

# JUNE CHRONOLOGY 2016

## Summary of the Current Situation:

There are **285** political prisoners in Burma.

**82** are currently serving prison sentences,

**34** are awaiting trial inside prison and,

**169** are awaiting trial outside prison.



Picture from Irrawaddy © 2016

Accessed June 6, 2016

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**Assistance Association for Political Prisoners (Burma)**

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# MONTH IN REVIEW

## Note on the figures presented in 'Summary of the Current Situation':

Please note that we have altered slightly how we present the headline figures found in the Summary of the Current Situation section. In accordance with our [Definition for Political Prisoners](#) and to clarify potential confusion around AAPP figures, we will present total numbers for all three categories of political prisoner:

A) convicted individuals currently serving sentences in prison for political activities; B) individuals who are currently awaiting trial inside prison for political activities;

C) individuals who are currently awaiting trial outside prison for political activities.

In previous Chronologies, we summarized the figures in the format of:

"There are X political prisoners incarcerated in Burma" (corresponds to Cat. A).

"X activists are currently awaiting trial for political actions," (Cat. B and Cat. C combined)

"X of whom are incarcerated" (Cat. B).

We believe that the new format is a clearer and simpler way of presenting this data.

This month 112 political activists were arrested in total, 18 individuals were sentenced and 53 were released. Three political prisoners are reported to be in bad health. Also this month, 34 activists were charged.

Authorities continued to arrest and detain activists under outdated legislation and threaten their freedom to peaceful assembly and expression. Fifteen of the 71 workers from Sagaing who were arrested following their peaceful protest march demanding better labor rights remain in detention facing charges under Sections 143, 145, 147 and 505(b) of the Penal Code. Having boycotted their hearings due this

month, the trial threatens to drag on while they remain in prison. Sentences were handed to four men who had published a calendar depicting the Rohingya minority group. Former Saffron Revolution leader, U Gambira, was transferred to Insein Prison where he will face additional charges dating back to 2012. Land activists and farmers continue to fight the authorities over disputed land, with a number facing trial charged with trespassing and mischief.

June also saw renewed concerns about restrictions on media and civil society freedoms. Authorities moved quickly to prevent a movie being shown at a film festival apparently showing the Burma Army in a bad light and a civil society group were prevented from holding a press conference releasing a report about torture committed by state troops. In addition, journalists were banned from previously available parliamentary chambers and were denied entry to the ceremony marking Daw Aung San Suu Kyi's 71st birthday.

The Unlawful Association Act continues to be a prominent tool for the arrest, detention and sentencing of civilians accused of affiliation with unrecognized organizations and ethnic armed groups. Thirteen Arakanese youths who were charged in May for alleged connections with the Arakan Army (AA) were sentenced this month under Section 17(1) of the Unlawful Association Act to three years of imprisonment with hard labor. Charges under the same Section of law were brought against a further thirteen civilians, while over a hundred arrests were made this month of civilians accused of connections with the AA, the Ta'ang National Liberation Army (TNLA), and the Shan State Army (SSA).

# MONTH IN REVIEW

Moreover, while clashes in ethnic areas between the Burma Army and different armed groups continued throughout June, many severe human rights violations were reported. In Arakan State, two men were arrested in Buthidaung Township by an unknown group after a series of clashes between the Border Guard Police (BGP) and the AA. Later in the month, a BGP patrol group was accused of severely beating three fishermen without provocation. One victim died of his injuries. In Shan State, the Burma Army is accused of committing grave human rights abuses against civilians caught up in the ongoing conflict that involves a complex array of combatants and which is engulfing and destroying the lives of villagers. This includes the arrest of eight villagers in Theinni Township for allegedly collecting data for Shan State Progress Party/Shan State Army-North (SSPP-SSA) and the killing of seven villagers and injuring of three more civilians in Lashio Township.

Innocent civilians continue to be the victims of the actions of rival armed groups in Shan State. Renewed fighting between the Restoration Council of Shan State/Shan State Army-South (RCSS/SSA) and the TNLA has led to a series of arbitrary arrests and detentions, with the SSA arresting 40 local villagers from Mongton Township and the unexplained disappearance of seven ethnic Shan civilians on a road between Namkham and Lashio. Kachin Independence Army (KIA) troops arrested 48 Ta'ang farmers on disputed land in Kutkai Township and released them the following day on the condition that they would be shot if they returned.

# ARBITRARY DETENTIONS

## **Eight Villagers Detained for Alleged SSPP/SSA Ties**

Eight villagers from Pan Son village in Theinni Township, Northern Shan State, were detained by Burma Army soldiers at the end of May and taken to Lashio Prison while they were allegedly collecting data for the Shan State Progressive Party/Shan State Army-North (SSPP/SSA). On June 2, a lawsuit was filed against them under the Unlawful Association Act. Village heads have said the villagers are given no choice but to cooperate with armed groups since they fear the consequences of refusing to do so. Daw Khin Htar Oo, a Shan State MP, stated that the Shan State Joint Action Committee (SSJAC) has committed to helping the men, and she called for the abolition of the Unlawful Association Act.

[\(2 June 2016 – 7 Day Daily/Burmese\)](#) [\(3 June 2016 – RFA/Burmese\)](#) [\(4 June 2016 – BBC/Burmese\)](#) [\(7 June 2016 – Myanmar Times\)](#)

## **Disappearance and Accusations of Arbitrary Detention in Shan State**

On June 5, seven ethnic Shan men went missing in Namkhan Township en route to Lashio in Northern Shan State. Villagers using this road have reported that every car is stopped at a Ta'ang National Liberation Army (TNLA) checkpoint near Pa Leng village in Nam Pak Kar sub-township. Some claim that the TNLA levy taxes at this checkpoint. The area where the civilians went missing has recently been a site of clashes between the TNLA and the Restoration Council of Shan State/Shan State Army-South (RCSS/SSA). Some locals have accused the TNLA of abducting the seven men. Vice Chair of the TNLA, Tar Gyoek Jar, denied this. A police investigation is

underway for the seven missing men. This was followed by reports that between June 8 and 11, nearly 40 Ta'ang local villagers, including women and children, were arrested by the SSA during fighting in the neighboring township, Manton. Some of the detainees were released on the same day. Tar Gyoek Jar claimed that three houses were burned down in Jakalan village by the SSA on June 8 and 11. A spokesman of the RCSS/SSA denied this accusation. Disappearances and killings have repeatedly been reported since the TNLA and the RCSS/SSA started fighting in December 2015. Both groups have accused each other of involvement.

[\(9 June 2016 - Irrawaddy\)](#) [\(10 June 2016 - BNI\)](#) [\(10 June 2016 - Myanmar Times/Burmese\)](#) [\(13 June 2016 - Myanmar Times\)](#) [\(15 June 2016 - Myanmar Times/Burmese\)](#)

## **Two Villagers Arrested in Arakan State**

Khaing Lin, a villager from Nwar Youn Taung village, Buthidaung Township in Arakan State, stated that his brother and another villager were detained on June 9, following a series of clashes between the Border Guard Police and the Arakan Army. They were captured outside of the village and were arrested by an unknown group.

[\(9 June 2016 - Narinjara/Burmese\)](#)

## **48 Ta'ang Farmers Arbitrarily Arrested and Released by Kachin Independence Army (KIA)**

19 men and 29 women from the ethnic group Ta'ang (Palaung) were detained by the KIA on June 21 and released on June 22. The farmers are growing corn on disputed land in Kutkai

# ARBITRARY DETENTIONS

Township in Northern Shan State. After local Kachin reportedly complained to the KIA, around 30 armed soldiers from Battalion No. 9 of Brigade No. 4 arrested the farmers. Some of the farmers reported that they had to pay a 15,000 Kyat fee to be released. According to Yan Maung Ba, one of the detainees, they were told that they will be shot by the KIA if they return to the land.

[\(22 June 2016 - Irrawaddy/Burmese\)](#) [\(23 June 2016 - Irrawaddy\)](#) [\(23 June 2016 - Irrawaddy/Burmese\)](#)

[\(29 June 2016 - BNI\)](#) [\(29 June 2016 - BNI/Burmese\)](#) [\(30 June 2016 - Shan Herald\)](#) [\(30 June 2016 - RFA/Burmese\)](#) [\(30 June 2016 - RFA\)](#) [\(30 June 2016 - DVB/Burmese\)](#) [\(30 June 2016 - VOA/Burmese\)](#) [\(1 July 2016 - DVB\)](#) [\(1 July 2016 - Mizzima\)](#) [\(1 July 2016 - BBC/Burmese\)](#) [\(1 July 2016 - BBC/Burmese\)](#) [\(4 July 2016 - DVB/Burmese\)](#) [\(4 July 2016 - RFA/Burmese\)](#) [\(4 July 2016 - VOA/Burmese\)](#)

## **Burma Army Accused of Arresting and Killing Civilians in Shan State**

According to an anonymous civilian, Burma Army soldiers killed seven villagers and injured another three women in Mine Yaw Administrative Unit, Lashio Township, Northern Shan State. On June 25, it is reported Burma Army soldiers suddenly opened fire at around 2pm while villagers were working nearby. Three women were injured and taken to Mong Yaw hospital.

Then the soldiers reportedly started stopping and questioning drivers passing by. Villagers Naw Tint and Sai La, brothers from Enine village tract, Nant Yaw Village, were shot dead because they refused to pull over.

Six ethnic Shan women, five ethnic Shan men and three ethnic Ta'ang (Palaung) men were taken into custody. All of the women as well as three of the Shan men were released later, while the dead bodies of the other detainees, Aik Hseng, Aik Lod, Aik Maung, Sai Mon Awn and Sai Aik Maung, were found on June 29, buried in shallow graves. They were wearing soldiers' uniforms although they were not involved with any armed group.



# CONDITIONS OF DETENTION

## Three Protest Leaders Sentenced

On June 1, Tint Aung Soe, Moe Khine Tun and Thawdar Tun were sentenced by Salingyi Township Court to a total sentence of 52 days in prison under Sections 143, 341 and 447 of the Penal Code, or a fine of 5,000 Kyat for each Section. They opted for the imprisonment, but their supporters agreed to pay the fine for them. On May 25, 2015, they led approximately 50 protesters in front of Myanmar Yang-Tse Company office and staged a protest against the Sabel-Taung and Kyae-Sin-Taung copper project in Salingyi Township, Sagaing Division, a joint initiative of Myanmar Yang-Tse Company and U Paing Company. Consequently, U Paing Company opened a case against three protest leaders on May 27, 2015.

[\(25 May 2016 – RFA/Burmese\)](#) [\(27 May 2015 – RFA/Burmese\)](#) [\(2 June 2016 – Mizzima/Burmese\)](#)

## BBC Reporter Nay Myo Lin Sentenced for Hitting Policeman

Nay Myo Lin was sentenced to three months in prison with hard labor under Section 332 of the Penal Code on June 6 by Chanmyathazi Township Court in Mandalay. He was reporting from a demonstration in Mandalay protesting against the Letpadan crackdown in March 2015 when he witnessed a policeman knocking off a man from a motorbike and interfered, allegedly hitting the policeman. Nay Myo Lin called his sentence ‘unfair’ and stated he did not mean to harm the policeman, but wanted to protect the citizen who was treated unjustly. According to his lawyer Thein Than Oo, an appeal was submitted to the court to reduce the sentence.

[\(6 June 2016 – Irrawaddy\)](#) [\(6 June 2016 – DVB/Burmese\)](#) [\(6 June 2016 – RFA/Burmese\)](#) [\(6 June 2016 – VOA/Burmese\)](#) [\(6 June 2016 – Irrawaddy/Burmese\)](#) [\(6 June 2016 – Myanmar Times/Burmese\)](#) [\(7 June 2016 – DVB\)](#) [\(7 June 2016 – BBC/Burmese\)](#) [\(7 June 2016 – The Voice Myanmar/Burmese\)](#) [\(8 June 2016 – BBC/Burmese\)](#) [\(10 June 2016 – Irrawaddy\)](#) [\(13 June 2016 – BBC/Burmese\)](#) [\(15 June 2016 – Myanmar Times\)](#)

## Four Men Sentenced for Printing Rohingya Calendar

On June 14, four men were sentenced to one year of imprisonment under Section 505(b) of the Penal Code for allegedly disrupting public tranquility by publishing a Rohingya Calendar. In November 2015, the four men - Ye Thu Aung, Win Naing, Zaw Min Oo, and Win Htwe - had been arrested along with Kyaw, the owner of a printing house (see [November Chronology 2015](#)). They were sentenced under Section 8 of the Printing and Publishing Enterprise Law to pay a fine of one million Kyat each and were released. The following day, the five men were re-arrested and charged with creating fear or alarm to the public under Section 505(b) of the Penal Code. Kyaw Kyaw has since been released after charges against him were dropped due to a lack of evidence against him. His four associates have been detained in Insein Prison since November and now face another five months in prison to complete the 12-month sentence. Aung Khin remains in hiding. Activist group, Fortify Rights, issued a statement on June 17 condemning the sentencing, saying that it violates freedom of expression.

# CONDITIONS OF DETENTION

[\(15 June 2016 - RFA/Burmese\)](#) [\(21 June 2016 - Myanmar Times\)](#) [\(27 June 2016 - Kaladan Press via BNI\)](#)

## **Arakanese Youths Sentenced for Arakan Army Ties**

On June 17, Sittwe Township Court sentenced 13 Arakan youths to three years of imprisonment with hard labor under Section 17(1) of the Unlawful Association Act for their involvement with the Arakan Army (AA). The convicted youths are Myint Kyaw aka Tun Naing, U San Maung, Zaw Lin Tun aka Maung Than Tun, Zaw Min Tun aka Kalar Chay, Saw Ran Naing aka Kyaw Soe Min, U San Maung aka Maung Han Soe, Kyaw Thein Chay aka Hlaing Thein Chay, Zaw Min Oo, Nyo Maung aka Maung Win, Zaw Win Naing, Aye Kyaw Than, Zaw Min Htay and Win Aung aka Kyan Cha. The 13 men confessed in court to having connections to the AA and do not plan to appeal the verdict.

[\(17 June 2016 - Narinjara\)](#) [\(17 June 2016 - DVB\)](#) [\(17 June 2016 - BNI/Burmese\)](#) [\(17 June 2016 - BBC/Burmese\)](#) [\(17 June 2016 - RFA/Burmese\)](#) [\(17 June 2016 - VOA/Burmese\)](#) [\(20 June 2016 - Myanmar Times\)](#)

## **Sagaing Labor Rights Protesters Repeatedly Boycott Court**

15 students and workers who were involved in the Sagaing labor rights march to Nay Pyi Taw in May boycotted their trial at Tatkon Township Court and refused to cooperate. They had already boycotted their first trial on June 1, declaring the trial to be 'unfair'. The activists accused five MPs of breaking their promise to raise their issue in parliament and solve it politically. Aung Thurain

Tun, their lawyer, announced he is going to sue the MPs. They also complained about the conditions of their detention, saying they aren't provided with clean water or medical care. During the court appearance, supporters of the 15 activists held up posters saying "Free detained workers and students", "Call tripartite talks", "Create the rule of law" and "Protect innocent workers". Police had cracked down on the protest march on May 18 and arrested 51 activists, 36 of whom were released on May 31. 15 protesters remain in Yamethin Prison charged under Sections 143, 145, 147 and 505(b) of the Penal Code. Their next court hearing will take place on June 29.

[\(1 June 2016 - Eleven/Burmese\)](#) [\(2 June 2016 - Eleven\)](#) [\(2 June 2016 - Eleven\)](#) [\(2 June 2016 - Myanmar Times\)](#) [\(15 June 2016 - Irrawaddy/Burmese\)](#) [\(15 June 2016 - Eleven/Burmese\)](#) [\(16 June 2016 - Myanmar Times\)](#) [\(16 June 2016 - VOA/Burmese\)](#)

## **Political activist boycotts trial**

Ko Yar Pyae, a political activist arrested on accusations of defaming Commander-in-Chief Senior General Min Aung Hlaing on Facebook, has boycotted his trial and refused to appear before court on June 6 after a police major came to collect him late. Ko Yar Pyae said that he cooperated with the police but was accused of not doing so. "If they can't give me bail... I won't appear before the court. The trial is too harsh," he said. Thiri Nay Lin of the Peace and Diversity Party registered a case against Ko Yar Pyae under Section 66(d) of the Telecommunications Law for allegedly posting photos of Commander-in-Chief Min Aung Hlaing and the monk U Wirathu on his Facebook account. He was arrested on May 22

# CONDITIONS OF DETENTION

and sent to Insein prison the next day under judicial custody. After the boycott, he was taken back to Insein and as yet no date has been set for the next hearing.

[\(6 June 2016 - Mizzima/Burmese\)](#) [\(7 June 2016 - Mizzima\)](#)

[2016 - Mizzima\)](#) [\(29 June 2016 - Irrawaddy\)](#) [\(29 June 2016 - RFA/Burmese\)](#) [\(30 June 2016 - Myanmar Times\)](#) [\(30 June 2016 - BBC/Burmese\)](#)

## U Gambira to Face New Charges

On June 26, former monk Nyi Nyi Lwin, better known as U Gambira, was transferred from Mandalay's Obo Prison to Rangoon's Insein Prison, where he is to face fresh charges under Section 447 of the Penal Code for trespassing and mischief dating back to 2012. The alleged offences took place after U Gambira's release from prison where he had served time for his involvement in the Saffron Revolution 2007. According to his lawyer, U Gambira forced open the gates of three monasteries in Rangoon, which were sealed off after the military crackdown, since activist monks couldn't find anywhere to live after their release in the amnesty in 2012. U Gambira was sentenced by a court in Mandalay division on April 26 to six months in prison with hard labor for allegedly crossing the Thai-Burma border without an official visa. He is due for release on July 1, but will now face a court hearing on July 4 to deal with the additional charges. U Gambira's health has deteriorated in prison, and he has petitioned unsuccessfully for bail, citing mental health issues resulting from severe torture while imprisoned by the former military regime.

[\(26 June 2016 - Eleven/Burmese\)](#) [\(28 June 2016 - Irrawaddy\)](#) [\(28 June 2016 - Myanmar Times\)](#) [\(28 June 2016 - Reuters\)](#) [\(28 June 2016 - DVB\)](#) [\(28 June 2016 - DVB/Burmese\)](#) [\(28 June 2016 - Eleven\)](#) [\(28 June 2016 - Eleven/Burmese\)](#) [\(28 June 2016 - 7 Day Daily/Burmese\)](#) [\(29 June](#)



# DEMONSTRATIONS & RESTRICTIONS ON POLITICAL & CIVIL LIBERTIES

## **Movie banned from Human Rights Festival**

The military have forbidden the organizers of the Human Rights Human Dignity International Film Festival in Rangoon to show the movie 'Twilight Over Burma: My Life as a Shan Princess'. The movie tells the true story of a marriage between Austrian woman Inge Sargent and Shan prince Sao Kya Seng. Sao Kya Seng was actively involved in Shan politics pushing for land reform. He was detained by the military after the 1962 coup and died under mysterious circumstances.

Deputy Permanent Secretary at the Ministry of Information, Myo Myint Maung, explained the Ministry's decision to scrap the film saying "the censor board found 'Twilight Over Burma' can cause disunity among national races so they decided by vote that this film shouldn't be allowed for public showing."

[\(15 June 2016 - DVB\)](#) [\(15 June 2016 - Reuters\)](#) [\(15 June 2016 - BBC News\)](#) [\(15 June 2016 - BBC/Burmese\)](#) [\(15 June 2016 - BBC/Burmese\)](#) [\(15 June 2016 - DVB/Burmese\)](#) [\(16 June 2016 - Myanmar Times\)](#) [\(16 June 2016 - VOA/Burmese\)](#) [\(16 June 2016 - Irrawaddy/Burmese\)](#)

## **Soldier prosecutes newspaper editor**

On June 17, the Chief Editor of the Daily Eleven newspaper appeared in Wuntho Township Court, Sagaing Division, to answer charges for

defamation under Section 502 of the Penal Code. The case was brought by a soldier from Light Infantry Battalion No. 120 of the Burma Army. The newspaper had published a story in April 2015 claiming there had been heavy casualties after a government army unit entered a Kokang-controlled area in Laukkai. The article contained a photo of the soldier who subsequently filed a defamation suit. The editor, U Wai Phyo, had apologized to the soldier's family in May 2015, and had heard no more from the Myanmar Press Council or Burma Army. They are now suing the editor a year later. After two summons letters failed to reach the editor last year, another warrant was issued for his arrest in April 2016. U Wai Phyo has indicated that he will only face trial at the court once a summons has been confirmed.

[\(16 June 2016 - Daily Eleven/Burmese\)](#) [\(20 June 2016 - Daily Eleven\)](#)

## **Journalists banned from Daw Aung San Suu Kyi birthday celebrations**

On June 20, journalists were refused entry into the hluttaw compound where a ceremony was being held to mark the 71st birthday of State Counselor Aung San Suu Kyi. The media has increasingly found their access restricted by the new government. Formerly available parliamentary chambers have been closed off under the NLD, and its leadership has taken steps to curb party members' ability to speak with reporters.

# DEMONSTRATIONS & RESTRICTIONS ON POLITICAL & CIVIL LIBERTIES

Restrictions on media photography, filming and interviews around the parliament building have been tightened further since the NLD took power.

[\(21 June 2016 - Myanmar Times\)](#)

## **Women's Organization Barred from Holding Press Conference**

Rangoon authorities have prevented the Ta'ang Women's Organization (TWO) from holding a press conference on a report about human rights violations by the Burma Army in Shan State that was scheduled for June 24. The report "Trained to Torture" is based on data the TWO gathered between 2011 and 2016, conducting 100 interviews with local residents in Northern Shan State. It reveals severe abuses against civilians by the Burma Army including murder, torture and kidnapping. The press conference was supposed to take place at the Orchid Hotel in Rangoon, but local government authorities prompted the hotel to cancel the event. TWO member Ma De Poe Sao announced that they will forward the report to president Htin Kyaw as well as both Houses of the national Parliament.

[\(27 June 2016 - Radio Free Asia\)](#) [\(27 June 2016 - Irrawaddy\)](#) [\(28 June 2016 - DVB\)](#) [\(27 June 2016 - DVB/Burmese\)](#) [\(27 June 2016 - RFA/Burmese\)](#) [\(27 June 2016 - VOA/Burmese\)](#) [\(27 June 2016 - Irrawaddy/Burmese\)](#) [\(28 June 2016 -DVB\)](#) [\(28 June 2016 - Myanmar Times\)](#) [\(29 June 2016 Myanmar Times/Burmese\)](#)

## **Military Settles Libel Lawsuit with Newspaper**

The Burma Army has settled a libel lawsuit that it brought against the newspaper 7 Day Daily for a story it published on April 24 which included former general Shwe Mann's message to graduates of the Defense Services Academy urging them to work with the country's newly-elected democratic government. The military had filed the case against two senior staff at the Rangoon-based newspaper on June 25. According to local police, the duo was to be charged under Section 131 of the Penal Code for abetting or seducing any military man to mutiny and abandon duty which carries a maximum sentence of life imprisonment and a minimum of 10 years of imprisonment and a fine. The Myanmar Press Council released a statement on June 27 saying that it wanted the case to be settled through negotiations. The newspaper issued a full apology on June 28.

[\(27 June 2016 - Eleven\)](#) [\(27 June 2016 - Irrawaddy\)](#) [\(27 June 2016 - BBC/Burmese\)](#) [\(27 June 2016 - Irrawaddy/Burmese\)](#) [\(27 June 2016 - The Voice/Burmese\)](#) [\(27 June 2016 - Eleven/Burmese\)](#) [\(27 June 2016 - VOA/Burmese\)](#) [\(27 June 2016 - VOA/Burmese\)](#) [\(27 June 2016 - BBC/Burmese\)](#) [\(27 June 2016 - RFA/Burmese\)](#) [\(28 June 2016 - RFA/Burmese\)](#) [\(28 June 2016 - VOA/Burmese\)](#) [\(28 June 2016 - Eleven/Burmese\)](#) [\(28 June 2016 - Irrawaddy\)](#) [\(28 June 2016 - Myanmar Times\)](#) [\(28 June 2016 - Myanmar Times/Burmese\)](#) [\(28 June 2016 -](#)

# DEMONSTRATIONS & RESTRICTIONS ON POLITICAL & CIVIL LIBERTIES

[Eleven\) \(29 June 2016 - RFA/Burmese\) \(29 June 2016 - VOA/Burmese\) \(29 June 2016 - Irrawaddy/Burmese\) \(29 June 2016 - Eleven\) \(29 June 2016 - Irrawaddy\)](#)

# LAND ISSUES

## **Farmers to Be Charged for Fencing Off Government Land**

The Department of Human Settlement and Housing Development of Rangoon Region announced that legal action for trespassing could be taken against farmers who have erected signboards and fences on land owned by the government in the region. The land in question was confiscated by the State Law and Order Restoration Council in the 1990s for development projects that were never implemented. The farmers claim that the land plots rightfully belong to them as they have worked on them for generations and never received an adequate compensation nor alternative plots of land.

[\(13 June 2016 - Myanmar Times\)](#)

## **Farmer Jailed for Trespassing on her own Land**

The Dawei Township court sentenced a local farmer to two months in prison on June 13 under 427 and 447 of the Penal Code for mischief and trespassing on private land. Lwe was charged after trying to stop the construction of a petrol station on the land plot next to the branch office of the USDP in Dawei Township. The plot, seized by the previous government, is reportedly owned by former Chief Minister Myat Ko of Tanintharyi Division. Lwe Lwe is a member of the family that claims to have owned the land before it was seized by the government in 1990. Lwe Lwe said she tried to stop the construction on the plot because her family had not received compensation for the land. According to her nephew, Lwe Lwe was charged in January 2016 and the court ruling was made after 15 hearings since January.

[\(15 June 2016 - Eleven\)](#) [\(15 June 2016 - Eleven/Burmese\)](#)

## **Seven farmers prosecuted for trespassing on own land**

On June 15, Mandalay's Singai District Court charged seven farmers under Sections 427 and 447 of the Penal Code for mischief and criminal trespassing. The farmers had held protests in 2015 on land that they claimed was illegally confiscated. In 1973, around 2,650 acres of land belonging to local villagers from Kite, Shan Ken, Ywathit, Kyauk Kone and Inn Konewas confiscated by the Ministry of Agriculture, with no reasons given, and 1,500 acres were given to Mudon Maung Maung Company. But the company has not used the land for any projects and the farmers have fought since 2015 to get their land back. The court hearing will be on June 29.

[\(15 June 2016 - Mizzima/Burmese\)](#) [\(17 June 2016 - 7 Day Daily/Burmese\)](#)

## **Farmers threatened with jail for refusing to relocate**

The case against two farmers who since 2011 have refused to move from land in Nay Pyi Taw drags on in court. Kyaw Min and Bo Maung have been charged under Section 26 of the Municipal Law for being unwilling to vacate their land in the diplomatic housing zone in Dekkhinathiri Township. Kyaw Min had 30 acres of farmland confiscated by the government and has received compensation for only 15 acres. Bo Maung saw his 22 acres of farmland confiscated and has not received any compensation. The farmers have

# LAND ISSUES

continued to occupy their respective non-compensated land. Zabuthiri township's city development committee court charged the farmers under Section 26 on October 1, 2015. After several hearings, both men appeared in court on June 20 expecting to be sentenced but their case was again deferred and the next hearing is scheduled for July 4.

[\(7 June 2016 - Myanmar Times\)](#) [\(20 June 2016 – DVB/Burmese\)](#)

## **Cultivators Request Government to Drop Charges against them**

Farmers facing trial for attempting to reclaim their confiscated lands in Mattaya Township requested the government to drop charges against them before giving back the respective land. The land plots in Yaynanther, Northern and Southern Kyauksayit, Hmweshwekhe, Tamarkone, Sakyinkyauk and Linksinkone villages were confiscated under the previous government by the Ministry of Cooperatives, the Ministry of Industry and the Ministry of Agriculture and Irrigation. Around 200 farmers attempted to reclaim their land and are now facing trial under Section 18 of the Peaceful Assembly and Peaceful Procession Law as well as Sections 145, 477 and 595(b) of the Penal Code. The court hearing of 60 farmers is scheduled on June 22. They will request the judge to drop charges against them. If the judge rejects, they will stage a protest, according to Ye Yint Aung. 1,329 acres of land in Yaynathar village, Mattaya Township, have already been given back to the farmers by the Ministry of Health by order of the government.

[\(20 June 2016 - 7daydaily/Burmese\)](#)



# LEGISLATION AND POLICY DEVELOPMENTS

## **Upper House Approves Revised Peaceful Assembly Law**

Despite criticism by human rights defenders, the Upper House has approved a revised draft of the widely contested protest law that has often been used to detain and charge political activists. An earlier draft was rejected by the Upper House for retaining too many oppressive provisions. Under the revised version of the law, citizens no longer have to request a permission to stage a protest, but have to inform local authorities 48 hours in advance. Violating this law may lead to imprisonment up to three months or a maximum fine of 30,000 Kyat and one-year imprisonment and a 100,000 Kyat fine if the violation occurs repeatedly. Excessive force to end a protest is forbidden under the new law. The revised law has been heavily criticized by rights groups who said that, despite improvements, the draft still falls short of meeting international standards on peaceful assembly. The bill will now go on to the Lower House before becoming law.

[\(1 June 2016 - Irrawaddy\)](#) [\(2 June 2016 - Myanmar Times\)](#)

## **Colonial-era law used to detain suspects amended**

On June 3, the Upper House approved changes to the Ward and Village-tract Administration Bill. Originating in 1907, modified by the military-controlled Ministry of Home Affairs in 2012 and most recently updated in January 2016, the law requires citizens to inform local government officials when guests spend the night in their

homes, regardless of how long the stay is. The new bill has removed Sections 13(g) and 17 from the original law, which demand that citizens report overnight guests or get penalized for disobeying. Despite objections from some who argued that the law should be maintained due to security concerns, a majority of members of parliament approved the proposal. U Aung Kyi Nyunt, member of the Upper House Bill Committee, was quoted as saying that the colonial-era legislation that empowers authorities to detain suspects should be removed in order to bring it in line with the current situation.

[\(3 June 2016 - Irrawaddy\)](#) [\(3 June 2016 - Irrawaddy /Burmese\)](#) [\(6 June 2016 - Mizzima/Burmese\)](#) [\(6 June 2016 - Mizzima\)](#)

## **Definition of ‘Political Prisoner’ Discussed in Parliament**

On June 2, Rakhine State MP Pe Than from Myebon township suggested establishing an official definition of ‘political prisoners’ in order to protect political activists from being treated like criminals. However, Aung Soe, deputy minister of the military-controlled Home Affairs Ministry, rejected the suggestion, declaring it to be unconstitutional. On June 27, the government drew criticism from rights groups when the Minister for the State Counselor’s Office, Kyaw Tint Swe, acknowledged that a number of definitions for ‘political prisoner’ exist according to “the data of unofficial organizations” but that the government would define it in accordance with the policy of the State Counselor as only

# LEGISLATION AND POLICY DEVELOPMENTS

“those who faced legal prosecution in line with the law for taking part in demonstrations.”

[\(2 June 2016 - Irrawaddy\)](#) [\(3 June 2016 - Myanmar Times\)](#) [\(3 June 2016 - Eleven/Burmese\)](#) [\(3 June 2016 - RFA/Burmese\)](#) [\(5 June 2016 - Eleven\)](#) [\(5 June 2016 - The Voice Myanmar/Burmese\)](#) [\(29 June 2016 - Eleven\)](#) [\(29 June 2016 - Eleven/Burmese\)](#)

# RELATED HUMAN RIGHTS NEWS

## **Civilians Murdered During Clashes in Shan State**

Three ethnic Ta'ang (Palaung) have died in Shan State's Namkhan Township. According to a statement released by the Ta'ang Women's Organization (TWO), the mutilated bodies of Mon Nyi Za Win and Mon Aik Tun Oo from Manaung Village in Northern Shan State were found in a forest on June 3 after the two villagers had disappeared from their village on June 1. Mong Lom Aung Kyi, a resident of Kyusai village in Namhkam Township, died from his injuries after stepping on a land mine on June 1. The TWO called on the armed groups active in the area to stop targeting civilians and put an end to human right violations. Even though the Shan State Army-South (SSA-South) has signed the National Ceasefire Agreement, clashes between the Ta'ang National Liberation Army (TNLA) and the SSA-South resumed in May. It is not clear at this stage who is responsible for these deaths.

[\(8 June 2016 – Irrawaddy\)](#) [\(10 June 2016 – DVB\)](#)  
[\(10 June 2016 – Irrawaddy/Burmese\)](#)

## **Border Guard Police (BGP) Injures and Kills Civilians**

On June 21, a BGP patrol group reportedly approached a fishing boat and beat the three fishermen on board with sticks and the butts of their guns. The three men were fishing on the Kayan Khali River in Maungdaw Township near the border with Bangladesh. Abdul Hamid and Mohamed Elias from Padinn Village were severely injured, Mohamed Rashid died of his injuries on the boat. His dead body was taken to Maungdaw hospital for postmortem and later

buried in his village. The two injured fishermen reported the incident to the BGP headquarters, but no action was taken. The incident follows on from January 10 when BGP members reportedly killed two fishermen in the Naff River while fishing near Shwe Zaar village of Maungdaw Township.

[\(28 June 2016 - Kaladan Press via BNI\)](#)

# CONCLUSION

The new NLD-led government has completed its first three months in government amid fresh concerns over its policy towards the political prisoner issue, continued restrictions on freedom of expression, and ongoing violence in ethnic areas that has led to serious human rights violations and the deaths of civilians.

Despite the flourish of positivity surrounding the releases in April, the number of political prisoners, either sentenced or awaiting trial, grew in May and has only increased again in June. At the end of the month, there are 82 political prisoners serving prison sentences and 203 more facing trial for political actions. Over 70% of those serving sentences have been convicted for offences under the Unlawful Association Act, a law that disproportionately targets members of ethnic minorities, and there were further arrests, detentions and sentencing in June of civilians with alleged connections with armed groups. Sentences continue to be handed down under the Penal Code, including Tint Aung Soe, Moe Khine Tun and Thawdar Tun, who had protested against a copper mining project in Sagaing Division, four men who had printed a calendar depicting the Rohingya, and Nay Myo Lin, a BBC reporter accused of assaulting a policeman during a Mandalay protest against the Letpadan crackdown in 2015. In addition, a large number of farmers and land activists face trial for trespassing offences relating to the restitution of disputed land.

Long-time political prisoner, U Gambira, was transferred to Insein Prison just days before his impending release to face new charges over four years old. This suggests an orchestrated attempt to keep dissidents behind bars, using multiple laws to maximize their duration of imprisonment. Peaceful dissent and free speech continues to be criminalized under many laws, reinforcing the need for large-scale legislative reform to Burma's outdated legal framework. Having refused in Parliament to establish legal definitions for the terms "political offense" and "political prisoner", the government has since indicated that only those who faced legal prosecution in line with the law for taking part in demonstrations would be recognized as political prisoners. This narrow definition significantly undermines confidence in the government's resolve to tackle the political prisoner and drew vocal criticism from rights groups.

Human Rights Watch released a report this month listing at least ten laws that are used to criminalize peaceful expression. Repressive and vaguely-worded laws must be urgently amended or repealed to safeguard freedom of expression, a cornerstone of any true democracy. The revised peaceful assembly bill, approved by the Upper House but yet to be passed into law, retains restrictions on free expression including criminal sanctions for the failure to notify authorities of a protest 48 hours in advance or failing to adhere to the submitted demonstration agenda. The restrictions of the amended peaceful assembly law and the continued use of other laws to penalize dissent confirms the short-sightedness of the new government's unofficial political prisoner policy.

June also saw renewed concerns over press censorship. Journalists reported restricted access to Parliament and barriers to talking with MPs. In continued threats to media freedom, the military

# CONCLUSION

brought at least two lawsuits against newspapers for publishing innocuous articles. The lawsuit against 7 Day Daily was dropped after negotiations, but the newspaper printed an apology to the military in state media as part of the settlement. The Ministry of Information, having offered no mediation, promptly published the apology on their website, an unprecedented act which suggests where its loyalties lie.

Earlier in the month, organizers of a film festival were prevented from showing a movie that placed the military junta in a bad light. In addition, a civil society organization was prevented from holding a press launch of a report documenting serious abuses committed by the Burma Army against civilians in Shan State after intervention from the Rangoon authorities. These developments would suggest that

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Repressive and vaguely-worded laws must be urgently amended or repealed to safeguard freedom of expression, a cornerstone of any true democracy.

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proclamations of the death of censorship in Burma are somewhat premature and that the government must do more to combat ingrained military intolerance of free expression and open criticism.

The ongoing violations of human rights committed by both the Burma Army and ethnic armed groups reinforces the need for the Burma government to ratify and sign the Convention Against Torture (CAT). This month, there have been several reports of arbitrary detention, disappearance and killings in ethnic regions, including Arakan State, Shan State, and Kachin State. Armed combatants blame each other for abuses and innocent civilians continue to be the principal targets and

victims of ongoing internal conflict in Burma, rendered pawns in the hands of the belligerents. They have little choice but to cooperate with armed groups or the Burma Army operating in their area. Many are detained, tortured or killed as informers, and government troops continue to prosecute villagers for alleged connections with their perceived enemies. In the current efforts towards peace agreement, trust-building is rudderless in the face of continuing violence in ethnic regions and a lack of accountability for perpetrators of serious human rights violations.

This has been noted by the UN Special Rapporteur, Yanghee Lee, who completed her trip to Burma on July 1 and voiced her grave concerns over the persistence of State repression, religious violence, and human rights violations. Just a few days previously, the UN released a report documenting the systematic abuse of ethnic minorities in Burma, notably in Arakan, Shan and Kachin States. The new government must now take steps to address these continuing violations, eliminate ethnic and religious intolerance and lead initiatives that rebuild trust across ethnic communities toward reconciliation.



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