



UK Home Office  
Country of Origin  
Information  
Report

COUNTRY OF ORIGIN INFORMATION REPORT

# BURMA (UNION OF MYANMAR)

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4 MARCH 2009

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## Preface

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- i This Country of Origin Information Report on Burma has been produced by COI Service, UK Border Agency (UKBA), for use by officials involved in the asylum/human rights determination process. It provides general background information about the issues most commonly raised in asylum/human rights claims made in the United Kingdom. The report is compiled wholly from material produced by a wide range of recognised external information sources and does not contain any UKBA opinion or policy. The report includes information available up to 1 March 2009. It was issued on 4 March 2009.

The report is in two parts:

- ii *Part One* is a **brief report**, focusing on the main issues raised in asylum and human rights applications. All information in the report is attributed, throughout the text, to the original source documents. It is not intended to be a detailed or comprehensive survey. For a more detailed account, the relevant source documents should be examined directly.
- iii *Part Two* is an **indexed list** of key reliable source documents covering a broad range of issues which may be relevant to some asylum or human rights applications. The index includes all documents referred to in Part One, but also a number of additional source documents which cover issues which arise less frequently in applications.
- iv The structure and format of *Part One* of the report reflects the way it is used by UKBA officials who require quick electronic access to information on specific issues and use the contents page to go directly to the subject required. Key issues are usually covered in some depth within a dedicated section, but may also be referred to briefly in other sections. Some repetition is therefore inherent in the structure of the report.
- v The information included in *Part One* of the report is limited to that which can be identified from source documents. While every effort is made to cover all relevant aspects of a particular topic, it is not always possible to obtain the information concerned. For this reason, **it is important to note that information included in the report should not be taken to imply anything beyond what is actually stated**. For example, if it is stated that a particular law has been passed, this should not be taken to imply that it has been effectively implemented unless stated.
- vi As noted above, *Part One* of the report is a collation of material produced by a number of reliable information sources. In compiling the report, no attempt has been made to resolve discrepancies between information provided in different source documents. For example, different source documents often contain different versions of names and spellings of individuals, places and political parties, etc. COI Reports do not aim to bring consistency of spelling, but to reflect faithfully the spellings used in the original source documents. Similarly, figures given in different source documents sometimes vary and these are simply quoted as per the original text. The term 'sic' has been used in this document only to denote incorrect spellings or typographical errors in quoted text; its use is not intended to imply any comment on the content of the material.

- vii The report is based substantially upon source documents issued during the previous 18 months. However, some older source documents may have been included because they contain relevant information not available in more recent documents. All sources contain information considered relevant at the time this report was issued.
- viii This COI Report and the accompanying source material are public documents. All COI Reports are published on the Research Development Statistics section of the Home Office website and the great majority of the source material for the report is readily available in the public domain. Where the source documents identified in the report are available in electronic form, the relevant web link has been included, together with the date that the link was accessed. Copies of less accessible source documents, such as those provided by government offices or subscription services, are available from the COI Service upon request.
- ix COI Reports are published regularly on high asylum intake countries. COI Key Documents are produced on lower asylum intake countries according to operational need. UKBA officials also have constant access to an information request service for specific enquiries.
- x In producing this COI Report, COI Service has sought to provide an accurate, balanced summary of the available source material. Any comments regarding this report or suggestions for additional source material are very welcome and should be submitted to UKBA as below.

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**Advisory Panel on Country Information**

- xi The independent Advisory Panel on Country Information (APCI) was established in 2003 to make recommendations to the Home Secretary about the content of the UKBA's country of origin information material. The APCI reviewed a number of UKBA's reports and published its findings on its website at [www.apci.org.uk](http://www.apci.org.uk). Since October 2008, the work of the APCI has been taken forward by the Chief Inspector of UKBA.

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## Part one: Report

### Background information on Burma

#### 1. GEOGRAPHY

- 1.01 The Republic of the Union of Myanmar (formerly Burma) lies in north-east South East Asia. (Europa World Online, accessed 3 December 2008) [1] (*NB "Britain's policy is to refer to Burma rather than 'Myanmar'."*) (Foreign and Commonwealth Office (FCO) Country Profile: Burma, 2 December 2008) [5a] "It is bordered by Bangladesh and India to the north-west, by the People's Republic of China and Laos to the north-east and by Thailand to the south-east.... In 2006 the functions of the capital city were transferred from Yangon [Rangoon] to the new administrative centre of Nay Pyi Taw." (Europa World Online, accessed 3 December 2008) [1] Burma covers a total area of 677,000 square kilometres (419,740 square miles). (FCO Country Profile: Burma, 2 December 2008) [5a]
- 1.02 Burma's total population is an estimated 52 million. Rangoon's population is approximately 5.8 million and its administrative centre, Nay Pyi Taw, has a population of 200,000. (FCO Country Profile: Burma, 2 December 2008) [5a] As noted in the US State Department (USSD) Background Note on Burma, dated December 2008 "The country is divided into seven primarily Burman ethnic divisions (tain): Irrawaddy, Bago (Pegu), Magway, Mandalay, Yangon (Rangoon), Sagaing, and Tanintharyi (Tenassarim) and seven ethnic states (pyi nay): Chin State, Kachin State, Kayin (Karen) State, Kayah (Karenni) State, Mon State, Rakhine (Arakan) State, and Shan State." [7c] (Government)
- 1.03 The official language is Burmese. (Europa World Online, accessed 3 December 2008) [1] There are a number of ethnic minority languages including Shan; various Karen, Karenni and Chin languages; Arakanese; Jingpaw; Mon; Palaung; Parauk; Wa; and Yangbye. English is widely spoken in areas frequented by tourists. (USSD Background Note, December 2008) [7c] According to the Ethnologue website, accessed 19 February 2009, there are over 100 living languages in Burma. [30a]

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MAP

1.04 United Nations Cartographic Section (UNCS) reference map of May 2008:



[2a]

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## 2. ECONOMY

- 2.01 The Foreign and Commonwealth Office (FCO) Country Profile for Burma, last updated 2 December 2008, noted:

“As a result of economic mismanagement, and despite substantial natural resources, Burma is a poor country. Fundamental problems in the economy remain unresolved, and the macroeconomic situation remains unstable. The banking sector is fragile and the small private sector struggles with an unpredictable policy environment and a multitude of market distortions. Inflation remains high.

“Despite inflation, structural rigidities, weak economic policies, and low investment the Burmese economy is thought to be growing (although at a much lower rate than Burmese official figures) largely due to growth of gas exports. However, unless a comprehensive programme of stabilisation and reform is undertaken, prospects for sustainable growth remain bleak and social indicators will continue their downward slide.” [5a]

- 2.02 A 2007 estimate of the country’s Gross Domestic Product (GDP) was measured at US\$16.3 billion. (USSD Background Note, December 2008) [7c] The unemployment rate was estimated to be 9.4 per cent in 2008. (CIA World Factbook, 10 February 2009) [6a] The Economist Intelligence Unit (EIU) added in its report on Burma, dated 9 October 2008, that “The junta’s erratic policymaking has failed to control inflation, which averaged 35% year on year in 2007, driven mainly by rising food prices. There is little data on poverty rates, but high inflation and weak economic growth have eroded real incomes in recent years.” [46] (The economy)

- 2.03 The main industry types were recorded as natural gas, agricultural processing, knit and woven apparel, wood and wood products, cement, paper, cotton, cotton yarn, sugar, copper, tin, tungsten, iron, construction materials, pharmaceuticals, and fertilizer. The main agricultural products were rice, pulses, beans, sesame, peanuts, sugarcane and hardwood. (USSD Background Note, December 2008) [7c]

- 2.04 Europa World Online, accessed December 2008, noted that:

“In August 2007 the Government withdrew fuel subsidies, thereby precipitating massive increases in the prices of petrol, diesel and natural gas, which were estimated to have doubled the cost of public transport. Furthermore, international rice prices were reported to have increased by 50% in the first four months of 2008 alone. Domestic prices for this staple food item rose sharply in May 2008 as a result of the damage caused to the country’s rice-growing areas by a major cyclone. The disaster was expected to have a serious impact on the country’s entire economy.” [1]

- 2.05 The Freedom House Freedom in the World 2008 Country Report on Burma noted that “At least 30 percent of the Burmese population lives in extreme poverty as a result of years of economic mismanagement and government corruption.” [14a]

- 2.06 On wages, the FCO noted in a letter dated 8 January 2008 that:

“The average annual wage in Burma remains around 300,000 kyat, which is around the wage of a low-level civil servant. A skilled labourer earns around 350,000 per annum. The poorest casual labourers in rural communities receive as little as 650 kyat per day for casual labour, but in Rangoon, the lowest wage is double that. The informal exchange rate (used by the majority of Burmese citizens who work with dollars and by non-Burmese citizens living or travelling in Burma) is \$1=1250 kyat [as at 8 January 2008], and has remained stable (between 1250-1300 kyat) over 2007.” [5m]

- 2.07 XE.com, accessed 15 January 2009, recorded the exchange rate as £1 GBP = 9.37430 MMK (Myanmar Kyats). XE.com noted that the MMK rate given was the official rate and that actual available MMK rates vary significantly. [29a]

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### 3. POLITICAL SYSTEM

- 3.01 The Economist Intelligence Unit's (EIU) report on Burma, dated 9 October 2008, stated:

"The military junta, the State Peace and Development Council (SPDC), is the dominant force in the country, with no checks on its power. The SPDC takes all major policy decisions and appoints all government members, most of whom have military backgrounds. The government functions poorly, undermined by rampant corruption and abuse of power. Regional military commanders, who are appointed by the SPDC, enjoy considerable power in the areas they control. There is no clear process for ensuring transfer of power within the SPDC, and there are tensions between the various factions at the top. The last election was held in 1990, which the National League for Democracy (NLD) won. However, the junta refused to recognise the result, and the NLD's leader, Aung San Suu Kyi, has been held under house arrest for much of the period since the election." [46] (Democracy index)

- 3.02 The same source added:

"Myanmar does not have a sitting parliament at present. The new constitution, which was approved in a referendum in May 2008, sets out plans for a series of regional assemblies, as well as two assemblies at national level – the People's Assembly and the Nationalities Assembly. Together these national level assemblies will make up the Union Assembly, the main parliament. None has yet met – the junta is planning to hold an election for parliamentary members in 2010. Under the terms of the new constitution, 25% of parliamentary seats are to be set aside for the military or its appointees." [46] (The legislature)

- 3.03 Europa World online further noted:

"The military has a leading role in the country's national politics. Ministers for defence, home affairs, security and border affairs must be members of the military. The Commander-in-Chief of the defence forces is authorized to exercise all state power should an emergency arise that threatens the disintegration of the union, the disintegration of sovereignty or the loss of national sovereignty. A state of emergency may be extended to a period of at least a year. The military is immune from prosecution for any actions undertaken during emergency rule." [1] (The Constitution)

- 3.04 Europa World online recorded that under the new Constitution:

"The President is the Head of State. Of the three candidates for the position of President, at least one must be a member of the military, and a member of the military must be at least one of the two Vice-Presidents. The President is not answerable to court or to parliament in exercising his or her duties. The President can declare a state of emergency, during which time the Commander-in-Chief of the defence forces, with the aid of the National Defence and Security Council (six of the 11 members of which are military personnel) assumes legislative, executive and judicial powers).

"The Pyidaungsu Hluttaw (Union Parliament) consists of a Pyithu Hluttaw (House of Representatives, the lower chamber) and Amyotha Hluttaw (House of Nationalities, the upper chamber). Legislative power is shared by the Union

Parliament, regional parliaments and state parliaments, as well as self-administered zones and divisions.

“The Pyithu Hluttaw consists of 224 seats, of which 56 are reserved for the military. The Amyotha Hluttaw consists of 440 seats, of which 110 are reserved for the military. Military representatives must comprise one-third of the members of the state and regional assemblies.

“Multi-party democratic elections will be held in 2010. Candidates are barred from standing for election if they or their parties accept support from foreign governments or religious organizations. Persons married to a foreign national are barred from holding political office. Members of religious orders and destitute persons are not permitted to vote.” [1] **(The Constitution)**

- 3.05 The measure preventing individuals with foreign spouses standing for election excludes the National League for Democracy (NLD) leader, Aung San Suu Kyi, from government. (Freedom House, Freedom in the World 2008) [14a]

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## THE CONSTITUTION

- 3.06 Europa World online stated:

“In August 2003 the ruling State Peace and Development Council (SPDC) announced that it planned to reconvene the National Convention in 2004 in order to commence the drafting of a new constitution. The National Convention met in May 2004 and several times thereafter. The resultant draft Constitution was officially published in April 2008. It was submitted to a national referendum on 10 May (postponed until 24 May in regions affected by a major cyclone earlier in the month). The new Constitution, which according to the SPDC was approved by 92.48% of voters, was enacted on 29 May.” [1] **(The Constitution)**

- 3.07 Europa World online added that “The Constitution can be amended only with the approval of 75% of parliamentarians and one-half of the eligible voters.” [1] **(The Constitution)**

- 3.08 A copy of the Constitution of the Republic of the Union of Myanmar, September 2008, accessed via the Australian National University (ANU) Research School of Pacific and Asian Studies website, is available here:  
[http://rspas.anu.edu.au/rmap/newmandala/wp-content/uploads/2009/01/myanmar\\_constitution-2008-en.pdf](http://rspas.anu.edu.au/rmap/newmandala/wp-content/uploads/2009/01/myanmar_constitution-2008-en.pdf)

See also [Freedom of Political expression](#)

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## 4. HISTORY

- 4.01 The Freedom House Freedom in the World 2008 Country Report on Burma recorded that:

“After occupation by the Japanese during World War II, Burma achieved independence from Great Britain in 1948. The military has ruled since 1962, when the army overthrew an elected government that had been buffeted by an economic crisis and a raft of ethnic insurgencies. During the next 26 years, General Ne Win’s military rule helped impoverish what had been one of Southeast Asia’s wealthiest countries.

“The present junta, led by General Than Shwe, dramatically asserted its power in 1988, when the army opened fire on peaceful, student-led, prodemocracy protesters, killing an estimated 3,000 people. In the aftermath, a younger generation of army commanders created the State Law and Order Restoration Council (SLORC) to rule the country. However, the SLORC refused to cede power after it was defeated in a landslide election by the National League for Democracy (NLD) in 1990. The junta jailed dozens of members of the NLD, which had won 392 of the 485 parliamentary seats in Burma’s first free elections in three decades. In 1997, the SLORC was renamed the State Peace and Development Council (SPDC).” [14a]

- 4.02 The same source continued

“...Than Shwe and several other leading generals refashioned the SLORC into the State Peace and Development Council (SPDC) in 1997. In late 2000, encouraged by the efforts of UN special envoy Razali Ismail, the government began holding talks with NLD leader Aung San Suu Kyi, which led to an easing of restrictions on the party by mid-2002. Suu Kyi was released from house arrest and allowed to make several political trips outside the capital, and the NLD was permitted to reopen a number of its branch offices.

“Suu Kyi’s growing popularity and her revitalization of the NLD during the first half of 2003 apparently rattled hard-liners within the regime. On May 30, a deadly ambush on Suu Kyi’s NLD motorcade by SPDC supporters left an unknown number of people killed or injured. Suu Kyi and dozens of other NLD officials and supporters were detained following the attack, NLD offices were again shut down, and universities and schools were temporarily closed in a bid to suppress wider unrest. Since then, authorities have continually tried to undermine the popularity of the NLD. Suu Kyi was released from prison in September 2003 but remains under house arrest, as do other senior party leaders. Periodic arrests and detentions of political activists, journalists, and students remain the norm.

“The junta organized an October 2004 government purge in which Khin Nyunt, the prime minister and head of military intelligence, was removed from office and placed under house arrest. A relative moderate, he had advocated limited dialogue with both the NLD and Burma’s armed ethnic factions. Hard-liner Lieutenant General Soe Win, who has been accused of masterminding the May 2003 attack on Suu Kyi, replaced him. In 2005, authorities began shifting the country’s capital 600 kilometers (370 miles) inland, to a new site called Nay Pyi Taw, near the town of Pyinmana. The city was officially designated the capital in 2006. Foreign embassies remain in Rangoon, however.

## NATIONAL CONVENTION

- 4.03 Europa World online, accessed 3 December 2008, noted that “In early 1993 a National Convention, comprising members of the SLORC [State Law and Order Restoration Council; predecessor to the State Peace and Development Council (SPDC)] and representatives of the opposition parties, met to draft a new constitution...” [1]
- 4.04 The Freedom in the World Report 2008 added:
- “The National Convention, which was responsible for drafting principles for a new constitution but had not met since 1996, reconvened in May 2004 as part of a new ‘road map to democracy.’ However, the convention was boycotted by the main political parties, which refused to take part under conditions of extreme political repression. The format and conduct of the proceedings were heavily restricted, as authorities handpicked most of the delegates and limited the scope of permissible debate. Although the convention was reconvened in February 2005 and October 2006 for short sessions, it was again boycotted by the NLD and the Shan Nationalities League for Democracy (SNLD). The National Convention concluded its 14 years of deliberation in August 2007. The delegates agreed to draft principles that enshrined the military’s role in government, recommending that 25 percent of the seats in any future parliament be reserved for the military, and that the president have ‘significant’ military experience. One article calls ‘for the Tatmadaw [Burmese security forces] to ... participate in the national political leadership role of the state.’ A measure preventing individuals with foreign-national spouses from running for parliament effectively bars Suu Kyi from government. In October, the government appointed 54 officials to draft the constitution in line with the convention’s recommendations.” [14a] Criticism of the Convention was forbidden by law. (Human Rights Watch World Report 2008, Burma) [39a]

See also [Constitutional referendum](#)

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## PRO-DEMOCRACY PROTESTS 2007

- 4.05 The Freedom in the World 2008 Report also noted:
- “A series of protests in 2007 raised international awareness of the dire economic and political conditions in Burma. At least 30 percent of the Burmese population lives in extreme poverty as a result of years of economic mismanagement and government corruption. Health care and education are extremely poor throughout the country. In February 2007, a rare protest in Rangoon called for lower inflation and better social services. Police briefly detained three journalists and one protester. Another small protest focused on economic conditions took place in April...” [14a]
- 4.06 The Freedom in the World 2008 Report recorded that “A 500 percent fuel-price increase in August 2007 exacerbated already dire economic conditions in Burma, leading to a series of public protests that culminated in mass marches in Rangoon in late September [2007]. Protesters led by Buddhist monks called for greater political rights and better economic management.” [14a] In its World Report 2008, Human Rights Watch added “On September 26, demonstrations in

Rangoon were violently dispersed by riot police, supported by regular army soldiers, who used teargas, rubber bullets, and automatic weapons against unarmed civilians. Following brutal night time raids on monasteries and homes, demonstrations continued the next day in Rangoon, Mandalay, Mytikina, Pegu, Sittwe, and Pakkoku, and were met with more violence by security forces.” [39a] **(Violent crackdown on protests)**

4.07 Following the military crackdown, Freedom House reported that:

“Warnings were issued against further protests, and a two-month night time curfew was announced. Troops flooded Rangoon’s streets and surrounded monasteries. Over the next week, protesters were beaten, arrested, and in some cases killed... The government claimed that 10 people died and 3,000 were arrested in the course of the crackdown. The Democratic Voice of Burma, a Burmese news organization, estimates that 138 were killed and 6,000 arrested.” [14a]

4.08 The Economist Intelligence Unit (EIU) recorded in its report on Burma, dated 9 October 2008, that:

“In the weeks following the crackdown on protesters in late 2007, the junta came under intense international pressure and Mr Gambari [UN special envoy] was permitted to make a flurry of visits to Myanmar. During the course of these, the SPDC stated that it would agree to open dialogue with Aung San Suu Kyi. The generals went as far as appointing a liaison officer, labour minister Aung Kyi, who held several brief meetings with Aung San Suu Kyi, although these meetings soon came to an end.” [46] **(Politics: recent political developments)**

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## CYCLONE NARGIS

4.09 Cyclone Nargis struck the south of Burma on 3 May 2008. At least 134,000 people were thought to have died and the junta received international condemnation for its slow response in helping the victims and for its delay in allowing international relief teams to enter the country. (EIU, Burma report, 9 October 2008) [46] **(Important recent events – May 2008)**

For more detailed information see Humanitarian situation: [Cyclone Nargis](#)

## CONSTITUTIONAL REFERENDUM

4.10 The new constitution was completed in 2007/08 and a national referendum was held on 10 May 2008 (postponed to 24 May for cyclone affected areas). Following the referendum, the SPDC announced that 92.48 per cent of the voters had approved the new constitution. (FCO Country Profile, Burma, 2 December 2008) [5a]

4.11 The Human Rights Watch World Report 2009 stated that:

“The [constitutional] referendum was carried out in an environment of severe restrictions on access to information, repressive media laws, an almost total ban on freedom of expression, assembly, and association, and the continuing widespread detention of political activists. There were no independent

international observers and Burmese and foreign media could only clandestinely cover it. The referendum was marred by voter registration irregularities, coercion and intimidation in communities and at polling stations, and widespread government corruption including ballot stuffing... Widespread international condemnation denounced the referendum as a sham.” [39h] **(Constitutional referendum)** Europa World online stated that “The SPDC envisaged that the promulgation of the new Constitution would be followed by multi-party elections in 2010.” [1]

See also [The Constitution](#) and [National Convention](#)

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## 5. RECENT EVENTS AND POLITICAL DEVELOPMENTS

- 5.01 Human Rights Watch (HRW) recorded in an article dated 26 September 2008 that:

“On September 23, 2008, the ruling State Peace and Development Council (SPDC) announced the release of 9,002 prisoners from Burma's jails, among them seven political activists, including 78-year-old U Win Tin, a prominent activist and journalist imprisoned since 1989.

“But in August and September 2008 alone, the Burmese authorities arrested an estimated 39 political activists and sentenced 21 to prison terms. On September 16, Burmese authorities arrested Nilar Thein, a prominent activist in hiding since the 2007 protests. Zargana, a famous activist and comedian, has remained in prison since July 2008 for publicly criticizing the SPDC's slow response to aid following Cyclone Nargis. The SPDC currently holds more than 2,100 political prisoners, including more than 800 arrested following the 2007 protests.” [39c] Zargana has since been sentenced to 59 years in prison. (HRW, 6 January 2009) [39j] BBC News reported on 21 November 2008 that the activist was jailed for 45 years. [28c]

- 5.02 The Assistance Association of Political Prisoners (Burma) (AAPPB) reported on 14 January 2009 on the sentencing of All Burma Federation of Students Unions (ABFSU) member, Bo Min Yu Ko, to 104 years in prison after being charged under a number of different sections of the law. Bo Min Yu Ko was refused a defence lawyer. [49c] On 13 November 2008, Amnesty International reported that “Fourteen dissidents, who took part in the 2007 anti-government demonstrations in Myanmar, were sentenced to 65 years' imprisonment each on Tuesday 11 November [2008]. The sentences were handed down at a closed-door hearing in Yangon's Insein prison. On the same day the authorities sentenced another 27 people for their protest activities.” [12b] HRW also listed the trials of a number of activists and lawyers that had taken place since late October 2008. [39g]
- 5.03 On 21 February 2009, the Democratic Voice of Burma reported on the release of 6,313 prisoners as part of the junta's latest amnesty. However, fewer than 20 of those released were political prisoners. [3d]

See also [Fair Trial](#) and Part Two, Index to key source documents: [Politics and recent developments](#)

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## Human Rights

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### 6. INTRODUCTION

- 6.01 The United States Department of State Country Report on Human Rights Practices 2008 (USSD Report 2008), published 25 February 2009, noted in its introductory section:

“The regime continued to abridge the right of citizens to change their government and committed other severe human rights abuses. Government security forces allowed custodial deaths to occur and committed other extrajudicial killings, disappearances, rape, and torture. The government detained civic activists indefinitely and without charges. In addition regime-sponsored mass-member organizations engaged in harassment, abuse, and detention of human rights and prodemocracy activists. The government abused prisoners and detainees, held persons in harsh and life-threatening conditions, routinely used incommunicado detention, and imprisoned citizens arbitrarily for political motives. The army continued its attacks on ethnic minority villagers. Aung San Suu Kyi, general secretary of the National League for Democracy (NLD), and NLD Vice-Chairman Tin Oo remained under house arrest. The government routinely infringed on citizens' privacy and restricted freedom of speech, press, assembly, association, religion, and movement. The government did not allow domestic human rights nongovernmental organizations (NGOs) to function independently, and international NGOs encountered a difficult environment. Violence and societal discrimination against women continued, as did recruitment of child soldiers, discrimination against ethnic minorities, and trafficking in persons, particularly of women and girls. Workers' rights remained restricted. Forced labor, including that of children, also persisted. The government took no significant actions to prosecute or punish those responsible for human rights abuses.

“Ethnic armed groups allegedly committed human rights abuses, including forced labor. Some cease-fire groups reportedly committed abuses. Armed insurgent groups and cease-fire groups also recruited child soldiers.” [7g]

- 6.02 The Freedom House Freedom in the World 2008 Country Report, covering events in 2007, on Burma, released on 2 July 2008, stated “Burma is not an electoral democracy. The country continues to be governed by one of the world's most repressive regimes. The SPDC rules by decree; controls all executive, legislative, and judicial powers; suppresses nearly all basic rights; and commits human rights abuses with impunity. Military officers hold most cabinet positions, and active or retired officers hold most top posts in all ministries, as well as key positions in the private sector.” [14a]

See also [Political affiliation](#)

- 6.03 Human Rights Watch (HRW) noted in their World Report 2009 on Burma that:

“Burma's already dismal human rights record worsened following the devastation of cyclone Nargis in early May 2008. The ruling State Peace and Development Council (SPDC) blocked international assistance while pushing through a constitutional referendum in which basic freedoms were denied.

“The ruling junta systematically denies citizens basic freedoms, including freedom of expression, association, and assembly. It regularly imprisons political activists and human rights defenders; in 2008 the number of political prisoners nearly doubled to more than 2,150. The Burmese military continues to violate the rights of civilians in ethnic conflict areas and extrajudicial killings, forced labor, land confiscation without due process and other violations continued in 2008.” [39h]

- 6.04 The Foreign and Commonwealth Office (FCO) country profile: Burma, updated 2 December 2008, observed

“The situation in Burma is of great concern. The people of Burma are denied basic freedoms across the spectrum - from political rights, including the prohibition on any kind of non governmental political activity, to economic rights, including land confiscation - and suffer the effects of corruption and patronage. There is no functioning democratic system, no free media, no effective trade unions and no independent judiciary. The security forces and the army have carried out severe human rights abuses for many years with impunity. Some of the worst violations have been perpetrated against ethnic minority communities in border and conflict areas.” [5a]

- 6.05 The FCO commented in its Human Rights Report 2007, covering the period of August 2006 to 31 December 2007, released in 2008, that “There have been some small concessions, such as agreement to the International Labour Organisation’s (ILO’s) complaints mechanism on forced labour and visits from high-level UN officials regarding human rights, humanitarian issues and child soldiers.” [5b] (p130)

- 6.06 Reporting on the human rights situation in Burma, the UN Special Rapporteur recorded on 7 March 2008 that:

The culture of impunity remains the main obstacle to securing respect for human rights in Myanmar and to creating a favourable environment for their realization. Throughout his mandate, the Special Rapporteur has received reports of widespread and systematic human rights violations, including summary executions, torture, forced labour practices, sexual violence and the recruitment of child soldiers. These violations have not been investigated and their authors have not been prosecuted. Victims have not been in a position to assert their rights and receive a fair and effective remedy.

“As noted by the Special Rapporteur in his previous reports, the above-mentioned serious human rights violations have been widespread and systematic, suggesting that they are not simply isolated acts of individual misconduct by middle- or low-ranking officers, but rather the result of a system under which individuals and groups have been allowed to break the law and violate human rights without being called to account.” [32d] (paragraphs 58-59)

- 6.07 The Democratic Voice of Burma (DVB) in article dated 20 February 2008 reported that after his recent visit to Burma (14-19 February 2009) the UN special rapporteur to Burma stated that the “... the human rights situation in Burma remains challenging, but noted some positive signs at the end of his second visit to the country.” The special rapporteur claimed that some steps had been taken towards his previous recommendations set in August 2008, including “... the progressive release of political prisoners, a review of domestic laws that

do not comply with international human rights standards, reform of the military and the establishment of an independent judiciary.” [3c]

- 6.08 Burma is party to the Convention on the Prevention and Punishment of the Crime of Genocide, the Slavery Convention, the Convention on the Rights of the Child, the Convention on the Elimination of All Forms of Discrimination against Women, the United Nations Convention against Transnational Organized Crime and the Convention Concerning the Protection of the World Cultural and Natural Heritage. It has not signed the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography and the United Nations Convention against Corruption. (Report of the Special Rapporteur, 7 March 2008) [32d] (paragraph 52)

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## 7. SECURITY FORCES

### POLICE

7.01 The United States Department of State Country Report on Human Rights Practices 2008 (USSD Report 2008) noted:

“The Myanmar Police Force is under direct military command but falls administratively under the Ministry of Home Affairs. Police primarily deal with common crimes and do not handle political crimes. Corruption and impunity were serious problems, due to a government-imposed system whereby police were required to collect funds for their operations. Police typically required victims to pay substantial sums for crime investigations and routinely extorted money from the civilian population. There are no effective legal mechanisms available to investigate security force abuses. The government took no significant measures to reform the security forces.” [7g] (Section 1d) The police force has a total strength of approximately 72,000 officers, with police stations in all major population centres. (Jane’s Sentinel Country Risk Assessments; Myanmar, updated 3 October 2008) [8a] (Security and foreign forces)

7.02 Jane’s further noted that:

“Other law enforcement agencies under the Ministry of Home Affairs, but independent of the Myanmar Police Force, include the Bureau of Special Investigation which is concerned with economic crimes and corruption, the Special Branch which is concerned with 'political' crimes and has assumed increasing prominence in the monitoring of political dissidents in the past four years, the Criminal Investigation Department, the Railways Police Department, and the City Development Department. Reserved units are assigned to highway patrol and oil field security and are attached to state and divisional police forces.” [8a] (Security and foreign forces)

7.03 The Bureau of Special Investigations (BSI) handles financial crimes and the Criminal Investigation Department handles violent crime including rape and murder. (Immigration and Refugee Board of Canada, 25 February 2008) [50b]

### INTELLIGENCE AGENCIES

7.04 In its section on security and foreign forces, Jane’s Sentinel Country Risk Assessment for Myanmar, updated 3 October 2008, noted that:

“The military’s huge and powerful intelligence apparatus is now solely under the auspices of the Office of the Chief of Military Affairs Security (OCMAS) [also referred to as Military Security Affairs (MSA)]... Military regional commands exercise command over intelligence units within their areas of geographical control. Central intelligence headquarters conducts administrative and analysis missions but the regional commanders will direct intelligence operations.” [8a]

7.05 From information received from a Burmese former political prisoner, the Immigration and Refugee Board of Canada (IRB) recorded in a Response to Information Request (RIR), dated 25 February 2008, that the MSA handled the most serious political issues and matters relating to ethnic groups who have agreed a cease-fire with the military regime. The MSA is part of Burma’s armed forces. The same source added that the Special Branch, which reports to the

Police Force "... handles cases involving leading dissidents, including members of the National League for Democracy (NLD), Members of Parliament (MPs) from the NLD and from ethnic parties, and members of 88 Generation Students group." [50b]

- 7.06 In an email response dated 5 June 2007, the Foreign and Commonwealth Office (FCO) stated that Burma's military intelligence unit conducted surveillance operations on both members of the general public and individuals. Members of the general public were also used to carry out surveillance operations. The FCO further noted that it was likely that the military intelligence unit would be able to find out if an individual was involved in political activity. [5f] The USSD Report 2008 stated "Security personnel regularly screened private correspondence, telephone calls, and e-mail." [7g] (Section 1f)

See also [Freedom of assembly and association](#)

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## ARMED FORCES

- 7.07 The strength of the Burmese armed forces (or Tatmadaw) reaches a total strength of 350,000 to 400,000 personnel. (Jane's Sentinel Country Risk Assessments; Myanmar, updated 3 October 2008) [8a] (Armed forces)
- 7.08 The army is the largest of the armed forces with between 300,000 and 350,000 personnel. "The Myanmar Army has traditionally been structured and deployed primarily for internal security operations - both to quell civil dissent in major population centres and to conduct counter-insurgency operations in rural districts against communist guerrillas, ethnic separatists and the armies of narcotics warlords..." However, since 1989 "... greater emphasis is being given to conventional defence roles, including territorial defence. The army has also given higher priority to participation in civil infrastructure development projects, although its frequent use of forced labour has earned it international notoriety." (Jane's Sentinel Country Risk Assessments; Myanmar, updated 3 October 2008) [8a] (Army) Jane's further noted that "While the previously much neglected air force and navy have received significant new equipment over the past decade, the armed forces remain generally weak in terms of training, communications, mobility, logistics and maintenance." [8a] (Armed forces: Defence structure)

## ABUSES BY THE SECURITY FORCES

See also [Abuses in prisons](#)

### Arbitrary arrest and detention

- 7.09 The USSD Report 2008 recorded that:

"The law does not prohibit arbitrary arrest or detention, and the government routinely used them. The law allows authorities to extend sentences after prisoners have completed their original sentence, and the government regularly used this provision... Military Security Affairs (MSA) officers and Special Branch (SB) police officers are responsible for detaining persons suspected of 'political crimes' perceived to threaten the government. Once a person is detained, MSA

or SB officers interrogate the individual for a period ranging from hours to months and can charge the person with a crime at any time during the interrogation.” [7g] (Section 1d)

- 7.10 Reporting on the 2007 pro-democracy uprising, Amnesty International’s (AI) Annual Report 2008 stated:

“Once the protests were underway but before the 25-29 September crackdown, more arrests of NLD [National League for Democracy] and 88G [88 Generation Student’s Group] activists took place – many of which were clearly a pre-emptive measure before the crackdown.

“Mass round-ups occurred during the crackdown itself, and the authorities continued to arrest protesters and supporters throughout the year, making use initially of a three-week curfew in October [2007]. Between 3,000 and 4,000 political prisoners were detained, including children and pregnant women, 700 of whom were believed still in detention at year’s end. At least 20 were charged and sentenced under anti-terrorism legislation in proceedings which did not meet international fair trial standards. Detainees and defendants were denied the right to legal counsel.” [12a] (Political imprisonment)

- 7.11 The FCO stated in a letter dated 30 October 2007 that family members of individuals the authorities were looking for were in the “higher risk category”. The letter stated that over the past month incidences of family members being detained, in lieu of the missing activists, had occurred. [5p]

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## Torture

- 7.12 The USSD Report 2008 noted that

“There are laws that prohibit torture; however, members of the security forces and other progovernment forces reportedly tortured, beat, and otherwise abused prisoners, detainees, and other citizens. They routinely subjected detainees to harsh interrogation techniques designed to intimidate and disorient. As in previous years, authorities took little or no action to investigate the incidents or punish the perpetrators.” [7g] (Section 1c)

- 7.13 The USSD Report 2007 noted:

“In his December [2007] report, Pinheiro [UN Special Rapporteur, Paulo Sergio Pinheiro] cited reports of torture and degrading conditions of detention that failed to meet international standards on the treatment of prisoners and constituted cruel, inhuman, and degrading treatment prohibited under international law. His report stated that after the crackdown there were an increasing number of reports of deaths in custody; beatings; ill treatment; and lack of food, water, or medical treatment in overcrowded, unsanitary conditions.” [7a] (Section 1c)

- 7.14 Amnesty International noted in its Annual Report 2008 that:

“During the [September 2007 pro-democracy] crackdown, some detainees... were held in degrading conditions in rooms designed for holding dogs. Torture and other cruel, inhuman and degrading treatment including beatings in custody

were reported. One detainee was made to kneel bare-legged for long periods on broken bricks and also made to stand on tiptoe in an uncomfortable position for long periods (known as the bicycle-riding position). Monks held in detention were stripped of their robes and purposely fed in the afternoon when their religion forbids them to eat.” [12a] (Torture and other ill-treatment)

7.15 The USSD Report 2008 added:

“In 2005 the Thailand-based Assistance Association for Political Prisoners released a report on the ‘brutal and systematic’ torture that the government inflicted on political prisoners. Based on the testimony of 35 former political prisoners, the report gave details of the physical, psychological, and sexual abuse the government employed on dissidents, and it identified by name many of the perpetrators. The report detailed the kinds of torture the government used, including severe beatings, often resulting in loss of consciousness and sometimes death; repeated electric shocks to all parts of the body, including genitals; rubbing iron rods on shins until the flesh comes off; burning with cigarettes and lighters; prolonged restriction of movement for up to several months using rope and shackles around the neck and ankles; repeatedly striking the same area of a person's body for several hours; forcing prisoners to walk or crawl on an aggregate of sharp stones, metal, and glass; using dogs to rape male prisoners; and threatening female prisoners with rape. Authorities used prolonged solitary confinement to punish prisoners.

“There were credible reports that prostitutes taken into police custody were sometimes raped or robbed by the police. Occasionally, authorities would arrest and prosecute women who reported being raped by police or soldiers. Security officials frequently placed a hood on those accused or suspected of political crimes upon arrest.

“The armed forces routinely used coercive and abusive recruitment methods to procure porters. Persons forced into portering or other labor faced extremely difficult conditions, beatings, rape, lack of food and clean water, and mistreatment that at times resulted in death.” [7g] (Section 1c)

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## Extrajudicial killings and disappearances

7.16 On the subject of extrajudicial killings, the USSD Report 2008 noted “There were numerous reports that the government or its agents committed arbitrary or unlawful killings. The government did not punish officials responsible for the deaths. In particular there were reports of extrajudicial killings and custodial deaths.” [7g] (Section 1a)

7.17 The USSD Report 2007 stated that:

“The Assistance Association for Political Prisoners – Burma (AAPP) estimated that authorities killed approximately 100 persons during the regime's violent suppression of peaceful prodemocracy demonstrations in September [2007]. In his December report, the UN Special Rapporteur on the Situation of Human Rights in Myanmar, Paulo Sergio Pinheiro, reported that between September 26 and 27, at least 30 persons died as a direct result of the protests and the regime's crackdown. The regime-run New Light of Myanmar newspaper reported that 10 protesters were killed during the September crackdown. Credible sources

told Pinheiro that security forces cremated a large number of bodies at the Ye Way crematorium in Rangoon between September 27 and September 30 [2007].” [7a] (Section 1a)

7.18 Amnesty International recorded in its Report 2008 that:

“Rubber bullets and live rounds were fired into crowds of peaceful demonstrators by state security personnel or groups supported by them. The total number of people killed or injured by gunfire was not known. Given eye-witness testimony of shots being fired from atop military trucks and from flyover bridges, as well as the profile of the victims, it is likely that the authorities deliberately targeted real or perceived leaders of the demonstrations.” [12a] (Killings and excessive use of force)

7.19 Regarding ‘disappearances’, the USSD Report 2008 recorded:

“Private citizens and political activists continued to ‘disappear’ for periods ranging from several hours to several weeks or more, and many persons never reappeared. Such disappearances generally were attributed to authorities detaining individuals for questioning without informing family members and to the army’s practice of seizing private citizens for portering or related duties, often without notifying family members. Requests for information directed to the military forces were routinely ignored. In some cases individuals who were detained for questioning were released soon afterward and returned to their families. The government took no action to investigate reports that security forces took large numbers of residents and monks from their homes and monasteries during numerous nighttime raids following the peaceful prodemocracy protests in September 2007.” [7g] (Section 1b) Amnesty International noted in its Report 2008 that there were at least 72 confirmed cases of enforced disappearance during the September 2007 pro-democracy protests. [12a] (Enforced disappearances) The USSD Report 2008 added that “The whereabouts of persons seized by military units to serve as porters, as well as of prisoners transferred for labor or portering duties, often remained unknown. Family members generally learned of their relatives’ fates only if fellow prisoners survived and later reported information to the families.” [7g] (Section 1b)

7.20 The USSD Report 2007 recorded:

“Witnesses reported the regime conducted numerous night time raids on monasteries and private homes following September’s peaceful prodemocracy protests. In Rangoon local witnesses, media, and foreign diplomatic representatives reported that large numbers of residents were taken from their homes and many monks were missing from their monasteries after the crackdown began on September 26. At year’s end [2007] many of the monks had not returned, and many remained missing. [7a] (Section 1b)

## OTHER GOVERNMENT FORCES

7.21 Jane’s Sentinel Country Risk Assessment for Myanmar noted in its section on armed forces, updated 3 October 2008, that “There are... a large number of other government personnel who can be called upon to fight in emergencies. For example, in addition to village militias, all members of the Myanmar Red Cross and Fire Brigade undergo basic military training... The War Veterans Association is also considered part of the national reserve.” [8a] (Armed forces) “... the People’s

Militia [strength 35,000] has declined to become a loose village-based organisation used by the authorities as a self-defence force and to supplement the police in times of internal unrest. It is mostly armed with obsolete weapons.” [8a] (Security and foreign forces)

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## Union Solidarity and Development Association (USDA)

7.22 The Economist Intelligence Unit (EIU) recorded in its Burma report, dated 9 October 2008, that:

“The Union Solidarity Development Association (USDA), set up by the junta in 1993, is being groomed as its political wing. Heavy-handed recruitment tactics are used to boost USDA membership (which totalled 16m in 2001). However, genuine support for the junta within the USDA is thought to be limited. In August and September 2007 USDA members were sent to harass participants in peaceful protests against the junta, a move that has further soured public feeling towards the organisation.”

7.23 The Freedom House Freedom in the World 2008 Report on Burma noted that “The Union Solidarity and Development Association (USDA), a state-sponsored organisation, frequently harassed, intimidated, and attacked opposition party members in 2007...” [14a] The USSD Report 2008 stated “The USDA... increasingly assumed the responsibilities of law enforcement authorities, engaging in the arrest, detention, and interrogation of human rights and prodemocracy activists.” (Section 1d) The USDA were also known to confiscate personal property for their own use. [7g] (Section 1f)

7.24 Human Rights Watch (HRW) noted in its World Report 2008 that the USDA had a “nominal national membership of 23 million.” [39a] (Violent crackdown on protests) The US State Department’s International Religious Freedom Report (USSD IRF Report) 2008 recorded that participation in the activities of the USDA was often compulsory. [7b] (Section II)

7.25 The Immigration and Refugee Board of Canada (IRB) recorded in a Response to Information Request (RIR), dated 25 February 2008, from information received from a Burmese former political prisoner, that “... the Union Solidarity and Development Association (USDA) has local intelligence branches which monitor the general population in various neighbourhoods across the country. He added that the Ministry of Information also has an intelligence branch, comprised of pro-regime journalists who monitor journalists, bloggers and Internet users.” [50b]

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## Swan Arr Shin

7.26 The HRW World Report 2008 noted that a civilian parliamentary group, Swan Arr Shin, supported the USDA and security forces in breaking up the September 2007 demonstrations. Reproving foreign interference and condemnation, the USDA and Myanmar Women’s Affairs Federation staged mass rallies throughout Burma and blamed foreign media for inciting the pro-democracy protests. [39a] (Violent crackdown on protests)

7.27 The HRW report, Crackdown: Repression of the 2007 popular protests in Burma, dated 6 December 2007, stated

“In addition to the USDA, the SPDC has more recently formed a new paramilitary group called the Swan Arr Shin [SAS] or ‘Masters of Force.’ Although the SPDC rarely officially acknowledges the existence of the Swan Arr Shin, almost all Burmese interviewed by Human Rights Watch spoke about the activities of the Swan Arr Shin in their neighborhoods, and were able to identify Swan Arr Shin members from their areas... Swan Arr Shin members are given rudimentary military training in marching, shouting slogans, organizing participants and basic hand combat techniques...

“Ordinary Swan Arr Shin members are paid 5,000 kyat a month, a bag of rice, and some cooking oil by pro-government business leaders, and are used mostly for routine neighborhood surveillance and police assistance during ordinary times. Other SAS members, mostly known thugs and petty criminals, are used more often to engage in violence against opposition figures, and are paid between 3,000 and 5,000 kyat per day.

“The SAS command structure parallels that of the local government structure. Ward level SAS units reportedly have 20 members and in some cases are overseen by former ward leaders. Township level SAS units vary in size depending upon the number of wards they comprise. District level SAS units are reportedly overseen by USDA members. Swan Arr Shin operations are commanded by the riot police and indirectly overseen by the army.” [39I] (Chapter VIII)

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## 8. JUDICIARY

### ORGANISATION

- 8.01 The USSD Background Note on Burma, updated December 2008, observed “The legal system is based on a British-era system, but the military regime rules by decree and there is no guarantee of a fair public trial; the judiciary is not independent. The new constitution provides for a supreme court, a constitutional tribunal, and lower courts.” [7c] Europa World online, accessed 3 December 2008, noted that, following the imposition of military rule in 1988 “... a Supreme Court with five members was appointed. A chief justice, an attorney-general and a deputy attorney-general were also appointed. In March 2003 a deputy chief justice, four more justices and two further deputy attorney-generals were appointed.” [1] (Judicial system)

### INDEPENDENCE

- 8.02 The United States Department of State Country Report on Human Rights Practices 2008 (USSD Report 2008) noted that:

“The judiciary is not independent of the government. The SPDC appoints justices to the Supreme Court, which in turn appoints lower court judges with SPDC approval. These courts adjudicate cases under decrees promulgated by the SPDC that effectively have the force of law. The court system includes courts at the township, district, state, and national levels. While separate military courts for civilians do not exist, the military regime frequently directs verdicts in politically sensitive trials of civilians.” [7g] (Section 1e)

- 8.03 The USSD Report 2008 further stated:

“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 remain formally in place, the court system and its operation were seriously flawed, particularly in the handling of political cases. The misuse of blanket laws – including the Emergency Provisions Act, Unlawful Associations Act, Habitual Offenders Act, Electronic Transactions Law, Video Act, and Law on Safeguarding the State from the Danger of Subversive Elements – as well as the manipulation of the courts for political ends continued to deprive citizens of the right to a fair trial and to stifle peaceful dissent. Executive Order 5/96, which provides for the arrest of any person deemed a threat to the National Convention and the ‘roadmap to democracy,’ effectively stifled open debate among citizens. Pervasive corruption further served to undermine the impartiality of the justice system.” [7g] (Section 1e)

- 8.04 Freedom House Freedom in the World Report 2008 confirmed that the judiciary was not independent and stated that:

“Judges are appointed or approved by the junta and adjudicate cases according to the junta’s decrees. Administrative detention laws allow people to be held without charge, trial, or access to legal counsel for up to five years if the SPDC feels they have threatened the state’s security or sovereignty. Some basic due process rights are reportedly observed in ordinary criminal cases, but not in political cases... [14a]

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**FAIR TRIAL**

8.05 The USSD Report 2008 recorded:

“The new constitution provides for the right to a fair trial, but it also grants broad exceptions that in effect allow the regime to violate these rights at will... There is a fundamental difference between criminal trials involving political prisoners and defendants charged with common crimes. Some basic due process rights, including the right to be represented by a defense attorney, were generally respected in common criminal cases but not in political cases that the government deemed especially sensitive. By law the government is not obligated to provide an attorney at public expense except in death penalty cases. Juries are not used in any criminal trials. In common criminal cases, defense attorneys generally were permitted 15 days to prepare for trial, could call and cross-examine witnesses, examine evidence, and were granted a 15-day delay for case preparation. However, their primary function was not to disprove their client's guilt, which was usually a foregone conclusion, but rather to bargain with the judge to obtain the shortest possible sentence for their clients. Political trials often were not open to family members or the public, and defense attorneys frequently were not permitted to attend. Reliable reports indicated that senior government authorities dictated verdicts in political cases, regardless of the evidence or the law. The law provides those convicted of crimes with a right of appeal; however, in most cases verdicts were upheld without consideration of the legal merits of the appeal...

“NLD members and other prodemocracy activists generally appeared able to retain the counsel of lawyers without fear that the lawyers might be imprisoned; however, lawyers were not always told when trials would begin, and authorities often refused to allow them to attend their clients' trials.

“During the year authorities held closed legal hearings for a large number of political prisoners. Foreign diplomatic observers were able to confirm that the regime sentenced at least 120 persons, although some human rights NGOs, such as the Assistance Association for Political Prisoners (AAPP), estimated that more than 200 persons were convicted. Some of those convicted had been detained for more than a year without trial.

“In October and November, criminal defense attorneys Aung Thein, Khin Maung Shein, and Nyi Nyi Htwe were sentenced to between four and six months' imprisonment for contempt of court after they objected to the lack of due process afforded several political prisoners they were representing. Another attorney, Saw Kyaw Kyaw Min, was cited for contempt but fled before he was imprisoned. Independent legal observers noted that it was unusual for lawyers to be imprisoned, rather than fined, for contempt of court. Fourteen other lawyers, most sentenced prior to 1998, remained imprisoned at year's end.

“The government routinely extended prison sentences under the Law Safeguarding the State from the Dangers of Subversive Elements. The minister of home affairs has the right to extend unilaterally a prison sentence on six separate occasions for two months, for a total of up to one year. SPDC Chairman Senior General Than Shwe can add five years to a sentence.” [7g] (Section 1e)

- 8.06 The Freedom in the World report 2008 stated that “The frequently used Decree 5/96, issued in 1996, authorizes prison terms of up to 20 years for aiding activities ‘which adversely affect the national interest’.” [14a]
- 8.07 With regards to activists’ trials, Human Rights Watch reported in an article dated 11 November 2008 that “Family members often have not been permitted to attend the current trials. In some cases legal representation has been denied, and four lawyers for political activists have been sentenced to prison time for contempt when they tried to withdraw their representation at their clients’ request or protested unfair hearings.” [39g]

See also [Political affiliation](#)

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## 9. ARREST AND DETENTION – LEGAL RIGHTS

- 9.01 Europa World online reported that under the new Constitution “Citizens may not be detained for more than 24 hours without trial, except on security or similar grounds.” [1] (**The Constitution**) However the United States Department of State Country Report on Human Rights Practices 2008 (USSD Report 2008 noted:
- “By law warrants for searches and arrests are required; however, the MSA and police have special authority to conduct searches and make arrests at will. The law permits a court to detain persons without charge for up to two weeks, with the possibility of a second two-week extension. However, authorities frequently extended detentions beyond this period without producing the detainees before a judge. The government often held persons under the Emergency Act of 1950, which allows for indefinite detention. In practice many persons were held for years without being informed of the charges against them.” [7g] (**Section 1d**)
- 9.02 The Democratic Voice of Burma reported on 1 February 2008 “The Military Government has created several new laws and ordinances that are used as the legal foundation for incarcerating people without any arrest warrants, legal proceedings, trials and legal appeals”. [3a] And the Freedom House, Freedom in the World Report 2008, observed “Administrative detention laws allow people to be held without charge, trial, or access to legal counsel for up to five years if the SPDC feels they have threatened the state’s security or sovereignty.” [14a]
- 9.03 The USSD Report 2008 stated:
- “Bail was commonly offered in criminal cases, but it was rarely allowed for political prisoners. The government regularly refused detainees the right to consult a lawyer, denied them and their families the right to select independent legal representation, or forced them to use government-appointed lawyers. The government continued to use incommunicado detention and often failed to inform detainees' relatives of detentions until much later.” [7g] (**Section 1d**)
- 9.04 In a letter to the Home Office dated 30 October 2007, the Foreign and Commonwealth Office (FCO) stated records were kept of people arrested, even if they were released without charge. [5p]

See also [Arbitrary arrest and detention](#)

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### ARREST WARRANTS

- 9.05 Arrest warrants can be issued by the courts to the police within a matter of hours in order to make an arrest. (FCO letter, dated 20 October 2008) [5e] It was possible that an arrest warrant could be left with a family member of the person named on the warrant in that person’s absence. (FCO email, 27 February 2008) [5c]
- 9.06 A Burmese police officer, consulted by the FCO, stated that warrants would normally only be issued in Burmese. However, the police officer said that, although he had no personal experience of such, if the warrant was for a foreigner a court could possibly issue the papers in English, as well as provide a Burmese version. (FCO email, 5 September 2007) [5d]

- 9.07 The United States Department of State (USSD) listed in its Visas section for Burma a number of documents, including police and prison records, which were genuinely available from the relevant offices in Burma:  
[http://travel.state.gov/visa/frvi/reciprocity/reciprocity\\_3525.html#docs](http://travel.state.gov/visa/frvi/reciprocity/reciprocity_3525.html#docs) [7f]  
(Burma Reciprocity Schedule; Country documents)

See also [Forged and fraudulently obtained documents](#)

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## 10. PRISON CONDITIONS

- 10.01 The United States Department of State Country Report on Human Rights Practices 2008 (USSD Report 2008), released on 25 February 2009, noted:

“Prison and labor camp conditions generally were harsh and life threatening. The Department of Prisons operated approximately 40 prisons and 70 labor camps. Food, clothing, and medical supplies reportedly were scarce in prisons. There were reports that authorities in some prisons forced prisoners to pay for food. Bedding often was inadequate, sometimes consisting of a single mat on the floor. Prisoners were forced to rely on their families, who were allowed one or two visits per month, for basic necessities. The government solicited private donations of food, clothing, and medical supplies as well as books and television sets for prisoner use but reportedly diverted all donated goods to government officials. Prisoners were held without being charged for weeks or months, and until a prisoner was officially charged with a crime, families could not visit or send critical supplementary food. HIV/AIDS infection rates in prisons reportedly were high due to communal use of syringes for injections and sexual abuse by other prisoners.” [7g] (Section 1c)

- 10.02 The USSD Report 2007 also recorded:

“Witnesses reported [that] thousands of persons detained in connection with September’s [2007] peaceful prodemocracy demonstrations were held at makeshift detention facilities, including Plate Myot Police Center in Mandalay, the Government Technical Institute (GTI), Kyaik Ka San Interrogation Center, Police Center Number 7, Aung Tha Paye, and Riot Police Center Number 5 in Rangoon. The regime told Pinheiro that security forces took 1,930 demonstrators to the GTI between September 27 and October 15. Witnesses at the GTI estimated that well over 2,000 persons were held in a facility designed for no more than 1,500. Persons released from the GTI reported that detainees were held in overcrowded, unsanitary, degrading, and dangerous conditions. According to several eyewitnesses, few of the holding areas had adequate toilet facilities, forcing detainees to relieve themselves in plastic bags or on the floor where others slept. Female detainees reported that they were not provided with sanitary products and were forced to improvise under harsh and public conditions. Food and water were unclean and resulted in many detainees becoming sick, further exacerbating the unsanitary conditions.

“In September and October [2007] there were numerous reports that several persons detained during the prodemocracy demonstrations died in custody due to poor conditions. Pinheiro cited a detained monk’s eyewitness account that approximately 14 persons arrested in connection with the prodemocracy protests died while being held at the GTI between September 27 and October 5. The monk attributed their deaths to poor conditions of detention rather than injuries sustained during the protests...” [7a] (Section 1c)

- 10.03 Human Rights Watch recorded in its World Report 2008 that:

“Since January 2006 the International Committee of the Red Cross (ICRC) has not been permitted to conduct prison visits. During 2007 they gradually closed several field offices in the countryside due to restrictions on their activities. In a rare public statement issued in June [2007], the ICRC voiced concerns that ‘repeated abuses committed against men, women and children living along the

Thai-Myanmar [Burma] border violate many provisions of international humanitarian law’.” [39a]

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## ABUSES IN PRISONS

10.04 The USSD Report 2008 recorded that “The government denied prisoners adequate medical care, although medical services in prisons partially reflected the poor health care services available to the general population.” Numerous incidences were recorded in the Report of where the government failed to provided prisoners with adequate medical care. [7g] (Section 1c)

10.05 The same source added that:

“Despite the government's insistence that it did not hold any political prisoners, reports by prisoners indicated that authorities frequently placed politically active prisoners in communal cells, where they were subjected to beatings and severe mistreatment by common criminals.

“The government continued to deny the International Committee of the Red Cross (ICRC) unfettered access to prisoners. The ICRC was unable to talk in private with prisoners, make repeated visits as desired, or provide necessary healthcare and hygienic supplies. As a result the ICRC could not follow the cases of more than 4,000 detainees, including security detainees, minors, foreigners, and prisoners who were especially vulnerable, such as the sick and elderly.” [7g] (Section 1c)

10.06 Amnesty International's Annual Report 2008 stated that:

“An unconfirmed number of prisoners died in detention after the crackdown in September [2007] due to their treatment during interrogation... From 27 to 29 September, a large number of bodies were reportedly burned at the Ye Way municipal crematorium in Yangon during the night. It was reportedly unusual for the crematorium to function at night, and normal employees were instructed to keep away whilst the facility was operated by state security personnel or state supported groups. On at least one night, reports indicate that some of the cremated had shaved heads or signs of serious injury.” [12a] (Deaths in custody)

See also [Abuses by the security forces](#)

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## 11. POLITICAL AFFILIATION

### FREEDOM OF POLITICAL EXPRESSION

- 11.01 The United States Department of State Country Report on Human Rights Practices 2008 (USSD Report 2008), released on 25 February 2009, noted:

“The regime continued its systematic use of coercion and intimidation to deny citizens the right to change their government. The regime continued to prevent the parliament elected in 1990 from convening.

“The new constitution provides for popularly elected legislators to a bicameral parliament; however, it ensures that at least 25 percent of the seats will be reserved for military members appointed by the uniformed commander in chief of Defense Services. It also bars many persons from office on the basis of not having resided in the country for at least 10 consecutive years prior to election, prior misconduct the regime deems is disqualifying, having accepted assistance from a foreign government, or being entitled to citizenship of a foreign nation. Additionally, while the constitution technically came into effect in May, by the constitution's own terms, the SPDC will continue to ‘exercise state sovereignty’ until the parliament is convened in 2010.

“Since 1962 active-duty military officers have occupied the most important positions in the central government and in local governments, and the regime placed active duty or retired military officers in senior-level positions in almost every ministry. At year's end active-duty or retired military officers occupied 30 of 33 ministerial-level posts, including that of prime minister and the mayoral posts in Rangoon, Mandalay, and the administrative capital, Nay Pyi Taw.” [7g] (Section 3)

See also [Political system](#) and [The Constitution](#)

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### FREEDOM OF ASSOCIATION AND ASSEMBLY

- 11.02 The USSD Report 2008 noted that freedom of assembly was limited by law and that in practice it was severely restricted by the government. The report stated:

“An ordinance officially prohibits unauthorized outdoor assemblies of more than five persons, although it was not enforced consistently and authorities sometimes prohibited smaller gatherings. While still a legal political party, all NLD offices except its Rangoon headquarters remained closed by government order, and the NLD could not lawfully conduct party activities outside its headquarters building. The nine other legally registered political parties were required to request permission from the government to hold meetings of their members. Informal meetings involving NLD members occurred outside the NLD office; however, security officials closely monitored these activities. Authorities occasionally demanded that NLD leaders provide them with lists of attendees in advance in an attempt to discourage participation. The regime and its supporters routinely used intimidation, violence, and the power of arrest to disrupt peaceful demonstrations and meetings.” [7g] (Section 2b)

- 11.03 On freedom of association, the same source added that it was restricted:

“...particularly for NLD members, prodemocracy supporters, and those who contacted exile groups. A statute prohibits associating with any organization that the head of state declares to be unlawful.

“Freedom of association generally existed only for government-approved organizations, including trade associations, professional bodies, and the USDA. Few secular, nonprofit organizations existed, and those that did took special care to act in accordance with government policy...” [7g] (Section 2b)

### Burmese demonstrations overseas

- 11.04 In a letter to the Country of Origin Information Service, dated 1 August 2008, regarding Burmese nationals attending demonstrations overseas, the Foreign and Commonwealth Office (FCO) stated that they were:

“...not aware of any cases of individuals who have faced persecution in Burma simply as a result of participating in a demonstration overseas.

“It is difficult to judge how the authorities react in individual circumstances. But my belief is that an individual would only have a high risk of facing penalties if they had been seen to a) lead/organise the demonstrations or b) be responsible for a particularly extreme act of incitement. Taking part in demonstrations/events attended by a number of people is, in my view, unlikely to merit particular attention. On return to Burma, they may be subject to scrutiny (ie watched, followed and allowed restricted movement) but this is the case for many people in Burma.” [5g]

- 11.05 The same source continued “If there were penalties for participating in such events the Burmese authorities could take a number of different actions. They could, for example, have their passport revoked on return to Burma. They could be arrested and prosecuted for instigating unrest or inciting anger against the state (sedition). This could lead to a prison sentence, possibly for life.” [5g]

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### OPPOSITION GROUPS AND POLITICAL ACTIVISTS

- 11.06 The USSD Report 2008 recorded “[that] There were 10 legally registered political parties, but most were moribund. Authorities harassed and intimidated parties that did not support regime policies.” [7g] (Section 2b)

- 11.07 The Freedom House Freedom in the World 2008 Report noted:

“Since rejecting the results of the 1990 elections and preventing the unicameral, 485-seat People’s Assembly from convening, the junta has all but paralyzed the victorious NLD party. Authorities have jailed many NLD leaders, pressured thousands of party members and officials to resign, closed party offices, harassed members’ families, and periodically detained hundreds of NLD supporters at a time to block planned party meetings... Besides the NLD, there are more than 20 ethnic political parties that remain suppressed by the junta.” [14a]

- 11.08 Amnesty International noted in its Report 2008 that “Even before the large-scale demonstrations began in August [2007], the authorities arrested many well-known opponents of the government on political grounds, several of whom had only been released from prison several months earlier.” [12a] **(Political imprisonment)**

### National League for Democracy (NLD)

- 11.09 The Economist Intelligence Unit (EIU) noted in its report on Burma, dated 9 October 2008, that:
- “The NLD remains the most important source of political opposition to the junta. However, years of intense harassment by the junta have weakened the party. Most party offices have been forced to close and many members forced to resign. When NLD leaders were able to meet supporters around the country during a brief thaw in 2001-02, the massive turnout at some of these gatherings, despite intimidation by the USDA, showed that popular support for the NLD remained strong. The generals continue to see Aung San Suu Kyi as a major threat, and she has spent 12 of the past 19 years under house arrest.” [46] **(The National League for Democracy)**
- 11.10 In an email response dated 5 June 2007, the UK Foreign and Commonwealth Office (FCO) stated that Aung San Suu Kyi led the whole of the National League for Democracy (NLD), including the youth wing. The NLD is only allowed to operate in Rangoon/Yangon, where the NLD’s Central Executive Committee is based. All other offices in Burma have been closed. [5f]
- 11.11 The FCO noted in a letter dated 8 March 2007 that committees exist within the NLD, including Social Welfare, Woman’s Association, Medical Assistance, Adult Membership Committee, Media Committee, Legal Committee and Youth Wing. [5o]
- 11.12 Meetings haven’t been held in many NLD offices in Burma following the September 2007 demonstrations due to restrictions placed on holding gatherings and the closure of offices across the country. According to one NLD member from Bago, a lack of direction from NLD headquarters has also hampered some meetings. (Democratic Voice of Burma, 9 October 2008) [3b]

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### All Burma Monks Alliance

- 11.13 The EIU Burma report, dated 9 October 2008, noted that:
- “Myanmar’s highly revered Buddhist monks are an important source of political opposition. Monks played a key role in the failed 1988 pro-democracy uprising, and in September 2007 thousands of monks again took to the streets, initially to protest against economic hardship before leading mass protests seeking to oust the military. Some of those involved belonged to an activist group calling itself the Alliance of All Burmese Buddhist Monks. The SPDC has sought to infiltrate the monkhood with its own supporters, and it detained hundreds of monks following the 2007 protests.” [46] **(The Buddhist monkhood)**
- 11.14 The All Burma Monks Alliance (ABMA) was formed in the wake of the 2007 pro-democracy protests and became the military’s main target at the demonstrations.

(Amnesty International Report 2008) [12a] (Freedom of expression) One of the leaders of the ABMA, and alleged organisers of the protests, U Gambira, was arrested and charged for violating the Unlawful Associations Act, which carries a prison sentence of up to three years. He was also charged with immigration offences for allegedly trying to cross the Thai-Burma border without permission, a sentence that carries a possible five years in prison. U Gambira's brother, Ko Aung Kyaw Kyaw, was also arrested and charged under the same offences. (USSD IRF Report 2008) [7b] (Section II) Mizzima news reported on 21 November 2008 that U Gambira was sentenced by a special court to a total of 68 years in prison following his participation in September 2007's "Saffron Revolution". [52c]

See also [Fair Trial](#) and [Religious Freedom](#), subsection on [Buddhists](#)

## 88 Generation group

- 11.15 As reported by Mizzima news, dated 11 November 2008, in a time line on the 88 generation group:

"[The] 88 generation group is not a political party but rather a movement, comprising a generation of students who were active during the 1988 pro-democracy uprising... Most of the members of the 88 generation group are former political prisoners who served long sentences in Burma's notorious penal system, subjected to serious human rights abuses... The group was formed in 2005 by politically active student leaders, including Min Ko Naing." [52b]

- 11.16 The EIU recorded in its Burma report, 9 October 2008, that:

"In 2006 the so-called 88 Generation group – founded by former student activists involved in the failed 1988 pro-democracy uprising – emerged as a strong informal source of opposition to the military regime. The group organised a number of civil disobedience actions in 2007, such as prayer vigils calling for the release of political prisoners. In August 2007 the group led peaceful protests against the junta's decision to increase fuel prices, a move that caused severe economic hardship. These protests quickly escalated into mass demonstrations against the regime; the SPDC detained most of the group's top leaders, including Min Ko Naing, in the ensuing crackdown." [46] (88 Generation group)

## All Burma Federation of Student Unions (ABFSU)

- 11.17 The All Burma Federation of Student Unions (ABFSU) re-emerged during the pro-democracy uprising in 1988 then went underground in 1990 following the arrest and imprisonment of some of its members. At the 2007 pro-democracy demonstrations the ABFSU resurfaced again. (The Irrawaddy, 28 August 2007) [26a]

See also [Recent events and political developments](#)

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## 12. FREEDOM OF RELIGION

### OVERVIEW

- 12.01 The United States Department of State International Religious Freedom Report 2008 (USSD IRF 2008), released on 19 September 2008, stated that in Burma “Constitutional protection of religious freedom has not existed since 1988... The authorities generally permitted most adherents of registered religious groups to worship as they choose; however, the Government imposed restrictions on certain religious activities and frequently abused the right to freedom of religion.” [7b]
- 12.02 The same source added:
- “The country has no official state religion. However, since independence, successive governments, civilian and military, have supported and associated themselves conspicuously with Buddhism. In 1961 the Government’s push to make Buddhism the state religion failed due to country-wide protests by religious minorities. However, in practice the Government continues to show a preference for Theravada Buddhism through its official propaganda and state-sponsored activities, including government donations to monasteries and support for Buddhist missionary activities. Promotions within the military and the civil service are generally contingent on the candidates being followers of Buddhism. The Ministry of Religious Affairs includes the powerful Department for the Promotion and Propagation of Sasana (Buddhist teaching).” [7b] (Section II)
- 12.03 The United States Commission on International Religious Freedom noted in its Annual Report 2008 that in some areas of the country, the military junta in Burma “has forcibly promoted Buddhism over other religions.” [9] (p133) The USSD IRF 2008 further noted that “Official public holidays include numerous Buddhist holy days, as well as a few Christian, Hindu, and Islamic holy days. The Government normally observes the Full Moon Day of Tabaung, the 4-day Thingyan festival, Buddhist New Year’s Day, the Full Moon Day of Kason, the Full Moon Day of Waso, the Full Moon Day of Thadinkyut, the Full Moon Day of Tazaungmone, Christmas, Idul Alhwaha, and Deepa Vali as national holidays.” [7b] (Section II)

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### Demography

- 12.04 The USSD IRF 2008 noted:

"The country has an area of 261,970 square miles and a population of more than 54 million. The majority follow Theravada Buddhism, although in practice popular Burmese Buddhism coexists with astrology, numerology, fortune telling, and veneration of indigenous pre-Buddhist era deities called ‘nats.’ Buddhist monks, including novices, number more than 400,000 and depend on the laity for their material needs, including clothing and daily donations of food. The country has a much smaller number of Buddhist nuns. The principal minority religious groups include Christians (Baptists, Roman Catholics, Anglicans, and an array of other Protestant denominations), Muslims (mostly Sunni), Hindus, and practitioners of traditional Chinese and indigenous religions. According to official statistics, almost 90 percent of the population practice Buddhism, 6 percent Christianity, and 4 percent Islam. These statistics almost certainly underestimate the non-

Buddhist proportion of the population, which could be as high as 30 percent. Independent scholarly researchers place the Muslim population at 6 to 10 percent. A tiny Jewish community in Rangoon has a synagogue but no resident rabbi to conduct services for the approximately 25 Jewish believers.

“The country is ethnically diverse, with some correlation between ethnicity and religion. Theravada Buddhism is the dominant religion among the majority Burman ethnic group and among the Shan, Arakanese, and Mon ethnic minorities in the east, west, and south. Christianity is the dominant religion among the Kachin ethnic group of the north and the Chin and Naga ethnic groups of the west, some of whom also continue to practice traditional indigenous religions. Protestant groups report recent rapid growth among animist communities in Chin State. Christianity is also practiced widely among the Karen and Karenni ethnic groups of the south and east, although many Karen and Karenni are Buddhist. In addition, some ethnic Indians are Christian. Hinduism is practiced chiefly by Burmese citizens of Indian origin, who are concentrated in major cities and in the south-central region. Islam is practiced widely in Rakhine State, where it is the dominant religion of the Rohingya minority, and in Rangoon, Ayeyarwady, Magway, and Mandalay Divisions where some Burmans, Indians, and ethnic Bengalis practice Islam. Chinese ethnic minorities generally practice traditional Chinese religions. Traditional indigenous beliefs are practiced widely among smaller ethnic groups in the highland regions. Practices drawn from those indigenous beliefs persist widely in popular Buddhist rituals, especially in rural areas.” [7b] (Section I)

See also [Ethnic groups](#)

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## CONSTITUTION AND LEGISLATION

- 12.05 Regarding the draft Constitution that was released in March 2008, the USSD IRF 2008 noted that it:

“...specifically recognizes the ‘special position of Buddhism as the faith practiced by the great majority of citizens,’ but also recognizes Christianity, Islam, Hinduism, and Animism as religions ‘existing’ in the country on the date the constitution will come into force. It states that the Government shall ‘render assistance and protect the religions it recognizes.’ The text of the draft constitution prohibits discrimination on the basis of religion and provides for freedom of religion ‘subject to public order, morality, health, and other provisions of the constitution.’ The draft constitution prohibits members of religious orders from running for public office and forbids the ‘abuse of religion for political purposes’.” [7b] (Section II)

- 12.06 The same report stated that:

“Virtually all organizations, religious or otherwise, must register with the Government. A government directive exempts ‘genuine’ religious organizations from official registration; however, in practice only registered organizations can buy or sell property or open bank accounts. These requirements lead most religious organizations to seek registration. Religious organizations register with the Ministry of Home Affairs with the endorsement of the Ministry for Religious Affairs. Leaders of registered religious groups have more freedom to travel than

leaders of unrecognized organizations and members of their congregations.” [7b] (Section II)

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## BUDDHISTS

- 12.07 Despite the military junta showing a preference for Theravada Buddhism, during the 2007 pro-democracy protests, monks were arrested, beaten and in some cases killed by the Burmese army. Monks were also banned from gathering in public and their monasteries were kept under close surveillance and sometimes raided. (Freedom House, Freedom in the World 2008) [14a] The USSD IRF Report 2008 recorded:

“The Government continued its efforts to control the Buddhist clergy (Sangha). It tried Sangha members for ‘activities inconsistent with and detrimental to Buddhism’ and imposed on the Sangha a code of conduct enforced by criminal penalties. The Government did not hesitate to arrest and imprison lower-level Buddhist monks who opposed the Government. In prison monks were defrocked and treated as laypersons. In general they were not allowed to shave their heads and were not given food in accordance with the monastic code. Like other political prisoners, they were often beaten and forced to do hard labor. The Government also subjected the Sangha to special restrictions on freedom of expression and association. Members of the Sangha were not allowed to preach sermons pertaining to politics. Religious lectures could not contain any words, phrases, or stories reflecting political views. The regime told Sangha members to distance themselves from politics, political parties, or members of political parties. The Government prohibited any organization of the Sangha other than the nine state-recognized monastic orders under the authority of the State Clergy Coordination Committee. The Government prohibited all clergy from being members of a political party.” [7b] (Section II)

See also Opposition groups and political activists: [All Burma Monks Alliance](#)

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## CHRISTIANS

- 12.08 The United States Commission on International Religious Freedom (USCIRF) Annual Report 2008, published 2 May 2008, reported that:

“Christian groups continue regularly to experience difficulties in obtaining permission to build new churches, as well as to hold public ceremonies and festivals and import religious literature... In Rangoon in 2001-2002, authorities closed more than 80 Protestant house churches because they did not have proper authorization to hold religious meetings. Authorities refused to grant applications to obtain such authorizations and few of the closed churches have been reopened. Additional reports of church closings in Rangoon and Mandalay have been received within the last year. In February 2006, authorities in Rangoon issued a ban on the Phawkkon church, which had been in operation for over 20 years.” [9] (p136)

- 12.09 The USSD IRF 2008 Report for Burma noted that:

“Government authorities continued to prohibit Christian clergy from proselytizing in some areas. Christian groups reported that several times during the period covered by this report, local authorities denied applications for residency permits of known Christian ministers attempting to move into a new township. The groups indicated this was not a widespread practice, but depended on the individual community and local authority. In some instances local authorities reportedly confiscated NRCs [National Registration Cards] of new converts to Christianity. Despite this, Christian groups reported that church membership grew, even in predominantly Buddhist regions of the country.” [7b] (Section II; Restrictions on religious freedom)

12.10 Freedom House stated in their report 'The Worst of the Worst: The World's Most Repressive Societies 2008' that Burma's Christian minorities continued to suffer violence and discrimination. [14c] (Burma, Political Rights and Civil Liberties)

12.11 In its report, 'Carrying the Cross', dated 23 January 2007, Christian Solidarity Worldwide (CSW) recorded that "A document, allegedly from the Ministry of Religious Affairs, has been widely circulated in Rangoon. Headlined 'Programme to destroy the Christian religion in Burma', it contains 17 points:

1. There shall be no home where the Christian religion is practised.
2. No home will accept any preaching about Jesus.
3. Teenagers should not wear inappropriate western clothing.
4. The Christian concept of 'No other God but me' is narrow-minded and should not be acceptable.
5. There shall be no Christian preaching/evangelism on an organised basis.
6. Take care as the Christian religion is very gentle – identify and utilise its weaknesses.
7. If anyone discovers Christians evangelising in the countryside they are to report it to the authorities and those caught evangelising will be put in prison.
8. Christians believe 'Christ died on the cross' and gives salvation. This is untrue and should be contradicted.
9. Buddhists should find Christian weak points and use these weak points to convert Christians to Buddhism.
10. Buddhists should study the Christian Bible so that they can contradict those parts which are untrue and be able to resist the Christian message.
11. The Old Testament and the New Testament are not the same. The two translations into Burmese by Judson and Thara Kwala are different. Find out their inconsistencies.
12. In the Christian religion God only loves the twelve tribes of Israel and does not love all the people in the rest of the world.
13. Buddhists love everybody, not just the twelve tribes of Israel. The Christian religion does not love everybody and this should be pointed out.
14. The principle of the creation story in the Bible is wrong.
15. The offerings taken at Christian meetings should be checked.
16. Study the Holy Spirit and show Christians that they have a wrong understanding.
17. Christian beliefs have to be contradicted in all circumstances.” [13a] (p17)

12.12 The same source noted that:

“Another 17-point document circulated in Chin State provides a variation on the theme. Called 'The Facts to Attack Christians', it instructs Buddhists 'to attack Christian families and the progress of Christians', 'to criticise sermons which are broadcast from Manila, Philippines', 'to stop the spread of the Christian

movement in rural areas', 'to criticise the Holy Spirit after thorough study' and 'to attack Christians by means of both non-violence and violence'." [13a] (p18)

- 12.13 On 20 January 2007 *The Telegraph* reported on the same document, which was shown to *The Sunday Telegraph* by human rights groups, and noted that the document "... may have been produced by a state-sponsored Buddhist group, but with the tacit approval of the military junta. The regime has denied authorship of the document – which also calls for teenagers to be prevented from wearing Western clothes – but has made no public attempt to refute or repudiate its contents." [20a]

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## MUSLIMS

- 12.14 The USCIRF Annual Report 2008 stated that:

"In the past year, members of minority religious groups, especially Muslims and Christians, continued to face serious abuses of religious freedom and other human rights by the military. In some localities, military commanders have forcibly conscripted members of ethnic and religious minorities for forced labor. Those who refuse conscription are threatened with criminal prosecution or fined. Those who do not carry out their tasks have been shot or beaten to death. Christians and Muslims have been forced to engage in the destruction of mosques, churches, and graveyards and to serve as military porters. They reportedly have also been forced to 'donate' labor to build and maintain Buddhist pagodas and monasteries." [9] (p135) The USSD IRF 2008 also added that:

"Authorities frequently refused to approve requests for gatherings to celebrate traditional Christian and Islamic holidays and restricted the number of Muslims that could gather in one place. For instance, in satellite towns surrounding Rangoon, Muslims are only allowed to gather for worship and religious training during the major Muslim holidays... Muslims across the country, as well as some other ethnic minority groups such as Chinese and Indians, are often required to obtain advance permission from the township authorities when they wish to leave their hometowns." [7b] (Section II, Restrictions on religious freedom)

- 12.15 The USCIRF Annual Report 2008 noted that:

"Tensions between the Buddhist and Muslim communities have resulted in outbreaks of violence over the past several years, some of it instigated by Burmese security forces against ethnic minority Muslims. In January 2005, two Muslims were killed and one Buddhist monk severely injured in communal violence in Rakhine (formerly known as Arakan) state. Police and soldiers reportedly stood by and did not halt the violence against Muslims until Muslims started to fight back. In February 2006, violent clashes erupted between Muslims and Buddhists in Rakhine and local authorities were hesitant to respond. During the riots, at least three people reportedly died and three mosques were destroyed. In the past two years since the riots, authorities have prevented local efforts to rebuild the mosques. Muslims throughout the country report that they have not been permitted to construct new mosques and that they must pay onerous bribes to secure permission to repair older facilities." [9] (p135)

See also [Ethnic groups](#)

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## 13. WOMEN

### OVERVIEW

13.01 The Freedom House Freedom in the World Report 2008 stated:

“Burmese women have traditionally enjoyed high social and economic status, but domestic violence is a growing concern, and women remain underrepresented in the government and civil service. Several 2007 reports by the Women’s League of Burma detailed an ongoing nationwide pattern of sexual violence—including rape, sexual slavery, and forced marriage—against women by SPDC military personnel and other authorities. Violence against women is particularly common in minority states.” [14a]

13.02 Burma became an accession state to the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in 1997. (Women’s League of Burma: In the Shadow of the Junta, 2008) [27a] (p1)

### LEGAL RIGHTS

13.03 Commenting on the State Peace and Development Council’s (SPDC) second and third periodical report to CEDAW, submitted in 2007, the Women’s League of Burma (WLB) stated in its report ‘In the Shadow of the Junta’, dated 2008, that:

“Women in Burma do not enjoy an effective constitutional guarantee of substantive equality. The regime’s recently approved constitutional provisions not only fail to effectively promote gender equality, but guarantee that the armed forces, an almost exclusively male institution, will control a quarter of seats in the lower and upper houses of the legislature. At the same time, the SPDC has failed to introduce temporary special measures that would assist women in realizing equality.

“There is no indication that the country’s laws have been revised to address direct and indirect discrimination or that the CEDAW and its principles have been incorporated into domestic legislation. In terms of family law, there is a plethora of customary laws still utilized by Burman and non-Burman ethnic groups concerning marriage, adoption, property ownership and inheritance rights. Many of these laws emphasize women’s roles as childbearers and home-makers while giving men greater economic and decision-making power in domestic affairs.

“The institutional mechanisms for addressing gender discrimination in Burma are extremely limited. The national women’s machinery is comprised of regime’s organized NGOs (GONGOs), whose leaders are wives of SPDC commanders. They are forced to promote the regime’s policies, and are prevented from taking a rights – or empowerment-based approach.” [27a] (p1)

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### POLITICAL RIGHTS

13.04 The United States Department of State Country Report on Human Rights Practices 2008 (USSD Report 2008), released on 25 February 2009, noted that “Women were excluded from political leadership. Members of certain minority

groups also were denied a role in government and politics. There were no female or ethnic minority members of the SPDC, cabinet, or Supreme Court.” [7g] (Section 3) The Women’s League of Burma added “[that] the Fundamental Principles of the new Constitution include provisions that effectively exclude women from public office. Thus, far from introducing temporary special measures that would assist women in realizing equality, the government, via the provisions of its constitution, is guaranteeing their exclusion.” [27a] (p18)

## SOCIAL AND ECONOMIC RIGHTS

13.05 The USSD Report 2008 noted “Women remained underrepresented in most traditionally male occupations and were effectively barred from certain professions, including the military officer corps. Poverty affected women disproportionately. Women did not receive equal pay for equal work on a consistent basis. Women legally are entitled to receive up to 26 weeks of maternity benefits, but in practice these benefits often were not accorded them.” [7g] (Section 5)

13.06 The same source added:

“There were no independent women's rights organizations, although there were several groups with some relationship to the government. The MAAF, chaired by the wife of former prime minister General Soe Win, was the leading 'nongovernmental' women's rights organization. With branches in all 14 states and divisions, it was the primary government organization responsible for addressing women's interests. The Myanmar Maternal and Child Welfare Association, another government-controlled agency, provided assistance to mothers and children. These organizations were closely allied with the government and conducted activities that furthered government objectives. The Myanmar Women Entrepreneurs' Association, a professional society for businesswomen, provided loans to women starting new businesses. While not controlled by the government, the association enjoyed good relations with the government and was allowed to conduct its activities to support women in business.” [7g] (Section 5)

13.07 The Women's League of Burma recorded in it's 2008 report 'In the Shadow of the Junta' that:

“In terms of family law, there is a plethora of customary laws still utilized by Burman and non-Burman ethnic groups concerning marriage, adoption, property ownership and inheritance rights. Many of these laws emphasize women's roles as child-bearers and home-makers while giving men greater economic and decision-making power in domestic affairs... There have been no attempts to harmonize... various customary laws with the country's codified law, including the various religious acts regarding marriage, or to ensure that their provisions do not conflict with the CEDAW.” [27a] (p13)

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## VIOLENCE AGAINST WOMEN

- 13.08 The United States Department of State Country Report on Human Rights Practices 2008 (USSD Report 2008) noted:

“Domestic violence against women, including spousal abuse, remained a problem; however, because the government did not maintain statistics related to spousal abuse or domestic violence, it was difficult to measure. There are no laws specifically against domestic violence or spousal abuse, although there are laws related to committing bodily harm against another person. The related prison terms range from one year to life, in addition to possible fines. The government-affiliated MAAF sometimes lobbied local authorities, including the police, to investigate domestic violence cases involving spousal abuse. Since the MAAF is controlled by wives of regime leaders, police usually investigated such cases referred to them by the group.” **[7g] (Section 5)**

- 13.09 On rape, the same source stated:

“Rape is illegal, but the government did not enforce the law effectively. If the victim is under 14 years of age, the act is considered rape with or without consent. In such cases the maximum sentence is two years' imprisonment when the victim is between ages 12 and 14, and 10 years' to life imprisonment when the victim is under 12. Spousal rape is not a crime unless the wife is under 14.” **[7g] (Section 5)** The USSD Report 2007 added:

“The government ... stated that rape was not common in populous urban areas but occurred more often in remote areas. Nonetheless, it was generally considered unsafe for women to travel at night without a male escort, and employers typically had to supply a bus or truck to return female workers to their homes at night. Use of taxis at night was considered particularly hazardous for women because of the risk of rape or robbery. Prostitutes traveling at night typically had to pay substantial additional fees to taxi operators or risk being raped, robbed, or turned over to the police. There were credible reports that prostitutes taken into police custody were sometimes raped or robbed by the police. Incidents of rape in conflict areas and other ethnic minority areas continued, particularly by military personnel garrisoned in those regions. Authorities rarely, if ever, took action against government officials accused of rape. Occasionally, authorities would arrest and prosecute women who reported being raped by police or soldiers. The regime did not release any statistics concerning the number of rape prosecutions and convictions.” **[7a] (Section 5)**

- 13.10 In his report dated 7 March 2008, the UN Special Rapporteur commented that he was not aware of “... any Government initiative to address the consistent and continuing pattern of impunity by members of the military involved in the high number of allegations of sexual violence against women and girls. The failure to investigate, prosecute and punish those responsible for rape and sexual violence has contributed to an environment conducive to the perpetuation of those acts against women and girls in Myanmar.” **[32d] (paragraph 87)**

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## 14. CHILDREN

### OVERVIEW

- 14.01 The United States Department of State Country Report on Human Rights Practices 2008 (USSD Report 2008) recorded that:

“The government did not dedicate significant resources to protecting the rights and welfare of children. Children were at high risk, as deteriorating economic conditions forced destitute parents to take them out of school to work in factories and teashops or to beg. Many were placed in orphanages. With few or no skills, increasing numbers of children worked in the informal economy or in the street, where they were exposed to drugs, petty crime, risk of arrest, trafficking for sex and labor exploitation, and HIV/AIDS...”

There are laws prohibiting child abuse, but they were neither adequate nor enforced. The government stated that child abuse was not a significant problem. However, accurate statistics were not available, and some international NGOs believed the problem was more widespread than the government acknowledged.” [7g] (Section 5)

- 14.02 Listing the issues that faced children in Burma, UNICEF noted in its background report, undated, that:

- “Infant mortality remains high in Myanmar, with 1 in 10 live births resulting in the death of the infant.
- Malnutrition is widespread among under-five-year-old children, with about one third of children severely or moderately stunted and underweight.
- Only 15 per cent of children are exclusively breastfed for the first three months. The practice of giving water to infants continues despite many advocacy campaigns.
- Malaria continues to be a national priority disease with more than a half million cases every year. Approximately half of malaria deaths in the South-east Asia region occur in Myanmar.
- More than 25 per cent of the population lacks access to safe drinking water. Arsenic contamination is a major concern.
- While Myanmar culture traditionally places a high value on education and net school enrolment rates are high at over 80% for both boys and girls, the drop-out rate is also high with less than 55% of those children actually completing the primary cycle...
- Despite national legislation which prohibits the recruitment of children below 18 years of age into armed forces or groups, minors continue to be recruited in the armed forces of all parties including non-state groups.” [19a]

- 14.03 UNICEF also noted some positive achievements affecting children, including:

- “In support of efforts to prevent mother-to-child transmission of HIV, UNICEF was instrumental in expanding services to 54 townships and 22 clinics where pre-test counseling and anti-retroviral drugs became available to all babies born to HIV-positive mothers.
- Vitamin-A supplementation continued during vitamin-A days in March and during nutrition promotion week in September reaching around 6 million

children aged between six months and five years in each round, covering approximately 96 per cent of the target population.

- To help combat the spread of Malaria, UNICEF distributed treated mosquito nets to 144,000 households.
- UNICEF was instrumental in the construction of 860 water systems which benefited 22,000 households and 36,000 school children in areas where groundwater is contaminated with arsenic.
- UNICEF assisted training of almost 11,000 teachers from 5,167 schools on child-centred teaching and learning methods. As part of school environment improvement 3,800 school latrines were constructed and roofing sheets and construction materials were provided to 450 schools in 27 townships.
- UNICEF provided support in the efforts to stop economic exploitation and trafficking of children. Over 300 children, female sex workers and other children vulnerable to abuse, exploitation and trafficking were provided with school, health and nutrition support through local non-governmental organizations in 11 townships. UNICEF provided support for the protection, reintegration and recovery of trafficking victims through anti-trafficking units in six border areas.
- UNICEF was among the first agencies on the ground after Cyclone Nargis hit in May 2008. UNICEF's focus was on providing safe water and maintaining sanitary conditions so as to prevent the spread of water-borne diseases and parasites that can lead quickly to malnutrition and death." [19a]

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## BASIC INFORMATION

- 14.04 The Coalition to Stop the Use of Child Soldiers reported in its Global Report 2008 for Burma (Myanmar) that "Under the 1993 Child Law, a child was anyone under the age of 16 and a youth was anyone over 16 and below 18." [51a] The voting age in Burma is 18 years old. (CIA World Factbook, 10 February 2009) [6a] The minimum age for employment for children is 13, although the law was not enforced. (USSD Report 2008) [7g] (Section 6d) The voluntary recruitment age for the military was 18 years old; however boys were forcibly recruited into the army. (Coalition to Stop the Use of Child Soldiers, Global Report 2008) [51a] The criminal age of responsibility is 7 years old. (Myanmar Law 1993; The Child Law) [56] There is no minimum age for marriage for boys, and girls of 14 years old can marry with parental consent. (Committee on the Rights of the Child – Concluding observations, 30 June 2004) [32c]

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## EDUCATION

- 14.05 The USSD 2008 Report noted:

"By law education is compulsory, free, and universal through the 4th standard (approximately age 10). However, the government continued to allocate minimal resources to public education. There has been a growth in private educational institutions to fill the gap, despite a law requiring private schools to obtain government authorization to collect tuition. Additionally, due to extremely low

teachers' wages, many parents had to supplement teachers' salaries in order to send their children to school. Rates of school attendance were low, largely due to increasing economic hardship. The UN Children's Fund (UNICEF) reported that 50 percent of primary school students left school before finishing the 4th standard." [7g] (Section 5)

- 14.06 The Women's League of Burma stated in its report 'In the Shadow of the Junta', dated 2008, that:

"Even though the quality of education has been deteriorating, students and parents have been forced to shoulder the burden of steeply rising educational costs. It costs at least 100,000 Kyat (100 USD) per year to send a child to primary school, even in rural and ethnic areas, with higher costs for higher levels. According to interviews conducted between March and May 2008, education expenses range from 100,000–400,000 Kyat (100-400 USD) per year for one student. The low salary provided to state-appointed teachers causes added financial burdens for students and parents, particularly in rural areas, with communities having to raise funds to persuade teachers to stay in their villages and teach...

"On top of this, students are expected to take private tuition classes, usually with their school teachers, to pass exams or to get good scores. Tuition fees range from 400 Kyat to 6,000 Kyat per month. Better quality education is generally only available in urban areas, through private institutions such as computer schools, language schools, and business schools, which are very expensive." [27a] (p32)

- 14.07 The USSD Report 2007 noted that "... NGOs estimated that nationwide nearly one million primary-age children did not attend school. There was no difference in the attendance rate of boys and girls." [7a] (Section 5)

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## CHILD SOLDIERS

- 14.08 The Human Rights Watch World Report 2009 stated that:

"Burma continues widespread and systematic forced recruitment of child soldiers. Non-state armed groups also recruit and deploy children in conflict areas.

"The UN Security Council working group on children and armed conflict reviewed Burma's record for the first time in 2008. Despite the SPDC's ongoing failure to curtail use of child soldiers, it did not recommend concrete measures to spur the SPDC to act. The Security Council's failure – in large part due to efforts by China to block a more principled response – was particularly glaring given its previous pledges to seriously consider arms embargoes and other targeted measures against parties that repeatedly recruit and use child soldiers." [39a] (Child soldiers)

- 14.09 Commenting on the UN Special Representative for Children and Armed Conflict Coomaraswamy's November 2007 report on the use of child soldiers in Burma, the USSD Report 2008 recorded that the report "... cited evidence that the both the government army and several armed insurgent and cease-fire groups, including the United Wa State Army, Kachin Independence Army, Karenni National People's Liberation Front, Democratic Karen Buddhist Army, Shan

State Army-South, Myanmar National Democratic Alliance Army, and Karen National Union Peace Council, recruited child soldiers.” [7g] (Section 1g)

14.10 The USSD Report 2007 added that:

“Coomaraswamy's report stated that, despite the government's official policy of prohibiting the recruitment of children under the age of 18, there was enormous pressure to increase army recruitment rates, which led to a pattern of underage recruitment into the military. The report stated that often children were lured into joining with promises of food and shelter. Some children were recruited from the street from brokers who received up to approximately \$32 (40,000 kyat) for each recruit, while others were reportedly detained by the police and offered the choice of joining the army or going to jail. Coomaraswamy also cited the practice of ‘prerecruitment,’ in which underage children were taken to army bases and used in noncombatant capacities until they reached the age of majority and were enlisted. Age verification remained a significant problem, since many children did not have reliable proof of age.” [7a] (Section 1g)

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## 15. ETHNIC GROUPS

- 15.01 The United States Department of State Country Report on Human Rights Practices 2008 (USSD Report 2008) recorded that:

“Wide-ranging governmental and societal discrimination against minorities persisted. Animosity between the country's many ethnic minorities and the Burman majority, which has dominated the government and the armed forces since independence, continued to fuel active conflict that resulted in serious abuses during the year. The abuses included reported killings, beatings, torture, forced labor, forced relocations, and rapes of Chin, Karen, Karenni, Rohingya, Shan, Mon, and other ethnic groups by government soldiers. Some armed ethnic groups also may have committed abuses, but on a much smaller scale than the government army.

Rohingya Muslims who returned to Rakhine State were discriminated against because of their ethnicity. Returnees faced severe restrictions on their ability to travel, engage in economic activity, obtain an education, and register births, deaths, and marriages.” [7g] (Section 5)

- 15.02 The FCO Country Profile for Burma, updated 2 December 2008, stated:

“Ethnic minorities make up more than 30% of the overall population. There are around 120 different minorities, and seven main groups besides the dominant (Buddhist) Burmans. Armed conflict continues in several parts of Burma, although the government has negotiated ceasefire arrangements with several armed groups including the Kachin Independence Army (KIA), the United Wa State Army (UWSA) and the Shan State Army - North (SSA-N). Those still fighting include the Karen National Liberation Army (KNLA), the Karenni Army, the Shan State Army - South (SSA-S) and the Shan State National Army (SSNA). The Karen National Union (KNU) has been fighting since 1949. The picture now is a complex patchwork of ceasefire and non-ceasefire groups. Some, like the Wa - close to the border with China - have carved out a significant degree of autonomy. Some have splintered and there is intra ethnic tension.” [5a] (The Ethnic Minorities)

- 15.03 Human Rights Watch (HRW) World Report 2009, covering events in 2008, released on 15 January 2009, noted:

“The Burmese military continues to attack civilians in ethnic conflict areas, particularly in Karen State and Shan State. Abuses such as forced labor, sexual violence against women and girls, extrajudicial killings, torture and beatings, and confiscation of land and property are widespread. In 2008 army counterinsurgency tactics and security operations for infrastructure developments displaced more than 40,000 civilians in these two areas...

“In Arakan State in western Burma, the Rohingya Muslim minority faces widespread rights violations including religious persecution, forced relocation, land seizures, and denial of citizenship and identity papers. Ethnic Chin people in Chin State and Sagaing Division continue to face forced labor, beatings, sexual violence, and land confiscation by the Burmese military; a famine in the region affected over 100,000 civilians, with reports that relief efforts were hampered by the Burmese army.” [39h]

- 15.04 The Society for Threatened People's, a German-based independent human right's organisation, recorded on 27 October 2008 that:

"At least 66,000 members of ethnic minorities have fled their villages in the east of Burma since June 2007 in the face of severe violations of human rights... 142 villages of minorities have been destroyed since June 2007 or the villagers have been forcibly moved from their homes. 'A further 18,570 members of the peoples of the Karen, Kachin and Kayan are threatened by eviction in coming months because Chinese investors are building new dams', said the Asia consultant of the Society for Threatened Peoples... 'Systematic eviction, forced labour, rape, torture politically motivated murder and the theft of land by government troops and allied militia have reached a point where one can only speak of crimes against humanity'...

"About 451,000 Karen, Kachin, Shan, Mon and members of other minorities have been struggling for survival day by day as displaced persons in the rural areas of eastern Burma. The situation is particularly difficult for 101,000 people who have fled their villages in the face of attacks and military offensives and who are hiding in the forests and inaccessible mountainous regions. Another 126,000 members of minorities have been forcibly moved by the army to facilitate the fight against armed resistance groups or the construction of dams and other large development projects." [57]

- 15.05 Amnesty International recorded in its Annual Report 2008, released in May 2008, that:

"In Kayin [Karen] State, a military offensive by the tatmadaw (Myanmar army) continued on a slightly lesser scale but still included widespread and systematic commission of violations of international human rights and humanitarian law on a scale that amounted to crimes against humanity. Destruction of houses and crops, enforced disappearances, forced labour, displacement and killings of Karen villagers were among the abuses." [12a]

- 15.06 The HRW World Report 2008, covering events in 2007, released in January 2008, added "Abuses by Burmese military units are commonplace against civilians also in Karenni, Chin, and Shan states. The army continues to use sexual violence with impunity in ethnic areas. For example, in February four teenage girls were raped by four Burmese army officers in Putao, Kachin state." [39a]

- 15.07 The Economist Intelligence Unit recorded in its Burma report, dated 9 October 2008 that:

"Several important ethnically based political parties performed well in the 1990 election, but most were subsequently banned. In addition to having political parties, many ethnic groups have military wings that have been involved in conflicts with the junta, some of which have persisted for several decades. Some groups have agreed ceasefires with the SPDC, and in return have been given varying degrees of control over local affairs. Others have continued their armed conflict, demanding greater autonomy for ethnic minority areas and an end to human rights abuses. The latter groups include the Karen National Union and its armed wing. Low-level conflict continues to destabilise large regions of the country, primarily along the eastern border in parts of the states of Shan, Karenni and Karen. For years the SPDC has used brutal tactics, including torture and

forced relocation, in a bid to stamp out ethnic minority opposition movements.”  
[46] (Ethnic minority groups)

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## 16. FREEDOM OF MOVEMENT

- 16.01 The United States Department of State Country Report on Human Rights Practices 2008 (USSD Report 2008) stated that:

“Although the government restricted freedom of movement, most citizens were able to travel within the country. Exceptions included Muslims traveling to, from, and within Rakhine State, as well as some opposition political party members. However, citizens' movements were closely monitored, and all were required to notify local officials of their whereabouts. Movement was restricted in areas of armed conflict. Citizens were subjected to arbitrary relocation. Authorities often prohibited NLD members who traveled to Rangoon to attend party functions from lodging in the city overnight.

“The government maintained close control over most ethnic leaders' movements, requiring them to seek permission from the government before making any domestic trips.

“Ethnic minority areas previously affected by conflict, such as the large Karen areas of Irrawaddy Division, continued to experience tight controls on personal movement, including frequent military checkpoints and monitoring by the MSA. Government agents demanded bribes at checkpoints in border areas.

“In Rakhine State many controls and checkpoints applied only to the Muslim population...” [7g] (Section 2d)

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## EXIT/ENTRY PROCEDURES

### Exiting Burma

- 16.02 The USSD Report 2008 stated:

“An ordinary citizen needed three documents to travel outside the country: a passport from the Ministry of Home Affairs, a revenue clearance from the Ministry of Finance and Revenue, and a departure form from the Ministry of Immigration and Population. To address the problem of trafficking in persons, the government continued to hinder or restrict international travel for women, particularly those under 25 years of age.

“The government carefully scrutinized prospective travel abroad of all passport holders. Rigorous control of passport and exit visa issuance perpetuated rampant corruption, as applicants were forced to pay bribes of up to 300,000 kyat (approximately \$230), roughly equivalent to the average annual salary of a skilled worker. The government regularly denied passports on political grounds. College graduates who obtained a passport (except for certain government employees) were required to reimburse the government for the cost of their education. It frequently took several months to receive a passport, particularly if the applicant was unwilling to offer a bribe as incentive for speedier service.” [7g] (Section 2d)

See also [Passport issuance and Departure \('D'\) forms](#)

16.03 In a letter dated 15 August 2007, the Foreign and Commonwealth Office (FCO) at the British High Commission, Rangoon, stated that there were three ways a Burmese citizen can legally exit Burma:

“a) holding a valid passport and valid departure papers (known as ‘D-forms’)

b) at legal border crossing points, either with a passport and D-form or with a border crossing card (which you can receive at the border and requires the return of the citizen within 24 hours).

c) We have heard that the Burmese authorities have recently started issuing 3-year temporary passports at particular crossing points (Myawaddy and Kawthoung), as part of their policy to manage the flow of economic migrants crossing the border. We are still trying to confirm this information.” [5h]

16.04 The same source noted:

“All Burmese citizens exiting Burma legally have to receive an exit stamp. If they are travelling by air, the exit stamp will mark the date of departure and the flight number. If they are crossing at legal border immigration points, the exit stamp will mark the date of departure and the name of the border crossing. The exit stamp does not include information about the date required to return. Nor does it include information about the authorised destination, although if travelling by air, the flight number effectively states the initial destination of travel and D forms state the authorised destination.” [5h]

16.05 The FCO also added in a letter dated 30 October 2007 that prominent National League for Democracy (NLD) members do not leave the country, either because they are not given permission to, or because they fear they will not be allowed re-entry into Burma. NLD members who are not active, and therefore not blacklisted, would be able to exit and enter the country without questioning. [5p]

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## Entering Burma

16.06 In correspondence dated 5 July 2007, the FCO noted that “A Burmese national, holding a valid Burmese passport, but with an expired UK visa in it, would not draw particular attention on his return to Burma.” The FCO noted that it was not standard practice, and that there was no systematic procedure, for questioning returning nationals on their activities outside Burma. [5i] In a further letter dated 11 September 2007, the FCO stated that having an expired UK visa would not have relevance to an individual’s re-entry into Burma, nor would it affect the treatment by the Burmese authorities on return. [5j]

16.07 In their letter of 15 August 2007, the FCO stated that it was not aware of any case where an individual has received particular attention for being a returned failed asylum seeker. [5h]

16.08 Regarding an individuals fear of arrest by the Burmese authorities for illegally leaving the country, the Women’s League of Burma recorded in its report ‘In the Shadow of the Junta’, dated 2008, that:

“Chinese authorities have been assisting trafficked women and girls from Burma to return home. However, trafficked women can be arrested by the Burmese authorities when they are sent back by the Chinese police to the border. In one

case, the woman was detained by the Burmese Immigration checkpoint at the border, and the Immigration officers demanded that she pay a fine of 60,000 Kyat (est. 500 USD), or she would be sentenced to four years and four months in prison for leaving Burma illegally without a passport." [27a] (p27)

- 16.09 The USSD Report 2008 noted "In general citizens who emigrated legally were allowed to return to visit relatives, and some who lived abroad illegally and acquired foreign citizenship also were able to return." [7g] (Section 2d)

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### Passport issuance and Departure ('D') forms

- 16.10 The Burmese Ministry of Home Affairs website noted that various types of passports are issued including a business passport, a short-visit business passport, an employment passport, a short-visit passport, and a passport for dependents. In all cases, applicants must provide their "national scrutinization card" and their "family members' registration list". Those applying for business passports must produce company documents and relevant licenses; those applying for an employment passport must produce an "appointment letter from abroad". [11a]
- 16.11 In a letter dated 11 January 2008, the FCO in Rangoon noted that passports are categorized into business, work, short-visit and student passports, all of which are valid for three years. [5]
- 16.12 As noted on the Ministry of Home Affairs government website, to obtain a short-visit passport, applicants must provide an invitation letter from relatives working abroad, provide a copy of their tax assessment, list their next of kin and provide a copy of the passport belonging to the person who has invited them to visit. If their letter of invitation has been written by someone who has renounced their Burmese citizenship and become a citizen of another country, "the invitation letter must be endorsed by the Myanmar [Burmese] embassy concerned". If the applicant is a civil servant, he or she must provide proof of leave. [11a]
- 16.13 The same source stated that all those seeking a passport must submit their application in person; however an exception is made to those who are "old" or in poor health, who may then send a person to submit the application on their behalf. [11a]
- 16.14 In a letter dated 11 January 2008, the FCO stated that although officially it is not permitted, about one quarter of applicants apply for a Burmese passport using an agent or broker. A passport officially costs 20,000 Burmese kyat (approximately £8). Using an agent or broker increased the price to 70,000 kyat (£28) but significantly speeded up the application process. [5]
- 16.15 As recorded in an interview with a Mon woman in May 2008, the Women's League of Burma stated in its report 'In the Shadow of the Junta', dated 2008, that there were two ways to obtain a passport:

"One is going through an agent. You can just go to the office and take a photo, then give it to the agent and she/he will do everything for you. She/he will directly deal with the official for you. You just go to the Passport office at the final stage,

when it is time to pick up the passport. It costs 100,000 Kyat if the waiting period is one month, but if you want it within 7 days, it costs 300,000 Kyat.

“The other process is doing it by yourself, which costs about 30,000 Kyat. It takes about one month to get the passport. You have to fill in several forms including Form No. 17, a document for Tax clearance, and Form No. 19 for the Departure document. These costs do not include traveling expenses and some ‘tea-money’ to speed up the process.” [27a] (p28)

- 16.16 The Home Affairs website stated that the passport application must get approval from the “board meeting”, before processing begins. The passport is subject to security clearance. The website stated it takes an estimated 45 days to issue the passport. [11a]
- 16.17 With reference to passport security clearance, the FCO noted in a letter, dated 21 November 2007, that “All [passport] applicants have to provide information about their history – their school qualifications and family background – and have to sign a letter stating they are free from criminal offences (which could include political activity). They also have to submit their National Registration and Family Registration cards. The process involves mini interviews with a range of officials who can on occasion ask intimidating questions.” The letter further noted that if a person was identified as being currently politically active against the government, it was unlikely they would be issued with a passport. [5k] (paragraph 2)
- 16.18 Regarding Departure (‘D’) forms, the FCO stated in their letter dated 11 January 2008 that:
- “Since November 2006, it has been possible to apply for Departure (‘D’) forms on-line, making the system much more efficient. It now takes less than an hour to get a ‘D’ form. As of 1st January 2007, all ‘D’ forms are issued on line. They are issued by the Ministry of Immigration and are separate to the passport application process. ‘D’ forms are valid for 30 days from the date of issue. To apply for ‘D’ forms on-line, applicants have to state their intended date of departure, flight no. and destination. It cost only 300 kyats (£0.10) payable to the ‘D’ form department under the Ministry of Immigration. Agents charge 1500 kyats (£0.65) to get ‘D’ forms. ‘D’ forms are submitted to immigration at the time of departure and are not required at the time of return. Very few people encounter problems in obtaining a ‘D’ form.” [5l]
- 16.19 The USSD gave a description of Burma’s passports and other travel documents in its Visas section for Burma.  
[http://travel.state.gov/visa/frvi/reciprocity/reciprocity\\_3525.html#docs](http://travel.state.gov/visa/frvi/reciprocity/reciprocity_3525.html#docs) [7f]  
(Burma Reciprocity Schedule; Country documents)

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## 17. FORGED AND FRAUDULENTLY OBTAINED DOCUMENTS

- 17.01 The United States Department of State (USSD) listed in its Visas section for Burma a number of documents, including birth, marriage and death certificates, and police, prison and military records, which were available from the relevant offices in Burma.

[http://travel.state.gov/visa/frvi/reciprocity/reciprocity\\_3525.html#docs](http://travel.state.gov/visa/frvi/reciprocity/reciprocity_3525.html#docs) [7f]  
(Burma Reciprocity Schedule; Country documents)

### ARREST WARRANTS

- 17.02 In a letter from the British Embassy, Rangoon, dated 8 January 2008, the Foreign and Commonwealth Office (FCO) stated that they could not confirm the availability of forged documents such as arrest warrants and prison release certificates. The letter continued:

“We [FCO] are under the assumption that all documents are easy to forge here. The Embassy’s visa section regularly encounters forged documents such as bank books, education certificates, birth and marriage certificates but, having made inquiries, the Embassy has no knowledge of arrest warrants and prison release certificates being forged. An NLD ID card would not be difficult to forge. Sources believe it is likely to be easy to forge documents at the border and in Bangkok.” [5m]

- 17.03 In a letter dated 11 April 2008 the FCO stated that it may be possible to purchase documents, such as arrest warrants and police summons, from courts and police stations. [5n]

See also Arrest and Detention – Legal Rights: [Arrest warrants](#)

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## 18. HUMANITARIAN SITUATION

### INTERNALLY DISPLACED PERSONS

- 18.01 The Internal Displacement Monitoring Centre (IDMC) recorded in its overview for Burma, dated 14 February 2008, that:

“...forced displacement, as a result of conflict and human rights violations, is ongoing in the country. The government remains the perpetrator of the majority of violations against civilians, particularly those belonging to ethnic minority groups. As a result of the abuses, hundreds of thousands of Burmese have been left with no choice but to migrate over the course of a number of years. As of October 2007, at least 500,000 people were estimated to be internally displaced in the country’s eastern States. This is, however, a conservative figure as no information exists for several parts of the country.” [35a]

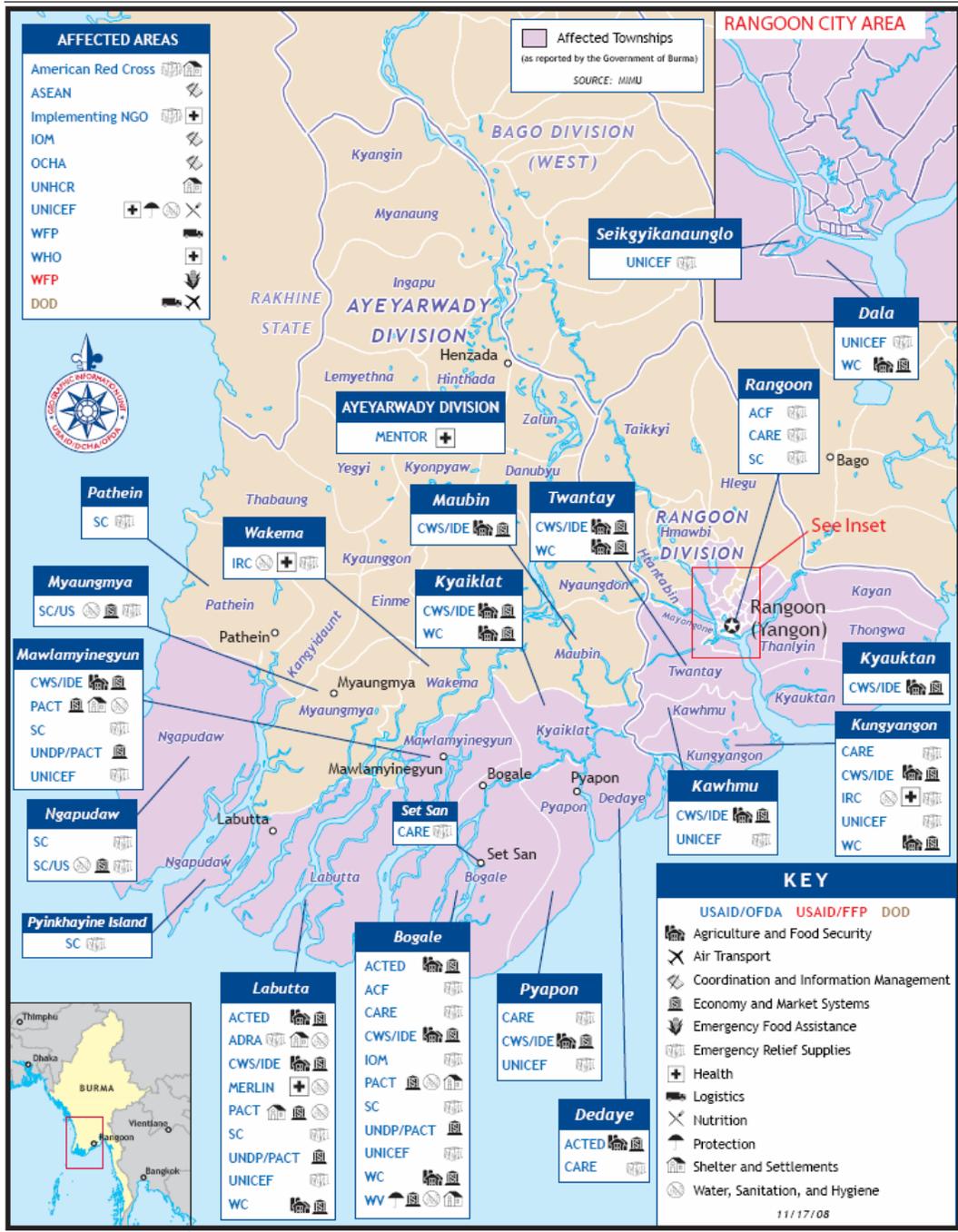
### CYCLONE NARGIS

- 18.02 The Office for the Coordination of Humanitarian Affairs (OCHA) reported in its Situation Report No. 52, dated 14 November 2008, that “Cyclone Nargis hit Myanmar on 2-3 May 2008, affecting some 2.4 million people living in Ayeyarwady [Irrawaddy] and Yangon [Rangoon] Divisions. Almost 140,000 people were killed or remain missing, according to the official figures.”

- 18.03 The FCO Country Profile for Burma, last reviewed 2 December 2008, stated:

“Following the Cyclone the international community pressed the Burmese government to up the scale of the response and to accept the need for foreign aid workers to access the affected areas to increase the effectiveness of the support reaching the victims. On 25th May, an international pledging conference was held in Rangoon attended by UN Secretary General, Ban Ki-Moon. Following the conference a Burmese-UN-ASEAN coordination mechanism set in place to co-ordinate the aid effort.” [5a] (Cyclone Nargis)

- 18.04 A map provided by USAID, dated 18 November 2008, showed the humanitarian assistance available in cyclone affected areas at that time:



The boundaries and names used on this map do not imply official endorsement or acceptance by the U.S. Government.

<http://www.reliefweb.int/rw/rwb.nsf/db900sid/JOPA-7LHATF?OpenDocument> [45a]

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## 19. MEDICAL ISSUES

- 19.01 Voice of America (VoA) reported in an article dated 3 January 2008 that “Years of neglect have crippled Burma’s healthcare system. Modern medicines, if available at all, are often fake, or out of date. Many people rely on traditional cures, made from plants and roots. Burma’s life expectancy is one of the lowest in the world -- averaging less than 60 years.” [40a]
- 19.02 In its section for International Travel, dated 9 October 2008, the US Department of State (USSD) noted for Burma that:
- “Medical facilities in Burma are inadequate for even routine medical care. There are few trained medical personnel. Most foreign drugs on sale have been smuggled into the country, and many are counterfeit or adulterated and thus unsafe to use... HIV/AIDS is widespread among high-risk populations, such as prostitutes and illegal drug users. Malaria, tuberculosis, hepatitis, and other infectious diseases are endemic in most parts of the country.” [7e]
- 19.03 Médecins Sans Frontières (MSF) recorded in its Activity Report 2007 “[that] Provisions for healthcare are inadequate, with 80 per cent of people living in malaria risk areas and thousands going without treatment for conditions such as tuberculosis (TB) and HIV/AIDS.” [41a] (p65) The report added that “Only 1.4 per cent of the regime’s budget supports healthcare services. Health services are particularly poor in the western Rakhine state... where Muslims, known as Rohingyas, are denied citizenship rights by the state and suffer numerous forms of abuse.” [41a] (p23)

## HIV/AIDS

- 19.04 Médecins Sans Frontières (MSF) Activity Report 2007 noted that:
- “The slow response to the HIV/AIDS epidemic has fuelled the spread of the disease. MSF offers comprehensive HIV/AIDS programmes in Yangon, Rakhine, Kachin and Shan states but these meet only a fraction of the need. Only 10,000 of the UN-estimated 360,000 people living with HIV are believed to be receiving life-prolonging anti-retroviral treatment and 8,000 of them receive it from MSF... The UN estimates that HIV/AIDS kills 20,000 people in Myanmar every year.” [41a] (p23)

## MENTAL HEALTH

- 19.05 The World Health Organisation (WHO) Mental Health Atlas 2005 noted for Burma (Myanmar) that:
- “Mental health is a part of primary health care system. Actual treatment of severe mental disorders is not available at the primary level. Consultant psychiatrists are posted in different states and divisions and patients are referred to them. Regular training of primary care professionals is carried out in the field of mental health. In the last two years, about 2000 personnel were provided training. Consultants train medical officers and primary care workers about mental health illnesses and means of treating them. There are community care facilities for patients with mental disorders.” [25c] (p328, **Mental Health Facilities**)
- 19.06 The same source added:

“NGOs are involved with mental health in the country. They are mainly involved in promotion, prevention and rehabilitation. In line with the National Health Policy, NGOs such as Myanmar Maternal and Child Welfare Association and Myanmar Red Cross Society also take a share of service provision. Their role is becoming more important as the needs of collaborative actions for health become more prominent.” [25c] (p329, **Non-Governmental organisations**) WHO continued “The country has specific programmes for mental health for minorities, disaster affected population, indigenous population, elderly and children. Child Guidance Clinics and Geriatric Care Clinics are conducted twice a week.” [25c] (p329, **Programmes for Special Population**)

- 19.07 The WHO Mental Health Atlas 2005 also listed the therapeutic drugs that were generally available at primary health care level in Burma, which included carbamazepine, henobarbital, sodium valproate, amitriptyline, chlorpromazine, diazepam, fluphenazine and haloperidol. [25c] (p329, **Therapeutic Drugs**)

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*The Home Office is not responsible for the content of external websites.*

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## Annexes

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### ANNEX A – CHRONOLOGY OF MAJOR EVENTS

Reproduced from the BBC Timeline, last updated 3 February 2009 [28b]

**1937** Britain separates Burma from India and makes it a crown colony.

#### Japanese occupation

**1942** Japan invades and occupies Burma with some help from the Japanese-trained Burma Independence Army, which later transforms itself into the Anti-Fascist People's Freedom League (AFPFL) and resists Japanese rule.

**1945** Britain liberates Burma from Japanese occupation with help from the AFPFL, led by Aung San.

**1947** Aung San and six members of his interim government assassinated by political opponents led by U Saw, a nationalist rival of Aung San's. U Nu, foreign minister in Ba Maw's government, which ruled Burma during the Japanese occupation, asked to head the AFPFL and the government.

#### Independence

**1948** Burma becomes independent with U Nu as prime minister.

**1958-**

**1960** Caretaker government, led by army Chief of Staff General Ne Win, formed following a split in the ruling AFPFL party.

**1960** U Nu's party faction wins decisive victory in elections, but his promotion of Buddhism as the state religion and his tolerance of separatism angers the military.

#### One-party, military-led state

**1962** U Nu's faction ousted in military coup led by Gen Ne Win, who abolishes the federal system and inaugurates "the Burmese Way to Socialism" - nationalising the economy, forming a single-party state with the Socialist Programme Party as the sole political party, and banning independent newspapers.

**1974** New constitution comes into effect, transferring power from the armed forces to a People's Assembly headed by Ne Win and other former military leaders; body of former United Nations secretary-general U Thant returned to Burma for burial.

**1975** Opposition National Democratic Front formed by regionally-based minority groups, who mounted guerrilla insurgencies.

**1981** Ne Win relinquishes the presidency to San Yu, a retired general, but continues as chairman of the ruling Socialist Programme Party.

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**1982** Law designating people of non-indigenous background as "associate citizens" in effect bars such people from public office.

**Riots and repression**

- 1987** Currency devaluation wipes out many people's savings and triggers anti-government riots.
- 1988** Thousands of people are killed in anti-government riots. The State Law and Order Restoration Council (Slorc) is formed.
- 1989** Slorc declares martial law, arrests thousands of people, including advocates of democracy and human rights, renames Burma Myanmar, with the capital, Rangoon, becoming Yangon. NLD leader Aung San Suu Kyi, the daughter of Aung San, is put under house arrest.

**Thwarted elections**

- 1990** Opposition National League for Democracy (NLD) wins landslide victory in general election, but the result is ignored by the military.
- 1991** Aung San Suu Kyi awarded Nobel Peace Prize for her commitment to peaceful change.
- 1992** Than Shwe replaces Saw Maung as Slorc chairman, prime minister and defence minister. Several political prisoners freed in bid to improve Burma's international image.
- 1995** Aung San Suu Kyi is released from house arrest after six years.
- 1996** Aung San Suu Kyi attends first NLD congress since her release; Slorc arrests more than 200 delegates on their way to party congress.
- 1997** Burma admitted to Association of South East Asian Nations (Asean); Slorc renamed State Peace and Development Council (SPDC).

**Release of pro-democracy supporters**

- 1998** 300 NLD members released from prison; ruling council refuses to comply with NLD deadline for convening of parliament; student demonstrations broken up.
- 1999** Aung San Suu Kyi rejects ruling council conditions to visit her British husband, Michael Aris, who dies of cancer in UK.
- 2000** September - Ruling council lifts restrictions on movements of Aung San Suu Kyi and senior NLD members.
- October - Aung San Suu Kyi begins secret talks with ruling council.

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**2001** Ruling council releases some 200 pro-democracy activists. Government says releases reflect progress in talks with opposition NLD leader Aung San Suu Kyi who remains under house arrest.

February - Burmese army, Shan rebels clash on Thai border.

### **Improving border relations**

**2001** June - Thai Prime Minister Shinawatra visits, says relations are back on track.

September - Intelligence chief Khin Nyunt visits Thailand. Burma pledges to eliminate drugs trade in the Golden Triangle by 2005.

November - Chinese President Jiang Zemin visits, issues statement supporting government, reportedly urges economic reform.

### **Conflicting signals**

**2002** May - Pro-democracy leader Aung San Suu Kyi released after nearly 20 months of house arrest.

**2003** May - Aung San Suu Kyi taken into "protective custody" after clashes between her supporters and those of government.

August - Khin Nyunt becomes prime minister. He proposes to hold convention in 2004 on drafting new constitution as part of "road map" to democracy.

November - Five senior NLD leaders released from house arrest after visit of UN human rights envoy.

**2004** January - Government and Karen National Union - most significant ethnic group fighting government - agree to end hostilities.

May - Constitutional convention begins, despite boycott by National League for Democracy (NLD) whose leader Aung San Suu Kyi remains under house arrest. The convention adjourns in July.

### **Prime minister ousted**

**2004** October - Khin Nyunt is replaced as prime minister amid reports of a power struggle. He is placed under house arrest.

November - Leading dissidents are freed as part of a release of thousands of prisoners, including Min Ko Naing, who led the 1988 pro-democracy student demonstrations.

December - Giant waves, generated by an undersea earthquake off the Indonesian coast, hit the coast. The prime minister says 59 people were killed and more than 3,000 left homeless.

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**2005** February - Constitutional convention resumes, but without the participation of the main opposition and ethnic groups. Talks end in January 2006 with no reports of any clear outcomes.

7 May - Three near-simultaneous explosions go off in shopping districts in the capital; the government puts the death toll at 23.

July - Asean announces that Burma has turned down the 2006 chairmanship of the regional grouping.

November - Burma says its seat of government is moving to a new site near the central town of Pyinmana.

**2006** March - The new capital - Nay Pyi Taw - hosts its first official event, an Armed Forces Day parade.

**2007** January - China and Russia veto a draft US resolution at the UN Security Council urging Burma to stop persecuting minority and opposition groups.

April - Burma and North Korea restore diplomatic ties, 24 years after Rangoon broke them off, accusing North Korean agents of staging a deadly bomb attack against the visiting South Korean president.

May - Aung San Suu Kyi's house arrest extended for another year.

June - In a rare departure from its normally neutral stance, the International Committee of the Red Cross (ICRC) accuses the government of abusing the Burmese people's rights.

### **Public unrest**

**2007** August - Wave of public dissent sparked by fuel price hikes. Dozens of activists are arrested.

September - Military government declares 14 years of constitutional talks complete and closes the National Convention.

Buddhist monks hold a series of anti-government protests. Aung San Suu Kyi is allowed to leave her house to greet monks demonstrating in Rangoon. It is her first public appearance since 2003.

Authorities begin to crack down on protests, but demonstrations continue.

UN envoy Ibrahim Gambari meets opposition leader Aung San Suu Kyi.

October - Normality returns to Rangoon amid heavy military presence. Monks are absent, after thousands are reportedly rounded up.

After some delay, UN Security Council deplores military crackdown on peaceful protestors.

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**2008** January - A series of bomb blasts hits the country. State media blame "insurgent destructionists", including the Karen National Union (KNU), a group fighting for greater autonomy for the ethnic Karen people.

April - Government publishes proposed new constitution, which allocates a quarter of seats in parliament to the military and bans opposition leader Aung San Suu Kyi from holding office. To be put to national referendum on 10 May.

May - Cyclone hits the low-lying Irrawaddy delta. Some estimates put the death toll as high as 134,000.

Referendum proceeds amid humanitarian crisis following cyclone. Government says 92% voted in favour of draft constitution and insists it can cope with cyclone aftermath without foreign help.

Junta renews Aung San Suu Kyi's house arrest.

November - Dozens of political activists given sentences of up to 65 years in series of secretive trials.

December - Government signs deal with consortium of four foreign firms to pipe natural gas into neighbouring China, despite protests from human rights groups.

**2009** January - Thailand expels hundreds of members of Burma's Muslim Rohingya minority who appeared off its coast. Burma denies the minority's existence. Several hundred Rohingyas are subsequently rescued from boats off the coast of Indonesia.

UN envoy Ibrahim Gambari meets opposition leader Aung San Suu Kyi for the first time in a year.

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## ANNEX B – PROMINENT PEOPLE

Reproduced from the Economic Intelligence Unit (EIU) Burma (Myanmar) Country Profile, 9 October 2008

### Main political figures:

#### Senior General Than Shwe

Now in his late 70s, Senior General Than Shwe remains the most powerful man in the country. He heads the armed forces and is the chairman of the ruling military junta, the State Peace and Development Council (SPDC). He is also minister of defence. Despite persistent rumours of ill-health and of tensions between him and Deputy Senior General Maung Aye, he still seems to be calling the shots.

#### Aung San Suu Kyi

The secretary-general of the National League for Democracy and daughter of the independence hero, Aung San, she is extremely charismatic and her personal popularity within Myanmar remains high. She has been held under house arrest for more than half of the past two decades; her most recent period of detention began in May 2003.

#### Deputy Senior General Maung Aye

The SPDC vice-chairman, deputy commander-in-chief of the armed forces and army commander. In theory, he is second in line to Senior General Than Shwe, but the SPDC chairman appears to be increasingly favouring General Shwe Mann.

#### General Shwe Mann

General Shwe Mann holds the post of joint chief of staff of the army, navy and air force. He appears to be gaining in influence, owing to his close relationship with Senior General Than Shwe, who was his regional commander during the early 1980s.

#### General Thein Sein

General Thein Sein was formally appointed prime minister in October 2007, after holding the post on an interim basis when General Soe Win was taken ill. He previously held the post of secretary-1 of the SPDC and also headed the committee in charge of the National Convention (the junta's constitution-drafting body). He has been a strong defender of the junta's plans for reform.

#### Min Ko Naing

Born Paw Oo Tun, Min Ko Naing (which means "conqueror of kings") emerged as one of the most prominent student leaders during the mass pro-democracy uprising in 1988. He was arrested, tortured and jailed for 15 years. After his release, he helped to found the 88 Generation group, which led several successful anti-junta campaigns in 2007. The SPDC cracked down on the group in August 2007, and Min Ko Naing and other leaders were again arrested.

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**ANNEX C – GUIDE TO ACRONYMS**

<b>AAPPB</b>	Assistance Association for Political Prisoners (Burma)
<b>AHRC</b>	Asian Human Rights Commission
<b>AI</b>	Amnesty International
<b>BBC</b>	British Broadcasting Corporation
<b>CEDAW</b>	Committee on the Elimination of All Forms of Discrimination Against Women
<b>CIA</b>	United States Central Intelligence Agency
<b>CSW</b>	Christian Solidarity Worldwide
<b>CPJ</b>	Committee to Protect Journalists
<b>DVB</b>	Democratic Voice of Burma
<b>FCO</b>	Foreign and Commonwealth Office (UK)
<b>FH</b>	Freedom House
<b>FIDH</b>	International Federation of Human Rights
<b>GDP</b>	Gross Domestic Product
<b>HIV/AIDS</b>	Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome
<b>HRW</b>	Human Rights Watch
<b>ICG</b>	International Crisis Group
<b>ICRC</b>	International Committee of the Red Cross
<b>IDMC</b>	Internal Displacement Monitoring Centre
<b>IDP</b>	Internally Displaced Person
<b>ILGA</b>	International Lesbian and Gay Association
<b>IMF</b>	International Monetary Fund
<b>IOM</b>	International Organisation for Migration
<b>IRB</b>	Immigration and Refugee Board of Canada
<b>IRIN</b>	Integrated Regional Information Network
<b>JTIC</b>	Jane's Terrorism and Insurgency Centre
<b>MRG</b>	Minority Rights Group International
<b>MSF</b>	Médecins sans Frontières
<b>NGO</b>	Non Governmental Organisation
<b>OCHA</b>	Office for the Coordination of Humanitarian Affairs
<b>OHCHR</b>	Office of the High Commissioner for Human Rights
<b>OMCT</b>	World Organisation Against Torture
<b>RSF</b>	Reporteurs sans Frontières (Reporters without Borders)
<b>SPDC</b>	State Peace and Development Council
<b>STD</b>	Sexually Transmitted Disease
<b>STC</b>	Save The Children
<b>TB</b>	Tuberculosis
<b>TI</b>	Transparency International
<b>UN</b>	United Nations
<b>UNAIDS</b>	Joint United Nations Programme on HIV/AIDS
<b>UNCRC</b>	United Nations Convention on the Rights of the Child
<b>UNDP</b>	United Nations Development Programme
<b>UNHCHR</b>	United Nations High Commissioner for Human Rights
<b>UNHCR</b>	United Nations High Commissioner for Refugees
<b>UNICEF</b>	United Nations Children's Fund
<b>UNPO</b>	Unrepresented Nations and Peoples Organisation
<b>USAID</b>	United States Agency for International Development
<b>USSD</b>	United States State Department
<b>VOA</b>	Voice of America
<b>WHO</b>	World Health Organization

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