

# ALTSEAN BURMA

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## **SPECIAL REPORT: ON THE ROAD TO DEMOCRACY?**

### **A Summary of Political & Human Rights Developments in Burma**

**September 1 2003 – February 29, 2004**

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**Note: This is an A4-sized version of the Report distributed at the UN Commission on Human Rights in Geneva. The original format is an A5-sized booklet.**

## ON THE ROAD TO DEMOCRACY?

- **SPDC roadmap and public statements not matched by its actions – detentions & harassment of activists continue**
- **Without key steps forward, the roadmap resembles a recycling of excuses and delay tactics previously used by the junta to avoid acknowledgement of the 1990 general election results**
- **The roadmap was a response to pressure. Unless pressure is kept up, the regime is likely to break its promises in the same way it has done in the past**
- **UN Special Rapporteur reported “significant setbacks”, criticized SPDC’s failure to cooperate with his proposal to investigate human rights abuses in ethnic nationality areas**
- **Annan: Special Envoy’s efforts “not borne fruit”**
- **Amnesty International representatives barred from meeting Aung San Suu Kyi, instead were offered “fine words and vague promises”**
- **By the end of February 2004, AAPPB estimated that a total of 265 people were arrested, killed or disappeared during the May 30th attack and ensuing crackdown on pro-democracy groups**

On 30 August, in the wake of intensified international pressure against the Burmese military regime, newly appointed Prime Minister General Khin Nyunt unveiled a 7-point ‘road map’ to democracy. According to Khin Nyunt, the SPDC road map will reconvene the stalled 1993 National Convention to draft a state Constitution, which will be voted on in a national referendum and ultimately result in ‘free and fair’ elections.<sup>1</sup>

However, the regime’s stated intentions have been contradicted by their actions. Widespread human rights violations continue, even as the regime attempts to convince the international community and ethnic nationality groups that they are sincere about implementing its roadmap to democracy.

The roadmap and SPDC reshuffle took place as a result of unprecedented pressure that included far-reaching US sanctions and a suspension of Japanese aid. While some international observers feel optimistic about the roadmap, it is important to remember that without key steps forward, the roadmap resembles a recycling of excuses and delay tactics previously used by the junta to avoid acknowledgement of the 1990 general election results. Unless pressure is kept up, the regime is likely to break its promises to the international community and the peoples of Burma, in the same way it has done in the past.

The murderous Depayin Attack on May 30, 2003 on Daw Aung San Suu Kyi and her convoy was not an isolated incident, but the start of a crackdown intended to eliminate the democracy movement, including the NLD.

Since the attack, the SPDC has continued to detain and harass many other democracy advocates and NLD MPs. These ongoing violations of civil and political rights have continued even after the announcement of the roadmap.

On September 29 at the UN General Assembly, SPDC Foreign Minister Win Aung stated “..what needs to be done to effect a smooth transition to democracy is first and foremost to have the political will...Let me assure you that we have the political will.”<sup>2</sup>

However, by 10 November, UN Secretary-General Kofi Annan told the General Assembly that “The efforts of the Secretary-General’s Special Envoy to persuade the Government to agree to include the NLD (National League for Democracy), other political parties and representatives of all Myanmar’s ethnic nationalities in the earliest stages of the road map process and to set a time line for the map’s implementation have not borne fruit.”<sup>3</sup>

On 2 December, Amnesty International (AI) made its second visit to Burma. During its 17-day trip, the AI team was able to obtain clarification regarding the legal status of 75 individuals detained in conjunction with the May 30th attack. However, the regime refused to provide information on the total number of people imprisoned following the May 30<sup>th</sup> attack. The team was also prohibited from meeting with Daw Aung San Suu Kyi. After the trip, AI released a statement noting “The authorities have told us to be patient, and that change may come soon. But these assurances ring hollow in the face of continuing repression. We will judge progress on human rights in Myanmar by concrete improvements on the ground. Fine words and vague promises for the future without any timetable for change carry little weight.”<sup>4</sup>

1 AFP (9 Sept 03) Myanmar says “too early” to come up with democracy roadmap timetable

2 AP (29 Sept 03) Myanmar foreign minister says international sanctions unfair

3 UN News (10 Nov 03) Myanmar’s seven-step peace process not inclusive, lacks timeline – Annan

4 VOA (22 Dec 03) Human Rights Abuses on Increase Burma, says Amnesty Int’l

## CONTEXT OF THE ROADMAP

- **Depayin Attack was the start of a nationwide crackdown. Evidence indicates it was premeditated, with involvement of the regime**
- **Regime has ignored calls for a full investigation into the murderous attack**
- **General Khin Nyunt – new PM, new face for road map, hardliners rewarded with promotions as well**
- **Military build-up intensified, including widespread forced recruitment of men, women and children, with rewards offered to officers who recruit ethnic youth into the army and militias**
- **At least 24 forced military trainings affecting thousands of people were documented in 10 States and Divisions. They can be up to 25 days long, and involve small arms training. More are planned**

On 28 January, an SPDC statement listed a number of "steps forward" it claimed have made Burma "more stable and peaceful than at any time in history."<sup>5</sup> In reality, these "steps forward" have been a series of calculated moves to strengthen military power, entrench the current leadership, and crush any opposition. The Depayin Attack, nation-wide crackdown on the pro-democracy movement, and military reshuffle have been the real "first steps" on the regime's so-called roadmap to democracy. Pro-democracy activists have either been imprisoned, forced into exile, or harassed and threatened. This is the context in which the regime claims they will implement a genuine political transition.

## DEPAYIN ATTACK & CRACKDOWN - LAYING THE GROUND FOR THE REGIME'S ROADMAP?

On 30 May, Sr-Gen Than Shwe authorized a murderous attack on NLD leaders Daw Aung San Suu Kyi, U Tin Oo, and their entourage at Depayin, Sagaing Division. Multiple evidence confirms the premeditated nature of the attack. In the months prior to the attack, the SPDC and their cohort organization, the Union Solidarity and Development Association (USDA) steadily increased harassment of the NLD on Daw Aung San Suu Kyi's tours throughout the country and warned civilians not to go out and support them. Weeks before May 30th, officials increased riot and weapons training.<sup>6</sup>

Special Rapporteur Paulo Sergio Pinheiro's 5 January report to the UN Commission on Human Rights stated: "From what he [Pinheiro] heard and saw during his mission and based on eyewitness testimonies, he is convinced that there is prima facie evidence that the Depayin incident could not have happened without the connivance of state agents."<sup>7</sup>

## NATION-WIDE CRACKDOWN

The Depayin attack was the violent launch of a nation-wide crackdown on all pro-democracy groups. By the end of February 2004, an estimated 265 people had been arrested, disappeared, or killed either during the Depayin Attack or as part of the subsequent crackdown.<sup>8</sup> Among those arrested were many of the leaders of the NLD party, including Daw Aung San Suu Kyi. After May 30th the SPDC shut down most NLD offices throughout the country,<sup>9</sup> with Brig-Gen Than Tun stating that the NLD headquarters would remain closed "until the present problem is solved."<sup>10</sup>

## NO JUSTICE - NO ACCOUNTABILITY

To date, the regime has ignored both domestic and international calls for an investigation into the May 30<sup>th</sup> Attack. In recent months, the Burma Lawyers' Council (BLC) and the National Council of the Union of Burma (NCUB) have established the Ad Hoc Commission on the Depayin Massacre to collect evidence and establish whether the incident constituted a crime against humanity. In August, the Commission stated that "A genuine national reconciliation between the ruling junta and the NLD cannot be dreamed of so long as the truth on Depayin massacre is covered up and the denial of accountability continues to take place."

The Ad hoc Committee, as well as the UN Secretary General and several US senators, have called for the UN Security Council to set up an independent tribunal to investigate the attack.<sup>11</sup> Other groups, including Amnesty

5 AFP (28 Jan 04) Myanmar accuses United States of working to destabilize Asia

6 DVB (14 May 03) Daw Aung San Suu Kyi in Phakant & Irrawaddy (6 Jun 03) Regime Organizes More NLD Attacks & DVB (4 Oct 02) Police, Firemen given riot control training as commodity prices soar

7 UN Economic and Social Council (5 Jan 04) Situation of human rights in Myanmar report submitted by the Special Rapporteur, Paulo Sergio Pinheiro,

8 AAPPB (29 Feb 03)

9 LA Times (2 Jun 03) Myanmar Cracks Down on Opposition; Nation's military rulers hold pro-democracy activist Aung San Suu Kyi for a third day. Party offices and universities are shut down.

10 LA Times (2 Jun 03) Myanmar Cracks Down on Opposition; Nation's military rulers hold pro-democracy activist Aung San Suu Kyi for a third day. Party offices and universities are shut down

11 Asian Tribune (4 Aug 03) Ad Hoc Commission into Burma massacre adds to pressure on Security Council & The Ad hoc Commission On Depayin Massacre (Burma) (30 Aug 03) Appeal to the International Community and People inside and outside Burma with Regard to Depayin Massacre

International, have also made more general calls for an impartial, independent investigation into the incident. Allowing an independent inquiry into the attack, and full accounting of all the dead and missing is a crucial first step before any democratization plan can progress.

### **POWER RESHUFFLE - RISE OF THE HARDLINERS**

On 25 August, Sr. Gen Than Shwe carried out a reshuffle of senior leadership, promoting hardliners to top positions.<sup>12</sup> Tellingly, the biggest change was Than Shwe's decision to replace Gen Khin Nyunt, who had been seen as receptive to the dialogue, with Lt-Gen Soe Win, who engineered the Depayin attack.<sup>13</sup> On 21 January 2003, Soe Win said: "The SPDC not only won't talk to the NLD [National League for Democracy] but will also never hand over power to the NLD."<sup>14</sup> Days later he was rewarded with a promotion to Secretary 2.<sup>15</sup>

Gen. Khin Nyunt was transferred from Secretary One to the largely ceremonial role of Prime Minister. While some believe that Khin Nyunt will be given authority to undertake some reforms,<sup>16</sup> many analysts interpret the move as merely a ploy by Than Shwe to ward off growing international pressure by making a 'moderate' figure the public relations face of the SPDC.<sup>17</sup>

### **Forced Military Training**

Military build-up has intensified, including widespread forced recruitment of villagers for military training since May 2003. Recruitment of child soldiers continues and civilians are also being forced to join the SPDC army, as well as militia groups such as the newly created Pyithu Seik (People's Army).<sup>18</sup>

On 21 July, the SPDC ordered all states and divisions to conduct basic military trainings 'to defend the nation from foreign enemies.' Members of SPDC-controlled militia and civil organizations were required to attend, along with civil servants, and military personnel and their families.<sup>19</sup> In September, it was reported that authorities were preparing a 2nd round of military trainings for civilians in rural areas.<sup>20</sup> Once again, the junta hopes that scare tactics about 'external enemies' will distract people from the ongoing political crackdown and economic crisis.

Between September and December, at least 24 forced military trainings affecting thousands of people were documented in 10 States and Divisions.<sup>21</sup>

- On 21 July, SPDC authorities in Ta-Khi-Leak [Tachilek] Township, Shan State ordered that at least 1,000 men be trained for people's militia in each village tract. Each training was 25 days long. The first training involved 90 men and commenced 25 July in Murgng Phong village tract.<sup>22</sup>
- On 4 August, it was reported that 800 civil servants, both men and women, from Mudon Township, Mon State are being forced to buy uniforms and attend a month-long State Defense Force training. Trainees are

12 AFP (25 Aug 03) Myanmar's ruler ousts influential number-three general Khin Nyunt

13 Bangkok Post (29 Aug 03) Burmese reshuffle keeps world guessing & The Irrawaddy (26 Aug 03) Who's Who In the Junta's Line-up

14 DVB (28 Jan 03) No plan to talk to NLD and we are not afraid of USA-SPDC

15AP (3 Feb 03) Myanmar reshuffles cabinet

16 Bangkok Post (29 Aug 03) Burmese reshuffle keeps world guessing & AFP (27 Aug 03) Myanmar leader to use new PM as shield against international flack: source

17 Irrawaddy (29 Aug 03) Will The "Prince of Evil" Bring Hope to Burma?

18 Mizzima (19 Jul 03) India raises troops in fight against Northeast militancy and drug trafficking; NCGUB, Human Rights Documentation Unit (20 Sept 03) & Mergui-Tavoy Information Department, Karen National Union (Jul 03) Monthly Human Rights Situation Report, Tenasserim Division

19 Mergui-Tavoy Information Department, Karen National Union (Jul 03) Monthly Human Rights Situation Report, Tenasserim Division

20 Irrawaddy (4 Sept 03) Military Prepares Civilians for Battle

21 Irrawaddy (4 Sept 03) Military Prepares Civilians for Battle; DVB (14 Oct 03) SPDC training civilians to 'defend' Burma against foreign aggression; SHRF (Dec 03) Monthly report-December 2003; Mizzima, posted on SHAN-EU Group Weekly Digest, No. 55 (1 - 7 Aug 2003); SHRF (Dec 03) Monthly report-December 2003; SHRF (Dec 03) Monthly report-December 2003; CCSDPT (10 Sept 03) Summary CCSDPT open session; Human Rights Documentation Unit, NCGUB (20 Sept 03); Muslim Agency for News (21 Nov 03) People who don't want to attend the militia training in Karen State has to pay money every month; Narinjara (23 Jul 03) Burmese Junta's attempt to divert people's attention from the Depayin Massacre; Narinjara (17 Jul 03) Forced Conscriptioin in Western Burma; DVB News (6 Aug 03); Mergui-Tavoy Information Department, Karen National Union (Jul 03) Monthly Human Rights Situation Report, Tenasserim Division; Network Media Group (30 Jul 03) Youth in Burma given militia training; Karen National Union (Oct 03) Monthly Human Rights Situation Report, Tenasserim Division Mergui-Tavoy District Information Department; Independent Mon News Agency and Kao-Wao (4 Jul 03) Life in Mon State; Independent Mon News Agency (21 Aug 03) Forced Volunteers for Burma Army; IMNA (6 Sept 03) Anti-democracy death squads; Human Rights Documentation Unit, NCGUB (15 Nov 03); Network Media Group (30 Jul 03) Youth in Burma given militia training & Human Rights Documentation Unit, NCGUB (13 Oct 03)

22 SHRF (Dec 03) Monthly report-December 2003

taught how to use small arms, how to defend against an American invasion and to identify ‘destructive elements.’<sup>23</sup>

- In February, it was reported that army recruiting officers were ordered by the SPDC to step up recruitment of ethnic youth. As an incentive, army officers would receive 20,000 kyat for each ethnic youth recruited.<sup>24</sup>

### **DISSECTING THE ROADMAP**

- **Is General Khin Nyunt truly ‘moderate’?**
- **Proposed National Convention is identical to failed 1993 Convention**
- **Road map lacks**
  - \* **timeframe;**
  - \* **participation of political pro-democracy groups and ethnic nationality groups;**
  - \* **commitment to release NLD leaders and all other political prisoners;**
  - \* **commitment to nation-wide ceasefire and cessation of hostilities against ethnic groups;**
  - \* **role for UN and/or other credible international body to mediate**
- **Strong arm tactics deployed to push pro-democracy and ethnic nationality groups into a façade of participation**
- **SPDC handpicks representatives for National Convention**
- **Bangkok Process excludes pro-democracy groups and ethnic nationality groups**
- **The SPDC-controlled USDA plans to annihilate NLD with help from the authorities. The USDA has also forced tens of thousands of civilians to attend pro-roadmap rallies**
- **The USDA is chaired by Sr-Gen Than Shwe, who does not support democratization. Therefore, the roadmap may be a ‘red herring strategy’ of the SPDC**
- **SPDC rewards expanded USDA with political recognition in future elections**

On 30 August, in the wake of intensified international pressure against the Burmese military regime, newly appointed Prime Minister General Khin Nyunt unveiled a ‘road map’ to democracy. The 7 steps in the roadmap include:

- Reconvening the National Convention
- Step-by-step implementation of process needed to allow the emergence of a “genuine and disciplined democratic system”
- Drafting of a new constitution
- Adoption of new constitution through a national referendum
- Holding free and fair elections
- Convening elected bodies
- Creation of “modern, developed and democratic nation” by elected leaders and government organs instituted by the legislative body.<sup>25</sup>

### **‘MODERATE’ VS ‘HARDLINE’?**

The regime has sold the roadmap as an initiative of perceived moderate Prime Minister Khin Nyunt. ASEAN leaders have accepted the idea that Khin Nyunt must be supported in this plan against the more ‘hardline’ positions of Sr-Gen Than Shwe and Secretary 1 Soe Win.<sup>26</sup>

In reality, the roadmap would not be able to survive as a concept without the approval of Than Shwe, since he holds ultimate power. In addition, the USDA, chaired by Sr-Gen Than Shwe has been at the forefront of promoting the roadmap by organizing mass rallies throughout the country. Since Sr-Gen. Than Shwe is widely acknowledged to have no interest in genuine democratization, it is unlikely that he intends the roadmap to be anything more than a strategy to entrench military power. This speculation is further supported by evidence of the USDA’s plan to ‘annihilate’ the NLD.

23 Mergui-Tavoy Information Department, Karen National Union (Jul 03) Monthly Human Rights Situation Report, Tenasserim Division

24 BBC Monitor (6 Feb 04) Burmese government urges army to recruit more minority youths

25 AFP (9 Sept 03) Myanmar says “too early” to come up with democracy roadmap timetable & UN Economic and Social Council (5 Jan 04) Situation of human rights in Myanmar report submitted by the Special Rapporteur, Paulo Sergio Pinheiro

26 Mizzima (24 Sept 03) Amid pressure, Suu Kyi’s operation may be way out for junta

## WHAT IT GUARANTEES

The National Convention as it stands is essentially identical to the failed 1993 Convention. In January, Deputy Foreign Minister Khin Maung Win stated that the convention would be based on the same six objectives the regime applied to the 1993 convention. UN Special Rapporteur Professor Pinheiro has also confirmed that the upcoming National Convention will incorporate the “104 basic principles for formulating State principles,” which are outlined in the first convention.<sup>27</sup> These conditions imposed by the regime ensure that any constitution drafted by the Convention would include:

- Guarantee of a “leading role of Burma’s armed forces in the future affairs of the State.”
- Guarantee of the military’s right to declare a “state of emergency” whenever deemed necessary.<sup>28</sup>
- Guarantee that presidential candidates be “well-versed in military affairs,” effectively limiting qualification to serving or retired members of the armed forces.<sup>29</sup>
- Requirement that the military appoint 25% of the seats in both the upper and lower houses.<sup>30</sup>
- Requirement that at least one of the 3 people holding offices of president and vice presidents be from the military.<sup>31</sup>

## DEMOCRATISATION OR DELAY TACTIC?

The regime has purposely kept information on the roadmap vague, encouraging speculation and wildly varying interpretations from apologists and critics. After his November trip to Burma, Professor Pinheiro bluntly criticized the roadmaps many failures, saying “I cannot certify the plan from my perspective that keeps 1,300 prisoners, that detains the central committee of the NLD and the general secretary of the NLD, doesn't ... allow the other parties to operate.”<sup>32</sup>

At this stage, the roadmap appears to be another delay tactic, since the regime resisted taking the crucial first steps necessary for a genuine dialogue: releasing NLD members in detention, allowing the UN special envoy to fulfill his mandate, ceasing gross human rights violations against ethnic nationality groups and removing restrictions on freedom of expression and association.

### No Clear Timeframe

Six months after Gen Khin Nyunt announced his 7-point roadmap, the regime has yet to put forth any definitive timeframe for the various steps. On 13 October, Deputy Foreign Minister Khin Maung Win claimed that the generals have “a timeframe of their own, but they will not divulge the time yet.”<sup>33</sup>

During the October ASEAN summit in Bali, SPDC Foreign Minister Win Aung speaking about the timing of the roadmap said “We have no intention of delaying things...The process will move forward in an appropriate time; it does not mean seven steps, seven years.”<sup>34</sup>

### No Clear Role for Pro-Democracy & Ethnic Nationality Groups

While UN Sec-Gen Kofi Annan has welcomed the regime’s commitment to implement the convention in an ‘all inclusive’ manner, grave doubts remain as to how genuine this commitment really is.<sup>35</sup> Instead of working to reform the convention so that it is truly representative, the generals continue to employ strong arm tactics to push pro-democracy and ethnic nationality groups into a façade of participation. The regime has stated that all political parties will be allowed equal participation in the convention falling under the 8 eligible categories of participants. In his January report to the UN Human Rights Commission, Professor Pinheiro stated that the regime had informed him that ‘the NLD would be expected to take part in the National Convention on an equal footing with other political parties and it was now up to the NLD to come forward and join the process.’<sup>36</sup>

27 UN Economic and Social Council (5 Jan 04) Situation of human rights in Myanmar report submitted by the Special Rapporteur, Paulo Sergio Pinheiro, & Myanmar Institute for Strategic and International Affairs Seminar on Understanding Myanmar (27-28 Jan) Myanmar roadmap to democracy: The way forward

28 The Irrawaddy (6 Sept 03) Ethnic Agendas: The PM’s Road Map To Nowhere

29 The Irrawaddy (6 Sept 03) Ethnic Agendas: The PM’s Road Map To Nowhere

30 The Irrawaddy (2 Sept 03) New Approach to Combat the Rhetoric

31 The Irrawaddy (2 Sept 03) New Approach to Combat the Rhetoric

32 VOA (12 Nov 03) UN Envoy Criticizes Burmese Junta on Plans for Democracy

33 AP (13 Oct 03) Myanmar junta says Suu Kyi in custody under ‘mutually agreed arrangement’

34 IPS (15 Oct 03) Tensions Remain over Burma

35 AFP (19 Dec 03) UN’s Annan welcomes democracy commitment from Myanmar

36 UN Economic and Social Council (5 Jan 04) Situation of human rights in Myanmar report submitted by the Special Rapporteur, Paulo Sergio Pinheiro

The regime has also failed to specifically outline what role ethnic nationality groups will play in the National Convention or subsequent stages of the roadmap. In his first address as Prime Minister, Khin Nyunt failed to include any mention of ethnic nationality participation in the National Convention or subsequent stages of the roadmap.<sup>37</sup> By December, however, the regime was dangling various concessions, and upping military pressure to encourage ethnic nationality groups including the KNU and KNPP to enter into ceasefire agreements. At the same time, a number of current ceasefire groups have reportedly agreed to send representatives to the National Convention.

### **No Commitment to Release NLD Leaders & All Other Political Prisoners**

In his 5 January report to the UN Commission on Human Rights, Professor Pinheiro repeated his recommendation that the regime implement a “general amnesty for all political prisoners as a “barometer” of a sound political transition.”<sup>38</sup>

The regime released 5 members of the NLD Central Executive Committee from house arrest in November. However, Daw Suu and 3 other top NLD leaders including Chairman U Aung Shwe, Vice-Chairman U Tin Oo & Secretary U Lwin remain under house arrest.<sup>39</sup> 77-year-old U Tin Oo was forced to remain at the remote Kale prison for over 8 months until finally being transferred to his home on 14 February.<sup>40</sup>

Since 30 May, the SPDC has held Daw Aung San Suu Kyi in ‘protective custody’ using section 10(a) of Burma’s draconian 1975 State Protection Act to legitimize her detention. Throughout October, SPDC leaders continued to play word games, calling Daw Suu’s detention “a mutually agreed security agreement” and telling ASEAN leaders that they are not “categorically detaining her.”<sup>41</sup>

After his November visit, Pinheiro said that these claims contradicted what he observed during his visit to her home. "She's inside her house without freedom of movement or freedom of access," says Mr. Pinheiro. "Her colleagues of the committee of the (NLD) party are in house arrest. One is in detention. And even if they have released eight of the 35, there are some that continue in detention."<sup>42</sup>

#### **BROKEN PROMISES**

- ◆ The SPDC has made-and broken-numerous promises to Asean leaders regarding Daw Suu's release. On 30 July Indonesian Foreign Minister Hasan Wirayuda stated: "We have an assurance from Myanmar that the Suu Kyi case will be finished before the [October] Asean summit."<sup>43</sup>
- ◆ On 8 August, Thailand's 3rd army commander, Lt-Gen Picharnmet Muangmanee told the Bangkok Post he had a 'good signal' from the regime that Aung San Suu Kyi would be released by Aug 22-24. Later Picharnmet denied this report.<sup>44</sup>
- ◆ On 31 August, Thailand's Deputy Prime Minister, Chavalit Yongchaiyudh, predicted that Daw Suu would be freed within four or five months and 'offered an important role in a new government.'<sup>45</sup>
- ◆ On 10 February Thai Foreign Minister Surakiart Sathirathai said that the time for Daw Suu's release "won't be long."<sup>46</sup>

It is important to note that while Daw Aung San Suu Kyi may be eventually released, pressure to secure the freedom of other political prisoners must be maintained.

While continuing to detain top political leaders, the regime has also shown a lack of commitment to releasing other political prisoners. In recent months, most releases have been of people detained in conjunction with the Depayin Attack, not long-term prisoners. In November, Professor Pinheiro noted that in 2003 the rate of releases had slowed dramatically and that at this rate it would take 10 years before all the dissidents were freed.<sup>47</sup>

37 Irrawaddy (6 Sept 03) Aung Naing Oo is a political analyst based in Thailand.

38 UN Economic and Social Council (5 Jan 04) Situation of human rights in Myanmar report submitted by the Special Rapporteur, Paulo Sergio Pinheiro

39 BBC Monitor (25 Nov 03) Another opposition party member freed from house arrest & Sydney Morning Herald (5 Dec 03) Burma frees 20 pro-democracy activists jailed since May

40 AP (15 Feb 04) Myanmar opposition figure Tin Oo moved from prison to house arrest

41 The Nation (6 Oct 03) Suu Kyi not on agenda at Asean meet Foreign ministers say other matters are more pressing & AP Worldstream (13 Oct 03) Myanmar junta says Suu Kyi in custody under 'mutually agreed arrangement'

42 Voice of America (10 Nov 03) Burma Releases 8 Supporters of Suu Kyi

43 AP (30 Jul 03) Myanmar's Aung San Suu Kyi to be released by October, Indonesian minister

44 Bangkok Post (8 Aug 03) Suu Kyi's Release Tipped

45 Sydney Morning Herald (31 Aug 03) No freedom for Suu Kyi in Burma junta's reform plan

46 AFX News Limited (10 Feb 04) Myanmar's Suu Kyi to be released from house arrest soon - Thai FM

47 AFP (10 Nov 03) UN envoy demands Myanmar release dissidents from prison "hell"

## **No Commitment to a Nation-Wide Ceasefire & Cessation Of Hostilities Against Ethnic Nationality Groups**

The generals have initiated ceasefire talks with the KNU and KNPP, however, agreements reached so far remain tentative. Both KNU and KNPP leaders have questioned the sincerity of the SPDC's desire for peace in light of ongoing offensives and human rights violations in Karen and Karenni areas. [see section on Ethnic Response To Roadmap]

## **No Role for the UN and/or Other Credible International Body to Mediate**

To mark the 58th anniversary of UN Day, on October 24, Lt-Gen Soe Win said that cooperation with the United Nations is a corner stone of the SPDC's foreign policy.<sup>48</sup> This cooperation, however, apparently does not include allowing UN Special Envoy Razali Ismail and UN Special Rapporteur Sergio Paulo Pinheiro a level of access to the country needed to fulfill their mandates.<sup>49</sup> Instead, the regime has consistently shunned UN intervention and overtures, most specifically by rejecting annual UN resolutions that have called for a tripartite dialogue.

Thai Prime Minister Thaksin Shinawatra, a long-time apologist for the regime, appears eager to fill the role of 'outside mediator.' On 15 December, Thailand hosted an international forum to discuss the roadmap, which became known as "The Bangkok Process." Given Thaksin's business deals with the generals and harsh repression of Burmese activists in Thailand, his neutrality is highly questionable.

On 5 January, the International Campaign for Democracy in Burma, a working group of Burmese pro-democracy groups from around the world, issued an open letter to UN Sec-Gen Kofi Annan urging that "Third party intervention in Burma is essential and the United Nations should not hand over this authority to Thailand. It must be recognized that Thailand is working in its own interests--not the interests of the people of Burma."<sup>50</sup>

## **LESSONS FROM THE NATIONAL CONVENTION 1990-1996**

**"..the work to draft a new constitution was never completed by the previous National Convention owing to the lack of "procedural" democracy and violations of the human rights of the participants in the Convention, as well as the absence of an "enabling" general environment...If there is to be a new National Convention, lessons must be learned from past experiences, and the process must be guided by human rights principles..." UN Special Rapporteur Paulo Sergio Pinheiro, Report to the UN Commission on Human Rights, 5 Jan 04<sup>51</sup>**

A key concern of Burmese ethnic nationality and pro-democracy groups is that the upcoming National Convention will just rehash the failed 1993 convention. The burden is on the SPDC to demonstrate how this convention will differ from the previous one, specifically how it will be modified to allow equal representation and genuine participation. To date, the regime has failed to do this. Instead, the generals have continued to blame the NLD and western countries attempting to "destabilize Burma" for the failure of the 1993 National Convention. This fact, as well as the regime's ongoing refusal to acknowledge the problems with the 1993 National Convention or take any responsibility for its failure, does not bode well for a future convention.<sup>52</sup>

## **Background**

In 1990, the SPDC [then SLORC] proclaimed the first National Convention to avoid upholding the outcome of the May 27<sup>th</sup> 1990 election. The general election, initiated and implemented by the regime, resulted in the NLD winning over 80% of the seats. Faced with a crushing electoral defeat, the regime eventually declared that Parliament could not be convened without a new constitution. The convention, which was tasked with drawing up a new constitution, wasn't convened until January 1993. In order to ensure a voting majority, the SPDC appointed 505 out of the 702 delegates. Among the delegates appointed by the regime were leaders of ceasefire groups who were known drug traffickers.<sup>53</sup> The NLD constituted only 12% of the national convention.<sup>54</sup> After joining the convention, delegates discovered that the regime had already laid down the "6 Objectives of the National Convention," which guaranteed a political leadership role for the military. In December 1995, the regime rejected a proposal by the Shan Nationalities League for Democracy that a new constitution be rooted in the principle of sovereignty resting with the people.<sup>55</sup> In 1996, as a result of mis-representation and after being

48 Xinhua (24 Oct 03) Myanmar leader stresses UN role

49 AFP (8 Feb 04) UN envoy fails to win invitation to Myanmar, date for democracy "road map"

50 International Campaign for Democracy in Burma (5 Jan 04) Letter to Kofi Annan - Call for UN Secretary

51 UN Economic and Social Council (5 Jan 04) Situation of human rights in Myanmar report submitted by the Special Rapporteur, Paulo Sergio Pinheiro

52 Myanmar Information Committee Information (4 Sept 03) "Myanmar News Bulletin" Issue No.5/2003

53 Sai Lin, a leader of the National Democratic Alliance Army (NDAA) was appointed a special advisor to the National Constitutional Convention.

54 Irrawaddy (3 Sept 03) Revisiting the National Convention

55 Irrawaddy (7 Jan 03) The National Convention-Chronology



continually denied permission to address the convention, NLD members finally walked out of the National Convention, which was suspended soon after. A month after the NC was adjourned, the regime passed Law 5/96 making it illegal for anyone to give speeches or written statements criticizing the convention.<sup>56</sup>

## **SPDC ACTIONS THUS FAR TO IMPLEMENT THE ROADMAP**

### **Handpicking Representatives**

In his 5 January report, Pinheiro confirmed that the regime had already announced the reformation of 3 bodies responsible for preparing for the reconvening of the National Convention. These bodies include: the National Convention Convening Commission, charged with overseeing the drafting of a constitution; the National Convention Convening Work Committee; and the National Convention Convening Management Committee. To date all members of these bodies have been handpicked by the regime, and as Pinheiro noted, do not include any NLD members or representatives from other political parties or ethnic nationality groups.<sup>57</sup>

The same vetting is reportedly going on as representatives are chosen at the local level. On 26 November, Narinjara News reported that SPDC Military Intelligence (MI) are secretly selecting representatives to attend the Pauktaw Township, Arakan State National Convention. The MI's criteria for selecting representatives include that the candidate must be a university graduate, with financial solvency, influence in the community, and in his/her forties. Resume forms are distributed to all townships in Arakan State, and then collected by each township government officer and sent to the MI.<sup>58</sup>

### **Bangkok Process - a Dialogue with One Side**

On 15 December, Thailand hosted an international forum in Bangkok, dubbed the 'Bangkok Process,' to discuss the SPDC's road map. The junta agreed to attend only on the condition that it would not face criticism from other participants.<sup>59</sup> Selected participants included UN Special Envoy Razali Ismail and representatives from 13 other 'like-minded' nations. Absent from the list of invitees, however, was the United States, Britain and Canada, the governments that took the hardest lines on the junta after the May 30th attack.<sup>60</sup> FORUM-ASIA (the Asian Forum for Human Rights and Development) released a statement arguing that the Bangkok Process, by excluding the participation of ethnic nationality and pro-democracy groups, allowed the SPDC a forum for fending off criticism and giving an impression of international backing for the roadmap.<sup>61</sup>

At the forum, the junta failed to provide any more specific information on the roadmap beyond announcing that 3 steps will be implemented in 2004.<sup>62</sup> Myint Thein, a senior advisor to the Burmese democracy movement commented that "The Bangkok meeting made history as the first Conflict Resolution Meeting that only invited one party to the conflict to attend the meeting."<sup>63</sup> The 'Bangkok Process' has been denounced by a number of pro-democracy and ethnic nationality groups.<sup>64</sup> Thai leaders say they hope to host another similar forum by the middle of this year.<sup>65</sup>

### **USDA Plan to Destroy Democratic Movement**

On 6 February, the Asian Tribune exposed a secret Union Solidarity and Development Association (USDA) document outlining the association's plans to destroy the democratic movement, specifically the NLD, with the help of the authorities.<sup>66</sup> The USDA, Union Solidarity and Development Association, chaired by Sr-Gen Than Shwe, is promoted by the regime as "mass movement," but is in fact a civilian front for the SPDC, registered under the Ministry of Home Affairs.<sup>67</sup>

56 Irrawaddy (7 Jan 03) The National Convention-Chronology

57 UN Economic and Social Council (5 Jan 04) Situation of human rights in Myanmar report submitted by the Special Rapporteur, Paulo Sergio Pinheiro, Xinhua (7 Oct 03) Myanmar in preparation for reconvening national convention, BBC (27 Oct 03) Committee to assist work of constitution-drafting body Text of report in English by Thet Khaing entitled: "43-member team for convention"; published by Burmese newspaper The Myanmar Times web site on 27 October

58 Narinjara (26 Oct 03) Military Intelligence is selecting the Convention Representative secretly

59 AFP (8 Dec 03) Myanmar to attend international forum on democracy "roadmap": Thailand

60 Chicago Tribune (14 Dec 03) U.S. out of Myanmar talks

61 Forum Asia (18 Dec 03) Burma Roadmap: Bangkok Process must induce concession on democratic participation and political freedoms

62 Nation (16 Dec 03) Bangkok meet sees progress on road map Three steps of plan towards democratic reform to be implemented next year, says junta

63 Asian Tribune (29 Dec 03) Burma needs a full time UN Envoy- Myint Thein

64 Fifth Strategic Consultation Meeting of Revolutionary Forces (6 Dec 03) Resolution & International Campaign for Democracy in Burma (5 Jan 04) Letter to Kofi Annan - Call for UN Secretary

65 BBC Monitor (8 Feb 04) Thailand ready to hold new forum if Burma shows progress in drafting charter

66 Asian Tribune (6 Feb 04) Exclusive: A USDA's secret plan to get rid of the opposition in Burma uncovered

67 International Crisis Group Asia (21 Dec 00) Burma/Myanmar: How strong is the military regime

## USDA's Prominent Role in Roadmap

It is a cause for grave concern that the USDA has been granted such a prominent role in the SPDC's so-called roadmap towards democracy. The USDA is notorious for their well-documented role in planning, carrying out and cleaning up after the Depayin Attack. The USDA's growing power is an apparent reward for their role in attacking and undermining the democratic movement.

More recently, the USDA has been organizing mass rallies to support the roadmap, involving forced attendance by tens of thousands of local residents. To date, at least 8 rallies, some with up to 25,000 participants, have been held in Rangoon, Tenasserim, and Mandalay Divisions and Karen, Arakan and Shan States.<sup>68</sup>

While the USDA is officially registered as a social organization, the association is extending its influence into the political sphere.<sup>69</sup> In October, it was reported that the SPDC has agreed to allow the Mon State USDA to become a legal political party and the association will compete in future elections according to the regime's 7-point roadmap.<sup>70</sup> There are additional reports that the USDA in Shan State is also preparing to enter future elections as a new political party.<sup>71</sup>

## RESPONSE TO THE ROADMAP

- **Most ethnic and all pro-democracy groups reject roadmap. Lukewarm, coerced support from some cease-fire groups**
- **No timeframe given for NLD participation**
- **Ethnic Nationalities Seminar drafts an alternative roadmap supported by NCGUB and NCUB**
- **Ceasefire groups offer conditional support, levels of support are likely to be misrepresented by SPDC**

While the regime has expended much effort to promote the roadmap internationally, there has been little genuine support for the plan from Burmese pro-democracy and ethnic nationality groups. During Razali's September-October visit to Burma, Gen Than Shwe assured him that there was widespread popular support for the roadmap, pointing to (forced) rallies around the country as proof.<sup>72</sup>

In reality, the only groups so far to announce unqualified support for the roadmap have been the USDA and the pro-regime National Unity Party (NUP), which won only 2% of the seats in the 1990 election.<sup>73</sup>

## ETHNIC & PRO-DEMOCRACY GROUPS REJECT ROADMAP

No pro-democracy and/or ethnic group has endorsed the roadmap, and many have strongly condemned it as a plan to perpetuate military rule. Groups which have openly rejected the roadmap include: the Committee Representing the People's Parliament, the National Coalition Government Union of Burma, the National Council of the Union of Burma, the All Burma Federation of Student Unions (Foreign Affairs Committee), All Burma Students' Democratic Front, Democratic Party for a New Society, Network for Democracy and Development, Karenni National Progress Party, the United Nationalities League for Democracy (Liberated Area), Women's League of Burma, Burma Communist Party (BCP), the Shan Nationalities League for Democracy, the Naga Nationalities League for Democracy, the Chin National Front, Shan Democratic Union, and the Arakan League For Democracy.<sup>74</sup>

68 Irrawaddy (22 Sept 03) Forced Backing for Road Map; Karen National Union (Oct 03) Monthly Human Rights Situation Report, Tenasserim Division Mergui-Tavoy District Information Department, Karen National Union, October 2003; DVB (13 Sept 03) Military Planning Mass Rallies to Gain Support for "Road Map" ; SHAN (29 Oct 03) Rally attendants granted license to smuggle; Japan Economic Newswire (22 Oct 03) Myanmar rally resolves to support junta 'road map' to democracy

69 International Crisis Group Asia (21 Dec 00) Burma/Myanmar: How strong is the military regime

70 DVB (9 Oct 03) USDA to become "legal political party"

71 Shan Herald Agency for News (11 Oct 03) USDA rises again

72 DVB (23 Oct 03) Daw Aung San Suu Kyi demands an enquiry commission on Dipeyin incident

73 AFP (11 Feb 04) Pro-junta party throws support behind Myanmar democracy plan

74 DVB (17 Sept 03) CRPP and SPDC's road map & Democracy for Burma (16 Sept 03) Unofficial translation, Statement of the Committee Representing the People's Parliament in relation to the Prime Minister's road map for Burma's future, NCGUB (31 Aug 03) NCGUB Says Military's 'Democracy' Plan 'Nothing More Than Political Ploy', Irrawaddy (3 Sept 03) Revisiting the National Convention, Narinjara (31 Aug 03) Burmese Opposition denounce junta's proposed roadmap; International Campaign for Democracy in Burma (5 Jan 04) Letter to Kofi Annan - Call for UN Secretary General to Terminate Special Envoy to Burma; Democratic Party for a New Society (10 Jan 04) Statement of Emergency Central Committee Meeting; AFP (23 Oct 03) Seven students arrested in Myanmar capital: dissident group; Fifth Strategic Consultation Meeting of Revolutionary Forces (6 Dec 03) Resolution & Statement of the Third Forum of Burmese in Europe (18 Dec 03), DVB (26 Oct 03) Burma Communist Party Welcomes Wa Joint Statement On National Convention, BBC Monitor (19 Nov 03) Burmese ethnic coalition spokesperson denies rift with cease-fire groups; original source DVB (17 Nov 03), DVB (11 Jan 04) Shan party urges Burmese government to hold tripartite talks before convention, DVB (9 Sept 03) SPDC's political road map : The roles of the NLD and ethnic nationalities, BBC Monitor (17 Dec 03) Burma's Naga ethnic group denounces government's National Convention, Irrawaddy (20 Sept 03) New Approach to Combat the Rhetoric & ALD (31 Aug 03) ALD strongly opposed the SPDC's Road Map to Democracy

## **NLD: DIALOGUE OR DETENTE**

There have been few opportunities to assess the NLD's official position on the roadmap or what role they might play, as all top leaders continue to be held virtually incommunicado and NLD offices remain closed. Foreign diplomats and NLD party members have been blocked from meeting with Daw Aung San Suu Kyi and other top NLD leaders.<sup>75</sup>

In October, the Bangkok Post reported that Daw Aung San Suu Kyi told Razali that there were conditions to her participation in the SPDC's roadmap, which included freeing all leaders of her party, allowing NLD offices to reopen, and permitting party members to resume work without fear of harassment. She also asked for a full investigation into the Depayin Massacre and justice for the victims of the May 30<sup>th</sup> attack. She demanded the 'formation of an enquiry commission and the releases of detained NLD leaders within a month.'<sup>76</sup> These conditions have subsequently been reiterated several times by NLD leaders to diplomats and the media.

In a November interview with BBC, Deputy Foreign Minister Khin Maung Win said the SPDC has had regular 'positive' contacts with Aung San Suu Kyi.<sup>77</sup> NLD Legal Affairs Support Group Member U Nyan Win, however, responded to this saying: "we are not aware that they have met her over political matters, other than her personal affairs. We know that she had no political dialogue whatsoever with anyone. We understand that there weren't any talks. It is possible for low-ranking officials to assist her personal needs but it is not possible to hold regular talks on political matters."<sup>78</sup> In February, Foreign Minister Win Aung said that the NLD would be permitted to operate normally prior to the start of the National Convention and Aung San Suu Kyi could also be freed from house arrest. However, no specific time frame was given for either event.<sup>79</sup>

On 12 February, NLD leader Thakhin Soe Myint reminded the international community that the party had passed a resolution last year, refusing to accept any election results besides those from the 1990 elections.<sup>80</sup>

## **ETHNIC NATIONALITIES SEMINAR'S COMMON POSITION**

During the Third Ethnic Nationalities Seminar, held from 28 January - 2 February 2004, 61 representatives from 25 ethnic organizations, including members of 2 ceasefire groups, publicly rejected the roadmap. A statement issued by those attending the seminar called the roadmap: "deceitful schemes to perpetuate the military dictatorship legally." Instead, the group drafted its own 7-point "Project for the Establishment of a Federal Union."

The project calls for the initiation of a tripartite dialogue and the formation of an interim government comprised of members of the military, those elected in 1990, and ethnic nationalities. The seminar also created an "Ethnic Nationalities Council" policy-making body. The council includes representatives from National United Front, United Nationalities League for Democracy, Karenni National Progress Party, Restoration Council of Shan State, Shan Democratic Union, National Unity Party of Arakan and Kachin National Organization.<sup>81</sup>

The National Coalition Government of the Union of Burma (NCGUB) welcomed the ethnic groups' resolution, saying it was identical to the position of the NCGUB and National Council of the Union of Burma (NCUB). "What is most important about the decisions taken by the ethnic leaders is that all mainstream ethnic and democracy movements inside and outside Burma now have a common approach towards achieving democracy and federalism," the NCGUB noted<sup>82</sup>

## **CEASEFIRE GROUPS: CONDITIONAL SUPPORT, COERCION, MISREPRESENTATION**

After the regime announced the roadmap, most ceasefire groups were initially cautious in their support. Groups, including the Kachin Independence Organization (KIO), the New Democratic Army-Kachin (NDA-K), the United Wa State Army (UWSA), the Shan State Army (North) and the National Democratic Alliance Army Shan State Army "North" and Shan State National Army, stated that they would support the plan provided certain conditions were met. These conditions included demands for ceasefires, the release of all political prisoners, and a guarantee that other political and non-ceasefire groups would be allowed to participate in the National

75 AP Online (10 Oct 03) Myanmar Blocks Suu Kyi Followers' March & AP (15 Feb 04) Myanmar opposition figure Tin Oo moved from prison to house arrest

76 Bangkok Post (6 Oct 03) Khin Nyunt Expected To Face Wrath Of Fellow Leaders

77 BBC (21 Nov 03) Burma junta claims Suu Kyi talks

78 BBC Monitor (22 Nov 03) Burmese opposition doubts government claim on contacts with Suu Kyi

79 AFP (9 Feb 04) Myanmar junta to lift crackdown on opposition, Suu Kyi could be freed

80 BBC Monitor (14 Feb 04) Text of DVB Report, 12 Feb 04.

81 Shan (4 Feb 04) Third force presents revised roadmap

82 NCGUB (9 Feb 04) Ethnic Leaders Lauded for 'Common Approach' Toward Democracy, Federalism

Convention. Most of these groups have since backed down from their original positions and agreed to send delegates to the convention in the wake of a combined strategy of threats and bribes by the regime.<sup>83</sup>

Groups who have reportedly committed to sending delegates include the Kachin Independence Organization (KIO) and the New Democratic Army-Kachin (NDA-K), Shan State Army "North" and Shan State National Army, Kayan New Land Party, Karenni State Nationalities People's Liberation Front, Shan State Nationaliteis People's Liberation Organization, and a so-called delegation of 'leaders' from Arakan State.<sup>84</sup>

Both the United Wa State Army and the National Democratic Alliance Army- Eastern Shan State have also expressed support for the roadmap.<sup>85</sup>

In its eagerness to show the international community that the roadmap has garnered widespread domestic support, the junta is likely guilty of misrepresenting positions of ceasefire groups. On 24 February, the SPDC issued a statement saying that New Mon State Party (NMSP) leaders had agreed to support and participate in the roadmap. A day later, NMSP General Secretary Naing Hantha retorted that this was not true and that party leaders had only held a discussion with Khin Nyunt. The regime is 'spinning' facts to benefit itself, said Naing Hantha, and urged political leaders to avoid the dishonesty displayed by the regime.<sup>86</sup>

### **PUSHED TO THE CEASEFIRE TABLE AT GUNPOINT**

- **SPDC continues attacks in Karen State during 'gentlemen's ceasefire agreement' with KNU**
- **Ongoing human rights violations by SPDC troops continue to plague Karen**
- **KNPP to begin negotiating a ceasefire agreement, but lacks trust in the junta**
- **SSA will negotiate if there is a nation-wide ceasefire and ethnic groups permitted to join dialogue**
- **All groups say ceasefire is no guarantee of roadmap support, want genuine political solutions**

### **KNU - STILL A LONG ROAD TO PEACE**

Karen National Union (KNU) support for the roadmap is essential if the regime wants to show they have made genuine progress in including key ethnic nationality groups in the roadmap and promoting peace as a necessary precondition. In November, SPDC leaders informed the KNU that they were open to starting a dialogue without preconditions-the point where past negotiations had usually broken down.<sup>87</sup> Since then, KNU leaders have held a series of meetings with top SPDC officials, resulting in a verbal ceasefire agreement announced in early December and confirmed again in a January 22 meeting.<sup>88</sup>

These meetings and ensuing tenuous agreements are a landmark in KNU-SPDC relations and do have the potential to improve the situation for thousands of Karen people, most specifically Internally Displaced Persons (IDPs) living in conflict areas. At the same time, it is important to see these developments in their true context. It is not renewed faith in the regime's commitment to accommodating ethnic agendas, but intensified military and political pressure from both the SPDC and Thai army that are largely responsible for driving the Karen to the negotiating table. A January order from the Rangoon military headquarters ordering field-based SPDC military units to prioritize recruitment of ethnic nationality youths is one indication of this pressure.<sup>89</sup>

Moreover, serious doubts remain about the regime's sincerity in implementing any peace agreement. In December, Karen leaders said they had received a verbal commitment from Gen Khin Nyunt that "there will be no more military pressure on minority groups from now on and...that there will be no more fighting."<sup>90</sup>

Despite Khin Nyunt's promise, multiple cases of human rights abuses against Karen villagers continue to be reported including forced labor, destruction of homes and forced relocation, looting of property, and threats and

83 Irrawaddy (24 Nov 03) KNU Meets Junta\_The Kachin Post (11 Sept 03) KIO Welcomes National Convention & Irrawaddy (24 Sept 03) Ceasefire Groups Attend Road Map Rally, Irrawaddy (5 Sept 03) Wa Making "Wise Moves", Irrawaddy (22 Oct 03) Ceasefire Groups Prepare for National Convention, SHAN (30 Oct 03) Khin Nyunt counters resistance to roadmap & Shan (10 Nov 03) Ceasefire groups will attend junta convention

84 Irrawaddy (24 Nov 03) KNU Meets Junta\_Shan (10 Nov 03) Ceasefire groups will attend junta convention, AP (26 Dec 03) Burma starts re-writing Constitution 'on road to democracy'\_BBC Monitor (28 Jan 04) Arakan leaders meet prime minister, support road map & Irrawaddy (7 Jan 04) The National Convention-chronology

85 Irrawaddy (5 Sept 03) Wa Making "Wise Moves" & Shan (19 Nov 03) Ceasefire leader upset by Rangoon proviso

86 DVB (26 Feb 04) We did not say that we support the 'roadmap' plan says NMSP

87 Irrawaddy (Dec 03) Chronology of meetings between the Karen National Union & Burma's military government

88 AFP (10 Dec 03) Myanmar junta, Karen rebels agree to ceasefire during peace talks, Irrawaddy (Dec 03) Chronology of meetings between the Karen National Union & Burma's military government & AFP (22 Jan 04) Karen rebels win provisional ceasefire, talks with Myanmar junta continue

89 BBC Monitor (6 Feb 04) Burmese government urges army to recruit more minority youths

90 AFP (10 Dec 03) Myanmar junta, Karen rebels agree to ceasefire during peace talks & Irrawaddy (Dec 03) Chronology of meetings between the Karen National Union & Burma's military government

beatings of villagers.<sup>91</sup> The SPDC has also continued its offensives against the KNLA.<sup>92</sup> On 25 December, KNU spokesman Saw Sarky noted “SPDC’s massive troops movement in 2nd Brigade, Toungoo area is something not in accordance with showing restraint and confidence building or of any good for ceasefire arrangement.”<sup>93</sup>

There are also indications of internal opposition to the ceasefire talks within the KNU, and specifically from troops on the ground. Only hours before another round of talks began on 23 February, KNU troops attacked an SPDC army outpost killing 3 SPDC soldiers and wounding 7 others.<sup>94</sup> The attack was reportedly in response to SPDC troops extracting forced labor from nearby villagers.<sup>95</sup>

The KNU also remains highly critical of the roadmap, with KNU spokesman Pado Mahn Sha emphasizing that even if they signs a ceasefire agreement this does not mean that they will automatically endorse the roadmap. “This National Convention is not a genuine one. It will not solve political problems prevailing in the country nor will the country’s constitution emerge from this....Their principles will neither lead to a democratic nation nor federal system. The ethnic nationalities will not be granted for their self-determination. That’s why we, the KNU, opposed it...The KNU policy does not change yet,” he said.<sup>96</sup>

### **KNPP- LACK OF TRUST**

On 26 December, the SPDC sent representatives to the Karenni National Progressive Party (KNPP) offering to reinstate the 1995 cease-fire peace agreement and inviting them to attend the National Convention. KNPP General-Secretary U Rimond Htoo stated “The KNPP has categorically rejected the 1995 ceasefire agreement because the SPDC violated it. If there are going to be talks about a ceasefire agreement, we would treat it as a new deal. As for the convention, the Karenni would hold discussions first, and then attend the convention with delegates selected by the Karenni people.”<sup>97</sup> Soon after the meeting, Gen-Sec Rimond Htoo said “The military had offered a cease-fire peace agreement to us. But meanwhile the 55th military divisions are advancing their attacks towards us. We had severe battles going on, killing even one of our commanders. How can we actually trust them?”<sup>98</sup>

In February, KNPP leaders announced that they had decided to hold ceasefire talks with the SPDC in Rangoon early next month.<sup>99</sup> On 15 February, the KNPP issued a statement urging the SPDC to institute a nation-wide ceasefire, engage in tripartite dialogue and ‘convene a national convention attended by genuine representatives...to draw up a constitution that leads to a federal system.’<sup>100</sup>

### **SSA: NO OPTIMISM ON CEASEFIRE AGREEMENTS**

Having begun negotiations with the KNU and KNPP, it is likely that the SPDC will soon attempt to bring the Shan State Army-South (SSA) to the bargaining table as well. Colonel Yawd Serk, commander of the Shan State Army-South, predicts that current ceasefire talks with the Karen and Karenni “will lead nowhere, because the generals are not sincere and we do not trust them. They are just lying and buying time.”

Col Yawd Serk stated that the SSA would be willing to engage in talks with the SPDC provided that prior to any discussion the regime institute a nation-wide ceasefire and also allow free political discussion among ethnic groups.<sup>101</sup>

### **RETHINKING THE ROADMAP**

#### **A Starting Point, Not a *Fait Accompli***

As it stands, the roadmap has been deemed unacceptable to most pro-democracy and ethnic nationality groups. The regime has clearly shown that they have no genuine commitment to engage in a dialogue and are recycling the same vague promises and plans they used in 1990. The people of Burma have spent too long paying the price for this delay. In order to initiate a genuine process towards democratization the regime must take a series of irreversible steps.

It is possible to transform the roadmap from a damage control and delay tactic into a starting point to achieve genuine political (and economic) reforms. International pressure and support is essential to such a process.

91 Office of the Supreme Headquarters Karen National Union Kawthoolei (27 Dec 03) Press release

92 Office of the Supreme Headquarters Karen National Union Kawthoolei (27 Dec 03) Press release

93 Shan-EU (25 Dec 03) Where is the gentleman’s ceasefire agreement leading

94 Associated Press (23 Feb 04) Dissident guerrillas attack army post before cease-fire talks, says leader

95 Irrawaddy ( 24 Feb 04) KNU Attacks Burmese Troops

96 Network Media (14 Jan 04) Cease-Fire talks do not mean to support 'Road Map' General Mya in Rangoon

97 DVB (4 Jan 04) Karenni armed group “skeptical” about government ceasefire “overture”

98 Mizzima (5 Jan 04) KNPP leader Beheaded by SPDC

99 Irr (16 Feb 04) Karenni to Hold Ceasefire Talks

100 DVB (15 Feb 04) KNPP views on current situation in Burma

101 Irrawaddy (19 Feb 04) Suspicions in Shan State - An Interview with Col Yord Serk

**To create an environment where such a process is possible, the regime must first undertake the following actions:**

- Release all political prisoners including Daw Aung San Suu Kyi and other NLD leaders
- Institute a nation-wide ceasefire agreement
- Allow all political party offices to reopen
- Permit all political parties and ethnic nationality organizations to carry out peaceful political activities. Specifically, eliminate restrictions on freedom of movement, expression, and assembly and association.
- Repeal all “security” legislation relating to these restrictions, including Law 5/96 which prohibits criticism of the National Convention. Allow all groups freedom and opportunity to dialogue with each other
- Cease human rights violations by SPDC soldiers in ethnic nationality areas
- Commence tripartite dialogue between the regime, the NLD and ethnic nationality groups BEFORE the National Convention in order to determine the framework of the NC and other components of a roadmap.

Within the dialogue, participants should create a new ‘roadmap’ with terms agreed upon by all major stakeholders. Any plan towards democratization should be made public and include a specific timeframe for each step. The UN should be allowed to play a role as a mediator and be tasked with reporting that all parties have fulfilled their commitments and that proceedings do not include harassment, threats, and other forms of political or military pressure.

**As a starting point, any future National Convention must include the following commitments:**

- Eliminate the “6 Objectives of the National Convention” and the “104 basic principles for formulating State principles” from any future conventions.
- Ensure proportional representation of delegates from political parties based on the results of the 1990 elections
- Allow ethnic nationality groups to freely choose their own delegates
- Ensure that all delegates to the convention have the right to speak freely, to meet with other delegates, to carry in and distribute documents or other materials.
- Ensure that delegates have the right to use non-violent means to criticize or oppose the convention and ensure that delegates are not arrested and/or expelled from the convention for exercising this right.
- Allow delegates freedom of movement during the convention, specifically ensuring they have the right to meet with their constituencies during the convention
- Ensure that political parties are not expelled from the convention for any peaceful political activities.<sup>102</sup>

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## **OVERVIEW: HUMAN RIGHTS**

- **11 NLD members arrested**
- **At least 28 people arrested on political grounds**
- **At least 4 deaths in custody, including shooting of hunger strikers in Bassein Prison. Many injured, 150 moved to secret location**
- **9 people, including journalist, sentenced to death**
- **NLD not permitted to operate, harassment & forced resignations continue, almost all NLD offices shut**
- **The 4 top NLD leaders, including Chairman U Aung Shwe, General Secretary Aung San Suu Kyi, Vice-Chairman U Tin Oo & Secretary U Lwin still under house arrest**
- **Over 100 Buddhist monks arrested, some disrobed and beaten**
- **At least 23 cases of torture, involving more than 88 men and women reported in 6 states and divisions**

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<sup>102</sup> Many of these points are included in Professor Pinheiro’s January report to the UN Commission on Human Rights. See- UN Economic and Social Council (5 Jan 04) Situation of human rights in Myanmar report submitted by the Special Rapporteur, Paulo Sergio Pinheiro

- **7 cases of extra-judicial killing involving 12 people reported in 3 ethnic states**
- **72 incidents of forced labor documented in 8 different States and Divisions**
- **22 incidents of forced relocation and/or destruction of homes and villages reported, affecting over 40 villages and towns in 7 states and divisions**
- **At least 9 cases of rape and other forms of sexual abuse by SPDC soldiers, involving at least 51 women, documented in 3 states**
- **Forced conscription and abuse of child soldiers by SPDC continues**
- **Ongoing religious persecution of Christians and Muslims**
- **At least 24 forced military trainings affecting thousands of people, documented in 10 states and divisions**

### **ARBITRARY DETENTION**

- **11 NLD members arrested**
- **At least 28 people arrested due to suspected political activities**
- **Sentences of up to 17 years for 19 people arrested for alleged political activities**

NLD members and civilians allegedly involved in political activities were targeted for arrest, resulting in the stifling of an enabling situation for discussions among the SPDC, political parties, ethnic groups, and civil society. The ongoing harassment and detentions of NLD members fly in the face of the junta's alleged commitment to include the NLD in the National Convention.

Between 1 September and 29 February, 11 NLD members were arrested, including 7 NLD members who were arrested while preparing for Union Day celebrations. In addition, at least 28 people were arrested due to suspected political activities, including 9 people who were arrested for allegedly distributing political leaflets,<sup>103</sup> and the remaining detainees arrested on suspicion of political involvement or for unknown reasons.<sup>104</sup>

During the same period of time, 19 people, some of whom were arrested during this period and some arrested prior to September 1<sup>st</sup>, were given prison sentences of up to 17 years for their alleged political activities.<sup>105</sup> Meanwhile, by staggering releases of other political prisoners, the generals hoped to deflect attention from the ongoing crackdown on pro-democracy activists and anyone expressing criticism of the proposed roadmap.

#### **Examples of arbitrary detention occurring after the roadmap was announced:**

- Two political prisoners have died while in detention. On December 12, 2003, Saw Sae Htoo Saw of the KNU died in Insein Prison, while U Shein Tin died on January 28, 2004 in Taungoo Prison, a month before he was due to be released.<sup>106</sup> This was in addition to those killed in the Bassein Prison shooting (see Extrajudicial Killings). In November, another NLD member died of malaria after he was forced to flee to India following his interrogation by MI agents.<sup>107</sup>
- On 20 January, it was reported that the regime had arrested over 100 Buddhist monks who allegedly violated a curfew. The Assistance Association for Political Prisoners Burma (AAPPB) reports that the monks who are being detained at Insein Prison, have been disrobed and some were beaten during arrest.<sup>108</sup> On February 21, the monks were told that they would not be allowed to meet with ICRC representatives during their visits.<sup>109</sup>
- Two NLD members, Myint Aye, chairman of the Kyee Myin Daing Township, Rangoon NLD office, and Tin Maung Kyi, a senior member, were arrested by Military Intelligence in early February.<sup>110</sup>

103 DVB (16 Sept 03) NLD youth sentenced; BBC (19 Oct 03) Youths Arrested For Planning To Distribute Anti "Road Map" Leaflets & AFP (23 Oct 03) Seven students arrested in Myanmar capital: dissident group

104 Asian Tribune (2 Jan 04) 'Arrest-spree' by Burmese junta of NLD members in Mandalay and Tennasserim Division continues; AP (12 Dec 03) Myanmar democracy demonstrator sentenced to seven years in jail; Asian Tribune (2 Jan 04) 'Arrest-spree' by Burmese junta of NLD members in Mandalay and Tennasserim Division continues; Irrawaddy (5 Jan 04) Junta Continues Crackdown on Dissidents & Irrawaddy (2 Feb 03) More NLD Members Arrested & AFP (9 Feb 03) Burmese opposition radio: Two senior democracy party members arrested

105 DVB (13 Nov 03) Nuns given 13 years each for protesting in front of Rangoon City Hall; DVB (16 Sept 03) NLD youth sentenced; DVB (26 Sept 03) Democracy party youth leader sentenced to three years in jail; AP (12 Dec 03) Myanmar democracy demonstrator sentenced to seven years in jail & Irrawaddy (9 Jan 04) Students Sentenced to 15 Years

106 AAPP (18 Dec 03) Burmese military regime with no trustworthiness & Irrawaddy (2 Feb 03) More NLD Members Arrested

107 Chin Human Rights Organization (19 Nov 03) Suu Kyi Supporter Passed Away While on the Run

108 Irrawaddy (20 Jan 04) Monks Arrested for Curfew Violations

109 DVB (21 Feb 04) ICRC won't be allowed to see disrobed Buddhist monks in prisons

110 Myint Aye, chairman of the township's NLD office, and Tin Maung Kyi, a senior member

- It was reported that 2 NLD senior members of the Kemmendine Township NLD National League for Democracy Headquarters in Yangon Rangoon Division, U Tin Maung Kyi and U Myint Aye, were arrested by Military Intelligence at the end of January and sent to Insein Prison. On February 5, the MI also searched U Tin Maung Kyi's house and seized some of his belongings.<sup>111</sup>

On February 11, Military Intelligence arrested NLD township chairman U Aung Khin Bo and 6 Executive Committee members of the NLD, U Aung Khin, U Aung Myint, Ko Win Naing, Daw Mi Mi Sein, Daw Khin Lay, and U Khin Maung Thit, who were preparing to celebrate Union Day in Bogale Township, Irrawaddy Division.<sup>112</sup>

#### **Burma's Youngest Political Prisoner**

Burma's youngest political prisoner is a baby boy sent to prison with his mother shortly after birth. NLD member Ma San San Maw, was arrested by the military intelligence (MI) agents and sentenced to prison for complaining about the dire economic situation and arguing with the authorities while queuing for rice in Rangoon. She was hospitalised in Insein hospital on 4 October 2003 and gave birth to a son the next morning. He was named Aung San Oh Wei in honour of Burma's national hero, Bogyoke Aung San. Both the mother and baby were sent back to the prison the next day.

Reports of conditions inside the prisons for women and children give cause for concern. Reports state they are suffering from various difficulties and diseases in Burmese prisons. Daw Khin San Nwe who was arrested and imprisoned in 1989 while she was pregnant and gave birth in the prison told DVB about her experiences as follows: "After I gave birth to my baby, they didn't give me enough water. It was very difficult to wash my baby and the nappies. I was not allowed to dry my baby clothing for three consecutive days when the official came to visit the prison. There were TB sufferers in the prison. The children were affected badly. Babies suffered from TB and skin diseases. The food was very poor for the mothers."<sup>113</sup>

### **MISCARRIAGE OF JUSTICE**

#### **Examples of unfair proceedings surrounding sentencing:**

- On 7 January, the SPDC sentenced 7 students from Dagon University in Rangoon to prison terms of between 7 and 15 years because they started a student sports union without official permission. The students were arrested in mid-June and tortured while MI agents interrogated them to find out if the sports union had any connection to political groups. Assistance Association for Political Prisoners (Burma) and All Burma Federation of Student Unions said the students were not involved in any political organizations, but they still received long sentences usually for those charged with political crimes.<sup>114</sup>
- In November, 9 people, including the editor of a weekly sports journal, were given death sentences after a court martial found them guilty of plotting with the NLD to assassinate military leaders.<sup>115</sup> There was no evidence of the NLD being involved in any plot. The wife of the editor sentenced said that she was not allowed in the court when the judgment was issued.<sup>116</sup> Reporters Without Borders (RSF) and the Burma Media Association (BMA) voiced outrage at the charges saying: "[The SPDC] has once again shown its criminal attitude towards journalists who refuse to comply with orders."<sup>117</sup>
- In September, 2 Buddhist nuns who had staged a protest in front of Rangoon City Hall in January 2003 to highlight the plights of Burmese people, were sentenced to 13 years imprisonment. Following their arrest the nuns were forced to disrobe, were tortured during interrogation by SPDC MI agents and have not been permitted to see relatives. The judge rejected an appeal lodged by the NLD Legal Support Team.<sup>118</sup>

#### **Update on Depayin Victims<sup>119</sup>**

By the end of February 2004, AAPPB estimated that 265 people were arrested, killed or disappeared during the May 30th attack and the regime's subsequent crackdown on pro-democracy groups.<sup>120</sup>

<sup>111</sup> AFP (9 Feb 04) Burmese opposition radio: Two senior democracy party members arrested

<sup>112</sup> BBC Monitor (14 Feb 04) Seven members of Burmese opposition group arrested

<sup>113</sup> DVB (14 Oct 03) Youngest political prisoner in Burma.

<sup>114</sup> Irrawaddy(9 Jan 04) Students Sentenced to 15 Years

<sup>115</sup> Irrawaddy (2 Dec 03) Nine Given Death for Treason

<sup>116</sup> AP (3 Dec 03) Myanmar court sentences nine to death for treason, including magazine editor

<sup>117</sup> Reporters sans frontieres (3 Dec 03) Outrage over death sentence passed on sports magazine chief editor

<sup>118</sup> DVB (13 Nov 03) Nuns given 13 years each for protesting in front of Rangoon City Hall

<sup>119</sup> AAPPB (29 Feb 03) Depayin Update

<sup>120</sup> AAPPB (29 Feb 03) Depayin Update



The AAPPB also reported that 94 people arrested in conjunction with the May 30<sup>th</sup> attack remained in detention. [See Table]

Status	# of People
Imprisoned w/no sentence (incl. house arrest)	64
Imprisoned and sentenced	30
MPs released from detention	24
Others released from detention	93
Killed	10
Missing	44

### **BACKGROUND: ARBITRARY DETENTIONS BETWEEN MAY 31 – AUGUST 31, 2003**

- **At least 43 political activists known to have been arrested between May 31 – August 31, 2003**
- **29 people sentenced to jail for up to 11 years**

The detentions and harassment of NLD and pro-democracy activists taking place after the roadmap was announced are not a new development, but a continuation of the regime's nationwide crackdown launched by the May 30<sup>th</sup> attack.

In August, UN Special Rapporteur Paulo Sergio Pinheiro reported that “more than 100 NLD members and supporters, among them elected members of parliament, monks and students, were arrested, killed, wounded and missing [in conjunction with the May 30<sup>th</sup> Attack].”<sup>121</sup>

Meanwhile, authorities also engaged in other forms of harassment including closing down businesses of NLD supporters, raiding monasteries and warning monks not to engage in politics, and forcing political activists to submit their bio-data to local officials.<sup>122</sup>

Between 31 May and 31 August, at least 43 NLD members and other political activists or suspected political activists were arrested by the regime. 6 people were arrested for publicly discussing the Depayin Attack;<sup>123</sup> at least 4 people were charged with distributing political leaflets;<sup>124</sup> 7 people were arrested for writing or attempting to organize NLD MPs to write letters to Sr. Gen Than Shwe urging him to investigate the May 30<sup>th</sup> attack;<sup>125</sup> and 6 others were arrested for their role in assisting Daw Aung San Suu Kyi during her trip around the country.<sup>126</sup>

The remaining detainees were arrested on suspicion of political involvement or for unknown reasons.<sup>127</sup>

During the same period, 29 people were given prison sentences of up to 11 years for their alleged political activities.<sup>128</sup>

### **The following are among the numerous violations of civil and political freedoms reported during this period:**

- 26 June- it was reported that 3 NLD members from Matupi Township, Chin State, who had been arrested earlier in June, were sentenced to 11 years in prison. More than 20 other NLD members from Matupi Township have fled and gone into hiding.<sup>129</sup>

121 UN (5 Aug 03) Interim report of the Special Rapporteur of the Commission on Human Rights in the situation of human rights in Myanmar

122 DVB (4 Jul 03) NLD supporters' businesses undermined; Kao Wao News Group (14 Aug 03) Buddhist Monks: Stay Away from Politics & DVB (13 Sept 03) Military Planning Mass Rallies to Gain Support for “Road Map”

123 DVB (13 Aug 03) Six Policemen Dismissed for Discussing 30 May Incident

124 DVB (22 Jul 03) Burma frees 91 detainees, makes new arrests & DVB, Oslo, in Burmese (23 Aug 03) (translated by BBC World Monitoring Service) Burmese Youths Arrested for Distributing Leaflets on May Clashes

125 DVB (22 Jul 03) SPDC releases NLD officials in Yenangyaung & DVB (11 Jul 03) NLD women detained for writing to General Than Shwe

126 DVB (29 Jul 03) SPDC continues detention of opposition members in Mandalay Division

127 Khonumthung News Group (26 Jun 03) 3 NLD Leaders in Chin State Sentenced to 11 Years in Prison As Post-May 30 Crackdown Continues; DVB (31 Jul 03) Indaw Township-NLD member arrested; Network for Democracy and Development (28 Jul 03) Four township NLD members imprisoned for 2 years Three from Mandalay on trial; Mizzima (18 Jul 03) Khin U Township NLD members sent to jail; DVB (22 Jul 03) Burma frees 91 detainees, makes new arrests & DVB (5 Aug 03) More political activists were arrested in Kawthaung

128 Khonumthung News Group (26 Jun 03) 3 NLD Leaders in Chin State Sentenced to 11 Years in Prison As Post-May 30 Crackdown Continues; DVB (13 Aug 03) Six Policemen Dismissed for Discussing 30 May Incident; DVB (31 Jul 03) Indaw Township-NLD member arrested; Mizzima (18 Jul 03) Khin U Township NLD members sent to jail; DVB (29 Jul 03) SPDC continues detention of opposition members in Mandalay Division; Network for Democracy and Development (28 Jul 03) Four township NLD members imprisoned for 2 years Three from Mandalay on trial; Network Media Group (9 Sept 03) SPDC honors Depayin village head

- 10 July- 3 women NLD members in Rangoon were arrested after they sent a letter to Sr. Gen Than Shwe on behalf of the NLD women. The letter called for the release of everyone arrested on Black Friday, permission for NLD offices to reopen, and for an independent inquiry into the Depayin incident.<sup>130</sup>
- 19 July- 6 people from Madaya, Mandalay Division were arrested for giving Aung San Suu Kyi protection during her Mogok to Mandalay journey. All were sentenced to over 3 years' imprisonment.<sup>131</sup>

## TORTURE

### **At least 23 cases of torture, involving more than 88 men and women were reported in 6 states and divisions**

The widespread use of torture against civilians in ethnic areas undermines the SPDC's credibility in regards to its supposed desire for peace if it cannot commit to a nation-wide ceasefire, or ceasing hostilities against ethnic groups.

At least 23 cases of torture involving more than 88 victims were reported between 1 September 2003 and 29 February 2004. Incidents of torture were reported in Shan State, Karen State, Arakan State, Mon State, Chin State and Tenasserim Division.<sup>132</sup>

#### **Sample incidents of torture occurring during this period:**

- During a September military training course in Kun-Hing township, Shan State, SPDC troops kicked and beat at least 3 villagers, including men and women over 50 years old, who could not keep up with other trainees.<sup>133</sup>
- In December, an SPDC battalion commander accused Naw Noe Noe, the head of Kaw-thay-doe village, Toungoo District, Karen State, of belonging to a resistance group. The commander slapped her face, beat her up, and pointed his gun at her chest. He also threatened to kill all the villagers and burn down the village if something happened to him while he was travelling in the area.<sup>134</sup>
- On December 22, Buddhist monk Rev. Pha Ong of Khaw Zar Village, Mon State was accused of being a rebel supporter, forced to disrobe, and hung up in a tree by the LIB 97. On December 23, another Buddhist monk, Rev. Nai Pok of Mi Taw Hlar Doat Village, Mon State was disrobed and put in a hole in the ground, half his body covered with soil. Troops under Colonel Myo Win opened fire close to his ear.<sup>135</sup>
- On January 2, Kwan Ta-Moy Tao-Tak villagers of Mon State were forced to stay under the hot sun for the whole day by IB 586 after Radio Free Asia broadcasted that human rights violations had taken place in their village.<sup>136</sup>

## EXTRAJUDICIAL KILLINGS & SUMMARY EXECUTIONS

- **7 cases of extra-judicial killing involving 12 people were reported in 3 ethnic states**
- **At least 4 hunger strikers shot dead in Bassein Prison**

Extrajudicial killings taking place in Karen State undermines the SPDC's build-up on ceasefire talks with the KNU and KNPP, not to mention its hype surrounding ethnic support for its roadmap.

On 6 September, 7 political prisoners in Bassein Prison, Irrawaddy Division began a hunger strike calling for the release of Daw Suu and all other political prisoners. Prison authorities stopped giving water to the protestors and soon non-political prisoners joined the protest.<sup>137</sup> On 16 September, it was reported that security forces had fired upon the prisoners, killing at least 4 and injuring others. 150 prisoners were reportedly loaded onto trucks and taken to an unknown destination.<sup>138</sup> In separate cases, 2 other prisoners died in custody of illness.

### **Meanwhile, 7 other cases of extra-judicial killing involving 12 people were reported in Karen State, Shan State and Arakan State:**

129 Khonumthung News Group (26 Jun 03) 3 NLD Leaders in Chin State Sentenced to 11 Years in Prison As Post-May 30 Crackdown Continues

130 DVB (11 Jul 03) NLD women detained for writing to General Than Shwe

131 DVB (29 Jul 03) SPDC continues detention of opposition members in Mandalay Division

132 KORD (2003); Karen National Union (Oct 03) Monthly Human Rights Situation Report, Tenasserim Division, Mergui-Tavoy District Information Department & DVB (31 Dec 03) Human Rights Abuses on Mon people in Burma.

133 SHRF (Dec 03) Monthly report-December 2003

134 Office of the Supreme Headquarters Karen National Union Kawthoolei (27 Dec 03) Press release

135 Kao Wao News (3 Mar 04) Slash and burn tactics: the regime's old habits die hard

136 Kao Wao News (3 Mar 04) Slash and burn tactics: the regime's old habits die hard

137 DVB (10 Sept 03) Prisoners stage hunger strikes in Bassein Prison

138 DVB (16 Sept 03) Prisoners shot dead in Bassein prison

- 5 September- troops from IB 19 and LIB 431 shot into a hut near Thawlay village, Papun Township Karen State killing father and son, U Thar Yin and Saw Hpar Dee.<sup>139</sup>
- 14 September- soldiers LIB 538 shot and killed one porter near Taung Dee and Khon Ka Won villages, Kya In Township, Doo Pla Ya District, Karen State.<sup>140</sup>
- 11 October-2 displaced villagers, Lung Maan, aged 41, and Zaai Mya Awng, aged 21, were shot dead by SPDC troops of LIB515 near Nam-Zarng township, Shan State.<sup>141</sup>
- 13 October- a displaced villager, Lung Pho Ma, aged 47, was captured by SPDC troops, tied to a tree, and smothered to death in Kun-Hing township, Shan State.<sup>142</sup>
- 5 December- 3 Rohingya men from Thit Htone Nah Kkwa Sone (Riyazuddin Para) Village of Maungdaw Township, Arakan State were arrested and burned alive by Nasaka troops near Thinpaw Hla village. Family members were warned not to inquire about the killing or they would be ‘shot dead like a bird.’<sup>143</sup>
- 20 December- SPDC troops seized Sho-kho villager Saw Ka Paw, aged 50, and took him to Bu-ko, Karen State and killed him. On the same day these soldiers killed Maw-tu-doe villager Saw Kaw Lar Thoo, aged 22.<sup>144</sup>
- 17 January - IB 224 captured Saw Ee Sa of Mae Wah village, Karen State, brought him to Kyain Chaung village, and killed him arbitrarily near the village church.<sup>145</sup>

## **FREEDOM OF EXPRESSION**

On 20 October, Paris-based Reporters without Borders (RSF) ranked Burma 164th out of 166 countries for press freedoms.<sup>146</sup> Renowned journalists, including U Win Tin, 73 years old, continue to remain in extended detention.

## **RELIGIOUS INTOLERANCE**

### **Discrimination against Christians**

On 1 October, the Chin Human Rights Organization (CHRO) presented a statement to the U.S. House of Representatives’ joint subcommittee hearing on International Terrorism, Nonproliferation and Human Rights and Asia and the Pacific. Among other abuses by the SPDC against Chins, CHRO cited instances of forced conversions from Christianity to Buddhism, destruction of churches, SPDC censoring of sermons by Christian pastors and ministers, and burning of bibles.<sup>147</sup>

### **Discrimination against Muslims**

Local authorities imposed a strict curfew on Rohingyas since 4 November, when a mosque was attacked in Maungdaw Township Arakan State, sparking religious riots. The curfew is only applied to Rohingyas who are Muslims, and not to Buddhists. People found outdoors after 8pm have been arrested and forced to pay bribes in order to be released.<sup>148</sup>

On 15 January it was reported that Muslims from Maungdaw and Buthidaung Townships in Arakan State were forced to pay 150,000 kyat to both the Nasaka and Military Intelligence in order to be allowed to perform Haj, the annual religious pilgrimage to Makkah.<sup>149</sup>

## **UPDATE ON ETHNIC NATIONALITY RELATIONS**

- **Numerous human rights violations perpetrated by SPDC after their verbal ceasefire agreement with Karen National Union**
- **SPDC interference during ICRC humanitarian mission to Shan state**

139 Muslim Agency for News (9 Sept 03) SPDC tactical troops went to the rice field early in the morning they then shoot at the hut and killed father and son

140 KORD (2003)

141 SHRF (Feb 04) SHRF monthly report

142 SHRF (Feb 04) SHRF monthly report

143 Kaladan (8 Jan 04) Nasaka Burnt Down 3 Alive Rohingya Youths in Maungdaw Township

144 Office of the Supreme Headquarters Karen National Union Kawthoolei (27 Dec 03) Press release

145 Karen National Union (Jan 04) Monthly Human Rights Situation Report, tenasserim Division

146 Mizzima News (20 Oct 03) Burma third from last in World Press Freedom Ranking

147 Statement of Chin Human Rights Organization to Committee on International Relations US House of Representatives Washington DC, 20515 (1 Oct 03) Human Rights in Burma: fifteen years post military coup

148 Kaladan (18 Jan 04) How long curfew would be continued!

149 Kaladan (15 Jan 04) Flow of pilgrims from Arakan State to Makkah

For details of human rights violations perpetrated in ethnic nationality areas, please refer to the sections under the specific headings in other sections.

On 10 December, the KNU agreed to a verbal ceasefire with the SPDC. Gen Bo Mya reported that "During the negotiations, Khin Nyunt confirmed that there will be no more military pressure on minority groups from now on and repeated that there will be no more fighting."<sup>150</sup>

Only 17 days later, however, the KNU had already documented numerous violations in Karen areas since the ceasefire agreement. Abuses committed by SPDC soldiers included forced labor, destruction of homes and forced relocation, looting of property, and threats and beatings of villagers.<sup>151</sup>

Since announcing the roadmap, the regime has also continued to manipulate visits by international monitoring organizations to further their own agendas. The International Committee of Red Cross (ICRC) visited Shan State twice in September. During their visit on 8 September, the SPDC warned villages north and east of Laikha not to welcome the 12-member team and those residents known to be approachable were told to leave their homes.<sup>152</sup> The heavy presence of SPDC troops made the villagers' extremely reluctant to cooperate with the ICRC fact finders.<sup>153</sup>

## **FORCED LABOR**

- **ILO: Situation remains serious & has changed little in border areas**
- **72 incidents of forced labor documented in 8 different States and Divisions, incl. a case involving over 1,000 people used to porter ammunition, and used as human mine-sweepers. Deaths incurred**
- **In one case, sea gypsies were forced to perform for tourism**

It is clear that the SPDC has not made any effort to quash the systematic and widespread use of forced labor in ethnic areas. Also evident is its agenda to maintain a heavy military presence in ethnic areas. Between 1 September 2003 and 29 February 2004, 72 incidents of forced labor were documented in 8 different States and Divisions.

On 20 November, the International Labor Organization (ILO) called on the SPDC to take "concrete steps" to address the problem of forced labor by next March. The ILO Governing Body also expressed serious concerns, stating that while there were some improvements in central Burma, in the border areas the situation "remains serious and has changed little." It noted that attempts to institute an action plan to reduce forced labor have been delayed by political instability in the wake of the Depayin Attack.<sup>154</sup>

### **Some of the incidents of forced labor occurring during this period:**

- 12 October- 11 SPDC army porters escaped to KNLA lines. The porters, who were taken from Thayawaddy and Maubin prisons, were forced to act as human land mine sweepers. Zaw Win said he had been forced to carry 2,000 rounds of ammunition weighing about 25 kg for more than month. The escapees reported that in the past month, over 1,000 porters were brought to Pa-an from prisons for use in their current offensive against the KNLA. Another porter, Kyaw Lwin Oo, 29, reported that 3 porters had died after stepping on a landmine.<sup>155</sup>
- 20 December- SPDC Operation Commander Khin Maung Oo of Operation Command-1 ordered 215 people from villages in Baw-ga-li area, Ta-ta-ban Township, Toungoo District, Karen State to clear a road of landmines. The troops ordered an additional 445 people to carry supplies for them from Baw-ga-li village to Pi-mu-kho.<sup>156</sup>
- 14 February – Salones, or sea gypsies, were rounded up, detained and forced to perform for tourists during a sea gypsy festival on the Mergui Archipelago promoted by the Hotels and Tourism Ministry.<sup>157</sup>

150 AFP (10 Dec 03) Myanmar junta, Karen rebels agree to ceasefire during peace talks & Irrawaddy (Dec 03) Chronology of meetings between the Karen National Union & Burma's military government

151 Office of the Supreme Headquarters Karen National Union Kawthoolei (27 Dec 03) Press release

152 SHAN (9 Sept 03) Red Cross visits Shan area 4th time

153 SHAN (30 Sept 03) ICRC on fifth trip to Shan township

154 Kyodo News ( 20 Nov 03) ILO asks Myanmar to take action on forced labor

155 Nation (15 Oct 03) 4 Burmese soldiers killed in battle & South China Morning Post (22 Oct 03) Setback fails to deter Karen guerillas: Using prisoners as human minesweepers may have helped the Myanmar Army seize a strategic position in its long-running battle with the rebel forces, but the war is far from Over & Irrawaddy (21 Oct 03) Porters flee to Karen rebels' camp

156 Office of the Supreme Headquarters Karen National Union Kawthoolei (27 Dec 03) Press release

157 Irrawaddy(17 Feb 04) Thirty-Seven Killed At Sea

**Documented Cases of Forced Labor 1 Sept 03 - 29 Feb 04**

State/Division	# of Incidents	Townships Affected
Karenni State <sup>158</sup>	3	2
Karen State <sup>159</sup>	50	12
Chin State. <sup>160</sup>	3	4
Arakan State <sup>161</sup>	4	1
Tenasserim Divn <sup>162</sup>	4	2
Shan State. <sup>163</sup>	6	5
Mon State	2	1

**FORCED RELOCATION & DISPLACEMENT**

- **22 incidents of forced relocation and/or destruction of homes and villages were reported, affecting over 40 villages and towns in Shan, Mon, Karen, Karenni, and Arakan States and Tenasserim and Sagaing Divisions**
- **The number of people affected in each incident ranged from several families to up to 3,000 people**
- **Some incidents also involved torture and looting**
- **Deaths have resulted from starvation and poor health conditions during displacement. One landmine injury reported**
- **Forced relocations a result of military offensives and state development projects**

Between 1 September 2003 and 29 February 2004, SPDC troops continued their offensives in ethnic nationality areas, destroying homes and villages and forcing thousands of people into hiding or relocation sites.

In other areas, people were forced out of their homes to make way for state development projects or ordered to move to different regions as part of the junta's plan to alter the ethnic composition of certain areas.

Reports received indicate that during this period, at least 22 incidents of forced relocation and/or destruction of homes and villages were reported. These abuses affected people in over 40 villages and towns in Shan, Mon, Karen, Karenni, and Arakan States and Tenasserim and Sagaing Divisions. The number of people affected in each incident ranged from several families to up to 3,000 people.<sup>164</sup>

**Sample incidents of forced relocation occurring during this period:**

- September- 3,000 Wa villagers were forcibly resettled in Tangyan, Mongyawn, Monghsat township; and Mongjawd and Hoyawd-Hopang, Mongton township, Shan State. On 9 December 147 of the Wa settlers had died from outbreaks of malaria, diarrhea and other diseases.<sup>165</sup>

158 Free Burma Rangers (10 Feb 03 ) Humanitarian Relief Mission Northern Karen State January 2-31 2004

159 KORD (2003); Irrawaddy (24 Sept 03) Karens Flee Labor Conscriptioin; Federation of Trade Union - Kawthoolei (2004) Forced Labor in Karen State; Karen Information Center (2003); 159 Nation (15 Oct 03) 4 Burmese soldiers killed in battle & South China Morning Post (22 Oct 03) Setback fails to deter Karen guerillas: Using prisoners as human minesweepers may have helped the Myanmar Army seize a strategic position in its long-running battle with the rebel forces, but the war is far from Over & Irrawaddy (21 Oct 03) Porters flee to Karen rebels camp; Office of the Supreme Headquarters Karen National Union Kawthoolei (27 Dec 03) Press release

160 Statement of Chin Human Rights Organization to Committee on International Relations US House of Representatives Washington DC, 20515 (1 Oct 03) Human Rights in Burma: fifteen years post military coup

161 Narinjara (28 Dec 03) Forced Labour Continues in Arakan & Narinjara (16 Dec 03) Force labour for construction Ngapali Sea beach tourism complex

162 Karen National Union (Oct 03) Monthly Human Rights Situation Report, Tenasserim Division, Mergui-Tavoy District Information Department

163 SHRF (Jan 04) SHRF monthly report; SHRF (Oct 03) SHRF monthly report; SHRF (Dec 03) SHRF monthly report

164 CCSDPT (9 Jul 03) Summary CCSDPT Open Session; CCSDPT (6 Aug 03) Summary CCSDPT Open Session; CCSDPT (10 Sept 03) Summary CCSDPT open session; CCSDPT (8 Oct 03) Summary CCSDPT Open Session; SHAN (26 Dec 03) Junta employs scorched earth against Shan army IMNA (24 Sept 03); Over 1,400 families relocated for new railway station; Human Rights Documentation Unit, NCGUB (Sept 03) Interview with local teacher; Kao Wao (24 Sept 03) Over 1,400 Families Relocated For New Railway Station; CCSDPT (13 Nov 03) Summary-CCSDPT Open Session; Network Media Group (11 Nov 03) Sixty houses ordered to relocate for bridge construction Peoples asked 10,000 Kyat for new plots; Mergui-Tavoy District Information Department, Karen National Union (Sept 03) Monthly Human Rights Situation Report Tenasserim Division; Karen National Union (Oct 03) Monthly Human Rights Situation Report, Tenasserim Division, Mergui-Tavoy District Information Department; DVB (14 Jan 04) Burmese sea-gypsies forced to live on land for tourists; Free Burma Rangers (Sept 03) Humanitarian Relief Missions June-Sept 2003; DVB (24 Oct 03) KNU denies defeat in latest Burmese military offensive; KORD (2003); Karen Information Center (2003); 164 Federation of Trade Union - Kawthoolei (2004) Forced Labor in Karen State; Office of the Supreme Headquarters Karen National Union Kawthoolei (27 Dec 03) Press release; Free Burma Rangers (8 Jan 04) Report; Christian Solidarity Worldwide (21 Jan 04) Thousands more civilians attacked in Burma as ceasefire talks start; AFP (14 Jan 04) Thousands of ethnic Karenni in Myanmar driven from their homes; Free Burma Rangers (10 Feb 03 ) Humanitarian Relief Mission Northern Karen State January 2-31 2004 & Narinjara (4 Dec 03) Village set ablaze by the army.

165 SHAN (9 Dec 03) Wa death toll goes up to 150

- 30 December- the SPDC Army LIB 568 attacked the village of Ka Lae Lo, Muthraw District, Karen State. Soldiers drove villagers from their homes, looted their belongings and burned down 2 rice barns. Two villagers were tortured. Then the soldiers chased residents of Lay Wah, Thay Ba Htee and Mar Mee village into the jungle, displacing a total of 557 people. 2 of the IDPs were pregnant women who were forced to give birth while in hiding and 4 other women were also pregnant.<sup>166</sup>
- 14 January- Deputy Commander of the Karenni National Progressive Party (KNPP) Major-General Aung Mya reported that in the past month approximately 2,000 Karennis had been driven from their homes by SPDC troops sweeping along the border of Karenni and Shan States. "Myanmar troops have burned down six villages and 40 rice barns and seized several hundred cattle," he stated. Major-General Aung Mya reported that several of the newly displaced people had already died of starvation, and a 17-year-old boy had stepped on a landmine outside of Ka Lae Lo village and lost part of his leg.<sup>167</sup>

## LANDMINES

- **Burma continues to use landmines on a regular basis, manufacturing 3 types of antipersonnel landmines**
- **Landmine casualties have been increasing**
- **More landmine victims are crossing the Burmese border into Thailand**

In September, an International Campaign to Ban Landmines (ICBL) report named Burma as one of only 2 countries which continued to use mines on a regular basis.<sup>168</sup>

The SPDC army and at least 15 armed opposition groups are reportedly using landmines in 9 of the country's 14 states and divisions.<sup>169</sup>

Burma is also one of the world's 15 mine producing countries, manufacturing 3 types of antipersonnel mines. The state-run Myanmar Defense Products Industries is reportedly the largest supplier of mines for the SPDC army. The number of casualties from landmines doubled from 57 in 2001 to 114 in 2002.<sup>170</sup>

There are increasing reports of landmine victims crossing the border into Tak Province. In September, the International Committee of the Red Cross reported 11 mine cases and in Mae La refugee camp there were 4.<sup>171</sup> On 8 November, displaced villagers returning to Shan state from Thailand were killed by landmines – Sai Nyunt and Sai Pang died, and 4 others were injured.<sup>172</sup>

On 29 February, it was reported that 3 porters, Nai Bee, Nai Hlear and Nai Taw Mon, and 2 soldiers from the Burmese Army stepped on landmines Krein Kanyar Village, southern Ye, Mon State. The soldiers were sent to a military hospital, while Nai Bee, who lost his leg, was sent to a public hospital and to pay a large sum of money for his treatment.<sup>173</sup>

## VIOLENCE AGAINST WOMEN

### Sexual Assault

- **At least 9 cases of rape and other forms of sexual abuse by SPDC soldiers, involving at least 51 women, were documented in Karen, Shan and Mon States**
- **Some women were victims of fatal gang rapes**
- **Soldiers denying charges, forcing victims' community leaders and husbands to sign statements**

At least 9 cases of rape by SPDC soldiers were documented between 1 September and 29 February 2004. Rapes were reported in Karen State, Shan State and Mon State. As the issue of rape by military forces has received increased international attention in the past year, the regime has worked hard to block information about these cases from leaving the country. As a result, it is very likely that more rapes occurred than have been reported.

In February, Nan Wa Wa Soe Thein, Karen Women's Organisation spokesperson said that despite the ceasefire talks, there is ongoing evidence of violence against women. Even after having raped women, soldiers deny the

166 Free Burma Rangers (7 Jan 04) New Karen and Karenni IDPs

167 AFP (14 Jan 04) Thousands of ethnic Karenni in Myanmar driven from their homes & Christian Solidarity Worldwide (21 Jan 04) Thousands more civilians attacked in Burma as ceasefire talks start

168 AP (9 Sep 03) Breakaway Russian region Chechnya is deadliest for mines

169 Irrawaddy (11 Sep 03) Landmine Use in Burma Continues

170 AP (9 Sept 03) Breakaway Russian region Chechnya is deadliest for mines &

Irrawaddy (11 Sept 03) Landmine Use in Burma Continues

171 CCSDPT (8 Oct 03) Summary CCSDPT open session

172 Shan (18 Nov 03) Landmines kill two on the border

173 Kao Wao (29 Feb 04) Landmine Use By Both Parties

charges, claiming they only took the women to serve as guides. “The soldiers also force the village pastors, elders and even the women’s own husbands at gunpoint to sign statements [confirming this]” she said. The KWO is urging human rights groups and other international organizations to monitor ongoing human rights violations, including sexual violence against women, in Karen areas.<sup>174</sup>

- 4 October-Corporal Ne Win and soldiers from SPDC LIB 549 raped and strangled to death Nan Kyin Shwe, aged 58, from Ether-gon village, Ta-nay-cha (Na-boo) township, Pa-an District, Karen State.<sup>175</sup>
- 16 October-2 women, Naang Khin, aged 22, and Naang Lam, aged 19, were raped and killed by SPDC troops from LIB 515 in Wan Zing village, Kae-See township, Shan State.
- Early January- LIB 299 ordered 15 villages in Southern Ye Township, Mon State to each send 3 women to the army base for a ‘model show.’ The performers were sexually abused, and some were raped.<sup>176</sup>
- 17 January- a woman was raped by SPDC soldiers in Taung Ngu district, Karen State.<sup>177</sup>

Since the December 2003 offensive, many women had been raped or sexually abused in Mon State. Mi Choma, 19, of Mi Tawhlar village was raped by soldiers of IB No. 28 while in custody at a detention center near the village. Mi Aye, 20, of Kaw Hlaing village was raped by soldiers of IB No. 586 following her arrest and that of her father, who were accused of having contact with a Mon guerrilla group. Mi San Myint of Krane Kanya village said women from 6 villages were forced to participate in a beauty pageant at a military base where the prettiest contestants were later raped. One of the victims, Mi Cho Myint, said she was forced to take off her clothes in front of the soldiers before she was raped. Mi Yin Mon was reportedly raped by Burmese soldiers while they were quartered at her home. Mi Htay Win was also raped by Burmese soldiers, and fled to Thailand in order to shut out any gossip about the abuse she experienced.<sup>178</sup>

### Trafficking

In September, Burma was placed on the lowest tier of US government standards for failing to make significant efforts to comply with the Trafficking Victims Protection Act’s minimum standards for the “elimination of trafficking.”<sup>179</sup>

### CHILD SOLDIERS

- **Forced conscription and abuse of child soldiers by SPDC continues**
- **UN Secretary-General cites Burma for use of child soldiers. SPDC lashes out at “preposterous allegations”**

In November 2003, UN Secretary-General Kofi Annan issued his annual report on children and armed conflict, placing Burma on a list of 15 nations using child soldiers. On 20 January, the SPDC lashed out against the UN report, dismissing the information as “preposterous allegations” and accused the UN of relying on data from “politically motivated NGOs” and “insurgents and dubious deserters.”<sup>180</sup>

A January report by the Coalition to Stop the Use of Child Soldiers stated “The Burmese army, the *Tatmadaw*, continued to recruit large numbers of child soldiers, despite government statements to the contrary.”<sup>181</sup>

In the same month, Democratic Voice of Burma (DVB) interviewed 2 deserters from the SPDC Army who described how they had been forced into the military as children. One of the deserters, Corporal Than Naing stated that military personnel in his town would seize 13 and 14 year old boys in teashops and force them into the army. Than Naing said that boys who didn’t have national ID cards were often beaten. The deserters reported that conscripted child soldiers were usually prohibited from contacting their parents, and subject to beating, poor food, backbreaking work and constant deductions from their salaries.<sup>182</sup>

174 Mizzima (27 Feb 03) Karen Women Still being harassed

175 Karen Information Center (2003)

176 Kao Wao (31 Jan 03) Rape used as a weapon during military offensive

177 Mizzima (27 Feb 03) Karen Women Still being harassed

178 Kao Wao (8 Mar 04) Violence mounts against Mon women in rural areas: A special presentation to mark International Women’s Day

179 U.S. Department of State Press Statement (10 Sept 03) Progress in the Fight Against Trafficking in Persons

180 AFP (21 Jan 04) Myanmar rejects UN claims on child soldiers in army

181 Coalition to Stop the Use of Child Soldiers (Jan 04) Child Soldier Use 2003 A Briefing for the 4th UN Security Council Open Debate on Children and Armed Conflict see <http://hrw.org/reports/2004/childsoldiers0104/>

182 The Yearbook of Experts, Authorities and Spokespersons (20 Jan 04) Burmese Deserters Describe Lives of Child Soldiers [<http://www.expertclick.com/>]

## ABUSE OF ECONOMIC RIGHTS

- **Paltry response to famine in west Arakan State**
- **Onerous taxation of rice continues**
- **SPDC strategy to depress rice prices causes worse hardship**
- **Civil servants' pay rise costly to civilians**
- **Ongoing extortion of cash and property in Arakan, Chin, Mon, and Karen States**<sup>183</sup>

The SPDC's economic mismanagement and damaging fiscal policies, particularly concerning procurement and taxation of rice and other foodstuffs, continue to impoverish the people.

- In August, rice had almost disappeared from the open market in western Arakan State. In September, it was reported that a famine in the area had driven up the price of rice by a third.<sup>184</sup>
- On 12 November, it was reported that rice traders were being forced to pay 200 kyat tax on each 50 kg bag of rice to the Arakan State Peace and Development Council and the Border Security Forces (Nasaka).<sup>185</sup>
- On 1 January, the regime imposed a sudden ban on rice exports in an attempt to keep rice prices down. The ban caused rice prices to drop by up to 40%, to the point where farmers could not cover production costs. Export of chillies, onions, sesame and maize has also been banned and prices for these goods have fallen by 10-20%.<sup>186</sup>
- On 9 January, it was reported that following the regime's decision to grant a pay raise to civil servants, the prices of most basic foodstuffs in Arakan State, except for rice, have risen dramatically, causing hardship for other civilians.<sup>187</sup>

On 24 January, Mongyai Township Officer U Htin Thein Maung summoned 7 well-to-do villagers, who were told that the government's New Destiny project in Shan State had failed, causing the junta to lose over 27 million kyat on the cost of the Hsin Shweli seeds from China and pesticides. They were asked to provide an advance of 100,000 kyats each of the money that the farmers owe them. In some other 30 tracts, police informed villagers that their land, fields, homes, and property would be confiscated if they could not pay by June.<sup>188</sup>

- On 25 January, it was reported that the price of paddy in Rangoon Division had dropped by over 50% percent. This prompted 86 farmers to write to Lt-Gen Soe Win urging him to increase paddy purchasing prices.<sup>189</sup>

### The following are some sample cases of extortion:

- It was reported that the Western Military Command in Arakan State has continued to confiscate farmland owned by local people. In December and January, the following plots of land were confiscated in Ponnagyun Township: plot No Kha/ 639 near the mile stone 176/3 under Aung Fru Bran village track, plot No. Kha/ 667 near mile stone 160/1 under Yotayook village track and plot No. 676/1 under Thaydaw village track and the plot No Khagway/ 629 near the milestone on Sittwe - Ann highway.<sup>190</sup>
- On 20 February, it was reported that about 100 people were arrested and detained during a raid in Moulmein, Mon State, but were released after paying a 5,000 kyats bribe to the police.<sup>191</sup>

183 Rhododendron News (Jan-Feb 04) Burmese Army Robbed Chin Farmers; Rhododendron News (Jan-Feb 04) Burmese Army Extort Money from Villagers; Rhododendron News (Jan-Feb 04) Extortion of Money by Burmese Police at Sentung Village; Rhododendron News (Jan-Feb 04) Human Rights Violations in Lailenpi Area as Reported by Mara People Party; DVB (20 Feb 04) Burmese villagers robbed by uniformed dacoits; Narinjara ( 6 Feb 04) Western Military Command Continuing Grabbing Private Owned Land; Kao Wao (20 Feb 04) MOULMEIN POLICE FORCE: SHOW ME THE MONEY

184 Narinjara News (5 Sept 03) Why is Dollar increasingly smuggled into Burma?

185 Narinjara (12 Nov 03) Arakan Rice Trade Restricted by Military Junta

186 AFP (13 Jan 04) Myanmar slaps sudden ban on rice exports

187 Narinjara (9 Jan 04) Prices Rise in Arakan as the Salary of Government Servants Increase

188 Shan (5 Feb 04) New Destiny paddy doomed

189 BBC Monitor (25 Jan 04) Burmese farmers petition government over falling prices

190 Narinjara ( 6 Feb 04) Western Military Command Continuing Grabbing Private Owned Land

191 Kao Wao (20 Feb 04) Moulmein Police Force: Show Me The Money