



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

## **Monthly Chronology of Burma's Political Prisoners for November, 2012**

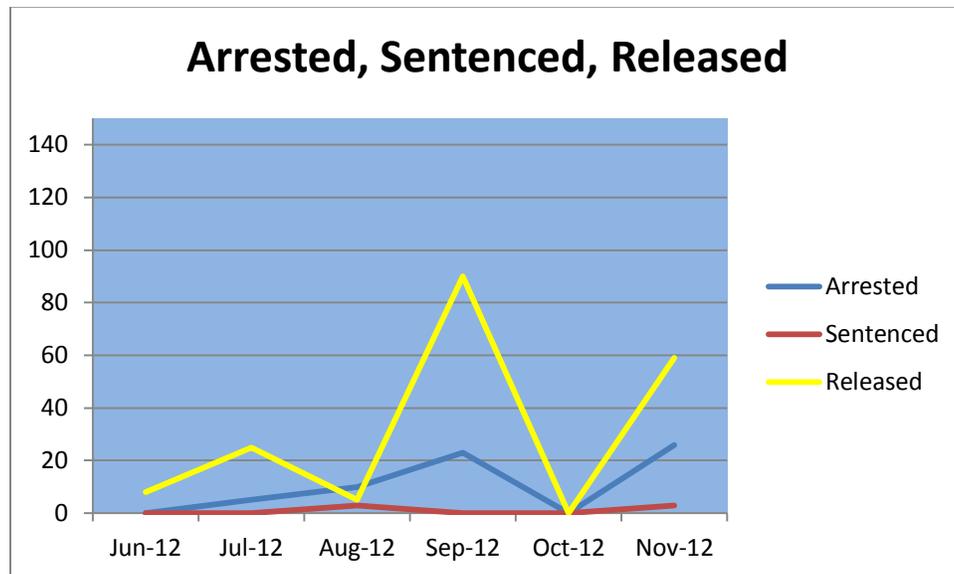


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### Monthly Chronology 2012

### Summary of the Current Situation



In November there were **26** arrests, **59** were released and **3** were sentenced.

During the month at least **15** activists faced legal proceedings for political activism.

### Trends

November 19, 2012, United States President Barack Obama made an historic visit to Burma, the first of any U.S. President. The trip was greatly anticipated, especially in Rangoon where a significant number of workers could be seen painting, polishing and restoring to prepare the University of Rangoon for an event as important as the first ever visit of a sitting U.S. President.

As a last spray of paint hit the University auditorium, President Thein Sein announced an amnesty of 452 prisoners. Remarkably not a single political prisoner was amongst those released. The release was followed by massive condemnation from both Burmese and international human rights organizations and not more than a day later another prisoner amnesty was announced. This time 66 prisoners were released whereas 51 were political prisoners. Instead of recognizing them as political prisoners the government insists on releasing jailed dissidents along with criminal offenders to send the signal that all released are criminal offenders. As part of the last announcement however, the government opened up to the idea of

setting up a review mechanism to inspect the prisons of Burma along with allowing the International Committee of the Red Cross to return to the country.

The one step forward was unfortunately followed by one step backwards. Just when things were starting to look up for the democratic transition process in Burma remnants of the days of the military regime showed their ugly face again. The protests at the site of the Letpadaung Taung Copper Mine continued and intensified during November with more and more protestors joining the demonstration each day; both layman activists and monks. To begin with, the authorities tried to solve the issue by sending Aung Min from the President's office to mediate. When that didn't work the activists were threatened with legal action if they did not leave the protest site. Refusing to move the peaceful activists were flushed, smoked and burned out of the protest camps in an extremely brutal raid by riot police.

So in spite of a protest bill, easing international sanctions, a visit by the U.S. President and a lot of talk about democratic transition, political activists in Burma are still very much at risk when speaking up.

## **Torture and Treatment of Prisoners and their Families**

The month of November saw yet another example of a former political prisoner being harassed after having served his sentence.

Two youths identified as Ko Aung Naing, who was a political prisoner freed from Pha An Prison on the 3<sup>rd</sup> of July, and Ko Nay Tun Aung were arrested at 11 pm on the 10<sup>th</sup> of November from a tea shop in Kyauk Myaung in Tamwe Township after they had an argument with the shop owner over the football match on television. According to Ko Aung Naing eight police officers including the duty officer of the Tamwe Police Station punched and kicked the two. "He beat me more because he knows I am a former political prisoner", said Ko Aung Naing. He suffered injuries on his back while Ko Nay Tun Aung had been injured on his face, lips and ears due to the beatings by the officer and other polices in the station. They reported the matter to U Zaw Aye Maung, the Minister of Rakhine (Arakanese) National Race Affairs in Rangoon Division.

Later the home ministry sent a team to investigate the case. Ko Aung Naing said the team summoned and investigated the case on the 14<sup>th</sup> of November following the online news report about their case. "The home ministry has sent a team to look into our case of torture. The team has investigated both of us, the tea-shop owner, and the police of the Tamwe Station including officer U Kyaw Zaw Win, who tortured us. (...) They have taken detailed information about us, our incident and our medical reports as well", said Ko Aung Naing.

**November 14<sup>th</sup>**

[Home ministry investigates torture of two Arakanese youths \(Narinjara\)](#)

**November 10<sup>th</sup>**

[Two Arakanese youths tortured in police station in Rangoon \(Narinjara\)](#)

## Prisoners Released

On the evening of Wednesday, November 14, in anticipation of U.S. President Obama's visit to Burma, Burma officials announced an amnesty for the release of 452 prisoners. The release, however, fell drastically short of expectations when it was learned on Thursday that not a single political prisoner was included. The majority of those released had been imprisoned for drug or theft-related offenses. The move was condemned by AAPP in an article published by *The Irrawaddy* in which Tate Naing, the Secretary of AAPP stated that he was, "very disappointed" that no political prisoners were included. The Former Political Prisoners Organization (Rangoon) also condemned the release and the fact that no political prisoners were included.

On November 16, a Presidential order was issued authorizing the release of an additional 66 prisoners as a measure of "goodwill". Fifty-one of these were political prisoners and included U Myint Aye, co-founder of the Human Rights Defenders and Promoters Network, and prominent Network members Yan Shwe and Zaw Zaw Aung. All three had been sentenced to life in prison.

A well-known human rights lawyer, Saw Kyaw Kyaw Min, was also among those released. He had been sentenced to six months for an outstanding contempt of court charge after returning to Burma from exile, following President Thein Sein's call for those abroad to return to the country. The release also included ethnic resistance members Saw Tin Oo from the Karen National Union, serving life imprisonment; Bar Yar Nar from the Kachin Independence Army, serving 3 years; Saw Pho Cho, from the Karen National Union, serving 28 years; Sai Aung Than, from the Shan State Army, serving 7 years; and Marid Mon Aung, from the Kachin Independence Army, serving 1 year.

President Obama's visit shined a spotlight on the plight of political prisoners in Burma and the occasion brought about the necessary release of 51 political prisoners, including several prominent dissidents. While AAPP is pleased with the outcome, President Thein Sein must recognize those 51 released inmates as political prisoners, not as criminals. All the releases of political prisoners thus far were done under section 401 of Burma's code of criminal procedures meaning those inmates freed could be taken into custody again, at any time. "These prisoners are being freed with chains around their necks until the government of Burma officially recognizes them as political prisoners and removes their criminal records. Until then, they are being released into an open prison," Marcia Robiou from AAPP told *DVB*.

Of all the prisoners released in the amnesties given by the U Thein Sein government only 3.5 per cent have been political prisoners. In addition to recognizing an accurate definition of the term "political prisoner", AAPP strongly urges President Thein Sein to release all 216 remaining political prisoners immediately in a statement of true progress towards democracy and respect for the rights of all Burma's citizens.

**November 19<sup>th</sup>**

[AAPP](#)

[At least 45 political prisoners released \(DVB\)](#)

**November 18<sup>th</sup>**

[Former Political Prisoners Organization released information concerning the presidential amnesty \(RFA\)](#)

**November 15<sup>th</sup>**

[No Political Prisoners Released in Amnesty \(Irrawaddy\)](#)

## **Update on Individual Cases**

There was no news to report in this section during the month of November.

## **88 Generation Students**

There was no news to report in this section during the month of November.

## **Ethnic Nationalities**

The change and reform said to have been undertaken by the nominally civilian government has not yet reached all corners of Burma. Ethnic Kachin villagers are frequently arrested and harassed due to the battles between the Burmese army and Kachin Independence Army (KIA). In addition, the Burmese government was not able to prevent or control the Arakanese riots. The government claimed that 87 people were killed during the riots—a number that does not correspond with the National Democratic Party for Development's (NDPD) assessment. Hla Thein of NDPD said that around 500 people were killed during the unrest. "According to our statistics, there are around 500 people killed and most of them were Muslim. We have extensive details including their names, age, house address and type of weapons used," said Hla Thein. More than 1,000 people were detained and questioned in relation to the recent sectarian conflict in Arakan state.

On the 28<sup>th</sup> of November, a combined force with soldiers from both the Kachin Independence Army's 36<sup>th</sup> Battalion and the Kachin Peoples Militia reportedly engaged in fierce crossfire with the Burmese army's 240<sup>th</sup> Light Infantry Regiment (LIR) near Hpaikawng. As a consequence, soldiers from the 240<sup>th</sup> LIR raided the Hpaikawng Kachin refugee camp and burned at least 50 temporary tents on the same day (November 28) according to a report in Kachinland News. Burmese army soldiers forced the villagers to go inside a church before they were interrogated. Women and children were released in the evening after hours of questioning but around 20 men are reportedly still being detained by Burmese soldiers. AAPP has not yet been able to confirm the information and names of the detained.

**November 30<sup>th</sup>**

[Burma army raids Kachin refugee camp, detains 20 villagers](#)

**November 12<sup>th</sup>**

[Group says death toll in Arakan higher than gov't figures \(DVB\)](#)

**November 5<sup>th</sup>**

[Constitution at Heart of Conflict, Says KIA Leader \(Irrawaddy\)](#)

**November 1<sup>st</sup>**

[Thousand Interrogated for Arakan Strife Role \(Irrawaddy\)](#)

## **Monks**

Several hundred monks joined in the protests carried out at the site of the Letpadaung Taung Copper Mine. Some of them were severely injured due to the force used by riot police to crack down on the protesters. **(See also section Letpadaung Copper Mine Protests)**

## **Journalists, Bloggers and Writers (media activists)**

Burma's Information Ministry has announced plans to transform the state-run media sector into Public Service Media (PSM) outlets starting next year. The country's Burmese language state newspapers Myanmar Ahlin and Kyemon are to be transformed into Public Service Media ventures by August 2013. The government's English language mouthpiece, the New Light of Myanmar, is set to become a joint venture. State-owned Myanmar Television and Myanmar Radio are set to become PSM outlets in 2014.

Burma's Interim Press Council announced that it has drafted a new 15-point code of ethics that will apply to all journalists working in the country. The 29-member body made the announcement following the conclusion of its fifth meeting since its formation on September 17. The new code of conduct is for all media—print and broadcast—as well as online news agencies. “We welcome suggestions from journalists on this draft, as we want to have all-inclusive views. Any good suggestions will be included in the final draft,” said Thiha Saw, coordinator of the council's Information and Public Relations Committee Press Council and editor of the Open News Weekly Journal. The code of conduct focuses on issues essential to ethical journalism including accuracy, unbiased reporting and journalistic independence. It also addresses correction of mistakes, protecting sources and avoiding defamation and plagiarism, and urges journalists to follow such standard practices as identifying themselves before acquiring information.

Journalist Ko Myo Kyaw aka Nyi Htwe from Burma VJ media outlet and freelance journalist Ma Kyi Nyein Thaw from New Day media were arrested and questioned by the police and have been indicted with three charges at Pantanaw Township police station. The charges were brought on by the owner of a fish farm. The journalists went to Kyaunggon Township in Irrawaddy division to get information and report on the dispute between farmers and the fish farm owner. They were initially indicted under Penal Code Section 447 for “trespassing”, Penal Code Section 427 for “mischief causing damage to the amount of 50 rupees” and Penal Code Section 34 for “acts done by several persons in furtherance of common intention”. They were released on bail, according to freelance journalist Ma Kyi Nyein Thaw.

## **November 19<sup>th</sup>**

[Two Journalists, indicted after interviewing and taking photos at the farmers' affair \(Mizzima\)](#)

## **November 13<sup>th</sup>**

[Press Council Releases Draft Code of Ethics \(Irrawaddy\)](#)

## **November 12<sup>th</sup>**

[Gov't to transform mouthpieces into public service media outlets \(DVB\)](#)

## **November 7<sup>th</sup>**

[Comedians Not Amused by Burma's Reforms \(Irrawaddy\)](#)

## **November 3<sup>rd</sup>**

[President's Office Director Slams The Irrawaddy Editorial \(Irrawaddy\)](#)

## **Women**

There was no news to report in this section during the month of November.

## **Human Rights Defenders & Promoters Network**

U Myint Aye, co-founder of the Human Rights Defenders and Promoters Network, was released from prison on the 16<sup>th</sup> of November under the presidential amnesty. **(See also section Prisoners Released)**

## **Labor Activists**

In the beginning of November, six striking workers from Taw Win carpentry in Rangoon's Shwepyitha Industrial Zone factory were admitted to Insein Hospital after a brawl at the site of the strike. Around 300 daily-wage workers from Taw Win had been on strike for 12 days. 10 started a hunger strike which continued for 5 days and left one person hospitalized. Five others were apparently attacked by knife-wielding locals in Wahtayar Village where the factory is located. Workers have accused the factory bosses of inciting the clash in order to break the morale of the strikers.

Eventually the dispute between the factory owner and the workers was mediated by the Labor Dispute Arbitration Court and the factory owner was to meet four of the five demands that the striking workers had put forward. But when the workers from Taw Win carpentry factory showed up again to resume work they were not allowed. The factory owner Ko Ko Htwe apparently did not even show up to hear the verdict in the first place.

The six factory workers Ko Hla Min Tun, Ko Naing Wai Lin, Ko Myo Min Aung, Ko Pyae Soe, Ma Aye Aye Myo and Ma Yin Yin Khant who led a protest in September of more than 1,000 factory workers from the Korean-owned Myue & Sue Clothing Factory were indicted with protesting without permission. The indicted demonstration leaders were initially tried on November 5, 2012, at both Mayangone Township court and Hlaingthaya Township court.

## **November 11<sup>th</sup>**

[Workers Barred from Factory despite Strike End \(Irrawaddy\)](#)

## **November 6<sup>th</sup>**

[Three activists, helped to submit the complaint to ILO, were indicted \(DVB\)](#)

## **November 5<sup>th</sup>**

[Six Strikers Hurt in Village Brawl \(Irrawaddy\)](#)

[Labour activists, protested without permission, and were later heard at court \(RFA\)](#)

# **Students**

There was no news to report in this section during the month of November.

# **Lawyers**

More than 10 activist lawyers regained their licenses during November after years of not being able to practice law for political reasons. Aung Thein, a former Supreme Court advocate and one of Burma's most prominent human rights lawyers, had his license returned after it was revoked for nearly three years. "I heard 14 out of 25 activist lawyers including myself have had licenses restored," he stated. According to Hong Kong-based NGO the Asia Legal Resource Centre (ALRC), 25 Burmese lawyers and advocates have had their licenses revoked for political reasons.

Human rights lawyer Saw Kyaw Kyaw Min, who was arrested upon his return to Burma earlier this year, was one of the prisoners released in November. **(See also section Prisoners Released)**

## **November 21<sup>st</sup>**

[Activist Lawyers Have Licenses Returned \(Irrawaddy\)](#)

# **Individual Activists**

Early November, several groups of farmers led protests against illegal land confiscation undertaken by businesses and government land projects. More than 100 landowners in Chaung Tha Village, Irrawaddy Division marched in protest of the loss of 615 acres seized between 1989 and 1997. The land was taken by the Ministry of Hotels and Tourism. The farmers were never compensated, as promised in 1997. The protesters submitted an appeal to the President and the Land Confiscation Investigation Commission.

In Rangoon's Latha Township, 50 farmers conducted sit-ins to protest land confiscations by the Department of Human Settlement and Housing Development that resulted in the loss of 1,000 acres since 1989. The land was later given to the War War Win Company in 1995. Neither group has compensated farmers. The protesters submitted their complaint to the Land Confiscation Investigation Commission and still await a response.

Another group of 20 farmers from Ahtwin-Padan, Ahpyin-Padan villages have also been protesting against War War Win Company this month. Those who assisted the farmers, Ko Kyi Shwen, Ko Pauk and Daw Khin Myint Ward from Ahtwin-Padan, Ahpyin-Padan in Hlaingthaya

Township, Kyun Kalay and Kyune-Kyee villages respectively and U Win Cho and Ko Wai Hlu, were tried under section 338 on November 6.

On November 18, over 500 market vendors held a demonstration in Nyaungbin market in Mohnyin Town, Kachin State. The vendors were protesting a proposed relocation of their shops to a different market in town. Protest organizers applied for a permit to hold the demonstration on November 20 but when they were denied, held it on November 18 instead. That day, four shop owners were arrested under Burma's Video Act for recording the demonstration with a video camera. The four are being held at Mohnyin police station.

In Arakan State, the Sittwe Provincial Court has sentenced religious leader Dr. Htun Aung (aka Nu Hauk) to a total of 12 years imprisonment for his role in the communal strife which erupted in Arakan in June. Several NGO workers taken into custody in August because of their alleged connections to Htun Aung, were later released. Htun Aung faced six charges, including instigating a riot and fraud. He made a request to the local authorities on June 8 to hold a prayer for 10 Muslims killed by a mob on June 3. Despite giving assurances that the gathering would not result in violence, a riot broke out and Htun Aung was later arrested on June 11. He was sentenced to seven years under the Section 5(j) of the Emergency Provision Act, two years each under the Sections 153(a) and 505(c) of the Criminal Code as well as an additional year under Section 6(1) of Wireless and Telegraph Act of 1933.

A lot of news in November centered on the Moehti Moemi gold mine in Yemathin Township. Four miners from Moehti Moemi were arrested as they marched from Rangoon to Naypyidaw in protest of a government order to close the mine. Ye Yint Htun, Naing Win, Nay Zaw Htet and Saw Naung were arrested out of the 70 protesters. Tens of thousands of mine workers protested in June due to calls by the Ministry of Mining to close the mines. The closures were a result of a government contract with Myanmar National Prosperity Public Company. The miners stopped protesting mid-June when the company agreed to allow them to continue working, pay them compensation for lost wages and give them access to mining machinery and to profit-sharing. When the company failed to follow through with the agreement, the protests recommenced.

Later in November, following the arrests, protesters from Moehti Moemi gold mine held formal talks with the Mining Ministry in Yamethin Township. The miners called for the release of their four co-workers who faced public unrest charges. The Ministry responded that it would raise the issue with senior officials. The arrested miners were allegedly beaten by police before being put in jail. They are currently being held at Taungoo prison, facing up to nine years detention under article 505(b) of the penal code. Nay Aung Htet's father, Myint Than, reported that there would be a court hearing on November 30.

Since October, five leaders of the People Democracy Party (PDP) have been detained in Kachin State for accusing the State's Chief Minister, La John Ngan Hsai, and other officials of taking bribes. The five leaders were also detained on charges of incitement. PDP Chairman, Dr. Than Htike Oo; Vice-Chairman, Hein Htet Aung; and Tanai Township Organizer, Nan Kham Htwe were three of the five arrested in late October (the incident did not appear in the press until November 23<sup>rd</sup>). The charges could result in up to two years imprisonment.

**November 27<sup>th</sup>**

[Gold Mine Protesters Escorted Home \(Irrawaddy\)](#)

**November 26<sup>th</sup>**

[Protesting gold miners to hold talks with gov't following crackdown \(DVB\)](#)

**November 23<sup>rd</sup>**

[PDP Leaders Detained for Defamation, Incitement \(Irrawaddy\)](#)

[Police arrest four miners during march to Naypyidaw \(DVB\)](#)

**November 21<sup>st</sup>**

[Religious Leader Jailed for Stirring Arakan Strife \(Irrawaddy\)](#)

**November 18<sup>th</sup>**

[Authorities lock up protesters for filming demonstration \(DVB\)](#)

**November 6<sup>th</sup>**

[The affair of the farmers' "helpers" tried at the court \(RFA\)](#)

**November 2<sup>nd</sup>**

[Protests Continue for Confiscated Farms and Land \(Irrawaddy\)](#)

## **Daw Aung San Suu Kyi**

Daw Aung San Suu Kyi continued to dominate national and international news in November. The University of Hong Kong presented her with an honorary degree and two honorary posts, “In recognition of her commitment to nonviolent struggle for democracy and human rights”. Suu Kyi was also named first on *Foreign Policy Magazine’s* annual ranking of the Top 100 Global Thinkers, a spot she shares with President Thein Sein. The magazine cited their ability to compromise to reach national reconciliation as well as Suu Kyi’s embrace of “the messy pragmatism of politics” as reasons (among others) behind the decision.

Indeed, Suu Kyi’s pragmatic side came to the fore this month in her handling of the controversial Letpadaung Taung Copper Mine project demonstrations and crackdown. The mine is a joint Burmese-Chinese business venture in Monywa district. Demonstrations began in July and call for an immediate stop to mine operations, the return of 7,800 acres of land and an investigation into the environmental, health and social impact of the project.

Prior to the crackdown on November 29, Suu Kyi carefully played the pragmatist, advocating the need for transparency in all government projects while cautioning against breaking of contracts with foreign firms which could lead to a decrease in foreign investment. Directly following the ruthless attacks on monks and villagers by riot police, the opposition leader was slow to condemn Burmese security forces. After meeting with mine operators and protest leaders she addressed a crowd of thousands of villagers and pledged to come to a peaceful solution but did not directly criticize the attack on activists.

A day after the crackdown, Suu Kyi denounced the violence committed against the peaceful demonstrators and demanded an apology from local authorities. She promised to raise these crimes with the authorities and commence negotiations with all parties involved through a commission that had been approved by parliament. She maintained that the mining project

should continue to operate, however. During the address Suu Kyi also spoke against President Thein Sein's press release which stated the use of force was justified, a release that was later withdrawn.

On November 23, as the committee chair of the Rule of Law, Stability and Peace Committee, Suu Kyi advocated for surprise checks to be carried out on the legal system. The checks would serve to measure judiciary independence. Inspections by the Committee were previously conducted but since the courts were forewarned of the checks, they had time to hide any discrepancies. The Committee also complained it was unable to meet with all complainants and witnesses.

With President Obama's visit to Rangoon on November 19, anticipation of economic, social and political reform ran high among Burmese citizens and the international community. Directly following the visit, Suu Kyi made remarks warning against a "mirage of success". The country's transition from military dictatorship to democracy will be difficult and "The most difficult time in any transition is when we think that success is in sight" she stated.

#### **November 30<sup>th</sup>**

[Suu Kyi Demands Mine Apology \(Radio Free Asia\)](#)

[Suu Kyi Finally Condemns Copper Mine Raid \(Irrawaddy\)](#)

[The FP Top 100 Global Thinkers \(Foreign Policy Magazine\)](#)

#### **November 29<sup>th</sup>**

[Burma's Suu Kyi Offers to Mediate Mine Dispute \(VOA\)](#)

[Suu Kyi Urges Calm after Brutal Protest Raid \(Irrawaddy\)](#)

#### **November 25<sup>th</sup>**

[Hong Kong University Delivers Award to Aung San Suu Kyi \(The New York Times\)](#)

#### **November 23<sup>rd</sup>**

[Suu Kyi speaks out on Monywa copper mine project \(Mizzima\)](#)

#### **November 21<sup>st</sup>**

[Surprise checks needed on courts: Daw Aung San Suu Kyi \(Myanmar Times\)](#)

#### **November 19<sup>th</sup>**

[Suu Kyi Warns of 'Mirage of Success' \(RFA\)](#)

## **Key International Developments**

Leaders of the Association of Southeast Asian Nations (ASEAN), met this month in Cambodia for the group's annual summit where they proposed to adopt a ASEAN human rights declaration (AHRD) to combat illegal arrests and torture and protect and promote human rights, democracy, rule of law and good governance. The draft allows for human rights limitations for reasons of security, public order and morality, provisions that over 60 international human rights groups urged ASEAN leaders to edit in order for the declaration to meet international standards.

Violence in Kachin and Arakan States has been a focus of international attention this month. Representatives from the United Kingdom, Australia, and Indonesia all expressed concerns on separate occasions over the persecution of Muslims in the conflict torn state. The U.N. Third Committee also passed a nonbinding resolution expressing particular concern about the situation of Muslims in Rakhine state, [urging] the government to take action to bring about an improvement in their situation and to protect all their human rights. The resolution also referenced Kachin State, "[Urging] the government to accelerate its efforts to address discrimination, human rights violations, violence, displacement and economic deprivation affecting various ethnic minorities".

United States congressman Trent Franks, co-chairman of the International Religious Freedom Caucus went a step further saying, "The atrocities committed against the Kachin by the Burma Army may amount to war crimes or crimes against humanity".

On Monday, November 19, 2012, United States President Barack Obama made an historic visit to Burma, the first of any U.S. President. Further significance was placed on the visit because it was the President's first trip abroad since his reelection and his last with Secretary of State Hillary Clinton who previously visited Burma in December 2011.

Obama and Clinton first met with President Thein Sein at the regional parliament and then moved on to their meeting with opposition leader Aung San Sui Kyi. The centerpiece of Obama's visit to Burma was his speech given at iconic Rangoon University. He spoke to a crowded auditorium and while he praised the Burmese governments for its steps towards democratic reform, he emphasized that much remains to be done. Prisoners of conscience were mentioned three times in his speech: once in reference to their courage, once in reference to the hundreds that have been released and finally to call attention to reforms (prisoner releases) that still need to be made.

He called upon Burmese citizens to bring about change in their country and stressed the need for peace among Burma's ethnic groups stating, "No process of reform will succeed without national reconciliation". He specifically called attention to the violent conflict in Arakan State comparing it to the civil rights movement, "What we've learned in the United States is that there are certain principles that are universal - that apply to everybody, no matter what you look like, no matter where you come from. No matter what religion you practice. The right of people to live without the threat that their families may be harmed or their homes may be burned simply because of who they are...we have tasted the bitterness of civil war and segregation", he said, "but our history shows us that hatred in the human heart can recede, and the lines between races and tribes fade away."

Prior to Obama's arrival, many human rights groups worried that his visit was premature. They cited the hundreds of remaining political prisoners, violence in Arakan and Kachin States and continued detentions of political activists as evidence that the high profile trip was not yet warranted because it would serve to reward an administration with ongoing human rights violations. Bo Kyi, former political prisoner and co-founder of AAPP, in an article in *The Irrawaddy* on November 14, explained that Obama's visit would only serve to legitimize a

government that has yet to live up to many of its promises. White House officials responded to criticism saying that although the visit would be controversial, the President viewed the historic trip as an opportunity to pressure Thein Sein to continue to make positive democratic reforms.

A day before President Obama's speech at Rangoon University, the Burmese government put out a press release doing just that. In regards to human rights, the government stated that it would allow the International Committee of the Red Cross to resume prisoner visits, improve prison conditions and provide prisoners with medical care. Also, the UN High Commissioner on Human Rights would be allowed to set up an office in the country for the first time. Finally, a point of contact would be established within the government for citizens and foreign visitors wishing to learn their "blacklist" status, though the list was recently abolished.

In regards to prisoner releases, the government pledged to put in place a transparent review mechanism to assess the criminality of all remaining politically-related cases by December of this year. The "Criteria and guidelines for assessing the criminality of politically concerned cases will be identified and discussed in line with international standards and practice".

The response to the Burmese government's press release was cautiously optimistic among human rights organizations and activists. Amnesty International (AI), in a press release, "[welcomed] the announcement" but insisted that the review mechanism be comprehensive and credible through the involvement of the UN and civil society representatives as well as an, "independent and impartial investigation into all credible reports of torture and other ill-treatment".

The Burma Campaign UK echoed AI's warm reception of the press release but stressed that there remains hundreds of political prisoners in jail and that prior prisoner releases have been conditional releases, not full pardons.

UN Special Rapporteur Mr. Thomas Ojea Quintana called the government's pledges "tremendous" with the potential to profoundly impact the human rights situation in Burma. He called for Burma to include all stakeholders including the international community and political civil society groups in the implementation of these reforms, especially where the review mechanism on political cases is concerned. "The outcome of this mechanism should be that no prisoners of conscience are left behind bars," said Quintana. "To achieve this will require meaningful consultation with a wide range of people from both inside and outside of Government circles." He insisted that all prisoners of conscience should be released without conditions and that such prisoners should be able to fully reintegrate into society without experiencing discrimination in regards to healthcare, education and employment.

AAPP recognized the potential for the government's promises to improve prison conditions and empty Burma's prisons of political prisoners; however, similar to Quintana, AAPP expressed deep concerns about the "review mechanism" that will be used to assess political cases. In order to make the mechanism credible, AAPP called for the following points to be considered:

1. By the end of the review mechanism should be to have no political prisoners behind bars.
2. The review mechanism must not have a rushed deadline of December 2012.
3. A specific mandate is needed to clarify the breadth and scope of the review mechanism.
4. This must not be a government of Burma only initiative.

AAPP stressed that 216 prisoners are still in jail. Over 100 face trial and 1,000 have been arrested in Arakan State since June 2012. The review mechanism must be transparent, fair and thorough to protect the basic human rights of all political prisoners.

### **November 28<sup>th</sup>**

[UN Praises Burma Reforms, Arakan Concerns Remain \(The Irrawaddy\)](#)

### **November 26<sup>th</sup>**

[U.N. committee expresses concern for Myanmar's Muslims \(Reuters\)](#)

### **November 22<sup>nd</sup>**

[US Congressman: Army atrocities in Kachin State could be war crimes \(Kachin News\)](#)

### **November 21, 2012**

[Burma's political prisoners need an ongoing review mechanism that is credible and meaningful \(AAPP\)](#)

### **November 19<sup>th</sup>**

[Myanmar: UN expert greets latest commitments on human rights and calls for swift implementation \(UN Special Rapporteur\)](#)

[Credible review mechanism needed for remaining political prisoners \(Burma Campaign UK\)](#)

[Myanmar: More political prisoners released, initial steps taken towards a review mechanism \(Amnesty International\)](#)

[Obama calls for national reconciliation during Burma visit \(DVB\)](#)

[What did Barack Obama achieve in Burma? \(BBC News\)](#)

[Remarks by President Obama at the University of Rangoon](#)

### **November 18<sup>th</sup>**

[Press Release \(The Government of the Republic of the Union of Myanmar\)](#)

### **November 16<sup>th</sup>**

[UN General Assembly Third Committee, non-binding resolution, Situation of human rights in Myanmar](#)

[Asean Leaders to Adopt Rights Pact despite Protest \(Irrawaddy\)](#)

### **November 15<sup>th</sup>**

[Obama's Burma Visit 'Not a Victory Lap' \(Irrawaddy\)](#)

### **November 14<sup>th</sup>**

[What Message Will Obama Bring? \(Irrawaddy\)](#)

### **November 5<sup>th</sup>**

[Burma Under Fire at Asia-Europe Summit in Laos \(Irrawaddy\)](#)

## **Letpadaung Taung Copper Mine Protests**

Protests concerning the Letpadaung Taung Copper Mine of Sagaing Division continued throughout November. Hundreds of monks joined the copper mine protests calling for a halt to

the project. Most of them came from surrounding areas directly affected by the project, but some also came from afar to show their support.

Nearly a thousand protestors including up to 300 monks occupied six camps on the Letpadaung Mountain.

While activists called for the mine to be closed, Minister Aung Min warned that angering China would not be in the country's best interest, stating, "When our country was in shambles after 1988 and we had nothing to eat, [food] was imported from China through the Muse [border trade route] allowing us to survive. And we have to show gratitude for that." Aung Min also called attention to the compensation that the Burmese government would be forced to pay China if the mine were to close. The mining project is owned jointly by the Burmese military's Union of Myanmar Economic Holding Ltd. and a subsidiary of Chinese arms manufacturer North China Industries Corp.

On Monday, November 26, 10 people who protested near the mine site in Monywa including: Ko Yelin, Ko Myo Chit, Ko Nyi Nyi, Daw Shan Ma, Ko Wai Lu, Naw Ohn Hla, Ko Han Win Aung, Ko Aung Naing Thu, and Ko Moe Thwe were all summoned by police under Section 18 of the penal code. Of the 10, the 6 who responded to the summons were Ko Yelin, Ko Myo Chit, Ko Nyi Nyi, Daw Shan Ma, Ko Wai Lu and Naw Ohn Hla. They were questioned by police, indicted and taken into custody. The remaining 4 did not respond to the summons and remain at large.

On Tuesday, November 27, the government issued an official order calling for all six camps of protesters to be vacated by Wednesday. The order threatened legal action to all those who refused. Hundreds of Buddhist monks and laymen remained peacefully in the camps, waiting for their concerns to be addressed.

Earlier on Tuesday, six demonstrators in Rangoon were charged with defaming the state after they joined a gathering of about 50 people calling for a halt to the Monywa project and urging Chinese owner of Wanbao to leave Burma. A protest leader, Moe Thway, went into hiding following the arrests. The six taken into custody were former political prisoners. The suspects were taken to Rangoon's Insein Prison pending a trial scheduled for the 3rd of December.

The crackdown on Letpadaung Taung Copper Mine protesters in the early hours of Thursday, November 29 shocked the international community. The ongoing demonstrations against land confiscation, social and health problems and environmental degradation tied to the project ended in a horrific show of human rights abuses by the Burmese government, including: arbitrary arrests, illegal detentions, and inhumane treatment that span from water cannons, tear gas, and fire hoses to unleashing "fire bombs". An eyewitness, Ko Thaug Htike, who heads a student organization, confirmed the deployment of fire bombs, "They used two kinds of bomb, tear gas and fire bombs. I collected the shell of fire bomb where LOD 01/12/95 was written." A Burmese Chemist, Dr. Khin Maung Nyo, also said that fire bombs must have been used judging by the pictures of monks' injuries, "If it is the tear gas, eyes will water and the throat will be itchy. Then, the blisters appear but I have never seen this type of burning, so, it is probably the fire bombs," he said.

Victims sat or lay down while receiving medical treatment at Monywa Hospital in Sagaing Division after the brutal pre-dawn crackdown by security forces. Monks were not spared. Faces, ears, hands, legs and backs were brutally burnt after tear gas, water cannons and incendiary devices used by riot police with initial reports of at least 27 injured monks in the resulting blazes. While receiving treatment for severe burns to his face, Buddhist monk U Kawida told *The Irrawaddy* that he took three hours to reach the hospital from where the crackdown took place. “The fire broke out while we were asleep. We were burnt, but there was no one to help us. The authorities didn’t help us,” said the 25-year-old. “They fired tear gas. The fire came from the gas. For about one hour we tried to escape from the flames and we finally reached the hospital in Monywa at 6 am,” said Kawida. Some activists including six monks were beaten, arrested and taken away from the protest camp to unknown location, claimed local sources.

After the crackdown some 200 Buddhist monks staged a “sit-down” protest at Eindawyar Pagoda in Mandalay to protest against the violent crackdown by riot police on peaceful protesters, including hundreds of monks, at the Monywa copper mine site in Sagaing Division. Around 150 monks and layman activists also initiated a protest at Sule Pagoda in Rangoon. Both groups of protestors called on Burma's authorities to take action against whoever was responsible for the violence. According to *Mizzima* correspondent Ko Lwin, the monks condemned the Monywa authorities for using violence—including tear gas, smoke bombs and water cannons—to disperse the protesters from six camps around Letpadaung Mountain. They also called for an investigation into the crackdown and demanded that the culprits were held accountable for their actions.

Monk Sayadaw Sandaw Bartha and novice Ashin Thuzana are still seriously injured. Sayadaw Sandaw Bartha's left eye is severely injured and he has burns on his whole body. The lower part of Ashin Thuzana's body is heavily burned. Currently, the two monks’ lives are not at risk, according to residents from Monywa Township who have been providing assistance to the injured.

Following the attacks, AAPP released a statement calling for the immediate release of all those detained and for their criminal records to be corrected, for an unbiased and transparent investigation into police brutality, and for financial compensation for the victims.

**Injury situation (as of December 6<sup>th</sup>, 2012)**

Category	Number of People
Injured during crackdown	<b>103</b> (96 monks + 7 laymen)

Still hospitalized in Mandalay General Hospital	<b>35</b> (30 monks + 5 laymen)  6 of the 30 monks need urgent treatment
Still hospitalized in Mandalay Kan Daw Na Di Hospital	<b>35</b> (35 monks)
Released from hospital	<b>33</b> (31 monks + 2 laymen)

November 30th

[Thein Sein's office says crackdown protects 'rule of law' \(DVB\)](#)

[Mandalay monks protest copper mine crackdown \(Mizzima\)](#)

[Monks lead crackdown protests in Rangoon \(Mizzima\)](#)

[Copper Mine Solidarity Protests Spread \(Irrawaddy\)](#)

[Seventy Nine Monks hospitalized due to the Latpadaung Mountain Crackdown \(RFA\)](#)

**November 29<sup>th</sup>**

[Letpadaung Mountain crackdown and fire bombs \(RFA\)](#)

[President U Thein Sein: Immediately Investigate and Bring to Justice the Police Responsible for Grave Crimes Committed Against Peaceful Demonstrators \(AAPP\)](#)

[Brutal Crackdown Injures at least 27 Monks \(Irrawaddy\)](#)

[Riot police crackdown on protesters at Latpadaung mine \(DVB\)](#)

**November 28<sup>th</sup>**

[Protesters Defy Orders End to Mine Rally \(Irrawaddy\)](#)

[Copper mine protesters arrested and charged \(Mizzima\)](#)

**November 27<sup>th</sup>**

[Six protesters supporting the anti-copper mine project protest were indicted with defamation \(DVB\)](#)

[Myanmar copper mine protesters charged \(AFP\)](#)

**November 27<sup>th</sup>**

[Authorities Arrest Mine Activists \(RFA\)](#)

**November 23<sup>rd</sup>**

[Aung Min warns activists over demands to close copper mine \(DVB\)](#)

[Fear of China Keeps Copper Mine Open: Aung Min \(Irrawaddy\)](#)

## Conclusion

Actions speak louder than words and the events that occurred on Letpadaung Mountain on November 29 show a side of Burma that was not advertised when President Obama visited the

country ten days prior. Evidently brutal force is still present in the authorities' list of ways to respond to and disperse a peaceful protest.

The visit of President Barack Obama brought about a prisoner release and promises from the government of progressive steps to be taken, including setting up a review mechanism to inspect Burma's prisons and determine numbers of political prisoners incarcerated. If realized, a major breakthrough in the struggle to promote human rights in Burma. A mere ten days later all dreams of democracy were shattered, when the scenes from Letpadaung Mountain provided a grim flashback to the times of the military junta.

Talk should be followed up by action, and it is clear to see that the international community must make sure to keep putting pressure on the Burmese government in order for progress to happen. And just as important it must make sure to publicly condemn events like November 29.

The government must take responsibility for what has happened and publicly apologize to the victims of the brutal raid. It must take the necessary action to make sure something similar does not happen again.

It is important that the raid on the protestors on November 29 is not swept aside as a small misstep by the authorities. The pictures of hospitalized monks with third degree burns should make sure of that.