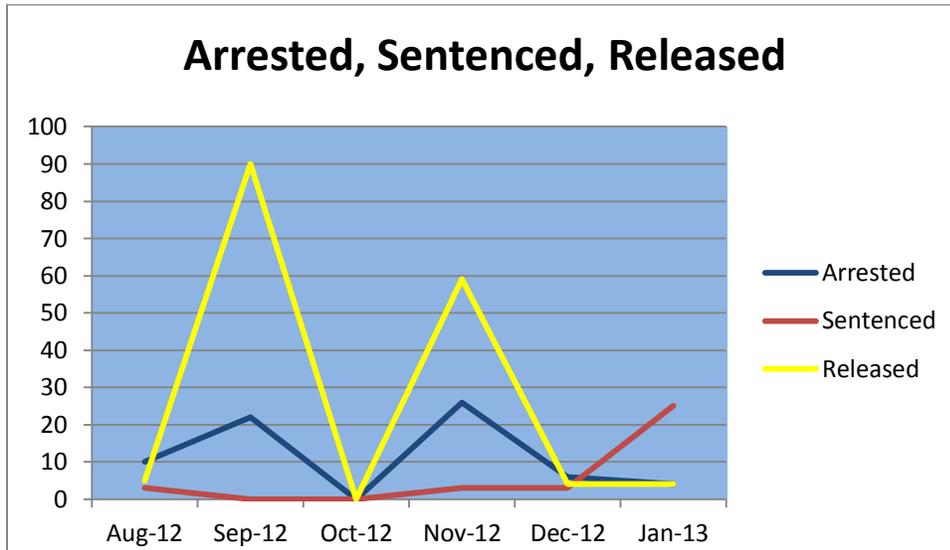


Monthly Chronology January 2013

Summary of the Current Situation



There were 4 arrests, 25 sentenced and 4 released in January.

The majority of arrests this month have been under sections 18 and 19 of the Peaceful Assembly, Peaceful Procession laws, which were meant to allow the population to demonstrate peacefully. **(see Update on Individual Cases and Individual Activists)**

Trends

As events unfolded throughout January it appears clear that there is still far to go in terms of bringing Burma's Judiciary into the twenty-first century. While some steps have been taken forward, the continued use of restrictive laws such as sections 18 and 19 of the penal code (see update on individual cases) tell the observer that Burma is still far from being the democracy it claims to be striving for. Sections 18 and 19 refer to the peaceful assembly and peaceful procession laws that have been used to block rather than enable peaceful demonstration. After twenty-five years the Government has lifted its restrictions on public gatherings (law 2/88). The order dates from 1988, when a military government took power after crushing pro-democracy protests. Correspondents say an end to the ban has been demanded by the international community and has been widely flouted at protests in recent years. The state-run Myanmar Ahlin newspaper said the law was being axed because it was not in line with the constitution. It quoted officials as saying that basic rights, such as freedom of expression, were now constitutionally guaranteed, however these fundamental human rights continue to be ignored. In December 2011, a "Peaceful Assembly Law" was implemented specifically allowing public protests. However, permission must be obtained in advance, without which organizers are subject to penalties including prison terms. Several people have been arrested under the statute (Irrawaddy).

Also this month Government and NGO officials gathered in Nay Pyi Taw last week for a seminar focused on reforming the country's justice system, an important step in the overall reform process. The two-day "Promoting Justice Sector Development in New Democracies" seminar, co-hosted by the United Nations Development Program (UNDP) and the Attorney General's Office, drew 180 participants to Nay Pyi Taw. "Justice sector development is crucial for the fundamental rights of citizens." Attorney General Dr Tun Shin said in his opening address on January 24.

Myanmar has repealed a military decree used by the former military government to sentence dissidents to extended prison terms, state media reported this week, the latest step in the recently elected government's bid to edge toward democracy. Decree 5/96, enacted in 1996, laid out prison sentences of up to 20 years for anyone who wrote or delivered speeches that could undermine the "peace and stability of the nation." President Thein Sein, in a signed announcement in the New Light of Myanmar daily, a government mouthpiece, said that he was revoking the measure. There are still however several similar laws still in place.

While calls from the Burmese Lower House for a ceasefire in Kachin, sporadic fighting is still going on. Also this month the long awaited return to Burma by two leading members of AAPP: Tate Naing and Bo Kyi, who returned to Rangoon this month 16 years after they formed the AAPP in exile. During this trip, the two activists discussed with authorities for the release of political prisoners and the rehabilitation of former political prisoners. Though they are able to return to Burma after having had their names removed from the blacklist, the two representatives commented that many problems are still faced by ex political prisoners inside Burma.

January 30th

[Burma abolishes 25-year Ban on Public Gatherings\(Irrawaddy\).](#)

[Myanmar lifts public gathering ban\(The Nation\)](#)

[Burma lifts ban on public gatherings\(The Scotsman\).](#)

[Myanmar:Assembly ban lifted\(New York Times\)](#)

January 28th

[Seminar examines judicial reform \(Myanmar Times\).](#)

January 18th

[Burma's Parliament calls for peace in Kachin state \(Mizzima\)](#)

January 16th

[A Press conference for the Rule of Law held \(RFA Burmese\)](#)

[Thein Sein repeals repressive law on public speeches \(Irrawaddy\)](#)

[Myanmar repeals military decree targeting dissidents \(Los Angeles Times\).](#)

January 9th

[Burma forms committee to tackle corruption \(DVB\)](#)

January 7th

[AAPP steps in to help Myanmar prisoners \(Eleven\)](#)

January 3rd

[AAPP leaders to visit Burma \(Mizzima\)](#)

Torture and Treatment of Prisoners and their Families

According to the Assistance Association for Political Prisoners (AAPP) in the last two years around 1,000 political prisoners have been released, but release from prison is often just the start of a long and difficult process towards civilian life. Ko Bo Kyi explained that released political prisoners are under supported by NGOs and their efforts to reintegrate into society are being thwarted by Burma's hostile government. "Former political prisoners find it extremely

difficult to readjust to civilian life,” Bo Kyi told *Karen News*. Political analysts have said that Thein Sein’s civilian government will lack legitimacy until the 2008 Constitution is reformed. Bo Kyi agrees that the 2008 Constitution is a significant obstacle towards democracy and ensures that the “military stays above the law.”

In Kachin State dozens of people were arrested and tortured by security forces in northern Burma last year, for allegedly having “unlawful” contact with the Kachin Independence Army (KIA), despite a government pledge to end the practice, a human rights organisation warned this month. A 69-page dossier by the Asian Human Rights Commission (AHRC) outlines 36 cases from 2012, where local Kachins have been detained and often tortured by state forces under Burma’s draconian Unlawful Associations Act, which bans contact with the KIA and most other ethnic rebel groups.

January 21st

[Released Political Prisoners face huge problems \(Karen News\).](#)

[Dozens detained for ‘unlawful’ contact with Kachin rebels\(DVB\).](#)

Prisoners Released

Burma’s military-backed government released four political prisoners on the 18th of January. The prisoners released were Aung Hmine San, Than Htike, Min Naing Lwin and Thein Aung Myint. They had been arrested for protesting without permission. The four students were offered bail but refused, as they believe that the law that they have been charged under is undemocratic and inequitable. They were sentenced to one month in prison under section 18b, but were able to walk free after the court hearing today since they had already been detained for over one month in prison. The activists, three of whom were members of the All-Burma Federation of Student Unions (ABFSU), were arrested after joining monk-led protests where they called on government officials to apologise for the excessive use of force during the violent police-lead assault on rally sites at the Latpadaung Copper Mining Project in Sagaing Division last November.

January 21st

[Burma releases protesters but anti-protest laws stay in place \(Karen News\).](#)

January 18th

[January Political Prisoners of the Month Have Been Released \(Burma Partnership\)](#)

[Latpadaung activists sentenced, released in Mandalay \(DVB\)](#)

Update on Individual Cases

In Bangkok a group of lawyers investigating a violent crackdown in November that left Buddhist monks and villagers with serious burns contends that the police used white phosphorus, a munitions normally reserved for warfare, to disperse protesters. Burmese lawyers and an American human rights lawyer gathered material at the site of the protest, including a metal canister that protesters said was fired by the police. It was brought to a private laboratory in Bangkok, where a technician determined that residue inside it contained high levels of phosphorus. Roger Normand, the American human rights lawyer who helped investigate the crackdown, arranged to have the canister brought to the Bangkok laboratory, which is run by ALS, an Australian company that specializes in testing samples for their chemical content.

In an interview, Mr. Normand said it was "unheard-of" for highly volatile and dangerous weapons to be used by police forces. "This raises serious questions about who in the military chain of command could have given the order to use these weapons," he said. (New York Times)

Six Letpadaung activists last week faced court for the fifth time, charged under section 505(b) of the Penal Code – committing an act that could induce others to harm the state or public tranquility – as a result of a protest in Yangon on November 26. The six have also been charged under section 18 of the Peaceful Assembly and Peaceful Procession Law by two courts for holding a protest without permission¹.

In a related story about 2,000 villagers staged protests Tuesday 29th January, calling for action against those who staged a bloody crackdown exactly two months ago on demonstrators demanding the closure of the controversial Chinese-backed Monywa copper mine in northwestern Burma.

In a separate case farmers and fishermen from Nyaungdon Township, Irrawaddy Division, had protested with legal permission. However, three of them were arrested on 25th January, 2013 and charged under section 19, (Peaceful Assembly and Peaceful Procession law) by the prosecutor, the chief of the Nyaungdon Township, Police Brigade, according to Nyaungdon Township Police Station². Sections 18 and 19 are included in the Burmese peaceful protesting law. Anyone protesting without permission is likely to be indicted under section 18. In addition, even if they are allowed to protest, but he or she break the rules and regulations, then the person would be indicted under section 19, according to high court lawyer U Ko Nei, a member of lawyers network.

The six suspects related to the civilian house 'blown up' in Thi-Dar-Seik section, Myitkyinar Township, Kachin state, were additionally charged with murder in January. One of the suspects, Ma Khun Bu complained that "we were additionally charged with a new charge, section 302/1 of the murder case, in the first week of January³. The additional charge, section 302 carries a possible death sentence.

Four protesters have received six-month prison sentences after demonstrating in November against a gold mining company in Mandalay Division, central Burma, according to reports from their family members⁴. The detainees, all from the Moehiti Moemi gold mining region of Yamethin Township, were arrested while traveling home from Rangoon on Nov. 23 and received their verdicts on Thursday from the township court. "They received six-month sentences for incitement under 505 [b] of the Burma Penal Code," said Myint Than, the father of Nay Aung Htet.

It is with great sadness that we learned that Phyo Wai Aung, who was falsely accused of masterminding a grenade attack at the Rangoon Thingyan festival in April 2010, and later tortured, sentenced to death and released, has died at his home early on the 4th Jan, less than six months after being pardoned. The 33-year-old, who was considered a political prisoner by human rights groups, suffered health complications in prison, including hepatitis and tuberculosis, before being diagnosed with terminal liver cancer in May last year, a few days after being sentenced to death.

January 30th

[Myanmar Police Used Phosphorous on Protesters, says Lawyers\(Pittsburgh Post Gazette\).](#)

[Myanmar Police Used Phosphorous on Protesters, says Lawyers\(New York Times\)](#)

¹ Ko Ye Lin from Mother Land Peaceful Mission, Ko Wai Lu of the Public Service Network (Yangon), Ko Nyi Nyi of the Rule of Law and Human Rights Protection Group, Daw Naw Ohn Hla and Daw Shan Ma from the Women's Rights Protection Group, and U Myo Chit.

² U Hla Myo Naing, U Hlaing Oo, and U Win Kyaing.

³ U Darawng Tan Gun, Thein Htaik Aung, Dau Lun, Brang Ja' Bawk La/Fawrang Bawk La, and Htu Raw/Daw Jar Din.

⁴ Ye Yint Htun, Saw Naung, Naing Win and Nay Aung Htet.

[Group: Used Phosphorous on Myanmar Protesters\(UPI.com\)](#)

January 29th

[Protest March to seek justice\(RFA\)](#)

January 25th

[Three Farmers, although permitted to protest legally, are arrested \(DVB- Burmese\).](#)

January 21st

[Six activists face court over Myanmar mine protest \(Myanmar Times\).](#)

January 19th

[Former political prisoner's pension cut.\(Irrawaddy-Burmese\)](#)

January 15th

[The suspects related with Myitkyina township bomb blast, are additionally charged with murder \(Irrawaddy- Burmese\).](#)

January 4th

[Gold Mine Protesters Jailed for 'Offending Public Tranquility' \(Irrawaddy\).](#)

[Political prisoner accused of new year bombing dies \(DVB\).](#)

January 3rd

[Four gold mine protesters sentenced to jail \(DVB\)](#)

88 Generation Students

In a recent development the Assistance Association for Political Prisoners (Burma), AAPP, and 88 Generation Students group will work together in order to get an accurate list of the remaining political prisoners'. While in Burma Ko Tate Naing and Ko Bo Kyi, the secretary and joint secretary of AAPP, based in Thailand had met with 88 generation students group. They discussed a framework for having an accurate list of the remaining political prisoners, describing the criteria which defines a political prisoner and helping with the rehabilitation of former political prisoners' lives.

January 16th

[Remembering 88': Voices from the streets \(DVB\)](#)

January 11th

[KIA Willing to Hold Talks: 88 Generation Group \(Irrawaddy\).](#)

January 8th

[AAPP plan to meet with 88 Generation Students group to create an accurate political prisoners' list \(Irrawaddy- Burmese\).](#)

January 7th

[AAPP meet with 88 Generation Students \(Irrawaddy -Burmese\)](#)

Ethnic Nationalities

In Arakan State a Rohingya youth was severely tortured by Burma's border security force (Nasaka) on January 26, in the evening in Maungdaw north, for sending his two elder sisters to their father-in- laws' houses after visiting their parents' house after attending a wedding, said a close relative of the victim on condition of anonymity. This incident highlights the restrictions in the freedom of movement for the Rohingya. "The victim was identified as Abdullah (22), son of Hussain, hailed from Nari Bill village under the Nasaka area No. 6 of Maungdaw north."

Outrage at the continuing conflict inside Kachin State stirred strong emotions when 1,200 Kachin people living in Yunnan Province marched to the Sino-Burmese border on 10 January in an act of solidarity with their ethnic brethren in Kachin State. At the same time, thousands of Kachins protested on the Burmese side of the border. Coming from Yunnanese towns such as Yingjiang, Ruili, Mang City and Wandin, the Kachins gathered at the Chinese border gate

opposite Kachin capital Laiza at 2 pm. “Our people have encountered various troubles due to the war [in Kachin State], but the Chinese government has failed to react to the problem,” said a local religious leader. “That’s why we have come here to offer comfort to our brothers and sisters.” The demonstration marked the first time that a large group of Kachin people in China have been able to publicly express their feelings without serious repercussions.

January 28th

[Rohinya youth severely tortured in Maungdaw \(Kaladan press network\).](#)

January 11th

[Chinese Kachin Protest against Burma’s Kachin War \(Irrawaddy\)](#)

[Thousands of Kachins protest at Chinese border \(Mizzima\).](#)

January 3rd

[80 Rohingyas heading for Malaysia detained in Burma \(DVB\)](#)

Monks

There was no news to report this month.

Journalists, Bloggers and Writers (media activists)

A French citizen, who had been documenting the Peace March from Rangoon to Laiza in Kachin State, was scheduled to be deported from Burma on the evening of January 30th, 2013. According to one of the peace marchers, Ma Mya Nandar, Mr. Christopher, had been documenting the peace walkers in Taungoo Township, when he was taken by the authorities on the afternoon of January 30th, 2013, from ‘Mother’s House’ guesthouse, where he stayed in Taungoo Township. His deportation however, has been denied in a Government newspaper in Nay Pyi Taw, and U Ye Htut, a Government spokesperson.

Burma’s union parliament passed on 17 January an unprecedented motion to investigate a dissident blogger, who criticised the legislature for acting “above the law” in an internet article published recently. The emergency proposal, tabled by lower house representative, Dr Soe Yin, called for the creation of a committee “to investigate and take actions” against the blogger — known only as Dr Seik Phwa — after he publicly questioned the parliament’s legislative powers.

A global media watchdog warned on 16th January that authorities in Burma were still imposing “repressive” actions on the media, calling for new laws to ensure that the country will not backslide from landmark press reforms after decades of brutal military rule. “Officials have not shed their repressive tendencies, as witnessed by the many legal proceedings against privately-owned weeklies in 2012,” the Paris-based Reporters Without Borders (RSF) said in a report.

Retired Supreme Court Judge Khin Maung Aye will lead an interim press council which could open the way for a more open media. “The draft [media law] will be presented to the media later this month – after their feedback and legal experts’ opinion, a final, strong law will be presented to the parliament,” said Zaw Thet Htway. “We are optimistic that once the parliament approves the new law, all other oppressive media laws will gradually fade away.” The country still upholds a number of draconian regulations, including the Electronics Act and criminal defamation laws, which could see journalists imprisoned for up to two years.

According to DVB Burma’s ministry of mining has agreed to drop its controversial defamation lawsuit against the *Voice Weekly* news journal, launched after they printed corruption allegations against the agency in March last year. The *Voice Weekly* was sued after quoting a report from the auditor general’s office that found that several ministries, including

the mining ministry, misappropriated billions of kyat in public funds. The editor faced up to two years in jail and an undisclosed fine.

January 30th

[A French Citizen, documenting the Peace Marching is deported.\(Irrawaddy\).](#)

[A French citizen who joined in the Peace March arrested.\(RFA\).](#)

January 17th

[Burma's Media Landscape Shifts, But Self-Censorship Still Remains \(Irrawaddy\)](#)

[Burma's Parliament to Investigate Critical Blogger \(DVB\).](#)

[Activists for Political Prisoners meet in Rangoon\(Irrawaddy\)](#)

January 16th

[Call for 'Concrete' Media Reforms \(RFA\).](#)

[Myanmar repeals dissident law \(Bangkok Post\)](#)

[Burma to amend controversial publishing law \(One World South Asia\)](#)

January 15th

[Ownership of Daily Newspapers is still a major dilemma in Burma \(opednews\)](#)

January 14th

[Myanmar press council offers to mediate legal charges against media \(Eleven\)](#)

January 11th

[Govt to amend controversial publishing law \(DVB\)](#)

[Government to amend controversial Publishing Law \(DVB\)](#)

[Mining ministry drops defamation lawsuit \(DVB\).](#)

January 10th

[Press Council to Negotiate in Media Lawsuits \(Irrawaddy\)](#)

Women

U Tun Kyi, a member of Former Political Prisoners Society, based in Burma, voiced that they plan to provide for the needs of pregnant women and female prisoners with children in Insein prison. U Tun Kyi added that they had organized the assistance with the help of the Association of Celebrities, including the famous vocalists Chan Chan and Htun Aeindra Bo, along with female medical specialists and other high profile women who wanted to provide some help. The authorities from the correctional department have approved this plan.

January 22nd

[Pregnant women and female prisoners with children in prison will be provided with assistance \(DVB- Burmese\)](#)

Human Rights Defenders & Promoters Network

There was no news to report this month.

Labor Activists

Residents of villages near the Monywa copper mine agreed last week to accept the findings of Aung San Suu Kyi's Investigation Commission – provided it recommends to cancel the planned expansion at the centre of the unrest. About 500 residents from 26 villages met on January 6 and also agreed to continue their peaceful protest campaign, Ko Thaw Lin, second officer of the Myanmar Arts and Sciences University Network told The Myanmar Times.

More than 400 villagers from five villages from east of Tavoy, in southern Burma gathered in their village and held a prayers service. The villagers, both Buddhist and Christians prayed for the Htee Ler Klay dam project to be stopped. "The land is our home and our land is our lives. If we are relocated, we know that our plantations, our land will be destroyed and we will face

problems. We try to protect and pray that our land is not destroyed. We want the building of the dam to be stopped.

More than 150 farmers from a village in Nay Pyi Taw have sent a petition to the President and parliament after a government department told them to leave their homes within three days or face jail time. The residents of Doe Nwe Ywar Thit in Dekkinathiri township sent the petition to President U Thein Sein, Pyithu Hluttaw Speaker Thura U Shwe Mann and the parliament commission investigating land disputes on January 2, the day the Department of Forestry said they had to leave by.

January 14th

[Myanmar's land dispute commission draws fire \(Myanmar Times\).](#)

[Letpadaung residents vow to keep up anti-mine campaign \(Myanmar Times\).](#)

January 8th

[Villagers pray their land will be saved \(Karen News\).](#)

January 7th

[Farmers in Myanmar's capital face eviction \(The Myanmar Times\).](#)

Students

Information about Thiha Win Tin.(AAPP)

An arrest warrant was served on Ko Thiha Win Tin, the senior member of Central Information Committee, All Burma Federation of Student Union (ABFSU), at 2 pm on January 29, 2013. The police wanted to arrest him because of his involvement in the protest in Rangoon to stop the Latpadaung Taung Copper Mine Project.

A former political prisoner has his right to study denied.(AAPP)

Ko Sithu Maung, one of the student leaders from the 2007 student generation, has been denied the opportunity to continue his studies in the third year at Yangon Institute of Economics. Regarding this affair, former political prisoner university students will work together so as to continue their studies in the respective universities. We plan to inform various media outlets, the authorities including Heads of State, parliaments and human rights organizations with further information.

There are reports of at least two protests at further education establishments this month. At the University of Technology, Tanyin, ABFSU members were distributing leaflets. This resulted in a riot breaking out since the ABFSU members had been banned by the teachers and security members to distribute the pamphlets. The flyers stated:- (1) five principles of ABFSU, (2) the history of All Burma Federation of Student Unions (ABFSU), southern district and (3) the names of the successive chairmen of ABFSU. Later that day, the teachers confiscated the students' cards and mobile phones of those who who circulated the flyers. This resulted in students from other schools coming to the scene of the incident in the evening. As the situation was strained, the teachers decided to give back the confiscated items to the students. In the other case students of the Education College in Kyaukphyu in Arakan State staged a protest in their campus on Wednesday's evening. One of the students said they staged the protest because they have been suffering from insufficient supply of foods in their college. "It has been already three days about 60 students have to skip their meals because of the shortage of rice at the mealtime in our college.

January 9th

[Since leaflet distribution was banned, there was a riot at the University of Technology, Tanyin \(RFA- Burmese\).](#)

January 4th

[Students Protest in Kyaukphyu Education College \(Narinjara\).](#)

January 3rd

[ABSDF Calls for Release of All Political Prisoners \(Irrawaddy\)](#)

Lawyers

There was no news to report this month.

Individual Activists

A Shan State Hluttaw representative says members of the Tatmadaw, who allegedly beat and detained villagers in Kyaukme township after the soldiers accidentally shot one of their own colleagues should be severely punished if found guilty. U Sai Kham Kyaw, the representative for Kyaukme 1, said he helped organise the release of the villagers, who have filed grievous bodily harm charges against the soldiers. “The stationed military unit beat and arrested some local people from Kyainkaing village last week.

Police have charged five members of a group of peace marchers who set off on foot from Yangon for the Kachin Independence Organisation headquarters at Laiza last week with breaching the peaceful protest law. The group set off from City Hall at about 7:30am on January 21 and planned to complete the approximately 1300-kilometre journey in six weeks, walking up to 14 hours a day. But Yangon Region Police Force said in a statement last week that the group’s leader, Ko Yan Naing Tun, and four other people have been charged under section 18 of Law Relating to Peaceful Assembly and Peaceful Procession because they did not have permission for the march. The four were charged in 12 Yangon Region townships: Ahlone, Hlaing, Hlegu, Insein, Kamaryut, Kyauktada, Kyeemyindaing, Lanmadaw, Latha, Mayangone, Mingalardon and Pabedan.

Twenty two peace activists, including monks and youths began walking on 21 January from Rangoon to Laiza in Kachin State, to end the civil war and achieve peace in Burma. For this reason alone, they have been indicted by the ten different township courts.

According to Yan Naing Htun, one of the leading members of the protest, the peace marchers have been indicted by the authorities from Pegu and Daik-U townships in Pegu Division, as well as eight different township courts in Rangoon Division where the marchers began their walk. They have currently been indicted by 10 different township courts and have been accused of violating section 18 of the peaceful protesting bill.

Thousands of farmers in Ayeyarwady Region staged a legal protest earlier this month over land confiscations and fishing rights, with one organiser declaring the demonstration ended “50 years of quiet”. U Thein Win, a farmer from Akel Chaung village in Pantanaw township who led the January 13 protest, said participants wanted to send a message to the government about how much they were suffering. “We expected more than 1000 people would join us but actually more than 2000 from the villages near Pantanaw joined the protest. Some came here by boat.” Organisers applied to the head of police in Pantanaw township on January 7 for permission to hold the protest from 9am to 11am on January 13. Police warned protesters to disperse at 11:30am. They demanded that land confiscated from farmers and given to companies be returned, that dams be built and management of irrigation systems be improved “urgently”, to allow fishermen to fish in ponds that have been licensed to companies and to release those fishermen arrested for fishing. The farmers say the confiscations have occurred over the past 18 years and at least 30,000 acres have been transferred to 10 companies under contracts signed by the military government.

U Thandar Maung, a local social activist who is assisting the villagers, told Narinjara that they have reported the matter to the local authorities and that they will hold a demonstration to

protest against the China National Petroleum Corporation (CNPC) if the authorities delay dealing with the matter. “We have lodged complaints with the district chairman as well as to the local lawmaker of the People’s Parliament, U Ba Shin, to prevent the CNPC from carelessly dumping the wastes of its workers”. Over 150 workers of the CNPC are said to have been staying in the buildings that have been constructed by the company at the entrance of Goonshein Village and their wastes are being dumped through the pipes into the creek on which the villagers depend for their washing water.

January 31st

[Ko Htin Kyaw has been indicted\(Facebook\)](#)

January 30th

[5 Rangoon-Laiza Peace Marchers Charged\(Mizzima\)](#)

January 28th

[Villagers file charges against soldiers \(Myanmar Times\).](#)

[Peace walk continues despite police charges \(Myanmar Times\).](#)

January 25th

[Marchers taking part in the ‘long way peace’ trek, are indicted by ten different courts \(DVB-Burmese\).](#)

[Activists Decry MP’s Comment on Kachin Conflict \(Irrawaddy\).](#)

January 22nd

[Peace activists marching to Laiza briefly stopped in Pegu \(DVB\)](#)

[Kachin Activists, Monks Begin 2-Month March \(Irrawaddy\)](#)

January 21st

[After 50 years, farmers in Ayeyarwady end silence \(Myanmar Times\).](#)

January 15th

[A Press conference for the Rule of Law held \(RFA Burmese\)](#)

January 14th

[Displaced Long Ago, Rangoon Residents Call for Justice \(Irrawaddy\)](#)

January 10th

[Villagers protesting CNPC’s human waste harming their village \(Narinjara\).](#)

[Turning on Burma’s Lights \(Irrawaddy\)](#)

January 9th

[Ex-political prisoners call for multi-sectoral summit \(Eleven\).](#)

National League for Democracy

Seventeen members of National League for Democracy Party (NLD), who are from Pa-Dauk/Tha-Dauk village, Myaing Township, Magwe Division, were sentenced to 3 months in prison at the beginning of January, 2013. Initially accused under law 333 for causing grievous hurt to a public servant, they were eventually charged with rioting. As a result, the Myaing Township Member of Parliament, U Myint Aung has submitted a letter of appeal this week to the Stability and Rule of Law Committee in the Parliament; therefore, asking that the rule of law is applied since the decision is in contradiction with the law.

January 24th

[NLD Submitted a letter to the Stability and Rule of Law Committee \(BBC -Burmese\).](#)

January 17th

[Infighting Ahead of Party Forum \(RFA\)](#)

Daw Aung San Suu Kyi

There is no news to report on Daw Aung San Suu Kyi.

January 24th

[Suu Kyi Heads to Hawaii for Peace Honor \(Irrawaddy\)](#)

January 22nd

[Suu Kyi Assists Kachin Women \(RFA\)](#).

January 15th

[Tangled Webs: Kachin, Arakan, Cronies and The Lady \(Irrawaddy\)](#)

Key International Developments

In Rangoon the International Committee of the Red Cross (ICRC) said on 17 January it will resume visits to detainees in Burma's prisons next week after a hiatus of more than seven years, the latest sign of reform in the once-pariah nation. Mr. Peter Maurer, President of the ICRC, praised the government's move to allow unfettered prison access again, welcoming the "positive attitude" of those who made it happen. "We want to see all prisoners indiscriminately and we want to be able to return to prison," he told reporters, adding that he expected that to happen next week. Maurer's trip was the first of any ICRC president, and during the visit he also met Home Affairs Minister Lt-Gen Ko Ko, Defense Minister Gen Wai Lwin and opposition lawmaker Aung San Suu Kyi.

Burma's political rights and civil liberties' situation continued to significantly improve last year and it has now "surpassed China" in terms of these freedoms, US-based group Freedom House said on Wednesday. It warned however, that "lingering problems" threaten Burma's ongoing reforms. In its annual report *Freedom in the World 2013*, the group said Burma the country's political and civil freedoms improved "due to the successful participation of opposition parties in legislative by-elections and the continued easing of long-standing restrictions on the media, private discussion, public assembly, civil society and private enterprise," it said.

AAPP representatives, Ko Tate Naing and Ko Bo Kyi are currently assessing the political climate in Burma. They met and talked about the prisons and the condition of the political prisoners with senior members of the ICRC, based in Rangoon on January 10th 2013. On January 9, 2013, AAPP representatives also met with U Tin Oo, U Nine Nine, and Daw Lae Lae, senior members of Social Welfare Committee, National League for Democracy Party, NLD, and together, checked the list of the remaining political prisoners. In addition, they discussed working together to assist the reconstruction of former political prisoners' lives and provide financial assistance for their children's education, according to Ko Tate Naing. On January 11, 2013, AAPP representatives met with the members of former political prisoners organizations, in Rangoon.

Burma's human rights record is likely to figure prominently as US lawmakers consider whether to lift sanctions on the country, according to a new congressional report prepared ahead of the 113th Congress, which begins on Thursday. "The continued detention of political prisoners in Burma—as well as the state of human rights in general—are likely to figure prominently in congressional consideration of US policy towards Burma," said the report, by the Congressional Research Service (CRS). "In the coming months, Congress may decide to examine the status of the implementation of existing US sanctions on Burma.

January 18th

[January political prisoners of the month have been released \(Burma Campaign UK\)](#)

[Red Cross to Resume Visits to Burmese detainee's \(Irrawaddy\)](#).

January 17th

[ICRC to resume Myanmar prison Visits\(Swissinfo.ch\)](#)

[Burma Renews Red Cross Access \(VOA\)](#)

[International community condemns Burma's government over Kachin conflict \(Karen News\).](#)

[Reforms Make Burma More Free than China, US Group says \(Irrawaddy\).](#)

January 16th

[ICRC president to hold meetings with Myanmar top officials \(Borneo Post online\)](#)

[Red Cross, Thein Sein agree on prison visit deal \(DVB\)](#)

January 15th

[Thein Sein meets with Red Cross President \(Mizzima\)](#)

[Britain speaks out as Burma's 'biggest war' escalates \(DVB\)](#)

[HRW calls on Burma to drop charges against peace activists\(BNI\)](#)

[US Should 'Stop Genocide' in Burma, Kachin Americans Say \(Irrawaddy\)](#)

[Red Cross head makes debut trip to Burma \(DVB\)](#)

January 13th

[Burma: Drop Charges Against Peaceful Protesters \(Human Rights Watch\)](#)

January 12th

[An Interview with AAPP in Burma \(Irrawaddy-Burmese\)](#)

January 10th

[AAPP arrived in Rangoon and talked with ICRC about the remaining political prisoners \(RFA-Burmese\).](#)

January 3rd

[Human Rights Still Key to Lifting US Sanctions: Report \(Irrawaddy\).](#)

Conclusion

Forensic evidence confirming that police used white phosphorus to disperse peaceful and civilian protestors reiterate the urgent need for Burma to ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment, and codify CAT provisions into domestic law. There is no domestic law that addresses the use of torture, nor are there any independent institutions with a mandate to investigate allegations of torture and other serious abuses carried out by state authorities in Burma. Even though torture is routinely practiced by security agents, not one perpetrator has been prosecuted. No effective mechanisms exist in order to compensate victims of abuse or restore a measure of justice to their lives. These limiting circumstances make a full international investigation, not just a domestic probe, into the use of white phosphorus against civilians necessary.

On 29 November police authorities used suppression tactics reminiscent of the previous military regime against peaceful protestors demonstrating against the controversial Letpadaung copper mine. Eyewitness reports received by AAPP consistently mentioned "fireballs," smoke bombs, and large columns of smoke causing deep burns at the site of the protest camp. At least 70 protestors were taken to the hospital as a result. Six individuals, mainly monks, were rushed to emergency care for burn treatment. They range in age from 16 years to 64 years. Samples collected at the site of the government crackdown by a team of human rights lawyers confirm that white phosphorus was used.

White phosphorus is an incendiary weapon that burns harshly and can result in death. Usage of white phosphorus against civilians is not only a violation of international law but could also

constitute a crime against humanity. The UN Convention on Certain Conventional Weapons (1980), Protocol III, prohibits “in all circumstances” to make civilian populations a target of incendiary weapons [\[1\]](#).

The indiscriminate use of white phosphorus against peaceful demonstrators raises serious concerns about which government or military authority authorized the use of such incendiary weapons. In order to address such concerns the government of Burma should publicly commit to a zero tolerance policy on torture and inhuman treatment, allow an international investigation into the government crackdown, and prosecute those responsible for causing unnecessary and unjustifiable suffering to peaceful civilian protestors.

[\[1\] United Nations Convention on Certain Conventional Weapons](#), 1980, Protocol III