

JUNE CHRONOLOGY 2019

Summary of the Current Situation:

There are **466** individuals oppressed in Burma due to political activity.

34 are currently serving prison sentences,

161 are awaiting trial inside prison,

271 are awaiting trial outside prison.



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

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MONTH IN REVIEW

June in Numbers

Sentenced: 8

Arrests: 86

Charged: 76

Released: 7

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“As a consequences of the continued conflict between the military and the Arakan Army(AA) in June, a worryingly high level of ethnic people have been arrested and tortured.”
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June Month in Review

International Day in Support of Victims of Torture

June 26 is the International Day in Support of Victims of Torture; however in Burma, people who have been tortured have received neither compensation or support. Furthermore, torture is

continuing across the country. Meanwhile the perpetrators of such torture enjoy impunity as most of them are in positions of power. As a consequences of the continued conflict between the military and the Arakan Army(AA) in June, a worryingly high level of ethnic people have been arrested and tortured.

Consequences of Conflicts Occurring in Ethnic Areas

Torture

- Myo Hein Swe and Soe Maung Than, residents of Tin Htein Kan village in Mrauk-U Township, Arakan State, were arrested and charged under the Counter-Terrisom Law and Explosive Act, testified at the Kyauktaw Township Court that they had been tortured while they were being investigated. Furthermore, Nay Myo Tun, Pauk Taw Pyin Villager in Mrauk-U Township, died while he was under investigation (Brigadier General Zaw Min Tun of the Tatmadaw True News Information team said the detainee's health had deteriorated while he was in custody, and he died en route to the hospital)

In addition, civilians in other parts of the country are still suffering torture at the hands of the States security forces. Sai Htun who works in China but lives in Shan State's Hsenwi Township, was severely injured when he was arrested and beaten by the Muse Police while he queueing at the border gate. Tun Myint Win a.k.a Ko Tun, Aung Tha Pyay Villager in Patheingyi Township, Mandalay, who was arrested and charged for accused of staging a protest against a coal-fired cement factory, died due to injuries received while in police.

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Torture is a serious human rights violation and a crime against humanity. Accordingly, it is essential to introduce transitional mechanisms for those who had suffered from torture. Reparation and rehabilitation is required for transitional justice to be achieved. As long as there is no justice for survivors, true national reconciliation will not be obtained. As such, the government should work to create and enact a compensation law for victims. Moreover, actions should be taken against perpetrators and impunity should be ceased. AAPP also urges the government to ratify the United Nations Convention Against Torture (UNCAT) immediately.

Arrests, Disappearances, Charges, Resignations, Killings and Injuries

- In June, the military had arrested 36 villagers from Mrauk-U Township, 25 villagers from Kyauktaw Township, six villagers from Buthidaung Township and seven villagers from Sittwe Township, under suspicion of association with the Arakan Army (AA).
- On June 14, Kyaw Aye, living in Thandaung Village, Paletwa Township in Chin State, disappeared while returning to his village from Mrauk-U Myoma Market in Arakan State.
- A total of 52 village heads in Kyauktaw Township, Arakan State resigned from their positions due to fears for their safety.
- A total of 11 civilians died and 24 were injured in Minbya, Ponnagyun and Mrauk-U Townships, Arakan State following the shooting and explosion of mortar rounds.

When these conflicts have occurred, the indigenous people have suffered the most. Following a rise in the conflict between the Burma Army and AA, arrests, charges, killings and injuries in Arakan State have risen concurrently. Therefore, we urge the government to implement the peace process immediately and to end the conflict.

The number of human rights violations committed by Ethnic Armed Groups is also alarming. In June, the Arakan Army arrested Monk Nanda Marla and Mae Ma Chay, who are from Yey Soe Chaung Village under suspicion of them being informants to the military and forced them to marry. The Arakan Army arrested Sein Tun who lives in Thayet Thapin Village in Kyauktaw Township in Arakan State and who is working for the head of forestry in the Forestry Department. The Zomi Revolutionary Army (ZRA) sent a letter with bullet to Than Swang who has been accused of illegal mining in Kalay Township, Tedim's Mwetawng area, Sagaing Division and they will take 'revolutionary procedures' if he is caught mining there again. Karen National Union/Karen National Liberation Army(KNU/KNLA) confirmed that they arrested an administrator and five Ten/Hundred Household Administrators from villages in Mi Zine Village Tract, Hpa-an Township in Karen State on June 18. These armed groups opposed and fought against the dictatorship and should therefore cease the kind of actions and abuses of power they fought the military to stop. Moreover, they must protect the indigenous people who are targeted by both ethnic armed groups and the military.

Freedom of Speech

Activists, civilians and farmers have continued to be oppressed for exercising their freedom of speech. In June, the incidents below show how freedom of speech is restricted:

- Five Karen activists, Khu Kyu Peh Kay, Pyar Lay, Myo Hlaing Win, Khun Thomas, Dee De and Khu Reedu, were charged under Section 10 of the Citizens Privacy and Security Law were arrested in June. Nay Zar Tun, elder sister of former child soldier Aung Ko Htwe, who was charged under Article 505(b) and 153 of the Penal Code, was arrested after turning herself into the Dagon Myothit Seikkan Township court on June 19th. Tin Maung Kyi, an executive member of Movement for Democracy Current Forces (MDCF), was arrested and charged under Section 19 of PAPPL while holding a solo protest (He was released on bail on the same day he was arrested). Two Kachin youths, Pawlu and Seng Nu Pan, were charged under Section 19 of PAPPL for their role in organizing a pair of street performances held on June 9 to mark the eighth anniversary of the war in Kachin State. Former Military Captain Nay Myo Zin was charged under Section 505(a),(b) and Section 500 of the Penal Code at the Wakema Township Court in Irrawaddy Division for allegedly defaming the military at a talk held in Wakema Township to support the amendment of the 2008 Constitution. Htin Kyaw, leader of MDCF, was sentenced to two years imprisonment with hard labour under Section 505(b) of the Penal Code for criticizing the Rangoon Division Government and Ministry of Home Affairs.

As demonstrated by the above incidents, the conditions of freedom of speech in Burma is worrying. Sections 18, 19 and 20 of PAPPL, Penal Code 500, 505(a)(b) and Section 10 of the Citizens Privacy and Security Law become the favored laws and tools of the government to prosecute activists, which has had a disastrous effect on freedom of speech.

Land Issues

Throughout June farmers, land rights activists and civilians have faced more restrictions due to land confiscations and land disputes. In June, the military filed charges against a total of 50 farmers, three reporters and one activist.

- After a farmers' protest in Kayah State, three reporters and nine protesters are facing a lawsuit from Captain Aung Myo Tun of No. 360 Artillery Battalion of the Burma Army, under Article 12 of the Law Protecting the Privacy and Security of Citizens. According to the Burma Army and Captain Aung Myo Tun, the reporters aided protesters by documenting real-time reports of protesters removing fences and trees on the battalion's compound. The Myanmar Press Council is suggesting the reporters only be sued under Media Laws, not Privacy Laws. The reporters facing lawsuits report for Democratic Voice of Burma (DVB), Eleven Media Group and Kantarawaddy Times.
- Local farmer Sein Sein Soe a.k.a Zee Kwat from Palaung Village, Maletto Village Tract in Maubin Township, had been charged under Section 10 of Law Protecting the Privacy and Security of Citizens for defamation by the owner of

Orchard Company Doctor Myint Sein. She made a complaint regarding the difficulties that farmers face when State Counselor Aung San Suu Kyi visited Maubin Town in Irrawaddy Division on April 2.

- 42 farmers from East Dawso Village in Demoso Township, Kayah State, were charged under Section 427 of the Penal Code and under Section 447 of the Penal Code for cultivating their confiscated land.
- Land Rights Activists Myo Win, Toe Gyi, Aye Thein, Saw Maung Gyi of Chairman of Social Development Committee in Karen State's 88 Generation student organization and two other members and a farmer have been sentenced to imprisonment and need to pay a fine under Sections 18, 19 and 20 of PAPPL.

As Burma had already ratified the International Covenant on Economic, Social and Cultural Rights (ICESCR), the government must follow and address its obligations. Also, State Counselor Aung San Suu Kyi had urged land confiscators to return lands to original owners immediately, land confiscators must return this confiscated land.

Prison Reform

Prison reform is long overdue in Burma, yet there have been some small developments in June. A new family visiting centre in Insein Prison was opened on June 23. Furthermore, according to the Correctional Department, a total of 171 inmates across the country took the 2018-19 matriculation exam and 94 inmates out of 171 passed, with a percentage of 54.97%. Therefore, the pass percentage has risen compared to the previous year. Even though AAPP welcomes the progress in prison reform, prisons in Burma are still facing high levels of overcrowding. Yu Lwin Aung, member of the Myanmar National Human Rights Commission (MNHRC), has stated that three prisons in Northeastern Burma - Myitkyina, Lashio and Nyaungshwe - are operating at triple their capacity. MNHRC also stated that three other prisons have exceeded their capacities by more than 100 percent, two prisons have exceeded theirs by more than 90pc, two have exceeded theirs by more than 50 pc, and three have 40 percent more prisoners than they were designed for. [On June 3, Deputy Minister of Ministry of Home Affairs, Major General Aung Thu, said at the Pyithuhluttaw, Ministry of Home Affairs is planning to start implementing the parole syste, and the ministry has started drafting a bill for monitoring the inmates released under the parole system. After the enactment of this law, the ministry will implement it in accordance with the law.](#)

As prison overcrowding is a serious human rights violation, we welcome these positive steps in prison reforms. AAPP also frequently urges the government to reform the prisons. Moreover, AAPP has previously released many reports in regards to the prison reforms. Therefore, to fully achievement of the human rights of prisoners, we urge the government to continue to reform the prisons immediately without any further delays.

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