

### Democracy activists on trial

After a year of arbitrary detention, democracy activists arrested during the peaceful protests in 2007 are facing unfair trials in special closed-door hearings. Most of the trials are being held inside Insein Prison in Rangoon and Oo-Bo Prison in Mandalay. Defendants have been brought to the court in handcuffs and prevented from meeting with their lawyers in the initial hearings. Since October 3 the authorities have stopped allowing family members to attend the trials.

On 29th October Min Ko Naing and eight other democracy activists were sentenced to six months in jail for contempt of court after protesting the conditions of their trial. The nine are Min Ko Naing, Ko Ko Gyi, Pyone Cho (aka Htay Win Aung), Htay Kywe, Mya Aye, Hla Myo Naung, Nyan Lin, Aung Thu and Myo Aung. The nine prisoners are all members of the 88 Generation Students group, and are on trial for their alleged role in last year's peaceful democracy uprising. They were also transferred to a new prison, Ma Ahu Pin, which is a 4-5 hour journey from Rangoon, making it harder for families to visit the prisoners.

Democracy activists Zaw Zaw Min (aka) Bound Bound, a member of the 88 Generation Students, was sentenced to two years in prison with hard labour and Aung Thein Lwin (aka) Shel to 11 years. On October 24 six leaders of the National League for Democracy's Mandalay Division were sentenced to between 2 and 13 years imprisonment by the special court in Oo-Bo Prison in Mandalay.

The regime in Burma is notorious for its policy of systematically trying to break the spirit of political prisoners. Use of torture is well-documented. 88 Generation political prisoners have also been refused medical treatment, families have been banned from bringing in food and other supplies, including medicines, when they visit the prisoners, and earlier in October, on Min Ko Naing's birthday, the regime even moved the 88 Generation prisoners to separate cell blocks so that he would be alone on the day.

### Lawyer for democracy activists imprisoned

Two lawyers, Nyi Nyi Htwe and Saw Kyaw Kyaw Min, were sentenced to six months imprisonment for contempt of court, after they transmitted their clients' complaints of unfair trials. Nyi Nyi Htwe and Saw Kyaw Kyaw Min were defending 11 National League for Democracy (NLD) youth members who were arrested in September 2008 for their peaceful march towards the Shwedagon Pagoda in Rangoon on June 19, 2007, Aung San Suu Kyi's birthday. Pressure is being directed against other defence lawyers representing political prisoners.

### Monks and Nuns sentenced to hard labour

On October 23 seven monks and seven nuns were sentenced to four years imprisonment with hard labour. They are from Hantharwaddy School and Thitsa Tharaphu School of the Artharwaddy Monastic University in Rangoon and were arrested in September 2007 when security forces raided these monasteries. Their family members were not allowed to attend the court hearings. Their lawyers were not informed of the dates of the court hearing but the trial continued even when the defence lawyers were absent.



Min Ko Naing and democracy activists in Rangoon 2007



## **Aung San Suu Kyi reaches 13 years in detention**



On October 24th Aung San Suu Kyi reached a total of 13 years in detention. On the same day leaders of Asian and European countries held the ASEM Heads of State Summit meeting in China. The Burma Campaign UK and campaign groups worldwide held demonstrations calling on the leaders to back UN Secretary General Ban Ki-moon in securing the release of all political prisoners when he visits Burma in December.

In London 13 people wearing Aung San Suu Kyi masks attempted to hand a giant key in to the Chinese Embassy, representing the key to freedom that world leaders hold, if they work together to pressure the regime. The key had the names and pictures of Burma's 2,120 political prisoners on it. The number of political prisoners has doubled since the democracy uprising in September last year.

Although Ban Ki-moon visited Burma twice after Cyclone Nargis struck the country earlier this year, his next visit will be the first time a UN Secretary General has visited Burma to discuss political problems.

### **ASEM demands Burma prisoner release**

During the ASEM summit in China, European and Asian leaders issued a statement calling for the release of Burma's political prisoners. The Summit was attended by the Heads of State and Government of sixteen Asian and twenty-seven European nations, the President of the European Commission and the Secretary-General of ASEAN.

"This is the first time we have had Europe and Asia come together in this way to demand real political progress in Burma," said Mark Farmaner, Director of Burma Campaign UK. "The UN must now set timelines and benchmarks for change in Burma and the release of all political prisoners should be the minimum benchmark for progress that Ban Ki-moon aims for in December."

ASEM, the UN Security Council, the UN General Assembly, ASEAN, the EU and USA have all called for the release of prisoners and for genuine dialogue.

### **Aung San Suu Kyi appeals against detention**

A legal representative of Burma's democracy leader Aung San Suu Kyi has submitted a formal appeal against her detention to the regime. Aung San Suu Kyi's lawyer, Kyi Win, told The Irrawaddy magazine that the appeal had been handed in personally to the military regime in Naypyidaw. The United Nations has ruled that Aung San Suu Kyi's detention is illegal under international law.

### **European Parliament urges Ban Ki-moon visit**

The European Parliament passed a resolution urging UN Secretary General Ban Ki-moon to go ahead with a visit to Burma to press for the release of political prisoners. The resolution also urged strengthened EU sanctions against the Burmese junta and increased humanitarian aid, including by cross-border mechanisms where necessary.

Labour MEP Glenys Kinnock said, "Since last year's Saffron Revolution the human rights situation in Burma has deteriorated even further – with almost double the number of political prisoners and the continued brutal persecution of ethnic minorities. We need the UN Secretary General himself to go to Burma, to secure the release of all political prisoners and to set clear timelines and benchmarks for reform – and to commit to action if they are not met."

### **Farmers arrested for seeking ILO help**

Four farmers from Magway Division in central Burma who asked the International Labour Organization (ILO) for help have been arrested. The farmers wrote to the ILO liaison office in Rangoon in July 2008 to report that their

farmlands had been forcibly confiscated by the authorities and asked the ILO for help. The ILO liaison officer came to their areas to investigate. On 20 October three farmers who signed the ILO letter, Hla Soe, Sein Sating and Nay Lin, were arrested and on 30 October another signatory, Zaw Htay was arrested by police in his home in Aunglan (Myede). Other farmers who also signed the letter have gone into hiding to avoid arrest.

### **66,000 people forced from homes in Eastern Burma**

A new report by the Thailand Burma Border Consortium (TBBC) suggests that violations of humanitarian and human rights law in Eastern Burma are more widespread and systematic than ever. "The extent of persecution and suffering in the border areas has been largely unseen and under-reported for decades. Yet the same brutal army that crushed protests on city streets last September marauds with impunity in rural Burma, bringing fear and disrupting the lives of villagers on a day to day basis", said Jack Dunford, TBBC's Executive Director.

While the total number of internally displaced persons in Eastern Burma is likely to be well over half a million people, at least 451,000 people are currently estimated in the rural areas. Approximately 66,000 people were forced to leave their homes due to the effects of armed conflict and human rights abuses during the past year alone.

"Despite concessions made in the Irrawaddy Delta after Cyclone Nargis, the junta's restrictions on humanitarian access continue to obstruct aid workers elsewhere in Burma, particularly in conflict-affected areas. Without assistance, coping strategies amongst the most vulnerable communities in Eastern Burma will be exhausted and more refugees and migrants will be displaced into Thailand", said Jack Dunford.

Evidence cited in the report appears to support Amnesty International's recent assessment that the violations in Eastern Burma meet the legal threshold to constitute crimes against humanity. Special Rapporteurs for the United Nations have consistently noted over the past decade that such abuses are systematic, rather than simply isolated acts.

### **UN Human Rights Rapporteur reports to General Assembly**

On 8 October, the UN Special Rapporteur on human rights in Burma Tomás Ojea Quintana presented his first report to the General Assembly. Quintana proposed four core human rights elements that the SPDC should implement before the 2010 elections:

- the revision of domestic laws that limit fundamental rights.
- the progressive release of the estimated 2,000 prisoners of conscience still in detention.
- the reform and training of the military so that it conforms with human rights.
- changes to the judiciary so that it is fully independent.

In his concluding remarks, Quintana described regime officials as "ready to learn and apply international human rights standards." The Special Rapporteur also stated that he "refuses to carry out his mandate by criticizing and not cooperating" with the junta. He went on to say, "This will take time, but it is worth trying, rather than condemning. If, after some time, there is no sign of any results in the horizon, then the Special Rapporteur may decide to change his strategy."

However, over the past 18 years the regime has consistently ignored the recommendations made by all previous UN envoys. There have been 37 UN envoy visits Burma but they have not resulted in a single political reform.

### **New report reveals aid abuses by regime**

A new report entitled "Post-Nargis Analysis: The Other Side of the Story" reveals cases of aid obstruction, human rights abuses, intimidation, and corruption that have occurred in the cyclone-hit region. The report was launched by nineteen Burmese civil society organisations.

The report challenges the description of the aid response following Cyclone Nargis given in the Post-Nargis Joint Assessment (PONJA) report, which was prepared jointly by the UN, ASEAN and the Burmese regime. It claims that the PONJA report distorts the nature of the response by the military regime and omits reference to cases of human rights abuses, intimidation, and corruption that have occurred in the cyclone-hit region.

“When we studied the Post-Nargis Joint Assessment (PONJA) report, we realized that it failed to describe the obstruction of aid and human rights abuses committed by the military regime in the areas affected by the cyclone,” said Ko Shwe, a Karen environmental activist who visited the delta in the aftermath of the cyclone.

### **Monk activist flees to Thai-Burma border**

A monk who played a leading role in last year’s Saffron Revolution has fled Burma for Thailand due to fear of arrest for his political activities. According to Democratic Voice of Burma, U Eitthariya, a member of the All Burmese Monks Alliance from Mandalay, reached Thailand on 21 October. U Eitthariya told DVB that the regime had stepped up its harassment of monks. “They are asking their thugs to watch the monks,” he explained. He said spies had been placed in monasteries and monks had been told not to harbour any politically active monks. “They send letters to monks and tell them to report monks who are politically active,” he said. “If they refuse, they hint that even the abbots will be imprisoned when monasteries are raided.”

### **KNU elects new leadership**

The Karen National Union (KNU) elected a new leadership at its 14th KNU Congress, held from 6 to 20 October. Saw Tamla Baw was elected President, Saw David Tharckabaw Vice-President and Naw Sipora Sein General Secretary.

The Congress resolution reaffirmed the KNU’s commitment “to achieve the political objectives of equality and self-determination for the Karen people and establishment a genuine federal union.” The KNU also rejected the regime’s constitution, saying that it was “drafted without the true will of people’s representatives as well as the people, and adopted by coercion and force in the referendum held in May 2008.”

### **CEDAW shadow report reveals systemic gender discrimination**

The Women’s League of Burma has released a new report “In the Shadow of the Junta”, revealing systemic gender discrimination in Burma and showing how the regime’s policies have affected women and girls, particularly in the areas of education, health, rural

development and violence against women. According to the report, “Women in Burma are facing violence at every level, not only because of historical gender discrimination, but as a direct result of military rule and the lack of the rule of law”. The report will be used to review Burma at the 42nd Session of the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) Committee in Geneva on November 3, 2008.

### **Burma ranks 170 out of 173 countries for press freedom**

The World Press Freedom Index released by Reporters Without Borders ranks Burma 170 out of 173 countries. The report said that: “In Burma (170th), run by a xenophobic and inflexible junta, journalists and intellectuals, even foreign ones, have for years been viewed as enemies by the regime, and they pay the price.”

### **Cotton Traders Pull Out Of Burma**

Clothing company Cotton Traders announced that it would pull out of Burma just days after a public boycott campaign was launched. The Burma Campaign UK launched a public boycott against the company on October 15th after an investigation revealed that Cotton Traders were sourcing clothes from Burma. Cotton Traders notified the campaign on Friday October 17th that it would no longer be sourcing clothes from Burma.

Clothing exports are an important source of income for Burma’s brutal military dictatorship. Burmese trade unions have called on companies not to source clothing from Burma, as the clothing exports help to fund the dictatorship. Burma appeals to manufacturers because of its very cheap labour, ban on trade unions and lack of health and safety laws. Factory wages are as low as 5p an hour. A factory employee working 60 hours a week could earn just £3.

### **US strengthens ban on Burmese gems**

The US government has begun enforcement of a new law banning the import of Burmese gems. The Block Burmese Jade Act tightens an existing ban on the trade in Burmese gems, closing a loophole that allowed the import of Burmese gems cut or polished in third countries, such as India and Thailand. The Act

blocks the import of any rubies or jade mined in Burma, regardless of whether they may have been processed and imported via a third country. In addition to strict documentation on origin, rubies coming into the United States will be subject to random laboratory analysis, using technology which can help identify place of origin.

Burma's gem trade is a major money earner for the regime, worth an estimated US\$647 million in fiscal year 2007-2008.

#### **Vietnam to exploit oil and gas in Burma**

Vietnam has agreed its first oil and gas project in Burma. Two Vietnamese companies, Petrovietnam Exploration Production and Vietsovpetro, the Burmese Eden Group, and the Myanmar Oil and Gas Enterprise (MOGE) signed a contract for exploration, drilling, and production of oil and gas in offshore block M2 in the Gulf of Martaban.

#### **Burma's Foreign Minister in N Korea**

Burma's foreign minister, Nyan Win, visited North Korea for talks in October. He arrived in Pyongyang on 27 October and met his North Korean counterpart, Pak Ui Chun. Burma and North Korea resumed diplomatic relations last year and this was the first official visit by a foreign minister from Burma to North Korea in 25 years.

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