



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

နိုင်ငံရေးအကျဉ်းသားများကူညီစောင့်ရှောက်ရေးအသင်း (မြန်မာနိုင်ငံ)

P.O Box 93, Mae Sot, Tak Province 63110, Thailand

email: [info@aappb.org](mailto:info@aappb.org) website: [www.aappb.org](http://www.aappb.org)

---

## **Annual Report 2009:**

### **AAPP Political Prisoner Review**

## Summary of current situation and analysis

As of 31 December there were a total of **2,177** political prisoners in Burma. This is an overall increase of 15 in comparison to last year's figure of 2,162. In 2009, 264 political prisoners were arrested and 266 were released. AAPP also received information about activists who were arrested and released before 2009, and this retroactive information explains why there is actually an overall increase of 15 during the course of 2009.

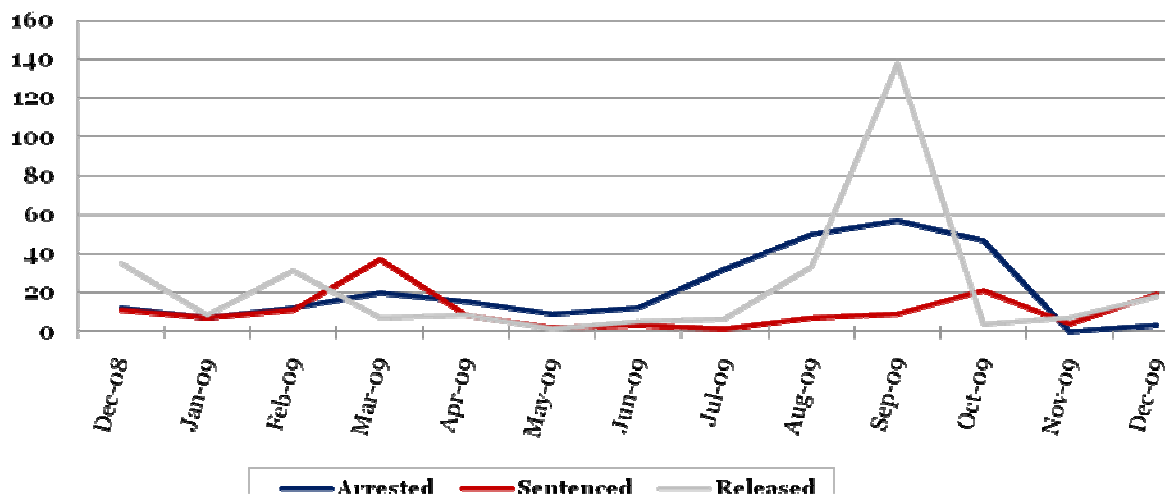
These include:

CATEGORY	31 December 2008	31 December 2009
Monks	223	251
Members of Parliament	16	12
Students	272	286
Women	187	178
NLD members	482	430
Members of the Human Rights Defenders and Promoters network	39	34
Ethnic nationalities	204	208
Cyclone Nargis volunteers	20	30
Teachers	25	27
Media activists	44	41
Lawyers	14	11
In poor health	117	129

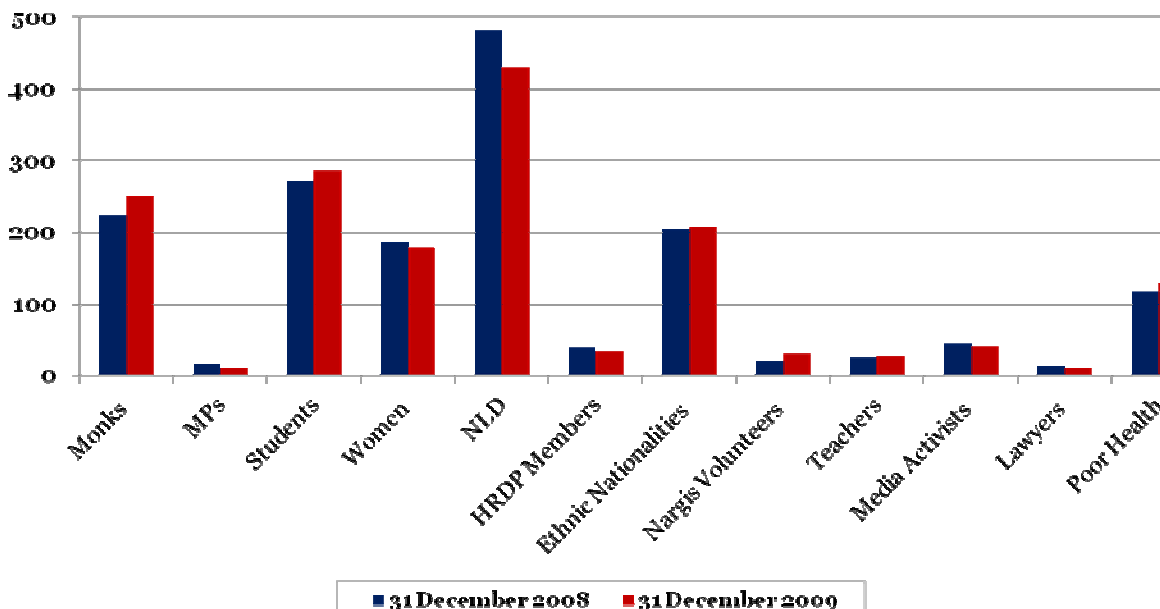
Since the protests in August 2007 leading to September's Saffron Revolution, a total of **1,167** activists have been arrested and are still in detention.

In 2009, **264** political prisoners were arrested, **129** activists were sentenced, **266** were released, and **71** prisoners were transferred. At least **48** political prisoners reported new health symptoms in 2009, bringing the total number of political prisoners in poor health to **129** as of 31 December 2009. This is due to harsh prison conditions, transfers to remote prisons where there are no doctors, and denial of proper medical care.

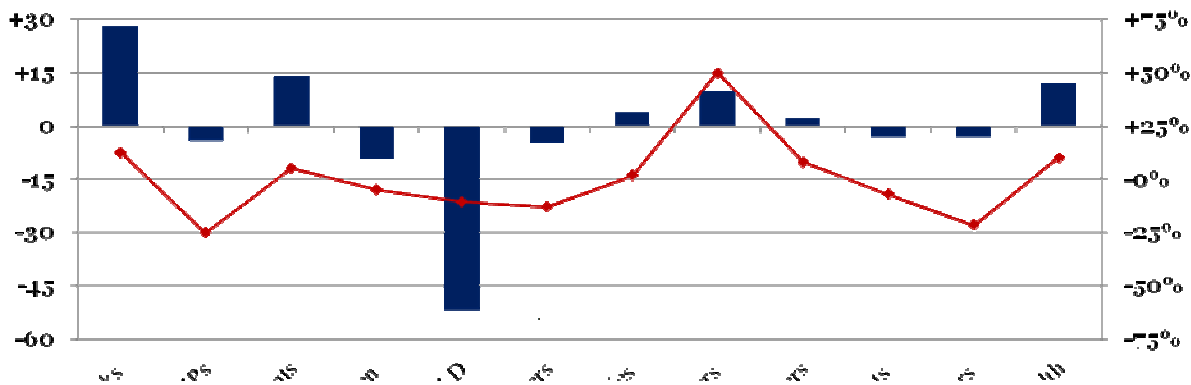
Chart A: Number of Political Prisoners Arrested, Sentenced, Released



**Chart B: Number of Political Prisoners by Category**



**Chart C: Year-on-Year Differential: 2009 vs. 2008**



## Treatment of prisoners and their families

2009 was a very difficult year for Burma's political prisoners and their families. Despite two prisoner amnesties, the overall number of political prisoners increased. Torture, prison transfers and the denial of adequate healthcare continued unabated. As of 31 December 2009, there were 129 political prisoners in poor health, and during the course of the year at least 71 political prisoners were subjected to prison transfers.

Often times transfers place prisoners in remote jails located prohibitively far away from their families, and in some cases relatives are only informed of prison transfers well after they have taken place. These transfers also affect the frequency with which prisoners' families are able to visit, thus limiting access to vital supplementary food and medicines.

As part of the junta's widespread crackdown on political dissidents, prison authorities systematically denied numerous political prisoners their right to family visits. In many cases, the authorities denied family members the right to see their loved ones even after they had travelled hundreds of miles to remote jails, often at great expense.<sup>1</sup>

This has led to psychological hardship for both prisoners and their families and additional health problems, as political prisoners rely on their family members for supplementary foods and medicines. Comedian and activist Zarganar was perhaps the most high profile of those prisoners denied regular access to their families in 2009.<sup>2</sup>

Prison authorities continued to systematically deny proper medical treatment to political prisoners in 2009. In January, as a result of inadequate medical treatment, 23 year-old Kay Thi Aung suffered a miscarriage in prison.<sup>3</sup> U Gambira, leader of the All Burma Monk's Association, has suffered from various ailments in 2009 after being subjected to torture and two prison transfers. He also went on hunger strike. In November, Gambira contracted malaria, further adding to his health woes.<sup>4</sup> Shan leader Khun Htun Oo has suffered from hypertension, diabetes complications, bladder distention, and peptic ulcer throughout the year. He has been refused medical attention outside prison, and family members are concerned that he is not receiving proper care at remote Putao Prison.<sup>5</sup> Imprisoned comedian and activist Zarganar's health also suffered in 2009. His family reported in April that he was suffering from liver and heart ailments at Myitkyina Prison in Kachin State, in the country's far north.<sup>6</sup> Also, in July family members of a detainee at Hkamti Prison reported that a majority of prisoners at the remote prison were suffering from malaria, and the overall conditions of the prison had contributed to further health deterioration for many of its detainees.<sup>7</sup>

In May, AAPP released a report highlighting the growing health crisis for political prisoners in Burma. The report – entitled “Burma's prisons and labor camps: Silent killing fields” – outlines the health impact of systematic torture, long-term imprisonment, transfers to remote prisons, and denial of healthcare.

---

<sup>1</sup> 9 January 2009 Mizzima

<sup>2</sup> 12 January 2009 DVB

<sup>3</sup> 23 January 2009 AAPP

<sup>4</sup> 18 November 2009 AP

<sup>5</sup> 18 December 2009 Shan Herald

<sup>6</sup> 24 April 2009 DVB

<sup>7</sup> 2 July 2009 RFA Radio Interview

The regime's continued use of torture and inhumane treatment of prisoners continued throughout 2009, with numerous accounts of torture, physical abuse, and prisoners placed in dog cells and other forms of solitary confinement. In June, five political prisoners in Rangoon's Insein prison were held in military dog cells and banned from receiving family visits.<sup>8</sup> Then in August, prominent labor activist Su Su Nway was placed in solitary confinement for three days following participation in a ceremony to mark the 62nd anniversary of Martyrs' Day in Kale Prison.<sup>9</sup> In September, democracy activist and member of the 88 Generation Students group Nobel Aye was placed in solitary confinement. Nobel Aye had already been transferred to Monywa prison in 2009 after her initial arrest in 2007, and it is feared that the additional strain of solitary confinement further harmed her already fragile health.<sup>10</sup> In December, naturalized US citizen and recently imprisoned pro democracy activist Nyi Nyi Aung was subjected to severe beatings as punishment for his hunger strike. He had already been tortured under interrogation following his arrest in September. Following a hunger strike, he was placed in a military dog cell where he was unable to sleep due to constant barking. The combined effect of torture, hunger strike, and solitary confinement has left him in a fragile state of health.<sup>11</sup>

In February and September, 31 and 129 political prisoners were respectively released under amnesties. These were another cynical ploy by the regime, designed to ease international pressure. No political leaders were amongst those released. Since November 2004 there have been a total of six amnesties for prisoners. According to the ruling State Peace and Development Council's own figures, 45,732 prisoners were released under those amnesties. Only 1.3% of them were political prisoners.<sup>12</sup>

AAPP also received news regarding the deaths of three political prisoners in 2009. Salai Hla Moe, Saw Char Late and Tin Tin Htwe all perished in Burma's prisons, where adequate healthcare is denied and torture is standard practice.<sup>13</sup>

## **AAPP activity and publications**

In 2009, AAPP continued to actively support the 2,100+ political prisoners in Burma by means of distribution of vital foods and medicines, financial assistance for political prisoners and their families, and research and documentation work aimed at raising international awareness of the issues faced by current and former political prisoners in Burma.

On 1 May 2009, AAPP released a report detailing the treatment of the numerous Cyclone Nargis activists who were arrested for gathering dead bodies, delivering relief supplies, reporting on the cyclone, and fundraising for relief aid. At the time of the report's release, 21 Nargis volunteers were imprisoned in Burma, however, since that time this number has risen to 30.

*Burma's Prisons and Labour Camps: Silent Killing Fields*, released 11 May 2009 by AAPP, highlights the growing health crisis for political prisoners in Burma, including the health impact

---

<sup>8</sup> 12 June 2009 AAPP

<sup>9</sup> 4 August 2009 Irrawaddy

<sup>10</sup> 14 September 2009 Irrawaddy

<sup>11</sup> 23 December 2009 Mizzima

<sup>12</sup> 22 September 2009 AAPP

<sup>13</sup> 24 December 2009 AAPP

of systematic torture, long-term imprisonment, transfers to remote prisons, and denial of healthcare.

In the first half of 2009, together with Forum for Democracy in Burma, AAPP led the *Free Burma's Political Prisoners Now!* campaign, with the aims of raising international awareness about Burma's political prisoners and strengthening cooperation amongst the various regional and international organizations working on behalf of Burma. 677,254 petition signatures were collected in just ten weeks, and were personally delivered to Ban Ki-moon's office in New York by a Burmese delegation on 15 June 2009. The campaign was the largest global coordinated action for Burma to date.

## Timeline of key events

### January 2009

8 January	Cyclone Nargis volunteers denied family visits
14 January	ABFSU member Bo Min Yu Ko given 104-year sentence
17 January	U Gambira is transferred to remote Hkamti prison
21 January	Political prisoner Kay Thi Aung miscarries in detention
22 January	Health of Nilar Thein, leading 88 Generation Students member, deteriorates

### February 2009

2 February	UN Envoy Ibrahim Gambari meets Daw Suu and NLD leaders
13 February	U Tin Oo's house arrest extended
13 February	Elected MPs Dr Tin Min Htut and Nyi Pu sentenced to 15 years
16 February	Nargis volunteers' sentences reduced
20 February	Activist Su Su Nway's sentence reduced
20 February	Junta announces 6,313 prisoners to be freed; only 30 are later confirmed as political prisoners
21 February	Journalism award for Cyclone Nargis helper Eint Khaing Oo
21 February	No tangible result from visit: Gambari
21 February	ABFSU leader Kyaw Ko Ko transferred to Taunggyi prison

### March 2009

4 March	88 Generation Students leader Min Ko Naing in declining health
13 March	Free Burma's Political Prisoners Now! global campaign launched by AAPP and Forum for Democracy in Burma
17 March	UN Special Rapporteur on Human Rights calls for the release of prisoners of conscience in report to the Human Rights Council
23 March	Imprisoned activist Su Su Nway 'too weak to even walk'
24 March	UN body concludes Daw Suu's detention violates Burmese law

### April 2009

7 April	Shan Nationalities League for Democracy leader Khun Htun Oo's health deteriorating in prison
8 April	88 Generation Students open letter to the SPDC
20 April	88 Generation Students member Aung Thu in poor health due to torture and denial of medical treatment
24 April	Zarganar and other imprisoned cyclone helpers in poor health
24 April	Min Ko Naing awarded human rights prize
27 April	NLD sets pre-conditions for role in elections in Shwegondaing Declaration

### May 2009

1 May	AAPP releases report documenting the cases of Cyclone Nargis volunteers in detention
-------	--

- 11 May AAPP report released documenting the deteriorating health of many political prisoners
- 12 May NLD member Salai Hla Moe dies in prison
- 13 May Monk leader U Gambira transferred again
- 14 May Daw Suu and her two live-in party members arrested after US man John Yettaw intrudes at her home
- 14 May International outcry over the arrest of Daw Suu
- 18 May Daw Suu's trial begins

### **June 2009**

- 4 June 88 Generation Student Nobel Aye in poor health
- 15 June 677,254 Free Burma's Political Prisoners Now! petition signatures delivered to UN by Burmese delegation
- 18 June UN Secretary General invited to visit Burma
- 20 June Regional parliamentarians seek expulsion of Burma from ASEAN
- 26 June U Gambira's sentence reduced by just 5 years
- 27 June UN Envoy Gambari arrives in Burma ahead of Ban Ki-moon's visit

### **July 2009**

- 1 July UN chief Ban Ki-moon heads for Burma with high hopes and little else
- 3 July Ban Ki-moon denied meeting with Daw Suu
- 13 July 88 Generation leading member Mya Aye denied family visits
- 14 July China opposes putting Burma question on UN Security Council Agenda
- 27 July Aung San Suu Kyi wins top Amnesty honour
- 31 July At least 30 NLD members arrested

### **August 2009**

- 11 August Daw Suu and live-in party members found 'guilty', sentenced to 3 years hard labor commuted to 18 months house arrest by Than Shwe
- 11 August UK PM Gordon Brown refers to the verdict as 'monstrous'
- 15 August US Senator meets Than Shwe and Daw Suu. US citizen Yettaw released on 'humanitarian grounds'.
- 29 August Monk Ashin Sandar Dika tortured under interrogation

### **September 2009**

- 3 September US citizen Nyi Nyi Aung arrested and tortured under interrogation
- 16 September Human Rights Watch issues report on Burma's political prisoners
- 17 September Junta announces amnesty for 7,114 prisoners. AAPP later confirms that just 129 are political prisoners.
- 18 September Court hears Aung San Suu Kyi appeal
- 21 September Human Rights Watch decries continued repression of monks
- 24 September U.S. seeks to engage with Burmese government, maintain sanctions
- 25 September Asian Human Rights Commission calls for renewed visits of ICRC to Burmese prisons
- 28 September UN Human Rights Council calls for release of all political prisoners



## **October 2009**

- 2 October Appeals court rejects Daw Aung San Suu Kyi's appeal
- 14 October Trial of detained US citizen Nyi Nyi Aung begins
- 15 October Imprisoned poet Saw Wei receives Human Rights Watch literary award
- 16 October Famous imprisoned comedian Zarganar receives PEN/Pinter award
- 19 October ASEAN Human Rights Commission created, with limited powers
- 22 October US announces high-level delegation to visit Burma
- 27 October Members of Cyclone Nargis volunteer group arrested

## **November 2009**

- 5 November US diplomats call for political dialogue in Burma after high-level visit
- 13 November High Court accepts Daw Aung San Suu Kyi's appeal case application
- 18 November U Gambira in bad health
- 20 November Jailed Democratic Voice of Burma cameraman wins media award
- 25 November Min Ko Naing suffering from hypertension

## **December 2009**

- 8 December Detained US citizen Nyi Nyi Aung on hunger strike
- 17 December Daw Suu calls for NLD party reform
- 18 December Detained Shan leader Khun Htun Oohealth condition worsens
- 19 December US Congressmen Urge Release of US citizen Nyi Nyi Aung
- 22 December Burmese High Court will hear Daw Suu appeal
- 24 December Female activist Tin Tin Htwe dies in prison
- 25 December UN General Assembly adopts a non-binding resolution condemning ongoing human rights violations in Burma

## National League for Democracy

At the end of 2009, at least 430 National League for Democracy (NLD) members were detained in Burma's prisons. This represents a decrease from the end of 2008, at which time 482 NLD members were imprisoned in Burma. Although there have been some positive developments (such as NLD meetings with international diplomats and Daw Aung San Suu Kyi's meetings with the junta's liaison officer Aung Kyi), the trial and conviction of Daw Suu and the ongoing detention of numerous other high level NLD members - likely rendering them ineligible for the looming 2010 national elections - do not give much cause for hope

The junta took a distinctly hard-line approach to the NLD this year, likely as a means of disrupting the political party prior to the 2010 elections. Most noteworthy of these actions were the charges leveled against party leader and Nobel laureate Aung San Suu Kyi, who was arrested following American John Yettaw's misguided intrusion of Daw Suu's lakeside home in May. After a lengthy trial, Daw Suu was convicted of violating security laws, and sentenced to a three-year prison term with hard labor. This sentence was immediately commuted to 18 months house arrest by Senior General Than Shwe, in an attempt to play the benevolent leader and to stem international outcry over her conviction. Daw Suu has spent 14 of the past 20 years under house arrest, and her conviction was largely viewed as an attempt to bar her from participating in the elections, and to weaken her political position and that of her party in the run-up to those elections. In its April 'Shwegondaing Declaration' the party made it clear that its participation in the 2010 elections is contingent not only on the unconditional release of all political prisoners, but also an amendment to the constitution, which in its current form does not guarantee free or fair elections.<sup>14</sup> It also effectively excludes Daw Suu from holding high office due to her marriage to a British citizen.<sup>15</sup>

In addition to Aung San Suu Kyi's extended detention, U Tin Oo, Vice Chairman of the NLD, received news in February that his house arrest would be extended for an additional year. The 82 year-old NLD leader was arrested with Daw Suu in May 2003, and both opposition leaders have been under house arrest ever since.<sup>16</sup>

Also in February, United Nations Special Envoy Ibrahim Gambari was granted a rare meeting with Aung San Suu Kyi and senior party leaders at a government guesthouse in Rangoon. Aung San Suu Kyi and top party leaders Aung Shwe, Nyunt Wai, Than Tun, Hla Pe and Soe Myint spent an hour and a half with the UN envoy. Amongst topics discussed was the release of all political prisoners from Burma's jails.<sup>17</sup> Outspoken NLD leader Win Tin, who was released from prison in September 2008, was strongly critical of the UN for their lack of tangible progress in Burma, and stated that the NLD would decline to discuss the 2010 elections with the visiting UN envoy.<sup>18</sup> Following Gambari's visit, a United Nations body ruled for the first time that Daw Suu's detention is illegal under both Burmese domestic law and international law.<sup>19</sup>

July saw another major crackdown on the NLD as 30 members were arrested on 31 July.<sup>20</sup>

---

<sup>14</sup> 26 October 2009 Mizzima

<sup>15</sup> May 2009 Human Rights Watch

<sup>16</sup> 13 February 2009 Irrawaddy

<sup>17</sup> 2 February 2009

<sup>18</sup> 26 January 2009 DVB

<sup>19</sup> 24 March 2009 DVB

<sup>20</sup> 31 July 2009 AAPP Source

In December 2009, the NLD - at Aung San Suu Kyi's urging - called for the first reorganization of the party in its 21-year history following rare talks between Daw Suu and three senior party members. Amongst the changes proposed by Daw Suu was the expansion of the central executive committee to infuse youth into party leadership.<sup>21</sup>

The ban on family visits for political prisoners in the beginning of 2009, as well as reports of physical assault, harassment, intimidation, and prison transfers, had a serious impact on detained NLD members. Continued substandard medical care led to the deterioration in health of several NLD members, including member of parliament U Naing Naing and lawyer U Soe Han.<sup>22</sup>

Also of note in 2009 was the trial of two elected members of parliament, Dr. Tin Min Htut and Nyi Pu, who appeared before Insein Prison Special Court in January on charges of sedition and disrupting the national convention.<sup>23</sup> The two MPs were subsequently sentenced to 15 years imprisonment.<sup>24</sup>

The SPDC's general amnesty on 18 September led to the release of 44 NLD members, and three MPs, including U Naing Naing.<sup>25</sup> However, no key political figures were released, and this amnesty was largely viewed as an attempt to ease international pressure, coinciding with the Burmese Prime Minister's attendance at the UN General Assembly in New York.<sup>26</sup>

Veteran Burma opposition leader Win Tin was taken in for questioning by police intelligence on 12 September, but released after a few hours. The 80-year-old is a founding member of the NLD and was the longest-serving political prisoner until his release in an amnesty in September 2008.<sup>27</sup>

The United States' new policy of political engagement with the Burmese military government was met with approval by NLD leader Aung San Suu Kyi, who has also been more open to discussions with the junta in the latter part of 2009.<sup>28</sup>

The junta has shown slightly more tolerance in 2009 with regard to permitting meetings between NLD leaders and international diplomats and leaders, largely due to international pressure. In October, the NLD's top leaders took part in a meeting with more than 20 foreign diplomats<sup>29</sup>, followed by meetings with visiting U.S. diplomats in November.<sup>30</sup>

In November, U Win Tin reiterated the NLD's stand that it would not participate in the 2010 elections unless the constitution is amended, and all political prisoners in Burma are released and eligible to participate in the election.<sup>31</sup>

---

<sup>21</sup> 16 December 2009 Irrawaddy

<sup>22</sup> 12 June 2009 AAPP

<sup>23</sup> 6 January 2009 DVB

<sup>24</sup> AAPP Profile

<sup>25</sup> 18 September 2009 AAPP

<sup>26</sup> 21 September 2009 Mizzima

<sup>27</sup> 12 September 2009 Reuters, Irrawaddy, Mizzima, and VOA

<sup>28</sup> 25 September 2009 DVB

<sup>29</sup> 15 October 2009 DVB

<sup>30</sup> 3 November 2009 Mizzima

<sup>31</sup> 26 October 2009 Mizzima

## Students

As of 31 December 2009, there were at least 286 students detained in Burma's prisons. This represents an increase compared to the end of 2008, at which time 272 students were imprisoned across Burma.

Many of the problems that plagued other opposition groups in 2009 also greatly affected Burma's student activist population in prison, including denial of visitation rights, transfers to remote prisons, and inadequate health care.

The military regime continued its judicial crackdown against student activists in 2009. In January, All Burma Federation of Students' Union (ABFSU) member Bo Min Yu Ko was sentenced to 104 years in prison. He was not allowed to be represented by a lawyer, and his family was prevented from attending the trial. Another ABFSU member, 23 year-old Kay Thi Aung, was sentenced to 26 years in prison, and suffered a miscarriage in prison due to the lack of adequate medical care.<sup>32</sup>

In February, De Nyein Linn, 19 year-old leader of the ABFSU, received an additional 5-year sentence, bringing his total sentence time to 15 and a half years.<sup>33</sup> Following his sentence extension, he was transferred to the remote Hkamti Prison in Sagaing Division, 1,200 miles from Rangoon.<sup>34</sup>

The general amnesty of 18 September 2009 saw the release of 14 students,<sup>35</sup> however no prominent student leaders were included. The regime also cracked down on students in September, thereby decreasing the net benefit of the general amnesty. This crackdown was most intense in Arakan State.

## Monks

Monks in Burma continue to play a key role in the opposition to the military regime. As of 31 December 2009, there were 251 monks detained in Burma's prisons. This represents an increase compared to the end of 2008, at which time there were 223 monks in detention.

AAPP is particularly concerned about the health and treatment of All Burma Monks' Alliance leader U Gambira. In January, U Gambira began a hunger strike and was transferred from Mandalay Prison to the remote Hkamti Prison in Sagaing Division.<sup>36</sup> In July, U Gambira was having difficulty talking following torture, including denial of food and water, which he was subjected to while in detention at Hkamti Prison.<sup>37</sup> 2009 was also difficult for U Gambira's family members, as his brother Ko Ko Lwin, brother-in-law Moe Htet Hlym, and four cousins

---

<sup>32</sup> 14 January 2009 AAPP & 14 January 2009 Irrawaddy

<sup>33</sup> 5 February 2009 DVB

<sup>34</sup> 23 February 2009 DVB

<sup>35</sup> 18 September 2009 AAPP

<sup>36</sup> 22 January 2009 DVB

<sup>37</sup> 09 July 2009 RFA

received prison terms, apparently due to their associations with the imprisoned monk leader.<sup>38</sup> In May, Gambira was transferred again; this time to Kale Prison, also in Sagaing Division.<sup>39</sup> The junta reduced U Gambira's 68-year sentence by five years in June, however the remainder of his sentence still represents a lifetime behind bars.<sup>40</sup> In November, AAPPl learned that U Gambira was suffering from malaria, and that his constant movements from one prison to another had further impacted on his health. Due to its remote location and lack of adequate health care facilities, prospects for prisoners suffering from malaria are bleak at Kale Prison.<sup>41</sup>

Joining forces with members of the 88 Generation Students in July 2009, monks called on UN General Secretary Ban Ki-moon for support for Burma from the UN Security Council.<sup>42</sup> In August, the approaching second anniversary of the Saffron Revolution brought news that monks were reorganizing inside Burma, preparing for a third boycott on receiving alms from military personnel and their families.<sup>43,44</sup> Monk U Sandar Dika, arrested in August, told his family that he was tortured under interrogation following his arrest, and security measures aimed at monks were tightened throughout the country.<sup>45</sup>

This situation intensified in September, as increased surveillance of monks was noticed throughout the country,<sup>46</sup> with reports of possible boycotts and protests by monks in October. A Human Rights Watch report published in September detailed the humiliating and inhumane treatment experienced by monks in Burmese jails.<sup>47</sup>

In late September, monk King Zero renewed his call for an apology from the junta for its treatment of monks in Pakokku, where dozens were beaten by government soldiers. King Zero's first call for an apology occurred two years ago, and in his most recent statement, he threatened a boycott of alms from members of the military if the military does not make a public apology.<sup>48</sup>

Nine monks and one nun were released in the February amnesty,<sup>49</sup> while the larger amnesty in September yielded the release of only four monks<sup>50</sup> – likely as a result of the mounting rumors that monks have been reorganizing in the latter part of 2009. Neither amnesty brought the release of prominent monks or Saffron revolution leaders.

## **Ethnic Nationalities**

At the end of 2009, there were at least 208 ethnic nationality political prisoners detained in Burma's prisons. This represents an increase of 4 from the end of 2008, at which time there were 204 ethnic nationality detainees.

---

<sup>38</sup> 13 March 2009 Irrawaddy

<sup>39</sup> 13 May 2009 AAPP

<sup>40</sup> 26 June 2009 Mizzima

<sup>41</sup> 18 November 2009 AAPP

<sup>42</sup> 13 July 2009 DVB

<sup>43</sup> 5 September 2009 Irrawaddy

<sup>44</sup> 25 August 2009 Irrawaddy

<sup>45</sup> 29 August 2009 Yoma

<sup>46</sup> 11 September 2009 RFA

<sup>47</sup> 21 September 2009 AFP and Human Rights Watch

<sup>48</sup> 28 September 2009 Irrawaddy

<sup>49</sup> 24 February 2009 AAPP

<sup>50</sup> 18 September 2009 AAPP

2009 was a difficult year for detained Shan Nationalities League for Democracy leader, Khun Htun Oo. In July, Khun Htun Oo, 66, was suffering from swelling of his legs after being denied regular exercise and proper medical care.<sup>51</sup> By December his condition had worsened to the point where he was suffering from bladder distention, peptic ulcer and arthritis both in hands and knees. Due to bladder problems, Khun Htun Oo is forced to get up at least ten times a night; this despite experiencing difficulty moving in his old age. The Shan leader's family is concerned that he is not receiving adequate medical treatment at the remote Putao Prison.<sup>52</sup>

Separately, three environmentalists from Arakan state were arrested and sentenced in May for their role in protests against the construction of a gas pipeline.<sup>53</sup> In August, Eastern Shan State was in a state of commotion as human rights groups reported the destruction of 500 homes, forcing 10,000 people to flee the area. By late August, the UNHCR estimated that 30,000 refugees from the Kokang area in Northern Shan State fled into China, after fighting broke out between Burmese army troops and the Kokang ceasefire group. The ceasefire had held for 20 years.<sup>54</sup> The fighting has since come to an end and most people displaced by the conflict were slowly able to return to their homes.<sup>55</sup>

Beginning in September, a crackdown in Arakan State led to the arrests of many students, and at least three monks.<sup>56</sup> Additionally, local reports in December indicated that prisoners detained at Sittwe prison in Arakan State were being used as labor at local Arakan businesses.<sup>57</sup>

## Women

Women continue to experience poor treatment in Burma's prisons. At the end of 2009, 178 women were detained in prisons across Burma. This represents a minor decrease compared to the end of 2008, at which time 187 women were being held in detention. Sadly, activist Tin Tin Htwe died in Insein Prison hospital in late December, from a burst aneurysm. She was given a three year and three months sentence with hard labor for hurling stones at riot police during the 2007 Saffron Revolution.<sup>58</sup>

The year began with reports of several women suffering from health problems while in confinement, including high-profile 88 Generation Group members Nilar Thein, who suffered from a peptic ulcer,<sup>59</sup> and Thin Thin Aye. Both women were sentenced to 65 years in prison in November 2008. Also in January, 23 year-old Kay Thi Aung suffered a miscarriage in prison due to lack of proper medical care, and did not receive adequate care following the miscarriage.<sup>60</sup> She was released under the September amnesty.

---

<sup>51</sup> 10 July 2009 Shan Herald

<sup>52</sup> 18 December 2009 Shan Herald

<sup>53</sup> 13 July 2009 AAPP

<sup>54</sup> 28 August 2009 DVB

<sup>55</sup> 31 August 2009 DVB

<sup>56</sup> 23 September 2009, Narinjara

<sup>57</sup> 18 December 2009 Narinjara

<sup>58</sup> 24 December 2009 Irrawaddy

<sup>59</sup> 20 January 2009 Mizzima

<sup>60</sup> 14 January 2009 AAPP & 14 January 2009 Irrawaddy

88 Generation member Nobel Aye was reported in June to have been suffering from jaundice at Shwe Bo Prison, Sagaing Division.<sup>61</sup> Then in September, the student leader was placed in solitary confinement. AAPP is very concerned that such treatment will lead to a further decline in her already fragile medical state.<sup>62</sup>

September's general amnesty saw the release of 23 female inmates throughout Burma, though at least one woman, reporter Hla Hla Win, was arrested in September as well.<sup>63</sup>

In October, four women were arrested on sedition charges for organizing weekly prayer ceremonies for detained activists, journalists and politicians, including opposition leader Aung San Suu Kyi. Their trial began in December, and sentencing has yet to be determined. Their prayer campaign had been running for more than five years, and was the subject of frequent intimidation by police.<sup>64</sup>

## Labour Activists

As of 31 December 2009, there were 44 labour activists imprisoned in Burma.

In February 2009, high-profile activist Su Su Nway's sentence was reduced, but including this reduction, she still has nearly 8 years remaining in prison.<sup>65</sup> In the months following the sentence reduction, Su Su Nway's health began to suffer. Su Su Nway has a serious heart condition, and has been subjected to harsh treatment during her time in prison to the point that, in March, she was too weak to walk on her own.<sup>66</sup> In August Su Su Nway was placed in solitary confinement while imprisoned at Kale prison.<sup>67</sup> Shortly thereafter she was transferred to Hkamti prison.<sup>68</sup>

In March, the International Labour Organisation (ILO) stated that complainants of forced labour in Burma are at greater risk of imprisonment if they have affiliations with political opposition groups. The comment came after villagers in Irrawaddy division were forced to work on the reconstruction of a road, and were afraid to make a complaint to the ILO for fear of imprisonment.<sup>69</sup>

September's general amnesty saw the release of labor activist Thin Min Soe.<sup>70</sup>

In December two farmers involved in a land dispute in Burma which was taken up by the ILO received seven-year prison sentences on charges of misappropriation and damages to public property. The two farmers had brought complaints to the ILO after the Burmese army

---

<sup>61</sup> 4 June 2009 Irrawaddy

<sup>62</sup> 14 September 2009 Irrawaddy

<sup>63</sup> 18 September 2009 AAPP

<sup>64</sup> 2 December 2009 DVB

<sup>65</sup> 20 February 2009 DVB

<sup>66</sup> 23 March 2009 DVB

<sup>67</sup> 4 August 2009 Irrawaddy

<sup>68</sup> 11 August 2009 Irrawaddy

<sup>69</sup> 31 March 2009 DVB

<sup>70</sup> 18 September 2009 AAPP

confiscated their land in 2007. The arrests are widely viewed to be retribution for the farmers' involvement with the ILO.<sup>71</sup>

## **88 Generation Students group**

Members of the 88 Generation Students group continued their protracted opposition to Burma's military regime in 2009. As of 31 December 2009, at least 41 members of the 88 Generation Students group were being held in Burma's prisons.

The ban on family visits for political prisoners as part of the junta's early 2009 crackdown was particularly harsh for members of the 88 Generation Students and their families, as leading members of the group are held in some of Burma's most remote prisons. In some cases, even after having travelled hundreds of miles to remote prisons, family members of 88 Generation members were denied permission to see their loved ones.<sup>72</sup>

In April, Min Ko Naing, one of the leaders of the 88 Generation Students group, was awarded the Gwangju Prize for Human Rights by a South Korean foundation. Daw Aung San Suu Kyi won the same prize in 2004.<sup>73</sup> Additionally, the group continued their active political opposition by publishing an open letter to the SPDC regarding sanctions.<sup>74</sup>

In May, AAPP's report, "Burma's prisons and labour camps: silent killing fields," documented the deteriorating health of several members of the 88 Generation Students group, including leading members Min Ko Naing, Ko Ko Gyi, Htay Kywe, and Hla Myo Naung.

June brought difficulty to members of the 88 Generation Students Group, as the rainy season further increased the difficulty for families to deliver essential medicine and supplies to their loved ones detained in remote jails.<sup>75</sup>

In July, the 88 Generation Students joined forces with monks to call on Ban Ki-moon to arouse support for the pro-democracy movement from the UN Security Council<sup>76</sup>, and in September, five 88 Generation members were released as part of the general amnesty.<sup>77</sup>

AAPP is very concerned about the deteriorating health of 88 Generation leader Min Ko Naing, who was transferred to the remote Kengtung prison in November 2008. Min Ko Naing suffered from high blood pressure for much of the year. In November AAPP received information that Min Ko Naing was being held in a small cell with little protection against severe winter weather conditions.<sup>78</sup> AAPP is also very concerned about the health of Hla Myo Naung, who is already blind in one eye and is at serious risk of total blindness. He has frequently been denied proper medical care.<sup>79</sup>

---

<sup>71</sup> 11 December 2009 DVB

<sup>72</sup> 12 January 2009 DVB

<sup>73</sup> 24 April 2009 DVB

<sup>74</sup> 6 April 2009 Burmanet

<sup>75</sup> 16 June 2009 New Era

<sup>76</sup> 13 July 2009 DVB

<sup>77</sup> 18 September 2009 AAPP

<sup>78</sup> 25 November 2009 DVB

<sup>79</sup> 26 March 2009 Amnesty International



## Journalists, Bloggers and Writers

Journalists, bloggers and writers continue to face intense suppression and censorship in Burma. As of 31 December 2009, 41 media activists were detained in Burma's prisons. This represents a decrease from the end of 2008, at which time 44 media activists were imprisoned in Burma.

In February, Rangoon-based 'Ecovision' reporter Eint Khaing Oo, who was arrested and sentenced to two years of imprisonment for helping victims of Cyclone Nargis, was honored with the first 'Kenji Nagai Award' on 21 February. The award was named after a Japanese journalist, who was killed while covering the September 2007 protests in Rangoon, and given annually to outstanding Burmese journalists who exhibit courage in reporting from Burma under the strict surveillance of the military junta.<sup>80</sup>

Four journalists, all arrested for their role in reporting on Cyclone Nargis, were released as a part of the general amnesty in September.<sup>81</sup> However, finding work in Burma following imprisonment is a near impossible task for released media members, as they are often blacklisted and prohibited from publishing in Burma.<sup>82</sup>

In October, a worrisome trend of increasing arrests and pressure on journalists emerged, and was further compounded by an article written by police authorities, warning that political satirists could face the death sentence for published work. The threat relates to Act 124(A) of the penal code, which deals with defamation of the military regime.<sup>83</sup> The plight of Burmese writers and journalists received welcome media coverage following the decision by PEN and Human Rights Watch to grant literary awards to comedian Zarganar and poet Saw Wei, respectively. Both award recipients are currently in prison.<sup>84,85</sup>

Two Burmese cameramen who filmed the acclaimed documentary, 'Orphans of the Storm', in the aftermath of Cyclone Nargis received a top media award in November for their work on the film. Receiving the Rory Peck Features Award on behalf of the two reporters, DVB's Myo Min Naing revealed that one of the two cameramen was arrested earlier in 2009, and faced 10-15 years imprisonment.<sup>86</sup>

Additionally, in December the New York-based Committee to Protect Journalists (CPJ) declared Burma one of the world's largest prisons for journalists. Burma joined China, Iran, Cuba and Eritrea as the five worst of 26 countries worldwide that imprison journalists. Burma also ranked 171 out of 175 in the World Press Freedom Index 2009, released annually by Paris-based media watchdog, Reporters Sans Frontieres. CPJ had previously named Burma the "worst country to be a blogger" in a report released in April.<sup>87</sup>

---

<sup>80</sup> 25 February 2009 Mizzima

<sup>81</sup> 18 September 2009 AAPP

<sup>82</sup> 10 December 2009 Irrawaddy

<sup>83</sup> 30 October 2009 DVB

<sup>84</sup> 16 October 2009 DVB

<sup>85</sup> 14 October 2009 Mizzima

<sup>86</sup> 20 November 2009 DVB

<sup>87</sup> 10 December 2009 DVB

## Human Rights Defenders & Promoters Network

At the end of 2009, 34 members of the Human Rights Defenders & Promoters network (HRDP) were detained in prisons across Burma. This represents a decrease of 5 compared with the end of 2008. Nine members of the HRDP network were released as a part of September's general amnesty.<sup>88</sup>

## Cyclone Nargis Volunteers

At the end of December 2009, 30 Cyclone Nargis volunteers were detained in Burma's prisons, an increase in comparison to 2008 when there were 20 in detention.

In January, two of the most high-profile of the Nargis activists, comedian Zarganar and journalist Zaw Htet Htway, suffered as a result of the ban on prison visits for political prisoners. Family members of both activists were denied the right to see their loved ones after having travelled hundreds of miles to remote prisons.<sup>89</sup> Additionally, a special court inside Insein Prison handed down sentences to 35 inmates for participating in a 2008 riot inside Insein Prison protesting the junta's response to Cyclone Nargis; this despite overt misconduct on behalf of prison guards, who beat scores of detainees after quelling the riots, resulting in the deaths of nine inmates.<sup>90</sup>

Six Cyclone Nargis volunteers were put on trial in February, and five volunteers' sentences, including those of Zarganar and Zaw Htet Htway, were reduced – though they all still face between 10 and 35 years in prison.<sup>91</sup> In April, the six on trial received sentences ranging from two to seven years for gathering and burying dead bodies in the aftermath of the cyclone.<sup>92</sup>

In April, Zarganar suffered from health issues related to his liver and heart at Myitkyina prison in Kachin State, in the country's far north, where he was transferred in late 2008.<sup>93</sup> After numerous requests, and significant decline in the comedian's health, Zarganar was finally allowed a medical check-up by a cardiologist at the end of April. The doctor determined that Zarganar was suffering from swelling of the heart, hypertension, and spondylitis.<sup>94</sup>

September's general amnesty saw the release of Eint Khaing Oo and Kyaw Kyaw Thant, two journalists who assisted Cyclone Nargis victims.<sup>95</sup> However, in October the junta orchestrated a crackdown on Lin Let Kye, a Cyclone Nargis volunteer group comprised mainly of Rangoon-based journalists.<sup>96</sup> Even eighteen months after the disastrous cyclone hit Burma, the junta is still cracking down on volunteer groups, apparently out of concern over possible external

---

<sup>88</sup> 18 September 2009 AAPP

<sup>89</sup> 12 January 2009 DVB

<sup>90</sup> 30 January 2009 RFA

<sup>91</sup> 16 February 2009 DVB

<sup>92</sup> 10 April 2009 Mizzima

<sup>93</sup> 24 April 2009 DVB

<sup>94</sup> 28 April 2009 Mizzima

<sup>95</sup> 18 September 2009 AFP

<sup>96</sup> 28 October 2009 Mizzima and VOA

funding of such groups. Lin Let Kye was formed in May 2008 and has over 40 members. The group donates text books and other school supplies to young victims of Cyclone Nargis.

## Lawyers

Lawyers, especially those who defend political dissidents, continue to face significant pressure from the junta in Burma. At the end of 2009, there were at least 11 lawyers detained in Burma's prisons. This represents a decrease of 3 from the end of 2008, at which time 14 lawyers were held in detention.

2009 began in the midst of a crackdown on lawyers in Burma. Defense lawyer Pho Phyu, who has defended high-profile labor activists, spoke out to the media at the beginning of the year about the harassment he had experienced practicing law in Burma. Two weeks later he was arrested, and eventually sentenced to four years imprisonment.<sup>97</sup> Lawyer San Maung was also charged in January with obstructing an official,<sup>98</sup> and Nyi Nyi Htwe, who was sentenced to six months imprisonment at the end of October 2008 on charges of contempt of court, had his appeal rejected.<sup>99</sup> Nyi Nyi Htwe was released in April, but his bar license was revoked upon his release.<sup>100</sup> March saw the release of two imprisoned lawyers, U Aung Thein and U Khin Maung Shein.<sup>101</sup> In May, both of them also had their licenses to practice law revoked. At the time, U Aung Thein was part of Daw Aung San Suu Kyi's legal advisory team.<sup>102</sup>

The junta's continued pressure on defense lawyers in Burma has led to a diminishing number of lawyers advocating on behalf of political prisoners. Defense lawyers for political prisoners subject themselves to financial risk, as the junta often pressures these lawyers' non-political clients to find legal representation elsewhere, which, coupled with the risk of imprisonment and other forms of harassment, dissuades other lawyers from advocating on behalf of political dissidents. Furthermore, many lawyers are disbarred following imprisonment, further reducing the pool of legal support for political prisoners.<sup>103</sup>

## Individual Activists

The situation in Burma's prisons remains dire for individual activists. The majority of news with regard to individual activists in 2009 centered on their mistreatment in prison.

In January, political prisoner Zaw Naing Htwe was held in shackles while prison authorities forced him to perform labor at Four Mile Labor Camp near Taungoo Town in Pegu Division. He was not given adequate food or water, and AAPP feared greatly for his life.<sup>104</sup> Zaw Naing Htwe was released in the February amnesty, likely due to international pressure. In February, Myo

---

<sup>97</sup> January 2009 AAPP

<sup>98</sup> 19 January 2009 DVB

<sup>99</sup> 22 January 2009 DVB

<sup>100</sup> 30 July 2009 Mizzima

<sup>101</sup> 6 March 2009 Asian Human Rights Commission

<sup>102</sup> 16 May 2009 AAPP

<sup>103</sup> AAPP

<sup>104</sup> AAPP 15 January 2009

Nyunt, a private English tutor arrested during the Saffron Revolution, was locked in a dark cell at Insein Prison, and mistreated for staging a hunger strike.<sup>105</sup> In March, 20 year-old detained activist Maung Maung Thet suffered a stroke in prison, after which he was unable to move his arms and legs. The cells inside Maung Maung Thet's western Burma prison are often wet and damp, factors which could contribute toward the occurrence of a stroke.<sup>106</sup>

April brought the arrest of activist Aung Pe for staging a solo demonstration calling for the release of political prisoners on National Armed Forces Day.<sup>107</sup> Similarly, an elderly solo protestor, Zaw Nyunt, was arrested in May for protesting the detainment of Aung San Suu Kyi outside of the Insein Prison court where Daw Suu was on trial.<sup>108</sup> In September, the junta's general amnesty brought the release of 37 unaffiliated political prisoners.<sup>109</sup>

Perhaps the most significant news of 2009 with regard to individual activists came when naturalized U.S. citizen and lifelong pro-democracy activist Nyi Nyi Aung was arrested upon his arrival to Rangoon International Airport on 3 September.<sup>110</sup> Nyi Nyi Aung was part of a small delegation that traveled to the UN in New York in June, to deliver the Free Burma's Political Prisoners Now! petition to Ban Ki-moon's office. He was representing family members of political prisoners, as his mother and two female cousins are in prison for their work in support of democracy. At the time, he said, "My message to Mr. Ban Ki-moon is simple. Your words show you take this issue seriously. But now I want to see what action you will take to secure the release of my family and all Burma's political prisoners."

Nyi Nyi Aung had returned to Burma in September to visit his mother, who is ill with cancer.<sup>111</sup> Nyi Nyi Aung experienced significant torture, including beatings, while in custody,<sup>112</sup> sparking investigations on the part of the U.S. embassy in Burma.<sup>113</sup> In December, Nyi Nyi Aung engaged on a hunger strike and was moved to a military dog cell.<sup>114</sup> U.S. Congressmen wrote a letter to junta leader Senior-General Than Shwe urging Nyi Nyi Aung's release.<sup>115</sup>

Nyi Nyi Aung's trial began in October; however it has proceeded slowly, and was further delayed in late December.<sup>116</sup> Although he was accused in the state media of terrorism, he is facing charges of fraud and forgery.<sup>117</sup>

## Daw Aung San Suu Kyi

2009 was a difficult year for Daw Suu as a result of her arrest, conviction, and 18 months house arrest sentence following American John Yettaw's intrusion at her lakeside home in May. It

---

<sup>105</sup> 9 February 2009 DVB

<sup>106</sup> 23 March 2009 Mizzima

<sup>107</sup> 29 March 2009 DVB

<sup>108</sup> 28 May 2009 DVB

<sup>109</sup> 18 September 2009 AAPP

<sup>110</sup> 9 September 2009 Mizzima

<sup>111</sup> 11 December 2009 DVB

<sup>112</sup> 24 September 2009, Mizzima

<sup>113</sup> 9 September 2009 Mizzima

<sup>114</sup> 22 December 2009 DVB

<sup>115</sup> 19 December 2009 Irrawaddy

<sup>116</sup> 29 December 2009 Irrawaddy

<sup>117</sup> 24 September 2009 Irrawaddy

remains to be seen how her unfair conviction, criminal record and ongoing detention will affect the political situation in Burma.

During her trial and subsequently, she has been allowed to meet with international diplomats. She has also held several meetings with the junta's liaison officer Labor Minister Aung Kyi and reached out to Senior General Than Shwe in two letters offering to help lift sanctions against the country.

In February, United Nations special envoy Ibrahim Gambari was granted a rare meeting with Aung San Suu Kyi and senior party leaders at a government guesthouse in Rangoon. Aung San Suu Kyi and top party leaders Aung Shwe, Nyunt Wai, Than Tun, Hla Pe and Soe Myint spent an hour and a half with the UN envoy. Amongst topics discussed was the release of all political prisoners from Burma's jails.<sup>118</sup>

In April, the UN Working Group on Arbitrary Detention ruled for the first time that Daw Suu's detention is illegal under both Burmese domestic law and international law.<sup>119</sup> Less than one month later, Daw Suu's lawyer filed an appeal for her release directly to Burma's junta leader. Daw Suu's previous three appeals had received no response from the ruling regime.<sup>120</sup>

Perhaps the biggest development of the year for Daw Suu, however, was US citizen John Yettaw's intrusion at her lakeside home in early May, resulting in charges against Daw Suu and her two live-in party members Daw Khin Khin Win and Daw Win Ma Ma for breaking the terms of Daw Suu's house arrest. Yettaw was also brought up on charges for his part in the affair.<sup>121</sup> After an extended trial with numerous postponements that dragged on from May to August, the court sentenced Daw Suu and her live-in party members to three years hard labor, commuted to 18 months house arrest by Senior-General Than Shwe.<sup>122</sup> American citizen John Yettaw was sentenced to seven years with hard labor, but was later released 'on humanitarian grounds', following a visit by US Senator Jim Webb.<sup>123</sup> Daw Aung San Suu Kyi – together with her two party members - was returned to house arrest shortly after the verdict was delivered.<sup>124</sup> In the midst of Daw Suu's trial, Amnesty International recognized the embattled opposition leader by awarding her the organization's top honor in July. The human rights watchdog said that it hoped the Ambassador of Conscience Award would help protect her as she faced a potential prison sentence.<sup>125</sup>

Following the trial, significant attention was devoted to Aung San Suu Kyi's appeal of her sentence. Daw Suu was denied access to the courtroom during the proceedings; however, her lawyers were able to present the case.<sup>126</sup> In the end, it was rejected by the Court of Appeal in early October.<sup>127</sup> Also, during this time, Daw Suu publicly applauded the U.S. decision to engage

---

<sup>118</sup> 2 February 2009 DVB

<sup>119</sup> 24 March 2009 DVB

<sup>120</sup> 27 April 2009 DVB

<sup>121</sup> 14 May 2009 DVB

<sup>122</sup> 11 August 2009 AP

<sup>123</sup> 16 August 2009 Irrawaddy

<sup>124</sup> 13 August 2009 Irrawaddy

<sup>125</sup> 27 July 2009 AP

<sup>126</sup> 18 September 2009 AFP

<sup>127</sup> 2 October 2009 Mizzima

with the military government,<sup>128</sup> and in a letter to the junta, offered to help them in finding ways to remove the sanctions.<sup>129</sup>

In November, Daw Suu was once again in the media spotlight when she met with a visiting U.S. delegation,<sup>130</sup> and offered to hold a meeting with Senior-General Than Shwe to talk about possible cooperation.<sup>131</sup> The High Court in December agreed to hear Daw Suu's latest appeal of her 3 year commuted sentence. The appeal proceedings will conclude in early 2010.<sup>132</sup>

## Key International Developments

Worrying developments such as NLD leader Aung San Suu Kyi's arrest, conviction, and additional term of house arrest and the dwindling health of many political prisoners in 2009 have brought significant international attention to the state of affairs in Burma and Burma's prisons. Additionally, the upcoming 2010 national elections have engendered responses ranging from extreme skepticism to guarded optimism.

In February, UN Special Envoy Ibrahim Gambari and UN Special Rapporteur on Human Rights in Myanmar [Burma] Tomas Ojea Quintana both visited Burma, on separate occasions. Gambari met with Aung San Suu Kyi, but was not able to meet Senior-General Than Shwe, head of the ruling junta. Following his trip, Gambari conceded that the visit had failed to yield any tangible results with regard to the goals set by Secretary-General Ban Ki-moon and the Security Council.<sup>133</sup> After his visit, Quintana called the human rights situation 'challenging'.

February also saw the regime announce a "general amnesty" of 6,313 prisoners, however, AAPP confirmed that only 30 political prisoners were amongst those released.<sup>134</sup> The amnesty came just one day after the UN Special Rapporteur on Human Rights in Myanmar [Burma] completed his visit to Burma, leading many to believe that the amnesty was nothing more than a media coup designed to illustrate cooperation with the visiting delegation.

In March, the UN Working Group on Arbitrary Detention ruled that the house arrest of Aung San Suu Kyi is illegal and against the domestic law of Burma.<sup>135</sup> On 13 March, Burma's Human Rights Day, AAPP and the Forum for Democracy in Burma launched the Free Burma's Political Prisoners Now! campaign, with activities taking place in Bangkok, Chiang Mai, London, Dublin, New Delhi, Hong Kong, Manila, Seoul, Jakarta, Sydney, and Tokyo.

In April, the EU decided to extend sanctions against Burma for a further year,<sup>136</sup> and the US indicated that it is not considering lifting sanctions against the country.<sup>137</sup> In May, the arrest of Daw Aung San Suu Kyi and her two live-in party members prompted widespread international

---

<sup>128</sup> 25 September 2009 DVB

<sup>129</sup> 28 September 2009 Irrawaddy

<sup>130</sup> 4 November 2009 Mizzima

<sup>131</sup> 16 November 2009 DVB

<sup>132</sup> 22 December 2009 DVB

<sup>133</sup> 21 February 2009 Irrawaddy

<sup>134</sup> 28 February 2009 AAPP

<sup>135</sup> 24 March 2009 Irrawaddy

<sup>136</sup> 27 April 2009 Mizzima

<sup>137</sup> 30 April 2009 Irrawaddy

outrage.<sup>138</sup> In June, representatives from regional parliaments urged ASEAN to reconsider Burma's membership in the bloc in light of the nation's failure to improve its internal human rights situation.<sup>139</sup> 677,254 petition signatures were personally delivered to Ban Ki-moon's office in New York by the Free Burma's Political Prisoners Now! delegation on 15 June 2009. On average, one person signed the petition every ten seconds since it was launched on 13 March.

The delegation's trip took place shortly before UN Secretary-General Ban Ki-moon traveled to Burma in early July, following an invitation from the ruling generals. Though the UN Secretary-General ultimately accepted the invitation, seeing it as an opportunity to apply diplomatic pressure with regard to the embattled Aung San Suu Kyi, he was wary of the visit being used as propaganda by the junta.<sup>140</sup> Items discussed while in Burma included the release of all political prisoners, the resumption of dialogue between the government and the opposition for national reconciliation, and setting the stage for credible elections in 2010.<sup>141</sup> Following Ban's visit, Burma's ambassador to the UN stated that none of the UN Secretary General's proposals had been ruled out, however no changes were considered imminent. Some analysts said that the ambassador's remarks could have also been a way for the ruling generals to buy time in light of the strong international criticism leveled against them with regard to Daw Suu's trial.<sup>142</sup> Additionally, Ban was unable to meet with detained opposition leader Aung San Suu Kyi, leading many to declare Ban's trip unsuccessful.<sup>143</sup>

On 11 August a 'guilty' verdict was handed down to John Yettaw, Daw Suu and her two live-in party members. The international community's reaction to the verdict in Daw Suu's trial was overall highly critical, the strongest condemnation coming from UK Prime Minister Gordon Brown, who described it as 'monstrous'.<sup>144</sup> The Association of South East Asian Nations (ASEAN) expressed its 'disappointment' over the ruling. However, China – a key trading partner – urged the international community to respect Burma's judicial sovereignty.<sup>145</sup> Also in August, visiting U.S. Senator Jim Webb was granted meetings with Senior-General Than Shwe as well as pro-democracy leader Aung San Suu Kyi. After his visit, American citizen John Yettaw was freed and allowed to return to the US on 'humanitarian grounds'.<sup>146</sup>

Also in August, the Burmese embassy in Indonesia succeeded in using its influence to block a meeting of the Burmese democracy movement in exile, who wished to assemble in order to propose a new democracy transition package.<sup>147</sup>

September saw the unveiling of a new U.S. policy for Burma stressing engagement with the military government in order to find solutions to the domestic situation. Though sanctions on Burma were maintained, the Obama administration's new engagement policy represents a significant departure from the previous policy of diplomatic isolation.<sup>148</sup>

---

<sup>138</sup> 12 August 2009 USA Today

<sup>139</sup> 20 June Mizzima

<sup>140</sup> 18 June 2009 DVB

<sup>141</sup> 1 July 2009 Mizzima

<sup>142</sup> 20 July 2009 Irrawaddy

<sup>143</sup> 6 July 2009 Taiwan News

<sup>144</sup> 11 August 2009 Reuters

<sup>145</sup> 12 August 2009 BBC

<sup>146</sup> 17 August 2009 Washington Post

<sup>147</sup> 12 August 2009 AIPMC

<sup>148</sup> 24 September 2009 AFP

September also brought the release of over 7,11400 prisoners in the junta's second general amnesty of 2009, however only 129 political prisoners were amongst those released.<sup>149</sup> Similar to the February amnesty, the news was given a lukewarm reception by the international community, and was primarily seen as an attempt to mollify the international community as the Burmese Prime Minister attended the United Nations General Assembly in New York for the first time in fourteen years.<sup>150</sup> Also in September, the Asian Human Rights Commission urged the international community to mount pressure on Burma's ruling junta to allow the International Committee of the Red Cross (ICRC) to resume its impartial, independent visits to detention centers, where widespread torture and abuses have been reported.<sup>151</sup>

On 28 September, new attention was brought to Burmese political prisoners as the UN Human Rights Council called for the immediate and unconditional release of all political prisoners in Burma. The council urged the ruling dictatorship to engage in a genuine process of open dialogue and national reconciliation with the representatives of all political parties and ethnic groups.<sup>152</sup>

October was highlighted by various countries assessing, or being called upon to assess, their own policy vis-a-vis Burma, following the announcement of the U.S. engagement policy in September. A statement by French foreign minister Bernard Kouchner slammed the use of sanctions on Burma, however, many interpreted his call for the elimination of sanctions as being motivated by a desire to protect the interests of French oil giant Total, which operates in Burma.<sup>153</sup> The Burmese junta, meanwhile, continued to affirm that 'free and fair' elections would go on as scheduled in 2010. This was met with much international skepticism, with many questioning whether the junta could successfully create the preconditions necessary for free and fair elections - particularly in light of continued arrests and detention of political opponents.<sup>154</sup>

Also in October, ASEAN unveiled its newest human rights monitoring body, the ASEAN Intergovernmental Commission on Human Rights. The new body will focus on the promotion of human rights, as opposed to protection, and has no power to punish member nations. Proponents of the body maintain that it can be given more power at a later date, following proof of concept.<sup>155</sup>

The U.S. delegation's visit to Burma in November was the first major implementation of the "engagement" policy unveiled in September. The issue of the release of all political prisoners was addressed by key officials in the U.S., ASEAN, and elsewhere, though this did not lead to significant diplomat progress.<sup>156</sup>

The international community in December issued a condemnation of Burma's 'systematic and widespread' human rights violations, the United Nations General Assembly approved a resolution on Burma drafted by the Third Committee on Human Rights. The resolution expressed grave concern over the recent trial of Aung San Suu Kyi, and called for the immediate and unconditional release of all political prisoners in Burma.<sup>157</sup> Additionally, UN Special Envoy

---

<sup>149</sup> 18 September 2009 AAPP

<sup>150</sup> 21 September 2009 Mizzima

<sup>151</sup> 25 September 2009 Mizzima

<sup>152</sup> 28 September 2009 UNHRC

<sup>153</sup> 8 October 2009 DVB

<sup>154</sup> 10 October 2009 Irrawaddy

<sup>155</sup> 19 October 2009 AP

<sup>156</sup> 16 November 2009 The Hindu

<sup>157</sup> 21 November 2009 Mizzima



on Burma, Ibrahim Gambari was reassigned to Darfur in early December. Indian diplomat, Vijay Nambiar, has replaced Gambari on an interim basis.<sup>158</sup>

## Conclusion

Political prisoners in Burma continued to suffer in 2009. Despite positive signs such as the international community's sustained condemnation of the military junta's human rights abuses, and visits to Burma by numerous key international dignitaries and diplomats, over 2,100 political prisoners remain imprisoned across Burma.

As detailed in AAPP's May 2009 report, *Burma's Prisons and Labour Camps: Silent Killing Fields*, inadequate medical care, systematic torture, long-term imprisonment, transfers to remote prisons, and denial of healthcare have led to a growing health crisis for political prisoners in Burma. As of 31 December 2009, there were 129 political prisoners in poor health, and during the course of the year at least 71 political prisoners were subjected to prison transfers.

With national elections expected to take place in 2010 despite the ongoing detention of prominent political leaders such as NLD leader Daw Aung San Suu Kyi, AAPP views the release of all political prisoners in Burma as a necessary step towards national reconciliation, and the creation of a free and democratic Burma.

---

<sup>158</sup> 18 December 2009 Irrawaddy