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DEMOCRACY & HUMAN RIGHTS: NO STEP FORWARD

- **On 27 November the regime announced a one-year extension of Daw Aung San Suu Kyi's house arrest, sparking international outrage.**
- **Despite fresh offers by the National League for Democracy to begin dialogue and reconciliation, the regime tightened Daw Aung San Suu Kyi's detention, raising international concern about her health and safety.**
- **Between November 2004 and January 2005 the regime released over 19,000 prisoners, in a bid to regain international confidence. However only 90 of those released were political prisoners. Over 1,300 political prisoners remain behind bars, including 11 Parliamentarians.**
- **More citizens continue to be harassed, arrested and sentenced for their political activities. NLD member Saw Pan Koo was arrested and charged with distributing the Universal Declaration of Human Rights.**
- **NLD MP Dr Myint Naing was wrongfully accused in a case of motorcycle accident, and sentenced to three months imprisonment. The junta handed an additional one-year prison term to NLD MP Dr Than Nyein, although he suffers from severe health problems.**
- **UNOCAL has agreed to compensate Burmese villager victims of forced labor during the construction of the Yadana pipeline in Tenasserim Division, Southern Burma.**

Junta Humiliates ASEAN, Extends Daw Aung San Suu Kyi's Detention

On 27 November the military regime announced a one-year extension of Daw Aung San Suu Kyi's house arrest, humiliating ASEAN leaders who were meeting in Vientiane for their annual Summit. The move signals the SPDC's intention to keep the National League for Democracy out of the National Convention, which is due to reconvene on 17 February.ⁱ

Japan, the Philippines, Indonesia and Malaysia expressed concerns over the Nobel Laureate's continued detention.ⁱⁱ The UN Secretary-General, the United States, Germany, Britain, Italy and Australia also condemned the junta's unacceptable decision.ⁱⁱⁱ The ASEAN Parliamentary Caucus on Myanmar, as well as fellow Nobel Laureates Wangari Maathai, Jodi Williams, and Shirin Ebadi joined the international protest.^{iv}

NLD Offers Dialogue And Reconciliation

Despite the regime's uncompromising attitude towards the National League for Democracy (NLD), the party proposed an immediate dialogue with the junta. NLD Chairman U Aung Shwe sent a letter to the SPDC Chairman Sr Gen Than Shwe on 2 December calling for an open and sincere dialogue.^v The NLD sent the same letter a second time on 23 December, calling for talks to begin ahead of Burma's 4 January Independence Day.

In a statement explaining the purpose of the letters, the party stated: "*We believe that the future of the Union of Burma depends on the result of smooth dialogues, discussions and search for solutions. When discussing the current situation of the Union of Burma, we must avoid blaming one another, and keep the present and future benefits of the country and its people in the forefront of our mind, and concentrate on our duties.*"^{vi}

The Junta Responds: New Restrictions Imposed on Daw Aung San Suu Kyi

The military regime responded to the NLD's overture by imposing new restrictions on Daw Aung San Suu Kyi, and harassing, arresting and sentencing more NLD members. In mid-December the regime decided to cut back Daw Aung San Suu Kyi's personal security team, formed by NLD youth members, from 13 to 6, and restrict her personal doctor's visits to once a week.^{vii}

On 14 December Daw Aung San Suu Kyi protested these restrictions by asking her remaining security guards to leave her compound. She is now alone in her University Avenue house with two women attending her personal needs.^{viii} The international community has raised serious concerns over Daw Aung San Suu Kyi's health and safety. ASEAN governments are now openly outraged and justifiably frustrated by Daw Aung San Suu Kyi's detention, and some of them have begun calling for a re-assessment of Burma's chairmanship of ASEAN in 2006.^{ix}

Mass Prisoner Release: Not A Step Towards Democracy

In a bid to further incriminate General Khin Nyunt and to regain international confidence following the October purge of the military intelligence, the SPDC launched at the end of November a program of mass prisoner release. Perhaps in a failed attempt to appease the international community, the regime had already released 9,248 prisoners the day before announcing Daw Aung San Suu Kyi would remain incarcerated for another year.

Between 21 November 2004 and 4 January 2005 the regime freed a total of 19,806 prisoners in four batches, the latest coinciding with Burma's Independence Day. The regime claimed the prisoners were incarcerated due to "irregularities" committed by the National Intelligence Bureau, formerly headed by Khin Nyunt.^x Only 90 of those released were political prisoners, the overwhelming majority being ordinary criminals. Five NLD Parliamentarians were among those freed, but 11 remain behind bars.^{xi}

This mass release of prisoners is only a cosmetic operation, not a positive step towards national reconciliation. Over 1,300 political prisoners remain behind bars in Burma, and the junta has continued in the months of December 2004 and January 2005 to arrest and sentence pro-democracy activists, and harass the citizens it released.

Military Regime Harasses And Intimidates Released Student Leader

Among the few political prisoners recently released by the regime was the prominent student leader Min Ko Naing, held in solitary detention since 1989.^{xii} Min Ko Naing's newly found freedom has been severely curtailed by the junta's ongoing harassment. Authorities keep a constant watch over his Rangoon home, and follow him wherever he goes. Early in December the regime forced the press to publish identical reports relating in detail the visits of foreign diplomats to Min Ko Naing's home.^{xiii} While Min Ko Naing was visiting relatives in Mon State, the authorities forced their way at midnight into his uncle's home where he was staying, requesting explanations for the student leader's presence. This ongoing campaign of intimidation undermines Min Ko Naing attempt to recover from health problems due to his long years in detention, when he lacked medical attention.^{xiv}

Arrested of Political Party Members continue unabated

In December alone the regime arrested and prosecuted 41 NLD members under a variety of bogus and unfair charges, such as the failure to register guests.^{xv}

On 14 December the Bogale Township (Rangoon Division) local authorities visited every village in the township and told all NLD members to resign from the party, under threat of arrest, prosecution and imprisonment. On 6 December the junta arrested 14 NLD members from the same township on charge of conspiring to celebrate the National Day (6 December) without permission. One of the accused, Saw Pan Koo, was also accused of distributing leaflets containing the Universal Declaration of Human Rights, even though

human rights are officially part of the school curriculum. This charge was reportedly later dropped, although Saw Pan Koo is still being prosecuted for the initial charge.^{xvi}

MP Arrested; Other Kept In Prison Despite Severe Health Problems

In December NLD Parliamentary Dr Myint Naing was sentenced to three months imprisonment after the regime framed him in a motorcycle accident case. The alleged “victim” had told the court that she was in the wrong and did not want to sue the MP, but the authorities still prosecuted Dr Myint Naing. The NLD MP had been released from 14 years of prison in February 2004.^{xvii}

In January 2005 the junta further extended by one year the prison sentence of Dr Than Nyein, an NLD MP from Kyauktan Township (Rangoon Division). Dr Than Nyein, deemed “a threat to the peace of most citizens”, under the State Protection Act, was initially arrested in February 1997, his sentence scheduled to finish in July 2004. Dr Than Nyein is 67 years old, and suffers from gastric ulcer, a liver condition, and nerve damage.^{xviii}

UNOCAL Corp Pays Compensation for Forced Labor in Burma

UNOCAL Corp agreed in December to pay compensation to 14 anonymous Burmese villagers who were victims of forced labor, murder and rape during the construction of a gas pipeline in Southern Burma. The lawsuits filed in state and federal courts against the California-based oil firm date from 1996, a year after UNOCAL began the construction of the Yadana pipeline, in partnership with the French oil giant Total and the military regime. Although UNOCAL continues to deny any involvement in human rights abuses, it represents a major victory for Burma’s pro-democracy movement.

UNOCAL also agreed to increase its financial contribution to health care, education and community development in the pipeline region. Details of the agreement however are still confidential.^{xix}

(END)

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ⁱⁱⁱ AFP, *UN head leads complaints over new detention of Myanmar opposition leader*, 1 Dec 2004; AFP, *Rome calls for immediate release of Aung San Suu Kyi*, 2 Dec 2004

^{iv} AFP, *Nobel Laureates call for release of DASSK*, 1 Dec 2004

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- v Xinhua, *Myanmar opposition party proposes dialogue with government*, 9 Dec 2004
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- vii AFP, *Myanmar junta putting Aung San Suu Kyi's health, safety at risk*, 16 Dec 2004
- viii National League For Democracy, *Central Executive Committee Statement on Daw Aung San Suu Kyi (Unofficial translation by DVB)*, 15 Dec 2004; AFP, *US 'deeply concerned' about Myanmar opposition leader's welfare*, 17 Dec 2004
- ix Kyodo News Services, *ASEAN may reconsider Myanmar's hosting of 2006 summit*, 9 Dec 2004
- x National Coalition Government of the Union of Burma, *Update Situation of released political prisoners during 4 batches of mass release in November, December 2004 and January 2005*, Jan 2005
- xi The five MPs released are: Kyaw Khin, Ohn Kyaing, Ohn Maung, Kyaw San, and Toe Po.
- xii Irrawaddy, *Student Leader Harassed*, 24 Jan 2005
- xiii Irrawaddy, *Weeklies ordered to Report Diplomats Meet with Min Ko Naing*, 1 Dec 2004
- xiv US Campaign for Burma, *Burmese Activists Call on Burma's Military Regime to End Harrassment, Intimidation of Prominent Former Political Prisoner*, 21 Jan 2005
- xv NCUB – Political Defiance Committee, *PDC News Commentary*, Dec 2004
- xvi DVB, *NLD youth to be sentenced for distributing UN human rights leaflets in Burma*, 8 Jan 2005; DVB, *UNDP says it didn't refuse to defend a Burmese political prisoner*, 20 Jan 2005
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- xviii Assistance Association for Political Prisoners – Burma, *The One Year Extended Prison Sentence of Dr Than Nyein, MP*, 23 Jan 2005; Irrawaddy, *Jailed MP moved to Rangoon hospital*, 28 Sep 2004
- xix Associated Press, *Unocal to pay villagers, fund improvements to settle rights case*, 14 Dec 2004