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BURMA

Burma continued to be ruled by a highly authoritarian military regime. Repressive military governments dominated by members of the majority Burman ethnic group have ruled the ethnically Burman central regions and some ethnic-minority areas continuously since 1962, when a coup led by General Ne Win overthrew an elected civilian government. Since September 1988, when the armed forces brutally suppressed massive prodemocracy demonstrations, a junta composed of senior military officers has ruled by decree, without a constitution or legislature. In 1997 the junta reorganized itself and changed its name from the State Law and Order Restoration Council (SLORC) to the State Peace and Development Council (SPDC). The Government continued to be headed by armed forces commander General Than Shwe, although Ne Win, who retired from public office during the 1998 prodemocracy demonstration, may continue to wield informal but declining influence. In 1990 the junta permitted a relatively free election for a parliament to which the junta announced before the election that it would transfer power. Voters overwhelmingly supported antigovernment parties with the National League for Democracy (NLD) winning more than 60 percent of the popular vote and 80 percent of the parliamentary seats. Throughout the 1990's, the junta systematically violated human rights in Burma to suppress the prodemocracy movement, including the NLD, and to thwart repeated efforts by the representatives elected in 1990 to convene. Instead, the junta convened a government-controlled " National Convention" intended to approve a constitution that would ensure a dominant role for the armed forces in the country's future political structure. Since 1995 the NLD has declined to participate in this National Convention, perceiving its agenda to be tightly controlled by the junta. More than a dozen armed ethnic groups continued to rule or to exercise some governmental functions in peripheral ethnic minority areas under various cease-fire agreements negotiated with the junta between 1989 and 1995. The judiciary is not independent of the junta.

Since 1988 the junta has more than doubled the size of the armed forces, from about 175,000 to more than 400,000 men, and has increased the Government's military presence

throughout the country, especially in ethnic minority areas from which government forces were not excluded by cease-fire agreements. 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 arbitrary restrictions on citizens' contacts 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. Members of the security forces committed numerous, serious human rights abuses.

Burma is a poor country with a population said by its Government to number about 48 million. Average per capita income was estimated to be about \$300, but about \$800 on a purchasing power parity basis. More than 3 decades of military rule and mismanagement have resulted in widespread poverty. Primarily an agricultural country, Burma also has substantial mineral, fishing, and timber resources. From 1988 to 1995, the Government partly liberalized and opened the economy and thereby reversed the economic contraction of the 1980's. However, economic growth has slowed since the mid-1990's as the junta has retreated from economic liberalization in response to a worsening foreign exchange shortage. Obstacles to growth include extensive overt and covert state involvement in economic activity, state monopolization of leading exports, a bloated bureaucracy, arbitrary and opaque governance, institutionalized corruption, poor human and physical infrastructure, and disproportionately large military spending at the expense of social development spending and stable prices.

The Government's extremely poor human rights record and longstanding severe repression of its citizens 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 regime. Citizens did not have the right to change their government. There continued 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 tortured, beat, and otherwise abused detainees. Prison conditions remained harsh and life threatening, but improved slightly in some prisons after the International Committee of the Red Cross (ICRC) gained access to prisons in May. Arbitrary arrest and detention for expression of dissenting political views continued with increasing frequency; the Government continued to detain more than 55 members-elect of Parliament and hundreds of other NLD supporters to prevent the party from convening the parliament elected in 1990. Since 1962 thousands of persons have been arrested, detained, or imprisoned for political reasons; more than 1,300 political prisoners remained at year's end. The judiciary is not independent. The Government continued to infringe on citizens' privacy rights, and security forces continued systematically to monitor citizens' movements and communications, to search homes without warrants, and to relocate persons forcibly without just compensation by due process. During the year, those suspected of or charged with prodemocratic political activity were subjected to increased surveillance and harassment. Security forces continued to use excessive force and to violate international humanitarian law in internal conflicts against ethnic insurgencies. The regime forcibly relocated large ethnic minority populations in order to deprive armed ethnic groups of civilian bases of support.

The SPDC continued severely to restrict freedom of speech and of the press. The junta restricted academic freedom; most universities have been closed since 1996 due to fear of

political dissent. The junta severely restricted freedom of assembly, and systematically intensified its restriction of freedom of association, pressuring many thousands of members to resign from the NLD political party and closing party offices nationwide. Since 1990, the junta frequently has prevented the NLD and other prodemocracy parties from conducting normal political activities. Although the junta continued to recognize the NLD as a legal entity, it also continued to refuse to recognize the legal political status of key NLD party leaders, particularly its general secretary and 1991 Nobel laureate, Aung San Suu Kyi, and the two party cochairmen, and to constrain their activities severely through security measures and threats. During the year, the SPDC intensified its systematic use of coercion and intimidation to deny citizens the right to change their government. In August 1998, the NLD leadership organized a 10-member Committee Representing the People's Parliament (CRPP) to act on behalf of the Parliament. The junta has responded by intensifying its campaign to destroy the NLD without formally banning it, by intimidating several elected representatives into resigning from the parliament, by detaining 55 other elected representatives, and by pressuring constituents to sign statements of no confidence in others. The junta restricted freedom of religion; it continued its institutionalized control over Buddhist clergy in order to restrict efforts by some Buddhist clergy to promote human rights and political freedom, and government authorities coercively promoted Buddhism over other religions in some ethnic minority areas. The Government imposed restrictions on certain religious minorities. The Government continued to restrict freedom of movement and in particular foreign travel by female citizens; the junta also continued to restrict Aung San Suu Kyi's freedom to leave her residence or to receive visitors. The Government did not allow domestic human rights organizations to exist, and remained generally hostile to outside scrutiny of its human rights record. Violence and societal discrimination against women remained problems. The junta continued severely to neglect the education of children by underfunding public schools. There was governmental and societal discrimination against ethnic minorities, and animosities between the Burman majority and ethnic minorities continued. The Government continued to restrict worker rights, ban unions, and use forced labor for public works and to produce food and other daily necessities for military garrisons. Forced labor including forced child labor was a serious problem. The forced use of citizens as porters by the army--with attendant mistreatment, illness, and sometimes death--remained a common practice. The Government did not honor its repeated pledge to prevent its officials from using their authority under the country's Towns Act and Villages Act to mobilize forced labor. In June the Government responded to sanctions that the International Labor Organization (ILO) imposed on it for its use of forced labor by unilaterally withdrawing from the convention on forced labor administered by the ILO. Child labor is also a problem, and varies in severity depending on the region. Trafficking in persons, particularly in women and girls to Thailand and China, mostly for the purposes of prostitution, remained widespread.

Insurgent forces committed numerous abuses, including killings, rapes, forced labor, and the forced use of civilians as porters.

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 extrajudicial killings by soldiers of noncombatant civilians, particularly in areas of ethnic insurgencies (see Section 1.g.).

There were numerous detailed but unconfirmed reports that army soldiers indiscriminately shot and killed ethnic Karen, including women and children, in villages in the Thaton District of Mon State during the first half of the year.

Brutal treatment by soldiers also caused deaths among those impressed as military porters for use in counterinsurgency operations in areas of ethnic insurgencies. According to reports, porters who no longer can work often are either abandoned without medical care or assistance, or executed (see Section 6.c.). There also continued to be detailed reports that physical abuse and neglect by army soldiers resulted in the death of persons forced to labor on physical infrastructure projects (see Section 6.c.). An exile Chin nationalist organization reported that on May 5, soldiers beat and killed Pa Za Kung, a man from Vomkua village in Chin State's Thantlang Township, for resting without permission while being forced to help build a road from Thantlang to Vuangtu village. While these reports are unconfirmed, the Government's general disregard for human rights has created a climate that is clearly conducive to such abuses.

Some inmates died in prisons and labor camps, or shortly after being released from them, due to torture or to denial of adequate medical care and harsh conditions (see Section 1.c.). On May 23, in Depeyin Town in Sagaing Division, 25-year-old Kyi Khaing died after 10 hours in police custody; he was arrested for verbally abusing his aunt. Although police initially informed his family that he hanged himself, his body had a broken pelvis and many bruises, and in the course of a subsequent investigation police sergeant Sein Win reportedly confessed to beating Kyi Khaing to death; however, no action was taken against Sein Win, who subsequently disappeared. On July 1, NLD member-elect of Parliament Kyaw Min died of hepatitis contracted during his incarceration in Rangoon's Insein Prison from May 1996 to May 1998; he had been detained along with hundreds of other members-elect of Parliament in 1996 for attempting to convene the Parliament elected in 1990. On May 21, NLD member Hla Khin died in Insein prison, allegedly a suicide. He had been detained in 1998 for traveling on a public road to witness the detention of Aung San Suu Kyi, who was prevented by security forces from traveling to a town in the western part of the country (see Section 1.d.).

Some insurgent groups also committed extrajudicial killings. In March near three pagoda's pass in the eastern part of the country soldiers of the Karen National Union (KNU) reportedly captured and killed 10 Burmese immigration officials. The KNU claimed that its captives were killed in a firefight with the army. On June 23, near the town of Myawadi on the Thai border, a KNU landmine destroyed a bus, killing seven noncombatants, reportedly in retaliation for the bus company's refusal to pay protection "taxes" to the KNU. The Government reported that on July 31 in Kayah State, elements of the Karenni National Progressive Party (KNPP), an insurgent group, killed 2 persons who in July helped to arrange the surrender of 100 KNPP members to the Government, and who were attempting to mediate further similar negotiations (see Sections 1.g. and 2.d.).

b. Disappearance

Throughout the country, as in previous years, private citizens and political activists continued to "disappear" for periods ranging from several hours to several weeks or

more; some have never reappeared. DDSI officials usually apprehended individuals for questioning without the knowledge of their family members. In many, although not all cases, the DDSI released them soon afterward. Such action usually was intended to prevent free political expression or assembly. The army continued to seize by force large numbers of persons for portage or related duties, often without the knowledge of their family members. The whereabouts of those persons seized by army units to serve as porters, as well as of prisoners transferred for labor or portage duties, often remained unknown.

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

The Government 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 under bright lights; some detainees also were kicked and beaten. Credible reports continued that prisoners were 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 labor faced extremely difficult conditions and beatings and mistreatment that sometimes resulted in death (see Sections 1.a. and 6.c.). In contrast to previous years, there were no instances of security forces beating NLD members who were attempting to assemble for meetings.

There were frequent reports that army soldiers and other army personnel raped women who were members of ethnic minorities, especially in Shan, Karenni, and Karen states, where the majority of armed encounters between the army and insurgents took place (see Sections 1.g. and 5.).

Members of insurgent forces also reportedly raped civilians.

Prison conditions remained harsh and life threatening; however, they improved slightly in some prisons after the ICRC gained access to prisons in May. All prisoners usually were permitted to receive medicine as well as essential supplemental food brought by their families (if the families could afford to do so) during 15-minute visits permitted every 2 weeks, although there are occasional reports that guards demand bribes for that privilege.

The Government's Department of Prisons operates many facilities of several categories including several labor camps. Conditions for political prisoners reportedly remained much harsher at facilities far from major cities, including prison labor camps than at prisons in Rangoon and Mandalay. Throughout the year, the Government transferred many prisoners--including NLD members--from Insein prison to prisons and labor camps far from Rangoon. Most such prisoners suffered additional hardship in the form of reduced access to family support, food, medicine, and clothing. There were credible reports that at least a few political prisoners or detainees have long been denied adequate medical care. Some of these prisoners died as a result (see Section 1.a.). On July 1, NLD member-elect of Parliament Kyaw Min died of hepatitis contracted in prison. He had been detained from 1996 to 1998 without trial and released to his family prior to his death.

International monitoring of prisons began in May after the Government agreed to allow the ICRC unrestricted access to all prisoners in all prisons, detention centers, and labor camps. In response to ICRC recommendations, the Government provided some prisoners with an opportunity for exercise, better food, reading material, and improved medical care. Although the Government transferred many political prisoners from Rangoon's Insein Prison to other facilities before the ICRC's first visit to Insein in May, the Government apparently subsequently ceased such practices. During the year the ICRC was able to visit more than 30,000 prisoners in at least 18 prisons including more than 1300 political prisoners. The Government allowed the ICRC to perform its traditional services such as delivering letters to and from prisoners.

d. Arbitrary Arrest, Detention, or Exile

There is no provision in the law for judicial determination of the legality of detention, and the SPDC 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. Some political detainees are held incommunicado for long periods. Even after being charged, detainees rarely have benefit of counsel. Some political prisoners were not released after completing their sentence.

Authorities continued to detain some private citizens and political activists continued to "disappear" temporarily at the hands of security forces (see Section 1.b.).

The Government repeatedly detained and deported foreign journalists (see Section 2.a.).

Throughout the year, the Government continued its campaign of detention and intimidation to prevent the NLD from convening the parliament elected in 1990. Between July and September authorities arrested or detained hundreds of local NLD leaders and former student leaders throughout the country; authorities reportedly detained as many as 100 persons in Pegu and Mandalay between July and September (see Section 1.c.). Many of these detentions apparently were intended to prevent public demonstrations in connection with the anniversary of the August 1988 prodemocracy demonstrations (see Section 2.b.) or on the numerologically significant date of September 9 (9/9/99) on which some prodemocracy groups based in foreign countries had called for a nationwide general strike to commemorate the 1988 prodemocracy demonstrations.

At year's end, the Government continued to detain without charge 55 persons elected to parliament in 1990; most were NLD members and most had been detained since September 1998, just before the NLD organized the formation of the CRPP. During the year, the junta released about 150 members-elect of Parliament who were being detained without charge as of the end of 1998. However, there were credible reports that in many cases the junta released members-elect of Parliament only after they agreed to resign from the elected Parliament, to withdraw their proxies to CRPP members, or otherwise to restrict their political activities (see Section 3).

In August in the town of Mergui in Tenasserim Division, authorities arrested and detained at least 17 high school students who were protesting rising formal and informal school fees, the continued closure of the universities, and the Government's continued prohibition of independent student associations (see Sections 1.e., 2.b. and 5). In December authorities arrested and detained high school students in Mergui for planning a protest,

and students of closed postsecondary institutions living in Mandalay and in the town of Pakokku in Magwe Division for planning unauthorized public meetings or distributing prodemocracy literature (see Sections 2.a. and 2.b.).

The Government did not use forced exile. However, during the year, Aung San Suu Kyi was threatened with deportation or in the state-controlled media.

Since 1988, when the SPDC refused to recognize the results of the elections and pressured successful candidates to resign, some candidates, as well as thousands of political activists, went into foreign exile rather than face threats.

e. Denial of Fair Public Trial

The judiciary is not independent of the military junta. The junta appoints justices to the supreme court who, in turn, appoint lower court judges with the approval of the junta; it has done so since 1988. These courts adjudicate cases under decrees promulgated by the junta that effectively have the force of law. Pervasive corruption further serves to undermine the impartiality of the justice system.

The court system, as inherited from the United Kingdom and subsequently restructured, comprises 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--including the Emergency Provisions Act of 1950, the Unlawful Associations Act, the Habitual Offenders Act, and the Law on Safeguarding the State from the Danger of Destructionists--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, generally were respected, except in political cases that the Government 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 not open to the public. Political detainees often are given harsher sentences if they mount a defense in court. In political cases, defense counsel appears to serve no purpose other than to provide moral support, since reliable reports indicate that senior military authorities dictate verdicts. Defense attorneys often are reluctant to take political cases.

Two foreign prodemocracy activists were sentenced to long prison terms for actions that elsewhere would be deemed innocuous. After two arrests in 1997 and 1998 that included serving 90 days of a 5-year prison sentence for illegal entry, James Mawdsley was again arrested in August. He was convicted and sentenced to a total of 17 years in prison. In September Rachel Goldwyn was arrested after chaining herself to a lamppost in downtown Rangoon and singing a prodemocracy song. She was convicted of sedition and sentenced to 7 years' imprisonment, but was released on appeal and left the country in

November.

In October the Supreme Court dismissed suits brought by members of the NLD's central executive committee against SPDC Secretary One Lt. Gen. Khin Nyunt, the chief of military intelligence. The suits alleged that the military intelligence apparatus intentionally damaged private individuals in connection with the detention of NLD members elected to parliament in 1990. They also filed suit against other senior government officials for libel, fraud, and intimidation in connection with the organization of petitions of "no confidence" in NLD members-elect of Parliament (see Sections 1.d. and 3). Although the hearing was closed to the public, the Supreme Court reportedly ruled that General Khin Nyunt could not be sued for official actions without the permission of his superior, Senior General Than Shwe, and that the "no confidence" petitions were valid.

There were unconfirmed estimates that the Government holds over 1,300 political prisoners. Although the law provides for the commutation of sentences for good behavior, political prisoners often are not granted this benefit. Moreover, some political prisoners remained in custody despite having completed their sentences. However, in January and February the Government released two prominent political prisoners, Ohn Myint and Dr. Ma Thida, on humanitarian grounds prior to the completion of their sentences.

Some of the persons arrested and detained in July through September for prodemocracy activities were tried and sentenced to prison terms. For example, NLD youth member Tey Za from Myinma in Sagaing Division, who was arrested for posting a sign that his shop would close on September 9, was tried and sentenced later in the same month to 2 years in prison on a charge of instigating public panic. In Mandalay, a family of four was arrested and its members were sentenced to harsh prison terms for wearing yellow, a color associated with the NLD, on September 9 (see Sections 1.d. and 2.a.).

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

The military Government continued to interfere extensively and arbitrarily in the lives of citizens. Through its extensive intelligence network and administrative procedures, the Government systematically monitored the travel of all citizens and closely monitored the activities of many citizens, particularly those known to be active politically. The law requires that any person who spends the night at a place other than his registered domicile inform the police in advance, and that any household that hosts a person not domiciled there maintain and submit to the police a guest list. Police routinely entered and searched homes during night hours without warrants, ostensibly to enforce compliance with this requirement. Security personnel also commonly searched private premises and other property without warrants in other contexts.

Government employees generally are required to obtain advance permission before meeting with foreigners. Military intelligence continued frequently to monitor the movements of foreigners and to question citizens about conversations with foreigners.

Government employees are prohibited from joining or supporting political parties. The Government continued to use coercion and intimidation to induce many persons including nearly all public sector employees not only to join the Union Solidarity and Development Association (USDA), the Government's mass mobilization organization, but also

repeatedly to attend mass meetings called to criticize the NLD and NLD members-elect of Parliament (see Sections 1.d., 2.b., and 3).

Government officials including senior officials continued repeatedly to make statements in the state-monopolized domestic media warning parents of students that authorities could hold them responsible for any political offenses that their children might commit.

In July 1998, the Attorney General banned women from marrying foreigners (see Sections 2.d., 5, and 6.f.). However, this ban is not enforced.

During late 1998 and early 1999, the Government refused to allow Aung San Suu Kyi's late husband Michael Aris, then terminally ill, to travel from Britain to visit his wife in Rangoon. The Government stated that if Aung San Suu Kyi wanted to see her British husband, she could leave the country to visit him in the United Kingdom. The Government announced that it would allow the prodemocracy leader to reenter the country only if they judged her visit to be non-political. At about the same time, state-owned media and billboards and government-organized mass rallies called for Aung San Suu Kyi to be deported (see Section 1.d.).

Army units routinely forced citizens, including women and children, to provide a wide range of support services without compensation and to work as military porters under harsh conditions (see Sections 1.a., 1.b., 1.g., and 6.c.). The army reportedly includes child soldiers as young as 14 years old. Child soldiers are assigned support duties.

Weak private property rights regarding land ownership continued to facilitate involuntary relocations of persons by the State. The law does not permit private ownership of land; it recognizes only different categories of land use rights, many of which are not freely transferable. Postcolonial land laws have revived the precolonial tradition that the State owns all land and that private rights to it are contingent upon use that the State deems productive.

To make way for commercial or public construction and in some cases for reasons of internal security and political control, the SPDC continued to relocate citizens out of cities to new towns; however, this occurred on a much smaller scale than during the early 1990's. Persons relocated to "new towns" continued to suffer from greatly reduced infrastructure support and living standards, and residents targeted for displacement continued to be given no option but to move, usually on short notice.

In rural areas the military Government also continued its widespread and frequent practice of forcibly relocating ethnic minority villages. This practice was particularly widespread and egregious in the Shan, Kayah, and Karen States and in areas of Mon State and Pegu Division as part of the armed forces campaign against insurgents. In these areas, thousands of villagers were displaced and herded into smaller settlements in strategic areas (see Section 1.g.). These forced relocations often have been accompanied by intensified demands for forced labor to build infrastructure for both villagers and army units to guard them in the areas to which they were relocated, and often have generated large outflows of refugees to neighboring countries or to parts of the country not controlled by the Government. In areas that it has forced ethnic minorities to leave, the junta repeatedly has organized the settlement of Burmans. In some areas army units forced or attempted to force ethnic Karen to relocate to areas controlled by the

Democratic Karen Buddhist Army (DKBA), an armed ethnic group allied with the Government (see Section 5).

During the year, the Government reportedly also forcibly relocated several largely Islamic villages in Arakan State and resettled the area with Buddhist Burmans whom it compelled to move out of Dagon Township in Rangoon Division (see Sections 1.g. and 5).

In a number of urban areas, residents were compelled to cede use of land for road widening and a host of other projects approved without any public consultation or endorsement. Other long-term city residents were required to cede use of land for commercial redevelopment and were compensated at only a fraction of the value of their lost homes.

In rural areas, military units and personnel routinely confiscated livestock, fuel, food supplies, alcoholic drinks, or money. This abuse has become widespread and systematic since 1997, when the junta, intent upon continuing its military buildup despite mounting financial problems, ordered its regional commanders insofar as possible to supply their logistical needs locally rather than rely on the central authorities, and reorganized the junta to give greater authority to regional commanders relative to the central Government. As a result, regional commanders have increased their use of forced contributions of food, labor and building materials throughout the country.

Security personnel continued to screen private correspondence and telephone calls.

Government authorities continued generally to prevent citizens from subscribing directly to foreign publications or satellite television (see Section 2.a.). The Government continued to license or ration electronic communication devices. A decree promulgated by the junta in 1996 has made possession of an unregistered telephone, facsimile machine, or computer modem punishable by imprisonment. (see Section 2.a.).

Both army and insurgent units used forced conscription.

Use of Excessive Force and Violations of Humanitarian Law in Internal Conflicts

Continuously since independence in 1948, 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 ethnic Burman-dominated State. Since 1989 about 15 such groups have concluded and maintained cease-fire agreements with the Government; under these agreements, such groups generally have retained their own armed forces and either rule or perform some governmental functions within specified territories inhabited chiefly by members of their ethnic groups. However, the Karen National Union (KNU) has continued to conduct insurgent operations in areas with significant Karen populations in the eastern and southern regions of the country, including not only Karen State but also Mon State, Tenasserim Division, and Pegu Division. In Kayah State, the Karenni National Progressive Party (KNPP) has resumed fighting against the Government since the breakdown of a cease-fire negotiated in 1995. In central and southern Shan State, military forces continued to engage the Shan State Army (SSA), a remnant of Khung Sa's narcotics-linked Mong Tai army. The government continued a campaign of forced relocation of villagers. There are credible reports that the army committed retaliatory killings, rapes and other atrocities against civilians. Numerous other

minor ethnically based insurgent groups including the Chin National Front (CNF), the Naga National Council, the Rohingya solidarity organization (RSO), and the Arakan National Organization (ANO) continue to oppose the central government with varying levels of insurgent activity.

In combat zones or in areas controlled by ethnic minorities as part of the government's cease fire arrangements, some insurgents subjected civilians to forced labor.

Some antigovernment insurgent groups also committed serious abuses. Some KNU units committed extrajudicial killings of civilians, in one case by blowing up a passenger bus with a landmine (see Section 1.a.). KNPP elements reportedly killed two persons who had arranged the surrender of KNPP fighters to the Government and were attempting to do so again (see Section 1.a.). SSA insurgents reportedly committed retaliatory killings, rapes, and other atrocities against civilians. There were credible reports that some insurgents used women and children as porters. At least one Karen insurgent group calling itself God's Army, which has split from the KNU and operated from a base inside the country near the border with Thailand, was led by child soldiers (see Section 5). In September five young armed Karen seized the Burmese Embassy in Thailand and held persons of several nationalities hostage. The hostage takers later were granted refuge at God's Army camp in Burma.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The law authorizes the Government to restrict freedom of speech and of the press and in practice the junta continued to restrict these freedoms severely and systematically. The Government continued to arrest, detain, convict or imprison many persons for nonviolently expressing or attempting to express political opinions critical of the junta or of military rule, or for distributing or possessing publications in which such opinions were expressed (see Sections 1.c., 1.d., and 1.e.). In addition, security services continued to monitor, harass, and intimidate persons believed to hold such political opinions. Many more persons refrained from speaking out due to fear of arrest, interrogation, and other forms of intimidation.

Legal restrictions on freedom of speech, already severe since the early 1960s, have intensified since 1996, when the junta promulgated a decree prohibiting speeches or statements that "undermine national stability" as well as the drafting of alternative constitutions. In all regions of the country that it controlled, the military Government continued to use force to prohibit virtually all public speech critical of it by all persons, including persons elected to parliament in 1990 and by leaders of political parties (see Sections 1.d., 1.e., 2.b., and 3). The Government has pursued this policy consistently since 1990, with the one exception of permitting weekly speeches by NLD leaders in front of Aung San Suu Kyi's residence in Rangoon from late 1995 until December 1996.

During the year, novelist Maung Tha Ya fled the country and publicly stated that he believed that 20 prominent writers remained in prison in the country, including novelist and journalist San San Nweh, who has been imprisoned for a 10-year-term since 1994 for passing information about human rights violations to international reporters and United Nations observers. Some of these writers, including San San Nweh, were reportedly in

poor health, and government censorship boards continued not to approve publication or distribution of many works written by them. An international nongovernmental organization (NGO) that promotes media freedom reported in December that 13 journalists were in prison. The government did allow former political prisoner Dr. Ma Thida to publish a novel following her release from prison.

On August 19, the junta announced that security forces recently seized thousands of "instigative leaflets" and many cassettes and videotapes that called for participation in September 9 activities to commemorate the prodemocracy demonstrations of August 1988 (see Section 1.d.). On August 27, in Rangoon Division's Thaketa Township, security forces reportedly arrested six high school students for distributing such leaflets on the street.

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.

The State continued to own and the Government continued to control all daily newspapers, domestic radio and television broadcasting facilities. These official media remained propaganda organs of the junta and normally did not report opposing views except to criticize them. While some state-owned newspapers continued to include many edited international wire service reports on foreign news, domestic news hewed strictly to and reinforced government policy.

All privately owned publications remained subject in principle to prepublication censorship by state censorship boards. Due in part to the time required to obtain the approval of the censors, private news periodicals generally were published monthly or less often. However, since 1996 the Government, in order to help state employees supplement their increasingly inadequate salaries, has given transferable waivers of prepublication censorship for weekly periodicals to state employee associations; although private weekly tabloids have proliferated, they remain subject in principle to censorship and generally have not reported domestic political news.

Imported publications remained subject in principle to predistribution censorship by state censorship boards, and possession of publications not approved by the state censorship boards remained a serious offense that continued in cases involving prodemocracy literature to be punished by imprisonment (see Sections 1.d. and 1.e.). The Government also restricted the legal importation of foreign news periodicals, as of all other goods, by licensing. 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.). Censors frequently banned issues or deleted articles deemed unwelcome by the Government. However, some street vendors sold illegally imported copies of international newsmagazines and daily newspapers.

Since 1997 the Government has issued few visas to foreign journalists and has held fewer than a handful of press conferences on political subjects. Several journalists who entered the country as tourists were detained and deported by the Government.

Due to widespread poverty, limited literacy, and poor infrastructure, radio remained the most important medium of mass communication. News periodicals rarely circulated outside urban areas, and most villages lacked access to electrical power, except from

generators or batteries. The junta continued to monopolize and to control tightly the content of all domestic radio broadcasting. 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 Government continued to monopolize and to control tightly all domestic television broadcasting, offering both a government channel and an armed forces channel. The Government continued to restrict the reception of foreign satellite television broadcasts, although restrictions are not enforced strictly in many cases (see Section 1.f.). Operation of an unlicensed satellite television receiver is a crime punishable by imprisonment for up to 3 years. Persons active in prodemocracy activities remained generally unable to obtain licenses. However, many citizens not engaged in prodemocracy activities ignored the licensing regulation without penalty. The Television and Video Law makes it a criminal offense to publish, distribute or possess a videotape not approved by a state censorship board, and in 1996 the junta promulgated an amendment to that law that stiffened the penalties for distributing uncensored videos.

The junta continued severely and systematically to restrict access to electronic media. Under a decree promulgated by the junta in 1996, all computers, software, and associated telecommunications devices are subject to government registration, and possession of unregistered equipment is punishable by imprisonment (see Section 1.f.).

The Ministry of Defense continued to operate the country's only known Internet server, and during much of the year began to offer Internet services selectively to a small number of customers. However, in December military intelligence officials closed the private domestic e-mail services, seized some of their equipment, closed two private computer training schools, and detained and interrogated five instructors at those schools. Also in December, military intelligence reportedly closed the Defense Ministry's domestic Internet subscription service, arrested Col. Khin Maung Lwin, who managed the Defense Ministry's Internet operations, and charged him with violating the Official Secrets Act. The country's first cybercafe opened in Rangoon during the year, but did not offer patrons direct access to the Internet.

The Government continued to restrict academic freedom severely. University teachers and professors remained subject to the same restrictions on freedom of speech, political activities, and publications as other government employees. The Ministry of Higher Education continued routinely to warn them against criticism of the Government; to instruct them not to discuss politics while at work; to prohibit them from joining or supporting political parties or engaging in political activity; and to require them to obtain advance ministerial approval for meetings with foreigners. Like all government employees, professors and teachers continued to be coerced into joining and taking part in the activities of the USDA (see Sections 1.d., 1.f., 2.b., and 3). Teachers at all levels continued to be held responsible for preventing students from engaging in any unauthorized demonstrations or political activity.

Most institutions of higher education have remained largely closed again since 1996, when the junta closed the universities and even primary and secondary schools following widespread student demonstrations. Primary and secondary schools reopened in August 1997. Graduate students also were allowed to continue their studies. In 1998 several

universities were opened for abbreviated refresher courses and examinations. Dissatisfaction with the limited time for education prompted several student demonstrations. Authorities arrested student protest leaders and sentenced them to lengthy prison terms. After holding exams, the junta again closed the universities. The junta reopened the medical college in 1998 and the agricultural college in 1999. In December it reopened some engineering and technical institutes, but these did not remain open.

Although the Government increasingly has promoted higher education through correspondence courses, in practice domestic access to general higher education involving substantial classroom instruction remained conditional upon enrollment in the armed forces. The armed forces academy and medical and technical schools remained open.

b. Freedom of Peaceful Assembly and Association

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

The military junta intensified its systematic decade-long use of coercion and intimidation to prevent the parliament elected in 1990 from convening (see Sections 1.c., 1.d., 1.e. and 3.)

From July through September, government authorities in various parts of the country used force to prevent prodemocracy demonstrations or punish participants in them. Authorities detained or arrested and in many cases convicted and imprisoned persons suspected of planning such demonstrations (see Sections 1.d. and 1.e.). On August 8 and September 9, security forces, including army soldiers and riot police deployed at key intersections in Rangoon to prevent any antigovernment demonstrations. On August 12, in Mergui, security forces reportedly arrested about 30 high school students who participated in a demonstration for a reduction of school fees, the right to form a student union, and other educational and political reforms (see Sections 1.d. and 5).

The Government continued to allow the NLD to celebrate certain key party events with public gatherings at Aung San Suu Kyi's residence or the national NLD party headquarters in Rangoon. However, on some of these occasions, the Government restricted the size of the gatherings or the types of individuals who were allowed to attend. In August the security forces prevented diplomats and journalists from attending an NLD commemoration of the first anniversary of the formation of the CRPP. Outside the capital, authorities in most areas routinely restricted NLD members' freedom of assembly more severely, and required members of parliament-elect to register at police stations twice per day. In contrast to previous years, there were no incidents during which security forces publicly beat NLD members as they attempted to peaceably assemble or attend meetings.

In 1998 the Government organized large anti-NLD rallies in every state and division (see Section 3). Many participants were required to attend. These rallies ceased in 1999 and were replaced by trumped-up recall petitions for elected members of parliament who refused to resign in the face of government pressure.

The Government sometimes interfered with religious groups' assemblies or other outdoor gatherings during the year (see Section 2.c.).

The Government intensified its already severe restrictions on freedom of association, particularly against members of the main opposition political party, the NLD.

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, such as the Forest Reserve Environment Development and Conservation Association. Few secular nonprofit organizations continued to exist, and even those were subject to direct government intervention and took special care to act in accordance with government policy. This group included nominally apolitical organizations such as the Myanmar Red Cross and the Myanmar Medical Association. Only 10 political parties remained legally in existence, and most were moribund. Military authorities generally required civilian employees both of the Government to belong to the USDA.

Government authorities continued to harass NLD members for petty offenses or for no offenses at all. The authorities reportedly cut off the supply of electrical power to the home of an NLD township chairman. On August 29, security forces reportedly detained the wife of an NLD member of the CRPP for having provided food at an NLD commemoration of a national holiday on July 19. Authorities also continued to arrest, convict, and imprison NLD activists for political crimes (see Sections 1.c., 1.d., and 1.e.).

In addition, during the year the junta continued its systematic nationwide campaign to destroy the NLD without formally banning it. This campaign was intensified after September 1998, when the NLD's national leadership organized the CRPP. Throughout the year, government media published hundreds of reports from localities across the country that NLD members had "voluntarily resigned" from the party in groups ranging in size from fewer than 10 to more than 1,000 persons. By year's end, the reported number of NLD members who "voluntarily resigned" numbered in the tens of thousands. Government authorities announced in state media that those who had resigned from the NLD included 27 persons elected to parliament in 1990 (see Section 3).

Many of these resignations from the NLD generally were coerced according to the people concerned. In some townships, authorities subjected local NLD officers to particularly intense pressure to resign from the party and rendered local party organizations officially defunct due to a lack of recognized officers. In some localities, NLD members and in particular local NLD officials who refused to resign from the party were arrested or imprisoned or recall motions were mounted against them. In many townships, this campaign deprived people of any registered organization through which they could associate for political purposes without criminal liability. The NLD credibly alleged that the government also used its control of some members of the Buddhist clergy to induce NLD members to resign and to dissolve local party organizations.

c. Freedom of Religion

Most adherents of all religions duly registered with the authorities generally