



# BURMA REPORT

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Issue N° 82

**Free all political prisoners, free Aung San Suu Kyi, free Burma.**

THE BURMANET NEWS - February 26, 2010, Issue #3905, "Editor" <editor@burmanet.org>, <[www.burmanet.org](http://www.burmanet.org)>

**PRESS RELEASE - February 26, 2010 - Foreign and Commonwealth Department (UK)**

## Failure of Aung San Suu Kyi appeal

The denial of Burmese pro-democracy leader Aung San Suu Kyi's appeal against her sentencing in August 2009 was condemned today by Foreign Office Minister Ivan Lewis, although he said it came as no surprise.

In his statement this morning on the verdict, Mr Lewis said:

"The rejection of Aung San Suu Kyi's appeal is a further, sad indictment of the Burmese regime. The military government continues to suppress all dissent, deny Burma's people their fundamental freedoms, and detain democratic and ethnic leaders.

I urge the regime to recognise that in a country of over one hundred ethnic groups, there can be no national reconciliation, no peace and no prosperity without an inclusive political process.

The elections planned for later this year present an historic opportunity to reverse Burma's bitter decline into poverty and international isolation. The UK government will continue to do all it can to press them to seize this opportunity. The EU and the entire international community stand ready to respond quickly and positively to tangible progress."

Mr Lewis' statement supported the earlier announcement from Prime Minister Gordon Brown who said:

"I am appalled and saddened that Aung San Suu Kyi's appeal against the sentence imposed by the regime has been denied. That failed appeal is sadly no surprise.

From start to end, the sole purpose of this show trial has been to prevent Daw Suu Kyi from taking part in elections. In my open letter to Aung San Suu Kyi in December, I said that this should be a historic year for Burma.

Free, fair and genuinely inclusive elections would allow the country to move forward, to map a new path. But while she is kept out of political life and while over 2100 other prisoners of conscience remain incarcerated, the regime's elections will not gain recognition nor international legitimacy."

The UK government continues to be at the forefront of international efforts to free Aung Sang Suu Kyi. Her sentencing to a further 18 months house arrest in August 2009, following a sham trial, provoked widespread international outrage. This denial of her appeal has cast further doubt on the legitimacy of the elections the regime plan this year.

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**The Irrawaddy** - Newsletter for Friday, February 26, 2010. [news@irrawaddy.org](mailto:news@irrawaddy.org). [www.irrawaddy.org](http://www.irrawaddy.org)

## High Court Rejects Suu Kyi's Appeal

By **BA KAUNG** - Friday, February 26, 2010 - <[http://www.irrawaddy.org/article.php?art\\_id=17898](http://www.irrawaddy.org/article.php?art_id=17898)>

Burma's highest court on Friday rejected Aung San Suu Kyi's appeal against her continued detention under house arrest, according to her lawyer.

"The Supreme Court rejected our arguments against the sentences of Daw Suu and two of her inmates," said the lawyer, Nyan Win.

He said that he will make a final appeal to Burma's chief justice within the next one or two days. Suu Kyi had her latest round of house arrest extended in August for violating the terms of her house arrest by briefly sheltering an uninvited American intruder in her home in May 2009.

Burma's highest court heard final arguments by the lawyers of Burmese pro-democracy leader Aung San Suu Kyi and government lawyers on Jan. 18.

In a trial widely condemned as a farce, the 64-year-old Nobel Peace Prize laureate was initially sentenced to three years in prison with hard labor, but the sentence was commuted to 18 months house arrest by junta chief Snr-Gen Than Shwe



Burmese activists shout a slogan during a rally calling for the release of their pro-democracy leader Aung San Suu Kyi in front of the Burmese Embassy in Seoul, South Korea last year. (Photo: AP)

Suu Kyi's lawyer argued that her house arrest extension was unlawful because it was based on provisions from the 1974 Constitution which was no longer in effect. Government lawyers countered that the 1974 Constitution could still be cited since it was not officially abolished.

"The court today accepted the arguments made by the government lawyers," Nyan Win said.

Diplomats from France, Britain, Australia and the United States gathered in the courtroom to hear the decision, he said.

National League of Democracy party spokesman Khin Maung Swe said, "The decision shows that the election will be nowhere near all-inclusive, free and fair. With the party leader detained, the party remains in a difficult position on the election."

Meanwhile, European diplomats and NLD leaders on Friday met for a discussion about the upcoming election and the party's political stand, the party officials said.

At the party's headquarters in Rangoon, four Central Executive Committee (CEC) members of the NLD, including dissident journalist Win Tin, met with diplomats from the embassies of Britain, France, Norway, Italy and the United States, according to party spokesman Khin Maung Swe.

The meeting took place hours after the Burma's highest court rejected Suu Kyi's appeal against her continued detention under house arrest. The discussion was centered on the question of whether the NLD would join the election or not, Khin Maung Swe said.

"The diplomats asked us our position toward the election and what they can do for us," he said, adding that during the discussion, the NLD party officials echoed Suu Kyi's recent comment that the time was not right to decide about participation in the election.

The party officials also emphasized the importance of meetings between Suu Kyi and the regime chief, Snr-Gen Than Shwe, and also between Suu Kyi and the party's CEC members.

The party has not yet decided whether to participate in the election and party officials claim they are still holding on to the party's Shwegondaing Declaration which calls for a review of the controversial constitution, political dialogue and the unconditional release of all political prisoners, including NLD leader Suu Kyi.

The Burmese regime has announced that it will hold a general election this year although it has yet to set a date or issue election laws. Many fear that elections are merely a facade for the military regime to legitimize its rule in the eyes of the outside world.

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**Chinland Guardian.com** - <<http://chinlandguardian.com/news-2009/898-eu-rebukes-burma-on-elections-plan.html>>

## EU Rebukes Burma on Elections Plan

**12 February 2010:** The European Parliament has issued fresh rebukes at Burma's military regimes' continued failure to improve human rights and to meet international expectations regarding the planned elections this year.

Citing an array of continued violations in Burma, the legislative organ of the world's most powerful regional bloc in a [resolution](#) on Tuesday says that the EU cannot consider the elections to be free and fair under the present conditions.

The European legislature in Brussels also issued a list of lengthy demands to the long-reigning Southeast Asian military junta. Among the demands are to start an inclusive political dialogue with all concerned parties, including the ethnic groups aimed at national reconciliation and a transition to democracy.

For the elections to be considered free and fair, says the EU, Burma must allow the participation of all voters, all political parties and all stakeholders in the electoral process and accept international observers.

The new resolution came in the wake of fresh military offensives in Burma's eastern Karen State by the military junta, and ongoing efforts by Thai authorities to push back thousands of Karen refugees fleeing the continuing onslaught back

to Burma amidst amounting international concerns for their well-beings.

Zoya Phan, International Coordinator at the Burma Campaign UK welcomes the new resolution, but urges the European Commission, the administrative arm of the European Union to heed the resolution.

"We strongly welcome the European Parliament's support, and call on the Commission's officials to stop ignoring these Resolutions, and instead act on them," the official at the UK-based advocacy organization says.

The fresh condemnations of Burma's military junta came at the same time that the EU was looking to review its Burma policy in the wake of a new US policy approach announced last year, which seeks to engage the regime while existing sanctions remain in place.

Chinland Guardian.

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THE BURMANET NEWS -February 18, 2010 - Issue #3899 -"Editor" <[editor@burmanet.org](mailto:editor@burmanet.org)> www.burmanet.org

**Asia Tribune** - Thu, 2010-02-18 01:57 — editor - <<http://asiantribune.com/news/2010/02/18/burma%E2%80%99s-junta-pulls-wool-over-uns-eyes>>

## Burma's junta pulls the wool over the UN's eyes -

By - Zin Linn

Burma's junta sentenced four women activists to two years imprisonment with hard labor on the same day U.N. special envoy Tomas Ojea Quintana arrived for a five-day visit to evaluate progress on human rights in the country.

The four women were arrested on 3rd October 2009, after being accused of offering Buddhist monks alms that included religious literature, said Nyan Win, spokesman for the opposition National League for Democracy headed by detained Nobel Peace prize winner Aung San Suu Kyi. "When passing the sentence, the court could not provide strong evidence against them as there is no (reliable) witness," their lawyer Kyaw Ho said. The women used to hold prayer services at Rangoon's Shwedagon pagoda for release of Suu Kyi.

The current visit of U.N. envoy Tomas Ojea Quintana started a day after the regime jailed an American human rights activist Kyaw Zaw Lwin, to three years in prison on fraud and forgery charges, despite demands from the United States for his release. This will be the envoy's third visit to the country after a previous mission last year was postponed.

The U.N. envoy's visit comes two days after pro-democracy leader Tin Oo was released following seven years in prison. Tin Oo, vice-president of the NLD was released from prison on 13 February 2010, having been in prison since 30 May 2003. As he visited NLD headquarters on 15 Feb, he said he was optimistic that "things can be resolved" through Mr Quintana's visit.

Former political prisoner who spent 19 years in junta's jail and NLD's central executive committee member Win Tin called on Mr Quintana to "be decisive and perform his duties in the strictest manner without falling prey to the lies of the government".

Present sorrowful affairs in Burma confirm that the military junta is determinedly marching along its anti-democracy course. The junta continues to detain and incarcerate approximately 2,200 political prisoners, including Nobel Peace Prize winner Aung San Suu Kyi, who has been confined to her residence for 14 of the last 20 years.

For instance, on 30 December 2009, 15 political promoters from three townships in Mandalay Division were given various prison sentences ranging from 2 years to 71 years by a court sitting inside the prison. The special branch of the police arrested the political activists from Myingyan, Nyaung Oo and Kyauk Padaung townships last September and October without attributing any reasons, held them incommunicado, and did not let them to meet their family members during their incarceration period. They have been given thoughtless imprisonments by an arbitrary court in jail without having a lawyer on 6 January.

Besides, a military-controlled township court in Burma has handed down a 20-year jail term to a freelance reporter Hla Hla Win, a young video journalist who worked with the Burma exile broadcaster "Democratic Voice of Burma" based in Norway, as the ruling junta continues its crackdown on the dissent. She was arrested in September after taking a video interview at a Buddhist monastery in Pakokku, a town in Magwe Division, the Paris-based Reporters Sans Frontieres and the Burma Media Association said in a joint statement. For that she was given a seven-year prison sentence in October 2009. Burma ranks alongside nine other countries in the "worst of the worst" category in Freedom House's 'Freedom in the World 2010' report, which includes Libya, Tibet, China, Eritrea, North Korea and Equatorial Guinea.

The 47-year-old musician Win Maw was convicted for "sending false news abroad", even though it wasn't false, and there wasn't any evidence against him to match up with the elements of the charge.

On November 11, 2008, the Mingalar Taungnyunt Township Court sentenced, a leading Burmese musician Win Maw to 17 years in prison for sending news reports and video footage to the Norway-based Democratic Voice of Burma radio station during the protests in August and September 2007. Win Maw was arrested in a Rangoon teashop on November 27, 2007 and charged under article 5 (j) of the penal code with "threatening national security". He was held in the notorious Insein prison during trial, and was transferred to a remote Katha prison, following this year's trial. He won the 2009 Kenji Nagai

Memorial Award for his commitment as a freelance journalist in Burma.

Another Reporter of the Norway-based opposition radio station Democratic Voice of Burma (DVB), Ngwe Soe Lin was sentenced to 13 years' imprisonment on 28 January 2010 by the Rangoon Western District Court sitting inside Insein prison. Sources said Ngwe Soe Lin, 28, who lives in Rangoon's South Dagon Township, was charged under section 33(a) of the Electronic Act and section 13(1) of the Immigration Emergency Provisions Act, receiving terms of 10 and 3 years imprisonment respectively.

Ngwe Soe Lin had been recently honored with the Rory Peck Award for his work in documenting orphan victims of Cyclone Nargis, which struck Burma in the first week of May 2008.

Moreover, two officials have been sentenced to death by a court in Burma for leaking information, official sources say, in a case reportedly involving secret ties between the ruling junta and North Korea. The men were arrested after details and photos about a trip to Pyongyang by the Burma regime's third-in-command, General Shwe Mann, were leaked to exiled media last year, the website of Thailand-based Irrawaddy News reported.

"Two officials received death sentence and another one was jailed for 15 years for leaking information. They were sentenced at the special court in Insein Prison on Thursday," a source said. The two men sentenced to death were Win Naing Kyaw and Thura Kyaw, while the imprisoned third person was revealed just as Pyan Sein, with no further details of the case. Win Naing Kyaw is a former military officer and Thura Kyaw and Pyan Sein worked at the ministry of foreign affairs, Irrawaddy said.

Many leaders of the '88 Generation Students, who led a pro-democracy movement in 1988, remain imprisoned with sentences up to 65 years. Ethnic Shan political leader Hkun Htun Oo and prominent comedian Zarganar are still in prison despite their medical conditions.

Su Su Nway, a member of the National League for Democracy, has been in custody in the notorious Insein Jail since November 2007, following a peaceful demonstration. She received the 2006 Humphrey Freedom Award from the Canada-based group Rights and Democracy for her human rights activities. She was arrested in 2005 and 2007.

Many political prisoners are reportedly seriously ailing and receiving no regular healthcare. The International Committee of the Red Cross has been denied free access to conduct confidential prison visits since December 2005. Arrests and intimidation of political activists and journalists in Burma have been going on for two decades.

In 2009, there were three known political prisoner deaths. Salai Hla Moe, Saw Char Late and Tin Tin Htwe all died in prison due to lack of proper medical care. According to the AAPP's documentation, at least 143 political prisoners have died in prison since 1988. But the list is incomplete, as the military authorities black out information from the prisons.

Meanwhile, Amnesty International warned Burma's military regime in a major report released on 16 February 2010. The 58-page report - The Repression of ethnic minority activists in Myanmar - draws on accounts from more than 700 activists from the seven largest ethnic minorities, including the Rakhine, Shan, Kachin, and Chin, covering a two-year period from August 2007.

The military authorities have arrested, imprisoned, and in some cases tortured or even killed ethnic minority activists. Minority groups have also faced extensive surveillance, harassment and discrimination when trying to carry out their legitimate activities.

Amnesty International urged the government to lift restrictions on freedom of association, assembly, and religion in the run-up to the elections; to release immediately and unconditionally all prisoners of conscience; and to remove restrictions on independent media to cover the campaigning and election process.

Amnesty International called on Burma or Myanmar's neighbors in the Association of South East Asian Nations (ASEAN), as well as China, Myanmar's biggest international supporter, to push the government to ensure that the people of Myanmar will be able to freely express their opinions, gather peacefully, and participate openly in the political process.

"The government of Myanmar should use the elections as an opportunity to improve its human rights record, not as a spur to increase repression of dissenting voices, especially those from the ethnic minorities," said Benjamin Zawacki, AI's Burma (Myanmar) specialist.

But, the mood of the junta shows clearly that it has no plan to pay attention to international concerns, release political prisoners or commence a dialogue for reconciliation. According to a Burmese analyst, it is baseless to believe that the military dictators are going to build a democratic country by means of the 2008 constitution.

*Zin Linn is a freelance journalist in exile. He is vice president of Burma Media Association, which is affiliated with the Paris-based Reporters Sans Frontiers.*

- Asian Tribune -

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[ThaungN@aol.com](mailto:ThaungN@aol.com) - UN envoy to probe human rights in Burma/Myanmar -Sun, 14. Feb 2010 10:01:28

**The Associated Press** - <<http://www.google.com/hostednews/ap/article/ALeqM5hkveLB56JCzoTWaW84FSrpY-W8QD9DRQBQG0>>

## UN envoy to probe human rights in Myanmar

YANGON, Myanmar — A top United Nations envoy was due to arrive in military-ruled Myanmar on Monday following the release from detention of the still-defiant deputy leader of Aung San Suu Kyi's pro-democracy party.

Envoy Tomas Ojea Quintana requested a meeting with the Nobel Prize winner Suu Kyi, who remains under house arrest, and will evaluate progress on human rights in Myanmar, also known as Burma.

Criticized by the international community for its human rights abuses, the regime on Saturday released 82-year-old Tin Oo, who helped found the National League for Democracy with Suu Kyi, after nearly seven years of prison and house arrest.

"I am not happy with my freedom. I am very sorry about my colleagues who are still serving time in prisons," Tin Oo told reporters Sunday while praying for their early release at Yangon's Shwedagon Pagoda.

Human rights groups say the junta holds some 2,100 political prisoners.

Tin Oo, a one-time defense minister, said he would continue to work for democracy, serving as vice chairman of the league and coordinating political activities with Suu Kyi and the party's 20-member Central Executive Committee.

League spokesman Nyan Win said the party welcomed the U.N. envoy's visit since gross human rights violations were continuing. "His visit won't be able to totally address the human rights issue but the visit can certainly cover human rights abuses," Nyan Win said.

Quintana is expected to meet several key ministers and members of the opposition during his five-day visit. He is also to tour Yangon's notorious Insein prison and another prison in the northwestern state of Rakhine.

In a statement, U.N. Secretary-General Ban Ki-moon welcomed Tin Oo's release and said he hoped it would promote "substantive dialogue" between the league and the government. He also urged the lifting of restrictions on Suu Kyi "without further delay" and the release of other political prisoners.

Tin Oo said he was "very hopeful" Suu Kyi would also soon be released, noting in 1995 he was released from an earlier stint in prison not long before Suu Kyi herself was set free.

Tin Oo said he would ask authorities to allow him to visit Suu Kyi, and thanked the United Nations, European Union and others for pressing for his release from detention, during which the junta tried to isolate him as much as possible. His telephone line was cut but he was allowed a radio.

"Thanks to the sweetness of the democratic media, I never lost touch with the world," he said.

Suu Kyi herself has been detained for 14 of the past 20 years. Her house arrest was extended in August by an additional 18 months, which would prevent her from taking part in the first national elections in 20 years. The government says the vote will be held in 2010.

Suu Kyi's party won the last elections in 1990 by a landslide, but the military, which has ruled Myanmar since 1962, refused to cede power. Suu Kyi's party has not yet decided whether to take part in the upcoming elections. Quintana said during the visit, his third to Myanmar, he would press for the release of political prisoners, review progress on reform within the armed forces and check on the revision of domestic laws to ensure compliance with international human rights standards.

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Burma News - 03 February 2010 - "Burma\_News" <[burma\\_news@verizon.net](mailto:burma_news@verizon.net)> Thu, 04. Feb 2010

**The National** - 03 February 2010 - <<http://www.thenational.ae/apps/pbcs.dll/article?AID=/20100204/FOREIGN/702039954/1135>>

## Myanmar election date is uncertain, but not who will win

Larry Jagan, Foreign Correspondent

BANGKOK // The rumour mill in Myanmar is working overtime.

Increasingly October 10 is being seen as the date of the election because of the junta's fixation on numerology: the day will be 10/10/10 in the Gregorian calendar.

In the past, the country's military made many important decisions on the basis of what astrologers had decreed as auspicious or significant dates, including the 1990 election date and the mass move to the new capital.



Protests against elections in Myanmar included a brief silent demonstration last year for the detained opposition leader Aung San Suu Kyi. Saeed Khan / AFP

“Everyone in Burma is quietly talking about the elections even though the date is yet to be announced,” said Janelle Saffin, an Australian member of parliament, after a recent private visit to the country

“Several psychologists told me that there has been a significant increase in anxiety among many average Burmese, especially in Rangoon [Yangon], because of the uncertainty surrounding the elections.”

China, Myanmar’s closest ally, believes the elections will be sometime in the last three months of this year, according to Chinese diplomats. But while the election seems certain now to be held in October or November – after this year’s rainy season – the current favourite date may just be a hoax, warned Justin Wintle, a Myanmar specialist and author a biography of the political opposition leader Aung San Suu Kyi, Perfect Hostage.

Although the election date has not been set, campaigning, at least by supporters of the junta, is in full swing. “State-controlled media – newspapers and television – are full of reports and photographs of government ministers inaugurating community and development projects, shaking hands with local leaders and handing out financial assistance,” a Yangon-based diplomat said.

In the meantime they are deliberately keeping almost everyone in the dark.

The last time elections were held the electoral law was made public 20 months before the elections.

“The electoral laws are now 97 per cent complete,” Myanmar’s foreign minister, Nyan Win, recently told his Indonesian counterpart, Marty Natalegawam, at a meeting of the Association of South East Asian Nations in Hanoi. “It will take another two or three months to make it 100 per cent. So, I think the elections would be most probably in the second half of the year.”

In the meantime, government ministers and civil servants have started political campaigning. “No decision is being taken that does not relate to the election preparation,” a senior UN official in Yangon said speaking on condition of anonymity. “We have been told by government ministers that some crucial new projects can only start after the election,” another UN aid official said.

Only 10 political parties will be allowed to run, Myanmar’s prime minister, Thein Sein, has said. But he has not said anything publicly about Ms Suu Kyi or the NLD.

The military junta plans to form a political party that will be under the control of Union Solidarity and Development Association, set up by Than Shwe nearly 15 years ago to generate popular support for the government, military sources said.

The existing National Unity Party was the main pro-military party set up to fight the last elections, but only won 10 seats.

These two parties will be expected to win the popular vote and make sure the military remains in power, even if there is a nominal shift to civilian rule. Twenty-five per cent of the seats have already been reserved for serving soldiers in the new constitution, approved by a referendum in May 2008 that was roundly criticised by the opposition and the international community as a sham.

“There’s no chance that any civilian government after the elections will have real power,” the former British ambassador to Yangon, Martin Moreland, said. “Than Shwe is unlikely to retire; more likely he will copy his predecessor, Ne Win, and remain the ultimate authority behind the scenes.

“But there is just a chance that the regime may miscalculate somehow.”

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**Burma Digest - For Immediate Release: 16th February 2010**

<<http://burmadiigest.info/2010/02/16/rights-groups-protest-as-millions-of-burmese-migrants-face-deportation-from-thailand-on-march-1st-2010/>>

## Rights Groups Protest as Millions of Burmese Migrants Face Deportation from Thailand on March 1st 2010

Over 2 million migrants have been threatened by the Royal Thai Government (RTG) with deportation after 28th Feb. 2010 if they fail to enter a **nationality verification process** (NV). Over 80% of these migrants are from Burma and face ethnic and political conflict as well as continuing economic deterioration in their homeland, which is controlled by a military government. Migrants from Burma left their country illegally but are still being pressured by the RTG to submit their biographical information to Burma’s military government, return to Burma to complete NV and then return to work

“legally” in Thailand with temporary Burmese passports.

“Thailand’s migration policies must be carefully planned to ensure protection of migrants’ human rights. The NV process has not been well thought out and remains a serious threat to the human security of over 2 million workers that contribute greatly to our economy and society” said Mr. Somchai Homlaor, Secretary General of the Human Rights and Development Foundation (HRDF).

- \* Most migrants in Thailand do not yet understand NV
- \* Many migrants in Thailand have not yet entered NV
- \* Genuine humanitarian concerns remain for migrants forced to go through NV in Burma
- \* Unregulated NV brokers are exploiting migrants
- \* Many migrants from Burma cannot and will not enter NV but no strategy to support them exists

“The Government must extend the 28th Feb. 2010 deadline and immediately cease threats of mass deportation. Threatening migrants to comply with this imminent deadline or face deportation disregards the challenging situation faced by migrants from Burma” said Mr. Sawit Keawan, General Secretary of the State Enterprise Workers Relations Confederation (SERC). “In addition, if mass deportations are carried out it will serve only to harm Thailand’s economy which remains heavily reliant on migrant labour, as well as Thailand’s international reputation.”

At 9:00am (Bangkok Time) outside the United Nation’s (UN) offices in Bangkok, complaint letters were submitted to representatives of the UN’s Special Rapporteurs on the Human Rights of Migrants and on the Situation of Human Rights in Myanmar, as well as the Director General of the International Labour Organisation (letters available in Thai and English – migrantjustice@hrdfoundation.org)

Migrant workers, trade unionists and rights defenders are now marching to Government House to submit an open letter of concern to Thailand’s Prime Minister Abhisit Vejjajiva, signed by over 60 domestic, regional and international rights groups and trade unions. The open letter demands an end to threats of mass deportation for migrants and sweeping changes to the government’s NV policy (see attached “Open Letter of Concern for the Safety and Security of Migrant Workers in Thailand”)

For more information and further media comment on this press release, please contact:

- Mr. Adisorn Kedmongkol (General Secretary: Migrant Working Group): +66 818 602305 (Thai)
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**The Irrawaddy** – Newsletter, February 12, 2010, Freitag 13:24:18 - <[news@irrawaddy.org](mailto:news@irrawaddy.org)>, <[www.irrawaddy.org](http://www.irrawaddy.org)>

## Broken Promises and a Broken Nation

EDITORIAL - Friday, February 12, 2010 <[http://www.irrawaddy.org/opinion\\_story.php?art\\_id=17801](http://www.irrawaddy.org/opinion_story.php?art_id=17801)>

Sixty-three years ago, Burma's independence leader Gen Aung San and leaders from the country's main ethnic groups gathered at the city of Panglong in southern Shan State to sign an historic agreement, determining their future by achieving absolute independence from the British.

The representatives from the central government, known as the Executive Council of the Governor of Burma at that time, met with leaders from the Shan, Chin and Kachin minorities and signed an agreement to guarantee equal rights for ethnic people. They were assured that Burma would be a federal union with power sharing, and were even granted the right to secede.

Ever since then, this event has been commemorated annually on Burma's Union Day, an occasion for recalling the “Panglong spirit,” which emphasizes the shared benefits of mutual trust between the Burman majority and ethnic minorities.

However, this historic agreement has been largely ignored since Burma gained its independence in 1948. The government in Rangoon assumed power at the central, state and local levels, leaving non-Burman ethnic groups with no power at all.

To mark Union Day, the leader of Burma's ruling military regime, Snr-Gen Than Shwe, called on all of Burma's ethnic groups to renew their “sense of Union Spirit” wherever they live in across the nation, “to ensure perpetuation of the motherland, and independence and sovereignty will not be lost again.”

Burma's successive military regimes have long acted on the assumption that the federal system promised in the Panglong Agreement was a formula for disintegration. In fact, Burma's era of military rule began when Gen Ne Win seized power in 1962 to prevent ethnic leaders and members of Parliament from carrying out constitutional reforms to create a genuine federal union.

According to Than Shwe, the national and regional parliaments that will be formed after this year's election, to be held in accord with the 2008 Constitution and the "road map" to democracy, will satisfactorily address all the legitimate needs of Burma's ethnic minorities. That is why he has repeated his promise to go ahead with the election while continuing to call on ethnic cease-fire groups to disarm or join a national border guard force under Burmese military control.

Most of the ethnic armed groups have refused to accept the plan, however, saying that they have nothing to gain from it. Several ethnic leaders have also said that they don't have any faith in the new Constitution, which was approved by a farcical referendum in 2008. They point out that real power under the Constitution resides in the national parliament, where the Burmese military will take 25 percent of all seats.

At the same time, Burmese military authorities have kept several key ethnic figures in notorious prisons, including Sao Hso Ten, the president of the Shan State Peace Council, and Hkun Htun Oo and Sai Nyunt Lwin, the chairman and secretary, respectively, of the Shan Nationalities League for Democracy. The three Shan leaders are serving prison terms of between 75 and 106 years on charges that included defamation and high treason.

Even worse, the Burmese junta has not relented in its persecution of civilians in ethnic minority areas. Some 140,000 ethnic refugees live in official camps along the Thai-Burmese border, according to the United Nations refugee agency, while many more cling to survival as internally displaced persons. Last August, another 37,000 refugees fled into China after Burmese regime forces routed an ethnic army in the Kokang region. The potential for a further exodus remains amid the constant threat of conflict in many areas around the country.

This is why Union Day is not an occasion to celebrate, but rather a time to reflect on the legacy of decades of broken promises. What we find when we look at Burma today is not unity or strength, but the misery of a country constantly at war with itself. Only when all ethnic nationalities enjoy genuine equality and self-determination can Burma hope to build a stable and united nation.

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ThaungN@aol.com - Wed, 10, Feb 2010 17:40:18

The Associated Press - <<http://www.google.com/hostednews/ap/article/ALeqM5qs16E0Y8T8w9Edy1yiDa2nXqxkwD9DPAU8O1>>

## Myanmar's Suu Kyi undecided on junta's elections

YANGON, Myanmar — Myanmar's detained opposition leader Aung San Suu Kyi says that the military-run country's upcoming elections cannot be credible unless the government allows freedom of information, her party said Wednesday.

The Nobel Peace Prize laureate — who is serving a new 18-month sentence of house arrest — also said she hasn't decided whether her party will contest this year's planned polls, said Nyan Win, her lawyer and spokesman for her National League for Democracy party.

"Aung San Suu Kyi said if freedom of information and freedom of expression are not allowed, the elections will neither be free nor fair nor credible," said Nyan Win, who met Suu Kyi at her house Tuesday.

Myanmar's military government has said it will hold a general election this year, but has not yet set an exact date or passed the necessary laws. Suu Kyi's party won the last election in 1990, but the military refused to allow it to take power.

The junta tightly controls information in the impoverished Southeast Asian country.

An election boycott by the NLD would deal a blow to the government's promotion of the polls as part of a "roadmap to democracy."

Suu Kyi's party has not yet committed itself to taking part in the polls because it claims the new constitution of 2008 is unfair. It has clauses that would ensure that the military remains the controlling power in government, and would bar Suu Kyi from holding office.

Nyan Win said Wednesday that Suu Kyi said she cannot decide whether her party should take part in elections as long as she is under house arrest.

"Aung San Suu Kyi said she is in no condition to decide whether the NLD should participate in the elections or not as she cannot follow up on her decision if she remains detained," said Nyan Win.

Suu Kyi's position does not necessarily rule out her party taking part in the polls, since other party officials could make the decision to contest the election. Nyan Win pointed out that that in 1990 elections, which also were held while she was under house arrest, the National League for Democracy decided to take part in elections during her absence and she supported the party's decision.

According to Nyan Win, Suu Kyi also said the international community should understand that the elections in Myanmar

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cannot be considered as similar to those in other countries "as everything has to start from scratch," without any new parties being approved yet and her own party not yet allowed to reopen its district offices.

Suu Kyi, who has been detained for 14 of the past 20 years, was convicted last August of violating the terms of her previous detention by briefly sheltering an American who swam uninvited to her lakeside home. She was sentenced to 18 months' house arrest, less three months spent in detention awaiting the end of her trial.

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## Assessing Potential Change in Burma

By **KO KO THET** - <[http://www.irrawaddy.org/opinion\\_story.php?art\\_id=17863](http://www.irrawaddy.org/opinion_story.php?art_id=17863)> Monday, February 22, 2010 - **CONTRIBUTOR**

For Burma politicians, policy advocates, activists, watchers, sympathizers, scholars, do-gooders and donors, frustration is a fact of life since potential for change into a democratic society has eluded everyone for more than 20 years.

Mass movements and revolutions, informed and inspired by the 1988 overthrow of the Burma Socialist Programme Party, have made no headway since 1988. While each failed mass movement has had tragic human costs to the lives of individuals involved in it, the regime's weathering of each storm seems to have prepared them better for the next.

The new Burmese capital of Naypyidaw is now conveniently located at least 300 kilometer from each of the most populous cities, Rangoon in the South and Mandalay in the North, so people power can not come near the government's seat of power.

The country's economy in real terms has worsened for the bottom 50 million, and the increased polarization of wealth offers little hope for those who argue "economy precedes politics."

The hardship for the people was so great even the sangha, who are supposed to be above the mundane world, came out en masse in late 2007, in what would be known as the Saffron Revolution.

The recent series of sit-ins for higher wages by Rangoon garment industry workers, most of whom are ladies carrying for extensive families, is just another indication of the dire straits of the common people. In Burma, one employed person may be supporting five unemployed persons—social protection by the state is non-existent save a measly pension scheme for veterans and former government employees.

Whereas the Burmese regime has made the best of its geopolitics and regionalization vis-à-vis the Asean countries, China and India, globalization and all its purported glories have passed over the country. If anything the global thirst for energy and the global security paranoia have favored the Burmese generals. As such, other factors indicative of democracy, such as the emergence of an enlightened middle class, the existence of a strong and independent civil society, the rescue of the country by a disillusioned political leadership within the government remain far-fetched.

The staunch opposition led by Aung San Suu Kyi has been the "voice of hope" for the politically minded section of the society and their Western supporters, but they have not shaken the regime since government functionaries at large remain unaffected. It can be argued that the "unaffectedness" has been caused by the regime's systematic persecution that is designed to isolate charismatic dissidents from the people. Inevitably, the Burmese opposition, as well as their Western supporters, are handy scapegoats that the regime can blame for its own failures.

The entrenched and institutionalized conflict between the ethnic autonomy groups and the central regime have also served as a way for the Burmese military to justify its militarist expansionist policies. Even natural and man-made calamities of great magnitude, such as Cyclone Nargis and the famine in Chin State respectively, which would have huge potential for change in other societies appear to have only hardened the regime's callousness towards the suffering of the people.

Make no mistake. The regime's initiative, the "Road Map to Democracy," does not offer a glimmer of hope. All institutions advocated by the author Robert Dahl as vital for any large-scale democracy: elected officials, free fair and frequent elections, freedom of expressions, alternative sources of information, associational autonomy, inclusive citizenship, are nowhere to be found on the Road Map, except for "elected officials," who are widely anticipated to be elected in a controlled, regime-friendly parliament. In addition, the threat of another military coup always lurks beneath the current Constitution. Another putsch means going back to the late 1980s, if not the early 1960s.

Yet no matter how well prepared the regime is, the 2010 elections, and all the elections thereafter, will not be foolproof. Inasmuch as the looming elections have cornered the opposition into a "double bind," the regime is also acutely aware that they are walking a tight rope holding a balancing pole they call the 2008 Constitution. The regime has to balance between two inherently contradictory quests: one for national and international legitimacy and the other for the top generals' need to remain as sole arbitrators of state power, which is essential for them to be able to avoid the fate of fallen dictators.

If the elections are free, fair and inclusive as the international community insists, the regime risks losing a bigger than expected slide of their power, even within the current Constitutional context. If the elections are not free and fair, the regime will be met with continued international condemnation and local resistance, a continuation of the status quo.

It would not be surprising if the generals in Naypyidaw are as apprehensive about the 2010 elections as the opposition itself. Perhaps, the opposition should treat the 2010 elections as an opportunity for change, including much desired constitutional change.

If history is any guide, elections all over the world have undermined colonial and authoritarian systems, rather than entrenched them. Elections, even defined and sponsored by repressive regimes for their own sake, usually backfire since they tend to arouse political debate, increase political awareness and promote people's participation in politics.

*Ko Ko Thett is a Burma analyst based in Helsinki.*

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# Ten Years On

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