

SEPTEMBER MONTH IN REVIEW

Summary of the Current Situation:

There are **606** individuals oppressed in Burma due to political activity.

56 are currently serving prison sentences,

187 are awaiting trial inside prison,

363 are awaiting trial outside prison.

Kachin youth activists Paul Lu sentenced to three months imprisonment for holding anti-war protests



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Assistance Association for Political Prisoners (Burma)

နိုင်ငံရေးအကျဉ်းသားများ ကူညီစောင့်ရှောက်ရေးအသင်း (မြန်မာနိုင်ငံ)

P.O Box 93, Mae Sot, Tak Province 63110, Thailand

E-mail: info@aappb.org, info.aappburma@gmail.com Website: www.aappb.org



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September in Numbers

- Sentenced: 16
 - Arrests: 17
 - Charged: 16
 - Released: 10
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Month in Review for September

September 15 is the International Day of Democracy. However, Burma has deviated from the way of democracy due to ongoing widespread violations of human and civil and political rights. [The values of freedom, the respect for human rights and the principle of holding periodic and genuine elections by universal suffrage are essential elements of democracy.](#) These values are embodied in the [Universal Declaration of Human Rights \(UDHR\)](#) and [International Covenant on Civil and Political Rights \(ICCPR\)](#), yet are sadly missing in Burma today. In order to create conditions conducive for democracy to flourish, the Assistance Association for Political Prisoners (AAPP) urges the government to promote democratic values and protect the human rights of all civilians and make genuine efforts to stop the conflict in ethnic areas.

Freedom of Expression and Freedom of Speech

In September, a total of 22 activists, civilians and labour face oppression for exercising their democratic right to freedom of expression. In September the following cases illustrate the threats faced for activists across the country;

- Three activists, Naw Ohn Hla, Saw Albert Cho and Sa Thein Zaw Min, and Than Hla from Sittwe in Arakan State had been arrested under Sections 19 or 20 of PAPPL. Kachin activists Paul Lu and Seng Nu Pan, Nhkum La Nu and Malang Hka Mai had been arrested and sentenced. Seven garment workers from Myanmar Knitting Company in Patheingyi Industrial Zone in Ayeyarwaddy Division and one labor activists are facing charges under Section 19 of PAPPL. In Myawaddy Mingyi Sayadaw U Arriyawuntha had filed under Section 505(a) of the Penal Code. A Buddhist monk in Mandalay Division, U Sein Ti Ta, cartoonist Naing Zaw Oo and member of the Tad-U Development Committee Ba Hein Tin were charged under Section 66(d) of the Telecommunication Law. Former Military Captain Nay Myo Zin was sentenced to imprisonment under Section 505(a)(b).

Freedom of Expression and Freedom of Speech are threatened by the use of PAPPL, Telecommunication Law, Penal Code 505(a)(b). Accordingly, AAPP urges the government to amend these laws urgently. We urge the government to work for human rights by promoting freedom of speech and freedom of expression.

Consequences of Conflicts Occurring in Ethnic Areas

Even though September 21 is the International Day of Peace, indigenous communities continue to disproportionately face challenges related to conflicts in ethnic areas. In September, conflicts have continued in Arakan State and Shan State, which has meant ethnic minorities face arrests and charges. Moreover, many ethnic civilians were forced to labour, to serve as guides for, and face torture from, armed groups. Some incidents from September are shown below for example;

- In September, the military arrested monk U Kawidaza with village administrator U Wai Soe Tun and villager U Myat Maung from Owe Hthing Village under Mrauk U township in Arakan State. In addition, the Military had arrested Maung San Thein from Ah Ngu Maw Village, Rathedaung Township, Arakan State and Inspector of Ah Ngu Maw Police Station filed a lawsuit against him under Section 50(a), 51(c) and 52(a) of the Counter-Terrorism Law. Moreover, Sin Aye Thar, Maung Hla Aung and Nyi Nyi Aung from Min Bya Township in Arakan State are forced to work as porters by the Military. The 13 villagers from Saing

Leing Village in Mantong Township, Shan State who were taken by the Military's Light Infantry Battalion 421 and forced to walk in front of the soldiers as protection to the frontlines of the conflict between the Ta'ang National Liberation Army (TNLA). Two men from Lun Kyauk Village in Mong Ping Township, Eastern Shan State have been arrested by the Military. They were beaten during investigation and later released.

The indigenous people will continue to face these abuses until Burma achieves national reconciliation and nationwide peace. [On September 17, ceasefire talks in Kengtung in Shan State were held between the government's National Reconciliation and Peace Centre \(NRPC\), military's representatives and four ethnic armed groups — KIO \(Kachin Independence Organisation\), MNTJP \(Myanmar National Truth and Justice Party\), PSLF \(Palaung State Liberation Front\), and ULA \(United League of Arakan\).](#) Seven Points were agreed including the need to reduce conflict. We welcome these positive steps and urge the government to sign the [Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment \(UNCAT\)](#), to organize the independent investigation commission and take effective actions against those who are responsible for these abuses.

Prison Reforms

Seng Nu Pan, who was released from Kachin State's Myitkyina Prison on September 16, described the current [Condition of Myitkyina Prison](#). In Myitkyina Prison, over 90 percent of prisoners are imprisoned in relation to the drug cases and prisoners have to pay money to receive bedding, are only allowed 15 cups of water for showering, are beaten and tortured by prison staff and women prisoners are not allowed to go to the library.

In Kayah State, six Karenni young activists, who are awaiting trial in prison under Section 10 of the Citizen Privacy and Security Law, have been denied access to visits from friends, family and supporters and are under a solitary confinement as they staged a protest in prison. In Mandalay Division, according to a July 23 amendment of the Child Law, youth rehabilitation centers must now accept all children under the age of 18 who are facing trial. Now, the Mandalay Youth Rehabilitation Centre is over its capacity of 200 juveniles and currently holds a staggering 480 youth.

It is clear that all prison staff need to urgently understand and follow the [Basic Principles for the Treatment of Prisoners](#) and [Standard Minimum Rules for the Treatment of Prisoners](#) along with [Universal Declaration of Human Rights \(UDHR\)](#) and to provide trainings staff from the authorized organizations in how to respect the human rights of all prisoners.

Judiciary System

The prolonged trial, so common in Burma, debilitates the judiciary system. In September two heavily prolonged cases came to light. A decision has not yet been made in a five-year-old defamation case, filed against staff members of the Weekly Eleven Journal.

After facing trial for two years, a decision has finally been made against eight farmers from Maletto village-tract in Maubin Township, Ayeyarwaddy Division.

These cases shows the challenges of judiciary system and those facing trial. As [Judiciary System of Burma based on English Common Law Legal System](#), it is necessary to amend in the judiciary system. Especially, the judiciary system will be more effective if we reestablished the Ministry of Justice which was closed in 1948. As Burma is implementing the [Judicial Strategic Plan \(2018 - 2022\)](#) the weakness of the judiciary system should be reviewed immediately and the government needs to address these issues without delay.

Land Issues

Land issues remain a major issue. In September, approximately 60 local farmers staged a protest to demand the proper compensation for land seized from local farmers for oil exploration in the Mann oilfield area in Minbu Township, Magway Region. Farmers whose land has been confiscated by the Hpa-an Correctional Department in Karen State, staged a protest against the actions of the Karen State Government. Local farmers in Chin State held a press conference to get back their farmland which were confiscated in Hakha and the surrounding area. The delay process to return the confiscated land affects not only farmers but also the land sector. Therefore, we urge the government to follow the ratification of the [International Covenant on Economic, Social and Cultural Rights \(ICESCR\)](#) and solve the land issues urgently.



For more information:

Assistance Association for Political Prisoners (AAPP)

Tate Naing (Secretary)

+95(0) 9428 023 828

U Bo Kyi (Joint-Secretary)

+95(0) 942 503 8840



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