



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

နိုင်ငံရေးအကျဉ်းသားများကူညီစောင့်ရှောက်ရေးအသင်း (မြန်မာနိုင်ငံ)

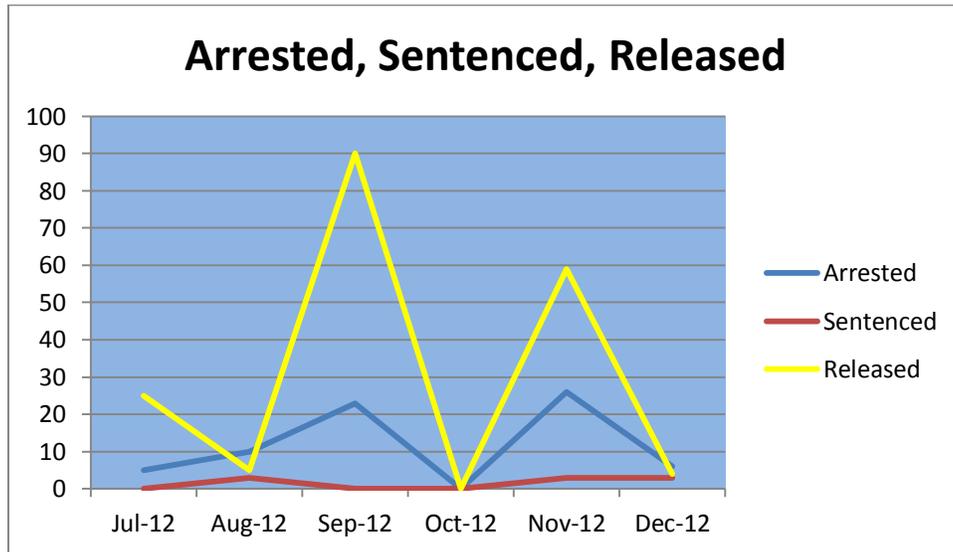
## **Monthly Chronology of Burma's Political Prisoners for December, 2012**



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## Monthly Chronology December, 2012



### Summary of the Current Situation

There were **6** arrests, **3** sentences and **4** releases in the month of December, 2012.

### Trends

Events surrounding the Letpadaung Copper Mine project continued to dominate the news in December. Ongoing protests near the project site and in major cities across Burma called for an official apology to those injured in the Letpadaung crackdown on November 29 in which over 100 demonstrators, the vast majority of them monks, were burned by fire bombs. Protesters also demanded that the government hold accountable the authorities who ordered the crackdown and demanded the immediate release of activists detained during the raid. As December came to a close, eight Letpadaung protest leaders await unfair trials in a corrupt judiciary system which could result in one-year prison sentences under section 18 of the Law Relating to the Peaceful Assembly and Peaceful Procession.

Finally, two weeks after the crackdown, the President's Office Minister met with monks and made an official apology on behalf of President Thein Sein. The government also donated money to hospitals charged with treating the crackdown's burn victims. While monks accepted the apology, the government has refused to acknowledge the protesters' two remaining demands: the unconditional release of those detained in relation to the crackdown and for the government to take accountability for its actions. There is no accountability or transparency within Thein Sein's administration despite the formation of the Committee of Rule of Law and Tranquility last August.

In the face of the Letpadaung atrocities, one would have expected an immediate, nationally-televised apology made by the president himself along with a commitment to bring the perpetrators to justice. The president continues to remain silent. An Investigation Commission was formed to delve into the long-term environmental and economic impact of the mining project as well as the use of undue force on protesters. The Commission will be headed by Aung San Suu Kyi who promised to involve independent experts to avoid government meddling. The Commission's report is due late January.

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

There was no news to report this month.

### **Prisoners Released**

Eight people arrested for their participation in the Letpadaung Copper Mine protests were released this month. Six<sup>1</sup> of the eight were arrested on November 27 for their role in organizing the demonstrations against the Chinese-backed mining project. They were released on bail from Insein Prison on the 11<sup>th</sup> of December but still await trial on charges of inciting public unrest. Trial dates have yet to be confirmed. They face a possible fine and up to one year in jail.

The remaining two protest leaders<sup>2</sup> were taken into custody on December 2 after staging a demonstration in response to the severe government crackdown on activists on November 29. Both face the same potential fine and two-year prison sentence under section 505 (b) for inciting public unrest.

Four farmers<sup>3</sup> in Thanatpin Township, Pegu division were finally released after being held in custody for 75 days. The farmers were arrested in September for trespassing on lands they had been cultivating since 1994. The charges were brought by an unnamed businessman based in Rangoon who claims to possess deeds in his name. The accused were formally charged on December 17. They were released on December 19 and stood trial later that day. The charges were officially dropped following the trial.

#### **December 17<sup>th</sup>**

[Four farmers in Thanatpin Township, arrested and indicted \(DVB Burmese\)](#)

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

[Rangoon's mine protesters released on bail \(Mizzima\)](#)

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

[Mine Protesters Freed on Bail \(RFA\)](#)

[Burma releases eight 'copper mine' protesters \(DVB\)](#)

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

[Two activists arrested at mine rally in Rangoon \(DVB\)](#)

## **Update on Individual Cases**

Four protest leaders<sup>4</sup> connected with the Moehti Moemi gold mine protests last month, who were arrested on November 23, were charged with two offences: 1) inciting public unrest under section 505(b) of the Penal Code and 2) protesting without permission under article 18 of the peaceful procession law. They were charged on December 10 and 11 respectively.

Five current political prisoners<sup>5</sup> were awarded the "Ordinary Hero Award" by Burmese citizens living in exile. The prize included the "Hero" medal and one million kyat. In attendance at the ceremony on

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<sup>1</sup> Naw Ohn Hla, Myo Chit, Shan Ma, Ye Lin, Nyi Nyi and Wai Lu

<sup>2</sup> Moe Thway, Aung Ko (aka Aung Soe)

<sup>3</sup> Ko Aung Kyaw, Ko Sein Naing Win, Ko Maung Lwin and Ko Kyaw Yin

<sup>4</sup> Ye Yint Tun, Naing Win, Nay Aung Htet and Saw Naung

<sup>5</sup> 2 Ko Naing Soe, U Soe Myint, Aung Thiha, Late Thein Htike Aung and Ma Phyu (a) Ma Chaw Su Hlaing

December 8 were nearly 150 people including prominent members of NLD and former political prisoners. The prize serves to highlight the plight of political prisoners and pressure the government to release all political prisoners remaining in jail.

Ashin Gambira (Nyi Nyi Lwin), a well known Burmese dissident and former monk, was charged with trespassing, vandalism and squatting. He was arrested on December 1 by police from Thingangyun Township. Gambira was originally arrested and sentenced to 68 years imprisonment in 2007 for his central role in the Saffron Revolution and was released under a presidential amnesty in January 2012 in accordance with article 401(1) of the Criminal Procedure Code. The article allows for easy re-arrest without warrants and could force former prisoners to serve the remainder of their sentence. Gambira was detained in Insein Prison in Rangoon.

After more than a week of detention, Gambira was released on bail (of 4 million kyat) on December 10. While in prison, he was questioned by police about several monasteries suspected of dissident activities. As stated in interviews, Gambira believes he was detained to prevent him from protesting against November's Letpadaung Copper Mine crackdown. His trial is set for December 14.

Gambira still suffers from headaches, memory loss and vision problems that resulted from his time in prison. In his most recent detention, he was placed in solitary confinement, had to buy his own meals and could only see his brother and sister. His arrest is an apt example of how the Burmese government under President Thein Sein, while touting reform, continues to use prison as a political tool to quell protests. It appears that to compensate for several presidential amnesties, the government is simply locking up more people. Twenty-six people were arrested in November alone for taking part in peaceful demonstrations. Since late last year, at least 93 (is our number as quoted by Irrawaddy in Dec 9<sup>th</sup> article below) activists have faced charges, not including dozens of citizens in Kachin State with alleged connections to the Kachin Independence Army.

**December 14th**

[Marching miners charged as criminals \(Myanmar Times\)](#)

**December 13th**

[Imprisoned Arakanese Youth Awarded "Non-entity Hero Prize" \(Narinjara\)](#)

**December 11th**

[Interview with Ashin Gambira \(DVB Burmese\)](#)

[Gambira Freed on Bail but Awaits Trial \(Irrawaddy\)](#)

[Renowned former monk released on bail \(DVB\)](#)

**December 10th**

[Activist Monk Released on Bail \(RFA\)](#)

**December 9th**

[Govt Still Using Prison as a Political Weapon \(Irrawaddy\)](#)

**December 6th**

[Former activist monk and demonstrators among detainees in a wave of arrests \(Asian Human Rights Commission\)](#)

**December 5th**

[Myanmar: Former Amnesty International Prisoner of Conscience in Detention \(Amnesty International\)](#)

[Burma slams gold miners for protesting without permit \(DVB\)](#)

**December 4th**

[Gold mine protesters refused bail, face additional charge \(Mizzima\)](#)

[Weeks after Obama's Burma visit, the monk who never had a prayer is back in jail \(The Independent\)](#)

[Eight Anti-Mine Protesters Charged \(Irrawaddy\)](#)

[Six Mine Protesters Charged With Incitement \(Irrawaddy\)](#)

**December 3rd**

[Former monk Gambira arrested for trespassing, vandalism \(DVB\)](#)

## 88 Generation Students

The president invited two 88 Generation student leaders, Min Ko Naing and Ko Ko Gyi, to join the government investigation of the anti-copper mine protest crackdown but both refused the invitation, preferring instead to conduct their own independent investigations, in order to better represent local residents and activists.

The 88 Generation group released a statement calling for an apology to the injured monks and for them to receive medical care, as well as the end of arrests for activists and the release of those already detained. They also called on the inquiry commission to review the copper mine project itself, not just the crackdown, and finally for work in the mine to be suspended until the inquiry findings are published.

The group also called attention to the mounting physical evidence including bomb shells and burn marks on victim's bodies that prove the government exercised undue force against protesters during the November 29 Letpadaung raid. Speaking on behalf of 88 Generation, Ma Thwet Thwet urged the government to punish those responsible for the violence.

### December 15th

[Evidence mounts of brutal raid at Letpadaung: 88 Generation \(The Myanmar Times\)](#)

### December 4th

[88 Generation students urge government to not arrest protesters \(Mizzima\)](#)

### December 3rd

[88 Gen Leaders Refuse Copper Mine Probe Post \(Irrawaddy\)](#)

## Ethnic Nationalities

International observers think that Burma is changing; however, the Burmese government and Kachin Independent Army (KIA) have not adopted a cease fire agreement. The fighting between Burmese troops and the KIA has worsened this month and people in Kachin State have rarely experienced peace since the fighting started in June 2011. The oppression, harassment and human rights violations continue and ethnic people have been threatened by government authorities. According to lawyer U Mar Khar in Kachin State, during the battles between the KIA and Burmese troops over the last year, seventy residents and refugees from Kachin and Shan State were arrested under the Unlawful Association Act and Explosives Act. Thirty of them have been sentenced and forty still face trial.

The government threatened legal action against the Rakhine Nationalities Development Party (RNNDP) for publishing pictures of a woman whose rape and murder sparked sectarian violence in June, according to a report by the *Narinjara* news journal. The Union Election Commission demanded an explanation for the release of a calendar with pictures of Thida Htwe who was allegedly killed by three Muslims on the 28<sup>th</sup> of May in Arakan State, setting off Burma's worst communal violence in decades. The RNNDP insists the calendar was intended to raise funds for a monastery in her name at the request of her parents. "The parents believe building a monastery with money made from selling her calendar will help her find peace," said Zaw Aye Maung. "There was no intention to incite further unrest".

U Hla Maung Thwe from Ramree Township, Arakan state was sentenced to one year imprisonment on December 19 and sent to Kyaukpyu prison. In October 29, U Han Shwe was shot and killed by the authorities during a riot in Kyauk-ne-maw village. U Hla Maung Thwe gave financial assistance of 800,000 kyat to the family members of the deceased and was arrested by the authorities in the morning of December 18. He was charged under section 505 (b) and tried at Ramree Township court. His family members were not permitted to see him at his court hearing and he was not allowed to hire a defense lawyer.

Kachin refugees U Lahpai Gam and U Brang Yun, who previously faced trial for violating the Unlawful Association Act, have now been charged under Section 3 of the Explosives Act by Myitkyinar district court. Their court hearing was December 12. The two were living in the refugee camp at Kachin Baptist Church in Shwe-Sat village, Myitkyinar Township, when they were first arrested in June.

Eleventh grade student Maung Zaw Sai Aung from Kachin State was arrested by police after sending a letter to the Kachin Independence Organization (KIO). His court hearing was December 5 at the Township court. On December 4, Zaw Sai Aung went to the Romei and Brothers machinery equipment shop to send a letter. The shop owners accused him of theft and had him arrested by the police. He was taken to trial during which he confessed to being a KIO corporal, already suspected by Ye Lwin, the police prosecutor. Zaw Sai Aung's lawyer strongly doubts the truth of the confession explaining, "He was forced to confess. He is just a student. As he is only 18 years old, it is impossible he is a corporal". Ko Ko, another member of the KIO, who was with Zaw Sai Aung at the time of arrest, managed to escape. Ko Ko's twin brother, Nyi Nyi, was mistakenly arrested by the police instead. The detainees have not been permitted to see their families. Their next court hearing will be on December 18.

**December 26<sup>th</sup>**

[Arakanese party warned over inflammatory pictures](#)

**December 20<sup>th</sup>**

[A person, gave financial assistance was sentenced to one year](#)

**December 12<sup>th</sup>**

[Two ethnic Kachin, faced with Unlawful Association Act, were additionally charged](#)

**December 10<sup>th</sup>**

[11th grade student in Myitkyinar tried for ties with the Kachin Independence Organization \(Mizzima\)](#)

## Monks

Demonstrations by monks in reaction to the Letpadaung Copper Mine crackdown have continued through December. U Pandita, a monk from Monywa monastery said of the attacks "We thought President Thein Sein was gentle and his way of handling disputes would be gentle. But now the mask on his face has fallen and we see the reality of what he is." Following the serious injuries suffered by monks in the crackdown, the Buddhist community demanded an independent inquiry, a genuine apology from police and the president, as well as the immediate and unconditional release of all detainees.

On December 1, the police force in Sagaing Region issued a formal apology, "expressing sorrow" for the injuries. Only around 10 monks attended, with many saying that the apology was insincere and that they could not accept it. Further demonstrations followed, including sit-ins in cities across Burma. On the 5th of December, U.S. State Department officials met with senior monks and activists in Mandalay to discuss the crackdown and government response to it.

Further apologies came on the 8th of December, as Burma's Religious Affairs Minister, Myint Maung, said that the incident was a "great grief" and that he blamed the incompetency of the authorities. However, once more, there was no apology for the crackdown itself, Myint Maung stating that as the demonstration was political, the government had a "clear conscience".

This sparked further demonstrations, as more than a dozen Rangoon monks and 100 laymen protested in solidarity with their injured counterparts on the 8th of December. Demonstrations were also held in Mandalay and Monywa. On 12th of December, the number of monk-led protesters swelled to thousands across the country, in response to the government's lack of genuine apology.

Following this, the largest display of Buddhist protest since the crackdown, five monks were arrested from their monasteries on the 13th of December, accused of having been involved in the demonstrations of the day before.

On December 14, as the government continued to try making amends for its crimes, *The New Light of Myanmar* reported that the government sent over \$30,000(USD) to a hospital in Bangkok for the treatment of the oldest monk, Teikkha Nyana , injured in the crackdown. The next day, Burmese officials including the President's Office Minister, Hla Tun, and Minister of Health, visited Monks injured in the Letpadaung raid in a hospital in Mandalay and offered an official apology on behalf of President Thein Sein along with a monetary donation to a hospital in Chanayethazan Township. Hla Tun is the highest ranking official to offer an apology so far. Senior monks in attendance were pleased with the apology but stressed that they are still waiting for the unconditional release of those detained in relation to the crackdown and for the government to take accountability for its actions. Later that day, the officials made a second official apology to monks at Maha Atulawaiyan monastery. The monks were reported to have accepted it.

This month, the Burmese government attempted to atone for the Letpadaung raid, focusing their apology on to the monks who continue to suffer from undue use of fire bombs. The raid took place only weeks after a visit by U.S. President Barack Obama during which the world leader praised Burma's civilian government and President Thein Sein for undertaking democratic reforms. The Letpadaung crackdown is proof that democracy is still only a fledgling notion in Burma. The government refuses to assign responsibility to those officials who ordered such a horrific response to a peaceful demonstration; there is no transparency, no accountability to the Burmese people and innocent citizens sit behind bars.

**December 17<sup>th</sup>**

[Govt apologizes to Buddhist Monks for Monywa incident \(Irrawaddy\)](#)

**December 16th**

[Govt. Apologizes to Monks Injured in Copper Mine Raid \(Irrawaddy\)](#)

**December 14th**

[Five monks arrested in Rangoon following protests \(Mizzima\)](#)

**December 13th**

[Mandalay monks vow to protest every day \(Mizzima\)](#)

**December 12th**

[Brothers in Alms \(Mizzima\)](#)

[Thousands Join Peaceful Nationwide Monks Protest \(Irrawaddy\)](#)

**December 9th**

[Monks Stage Protest in Rangoon \(Irrawaddy\)](#)

**December 8th**

[Burma Govt apologizes to monks for Monywa violence \(Mizzima\)](#)

**December 5th**

[US Officials Meet Mine Monks \(RFA\)](#)

**December 3rd**

[Police apologise for crackdown \(The Myanmar Times\)](#)

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

This year, for the first time since 1996, no journalists were jailed. Previously banned publications like the Irrawaddy and Mizzima were permitted to return to the country and the local media industry is growing. However, Burma still ranks a dismal 187 out of 197 countries in the 2012 Freedom House Freedom of Press Report. There is a lot of progress to be made. "I think media reform is just reflecting the country's overall reform process – [it] is just the beginning", said Kyaw Zwa Moe, editor of newsmagazine The Irrawaddy. The Burmese government continues to enforce laws regarding defamation and the Electronics Act, forcing media outlets to proceed cautiously. A local journalist, U Myint Kyaw, explained that

although there have been no arrests, journalists reporting on government ministries have been charged with crimes. "There is not complete freedom like in democratic countries," he said. "The ability to obtain permission to collect the information for a news story depends on the department, region and state in which the information is gathered".

**December 15th**

[Myanmar off list of countries jailing journalists \(Myanmar Times\)](#)

**December 12th**

[Burmese Journalists Avoid Jail in 2012 \(Irrawaddy\)](#)

**December 11th**

[Burma has not completely permitted media freedom yet \(VOA Burmese\)](#)

## Women

Despite many positive changes in Burma, the arrest and harassment of Burmese women activists continues. Two female activists were shortly released from prison this month but will still face trial and a third woman activist is facing charges.

Six activists, including female activist Ma Thandar, protested against the Letpadaung crackdown on December 1 near the Chinese Embassy and were charged and tried on December 28. **(See Students)**

In addition, eight people including female activists Naw Ohn Hla and Daw Shan Ma were brought before a Rangoon court on Monday after they participated in the recent protests against a Chinese-backed copper mine **(See Prisoners Released)**.

In the afternoon on December 2, 2012, Daw Nyo Aye, a chair person of the Women Network in Arakan state, staged a solo protest in Sittwe Township, for denouncing the crackdown of the monks and residents who went into strike at protest camps to stop Letpadaung Copper Mine Project. **(See Individual Activists)**

**December 28th**

[The protesters demonstrated near Chinese Embassy, tried at the court \(RFA Burmese\)](#)

**December 11th**

[Mine Protesters Freed on Bail \(RFA\)](#)

**December 7th**

[Who was awarded the Ordinary Hero awards? \(Irrawaddy Burmese\)](#)

**December 4th**

[Six Rangoon demonstrators refused bail \(Mizzima\)](#)

[Eight Anti-Mine Protesters Charged \(Irrawaddy\)](#)

**December 2nd**

[A solo protester staged in Sittwe Township, against the crackdown of Lapdaung Taung protest \(RFA Burmese\)](#)

## Human Rights Defenders & Promoters Network

There was no news to report this month.

## Labor Activists

At Japan Ma Harbor, a busy sea port in Arakan State, more than 100 people held a demonstration to express their discontent with a sharp tax increase on bullock cart taxies. Authorities banned the protesters and 50 carts on December 20, the day of the protest, and warned they would arrest anyone who participated in future demonstrations.

**December 20th**

[Attempt to Protest Against High Tax \(RFA Burmese\)](#)

## Students

Students in Burma have been struggling for democracy and human rights including the right to form student unions. Optimistic observers voice that Burma is in a transitional period; however, students in Burma continue to fight for their rights. Student unions have still not been permitted to form. Some former political prisoner students have tried to continue their studies but the government has banned them from doing so. In addition, students involved in peaceful protesting have been arrested this month and many face charges.

Six activists, including All Burma Federation of Students Unions (ABFSU) members Ko De Nyein Lin, Ko Moe Thwe, Ko Aung Myo Oo, and Ma Thandar, protested against the Letpadaung crackdown on December 1, near the Chinese Embassy and were charged and tried at Kemmendine and Alon Township courts on December 28. The six accused were charged under section 18 of the peaceful assembly bill. Each accused paid a total of 600,000 kyat in bail to Alon and Kemmendine township courts.

Additionally, former political prisoner students submitted a letter to the president this month requesting to enroll in each of their respective universities for the current 2012-13 semester. They also sent the copies of the letter to the Pyidaungzu minister, the Ministry of Home Affairs, and the Ministry of Education. If they do not receive a response, they plan to petition for signatures at universities around Burma and submit the signatures to parliament and to other parties. They first sent the letter on March 16, 2012 and have not received a response.

According to an AAPP inside source, local authorities in Mandalay, Monywa and Myingyan have arrested 10-13 activists involved in protests against the Letpadaung Copper Mine in the latest effort to quell months of unrest over the controversial project. In Mandalay, Aung Maing San and 3-4 other ABFSU members<sup>6</sup> were arrested at their homes, along with Thein Aung Myint, an activist from Myanmar Democracy Congress, a group that has called for lower commodity prices. The activists were charged under section 18 of the peaceful assembly bill for holding a protest without permission.

The nine other activists from Myingyan Township, Mandalay were also charged under section 18 of the protest bill but were shortly released after arrest. Relatives and colleagues of the detainees said they were initially being held at the Chan Mya Thazi Court in Mandalay. Aung Hmine San, Than Htike, Min Naing Lwin, and Thein Aung Myint were offered release on bail but all four refused the offer and were taken to Mandalay's Obo jail on December 14. The activists face up to six months in prison.

On the 16<sup>th</sup> of December, the ABFSU and Buddhist monks held a joint press conference at Dhamika Rarma Monastery in Mandalay calling for the release of the four activists. "We also demand an amendment to section 18 [of the Peaceful Assembly and Peaceful Procession Law]." ABFSU also held the press conference to call attention to the imprisonment of their members who were arrested regarding the Letpadaung Copper Mine project on December 21 in Rangoon.

**December 28<sup>th</sup>**

[The protesters demonstrated near Chinese Embassy, tried at the court](#)

**December 21<sup>st</sup>**

[All Burma Federation Student Union, ABFSU held the press conference for the student detainees](#)

**December 17<sup>th</sup>**

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<sup>6</sup> Than Htike, Min Naing Lwin (a.k.a Kyaw Gye) and Tun Tun Kyaw

[Activists call for 'unconditional release' of copper mine protesters \(DVB\)](#)

**December 14th**

[More Mine Activists Arrested \(RFA\)](#)

[Anti-Copper Mine Activists Detained \(Irrawaddy\)](#)

## Lawyers

A Rangoon-based law firm has agreed to file a lawsuit against the two powerful partners behind the controversial Letpadaung Copper Mine on behalf of local residents opposed to the project. The firm, the Hygienic Legal Clinic, said it would file a civil lawsuit against the military-backed Union of Myanmar Economic Holdings Limited (UMEH) and Wanbao, a subsidiary of Chinese state-owned weapons manufacturer NORINCO, to demand the closure of the mine and to win compensation for victims of a crackdown. The Hygienic Legal Clinic was formed in 2011 to help ordinary citizens fight illegal land confiscation and other abuses by Burma's military and companies close to the country's former ruling generals. The lawyers said they would file the lawsuit no later than the second week of April.

**December 21st**

[Lawyers to Help Letpadaung Protestors File Lawsuit \(Irrawaddy\)](#)

## Individual Activists

According to an AAPP inside source Ko Aung Thein Htut, a citizen who revealed corruption within the Ministry of Electric Power, was sentenced to nine months imprisonment without due process. There are no further details available on this case.

A man named Aung San Htay was sentenced to six months in jail for inciting public unrest under section 505(b) of the Penal Code. He was arrested in November for helping Moehiti Moemi gold mine protesters distribute leaflets. He will serve his sentence in Taungoo prison.

Early this month, a woman named Daw Nyo Aye, held a solo-protest condemning the Letpadaung Copper Mine protest crackdown in Arakan State's capital of Sittwe. She was taken to the police station and warned not to protest without a permit. She did not break any laws, however, because she was protesting alone.

On International Human Rights Day on December 10, over 100 members of Generation Wave Group held a protest denouncing the government's violent raid on anti-Letpadaung mine demonstrators. The protest called for a fair resolution of the crackdown and for the release of all those detained during the raid.

On December 12, nearly 100 monks, villagers and activists reestablished protest camps near Letpadaung copper mine. The activists demanded an immediate halt to the mine's operation in Monywa and a full investigation of the raid. Four days after the camps were established in Tone Village, government officials called for their dispersal. The camp committee refused to disband until their demands were met. The Ministry of Home Affairs accused protesters of demonstrating without a permit but camp leaders insisted frequent requests for permits were made and denied. Around 800 activists, including 20 monks inhabit the camps.

On December 13, ten protesters, including two<sup>7</sup> recently arrested and released activists and two monks, staged a demonstration in Rangoon to demand those who ordered the crackdown to confess to their participation, to apologize to the monks and for the Chinese company backing the project to leave Burma.

That same evening, the police arrested eight demonstrators in Mandalay. The activists were calling for a government apology following the crackdown. Four were shortly released while Thein Aung Myint of the Myanmar Democracy Congress (MDC), Min Naing Lwin, Than Htike and Aung Maing Sang, all members of the All Burma Federation of Student Unions (ABFSU), remain in custody. **(See also Students)**

A man named U Hla Maung Thwe, from Arakan State was sentenced to one year in prison this month for delivering money to the family of a man shot and killed by government authorities during a riot in Kyauknemaw village in October 2012. **(See Ethnic Nationalities)**

**December 20th**

[A person who gave financial assistance was sentenced to one year \(RFA Burmese\)](#)

**December 18th**

[Protesters set up new camps near controversial mine \(DVB\)](#)

**December 17th**

[Protest Camps Banned at Lapdaung Taung \(DVB Burmese\)](#)

**December 17<sup>th</sup>**

[Local Protests against Letpadaung Mine Resume \(Irrawaddy\)](#)

**December 14th**

[Burmese officials make new mine protest arrests \(DVB\)](#)

**December 13th**

[Released Detainees Protest Again \(RFA Burmese\)](#)

**December 10th**

[Generation Wave Group Strikes on International Human Rights Day \(RFA Burmese\)](#)

**December 3rd**

[Woman stages solo protest in Sittwe against violent crackdown of demonstration in Let Pan Daung \(Narinjara\)](#)

## National League for Democracy

Four women were injured from an alleged bomb blast while preparing for an NLD rally and public address by Daw Aung San Suu Kyi in Burma's Tanintharyi division. They were clearing land in a field when a small explosion detonated. None were seriously wounded and the source of the blast has yet to be confirmed by authorities.

**December 15th**

[Four injured in small blast at NLD rally site \(Mizzima\)](#)

## Daw Aung San Suu Kyi

At the beginning of December, opposition leader Aung San Suu Kyi demanded that government authorities apologize for the violent copper mine crackdown that took place November 29 in northwest Burma. However, she continued to support the government's decision to honor the contract for the project so that Burma will continue to attract foreign investment.

In November, following the Letpadaung crackdown, Aung San Suu Kyi was appointed head of a 16-member Investigation Commission charged with measuring the long-term effects of the project and the violent response taken by the government in response to demonstrations. This month, she assured citizens that a "just and right solution" would be reached. She warned, however, that the Commission's findings will not please everyone, but that the solution proposed by the Commission will be in the long-

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<sup>7</sup> Daw Naw Ohn Hla and Daw Shan Ma

term interests of Burma. Suu Kyi also reported that independent experts without ties to the government would be tasked with examining the types of weapons and tactics used against demonstrators.

**December 17th**

[Justice is needed at Letpadaung: Aung San Suu Kyi \(Myanmar Times\)](#)

**December 10th**

[Commission will find a fair solution, says NLD leader \(Myanmar Times\)](#)

**December 6th**

[Commission sidelines gov't in crackdown investigation \(DVB\)](#)

**December 2nd**

[Suu Kyi to Head Probe into Copper Mine \(Irrawaddy\)](#)

**December 1st**

[Suu Kyi Wants Gov't Apology for Violent Crackdown \(Irrawaddy\)](#)

## Key International Developments

International condemnation was quick to follow the violent Letpadaung Copper Mine raid on peaceful demonstrators on November 29. Human Rights Watch called the protests “a fundamental test case for the government’s commitment to peaceful assembly and willingness to demand accountability for abuses”. The US State Department expressed concern, urging Burmese security personnel to use maximum restraint and to respect due process and the right to peacefully assemble. The Department also called for withdrawal of the project. Finally, a group of 55 international NGOs and Burmese civil society organizations signed a statement criticizing the government’s violent response at the Letpadaung Copper Mine.

As far away as New York City, outside the Burmese Consulate, activists demonstrated to express their disapproval of the crackdown. Demonstration leaders included members of the All Burma Monks Alliance and the 88 Generation Students. Over 100 people were in attendance.

After seven years of banishment from Burma, the International Committee for the Red Cross (ICRC) will resume prison visits in early 2013. The ICRC is working with the Burmese Ministry of Home Affairs to organize an initial trial visit. While in Burma, ICRC officials will be permitted to assess prisoners’ living conditions and health but will not interfere in political issues such as whether or not the inmate should be in jail. These visits will give current political prisoners suffering in jail the mental and physical support they need to remain healthy until their release. As quoted in the Irrawaddy on December 21, AAPP explained, “Political prisoners are treated especially harshly. It is still common practice, for example, to place them in extreme solitary confinement, remote prisons far from doctors and their loved ones, alongside violent criminal offenders, or in cells traditionally used to house lepers. It is a rite of passage for political prisoners to suffer extreme physical abuse”.

Seventeen prominent Buddhists, including the Dalai Lama, released a statement calling for their fellow Buddhists to respect the rights of and show compassion for the Rohingya Muslim community living in Rakhine State. “The Burmese are noble people,” the statement read. “We wish to reaffirm to the world and to support you in practicing the most fundamental Buddhist principles of non-harming, mutual respect and compassion”.

A team of eight American officials visited Kachin State this month to meet with local officials and civil society groups to discuss the escalating conflict between the Kachin Independence Army (KIA) and the Burmese military. Burmese officials insist the army has been ordered to remain on the defensive but the increase in attacks and use of major artillery suggest otherwise.

The Assistance Association for Political Prisoners, AAPP expressed that the process of democracy and national reconciliation will be hard if the government does not recognize the more than 200 activists who, armed for democracy, have been remained in Burmese prisons.

"Two hundred and eighteen remain in prisons. The government has still not recognized the political prisoners today. In fact, the government is supposed to acknowledge the people who were detained while fighting for democracy and ethnic equality, as political prisoners. It is a dilemma and that will hinder future democracy and the national reconciliation process if it continues to go unacknowledged" insisted Ko Tate Naing, a secretary of AAPP.

**December 28th**

[China confident of Monywa, other projects, continuation \(Mizzima\)](#)

**December 24th**

[ICRC jail visits to resume in early 2013 \(Myanmar Times\)](#)

**December 21st**

[After 7 Years 'Essential' Red Cross Prison Visits Resume \(Irrawaddy\)](#)

**December 21st**

[AAPP Says the National Reconciliation Process is Hard without the Acknowledgment of Political Prisoners \(Mizzima Burmese\)](#)

**December 18th**

[US Ambassador leads fact-finding mission in Kachin \(DVB\)](#)

**December 12th**

[International Red Cross to Start Burma Prison Visits \(Irrawaddy\)](#)

**December 11th**

[Red Cross confirms it is ready to resume prison visits \(Mizzima\)](#)

**December 10th**

[Demonstration over crackdown on protesters of copper mine project held at Burmese consulate in New York \(Narinjara\)](#)

**December 8th**

[International Buddhist leaders urge Burmese to show compassions for Rohingyas \(Mizzima\)](#)

**December 4**

[US Concerned About Mine Protest Crackdown \(Irrawaddy\)](#)

**December 2nd**

[International condemnation for Monywa crackdown \(Mizzima\)](#)

## Conclusion

Arrests in the month of December showcase a growing trend in the number of peaceful protesters taken into custody and charged under Article 18 of the Law Relating to Peaceful Assembly and Peaceful Procession. This month, four out of six arrests were justified under Article 18 which requires that protesters obtain a government permit 5 days prior to staging a demonstration. This trend was evident throughout the year, were many of those arrested were charged under the protest bill for failure to obtain a protest permit. The appalling number of arrests justified under the protest bill show that the bill is being used to trample, rather than protect and promote, fundamental freedoms of expression and assembly.

And protest leaders are not to blame. Authority lays vested in township police commanders to grant or deny permits at his discretion. As the deputy-chairperson of the All-Burma Federation of Student Unions explained, "During the protests to show support for the President, they were giving away these permits abundantly, but they never give permission to [protests] concerning important matters...It doesn't really support freedom of expression." Protest leaders' requests for permits are regularly denied or ignored. After several attempts, leaders must choose between canceling rallies or face arrest. Penalties include up to one year imprisonment and a fine of 30,000 kyat (\$35USD).

If President Thein Sein and his nominally-civilian government wish to continue touting the reformist label, then he must quickly act to rewrite the protest bill to fall in line with international human rights law as codified in the International Covenant on Civil and Political Rights as well as other human rights standards. The protest law as it stands is intentionally vague. It leaves ample room for authorities to arrest any protester who chants slogans that "contain false information," who says or acts in a way that hurts the state, or who "causes fear and disturbances, blocks roads, vehicles or the public."

Burma's long history of suppressing protests will not come to an end unless the repressive provisions outlined in the protest bill are removed and replaced with those that protect basic freedoms. For example, criminal penalties should be reserved for those who engage in acts of violence, not for those who are simply expressing themselves in a peaceful manner such as by chanting an unapproved slogan. In addition, the law must clarify that it is meant to protect and promote peaceful gatherings, not deny permits simply because it may hurt the State.

The international community must monitor the implementation of laws like the Law Relating to Peaceful Assembly and Peaceful Procession in Burma. Reforms cannot be taken at face value. A law that was met with praise by Western governments in 2011, has only been used as a tool of oppression against citizens' basic human rights in 2012.