



Assistance Association for Political Prisoners (Burma)

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Monthly Chronology September, 2011

We have been extensively verifying the political prisoner list in the recent weeks. We will provide an updated list soon. In addition, recent reports claim that political prisoners will be released soon and, pending a prisoner release, we will include an updated account of those released and the political prisoners still behind bars.

Trends

In a month that seemed to raise the prospect of significant progress in Burma, there remained many constants. A controversial public project, the Myitsone Dam is widely opposed in Burma. The regime's unexpected decision to halt its construction this month has been interpreted as a concession to public pressure on the issue. However, one member of the public that was pressuring the government through a solo protest was arrested, and police are pursuing another who led a petition calling for construction to be halted. In another development, against the backdrop of ASEAN's selection of its 2014 chair, the regime stated that a prisoner amnesty was likely in the 'near future'. Although the regime continues to deny the existence of political prisoners inside the country, the leader of the regime's state advisory group, U Ko Ko Hlaing, did recognize that the regime will have to consider the issue of prisoner release and who will be freed.

Both the suspension of the Myitsone Dam and the prospect of an amnesty that includes political prisoners may give cause to be optimistic regarding prospects of democratic reform in Burma. However, opposition to the regime remains restricted, notably through arrests and the doling out of additional sentences. At least 4 political dissidents engaged in peaceful activities were arbitrarily arrested this month, with two of them possibly still detained. Additionally, under the repressive Electronics Act, DVB journalist Sithu Zeya was handed a 10 year extension to his 8 year term given for filming the aftermath of the 2010 April bombings in Rangoon. Finally, in regards those detained, the regime's long standing practice of withholding adequate health care for political prisoners came to prominence again, with at least two political prisoners requesting immediate medical attention this month following drastically deteriorating health conditions.

This month has also seen the regime's parliament propose a law banning anyone convicted of certain political laws, including the Unlawful Associations Act, from participating in politics for life. Along with this month's establishment of a National Human Rights Commission, this proposal reveals the regime's true intentions: to continue its repressive control over the people of Burma without embracing transparency, freedom of speech, or working towards national reconciliation. And so, in spite of perceived developments surrounding Myitsone Dam and a potential prisoner amnesty, September has provided several reasons to remain cautious regarding the regime's sincerity, and its commitment to genuine democratic reforms.

Torture and Treatment of prisoners and their families

Less than 2 percent of Burma's annual budget is devoted to healthcare, a figure that translates into heavily limited funding for the prison healthcare system. At least two political prisoners have requested immediate medical attention this month after their health was exacerbated by lack of basic medical care and substandard prison conditions. Zaw Lin Htun, serving a 20-year sentence in Insein prison, has been diagnosed with a barrage of serious diseases, including stomach and liver cancer. Zaw Lin Htun's health has drastically declined after his arrest in 2003 for trying to re-establish the All Burma Federation of Student Unions. His family has sent a letter to U Thein Sein appealing for an early release, so that Zaw Lin Htun could spend the remainder of his time with his loved ones.

Another request for immediate health care came from NLD member Thandar, serving a 26 year sentence. She is suffering from a narrowed artery in her heart, along with kidney problems. Her family is also concerned that she will not receive medical attention soon enough to stave off a worsening heart and kidney condition. Doctors have already neglected earlier visits to treat Thandar. Even if doctors' visits are allowed, often families are forced to pay bribes to ensure their loved ones receive any medical care at all.

The Network for Assisting Political Prisoners' Families (Burma) has submitted a petition to the SPDC this month. In it, they list numerous human rights violations ongoing in Moulmein Prison. A clear pattern of rampant extortion has been exposed, extending from the prisoner level up to the highest officers in the prison. Prisoners are forced to pay bribes to not only get out of forced labor, but also to receive any adequate health care. This pervasive practice adversely affects those prisoners whose families have very little income and consequently imposes unnecessary burdens on both prisoners and prisoners' families.

In addition to the submitted report, NAPPF also released a statement saying "political prisoners support Daw Aung San Suu Kyi on the tripartite dialogue." Although the statement did not specify how many political prisoners made this claim, according to Ma Khin Mi Mi Khaing the in-charge of Central Information Committee of NAPPF, it is the genuine desire of political prisoners.

Prisoners Released

3 prisoners were released this month. They were released after serving about 2 years and 6 months of their 3 year sentences.

Myint Myint San (aka Ma Cho) and Shwe Gyoe (aka Mya Soe), both NLD members, were charged under section 17/1, Unlawful Associations Act, and sentenced to 3 years. Myint Myint San was in Katha Prison, while Shwe Gyoe was in Bamaw Prison. Sein Hlaing, an 88 Generation Student and also a former political prisoner, was also charged under the Unlawful Associations Act. He served his most recent sentence in Myitkyina Prison.

Although these prisoners were released, it is by no means as a result of changing policies or practices by the U Thein Sein regime. An expired prison sentence is significantly different from an unconditional amnesty in which one's criminal record is also erased.

Update on Individual Cases

At least **1** person has been arrested this month and **2** more may still be detained. This is in addition to nine Arakanese Muslims who were arrested for traveling to another part of their native country.

Ko Nay Lin Oo, a youth member of the National League for Democracy party was arrested after giving a speech on International Democracy Day that ended with a call for the release of political prisoners. He was forcefully told to take off his shirt, which had images of Daw Aung San Suu Kyi and Bogyoke Aung San. He was later released on 1 million Kyat bail and charged with being drunk under section 41. Another activist, a 41 year-old protesting alone near the Chinese Cultural Office in Rangoon, was arrested for holding a banner demanding the halt to the Myitsone Hydropower Dam project.

Pho Phyu (aka Yan Naing Aung), a lawyer representing farmers fighting against land confiscations in Rangoon and Irrawaddy divisions, was released on bail after being arrested for failing to appear in court in connection with another case. Sein Kyaw Hlaing, an exiled journalist who worked for Radio Free Asia (RFA) and BBC Burmese Service, was shortly detained after he allegedly negotiated his return back to Burma with Burmese officials in Mae Sot, Thailand. When he arrived at the airport in Rangoon, he was detained and taken to Aung Tha Pyay interrogation center of the Special Branch.

These recent arrests show the continued repression of dissent, whether actual or perceived, and offer no support to the U Thein Sein administration's claims of reform.

In addition to the new arrests, the whereabouts of KNU leader Mahn Nyein Maung are still unknown. He disappeared in late July from Kunming Airport in China and is believed to be detained in Burma, according to a source close to him. U Thein Sein regime still has not provided any answers to the whereabouts of Mahn Nyein Maung.

The restrictions on mobility for ethnic and religious minorities are still very much in place, and have led to the arrests of 9 people. Five men and 4 women, all native Muslims of Arakan State, were arrested and sentenced to 2 years and 6 months in prison for traveling to Rangoon. Even though some of the sentenced members had national identity cards, they were charged with violating an order requiring citizens to obtain proper permission to travel from one state to another.

DVB journalist, Sithu Zeya, was given an additional 10 year sentence under the notorious Electronics Act. The courts added on to his 8 year sentence, giving him a total of 18 years. The so-called increased freedoms of the press this month have clearly done nothing to change the stifling work environment experienced by members of the media.

Shan New Generation member, Sai Myo Win Tun, serving a 76 year sentence for organizing the Shan Consultant Group, has been sent back to the prison hospital due to mental illness. He has already been forced to stay in the hospital for nearly one year for the same illness.

An Arakanese man, Yammarwadi Ashin Pyinnyarsara, had an appeal this month to determine whether the court will hear his case. U Pyinnyarsara has spent the last 14 months in Thayet prison with access denied to all visitors, including his lawyer.

26 September

[NLD prisoner in declining health \(DVB\)](#)

20 September

[Police arrest lone activist protesting the Myitsone Dam \(DVB\)](#)

16 September

[AAPP urges compassionate release for dying political prisoner \(Mizzima\)](#)

[KNU Leader's whereabouts still unknown \(Irrawaddy\)](#)

15 September

[Family pleads release of ailing prisoner \(DVB\)](#)

6 September

[Exiled journalist arrested after returning to Burma \(Irrawaddy\)](#)

1 September

[KNU still investigating Karen leader's disappearance \(Mizzima\)](#)

National League for Democracy

There are at least **342** NLD members still remaining in prison.

The NLD celebrated the 23rd anniversary of its founding this month with an hour long celebration. Over 1,500 people were in attendance including the new US charges d'affaires. Vice chairman Tin Oo encouraged NLD party members not to do anything that would undermine the unity and struggle for democracy and human rights. Also executive committee member Win Tin told the gathering to unite itself under the leadership of Daw Aung San Suu Kyi.

The NLD has been considering a move to reregister as an official party; however, the leaders of the party know it's too soon to take that step. Once the U Thein Sein regime makes legitimate, concrete changes towards democracy, the NLD party will reregister and formally run against the prevailing nominally civilian government. Even amid the extra attention the NLD has received since the nominally civilian government formed in March, there are still **342** NLD members in prison, unable to exercise any of their most basic freedoms.

29 September

[NLD considers registering as an official party \(Mizzima\)](#)

27 September

[NLD celebrates 23rd founding \(Mizzima\)](#)

88 Generation Students

There are at least **35** members of 88 Generation Students group still remaining in prisons.

Many of the 88 Generation Student's group, including leader of the 8888 Uprising Min Ko Naing, are still languishing in Burma's prisons. In a cable released by Wikileaks, it was revealed that China actively sought the opinions of prominent opposition leaders. In secret meetings, China attempted to assess information from inside Burma while opposition leaders aimed to secure support for a democratic Burma. However earnest China may have been in engaging opposition leaders, it appears to fully support the U Thein Sein administration and offers substantial assistance to the nominally civilian leaders.

In the lead-up to International Day of Democracy, the 88 Generation Students' Group released a statement urging the U Thein Sein regime to grant a general amnesty order immediately. At

least 35 members of the students' group are still imprisoned, including student leader Min Ko Naing.

6 September

[China keeps secret ties with exiled Burmese opposition party \(DVB\)](#)

Ethnic Nationalities

There are at least **317** ethnic people still remaining in prison.

Systematic racism towards Muslims in Arakan State has been ongoing. Last month a Muslim NLD member, Pho Htaung, was arrested for failing to notify the authorities about his plans to travel outside of his town. This regulation still applies to the indigenous Rakhine Muslims, in which anyone with a non-citizen ID card must apply to the military's border force anytime they wish to travel outside of their town. Just this month, an additional 9 Muslims were arrested and sentenced to 2 and a half years in prison for violating this regulation, even though a few of the sentenced minorities had their national ID cards with them.

28 September

['Government needs to admit there are political prisoners'-interview \(Mizzima\)](#)

26 September

[55 prisoners freed from labor camp by KIO \(Mizzima\)](#)

23 September

[KIO rebels free 50 prisoners from labor camp \(Mizzima\)](#)

14 September

[9 Muslims sentenced to prison for traveling from Arakan State \(BNionline\)](#)

12 September

[Government wants peace and fair treatment, ethnic minorities \(Nation\)](#)

[One RNDP MP must resign \(Mizzima\)](#)

[RNDP allege conspiracy after MP's dismissal \(DVB\)](#)

2 September

[RNDP abstains on voting for abolishment of emergency act \(Narinjara\)](#)

1 September

[Government reaffirms policy of racial profiling \(DVB\)](#)

Monks

There are at least **225** monks still remain in prison. There is no news to report for September.

Cyclone Nargis Volunteers

There are at least **17** Cyclone Nargis volunteers still remain in prison. There is no news to report for September.

A leaked cable by Wikileaks revealed that the SPDC hid the perceived total of deaths from the public. State Peace and Development Council's Vice Senior General Maung Aye estimated at least 300,000 people perished from the cyclone. The government's official number released

before the end of June was 84,537 people dead, 53,836 missing and 19,359 injured in the cyclone. After those numbers, the government did not release additional casualty figures. United Nations estimated the death toll at 140,000. This misinformation campaign from the SPDC authorities continues under the U Thein Sein regime.

9 September

[Government estimate of Nargis death toll kept secret \(Mizzima\)](#)

Journalists, Bloggers and Writers (media activists)

There are at least **23** media activists still remaining in prison.

The month of September has seen a superficial relaxing of media restrictions. The most revealing example this was summed up by U Kyaw Hsan, Minister of Information, during a press conference. He explained that freedom of the press would bring “more disadvantages than advantages” and disregarded the necessity of freedom of the press by saying the media are like “red ants.”

A Rangoon-based journal was punished after printing an interview with Daw Aung San Suu Kyi and publishing her picture. Furthermore, amid heightened protests among activists throughout Burma, the restrictions on media reports were once again tightened, banning any more articles to be published which discuss the Myitsone Dam protests.

A glaring violation of freedom of the press was evident with the additional sentencing of DVB journalist Sithu Zeya. Already serving an 8 year sentence, Zeya was charged under the notorious Electronics Act and handed another 10 years.

The restrictions of the media continue to remain tight and the ensuing penalties are very much on-going.

26 September

[Govt. bans media reports on Myitsone Dam protests \(Irrawaddy\)](#)

16 September

[Interview with founder of Irrawaddy \(Irrawaddy\)](#)

15 September

[Burma lifts ban on foreign news websites \(burmanet\)](#)

14 September

[Sithu Zeya given additional 10 year sentence \(DVB\)](#)

12 September

[Editor of Irrawaddy skeptical of exiles' return home \(Irinnews\)](#)

[VOA journalist let into Burma to report \(VOA\)](#)

9 September

[Protests outside Burmese embassy in Thailand to free journalists \(Irrawaddy\)](#)

8 September

[Media are like red ants, says Kyaw Hsan \(Irrawaddy\)](#)

[The Messenger given light punishment for article \(Mizzima\)](#)

7 September

[Journal punished after publishing Daw Suu interview \(Irrawaddy\)](#)

Women

There are at least **142** women still remaining in prison. One woman was released in the month of September.

Naw Ohn Hla was shortly detained after leading a public prayer to commemorate the anniversary of the violent crackdown on the Saffron revolution. Even though she has been arrested before, she continues to call for the release of political prisoners through prayer. She states that she will continue her campaign until they are all free, because it is necessary to highlight the fact that there are political prisoners in Burma, contrary to what the government says.

27 September

[This is our contribution to our country \(Irrawaddy\)](#)

Human Rights Defenders & Promoters Network

There are at least **26** HRDP members still remaining in prison. There is no news report for September.

Labor Activists

There are at least **46** labor activists still remaining in prison. There is no news to report for September.

Students

There are at least **268** students still remaining in prison. There is no news to report for September.

Lawyers

There are at least **12** lawyers still remaining in prison.

A clear pattern of harassment against lawyers who defend cases where the government's interests are at stake has been ongoing this month. In one example Pho Phyu, a lawyer representing farmers fighting against land confiscations in Rangoon and Irrawaddy divisions, was arrested for failing to appear in court in connection with another case. Although he was released the following day, the pervasive air of intimidation and harassment exists. A group of NLD lawyers are seeking to have their licenses reinstated after they were revoked for contempt of court last month. In addition to the active attempts at silencing lawyers, many political cases are still tried in closed courts where lawyers are denied access to defend their clients.

13 September

[Lawyers in Burma still in danger \(Mizzima\)](#)

12 September

[Lawyer arrested and released on bail \(Irrawaddy\)](#)

Individual Activists

There are at least **488** individual activists still remaining in prison.

Political activists have continued to face repression this month. While one protester has been arrested for his solo demonstration against the Myitsone Dam project, another activist is being pursued by the police. Daw Bauk Ja, a Kachin activist, has been evading police who want to arrest her after leading the signature campaign against the Myitsone Dam.

In a rare concession, a group of activists, including NLD members and 88 Generation Students, were left undisturbed by the police when they gathered outside of the Shwedagon Pagoda in Rangoon praying for the release of all political prisoners. This, of course, was the exception to the rule, because less than 3 weeks later a group who gathered to protest on the 4th anniversary of the Saffron Revolution was effectively halted by the police. Although no arrests were made on that day, the laws limiting such gatherings essentially reinforce a repressive state.

In September, one former journalist in exile was interrogated upon returning back to Burma after accepting U Thein Sein's call for exiles to return home without fear of arrest. The group, known as Godzilla, had also heeded such a call this month. Formerly famous for satirical skits critical of the military regime, the group has been living in exile in Thailand. Upon returning back home, though, there was a new attitude among the group which is optimistically supportive of U Thein Sein's regime and is encouraged by the positive signs they claim to see.

Activists are continuing the test the limits of what the nominally civilian regime claims are democratic reforms. A petition headed by former political prisoner Ko Toe Kyaw Hlaing gathered 100,000 signatures from citizens all over Burma calling for the immediate release of all political prisoners. This message was sent to the nominally civilian regime in hopes of demonstrating the people's will. However, this is also the 4th petition to be sent since the other 3 petitions failed to achieve their goal.

It appears as if U Thein Sein regime has actually acted in the interest of the people of Burma, at least momentarily. In a turnaround decision, the construction of the Myitsone Dam has been suspended for the remainder of U Thein Sein's term. The details of the suspension are unclear.

29 September

[Bauk Ja, a Kachin activist, evades police capture \(Mizzima\)](#)

28 September

[Interview with Win Cho on recent protest \(Mizzima\)](#)

27 September

[Interview with Naw Ohn Hla on recent protest \(Irrawaddy\)](#)

26 September

[Demonstration in Burma stopped by police \(Mizzima\)](#)

[Burma police block Saffron anniversary protest \(DVB\)](#)

14 September

[Godzilla talks about their return to Burma \(Mizzima\)](#)

11 September

[Political satirists return to Burma after self-imposed exile \(BBC\)](#)

6 September

[Activists pray for the release of political prisoners \(Mizzima\)](#)

5 September

[Dam project may be halted due to citizen protests \(Mizzima\)](#)

Daw Aung San Suu Kyi

While Daw Aung San Suu Kyi's first article in 23 years was published in Burma, it was still subjected to the highly restrictive censorship board which ultimately cut out anything vaguely political.

In continuation from her activities last month, Daw Aung San Suu Kyi has met with various political dignitaries from the EU and the US. This attention has garnered her a role in the U Thein Sein regime's dialogue, but the sincerity of this role must be considered.

While the regime established its own human rights body, U Hla Swe, a USDP MP and former colonel, determined that Daw Aung San Suu Kyi was not the right candidate to be a member. Parliament chief U Khin Aung Myint, however, did make a statement in which Daw Aung San Suu Kyi would be welcomed to join parliament if she chose. It is unlikely, though, that she would actually hold any ministerial positions and thus be left out of the decision making process.

Perhaps her larger accomplishment of the month was taking part in the Save the Irrawaddy campaign and putting her weight behind it. As a result of the large citizen protests, U Thein Sein has halted construction on the Myitsone Dam for an undetermined amount of time.

Many of Daw Aung San Suu Kyi's supporters encourage her dialogue with various politicians, although a few have urged caution towards being used by the U Thein Sein regime. Even so, Daw Suu has admitted that she wouldn't mind being 'used' if it meant helping the people of Burma.

As the regime's continued publicity campaign intensifies, it will be necessary to monitor which changes, if any, prove substantial and in accordance with their words. As for this month, the nominally civilian government has kept Daw Aung San Suu Kyi at a distance, allowing only what proves good publicity, not good governance.

30 September

[Suu Kyi welcomes suspension of Myitsone Dam \(Irrawaddy\)](#)

29 September

[Suu Kyi prepares for next government meeting \(DVB\)](#)

23 September

[Suu Kyi wins top British prize \(DVB\)](#)

22 September

[Suu Kyi attends 'Save the Irrawaddy' Art Event \(DVB\)](#)

21 September

[Suu Kyi 'welcome in Parliament' \(DVB\)](#)

20 September

[ASEAN to listen to Suu Kyi as Burma seeks chair \(Irrawaddy\)](#)

18 September

[Daw Suu too busy to tweet \(Thestatesman\)](#)

15 September

[Suu Kyi speaks at NLD headquarters on Democracy Day \(Irrawaddy\)](#)

14 September

[Suu Kyi wants 'healthy political culture' in Burma \(Mizzima\)](#)

[Leaked cables expose govt's sexist slurs towards Suu Kyi \(DVB\)](#)

12 September

[Suu Kyi discusses aid with US envoy \(Irrawaddy\)](#)

[Radio interview, says don't look at problems in isolation \(RFA\)](#)

8 September

[EU commissioner seeks meeting with Aung San Suu Kyi \(Europolitics\)](#)

7 September

[Suu Kyi not right for peace committee \(Mizzima\)](#)

5 September

[Aung San Suu Kyi's first published article in 23 years \(Irrawaddy\)](#)

1 September

[ASSK attends meeting, Burma to lease state run industries \(Irrawaddy\)](#)

[Upper House approves peace committee, ASSK suggested as member \(Burma Net\)](#)

Key International Developments

In September the international community continued to press Burma for concrete changes and urged the U Thein Sein regime to release all political prisoners. While the US renewed its sanctions against the Burmese regime, the EU was unable to agree as a unified bloc to a Commission of Inquiry into crimes against humanity in Burma.

In the run up to the selection of ASEAN's 2014 chair, the current regime stated that a prisoner amnesty was likely in the 'near future'. The regime still denies the existence of political prisoners inside the country and did not elaborate on what types of prisoners would be released. The leader of the regime's state advisory group, U Ko Ko Hlaing, did recognize that the regime will have to consider the issue of prisoner release and who will be freed. The minister of home affairs has acknowledged AAPP's list and refuted the numbers, claiming that many of AAPP's so-called political prisoners have been tried under "criminal offences, such as murder, bombing, and drug offences."

The political maneuvering this month by the U Thein Sein regime must be seen as an insincere attempt at promoting a democratic Burma. The regime's parliament has proposed a law this month banning anyone convicted of certain political laws, including the Unlawful Associations Act, from participating in politics for life. This proposal, along with the newly formed human rights body, can only be viewed as the regime's true intentions, to continue its repressive control over the people of Burma without embracing transparency, freedom of speech, or working towards national reconciliation.

30 September

[Thein Sein orders Myitsone Dam project to be 'suspended' \(DVB\)](#)

29 September

[Parliament to decide on protest bill \(DVB\)](#)

[US, Burmese diplomats hold rate meeting in Washington \(VOA\)](#)

[Opposition parties hope political prisoners will be released soon \(Mizzima\)](#)

28 September

[Burma says prisoner amnesty 'in the near future' \(goreyguardian\)](#)

[Burma to free more prisoners: minister \(Bangkokpost\)](#)

[Ban tells Burma to step up reforms \(Irrawaddy\)](#)

27 September

[Bill committee adjusts 'Right to demonstration' bill \(Mizzima\)](#)

[Concrete recommendations for US towards Burmese government \(Heritagefoundation\)](#)

26 September

[Activists demand details of 2007 Saffron crackdown \(VOA\)](#)

23 September

[US poets slam Burma's silencing \(DVB\)](#)

[ICG says Burma is seeing 'rapid' reform \(DVB\)](#)

[Dalai Lama sends message to Burma's democracy movement \(Mizzima\)](#)

[How many political prisoners are there? \(Irrawaddy\)](#)

19 September

[US Congress approves sanctions against Burma for another year \(Irrawaddy\)](#)

17 September

[Thein Sein government strikes peace deal with UWSA \(Mizzima\)](#)

16 September

[Parliament celebrates International Day of Democracy \(Mizzima\)](#)

14 September

[Mitchell gives press conference ending trip \(statedepartment\)](#)

[Mitchell concludes Burma trip with calls for 'concrete' action \(Irrawaddy\)](#)

[US accuses Burma of restricting religious freedom \(Irrawaddy\)](#)

13 September

[Burma says it released 20,000 prisoners until July \(Bangkokpost\)](#)

[US voting to renew sanctions on Burma, allows flexibility \(burmanet\)](#)

12 September

[Naypyidaw vows end to armed conflict: EU officials \(Irrawaddy\)](#)

[US envoy offers road map for lifting sanctions \(VOA\)](#)

11 September

[EU commissioner optimistic about Burma \(VOA\)](#)

10 September

[Protests around the world to free Burmese journalists \(Asiancorrespondent\)](#)

9 September

[Asian NGOs encourage CoI probe for Burma \(Thepeninsulaqatar\)](#)
[Peace committee headed by HR violation deniers \(Irrawaddy\)](#)

8 September

[Presidential advisor says all issues are 'urgent' \(Mizzima\)](#)
[Nobel laureates urge Clinton to support Burma CoI \(Irrawaddy\)](#)
[UN concerned over detention of political prisoners \(Mizzima\)](#)

7 September

[Political laws could equal lifetime ban \(DVB\)](#)
[Germany's controversial dealings with Burma \(Mizzima\)](#)
[Two Australian-based Burmese exiles retract crimes claim \(Couriermail\)](#)
[Indian MPs start campaign for prisoner release in Burma \(Mizzima\)](#)

6 September

[Burma sets up Human Rights Commission \(BBC\)](#)
[Human rights commission met with skepticism \(Irrawaddy\)](#)
[US envoy makes first trip to Burma \(VOA\)](#)

5 September

[Over 100 Indian MPs call for release of prisoners in Burma \(Mizzima\)](#)

2 September

[What is the EU waiting for in Burma? \(The Irrawaddy\)](#)
[Calls in parliament for the release of political prisoners \(Chinland Guardian\)](#)
[U.N. should document Burma's abuses \(Wall Street Journal\)](#)

1 September

[The slow thaw of Burma's military rule \(Burma Net\)](#)

CONCLUSION

The pressure has been mounting on the U Thein Sein regime to release political prisoners, prompting the Foreign Minister, U Wunna Maung Lwin, to address the issue in the administration's first address to the United Nations General Assembly. There was no mention of the release of political prisoners, and no indication of when, as he stated that an amnesty would come only when the time is appropriate.

As the talk of an impending prisoner release unfolds, it is important that certain criteria are met if the amnesty is meant to be genuine. The current regime still has not publicly acknowledged the existence of political prisoners. This denial is contrary to establishing open dialogue among the participants of democratic reforms in Burma. Furthermore, this denial overlooks the laws which have imprisoned so many of Burma's dissidents over the last two decades. Therefore, it is necessary that the U Thein Sein regime make some concessions.

To begin, publicly acknowledging the existence of political prisoners and unconditionally releasing all politically prisoners is a crucial step in the process of national reconciliation. In addition, in order for all political prisoners to be able to fully integrate back into society and perform duties at all levels without fear of future reproach, their criminal records must be completely erased. It is only fair that in establishing a reformed, democratic country that the unjust laws used against its population be amended and erased from the records of those citizens who suffered under them.

It has yet to be seen that the current regime will make significant changes. As the month of September has shown, the ongoing arrest of activists underscored the criminalization of dissent. Nay Lin Oo, a youth NLD member of Dala Township, was arrested after giving a speech to save the Irrawaddy River at an event commemorating the International Day of Democracy. He was then handcuffed and arrested by twenty local police. He was subsequently charged with public misconduct while intoxicated under section-41. Similarly, Pho Phyu, a lawyer representing farmers fighting against land confiscation, was arrested in connection with lawsuit filed against him for representing a pregnant woman who requested maternity leave from her employer in 2010.

These cases stand in stark contrast to Foreign Minister's statements to the United Nations that the administration will amend and revoke existing laws to ensure the fundamental rights of citizens. On 30 August, the Parliament rejected a bill to revoke the Emergency Provisions Act (EPA), an oppressive law that has effectively placed Burma under a perpetual state of emergency since 1950 when the law was first introduced. Only a handful of countries are under an ongoing state of emergency, notably Syria, Algeria, and Tunisia, best known for their poor human rights records. Emergency law, while varying from country to country, generally leads to a suspension of constitutional protection with the aim of heavily limiting the fundamental rights of the people, including the right to assembly and freedom of expression. At least 350 political prisoners are currently imprisoned under the Emergency Provisions Act, and the law is often used to extend the prison terms of political prisoners. If the U Thein Sein administration was genuine in protecting the rights of the people, it would immediately lift the state of emergency by removing the Emergency Provisions Act.

This draconian law, among others such as the Unlawful Associations Act, poses a considerable obstacle to the formation of an independent civil society, a proven integral ingredient to ensure a successful transition from a military regime to a democracy. A strong civil society is sorely needed in Burma, as it would help establish people's trust in the government, promote their rights and interests, and encourage the inclusion of ethnic minorities and other disenfranchised groups in the political process.

The establishment of a National Human Rights Commission does not signal an embrace of fundamental freedoms and a commitment to human rights on the part of the government. The group, headed by Burma's worst human rights offenders, has failed to gain the trust of the people, both domestically and internationally. The practice of shadowy politics, where important decisions are made behind closed doors behind the ruling elite, is completely incompatible with democracy. The importance of transparency and accountability cannot be overlooked. If Burma has nothing to hide in regards to its human rights record, as implied in U Wunna Maung Lwin's address, then there should be no hesitation in allowing people to engage with one another and debate on issues of governance. Only then will the integrity of the people be ensured.

Assistance Association for Political Prisoners (Burma)

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