

AUGUST CHRONOLOGY 2017

Summary of the Current Situation:

There are **229** individuals oppressed in Burma due to political activities,

42 political prisoners are serving prison sentences,

56 are awaiting trial inside prison,

131 are awaiting trial outside prison.



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Accessed August 2017



Assistance Association for Political Prisoners (Burma)

နိုင်ငံရေးအကျဉ်းသားများ ကူညီစောင့်ရှောက်ရေးအသင်း (မြန်မာနိုင်ငံ)

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POLITICAL PRISONERS

▪ ARRESTS

Former Child Soldier Arrested for Speaking Out

On August 18, former child soldier, Aung Ko Htway, abducted at the age of 14, who served in the Burma Military, was arrested by police for allegedly 'defaming' the Military under Section 505(b) of the Penal Code in an interview he gave to Radio Free Asia (RFA) earlier in the month about his experiences. His first court hearing is scheduled to take place on September 1. In the interview,, he recounted how he was taken by a Sergeant and sold to another soldier at a military market. Next, he was taken to a soldier recruitment center where recruits were "Treated like animals" and confined to overcrowded cells. At night, he and other child soldiers were forced to perform intensive manual labor, such as unloading timber from trucks. After completing four months of training at a Military camp in Monywa, he was assigned to Infantry Unit #332 and served as a security guard in the Kokang Region of Shan State. Wanting to pursue his ambition to become a doctor, he asked his superiors to attend university. He was permitted to attend a school for soldiers in Lashio, however, students were not taught academically and were required to perform manual labor instead. Before being recently released in July, he spent nearly ten years in prison for trying to escape from the Military while at the so-called school for soldiers. His death sentence was reduced to a life sentence as a result of a presidential amnesty during the U Thein Sein Government and reduced again to a sentence of ten years in 2015 following another presidential amnesty.

[\(18 August 2017 - RFA\)](#) [\(19 August 2017 - RFA/Burmese\)](#) [\(19 August 2017 - The Voice/Burmese\)](#) [\(19 August 2017 - BBC/Burmese\)](#) [\(20 August 2017 - 7 Day Daily/Burmese\)](#) [\(21 August 2017 - DVB/Burmese\)](#) [\(21 August 2017 - Frontier Myanmar\)](#) [\(21 August 2017 - Mizzima\)](#) [\(21 August 2017 - RFA\)](#)

Mandalay Journalist Arrested in Section 66(d) Lawsuit

On August 28, Mandalay-based freelance journalist Zaw Moe Htet was arrested in relation to charges filed against him under Section 66(d) of the Telecommunications Law for posting 'defamatory' comments on Facebook about Kachin State Chief Minister Dr. Khet Aung. The lawsuit against Zaw Moe Htet was filed on August 26 by Dr. Aung Mai, the son of the Kachin State Chief Minister, who took offense to the 'tongue-in-cheek' and critical comments posted online by the journalist. Zaw Moe Htet reportedly issued an apology and his comments were withdrawn on Facebook.

[\(29 August 2017 - Democratic Voice of Burma\)](#) [\(29 August 2017 - Eleven/Burmese\)](#) [\(30 August 2017 - Eleven\)](#)

▪ CHARGES

Seven Farmers Arrested Over Land Disputes Released on Bail

On August 3, seven farmers from Dawei City, Tennasserim Division, were arrested once more under Section 447 and 427 of the Penal Code for criminal trespass and mischief for preventing the Dawei Development Public Company (DDPC) from working on five acres of confiscated land, originally belonging to the farmers. The land was confiscated by authorities as part of the Dawei City Project Area so that the DDPC could build a private school. According to one of the seven farmers, Chairperson of the Dawei District Farmers Union, Ye Htwe, the lands were seized without notice or compensation. She and one of the other arrested farmers stated that they were taken to the Dawei Township Police Station and were released on bail the same day after appearing before the Dawei Township Court. Previously, on May 13, they were arrested under Sections 447 and 427 of the Penal Code for preventing the DDPC from working on their lands and building the private school. The farmers were released on bail the same day at the Dawei Township Police Station (see [May Chronology](#)). 350 acres of land were seized in total for the New Dawei City Project. Farmers have asked for their lands to be returned back to them if they are not being used for the project and to be properly compensated if their lands are being used as part of the project. In addition, they have asked that the development of the project be stopped until their demands are met.

[\(3 August 2017 - RFA/Burmese\)](#)

Lawsuit Filed Against Ward Administrator Under Section 66(d)

On August 6, a lawsuit was filed against Obo-Shwe Kyin Ward Administrator Shwe Ba under Section 66(d) of the Telecommunication Law at the Aung Myay

Thar Zan Township Police Station in Mandalay Division regarding defamatory Facebook posts he was accused of publishing about State Counselor Daw Aung San Su Kyi as well as the Mandalay Division Government and Parliament. The defendant Shwe Ba has stated that he was the owner of the Facebook account named “Min Tharr Gyi”, however, he maintains he did not personally post any defamatory photos, words or cartoons on the account. The plaintiff in the case has been identified as man named Tun Linn.

[\(25 August 2017 - Mizzima/Burmese\)](#)

Five Villagers Charged for Cultivating Their Confiscated Lands

Five villagers from Law Ka Htoo Village, Karen State, were charged under Section 447 of the Penal Code by four staff members of the Law Pi Ta hydropower project for cultivating their ancestral lands that were confiscated in 1983 to implement the Law Pi Ta hydropower project. Though the lands were abandoned by authorities in 1999, farmers were not allowed to cultivate them. In 2012, villagers heard that the confiscated lands were abandoned again. They therefore planned to utilize the lands once more but were prohibited by authorities. Resident farmer and one of the villagers charged, Lu Yal, said that they were charged by staff members of the project, who allegedly still have the land ownership title, because they cultivated approximately 30 acres of the confiscated lands. In addition, he stated that they wanted their lands back. Senior Lawyer Mar Tee Noe, representing the accused, said that farmers did not apply for an ownership application because of a lack of knowledge about property laws and because some documents were damaged or not saved. As a result of the charges against the farmers, it has been difficult for them to work.

[\(17 August 2017 - BNI/Burmese\)](#)

▪ DETENTION

Manton Township Residents Detained

In early August, approximately ten residents from Manton Township, Shan State, were arrested and detained by the Burma Military. On August 5, Military vehicles were attacked near Manton Township, which prompted Light Infantry Division #77 to conduct inspections of residential houses in Manton Township. Soldiers allegedly arbitrarily arrested and detained approximately ten individuals, including ethnic Kachin and Palaung residents. Family members were denied access to the residents who remain detained at the time of writing on August 11. (11 August 2017 - Burma News International)(11 August 2017 - Burma News International/Burmese)

▪ TRIALS

Voice Daily Editor Released on Bail

On August 4, during a hearing at the Bahan Township Court in Yangon, The Voice Daily Editor, Kyaw Min Swe was released on bail at 22 million kyat (about USD\$20,200). 20 million kyat (about USD\$18,400) worth of the posted bail bond related to his original charge under Section 66(d) of the Telecommunications Law and the other 2 million kyat (about USD\$1,800) to another charge under Section 25(b) of the News Media Law, referred to as the 'Media Law'. Both charges, filed by Lieutenant Colonel Lin Tun, were related to the same satirical article published in the Voice Daily that questioned Burma's peace process. Kyaw Min Swe was arrested along with satirist Kyaw Zwa Naing A.K.A. British Ko Ko Maung on June 2. He was denied bail nine times during the two-month period he was detained. Charges under Section 66(d) against Kyaw Zwa Naing were dropped but he still faces a lawsuit under Section 25(b) of the Media Law and was released on bail set at 1 million kyat (about USD\$730). On August 4, Kyaw Min Swe held a press conference with reporters and spoke out about how authorities are skirting the protocols outlined in the Media Law to prosecute journalists. As a former secretary of the Burma Press Council himself, he spoke of how the prosecution of media personnel should only be made after a complaint is filed with the Council, as outlined in the Media Law. At a court hearing held on August 17, Kyaw Min Swe's lawyer made an appeal to consolidate the two cases against his client into one. The appeal was rejected by the court which reasoned that the cases were distinct because the charges filed under Section 66(d) were in relation to the online version of the satirical article while the charges under Section 25(b) were based on the print version of the article. Kyaw Min Swe was scheduled to appear in court on August 31.

[\(4 August 2017 - DVB/Burmese\)](#) [\(4 August 2017 - RFA/Burmese\)](#) [\(4 August 2017 - VOA/Burmese\)](#) [\(4 August 2017 - Irrawaddy/Burmese\)](#) [\(4 August 2017 - Mizzima/Burmese\)](#) [\(4 August 2017 - The Irrawaddy\)](#) [\(4 August 2017 - Democratic Voice of Burma\)](#) [\(4 August 2017 - Frontier Myanmar\)](#) [\(4 August 2017 - Radio Free Asia\)](#) [\(4 August 2017 - New Haven Register\)](#) [\(5 August 2017 - Eleven\)](#) [\(5 August 2017 - 7 Day Daily/Burmese\)](#) [\(8 August 2017 - Myanmar Times\)](#) [\(18 August 2017 - Myanmar Times\)](#)

Former Taungoo Student Union Members Face Trial

On June 19, Lieutenant Colonel Tun Min Aung from the Burma Military Southern Command filed charges under Section 505(b) of the Penal Code against former members of the Taungoo Student Union - Bago Division, Aung Htet, and Victor for singing songs about constitutional amendments during the Thingyan water festival in Taungoo in April. On August 1, upon being summoned to Taungoo Township Court, Aung Htet was arrested and detained without possibility of bail, as is normally the case for charges under Section 505(b). While in detention awaiting trial at the Taungoo Township Prison, Aung Htet was attacked by another inmate named Nyi Nyi Naing, who repeatedly beat him over the head with a rock. Aung Htet's lawyer blamed the incident on improper supervision by prison guards and accused prison officials, who allegedly deliberately placed rocks near the jail cell, of provoking the attack. On August 15, Aung Htet appeared in court for a hearing and was granted bail upon request by his lawyer on the grounds of the injury he sustained. Aung Htet is scheduled to next appear in court on August 29. A warrant is still out for Victor's arrest. Victor was expected to turn himself in to police in Taungoo but remains at large.

[\(2 August 2017 - RFA/Burmese\)](#) [\(2 August 2017 - The Irrawaddy\)](#) [\(7 August 2017 - 7 Day Daily/Burmese\)](#) [\(15 August 2017 - RFA\)](#) [\(15 August 2017 - RFA/Burmese\)](#) [\(15 August 2017 - Eleven/Burmese\)](#) [\(16 August 2017 - The Irrawaddy\)](#)

Lawsuit Filed Against 58 Farmers for Staging a Ploughing Protest

A lawsuit has been filed against 58 local farmers from Say Ta Lone Village, Pyin Oo Lwin Township, Mandalay Division for staging a ploughing protest on their lands that were confiscated. The two plaintiffs in the case, managers of a coffee project on the confiscated land, filed charges against the farmers under Section 447 of the Penal Code and under Section 26 as well as Section 27 of the Vacant, Fallow, and Virgin Land Act. In 1996, 1,000 acres of land in the area were confiscated to implement a coffee project. Local farmers cultivated the confiscated lands that were not being used for the coffee plantation project in 2016 and a lawsuit was subsequently filed against them. The convicted farmers have claimed that the lands were ancestral and that their families had cultivated the lands for generations. They also claimed to have documents showing taxes that were paid on the land. On August 16, 18 out of the 58 local farmers appeared before the Pyin Oo Lwin Township Court for an initial court hearing and applied for bail in relation to the charges under Section 26 and Section 27 of the Vacant, Fallow, and Virgin Land Act. The Pyin Oo Lwin Township Court granted them bail. Their next trial was scheduled for August 28. AAPPL will report on the outcome of the trial as and when it receives the information.

[\(21 August 2017 - Eleven/Burmese\)](#)

Protesting Farmers and Activists on Trial for Protest in Mandalay

On August 18, 11 farmers and activists facing charges under Section 20 of the Peaceful Assembly and Peaceful Procession Law (PAPPL) appeared at the

Augmyethazan Township Court for their first court hearing and were granted bail. The individuals were charged in relation to a sit-in protest in Mandalay, attended by more than 100 farmers who demanded the Government resolve land confiscation issues, which have led to many lawsuits filed against land protesters. The protest referred to in the case lasted from July 7 - July 28 when it was forcibly broken up by police (See [July Chronology](#)). Charges were filed under Sections 19 and 20 of the PAPPL against eleven activists, including 88 Generation student leaders and members of the Mandalay Division Conflict Mediation Committee, Aung Thu and Soe Htay. On August 4, an arrest warrant was issued for the pair who stated that they would go to the police station on August 9 after a memorial service of the 88 Uprising on August 8.

[\(4 August 2017 - VOA/Burmese\)](#) [\(18 August 2017 - Eleven/Burmese\)](#) [\(19 August 2017 - Eleven\)](#)

Myanmar Now Chief Editor Attends Third Trial Hearing

On August 21, Myanmar Now Chief Editor Swe Win, who faces defamation charges under Section 66(d) of the Telecommunications Law, appeared before the Maha Aung Myay Township Court, Mandalay Division for his third trial hearing. In March, Kyaw Myo Swe filed a lawsuit against the prominent investigative journalist for publishing a Facebook post condemning leader of the ultra-nationalist group the Association for the Protection of Race and Religion (Ma Ba Tha), U Wirathu, who publicly lauded the murder of legal advocate and National League for Democracy (NLD) advisor U Ko Ni. The court hearing adjourned prematurely as the plaintiff in the case, Kyaw Myo Swe, was not in attendance because he was in judicial custody for participation in a nationalist anti-government protest held in Mandalay on August 4. Swe Win was arrested by police at the Yangon Airport on July 30 on

fears that he was fleeing the charges against him. He was taken to Mandalay on July 31 and released on bail the same day. The unfolding of the case has led to a number of CSOs, including the International Federation of Journalists (IFJ), releasing statements urging the Government to repeal or significantly amend Section 66(d). In a related development, according to the Sanchaung Township Police Chief Aung Lwin, permission has been received from the Ministry of Transportation and Communication to charge Kyaw Myo Swe. In March, Mya Mya Htay from Sanchaung Township, Rangoon Division, filed a suit under Section 66(d) of the Telecommunications Law against Kyaw Myo Shwe over a Facebook post allegedly defaming Daw Aung San Suu Kyi. (See attached: [March Chronology](#)) ([1 August 2017 - ASEAN Economist](#))([2 August 2017 - Burma News International](#))([3 August 2017 - Mizzima](#))([2 August 2017 - International Federation of Journalists](#))([7 August 2017 - The Irrawaddy](#))([7 August 2017 - Democratic Voice of Burma](#))([7 August 2017 - Myanmar Times](#))([7 August 2017 - Frontier Myanmar](#))([22 August 2017 - Mizzima](#))([21 August 2017 - The Voice - Burmese](#)) ([21 August 2017 - The Voice/Burmese](#)) ([21 August 2017 - Mizzima/Burmese](#))

Seven Students to be Retried for Defamation

On August 1, the Patheingyi District Court in Irrawaddy Division ordered a retrial to be conducted in the case of the seven students who were acquitted of defamation charges in May, following an appeal submitted by the plaintiff to the Patheingyi District Court. On January 17, the Military filed a lawsuit against nine students for defamation after they staged a drama critical of the armed clashes between ethnic groups and the Military, during a peace discussion at The Bassein Hotel in Patheingyi, Irrawaddy Division. The complaint was filed by Lieutenant Colonel Aung Myo Khaing at the

Patheingyi Township Court, who claimed that the drama acted out by the students damaged the reputation of the Army and their families. On May 12, two students named Aung Khant Zaw and Myat Thu Htet, were officially charged under Section 500 of the Penal code by the Patheingyi Township Court Judge, Win Aung, for defaming the military, but the seven others, who now face a retrial, were acquitted. (See [January Chronology](#) and [May Chronology](#)). ([1 August 2017 - RFA/Burmese](#))

Three Journalists and Three Civilians on Trial Denied Bail

On August 4, the Hsipaw Township Court Judge in Shan State rejected a bail request put forward by six individuals, including three journalists who were charged under Section 17/1 of the Unlawful Associations Act in July. Journalists Aye Naing and Pyae Phone Aung, from the Democratic Voice of Burma (DVB), Thein Zaw A.K.A. Lawi Weng, from The Irrawaddy as well as civilians Mai Tun Aye, Mai San Nyunt, and Mai Aung Kham were arrested on June 26 near Myothit village in Namhsan Township, Shan State, by the Military during their return from covering a drug destroying ceremony conducted by the Ta'ang National Liberation Army (TNLA), in commemoration of the International Day Against Drug Abuse And Illicit Trafficking. The group was arrested on alleged affiliations with the TNLA, an Ethnic Armed Group (EAG) that is currently engaged in conflict with the Military and is classified as an "illegal organization" by the Government. The individuals were allegedly denied bail on the grounds that they were not residents of the area where the trial was being held and that releasing them would potentially create logistical difficulties with regards to their attendance of future court hearings. Plaintiff Captain Thet Naing Oo who filed the case at the Hsipaw Police Station gave testimony during the defendant's initial court hearing on July 28 and again on August 4. While on a five-day trip inspecting

prison facilities in Shan State, Members of the Myanmar National Human Rights Commission (MNHRC) interviewed the detainees at Hsipaw Prison to investigate the legality of their detention on August 9. Member of the MNHRC Yu Lwin Aung spoke to reporters following the interview and stated that the journalists appeared to be in good health. Yu Lwin Aung also described details of the prisoners pretrial detention to media as revealed to him by the prisoners. The journalists said that they were held without food for one day and forced to sleep on a concrete floor one night while being kept incommunicado at a Military base in Namhsan Township, Shan State. On August 11, the defendants attended their third trial hearing at the Hsipaw Township Court. Lawyers of the six defendants appealed the previous decision of the court to deny the six bail. Prosecution witnesses Major Myat Mon Aung and Captain Thaw Zin Aung did not attend the trial and provide testimony, likely prolonging the trial. On August 18, during a court hearing at the Hsipaw Township Court, the defendant's appeal for bail was rejected by judge Kyaw Moe Thu, citing national security concerns and fears that granting bail to the defendants could possibly prolong the trial. On August 25, the three journalists and three civilians appeared at the Hsipaw Township Court for a court hearing, during which they submitted new requests to be granted bail.

[\(4 August 2017 - RFA/Burmese\)](#) [\(4 August 2017 - Irrawaddy/Burmese\)](#) [\(4 August 2017 - Mizzima/Burmese\)](#) [\(4 August 2017 - The Voice/Burmese\)](#) [\(4 August 2017 - The Irrawaddy\)](#) [\(4 August 2017 - Democratic Voice of Burma\)](#) [\(5 August 2017 - 7 Day Daily/Burmese\)](#) [\(7 August 2017 - The Irrawaddy\)](#) [\(9 August 2017 - The Irrawaddy\)](#) [\(10 August 2017 - Myanmar Now\)](#) [\(10 August 2017 - BBC/Burmese\)](#) [\(10 August 2017 - The Voice/Burmese\)](#) [\(10 August 2017 - DVB/Burmese\)](#) [\(10 August 2017 - Irrawaddy/Burmese\)](#) [\(10 August 2017 - DVB/Burmese\)](#) [\(11 August 2017 - RFA/Burmese\)](#) [\(11 August 2017 -](#)

[DVB/Burmese\)](#) [\(11 August 2017 - The Voice/Burmese\)](#) [\(11 August 2017 - DVB/Burmese\)](#) [\(11 August 2017 - The Irrawaddy\)](#) [\(11 August 2017 - The Irrawaddy\)](#) [\(12 August 2017 - 7 Day Daily/Burmese\)](#) [\(12 August 2017 - The Irrawaddy\)](#) [\(11 August 2017 - Democratic Voice of Burma\)](#) [\(11 August 2017 - Radio Free Asia\)](#) [\(17 August 2017 - Myanmar Now\)](#) [\(18 August 2017 - The Irrawaddy\)](#) [\(18 August 2017 - Democratic Voice of Burma\)](#) [\(18 August 2017 - DVB/Burmese\)](#) [\(18 August 2017 - Irrawaddy/Burmese\)](#) [\(18 August 2017 - BBC/Burmese\)](#) [\(18 August 2017 - RFA/Burmese\)](#) [\(18 August 2017 - The Voice/Burmese\)](#) [\(18 August 2017 - VOA/Burmese\)](#) [\(18 August 2017 - DVB/Burmese\)](#) [\(19 August 2017 - 7 Day Daily/Burmese\)](#) [\(21 August 2017 - DVB/Burmese\)](#) [\(21 August 2017 - Myanmar Times\)](#) [\(25 August 2017 - The Irrawaddy\)](#) [\(25 August 2017 - Myanmar Times/Burmese\)](#)

Trial of ABSDF Member Continues

On August 23, the last defence witness gave testimony in the case against Central Committee Member of the All Burma Students' Democratic Front (ABSDF), Min Htay, who faces charges under Section 17/1 of the Unlawful Associations Act. He was arrested by Captain Thet Swe Lin from #21 Military Operation Command Headquarters on December 28, 2016, at the Sein Lone military checkpoint on the Bhamo-Lweje Highway on suspicion of helping the Kachin Independence Army (KIA) (See [January Chronology](#)). Since the time of his arrest, he has been detained in Bhamo Prison, Kachin State. He has reportedly been suffering from high blood pressure. Min Htay's next court hearing is scheduled for August 30 and a sentence is expected to be delivered in early September.

[\(16 August 2017 - RFA/Burmese\)](#) [\(16 August 2017 - 7 Day Daily/Burmese\)](#) [\(24 August 2017 - Mizzima\)](#)

▪ SENTENCES

Farmers Charged by USDP Fined by Kyaukse Township Court

On August 2, the Kyaukse Township Court, Mandalay Division, sentenced three farmers from Tha Mann Thar Village in Kyaukse Township to pay a 500 kyat (about USD\$0.37) fine or spend 15 days imprisonment under Section 447 of the Penal Code for trespassing. Kyaw Shwe, one of three farmers sentenced said that they paid the fine at the court. In 2004, the Ministry of Science and Technology confiscated 419 acres of land that were owned by the local farmers from Tha Mann Thar Village, That Yet Pin Village Tract. The lands were later allegedly handed over to the Union Solidarity and Development Party (USDP). In January 2016, the USDP received the ownership title. Therefore, local farmers were charged when they continued cultivating the lands. Since March 2016, farmers Kyaw Sein, Hla Thein, Wai Kyi and Khin Maung Tint have been on trial. The plaintiff in the case was former Kyaukse Township USDP Member Than Tun. According to the Kyaukse Township Court, Khin Maung Tint was removed from the case because he passed away on July 18. [\(3 August 2017 – The Voice/Burmese\)](#)

Organizers of Football Match Commemorating Founding Day of Arakan Army Sentenced to Two Years Imprisonment

On August 30, Abbot Nanda Thara and Khine Ni Min were sentenced to two years imprisonment with hard labor under Section 17/1 of the Unlawful Associations Act by the Mrauk-U Township Court in Arakan State. Lawyer Tun Hla, who represents the pair, that are currently serving their sentence in Sittwe prison in Arakan State, said that they will appeal the sentence. On April 10, they were arrested in Mrauk Oo Township after a case was filed against them on April 8 by a Light Infantry Battalion #540 under the Unlawful

Associations Act. The men had organized a football match dubbed the 'Arakan Army Cup' among other events, commemorating the founding of the Arakan Army, an Ethnic Armed Group (EAG) the Government deems 'illegal', on April 10, 2009. Authorities had pressured Nanda Thara not to go through with the events. The men were charged with "Having connections to an unlawful association" under Section 17/1 of the Unlawful Association Act.

[\(30 August 2017 - BNI/Burmese\)](#)[\(31 August 2017 - DVB/Burmese\)](#)[\(31 August 2017 - RFA/Burmese\)](#)

▪ RELEASES

Seven Students Released from Prison Following Matriculation Exam

Success

On August 5, five student inmates from Obo Prison in Mandalay and two student inmates from Insein Prison in Rangoon who passed Burma's matriculation with distinction in June were released from prison under presidential amnesty. This was the first year that student inmates were permitted to study and take the matriculation exam at Obo Prison. Seven students in total passed the exam this year. ([7 August 2017 - DVB/Burmese](#)) ([7 August 2017 - Irrawaddy/Burmese](#)) ([7 August 2017 - Mizzima/Burmese](#)) ([7 August 2017 - The Voice/Burmese](#)) ([8 August 2017 - 7 Day Daily/Burmese](#)) ([8 August 2017 - The Irrawaddy](#)) ([9 August 2017 - Myanmar Times](#)) ([9 August 2017 - VOA/Burmese](#))

Five Farmers Acquitted of Charges for Opposing Land Confiscation

On August 4, five farmers were acquitted of charges under Sections 447 and 427 of the Penal Code for trespassing and mischief by the Myittha Township Court in Mandalay Division. On October 18, 2015, they staged a protest on their confiscated lands. In 1963 as well as from 1979-1980 and from 1983-1984, the Ministry of Agriculture and Irrigation confiscated lands that were owned by local farmers for cotton research. Win Myint, manager of the cotton research farm, was the plaintiff in the case. ([4 August 2017 - The Voice/Burmese](#))

Nine of Ten People Arrested from Southern Shan State Released

On August 3, Light Infantry Battalion (LIB) #249 based in Pinlaung Township, commanded by the Eastern Military Headquarters in Taunggyi City, released nine villagers from Kon Kone Village in Mine Pyin Village Tract in Hopong Township,

Shan State. In the early morning of August 3, ten Kon Kone villagers were arrested by LIB #249 and accused of association with the Restoration Council of Shan State/Shan State Army-South (RCSS/SSA-S). However, on the morning of the same day, the Military released 16-year old student Sai Nwan Main and released eight other villagers that night, following meetings between members of LIB #249 and village tract administrators, villager elders and members of the arrest individuals' families. One villager still remains in detention. ([3 August 2017 - Irrawaddy/Burmese](#))([4 August 2017 - VOA/Burmese](#))([4 August 2017 - Tai Freedom/Burmese](#))([8 August 2017 - Irrawaddy/Burmese](#))

11 Villagers Detained by Military Released

On August 13, after negotiations held between the Military and the Peace-talk Creation Group (PCG), 11 detained villagers from Ka Sont Village, Mogaung Township in Kachin State were released by the Military. The 11 Ka Sont villagers were arrested and detained by the Military following fighting near Ka Sont Village between the Military and Kachin Independence Army (KIA). ([14 August 2017 - VOA/Burmese](#))

Women Falsely Convicted Under Section 66(d) Suffers

Factory worker Khin Myo Thin, from Bago Division, who was wrongfully convicted in March under Section 66(d) of the Telecommunications Law regarding 'defamatory' Facebook posts published by an account she maintains was not hers, is reportedly suffering negative consequences as a result of her false conviction. She was allegedly arrested at night on March 5 by plainclothed police upon suspicion that she was the owner of the Facebook account that had published 'defamatory' posts online. She was released after spending 15 nights in jail, but her case has yet to be withdrawn, despite a court order being sent on August 7

to the Waw Township Police instructing the
case to be closed. Since being convicted, she
has lost her job.
(25 August 2017 - Eleven)

RESTRICTIONS ON CIVIL AND POLITICAL RIGHTS

Chin Student Union Appeal Expulsion of Salai Nein Tun

On August 2, General Secretary for the Chin Student Union of Myanmar announced that the organization would be sending a statement appealing the expulsion of second year student Salai Nein Tun from the Nationalities Youth Resource Development Degree College. Salai Nein Tun was expelled from the college on July 28 in relation to his postings on Facebook that were critical of the Government and Military (See [July Chronology](#)). The college has not officially acknowledged his expulsion from the school but instructed him to return to his parents. Previously on July 30, the Chin Student Union of Myanmar along with student unions from seven states, the All Burma Federation of Students Unions and other organizations based in the town of Pakokku released a joint statement condemning the expulsion of Salai Nein Tun. ([2 August 2017 - Myanmar Times](#))

Irrawaddy Farmers Speak out About Land Confiscation

On August 2, farmers from the Irrawaddy Division held a press conference during which they spoke to media about how they have been affected by land seizures under former Government regimes. According to one farmer, Khin Oo, from Shwekyuntha Village, Labutta Township, approximately 8,000 acres of land were seized from 1983 to 1984, when the area was then home to 200 residents. Years later, farmers began using the confiscated land unofficially in 1998 until both the Forestry Department and the Settlement and Land Records Department issued registration cards to farmers for growing crops. Some farmers

were able to tend lands with temporary permission until 2012 when all farmers (approximately 350) were banned completely. Hosts of the press conference alleged that over 100 fellow farmers in the area are currently facing lawsuits under the Forestry Law for attempting to continue using the lands.

[\(3 August 2017 - Eleven\)](#)

FIDH Calls for Charges to be Dropped Against Farmers and Activists

On August 8, the International Federation for Human Rights (FIDH) published a press release urging Burmese authorities to drop charges against 11 farmers and two land rights activists in relation to a ploughing protest staged on October 8, 2016 (See [October Chronology 2016](#)). The peaceful protest was held as a symbolic gesture to signify that the farmers still claimed ownership over the disputed land. Following charges filed by two private companies - Cooperative Bank and Ar-raw Gyan Pharmaceutical - and one local businessman, the 11 farmers and activists Toe Gyi and Myo Win were arrested on October 23, 2016. The 13 individuals were officially charged on October 24, 2016, under Sections 114 (abetment), 353 (assault of a public servant), 427 (mischief), 447 (trespass), and 506 (intimidation) of the Penal Code. After four months in detention, they were granted bail, however, the Pyin Oo Lwin Township Court revoked their bail issuances on June 1, 2017, and issued new arrest warrants. Toe Gyi and eight farmers appeared in court on August 10 and were taken to Obo Prison, Mandalay to be detained. Myo Win and one of the farmers were not present at the court and as a result the judge gave the pair 15 days to present themselves to the court.

[\(8 August 2017 - International Federation for Human Rights\)](#) [\(11 August 2017 - The Irrawaddy\)](#)

Farmers in Katha and Htigyaing Townships Stage Protest Over Confiscated Lands

On August 13, between 150 and 200 farmers from Katha and Htigyaing Townships, Sagaing Division, staged a protest demanding the return of their confiscated lands. Between 2005 and 2008, various companies including Great Wall, Honda-Myanmar, Good Brother, YFC and an industrial nickel project, allegedly illegally confiscated over 16,000 acres of land from 17 village tracts in Katha and Htigyaing Townships. Even though local farmers had submitted a case for the issue to be resolved by the Committee for Scrutinizing Confiscated Farmlands and Other Lands, the Committee still has not worked on it. When companies confiscated the land, farmers received 50,000 kyat (about USD\$37) per acre of land for crop compensation if the lands were already cultivated and Good Brother Company compensated 200,000 kyat (USD\$150) per acre of sugarcane field that was confiscated. [\(13 August 2017 - DVB/Burmese\)](#) [\(14 August 2017 - 7 Day Daily/Burmese\)](#)

Pauk Township Residents Protest Over Land Confiscation for Military Equipment Factory

On August 18, approximately 500 residents from Pauk Township, Pakokku District, Magway Region, affected by the confiscation of land for the construction of Defence Equipment Factory No.24, staged a protest expressing their grievances and difficulties as a result of the land confiscation. Farmers have been inadequately compensated since 30,000 acres of farmland across 12 villages in Pauk Township were confiscated for the construction of the factory in 2008.

Protestors demanded to know why a curfew had been imposed in the area. In addition, they also called for intervention into the land issue from the land investigation commission, the right to move freely on village roads, the return of their lands and a ban on dumping industrial waste into streams. Residents in the area are greatly inconvenienced by a curfew that restricts their movement, which was imposed along with a ban on about 20 activities, some essential to the livelihoods of locals.

[\(18 August 2017 - DVB/Burmese\)](#) [\(18 August 2017 - Eleven/Burmese\)](#) [\(19 August 2017 - Eleven\)](#)

LEGISLATION AND POLICY DEVELOPMENTS

Lower House MPs Deem Amendments to Farmland Law Inadequate

On July 31, 26 Members of Parliament (MPs) from the Lower House of Parliament discussed the proposed Bill to amend the Farmland Law and concluded that the revisions to the piece of legislation were lacking. MPs cited concerns about the amendments having the potential to foster corruption and the vague wording of certain protocols. Last month, the Land in Our Hand (LIOH) network, consisting of nearly 50 civil society organizations, released a joint statement in objection to the proposed amendments (See [July Chronology](#)). Global Witness also released a similar statement in July, urging the Government to be more thorough in regard to land legislation reform.

[\(2 August 2017 - Myanmar Times\)](#)

Parliament Amends Telecommunications Law

On August 2, the Upper House of Parliament approved amendments proposed by the Upper House Bill Committee to the controversial Telecommunications Law. Following heated debate, Members of Parliament (MPs) voted on two proposals, including one that sought to terminate Sections 66(c) and 66(d), and another put forward by the Upper House Bill Committee, which proposed minor amendments to Sections 66(a)(b), and (d). According to National League for Democracy (NLD) MP Tin Aung Tun, who submitted the proposal the previous week for articles 66(c) and 66(d) to be repealed, out of 224 seats, 59 MPs voted in favor, 92 objected, 23 abstained, and 19 did not attend the vote but were present in Parliament. In the vote on the Upper House Bill Committee's proposal seeking to make minor

amendments to Sections 66(a)(b), and (d), out of 224 seats, 153 voted in favor, 24 voted against, four abstained, and 11 were absent. The Upper House Bill Committee's accepted proposal made minor amendments to Section 66(d) but preserved much of the core provisions. Third parties would be prohibited from filing cases unless granted legal power to do so by the 'defamed' individual. The amendment allowed for the possibility of bail to be granted to the defendant but will still be left to the discretion of the judge. On August 10, the Lower House Bill Committee presented their observations to the Lower House on the amendments to the Telecommunications Law approved by the Upper House. The Committee made an appeal for the prison sentence outlined in the Law to be reduced from a maximum of three years to a maximum of two years, enabling the offense to become bailable. The Code of Criminal Procedure prohibits the issue of bail for offenses that carry sentences that are three years or longer, restricting the provision of bail in most Telecommunications Law cases. On August 18, the Lower House Bill Committee's proposed amendments to the law were approved by the Lower House. On August 24, the Bill was forwarded back to the Upper House where it was passed. The Bill was later confirmed by the Parliament on August 25 and approved by President U Htin Kyaw on August 29.

[\(2 August 2017 - The Irrawaddy\)](#) [\(2 August 2017 - Anadolu Ajansi\)](#) [\(2 August 2017 - Coconuts\)](#) [\(2 August 2017 - RFA/Burmese\)](#) [\(2 August 2017 - The Voice/Burmese\)](#) [\(2 August 2017 - VOA/Burmese\)](#) [\(3 August 2017 - 7 Day Daily/Burmese\)](#) [\(3 August 2017 - DVB/Burmese\)](#) [\(3 August 2017 - VOA/Burmese\)](#) [\(3 August 2017 - Mizzima\)](#)

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MOE Abolishes Rules Prohibiting Student Participation in Political Activities

On August 10, the Ministry of Education (MoE) announced the cancellation of all rules that prohibit the participation of students in political activities. Six offences outlined in the University Entrance Guide Book, some of which carrying criminal penalties like Section (d), have been repealed. Sagaing Education College student Zaw Ye Htut, who was expelled from college for involvement in a protest earlier this year was pleased about the change. Zaw Ye Htut was arrested on April 26 and charged under Section 19 of the Peaceful Procession and Peaceful Assembly Law for protesting in front of the Department of Higher Education in Mandalay (see [April Chronology](#)). He was subsequently expelled from college for the

conviction but was allowed to re-enroll in June.

[\(9 August 2017 - RFA/Burmese\)](#)[\(11 August 2017 - Myanmar Times\)](#)

Four of Eight NCA Principles Agreed Upon by DPN and Peace Commission

On August 10-11, the Delegation for Political Negotiation (DPN), consisting of delegates representing the ethnic armed group alliance known as the United Nationalities Federation Council (UNFC), agreed to four principles out of eight during its sixth meeting with the Government's Peace Commission. The principles agreed upon related to the signing of a nationwide ceasefire agreement (NCA) and the establishment of a federal union. The remaining four points will be discussed at an upcoming meeting, during which DPN members hope to conclude the agreement. On August 12, UNFC member Shan State Progressive Party/Shan State Army-North (SSPP/SSA-N) resigned from the coalition. The UNFC now consists of the following Ethnic Armed Groups (EAGs): Karenni National Progressive Party, New Mon State Party, Arakan National Council, and the Lahu Democratic Union.

[\(10 August 2017 - RFA/Burmese\)](#) [\(11 August 2017 - RFA/Burmese\)](#) [\(11 August 2017 - DVB/Burmese\)](#) [\(12 August 2017 - Eleven\)](#)[\(14 August 2017 - Democratic Voice of Burma\)](#) [\(15 August 2017 - Burma News International\)](#)[\(18 August 2017 - Myanmar Times\)](#)[\(21 August 2017 - Democratic Voice of Burma\)](#)

Upper House Approves Bill to Amend Penalties for Illicit Drug Offences

On August 16, the Upper House approved a bill to amend the Narcotic Drug and Psychotropic Substances Law (NDPSL), changing the penalties associated with minor drug-related offences from lengthy prison sentences to community service. Under the existing current law, minor drug-related offenses are punishable by prison sentences of three to five years. Under the amended law, offenders would receive

sentences of community service ranging from 240 hours to 360 hours, possibly including tasks such as gardening, cleaning, road and bridge repair, and/or work for a social services organization. The amendment is the result of consultations held by the Ministry of Home Affairs, the Government's Central Committee for Drug Abuse Control and the United Nations Office on Drugs and Crime (UNODC) to reform the NDPSL, Burma's primary law on illicit drugs.

[\(17 August 2017 - VOA/Burmese\)](#) [\(17 August 2017 - 7 Day Daily/Burmese\)](#) [\(17 August 2017 - Eleven/Burmese\)](#) [\(17 August 2017 - Democratic Voice of Burma\)](#) [\(19 August 2017 - The Irrawaddy\)](#)

INSTITUTIONAL REFORM

MNHRC Submits Findings and Recommendations Following Shan State Prisons Inspections

On August 7, members of the Myanmar National Human Rights Commission (MNHRC) began their five-day trip inspecting prison facilities in Shan State. Inspections of jail cells in police stations and courts in Lashio and Hsipaw were carried out as part of a broader mission to inspect prisons in Burma nationwide. The inspection group was scheduled to meet with three recently detained journalists and three civilians. The six individuals were arrested on June 26 near Myothit village in Namhsan Township, Shan State, by the Military during their return from a drug destroying ceremony conducted by the Ta'ang National Liberation Army (TNLA), in commemoration of the International Day Against Drug Abuse And Illicit Trafficking. After interviewing the detained journalists at Hsipaw Prison for nearly six hours, leader of the inspection group Yu Lwin Aung stated that according to defendants' accounts they had not broken the law. The Commission forwarded their wider findings on the conditions of 14 prisons inspected by the Commission, out of 46 in the country, to the Ministry of Home Affairs and made recommendation to the Ministry of Defence regarding the case of the three detained journalists and three detained civilians, stating that the individuals should have not been arrested. Speaking to media, Yu Lwin stated that the MCHRC believes and has recommended that no legal action should be taken against the journalists covering the drug burning ceremony, which was also attended by locals as well as public servants, since the individuals were simply doing their jobs in a public space.

[\(7 August 2017 - The Irrawaddy\)](#)[\(9 August 2017 - The Irrawaddy\)](#) [\(10 August 2017 -](#)

[BBC/Burmese\)](#) [\(10 August 2017 - The Voice/Burmese\)](#) [\(10 August 2017 - DVB/Burmese\)](#) [\(10 August 2017 - Irrawaddy/Burmese\)](#) [\(14 August 2017 - Myanmar Times\)](#) [\(21 August 2017 - MNHRC/Burmese\)](#) [\(30 August 2017 - The Irrawaddy\)](#)

CSOs Disproportionately Bear Burden of Mental Health Care for Former Political Prisoners

In an article from the Democratic Voice of Burma (DVB) published on August 21, AAPP Joint Secretary Ko Bo Kyi spoke to a reporter about the lack of mental health care provided by the Government to former political prisoners, highlighting that civil society organizations (CSOs) such as AAPP have been left to fill this gap. Many former political prisoners struggle to overcome depression, and anxiety, as well as feelings of being shunned and isolated after their release from prison. Years of imprisonment and torture take a toll on the mental health of former political prisoners who, upon their reintegration into society, are often treated as outsiders, occasionally even by their own families, which frequently results in a lack of economic and social opportunities. In light of the lack of state mental health services available to former political prisoners, despite the transition of power to Burma's civilian led Government that is staffed by several former political prisoners, AAPP called on the Government to adopt a reparations policy and a system of financial support for the numerous victims of state sanctioned abuses.

[\(21 August 2017 - Democratic Voice of Burma\)](#)

Three New Prisons to Open by the End of 2017

Spokesman of the Prisons Department, Min Tun Soe, has stated that new prisons in Mohnyin Township, Kachin State, Kyaikmaraw Township, Mon State, and Daik-U Township, Bago Region, will open by the end of this year. He added that the opening of the new prisons could help ease some of the problems that plague the prison system in the country, such as prison overcrowding. Another prison is reportedly under construction in Magwe Region that could be completed in three years.

[\(20 August 2017 - RFA/Burmese\)](#) [\(20 August 2017 - Eleven/Burmese\)](#) [\(20 August 2017 - The Voice/Burmese\)](#) [\(22 August 2017 - Myanmar Times\)](#)

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