



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

နိုင်ငံရေးအကျဉ်းသားများကူညီစောင့်ရှောက်ရေးအသင်း (မြန်မာနိုင်ငံ)

## **Monthly Chronology of Burma's Political Prisoners for July, 2012**



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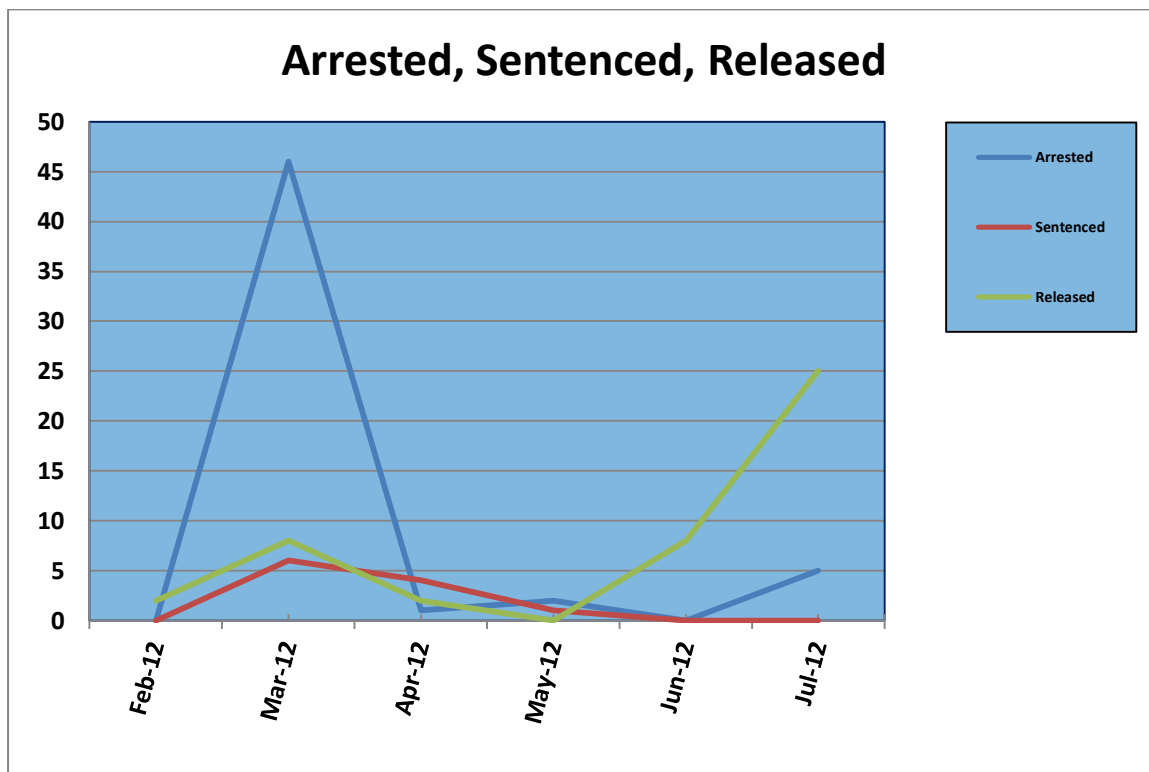
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## Monthly Chronology July 2012

### Arrested, Sentenced, Released



### Summary of the Current Situation

In the month of July 5 were arrested, 25 were released, and **no one** was sentenced.

### Trends

Early July brought the news of an amnesty that granted the release of 25 political prisoners out of a total group of 46 prisoners being released. The event was overshadowed as local authorities arrested student activists planning to peacefully commemorate the 50 year anniversary of the brutal military crackdown on students in 1962. More than 20 students were detained, some of whom were former detainees previously released in January. During the month several reports of sweeping arrests of civilians in Kachin state also surfaced. The use of torture by the military is also a matter of great concern as there were instances of deaths as a consequence of torture reported in July.

The Ministry of Home Affairs finally introduced by-laws that will enable the people to apply for the right to protest and demonstrate openly. The protest law, formally known as law of Peaceful Assembly and Peaceful Procession, is coming into effect seven months after the law was first promulgated.

Although the law is being heavily critiqued by Human Rights Watch as well as Amnesty International for failing to meet international standards, the law has already allowed the first legal protest in Burma since the military coup in 1962 to take place. The protest took place over three days in Rangoon, from July 15 through July 18, as 200 farmers took to the streets to express their concerns regarding land confiscations. Initially the farmers had applied for a gathering of 1000 individuals but authorities only approved a rally of 200.

While the by-laws are considered an important step in Myanmar's political development, the actual outcome, commented U Htay, a lawyer who has been assisting farmers with land confiscation complaints, will depend on how the law is interpreted by local officials. "Citizens, generally speaking, already get these rights under section 354 of the 2008 constitution. But citizens are restricted by different kinds of laws."

There were many reports of applications for demonstrations being denied for arbitrary reasons throughout the month of July, particularly to commemorate the 50<sup>th</sup> anniversary of the student union crackdown on the student union and the demolition of their headquarters. This shows that while the by-laws have been introduced officially the will of the local authorities to allow citizens their full civil rights is still limited. **(see also section Students)**

The parliament has also agreed to discuss amendments to two heavily criticized and controversial laws: the Emergency Provision Act and the Unlawful Association Act. While amendments of the laws are very welcome large changes should not be anticipated as Deputy Home Affairs Minister Kyaw Zan Myint made a point in stating that some parts of the law "are still in accord with the (ethnic unrest) situation and should not be discussed for abolition."

### **30 July**

[Election commission flags voting system change](#)

[Reps ignore ministry on land-grab committee](#)

### **28 July**

[Consequences of election system rest on basic causes regarding principles, religion, ethnic affairs, race, language and social standing of the people of the country](#)

### **23 July**

[U Thein Sein meets minority party leaders](#)

[Army to pay compensation for confiscated land in Shan State](#)

### **18 July**

[MPs to discuss 'repressive' laws in parliament](#)

### **16 July**

[Farmers hold first official protest in Rangoon](#)

[Ministry enacts protest by-laws](#)

## **Torture and Treatment of Prisoners and their Families**

Two instances of deaths as a consequence of torture were reported in July. In the village of Yi Hku, in Pangsai (Kyokok), the body of Galau Bawm Yaw was found on July 22 in a trench

used by the Burmese army. The body was excavated six days later by the police. A doctor and members of the community discovered that the body was heavily mutilated. It was later confirmed that the victim had suffered severe trauma to the head and had several wounds on his body, injuries that led to his death. Galau Bawn Yaw was detained by the army together with 25 other villagers on July 1 on suspicion of association with the Kachin Independence Army (KIA). The majority of the detainees were released on July 3 but Galau Bawn Yaw's wife reported that he was still missing. Among the 26 men arrested were also two men of Chinese origin who reported that they were tortured by the Burmese soldiers. The 2 Chinese victims claim their heads were covered with a rag and they were burned with candles, hot knives and cigarettes. The wife of Galau requested the police to open an investigation of her husband's death but was told that it would not be possible because the police were already busy with the inquiry of the torture of the Chinese men. **(see section Ethic Nationalities)**

In Mrauk U city in Arakan State, 58-year-old U Maung Tha died at the township hospital on July 24 from injuries sustained during torture, according to relatives. U Maung Tha was arrested and detained by army personnel on July 22 for obtaining electricity from a destroyed house. When he was released on July 23 he had to be hospitalized for injuries in his supra pubic region where he had been jabbed with guns by the soldiers.

During the visit of UN Special Rapporteur Mr. Tomas Ojea Quintana to Insein General Hospital to visit political prisoner Ko Phyo Wai Aung Mr. Quintana found Ko Phyo Wai Aung's leg shackled to the bed. Mr. Quintana immediately ordered that he was to be released, to which however, the director of the Correctional Department responded that it was a matter to be handled by the police. Ko Phyo Wai Aung, who is being treated for cancer at Insein Township hospital, is paralyzed and unable to use his legs or move without assistance. Prior to Mr. Quintana's visit the police had tried to remove the shackles but left them as Ko Phyo Wai Aung's wife requested them to do so, a request she made in order to allow for the Special Rapporteur see how her husband is truly being treated.

The charges of the 10 local UN and nongovernmental aid workers who were arrested last month in Arakan State, have not been made official and Burma has been asked to clarify the reasons for the arrests. During her meeting with President Thein Sein in Cambodia US Secretary of State Clinton also expressed her concern for the detained UN staff. There have been reports on some of the detainees appearing before the court, such as Dr. Tun Aung Nur Haque who was arrested from the UNHCR office on June 11, but as the hearing was closed to the public no information regarding what charges he is being tried on was available.

#### **July 31**

[The corpse of missing Kachin man found](#)

#### **28 July**

[Arakanese dies from injuries due to army torture](#)

#### **20 July**

[Dr Tung Aung Nur Haque arrested from UNHCR office](#)

#### **July 16<sup>th</sup>**

[Burma asked to explain UN workers arrests](#)

## Prisoners Released

On July 3, 25 political prisoners were released during an amnesty granted by the government. The nominally-civilian government declared that the amnesty was ordered with “a view to ensuring the stability of the State and making eternal peace, national reconciliation, enabling all to participate in [the] political process”

One of the released prisoners is Aye Aung, a high profile student leader who along with Myo Min Zaw led the August and September student movements in Rangoon in 1998, organizing students and managed leaflet distribution. Aye Aung has been jailed in Kale Prison for the last 14 years. Among the released political prisoners was also Than Zaw, a NLD youth member who was sentenced to death in 1989 for his alleged role in the bombing of an oil refinery. Even though it was later confirmed that the bomber was Ko Ko Naing, a major in the Karen National Union, who was also convicted of the crime, Than Zaw remained imprisoned. “I’m neither grateful nor happy for being released,” said Than Zaw, “I was imprisoned for so many years – more than two decades – for a crime I didn’t commit.”

It was also announced by All Burma Students’ Democratic Front (ABSDF) that nine of their members including a female prisoner were among those released. Several of the ABSDF members had been sentenced to death for activities linked to bombings, convictions that were later commuted to life imprisonment. ABSDF do however emphasize that while nine members were released more than 30 still remain detained.<sup>1</sup> **(see also sections Women and Students)**

### July 3<sup>rd</sup>

[Up to 20 Burmese political prisoners included in amnesty](#)

[Myanmar frees 20 political prisoners; more urged](#)

[Political Prisoners Released in Amnesty](#)

[Gov’t pardons student leader, ‘bombing suspects’ during amnesty](#)

## Update on Individual Cases

The trial continued for the National League for Democracy spokesperson Nyan Win as the prosecution heard witnesses supporting their claim that Nyan Win made false accusations against the Union Election Commission regarding voter fraud during the recent by-elections.

### July 9<sup>th</sup>

[NLD spokesperson stands trial as lawsuits pile up](#)

## National League for Democracy

In Pwintbyu’s Thamanyin village NLD campaign committee member Ye Win, known for addressing mistreatments of locals, was murdered on July 25. The police have arrested four people and are currently holding two of them, one being a USDP member currently under investigation for extortion, on suspicion of murder. Ye Win had previously helped to bring attention to the accusations of extortion.

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<sup>1</sup> DVB July 3<sup>rd</sup> Translated from Burmese by AAPP

Requests by NLD members to publicly commemorate Martyrs' Day were rejected by authorities in Lashio, Prome, Pegu and Naypyidaw. The recently enacted Peaceful Assembly and Procession Law allows for peaceful demonstrations to take place as long as these do not cause disruption or disturbance, two conditions that according to NLD representatives were met in full. Instead it seems authorities have rejected requests on arbitrary grounds such as the commemoration activities being "a bad omen".

The trial of National League for Democracy spokesperson Nyan Win continued during the month of July and the court has heard witnesses from the prosecution. **(see Update Individual Cases)**

### **July 30th**

[Suspects detained after NLD member murdered](#)

### **July 18th**

[Officials block group's request to mark martyrs' day](#)

### **July 11th**

[NLD barred from assembling during Martyrs' day](#)

## **Ethnic Nationalities**

This month saw a continuation of violence in Kachin state and Arakan state, with reports of arbitrary arrest, torture and disappearance by the Burmese authorities.

In Myitkyina, Kachin state, the trial of La Htaw Brang Shawng continued. Arrested in June, he is accused of being a member of the Kachin Independence Army (KIA) between 2004 and 2011 and a member of the KIA's military staff. In addition, while allegedly working for the KIA, he is accused of bombing, carrying weapons and the killing of a Burmese man. Lahtaw Brawng Shawng was tortured heavily in an effort to extract a false confession. Over three days and nights, he was beaten, punched, kicked and tortured by Military Affairs Security at Myitkyina prison. AAPP released a statement calling for his immediate access to medical care, a request that his lawyer also requested before the court. The court, however, has denied La Htaw Brang Shawng access to medical care.

According to people close to him, his mental state has deteriorated accordingly, leading him to tremble and alternately laugh and cry. Despite still visibly carrying the scars of his detention and torture, photographs of his wounds have not been permitted as evidence by the court. Furthermore, Military Intelligence Officer Kyaw Zwa Lin, the prosecutor in the trial, has denied that La Htaw Brang Shawng was tortured. It has been suggested by U Sant Aung, a Kachin Peace process delegate, that La Htaw Brang Shawng was tortured in order to bring him to trial as there could be problems if he were released. The facts that photographic evidence of La Htaw Brang Shawng's torture has not been admitted, that medical treatment has been denied to him and that the prosecutor has denied the use of torture, coupled with the fact that the trial has been closed to the public, suggest not only a potential cover-up by the authorities but also a gross miscarriage of justice for La Htaw Brang Shawng.<sup>2</sup>

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<sup>2</sup> Irrawaddy July 24<sup>th</sup> & Mizzima July 16<sup>th</sup> Translated from Burmese by AAPP

On July 12, the Kachin Baptist Convention (KBC) sent a petition letter to President Thein Sein asking for the release of La Htaw Brang Shawng. This came after a protest by over 1,000 people in Myitkyina a week earlier calling for the release of La Htaw Brang Shawng and other IDPs detained in Kachin State.

Due to the ongoing conflict between the Burmese military and the KIA, there are many IDPs in and around the KIA area of operations. There are mass arrests by the Burmese security forces looking for so-called KIA members among the IDPs. Twenty-six village men were taken from Yei-Khu/Yit-khu village in Pangsai, (or Kyukok) Township, northern Shan State, by Burmese army brigades Kha Ma Ya-109, Kha Ma Ya-123 and Kha La Ya 45, on 1 July, 2012. Twenty-three of them were released following lobbying by their village headman, U Mar Kar, but not until after he had been arrested and beaten as well, sustaining a head wound which required hospitalisation. A deplorable compensation of 500 kyat was given to the detainees, some of whom were beaten, punched and kicked during their detention.

The other three men were released on the 3rd of July, however, one of them, Galau Bawm Yaw, was initially reported missing and was later found dead and buried in a trench near the village<sup>3</sup>. **(see Torture and Treatment of Prisoners and their Families)** The other two, Jau Fa Ying and Jau Fa Ning, have complained that they were tortured by being burnt with candles, hot knives and cigarettes. Following their release, the two men went to a local hospital. One of them had a fractured bone. The fact that all of these men were arrested without any apparent evidence and then released without charge raises the question of what purpose was served by their arrest and detention. The further fact that the men were variously beaten, punched, kicked and burnt suggests that the arrest served no purpose other than to spread fear and intimidation.

In a similar manner to the disappearance of Galau Bawm Yaw, U Phalaung Lwan Khaung and U Chayu Lwan Haung from Moat-Kyate village are still missing. They were arrested on November 6, 2011, by Burmese Army 88 brigade at AG Awin Galie Church in Moat-Kyate village, Nant-War village tract, in Waingmaw Township, Kachin state. Two men arrested with them, preachers U Lon Khaung and U Lahaung Khaung Haung, have reported that they were tortured while in detention. The Myanmar Human Rights Commission (MHRC) started an inquiry on July 23 and Daw Zaun Naw, wife of U Phalaung Lwan Khaung, has said that she wants the help of the authorities in finding her husband. The MHRC has yet to report.<sup>4</sup>

Arbitrary detention, violent abuse and torture of people arrested by the Burmese authorities are not confined to Kachin and Northern Shan States, however, according to reports from Arakan state. New York-based Human Rights Watch (HRW) released a press statement on July 5 saying “local police, the military, and a border security force known as Nasaka have committed numerous abuses in predominantly Muslim townships.” and urged the Burmese government to “end arbitrary and incommunicado detention, and redeploy and hold accountable security forces implicated in serious abuses.”

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<sup>3</sup> BBC July 4<sup>th</sup> & DVB July 4<sup>th</sup> Translated from Burmese by AAPP

<sup>4</sup> RFA July 24<sup>th</sup> Translated from Burmese by AAPP

Unverified examples of these abuses include extortion in exchange for release; in one case 60,000 kyat and in another case 200,000 kyat per head were demanded for the release of those arrested. Other cases include reports of torture during detention, in some cases to death as in the case of Sayed Alam (30), son of Fazal Rahaman and Sultan Ahmed (35), son of Rashid Ahmed from Rathedaung Township. Rather than restoring the rule of law in Arakan State under their emergency powers, Burmese security forces appear to be following a pattern of arbitrary detention, abuse and unaccountability as seen in Kachin state and other ethnic areas.

**July 8<sup>th</sup>**

[Update News of Northern Arakan State, July 8, 2012](#)

**July 9<sup>th</sup>**

[Update news of July 9](#)

**July 13<sup>th</sup>**

[Torture Victim Needs Immediate Care: AAPP](#)

**July 17<sup>th</sup>**

[Burma's New Political Prisoners in Kachin State](#)

[Military intelligence officer claims Brang Shawng wasn't tortured](#)

**July 19<sup>th</sup>**

[Burma government troops arrest two KIA officers](#)

**July 20<sup>th</sup>**

[Kachin man still missing after being arrested by Burmese military](#)

**July 22<sup>th</sup>**

[Rohingyas recount terror of Burma clashes](#)

## **Monks**

Buddhist monks from Burma protested outside the Burmese embassy in Bangkok at the time of President Thein Sein's meeting with Burmese community representatives. The monks demanded the release of all political prisoners, the right to return to Burma to partake in the 2015 elections, and an end to the fighting in Kachin State.

**July 25<sup>th</sup>**

[Buddhist Monks Protest at Burmese Embassy in Bangkok](#)

## **Journalists, Bloggers and Writers (media activists)**

Despite previous statements made by the Minister of Information Kyaw Hsan that the Press Scrutiny and Registration Division (PSRD) is to be abolished once the new media law is passed, the censorship board is increasing pressure on local media that do not adhere to their restrictions. The new media bill, drafted by the Ministry in secret, was supposed to be passed at the end of June but is still pending.

On July 31 two popular weekly journals, *the Voice Weekly* and *Envoy* were suspended indefinitely for violating orders such as publishing articles not approved by PSRD. According to the censorship board both journals had disobeyed instructions on several occasions. PSRD also warned both *Yangon Times* and *Venus News Journal*, two Rangoon-based journals that they may be shut down for violating censorship rules. The journals reported on the health status of retired Vice-Snr-Gen Maung Aye, the second-in-command of Burma's former ruling



junta who suffered from a paralytic stroke on July 8 and went on to Singapore for further treatment. PSRD consequently summoned and gave them an official warning that if they were to report on the matter again they would be shut down.

Earlier in July the PSRD also suspended the *Snap Shot* journal for one month as they published a photograph of a murdered woman in Arakan state without permission. The suspension of *Snap Shot* journal was criticized by Burma's Organizing Committee for the Formation of Myanmar Press Union in a statement issued on July 28. According to the organization the ban may inhibit the country's reform process. As Zaw Thet Htwe, a former political prisoner put it "This could become an obstacle on the [country's] democratic transitional path.

Myat Khaing, the editor-in-chief of *Snap Shot* journal, also faces trial but has been granted bail. U Myat Khaing was charged on June 19 with violating sections 505(b) and 505(c) of the Penal Code, which both relate to "statements conducive to public mischief," following a complaint from the Yangon Region government. Thein Than Oo, a lawyer for *Snap Shot*, said it was the first time since at least 1988 that an editor of a journal had faced section 505 charges. The trial is currently ongoing and the fifth hearing is set to August 3.

Similarly the Press Scrutiny Board instructed local journals including *Seven Day News* journal not to report on the 50<sup>th</sup> commemoration of 7<sup>th</sup> of July, on which students' activities were cracked down in 1962 and the students' union building demolished the following day.<sup>5</sup>

Film director Wine says he will continue making his documentary on land grabbing despite much of his footage being deleted by police in Pyin Oo Lwin Township last month. The footage was taken during a community meeting in Pyin Zar village in early June. Organized by the Settlement and Land Records Department of the Ministry of Agriculture and Irrigation, it was attended by farmers, forest and land experts, and advocates of land reform, police and Department of Human Settlement and Housing Development (DHSHD) officials.

### **July 31<sup>th</sup>**

[Press group speaks out against media suppression](#)

[Court sets fifth hearing in Snap Shot 'photo' suit](#)

### **July 13<sup>th</sup>**

[Journals Warned over Maung Aye Reports](#)

### **July 9<sup>th</sup>**

[Wine vows to film on after police run-in](#)

### **July 3<sup>rd</sup>**

[Snap Shot editor granted bail](#)

## **Women**

On the 3<sup>rd</sup> of July, nominally-civilian Burmese government granted amnesties for 25 political prisoners of whom six were female. <sup>6</sup> Even though these six female political prisoners were released, at least nine additional political prisoners that are women remain detained in prison. **(See also section Prisoners Released)**

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<sup>5</sup> BBC July 8<sup>th</sup> Translated from Burmese by AAPP

<sup>6</sup> The female political detainees that were released are Ma Oo, Aye Aye Nwe aka Elizabeth, Zarni Oo, Hla Hla Win aka Daw Win, Ma Yin aka Ma War and Ma Phyu aka Kyaw Su Hlaing, and they were sentenced under different combinations of sections 17/1 and 17/2 of the unlawful association act, section 13/1 of the immigration act, and section 3 of the explosive act. DVB July 4<sup>th</sup> Translated from Burmese by AAPP

# Human Rights Defenders & Promoters Network

There was no news to report this month.

## Labour Activists

There was no news to report this month.

## Students

July 7th this year was especially important for student activists as it marked 50 years since the bombing of the Rangoon University Students' Union building, the bloody coup de grace of the military's suppression of student protests in 1962. The anniversary this year, however, was marked by the arrests of activists and raids on offices in Rangoon and around the country.

The All Burma Federation of Student Unions (ABFSU) said on its Facebook page that Special Branch police had detained “several [sic.] students from Mandalay, Monywa, Myingyan, Shwebo, and Rangoon in connection with planned July 7 ceremonies.” Those detained were officially taken 'for questioning'.<sup>7</sup>

The 88 Generation Students group was also harassed. Around two dozen Special Branch police officers and regular Burmese police raided their headquarters looking for leaders of the ABFSU. 88 Student leader Ko Ko Gyi told RFA, “They didn't take anything from the office. They just said that they wanted to hold ‘a discussion with [ABFSU members] briefly.’ After about 40 minutes, they left.”

Ko Ko Gyi and fellow 88 Generation Student leader Min Ko Naing criticised the arrests and vowed to hold their own ceremonies to remember the students killed on July 7, 1962. Min Ko Naing said in a statement, “We will continue our work until only one of us is left,” He said further that, “The act of detention during this transitional period is a threat for the country’s civil society.”

Echoing Min Ko Naing's sentiment, a delegation from the Association of Southeast Asian Nations (ASEAN) visiting Burma called the detentions an “act of oppression” and said “the old ways are still in effect” despite recent political reforms. The ASEAN Inter-Parliamentary Myanmar Caucus (AIPMC) also called on the government to release the students. AIPMC is in Burma on a fact-finding visit to assess the current reform process.

Although all of the activists were released the following day, later in July, in Lashio Township, Shan state, ABFSU members' parents were summoned to the Township Director's office by local special branch police who pressured them to make their children resign from ABFSU. As a result, according to Kyaw Ko Ko, a chair of ABFSU, four members promised to resign from ABFSU due to concerns that their family businesses would be harmed. The

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<sup>7</sup> In a statement, the group said that detained members included Ko Than Htike, Ko Min Khant, Ko Pyay Phyo Kyaw, Ko Wathan, Ma Htay Htay Win, and Ko Khin Oo. Others arrested included Soe Kyi Thar, who is the ABFSU chair of Lashio [Shan state], together with a female student, Aung Hmyin Sant and Moe Htet in Mandalay, Phyo Phyo Aung, Ye Myat Hein and former ABFSU members De Nyein Lin and Sithu Maung. Other members were forced into hiding.

resignations were followed by threats by the authorities to abolish ABFSU. Similarly, teachers in Magwe Township, Magwe division, cautioned student members of ABFSU.<sup>8</sup>

In contrast to the harassment of ABFSU and 88 Generation Students around the 7th of the month, July saw the release of nine members of the All Burma Students' Democratic Front (ABSDF) under the 3<sup>rd</sup> of July presidential amnesty and a report from a leading member of the 88 Generation Students, Mya Aye, that the organisation is due to meet president Thein Sein in the near future.

#### **July 6th**

[Authorities Detain Student Activists](#)

#### **July 7th**

[Student Union Activists Released](#)

#### **July 24th**

[88 Generation Students to hold talks with president](#)

## **Lawyers**

The licenses of several lawyers, including seven high court lawyers, whose rights to practice were removed by the former military governments for political reasons were returned, enabling them to practice law again. The Asian Human Rights Commission (AHRC) have been campaigning for 32 lawyers to regain their professional licenses since last year. AHRC said that while the return of the lawyers' licenses was a good sign, the lawyers never should have lost their licenses in the first place as they were only defending their clients or expressing their political beliefs.

Former political prisoner U Robert San Aung, one of the lawyers, imprisoned a total of six times for political reasons since 1974, said his license was revoked 20 years ago in 1993 due to him defending clients in political cases. He added that it was a military intelligence officer that conveyed the letter cancelling his license. He submitted a letter to regain his license as president U Thein Sein came to power. He then submitted the request again in May 2012 to Ahmyothar Hluttaw. As a result, the Supreme Court informed him in writing on June 9, 2012, that it was decided that he would be allowed to practice law again.

Despite reinstating licenses of the above mentioned lawyers, former political prisoners previously working as lawyers from Shwebo Township and Kale Township in Sagaing division, who were sentenced to death penalty by the martial court for their political activities in 1988, have not had their licenses returned yet.<sup>9</sup>

#### **July 19<sup>th</sup>**

[Burmese lawyer's license returned after 20-year disbarment](#)

[Human rights lawyer gets licence back](#)

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<sup>8</sup> RFA July 23th Translated from Burmese by AAPP

<sup>9</sup> BBC July 20<sup>th</sup> Translated from Burmese by AAPP

## Individual Activists

In Yangon Nay Myo Wai, a chairman of the Peace and Diversity Party, who supported farmers from Shwe-Nan-Thar village, Mingaladon Township in the dispute of land ownership between the farmers and Zaykabar Company Limited, was accused in Mingaladon Court for attempting to defame Zaykabar Company. Yesterday, July 23, 2012, Nay Myo Wai was summoned and questioned by police from Mingaladon Police Station as the police were conducting an inquiry on behalf of Mingaladon Court due to the complaint.

In addition there were several instances where farmers objecting to the confiscation of their land were restricted from exercising their civil rights. Seven farmers, who owned farms and were working their land in Sin-Te and Pae-Kye-Gone village tracts in Pandaung Township, Pegu division, were arrested on July 13, 2012, by the army who previously had confiscated the land. The arrests, however, were made without the presence of the police.<sup>10</sup>

Similarly, while harrowing their confiscated land, farmers in Padaung Township, Pegu division were accused of Criminal Trespass under section 447 by local brigades. The four farmers from Daung-Tike village and two farmers from Pae-Gyi village in Padaung Township were accused by prosecutor Captain Aung Naing Oo of the Defense Industry, Ka Pa Sa No-5.<sup>11</sup> Police from Htone-Bo police station conducted a search on July 15, 2012.

There was also a farmers' protest in Thegon Township, Pegu division, where farmers demanded their confiscated land to be given back to them. The protest was cracked down by police in the morning on 31 July, 2012. Five farmers<sup>12</sup>, who led the protest, were arrested. The detainees were released shortly after being forced to sign a statement never to participate in similar activities again.<sup>13</sup>

### July 30<sup>th</sup>

[Zaykabar files defamation charge against politician over land dispute](#)

## Daw Aung San Suu Kyi

Following the amnesty of July 3rd, Daw Aung San Suu Kyi called for the release of all remaining political prisoners. Her remarks were echoed by Ko Ko Gyi who said, "We are very happy that our fellow political prisoners are being released. However, we will continue to work for the release of all political prisoners."

News also emerged this month that Daw Suu will visit the USA in September. She is set to receive the US's highest civilian honour, the Congressional Gold Medal, from Congress on September 19th. Daw Suu is also to receive the Atlantic Council Think Tank's Global Citizen Award, recognising 'visionary global leaders', in New York on September 21st.

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<sup>10</sup> The names of the detainees are U Tin Aung, U Aung Kyi, U Tun Han, U Min Naing, U Han Win, U Kyaw Kyaw Lwin and U San Min.

<sup>11</sup> The accused farmers are U Htay Lwin, U Kyan Aung, U Khin Tun, U Soe Oo, U Maung Oo and U Kyi Lwin.

<sup>12</sup> The five farmers arrested were Ko Ohn Han, Ko Win Hlaing, Ko Win Soe, Ko Kyi Win, and Ko Aung Kyaing

<sup>13</sup> BBC & RFA July 24<sup>th</sup>, DVB July 16<sup>th</sup> & 13<sup>th</sup> Translated from Burmese by AAPP

The awards Daw Suu is to receive in the US will go with a rose she received this month from Czech Foreign Minister Karel Schwarzenberg. The dried rose, embedded in a glass case, was taken from the grave of Vaclav Havel and preserved by a Czech artist, after being placed there by Burma democracy activists. Havel, a Nobel Peace laureate who nominated Suu Kyi for the prize, died in December. Though Daw Suu and Havel never met in person, the gift followed a note that Havel sent Suu Kyi in 2005 when she was under house arrest. In the note, Havel sent birthday greetings saying that he wanted to meet her and how happy he would be if he could personally give her a rose. On receiving the rose from the Czech delegation, Suu Kyi said "I am very sad that I never had the opportunity to meet him but I feel very close because his thoughts and his writings guided me during the years of struggle".

**July 4<sup>th</sup>**

[Suu Kyi Calls for Release of All Political Prisoners](#)

**July 11<sup>th</sup>**

[Obama breaks with Aung San Suu Kyi, lifts Burmese investment ban:](#)

**July 17<sup>th</sup>**

[Burma's Suu Kyi Plans Trip to U.S. in September](#)

**July 19<sup>th</sup>**

[Suu Kyi to Receive US Congressional Award](#)

## **Key International Developments**

Despite Daw Aung San Suu Kyi's earlier urge for a measured pace of international engagement the US formally eased sanctions for investments in Burmese companies. While maintaining a ban on investment in companies owned by the Burmese armed forces or Ministry of Defense, Secretary of State Hillary Clinton announced plans in the spring for a "targeted easing" of sanctions to allow American dollars to enter the country. The US administration did however ensure their ability to sanction individuals who undermine the reform process, such as engaging in human rights abuses and contributing to ethnic conflict, as well as sign a new executive order expanding sanctions against human rights violators in Burma.

The decision to lift sanctions was received with cautious optimism, but several human rights organizations expressed concern that the lifting of sanctions was premature and urged the US to continue to pressure the nominally-civilian government to continue its reform, including the release of all political prisoners. When the US Secretary of State Hillary Clinton met with President Thein Sein in Cambodia to discuss investment possibilities she maintained that the US move "does not mean we are satisfied that reform is complete or irreversible. Political prisoners remain in detention".

This month's release of prisoners was received positively but as several organizations including Amnesty International and the International Federation of Human Rights (FIDH) pointed out, the number of political prisoners is still too high. Despite the nominally-civilian government's persistence that there are no political prisoners in Burma, MP Aung Thein Lin claimed, in a much debated interview with originally published in the Chinese news journal Southern Weekend, that all political prisoners have now been released. "We used to have political prisoners, who are all released now," Aung Thein Lin stated.

The Burmese President made his first official visit to Thailand since coming into power. The agenda focused on development and infrastructure investments but Human Rights Watch urged Thai Prime Minister to use this opportunity to help improve respect for human rights and promote political reform in Burma. In an open letter to the Prime Minister published on the HRW website the organization calls for Prime Minister Yingluck to press President Thein Sein to release all remaining political prisoners immediately and unconditionally. At the time of President Thein Sein's visit to Thailand Burmese monks organized a demonstration by the Burmese Embassy demanding the release of all political prisoners, the right to return to Burma to partake in the 2015 elections, and an end to the fighting in Kachin State (**see Section Monks**)

At the end of July UN Special Rapporteur Mr. Tomas Ojea Quintana arrived for a weeklong visit in Burma. Mr. Quintana's agenda included a trip to Insein prison where he met with political prisoner Ko Phyto Wai Aung as well as political prisoners in Insein prison. (**see also Torture and Treatment of Prisoners and their Families**) On his journey the Special Rapporteur also met with representatives of the Burmese political opposition such as 88 Generation Group and All Burma Federation of Student Union.

**July 30<sup>th</sup>**

[UN human rights expert arrives in Burma](#)

**July 23<sup>th</sup>**

[US in human rights call on biz trip](#)

[Thein Sein kicks off state visit to Thailand](#)

**July 20<sup>th</sup>**

[Thailand: Press Burmese President on Rights](#)

[US Senate pushes to extend ban on Burmese imports](#)

**July 19<sup>th</sup>**

[Letter to Prime Minister Yingluck Re: Human Rights and Visit of Burmese President Thein Sein in Burma](#)

[UN human rights envoy arrives in Myanmar on post-unrest evaluation visit](#)

**July 18<sup>th</sup>**

[Aung Thein Lin's Interview with Chinese Newspaper](#)

**July 16<sup>th</sup>**

[Canada to open embassy in Burma](#)

[Moving too fast on Burma: Obama breaks with Aung San Suu Kyi](#)

**July 14<sup>th</sup>**

[Clinton holds landmark Burma talks](#)

**July 13<sup>th</sup>**

[US Investment Could Fuel Problems, Say Burma Activists](#)

**July 12<sup>th</sup>**

[US eases investments sanctions against Burma](#)

[US Decision to Ease Myanmar Sanctions Must be Coupled with Assistance in Developing Legislation and Rigorous Assessment of Investments](#)

**July 11<sup>th</sup>**

[Burma: US Backtracks on 'Responsible Investment' Pledge](#)

**July 9<sup>th</sup>**

[Free remaining political prisoners: BCUK](#)

**July 6<sup>th</sup>**

[10 U.N. staff still in custody in Rakhine State](#)

['Release all remaining prisoners of conscience': AI](#)

## Conclusion

Disturbing cases that came to light in July underscore the urgent need for prompt, thorough, and impartial investigations of excessive uses of force to be implemented against security forces who have tortured or excessively beaten civilians. Any one found responsible, regardless of rank or professional status, must be prosecuted. Unfortunately, prosecution of security authorities, including police and military officials, for alleged brutality against civilians is extremely rare in Burma.

Almost every month AAPP receives new reports of extreme brutality waged by security forces against unarmed civilians, showing that security forces routinely engage in cruel, inhuman, and degrading treatment, including torture. Often, this type of gross behaviour is used in an effort to extract a false confession, as in the July case of Lahtaw Brang Shawng. A Kachin internally displaced person, Lahtaw Brang Shawng was arbitrarily arrested and severely tortured while in detention until he falsely confessed to being a part of the KIA. Even though it is standard international legal practice to not accept confessions made under torture, the presiding judge refused any evidence related to Lahtaw's torture to be considered in the court proceedings, highlighting the continued ineffectiveness of the courts of Burma to remain impartial and distribute justice.

The failure of military officers to respect the right of detainees to be free from torture resulted in another death in the month of July. Galau Bawn Yaw was detained on suspicions of being involved in the KIA, and was later found dead in a trench bearing unmistakable signs of torture, including extensive head trauma. This violent abuse endured by so-called suspects violates both the rights of detainees as well as international standards. Under international human rights law, all detainees retain their fundamental freedoms except liberty. The most important protection for detainees is prohibition of cruel and inhumane treatment in all circumstances. The prohibition is well established, and holds true whether a country has ratified the relevant legal instruments or not, such as the Convention Against Torture. The government of Burma can put an end to torture by training security forces to interrogate suspects properly, and punish violators immediately.

If President Thein is committed to the rule of law, as he has mentioned repeatedly, he must hold security forces who have used excessive force accountable for their actions and prosecute them. The era of shielding the military and police from justice must end if Burma is to move forward. National reconciliation cannot come through acts of violence.