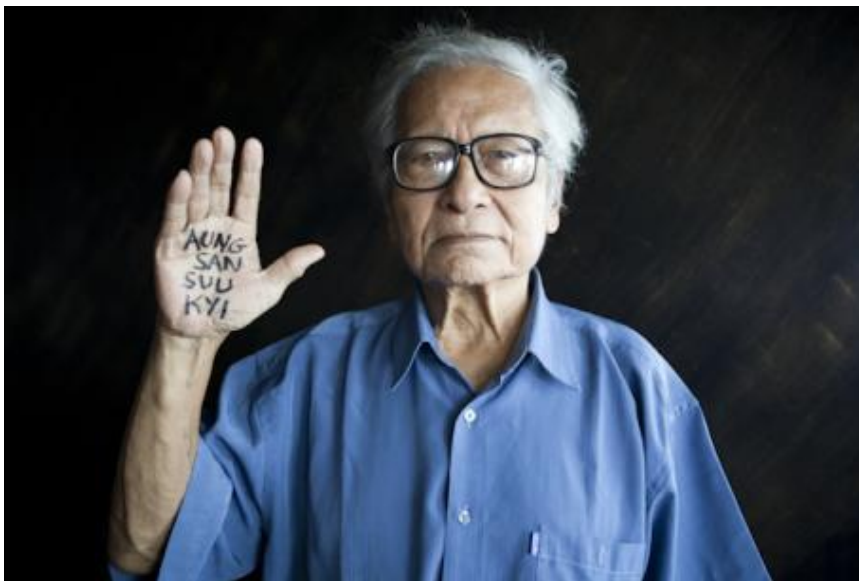


Assistance Association for Political Prisoners (Burma)
နိုင်ငံရေးအကျဉ်းသားများ ကူညီစောင့်ရှောက်ရေးအသင်း (မြန်မာနိုင်ငံ)

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The passing of celebrated political journalist and former political prisoner U Win Tin this month marks a huge loss for the democracy movement in Burma. AAPP would like to express our condolences to the family and loved ones of U Win Tin for their loss, and also acknowledge the important place U Win Tin held in the fight for freedom in Burma. The loss of U Win Tin is felt by all those who have fought for, and continue to fight for, true democracy in Burma.

April, 2014

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"There can be no national reconciliation in Burma, as long as there are political prisoners"

Summary of the current Situation

The month of April saw the indictment of 10 political activists, with two imprisoned. Four prisoners were sentenced this month, including one journalist. There were no new releases this month.

MONTH IN REVIEW

Celebrated political journalist and political prisoner of almost two decades, U Win Tin, passed away on 21st April 2014 at the age of 85. U Win Tin's enduring and uncompromised commitment to reporting Burma's political situation and the fight for democracy has deservedly famed him as one of Burma's foremost opposition figures. The month of April has seen clear demonstrations that press freedom and a willingness from authorities to defend freedom of speech is not yet a reality in Burma.

“The dictators can only detain our bodies, not our souls.” – U Win Tin

[\(21 April 2014 – Irrawaddy\)](#)

Burma Campaign UK has released a statement calling on the Thein Sein Government to release two activists jailed last month following a peaceful protest. The two were charged under section 18 and Burma Campaign UK called upon the Burmese Government to honour their promise of releasing all political prisoners and to repeal legislation that is continuing to create political prisoners.

[\(23 April 2014 – Myanmar Times\)](#)/[\(28 April 2014 – Karen News\)](#)

As the trial of the four Unity journalists and Unity CEO has begun in the Pakkoku District Court, witnesses have testified that trespassing signs were not erected at the alleged chemical weapons factory until after the article was published. This raises questions as to the validity of the trespassing charges brought against the five. At the eighth court hearing the defendant's lawyer raised an objection to the court proceedings, arguing they were not being carried out under current law: “this procedure is not in conformity with statute law and so we are set to present an oral argument on this.”

[\(29 April – DVB\)](#)/[\(29 April 2014 – Eleven\)](#)/[\(23 April 2014 – Eleven\)](#)/[\(03 April 2014 – Myanmar Times\)](#)/[\(01 April 2014 – Eleven\)](#)

Burmese security officials have commented that while citizens may now enjoy freedom of expression, they must be mindful to not disturb public order. Both Col Tin Win of the Security and Border Affairs Ministry and Police Brig-Gen Thura Bo Nireleased statements early this month regarding the importance of discipline when protesting. Bo Ni commented “If the citizens can adopt a custom of discipline when staging protests to highlight their problems, it would be in the best interests of our country's development.”

[\(03 April 2014 – DVB\)](#)

DETENTIONS

On 25 April in Prome, Pegu Division, and Moulmein, Mon State, reporters and activists took to the streets in protest of the incarceration of DVB journalist Zaw Pe and restrictions on press freedom. A permit was granted by the authorities for the march in Moulmein, however was refused in Prome. Authorities claimed permission was denied due to security concerns regarding the route the protest would follow. The protest took place regardless, with approximately 100 demonstrators participating. However, *Mizzima* correspondent Yae Khe is now facing charges under section 18. He is the only protestor to be facing charges, as authorities believe him to be the major organizer of the event. Yae Khe was detained temporarily and released without bail. His court date has not yet been set.

[\(28 April 2014 – DVB\)](#)/[\(27 April 2014 – Eleven\)](#)/[\(26 April 2014 – DVB\)](#)

Five protest leaders were arrested in Singaing Tsp, Mandalay Division following a protest for constitutional amendment. U Thaw Tar Oo, U Kyaw Win, U Nay Zaw Lin, U Kyaw Hlaing and U San Min were detained and face charges under section 18 as local authorities denied them permission to protest. Approximately 100 protestors participated in the demonstration, however only the five leaders face charges.

[\(28 April 2014 – RFA/Burmese\)](#)

Four farmers that were charged with trespassing and vandalism following a plough protest in March have had their charges upgraded to sedition charges under section 505(b). Ko Ye Yint Aung, Ko Zaw Win, Ko Ko Aung and Ko Nay Win were reindicted under section 505(b), for which bail is not available. Plain clothes policemen led by Yae-Nanthar police station commander at 1:15 pm on April 12, 2014, in Mandalay, arrested Ko Ye Yint Aung and Ko Zaw Win.

[\(22 April 2014 – DVB\)](#)/(AAPP source)

INCARCERATIONS

DVB journalist Zaw Pe, and the father of a student involved in his article, Win Myint Hlaing, were each sentenced this month to one year for charges of trespassing and disturbing a civil servant. The charges were brought from an incident in August 2012 when both men visited the Magwe Division Education Department to inquire about a Japanese scholarship program. The incarceration of Zaw Pe has raised a serious debate as to the true nature of press freedom in Burma and the dedication of the government to recent media law reforms. Both men were transferred to Thayet prison in Magwe following the verdict.

[\(07 April 2014 – DVB\)](#)/[\(08 April 2014- Eleven\)](#)/[\(09 April 2014 – DVB\)](#)/[\(09 April 2014 – Myanmar Times\)](#)/[\(10 April 2014 – DVB\)](#)

Following a farmers' rights protest in January, two activists, Nay Myo Zin and Win Cho, have been jailed for three months each under section 18. Prior to the sentencing Win Cho commented that law enforcers are more concerned with superior orders rather than the best concerns of communities. Nay Myo Zin and Win Cho have both been jailed for activism in the past, and will serve their sentence at Insein Prison.

[\(02 April 2014 – DVB\)](#)

RELEASES

No releases were registered for April 2014.

CONDITIONS OF DETENTIONS

Theingi Tun, Unity journalist Yazar Oo's wife, has reported on the poor state of health of the Unity five in detention. She told reporters that the journalists and Unity CEO are not receiving adequate access to clean water, and are suffering from heat exhaustion due to the severe weather in Pakokku. Her husband also suffers from liver disease, which is increasing his health concerns. Theingi Tun also reported that the five are suffering from depression in detention.

[\(29 April 2014 – DVB\)](#)

The four demonstrators who were detained last month following a protest against electricity price rises in Mandalay have spoken out about their arrest. Thein Aung Myint, Saw Hla Aung, Kyaw Myo Tun and Khet Khet Tin staged a protest after being refused permission and were detained and face charges under section 18. Thein Aung Myint was released on bail after four days in detention and described police actions towards the protesters as “brutal”.

[\(01 April 2014 – Irrawaddy\)](#)

DEMONSTRATIONS AND RELATED RESTRICTIONS ON POLITICAL AND CIVIL LIBERTIES

An application for a constitutional protest in Nyaunglebin in Pegu Division has been denied. Authorities cited that the proposed protest site is in a “prohibited zone” for public protest, despite the fact that an NLD protest had previously been held in that area. Police also claimed the protest could start a religious riot in the area. Protesters say they will continue with the demonstration even if permission is not granted.

[\(22 April 2014 – DVB\)](#)

Demonstrators who have established camps in

downtown Rangoon to protest land confiscation are threatening a hunger strike if government authorities will not negotiate with them. The camps are in Mahabandoola Park and Tarmwe Township, with some protesters having been there for over 60 days. On 1st April Security Colonel Win Tin had a five hour meeting with five representatives of each group, however at the end of the meeting the demonstrators vowed to continue to protest. Col Win Tin has spoken out against the camps, claiming that the demonstrators are “damaging the dignity of the country” and threatened legal action. However the demonstrators maintain that they will not retreat until they receive a definite guarantee of fair compensation.

[\(07 April 2014 – Myanmar Times\)](#)

RESTRICTIONS ON FORMER POLITICAL PRISONERS

AAPP has received no new information regarding restrictions for former political prisoners for April 2014.

AAPP IN THE MEDIA

Members of the Scrutinizing Committee for the Remaining Political Prisoners, along with AAPP, have sent a letter requesting a meeting with the President's Office to Deputy Minister Aung Thein. The committee seeks to create a recognized definition of political prisoners and release the remaining political prisoners.

[\(25 April 2014 – Eleven\)](#)

AAPPB and the Former Political Prisoners' Society (FPPS) have now spoken to over 2000 individuals in an effort to compile a list of all political prisoners and their experiences. Interviewers are attempting

to gather as much information as possible from each political prisoner, such as events from inside prison, personal accounts and their lives following release. However, there have been those who have been hesitant to share details, according to Ko Bo Kyi; "some don't want to give their personal information. They are afraid the data will be leaked to the government and could lead to their imprisonment again." Ko Bo Kyi is hoping that the compiling of the list will encourage the government to adopt legislation that will aid former political prisoners.

[\(22 April 2014 – Irrawaddy\)](#)

KEY INTERNATIONAL DEVELOPMENTS

This month Tomás Ojea Quintana, the Special Rapporteur on the situation of human rights Myanmar, released his report on the current situation and the changes that occurred during his six-year term. The report included a section devoted to the political prisoner situation. Mr. Quintana noted "the release of prisoners of conscience as one of the most significant achievements of the Government of Myanmar" but also "highlights that about 33 prisoners of conscience remain in detention". Mr. Quintana's term has completed but the Special Rapporteur role will continue under the new Human Rights Council resolution on Myanmar.

[\(01 April 2014 – Office for the High Commissioner for Human Rights\)](#)

Conclusion / Analysis

Win Tin's passing has come at a time when debate over media freedom in Burma is of utmost importance. Win Tin suffered greatly for his commitment to report the truth to the public, and unfortunately journalists in Burma are still suffering for their integrity. The continued corruption concerning the Unity Weekly trial and the sentencing this month of journalist Zaw Pe, clearly shows that the Thein Sein Government is not committed to the press freedom amendments that have been being debated and considered since the beginning of his term.

Allegations of police tampering and illegal judicial procedure in the Unity Weekly trial convey a system that is actively working to imprison journalists as punishment for acting outside state control, rather than a concern for genuine law and order. Similarly, the imprisonment of journalist Zaw Pe and his co-accused, Win Myint Hlaing, for the crime of merely approaching a public servant in a public office demonstrates that the current administration has no desire for transparency and public accountability.

As these cases have sparked outrage about the lack of press freedom, demonstrations by journalists and activists have occurred across Burma. Consequently, arrests and charges under section 18 have occurred.

Another journalist, a correspondent for *Mizzima*, is now facing charges under section 18 for organizing an unauthorized protest. As arrests under section 18 continue to occur frequently, the number of people persecuted for political activism continues to rise despite President Thein Sein's promise to release all political prisoners by the end of 2013.

This month several statements of ill treatment of prisoners have been reported. A protestor detained in March described his arrest as "brutal", and the poor physical and mental health of the Unity five has been described. If political activists continue to face not only arrest, but also cruelty, the Thein Sein Administration must recognize their ongoing violation of not only their own promises, but basic human rights and civil liberties.

Links / Resources

01 April

[Witnesses give opposing statements in Unity Journal case \(Eleven\)](#)

[Electricity hike opponents face charges for illegal Mandalay protest \(Irrawaddy\)](#)

[Report of the Special Rapporteur on the situation of human rights in Myanmar, Tomás Ojea Quintana \(OHCHR\)](#)

02 April

[Protest leaders sentenced to three months in prison \(DVB\)](#)

03 April

[‘Unity’ Testimony Throws Trespassing Allegations into Question \(Myanmar Times\)](#)

[Protestors should behave with ‘discipline’: officials \(DVB\)](#)

07 April

[DVB reporter sentenced to one year for ‘disturbing a civil servant’ \(DVB\)](#)

[Legal action threat fails to deter land protesters \(Myanmar Times\)](#)

08 April

[Court verdict on DVB reporter goes against media law \(Eleven\)](#)

09 April

[DVB reporter jailing prompts doubts over Burma’s press freedom \(DVB\)](#)

[DVB reporter goes to jail for one year \(Myanmar Times\)](#)

10 April

[Zaw Pe transferred to Thayet prison \(DVB\)](#)

21 April

[U Win Tin: Burma’s revolutionary journalist \(Irrawaddy\)](#)

22 April

[Pegu police deny constitution protest](#)

[\(DVB\)](#)

[Project to tell story of thousands of political prisoners \(Irrawaddy\)](#)

[Plough protestors charged with sedition \(DVB\)](#)

23 April

[Witness denies ‘no entry’ signs in unity journal case \(Eleven\)](#)

[Former political prisoners behind bars again \(Myanmar Times\)](#)

25 April

[Committee pushes to define political prisoners \(Eleven\)](#)

26 April

[Journalists rally to free jailed colleague \(DVB\)](#)

27 April

[Mizzima’s regional reporter charged under section 18 for press freedom protest \(Eleven\)](#)

28 April

[Burma’s Draconian Protest Laws](#)

[Repress Dissent \(Karen News\)](#)

[Mizzima reporter arrested for protesting media suppression \(DVB\)](#)

[Five Singaing Tsp protestors](#)

[protested without permission,](#)

[indicted \(RFA/Burmese\)](#)

29 April

[Unity Journal’s lawyer objects to court proceedings \(DVB\)](#)

[Eighth court hearing of Unity five \(Eleven\)](#)

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