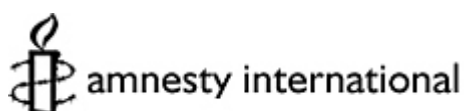


Title	Amnesty International Annual Report 2011 - Myanmar
Publisher	Amnesty International
Country	Myanmar
Publication Date	13 May 2011
Cite as	Amnesty International, <i>Amnesty International Annual Report 2011 - Myanmar</i> , 13 May 2011, available at: http://www.unhcr.org/refworld/docid/4dce1551c.html [accessed 30 May 2011]



Amnesty International Annual Report 2011 - Myanmar

Head of state: **Senior General Than Shwe**
Head of government: **General Thein Sein**
Death penalty: **abolitionist in practice**
Population: **50.5 million**
Life expectancy: **62.7 years**
Under-5 mortality (m/f): **120/102 per 1,000**
Adult literacy: **91.9 per cent**

Elections in Myanmar were carried out amid severe restrictions on freedoms of expression, peaceful assembly, and association. The authorities arrested government critics and ethnic minority activists for political activities. Some 2,200 political prisoners remained in detention, many suffering from ill-health. The government forcibly displaced residents of villages, or in some cases entire areas, to facilitate government-run or supported development and infrastructure projects.

Background

In November, Myanmar carried out its first national elections in two decades amid credible reports of widespread fraud and irregularities. The election process was designed to maintain the military's grasp on authority, and many ranking officers resigned from the military in order to contest the polls and participate in the new government as civilians. A government-sponsored party reportedly won an overwhelming majority of the vote.

The winner of the 1990 elections, the National League for Democracy (NLD) led by Daw Aung San Suu Kyi, boycotted the polls. A week after the elections, the government released Aung San Suu Kyi after seven and a half years under house arrest.

Throughout August the government continued to pressure ethnic minority armed groups that had previously agreed to ceasefires, to become Border Guard Forces. Sporadic battles before and after the elections displaced people internally and forced some to seek refuge across the Thai border.

Throughout the year, there were growing calls for an international Commission of Inquiry to investigate allegations of crimes against humanity and war crimes in Myanmar.

Elections-related violations

Electoral laws promulgated in March and further directives later in the year violated the rights to freedom of expression, peaceful assembly, and association. They disenfranchised or otherwise excluded many individuals and groups, including Aung San Suu Kyi and all other political prisoners, by prohibiting them from joining political parties, voting or contesting the elections. Campaign speeches broadcast on state media were prevented from criticizing the government or mentioning any of the country's problems. Authorities arrested some individuals who spoke out on elections-related issues or criticized the government, both before and after the polls.

- On 27 September, authorities sentenced Ashin Okkanta, an ethnic Mon monk arrested in January, to 15 years' imprisonment for campaigning against elections and calling for the release of all political prisoners in Myanmar.
- During the final two weeks of September, authorities arrested 11 students in Yangon for handing out leaflets urging people not to vote, six of whom remained in detention.

Repression of ethnic minority activists

The government continued to repress ethnic minorities protesting in relation to the elections as well as those who peacefully opposed the impact of development and infrastructure projects on the environment. Authorities also persecuted ethnic minorities for their real or suspected support of armed groups.

- In April, soldiers arrested two men in Pa Laai village, Nam-Zarng township, Shan state, accusing them of supporting armed Shan rebels. The soldiers beat one of the men to death, while the fate and whereabouts of the other are unknown.
- In June, Zaw Wine, 40, escaped from soldiers who had ordered him to go to Par Pra village in Kayin state to acquire intelligence about the Karen National Liberation Army (KNLA). He had also been told to put on the group's uniform and pose for a photograph – a tactic previously used by soldiers in order to frame and then kill villagers for being part of the armed opposition group.
- In September, 11 people from Rakhine state were given prison sentences of between three and nine years for, among other offences, alleged links to the banned All Arakan Students' and Youths' Congress (AASYC).
- In September, authorities arrested U Pyinnya Sara, a Rakhine monk and cultural historian, and sentenced him to eight years and three months in prison on charges including handling obscene materials, insulting religion, criminal breach of trust and possession of foreign currency.
- In October, a closed court in Yangon's Insein Prison sentenced Nyi Nyi Tun, of joint Mon and Burman ethnicity, Editor of *Kantarawaddy News Journal*, to 13 years in prison, on charges including contacting an exile news agency and using electronic media without permission.

Political prisoners

The number of political prisoners in Myanmar reached an estimated 2,200 during 2010, and was likely to have been significantly higher on account of ethnic minority prisoners whose names and cases were unknown. Most were prisoners of conscience. At least 64 political activists were sentenced to prison terms. This number included some of the 49 arrested during the year, and 38 were transferred between prisons, including to those in remote areas. Torture and other ill-treatment continued to be reported during pre-trial detention and in prisons.

Thirty-eight political prisoners were released, including NLD spokesperson U Win Htein, released two months after the expiry of his prison sentence, and Deputy NLD

Chairperson U Tin Oo, released after seven years of house arrest. On 13 November, Aung San Suu Kyi was released without conditions from house arrest after the expiry of her sentence. Myint Maung and Thura Aung, imprisoned in 2008 and 2009 for helping farmers file legal cases against illegal confiscation of their land, were released in August after their sentences were reduced on appeal.

Prisoners of conscience who remained in prison included:

- Min Ko Naing, former student leader and veteran political activist who is serving a 65-year prison sentence for organizing a demonstration in 2007, remained in solitary confinement, having previously been held in solitary confinement for long periods during 16 years' imprisonment between 1988 and 2004.
- Naw Ohn Hla Hla, Cho Cho Lwin, Cho Cho Aye and San San Myint were sentenced to two years' imprisonment with hard labour in February for holding weekly prayers for the release of Aung San Suu Kyi and other political prisoners at Yangon's Shwedagon Pagoda.
- Ngwe Soe Lin, 28, a reporter for the overseas media organization the Democratic Voice of Burma, was sentenced in January to 13 years for filming without permission.

Lack or refusal of adequate medical treatment in prisons continued to be reported, with many prisons having no medical facilities. Many political prisoners, particularly those held in remote prisons where medical treatment was often denied them, suffered from ill-health. These included a group of Shan politicians, all prisoners of conscience, sentenced in 2005 for criticizing the National Convention and denied adequate medical attention in prison:

- Khun Htun Oo, 67, Chairman of the Shan Nationalities League for Democracy (SNLD), serving a 93-year prison sentence in Puta-O prison, suffered from diabetes.
- Sai Hla Aung, 66, an SNLD official serving a 79-year prison sentence in Kyaukhphyu prison, suffered from a skin disease.
- General Hso Ten, 74, serving a 106-year sentence in Sittwe prison, was transferred between three different prisons in one week in August, and dislocated his arm when shackled during the journey. He had heart diseases, cataracts and diabetes.
- Mya Aye, 44, had angina, high blood pressure and gastric problems in Taunggyi prison.

Forced displacement

The army continued to forcibly displace residents of entire villages, primarily those populated by ethnic minorities, adding to the country's roughly 500,000 internally displaced people.

- In January, following the establishment of an army camp in northern Kayin state, government troops raided 10 villages, killing four people and causing at least 1,000 more to flee their homes.
- In mid-February, troops in Bago Division burned dozens of houses and a clinic, and forced around 2,000 villagers to flee their homes.
- In July, around 500 people were forced to flee their homes after troops shelled Dutado village in Hpapun township, Kayin state, in an attack apparently aimed at

the KNLA. The army then entered the village and burned to the ground around 70 houses, the village school and a church.

- In November, battles between a breakaway faction of the Democratic Karen Buddhist Army (DKBA) and the Myanmar army in Myawaddy, and further attacks by the army against other ethnic minority armed groups near Three Pagodas Pass, resulted in over 20,000 refugees fleeing Myanmar temporarily and thousands more being internally displaced.

Development-related violations

The army committed human rights violations in connection with oil, gas, mining and hydropower development projects, including forced labour, killings, beatings and land confiscation. The authorities continued to target villagers suspected of opposing or questioning the projects.

- In late May and early June, authorities began forcibly relocating several villages in Kachin state as part of the ongoing Ayerarwaddy Myitsone Dam project.
- The authorities confiscated land without compensation and forcibly displaced villagers in Rakhine state as construction of the Shwe gas and oil transport pipelines began.
- Battalions providing security for the Yadana, Yetagun and Kanbauk-Myaing Kalay natural gas pipelines in Tanintharyi Division and Kayin state forced civilians to work on barracks, roads and miscellaneous projects, and committed at least two extrajudicial executions.

International scrutiny

In February, the UN Special Rapporteur on human rights in Myanmar visited the country for five days – his third since his appointment in 2008. In March, his report to the UN Human Rights Council (HRC) in Geneva emphasized that human rights violations resulted from state policy "that involves authorities in the executive, military and judiciary at all levels". Pointing out that some of these violations may constitute crimes against humanity or war crimes under international law, he called for a UN commission of inquiry. The HRC adopted resolution 13/25 on Myanmar in March calling on the government to ensure free and transparent elections and to release all prisoners of conscience. By year's end, 14 countries publicly backed the Special Rapporteur's call for a commission of inquiry: Australia, Canada, Czech Republic, Estonia, France, Greece, Hungary, Ireland, Lithuania, Netherlands, New Zealand, Slovakia, UK and USA. In July the Special Rapporteur was denied a visa for his fourth visit to Myanmar.

Also in March, in response to the promulgation of electoral laws, the UN Secretary-General wrote a letter to Senior General Than Shwe urging the release of all political prisoners prior to elections.

In April, the EU extended its sanctions regime against Myanmar for a further year.

In May, the USA also extended sanctions, and in July renewed its ban on imports from Myanmar, while defending its policy of engagement with the Myanmar authorities.

In May, the UN Working Group on Arbitrary Detention also ruled that the detention of Aung San Suu Kyi was arbitrary and in contravention of articles 9, 10, 19 and 20 of the Universal Declaration of Human Rights, which forbid arbitrary arrest and provide for the rights to a fair and public hearing, and freedom of expression and assembly.

In September, the UN Secretary-General released his own report on the human rights situation in Myanmar, expressing grave concern at the continued detention of political prisoners and calling for a credible and inclusive electoral process. The Secretary-

General's Special Adviser was permitted to visit the country in late November after the elections. He recommended that the political transition include those who did not or could not participate in the elections, and again called for the release of political prisoners.

Throughout the year, public statements by ASEAN on the elections and human rights were muted, restricted to calls for a credible, inclusive, "free and fair" process, although a joint EU-ASEAN ministerial statement in May stated that the early release of detainees would help make elections more inclusive and aid a peaceful political transition. This statement was reiterated in the Chair's Statement of the 8th Asia-Europe Meeting (ASEM) in October.

In December the UN General Assembly adopted its 20th resolution on Myanmar, strongly regretting that the government did not hold free, fair, transparent and inclusive elections. The resolution called for an inclusive post-election phase and the release of all prisoners of conscience.

Copyright notice: © Copyright Amnesty International
