



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

နိုင်ငံရေးအကျဉ်းသားများကူညီစောင့်ရှောက်ရေးအသင်း (မြန်မာနိုင်ငံ)

## Monthly Chronology of Burma's Political Prisoners for January, 2011



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### Monthly Chronology January, 2011

#### Summary of current situation

There are a total of **2189** political prisoners in Burma. In January, **1** activist was arrested and **9** political prisoners were released. The AAPP also received information about activists who were arrested and released before January 2011, including 8 additional political prisoners.

#### The total number of political prisoners is 2189

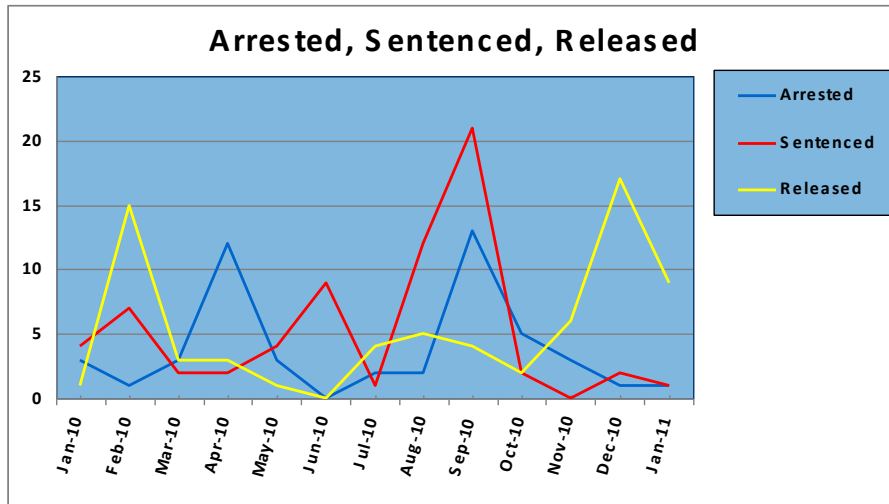
<b>These prisoners include:</b>	<b>NUMBER</b>
<b>Monks</b>	<b>254</b>
<b>Members of Parliament</b>	<b>12</b>
<b>Students</b>	<b>275</b>
<b>Women</b>	<b>169</b>
<b>NLD members</b>	<b>397</b>
<b>Members of the Human Rights Defenders and Promoters network</b>	<b>30</b>
<b>Ethnic nationalities</b>	<b>308</b>
<b>Cyclone Nargis volunteers</b>	<b>17</b>
<b>Teachers</b>	<b>27</b>
<b>Media activists</b>	<b>27</b>
<b>Lawyers</b>	<b>11</b>
<b>Labor activists</b>	<b>56</b>
<b>88 Generation Students</b>	<b>37</b>
<b>Doctors</b>	<b>8</b>
<b>Individual activists</b>	<b>607</b>
<b>In poor health</b>	<b>154</b>

Since the protests in September 2007 leading to September's Saffron Revolution, a total of **1134** activists have been arrested and are still in detention.

## Monthly Trend Analysis

During the month of January at least one political activist was arrested, nine political prisoners were released and two were transferred.

Political prisoners continue to suffer the consequences of inhumane living conditions. At least **154** political prisoners are in poor health due to the harsh prison conditions, transfers to remote prisons where there are no doctors, and the denial of proper medical care.



In January reports emerged of political prisoners being given amphetamines during interrogation in an attempt, by the regime, to extract more information. DVB reporter, Sithu Zeya was reportedly subjected to such treatment during interrogation following his arrest in April 2010. He faced further mistreatment in January when he was tortured after being accused of failing to understand prison regulations. Furthermore, news emerged that Ko San Shwe was tortured to death in July 2010 following accusations that he held ties to the Karen National Union.

Highlighting the month of January was the Universal Periodic Review (UPR) of Burma which went ahead in Geneva on 27 January. The UPR is a new mechanism of the Human Rights Council (HRC) aimed at improving the human rights record of all 192 UN Member States. For countries, like Burma, with a poor human rights record and a low ratification rate of international human rights treaties, the UPR provides a unique opportunity to put them in the hot seat and have their rights record publicly scrutinized.

In January AAPP learnt of eight political activists who were arrested prior to the beginning of 2011, these individuals include; Saw Sae Kale He, U Thanraya aka Than Aye, U Kuthala aka Kyaw Soe Win, U Eaindaka aka Aung Than Oo, Than Kyaw Aung, San Kyaw, Ba Htoo Nainh and Win Aye. The reasons for their arrests are yet to be confirmed.

## **Torture**

On 17 January reports revealed that Sithu Zeya 21 year old, DVB reporter, was placed in solitary confinement after failing to understand prison regulations. He was taken out of his isolation cell every 15 minutes and forced to squat and crawl because he did not know the prison rules. This lasted for at least 9 days. Sithu Zeya was originally arrested in April 2010 for taking photos at the scene of the water festival bombing in Rangoon. He was later sentenced to 8 years imprisonment and charged for illegally crossing the border and association with an unlawful organization.

17 political prisoners who shared a cell block with Sithu Zeya whilst he was detained in cell block 4 in Insein Prison begun demonstrations on his behalf.

“The political prisoners...are now refusing to stand to attention, a daily routine in the prison every dusk and dawn,” said a source. “If their demands are not met in the next three days, they will shave their heads in protest, which is against prison regulations. They have informed the prison authorities that if shaving their heads doesn’t work, then they will go on hunger strike.”

It is also believed that Sithu Zeya was one of the prisoners given drugs, probably amphetamine in an attempt to extract more information during interrogation.

In early January news emerged that Ko San Shwe, from Bilin Township in Mon State, was tortured and killed during interrogation following his arrest on 11 July 2010 in relation to accusations that he held ties to the Karen National Union. After he was killed he was dragged out of his cell and buried. Ko San Shwe’s family have obtained photographs of where his body is buried.

Four other individuals were arrested alongside Ko San Shwe including U Maung Thein, U Paw Lar, U Law Kwat and Hla Phone. Law Kwat paid a one hundred and fifty thousand Kyat fine in exchange for his release but the remaining three were each handed down three year sentences, with the exception of Ko San Shwe who never made it to trial. During interrogation they were all tortured.

“Ko Law Kwat was tortured with a method where a plastic material is melted down with fire and poured on his body, including the genitals,” one source said.

The family members of U Maung Thein, U Paw Lar and Hla Phone are now preparing to appeal to Burma’s top court in the capital Naypyidaw after previous appeals to the lower court failed (please see ethnic nationality section for details).

24 January

[Political prisoners ‘given amphetamine’ \(DVB\)](#)

17 January

[Young DVB reporter ‘tortured daily’ \(DVB\)](#)

10 January

[Torture victims take appeal to top court \(DVB\)](#)

## **Treatment of prisoners and their families**

An estimated 800 prisoners were taken from their cells in early January and forced to be porters for troops in Karen State. At present it is believed that no political prisoners were among the selected 800. Interviews with prisoner porters who escaped reveal that the prisoners were used as mine sweepers, a grave violation of international law.

Three of these prisoners were assigned to collect supplies left behind at a camp near the border and managed to escape to Mae Sot, Thailand. One of the men described the experience; “the army unit that brought us made us work like animals: our legs were shackled and we were not allowed to relieve ourselves or rear our heads without permission.” Another man added “we had to sleep in cramped sleeping quarters. We cannot take care of our personal hygiene. We cannot walk properly because of the shackles.” An estimated 37 porters fled to Mae Sot later in the month.

In Khamti prison, Sagaing Division there have been numerous reports of tuberculosis and malaria. Human rights defender, Thin Kyaw, is suffering from malaria and is just 3 years into a 12 year and 6 month sentence. When Thin Kyaw’s wife visited him she learnt that two prisoners had recently died from tuberculosis.

Reports in January revealed that political prisoners in Insein prison, ward 5, have requested that authorities address the issues of inadequate medical care, lack of blankets and insufficient food rations provided to prisoners.

26 January

[As UN Reviews Burma's Rights Record, Abuses Continue \(Irrawaddy\)](#)

12 January

[Junta Troops Using Prisoners as Human Minesweepers \(DVB\)](#)

## **Prisoners Released**

January brought the release of nine political prisoners including Dr NayWin, Aung Kyaw San and Phone Pyae Kywe, who were arrested for their efforts to assist victims of Cyclone Nargis. (see Cyclone Nargis section for more information). On 18 January, Ma Cho Cho Tin aka Ma Cho and Ma Theingi Oo were released after serving a 2 year sentence. They were initially charged under the Unlawful Associations Act. On 28 January four nuns were released including Daw Pyinya Theingi aka Nyunt Nyunt, Daw Seittavati aka San San Htay, Daw Theingi aka Than Yi and Daw Thila Nadia aka Aye Aye.

Local pro-democracy organizations urged the military to release all political prisoners on 4 January, Burma's Independence Day, but no such amnesty was granted. A news paper later announced that a source close to the junta had stated that the regime planned to release all political prisoners prior to parliament opening on 31 January 2011 but this did not happen.

10 January

[Parliament to convene on 31 Jan \(DVB\)](#)

5 January

[Political prisoners expected to be freed before parliament \(Shan Herald\)](#)

## **National League for Democracy**

There are at least **397** members of the National League for Democracy party currently in prison. Ko Shwe Maung, who was attacked by guards in Pyapon prison in November, has been transferred to Sittwe prison, in Arakan State.

The 4<sup>th</sup> of January marked the 63rd anniversary of Burma's independence from Britain in 1948. The NLD marked the occasion by launching a volunteer support network program for political prisoners, giving supporters of the democracy movement the chance to be matched with political prisoners through a lottery draw and provide ongoing moral and material support to them.

Daw Aung San Suu Kyi has been paired with political prisoner Soe Min Min serving a 9 year 6 month sentence in Insein prison whilst central committee member, Win Tin, has been paired with Win Mya Mya, an executive committee member of the NLD's Mandalay Division currently being held in Puta-O prison. NLD Women Affairs Committee member, Daw Lae Lae, will provide volunteer support for 88 Generation Student leader Nilar Thein, who is being held in Thayet prison.

An NLD blood donor group has volunteered to look after 11 prisoners including 88-student leaders, Min Ko Naing, and Monk, U Gambira. Despite an encouraging response to the program a further 200 political prisoners still need a volunteer but some people are too afraid to go to the NLD office and partake in the lottery draw.

The launch of the volunteer support network program coincided with a three day fundraising event at the NLD headquarters. Items sold included postcards drawn by Daw Suu, pictures and calendars of Daw Suu and her father Gen Aung San and ethnic clothing and items made by NLD members. 20 million kyat (US \$23,256) was raised and will be used to assist the families of political prisoners; people affected by natural disasters and HIV/AIDS patients.

January witnessed Daw Aung San Suu Kyi file an appeal to Burma's Supreme Court in Naypyidaw, relating to the dissolution of the NLD prior to the 2010 elections. This was the second appeal Daw Suu filed since being released on 13

November 2010. The first was unsuccessful. An early appeal aimed at preventing the abolishment of the party had also failed. On 28 January the NLD's appeal was once again rejected.

28 January

[Court rejects Suu Kyi party appeal \(DVB\)](#)

17 January

[More prison volunteers needed, says NLD \(Mizzima\)](#)

13 January

[Suu Kyi Factor Helps AIDS Shelters \(Irrawaddy\)](#)

5 January

[NLD Outlines Four Principles for Foreign Investment \(Irrawaddy\)](#)

[Volunteer support network for political prisoners launched \(Mizzima\)](#)

4 January

[NLD Raises 20 Million Kyat for Social Projects \(Irrawaddy\)](#)

## **88 Generation Students**

There are at least **37** members of the 88 Generation Student group currently detained. Ko Tin Htoo Aung, who is currently being held in Katha prison, in Sagaing Division and serving a 33 year sentence, is suffering from lower back pain and skin disease on his scalp. He needs to see a doctor but authorities have failed to provide him with necessary medical treatment for several months now.

## **Ethnic Nationalities**

There are at least **308** ethnic nationalities held in prison. The family members of political prisoners, U Maung Thein, U Paw Lar and Hla Phone, from Mon state, who were tortured and imprisoned in July 2010 under accusations that they held ties to the Karen National Union, are appealing their sentences at Burma's Supreme Court. Previous appeals to lower-level courts have failed.

Ko San Shwe who was arrested at the same time was reportedly tortured and killed during interrogation. (Please see torture section for details).

“We are not looking to put the blame on anyone or to get compensation,” the relative said. “As Buddhists, we just blame it on karma. We just want our loved one released from prison and the family of [San Shwe] be informed about his death so they can hold a funeral.”

Daw Aung San Suu Kyi met with six senior members of the Shan Nationalities League for Democracy on 2 January to talk about the importance of ethnic unity. However, ethnic parties who participated in the 2010 elections and won seats

have shown no sign of wanting to work towards unity nor have they declared interest in a second Panglong conference, which would reinstate the aims of the original conference, proposed by Daw Suu's father, Gen Aung San, in 1947.

10 January

[Torture victims take appeal to top court \(DVB\)](#)

5 January

[Suu Kyi, SNLD Call for Ethnic Unity \(Irrawaddy\)](#)

## **Monks**

There are at least **254** monks currently held in prison. Additional arguments in favour of U Yammarwaidi Pyinnyarsara's case were submitted to Naypyidaw court in January after an appeal to the state court in Sittwe was rejected. U Yammarwaidi Pyinnyarsara, a monk and researcher of Arakanese history was accused of sexual misconduct, possessing obscene reading material and insulting religion. He was sentenced to 8 years and 3 months in September 2010 and is currently being held in Thayet prison in Magwe division.

On 11 January, U Dhamu Thara, a monk from Dharma Vihara Monastery in Rangoon, was beaten by members of Swan Arr Shin, a group tied to the regime, when he briefly left his monastery. Whilst he was standing outside a shop he noticed that members of the Peace and Development Council were eating beside the road. Some members asked him why he was watching them. In response U Dhamu Thara said "if you want to know follow me". As he was on his way back to the monastery he was attacked by about 20 Swan Arr Shin members who beat him with batons and attacked him with knives. They then took him away in a truck. They believed that he was dead and threw his body in to a playground just outside of the township. Following the assault U Dhamu Thara was hospitalized and has since gone into hiding in fear that he may be attacked again.

21 January

[Ashion Pyinya Sara's Case Being Appealed to Naypyiday Court \(Narinjara\)](#)

## **Cyclone Nargis Volunteers**

There are at least **17** Cyclone Nargis volunteers held in prison. Cyclone Nargis volunteers, Dr Nay Win, Aung Kyaw San and Phone Pyae Kywe, were released this month. Aung Kyaw San and Phone Pyae Kywe had already spent an additional 7 months in prison on top of their 2 year sentences. Sadly, Dr Nay Win's daughter, Phyo Phyo Aung remains in prison. She was sentenced along with her father under the Unlawful associations Act for her involvement in helping victims of Cyclone Nargis.



## **Journalists, Bloggers and Writers**

There are currently at least **27** media activists held in prison. Writer, Maung Maung Zeya, who was arrested in April 2010 for taking photos at the scene of the water festival bombing in Rangoon, is still awaiting trial and has been informed that he could be released if he agrees to reveal information about DVB reporters working inside Burma. Maung Maung Zeya's son, Sithu Zeya, is a DVB reporter and was sentenced to 8 years imprisonment in December after he took photos at the scene of the water festival bombing with his father. He has since been placed in solitary confinement and routinely tortured. (Please see torture section for further details).

On 31 January parliament opened but journalists were not granted permission to cover the session and it remains unclear whether or not journalists will be allowed to report on future sessions. This news came as a surprise earlier in the month, Information Minister, Kyaw Hsan, announced that reporters were invited to the opening.

31 January

[Journalists barred from parliament \(DVB\)](#)

25 January

[Exiled print press goes quiet \(DVB\)](#)

[DVB Cut Programs Due to Funding Shortfall \(Irrawaddy\)](#)

17 January

[Imprisoned Poet Found Solace as a Librarian \(Irrawaddy\)](#)

10 January

[Jailed DVB reporter in isolation cell \(DVB\)](#)

## **Women**

There are at least **169** women political prisoners currently detained. Labour rights activist and NLD member, Su Su Nway, is suffering from heart disease and is struggling to breathe properly. She has asked to be transferred to a prison where there is a hospital but her request has been rejected. She remains in the remote prison of Khamti in Sagaing Division.

Human rights defender and National Democratic Front candidate, Bauk Ja, 44 years, has been forced into hiding after reports revealed that authorities released a warrant for her arrest. It is strongly believed that she is wanted by the regime for a complaint letter she wrote to the Union Election Commission regarding fraud over the results where U Ohn Myint, junta-backed Union Solidarity and Development Party candidate was declared the winner in her constituency. She was also involved in suing a company, which holds close ties to the regime, for its confiscation of land in Hukawng Valley, Kachin State.

21 January

[NDF Bawk Ja hunted by police \(BNI\)](#)

20 January

[Activist in Hiding to Escape Arrest \(Irrawaddy\)](#)

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

There are at least **30** Human Rights Defenders and Promoters Network currently detained. There is no news to report in January.

## **Labour Activists**

There are at least **56** labour activists currently detained. There is no news to report in January.

## **Students**

There are at least **275** students held in prison. There is no news to report in January.

## **Lawyers**

There are at least **11** lawyers detained in prison. The NLD's Central Legal Aid Team (CLAT) plans to set up a lawyers' network throughout Burma, in an effort to provide legal assistance to political detainees. Members of CLAT have been touring Mandalay and Monywa to meet with lawyers and discuss their ideas and plans for the establishment of the network. "We discussed how the lawyers' groups [networks] in the regions can provide assistance for those being persecuted in political cases that take place in their regions. The network has no concern with being a member of the NLD – it is merely to assist those being involved in and working on court cases." said Aung Thein, a member of CLAT.

6 January

[Burma's opposition sets up legal networks to help activists \(DVB\)](#)

## **Individual Activists**

The Asian Legal Resource Centre has urged a group of United Nations human rights specialists "to operate to their fullest possible capacity" in the interests of Phyoo Wai Aung, falsely accused of being involved in the 2010 April Water Festival

bombings, which took place in Rangoon. Ten people were killed and 168 were injured when the bombs erupted.

Phyo Wai Aung was arrested on 22 April 2010 and severely tortured for 6 days despite repeatedly declaring his innocence and having an alibi. At present, he is reportedly being held in solitary confinement, denied the right to exercise and has been repeatedly subjected to physical and psychological abuse. He is also forced to sleep in a place in the cell that gets him wet if it rains.

In the letter the director, Wong Kai Shing, stated "We firmly believe that strong interventions from a number of [U.N.] special procedures simultaneously could have some effect, and at least alleviate the worst features of imprisonment for this young man."

5 January

[BURMA: Regional group urges U.N. experts on torture case \(ALRC\)](#)

## **Daw Aung San Suu Kyi**

During a phone conversation, on 19 January, US Secretary of State, Hilary Clinton, told Daw Aung San Suu Kyi that she would work for democracy in Burma. State Department spokesman Philip Crowley related her message via twitter stating "Secretary Clinton called Daw Aung San Suu Kyi today and pledged to work with her to strengthen civil society and promote democracy in Burma".

In an interview with Simon Scott from The New Zealand Herald Daw Aung San Suu Kyi was asked to talk about her hopes for the future and what kind of role she envisions herself playing in 2011. In response she said "What I see for 2011 is the need to try to make the people understand that we have the capacity to bring about change. What I want most of all is to empower the people and make them understand 'we are the ones who can bring about change in this country'."

She was also asked if, in her opinion, anything positive came out of the elections in 2010 "*I think it did make some people understand what elections should not be about, or how elections should not be conducted. I think that is positive, if people can start to get an understanding of what should not be done if elections are supposed to be democratic.*"

Further questions addressed concerns relating to her safety, the possibility of re-arrest and fears the ruling elite possess with regards to potentially being tried for war crimes and crimes against humanity in the future.

After 7 years of isolation Daw Suu has had internet installed at her home and plans to use Twitter to communicate with her supporters. In Burma citizens must obtain permission from the government to access the internet at home and

declare that they will not use it for political activities. Despite this the regime has granted Daw Suu internet access and the National League for Democracy launched a website; <http://www.nldburma.org/>

21 January

[Burma's Aung San Suu Kyi gets internet access \(BBC\)](#)

20 January

[Clinton makes first call to Suu Kyi \(DVB\)](#)

17 January

[Looking to build hope in a troubled Burma \(New Zealand Herald\)](#)

## **In other news**

Former child soldier, Zin Maung, has been handed a 3 year and 6 month prison term after fleeing from the army. Police tracked him down in Waw Township, Pegu Division in September 2010. Zin Maung is now in his mid twenties but recruited into the army at the age of 13 years.

The use of child soldiers violates both international norms and Burmese law, requiring that children under the age of 18 are not forcibly recruited. The continued imprisonment of child soldiers for desertion is in direct contrast to the regime's claims that they are working to stop the use of child soldiers and support their rehabilitation and reintegration.

19 January

[Ex-child soldier jailed for desertion \(DVB\)](#)

## **Key International Developments**

On 27 January the Universal Period Review of Burma took place. The UPR is a new mechanism of the Human Rights Council (HRC) aimed at improving the human rights record of all 192 UN Member States. For countries, like Burma, with a poor human rights record and a low ratification rate of international human rights treaties, the UPR provides a unique opportunity to put them in the hot seat and have their rights record publicly scrutinized. AAPP Joint Secretary, Ko Bo Kyi, and AAPP member, Ko Min Min, went to Geneva on 17 January to raise concerns over the grave human rights situation in Burma ahead of the country's first Universal Periodic Review.

During the Review Western countries including Britain, France and the United States stressed their deepest concerns for the human rights situation in Burma. Calling on the military regime to immediately release all political prisoners and end arbitrary arrests and torture of those critical of the regime. In contrast, most Asian countries leaned towards congratulating Burma on the 'positive' steps taken towards democracy, as well as for the release of Daw Aung San Suu Kyi.

Vietnam, welcomed the November elections and the 2008 Constitution, commending the military regime on what it called “substantial progress in the realization of democracy and national reconciliation”. However, Philippines, and Indonesia stated that they wanted to see more progress towards democratization and Thailand recommended Burma accede to the core international human rights treaties.

Prior to the UPR ASEAN called on nations including the US, Australia, New Zealand and Europe to end sanctions on Burma because of their impact they had on the development of the country. The Indonesian Foreign Minister, Marty Natalegawa, described the 2010 elections as "conducive and transparent" warranting a positive response. Marty Natalegawa told reporters that ASEAN would like to see "the immediate or early removal or easing of sanctions that have been applied against Myanmar by some countries."

In a message which marked the 63<sup>rd</sup> anniversary of independence from the British, Burma warned its population to be on guard for foreign meddling, drawing attention to countries who may want to gain political control of “geographically strategic” Burma. “I would like to urge the entire people to guard the nation with political awareness against any forms of disruptions in order that the mother country’s independence and sovereignty will never be under alien influence,” said Than Shwe.

29 January

[Critics blast Junta’s presentation at UN Rights Council \(Mizzima\)](#)

28 January

[Burma blasted at UN meeting \(DVB\)](#)

26 January

[Burmese FM to Submit Human Rights Report \(Irrawaddy\)](#)

25 January

[Report Condemns Widespread Tolerance for Torturers \(Irrawaddy\)](#)

19 January

[Burma’s Grave Human Rights Situation Stands Before the UN’s Review](#)

17 January

[Asean says Burma sanctions should be dropped \(BBC\)](#)

4 January

[Burma warns against foreign meddling \(DVB\)](#)

## **Conclusion**

While the world witnessed Burma’s first Universal Periodic Review take place in Geneva the military regime maintained its negligent policy towards political prisoners, by denying many political prisoners necessary medical care, adequate food and permitting mistreatment and torture. At the UPR, Burma failed to

support recommendations from numerous countries to cooperate with the International Committee of the Red Cross and allow them access to all places of detention. Further suggestions to grant the UN Special Rapporteur on the situation of human rights in Burma regular and unrestricted access to Burma were rejected.

Support was expressed, by the regime, in response to suggestions that conditions of detention should be brought into compliance with international standards including the UN Standard Minimum Rules for the Treatment of Prisoners, but on the basis that no supervision was required.

The regime rejected repeated requests to immediately and unconditionally release all political prisoners, guarantee them unrestricted freedom of movement and expression and freedom to participate in political activities, maintaining that there were no political prisoners inside Burma. Furthermore, all recommendations to hold the perpetrators of torture and mistreatment of political prisoners accountable were rejected.

Further statements presented by the regime claimed that no prisoners had died in detention from torture. In contrast AAPP has documented the death of at least 146 political prisoners while incarcerated as direct result of torture and inhumane living conditions. The case of Ko San Shwe who was tortured and killed during interrogation in July 2010 came to light this month, demonstrating that death from torture is a reality in Burma's detention centers, highlighting the brutality of the regime, and the extreme lengths they go to force confessions and silence dissent.

Of concern are reports, which indicate that the regime is using amphetamine drugs during interrogation, which may show that the regime is exploring new techniques in an effort to obtain information and confessions rather than taking steps to put an end to such methods, as it claimed to be doing at the UPR.