

Sentencing of activists highlights new tactics of intimidation

Two Kachin peace activists, May Sabe Phyu and Maran Jaw Gun, were fined 40,000 Kyat (\$40, £24) on 26 November for violating Section 18 of Burma's Peaceful Assembly and Peaceful Procession Law. They had taken part in a peaceful protest in Rangoon on the International Day of Peace 2012, highlighting how the Burmese government broke a ceasefire in Kachin State, Burma, in 2011.

May Sabe Phyu and Maran Jaw Gun were made to attend 140 different court hearings over a period of almost two years. The case highlights three tactics being used by the government of Burma to try to suppress dissent and protest, but at the same time give the appearance of change and avoid international pressure:



May Sabe Phyu and Maran Jaw Gun at a court hearing last year in Rangoon, with members of the Kachin Peace Network, Burma Campaign UK and Ivan Lewis MP.

New laws billed as reforms but which don't meet international human rights standards

Burma's Peaceful Assembly and Peaceful Procession Law was hailed as a key reform of President Thein Sein but has in fact been used to arrest hundreds of activists for peacefully protesting, with well over 100 brought to court, and dozens convicted. In addition to this law being used to arrest and intimidate activists, almost every old repressive law remains in place, and other new laws brought in by Thein Sein also fail to meet international human rights standards.

Multiple court hearings

The 140 court appearances are due in part to the inefficiencies of Burma's justice system, and the fact that separate charges were made for each township the protest went through. However, the repeated refusal to consolidate cases into one, and the vast number of court hearings, some of which lasted only seconds, are part of a pattern of attempted intimidation designed to serve as a warning to others who might consider publicly protesting against government policies.

Fines and shorter sentences

Aware of the negative international impact of long prison sentences given to peaceful activists, shorter sentences and fines are now being given to some activists, especially those cases where there is greater attention from diplomats and media. In this way the government hopes to be able to continue intimidating activists while avoiding negative international attention.

Nationwide ceasefire talks fail to reach agreement

In November, talks between the military-backed government and ethnic armed groups aimed at reaching a nationwide ceasefire ended without an agreement.

A meeting was held on 4-5 November in Myitkyina,

Kachin State between a government delegation led by President's Office Minister Aung Min and representatives from 17 ethnic armed groups.

The UN Secretary-General's Special Adviser on Burma Vijay Nambiar and China's Special Envoy on Asian Affairs Wang Yingfan were among those who attended the meeting as observers.

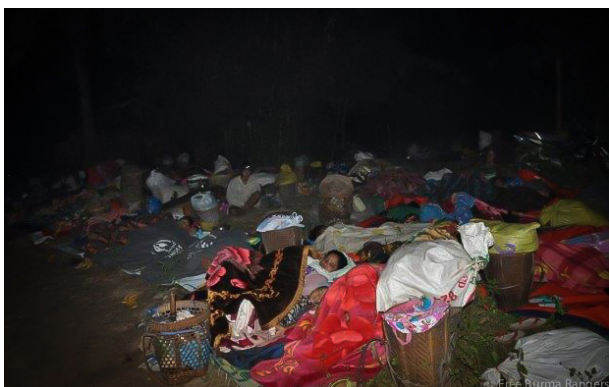
The two sides exchanged their proposals for a nationwide ceasefire and agreed to hold further discussions. These are now expected to take place in Hpa-an, Karen State in January.

President Thein Sein had wanted to announce a nationwide ceasefire by the end of 2013 but has still not made a commitment to a genuine dialogue to reach a political settlement. Ethnic groups want a federal system to allow for more autonomy and to protect their rights.

Speaking to the Democratic Voice of Burma (DVB), Kachin Independence Army's vice chief of staff General Gun Maw said, "the question is: what are we going to do after signing the national ceasefire agreement? ...

"When the Burmese government says 'peace', we remind them that this is a 'peace process'. The Burmese define peace by signing agreements. They say that once you sign an agreement then there will be peace, but if you don't sign there is no peace – that is the definition of the Burmese government, and that is the problem."

More than 2,000 flee attacks in Kachin state



Villagers spend the night in the jungle after fleeing their village. Credit Free Burma Rangers.

Despite the on-going ceasefire talks, the Burmese Army continues its attacks in Kachin State. Attacks took place throughout much of November, with fighting reported in seven villages in Mansi Township.

On 16 November, Burmese Army soldiers occupied Nam Lim Pa village. Last month many of the villagers fled when over 1000 Burmese Army soldiers attacked Nam Lim Pa village. The Free Burma Rangers reported that soldiers held hundreds of students at the Nam Lim Pa IDP school compound.

Over 2,000 men, women and children sheltering in the Nam Lim Pa camp for internally displaced people (IDPs) were forced to flee again after

fighting between Burmese government forces and the Kachin Independence Army (KIA) on 16-17 November.

Since the Burmese Army broke the 17-year ceasefire in June 2011, at least 100,000 Kachin villagers have been forced to flee their villages.

Political Prisoners released to coincide with Clinton and EU delegations

On 15 November 69 political prisoners were released, including Aung Soe and Naw Ohn Hla, whose cases Burma Campaign UK highlighted in our No Political Prisoner Left Behind campaign in March and August 2013.

However, once again, the release of political prisoners is cynically timed with the visits of high profile international delegations.

Political prisoner releases are used by President Thein Sein as a PR tool to persuade the international community that Burma is reforming. This recent release of political prisoners coincided with a high-level delegation from the EU and a visit by former US President Bill Clinton.

While hundreds of political prisoners have been released since Thein Sein became President, more activists are being arrested for speaking out. In Kachin State and in Rakhine State, hundreds more remain in jail or are awaiting trials. Almost all the repressive laws which are used to jail political prisoners remain in place.

On the same day as the prisoner releases, two ethnic Kachin farmers Brang Yung and Lahpai Gam were sentenced to 2 years in jail. Brang Yung and Lahpai Gam are innocent Kachin farmers but they were arrested in June 2012 under suspicion of being soldiers from the Kachin Independence Army (KIA), and carrying out bombing operations near Myitkyina. They were brutally tortured during interrogation and forced to make false confessions.

Boat carrying 70 fleeing Muslim Rohingya sinks off Burma

A boat carrying at least 70 ethnic Rohingya fleeing violence in Arakan State has sunk with only eight survivors found, only a day after the UN warned the annual exodus of Rohingya from Burma had begun.

At 3am, on 3 November, a wooden boat carrying men, women and children from Ohn Taw Gyi village left Arakan State in an attempt to make the dangerous sea journey across the Bay of Bengal to Bangladesh. Four hours later, the boat sank, and despite a desperate search by friends and family, only eight survivors have so far been found.

Only the day before, the UN High Commission for Refugees warned that with the seas calming after the annual monsoon, the yearly exodus of people fleeing Arakan State appeared to have begun.

They reported that around 1,500 people had fled in the past week alone, with a number of drownings reported, and that due to the widespread violence that has evolved into systematic attacks against the ethnic Rohingya, the number of people fleeing the country was expected to be the biggest on record this year.

Burma still actively using landmines

The International Campaign to Ban Landmines (ICBL) released its latest report on global use of landmines in November. It found that “Government forces in two states not party to the Mine Ban Treaty - Syria and Myanmar (Burma) - used antipersonnel mines in 2012 and 2013”.

Speaking at a press conference on 26 November in Rangoon, ICBL researcher Yeshua Moser-Puangsuwan said, “...Myanmar has not yet joined the league of countries that have banned landmines, it makes use of them all too commonly”.

ICBL reports that at least 3,300 people in Burma have been killed or maimed by landmines since 1999, which are used by both government forces and ethnic groups.

In November 2012, President Thein Sein stated at the Association of South-East Asian Nations (ASEAN) summit, “Myanmar has not signed Ottawa Convention yet. But, Myanmar always opposes the excessive use of land mines. Meanwhile, I believe that for defence purpose, we need to use landmines in order to safeguard the life and property of people and self-defence.”

Police crack down on Letpadaung mine protestors

In November, demonstrations continued against the Letpadaung copper mine, near Monywa, central Burma.

In early November, about 150 people, including residents, activists, and Buddhist monks, set up a protest camp near the copper mine. Protestors demanded that authorities allow them to inspect a historic Buddhist temple on the Letpadaung mountain range. The protestors believed that mining operations had damaged the temple on 31 October.

Around 100 riot police officers were sent to the protest site and roadblocks were set up. On 14 November police fired rubber bullets at local

residents in order to prevent them from joining the protestors. At least seven villagers were injured in the crackdown.

The Letpadaung project is a venture between China's Wan Bao Company, the military-owned Union of Myanmar Economic Holdings Ltd and the Burmese government. It has resulted in land confiscations, environmental degradation, and the implementation of a policy of arresting and harassing peaceful protestors.

Thein Sein rejects UN call for Rohingya citizenship

On 19 November, the UN General Assembly's Third Committee adopted a resolution on the situation of human rights in Burma. The resolution, which was less critical than previous resolutions, expressed concern over human rights violations in the country, including arbitrary arrests of activists, forced displacement, land confiscation, rape and sexual violence and torture.

In addition, the resolution called on the government in Burma to give Rohingya “equal access to full citizenship”. It also urged the government to end violence against Rohingya and other Muslims in Burma.

The military-backed government immediately rejected the UN's call to grant citizenship to Rohingya. On 21 November, President Thein Sein's spokesperson Ye Htut said “The Myanmar government's policy does not recognize the term ‘Rohingya’, but Bengalis who live in [Arakan] State, if they are eligible under the 1982 Citizen Law, can be allowed to become citizen.”

The 1982 Citizenship Law denies the Rohingya citizenship and underpins the persecution and discrimination they face.

EU-Burma task force launched

A high level EU delegation, led by EU High Representative for Foreign Affairs and Security Policy Catherine Ashton, and including EU Commissioners, MEPs, and more than 100 European business leaders, visited Burma from 13 to 15 November to launch the EU-Myanmar (Burma) Task Force.

The Task Force aims to increase EU cooperation on political and economic development, including an increase in development aid to €90 million per year.

The EU's approach has been criticised for prioritising a partnership with the military-backed government in Burma but failing to deliver on its

commitment to support and include civil society or to effectively challenge human rights abuses.

The EU also faced criticism for providing riot control equipment and training to the Burmese police force. "Given the historic role the police force has had of repressing and cracking down on the people of Burma, the EU is playing with fire," Khin Ohmar, Coordinator of Burma Partnership, told the Democratic Voice of Burma.

New reports

'Children For Hire: a portrait of child labor in Mon areas'

A report by the Woman and Child Rights Project
<http://www.rehmonnya.org/reports/childrenforhire.pdf>

'Modern Slavery: A Study of Labour Conditions in Yangon's Industrial Zones'

A report by Construction-based Labor Union, Cooperation Program of Independent Laborers, Labour Rights Clinic, Workers Support Group and other labour rights groups.
<http://www.burmacampaign.org.uk/images/uploads/Modern-Slavery.pdf>

'Landmine Monitor 2013'

International Campaign to Ban Landmines
<http://www.the-monitor.org/lm/2013/resources/Landmine%20Monitor%202013.pdf>

**Published by Burma Campaign UK, 28 Charles Square, London N1 6HT
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