buddhist monasteries during the night and defrocked large numbers of monks. Current protest leaders, opposition party members, activists from the '88 Generation students, and members of the public who participated in demonstrations were tracked down and arrested—and continue to be arrested and detained. As this report goes to press, arrests and monastery raids are continuing in Burma.

This report provides the most detailed account of the crackdown and its aftermath available to date. Based on more than 100 in-depth interviews with eyewitnesses to the events in Rangoon, the report offers a detailed account of the protests and the brutal crackdown and mass arrest campaign that followed. Human Rights Watch spoke with many who participated in the protests, as well as leading monks, protest organizers, and international officials.

The first-hand accounts in this report demonstrate that many more people were killed than the Burmese authorities are willing to admit, and sheds new light on the authorities' systematic, often violent pursuit of monks, students, and other peaceful advocates of reform in the weeks and months after the protests.

Monks and other protesters march on Pansodan Road as they head towards the Sule Pagoda on September 26, 2007 in Rangoon, Burma.

© 2007 Christian Holst/
Reportage by Getty Images

