



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

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Source: The Irrawaddy

Summary of the current Situation

As of the end of April, there are 157 political prisoners incarcerated in Burma, with 453 activists currently awaiting trial for political actions. The government continues to violate the rights of its citizens, silencing its critics and prosecuting its opposition, thus preventing them from exercising their fundamental rights.

April, 2015

Table of Contents

- Month in Review
- Detentions
- Incarcerations
- Releases
- Conditions of Detentions
- Demonstrations and Related Restrictions on Political and Civil Liberties
- Restrictions on Former Political Prisoners
- Land Issues
- Key International and Domestic Developments
- Conclusions and Analysis
- Links

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

MONTH IN REVIEW

This month, 62 political activists were charged in total, five of which were arrested. Sixteen were sentenced, and seven were released. The health situation of three of the political prisoners – Than Swe, Wanna Soe and Aung Chan Min - is cause for concern.

The aftermath of the violent crackdown of the student protests in Letpadan in March was strongly felt throughout the country this month, and the incident itself has continued to receive widespread condemnation from the international community. Following the protests against the National Education Law, an amendment bill was drafted between student groups and government officials, which was approved by the lower house of Parliament on April 7, 2015. However, key student demands were omitted in the final draft of the bill, whilst several clauses were significantly amended from those agreed upon during the negotiations. The lower house passed only 50 out of the 131 clauses discussed without modification.

Meanwhile, on April 10, demonstrations were held in Mandalay and Pegu Division to mark one month since the Letpadan crackdown. Family members of the students still detained after the crackdown and their supporters joined the peaceful demonstrations to call for the release of the 70 students that remain in detention.

Although there has been no formal announcement, it was reported at the beginning of this month that the government instructed the Prisoners of Conscience Affairs Committee to change its name once again. Despite this, the membership remains

unchanged and key members of the previous committee who regularly criticized the government's handling of the political prisoner issue continue to be excluded. Whilst the government continues to make changes to the committee, the political prisoner issue remains unaddressed. Bo Kyi, joint secretary of AAPP, has accused the government of a lack of interest in the issue, and has questioned the Deputy Home Affairs Minister's legitimacy to chair a political prisoner committee whilst his ministry is arresting student protesters and activists.

[\(8 April 2015 - DVB\)](#) [\(10 April 2015 - DVB\)](#) [\(3 April 2015 - Myanmar Times\)](#)

DETENTIONS

ABFSU Member Zin Ko Thant Arbitrarily Detained

Zin Ko Thant from Yadanarbon University, who is one of the All Burma Federation of Student Unions (ABFSU) members, was arrested at Myoma police station on April 27, 2015 by the police from Myingyan Township. The police accused him of taking part on January 26, 2015 in the removal of the state's flag at Myingyan Degree College, which was replaced by the student union flag.

According to the ABFSU chairman of Yadanarbon University, they assumed the arrest warrant was issued against another student with the same name as Zin Ko Thant was not involved in the protest.

[\(28 April 2015 - RFA/Burmese\)](#)

Po Po Arrested and Charged for Student Protest

Student activist, Po Po, a third-year student majoring in history was arrested on April 8, 2015 at her home. She spent the night in Kamayut Township in police lockup before being transferred to Insein Prison on April 9.

The Kamayut Township issued a warrant for Po Po's arrest on March 11. Prior to her detention, police had arrested Nanda Sit Aung and Win Kyaw Moe in connection with the student protests. Po Po was charged under Articles 143, 145, 147 and 505 (b) of the Penal Code by the Kamayut Township Courthouse. The charges include participation in an unlawful assembly, joining or continuing an unlawful assembly and rioting, with some of the alleged offenses carrying penalties of up to three years in prison. She is to appear in court along with Win Kyaw Moe on April 10.

[\(9 April 2015 - The Irrawaddy\)](#)

Students Facing Over 50 Charges

According to the students' lawyer, Robert San Aung, a total of 81 people, including 11 released on bail, face 50 charges for the student protests, five for each of the townships the protesters marched through. They are facing a minimum of 20 years of imprisonment, with the exception of one student who faces additional charges for evading their arrest.

Four students, Phyo Phyo Aung, Nanda Sit Aung, Lin Htet Naing and another student, also face additional charges under Section 18 of the Peaceful Assembly Law by the Botahtaung Police Station.

Nandar Sit Aung has also been charged under Articles 505(b) and 143 at the court in Letpadan for his role in the student protests against the [\(8 April 2015 - Myanmar Times\)](#) [\(23 April 2015 - The Irrawaddy\)](#) [\(7 April 2015 - The Irrawaddy\)](#)

Student Court Cases Transferred to Remote Tharawaddy District

On April 7, 70 detained students were brought to Letpadan Township Court as the authorities attempted to transfer the case to a court in the Tharawaddy District.

The defendants' lawyer stated the move was due to security issues, since the authorities were worried about popular support for the students and thought it would be easier to have them stand trial close to Tharawaddy Prison.

The charges include unlawful assembly, rioting, incitement and causing harm to a public servant. Some of them carry penalties of up to three years under Articles 143, 145, 147, 332 and 505 (b) of Burma's Penal Code.

The education activists have appeared on April 30 Tharawaddy court for their first hearing.

However, the court will first hold the trial against the “fugitive” student leaders, Myat Thu, Ye Yint Kyaw and Kyaw Ko Ko before hearing the case of the detained student protest activists.

[\(7 April 2015 - The Irrawaddy\)](#) [\(30 April 2015 - DVB\)](#)

Thant Zin Arrested for Holding a Protest

On March 30, Thant Zin, a patron of Myingyan District All Burma Federation of Student Unions (ABSFU) and former chairman of ABSFU, Upper Burma, was arrested for participating in a protest held in Myingyan on March 27 calling for the release of the detained students and supporters.

According to the police, he was arrested “in accordance with the documentary photos and witness. And then, he was detained under a court’s arrest warrant.”

Four other activists who participated in the protest are currently being investigated and the police plans to arrest them soon.

[\(1 April 2015 - Eleven\)](#)

INCARCERATIONS

Three Activists Sentenced Under Section 18

Ba Myint, Htay Aung and Daw Lya aka San San were sentenced to three months under Section 18 of the Peaceful Assembly and Peaceful Procession Law by the Kyauktada Township court on April 29, 2015. They called for justice in the case of the two young Burmese men who have been accused of murder on Koh Tao, an island in Thailand, by staging a protest against the Prime Minister of Thailand during his visit to Burma.

San Aung Win and Kyaw Zin Latt Sentenced to 3 Months

San Aung Win and Kyaw Zin Latt were charged under Section 18 of the Peaceful Assembly and Peaceful Procession Law on November 10, 2014 for staging a protest in front of Rangoon City Hall on October 11, 2014. They were calling for rule of law in Burma and for four party talks. They also were asking people if they supported the opposition leader Aung San Suu Kyi and supported a democratic government. They were sentenced to three months imprisonment with hard labor at Kyauktada Township court on April 29.

Ye Kyaw Thu Sentenced to One Year and Six Months

Ye Kyaw Thu, aka Pae Pae, was sentenced to one year and six months in prison under Section 505 (b) of Burma's Penal Code at Pandaung Township court on April 23, 2015. He was sentenced for allegedly agitating and giving support to farmers who staged a protest in order to take back their confiscated lands in Prome District, Pegu Division in March 2014.

[\(23 April 2015 - FRA/Burmese\)](#)

Thein Aung Myint Sentenced to Six Months

Thein Aung Myint was sentenced on April 23, 2015 to six months in prison, the maximum sentence under Section 18 of the Peaceful Assembly Law, for staging an unauthorized protest in October 2014 calling for justice for the death of journalist Par Gyi, killed by Burma Army soldiers in Mon States. A court official explained that the maximum punishment was given as Thein Aung Myint allegedly insulted government and army leaders during the protest. Thein Aung Myint will not appeal the sentence because he does not believe in the judicial system in Burma.

[\(23 April 2015 - The Irrawaddy\)](#)

Wai Lu Sentenced to One Year in Prison

Wai Lu was sentenced on April 8, 2015 to one year in prison under Section 505 (b) at Kyauktada Tsp court, for staging a protest in front of Rangoon City Hall in support of Mi Chong Kan protesters.

[\(8 April 2015 - Radio Free Asia/Burmese\)](#)

Tin Htut Paing Sentenced to Three Months for Electricity Protest

Tin Htut Paing, who joined the protest against the nationwide electricity price hike in March 2014 in Yangon, was charged with violating Section 18 of the Peaceful Assembly and Procession Law and sentenced to three months in prison at Ahlon Tsp court on April 3, 2015. Tin Htut Paing has accused the government of selling electricity to other

countries while its own people have to pay high prices.

[\(5 April 2015 - The Eleven\)](#)

Naw Ohn Hla Sentenced to Four Months in Insein Prison

On April 2, Naw Ohn Hla was sentenced to four months in Insein prison after the Bahan Township court found her guilty of violating the Section 18 of the Peaceful Assembly and Peaceful Procession Act during a protest on September 29, 2014. She has been in detention since December 30, 2014 and is still facing upcoming trials in five different township courts across Rangoon.

She and five other activists were arrested for a demonstration held outside the Chinese embassy in Rangoon, urging an investigation into the shooting death of Letpadaung farmer Daw Khin Win by local police during a protest against the mining project.

[\(3 April 2015 - The Irrawaddy\)](#)

Activists Sentenced to Rare Prison Term in First Court Hearing

Advocate Myint Aye and activist Myo Thu Htut were charged in their first court hearing after both confessed to taking part in a protest against the reconstruction of the students' union building. They were charged with violating Section 18 of the Peaceful Assembly and Peaceful Procession Act for failing to obtain a legal permit in advance to stage the protest.

Defence lawyer Aye Thandar said she had never before seen a judge make a final decision in the first court hearing.

[\(3 April 2015 - The Eleven\)](#)

Land Protester Sentenced to Three Months

The Thandwe Township Court in Arakan State imprisoned Ko Saw Wai, a local resident who staged a protest calling for the return of confiscated farmlands along Ngapali Beach, for three months under Section 18 of the Peaceful Assembly and Peaceful Procession Act on March 26.

The lone protest had Koe Soe Wai marching past the Hilton Hotel in the Zee-Phu-Gone Ward of Ngapali Town on January 28 whilst holding a placard stating "Give Us Back Our Land" and wearing a T-shirt with the same slogan emblazoned on it.

Ko Soe Wai has previously spent nine months in jail for carrying out other solo protests.

[\(1 April 2015 - Burma News International\)](#)

RELEASES

Thet Wai And Shwe Ko Oo Freed After Completing Sentence

Land rights activist Thet Wai and his co-defendant Shwe Ko Oo, detained in Bassein Prison, were freed on March 3, 2015, after completing their sentence of five months in prison.

Five Farmers Freed after Completing Sentence

Five farmers imprisoned for demanding the restitution of their land were freed after completing their sentence on April 2, 2015.

Maung Pu had been sentenced to one year in Meiktila Prison for staging a plough protest in Nghat Pyaw Tine village, Kantbalu Township, Sagaing Division. Daw Nyo, Daw Mone and Khin Mar Aye were also freed from Paungde Prison. They had asked for the restitution of their land confiscated by the army and businessman Htai Htai.

Finally, Nay Win from Tan-Ngar North village, Maddaya Township, Sagain Division, was freed from Obo Prison, Mandalay.

[\(2 April 2015 - Radio Free Asia/Burmese\)](#)

CONDITIONS OF DETENTIONS

Htin Kyaw Staged Protest in Detention

Htin Kyaw, a leader of the Myanmar Democracy Current Force (MDCF) who is serving 13 year and 6 months prison sentence in Insein Prison, staged a protest in detention. Under the pretense that his cell had to be repainted, he was transferred to a new cell during two weeks with a murderer and a criminal who was sentenced to death penalty although there were many empty cells.

[\(19 April 2015 - RFA/Burmese\)](#)

Imprisoned Hunger Striker Sent to Psychiatric Hospital

Maung Soe, a farmer who had been imprisoned in Maubin Prison, Irrawaddy Division, for the murder of a policeman during a land rights protests in 2013, was sent to Ywathargyi hospital on the fourth day of a hunger strike after authorities presented more charges against him.

Maung Soe's wife told DVB that her husband became frustrated after a lengthy and faltering trial for another crime, saying he was sentenced for three years and is facing another case that has seen 32 trials. After the 32nd hearing, and after another person was arrested, the authorities said the case will be tried again from the beginning.

He is currently being held alongside patients with serious mental health conditions.

[\(14 April 2015 - DVB\)](#)

Detained Students Denied Visits from Lawyers and Families

Phyo Phyo Aung, the leading committee member of ABFSU, has spoken out regarding the situation that herself and the detained

students are facing, stating that the current judicial system is not transparent at all. It remains difficult for the students to see their lawyer and some of the detainees have yet to meet their families.

Moreover, the government has barred the students' relatives from attending the court hearings. Parliamentarians also refuse to potentially free students who cannot prove they are "real" students. Some of the 13 distance students may have problems proving they are attending a university as the government refuses to recognize them as "real" students.

[\(7 April 2015 - Eleven\)](#) [\(8 April 2015 - Myanmar Times\)](#)

Parents Concerned about Students Health in Detention

Detained students awaiting trial after the Lepadon protest crackdown have requested their trials be opened to the public.

Family members, who are only allowed to meet the detainees for 5-15 minutes during weekly prison visits, are worried about their health.

The mother of student leader Min Thway Thit, who allegedly was beaten by more than a dozen police officers during the crackdown, said that she wants her son to receive proper treatment at the prison's hospital.

A lawyer visiting the students detained in Tharawaddy Prison said some were struggling to recover from head wounds they sustained during the police crackdown.

[\(2 April 2015 - The Irrawaddy\)](#) [\(7 April 2015 - The Irrawaddy\)](#)

DEMONSTRATIONS AND RELATED RESTRICTIONS ON POLITICAL AND CIVIL LIBERTIES

Internationally Recognized Artist Arrested for Cursing Government Police and Military on a Sign

San Zaw Htwe, an internationally recognized Rangoon artist and former political prisoner of 13 years was arrested on April 14, after erecting a sign outside of his home, cursing the government, police and military. The sign read «Wishing all sorts of bad luck towards the government, police and military and their thugs who heap trouble on the people.»

San Zaw Htwe spent about 12 hours in custody before he was released. No charges were brought against him.

[\(April 15 2015 - DVB\)](#)

Court Rules Police Guilty of Murder of a Letpadaung Copper Mine Protester

Sagaing Division's Salingyi Township court ruled on April 9, 2015 that police shot the farmer Khin Win during the protest that took place on December 24, 2015. This decision opens the possibility for her family to press charges against the police for murder, as Khin Win died of a gunshot wound to the head after police opened fired on the crowd of villagers protesting against the Latpadaung copper mine project.

[\(10 April 2015 - DVB\)](#)

Phyo Phyo Aung Calls for Open and Transparent Trial

The trial of student activists being prosecuted for their part in an education reform protest in Letpadan has been transferred to a court in Tharawaddy.

Phyo Phyo Aung, a leading figure in the student movement, stressed that it is necessary to allow independent media representatives and lawyers to be present at the trial.

Her mother Ma Thandar added that prison officials had closely monitored her conversation with Phyo Phyo Aung during a prison visit, and made notes as they spoke.

[\(3 April 2015 - DVB\)](#)

Released Students Face Further Charges

Dozens of student activists from Yadanabon University and Government Technical College may faces new charges under Section 18 for unlawful assembly after being released from detention.

“We don't understand since some of us were freed after the Letpadan crackdown, our understanding was that [police] wouldn't sue us anymore. This shows that the government and the authorities cannot be trusted,” said Yadanabon student Nai Ye Wai.

Students suspect the government of charging the students in order to spook other students and prevent future protests.

[\(2 April 2015 - The Irrawaddy\)](#)

47 Students Charged for Protesting

The authorities charged 47 protesting students from Myingyan Technology University and Mandalay Yadanabon University under Section 18 of the Peaceful Assembly and Peaceful Procession Law. Ten

of them from Myingyan Technology University were staging a protest calling for the release of the detained students on March 27.

The 37 other students were protesting in Yadanabon University on February 23, showing their solidarity with the students protesting in the main column. They were charged by the Amarapura Township police. Students from Myingyan District All Burma Federation of Student Union (ABFSU) decided that they would not appear before the court.

[\(2 April 2015 - Radio Free Asia/Burmese\)](#)

Ministry Denies Evicting Disabled Woman Involved in Student Protests

The government denied evicting Su Pon Chit, a disabled a 25-year-old woman, because of her involvement in the student protests. According to the Department of Social Welfare, Su Pon Chit received the letter of eviction prior to any student demonstration and the recent increase in staff in the ministry made accommodation necessary for its employees. She gave back her apartment at the end of March, during exams for her master's program.

[\(1 April 2015 - The Irrawaddy\)](#)

RESTRICTIONS ON FORMER POLITICAL PRISONERS

Police Issues Warrant against Five Former Political Prisoners Supporting Student Protests

The police issued a warrant to arrest five supporters, Thant Zin, Ko Ko Naing, Htin Aung Kyaw, Aung Soe Thein, and Phyo Han for protesting against the arrest of the Letpadan student protest demonstrators on March 27.

According to the police, witnesses and pictures prove their involvement in the protest. However, Phyo Han, one of the accused, claims he was not in town when the protest happened. He also claims this is a tactic to imprison activists prior to the 2015 elections. The five accused supporters are all former political prisoners. Thant Zin, former chairman of All Burma Federation of Student Union (ABFSU), Upper Burma in 1988, was already arrested on March 30, 2015.

[\(1 April 2015 - Radio Free Asia/Burmese\)](#)

LAND ISSUES

Villagers Protest against Verdict to Plough Protest Farmers

On April 27, around 500 residents from more than 30 villages in Karenni State's Hpruso Township protested against the verdict handed down by the Hpruso township court to three farmers for their part in the 'plough protest', in which they claimed the army confiscated their land.

Despite the light sentence of 15 days in prison or a 500 kyat fine, Thae Reh, chairman of the Karenni State Farmers Union, said they could not accept a verdict against the farmers for ploughing their own land that they inherited from their ancestors, as they regard it as an approval of the military's confiscation.

[\(28 April 2015 - DVB\)](#)

KEY INTERNATIONAL DEVELOPMENTS

Burma Downgraded in Freedom House Report

In their 2015 report, Freedom House has downgraded by three points press freedom in Burma. Though it had reported improvements in the past four years, the report warns that the government is now reversing its trend: 2014 has seen journalists beaten, murdered, imprisoned and foreign journalists deported.

[\(30 April 2015 - Mizzima\)](#)

Robert San Aung Nominated for Human Rights Award

Robert San Aung, a prominent Burmese legal activist, has been announced as one of three nominees for this year's Martin Ennals Award for human rights defenders, in recognition of his work as one of the country's leading human rights defenders.

The award's jury of 10 leading international human rights organizations said that the lawyer had distinguished himself for having "courageously fought against human rights abuses".

Robert San Aung has been an advocate for a number of land rights demonstrators facing charges under the country's draconian Peaceful Assembly and Procession Law.

Along with his defense of villagers facing prosecution for their opposition to the Letpadaung copper mining project in central Burma, he also represents students detained in Thayawady Prison for demonstrating against the National Education Law.

[\(23 April 2015 - The Irrawaddy\)](#) [\(23 April 2015 - Mizzima\)](#)

Conclusion / Analysis

In the wake of the crackdown of the National Education Bill protestors in March, the repercussions continue to be felt throughout the country this month for those detained and their supporters. 80 of the protestors remain in detention. Student leaders now face additional charges for their role in the protests, facing a minimum of 20 years in prison for calling for greater academic freedoms.

Additional students and supporters have been arrested in connection to the protests, whilst activists calling for the release of the detained students have themselves been detained and charged. The total number of people detained in relation to the student protests now stands at 175, the majority having been charged under Section 18 of the Peaceful Assembly and Peaceful Procession Act. The government continues to excessively utilize Section 18 – despite the fact that it violates international standards - to quash freedoms of expression and assembly, and detain and sentence those students and activists attempting to exercise their fundamental rights. The conditions the student detainees are being kept in are cause for great concern. Those detainees that sustained serious

injuries during the crackdown, including head injuries, have yet to receive sufficient medical treatment. The students have faced difficulties accessing their lawyer and have only been permitted sporadic family visits. The government has also tried to prevent their families from attending the court hearings, notably by changing the location of the hearings. Under the guise of security measures which have been labeled as both excessive and unnecessary, the students' court case was transferred from Letpadan Township Court to a more remote court in Tharawady District - a clear attempt to thwart popular support for the students and a move that has further slowed down the case of the student detainees. In addition, the court has announced plans to hold the trial against the three “fugitive” student leaders before hearing the case of the detained student protestors, further paralyzing their case.

Meanwhile, Burma's parliamentary lower house passed a bill amending the much-contested National Education Law, omitting several of the core demands of the students that had been previously agreed upon during negotiations between student groups and government officials.

Conclusion / Analysis

The government's decision to change the name of the Prisoners of Conscience Affairs Committee – formerly the Committee for Scrutinizing Remaining Political Prisoners – came to light earlier this month without consultation of committee members or the public. Whilst the focus remains on reforming the committee's name, the immediate and pressing issue of the rising number of political prisoners in Burma remains unaddressed. Making apparent further the lack of government interest in the political prisoner issue is the fact that the committee has yet to meet this year, and key members of the previous committee remain excluded. Moreover, the committee's leadership remains unchanged; it is difficult to comprehend how a committee chaired by the Deputy Home Minister can take seriously the issue of political prisoners when the Home Affairs Ministry is responsible for the recent violent crackdown against student protestors and subsequent arrests.

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Links / Resources

April 1

[Ministry Denies Evicting Disabled Woman Involved in Student Protests \(The Irrawaddy\)](#)
[Thant Zin Arrested for Holding a Protest \(Eleven\)](#)
[Land Protester Sentenced to Three Months \(Burma News International\)](#)
[Police Issues Warrant Against Five Former Political Prisoners Supporting Student Protests \(Radio Free Asia/Burmese\)](#)

April 2

[Parents Concerned about Students Health in Detention \(The Irrawaddy\)](#)
[Five Farmers Freed after Completing Sentence \(Radio Free Asia/Burmese\)](#)
[47 Students Charged for Protesting \(Radio Free Asia/Burmese\)](#)

April 3

[Naw Ohn Hla Sentenced to Four Months in Insein Prison \(The Irrawaddy\)](#)
[Phyo Phyo Aung Calls for Open and Transparent Trial \(DVB\)](#)
[Activists Criticise New Political Prisoner Committee \(Myanmar Times\)](#)

[Activists Sentenced to Rare Prison Term in First Court Hearing \(The Eleven\)](#)

April 5

[Yangon Protester Sentenced to Three Months for Electricity Protest \(The](#)

[Eleven\)](#)

April 7

[Student Court Cases Transferred to Remote Tharawaddy District \(The Irrawaddy\)](#)
[Parents Concerned about Students Health in Detention \(The Irrawaddy\)](#)
[Detained Students Denied Visits from Lawyers and Families \(Eleven\)](#)
[Students Facing Over 50 Charges \(The Irrawaddy\)](#)

April 8

[Upper Houses Votes Education Bill Omitting Key Student Demands \(DVB\)](#)
[Students Facing Over 50 Charges \(Myanmar Times\)](#)
[Detained Students Denied Visits from Lawyers and Families \(Myanmar Times\)](#)
[Wai Lu Sentenced to One Year in Prison \(Radio Free Asia/Burmese\)](#)

April 9

[Po Po Arrested and Charged for Student Protest \(The Irrawaddy\)](#)

April 10

[Upper House Votes Education Bill Omitting Key Student Demands \(DVB\)](#)
[Court Rules Police Guilty of Murder of a Letpadaung Copper Mine Protester \(DVB\)](#)

April 14

[Imprisoned Hunger Striker](#)

[Sent to Psychiatric Hospital \(DVB\)](#)

April 15

[Internationally Recognized Artist Arrested for Cursing on Government Police and Military on a Sign \(DVB\)](#)

April 19

[Htin Kyaw Staged Protest in Detention \(RFA/Burmese\)](#)

April 23

[Thein Aung Myint Sentenced to Six Months \(The Irrawaddy\)](#)
[Ye Kyaw Sentenced to One Year and a Half \(FRA/Burmese\)](#)
[Students Facing Over 50 Charges \(The Irrawaddy\)](#)
[Robert San Aung Nominated for Human Rights Award \(The Irrawaddy\)](#)
[Robert San Aung Nominated for Human Rights Award \(Mizzima\)](#)

April 28

[Villagers Protest Against Verdict to Plough Protest Farmers \(DVB\)](#)
[ABSFU Member Zin Ko Thant Arbitrarily Detained \(RFA/Burmese\)](#)

April 30

[Student Court Cases Transferred to Remote Tharawaddy District \(DVB\)](#)
[Burma Downgraded in Freedom House Report \(Mizzima\)](#)