

Detained Women Journalist Report During the Military Coup



(From February 1 – December 31, 2021)

Table of Contents

No.	Contents	Pages
1.	Introduction	1
2.	Methodology	2
3.	Myanmar Political Context In Brief	4
4.	The Situation of News Media Agencies and Journalists After Coup	4
5.	The Situation of the Detained Female Journalists	5
6.	Positions and Roles Held By the Detained Women Journalists	8
7.	Sites Of Arrest and Detention	8
8.	The Situations the Detained Female Journalists Encountered	9
	(A) Situations of Violence	9
	(B) Physical and Psychological Conditions	10
	(C) The Ability To Resume Media Work	11
	(D) The Conditions of the Families of the Detainees	11
	(E) General Events	12
9.	Conclusion	12
10.	Recommendations	13

Detained Women Journalist Report During the Military Coup

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■ Introduction

The Independent Daw San, Journal Kyaw Ma Ma Lay, and Ludu Daw Amar are the well-known trailblazing women of Myanmar journalism. Women have always been an integral part and played various roles in Myanmar news and media industry throughout colonial era, pre-independence period, post-independence period, Burmese Socialist Program Party (Revolutionary Council) period, the military regime, and the post-2010s.

Women journalists shared the struggle of all the journalists in Myanmar. Women participation in the industry has not been easy as it required to face numerous restrictions politically, economically, socially, and culturally. Myanmar female journalists has taken part in the media-related associations and at the same time establishing the Myanmar Women Journalists Society to contribute the interests of women in media related issues.

The Myanmar Women Journalists Society (MWJS) conducted a survey to study the situations of Myanmar women journalists during the military coup, from February 1 to December 31, 2021.

Methodology

To understand the situations of the woman journalists on grounds, we developed the following questionnaire composed of 10 questions;



The conditions of media, news agencies, and journalists were being observed and monitored since February 1, following the coup. All the cases and data related to arrests, detainments, punishments, sentences, judgments, and evidence of violence were collected, documented and archived.

To understand the situations of the woman journalists on

grounds, we developed the following questionnaire composed of 10 questions ;

1. Do all the detainees get charged with 505 (A)?
2. Do all the detainees have to face trials during custody?
3. Are there any ill-treatments/ torturing while facing the trial?
4. How is the security status for those on the warrant lists and hiding?
5. Did they get torture during the interrogation?
6. How is everything in general during the detainment?
7. How is life after being released?
8. Is there any chance to continue working in the media industry after being released?
9. How is their physical and mental health status?
10. How are the socioeconomic conditions of the family?

For data collection, extracting facts from news and media outlets, interviewing the responsible persons from the media industry, utilizing data from the reliable resources were done. There had been safety and security concerns in obtaining the data and inquiring about the conditions of persons on the warrant lists and detainment. Hence, getting firsthand information from all persons related was highly challenging. Only seven out of the 26 women journalists who were oppressed during the military council's media crackdown process were reachable.

The study of the situations of Myanmar women journalists was during the coup was done for the targeted period from February 1 to December 31, 2021. The study documented the numbers of detained women journalists and other obtainable related information.

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■ Myanmar Political Context In Brief

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The National League for Democracy won a landslide victory in the 2015 general election. Being the major elected party, NLD was able to form a government. The 2020 general election was held on November 8. The NLD found another victory with overwhelming support from the people. Despite the will of the people, the Myanmar military alleged voter frauds while the election monitoring groups and the people accepted the result. The Myanmar military staged a coup on February 1 on allegation of vote rigging.

Millions of the people demonstrated across the country as in defiance of the coup. Local and international news outlets reported the situations of protests from time to time. The military stamped on protests and anti-dictatorship movements – using live rounds on the protestors, committing arbitrary arrests and outlaw actions. The world had a chance to witness the realities of the human rights violations and violence committed by the SAC as the media and news reported relentlessly.

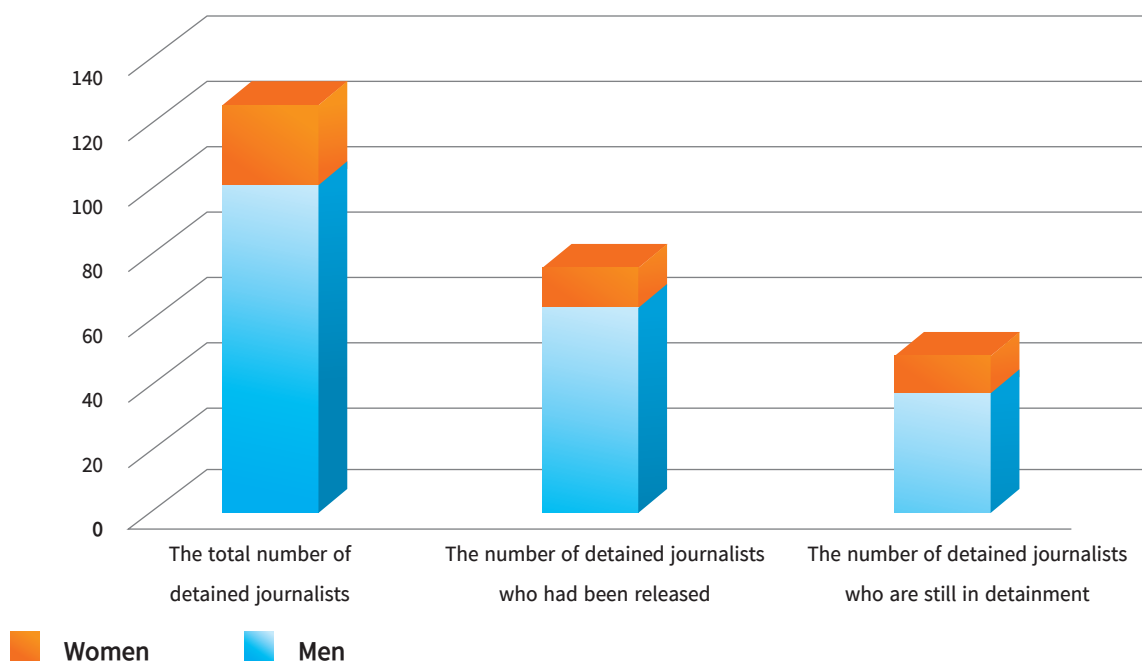
■ The Situation of News Media Agencies and Journalists After Coup

The SAC imposed restrictions and oppressions to media and news agencies, and journalists after the coup on February 1, 2021. Journalists were confronted with the use of brute force and arrested on scene. Their homes and workplaces were raided and inhabitants were brutalized. The SAC issued warrants and charge them unjustly with laws which gives no protection over

media freedom.

The SAC amended some laws unilaterally to counter the anti-coup movements. The junta amended broadcasting laws, arrested punished press personnel against the News Media Law (2014) ¹. In opposition to the military junta, the majority of the members of the Myanmar Press Council including women council members withdrew their memberships .

The situations of detained journalists
(From February 1 to December 31, 2021)



There were 124 journalists and media personnel arrested during the period of 2021, February 1 to December 31. Among the 75 persons released involved 12 women and 63 men. The remaining 48 are still under arrest, and of them, 11 are women, and 37 are men.

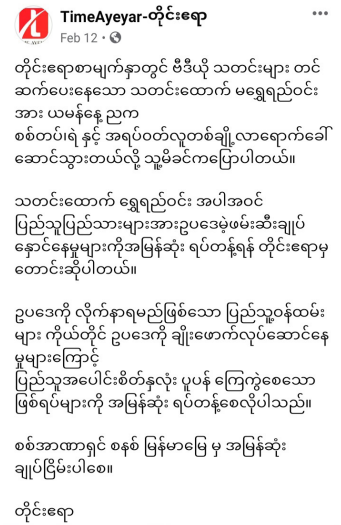
■ The Situation of the Detained Female Journalists

From February 1 to December 31, 23 women journalists were arrested, 12 of them had been released and 11 are still detained. Concerning the arrests, 9 happened during reporting news on ground, and 13 were home and office raids.

¹ NEWS MEDIA LAW(2014) <https://www.mlis.gov.mm/lsScPop.do?lawordSn=269>

The press personnel, including women journalists, were charged with section 505 of the Penal Code and other sections, and laws, other than the Press Law (2014). 16 female journalists got charged with Section 505 (A) and other clauses. The majority of the detained female journalists got charged with Section 505 (A). Out of those being charged with section 505 (A), two female journalists got released on bail with 5 million Myanmar Kyat. 3 other female journalists got charged with section 505 (A) and other clauses. These three journalists were charged with Unlawful Association Act, Section 17 (1), and Telecommunication Law, Section 66 (D).

Two other female journalists got charged with another sections other than 505 (A). These other sections are Section 188 and the Counterterrorism section. Of all the charged female

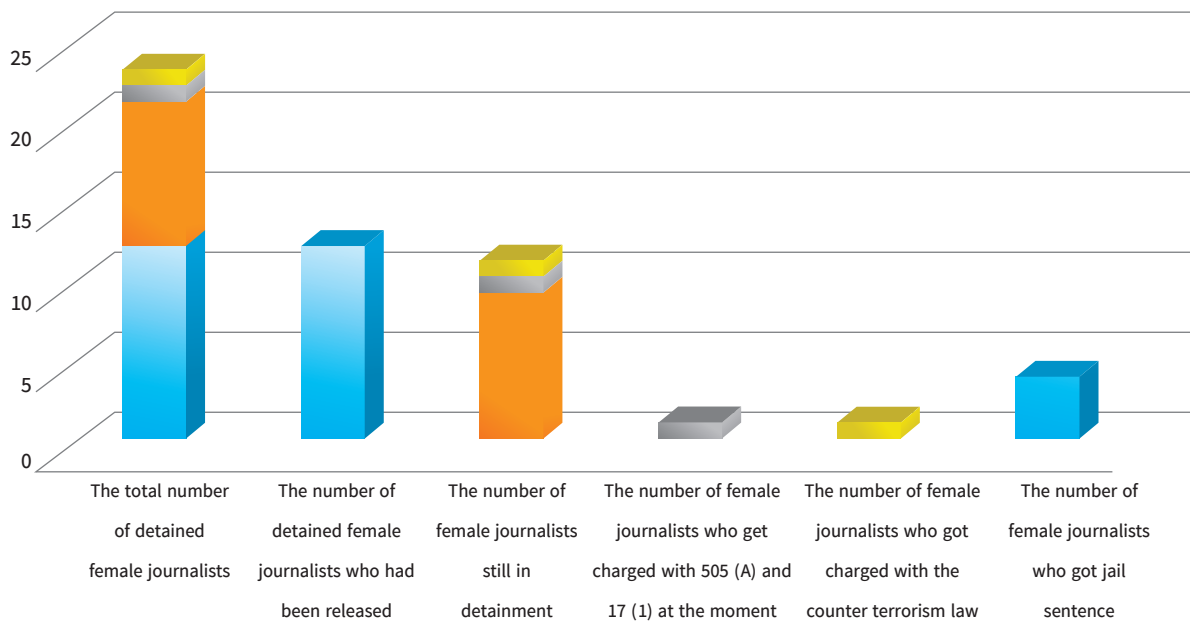


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 Nay Ni Hlaing Kha and 1.3K others

The situations of detained female journalists

(From Feb 1 – December 31)



journalists, 4 were jailed and being sentenced to 1 month, 2 yearss, and 3 years respectively. Woman journalists were also warranted by the junta in the arrest and prosecution of media personnel – 3 female journalists are on the warrant lists and remain hiding.

female journalists, 4 were jailed and being sentenced to 1 month, 2 years, and 3 years respectively.

FROM FEBRUARY 1 TO DECEMBER 31, 2021			
No	Case	Number of people	Remark
1	The total number of detained female journalists	23	
2	The number of detained female journalists who got released	12	
3	The number of female journalists who are still in detainment	11	This number includes those who are in trial.
4	The number of female journalists who were issued warrant and got charged	3	1. July Moe 2. Cherry Htike 3. Ei Ei Phyo
5	The number of female journalists who got charged with 505 (A)	16	This includes who got were released again.
6	The number of female journalists who got charged with other sections	2	1. May Thway Aung 2. Htet Htet
7	The number of female journalists who got charged with more than one sections	3	1. Thin Thin Aung 2. Htet Htet Khaing 3. Myo Myat Myat Pan
8	The number of female journalists who got released on bail	2	1. Tin Mar Swe 2. Khin May San
9	The number of female journalists who got jail sentence	4	1. May Thway Aung (1 month) 2. Nang Nang Taing (3 years) 3. Nang Win Yi (3 years) 4. Mya Wan Yan (2 years)

Penal Code Section 505 (A), Unlawful Association Act Section 17 (1), Section 188, Telecommunication Section 66 (D), and counterterrorism laws are used on detaining and charging women journalist.

■ Positions and Roles Held By the Detained Women Journalists

The detained women journalists included the co-founder of the news media business, Editor-in-Chief, executive editor, journalist, reporter, video reporter, photojournalists. According to the collected data, the detainees included 2 co-founders of the media business, 1 Editor-in-Chief, 2 executive editors, 2 journalists, 17 reporters, 2 video reporters, and 1 photojournalist.

■ Sites Of Arrest and Detention

Most of the women journalists in this study were arrested, charged and detained at places where their news and media offices exist or at their responsible location to cover the news.

According to the acquired data, the locations where women journalists got detained are Myitkyina in Kachin State, Monywa in Sagaing Region, Yangon, Taikkyi, and Thanlyin in Yangon Region, Taunggyi, Ho-pon, Tachileik and Lashio in Shan State, and Ayeyarwaddy Region.



The Situations the Detained Female Journalists Encountered



(A) Situations of Violence

There were reports of beatings, brutality acts during interrogation, and tortured to death in the detained journalists' cases. While there was not a chance to investigate in detail regarding the physical violence and sexual assaults or harassment, the detained women journalists faced violence in one form or another according to the available data.

A woman journalist from Sagaing Region was beaten on the arrest. It was a forced house raid and it happened at the sight of her underaged daughter.² It is also reported that the exercise of physical force took place while arresting another woman journalist from Taunggyi.³

During the arrest of two woman

journalists from the Sagaing region, there were threatening, dehumanizing manners and the detainees were treated like criminals. Media-related equipments and materials were unlawfully confiscated, and the detainees were forced to denounce their previous news and media presentations and works.⁴

Another woman journalist from the Sagaing region was in hiding as she was on the wanted for assassination list by the military-backed up, armed mob "Pyu Saw Htee".⁵

A woman journalist was reporting on the news of an anti-coup protest in Yangon. That woman journalist suffered fatal injuries as the SAC forces attempted to capture the protestors by ramming the truck into the crowd.⁶

² INTERVIEW WITH THE FAMILY MEMBERS OF THE DETAINEE

³ INTERVIEW WITH THE FAMILY MEMBERS OF THE DETAINEE

⁴ DIRECT INTERVIEW WITH THE DETAINEE

⁵ DIRECT INTERVIEW WITH THE DETAINEE

⁶ "Arrests of news and media personnels around the world sets a new record in 2021" (09 Dec 2021)
<https://burmese.voanews.com/a/worldwide-journalists-arrest-cpj-voa-burmese-/6346532.html>

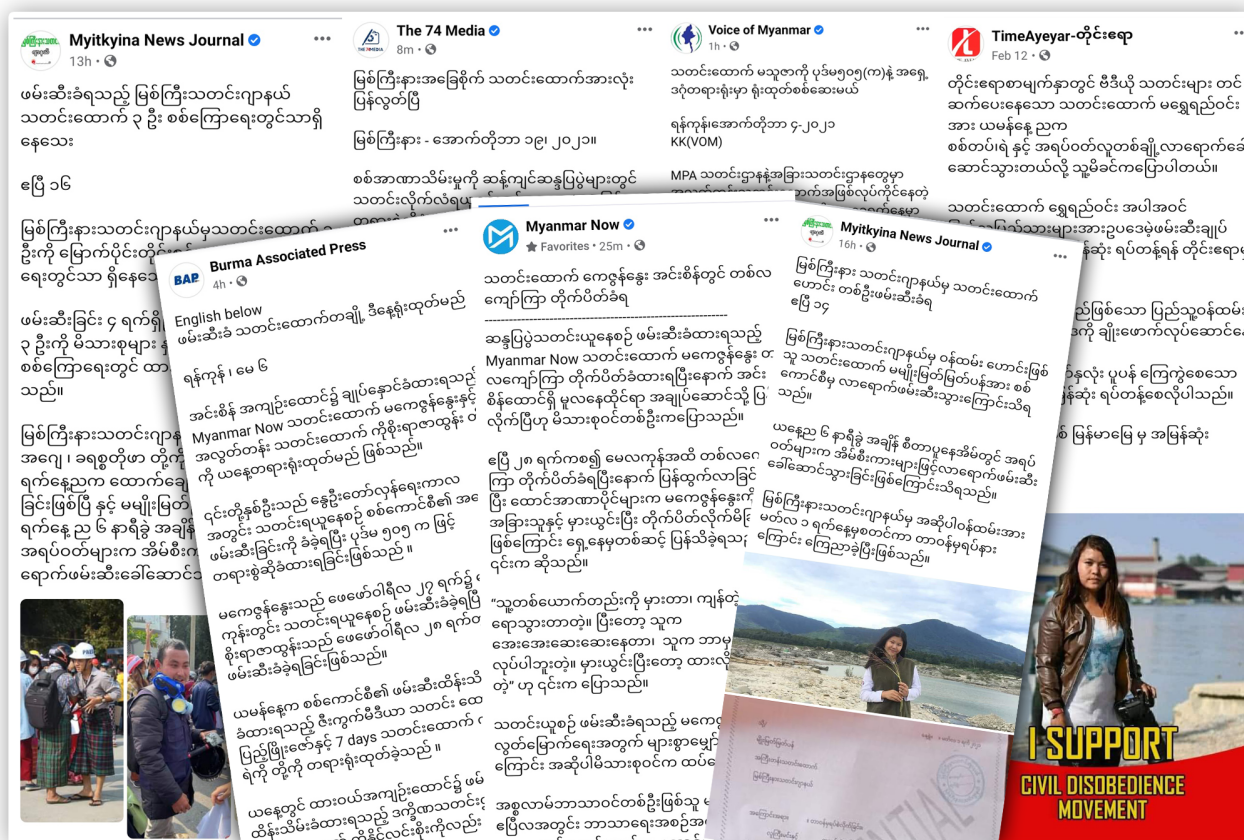
(B) Physical and Psychological Conditions

When a woman journalist from Taunggyi got arrested and interrogated, her hearing got damaged due to the physical violence during the interrogation.⁷ Another woman journalist from Shan State got contracted Covid-19 infection while she was on a trial.⁸

Woman journalists enjoyed stable and secure lives with their regular income while they could operate their media activities in normal circumstances. Due to the interruption

of their media and press duties arrests, imprisonments, and hidings, they no longer have regular income and have to rely on assistance or supports. As a result, they are suffering from emotional trauma and insecurity.⁹

The woman journalist who was hit by the truck while reporting a protest in Yangon suffered server head injury. She had to undergo a surgical operation at the hospital for the injury.¹⁰



⁷ INTERVIEW WITH THE FAMILY MEMBERS OF THE DETAINEE

⁸ INTERVIEW WITH THE RELEVANT NEWS MEDIA

⁹ INVESTIGATION BY MYANMAR WOMEN JOURNALISTS SOCIETY

¹⁰ "Arrests of news and media personnels around the world sets a new record in 2021" (09 Dec 2021)

<https://burmese.voanews.com/a/worldwide-journalists-arrest-cpj-voa-burmese-/6346532.html>

(C) The Ability To Resume Media Work

The study has not managed to cover detailed investigation about whether the former detainees can resume work in the news and media field even though some detained journalists had been released.

To our extent of coverage, for the two detained women journalists from Sagaing, one could not continue her media profession while the other took a break from the profession at the moment of release but is now back to work again.¹¹

for the two detained women journalists from Sagaing, one could not continue her media profession while the other took a break from the profession at the moment of release but is now back to work again

(D) The Conditions of the Families of the Detainees

When a woman journalist from Taunggyi got arrested, her family got evicted, as the house was sealed.¹² When a woman journalist from Sagaing Region was arrested, she was abused physically. Her daughter saw the event firsthand. The daughter had to be looked after by the relatives.¹³ Another woman journalist who is on a bail and facing

has to rely on her relatives for sustaining daily life.¹⁴

During the detention, most woman journalists were not allowed to meet their families in person, and communications took place only via writing letters, or passing messages through their lawyers, or only via the authorities.¹⁵

Another woman journalist who is on a bail and facing trials is going through a challenging status; struggle for daily meals, unsafe environment for her kinds and lack of learning access as well and unstable job condition.

trials is going through a challenging status; struggle for daily meals, unsafe environment for her kinds and lack of learning access as well and unstable job condition. The family

When a female journalist from Yangon got arrested, her 7 years-old-daughter was also arrested along with her. At the interrogation center, the daughter was

¹¹ DIRECT INTERVIEW WITH THE DETAINEE

¹² INTERVIEW WITH THE FAMILY MEMBERS OF THE DETAINEE

¹³ INTERVIEW WITH THE FAMILY MEMBERS OF THE DETAINEE

¹⁴ INTERVIEW WITH THE FAMILY MEMBERS OF THE DETAINEE

¹⁵ INVESTIGATION BY MYANMAR WOMEN JOURNALISTS SOCIETY

separated for 2 nights and was interrogated about her mother's involvements.¹⁶

Another female journalist from Yangon went missing from the house. After losing

contact with her for a month, the family later learned she was detained in a respective police station through an interrogation center.¹⁷

(E) General Events

Ma Tin Mar Swe (MCN TV News) and Ma Khin May San (The Voice) from Monywa were charged with Section 505 (A) and released on bail with 5 000 000 MMK for each respectively.¹⁸

During her detainment in Insein Prison, Kay Zon Nway (Myanmar Now) from Yangon was solitarily confined for one month from April 28 to the end of May 2021. And when

she was fasting during Ramadan, she was accused of being on a strike. The prison authority said the accusation was a false action.¹⁹

Ma Shwe Yee Win (Time Ayeyar) from Ayeyarwaddy Region was released with amnesty on June 30, 2021 but, was detained again on October 11, 2021.²⁰

Conclusion

Investigating the situations of Myanmar women journalists during the military coup showed that women journalists were arrested while reporting news and by house raids. They encountered acts of violence and threats during the arrests and the interrogations and communications with families were prohibited for a prolonged period during interrogation and detention. The arrests involved mothers of underaged children. There was no sufficient access on the condition and information of the detainees. The detainees were deprived of the protection by law and were charged and sentenced with unjust laws. They were regarded as criminals and treated like ones. Also, they were unable to return to their professions in news and media community. They faced brutality which can cause physical and psychological damages.

¹⁶ "SAC interrogated a seven-years-old girl"(23 Nov 2021 – Myanmar Now) | <https://www.myanmar-now.org/mm/news/9405>

¹⁷ "Missing woman journalist charged and detained by sentence 505A"(30 Sep 2021 – Myanmar Now) <https://www.myanmar-now.org/mm/news/8631>

¹⁸ "Two journalists from Monywa charged with the 505A sentence"(25 Feb 2021) <https://www.rfa.org/burmese/news/police-release-two-monywa-reporters-02252021045848.html>

¹⁹ "Journalist K Zun Nway put in solitary confinement for over a month in Insein Prison"(3 Jun 2021 – Myanmar Now) <https://www.myanmar-now.org/mm/news/6988>

²⁰ INFORMATION FROM A RELIABLE SOURCE

Recommendations

In accordance with freedom of expression, freedom of press, women's rights, labor rights, children's rights, freedom of religion and the rule of law, the following recommendations are made for Myanmar woman journalists;

(1) To All the Respective Authorities

- 1.1 All detained journalists must be released immediately and unconditionally.
- 1.2 The release of all detained women journalists must be taken seriously by all parties.
- 1.3 Demands, Movements and Speak-outs for the immediate release of all detained journalists, including woman journalists should be taken seriously.
- 1.4 Efforts should be made to provide effective legal assistance to detained female journalists through media legal experts.

(2) To All the Local and International Media Organizations

- 2.1 The relevant organizations should have detailed plans about policies, protocols, funds, and mechanisms on how to involve effectively in each step of the process in the event of woman journalists being detained.
 - 2.2 Arrangement should be made to have access to information regarding the situations of the detained or arrested woman journalists .
 - 2.3 Emphasis should be given on formulating and implementation of rehabilitation programs which would compensate and treat physical and psychological problems and traumas of released detainees.
 - 2.4 Assistance shall be given to released detainees so that they can resume their regular media work
-

- 2.5 Workplace safety and security of released detainees should be effectively monitored.
- 2.6 Humanitarian assistance for the women journalists; for those who are still in detention or being released should be organized.
- 2.7 There should be support programs for looking after the children if the released detainees are mothers of underage children.
- 2.8 There should be protection programs for the detained or released woman journalists to avoid sexual abuses, physical and psychological violations. If such violations occurred, investigations and legal actions for the convicts should be done effectively.
- 2.9 Due to the political unrest and oppression of journalists, there should be support programs for woman journalists that will prevent the decline of women's participation in news and media business.
- 2.10 Humanitarian assistance for the underaged children of the arrested or detained woman journalists should be done seriously.

(3) To News and Media Organizations

- 3.1 The relevant news or media departments should prioritize supporting the woman journalists, who were arrested or detained during carrying out the news and media tasks for the agencies, for all of the issues they are facing.
 - 3.2 There should be an emphasis on programs to make sure the detained woman journalists from the respective departments can return to the workplace, their security, resume their tasks and rewarding benefits according to responsibilities and performance qualities.
-



When woman journalists from the departments are reporting on vulnerable and sensitive issues and covering in conflict areas, security arrangements, safety measures, and procedures should be put in place.

Attachments

1. The detailed lists of detained Myanmar female journalists
2. Photocopies of news outlets from news agencies

Acknowledgement

Thank you to everyone who contributed from different roles to make this report possible.
