APRIL CHRONOLOGY 2017

Summary of the Current Situation:

There are 305 individuals oppressed in Burma due to political activities,

99 political prisoners are serving prison sentences,

91 are awaiting trial inside prison,

115 are awaiting trial outside prison.

Picture from RFA © 2017
Accessed April, 2017

Assistance Association for Political Prisoners (Burma)
နိုင်ငံရေးအကျဉ်းသားများ ကူညီစောင့်ရှောက်ရေးအသင်း (မြန်မာနိုင်ငံ)

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POLITICAL PRISONERS

▪ ARRESTS

Organisers of a Football Match Arrested for Commemorating the Foundation Day of the Arakan Army

On April 10, Abbot Nanda Thara and Khine Ni Min were arrested in Arakan State's Mrauk Oo Township after a case was filed by a Light Infantry Battalion #540 under the Unlawful Association Act. The men had organised a football match dubbed the 'Arakan Army Cup' among other events, commemorating the founding of the Arakan Army on April 10, 2009. Authorities had pressured Nanda Thara to not go through with the events. The case was filed against them on April 8. The men were charged with "Having connections to an unlawful association" under Section 17/1 of the Unlawful Association Act. The abbot and Khine Ni Min are being detained in a prison in Sittwe, Rakhine State. Hundreds of protesters took to the street on April 21 to express their disapproval with the arrest. The two men are due to appear before court on May 2.

(9 April 2017 - RFA/Burmese) (10 April 2017 - RFA/Burmese) (10 April 2017 - DVB) (11 April 2017 - The Voice/Burmese) (11 April 2017 - Irrawaddy) (21 April 2017 - DVB) (21 April 2017 - BNI/Burmese) (24 April 2017 - DVB/Burmese)

Student Protesters Arrested in Mandalay

On April 26, 2017, four students were arrested while protesting against the Sagaing Education College, Sagaing Division, which they found too oppressive by restricting their handphone use. Zaw Ye Htut, Thet Hnin Aung, Kaung Zaw Hein, and Ye Myo Swe were chanting slogans and holding placards in front of the Department of Higher Education in Mandalay, Mandalay Division, when they were arrested by the police. Police Major Thet Win justified their arrest by claiming that the students did not notify the authorities of their intention to protest. They are currently detained at the Chanayethazan Township No. 8 police station. On April 27, Zaw Ye Htut, Thet Hnin Aung, Ye Myo Swe and Kaung Zaw Hein appeared in Chanaye Township Court, and were charged under Section 19 of the Peaceful Procession and Peaceful Assembly Act. According to a local observer, the students declared they would not cooperate with the court, then sat with their backs turned to the judge and walked out of the courtroom, back to their cells, within 15 minutes of the trial.

(26 April 2017 - DVB/Burmese) (26 April 2017 - RFA/Burmese) (26 April 2017 - Myanmar Times/Burmese) (26 April 2017 - Irrawaddy) (27 April 2017 - Myanmar Times) (27 April 2017 - Eleven Myanmar) (28 April 2017 - DVB)

▪ CHARGES

Activists Appealing Against Trespassing and Other Charges

Tint Aung Soe and two other social activists are appealing against the charges filed against them by Sagaing's Salingyi Township Court last year in May, accusing them of trespassing, intimidation and obstructing the sidewalk. They were protesting copper mining projects in Sabetaung and Kyesintaung, Sagaing Division claiming them to be damaging to the environment and property of locals. The activists are taking their case to Naypyidaw court this month in the hope to get the charges dropped.

(10 April 2017 - Myanmar Times)

▪ TRIALS

Political Activist Prosecuted After Nine Months in Detention

Human Rights Defender and Deputy Information Officer of Arakan Liberation Party (ALP) Khaing Myo Htun was prosecuted after nine months in detention. On May 5, 2016, Lieutenant Colonel Tin Naing Tun of the Military filed a complaint against Khaing Myo Htun under Sections 505(b) and (c) of the Penal Code for sedition and incitement respectively, following a statement on behalf of ALP on April 24, 2016, implicating the military for using civilian forced labor and committing international crimes against civilians in Arakan State. The defendant faces up to two years in prison. Following the complaint, Khaing Myo Htun was arrested by the Sittwe police on July 25, 2016. Since his detention, his trial has been excessively delayed without any proper explanation.
(6 April 2017 – AAPP's Facebook Page)

Investigation of the Cases of Two Baptist Church Officials Delayed

The trial of the two Baptist Church officials arrested in December 2016 in Mong Ko Township, Kachin State, was delayed because the plaintiffs did not come to the court. Therefore, the lawyer of the defendants named Bayan Dee said they plan to submit a request for their release on bail or to have the charges against them dropped.

Naung Lat and Gam Seng were arbitrarily taken into custody on December 24, 2016 and kept in secret detention for almost a month until January 19 when the Army confirmed their arrest and detention. On January 24, the two church officials were finally transferred to the Muse Police Station, Shan State, for formal investigation under Sections 17/1 and 17/2 of the Unlawful Associations Act. They were alleged to be providing information, recruiting troops, and transporting fuel to the Kachin Independence Army (KIA). On February 7, the Muse Township Court confirmed the charges under Section 17/1 of the Unlawful Associations Act and Section 8 of the Export and Import Law. On March 6, 2017, Naung Lat was additionally charged under Section 500 of the Penal Code for defaming the military.
(21 April 2017 – BNI/Burmese)

Myanmar Now Editor Swe Win Still Facing a Defamation Case in Mandalay

On April 21, 2017, Kyauktada Township Judge Than Naing Htwe in Rangoon rejected the defamation case against Myanmar Now's editor Swe Win under Article 295(a) of the Penal Code for insulting religion because the prosecution was not carried out by the aggrieved party, U Wirathu. The defendant however is still facing defamation charges under Section 66(d) of the Telecommunications Law in Mandalay for defaming U Wirathu.

On February 28, 2017, Swe Win used his Facebook account to state that the Association for the Protection of Race and Religion (Ma Ba Tha) member U Wirathu had transgressed the Buddhist monk code by publicly praising the murder of prominent Muslim lawyer and National League Democracy legal adviser, U Ko Ni. In response to which, two legal cases were slammed against him for defaming U Wirathu under Section 66(d) of the Telecommunications Law in Mandalay, and

Section 295(a) of the Burma Penal Code in Rangoon. The complaints were filed by Ma Ba Tha supporter Kyaw Myo Shwe, and Kyimyndine Township, Rangoon resident Thet Myo Oo respectively. The latter case was dropped while the charges in Mandalay are still held. On April 5, the Ministry of Religious Affairs and Culture, in an opinion statement, declared that Swe Win's statement was based on facts and thus could not be classified as defamation. According to the Ministry, he did not set out with an intention to defame U Wirathu but was carrying out his job as a journalist. The letter from the Ministry was a response to a request made by Swe Win seeking their opinion on his case. In response, Burma's opposition parties and a national Buddhist group denounced the statement. The Union Solidarity and Development Party (USDP) and eight other political parties released a statement on April 8 stating that the Ministries' statement saying Swe Win had not contravened the law could result in encouraging more people to insult Buddhism, resulting in more conflict and instability. The Association for the Protection of Race and Religion (Ma Ba Tha) further took issue with the statement, releasing their own statement on April 10 accusing the Ministry of taking the side of journalists and that the role of the Ministry was to support and protect Buddhism and not to partake in action which may be damaging to the religion.
(5 April 2017 - RFA/ Burmese) (5 April 2017 - Irrawaddy/ Burmese) (5 April 2017 - Irrawaddy) (6 April 2017 - 7 Day Daily/ Burmese) (9 April 2017 - RFA/ Burmese) (10 April 2017 - RFA/ Burmese) (11 April 2017 - Irrawaddy) (21 April 2017 - Irrawaddy) (21 April 2017 - VOA/ Burmese) (21 April 2017 - Irrawaddy/ Burmese) (22 April 2017 - The Voice/ Burmese) (23 April 2017 - 7 Day Daily/ Burmese)

▪ SENTENCES

10 Farmers Sentenced for Ploughing Confiscated Land

On April 24, ten farmers from Namt Lin Cham village, Naungcho Township, Shan State were sentenced to 16 months in jail with hard labor under Sections 446 for burglary, 427 for causing damage, 294 for obscene behavior, and 506 for criminal intimidation, of the Penal Code. Starting in 2014, the farmers had been cultivating farm lands of a coffee plantation that the Ministry of Agriculture and Irrigation grabbed in 2003. Farmland Activist Myo Win, who was not among the arrested farmers, declared he intends to protest the verdict.

(24 April 2017 - RFA/Burmese) (25 April 2017 - VOA/Burmese) (25 April 2017 - Eleven/Burmese) (25 April 2017 - Eleven Myanmar) (26 April 2017 - Myanmar Times/Burmese) (27 April 2017 - Myanmar Times)

Seven Farmers Sentenced to Two Months Imprisonment

On April 26, seven farmers who staged a protest over their confiscated land in Son Ye Inn, Mandalay Division, were sentenced to two months imprisonment by the Sintgaing Township Court. In 2014, the Department of Industrial Crop Development under the Ministry of Agriculture and Irrigation decided to lease 1,100 acres of land to the Mudon Maung Maung Company for a period of twenty years. In response, farmers from Shan Kan village, Soon Ye Inn village and Kyauk Kone village staged a protest claiming that these lands have been in their families for generations and thus belonged to them. In December 2015, both Htay from the Department of Industrial Crop Development of Ministry of Agriculture and Irrigation and the Mudon Maung Maung Company charged them under Articles 427 and 447 of the Penal Code for mischief causing damage and trespass respectively.

(27 April 2017 – 7 Day Daily/Burmese)

▪ CONDITIONS OF IMPRISONMENT

Kachin Political Prisoner Suffering from Serious Health Problems

Lahpai Gam, a 56-year-old Kachin political prisoner, is suffering from serious stomach illness, which may be a result of the torture he endured at the time of his arrest in 2012. Concerns have been raised about his access to medical care in prison. He was hospitalized in March and was discharged on April 20 following some improvement to his health. Lahpai Gam was arrested in Kachin State by the Military in June 2012. He was held incommunicado for almost a month before being transferred to Myitkyina prison. He was sentenced to eight years of imprisonment under Sections 3 and 4 of the Explosive Substances Act in relation to bombs that were planted in Kachin State, charges that were upheld on the basis of a confession letter dated from the time he was tortured and held incommunicado; he maintains he is innocent and never signed a confession letter. Amnesty International released a statement on April 7, demanding his "Immediate and unconditional" release and access to necessary health care.

(7 April 2017 - Irrawaddy) (7 April 2017 - Amnesty International) (7 April 2017 - RFA/Burmese)

Religious Activities Allowed in Prison as of New Fiscal Year

As of the new fiscal year, prisoners from all prisons will be allowed to practice religious activities, according to Prisons Department Deputy Director from the Security Sector Min Tun Soe. In previous years, conducting monthly religious activities and opening meditation centres were allowed in Ohbo, Tharyarwady, and Insein prisons, while other prisons only allowed inmates to carry out religious activities on days of religious significance. Under the new orders, prisoners of all religions will be allowed to practice religious activities monthly. The instructions have already been given out.

(7 April 2017 - The Voice/Burmese) (26 April 2017 - Myanmar Times)

▪ RELEASES

DVB Reporter Charged for Distributing Allegedly False Information

On April 5, DVB reporter Wanna Tun was arrested by the Letpadan police in Bago Division, and charged under Section 68(a) of the Telecommunications Act, which covers the "Distribution of incorrect information." The charge centres on a report released last year stating that the village administrators were exaggerating the land surface owned by local farmers so that they could secure higher loans. The suit was filed months ago, but Wanna Tun was only summoned to the police station on April 1. Wanna Tun was released on bail at 1 million kyats (US$735).

(5 April 2017 - DVB) (9 April 2017 - 7 Day Daily/Burmese)

NLD Member Myo Yan Naung Thein Charged Under Section 66(d) for Insulting Military Chief

On April 7, Myo Yan Naung Thein was charged and sentenced by the Kamayut Township Court to six months in prison under Section 66(d) of the Telecommunications Law. Following the military crackdown in Arakan state last October, Myo Yan Naung Thein posted a status on Facebook on October 14, criticizing Commander - in - Chief Senior General Min Aung Hlaing for not resigning. Lieutenant colonel Lin Htun filed a lawsuit against him at the Hlaing Police Station on October 31, and Myo Yang Naung Thein was subsequently arrested on November 3. He was kept in detention during his trial after his bail applications were denied repeatedly. In a mass amnesty of prisoners on April 12, Myo Yan Naung Thein was released from prison.

(05 April 2017 - Myanmar Times) (07 April 2017 - DVB) (7 April 2017 - RFA/Burmese) (7 April 2017 - VOA/Burmese) (7 April 2017 - The Voice/Burmese) (7 April 2017 - 7 Day Daily/Burmese) (7 April 2017 - Frontier/Burmese) (7 April 2017 - VOA/Burmese) (12 April 2017 - RFA) (21 April 2017 - Frontier Myanmar)

NLD Member Phoe Htaung Charged Under 66(d) for Sharing Fake News on Facebook, and Released

On April 7, 2017, National League for Democracy (NLD) member Phoe Htaung (also known as Aung Myint Htun) was convicted to six months in prison under Section 66(d) of the Telecommunication Law in Naypyidaw Zabuthiri Township Court. He is charged with using the official seal of the NLD in a Facebook post that erroneously declared the resignation of senior party official Win Htein. In his defence, he claims he shared the information after he found it on Facebook, rather than having fabricated it himself. Phoe Htaung has been detained for more than five months, since the initial lawsuit was brought against him in October. He was released on April 12.

(7 April 2017 - DVB/Burmese) (7 April 2017 - RFA/Burmese) (8 April 2017 - DVB) (8 April 2017 - Irrawaddy)

1883 Prisoners Released in Mass Amnesty

On April 12, 1883 prisoners across the country were released from prison in a mass amnesty. Prisoners were released on the grounds of good behavior, under

paragraph 847 and 848 of the bylaws in the Jail Manual. Among those who were released was National League for Democracy (NLD) researcher Myo Yan Naung Thein. He was sentenced On April 7 under Section 66(d) of the Telecommunications Law for defaming Commander-in-Chief Senior General Min Aung Hlaing in a Facebook post. This is the second time a mass amnesty is given since the NLD government took office.
(12 April 2017 - DVB/Burmese) (12 April 2017 - RFA/Burmese) (12 April 2017 - VOA/Burmese) (12 April 2017 - Eleven/Burmese) (12 April - Eleven Myanmar) (13 April 2017 - Mizzima) (21 April 2017 - Frontier Myanmar)

▪ FORMER POLITICAL PRISONERS

Former Political Prisoner and Prominent Human Rights Lawyer Robert Sann Aung Received Death Threats

On April 4, Amnesty International initiated a campaign to secure the safety of former political prisoner and prominent human rights lawyer Robert Sann Aung. He has been receiving death threats since December 19, when he was approached by a man in civilian clothes, claiming to be Military Intelligence. From then on, he has been watched, followed and approached; he has received death threats and experienced intimidation, including the threat that he would be killed next, in reference to the killing of National League for Democracy (NLD) legal adviser U Ko Ni at Rangoon International Airport in January. Robert Sann Aung is reluctant to report the intimidation to the police, as he says the authorities might be connected to the intimidation.

(4 April - Amnesty International) (5 April 2017 - Irrawaddy) (5 April 2017 - Irrawaddy/Burmese) (6 April 2017 - Frontier Myanmar)

24 NGOs Call for a Prisoner Review Mechanism on the Anniversary of U Win Tin's Death

April 21, marked the anniversary of U Win Tin, and was again commemorated by people from all over the world wearing blue shirts and using the hashtag #blueshirt4burma. This campaign, initiated by Burma Campaign UK, is an expression of solidarity with the late U Win Tin, who refused to give up his blue prison shirt, and continued to wear a blue shirt every day after his release from prison in protest against detention of political prisoners. He is famously quoted as stating "If there are no political prisoners I will take off my shirt, but up until now I have seen no good indication." On the occasion of this year's commemoration, 22 organizations, including Amnesty International and AAPP, released a statement denouncing politically motivated persecution in Burma. The statement called for the immediate release of all political prisoners and the establishment of an independent review mechanism to address both short and long-term issues of politically motivated persecution. The statement argued that the Prisoners of Conscience Affairs Committee failed to meet expectations. The full text can be read on Burma Campaign UK's website. In a commemoration ceremony at Rangoon's Tawwin Hninzi Hall, U Win Tin supporters called for a garden or memorial to honor him; the government has not responded.

(19 April 2017 - DVB/Burmese) (20 April 2017 - Irrawaddy/Burmese) (21 April 2017 - VOA/Burmese) (20 April 2017 - DVB) (20 April 2017 - Amnesty International) (20 April 2017 - Jurist) (21 April 2017 - Irrawaddy) (21 April 2017 - Mizzima)

Free Clinic for Former Political Prisoners Closes Temporarily

The Hanthawaddy U Win Tin Foundation Clinic, which has provided free medical services to former political prisoners (FPPs) since 2012, closed temporarily due to financial constraints. The clinic

supported FPPs and their family members with access to healthcare, education and rehabilitation. A lack of donors in the past forced the Foundation to open a separate clinic, rather than to fund free medical care at a hospital for FPPs. Foundation chairman Kyaw Aung said he hopes to see the clinic reopen next month, but adds they are short on medicine. The plan is to keep the clinic open until September, but lack of donors makes it difficult.
(28 April 2017 - Irrawaddy) (28 April 2017 - Irrawaddy/Burmese)

RESTRICTIONS ON CIVIL AND POLITICAL RIGHTS

Police Interferes with Peaceful March Protesting the Legal System

On April 3, police forces in Ottarathiri Township, Naypyidaw, stopped a group of 20 protesters in their peaceful march. The police said the interference was warranted, referring to Section 4(f) of the Peaceful Assembly and Peaceful Procession Act. The protestors were raising awareness about what they called the lack of righteous and fair law. One of the protestors, Thinzar Maung Maung, is also protesting the verdict on a case against her, that she believes exemplifies there are people "Above the law". A leader of the group stated this disagreement with the police interference, calling it "Absurd in a democratic country".

(4 April 2017 - Myanmar Times) (5 April 2017 - Myanmar Times/Burmese)

Increasing Protests over Land Confiscation

On April 23, 2017, about 100 farmers in Kanbalu Township, Sagaing Region, staged a demonstration asking for a quick resolution to the issue of 1129 acres of confiscated farmlands. Farmers are demanding the return of these lands they depend on for living.

On April 26, 2017, about 15 farmers from Katha district, Sagaing Region, staged a protest in Naypyidaw to demand compensation for seized lands for government projects between 2007 and 2015. According to one of the protestors, Tint Wai, farmers who had their farmland confiscated for the Great Wall

sugar factory project were not adequately compensated. For his part, farmers like Sein Mein who saw their farmland confiscated for the Takaung nickel factory project did not receive any damage compensation. This protest is the ninth time these farmers are asking for compensation for their lands.

(26 April 2017 - Myanmar Times) (27 April 2017 - Myanmar Times) (27 April 2017 - Radio Free Asia)

Protesters in Rangoon Force Closure of Muslim Schools in Burma

On April 28, 2017, more than 100 people led by ultra-nationalist Buddhist monks gathered in Rangoon's Tharkayta Township asking for the immediate closure of two Muslim schools of the area. The mob threatened to destroy the buildings itself if the authorities did not give into their demands. After several hours of negotiations, officials agreed to shut down the schools temporarily. According to an officer at Rangoon Police Force, the buildings were sealed off mainly to appease the protesters and disperse them peacefully. It is one of the rare times anti-Muslim demonstrations, which usually take place outside Rangoon, occur in such a large and cosmopolitan city.

(28 April 2017 - Fox News) (30 April 2017 - The Muslim News)

LEGISLATION AND POLICY DEVELOPMENTS

By-Election Gauges Political Trends: NLD Seems to have Lost Popularity

In the by-elections on April 1, the National League for Democracy (NLD) won nine out of 19 vacant seats in the union and regional parliaments. The elections do not affect the balance of power in Parliament, where the NLD enjoys large majority, but they can gauge popularity of the different electoral parties. The NLD lost two seats compared to the 2015 outcomes, Union Solidarity and Development Party (USDP) remained the same, Arakan National Party (ANP) gained one, as did the Shan Nationalities League for Democracy (SNLD). In two townships, the NLD failed to register its candidate in time, forcing the party out of the race in those elections. The party later laid off the two party heads in charge of business at the time. The voter turnout was about 40%, according to the Myanmar Election Observation Network (MEON), in contrast to the 70% turnout in the 2015 elections. The MEON blames inadequate voter education for the low turnout rates. The elections went by peacefully, with only minor issues. According to the MEON, 88% of the by-elections went by free and fair, in 12% of the cases voters, political parties or their candidates ran afoul of the law in some way. The Union Election Commission (UEC) reported to have received multiple complaints from the USDP about illicit NLD activities on election day. NLD elect Win Min denied such allegations. Parties have until May 15 to submit complaints.

(3 April, 2017 - Mizzima) (2 April, 2017 - Irrawaddy) (2 April, 3017 - DVB) (3 April, 2017 - MmTimes) (3 April, 2017 - Asian Correspondent) (3 April, 2017 - Irrawaddy) (6 April, 2017 - DVB) (26 April 2017 - Myanmar Times)

Supreme Court States: "Corruption lingers, but we are trying our best to fight it"

In a press conference on April 4, Supreme Court Deputy Director-General Tin Nwe Soe confirmed lingering corruption in court. She informed the media about the Supreme Court's one-year performance. Court Director-General Ko Ko Naing added: "It's typical that we receive a lot of complaints [against the judicial system]. The opposite parties at a trial can't settle over the verdict, and we receive reform suggestions - but we can't do it overnight."
(4 April 2017 - DVB/Burmese) (5 April 2017 - The Voice/Burmese) (5 April 2017 - Eleven Myanmar)

Ministry of Transport and Communications Hold Talks Over 66(d) Amendments

According to Director General of the Ministry of Transport and Communications, Soe Thein, the Ministry is holding intra-ministry discussions regarding the amendment of Section 66(d) of the Telecommunications Law. Soe Thein stated "We can't scrap the law. But the law

does not grant bail and this creates problems for defendants." The Telecommunications Law is being used to stifle political dissent and as a tool of retaliation against alleged defamation. According to Permanent Secretary of Transport and Communications Win Khant, the Telecommunications Law was written to regulate private telecom operator, and to develop the telecom industry and telecom operators.
(11 April 2017 - Irrawaddy) (11 April 2017 - Irrawaddy/Burmese) (12 April 2017 - Eleven Myanmar)

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