



# Assistance Association for Political Prisoners (Burma)

နိုင်ငံရေးအကျဉ်းသားများကူညီစောင့်ရှောက်ရေးအသင်း (မြန်မာနိုင်ငံ)

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## MONTHLY CHRONOLOGY – MARCH 2010

### Summary of current situation

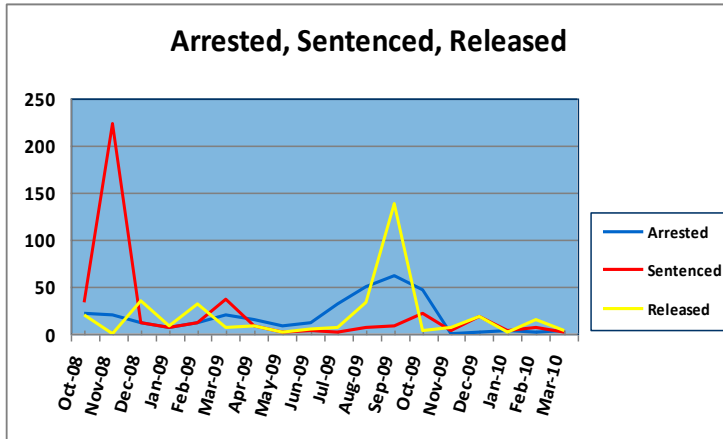
There are a total of **2,186** political prisoners in Burma, an overall increase in comparison to last month's figure of 2,185. In March, **3** activists were arrested and **3** political prisoners were released. The AAPP also received information about activists who were arrested and released before March 2010, and this retroactive information explains why there is actually an overall increase of 1 this month.

These include:

CATEGORY	NUMBER
Monks	253
Members of Parliament	12
Students	282
Women	177
NLD members	431
Members of the Human Rights Defenders and Promoters network	33
Ethnic nationalities	210
Cyclone Nargis volunteers	20
Teachers	29
Doctors	12
Media activists	41
Lawyers	11
In poor health	137

Since the protests in August 2007 leading to September's Saffron Revolution, a total of **1,161** activists have been arrested and are still in detention.

## Monthly Trend Analysis



During the month of March 2010, at least **3** activists were arrested, **2** were sentenced, **3** were transferred, and **3** were released. At least **137** political prisoners are in poor health due to the harsh prison conditions, transfers to remote prisons where there are no doctors, and the denial of proper medical care.

Highlighting the month of March was the contentious release of the junta's election laws for the upcoming 2010 national elections. Under these election laws all current political prisoners, including Daw Aung San Suu Kyi, are prohibited from participating in the elections. The laws prohibit anyone convicted by a court from joining a political party, and instruct parties to expel members undergoing criminal sentences or face dissolution. Accordingly, the National League for Democracy (NLD) must expel Daw Suu and the other 430 NLD members in prison in order to gain eligibility to contest the election or cease to exist as a political party. The election laws were largely condemned by the international community, with the United States, Britain, and the Philippines issuing strong statements. The NLD, which has long demanded the release of all political prisoners as well as a review of the 2008 constitution as prerequisites for its participation in the elections, declared that it will boycott the elections, thus setting the stage for the termination of their existence as a legal political entity. Several other political parties have followed suit, while other parties have proceeded with the registration process. The junta has not yet released a date for the elections, though sources indicate that it will take place in October or November

At the international level, of significance this month, was the report of the UN Special Rapporteur on the situation of human rights in Myanmar, to the UN Human Rights Council (HRC). A key recommendation of the the report was to consider establishing a commission of inquiry with a specific fact-finding mandate to investigate possible war crimes and crimes against humanity in Burma. He also called for the release of all political prisoners, urging that "[w]ithout full participation, including by the 2100 prisoners of conscience, and an environment that allows people and parties to engage in the range of electoral activities, the elections can not be credible."

In March, the Assistance Association for Political Prisoners (Burma) celebrated its 10<sup>th</sup> anniversary in Mae Sot, Thailand. The event was attended by over 100 former political prisoners, and also coincided with the release of a new AAPP report titled “The Role of Political Prisoners in the National Reconciliation Process,” which calls on the international community to pressure the military junta to release all political prisoners, review the 2008 constitution, and engage in a tripartite dialogue for national reconciliation.

The DVB film, *Burma VJ*, which had been nominated for ‘Best Documentary’ at the Academy Awards, fell short of the prize, which instead went to the documentary *The Cove*. DVB continues to lobby on behalf of the journalists imprisoned during the filming of *Burma VJ* and other video journalism initiatives inside Burma.

## **Treatment of prisoners and their families**

Following his release on 18 March, pro-democracy activist Nyi Nyi Aung detailed the torture and mistreatment that he was subjected to while in detention, including denial of sleep for 14 days and other forms of physical and mental abuse. The junta also continued its practice of transferring political prisoners to remote prisons, as three female ‘prayer activists’, including Naw Ohn Hla, were transferred from Rangoon’s Insein Prison to remote prisons where access to their families and adequate health care are decidedly lacking. Also of note, was the testimony of twelve Burmese women at the International Tribunal on Crimes Against the Women of Burma. Former political prisoner Khin Saw Nwe’s testimony focused specifically on human rights abuses suffered while she was detained in Rangoon’s infamous Insein Prison. A farmer released in February classified the conditions faced by Burma’s political prisoners as “life threatening”, as political dissidents are often detained alongside common criminals, and clashes between the two groups, instigated by the latter, are not uncommon.

## **Prisoners Released**

March brought the release of 3 political prisoners. The unexpected release of high profile activist and naturalized U.S. citizen, Nyi Nyi Aung, came just one day after he had filed an appeal on his February conviction. Also in March, lawyer Yan Naing Aung was released following nearly 14 months in prison, and 88 Generation member Myat San was released after completing a two-year prison term.

## **National League for Democracy**

There are at least 431 members of the National League for Democracy (NLD) currently detained. This presents an increase compared to the 430 that were detained in

February. March proved to be a challenging month for Burma's largest opposition party. The month started on a hopeful note, as the NLD announced the formation of a new Central Committee. In accordance with Daw Aung San Suu Kyi's request, imprisoned NLD members were not denied consideration for committee membership, and, 10 committee members are in prison.

During the month, starting on 8 March, the SPDC released its new set of election laws. The laws include many clauses which do not meet international standards for free and fair elections and hinder democratic reform in the country. The laws ban those undergoing a criminal sentence, including all political prisoners from voting and standing as candidates. Of particular relevance, to the NLD and political prisoners, is the Political Parties Registration Law, which prohibits anyone convicted by a court from joining a political party, and instructs parties to expel members undergoing criminal sentences or face automatic dissolution. In order for the NLD to be eligible to contest the election they would have to expel their leader Daw Aung San Suu Kyi from the party. The NLD attempted to challenge the election laws in the Supreme Court, however, the lawsuit was quickly rejected. Following considerable deliberation, the NLD's central executive committee (CEC) decided on March 29 not to register for the upcoming national elections due to the requirement to expel Daw Suu and other members serving prison sentences, in accordance with the Shwegondaing Declaration. As a result, the NLD will be legally dissolved by 7 May. Despite this, the NLD leadership stressed that the party will survive as a political movement. However, NLD founder U Win Tin, who recently celebrated his 80<sup>th</sup> birthday, warned that a targeted crackdown of NLD offices and members is likely in the wake of the abolishment of the NLD's legal status.

The junta also legislated to officially annul the results of the 1990 elections, in which the NLD won 192 of 485 total seats, and reaffirmed the controversial 2008 Constitution. The laws also provide for an election commission, which will be assembled by the military junta, to preside over the elections.

The election laws were condemned by Daw Aung San Suu Kyi as well as numerous members of the international community, including British Prime Minister Gordon Brown, who in reference to the laws stated: "Sadly, the Burmese regime has squandered the opportunity for national reconciliation. Aung San Suu Kyi must be allowed to take her rightful place at the heart of Burmese politics."

In other news, three recently sentenced female prayer activists, including NLD member Naw Ohn Hla, were transferred from Rangoon's Insein Prison to remote prisons in the beginning of March. Additionally, imprisoned NLD youth leader Kyaw Myo Naing received an additional two year sentence for allegedly communicating with an illegal team or organization.

### **31 March 2010**

#### **Fresh crackdown likely, Win Tin warns**

National League for Democracy (NLD) Central Executive Committee (CEC) member U Win Tin has warned that the military regime is likely to launch a new crackdown against the party. “Our movements will be very much limited when we don’t have a party. If we make more movements and stand against them [the junta], they will declare our party an unlawful association,” Win Tin said. CEC and Central Committee members yesterday decided not to register their party with the Election Commission as they argue the electoral laws are unjust. As per the electoral laws, existing political parties must register with the Election Commission (EC) by May 6th or risk being labeled unlawful organizations. “They will certainly imprison those who take steps ahead of others and those who are competent. We must face it,” the 80-year old U Win Tin commented. “We are not working just only for winning the election and holding power. We are working for abolishing and dismantling the entire military dictatorship. So they will certainly come down harshly against us,” he said. Bogale Township NLD member Chin Won, who expressed his opinion that the party should register with the EC in order to avoid being deregistered, said, “Our party will be declared an unlawful association if not registered within 60 days. Then they will certainly suppress us if we make movements and assemble. They have already said this.” ([31 March 2010 Mizzima](#))

### **Fresh sentence for NLD youth leader**

In continuance of harsh judgments against dissidents, a youth leader of the National League for Democracy (NLD) in Tarmway Township, in Rangoon Division, was sentenced to two more years in prison by the Tarmway Township court yesterday for allegedly being in touch with an illegal team. Kyaw Myo Naing the youth in-charge 2 (Tarmway Township), was sentenced to two years by the Bahan Township court last year for distributing photo stickers of Aung San Suu Kyi. Now he has been sentenced to two more years by Tarmway court. A relative of Kyaw Myo Naing told Mizzima, “His case was heard in the Tarmway court and he was sentenced two more years according to Act 17 (1). Moreover, he will be charged with the Electronic Act 33 (A) in the Tarmway court on April 9. ([31 March 2010 Mizzima](#))

### **Western envoys visit NLD headquarters**

Australian and the United States’ diplomats yesterday paid a so-called ‘fact finding’ visit to the opposition National League for Democracy (NLD) party’s main office in Rangoon. The party on Monday announced that it would not register for controversial elections in Burma later this year, meaning that under recently announced laws it will soon be abolished. Senior NLD member Win Tin said that the diplomats, whose frequent visits to NLD offices are closely monitored by the Burmese government, enquired about Suu Kyi’s role in the decision and about the party’s tenuous future now that it will no longer be able to officially operate within mainstream Burmese politics. Prior to Monday Suu Kyi had voiced her objection to registering but asserted that the party must make up its own mind. Win Tin said that her remarks only “made our decisions more firm”. “But we shouldn’t forget about the people’s role; the people will not accept the points in the election laws which ban Daw Aung San Suu Kyi and political prisoners [from participating]. These are the reasons for our decision.” “We explained [to the diplomats] that we will be working on social welfare programmes for the people as well as

programmes to provide aid and protect people from suffering,” he said. “Holding on to these policies, we will make our stand. Our party won’t just sit and watch.” ([31 March 2010 DVB](#))

### **30 March 2010**

#### **NLD to survive as ‘political movement,’ leaders say**

Leaders of Burma's National League for Democracy (NLD) say that if Monday's decision not to participate in the planned general election results in the party being banned it will still survive as a political movement. Observers say the regime is sure to outlaw unregistered parties and to proceed with the general election, expected to take place in October or November. “Our party can die, but not our political movement,” said the NLD's key spokesman, Nyan Win. The NLD executive committee's decision not to register was prompted by the election laws, which members described as unjust and unlikely to result in a fair and inclusive election. The laws excluded from participation in the election anyone serving a criminal sentence—a provision that barred Aung San Suu Kyi and other political prisoners. In order to participate in the election, the NLD would have had to expel Suu Kyi from the party. Veteran NLD leader Win Tin said the election laws and the 2008 Constitution would entrench military rule for another 20 years. ([30 March 2010 Irrawaddy](#))

### **29 March 2010**

#### **Suu Kyi’s party to boycott elections**

Burma’s main opposition National League for Democracy (NLD) party has voted not to participate in elections this year. The decision was announced on 29 March following a lengthy meeting of the party’s Central Committee at the NLD headquarters in Rangoon. More than 150 members were present, and plain clothes intelligence agents and riot trucks were reportedly loitering outside the office. Party spokesperson Nyan Win told DVB that the meeting ended with two conclusions, with no objection made to the decision. “Firstly, on the grounds that the [government’s] election laws were unfair, the National League for Democracy has concluded not to register,” he said. “Secondly, we urge the unconditional and immediate release of all political prisoners including Daw Aung San Suu Kyi.” The decision not to register means that the party, which formed in September 1988 following the infamous ‘8888 uprising’, will be legally dissolved within 60 days. Asked what the NLD would do if the government abolishes the party, Nyan Win said that “we are not focusing on the party’s existence but on the survival of NLD politics.” The decision is in line with a statement made by party leader Aung San Suu Kyi, who said last week that she would “not even consider” the elections after laws were released that ban her from participating and require her expulsion from the party if it is to run. But some senior party members had previously expressed their desire to see the NLD compete, although in the run up to the decision it appeared that the tide was going against them. If the NLD was to run for office, it would be forced to both expel Suu Kyi and accept the controversial 2008 constitution. Its chances of gaining any leverage in

government were anyway slim, with the constitution awarding 25 percent of parliamentary seats to the military even prior to voting. ([29 March 2010 DVB](#))

## **23 March 2010**

### **Cracks appear in Burma opposition party**

Diverging views on whether or not the National League for Democracy (NLD) party should contest elections in Burma this year appear to be unsettling the party's central command. Despite announcing that it would not decide whether to register for elections until 29 March, a petition has already been circulated around regional NLD offices urging the party to boycott the polls. Much of the dilemma focuses on recently unveiled election laws that bar detained NLD leader Aung San Suu Kyi from running for office and require her expulsion from the party if it is to participate. Party spokesperson Khin Maung Swe told DVB that "there has been some conflict between the two opinions but this doesn't mean our members are splitting". "Regarding the registration, we need to keep the party in existence to continue with our work in the future and to be ready as a political stage for Daw Aung San Suu Kyi when she returns in the next six to seven months," he said. "Those who favour registration believe that the party must be in existence so that new generations can carry on with the unfinished duties for democracy." He said however that those who oppose participation "see that the election laws are unfair and prefer to challenge that. This idea is based on the view that democracy cannot be achieved just because of the party's continuing existence...However, these are just ideas and we will only find out the decision on 29 March." ([23 March 2010 DVB](#))

### **Supreme court rejects NLD lawsuit**

The supreme court in Rangoon on Tuesday rejected a lawsuit against military junta chief Snr-Gen Than Shwe filed by Burma's main opposition party, the National League for Democracy (NLD), according to a statement released by the NLD. Three NLD leaders—Nyan Win, Tin Oo and Aung Shwe—had earlier on Tuesday filed the lawsuit, an attempt to sue the chairman of the State Peace and Development Council by NLD Chairman Aung Shwe. However, an official at the supreme court reportedly told the NLD leaders that the court does not have the power to handle the case, and returned the documents at 12:30 p.m. The statement claimed that the election laws are unfair and one-sided. The NLD pointed to an election law that prohibits its leader, Nobel Peace Prize laureate Aung San Suu Kyi, from participating in the general election as she is currently under house arrest. The statement said that the law violates the right of political parties and is counter to the spirit of a democratic system. NLD spokesman Khin Maung Swe said the election laws released by the military regime on March 8 are unfair and that the party was calling for a review and amendment of the laws. "We didn't expect much from the court," he said. "But we want everyone to know that our party does not accept unjust election laws." Nyan Win told The Irrawaddy that Suu Kyi said that forcing any political detainees out of their parties and banning them from voting because of their imprisonment is a double punishment. ([23 March 2010 Irrawaddy](#))



## **20 March 2010**

### **NLD to test election laws in court**

Burma's principal opposition party is to launch a legal challenge against election laws that bar its leader from running for office and require her expulsion if the party is to participate. The recently announced laws have been met with outrage by Burmese opposition groups, rights groups and even world leaders, with British prime minister Gordon Brown reportedly urging UN chief Ban Ki-moon to hold an emergency meeting on the situation. The National League for Democracy (NLD) party, whose leader Aung San Suu Kyi remains under house arrest, met on 20 March and agreed to launch the legal challenge. "We discussed how we are going to approach this in accordance with the law," said party spokesperson, Nyan Win. "We are now preparing and [the case] will be on legal grounds soon. "For now, I don't think we can tell you what is in our plan because this is what we will raise in court," he added. The likely outcome of the challenge is hard to predict, with Burmese courts tightly controlled by the ruling junta. The election laws appear to have been carefully crafted by the military generals to ensure that they remain in control after polling, likely under the guise of a civilian government. Nyan Win said last week that he was "extremely surprised" by the severity of the laws that also require the party to expel Suu Kyi if it wants to figure in the elections. He added that the NLD was facing "a crisis" which could only be remedied with a meeting between all members of the party's Central Executive Committee, which is unlikely given that Suu Kyi is its chief. ([20 March 2010 DVB](#))

## **12 March 2010**

### **Suu Kyi demands response to 'unjust' law**

Burma's detained pro-democracy leader Aung San Suu Kyi Thursday called on her people to respond to an "unjust" election law issued by the junta that bars her from the vote, her lawyer said. Under the laws enacted Monday, which have sparked international anger, Suu Kyi faces exclusion from her own National League for Democracy (NLD) and is prevented from standing in the elections expected in October or November. "The people and political forces have to respond united to such an unjust law," Suu Kyi said according to her lawyer and NLD spokesman Nyan Win, after he visited the democracy icon, who has been locked up for 14 of the last 20 years. "She didn't think such a repressive law would come out," he told AFP, adding that her disposition was "more cheerful" than expected during the meeting. Under the legislation — slammed as a "mockery" by the United States — the Nobel Peace Laureate is not allowed to run in the election on the grounds that she is a serving prisoner. On Thursday Burma's ruling junta also unveiled on state television its handpicked election commission to oversee the polls, leading to criticism from rights groups that the body would not be impartial. It cited an order signed by General Tin Aung Myint Oo, the number five in the junta hierarchy, and named the chairman of the new commission as Thein Soe, without giving further details. The new laws also officially annul the result of Burma's last elections in 1990, which the NLD won by a landslide. The junta never allowed the party to take power. But in a surprise move, authorities permitted the reopening of around 300 NLD offices which



were shut after an attack by a pro-junta mob on Suu Kyi's motorcade in May 2003 which left dozens of people dead. "They have not yet informed our party headquarters but the authorities have informed regional and divisional offices that they can reopen," Nyan Win said. The new laws give parties just 60 days from Monday to decide whether to register, but the NLD has not yet said if it will do so. ([12 March 2010 DVB](#))

### **Defiant Win Tin celebrates 80<sup>th</sup> birthday**

Veteran pro-democracy activist Win Tin celebrated his 80th birthday on Friday, vowing to work to "dismantle the military dictatorship until my final breath." Win Tin, who founded the opposition National League for Democracy (NLD) along with Aung San Suu Kyi and became her senior adviser, served 19 years in prison because of his political beliefs. He was arrested in 1989 on a series of charges, ranging from publishing anti-government propaganda to instigation of civil disobedience, and was sentenced to 21 years imprisonment. He was released in September 2008, vowing then to "keep fighting until the emergence of democracy in this country." Still an outspoken critic of the regime, Win Tin wrote in Washington Post article last year that the planned general election would be a sham. He also strongly rebuked US Senator James Webb, who recently visited Burma, accusing him of adopting an uncritical pro-engagement stance. In a birthday interview by telephone with The Irrawaddy, Win Tin said: "I will try to dismantle the military dictatorship until my final breath, with all my remaining strength and power". He also appealed for unity in the face of regime oppression. The Assistance Association for Political Prisoners (AAPP) marked Win Tin's birthday by distributing 1,000 copies of his book "Bar le he lu Nga Ye" ("Human Hell? What is Human Hell?"). AAPP Secretary Tate Naing said "Sayar Win Tin spent more than 7,000 days in prison, writing about his experience in a book that contains a message against fear. We deeply honor him and appreciate and recognize his experience and spirit." ([12 March 2010 Irrawaddy](#))

## **11 March 2010**

### **1990 election results annulled; NLD offices reopen**

The Burmese junta officially annulled the results of the 1990 election in the Pyithu Hluttaw Electoral Law which was announced on Thursday in state newspapers, while authorizing some offices of the National League for Democracy (NLD) to reopen. Article 91 of the law reads: "Pyithu Hluttaw Electoral Law 14/89 issued by State Law and Order Restoration Council [the former name of State Peace and Development Council] was repealed by this law. The result of the multi-party general election [in 1990] in accord with the repealed law is invalid because the result does not conform with the [2008] Constitution." Khin Maung Swe, the spokesperson for the NLD, which won 392 out of 485 seats in the 1990 election, said, "The result of the 1990 election is the desire of the people. Now the junta has repealed it by force without considering the will of the people." Moreover, in an unexpected move on Wednesday, the government authorized the reopening of long-closed NLD offices in Rangoon Division and Mandalay following the promulgation of the Political Parties Registration Law. ([11 March 2010 Irrawaddy](#))

**10 March 2010**

**Suu Kyi 'must be expelled' for party to run**

Burma opposition leader Aung San Suu Kyi has been banned from taking part in elections this year and would need to be expelled from her party if it is to participate in polling, recently announced laws state. Suu Kyi's 14-year period under house arrest, coupled with her marriage to a foreigner, Michael Aris, means that she is not permitted to run for office, according to the second batch of election laws regarding party registration announced today. National League for Democracy (NLD) party spokesperson, Nyan Win, told AFP that the government's "attitude is clear in this law". "I have noticed that we have to expel Daw Suu. I was extremely surprised when I saw this, I did not think it would be so bad," he said. The NLD has 60 days in which to register for the elections, which are rumoured to be in October this year although no date has been officially announced. Monks and civil service workers are also barred from participating. "The NLD also needs to reply clearly but I cannot say how we will respond," Nyan Win added. "What I can say now is the law is meant to safeguard the constitution. It will be a very big problem for us as they asked us to obey a constitution that we cannot accept." Controversy has surrounded the new constitution, which was ratified in the days following cyclone Nargis in May 2008 by an alleged 92 percent of the population. Several murky clauses appear to permit the intimidation of opposition members by the government. On 9 March, the first five elections laws were unveiled regarding Burma's electoral commission. Criticism has been levelled at the government's announcement that it would handpick the electoral body, which will oversee polling later this year. ([10 March 2010 DVB](#))

**Party registration laws set NLD a deadline**

Burma's main opposition party, the National League for Democracy (NLD), has 60 days from the enactment of the regime's election laws in which to decide whether or not to accept the terms of the party registration laws set by the regime. The NLD and other currently legal parties would automatically cease to exist as legal entities if they fail to apply for registration to the election commission within that time, according to a copy of the party registration laws obtained on 9 March by The Irrawaddy. A copy of the laws is expected to be released to the public on Wednesday. The party registration laws would also impose the junta's "genuine, disciplined multi-party democratic system" on all political parties contesting the 2010 election. "A political party is defined as one which is convinced of 'disciplined multi-party democracy' on the basis of a political ideology," specifies Article 2/d of Chapter 1 of the party registration laws. Analysts say that the Constitution is constructed around a theory of "disciplined democracy," with 25 percent of the bicameral parliament comprised of military representatives—a maneuver intended to avoid a repeat of the 1990 election in which the opposition party won a landslide victory. The Constitution guarantees the military 110 out of 440 seats in the Pyithu Hluttaw (People's Parliament) and 56 out of 224 seats in the Amyotha Hluttaw (Nationalities Parliament). Military officials will also hold the same share in state and region Hluttaws, as well as in the leading bodies of self-administrative areas. ([10 March 2010 Irrawaddy](#))

## **9 March 2010**

### **NLD will stick with Shwegondaing Declaration, says Win Tin**

Win Tin, senior leader of Burma's main opposition party the National League for Democracy told Mizzima on 9 March that although Burma's military government has begun issuing laws concerning this year's national election, his party will maintain its stand that the regime must recognize that the NLD won Burma's last election. "The result of the 1990 election must be recognized. That was one of the resolutions from the Shwegondaing Declaration. The result has to be recognized by one way or another. Our political stand and demand is the same as mentioned in the declaration", said Win Tin who is also a member of NLD's Central Executive Committee. The Shwegondaing Declaration issued by the NLD on the 29th April 2009 demands that the Burmese military regime release all political prisoners, recognize the results of the 1990 election, review the 2008 constitution and begin dialogue with NLD party leader Aung San Suu Kyi. Burma's ruling military regime ignored the NLD's demands and instead is moving forward with this year's planned election. Newly released laws for the election commission will abolish the previous election commission that oversaw the 1990 elections. Win Tin maintains that the result of the 1990 election, in which the NLD won 392 parliamentary seats out of a total of 485 seats, is not changed by the new law. According to Win Tin, the NLD will decide whether or not to take part in this year's election if the military regime recognizes the result of the 1990 election. ([9 March 2010 Mizzima](#))

## **5 March 2010**

### **Opposition party central committee announced**

Burma's main opposition party has announced the formation of its new Central Committee, now under the leadership of party chairman Aung Shwe. The group is made up of 108 members, 20 of whom belong to the senior Central Executive Committee (CEC) of the National League for Democracy (NLD). The group had originally comprised only 100 people. "We have announced that these people have been appointed as Central Committee members with the aim of more effectively carrying out future working procedures to strengthen the party," said spokesperson Khin Maung Shwe. "The list included all 20 CEC members and the party's regional members from divisions and states." The new committee incorporates NLD members from across Burma 14 divisions and states. Lower-ranking party officials had accused the NLD of not giving equal representation to divisional members. "A condition is that the chairperson of the NLD shall also be chairperson of the group's Central Committee," Khin Maung Shwe said. The eight additional members are however currently imprisoned, along with 420 other NLD members. Opposition leader Aung San Suu Kyi, who herself is under house arrest, said last month that imprisoned members must be included in the party's senior command. It comes as part of a wider reformation of the party, including the addition of younger members in the CEC. It is the first major shakeup in the party's 20-year history, and one that analysts have said is long overdue. Khin Maung Swe added that the group still has

no answer regarding whether it will participate in Burma's elections this year as the government is yet to announce the political party registration law. ([5 March 2010 DVB](#))

#### **4 March 2010**

##### **Women sent to remote prisons**

Three women political activists sentenced to jail terms during the recent visit of UN Human Rights Envoy to Burma, Tomás Ojea Quintana, were transferred from Rangoon's Insein Prison to remote upcountry prisons at the weekend, according to a source close to the prison. Naw Ohn Hla, a former member of the National League for Democracy and a prominent woman activist in Burma in her late fifties, was transferred to Taungoo prison. Cho Cho Aye was sent to Yamethin prison, and San San Myint went to an unidentified prison, the source told The Irrawaddy on Thursday. The prison authorities did not inform family members of the transfers, the source said. Meanwhile, their lawyer, Kyaw Hoe, confirmed the women were transferred to remote prisons but he did not know the details. Prior to their arrest, the women had made a weekly routine of praying for the release of pro-democracy leader Aung San Suu Kyi and other political prisoners at the Shwedagon pagoda in Rangoon, Burma's holiest shrine. ([4 March 2010 Irrawaddy](#))

##### **Ten of NLD's new CC members still languishing in prisons**

Several political prisoners languishing in jails across Burma are among the newly announced 100 members of the expanded central committee of the National League for Democracy (NLD) in Burma. Among the detained by the junta are 10 NLD members including Members of Parliament elected in 1990. The detained members include two from central Burma's Mandalay city, four from Western Burma's Arakan state, one from Shan State and three others from Sagaing division. They are currently held in Rangoon's Insein prison, Putao and Myitkyina jails in Northern Burma's Kachin State, Thayet, Taunggyi of Shan State and Mandalay. The NLD party leadership in Rangoon said on Wednesday that it is preparing to call a meeting of the 100 central committee members and eight auxiliary members for assigning of portfolios. "There would be some working for human rights; some working along with the ILO, some working on the economic sector alongside international committees, among other portfolios. The central committee would be into all this," Win Tin, a central executive committee member of the NLD, told Mizzima. ([4 March 2010 Mizzima](#))

## **88 Generation Students**

There are at least 40 members of the 88 Generation Students group currently in detention.

There is no news to report in March.

## **Ethnic Nationalities**

There are at least 210 members of ethnic nationalities currently held in prison. Ethnic political leaders echoed the sentiment of the NLD in March, stating that they are likely to boycott the upcoming national elections unless the junta conducts a review of the 2008 constitution and releases all political prisoners.

### **11 March 2010**

#### **Ethnic leaders to boycott election**

Several ethnic leaders who were elected in 1990 election in Burma reaffirmed they will not participate in the election without a review of the 2008 Constitution and the release of all political prisoners, even if the junta disbands their political parties. The leaders said their political parties will continue to exist if their people wish them to carry on with political activities and they said they will continue to support the National League for Democracy (NLD) and the Shwegondaing Declaration. The Shwegondaing Declaration, released by the NLD in April 2009, calls for a review of the controversial Constitution, political dialogue and the unconditional release of all political prisoners, including its leader, Aung San Suu Kyi. Sai Leik, the spokesperson of Shan Nationalities League for Democracy (SNLD) told The Irrawaddy, on Thursday: "We will not participate in the election as our leaders have been detained in prison. No matter whether the government recognizes our party or not, our party will exist if our people wish us to carry on with our duties." "This election law is biased. It is not based on the people's wishes. If this were a move to real democracy, then Aung San Suu Kyi and the ethnic leaders who were elected by the people should be able to participate," he said. Pu Cin Sian Thang, a spokesman for the United Nationalities Alliance (UNA), a coalition of 12 ethnic parties that contested and won 67 seats in the 1990 elections, said, "The UNA will not participate at election." He said they will hold a meeting with all members this week and discuss how they are going to work together in the future for their party. In February last year, the UNA issued a statement condemning the Constitution as a means to make Burma's ethnic nationalities subordinate to the Burman majority and because it hands "supreme power" to the military's commander in chief. Aye Thar Aung, the secretary of the Committee Representing the Peoples' Parliament (CRPP) and the acting chairman of the Arakan League for Democracy said: "Our CRPP principle is to recognize the 1990 election result. Accordingly we will keep to our principle and not join this election." The ethnic leaders expressed disappointment at the government's March 8 election law that said someone who has been sentenced in prison cannot be involved in a political party and the election, thereby banning all political prisoners from political parties. ([11 March 2010 Irrwaddy](#))

### **10 March 2010**

#### **Arakan party to boycott 2010 elections**

The Arakan League for Democracy (ALD), one of the winning parties in the 1990 elections, has ruled out joining the poll fray unless the 2008 Constitution is reviewed and

amended. Aye Thar Aung, Secretary of ALD told Mizzima that the 2008 Constitution, which was forcibly approved by the regime in May 2008, neglects the rights of ethnic nationalities as well as federal set-ups of the states and divisions of the country. "There are no rights guaranteed for the States in the constitution. Moreover, the military will have its representation in both the National Parliament and State Assemblies. The Constitution also stipulates that the President will be from a military background and can nominate Chief Ministers of the States without following democratic norms," he added. The ALD won 11 seats in the 1990 elections while the main opposition party the National League for Democracy won 392 out of 485 parliamentary seats. ([10 March 2010 Mizzima](#))

## **Monks**

There are at least 253 monks currently held in prison.

There is no news to report in March.

## **Cyclone Nargis Volunteers**

There are currently at least 20 Cyclone Nargis volunteers currently held in prison.

There is no news to report in March.

## **Journalists, Bloggers and Writers**

There are currently at least 41 journalists held in prison. The junta continues to tighten restrictions on domestic and international media as the 2010 national elections draw near. Following the release of the election laws in early March, the junta cracked down on domestic media, banning local media sources from reporting on news related to the elections. In late March, a CNN reporter was deported from Burma, following a clerical error that mistakenly allowed the journalist to gain entry to the military-ruled state. The DVB documentary *Burma VJ* continued to gain international acclaim as it was nominated for the 'Best Documentary' Oscar at the academy awards, but ultimately fell short of attaining the award, which instead went to the documentary, *The Cove*.

### **29 March 2010**

#### **CNN reporter again expelled from Burma**

The already blacklisted CNN television reporter deported from Burma on 27 March has said that a clerical error at the Burmese embassy in Bangkok may have been responsible for his initial admittance. Dan Rivers was arrested after arriving at the remote capital Naypyidaw to cover Burma's annual Armed Forces Day (or Resistance Day), and then



quickly expelled. It is the second time he has been told to leave the country, following his deportation after covering the aftermath of cyclone Nargis in 2008. Following this he was placed on a blacklist, where names of banned persons are automatically flagged up at immigration checkpoints. “I can only presume the embassy in Bangkok had made a mistake in issuing the visa in the first place,” he wrote yesterday in his CNN blog. “It is perhaps a microcosm of the mismanagement of the entire country that has been ailing under a military dictatorship since 1962. Civil servants are terrified of their bosses, and their bosses in turn are paralyzed with fear of the generals above them. Small errors go uncorrected because no one dares to speak out.” Correspondents from other foreign news agencies, such as the BBC and Japan’s NHK and Asahi Shimbun, were allowed to cover the Armed Forces Day, which marks the start of the Burmese army’s resistance to Japanese occupation in 1945. ([29 March 2010 DVB](#))

### **18 March 2010**

#### **Appeal lodged for jailed DVB reporter**

An appeal for a Democratic Voice Burma video reporter sentenced late last year to 27 years in prison will be heard next week by a Magwe divisional court. Hla Hla Win and her companion, Myint Naing, were arrested in September 2009 after filming interviews with monks in Pakokku monastery, Magwe division, and sentenced under the Video Act and the Electronics Act. Myint Naing was given 26 years. In the appeal, submitted on 8 March, their lawyers argued that the charges were false. The court agreed to hear the appeal and set the date for 22 March, according to defence lawyer, Myint Thwin. He added that the verdict would likely be given in April. Hla Hla Win’s sentencing, and the subsequent imprisonment of fellow DVB reporter Ngwe Soe Linn, who co-filmed the award-winning Channel 4 documentary, Orphans of Burma’s Cyclone, drew international condemnation, and brought to 14 the total number of DVB journalists currently in prison. ([18 March 2010 DVB](#))

### **13 March 2010**

#### **Junta bans election news**

In the latest sign that this year's vote will be neither free nor fair, Burma's ruling junta has ordered censors to ban reports on new election laws and other controversial election-related issues, according to Rangoon-based journalists. “Soon after the election laws were announced, we interviewed members of various political parties to get their views on this subject,” said the chief editor of one Rangoon-based journal. “But when we submitted our reports to the censor board, we were told we couldn't publish them.”

Besides the recently announced election laws, the journals are also forbidden to report on the situation of the opposition National League for Democracy, which faces dissolution if it refuses to expel its leader Aung San Suu Kyi. “Except for 'optimistic' news that is identical to what we can find in the state-run newspapers, we are not permitted to write anything about the election,” the editor said. “There are pro-government parties and opposition parties. We can't say it's fair if the regime only allows us to report on what the pro-government parties are saying,” said a Rangoon-based



reporter. According to sources in Rangoon, a special body has been formed to oversee the work of the Press Scrutiny Board during the election period. The censor board must now submit draft publications to a “special security force” consisting of high-ranking officials, including Lt-Gen Myint Swe, who is close to junta head Sen-Gen Than Shwe. Most of the private weekly journals in Rangoon, including The Myanmar Times, Biweekly Eleven, Modern and 7 Day News, have had articles pulled by the censor board because they touched on sensitive issues related to the election, sources said. ([13 March 2010 Irrawaddy](#))

## **8 March 2010**

### **‘Burma VJ’ misses out at Oscars**

“Burma VJ,” a documentary about the September 2007 mass uprising in Rangoon that was nominated for an Academy Award, missed out on Sunday as a film about the secret slaughter of dolphins in a Japanese town titled “The Cove” took the Oscar for Best Documentary Feature of 2009. The announcement was made at the Kodak Theater in Hollywood, California, where the Academy Award, or Oscar, was presented to “The Cove's” director Fisher Stevens by actor Matt Damon. “Burma VJ: Reporting from a Closed Country” was among five documentaries nominated for Best Documentary Feature. “I was very excited during the award ceremony,” said Aye Chan Naing, the executive director of exiled news agency Democratic Voice of Burma (DVB). “But when ‘Burma VJ’ missed out, I was upset. We need to do more to make people aware of what is happening in Burma.” The narrator of “Burma VJ,” Joshua, told The Irrawaddy on Monday: “I watched the Oscars live on TV. I thought “The Cove” was very good. But it appears that [in Hollywood] people think dolphins are more important than the killing of Burmese monks and students.” “Burma VJ” has already won 40 awards, including “World Cinema Documentary Film Editing” and “Golden Gate Persistence of Vision” prizes. ([8 March 2010 Irrawaddy](#))

## **2 March 2010**

### **Oscar hopes high for ‘Burma VJ’**

The documentary “Burma VJ” is in the running for an Oscar for best feature-documentary at the 82nd Annual Academy Awards show which will be broadcast worldwide on Sunday night in the United States. “If ‘Burma VJ’ receives the Oscar, it will be the first time in history that a whole nation's population will receive an Oscar,” said Jan Krogsgaard, the originator and scriptwriter of the film. “I think even the generals of Burma would like to see this happen, deep inside themselves, and find peace within their own lives.” “Burma VJ: Reporting from a Closed Country” tells the story of how Burmese video journalists took to the streets and filmed the September 2007 mass demonstrations in Rangoon. It is among five documentaries nominated this year. “Burma VJ” has already won 33 awards—including World Cinema Documentary Film Editing and Golden Gate Persistence of Vision prizes. “It must be a historical milestone,” said Khin Maung Win, the deputy executive director of the Democratic Voice of Burma.

“Even if Burma VJ does not win the prize, the film will bring attention to our democracy movement.” ([2 March 2010 Irrawaddy](#))

## **Women**

There are at least 177 women currently held in prison. Of particular note in March, was the testimony of twelve Burmese women at the International Tribunal on Crimes Against the Women of Burma, held at the UN building in New York City on 2 March. Khin San Nwe gave testimony regarding the human rights abuses she and others experienced while detained at Rangoon’s infamous Insein Prison. The tribunal was conducted with the hope that the testimony will encourage policymakers and political leaders to take action with regard to the human rights abuses experienced by women in Burma.

For International Women’s Day, 8 March, AAPP released a media brief on women political prisoners. The brief highlighted the plight of the 177 women in Burma’s prisons, imprisoned for their involvement in the democracy and human rights movement. For more information about these women, see the following brief: [http://www.aappb.org/brief\\_on\\_the\\_women\\_political\\_prisoners\\_in\\_Burma\\_Eng.pdf](http://www.aappb.org/brief_on_the_women_political_prisoners_in_Burma_Eng.pdf)

### **5 March 2010**

#### **Burmese women testify at UN**

Twelve Burmese women have spoken about human rights violations they suffered whilst in the country at an International Tribunal on Crimes Against the Women of Burma at the UN building in New York on 2 March. Khin San Nwe, one of the women told DVB what she testified to the panel: “I was five months pregnant when I was in Insein prison. I gave birth to by child in that prison. I didn’t receive any medical assistance before the birth and also was not allowed to deliver my child at a hospital.” The tribunal, a ‘quasi legal’ event was initiated by women Nobel Peace Laureates Shirin Ebadi and Jody Williams – along with human rights experts Dr. Heisoo Shin from Korea and Professor Vitit Muntarbhorn from Thailand. The tribunal’s aim was to “spotlight the oppression of women of Burma in order to encourage policymakers and political leaders to take specific action now”. “Now I can no longer have a child.” added Khin San Nwe, “I was even lucky to be alive. I witnessed some other women in the prison, including Ma Tin Tin Htwe, died with similar incidents...All the women prisoners are losing their rights to medical assistance, health care and their dignity and honour. Women inmates are only given a pair of prison uniform so they have to wait naked for their uniform to get dry after doing laundry...This is a total violation against a woman’s dignity. No matter how a person ends up in prison; whether from criminal or political activity, she should still be granted her right to life and security...Woman inmates are often taken for interrogation when an incident like bombing occurs outside the prison. Sometimes they are taken out of the prison by the police’s Special Investigation Branch and Criminal Investigation Department with no female official accompanying...The women are violated verbally and physically. The investigation departments would continue to harass a woman even after

she is released from the prison. A woman named Ma Tin Tin Nyo, after much harassment turned into a 'tom boy' and she eventually committed suicide." Orgnaiser Jody Williams, quoted on the Nobel Women's initiative web site said of the event that: "Women should no longer be invisible when crimes are committed against them with impunity." "The history of violence and oppression of women in Burma is long and sordid—and must come to an end." ([5 March 2010 DVB](#))

## **Human Rights Defenders & Promoters Network**

There are at least 33 members of the Human Rights Defenders & Promoters Network currently held in prison.

There is no news to report in March.

## **Labour Activists**

There are currently at least 36 labour activists held in prison.

### **2 March 2010**

#### **Political inmates 'face threats to life'**

Political prisoners in Burma are being detained alongside common criminals, including death row convicts, a group of recently released prisoners have said. The conditions are "life threatening", according to a farmer released last month after spending four months in a prison in central Burma's Magwe division. His sentencing on charges of alleged trespassing on government-owned property was condemned by the International Labour Organisation (ILO). A fellow farmer sentenced under the same charges had been attacked by a prisoner named Aung Win, who was on death row, the farmer told DVB on condition of anonymity. "Before we were released from the prison [on 17 February], U Zaw Htay was beaten up and cut on his forehead," he said. "We the farmers and other political inmates wrote a letter to the prison's chief asking him to move the death row convict, Aung Win, to another cell, but no action was taken until we were released from the prison. "The prison officials are making it look like it's just a problem among prisoners but this is life threatening," he added. Conditions inside Burma's jails are said to be dire, with prisoners often forced to pay bribes before receiving medical assistance. Analysts predict that the ruling junta will intensify arrests and intimidation of opposition members in the run-up to elections, rumoured to be in October this year, as it looks to tighten its grip on power. ([2 March 2010 DVB](#))

## **Students**

There are currently at least 282 students held in prison.

There is no news to report in March.

## Lawyers

There are currently at least 11 lawyers detained in prison.

### 6 March 2010

#### Lawyer arrested for defending labour activist freed

A lawyer, arrested for defending a labour rights activist in Burma's Pegu division, was released on Friday after the regime scaled down his four year sentence early this month. The lawyer Pho Phyu was arrested in January 2009, while defending labour rights activist Zaw Htay, arrested and tried for lodging a complaint to the International Labor Organisation's (ILO's) liaison office in Rangoon regarding a land confiscation case in Pegu division. Zaw Htay was helping farmers in Aung Lan Township in Pegu division draft a letter of complaint to the ILO regarding the local army battalion's confiscation of their farmland. "I was arrested on my way to court to submit evidence that would have refuted the false evidence presented against Zaw Htay. I was picked up to prevent submission of true evidence," said Pho Phyu. He said that the legal system in Burma is failing to protect the rights of citizens and much needs to be done to correct it, so that peoples' fundamental rights and freedom are protected. ([6 March 2010 Mizzima](#))

## Individual Activists

News, with regard to individual activists in March, centered around prominent pro-democracy activist, Nyi Nyi Aung. Subsequent to his conviction and sentencing in mid February, detained naturalized American citizen Nyi Nyi Aung filed an appeal on 17 March, only to be unexpectedly released the next day. Following his release, Nyi Nyi Aung detailed the torture and mistreatment that he was subjected to while in detention, including denial of sleep for 14 days and other forms of physical and mental abuse. Nyi Nyi Aung was arrested on 3 September at Rangoon Airport. The longtime activist, who delivered a petition of 600,000 signatures to UN chief Ban Ki-moon calling for the release of political prisoners in Burma, had entered Burma to visit his sick mother.

Also in March, popular Burmese hip hop artist and Generation Wave founder, Zayar Thaw, celebrated his 29<sup>th</sup> birthday in Kawthaung Prison in southern Burma. Zayar Thaw is in the 3<sup>rd</sup> year of a 6 year sentence.

### 26 March 2010

#### Another birthday behind bars

On March 26, Burma's popular hip hop artist, Zayar Thaw, celebrated his 29th birthday serving his third year under detention in Burma's southernmost prison at Kawthaung. One of four founding members of the underground youth organization known as Generation Wave, he was arrested on March 12, 2008, charged with forming an illegal organization and sentenced to six years imprisonment. Set up during the 2007 Saffron Revolution, Generation Wave uses non-violent methods such as graffiti, slogans and pamphlets to politicize Burma's younger generations. At the time of Zayar Thaw's arrest, Aung Gyi, a lawyer representing him and five members of Generation Wave, told The Irrawaddy that a court in Rangoon's Lanmadaw Township convicted Zayar Thaw of dealings in foreign currency and membership in an illegal organization. The five members of Generation Wave—Arkar Bo, Aung Zay Phyoo, Thiha Win Tint, Wai Lwin Myo and Yan Naing Thu—were all arrested together at a restaurant on Saya San Road. Sent to Insein prison, they were transferred to prisons around the country in December 2008, making it difficult for their relatives to visit them. ([26 March 2010 Irrawaddy](#))

## **19 March 2010**

### **US activist was denied sleep 'for 14 days'**

The US rights activist released yesterday from a Burmese prison has described how he was tortured during interrogation by intelligence agents last year. Burmese-born Kyaw Zaw Lwin, also known as Nyi Nyi Aung, arrived in Bangkok airport yesterday after being held in detention since September last year. He told DVB that he had been taken to Rangoon's Insein prison from another prison on the evening of 17 March and informed by prison authorities that he was going to be released the next morning. "I began to realise I was going to be released. As my [mother and cousins] are imprisoned I was met by my relatives in Insein prison's guest room," he said. A diplomat at the US embassy in Rangoon officially announced his release yesterday. Kyaw Zaw Lwin was asked to sign an agreement "vowing that I acknowledge that I will have to serve my remaining prison sentence if I get charged again in Burma". The activist's aunt, Khin Khin Swe, said that he was accompanied to the plane by the US embassy counsellor. Kyaw Zaw Lwin went on to describe how he was "mentally and physically tortured" after being arrested at Rangoon airport on 3 September, following which he was convicted on charges of fraud and forgery and sentenced to three years with hard labour. "I was punched and had my fingers bent and also threatened with a knee to the face. I wasn't allowed to lie down for 12 days in a row [during interrogation] and then another 14 days before I was sent to the prison," he said. Critics of the ruling junta in Burma said that he was being punished for his high-profile activist work, which included delivering a petition with 600,000 signatures to UN chief Ban Ki-moon calling for the release of political prisoners in Burma. "I was arrested without a warrant as some as I came out of the plane. I believe it was politically motivated; I was detained for a reason I don't know," he said. "I didn't break any law – I am a person working to bring about a change for Burma and its people's freedom." The reason for his early release remains unclear. His arrest and sentencing drew international condemnation, and the US has repeatedly called for his release, although there had been little inkling prior to Wednesday that this would take

place. Both his mother and two cousins remain in prison in Burma following their role in the September 2007 monk-led uprising. ([19 March 2010 DVB](#))

## **18 March 2010**

### **Burma releases US citizen**

A Burmese-born US citizen who was sentenced in February to three years in prison with hard labour by a Rangoon court has been released. The announcement came from the US embassy in Rangoon, which has been granted sporadic access to Kyaw Zaw Lwin, also known as Nyi Nyi Aung, since he was arrested upon arrival at Rangoon airport in September last year. “We can confirm that Kyaw Zaw Lwin has been released from prison and has left the country,” said US embassy spokesperson Drake Weisert, adding that the US “welcomed the development”. Kyaw Zaw Lwin, a rights activist who fled Burma to the US in 1993, was convicted of forging an identity card, failing to declare currency at customs and violating immigration laws. Critics of the ruling junta in Burma said however that he was being punished for his high-profile activist work, which included delivering a petition with 600,000 signatures to UN chief Ban Ki-moon calling for the release of political prisoners in Burma. ([18 March 2010 DVB](#))

## **17 March 2010**

### **Burmese-American activist files appeal**

A lawyer for detained Burmese-American activist Nyi Nyi Aung filed an appeal against his three-year prison sentence today after completing a review of a decision reached by a special court at Rangoon's Insein Prison in February. Nyi Nyi Aung's lawyer, Nyan Win, told The Irrawaddy that the appeal was submitted to the Rangoon Division Court and was now awaiting a response. “Today I sent the appeal documents, and next we have to make arguments for acceptance of the appeal. If the court accepts, we have to make our final arguments about one month from now,” he said. Nyi Nyi Aung was sentenced under Article 468 of the Penal Code for possessing a fake Burmese ID card and Article 24/1 of the Foreign Exchange Regulation Act for illegal possession of a foreign currency. He was also found guilty of failing to renounce his Burmese citizenship. ([17 March 2010 Irrawaddy](#))

## **Daw Aung San Suu Kyi**

March was a difficult month for Daw Aung San Suu Kyi and the NLD, following the junta's release of the 2010 national election laws. As expected, the election laws, along with the 2008 Constitution, prevent Daw Suu from standing as a candidate as a result of her current detention. Moreover, under the new laws the NLD must expel Daw Suu or the party will not be eligible to participate in the elections. Following the release of the election laws, Daw Suu stated: “Personally, I would not even think of registering [the party] under these unjust laws. I am not instructing the party or the people. They are free to make their decisions democratically.” Her stand is in keeping with the NLD's



Shwegondaing Declaration of April 2009, which vowed that the party would take part in the elections, but only after careful study of the election laws, and only if all political prisoners were unconditionally released; the 2008 Constitution was reviewed; and a free and fair election was held under international supervision. These prerequisites for participation have not been met and on 29 March the NLD announced that they would not to participate in the elections, thus setting the stage for the termination of their status as a legal political entity.

## **29 March 2010**

### **Suu Kyi urges ‘unification’ with army**

The detained leader of the opposition National League for Democracy (NLD) party has said that civilians and soldiers in Burma should unite in order to develop the country. Her statement was read out by NLD spokesperson Ohn Kyaing as the party on 27 March marked the 65th annual Armed Forces Day (or Resistance Day), which commemorates the start of the Burmese army’s resistance to Japanese occupation in 1945. Around 1000 NLD members from across the country attended the event, along with foreign diplomats from countries such as Britain, Australia and the US. “At this time, some people are saying things to create disunity among us and the Tatmadaw [army],” Suu Kyi was quoted as saying. “They are saying things that give the impression that the NLD doesn’t want the prosperity of the nation or the Tatmadaw. “But in reality, we wish to see Burma and the Tatmadaw standing with dignity and honour. For this, I would like to request the people of Burma and the Tatmadawmen [army personnel] to be united and endeavour to develop a democratic nation.” The head of the junta, Than Shwe, said in a speech on Saturday in the new capital, Naypyidaw, that the country had been forced to assimilate the military and the government. He also warned parties looking to contest the elections this year to “show restraint at a time when the democratisation process has yet to reach maturity”. ([29 March 2010 DVB](#))

## **23 March 2010**

### **Suu Kyi ‘wouldn’t think of registering’ for elections**

Burma’s detained opposition leader Aung San Suu Kyi has told her lawyers that she “would not even think of registering under these unjust laws” for elections this year. She added however that she would let the National League for Democracy (NLD) party decide for itself whether or not to participate, lawyer Nyan Win told AP. A Rangoon court on 23 March turned down an appeal to challenge controversial laws which ban Suu Kyi from running and require her expulsion from the NLD if it is to play any part in polls. The question of whether or not to participate appears to be unsettling the party, whose landslide victory in the last elections in 1990 were ignored by the ruling junta. Today it emerged that a petition had been passed around regional offices in Burma’s southern Irrawaddy division calling for the party to boycott. If the boycott goes ahead, the NLD will be banned as a political party, potentially leaving the country without a viable or internationally-recognised opposition. ([23 March 2010 DVB](#))



## **9 March 2010**

### **Suu Kyi to file case against relative**

Nobel Laureate and Burmese pro-democracy leader Aung San Suu Kyi will file a law suit against Khin Maung Aye, one of her relatives, because he has been trying to sell some land in her current place of residence. Kyi Win, her lawyer told Mizzima that she will file a case against Khin Maung Aye because he had tried to make the sale with the help of false documents to prospective buyers. "Though news of a section of the land where her house is situated being sold was announced through newspapers in July last year by Khin Maung Aye, she could not initiate action because she was facing a trial in the bizzare case of US citizen John Yettaw intruding into her house and staying for two days," her lawyer Kyi Win said. "We were discussing whether she shall file a case. If Daw Suu agrees to what we have drafted, we will submit it in court," he said. Aung San Suu Kyi's mother Khin Kyi had lived in the house numbered 54 and 56 till she died in January 1989. "Khin Maung Aye claimed that Khin Kyi had given him 170 feet of land. But later we heard that Khin Kyi threw him out of the house because she had only allowed him to stay temporarily. Khin Maung Aye is now claiming that he was given the land by Khin Kyi and therefore is trying to sell it," Kyi Win said. "Khin Maung Aye has already taken some money from the buyer, a person supposedly from the literacy circle," he added. ([9 March 2010 Mizzima](#))

## **5 March 2010**

### **Suu Kyi 'house hearing' begins**

Lawyers for Burma opposition leader Aung San Suu Kyi yesterday issued their first statements in a hearing regarding an intra-familial dispute over her Rangoon house. Suu Kyi's estranged brother Aung San Oo has claimed part-ownership of the lakeside compound where Suu Kyi has been kept under house arrest for 14 of the part 20 years, and is attempting to block renovations that will boost security of the property. The house was passed down to both parties by their mother, Khin Kyi, although Suu Kyi and her brother have been estranged for many years. Nyan Win, one of Suu Kyi's lawyers, said her legal team argued before the judges yesterday that Aung San Oo's objection against the renovation was not in accordance with Burmese law. The court is to rule on the case on 6 April. ([5 March 2010 DVB](#))

## **Key International Developments**

Following the release of the election laws by the SPDC there was significant international media attention and commentary from the international community. In response to the election laws, UN Secretary-General Ban Ki-moon wrote a letter to Senior-General Than Shwe expressing concern with regard to the reconciliation process in Burma, and urged the release of all political prisoners as a prerequisite for free and fair elections. The reaction from the international community was mostly one of condemnation, with the United States expressing their doubts with regard to the credibility of the elections, and eventually calling for changes to the electoral laws. Philippine Foreign Secretary Alberto Romulo went so far as to describe the elections a "complete farce". Even Japan, which

has historically been more sympathetic to Burma than European and North American nations, threatened to freeze aid unless Daw Aung San Suu Kyi is released. The UN Security Council held private meetings in which they discussed the Council's right to intervene in Burma's electoral affairs, and Human Rights Watch called on the G8 to discuss Burma at the June summit.

On March 15, the UN Special Rapporteur on the situation of human rights in Myanmar, Tomas Ojea Quintana, delivered his progress report on human rights in Burma at the Human Rights Council in Geneva. The report stated that some actions of the ruling junta may constitute crimes against humanity or war crimes and endorsed calls for a commission of inquiry into crimes against humanity in Burma: "UN institutions may consider the possibility to establish a commission of inquiry with a specific fact finding mandate to address the question of international crimes." This is the first time the Special Rapporteur has explicitly referred to crimes against humanity during his mandate and it was a significant development for the campaign for a commission of inquiry into Burma's human rights record. This recommendation was rejected by Burma's envoy to the Human Rights Council, who said it violated the right of a sovereign state. He also charged that the report to the council contained "unfounded allegations" from "unverifiable sources" and that Quintana had referred to issues which fell outside his mandate. He warned: "Never in the history of the Human Rights Council had such line of action been warranted on the situation of human rights in the particular country. This will set a dangerous precedent for all the developing countries." The Australian government, at the Human Rights Council's debate, stated it would support "investigating possible options for a United Nations commission of inquiry" on Burma. The United States government said the call for accountability serves "to underscore the seriousness of the human rights problems in the country, and the pressing need for the international community to find an effective way to address challenges there."

Mr. Quintana, who released the report on return from his third mission to Burma, also focused on the release of political prisoners and stated: "I see no indication that the Government is willing to release all prisoners of conscience, and that fundamental freedoms will be granted. ... Without full participation, including by the 2100 prisoners of conscience, and an environment that allows people and parties to engage in the range of electoral activities, the elections can not be credible." In response to Mr. Quintana's report, the Myanmar envoy reiterated the SPDC's claim that the "judiciary is independent and impartial. My government has clearly stated that there are no prisoners of conscience and that those who are serving prison terms are those who offended the existing laws and regulations".

On the 26 March the HRC adopted a resolution (A/HRC/13/L.15) on the situation of human rights in Myanmar, without a vote. The resolution on the situation of human rights in Myanmar strongly condemned the ongoing systematic violations of human rights and fundamental freedoms of the people of Burma. The resolution extended the mandate of the Special Rapporteur, for one year, and urged the Government to implement the recommendations contained in his reports and in Council resolutions.

On 23 March, more than 100 former political prisoners came together in Mae Sot, Thailand to celebrate the 10<sup>th</sup> anniversary of the Assistance Association for Political Prisoners (Burma). Additionally, AAPP released a new report titled “the Role of Political Prisoners in the National Reconciliation Process,” in which it calls on the international community to press the military junta to release all political prisoners, review the 2008 constitution, and begin a tripartite dialogue for national reconciliation.

### **31 March 2010**

#### **Japan ‘to freeze aid’ unless Suu Kyi walks**

Japan’s foreign minister Katsuya Okada has said that Tokyo will freeze aid to Burma unless the junta releases opposition leader Aung San Suu Kyi and allows her to participate in elections this year. Okada said that “the current situation [in Burma] will not result in receiving [fully-fledged economic assistance from Japan]”, according to Kyodo News. The junta’s refusal to allow Suu Kyi a platform in the elections has drawn widespread international condemnation. He also crucially backed calls for the powerful Group of Eight (G8) industrialised nations to add Burma’s political situation and human rights abuses by the military government to its agenda for upcoming talks in Toronto in June. Okada conveyed these sentiments to Burma’s ambassador to Japan, U Hla Myint, on 25 March before speaking to a press conference. Kanae Doi, Tokyo director at Human Rights Watch, who had also called on the G8 to discuss Burma, welcomed Okada’s stance. “[He] is committed to making the upcoming elections free and fair. It’s very important now that foreign minister Okada reaches out to ASEAN countries, which he said he would do at the press briefing on Friday”. Doi added that “there are many diplomats who fear that the Chinese influence in Burma is going to hamper the influence of Japan. Therefore Japan needs to maintain or increase their influence with the [junta]; this sort of position is very counterproductive to promoting rights in Burma”. ([31 March 2010 DVB](#))

### **26 March 2010**

#### **Junta urged to free political prisoners**

Burmese military rulers must free all political prisoners, including Aung San Suu Kyi, and ensure that upcoming polls are inclusive and transparent, a group of UN member states said Thursday. The call came at a meeting of the so-called Group of Friends of Burma convened by UN chief Ban Ki-moon to review the country’s new electoral laws that disqualify Suu Kyi ahead of what will be the first national polls in 20 years. The group comprises Australia, Britain, China, the European Union, France, India, Indonesia, Japan, Norway, Russia, Singapore, South Korea, Thailand, the United States and Vietnam. “The group stressed the need for elections to be inclusive, participatory and transparent in order to advance the prospects of stability, democracy and development for all the people of Burma,” Ban told reporters after the meeting. He said participants also urged all parties to work in the national interest and the government to “create conditions that give all stakeholders the opportunity to participate freely in elections.” “This includes the release of all political prisoners, including Daw Aung San

Suu Kyi — and respect for fundamental freedoms,” he added. Ban deplored the fact that despite the government’s engagement with key parties to the national reconciliation process, “it is disappointing that we have not seen the progress that we had expected.” ([26 March 2010 DVB](#))

### **Human Rights Watch call on the G8 to discuss Burma**

Ahead of a planning meeting before the June summit of the G8 group of industrialised countries New York based Human Rights Watch (HRW) has urged ministers to include Burma on the agenda. “One of the reasons that we sent this letter to the G8 is to say; for an international policy towards Burma to have more effect it’s actually got to have more unanimity”... “That’s why we talked about the commission of enquiry and targeted financial sanctions and the elections” said David Mathieson, HRW’s Burma analyst. The letter points to four main issues. The commission of inquiry refers to Tomas Ojea Quintana, the UN special rapporteur on human rights in Burma, who recommended on 8 March, after his last visit to Burma, that the UN should initiate a commission of inquiry into the junta’s alleged crimes against humanity. HRW petition the G8 to support such an inquiry, HRW believe that the grouping; “can play a crucial role in helping to bring an end to these abuses by supporting an impartial inquiry into violations of international human rights and humanitarian law ” said the letter. Targeted sanctions were an area that HRW felt was an “important way to bring about improvements in human rights” but Mathieson was concerned that; “I am sure the Russians will try to block it because the Russians are pretty interested in diverting attention from all the murky things that they are doing in Burma”. The letter urged however that; “those punitive measures to be truly effective and effect change, they must be strengthened, fully implemented, and better coordinated among influential international actors”. With Mathieson further labelling US inability to curtail US oil companies operational in Burma as “hypocrisy”. The elections naturally were included in the letter and it labelled them likely only to “establish a parliamentary facade for continued military rule” but added that “It may be premature to judge the elections themselves, but it is essential that the electoral process conducted in such conditions of repression not be endorsed in any way by the international community.” ([26 March 2010 DVB](#))

### **25 March 2010**

#### **Security Council mulls Burma’s electoral laws**

The UN Security Council on Wednesday held closed-door talks on Burma, with Britain and China clashing over whether it was appropriate for the 15-member body to meddle in the military-ruled country’s electoral affairs. The consultations, called by Britain following Burma’s new electoral laws that disqualify detained democracy icon Aung San Suu Kyi, marked the first time the council took stock of developments in the country since last August. They came on the eve of a meeting of the so-called Group of Friends of Burma at UN headquarters. China’s new UN Ambassador, Li Baodong, whose country maintains close ties with Burma, stressed that its neighbour was a sovereign state and that its upcoming general elections, the first to be held in 20 years, were a domestic matter. He noted that holding elections was not an easy task for a poor country like

Burma but was “a very important step in the process of national reconciliation, democracy.” But his British counterpart Mark Lyall Grant disagreed with the notion that the council should not meddle in Burma’s electoral politics. “We don’t agree with that,” he told reporters, pointing out that Burma was on the council’s agenda. “We believe these laws set out a process which is not conducive to free and fair elections later this year and in many ways seems designed to target Aung San Suu Kyi and the NLD opposition party and to make it very difficult for them to register for the elections,” Lyall Grant said. The British envoy said many council members voiced concern about Burma’s new electoral laws “which fall well short of what the international community expected in a free and fair process and fell short of the expectations set up in previous (council) statements.” He noted that the council had repeatedly stressed the importance of releasing all political prisoners, including Aung San Suu Kyi, establishing a national dialogue and creating the right conditions for reconciliation. ([25 March 2010 DVB](#))

## **24 March 2010**

### **Prisoners’ group celebrates 10<sup>th</sup> anniversary**

More than 100 former political prisoners, activists and foreign volunteers came together on Tuesday morning to celebrate the 10th anniversary of the Assistance Association for Political Prisoners in Burma. The supporters, meeting in the Rujira Hotel in Mae Sot near the Thailand-Burma border, listened to speakers from the Mae Sot community and former political prisoners. A grandmother spoke about her grandson, who is a political prisoner. “Despite my sadness for him, I am proud and have to keep strong. Everyone has to stay strong and keep trying,” she said. A group of former political prisoners did a performance piece in shackles, demonstrating the positions they were forced to hold for hours. They held up a banner saying, “There can be no national reconciliation in Burma as long as there are political prisoners.” To celebrate its 10th anniversary, the AAPP has released a new report titled “The Role of Political Prisoners in the National Reconciliation Process,” calling on the international community to press the military junta to release all political prisoners, review the 2008 Constitution and begin a tripartite dialogue for national reconciliation. In response to the recently announced Burmese election laws, the report called for the criminal records of all political prisoners to be erased. The laws prohibit current prisoners including Aung San Suu Kyi and U Khun Tun Oo from standing for election or belonging to a political party. The report also focuses on key political prisoners and how they could help bring about national reconciliation if they were released. Speak to The Irrawaddy, Bo Kyi, the joint secretary of AAPP, said he opposed National League for Democracy (NLD) participation in the election without Suu Kyi and other NLD members who remain in prison. “We would like to remind the NLD not to participate in the elections without them,” he said. “These people have been thrown in prison because of their love for the NLD and democracy and it’s wrong to exclude them from the party.” The recently announced election laws prohibit any prisoner from participating in the election, which has created a split in the NLD. “Political prisoners like Aung San Suu Kyi and Min Ko Naing have a lot of influence on society, and they have lots of support from the people. If they are not released, then the people will not trust the military regime and there will be no national reconciliation,” Bo

Kyi said. “Elections are important for the democratization of Burma, but with 2,100 political prisoners excluded, the election is not free and fair.” The AAPP has grown from a small group of former political prisoners to a well-known human rights group that documents the situation inside Burma’s prisons. Benjamin Zawacki of Amnesty International told The Irrawaddy, “They are essential, not only because they record names and cases of political prisoners. By just keeping the issue of political prisoners alive, they have made an extremely valuable contribution. Because the office is made up of former political prisoners, their concerns are the concerns of all political prisoners. Also, they work under extremely difficult circumstances .” ([24 March 2010 Irrawaddy](#))

### **‘Third Force’ parties register for election**

Some political parties including so-called Third Force parties have begun to register for Burma’s upcoming elections after the ruling junta last week announced regulations for political parties registration. Aye Lwin of Union of Myanmar Federation of National Politics (UMFNP) said registration forms for his party and 88 Generation Students and Youths-Union of Myanmar, led by his younger brother Ye Htun, were submitted to the Election Committee in the capital Naypyidaw Monday. “We have submitted applications to form political parties as provided in the [Election] Laws. I applied for the registration of the Union of Myanmar Federation of National Politics,” said Aye Lwin. “The 88 Generation Students and Youths-Union of Myanmar led by Ye Htun will stand as a separate party.” Other Third Force groups planning to register for the election are – Diversity and Unity party led by Nay Myo Wei, a yet to be named group led by former 88 generation student activists Phyto Min Thein and Thein Tin Aung and the Union Democracy Party led by Shan politician Shwe Ohn. Currently, about nine political groups are preparing to enter the elections. ([24 March 2010 DVB](#))

### **22 March 2010**

#### **US calls for election law changes in Burma**

An official at the US embassy in Bangkok has said that Burma's recently announced election law must be amended, otherwise the scheduled 2010 polls will be “very difficult to judge as free, fair or credible.” Addressing a forum on Burma at Chulalongkorn University on Monday, George Kent, who is Political Counsel at the US embassy in Thailand, compared the military junta's handpicked Electoral Commission—which has veto powers over candidates—to a similar system used by the rulers of Iran. He said that although the US is “trying to take advantage of any potential openings presented by the election period,” the electoral laws and bylaws indicate that “the government does not have the intention to respond.” He reiterated calls for the release of all political prisoners and the holding of an inclusive dialogue process in Burma before the election is held. Kent added that the US is “closely considering” the recent report and recommendations made by UN Special Rapporteur Tomás Ojea Quintana, including the suggestion that the UN Security Council discuss the possible establishment of a Commission of Inquiry into war crimes and crimes against humanity in Burma. ([22 March 2010 Irrawaddy](#))



## **16 March 2010**

### **Burma, North Korea defend their human rights records**

Burma and North Korea joined in defending each other's human rights records before the United Nations Human Rights Council (UNHRC) in Geneva on Monday. The UNHRC session heard presentations by special UN rapporteurs on Burma and North Korea, according to the UN Web site. The UN special rapporteur on Burma, Tomas Ojea Quintana, said the country is at a critical moment in its history as the first elections in 20 years are scheduled for this year. He suggested the junta has an opportunity to resolve Burma's human rights issues and to initiate "much-needed reforms". The opportunity was not being taken, however, because dissidents were still being arrested and imprisoned and large numbers of political prisoners remained incarcerated. More than 2,100 political prisoners, including Burma's democracy leader Aung San Suu Kyi, were disenfranchised by the regime's election law, barred from joining political parties or from participating in the planned 2010 poll, Ojea Quintana said. The regime's position was presented by Burma's representative on the UNHRC, Wunna Maung Lwin, who said his government strongly condemned and rejected certain unfounded allegations. Wunna Maung Lwin denied that Burma had any prisoners of conscience. The official Burmese stance was supported by North Korea's UNHRC representative, Choe Myong Nam, who said Pyongyang rejected what he described as the unjust politicization and double standards applied to Burma and manifested in country mandates. The mandates should be abolished, the North Korean envoy said. Officials of the US State Department, including Secretary of State Hillary Clinton, have said they are closely watching the development of military ties between two countries. ([16 March 2010 Irrawaddy](#))

## **15 March 2010**

### **UN official makes secret trip to Burma**

A day before the Burmese military junta announced electoral laws and plans about the general election later this year, Vijay Nambiar, a key confidant of UN Secretary-General Ban Ki-moon, is believed to have made an unannounced trip to Burma early this month. A former Indian diplomat, Nambiar is the chef de cabinet of the secretary-general. After the departure of the UN Envoy for Burma, Ibrahim Gambari, in January, Nambiar was given the temporary charge to look after the good offices role of the secretary-general in Burma. The secretive trip, which had been kept under wraps and out of the news media's eyes, is believed to have been undertaken to deliver a personal letter from Ban to Snr-Gen Than Shwe, authoritative sources told The Irrawaddy, adding that it was a day-long visit. Officials who are familiar with the visit refused to divulge any details about the trip in terms of who he met and what issues were discussed. Notably the UN has kept a low profile after the Obama administration engaged the junta in two rounds of direct talks late last year. However, on March 8, talking to reporters at UN headquarters in New York, Ban said that he had written to the the junta's leader expressing his concern about the lack of progress in national reconciliation and also emphasizing the importance of the election which will be held this year to be credible, inclusive and transparent manner. Meanwhile, sources said the Burmese military junta is understood



to have “vetoed” the name of Noer Hassan Wirajuda, the former Indonesian foreign minister, as the new UN Envoy for Burma. Though the Burmese government did not give any reason for the rejection when it conveyed to the office of the secretary general that Wirajuda was “unacceptable,” it is believed that the rejection had to do with the Indonesia's pro-democracy stance. It is well-known that Indonesia has repeatedly called for democratic reform in Burma. Meanwhile, in a statement over the weekend, Ban reiterated his call for Burmese authorities to ensure that all citizens including Aung San Suu Kyi and other political prisoners can freely participate in the electoral process. The UN is studying Burma's new electoral laws. The indications available so far suggest that they do not measure up to the UN's or the international community's expectations of what is needed for an inclusive political process. ([15 March 2010 Irrawaddy](#))

## **12 March 2010**

### **Campbell says engagement with Burma failing**

Washington's new policy of engagement with Burma's military government appears to be failing, a senior US official indicated Friday, noting the junta's decision to bar democracy leader Aung San Suu Kyi from upcoming elections. The United States recently modified its strict policy of isolating the junta in the hope that increased engagement would encourage change. However, the Obama administration has said it will not lift sanctions on Burma unless it sees concrete progress toward democratic reform—notably freeing Suu Kyi and letting her party participate in elections. "The US approach was to try to encourage domestic dialogue between the key stakeholders, and the recent promulgation of the election criteria doesn't leave much room for such a dialogue," said U.S. Assistant Secretary of State Kurt Campbell. Campbell, speaking to reporters in Bangkok, said the US would continue to talk with all parties inside Burma, including the government. But he added: "We're very disappointed, and we are concerned. It's very regrettable. This is not what we had hoped for, and it is a setback." Campbell is on a 10-country Asian trip. ([12 March 2010 Irrawaddy](#))

## **11 March 2010**

### **Burma war crimes probe gets UN backing**

The Burmese government should be investigated for war crimes and crimes against humanity, a leading UN rights expert has urged. It is one of the highest endorsements of a probe into state-sanctioned human rights abuses in Burma, and follows similar calls last year by British MPs and a raft of rights groups. UN special rapporteur for Burma, Tomas Ojea Quintana, published his recommendations in a 30-page report submitted yesterday to the UN Human Rights Council. The report states that some actions of the ruling junta “may entail categories of crimes against humanity or war crimes under the terms of the Statute of the International Criminal Court”. He added that the lack of accountability surrounding the “gross and systematic” nature of abuses indicated “a state policy that involves authorities in the executive, military and judiciary at all levels”. Rights abuses include violations of “the right to life, right to liberty...due process of law, protection of civilians and internally displaced communities [and] prohibition against

discrimination”. The report was hailed by rights groups who have regularly complained that the UN has been impotent when it comes to tackling the crisis in Burma. Zoya Phan, international coordinator at Burma Campaign UK, said that Quintana’s comments were “a major step forward”. “Burma’s generals are criminals; the evidence is everywhere to see. It is now time for their crimes to be investigated,” she said, adding that the British government should “publicly state that they support this recommendation”. In December last year, 440 MPs from around the world urged UN chief Ban Ki-moon to investigate war crimes in Burma. Both a leading Thai aid group, the Thailand Burma Border Consortium (TBBC), and a panel of leading international jurists, who released the Crimes in Burma report in May last year, have said the situation in eastern Burma is comparable to Darfur. ([11 March 2010 DVB](#))

### **Burma’s new election law condemned**

A decision by Burma's military junta to bar pro-democracy leader Aung San Suu Kyi from upcoming elections drew sharp criticism from around the world, with one of the country's Southeast Asian neighbors Thursday calling it "a complete farce." "Unless they release Aung San Suu Kyi and allow her and her party to participate in elections, it's a complete farce and therefore contrary to their roadmap to democracy," Philippine Foreign Secretary Alberto Romulo told The Associated Press. The Philippines is a partner with Burma in the Association of Southeast Asian Nations, whose 10 members rarely voice criticism of each other. The United States and Britain expressed disappointment and regret at the junta's move. Analysts called it a clear slap in the face for the international community, which has repeatedly said the elections would not be legitimate if Suu Kyi, 64, is barred from running. ([11 March 2010 Irrawaddy](#))

### **10 March 2010**

### **US expresses doubts over credibility of Burmese elections**

The Obama administration has expressed concern that the Burmese junta's decision to release electoral laws without first moving toward reconciliation with the opposition could cast serious doubts about the credibility of a general election to be held later this year. “We are concerned by the Burmese authorities’ unilateral decision to begin releasing the election laws without first engaging in substantive dialogue with the democratic opposition or ethnic minority leaders,” said US Assistant Secretary of State for Public Affairs P. J. Crowley. “We remain skeptical that the elections planned for this year will be credible and we urge the authorities to begin a genuine political dialogue with all stakeholders as a first step towards credible elections,” Crowley told reporters in response to a question. The issue is expected to be discussed by Assistant Secretary of State for East Asian and Pacific Affairs Kurt Campbell when he meets with his Malaysian counterparts in Kuala Lumpur today. Campbell, who is the administration's point man for negotiations with the Burmese regime, has so far held two rounds of discussions with the military junta since late last year, when Secretary of State Hillary Clinton announced on the sidelines of the UN General Assembly in New York that the US would pursue a new policy of simultaneous engagement and sanctions with the Burmese regime. US State Department officials say, however, that the regime has yet to make any significant

move since then, making it difficult to proceed with the next round of discussions with the military junta. Meanwhile, for the second consecutive month, Burma has remained absent from the footnotes of the monthly agenda of the UN Security Council, indicating that none of the 15 members of the powerful UN body want to discuss the current situation in Burma. ([10 March 2010 Irrawaddy](#))

## **9 March 2010**

### **Burma bans imprisoned dissidents from upcoming elections**

In preparation for the upcoming national election set to take place this year, Burma's military regime has issued a political party registration law which severely restricts the rights of political parties. The law bans anyone serving in jail from forming political parties or even becoming a member of a political party. There are presently more than 2100 political prisoners in jails across Burma. This clause effectively bars a large number of the regime's political opponents – many of whom were arrested after the 2007 monks led popular uprising – from taking part in the election. The 2008 constitution also bans anyone serving a prison sentence from running for office. The law does not specifically mention if those under house arrest can take part. Opposition leader Aung San Suu Kyi is presently serving 18 months house arrest after her 3 year jail sentence was “commuted” in August last year by junta Supremo Than Shwe. Aung San Suu Kyi however is barred from holding office under a clause of the new constitution because she was married to foreigner. According to the political party registration law, those who can form parties are citizens, guest citizens and those “holding temporary identity cards”. Burma’s citizenship law does not specify what “temporary identity cards” are. Earlier this year in Arakan state however the Burmese regime gave members of the Muslim Rohingya minority “temporary identity cards”, in a move widely seen as relating to the election. The new political party registration law excludes anyone who has an association with “outlawed organizations” from taking part in the national election. Many Burma pro-democracy organizations based in exile are regarded as outlawed organizations by the regime. The "outlawed organizations" clause as its written could bar the vast majority people belonging to Burma's democracy movement, both inside and outside the country. The law also bans parties from receiving external assistance from groups outside Burma. The law also forbids organizations that are presently fighting the Burmese regime with armed struggle from taking part. It also forbids parties from using property or funds that belong to the Burmese state. The law also excludes monks and other religious servants from joining political parties. ([9 March 2010 Mizzima](#))

### **Ban writes junta leader over lack of reconciliation**

UN Secretary-General Ban Ki-moon has written a letter to Burmese Snr-Gen Than Shwe expressing concern over the lack of progress in restoration of democracy in Burma and emphasizing the need for a credible and transparent election later this year. “I have sent, about ten days ago, a letter to Snr-Gen Than Shwe, first of all expressing my concern about the lack of progress and also emphasizing the importance of the election which will held this year to be in a most credible, inclusive and transparent manner,” Ban told

reporters at UN headquarters in New York. Ban said he had noted recent news report in the official Burmese media of the enactment of election laws. He also called for the release of all political prisoners including Aung San Suu Kyi, the popular Burmese democracy leader, which he said is essential for a successful election. Most importantly, all political prisoners should be released as soon as possible, he said, so that all of them can take part in elections. “That would make the elections inclusive and credible,” Ban said. “I repeatedly emphasized that, without the participation of Daw Aung San Suu Kyi and all key political prisoners, the elections would not be inclusive,” Ban said. ([9 March 2010 Irrwaddy](#))

### **Burma junta to pick election commission**

Burma’s military government will select the five-member commission to preside over elections this year, it has announced after unveiling the first batch of election laws. State media said today that the commission will “supervise the practising of the Union of Myanmar [Burma] people’s rights to elect or stand for election as well as the political parties.” Members of the commission will not belong to political parties and will have to be aged 50 or over and adjudged by the military junta to be “loyal” and “eminent”. The commission will theoretically be in control during the election period. Powers over the elections include the “supervising [of] political parties to perform in accordance with the law”, the newspaper said. The cherry-picking of election governors is likely to raise already heightened fears that polls will be manipulated by the government, which has already awarded around a quarter of parliamentary seats to the military even prior to voting. Somsri Hannanuntasuk, director of the Asia Network for Free and Fair Elections (ANFREL), expressed “concern” about the selection of the commission, which will effectively be the “supreme body” during elections, but asserted that it should not be made up of members of political parties. “Those people should come from civil society. If the people come from the military it will be a problem; how can it be credible? We don’t want people from political parties.” ([9 March 2010 DVB](#))

### **Ramos-Horta launches Burma petition**

Timor-Leste President Jose Ramos-Horta has launched a worldwide petition for democracy in Burma, which also calls for the release of Aung Saw Suu Kyi ahead of the election due sometime in 2010. Speaking at Bradford University in the UK, as part of the university’s PeaceJam event, Nobel Peace Prize laureat Ramos-Horta said that Burma’s political divisions should be resolved by dialogue between all relevant parties and not through sanctions that penalize the people of the country. His comments come after a recent controversy in which the Timor-Leste ambassador to the UN was apparently fired after voting in favour of a General Assembly resolution condemning the human rights situation in Burma. ([9 March 2010 Irrawaddy](#))

## **8 March 2010**

### **Burma enacts first election laws**

Burma’s military government announced on Monday the enactment of long-awaited laws for forthcoming elections this year but gave no immediate date for the polls, state media

said. Junta chief Than Shwe has promised the elections as part of his so-called “roadmap to democracy” but critics say the vote will be a sham if pro-democracy leader Aung San Suu Kyi remains under house arrest. “The laws were enacted by the State Peace and Development Council and the details of the laws will be published in tomorrow’s newspaper and also will be published as a book,” state television and radio said. It was unclear if a date for the election would be included in the details to be released later. The five laws enacted were the Union of Myanmar [Burma] election commission law, the political parties registration law, the people’s parliament election commission law, the national parliament commission election law, and the state or division parliament commission law. ([8 March 2010 DVB](#))

## Opinion Section

Opinion editorials in March largely focused on the newly released election laws, and the role of the upcoming elections in the national reconciliation process.

### **The role of political prisoners in the national reconciliation process – AAPP (March 2010)**

Online at: [http://aappb.org/The\\_Role\\_of\\_political\\_prisoners\\_in\\_the\\_national\\_reconciliation\\_process.pdf](http://aappb.org/The_Role_of_political_prisoners_in_the_national_reconciliation_process.pdf)

### **Election Behind Bars: What Hope for Reconciliation? – by Ko Bo Kyi (29 March 2010)**

Online at: [http://www.irrawaddy.org/opinion\\_story.php?art\\_id=18151](http://www.irrawaddy.org/opinion_story.php?art_id=18151)

### **Five steps to democracy in Burma – by Dr. Zarni (22 March 2010)**

Online at: <http://www.dvb.no/analysis/five-steps-to-democracy-in-burma/>

## Conclusion

March saw significant political developments for Burma. The new election laws ushered in by the junta, designed to divide and weaken the opposition, only reinforce the sham nature of the political process that the SPDC is engaging in, on its move towards ‘disciplined democracy.’ These laws, and the decision by the NLD not to contest the election, are likely to lead to an increasingly repressive response by the junta, in the lead up to the election. There are real concerns that parties which boycott the election, including the NLD, will be outlawed and their members will face the risk of arrest and imprisonment, as has happened in the past.

Also of significance was the endorsement by the Special Rapporteur for an investigation into crimes against humanity committed by the Burmese military regime. His call strengthens the global campaign for this demand and it is now the responsibility of the member states of the United Nations to take heed of the Special Rapporteur’s recommendations and hold the SPDC to account for past and continuing human rights violations.

