



Assistance Association for Political Prisoners (Burma)
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Detained Facebook Activists Patrick Kum Jaa Lee and Chaw Sandy Tun Accessed October 2015

Summary of the Current Situation

As of the end of October, there are 112 political prisoners incarcerated in Burma and 486 activists currently awaiting trial for political actions.

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

MONTH IN REVIEW

This month, 10 political activists were arrested in total, eight of whom are detained. Thirty-One were sentenced, and eight were released. Nine political prisoners are reported to be in bad health.

The Letpadan case was still not resolved this month, and 61 students and activists remain detained for charges relating to their participation in the National Education Bill protests in March. Fortify Rights and the Harvard Law School International Human Rights Clinic released a report detailing the abusive tactics used by police officials in the violent crackdown. Aung Mhine Hsan, a student leader detained in Tharrawaddy Prison, also launched a hunger strike in response to demands by students for the release of political prisoners not being met. His strike has received attention inside Burma, with additional supporters joining him in hunger strike and others supporting him by holding demonstrations calling attention to his plight and the Letpadan case. Two student leaders from the Monywa District's All Burma Federation Students Union, who staged one of the protests demanding the release of the Letpadan protesters, received charges under Section 18 of the Peaceful Assembly and Peaceful Procession Act. Prominent student leader Kyaw Ko Ko, who had been evading arrest was arrested and is currently detained for his involvement organising a protest in March against the violent dispersal of the student march in Letpadan.

On October 27, the Myanmar National Human Rights Commission released a statement saying the detention of the Letpadan students and protestors and the incarceration of

political prisoners is preventing the upcoming election from being free and fair.

Despite concerns over the legitimacy of the upcoming election, new arrests continued this month. Lu Zaw Soe Win, Patrick Kum Jaa Lee and Chaw Sandy Tun were all arrested and detained for allegedly posting to Facebook images or insults defaming the government and received charges either under the Telecommunications Law or the Electronic Transactions Law. Patrick Kum Jaa Lee and Chaw Sandy Tun remain in detention. Maung Saungkha also received charges under the Telecommunications Law for posting a poem to Facebook allegedly defaming the President.

A specific case in which an election candidate was arrested this month, the month before the November 8 election, is noteworthy as well. Independent election candidate Myat Nu Khaing was arrested for her alleged participation in a peaceful demonstration held in December 2014. Her arrest, detention and denial of bail fall 10 months after the peaceful demonstration and in the middle of her campaign.

Verdicts were issued in many cases this month, often just long enough to imprison the sentenced until after the upcoming election. Thirteen land rights activists of Michaungkan Village were sentenced to four months imprisonment for a protest where they demanded the return of, or compensation for their ancestral lands which were confiscated by the military in the 1990s; five environmental activists were sentenced to five months for allegedly destroying mangrove trees; and the four graffiti students, Naing Ye Wai, Aung Hsan Oo, Git Too and Nyan Linn Htet, who were

MONTH IN REVIEW

arrested on July 1 for staging a protest against the new National Education Bill, were sentenced to between three and six months imprisonment.

In addition to the students, farmers and environmental activists, ethnic groups continued to express concern over the many individuals from ethnic minorities who are detained or imprisoned for charges under the Unlawful Association Act. On October 15, eight armed ethnic groups and the government signed the National Ceasefire Agreement, but the agreement has not yet led to the release of any of the members of the eight armed ethnic groups nor those imprisoned for their alleged association with the groups under the Unlawful Association Act.

[\(27 October 2015 - MNHRC\)](#)

DETENTIONS

Student Leader Kyaw Ko Ko Charged and Detained After Months in Hiding

Kyaw Ko Ko, Chairman of the All Burma Federation of Student Unions, was arrested on October 29 in Thingangyun Township, Rangoon and held overnight at Aung Tha Pyay, a Special Branch interrogation centre. He had been evading arrest for his involvement organising a protest in Rangoon on March 10 against the violent dispersal of a student march in Letpadan, Bago Region earlier that day. Kyaw Ko Ko was brought before the Kamayut Township Court in Rangoon on October 30 and was later transferred to Insein Prison, where he is currently being held. He faces up to six years and six months imprisonment under Articles 143, 145, 147 and 505(b) of the Penal Code and may face additional charges that are yet to be confirmed. His next court hearing will be on November 5. As of October 30, he had not been allowed to meet with a lawyer nor his family.

[\(29 October 2015 - Coconuts Yangon\)](#) [\(29 October 15 - Irrawaddy\)](#) [\(29 October - Mizzima/Burmese\)](#) [\(30 October 15 - The News International\)](#) [\(30 October 2015 - Amnesty International\)](#)

Independent Election Candidate Myat Nu Khaing Charged and Detained for Participation in 2014 Protest

Myat Nu Khaing, an independent candidate contesting a Lower House seat in Pyu Township, Pegu Division in the upcoming elections, was arrested and taken to Insein Prison on October 17 for her alleged participation in a peaceful demonstration outside the Chinese Embassy in Rangoon on

December 29, 2014. Myat Nu Khaing appeared before Dagon Township Court on October 19, where she was denied bail. She is facing charges under Articles 147, 149, 152, 294, 353 and 505 (b) of the Penal Code and Section 18 of the Peaceful Assembly and Peaceful Procession Act. She could be sentenced to up to nine years and seven months in prison.

Nearly 100 people attended the 2014 protest demanding an investigation into the death of Khin Win, a woman shot and killed by police while protesting the controversial Letpadaung Copper Mine, a Chinese-backed venture. Myat Nu Khaing denies involvement in the protest, insisting that she was merely an interpreter and that authorities have incorrectly identified her as a participant.

Six activists were sentenced in May 2015 to four years and four months with hard labour under similar charges for their involvement in the peaceful demonstration, making the late arrest of Myat Nu Khaing - ten months after the demonstration and in the middle of her campaign - appear to have political motives.

On October 20, Amnesty International released an urgent call for action and the release of Myat Nu Khaing, a prisoner of conscience who should be dropped of all charges and released immediately and unconditionally.

[\(19 October 2015 - Irrawaddy\)](#) [\(19 October 2015 - Eleven/Burmese\)](#) [\(19 October 2015 - DVB/Burmese\)](#) [\(19 October 2015 - BBC/Burmese\)](#) [\(20 October 2015 - DVB\)](#) [\(20 October 2015 - Amnesty International\)](#) [\(20 October 2015 - The Voice/Burmese\)](#) [\(21 October 2015 - Myanmar Times\)](#)

DETENTIONS

Husband of Renowned Activist Charged and Detained for Defaming Facebook Post

Patrick Kum Jaa Lee, the husband of Kachin activist May Sabe Phyu, was arrested on October 14 by police officers from Hlaing Township, Rangoon. The arrest was made in relation to a photo that was posted to Facebook of a man wearing a Kachin-style longyi stepping on a portrait of Commander-in-Chief Min Aung Hlaing. Patrick Kum Jaa Lee has been charged with defamation under Article 66 (d) of the Telecommunications Law but maintains that he did not share the post. Other Facebook users also shared the photo, however, Patrick Kum Jaa Lee is the only one facing charges.

Patrick Kum Jaa Lee is currently being detained in Insein Prison. His second court hearing was deferred on October 27, caused by the absence of the plaintiff. His appeal for bail was deferred to his next court appearance which is scheduled for November 6. May Sabe Phyu, who was able to see her husband for 30 minutes on October 16, believes that the case is fabricated, and that his Facebook account must have been hacked. She also voiced concern about her husband's health inside the prison, as he suffers from severe asthma and now shows symptoms of swelling intestines.

The arrests of Patrick Kum Jaa Lee and Chaw Sandy Tun (below) have received international attention, including by US State Department spokesperson John Kirby

and Amnesty International. Both voices are calling for authorities to release the two immediately and unconditionally.

[\(14 October 2015 - BBC/Burmese\)](#) [\(15 October 2015 - Irrawaddy\)](#) [\(15 October 2015 - VOA/Burmese\)](#) [\(16 October 2015 - Amnesty International\)](#) [\(16 October 2015 - The Irrawaddy\)](#) [\(27 October 2015 - Irrawaddy\)](#) [\(28 October 2015 - Eleven\)](#)

Activist Charged and Detained for Defaming Facebook Post

Chaw Sandy Tun, a 25-year-old National League for Democracy member and former member of Maubin District's Student Union, was arrested on October 12 and was charged on October 13 under Article 34 (d) of the Electronic Transaction Law and Article 500 of the Penal Code for defamation regarding a Facebook post. In the post Chaw Sandy Tun compared the newly designed military uniform to a *htamein* worn by Aung San Suu Kyi. Attached to her post was a picture of Aung San Suu Kyi and Commander-in-Chief Min Aung Hlaing, and other military personnel. She was arrested following the filing of a suit against her by Lieutenant-Colonel Kyaw Htin of the Southwest Command in Patheingyi.

The first court hearing against Chaw Sandy Tun took place on October 27. During the hearing, her charge was changed from Article 34 (d) of the Electronic Transaction Law to Section 66 (d) of the Telecommunication Law, and a proposal by plaintiff Lieutenant-Colonel Kyaw Htin

DETENTIONS

to take action against her for defamation against the Commander-in-Chief under Section 500 of the Penal Code was accepted. She is currently detained in Maubin Prison awaiting her next court hearing which is scheduled for November 9.

[\(13 October 2015 - RFA\)](#) [\(13 October 2015 - Eleven\)](#) [\(13 October 2015 - RFA/Burmese\)](#) [\(13 October 2015 - Irrawaddy/Burmese\)](#) [\(13 October 2015 - Mizzima/Burmese\)](#) [\(13 October 2015 - DVB/Burmese\)](#) [\(13 October 2015 - BBC/Burmese\)](#) [\(13 October 2015 - Eleven/Burmese\)](#) [\(14 October 2015 - VOA/Burmese\)](#) [\(14 October 2015 - Eleven/Burmese\)](#) [\(14 October 2015 - DVB\)](#) [\(21 October 2015 - BurmaNet\)](#) [\(29 October 15 - Irrawaddy\)](#)

Mar Khar, has filed a murder case against the military with the Kamaing Village Police.

[\(5 October 2015 - The Irrawaddy\)](#) [\(5 October 2015 - Irrawaddy/Burmese\)](#) [\(6 October 2015 - Mizzima/Burmese\)](#)

Military under Investigation after Detained Kachin Man Found Dead

The body of Ung Sau Tu Ja, a Kachin villager arrested by the Light Infantry Battalion 250 on June 19 for suspected unlawful association with the Kachin Independence Army, was uncovered inside the local military compound in Hpakant Township, months after his family alleged that the military was responsible for his death and insisted his body be returned.

Ung Sau Tu Ja was arrested alongside three others. The three others were released after three weeks in military custody, and Ung Sau Tu Ja's body was uncovered after the military's regional command launched an investigation into Ye Kyaw Thu, the commander of the battalion.

The family, with the assistance of lawyer

INCARCERATIONS

Thirteen Michaungkan Land Rights Protesters Sentenced, One Avoids Arrest

On October 21, 13 of the 14 Michaungkan land rights protesters were sentenced to four months imprisonment at Insein Prison under Article 18 of the Peaceful Assembly and Peaceful Procession Act. All of the protesters were arrested and charged on February 26 for refusing to disband a protest camp near Sule Pagoda in Rangoon. They are still facing trial under Article 68 of the Yangon City Development Act.

The protest camp, which was the site of a more than 300-day sit-in in which land rights activists were demanding the return of, or compensation for, their ancestral lands was notified on February 25 of a nearby drainage maintenance project, and the protesters were ordered to disperse. Following their refusal, on the morning of February 26, the protesters were forcibly removed and Aung Min Kyaw, Than Shwe, Myo Chit, Bo Thein, Win Shwe (aka Maung Maung), Tun Tun Win, Saw Thein, Sein Khin, Hla Ye, Min Ko Ko, Pu, Tin Soe, Than Sein and Aye Aye Myint received charges from the Kyauktada Township Court under Article 18 of the Peaceful Assembly and Peaceful Procession Act, and under Article 68 of the Yangon City Development Act.

The 14 were released on bail, but this month, after Win Shwe failed to attend three court hearings relating to the case, the court withdrew the bail of all 14 defendants. A Kyauktadar Township judge issued a warrant for the arrest of Win Shwe.

Subsequently, on October 21, all but Win Shwe - who is still evading arrest - received their sentences.

Inhabitants of Michaungkan Village were protesting against the confiscation and renting out of their farmlands by the military in the 1990s.

[\(27 February 2015 - Irrawaddy\) \(7 October 2015 - Eleven/Burmese\) \(22 October 2015 - DVB/Burmese\)](#)

Five Activists Sentenced to Five Months and 1,000 Kyat Fine

On October 21, the Dedaye Township Court, Irrawaddy Division sentenced five environmental activists to five months imprisonment and a 1,000 Kyat fine for damaging public property. The Dedaye Township Forestry Department accused the five of destroying over 5,000 mangrove trees by letting water buffaloes into the area. The convicted are Htun Htun Oo, Cho Lwin, Win Shwe, Maung Myo and Hla Hla Yi. The sentenced said they had nothing to do with the case and that the mangrove trees were destroyed by floods a long time ago.

After hearing their sentence, Cho Lwin, Win Shwe and Hla Hla Yi were immediately transferred to Pyapon Prison. Htun Htun Oo and Maung Myo were released with time served in detention, as they had already spent five months behind bars awaiting the trial. All five will appeal their sentence and are looking to countersue the Forestry Department for trumped-up charges.

[\(22 October 2015 - Irrawaddy\) \(22 October](#)

INCARCERATIONS

[2015 - Irrawaddy/Burmese](#)

Graffiti Students Sentenced to 12 and 15 Months Imprisonment

On October 9, the four graffiti students, Naing Ye Wai, Aung Hsan Oo, Git Too and Nyan Linn Htet, who were arrested on July 1 for staging a protest against the new National Education Bill on June 26, were found guilty by the Amarapura Township Court, Mandalay Region. They were sentenced to three months under Section 18 of the Peaceful Assembly and Peaceful Procession Act, three months under Section 143 of the Penal Code, and six months under Section 505 (b) of the Penal Code, resulting in a total sentence of 12 months. Naing Ye Wai received an additional three month sentence under Section 18 for participating in a separate protest in February.

However, the judge decided it a group sentence, effectively reducing the 12 month sentence to six. The court allowed the three months that they served in detention awaiting trial count towards their sentence as well. As a result, Naing Ye Wai has six months imprisonment left to serve and the others have three. It has been speculated that the statement made by the Myanmar National Human Rights Committee (MNHRC) condemning the court for denying the students bail to sit their exams was a factor in the shortening of the sentences. They are currently in Oh Bo Prison in Mandalay.

The students will not appeal arguing that as long as a quasi-civilian government is in charge, these cases will reappear.

[\(9 October 2015 - Irrawaddy\)](#) [\(9 October 2015 - DVB/Burmese\)](#) [\(9 October 2015 - RFA/Burmese\)](#) [\(9 October 2015 - Mizzima/Burmese\)](#) [\(9 October 2015 - Eleven/Burmese\)](#) [\(10 October 2015 - The Voice/Burmese\)](#) [\(10 October 2015 - Eleven/Burmese\)](#) [\(10 October 2015 - Eleven\)](#)

NLD Member Sentenced to Seven Days Imprisonment

On October 9, Ma Ei, a member of the National League for Democracy (NLD) from North Okkalapa, was sentenced to seven days imprisonment under Section 19 of the Peaceful Assembly and Peaceful Procession Act by the North Okkalapa Township Court. She served her seven day sentence and was released on October 15.

Ma Ei was arrested and sentenced for holding a peaceful protest against the use of a local stream by businesses. She had obtained permission to stage the protest but was arrested for gathering in front of the stream instead of at the site designated by local authorities.

[\(Source AAPP\)](#)

CONDITIONS OF DETENTIONS

Activist Detained for 14 Months due to Non-Appearance of State Witnesses

Zaw Win, a prominent solo activist, was arrested under several sections of the Penal Code and the Peaceful Assembly and Peaceful Procession Act in May 2014. The charges relate to a solo protest he staged in Pyin Oo Lwin Township, Mandalay Region. He has been detained for 14 months in Oh Bo Prison due to continuous witness absences at his trial.

The judge issued a subpoena for the prosecution's witnesses to attend the next trial date after Zaw Win made an appeal based on health concerns. Zaw Win is complaining of back pain and lack of access to medical treatment.

[\(20 October 2015 - Myanmar Times\)](#)

Detained Letpadan Protesters Permitted to Vote

Students and activists detained for their involvement in the National Education Bill protests in March have been given the opportunity to vote in advance of the November 8 election. Some students, however, are convinced that their vote will be manipulated, and others believe that their vote cannot produce any real change until the 2008 Constitution is reformed.

[\(14 October 2015 - Irrawaddy\)](#)

Letpadan Student Protesters Suffering from Poor Health

Students jailed for the Letpadan protests on

March 10 are reported to be in bad health. Some students suffered concussions after receiving batons to the head during the crackdown, and others have complained of spinal cord injuries, migraines, permanent hearing loss and trouble sleeping. They have been denied access to trained medical professionals but have received over the counter medications for their injuries. Of the 127 arrested, 61 are still detained.

[\(12 October 2015 - Irrawaddy\)](#)

Detained Student Protesters Sentenced to Two Months Imprisonment

On October 15, seven protesters awaiting trial in Tharrawaddy Prison for their involvement in the protests of the National Education Bill in Letpadan were sentenced to two months imprisonment by Tharrawaddy Township Court for charges they incurred while in prison.

Aung Myint Han, Yan Paing Soe, Than Htike, Khant Aung, Kyaw Swar Linn, Kyaw Kyaw Tun and Hein Zaw Lin were charged on July 16 by Nan Aung Kyaw, Supervisor of Tharrawaddy Prison, under Article 42 of the Prison Law for smuggling cigarettes and betel quid into the prison on June 30. They had already spent June 30 to July 13 in solitary confinement as punishment for the smuggling.

The Tharrawaddy Township Court noted their time served in detention awaiting trial would count towards the sentence. The

CONDITIONS OF DETENTIONS

seven protesters are still detained in Tharrawaddy Prison awaiting trial for their charges relating to the National Education Bill protest.

[\(15 October 2015 - DVB/Burmese\)](#) [\(15 October 2015 - RFA/Burmese\)](#)

Activist Acquitted from Charges

Nay Myo Zin, former Captain and head of the Myanmar Social Development Network, was acquitted on October 12 of charges under Section 18 of the Peaceful Assembly and Peaceful Procession Act by Kyauktada Township Court. He was accused of staging a solo protest in Mahabandoola Park, where he read parts of the Declaration of Independence while showing a picture of General Aung San. The judge said that these acts were not violations of Section 18, and that there was no proof of Nay Myo Zin staging a protest.

Nay Myo Zin is still serving a five year sentence in Insein Prison for his involvement in the 2014 Letpadaung mining protests.

[\(12 October 2015 - Eleven/Burmese\)](#)

DEMONSTRATIONS AND RELATED RESTRICTIONS ON POLITICAL AND CIVIL LIBERTIES

Students Take Action after Demands to Release Political Prisoners Fail

On October 6, students and activists detained in Tharrawaddy Prison following the violent crackdown on protests of the National Education Bill on March 10 appeared in court for their twentieth session.

During this session they held a banner demanding the release of all political prisoners before October 15. Aung Mhine Hsan, one of the student leaders, sent a letter to President Thein Sein following the hearing stating his intention to go on hunger strike if this demand was not met.

As all political prisoners were not released by October 15, Aung Mhine Hsan began his hunger strike on October 23, and members of the All Burma Federation of Student Unions in Mandalay gathered shortly after to raise awareness of the hunger strike and to continue to voice the demand that all political prisoners be released.

Three of his colleagues, Than Htike, Myo Myat San and Myo Htet Paing joined the hunger strike. Additionally, eight defendants in this case dismissed their lawyers in protest, stating they do not believe in Burma's judicial system.

Aung Mhine Hsan's body weight had considerably decreased by the fifth day of his hunger strike and his blood sugar had dwindled to a dangerously low level. On October 26, Aung Mhine Hsan was transferred to a hospital where he received an

IV against his will. He was taken to court directly from the hospital to continue his trial. Aung Mhine Hsan has been separated from other prisoners in Tharrawaddy, but is being monitored closely by prison authorities and medical practitioners.

The Human Rights Defenders Forum (HRDF) joined Aung Mhine Hsan's demand to release all political prisoners ahead of the elections and to grant the striker free access to information and healthcare.

[\(6 October 2015 - Eleven/Burmese\)](#) [\(7 October 2015 - Eleven\)](#) [\(14 October 2015 - Irrawaddy\)](#) [\(20 October 2015 - Myanmar Times\)](#) [\(22 October 2015 - The Nation\)](#) [\(24 October 2015 - Eleven\)](#) [\(27 October 15 - Mizzima\)](#) [\(27 October 2015 - Irrawaddy\)](#) [\(October 2015 - Eleven\)](#)

Five Charged and Fined for Protest March

Five members and supporters of the 88 Karen Generation Students Organization were sentenced by Pegu Township Court, Pegu Division on October 20. They received a 10,000 Kyat fine for charges under Section 18 of the Peaceful Assembly and Peaceful Procession Act.

Nan May Khan, Nan May Ye, Saw Myo Sai, Saw A Tun and Saw Daywa had organised a protest march from Rangoon to Naypyitaw on October 17, but they were stopped on their way through Inntakaw Township, where they were charged under Section 18. The protest

DEMONSTRATIONS AND RELATED RESTRICTIONS ON POLITICAL AND CIVIL LIBERTIES

called for an end to the war in Burma, the release of all political prisoners and specifically demanded the release of Saw Maung Kyi, chairman of the 88 Karen Generation Students Organization, who is currently awaiting trial for charges under Article 17 (e) of the Unlawful Association Act. Despite the setback the students have pledged to continue their march to Naypyitaw.

[\(19 October 2015 - Mizzima/Burmese\)](#) [\(20 October 2015 - Eleven/Burmese\)](#)

USDP Member Charged for Facebook Post Defaming Aung San Suu Kyi*

On October 17 Sithu Aung, a volunteer with Hand to Hand Free Education Network, filed a lawsuit against Than Tun, joint secretary of the Kangyidaunt Township chapter of the Union Solidarity and Development Party, alleging that he is the owner of the account under the name of “Thu Thu”, onto which a picture was posted on September 2 depicting the head of Aung San Suu Kyi photoshopped above a nude body. The case was accepted, and Than Tun was arrested on October 20 by Irrawaddy Division’s Kangyidaunt Township Police and charged under Article 66 (d) of the Telecommunications Law, which criminalizes defamation with a penalty of up to three years imprisonment.

Sithu Aung first had tried to take the matter to the township’s electoral dispute resolution committee, which arbitrated a deal between himself and the accused. However, although

Than Tun agreed to make an “official apology” per the resolution, he later refused to do it in the presence of the media.

*Than Tun released on bail November 2 (further details to be included in November Chronology) [\(2 November 2015 - Irrawaddy\)](#) [\(19 October 2015 - Irrawaddy\)](#) [\(20 October 2015 - Irrawaddy\)](#)

Lu Zaw Soe Win Charged for Defamation against the Military on Facebook, Released Due to Lack of Evidence

On October 16, Facebook user Lu Zaw Soe Win was arrested and taken to Dawbon Police Station, where he was charged for violating Article 66 (d) of the Telecommunications Law. He is accused of having posted insults against former and current government officers. Lu Zaw Soe Win reported to the police two days prior to his arrest that someone had posted the offensives on Facebook under a fake account with the name Zaw Htoo Mg, that was created by using the photograph of his new ID card, which he had previously posted to his personal and commonly used Facebook account.

Lu Zaw Soe Win was released on October 30 without sentence due to lack of evidence by Dawbon Township Court.

[\(20 October 2015 - Myanmar Times\)](#) [\(20 October 2015 - Irrawaddy/Burmese\)](#)

DEMONSTRATIONS AND RELATED RESTRICTIONS ON POLITICAL AND CIVIL LIBERTIES

Four Charged under Section 18 for Assisting NLD-Supporting Trishaw Drivers in Monywa

On October 10, a group of more than 100 trishaw drivers rallied in Monywa, Sagaing Division to show their support for the National League for Democracy (NLD). The group, which organized without official permission, rode through the streets in the area wearing shirts and carrying flags depicting the NLD's fighting peacock logo.

On October 11, four individuals - none of whom organized the event nor are trishaw drivers - received charges from Sagaing Township Police Chief Sein Min under Section 18 of the Peaceful Assembly and Peaceful Procession Act for their part in assisting the drivers. Aung Nay Myo, a freelance photographer and one of the charged, stated that neither he nor the other three arrested planned the event, but that upon request they did help to supply the trishaw drivers with campaign materials. Nay Thiha, a staff member from the NLD Sagaing Division office, and two student activists were also charged. The police noted that the event was not organized by the NLD.

[\(12 October 2015 - Irrawaddy\)](#) [\(12 October 2015 - Eleven/Burmese\)](#)

Two Students Charged under Section

18 for Protesting the Continued Detention of the Letpadan Protesters

Mhone Gyi (aka Phyo Zaw Oo) and Myo Thet Naing (aka Lin Htet Paing, aka Myat Pyue), two members of the All Burma Federation Students Union (ABFSU) led a protest in Monywa District demanding the release of the protesters and students that have been detained in Letpadan Township since the brutal crackdown on the National Education Bill protests in March. The group did not obtain a permit to stage the protest, which was held in front of the Bogyoke Statue in Monywa District on the morning of October 10 and attended by about 30 ABFSU members.

The students marched along Bogyoke, Kyawkar and Tharsi Streets holding posters that marked the seven months of detention for the Letpadan protesters and stated their continued disapproval of the National Education Bill.

In the evening of October 10, the two student leaders were charged under Section 18 of the Peaceful Assembly and Peaceful Procession Act by Sein Min, commander of the Monywa Township Police.

[\(12 October 2015 - 7 Day Daily/Burmese\)](#)

Poet in Hiding after Publishing Anti-President Poem*

A young poet from Rangoon's Shwepyithar Township is evading authorities after receiving charges under Article 66 (d) of the

DEMONSTRATIONS AND RELATED RESTRICTIONS ON POLITICAL AND CIVIL LIBERTIES

Telecommunications Law for posting a lewd poem to Facebook on October 8. The poem concerned the president's image tattooed on his penis. He is the fourth activist to be sued under defamation charges this month regarding social media activities.

Maung Saungkha is a writer and activist, and the director of the Poetry Lover Organization, an organisation that aims to promote peace through poetic literature. He maintains that his poem was not a direct attack on the President, but a comment on oppressive authority in general. Maung Saungkha also participated in the white armband campaign in protest of the violent police crackdown on the Letpadan student protesters.

*Maung Saungkha was arrested November 5 (further details to be included in November Chronology) ([5 November 2015 - Coconut](#))

([20 October 2015 - Eleven/Burmese](#)) ([21 October 2015 - Irrawaddy](#))

their plight is not well known by the international community because of their lack of media connections.

([7 October 2015 - Irrawaddy/Burmese](#)) ([7 October 2015 - Eleven](#)) ([7 October 2015 - Eleven/Burmese](#)) ([7 October 2015 - Mizzima/Burmese](#))

Ethnic Groups Protest Arrests and Detentions

On October 7, ethnic groups staged a protest at Kyaikkasan Ground in Tamwe Township, Yangon. They originally applied to protest in front of the Myanmar Peace Council but were denied permission.

The groups rallied in protest of the continued and pervasive arrests and detentions of individuals from ethnic minorities accused of having connections with unlawful organizations. Representatives noted that

Land Issues

Leader of Farmers' Affairs Network arrested

On October 28, Ko Myo Win, the leader of the Facilitator Network for Interest of Farmers and Labour (FNIFL) was arrested by order of Mandalay's District Prime Minister Ye Myint in Nga Oe Village, Mabein Township, Northern Shan State. He was charged with trespassing and vandalism under Articles 114, 447 and 427 of the Penal Code for supporting farmers who took part in the Plough Protest against the Yay Ta Khun Golf Course project. Ko Myo Win is currently detained in Obo Prison.

[\(30 October 2015 - RFA/Burmese\)](#)

chairman of the village, and the village ward that he planned to visit to report the story.

[\(11 July 2015 - DVB\)](#) [\(12 October 2015 - VOA/Burmese\)](#)

Farmers and Reporter Charged Under Article 447 and Article 427

The military-backed Phoe La Min Company, with the permission of the Southwest Regional Military Command, allegedly seized vacant and wild lands in Myit Wa Yay Gyi Kwin Region, Pantanaw Township in 1999, and has been since accused of confiscating additional farmland in the area belonging to Karen farmers. The farmers, who claim they have never received any form of compensation for the confiscated farmlands, are facing charges under Articles 447 and 427 of the Penal Code for trespassing, in order to cultivate their land.

On October 8, ten of those charged appeared in court. In addition to the farmers, one reporter has also received charges under Articles 447 and 427 of the Penal Code, despite informing the police station,

Key International and Domestic Developments

Eight Ethnic Groups Request Release of Political Prisoners

Eight armed groups and the government signed the National Ceasefire Agreement (NCA) on October 15. One demand by all eight groups has long been the release of political prisoners, and U Khun Myint Tun, chair of the Pa-Oh National Liberation Organization (PNLO), stated that he believes the government will release the political prisoners belonging to the ethnic groups that were signatories to the agreement prior to the upcoming election, as that was a point agreed upon during negotiations. According to the NCA, only members of the eight armed ethnic groups and those imprisoned for their alleged association with the groups under the Unlawful Association Act would be covered by any amnesty issued.

Seven additional armed ethnic groups did not sign the agreement, and three more were excluded from negotiations. President Thein Sein noted that he is confident that additional groups will sign the NCA if the government can successfully implement the negotiated terms with the current signatories, a comment that suggests an amnesty might be on the agenda.

U Tate Naing, secretary of the Assistance Association for Political Prisoners said that the imprisoned members of the eight ethnic armed groups should be released even if not all political prisoners are released at once.

[\(15 October 2015 - The Guardian\)](#) [\(20 October 2015 - Myanmar Times\)](#)

Fortify Rights Releases Detailed Report on Letpadan Crackdown

On October 12, Fortify Rights and the Harvard Law School International Human

Rights Clinic released *Crackdown at Letpadan: Excessive Force and Violations of the Rights to Freedom of Peaceful Assembly and Expression*, a report based on over 500 photographs, 40 videos and 25 interviews with eyewitnesses of the crackdown by police on protesters of the National Education Bill in Letpadan, Bago Region on March 10. The report investigated the use of force and violence by police involved in the crackdown and concluded that the tactics used to disband the peaceful protest were unjustified and extreme.

The report noted that there have been no known repercussions for the officials who instigated and participated in the violent crackdown and recommended that the government “conduct a full, impartial, and independent investigation into the excessive use of force by police, arbitrary arrest and ongoing detentions, and violations of the rights to peaceful assembly and expression in Letpadan on March 10, 2015 and during events that preceded it”.

[\(12 October 2015 - Fortify Rights\)](#) [\(12 October 2015 - Myanmar Times\)](#) [\(12 October 2015 - VOA/Burmese\)](#) [\(12 October 2015 - Mizzima/Burmese\)](#)

Amnesty International Launches Campaign to Release all Prisoners of Conscience

Amnesty International launched a campaign on October 8 - one month prior to the general election - calling for the release of all prisoners of conscience in Burma. The campaign is in conjunction with a newly published briefing titled, *Back to the old ways: a new generation of prisoners of conscience in Myanmar*, that documents the dramatic increase in political repression and numbers of

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prisoners of conscience in Burma since the beginning of 2014.

The campaign exposes the crackdown on freedoms of expression in the lead up to the general election and calls on world leaders and the international community to take a stand against detaining and silencing peaceful activists during this instrumental time.

[\(7 October 2015 - Amnesty International\)](#) [\(7 October 2015 - BBC/Burmese\)](#) [\(8 October 2015 - Amnesty International\)](#)

Conclusion

AAPP has documented a steady increase in political repression and the number of political prisoners in Burma since the end of 2013, where presidential amnesties saw the release of all but 31 political prisoners. On October 8 - one month prior to the general election - Amnesty International released a report highlighting the dramatic increase of prisoners of conscience in Burma and calling for their release, reaffirming this trend. This month - as evidenced by 10 arrests, 8 detentions and 31 sentences of political activists - the trend documented by AAPP and presented by Amnesty International was sharply affirmed. This is contrary to previous thoughts that the government might try to avoid bringing international and domestic attention to human rights abuses in the leadup to the election.

As has become routine, activists were charged and sentenced under Sections 18 and 19 of the Peaceful Assembly and Peaceful Procession Act. While this law should protect the rights of citizens, it is continuously used to suppress freedom of expression and dissent.

The arrest and detention of independent election candidate Myat Nu Khaing, for her alleged participation in a peaceful

demonstration which occurred almost a year ago, is yet another example of authorities in Burma abusing and manipulating the legal system to overtly suppress opposition in the wake of the election.

In addition to legislation conventionally used, this month the government drew on new legislation to make politically motivated arrests. Among these, the cases of Lu Zaw Soe Win, Patrick Kum Jaa Lee and Chaw Sandy Tun stand out. All three individuals were arrested and detained for defamation charges under the Telecommunications Law. This demonstrates that the repressive government is resilient, and in the face of change, will employ new tactics to blatantly stifle dissent. Than Tun, a Union Solidarity and Development Party (USDP) member was also charged for a Facebook post defaming Aung San Suu Kyi under the Telecommunications Law this month. In his case, however, authorities were slower to respond, indicating a double standard whereby cases of defamation against opponents of the ruling party are not responded to as seriously.

Despite continued calls and campaigns for the release of the students and activists charged and detained for their

Conclusion

participation in the National Education Bill protest, 61 students and activists remain detained, many suffering from injuries sustained during the crackdown. The prolonging of their trial is preventing them from receiving adequate healthcare and participating in political activities in the leadup to the election. The government's persistent indifference towards the students' liberty and well-being is demonstrative of a callous disregard for humanity and raises serious concern about the progression of the trial.

The international community, including Amnesty International and US State Department spokesperson John Kirby, spoke out on these cases and have continued to voice concerns that detaining and imprisoning political activists prevents the upcoming elections from being free and fair. Even the Myanmar National Human Rights Commission has officially called for the release of all political prisoners prior to the election. However, the actions by the government this month - continuing to systematically violate freedoms of expression, assembly and association - conspicuously disregard international and domestic pressure.

With 112 political prisoners incarcerated

and 486 activists awaiting trial days before the election, it is clear that the government has defaulted on its promise of reform and has no intention to release political prisoners before the election. As a result, the coming election will not be free and fair.

Links / Resources

October 5

[Military under Investigation after Detained Kachin Man Found Dead \(Irrawaddy\)](#)

[Military under Investigation after Detained Kachin Man Found Dead \(Irrawaddy/Burmese\)](#)

October 6

[Military under Investigation after Detained Kachin Man Found Dead \(Mizzima/Burmese\)](#)

[Students Take Action after Demands to Release Political Prisoners Fail \(Eleven/Burmese\)](#)

October 7

[Thirteen Michaungkan Land Rights Protesters Sentenced, One Avoids Arrest \(Eleven/Burmese\)](#)

[Students Take Action after Demands to Release Political Prisoners Fail \(Eleven\)](#)

[Ethnic Groups Protest Arrests and Detentions \(Irrawaddy/Burmese\)](#)

[Ethnic Groups Protest Arrests and Detentions \(Eleven\)](#)

[Ethnic Groups Protest Arrests and Detentions \(Eleven/Burmese\)](#)

[Ethnic Groups Protest Arrests and Detentions \(Mizzima/Burmese\)](#)

[Amnesty International Launches Campaign to](#)

[Release all Prisoners of Conscience \(Amnesty International\)](#)

[Amnesty International Launches Campaign to Release all Prisoners of Conscience \(BBC/Burmese\)](#)

October 8

[Amnesty International Launches Campaign to Release all Prisoners of Conscience \(Amnesty International\)](#)

October 9

[Graffiti Students Sentenced to 12 and 15 Months Imprisonment \(Irrawaddy\)](#)

[Graffiti Students Sentenced to 12 and 15 Months Imprisonment \(DVB/Burmese\)](#)

[Graffiti Students Sentenced to 12 and 15 Months Imprisonment \(RFA/Burmese\)](#)

[Graffiti Students Sentenced to 12 and 15 Months Imprisonment \(Mizzima/Burmese\)](#)

[Graffiti Students Sentenced to 12 and 15 Months Imprisonment \(Eleven/Burmese\)](#)

October 10

[Graffiti Students Sentenced to 12 and 15 Months Imprisonment \(The Voice/Burmese\)](#)

[Graffiti Students Sentenced to 12 and 15 Months](#)

[Imprisonment \(Eleven/Burmese\)](#)

[Graffiti Students Sentenced to 12 and 15 Months Imprisonment \(Eleven\)](#)

October 11

[Farmers and Reporter Charged Under Article 447 and Article 427 \(DVB\)](#)

October 12

[Letpadan Student Protesters Suffering from Poor Health \(Irrawaddy\)](#)

[Activist Acquitted from Charges \(Eleven/Burmese\)](#)

[Four Charged under Section 18 for Assisting NLD-Supporting Trishaw Drivers in Monywa \(Irrawaddy\)](#)

[Four Charged under Section 18 for Assisting NLD-Supporting Trishaw Drivers in Monywa \(Eleven/Burmese\)](#)

[Two Students Charged under Section 18 for Protesting the Continued Detention of the Letpadan Protesters \(7 Day Daily/Burmese\)](#)

[Farmers and Reporter Charged Under Article 447 and Article 427 \(VOA/Burmese\)](#)

[Fortify Rights Releases Detailed Report on Letpadan Crackdown \(Fortify Rights\)](#)

[Fortify Rights Releases](#)

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[Detailed Report on Letpadan Crackdown \(Myanmar Times\)](#)

[Fortify Rights Releases Detailed Report on Letpadan Crackdown \(VOA/Burmese\)](#)

[Fortify Rights Releases Detailed Report on Letpadan Crackdown \(Mizzima/Burmese\)](#)

October 13

[Activist Charged and Detained for Defaming Facebook Post \(RFA\)](#)

[Activist Charged and Detained for Defaming Facebook Post \(Eleven\)](#)

[Activist Charged and Detained for Defaming Facebook Post \(RFA/Burmese\)](#)

[Activist Charged and Detained for Defaming Facebook Post \(Irrawaddy/Burmese\)](#)

[Activist Charged and Detained for Defaming Facebook Post \(Mizzima/Burmese\)](#)

[Activist Charged and Detained for Defaming Facebook Post \(DVB/Burmese\)](#)

[Activist Charged and Detained for Defaming Facebook Post \(BBC/Burmese\)](#)

[Activist Charged and Detained for Defaming Facebook Post \(Eleven/Burmese\)](#)

October 14

[Husband of Renowned Activist Charged and Detained for Defaming Facebook Post \(BBC/Burmese\)](#)

[Activist Charged and Detained for Defaming Facebook Post \(VOA/Burmese\)](#)

[Activist Charged and Detained for Defaming Facebook Post \(Eleven/Burmese\)](#)

[Activist Charged and Detained for Defaming Facebook Post \(DVB\)](#)

[Detained Letpadan Protesters Permitted to Vote \(Irrawaddy\)](#)

[Students Take Action after Demands to Release Political Prisoners Fail \(Irrawaddy\)](#)

October 15

[Husband of Renowned Activist Charged and Detained for Defaming Facebook Post \(Irrawaddy\)](#)

[Husband of Renowned Activist Charged and Detained for Defaming Facebook Post \(VOA/Burmese\)](#)

[Detained Student Protesters Sentenced to Two Months Imprisonment \(DVB/Burmese\)](#)

[Detained Student Protesters Sentenced to Two Months Imprisonment \(RFA/Burmese\)](#)

[Eight Ethnic Groups Request Release of Political Prisoners \(The Guardian\)](#)

October 16

[Husband of Renowned Activist Charged and Detained for Defaming Facebook Post \(Amnesty International\)](#)

[Husband of Renowned Activist Charged and Detained for Defaming Facebook Post \(Irrawaddy\)](#)

October 19

[Independent Election Candidate Myat Nu Khaing Charged and Detained for Participation in 2014 Protest \(Irrawaddy\)](#)

[Independent Election Candidate Myat Nu Khaing Charged and Detained for Participation in 2014 Protest \(Eleven/Burmese\)](#)

[Independent Election Candidate Myat Nu Khaing Charged and Detained for Participation in 2014 Protest \(DVB/Burmese\)](#)

[Independent Election Candidate Myat Nu Khaing Charged and Detained for Participation in 2014 Protest \(BBC/Burmese\)](#)

[Five Charged and Fined for Protest March \(Mizzima/Burmese\)](#)

[USDP Member Charged for Facebook Post Defaming Aung San Suu Kyi \(Irrawaddy\)](#)

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[Independent Election Candidate Myat Nu Khaing Charged and Detained for Participation in 2014 Protest \(Amnesty International\)](#)

[Independent Election Candidate Myat Nu Khaing Charged and Detained for Participation in 2014 Protest \(The Voice/Burmese\)](#)

[Activist Detained for 14 Months due to Non-Appearance of State Witnesses \(Myanmar Times\)](#)

[Students Take Action after Demands to Release Political Prisoners Fail \(Myanmar Times\)](#)

[Five Charged and Fined for Protest March \(Eleven/Burmese\)](#)

[USDP Member Charged for Facebook Post Defaming Aung San Suu Kyi \(Irrawaddy\)](#)

[Lu Zaw Soe Win Charged for Defamation against the Military on Facebook, Released Due to Lack of Evidence \(Myanmar Times\)](#)

[Lu Zaw Soe Win Charged for Defamation against the Military on Facebook, Released Due to Lack of Evidence \(Irrawaddy/Burmese\)](#)

[Poet in Hiding after Publishing Anti-President Poem \(Eleven/Burmese\)](#)

[Eight Ethnic Groups Request Release of Political Prisoners](#)

[\(Myanmar Times\)](#)

October 21

[Independent Election Candidate Myat Nu Khaing Charged and Detained for Participation in 2014 Protest \(Myanmar Times\)](#)

[Activist Charged and Detained for Defaming Facebook Post \(BurmaNet\)](#)

[Poet in Hiding after Publishing Anti-President Poem \(Irrawaddy\)](#)

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[Thirteen Michaungkan Land Rights Protesters Sentenced, One Avoids Arrest \(DVB/Burmese\)](#)

[Five Activists Sentenced to Five Months and 1,000 Kyat Fine \(Irrawaddy\)](#)

[Five Activists Sentenced to Five Months and 1,000 Kyat Fine \(Irrawaddy/Burmese\)](#)

[Students Take Action after Demands to Release Political Prisoners Fail \(The Nation\)](#)

October 24

[Students Take Action after Demands to Release Political Prisoners Fail \(Eleven\)](#)

October 27

[Month in Review \(MNHRC\)](#)

[Husband of Renowned Activist Charged and Detained for Defaming Facebook Post \(Irrawaddy\)](#)

[Students Take Action after Demands to Release Political Prisoners Fail \(Mizzima\)](#)

[Students Take Action after Demands to Release Political Prisoners Fail \(Irrawaddy\)](#)

[Students Take Action after Demands to Release Political Prisoners Fail \(Eleven\)](#)

October 28

[Husband of Renowned Activist Charged and Detained for Defaming Facebook Post \(Eleven\)](#)

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[Student Leader Kyaw Ko Ko Charged and Detained After Months in Hiding \(Coconuts Yangon\)](#)

[Student Leader Kyaw Ko Ko Charged and Detained After Months in Hiding \(Irrawaddy\)](#)

[Student Leader Kyaw Ko Ko Charged and Detained After Months in Hiding \(Mizzima/Burmese\)](#)

[Activist Charged and Detained for Defaming Facebook Post \(Irrawaddy\)](#)

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[Student Leader Kyaw Ko Ko Charged and Detained After Months in Hiding \(The News International\)](#)

[Student Leader Kyaw Ko Ko Charged and Detained After Months in Hiding \(Amnesty International\)](#)

[Leader of Farmers' Affairs Network arrested \(RFA/Burmese\)](#)

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[Thirteen Michaungkan Land Rights Protesters Sentenced,
One Avoids Arrest \(Irrawaddy\)](#)

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