



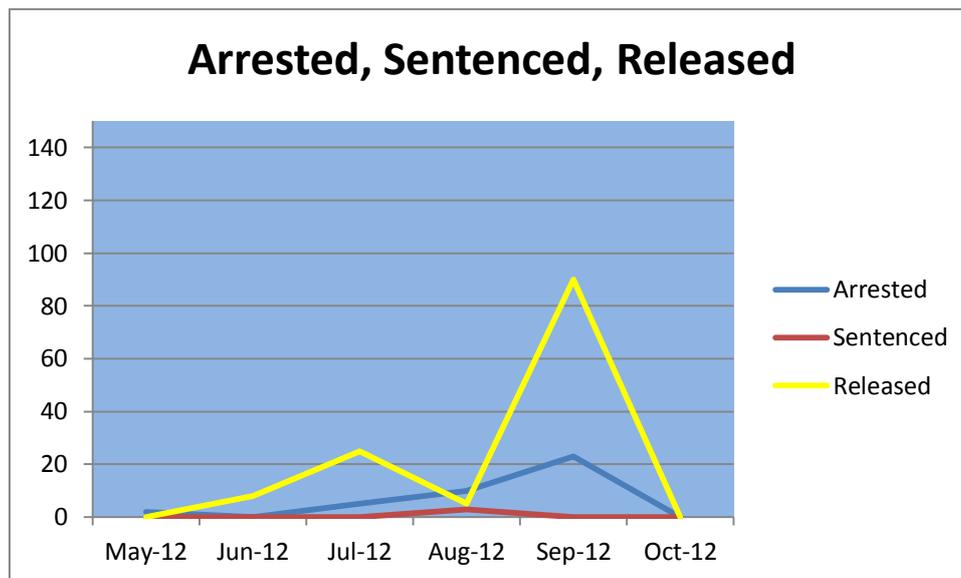
Assistance Association for Political Prisoners (Burma)

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Monthly Chronology of Burma's Political Prisoners for October, 2012

Monthly Chronology October 2012.

Summary of the Current Situation



In October there were 0 arrests, 0 were released and 0 were sentenced.

During the month at least 29 activists faced legal proceedings for public protests.

Trends

Cases of torture during detention of prisoners continue to emerge, though police and authorities try to keep it in the dark. In October it came to public knowledge that two Kachin men had been mistreated and humiliated during detention back in June. Also in July, the Asian Human Rights Commission received information that a 19 year old man died due to injuries suffered during detention at a police station in Rangoon.

Protesting continues to be a dangerous occupation in Burma, even if you are a peaceful bystander. Lawsuits against people for protesting without permission have been plenty. Which protests are allowed and which are not is not always consistent. It seems to depend entirely on what suits the interests of the government. For instance Kachin peace protestors have faced trial, whereas people protesting against crisis present in Arakan state have not.

A report released earlier this year by the Congressional Research Service of the US Congress was brought into light by *The Irrawaddy*. It stressed the importance of releasing the remaining political prisoners before the remaining sanctions on Burma can be dropped. It also called for a way of determining the actual number of political prisoners in Burmese prisons. Variations of this call have also been made during October. In a meeting at the British embassy in Burma with former political prisoner and monk U Nyi Nyi Lwin, formerly known as U Ashin Gambia, British officials mentioned the need for a commission of inquiry.

Torture and Treatment of Prisoners and their Families

Two unnamed ethnic Kachin male refugees were both tortured and sexually abused during detention in Myitkyinar Township in Kachin state. The incident took place in June, but the information only surfaced in the month of October. The two men were arrested for suspicion of involvement with the Kachin Independence Army (KIA), and their detention stretched over a period of several weeks as prosecution witnesses failed to turn up to court hearings. Lawyer U Mar Khar, who represents the defendants, said that the two men have found the situation very shameful and that it is a clear violation of their human rights. Family members of the two men have submitted a letter of complaint to the president U Thein Sein as well as UN Special Rapporteur Mr. Quintana¹.

¹ Irrawaddy October 10, translated from Burmese by AAPP

The Asian Human Rights Commission (AHRC) has received information that police in Rangoon in July tortured a 19-year-old man to death during an interrogation in relation to a murder case. Officers at the Mayangone police station allegedly illegally detained the young man and after two days notified his family that he had died in custody due to illness. When the family saw the body, however, they observed that he had been brutally tortured. The police have since arrested another person over the murder and have meanwhile denied that they were responsible for their victim's death. The family of the young man is pushing for the case to be brought to court, but so far the police have successfully resisted their efforts.

On a more positive note, a campaign for the release of the remaining political prisoners in Burma began on October 7, 2012. The Former Political Prisoners group (Rangoon) planned to submit a letter to the president and the government group, said the group of former political prisoners, which is based in Rangoon. They added that they plan to initiate their campaign by encouraging and providing assistance to family members of political prisoners.

President U Thein Sein stated in an interview on BBC's TV program Hard Talk that the Burmese government examined the cases and released the prisoners, however, criminal offenders, bombers and terrorists are not planned for release. Most of the political prisoners in Burma were arrested under informal and criminal charges including drugs trafficking, trespassing, defamation, voluntarily causing grievous hurt to deter a public servant from his/her duty, buying and selling illegal lottery coupons etc., according to the group of former political prisoners. The government has stated that it considers 129 of the prisoners in Burma to be political.

October 3rd

[Campaign for the release of remaining Political prisoners begin \(Irrawaddy\)](#)

October 2nd

[Police torture man to death, detain mother, and obstruct justice \(AHRC\)](#)

Prisoners Released

There were no prisoner releases during the month of October.

Update on Individual Cases

U Lahtaw Barang Shaun, arrested on June 17, 2012 from Htu-Ka-Htaung refugee camp in Myitkyinar Township, Kachin state, is accused of having connections with the Kachin Independence Army. On October 12, 2012, U Barang Shaun's case will face trial again and it will be decided whether he has been framed or not. He appeared for another court hearing in the last week of October. AAPP will be following the development of the trial.

He was initially charged under section-3 of the Explosives Act. However, at the time of the trial, the charge against him was changed to section 17/1 of the Unlawful Association Act. On June 22, 2012, 48 clergymen from Kachin Baptist Christian Association wrote and signed a letter stating that U Barang Shaun is not a KIA member and submitted it to the president and Kachin state's prime minister, but they never received a response.

A lawyer for the family of Sumlut Roi Ja, the Kachin woman who was abducted by the Burmese army in eastern Kachin State on Oct. 28, 2011, told *The Irrawaddy* that he has witnesses' accounts that attest to the fact that she was shot and killed by the Burma Army on that same day. They had taken evidence from neighboring farmers who heard a gunshot at the base she was taken to, according to lawyer U Mar Khar. Roi Ja's family have waited for nearly a year to find out what happened to her after she went missing. The Burmese army claims that Roi Ja was never detained. However, in a fair system of justice, the court would investigate the evidence from both sides before making a judgment, U Mar Khar said. To further support the case of Sumlut Roi Ja the Kachin Women's Association of Thailand (KWAT) sent President Thein Sein an open letter demanding that he authorize a re-trial for a court challenge launched by the family of Roi Ja.

October 24th

[Brang Shawng Set for Trial Next Week \(Irrawaddy\)](#)

October 9th

[Activists demand justice for abducted Kachin women \(Kachin News\)](#)

[Abducted Kachin Woman was Murdered, Says Lawyer \(Irrawaddy\)](#)

[Arguments will be at the court regarding U Baraung Shaun's case \(Irrawaddy\)](#)

Ethnic Nationalities

The end of October saw violence reignite in Arakan state. During the last week of the month, riots resulted in a death toll of close to a hundred people, according to government figures, thereby surpassing the toll from the riots in Arakan in June. Houses were burned to the ground and it has been estimated, that about 32,000 people have had to flee their homes. Residents around Arakan have stated that some of the casualties occurred when the military opened fire in attempts to restore order.

That the violence in Kachin state is intensifying is evident as several reports of torture, detentions and deaths of civilians have come through this month. A 7 year old boy at a temporary refugee camp inside China suffered serious injuries after being hit by bullets reportedly fired by Burmese soldiers stationed across the border inside Kachin state on October 15, according to eyewitnesses. The boy was hit in his thigh and hand while he ate a meal with his family at a refugee camp located at Border post # 6 near Pangwa (also spelled Pangwah), according to a fellow refugee who saw the boy shortly after the shooting. The boy was later sent to a Chinese hospital where he is receiving treatment.

Two or three² Kachin civilians were killed and another three were wounded by 81mm mortar shells when Burmese government troops based in Hpakant Township attacked the village of Maw Mau Bum with artillery fire earlier this week, according to Kachin sources. Two KIO officers stationed in the village were also killed by the shelling. And in addition to the deaths three other villagers were injured including a 17 year old boy. Following the incident, hundreds of Maw Mau Bum villagers have returned to government-run refugee camps nearby. The tension is intensifying and KIA troops have tightened security along the roads from state capital Myitkyina to Hpakant Township. A local journalist told The Irrawaddy that several people had been questioned and detained at KIA checkpoints, suspected of being informers for the Burmese authorities.

Meanwhile, Dwe Bu, an ethnic Kachin MP in Burma's Lower House, has requested a US delegation to help save civilian lives by putting pressure on the Burmese government to end fighting in northern Burma. At a meeting with the US delegation in Nay Pyi Taw, Dwe Bu said that many more civilians will be killed if the fighting does not stop.

In addition to the violence spread as a direct result of the fighting between the KIA Kachin Independence Army and the Burmese military the nominally civilian government has also systematically been using the Unlawful Association act Section 17/1 (support to a member of an Unlawful association) to go after civilians in the quest for people involved in KIA, in Kachin state. Lawyer U Mar Khar who has handled many court cases of this kind comments that among his clients alone roughly 40, all ethnic Kachin, have faced trial charged under Section 17/1 this year out of which 11 were sentenced. U Mar Khar also added that most of those detained were ill-treated and tortured during detention³.

U Thein Sein on the other hand dismisses the accusations of human rights abuses committed by the Burmese army in Kachin state. When asked to comment on the report released by Human Rights Watch on BBC's Hardtalk earlier in October he dismissed the charges as "one-sided accusations". People in Laihka township in southern Shan state, where the Shan State Army (SSA) 'South' is active, has been warned by military authorities to steer clear of the SSA or face the notorious Section 17-1 (unlawful association), according to local sources. The warning was served to the community leaders on 11 October by Chief of Operations Col Lin Aye Zaw at the Infantry Battalion # 64 post.

October 26th

[Official Arakan Death Toll Rises to 112 \(Irrawaddy\)](#)

October 25th

[Many People Killed and Wounded in Army Shootings across Arakan \(Narinjara\)](#)

[Nearly 60 Killed in New Violence \(RFA\)](#)

October 22nd

[Violence Reignites in Arakan State \(Irrawaddy\)](#)

[People threatened with legal action to shun ceasefire rebels \(Shan Herald\)](#)

October 19th

[Burma army shoots child inside Chinese refugee camp \(Kachin News\)](#)

[Two Kachins Killed, Three Wounded in Hpakant Mortar Attack \(Irrawaddy\)](#)

October 18th

[Burma Army shelling kills three Kachin civilians in Hpakant \(Kachin News\)](#)

October 13th

[Burmese troops fire warning shots at crowd in Sittwe \(Narinjara\)](#)

October 9th

² Information differs depending on news source.

³ Irrawaddy October 17, translated from Burmese by AAPP

[UN refugee agency warns number of displaced people in Rakhine state still rising \(UN News\)](#)

October 8th

[Thein Sein denies claims of army abuses in Kachin state \(Kachin News\)](#)

October 4th

[Minorities Still Neglected, Say Ethnic MPs \(Irrawaddy\)](#)

Monks

Monks in Arakan state have been protesting against crisis presence in the conflict torn state. In the beginning of the month focus was on the opening of an OIC office in either Arakan or Rangoon. The Organization of Islamic Countries wanted to provide aid assistance for Arakanese affected by the recent conflicts in the area. Monk led demonstrations materialized in both Arakan capital Sittwe and Rangoon, where hundreds of monks demonstrated with banners reading statements bearing controversial terms for the present conflict. President Thein Sein eventually denied the OIC permission to open the office, since it was not 'the will of the people'.

October 9th

[Monks protest OIC Move \(RFA\)](#)

[Monks rally in Sittwe \(DVB\)](#)

Journalists, Bloggers and Writers (media activists)

Encouraged by his appearance on the BBC program Hard Talk Burma's President Thein Sein held his first ever local news conference in the month of October, in what is seen as another sign of attempts to reform the country. Taking some 30 questions from the local media and foreign reporters, the 67-year-old former general was careful not to reveal too much on controversial issues.

The government-backed Myanmar Music Association (MMA)'s general secretary and well-known singer Phyu Phyu Kyaw Thein stated that artists are now allowed to publish their music without prior approval from the state censor board. The Lyrics Scrutiny and Registration Committee, a department under the MMA that will function as a rating system, will scrutinize song lyrics. Shwe Gyaw Gyaw, a songwriter and committee member, said songs will be categorized in three different groups. Music that is deemed suitable for a general audience will be given a Group A rating, while Groups B and C will categorize music that is more appropriate for mature audiences over the age of 18. Under the military dictatorship, song lyrics were heavily censored.

Swedish journalist Bertil Lintner, who has been covering Burma for more than two decades, visited Rangoon after having been on the government's blacklist since the 1980s. Lintner received a seven-day visa. Despite a government announcement in late August that more than 2,000 names were removed from the country's blacklist, Lintner was among the handful of journalists and academics whose names were excised from the directory but were still unable to secure a Burmese visa.

The only *but* came when The Myanmar Times came under fire from a military-owned newspaper for publishing a cartoon critical of Burma's armed forces. The cartoon showed a Burmese soldier shooting down white peace doves, and that was apparently more criticism than the military could handle. The Myanmar Times has defended the move as part of its effort to encourage public debate.

Freedom of media is on the right path though remnants of the old ways of censorship and control continues to challenge freedom of speech. "Better, but still far from free" as *The Irrawaddy* wrote in a commentary.

October 21st

[Burma's Thein Sein holds first local news conference \(BBC\)](#)

October 17th

[Newspaper Defends Cartoon Criticizing Military \(Irrawaddy\)](#)

[Musicians no longer required to submit songs to censors \(DVB\)](#)

October 10th

[Renowned Burma observer receives visa after decades on blacklist \(DVB\)](#)

October 5th

[Burma's Journals Brace for Coming Age of Dailies \(Irrawaddy\)](#)

October 4th

[Burma's Media Landscape: Better, but Still Far from Free \(Irrawaddy\)](#)

Women

While the international community is praising President Thein Sein as a reformist, soldiers of the Burma Army keep raping and killing innocent ethnic minority civilians. In addition, women activists have

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faced trial for exercising their rights in peaceful protests. According to AAPP's monthly records, 5 female political prisoners are currently detained in different Burmese prisons, and another 5-8 activists have faced trial this month. Furthermore, an innocent villager, ethnic Kachin woman, is still reported missing.

Daw May Sabe Phyu aka L Khaun Twae, one of the leaders of the Kachin Peace Network, is facing trial for leading a protest on the International Peace Day on September 21, 2012. She was summoned by Sanchaung Township court at 10 am on October 1, 2012. She faced her initial hearing on October 3, 2012 alongside her colleague U Maran Jawgone. Furthermore U Maran Jawgone and Daw May Sabe Phyu appeared at the Dagon Township for a court hearing on October 10th. The trial has not yet come to a conclusion.

The Kachin Women's Association of Thailand (KWAT) sent President Thein Sein an open letter demanding a re-trial for a court challenge launched by the family of Sumlut Roi Ja, a Kachin woman, who was arrested by government forces in eastern Kachin state last year on October 28, 2011. In the open letter KWAT tells President Thein Sein that the court's decision to dismiss the case of Sumlut Roi Ja is a "blatant perversion of justice brings shame on your government, and the independence of your judicial system."

U Mar Khar, lawyer for the family of Sumlut Roi Ja, stated that he has witnesses' accounts that attest to the fact that Sumlut Roi Ja was shot and killed on that same day. They had taken evidence from neighboring farmers who heard a gunshot at the base she was taken to. The lawyer added that "first, we thought that the court would take action, given the case against the soldiers. But when the army failed to release Roi Ja, we all suspected that she had been killed".

Meanwhile, Burma Campaign UK (BCUK) noted in a press statement that, more than one year on, Sumlut Roi Ja is still missing. BCUK said that targeting innocent civilians during conflicts and forced disappearances are war crimes and the Burmese army soldiers who are responsible for Sumlut Roi Ja's disappearance must be held accountable.

A total of 16 activists including 5 woman activists Ma War War and Ma Moe Moe, Ma Tin Mar Lwin aka Ma Tin Mar Swe from Monywa township, Ma Thwe Thwe Win from old Wethmay village, Ma Khin Nyein, from Santee village, are facing legal action for leading a protest against a mega copper mine project. The Latpadaung Mountain Copper Mine project Deputy General Manger Captain Kyaw Hla Moe (Retired) filed a case against them at Sar-Lin-Gyee police station, on October 4. The 5 female activists were accused of leading the protest, and committing defamation of the Union of Myanmar Economic Holdings, Ltd. (UMEHL), a military-owned conglomerate and China's Wan Bao Company. Their case was opened under the sections (Pa) 233, 12 and criminal procedure code, section-143, 147 and 500 at Sar-Lin-Gyee police station. **(See also Section Students)**

On October 8, the factory workers from Taw-Win family owned timber factory in Myaun-Ta-Kar industrial zone, Rangoon division, marched for the company's office and demanded, among other things, an increase in wages. Consequently, the case of seven factory worker representatives including 3 female worker activists was filed to Sachaung Township police station. The three female worker activists are: Daw Thin Thin Maw, Executive Committee Member of Taw-Win Timber Factory Workers' Union, and factory workers Daw Ei Zar Phyu and Daw Thida Aung. They are being accused under the Section 18 by the Sachaung Township station commander. They were summoned to the police station at 10 am in order to be interrogated. **(See also Section Labour Activists)**

October 31st

[Kachin woman still missing after one year \(Mizzima\)](#)

October 12th

[More demonstrators charged for protesting without permits \(DVB\)](#)

October 11th

[The case of Taw Win timber factory workers, protested, was filed and interrogated \(DVB\)](#)

October 8th

[Abducted Kachin Woman was Murdered, Says Lawyer \(Irrawaddy\)](#)

October 4th

[Assistance Association for Political Prisoners \(Burma\)](#)

October 2nd

[Activists demand justice for abducted Kachin woman \(Kachin News\)](#)

October 1st

[Peace walk leaders charged \(RFA\)](#)

Human Rights Defenders & Promoters Network

Supporters of Myint Aye, the imprisoned founder of the Human Rights Defenders and Promoters (HRDP) network, say they have collected more than 10,000 signatures since launching a campaign for his release at the end of September. The 61-year-old rights activist was sentenced to life in prison in November 2008 after being found guilty of conspiring to blow up a branch office of the pro-junta Union Solidarity and P.O Box 93, Mae Sot, Tak Province 63110, Thailand, e.mail: info@aappb.org, web: www.aappb.org

Development Association in Rangoon's Shwepyithar Township. He is currently serving his sentence in Loikaw Prison, in eastern Burma's Karenni State. The HRDP said that it started the campaign in Irrawaddy and Pegu divisions in the last week of September, but have been collecting signatures in Rangoon, Tenasserim, Mandalay and Sagaing divisions and Mon, Shan, Karenni and Kachin states as well. They planned to continue collecting signatures until the end of October and then send the petition with a letter of appeal to President Thein Sein, calling for the release of U Myint Aye and other remaining political prisoners.

October 8th

[Campaign to Free Prominent Prisoner Wins Wide Support \(Irrawaddy\)](#)

Labour Activists

While protesters including labour activists are being charged under existing laws, observers have pointed out that demonstrators who back the ruling party's policies have been allowed to rally without permits and have not been charged. An Action Labour Right member, who provides aid to the workers, commented that the new protesting bill is adhered as a trap for the employees in Burma.

On October 8, 2012, the factory workers from Taw-Win family owned timber factory in Myaun-Ta-Kar industrial zone, Rangoon division, marched to the company's office and demanded, among other things, an increase in wages. Consequently, the case of seven factory worker representatives was filed to Sachaung Township police station where they have been examined although the demands of the workers were fulfilled by the employer at the same day of their protest. The seven worker representatives are U Tin Myo Ko Ko, a chairman of Taw-Win Timber Factory Workers' Union, U Htet Ko Ko, the secretary of the union, executive committee members U Tun Tun Win, Daw Thin Thin Maw and factory workers U Nay Lin Oo, Daw Ei Zar Phyu and Daw Thida Aung.

Ko Kyaw Min, who is a member of Action Labour Right that provides assistance to the workers, said "the case was filed and they were accused under the Section 18 by the Sachaung Township station commander. They were summoned to the police station at 10 am in order to be interrogated. According to Ko Kyaw Min, the workers were marching with posters from the factory to the employer's office because they intended to have negotiations with the employer, but they did not intend to protest against the government.

October 12th

[Demonstrators charged for protesting without permits \(DVB\)](#)

October 11th

[The case of Taw Win timber factory workers, protested, was filed and interrogated \(DVB\)](#)

Students

In spite of talk of reform and progress for Burmese democracy it is still unsafe for students in Burma to be involved in peaceful protests.

A total of 16 people led a protest this past month against a copper mine project. Therefore the Latpadaung Mountain Copper Mine project Deputy General Manager Captain Kyaw Hla Moe (Retired) filed a lawsuit against them at Sar-Lin-Gyee police station, on October 4, 2012.

The 16 activists including the nine students Ko Kyaw Ko Ko, Ko Han Zaw Win, Ko Aung Ko Oo, Ko Thein Than Oo, Ko Ahkar Htet Moe, Ko Htet Aye, Ko Kaung Sat, Ma Moe Moe and Ma War War were accused of leading the protest, and committing defamation of the Union of Myanmar Economic Holdings, Ltd. (UMEHL), a military-owned conglomerate, and China's Wan Bao Company. Their case was opened under the sections (Pa) 233, 12 and criminal procedure code, section-143, 147 and 500 at Sar-Lin-Gyee police station.

October 4th

[Assistance Association for Political Prisoners \(Burma\)](#)

Lawyers

On October 17th lawyers filled the streets of Rangoon. They protested against the plans to rent out the old court buildings. Later during the month lawyer Myint Aye did a solo protest under the same agenda and also demonstrated against high prices on court stamps. Failing to apply for permission in advance he was charged with protesting without permission along with two others who allegedly joined in the protest. **(See also section Individual Activists)**

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The Lower House committee for the Rule of Law and Stability has received more than 1,700 complaint letters seeking help, according to an article on the *Elevennews*. Most of the complaints are related to land disputes, and legal and judicial issues, said committee Secretary Win Myint. Opposition leader Aung San Suu Kyi is chairperson of the committee.

October 26th

[Solitary protestor hit with charges \(DVB\)](#)

October 22nd

[Rule of Law committee receiving complaints \(Mizzima\)](#)

October 17th

[Rangoon Lawyers Take to the Streets—Again \(Irrawaddy\)](#)

Individual Activists

Human Rights Watch made an official statement in October warning that the charges pressed against the peace protesters, who marched for peace in Kachin in September, are reminiscent of the dictatorial responses the former junta was known to present its critics with. The new reformist label put on the government will quickly be lost if it acts like past military governments by arresting and prosecuting peaceful protesters. The arbitrariness over its use of the law is a problem, according to HRW. Unlike the Kachin protests, none of the thousands who took part in the present conflict of Arakan state marches prior to the unrest in Arakan have been arrested, in all likelihood due to the demonstration being in support of President Thein Sein.

Three local villagers who were involved in protests against the bidding process in issuing permits to fish farming cooperatives in the Bassein (Pathein) District of Irrawaddy Division have been sued by the township's Department of Fisheries (DoF) for abusing the Freshwater Fisheries Act. Initially, Tun Tun Moe, Kyaw Gyi and Soe Tint were accused of illegally entering and fishing in a lake occupied by the Shar Khae Gyi Fish Breeding and Production Facility in Bassein's Kyonepyaw Township in May. Hundreds of other locals reportedly went fishing at the site to protest against what they say is a "rigged" bidding process. The activists are not fishermen themselves. They only helped the villagers because they were asked to be their representatives and to help submit their appeal to the authorities. The three men also stand accused of being fugitives from the law despite the fact that they attended the court hearing whereas the legal counsel for the DoF did not. Although the protest took place five months ago, they did not hear that they were being sued until recently, when they received a summons dated Oct. 10. However, the plaintiffs did not show up to court for the hearing, so proceedings have been postponed until Nov. 6.

Around a thousand farmers from 26 villages in the Letpadaung area of Sagaing Division prepared to file a lawsuit in October against the owners of a copper mine for allegedly using force and intimidation against protesters demanding the project to be shutdown. The farmers felt it necessary to take this step in order not to have to deal with even greater injustices in the future. Despite repeated calls on the owners of the mine to stop dumping waste on their fields, the company's only response has been to threaten and insult them.

The farmers also demand adequate compensation for damages suffered since the mining project began; to be given back their lands; an end to forced relocation; and a complete halt to the project. There have also been reports that the Union of Myanmar Economic Holdings, Ltd. (UMEHL), a military-owned conglomerate that is joint owner of the mine with China's Wan Bao Company, plans to sue 16 protests leaders, including Thwae Thwae Win, for defamation. However, the public movement to stop the copper mining project continues.

On the sidelines of the protests a conference at the Letpadaung mountain range, organized by copper mine protesters and civil society groups, has been discussing how to close the excavation project as well as ending ongoing conflicts in Kachin and Arakan (Rakhine) states. Hundreds of farmers and locals were joined by Buddhist monks, environmental activists, students, civil society groups from around the country as well as representatives from Kachin, Rakhine, Karen, Shan and Kayah ethnic groups. The two-day event took place at Sae Tae Village, Letpadaung mining area, Sarlingyi Township, Sagaing Division, central Burma. The goal of the conference was to submit a statement to the public and government as well, which included demands to stop the copper mining project, end the war in Kachin State, maintain the rule of law and peace in Rakhine State and investigate injustice in every sector. Conference organizers said that the township administration office delivered a notice which states that holding the event was illegal.

While the conference, which called for the Letpadaung hill copper mining project in Sar-Lin-Gye Township, Monywa district to be stopped, was on hold, police lieutenant Aung Kyi Sein and lance corporal Aung Win Tun were arrested on October 17, 2012. They were in charge of the security of the mine project.

A video clip with the words of police lieutenant Aung Kyi Sein, that the authorities behind the copper mine project threatened the police to work, was spreading on the internet. Because of that, he was arrested and questioned by the superintendent as his words defamed the police force.

In an interview with a lawyer one of the accused policemen revealed the ruthlessness of U Paing Company limited. He explained that they had faced shortage of food during their 4 months of duty and they were suffering from scabies. They were badly treated by the police from Monywa police custody, according to the police lieutenant Aung Kyi Sein. The owner of the restaurant where the filming took place was also summoned and questioned. Consequently, police captain Aung Kyi Sein has been transferred to Kachin state and lance corporal Aung Win Htun to Chin state.

U Maung Muang Soe, who voluntarily gave assistance to Pan Ye Lan Social Network for funding in Magwe Township, in Magwe division, was indicted by the Township director. He was indicted with section 26/27 of using amplifiers without permission. He appeared at the court for his fourth court hearing on October 19, 2012.

Some 200 lawyers held a demonstration along Maha Bandula Road in Rangoon to protest the lack of government response to their previous calls to prevent the sale of the city's 101-year-old High Court and the Police Commissioner Office to a consortium of local and Chinese businessmen. According to high-profile protester, High Court attorney Ko Ni, the colonial courthouses, that are part of Rangoon's heritage, are to be turned into hotels. He said the protest was permitted to accommodate 150 lawyers, but at least 200 arrived to participate in the public action. Another High Court attorney, Maung Maung Soe, said that part of the reason for the sale of the buildings was due to a significant raise in taxes on the offices. However, he thought the two Houses of Parliament should have discussed the issue thoroughly before the sale was permitted to go ahead.

The lawyer U Myint Aye, who staged a one-man demonstration in Prome on 18 October has been charged for protesting without permission. Furthermore two youths, ex-political prisoner Than Htaik Aung and Yei Kheh were claimed to have assisted the attorney by the police and were thus also charged. The lawyer was protesting against a controversial scheme that has increased the price of court stamps, which are necessary to file lawsuits. The lawyer demonstrated the day after 200 fellow attorneys staged a peaceful protest in Rangoon. The police questioned the three on 24 October before they were sent to Pyay Township for a hearing, where their court date was set for 5 November. The three were released after paying 1 million kyat (US\$ 1,173) in bail.

The farmers in Nay Pyi Taw are suffering from land confiscations. An area of more than 750 acres, on the edge of Lewe Township, and Dakkhina Thiri Township, in Nay Pyi Taw, were confiscated by the City Development Corporation. When the original owners of the lands, local farmers counter placed signboards across the lands that read "We are the original owners", two farmers leading the activity, Ko Hla Myin and Ko Kyaw Soe were arrested by police from Pauk-Taw police station. The two detainees were interrogated until Tuesday (October 16, 2012) night.

More land disputes emerged in Nay Pyi Taw in October, with a farmer being charged with trespassing after his land was confiscated and awarded to an unknown company. U Kala from Shwepyiaye village in Lewe Township was charged with trespassing under section 447 of the penal code following a complaint from two men, U Kyi Hlaing and U Nyein, who are not known to people in the area. The legal action comes after an unknown group allegedly destroyed 500 mango and banana trees on the disputed land in 2011. U Kala faced Lewe Township Court on September 24, with a second hearing on October 3, said U Maung Maung, a lawyer from a legal support group that is assisting the defendants.

At the same period, about 100 people in Tenasserim division's Kawthaung town protested in the streets against a coal power plant that recently became operational.

U Maran Jawgone and a dozen others leaders of the Kachin Peace Network, who held a peace protest on International Peace Day, were tracked down and arrested. Authorities argue that the activists were not granted permission to protest, and have consequently leveled individual charges against U Maran Jawgone for each of the six Rangoon townships that he protested in – Dagon, Sanchaung, Tamwe, Mingalar Taung Nyunt, Botahtaung and Pazun Taung. October 3, 2012, was set as the date of their initial hearing of the trial. The case was indicted by an official at the township police station who will also act as prosecutor. **(See also section Women)**

On February 2, 2012, 14 protesters in Bassein Township protested calling for a reduction of the high commodity prices. On October 11th they were sentenced to either a fine of one thousand Kyat or one month imprisonments under Section-153 of 'wantonly provoking with intent to cause riot if rioting be committed, or if not committed yesterday' at Western Bassein Township court. The judge ruled they were all to be sentenced under Section 153, according to one of the defendants Ko Chit Aye. The defendants are Ko Chit Aye, Ko Zaw Moe, and Ko Win Zaw who are residents of Bassein Township and human rights activists. They have already paid their fines.

On October 8, 2012, the factory workers from Taw-Win family owned timber factory in Myaun-Ta-Kar industrial zone, Rangoon division, marched to the company's office and demanded, among other things, an increase in wages. Consequently, the case of seven of the factory worker representatives was filed to Sachaung Township police station where they are been examined. **(See Section Labour)**

Activists who joined the widespread protests calling for sufficient electricity supplies in Mandalay in May have been charged by the city's police for demonstrating without official permission. Following frequent power cuts during the hot season, protests kicked off in Mandalay on 20 May and eventually spread throughout the country to Rangoon, Monywa and Prome. Ahmar Ni, who participated in the demonstrations in May, said Mandalay's Police Station-8 informed her on the 6th of October that she would be charged for protesting without a permit. At the time of their protesting the Peaceful Assembly and Peaceful Procession Law had had not yet come into effect according to Ahmar Ni. According to Min Htet Nyein Chan, vice president of Mandalay Base Environmental Group, at least 10 other activists, including himself, have also been charged by the police. He received a call from the commander at the Police Station-8 informing him that he had been charged under article 18 [of the Peaceful Assembly and Peaceful Procession Law].

October 26th

[Police officers transferred after being interrogated \(DVB\)](#)

[Solitary protestor hit with charges \(DVB\)](#)

October 24th

[Bassein Fish Farm Protesters Sued by Local Govt \(Irrawaddy\)](#)

October 19th

[Copper Mine Dispute Discussed at Conference \(Irrawaddy\)](#)

[Two police from Lappataung hill questioned \(DVB\)](#)

<http://www.rfa.org/burmese/news/magwe-activist-10192012135429.html>

October 17th

[Rangoon Lawyers Take to the Streets—Again \(Irrawaddy\)](#)

[Farmers, whose land was confiscated in Nay Pyi Taw, arrested \(BBC\)](#)

October 16th

[Locals protest against new power plant \(DVB\)](#)

October 12th

[Protesters Seek to Halt Multiple Court Cases \(Irrawaddy\)](#)

[The Bassein Township protesters fined – protested to reduce commodity prices \(DVB\)](#)

[The case of Taw Win timber factory workers, protested, was filed and interrogated \(DVB\)](#)

October 11th

[Farmers Persist in Fight to Halt Monywa Copper Mine \(Irrawaddy\)](#)

October 9th

[Officials press charges against 'electricity protestors' \(DVB\)](#)

[Letpadaung Farmers to Sue Copper Mine \(Irrawaddy\)](#)

[Peace Day Activist Prepares for the Worst \(Irrawaddy\)](#)

October 8th

[Trial begins as farmers evicted in capital \(Myanmar Times\)](#)

October 1st

[Two leaders of the peace protests summoned by Sanchaung Township court \(RFA\)](#)

88 Generation Students Group

There was no news to report during the month of October.

Daw Aung San Suu Kyi

There was no news to report during the month of October.

October 11th

[Suu Kyi Sorry for 'Disunity' \(RFA\)](#)

October 8th

[Suu Kyi Is Open to Running for President \(AP – published in WSJ\)](#)

Key International Developments

Human Rights Watch called for the charges against the Kachin peace protestors to be dropped stating that the Burmese government's new reformist label would quickly be lost if it acts like past military governments by arresting and prosecuting peaceful protesters.

Burma Campaign UK called for the immediate release of all remaining political prisoners in Burma. The unconditional release of all political prisoners is an essential step to bring peace and reconciliation in Burma, said BCUK. Like HRW they questioned the sincerity of the reforms undertaken by the Thein Sein government. BCUK staff Wai Hnin Pwint Thon – daughter of a former political prisoner – raised the issue of political prisoners through skydiving. Her campaign is designed to raise funds for Burma Campaign UK.

The Assistant Secretary of State for Democracy, Human Rights and Labor Michael Posner led a group of nearly two dozen officials for the first ever US-Burma Human Rights Dialogue. He said that Washington wants to help with the reform process as much as possible. Based on his interaction with Burmese officials, he expressed hope that Burma would continue down the road of political and social reform. Remaining political prisoners was one of the major issues that came up during discussions. The US has a list of several hundred political prisoners, which the delegation resubmitted to Naypyidaw officials including the Ministry of Home Affairs. In the list, the US believes there is a significant number of people that should be immediately released, such as those charged with violent crimes in areas fraught by ethnic conflicts. The US delegation called for a mechanism to evaluate these cases on a formal, ongoing basis.

Addressing the democratic transition in Burma a US Congressional report, released earlier this year, was again brought to public attention by online news site *The Irrawaddy*. Though months old, the points being made are still highly relevant in relation to the Burmese path towards democracy. It stated that no single issue may play a more pivotal role in Burma's possible transition to a free and democratic country than the release of its political prisoners and that progress in this regard is likely to figure in any Congressional consideration of US policy on Burma. According to the 12-page report prepared by the Congressional Research Service for US lawmakers, the US State Department is actively discussing the political prisoner issue—including the definition of political prisoners—with the Burmese government, opposition political parties, and representatives of some ethnic groups. In these discussions, US officials emphasize the importance of the release of all political prisoners for the removal of US sanctions on Burma, it said. A welcomed move by the US would be press for the Burmese government to establish an organ consisting of both Burmese and international actors to inspect prisons and release official numbers of political prisoners in Burma.

In a meeting on the 15th with former political prisoner U Ashin Gambia, who has later disrobed and taken back his civilian name U Nyi Nyi Lwin, the British embassy made a similar call saying that they would like a commission of inquiry to be set up so as to investigate Burma's prisons and determine the actual number of political prisoners.

AAPP co-produced film *Into the Current* still draws international attention to the important issue of Burma's political prisoners. At the end of October Joint Secretary of AAPP Bo Kyi gave an interview to Lianain Films prior to their screening of the film. Bo Kyi took the opportunity to address the ongoing lack of real reform in Burma. He stressed that economic and media reforms must not blind the international community to the fact that human rights are still being violated in Burma and that there are still nearly 300 political prisoners incarcerated throughout the country.

October 31st

[Bo Kyi – Still Fighting The Current \(Lianain Films\)](#)

October 26th

[US, UN React to Arakan Violence \(Irrawaddy\)](#)

October 25th

[Burma's Political Prisoner Issue Pivotal to US Policy, Says Congress \(Irrawaddy\)](#)

October 22nd

[Burma Must Step Up Pace of Reform: US Official \(Irrawaddy\)](#)

October 19th

[Myanmar to be invited to major U.S.-Thai military exercise \(Reuters\)](#)

October 17th

[U.S. sees "open channel" with Myanmar on human rights \(Chicago Tribune\)](#)

[Burma: Democratic Hopes Versus Authoritarian Fears \(Huffington Post\)](#)

October 15th

[All political prisoners must be released unconditionally: BCUK \(Mizzima\)](#)

[The Pentagon goes to Burma \(Foreign Policy\)](#)

[The US Ambassador met with opposition groups \(RFA\)](#)

October 12th

[Skydiving campaign to raise funds for political prisoners \(Mizzima\)](#)

October 10th

[US lifts Myanmar international lending restriction \(Boston\)](#)

October 1st

[Peaceful Protest Organizers Charged \(HRW\)](#)

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Conclusion

Freedom of expression and assembly is respected unevenly under the U Thein Sein administration. Although draconian laws such as the Unlawful Associations Act, which strictly prohibit freedoms such as freedom of speech, expression, and assembly, continue to exist, it was hoped that the long awaited protest bill would protect the people's right to express themselves. Unfortunately, the protest bill gives the government extensive control to tightly police public spaces, making it difficult for the people of Burma to publicly protest.

Groups that support the government's point of view are given privileged positions. For example, thousands of Buddhist monks who took to the streets of Mandalay in solidarity with the government's plan to expel a portion of the Burma population based on race were allowed to proceed without any persecution. However, state authorities continue to harass groups that oppose state interests, such as peace activists opposing the civil war or labour activists denouncing mega industrial project. The protest bill is thus selectively enforced and has had a negative impact on promoting and protecting fundamental freedoms. These restrictive laws must be overturned immediately as they violate international human rights standards enshrined in the Universal Declaration of Human Rights.

The government is committed to consistently reducing the space for freedoms of assembly and association. In October, approximately 29 human rights and democracy activists faced fresh official court proceedings for peacefully protesting. Protestors are often met with overwhelming police responses, the use of force, and routine arrests, however this has not discouraged activists from demonstrating in public. In a grossly illegal move, Mandalay police have pressed charged against over 10 protestors who demonstrated in May 2012, before the protest bill even came into effect. The lack of accountability in the police force and judiciary enables state authorities and bureaucrats to unevenly apply the law with impunity.