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U.S. Department of State

Burma Country Report on Human Rights Practices for 1997

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BURMA

Burma continued to be ruled by a highly authoritarian military regime. The military Government known as the State Law and Order Restoration Council (SLORC) seized power in September 1988 after harshly suppressing massive prodemocracy demonstrations. In November the SLORC announced that the military Government had been renamed the State Peace and Development Council (SPDC). The regime is headed by armed forces commander General Than Shwe and composed of top military officers. Retired dictator General Ne Win, whose idiosyncratic policies had isolated Burma and driven the country into deep economic decline, may continue to wield considerable influence. The judiciary is not independent of the executive.

The SLORC permitted a relatively free election in 1990, but it failed to honor the results--which were an overwhelming rejection of military rule--and cede power to the victorious prodemocracy forces. Instead, the SLORC attacked the coalition of winning parties and their leaders through intimidation, detention, and house arrest, and redoubled efforts to consolidate and perpetuate its rule. In 1993 the SLORC established the "National Convention," a body ostensibly tasked with drafting a new constitution. The SLORC carefully handpicked the delegates, overwhelmingly made up of military officers, and stage-managed the constitutional convention's proceedings, ignoring even limited opposition views. Although the National Convention has not been reconvened since 1996, the military government appears determined to draft a constitution that will ensure a dominant role for the military services in the country's future political structure.

The Government reinforces its firm military rule with a pervasive security apparatus led by the military

intelligence organization, the Directorate of Defense Services Intelligence (DDSI). Control is buttressed by selective restrictions on contact with foreigners, surveillance of government employees and private citizens, harassment of political activists, intimidation, arrest, detention, and physical abuse. The Government justifies its security measures as necessary to maintain order and national unity. However, most major insurgent groups have reached individual accommodations with the SLORC in recent years, which provide varying levels of stability and autonomy from central government control. Members of the security forces committed numerous, serious human rights abuses.

Burma is a poor country, with an estimated average per capita income of \$200 to 300 per year on an exchange rate basis and \$700 to \$900 on a purchasing-power-parity basis. Primarily an agricultural country, it also has substantial mineral, fishing, and timber resources. Since 1988 the Government has partly opened the economy to permit expansion of the small private sector and attract foreign investment. Some economic improvement has ensued, but major obstacles to economic reform persist. These include extensive overt and covert state involvement in economic activity, state monopolization of leading exports, a bloated bureaucracy prone to arbitrary and opaque governance, corruption, poor human and physical infrastructure, and disproportionately large military spending.

The Government's longstanding severe repression of human rights continued during the year. Citizens continued to live subject at any time and without appeal to the arbitrary and sometimes brutal dictates of the military dictatorship. Citizens do not have the right to change their government. The SLORC has given no sign of a willingness to cede its hold on absolute power. There continue to be credible reports, particularly in ethnic minority-dominated areas, that soldiers committed serious human rights abuses, including extrajudicial killings and rape. Disappearances continued, and members of the security forces beat and otherwise abused detainees. Prison conditions remained harsh. Arbitrary arrests and detentions continued for expression of dissenting political views. Many hundreds--if not more--political prisoners remained in prison, including approximately 31 parliamentarians elected in 1990. Since May 1996, at least 340 persons have been arrested and imprisoned for political reasons, and may remain in prison at year's end. The judiciary is subject to executive influence, and the Government infringes on citizens' rights to privacy.

The SLORC maintained and at times intensified its restrictions on basic rights of free speech, press, assembly, and association. Political party activity remained severely restricted. Although the authorities recognize the chief opposition party, the National League for Democracy (NLD), as a legal entity, they prevented the party from conducting normal day-to-day political activities. The Government closed many party offices throughout the country with no apparent legal justification. The regime refused to recognize the legal political status of key NLD party leaders, such as its General Secretary Aung San Suu Kyi and the two party cochairmen, and it severely constrained their activities through security measures and threats. The regime stopped a party conference held on May 27 to mark the seventh anniversary of the 1990 elections by the use of physical restraints on NLD party members. The authorities detained or threatened to detain as many as 300 Members of Parliament-elect (M.P.'s-elect) and party activists from outside Rangoon to deter attendance. They also progressively tightened restrictions imposed in late 1996 on Aung San Suu Kyi's freedom to leave her compound and her ability to receive visitors. Although the Government eased restrictions on NLD gatherings in September that allowed the party to hold a congress marking the ninth anniversary of its founding, this action was only temporary, as authorities blocked subsequent meetings.

The SLORC's repression of the NLD continued with the forcible closure of NLD offices upcountry and harassment of NLD members for petty offenses. It forced NLD members to work as military porters and arrested and convicted NLD supporters of political crimes, especially those associated personally with Aung San Suu Kyi.

The Government imposed restrictions on certain religious minorities. In March the authorities did little to halt attacks on Muslims by Buddhist monks. The authorities initially did little to stop the rioting, and in some cases stood by and watched the looting of Muslim property, although they did deter physical harm to Muslims themselves. An estimated 42 mosques were damaged or destroyed throughout the country. The Government restricted freedom of movement. Thousands of citizens fled army attacks against insurgents, and remained in refugee camps in Thailand at year's end. Discrimination against women and ethnic minorities, violence against women, trafficking in women and girls, and widespread adult and child prostitution are problems. The Government restricts worker rights, bans unions, and uses forced labor for public works and to produce food for military garrisons. The forced use of citizens as porters by the army--with attendant maltreatment, illness, and even death for those compelled to serve--remained a common practice. The Government did not enforce 1996 military directives to cease the practice of forced civilian labor, and the practice remains widespread. Child labor is also a problem. The use of forced civilian labor on projects appeared to decrease.

During the SLORC's antiinsurgency operations, military forces were responsible for arbitrary killings, rape, village relocations, the destruction of homes and property, and forced labor inflicted on ethnic minorities.

Insurgent forces committed numerous abuses, including killings, rapes, and other atrocities.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom from:

a. Political and Other Extrajudicial Killing

There continued to be many credible reports of brutality and the killing of civilians by soldiers, particularly in areas dominated by ethnic minorities. Brutal treatment by soldiers also caused deaths among those impressed as military porters in areas held by ethnic insurgents. In February soldiers detained approximately 50 NLD leaders and members from Toungoo in Rago Division. Of this group, 14 persons were forced into portage; three persons reportedly died as a result. In May in Bago Division, soldiers detained a group of 36 NLD members from Kyaukyi. Eight persons were taken as porters; one of them died while working as a porter. The Government's general disregard for human rights has created a climate that is clearly conducive to such abuses.

The military forces disregard the safety of noncombatants, and thousands of refugees continue to flee into neighboring Thailand.

Various insurgent groups also committed extrajudicial killings.

b. Disappearance

As in previous years, private citizens and political activists continued to "disappear" temporarily, for periods ranging from several hours to several weeks. DDSI officials usually apprehended individuals for questioning without the knowledge of their family members. In many, although not all cases, they released them soon afterward. Such action was usually intended to prevent free political expression or assembly. At the same time, large numbers of persons continued to be forcibly seized by soldiers for portage or related duties, often without the knowledge of their family members. The whereabouts of

those conscripted, as well as of prisoners transferred for labor or portage duties, remain unknown.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The authorities routinely subjected detainees to harsh interrogation techniques designed to intimidate and disorient. The most common forms of mistreatment were sleep and food deprivation coupled with around-the-clock questioning; some detainees were also kicked and beaten. Political detainees were held incommunicado for long periods. Credible reports continue that prisoners are forced to squat or assume stressful, uncomfortable, or painful positions for lengthy periods.

There continued to be credible reports that security forces subjected ordinary citizens to harassment and physical abuse. The military forces routinely confiscated property, cash, and food, and used coercive and abusive recruitment methods to procure porters. Those forced into portage or other duties faced extremely difficult conditions and mistreatment that sometimes resulted in death (see Section 1.a.). There were many reports that soldiers raped women who were members of ethnic minorities.

Prison conditions remained harsh. The regimen at Insein Prison near Rangoon remained extremely harsh including the lack of exercise, mosquito nets, and reading materials for some prisoners, poor nutrition, inadequate medical care, and the use of solitary confinement and "doggie cells," (small enclosures that remind citizens of kennels used during World War II) as punishment. A small number of prominent political prisoners were housed in separate bungalow accommodations on the prison compound. All prisoners were usually permitted to receive medicine as well as supplemental food brought by their families during 15-minute visits permitted every 2 weeks, although there are occasional reports that guards demand bribes for that privilege.

Conditions for political prisoners were reported to be much harsher at some upcountry locations than in Rangoon; Thayet and Thayawaddy prisons are cited most often in this regard. In April the authorities transferred approximately 150 prisoners--including 59 NLD members--from Insein to upcountry prisons. The inevitable consequence for most prisoners of the transfer from Rangoon was additional hardship in the form of reduced access to family support, food, medicine, and clothing. However, there have been reports that prison conditions for a number of political prisoners improved late in the year.

U Tin Shwe (Monywa), a former NLD central executive committee member, died in Insein prison on June 8. A founding member of the NLD, Tin Shwe had been arrested in 1990 and was serving an 18-year sentence when he died of heart disease at age 68. After receiving cardiac treatment at Insein Hospital in April, his family asked the authorities to allow specialists to see Tin Shwe outside the prison; however, authorities denied permission. After prolonged deterioration, he died in custody, the sixth NLD member to die in prison since 1988. In September the authorities did provide timely medical treatment to NLD founding member U Win Tin, Aung San Suu Kyi's cousin, Cho Aung Than, Dr. Aung Sint, and three other political prisoners at Rangoon General Hospital.

The Government does not permit prison visits by human rights monitors.

d. Arbitrary Arrest, Detention, or Exile

There is no provision in the law for judicial determination of the legality of detention. The SLORC routinely practiced arbitrary arrest and incommunicado detention. Prior to being charged, detainees rarely had access to legal counsel or their families and political detainees have no opportunity to obtain release on bail. Political detainees are held incommunicado for long periods. Even after being charged, detainees rarely have benefit of counsel.

As in 1996, the authorities carried out a campaign of detention and intimidation to prevent the NLD from holding a party conference. Prior to the NLD's planned celebration on May 27 to mark the seventh anniversary of the 1990 election, the SLORC detained more than 300 NLD Members of Parliament-Elect (M.P.'s-Elect) and activists outside Rangoon and threatened others to prevent them from attending the event. Although the authorities subsequently released all the detainees, their detentions violated the NLD's right as a legal party to hold a political gathering (see Section 2.b.).

In February the authorities arrested four prominent NLD M.P.'s-Elect--all of whom are medical doctors--on charges that appeared designed to harass them because of their affiliation with the NLD. One doctor, who is also a party organizer for Rangoon Division, was jailed for 40 days on charges of operating a clinic without a license; eventually he was able to prove that he had applied for a license. While charges against the physician and two of his colleagues were later dismissed for lack of evidence, another physician with ties to the NLD was convicted on a suspected false charge of "negligent homicide" and sentenced to 4 years in prison. He had given an injection to a vagrant who ignored his advice to seek immediate treatment in a hospital and subsequently died.

The military forces forcibly seized citizens to serve as porters during military operations; at times the brutal treatment that they suffered caused the death of such persons (see Sections 1.a., 1.b., and 1.c.).

Forced exile is not used as a method of political control. However in 1990, when the SLORC refused to recognize the results of the elections and pressured successful candidates to resign, some candidates, as well as thousands of political activists, responded by going into exile rather than face threats.

e. Denial of Fair Public Trial

The judiciary is not independent of the executive. The SLORC names justices to the Supreme Court who, in turn, appoint lower court judges with the approval of the SLORC. Pervasive corruption further serves to undermine the impartiality of the justice system.

The court system, as inherited from the United Kingdom and subsequently restructured, comprised courts at the township, district, state, and national levels. Throughout the year, the Government continued to rule by decree and was not bound by any constitutional provisions providing for fair public trials or any other rights. Although remnants of the British-era legal system were formally in place, the court system and its operation remained seriously flawed, particularly in the handling of political cases. Unprofessional behavior by some court officials, the misuse of overly broad laws, and the manipulation of the courts for political ends continued to deprive citizens of the right to a fair trial and the rule of law.

Some basic due process rights, including the right to a public trial and to be represented by a defense attorney, were generally respected, except in political cases that authorities deemed especially sensitive. Defense attorneys are permitted to call and cross-examine witnesses, but their primary purpose is to bargain with the judge to obtain the shortest possible sentence for their clients. Most court proceedings are open to the public. However, in political cases, trials are held in courtrooms on prison compounds and are not open to the public. In these instances, defense counsel appears to serve no purpose other than to provide moral support, since reliable reports indicate that verdicts are dictated by higher authorities.

The arrest and conviction of three associates of Aung San Suu Kyi illustrates the opaque nature of the judicial process under the SLORC regime, which denies defendants in political cases the right to a fair public trial. In June the SLORC arrested Cho Aung Than, his sister Nge Ma Ma Than, and her husband, Myint Swe. Authorities tried and sentenced them to 10 years in prison on charges of "unlawful association" and of allegedly having assisted foreigners (representatives of nongovernmental

organizations (NGO's)) in transferring money to Aung San Suu Kyi. Cho Aung Than and Nge Ma Ma Than are Aung San Suu Kyi's cousins. A fourth alleged coconspirator, Myo Aung Thant, was also sentenced to 10 years' imprisonment, in addition to life imprisonment for alleged involvement in terrorist attacks. These included a package bomb killing of the daughter of SLORC official Tin Oo in April. The closed and opaque judicial process in these cases cast serious doubt on the legitimacy of the proceedings.

In December the SLORC commuted the sentences of those prisoners serving terms longer than 10 years. Approximately 60 students and political prisoners arrested between 1988 and 1992 had their sentences reduced, making them eligible for release within the next few years.

There are unconfirmed estimates of as many as 1,000 political prisoners. Since May 1996, at least 340 political prisoners have been arrested; most remain confined. Of the total, 93 are students, 18 are NLD parliamentarians-elect, and 229 are NLD members, supporters, and activists. Of this total, 52 students, all the parliamentarians-elect, and 110 NLD members and supporters have been tried and sentenced. The status of the remaining persons in custody is not known.

f. Arbitrary Interference With Privacy, Family, Home, or Correspondence

The military authorities ruled unchecked by any outside authority, and the State continued to interfere extensively and arbitrarily in the lives of private citizens. Through its extensive intelligence network and administrative procedures, the Government closely monitored the travel and activities of many citizens, particularly those known to be politically active. Authorities sometimes enter homes during night hours to check registration documents of occupants as a form of monitoring personal movements. Security personnel selectively screened private correspondence and telephone calls and conducted warrantless searches of private premises and other property. At times the Government attempted to jam foreign radio broadcasts, and citizens were generally unable to subscribe directly to foreign publications (see Section 2.a.). Government employees are generally required to obtain advance permission before meeting with foreigners.

The military services forced citizens-including women and children-to work as military porters under harsh conditions (see Sections 1.a, 1.b., and 1.g.).

To make way for commercial or public construction, and in some cases for security reasons, the SLORC continued to move people out of cities to peripheral new town settlements, although on a smaller scale than during the early 1990's. While facilities in some of these areas have improved over time, residents targeted for displacement continued to be given no option but to move, usually on short notice. The military authorities also continued the widespread and frequent practice of forcible relocation of rural villages in ethnic minority areas in response to security concerns. This practice was particularly widespread and egregious in the Shan, Kayah, and Karen states, where tens of thousands of villagers were displaced or herded into smaller settlements in strategic areas.

In a number of urban areas, residents were compelled to cede land for road-widening projects approved without any public consultation or endorsement. Other long-term city residents were required to cede land for commercial redevelopment and were compensated at only a fraction of the value of their lost homes. For example, the Government forced residents in the Hledan market area of Rangoon to relocate to make way for an apartment complex without paying compensation for their homes; residents were given the option to buy new apartments outside the city. In rural areas, military personnel at times confiscated livestock and food supplies. The armed forces also forcibly relocated many villages and citizens during its campaign against insurgents (see Section 1.g.).

g. Use of Excessive Force and Violations of Humanitarian Law In Internal Conflicts

For nearly 5 decades, the army has battled diverse ethnic insurgencies. These ethnic minority insurgent groups have sought to gain greater autonomy, or in some cases, independence from the dominant ethnic Burman majority. In 1989 the SLORC began a policy of seeking cease-fire agreements with most ethnic insurgent groups along the borders.

Following the breakdown of its cease-fire with the separatist Karenni National Progressive Party (KNPP) in 1995, the army began an offensive in 1996 against the KNPP that continued through year's end. As part of its campaign to deny the guerrillas local support, the military forces forcibly relocated hundreds of villages and tens of thousands of Karenni civilians. In central and southern Shan state, the military forces continued to engage the Shan United Revolutionary Army (SURA), a remnant of Khun Sa's narcotics-linked former Mong Tai Army, and began a campaign of relocation against the villagers in the region. Many thousands have been forced to move from their villages. There are credible reports of retaliatory killings, rapes, and other atrocities committed by the army against civilians.

The Karen National Union (KNU) is the largest single insurgent group that continues to fight against central government rule. In January the fourth round of cease-fire talks between the KNU and the SLORC broke down. In February the army launched an offensive that pushed the KNU out of its last strongholds in Karen state. The KNU lost control of most of its former territory along the Thai border. As a result, over 20,000 Karen civilians fled to Thailand.

In conjunction with the military's campaigns against the Karen, Karenni, and Shan insurgents, it was standard practice for the military forces to coerce civilians into working as porters in rural areas in or near combat zones. According to testimony collected by international human rights NGO's from refugees, the men--and sometimes women and children as well--who were forced to labor as porters often suffered beatings and, on occasion, died as a result of their mistreatment by soldiers (see Sections 1.a, 1.b., and 1.c.). There were reports that soldiers raped female members of ethnic minorities in contested areas.

In the regions controlled by insurgent groups engaged in narcotics trafficking, civilians were reliably reported to have been subjected to forced labor as well by those groups.

Antigovernment insurgent groups were also responsible for violence, including the deployment of land mines that caused both civilian and military deaths. The SURA insurgents committed retaliatory killings, rapes, and other atrocities against civilians.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Government continued to impose severe restrictions on freedom of speech and of the press. The security services continued to harass and repress those attempting to express opposition political views, and many more refrained from speaking out for fear of arrest, interrogation, and other forms of intimidation. Since late 1996, the authorities have prohibited the weekend gatherings in front of Aung San Suu Kyi's residence at which she and NLD vice-chairmen Tin Oo and Kyi Maung formerly responded to letters from the public and delivered speeches. Barriers blocking access to her residence remained in place during the year, and her freedom to leave her compound or to receive visitors was severely restricted.

The government monopoly television, radio, and newspaper media remained propaganda instruments. These official media normally did not report opposing views except to criticize them. Editors and reporters remained answerable to military authorities. While the English language daily New Light of Myanmar continued to include many heavily edited international wire service reports on foreign news, domestic news hewed strictly to and reinforced government policy.

All forms of domestic public media were officially controlled or censored. This strict control in turn encouraged self-censorship on the part of writers and publishers. Citizens were generally unable to subscribe directly to foreign publications, but a limited selection of foreign newspapers could be purchased in a few hotels and stores in Rangoon (see Section 1.f.). A limited supply of international news magazines and a sizable number of private publications on nonpolitical issues were available to the public, but censors frequently banned issues or deleted articles deemed unwelcome by the Government.

Monthly press conferences that had begun in August 1996 were suspended by the Government in April. Prior to that time, most known foreign journalists, including television crews, had been able to obtain visas to visit and report on developments, although authorities sometimes monitored and restricted their movements. The Government issued few visas to journalists after April.

Foreign radio broadcasts, such as those of the British Broadcasting Corporation, Voice of America, Radio Free Asia, and the Norway-based Democratic Voice of Burma, remained the principal sources of uncensored information. The authorities at times attempted to jam or otherwise interfere with the reception of these broadcasts (see Section 1.f.). They also continued to restrict the reception of satellite television broadcasts. Penalties of up to 3 years' imprisonment for operation of an unlicensed satellite television receiver can be imposed. Licenses, however, were almost impossible to obtain by citizens, although some ignored the licensing regulation.

A series of totalitarian decrees issued by the Government in 1996 designed to strengthen its control over all forms of political expression and citizens' access to information remained in force during the year. Order 5/96 in 1996 prohibited speeches or statements that "undermine national stability" as well as the drafting of alternative constitutions. A 1996 amendment to the television and video law imposed additional restrictions and stiffer penalties on the distribution of videotapes not approved by the censor. Also in 1996, the Government decreed that all computers, software, and associated telecommunications devices would be subject to government registration. The law required government permission for all communications by computer. The Government bars most Internet services to citizens. During the year, the authorities granted permission to one Internet service company to provide only electronic mail services to any citizen on a fee basis.

University teachers and professors remained subject to the same restrictions on freedom of speech, political activities, and publications as other government employees. These included warnings against criticism of the Government; instructions not to discuss politics while at work; strictures against joining or supporting political parties; engaging in political activity; or meeting foreigners. Teachers continued to be held responsible for propagating SLORC political goals among their students and for maintaining discipline and preventing students from engaging in any unauthorized political activity.

Following student demonstrations in December 1996, the Government closed the universities and even primary and secondary schools to prevent further demonstrations. While the primary and secondary schools reopened in August, most universities remained closed at year's end.

b. Freedom of Peaceful Assembly and Association

The Government restricts freedom of assembly. Its prohibition of unauthorized outdoor assemblies of more than five persons remained in effect, albeit unevenly enforced. The 10 existing legal political parties remained formally required to request permission from the authorities to hold internal meetings of their members, although some members still met without official permission.

The SLORC's repression of the NLD continued; it forcibly closed NLD offices upcountry and harassed NLD members for petty offenses, forced NLD members to work as porters, and arrested and convicted NLD supporters for political crimes, especially those associated personally with NLD General Secretary Aung San Suu Kyi.

In May the authorities blocked the NLD's attempt to hold a party congress on the anniversary of the 1990 elections. It temporarily detained or threatened the detention of over 300 party members living outside Rangoon, and sealed off access to Aung San Suu Kyi's compound.

However, in September the authorities abruptly suspended their policy and permitted the NLD to convene a party congress on the occasion of the ninth anniversary of the party's founding. Although the authorities barred several hundred persons from attending, more than 700 delegates participated in the congress, the largest gathering held by the NLD since 1990. The authorities permitted several public gatherings of NLD members and supporters on various holidays, with little or no interference. While the authorities allowed holiday celebrations to take place in Aung San Suu Kyi's compound, police restricted the size of the gatherings. The suspension of restrictions was temporary, however, and subsequent meetings outside her compound were blocked. Most universities remained closed, and police prevent student demonstrations.

The Government's mass mobilization organization, the Union Solidarity and Development Association (USDA), continued to hold large-scale rallies in support of government policies. In many cases it coerced attendance, using implicit or explicit threats of penalties for those staying away. There were no reported incidents in which the authorities interfered with religious groups' assemblies or other outdoor gatherings during the year.

The Government restricts freedom of association. Aside from officially sanctioned organizations like the USDA, the right of association existed only for organizations, including trade associations and professional bodies, permitted by law and duly registered with the Government. Only a handful continue to exist, and even those are subject to direct government intervention and take special care to act in accordance with government policy. This group includes apolitical organizations such as the Myanmar Red Cross and the Myanmar Medical Association. Only 10 political parties remained at year's end, compared with 15 in 1992.

c. Freedom of Religion

Adherents of all religions duly registered with the authorities generally enjoyed freedom to worship as they chose; however, the Government imposed some restrictions on certain religious minorities. In recent years, Buddhists continued to enjoy a privileged position. The Government has made special efforts to link itself with Buddhism as a means of asserting its own popular legitimacy. Photographs of SLORC officials paying homage or making donations at pagodas throughout the country appear regularly in the official newspaper.

The Government monitored the activities of members of all religions, in part because congregation members have in the past become politically active. The authorities continued to regard the Muslim and Christian religious minorities with suspicion. Moreover, there is a concentration of Christians among

some of the particular ethnic minorities against whom the army has fought for decades. Religious publications, like secular ones, remained subject to control and censorship. Christian bibles translated into indigenous languages could not be imported or printed legally, although this ban is not enforced in some areas. It remained difficult for Christian and Muslim groups to obtain permission to build new churches and mosques. In March authorities did little to halt attacks on Muslims by Buddhist monks (see Section 5).

Religious groups of all faiths were able to establish and maintain links with coreligionists in other countries and travel abroad for religious purposes; however, the Government reportedly monitored these activities. Foreign religious representatives usually were allowed visas only for short stays but in some cases were permitted to preach to congregations. Permanent foreign missionary establishments have not been permitted since the 1960's, but seven Catholic nuns and four priests working in Burma since before independence in 1948 have been allowed to continue their work.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

Although citizens have the legal right to live anywhere in the country, both urban and rural residents were subject to arbitrary relocation (see Section 1.f.). Except for limitations in areas of insurgent activity, citizens could travel freely within the country but had to notify local authorities of their whereabouts. The Government restricted the freedom of movement of NLD General Secretary Aung San Suu Kyi (see Section 2.a.). Those residents unable to meet the restrictive provisions of the citizenship law, such as ethnic Chinese, Arakanese, Muslims, and others had to obtain prior permission to travel. The Government carefully scrutinized prospective travel abroad. This produced rampant corruption as many applicants were forced to pay large bribes to obtain passports to which they were otherwise entitled. The official board that reviews passport applications denied passports in some cases apparently on political grounds. All college graduates who obtained a passport (except for certain government employees) were required to pay a special education clearance fee to reimburse the Government. Citizens who had emigrated legally generally were allowed to return to visit relatives, and some who had lived abroad illegally and acquired foreign citizenship were able to return to visit. The Government on occasion restricts the issuance of passports to young female applicants seeking work abroad, reportedly to prevent young women from being enticed to travel abroad to jobs that are in fact in the commercial sex industry.

Restrictions on foreign travelers have been eased as part of an effort to promote tourism. Burmese embassies issued tourist visas, valid for 1 month, within 24 hours of application. However, select categories of applicants, such as foreign human rights advocates, journalists, and political figures, continued to be denied entry visas unless traveling under the aegis of a sponsor acceptable to the Government, and for purposes approved by the Government. Although some areas of the country remained closed to foreigners for security reasons, the authorities permitted travel to most other destinations. Rangoon-based diplomats generally must apply 10 days in advance for travel outside the capital.

At year's end, there were still 21,000 Rohingya Muslims remaining in refugee camps in Bangladesh. The U.N. High Commissioner for Refugees' (UNHCR's) repatriation program, which since 1992 had succeeded in returning approximately 238,000 refugees to Burma and had been scheduled to end on August 15, halted prematurely when the Rohingyas as a group rejected repatriation and demanded resettlement in Bangladesh. The Rohingyas refused to return because they feared human rights abuses, including religious persecution and other government restrictions. The UNHCR reported that authorities cooperated in investigating isolated incidents of renewed abuse of repatriated citizens. However, returnees complained of restrictions imposed by the Government on their ability to travel and to engage in economic activity.

A few thousand students and dissidents continued to live in exile in Thailand. The more than 100,000 Burmese residing in refugee camps in Thailand were joined during the year by thousands of new arrivals fleeing army attacks against insurgencies in the Karen, Karenni and Shan ethnic areas.

The Government does not allow refugees or displaced persons from abroad to resettle or seek safe haven. The Government has not formulated a policy concerning refugees, asylees, or first asylum, and it is not a party to the 1951 U.N. Convention Relating to the Status of Refugees or its 1967 protocol.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

Despite the overwhelming desire that citizens demonstrated in the 1990 elections for a return to democracy, they continued to be denied the right to change their government. Since 1988 active duty military officers have occupied most important positions throughout the Government, particularly at the policy making level, but also extending to local administration. Despite the appointment of several civilians to the Cabinet in 1992, the policy of placing military or recently retired military officers in most key senior level positions in all ministries has continued unabated. In the SPDC Government formed in November, only 12 of the 41 ministers appointed are civilians.

Following the NLD's victory in the 19