



Assistance Association for Political Prisoners (Burma)

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Summary of the Current Situation

As of the end of May, there are 163 political prisoners incarcerated in Burma, with 442 activists currently awaiting trial for political actions.

May, 2015

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"There can be no national reconciliation in Burma, as long as there are political prisoners"

MONTH IN REVIEW

This month, 49 political activists were charged in total, 41 of which were arrested and are currently being held in detention. Sixteen were sentenced, and two were released. Four political prisoners, Sai Tin Min Tun, Zaw Thet Aung, Yarzar Oo and Nay Myo Zin, have been reported to be in bad health. [May 2015 - The Irrawaddy](#) ([25 May 2015 - DVB](#))

This month, a solo protestor is being held in Tharyarwaddy Prison after being charged under Section 505 (b) for staging a solo protest; 32 people in Arakan State were arrested for alleged ties with the Arakan Army and charged with section 17/1; and five female landowners were arrested and charged under Article 333 for alleged participation in a riot against land confiscation in Mandalay Division.

The military court acquitted the two soldiers involved in the death of the freelance journalist Par Gyi killed during his detention by the Burma Army late last year. The two soldiers were facing charges under Article 71 of the Military Code (court martial procedures) and Section 304 of the Penal Code (culpable homicide). Even though the Myanmar National Human Rights Commission (MNHRC) suggested that a civilian court should hear the case, the military decided otherwise. This resulted in two parallel cases regarding the same facts. The military court freed the defendants unconditionally on May 8, 2015 but the civilian trial is still on going.

Meanwhile, Parliament voted on May 20 to continue the enforcement of the Emergency Provisions Act, which is often used to arrest activists. The law carries sentences of up to seven years in prison for diverse offences against the State. The Lower House rejected the proposal to revoke it at 50 votes for, 256 against and 17 abstentions for the third time since the beginning of the reforms in 2011, arguing that the change would “throw the country into chaos”.

[\(11 May 2015 - DVB\)](#) ([12 May 2015 - Mizzima](#)) ([21](#)

DETENTIONS

Solo Protester Charged and Held in of Tharyarwaddy Prison

Win Hlaing, a solo protester, was charged under Section 505 (b) and sent to Tharyarwaddy Prison on May 26, 2015. He was arrested for staging a solo protest in front of Tharyarwaddy Township Court where previous court hearings were held.

[\(26 May 2015 - VOA/Burmese\)](#)

Massive Arrests for Suspected Arakan Army Connection

32 people suspected of being in contact with the Arakan Army (AA) have been arrested in Arakan State. 23 people were arrested in Kyauktaw, Kyaukpyu, Minbya, Pauktaw and Rathedaung Townships and sent to Kyauktaw Police Station for questioning on May 2. Most of the detainees confessed to being AA members during interrogation by the military but some of those arrested had no links with the AA and yet were still detained.

Three of the 23 arrested civilians are Win Maung, a village headman from La-Har-Kyel village; U Shwe Lone, a teacher from Nga-Saryne-Chaung Island; and Ko Myo Win Zaw, who worked at the Academy CD Rental Shop in Minbya Town. They were arrested on suspicion of being involved with the AA in Minbya Township, Arakan State on April 28. The Township administrator and police head said they could not do anything because the army made the arrests. It is believed that the three were taken to Military Operations Command (MOC) base 9 in Kyauktaw. The police are still holding in detention a member of the committee of the Rakhine National Party, who was arrested in Kyauktaw Township on April 29.

Nine more people allegedly present at an AA members meeting held near Aung-Lan-Chaung

village in April, were arrested on May 20, 2015, according to Kyauktaw Township Police Major Khin Maung. Maung added that “a total of 32 people were arrested and they were charged under section 17/1. They were interrogated and we are building the case against them. We requested legal advice on May 25, and the case will be brought to the court on May 28, depending on that advice.”

[\(21 May 2015 - DVB\)](#) [\(11 May 2015 - Burma International News\)](#) [\(7 May 2015 - Burma News International\)](#) [\(7 May 2015 - Myanmar Times\)](#) [\(6 May 2015 - The Irrawaddy\)](#) [\(25 May 2015 - RFA/Burmese\)](#)

INCARCERATIONS

University Lecturer Supporting the Student Protests Sentenced

On May 22, Wai Yan Aung, a lecturer at Bassein Technical University was the first individual to be sentenced for his involvement in the student protests over the National Education Law. He was sentenced to three months in prison with hard labor under Section 18 of the Peaceful Assembly and Peaceful Procession Act. He had been arrested on March 5 and temporarily suspended by the university authorities the following day. He was also charged under Section 18 and 19 at other townships.

[\(19 May 2015 - RFA/Burmese\)](#) [\(26 May 2015 - Mizzima\)](#)

Chinese Embassy in Rangoon on December 29, 2014 against the copper mining project in Sagaing Division. They were sentenced to four years and four months: one year for Article 147 of the Penal Code which covers rioting; one year for Article 353 - assault or use of criminal force to deter a public servant from discharging his or her duty; two years under Section 505 (b); and four months under Section 18 of the Peaceful Assembly and Peaceful Procession Act.

[\(15 May 2015 - The Irrawaddy\)](#)

Supreme Court Rejects Unity Journalists' Appeal

The Supreme Court rejected the final appeal of the five Unity journalists on May 15. Reporters Lu Maw Naing, Sithu Soe, Paing Thet Kyaw, Yazar Oo and Unity's CEO U Tint Sann were sentenced in July 2014 under the 1923 State Secrets Act for charges of trespassing in a restricted area and taking photos of a defense ministry facility without permission. On October 2, 2014, the Magwe Region Court reduced the sentence from 10 years with hard labor to seven years.

"The verdict does not seem to be in accordance with the independence of the judiciary," said their lawyer, Robert San Aung.

[\(21 May 2015 - Myanmar Times\)](#)

Six Activists Sentenced to Four Years and Four Months

Six activists, Nay Myo Zin, Tin Htut Paing, Than Swe, Naw Ohn Hla, Sein Htwe and San San Win, were sentenced on May 15 by the Dagon Township for participating in a protest at the

RELEASES

Two Reporters Released

Two reporters, Than Htike Thu and San Moe Tun were released from Mawlamyin Prison on May 15 after completing their two months sentence.

[\(May 2015-AAPP\)](#)

CONDITIONS OF DETENTIONS

Students Mistreated in Prison While Awaiting Trial

The detained students appeared in court on May 26. Some of them were highly inconvenienced by their handcuffs, as they couldn't even tie their longyis when they were unfastened. Honey Oo's father also reported that "all 62 male detainees were harshly treated [...]. The police did not remove the handcuffs until the students arrived at court. The police treated the students as they liked". Some of the detained students suffer from headaches and dizziness as they were brutally beaten during their arrest.

According to Honey Oo's father: "Min Thway Thit and some detainees, who were beaten on their heads, are sometimes suffering again from headache problems since the police weapons can cause hidden injuries. Honey Oo and Phyo Phyo Aung are suffering from similar allergic reactions all over their bodies. They are suffering from skin disease. Phyo Phyo Aung has heat rash all over her arms and Honey Oo has allergies all over her right arm; however, prison authorities have failed to provide proper health care."

[\(26 May 2015 - VOA/Burmese\)](#)

from scabies and skin rashes because of the filthiness of the water during his detention.

On May 26, the judge also granted bail to Myo Thiha, resident of Prome Township - another underage student detained for more than two months. An additional underage student is awaiting the decision on whether he will be granted bail. On June 2, a judge will also decide if 20 distance-learning students will be granted bail.

[\(12 May 2015 - The Irrawaddy\)](#) [\(26 May 2015 - RFA/Burmese\)](#)

Underage Student Released on Bail Talks about Prison Conditions

On May 12, the Tharrawaddy Township Court in Pegu Division released under-aged high school student Aung Min Khaing on bail after two months in detention for his alleged involvement in the Letpadan student protests. "Although I pleaded with the police not to beat me and said I would go with them peacefully, the police beat my head so badly. My head was covered with blood and I felt so dizzy that I couldn't stand up on my own," said Aung Min Khaing. He also stated that he was suffering

DEMONSTRATIONS AND RELATED RESTRICTIONS ON POLITICAL AND CIVIL LIBERTIES

Political Detainee Charged for Reading Out Loud Declaration of Independence

Nay Myo Zin, who is currently serving a four year and four months prison sentence for a protest against the killing of Khin Win during a Letpadaung copper mine protest, was charged again under Section 18 of the Peaceful Assembly and Peaceful Procession Act for reading out loud the declaration of independence to children in Maha Bandoola Park in Rangoon. He was taken to court on May 26, 2015.

[\(27 May 2015 - RFA/Burmese\)](#)

Journalists Banned from Parliament

On May 26, journalists were denied access to the media observation room at Parliament, without an indication of when they permitted entry once more. The reason behind the ban is unclear but many journalists attribute it to pictures of two lawmakers asleep during a session that went viral. It was the second embarrassing picture taken in Parliament in less than two months - in mid-April a photograph revealing a member of the military voting on behalf of an absentee was published. Since the ban, journalists can now only watch live broadcasts of sessions recorded by government-employed videographers.

[\(27 May 2015 - The Irrawaddy\)](#)

Generation Wave Member Moe Thway Charged Under Section 18

Moe Thway, a member of Generation Wave, was charged under Section 18 of the Peaceful Assembly and Peaceful Procession Act at Kyauktada Township police station on May 17. In October 2014, more than 40 civil society organizations, including 88 Generation Peace

and Open Society, staged a protest in front of Rangoon City Hall and called for an investigation into the death of freelance journalist Ko Par Gyi. Moe Thway had also called for an end to the crackdown of the student protests on May 2, 2015.

[\(18 May 2015 - RFA/Burmese\)](#)

Journalist Charged under Peaceful Association and Peaceful Procession Act

Ma Shwe Hmone, senior reporter for Myanmar Thandawsint, executive committee member of the Myanmar Journalists Network (MJN) and director of the Myanmar Journalism Institute, was charged under the Peaceful Protest and Peaceful Procession Act by the police for her involvement in an unauthorized rally calling for freedom of expression. She was questioned at Kyauktada Township police station on May 16, 2015. The protest took place over six months ago, on November 2, 2014 in Rangoon.

[\(15 May 2015 - Myanmar Times\)](#) [\(16 May 2015 - RFA/Burmese\)](#)

Three Activists Charged for Organizing Prayer Protest

Khin May Si of the NLD, Myint Myint Aye of the Social Assistance Network, and May Thet Oo of the 88 Generation Peace and Open Society, were charged on May 4 under the Right to Peaceful Assembly and Peaceful Procession Act, for organizing a protest without permission. On March 4, they had staged a protest calling for no violence to be used against education activists. They were released on two million kyat bail each.

[\(6 May 2015 - DVB\)](#)

Journalist's Widow Not Informed of Court Hearings

The Kyeikmayaw Township court inquiry into the death of Par Gyi, who died while in custody of the Burma Army, continued on April 30, but his widow Ma Thandar claimed she was not informed of the hearing and has not been informed of previous hearings held on April 10 and April 23. Ma Thandar has been completely left out of proceedings and has been unable to receive copies of the court documents despite repeated requests. Ma Thandar also expressed concern that the case would not result in justice, as the witnesses were far removed from the events and hardly knew her late husband.

[\(30 April 2015 - The Irrawaddy\)](#) [\(30 April 2015 - Myanmar Times\)](#) [\(1 May 2015 - DVB\)](#)

Land Issues

Three Protest Leaders Charged

U Paing Company Limited, a copper mine company, opened a case against three protest leaders on May 27, who protested against Sabe-Taung and Kyae-Sin-Taung copper project in Sar-Lin-Gyi Township, Sagaing Division. They were charged under three sections of law, including trespassing. One of the accused, Tint Aung Soe, explained that they submitted the notice for the protest seven days in advance. On May 25, Tint Aung Soe led approximately 50 protesters in front of U Paing Company Limited.

[\(27 May 2015 - RFA/Burmese\)](#)

Nine People Charged Over Land Confiscation

A total of nine people - six farmers from Kan-Thar village, Wundwin Tsp, Meiktila District, Mandalay and three supporters, members of Meiktila Township Peoples Support Network - were sentenced at Wundwin Township Court on May 26. They were then sent to Meiktila prison. Six were sentenced to five months in prison with hard labor on charges of trespassing and vandalism. The remaining three were members of People Support Network and sentenced to two months on charges of trespassing under Article 447.

In 1995, the village chairman and the former chief of Meiktila Township Air Force, Nyan Tun Aung, confiscated 25 acres of land from 10 farmers without compensation. The farmers face charges because they re-plowed the land that, in the end, was never used.

[\(26 May 2015 - RFA/Burmese\)](#)

Farmer Dies After Self-Immolation Protest

On May 21, Myint Aung, a farmer from Yepu in Shan State's Taunggyi, self-immolated after being told that a military barracks project was planned for the land that was seized from farmers two decades ago. In 1994, more than 5,000 acres had been confiscated but the farmers were allowed to plant until 2014. According to his niece, he wrote a letter asking to give the confiscated land back before setting himself alight. He was hospitalized in Taunggyi Township and died from his injuries.

[\(21 May 2015 - RFA/Burmese\)](#) [\(22 May 2015 - DVB\)](#)

Mass Resignation at USDP Over Land Confiscation

Around 150 farmers have quit the Union Solidarity and Development Party (USDP) in Nattalin Township Bago Region, because their local MP broke a promise to help them get their land back. In 1992, residents from Sanchaung, Phalanpin, Sidawgone and Damange village areas of Nattalin were instructed by the authorities to cultivate a stretch of unused land and were promised 1,000 acres of land to work on. They only received 550 acres when the cultivation was completed and the remaining acres were seized by the Burma Army's 4 Light Infantry Battalion and government district administration.

The party officials accepted the mass resignation.

[\(22 May 2015 - Myanmar Times\)](#) [\(21 May 2015 - DVB\)](#)

Two Acres Confiscated Besides Yadanarbon University

Protests and riots broke out after employees of City Development Committee and the police fenced off around two acres of land in front of Yadanarbon University, Mandalay Division, on May 12. Five female landowners were arrested and are currently detained at Amarapura Township police station. They were charged under Article 333 for voluntarily causing grievous hurt to a public servant to deter him from his duty.

According to Mya Kaunt, a landowner, the land was confiscated for the purpose of building a parking lot for the university. Before the confiscation, the landowners had received letters from Professor Khir Maung Oo, asking to vacate the land before May 11, 2015. Daw Mya Koon, a family member whose land was also confiscated, stated that the police “dragged us to the car like animals”.

“They dragged my daughter, who is four months pregnant and who is now in pain. This is tyranny. They didn’t take us to Amarapura Police Station but to Myitnge Seik Police Station. We were not allowed to see anyone and they kept us in chains. What did we do wrong? We are not the ones who have committed a crime. All we want is our land back.”

On May 15, family members staged a demonstration in front of the university against the confiscation of the land.

[\(12 May 2015 - RFA/Burmese\) \(20 May 2015 - Myanmar Times\)](#)

Key International Developments

The US Renew Sanctions Against Burma

The US has renewed its sanctions against Burma on May 15, 2015. President Obama denounced the persistent human rights abuses as well as on-going conflicts, especially in ethnic minorities areas and Rakhine State. He also criticized the military, stating that it “operates with little oversight from the civilian government and often acts with impunity”. The US eased its economic sanctions in 2012, allowing American companies to invest in the country’s oil and gas, but still restricts business with certain individuals and companies.

[\(17 May 2015 - DVB\)](#) [\(18 May 2015 - Mizzima\)](#)

UN Urges Press Freedom During Election

The United Nations (UN) has urged Burma to ensure that journalists will report “without fear” during the general election this year, after Reporters Without Borders ranked the country 144 of 180 countries and territories for press freedom in its annual list, released in February. This request was shared by Sardar Umar Alam, head of the Burmese office for the UN's culture agency UNESCO, and opposition leader Aung San Suu Kyi.

[\(5 May 2015 - Mizzima\)](#)

Amnesty International Calls For Release of Detained Journalists

On May 3, 2015 - International Press Freedom Day - Amnesty International called for the immediate and unconditional release of all media workers currently detained in Burma for the peaceful exercise of their right to freedom of expression and other human rights.

Their statement highlights the case of five Unity newspaper journalists who were each sentenced to ten years in prison with hard labor under Burma's Official Secrets Act in July 2014, which was later reduced to seven years on appeal. Other cases include five media

workers from the Bi-Midday Sun newspaper who are each serving two years in prison, and two media workers from the Myanmar Post Weekly who were each sentenced to two months imprisonment for criminal defamation.

[\(4 May 2015 - Mizzima\)](#)

Aung San Suu Kyi and Minister of Information Attend an Event on World Press Freedom Day

An event took place for the World Press Freedom Day in Rangoon on May 3, during which Aung San Suu Kyi called on the media to ensure that the upcoming election will be free and fair. She also stressed the importance of an independent press, in that it has the potential to keep the powerful in check. She reiterated the importance that the government ensures international standards when it comes to media law.

In response to the accusation, the Minister of Information Ye Htut denied that Burma is backsliding on press freedom. Referring to the numerous press freedom indices published, he claimed that he does not “consider them complete because they are based on the [the degree of] freedom and don’t reflect news quality and editorial independence.”

[\(4 May 2015 - The Irrawaddy\)](#)

Conclusion / Analysis

The acquittal of the two soldiers accused of murdering freelance journalist Par Gyi by the Military Court this month came as a blow to justice in Burma as the military continue to enjoy impunity. Since its commencement, the case has highlighted the inherently flawed nature of the judicial system in Burma and is a clear example of how the oppression of the people of Burma is on-going. Par Gyi was arrested in September 2014 by Light Infantry Battalion 204 after completing a photo documentation report on violent clashes between the military and the Democratic Karen Buddhist Army. He died on October 4, 2014, allegedly shot whilst trying to escape military custody. The autopsy however, revealed injuries acquired prior to his death including evidence of torture, contradicting the military's version of events. The case continues to be heard in the civilian court.

The human rights situation in Burma is increasingly garnering international attention, especially in relation to the actions of the military. A clear example of this is in Arakan State, where, under the guise of enhanced security measures, the military has been excessively exercising its power, acting completely outside of the law, to the extent that even State officials have admitted to losing grip on its own military. In addition to arbitrarily arresting villagers suspected of having ties with the Arakan Army en masse

without police warrants, reports of torture at the hands of the military have also emerged. The situation in Arakan State is demonstrative of how the military continues to completely abuse its power in Burma.

President Obama even cited the military's abuse of power, amongst other human rights abuses, as one of the reasons for the US renewing its sanctions against Burma this month. Whilst sanctions do not always prove to be effective, the renewal does indicate that the US is not yet fully buying into Burma's "reformed image".

World Press Freedom Day earlier this month prompted renewed calls from the international community to the government to ensure that media freedom is guaranteed. This call is more urgent than ever considering Burma's recent backtracking on media reforms and the impending election later this year. Rather than advancing press freedom, it appears that the government is steadfastly enforcing laws that permit the detention of activists, journalists and dissidents, making further apparent its lack of interest in real, in-depth lasting democratic reforms.

Links / Resources

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[Journalist's Widow Not Informed of Court Hearings \(The Irrawaddy\)](#)

[Journalist's Widow Not Informed of Court Hearings \(Myanmar Times\)](#)

May 1

[Journalist's Widow Not Informed of Court Hearings \(DVB\)](#)

[Two NLD members arrested for filming police and farmer confrontation \(Myanmar Times\)](#)

May 4

[Aung San Suu Kyi and Minister of Information Attend an Event on World Press Freedom Day \(The Irrawaddy\)](#)

[Amnesty International Calls For Release of Detained Journalists \(Mizzima\)](#)

[Ambulance Driver Charged and Arrested \(The Standard Time Daily/Burmese\)](#)

May 5

[Teachers Federation Calls for Release of Students \(The Irrawaddy\)](#)

[Teachers Federation Calls for Release of Students \(Myanmar Times\)](#)

[UN Urges Press Freedom During Election \(Mizzima\)](#)

[Ceremony for Detained Students to Be Held by the All Burma Federation of Student Unions \(Myanmar Times\)](#)

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[Organizing Prayer Protest \(DVB\)](#)

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[Massive Arrests for Suspected Arakan Army Connection \(Myanmar Times\)](#)

[Massive Arrests for Suspected Arakan Army Connection \(Burma International News\)](#)

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[Student Union Vows to Not Go Underground \(Myanmar Times\)](#)

[Massive Arrests for Suspected Arakan Army Connection \(Burma International News\)](#)

[Soldiers Involved in Par Gyi's Murder Freed by Military Court \(DVB\)](#)

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[Underage Student Released on Bail Talks about Prison Conditions \(The Irrawaddy\)](#)

[Soldiers Involved in Par Gyi's Murder Freed by Military Court \(Mizzima\)](#)

[Two Acres Confiscated Besides Yadanarbon University \(RFA/Burmese\)](#)

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[Police Captain Claims Police Was Following EU Standards and Techniques in Letpadan \(Myanmar Times\)](#)

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