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## UPDATE: THE KHIN NYUNT OUSTER

### IT'S NOT OVER, YET

With tensions running high and some uncertainty over where loyalties lie, the spate of purges in Burma is not over. Speculation on reasons behind the 19 October purge of Prime Minister Gen Khin Nyunt has been plentiful:

**“It’s about controlling access to money and Khin Nyunt’s removal may have had as much to do with internal business interests as with politics,” said Bradley Babson, a retired World Bank economist.<sup>1</sup>**

Other analysts point to a showdown last month between Military Intelligence (MI) and army commanders vying for control of the lucrative border trade with China.<sup>2</sup>

Retired Cornell University professor John Badgley says the corruption accusation against Khin Nyunt smacks of “the pot calling the kettle black”. He says competition between the generals and their families has intensified over investment from China, India and Southeast Asian neighbors such as Thailand and Singapore.<sup>3</sup>

General Thura Shwe Mann released a complete ‘explanation’ of the purge, saying Gen Khin Nyunt and his Military Intelligence (MI) apparatus were engaged in ‘grievous’ actions detrimental to the interest of the State. According to the Shwe Mann report, Gen Khin Nyunt and his MI officials had been under investigation, on suspicion of corruption and bribery, by the Inspector General of the Ministry of Defence since 12 September, when he traveled to Singapore. On investigation, the Inspector General reportedly uncovered an incident ‘so serious in nature’ it demanded that the MI agents be removed from their posts.<sup>4</sup>

In addition, Khin Nyunt had ordered intelligence officials to gather information on Regional and Brigade Commanders.

Hence, the PM was arrested. “He [Khin Nyunt] violated Tatmadaw discipline by insubordination” said Gen Thura Shwe Mann. “No one is above the law,” he said, in a warning that arrests would continue until the upper echelons of the SPDC were certain where loyalties lay.

### ANOTHER GENERATION OF POLITICAL PRISONERS?

The spate of arrests, detentions and jail sentences connected to Khin Nyunt’s purge appear to have led to another generation of political prisoners:

- Khin Nyunt has reportedly been sentenced to 40 years imprisonment.<sup>5</sup> Khin Nyunt was initially said to be under house arrest, however later reports indicated he was being detained in military apartments at the War Office.
- His senior officers, including Brig Gen Thein Swe, were sentenced to 15-20 years in prison.

Most army resources have been focused on completing the October 19 purge of Khin Nyunt. This has become a comprehensive nationwide witch-hunt for his every political, economic and social connection. Almost all Khin Nyunt-linked economic ventures are being seized, taken over or shut down to benefit army-owned competitors.

The SPDC has been anxious to contain the pro-democracy movement, ethnic nationality groups and international pressure until they have consolidated their hold on the country, especially in urban population centres. Once this is achieved, the pro-democracy movement and ethnic nationality groups will once again be targeted by the SPDC, with greater menace. This is expected to take place in early 2005.

It is likely that ethnic groups will be pressured to comply with the SPDC’s plan to use the National Convention as a means of gaining a semblance of legitimacy. Ethnic armies will be told to surrender or face annihilation, along with any civilian communities in the area.

Grave concerns exist for the mid and long-term safety of pro-democracy leaders, in particular NLD General Secretary Daw Aung San Suu Kyi and Deputy Chairman U Tin Oo. Military strongmen Sr Gen Than Shwe, Lt Gen Soe Win and Gen Thura Shwe Mann have not been averse to using violence against the Nobel Laureate and her colleagues.

An underlying dynamic will be Sr Gen Than Shwe’s concern that his “boys,” Soe Win, Thura Shwe Mann et al, will continue to be totally loyal to him. This may see the unfolding of “mini-purges” to root out any wavering loyalties.

- An unconfirmed report suggested Brig Gen Than Tun, head of OCMI’s<sup>6</sup> Politics and Counter-Intelligence Department was sentenced to 21 years and Brig Gen Myint Saw, head of the Nasaka, 40 years. The source also said Khin Nyunt’s personal astrologer has been detained.<sup>7</sup>
- Maj Moe Thu, commander of Military Intelligence [MI] Battalion 16 was also reportedly arrested and sentenced to 22 years imprisonment on 5 November.<sup>8</sup>
- Also on 5 November, Minister of Home Affairs Col Tin Hlaing and Minister of Labor Tin Win were “granted permission” to retire.<sup>9</sup>

It has been reported that hundreds of MI personnel have been detained, and thousands either interrogated and/or dismissed from their jobs.

Family members of MI have said this would make MI officers become more compassionate, because they now knew how the families of political prisoners felt.<sup>10</sup>

## MILITARY RESTRUCTURING

A restructuring of the intelligence system has been executed as part of the purge. On 22 October, Sr Gen Than Shwe abolished the National Intelligence Bureau (NIB), the body that formerly controlled the Defense Ministry's Military Intelligence Services, the Bureau of Special Investigation (BSI) and Special Branch (SB), which dealt with political, economic and criminal matters<sup>11</sup>.

On 23 October, then-Home Minister Tin Hlaing said the bureau was abolished as it was "no longer suitable for the welfare of the public."<sup>12</sup> Military Intelligence operations under the Defense Services are still in operation. Tin Hlaing said Military Intelligence will now operate under the Defense Ministry, while other units will answer to the Home Ministry.<sup>13</sup>

## BORDER ISSUES

Alongside the political changes in Rangoon have been shifts in the dynamics of border trade and security. Various contingents of MI agents and their Nasaka (border forces) associates, who have traditionally controlled much of the cross-border trade, have reportedly been summoned from their border posts since 18 October.<sup>14</sup>

This has meant confusion along the border, with traders unsure as to how their MI and Nasaka-linked business arrangements would continue. Contingents of army and police officials have since been sent to secure and monitor the border checkpoints in what could signify an enhanced, though perhaps short-lived, role for the under-valued Burmese Police Force.<sup>15</sup> It is expected that the border will return to 'normal' as military and police take over the role previously filled by intelligence and Nasaka forces.

## BORDER TRADE

On 21 October, Gen Maung Aye reportedly ordered a temporary halt to Thai goods crossing into Burma at the Mae Sai checkpoint. Soon after, another 18 cross-border trading posts were also closed, which is said to have sent prices of essential goods sky-rocketing.<sup>16</sup> Later reports suggest the borders have re-opened, though vehicle exports from Thailand remain suspended.<sup>17</sup>

## CONFISCATIONS, ARRESTS

Authorities are continuing to seize assets and properties belonging to the military intelligence, confiscating gold, money, shrimp farms, hotels, cars and motorbikes.<sup>18</sup>



Cartoon from The Irrawaddy

Gen Thura Shwe Mann said 186 military intelligence agents had been arrested, though the number is likely higher, as reports show that between 70 and 200 MI officials were arrested by military personnel in Muse (China-Burma border) alone.<sup>19</sup>

## THAILAND

In Thailand, the Thai Third Army beefed up its security forces along the Thai-Burma border soon after the purge, with Third Army Chief Lt Gen Picharnmet Muangmanee saying thousands of soldiers had been sent to reinforce those already deployed along the border. Prior to the increase in military presence, the Third Army had reportedly already deployed 30% of its personnel to the border.<sup>20</sup> Thai Immigration Police have tightened checks on people crossing the border, while military and police have reportedly intensified surveillance.<sup>21</sup>

Security controls in refugee camps have also been heightened, with bans on residents leaving the camps and threats of immediate reprisals for violators.<sup>22</sup>

## ECONOMY AND BUSINESS

### Closures

There have been mixed reports over the effects the purge has had on businesses in Burma and news has been vague in identifying specific closures. Nonetheless, there is consensus over the fact that businesses owned by military intelligence agents have been confiscated or shut down. According to residents in Rangoon, a MI-owned Three Stars Plastic Co. and Phoenix Travel Co, a MI-associated travel agency based at Rangoon Airport, along with their assets and inventories have been seized.<sup>23</sup> Seventeen newspapers, one linked to Gen Khin Nyunt's son, were also reportedly shut down or suspended.<sup>24</sup>

Meanwhile, surviving publications suffered confusion over what to publish, as MI officials previously governed most censorship committees. Some temporarily suspended operations. As the hardliners secured their positions, the publishers were instructed to resume operations, however censorship was to be implemented pre-publication. Previously, the censorship board made its decisions after publication, before distribution.<sup>25</sup>

Karaoke bars have also featured in reports on closures.<sup>26</sup> As Khin Nyunt's business links extended to hotels, mining, cash crops and massage parlors, more seizures and closures are likely.

Amid fears of looting in Rangoon, jewellery shops and cinemas were reportedly closed in the days following the purge, though were reopened soon after.<sup>27</sup>

Military Intelligence also had a hold over used car deals across the Thai-Burma border, and the Army has responded by seizing over USD 3 million worth of vehicles. The junta has ordered the seizure of all unregistered vehicles in Burma in an attempt to cut down illegal vehicle smuggling across its borders. Television and radio stations have ordered owners to surrender any unregistered vehicles or face legal action.<sup>28</sup> An estimated 400 unlicensed vehicles have been seized in Mandalay and another hundred at the Three Pagodas Pass. The trade in unregistered vehicles is also a major funding mechanism for the Democratic Karen Buddhist Army (DKBA) so the increased pressure is likely to pique the DKBA.<sup>29</sup>

## KYAT

The kyat has fallen slightly since the purge, and sits at an estimated USD1: 900 kyat,<sup>30</sup> while the price of gold has risen by 25% as people inside Burma try to secure their assets during the political uncertainty.<sup>31</sup> The junta has been working hard to allay fears of demonetization amid widespread rumors of counterfeiting.<sup>32</sup>

## TRADE & INVESTMENT

According to a report released by Kasikorn Research Centre, there will be little change in bilateral trade and investment with Thailand following the political changes. Similarly, Dow Jones suggested effects on trade would only be short-term, provided the economically erratic generals do not change the country's economic policy.<sup>33</sup>

As for the controversial Bt 4 billion (USD 99 million) loan from Thailand's EXIM bank, there was less consensus. The opposition Democrat Party demanded a reassessment of the loan. PM Thaksin Shinawatra responded by ordering the state bank to review its lending exposure in Burma for all future loans, but said existing loans would not be scrutinized: "I have instructed EXIM, like any other commercial bank, to take extra precautions and to take action if they detect any irregularities which do not benefit projects."<sup>34</sup>

## DRUGS

Since the changes in Rangoon, narcotics trafficking along the Thai-Burma border has reportedly slowed. Traders are adopting a "wait-and-see approach" as transactions were dependent on the MI and Nasaka forces. As a result, prices for heroin and methamphetamine have risen in recent weeks. But little will change in the long run: "It will... take sometime to cultivate relations with the new people in power before resuming business," said a Shan source in Zegao.<sup>35</sup>

**The transformation of the regime into a more traditional, hardline military junta provides several points of leverage that may be exploited to full effect in the next few months, while the new hardliners remain vulnerable:**

**LEGITIMACY:** The leadership are hungry for international recognition and acknowledgement to justify the purge of Khin Nyunt, who was more recognisable and acceptable to the international community. Hence, any threats to such legitimacy could be effective in securing political reforms.

**MONEY:** The economic pie has been shrinking due to sanctions, hence intensifying business competition between army and military factions – one of the key factors leading to the purge. Increased economic pressure would be a point of grave concern to the new leaders.

**MILITARY PRESTIGE:** As hardline traditionalists, they care deeply about military prestige – therefore military cooperation and access to equipment, including prestige acquisitions are definitely important.

**FAMILY:** Tightening visa bans on military leaders and their families are beginning to create intra-family pressures, particularly for young people wanting to flee the impoverished education system for colleges and career opportunities in Europe and North America.

Amid fears by Thai Narcotics control officials that groups in Burma would release stockpiled stores of drugs, military officers from Thailand and Burma agreed on 25 October to engage in joint village development and drug suppression operations near northern Thailand.<sup>36</sup>

## ETHNIC NATIONALITIES

Changes in upper level posts bring potential for shifts in policies on the ethnic nationalities, despite Gen Thura Shwe Mann's assurances that nothing will change. On 22 October, Thura Shwe Mann and Lt Gen Soe Win announced that the junta "fully intended to follow through on its commitments to the National Convention" and assured ethnic communities there would be no change in national policy towards armed groups who had 'returned to the legal fold.'<sup>37</sup>

Nonetheless, Burmese troop deployments in Karen State are reportedly being bolstered.<sup>38</sup> Third Army Chief Lt Gen Picharnmet said Gen Maung Aye appeared to be giving ethnic groups "some time to shape up before using force to bring them in line."<sup>39</sup> Continued Karen National Union (KNU) ceasefire negotiations are tenuous given the detention of the SPDC's negotiating parties.<sup>40</sup> One KNU official said "we have to suspend our efforts for now,"<sup>41</sup> while David Htaw, KNU Foreign Affairs chief, said "our ceasefire talks will go on."<sup>42</sup>

### ASEAN TURNS UP THE HEAT?

Khin Nyunt's ouster has proven to be a "wake-up call" for ASEAN. While not officially on the agenda, it is expected to be center stage at the ASEAN Summit in Laos, on November 29 and 30. With new PM Lt Gen Soe Win viewed with skepticism by key ASEAN leaders, his briefings on the SPDC's plans for 'national reconciliation' are eagerly awaited. "He and his foreign minister will face some hard questions, for sure," said one senior Southeast Asian diplomat.<sup>1</sup>

Malaysian Foreign Minister Syed Hamid Albar has warned the generals to show "tangible proof" it is moving towards democracy. "If Myanmar does not address the problem, then not only Myanmar is going to be affected, but the credibility and integrity of ASEAN as a whole is going to be affected," he said.<sup>2</sup>

1 AFP (22 Nov 04) Economic integration, Thailand, Myanmar to dominate ASEAN summit

2 AP (21 Nov 04) Malaysia tells Myanmar to show "tangible" proof it's serious about democracy

Similarly, the Wa leadership is also concerned that the Burma Army may re-open hostilities.<sup>43</sup> Lt Gen Picharnmet said it was likely the junta would adopt a tougher stance towards a number of ethnic groups, particularly the Wa.<sup>44</sup>

Others are less concerned. After a reassuring visit from Lt Gen Soe Win to Kachin State, Col Gunhtang Gam Shawng said the purge would not affect KIO ceasefire arrangements. "Even though he [Gen Khin Nyunt] was suspended from his post, we did not make a ceasefire agreement with him alone."<sup>45</sup>

But the Shan are not so certain. Shan State Army spokesperson Khur Hsen said, "the generals are clinging to a military solution. We believe that once they settle their internal affairs, the military will launch more offensives on the ethnic nationalities."<sup>46</sup>

### NATIONAL CONVENTION

Some ethnic nationality groups are considering backing out of the national convention following the purge. A spokesperson for the New Mon State Party (NMSP) said, "in principle, we must attend the convention, but if the political situation doesn't improve we may not attend."<sup>47</sup>

Similarly, the New Democratic Army-Kachin (NDA-K) said "our decision [to attend the convention] is still just fifty-fifty."<sup>48</sup>

### THE NLD & AUNG SAN SUU KYI

The NLD reacted to the appointment of Lt Gen Soe Win as PM with caution. "We must wait and see. It does not depend so much on Soe Win but on the number one (Than Shwe)," said party spokesperson U Lwin.<sup>49</sup>

Meanwhile, NLD leaders have found that surveillance against them has been altered, generating some concern about their personal security. Seasoned military intelligence personnel have been replaced by less-trained, and surly soldiers.<sup>50</sup>

Party leaders still remain keen to see Daw Aung San Suu Kyi released from house arrest soon, so that a comprehensive response to the changed regime leadership can be developed. However, there are some concerns that in the unlikely event she is released, she will be exposed to greater danger, now that Lt Gen Soe Win and his colleagues are in a stronger position to harm her. The current top leadership of the regime are notorious for their lack of hesitation to openly use violence.

### NCGUB

Zin Linn, spokesman for the National Coalition Government of the Union of Burma said the rise of Soe Win was a "blow to the opposition." He said Soe Win was the "main culprit" behind the Depayin Attack on Daw Aung San Suu Kyi in May 2003. "Even Khin Nyunt was shocked by what he did at Depayin and the two have been in conflict ever since."<sup>51</sup>

### INTERNATIONAL REACTIONS

#### THAILAND: SOE WIN 'A NICE GUY'

After playing a controversial role in announcing the deposition of Gen Khin Nyunt, Thailand made amends by welcoming the new Prime Minister and yet again conveying faith in the regime's desire for democratic change.

Foreign Minister Surakiart Sathirathai, an aspirant for the UN Secretary Generalship, said the new PM was "nice and easygoing" with "international understanding." Surakiart also expressed confidence that the regime would continue its path to democratization and reconciliation.

Thai PM Thaksin Shinawatra said Thailand would continue to employ 'constructive engagement' and said a "carrot, not stick approach" would be used to encourage democratization. "We prospered through democracy and we would like our neighbour to be the same," he said.<sup>52</sup>

"Everyone thinks negatively about the change of Myanmar's Prime Minister, but I don't think so. I think Myanmar is still the same," said Deputy PM Gen Chavalit Yongchaiyudh.<sup>53</sup>

But the Opposition Democrat Party is less confident, and called for the Thai EXIM Bank to review a 4 billion baht (USD 99 million) loan to ensure the "new administration would uphold the agreement."<sup>54</sup>

## MALAYSIA: WHY WEREN'T WE TOLD?

The Malaysian response to the ouster was shaped by Foreign Minister Syed Hamid Albar's aversion to being left out of the loop. After almost a week without clarification from the generals, the FM publicly commented that ASEAN would be better prepared to defend Burma internationally if the country updated members on what was happening.

With concern for the regional grouping, the FM said the image of ASEAN had been damaged by the purge, and admitted that it placed more pressure on ASEAN to resolve the issue. He said it was now up to Burma to show the world they are committed to reconciliation. ASEAN's image now "depends on what Myanmar does."<sup>55</sup>

At the same time, Malaysian Parliamentarians were saying they may call for the regime to be suspended from ASEAN unless democratic reform takes place. "Myanmar has taken advantage of the fact that ASEAN governments are very tolerant," said Nazri Aziz, Minister in the Malaysian Prime Minister's Department. "We have to tell them straight to their faces, what is not acceptable to us."<sup>56</sup>

## PHILIPPINES: MORE OF 'THE USUAL'

Philippine President Gloria Arroyo, though refusing to publicly comment on the ouster, said Burma's ASEAN neighbors would continue to pursue constructive engagement policies with Burma. She said the aim was to "encourage Myanmar to open up its democratic space."<sup>59</sup>

## INDONESIA: SURPRISE VISIT

Indonesia reacted to the ouster with caution, with Foreign Minister Hassan Wirayuda saying he hoped Lt Gen Soe Win's appointment would not "bring negative impact" to Burma's transition to democracy. Yet he conceded "hopes that she (Suu Kyi) would be released under the current administration are even slimmer."<sup>57</sup>

Wirayuda then made a surprise visit to Rangoon on 12 November, with spokesperson Marty Natalegawa saying the FM was seeking assurances of the generals' commitment. "[T]hose commitments include for example [the] implementation of [the] road map, carrying out of [an] inclusive national convention and even freeing Daw Aung San Suu Kyi."<sup>58</sup>

## CHINA: QUIETLY CONCERNED

In a word of caution to the generals, Chinese Foreign Ministry Spokesperson Zhang Qiyue quietly warned Rangoon to stay in line: "As a friendly neighbor, we sincerely hope that Myanmar can maintain social stability...We also hope that the process of national reconciliation and democracy in Myanmar can move forward."<sup>60</sup>

Since there have been long standing ties between ousted PM Khin Nyunt and the Chinese, the generals have made a tangible effort to re-charm their northerly neighbor. New PM Soe Win headed to China in the first week of November to shore

It appeared to be "business as usual" in China, with the 55 member Burmese delegation attending the China-ASEAN expo in Nanning, and plans for the annual China-Burma border trade fair continuing unchanged. However, Rangoon-based sources say that the Chinese had quietly registered their disapproval over Khin Nyunt's purge.

up friendly relations and attend an ASEAN business summit. Chinese Vice Premier Wu Yi reportedly told Lt Gen Soe Win in a meeting between the two that "Beijing remained a true friend" of the generals.<sup>61</sup>

It appeared to be "business as usual" in China, with the 55 member Burmese delegation attending the China-ASEAN expo in Nanning, and plans for the annual China-Burma border trade fair continuing unchanged.<sup>62</sup> However, Rangoon-based sources say that the Chinese had quietly registered their disapproval over Khin Nyunt's purge.

## INDIA: FRIENDLY OVERTURES

Border security has dominated the Indian response to the Rangoon ouster, after a well-timed visit from Sr Gen Than Shwe solidified friendly economic ties and border cooperation between the neighbors.

During the six-day visit, Sr Gen Than Shwe and Prime Minister Manmohan Singh signed three accords covering non-traditional security issues, the establishment of a hydro-electric project in Burma and a cultural exchange program. The visit also shored up co-operative agreements for an Indian border offensive against anti-Indian insurgents in the north-eastern region of the state.<sup>63</sup>

Economics were also a priority for the Senior General, as he visited a number of IT and software firms, holding discussions on prospective investments in Burma.<sup>64</sup>

Three days before the ouster, the Indian government denied a visa for Burmese Prime Minister-in-exile Dr Sein Win to attend a three day international convention for the restoration of democracy in Burma.<sup>65</sup>

## EU: ASIANS SHOULD HELP

The European Union responded to the ouster with calls that Asian nations pressure the regime to begin democratic reforms.<sup>66</sup> "We will continue the sanction regime and continue to ask our Asian partners to be helpful in convincing the government in (Myanmar) to mend its ways, release Aung San Suu Kyi and allow her party to participate in the congress taking place at the moment," said Bernard Bot, president of the EU Council of Ministers. "EU policy is one of keeping up the pressure and we hope we will get support from our Asian partners."<sup>67</sup>

## US : MORE PRESSURE, PLEASE

The United States responded with continued calls for sanctions against the regime. “Should Burma continue to deny its citizens basic human rights and freedoms, we urge the EU and other democracies in the international community to consider further strengthening sanctions, including placing a comprehensive import ban on Burmese products.”<sup>68</sup>

US State Department spokesperson Richard Boucher warned that the developments “don’t point in the direction of allowing freedom of exercise and human rights” and added calls for the release of Aung San Suu Kyi.<sup>69</sup>

## UN

On 19 October, UN Secretary-General Kofi Annan urged the junta to begin substantive dialogue with the NLD and other political and ethnic nationality parties. The Secretary-General said he was also concerned about the welfare of Daw Aung San Suu Kyi and her deputy, U Tin Oo.<sup>70</sup>

Meanwhile, UN Special Rapporteur Paulo Sergio Pinheiro declared: “While attention to the current political process in Yangon is well warranted, let us be reminded of the broader picture of the human rights situation in the whole country, which shows no improvement.”<sup>71</sup>

The purge has done little to re-ignite the role of UN Special Envoy Razali Ismail, with his chances of entering the country any time soon remaining slim;<sup>72</sup> yet he simply said the purge was “unfortunate.”<sup>73</sup> However, Razali appeared to bounce back with the prisoner releases announced by the regime on November 18 (see following section).

The purge is problematic for all parties, including the UN agencies and the International Labor Organization, attempting to negotiate access to Burma. All contacts reportedly used for negotiations have been ousted from leadership positions within the junta.<sup>74</sup>

### ENDNOTES:

- 1 Reuters (25 Oct 04) Myanmar shakeup offers glimpse of junta
- 2 Reuters (25 Oct 04) Myanmar shakeup offers glimpse of junta
- 3 Reuters (25 Oct 04) Myanmar shakeup offers glimpse of junta
- 4 General Thura Shwe Mann and Lt Gen Soe Win (24 Oct 04) Complete Explanation on the Developments in the Country. The actual nature of the incident remains somewhat of a mystery, with the ‘explanation’ merely detailing that an ‘incident’ occurred.
- 5 Mizzima (9 Nov 04) Khin Nyunt sentenced 40 years imprisonment.
- 6 OCMI, the Office the Chief of Military Intelligence, until the ouster, headed Military Intelligence in Burma. The Nasaka was technically listed as a separate paramilitary organization but functioned as the regime’s border security forces. Until the ouster, it was powerful group linked to intelligence, customs and immigration, and was notorious for extortion, rape and other human rights abuses.
- 7 Irrawaddy (9 Nov 04) OCMI staffers sentenced —Rangoon source
- 8 DVB (6 Nov 04) Burmese intelligence officials sentenced to 22 years imprisonment

- 9 Irrawaddy (9 Nov 04) OCMI staffers sentenced —Rangoon source
- 10 DVB (6 Nov 04) Burmese intelligence officials sentenced to 22 years imprisonment
- 11 Xinhua (22 Oct 04) Myanmar abolishes national intelligence bureau
- 12 AP (24 Oct 04) Senior Myanmar minister says intelligence body won’t be restored
- 13 AP (24 Oct 04) Senior Myanmar minister says intelligence body won’t be restored
- 14 Khonumthung (31 Oct 04) Indo-Myanmar Border Trade Frozen
- 15 Khonumthung (31 Oct 04) Indo-Myanmar Border Trade Frozen
- 16 Thai News Service (22 Oct 04) Myanmar shuts down border ports
- 17 Bangkok Post (5 Nov 04) Relations with Burma; End to used-car smuggling seen
- 18 Narinjara (12 Nov 04) A millionaire Nasaka Officer arrested in Arakan State
- 19 BBC (19 Oct 04) Thai delegation to China stranded in Burma after reported coup
- 20 Bangkok Post (26 Oct 04) More troops sent to beef up border – Army wary of new leaders in Rangoon
- 21 Thai News Service (22 Oct 04) Myanmar shuts down border ports
- 22 OANA (19 Oct 04) Mae Hong Son rushes to tighten up border control
- 23 DVB (17 Oct 04) Burma junta closes down MI travel agency
- 24 Reuters (25 Oct 04) Myanmar shakeup offers glimpse of junta
- 25 Altsean (8 Nov 04) Confidential interviews.
- 26 Reuters (25 Oct 04) Myanmar shakeup offers glimpse of junta
- 27 AFP (20 Oct 04) Myanmar’s hardliners extend control after shock PM sacking
- 28 AP (10 Nov 04) Myanmar government orders illegal car amnesty
- 29 Irrawaddy (2 Nov 04) Unlicensed autos confiscated
- 30 See [www.irrawaddy.org](http://www.irrawaddy.org). This figure as at 13 Nov 04
- 31 AFP (20 Oct 04) Myanmar’s hardliners extend control after shock PM sacking
- 32 AFP (10 Nov 04) Myanmar government seeks to quell currency fears
- 33 Dow Jones (20 Oct 04) Thai govt, businesses see no impact from Myanmar shake-up
- 34 AFP (21 Oct 04) Thailand to review future lending to Myanmar: PM
- 35 SHAN (2 Nov 04) Huge price hike in Muse
- 36 Thai News Service (25 Oct 04) Thai-Myanmar military in joint border development operation
- 37 General Thura Shwe Mann and Lt Gen Soe Win (24 Oct 04) Complete Explanation on the Developments in the Country
- 38 Thai News Service (22 Oct 04) Myanmar shuts down border ports
- 39 Bangkok Post (26 Oct 04) More troops sent to bee up border – Army wary of new leaders in Rangoon
- 40 Reuters (20 Oct 04) Myanma rebel group says ouster stalls peace talks

- 41 Reuters (20 Oct 04) Myanmar rebel group says ouster stalls peace talks
- 42 AP (21 Oct 04) Karen rebels return from Yangon after peace talks cut short by Myanmar Prime Minister's removal
- 43 Irrawaddy (3 Nov 04) Wa leader Hospitalized
- 44 Bangkok Post (26 Oct 04) More troops sent to beef up border – Army wary of new leaders in Rangoon
- 45 Irrawaddy (20 Oct 04) Ethnic groups uneasy over military purge
- 46 AP (22 Oct 04) Ethnic Peace May be in Jeopardy in Myanmar
- 47 Irrawaddy (20 Oct 04) Ethnic groups uneasy over military purge
- 48 Irrawaddy (20 Oct 04) Ethnic groups uneasy over military purge
- 49 AFP (20 Oct 04) Myanmar's hardliners extend control after shock PM sacking
- 50 Altsean (8 Nov 04) Confidential interviews.
- 51 AFP (20 Oct 04) Myanmar's hardliners extend control after shock PM sacking
- 52 The Nation (22 Oct 04) US condemns junta's new PM Soe Win
- 53 Thai News Service (26 Oct 04) UNHCR and Thailand to jointly assist Myanmar refugees
- 54 Thai News Service (27 Oct 04) Democrats urge government to review Bt4 billion Myanmar Loan
- 55 Kyodo (21 Oct 04) ASEAN's image hurt by shakeup in Myanmar, Malaysia says
- 56 AP (25 Oct 04) SE Asian lawmakers may seek Myanmar suspension from ASEAN
- 57 Jakarta Post (23 Oct 04) Myanmar's Friends
- 58 Irrawaddy (12 Nov 04) Indonesian Foreign Minister Visits Burma
- 59 AFP (25 Oct 04) ASEAN to pursue constructive engagement with Myanmar after power struggle
- 60 AP (22 Oct 04) Myanmar's new Prime Minister moves to shore up relations with former ethnic rebels
- 61 South Asia Analysis Group (9 Nov 04) Myanmar: The Shake up and the Fall Out
- 62 Xinhua (1 Nov 04) Myanmar eyes good prospects of trade ties with China
- 63 Mizzima (3 Nov 03) India to invest more in Burma
- 64 Mizzima (3 Nov 03) India to invest more in Burma
- 65 The Hindu (15 Oct 04) Sein Win denied visa to attend pro-democracy conference
- 66 The EU recently imposed stronger sanctions on Burma, when the regime failed to release Aung San Suu Kyi before the ASEM V in Hanoi, October 2004. The EU extended the visa ban to include serving members of Burma's armed forces of the rank of Brigadier-General and above. The EU also banned the "granting of any financial loan or credit to Burmese state-owned enterprises", and "the acquisition or extension of a participation in Burmese state-owned enterprise."
- 67 AP (28 Oct 04) European Union urges Asia to pressure Myanmar
- 68 AFP (18 Oct 04) US calls on EU and others to slap full import ban on Myanmar
- 69 AFP (20 Oct 04) Khin Nyunt's downfall spells new woes for Aung San Suu Kyi
- 70 UN Secretary General (19 Oct 04) Press Release SG/SM/9551: Secretary General calls on Myanmar Authorities to remain committed to national reconciliation, democratization
- 71 UNGA, 59th session (28 Oct 04) Statement by Mr. Paulo Sergio Pinheiro, Special Rapporteur on the situation of human rights in Myanmar
- 72 AFP (20 Oct 04) Khin Nyunt's downfall spells new woes for Aung San Suu Kyi
- 73 AP (20 Oct 04) UN Envoy says replacement of Myanmar PM "unfortunate"
- 74 South China Morning Post (8 Nov 04) Hardline chief tightens grip with more sackings

## WHO'S IN, WHO'S OUT

THE FOLLOWING LISTS THOSE MOST SIGNIFICANTLY AFFECTED BY THE PURGE THAT BEGAN ON OCTOBER 19. INFORMATION IS VALID AS OF NOVEMBER 15, 2004

### MINISTERS: OUT<sup>1</sup>

**Gen Khin Nyunt**  
Former Prime Minister

**U Tin Winn**  
Formerly Labor Minister, Chair of the Myanmar Information Committee, Ambassador to Washington & Bangkok, still registered as being in the Office of the Prime Minister

**Col Tin Hlaing**  
Fmr Home Minister and Chairman Central Committee for Drug Control

**Brig Gen Khin Maung**  
Fmr Deputy Agriculture & Irrigation Minister

**Brig Gen Kyaw Win**  
Fmr Deputy Minister for Industry-1

**Brig Gen Aung Thein**  
Fmr Deputy Livestock & Fisheries Minister

**U Nyi Hla Nge**  
Fmr Deputy Science & Livestock Minister

**Col Hla Min**  
Fmr Junta spokesperson, MI officer

### MINISTERS: IN

**Lt Gen Soe Win**  
Prime Minister, previously Secretary (1)

**Lt Gen Thein Sein**  
Secretary (1), previously Secretary (2)

**Maj Gen Maung Oo**  
Home Minister, previously Commander, Western Region

**U Thaug**  
Labor Minister, formerly Science and Technology Minister

### MILITARY INTELLIGENCE: OUT

**Brig Gen Myint Aung Zaw**  
Former head, OCMI Administration

**Brig Gen Hla Aung**  
Former head, OCMI Training

**Brig Gen Kyaw Han**  
Former head, OCMI Science & Technology

**Brig Gen Than Tun**  
Former head, OCMI Politics & Counter Intelligence

**Brig Gen Myint Zaw**  
Former head, OCMI Border Security & Intelligence

**Brig Gen Thein Swe**  
Former head, OCMI International Relations. Formerly posted as military attaché in Bangkok. Retired two weeks prior to purge and now claims to be suffering "amnesia."

**Brig Gen Than Htun**  
High ranking MI agent

**Col San Pwint**  
High ranking MI agent

**Brig Gen Khin Aung**  
High ranking MI agent

**Maj Moe Thu**  
Commander, MI Battalion 16 (Mandalay)

### WOMEN & WELFARE: OUT

**Khin Win Shwe**  
Former head, Myanmar Women's Affairs Federation and Myanmar Maternal and Child Welfare Association. Khin Nyunt's wife.

### WOMEN & WELFARE: IN

**Than Than Nwe**  
Head, Myanmar Women's Affairs Federation. Lt Gen Soe Win's wife.

**Khin Khin Win**  
Head of Myanmar Maternal and Child Welfare Association. Lt Gen Thein Sein's wife.

### ENDNOTES:

<sup>1</sup> Sources: Irrawaddy (25 Sept 03) The Junta's colorful Apologist , Irrawaddy (Oct 04) The Spook Goes Down , AFP (5 Nov 04) Two Myanmar ministers "permitted to retire", South China Morning Post (8 Nov 04) Hardline chief tightens grip with more sackings, Irrawaddy (9 Nov 04) The talk of the town

## WHO'S WHO: SPDC LEADERS' BIOGRAPHIES

(Pix & Text from: Irrawaddy Vol. 12, No. 9 October 2004)

### SENIOR-GENERAL THAN SHWE

As Chairman of the ruling State Peace and Development Council, or SPDC, and Commander in Chief of the Armed Forces, Than Shwe is the paramount leader of the military regime, which he has helmed since April 23, 1992.

He worked in the postal service before joining the army's Officer Training School at age 20 where he became a psychological warfare expert. A captain in 1960, by 1985 he was promoted to major-general and named Deputy Chief of Staff of the Army.



After the bloody demonstrations in 1988, Than Shwe became Vice Chairman of the then ruling State Law and Order Restoration Council, or SLORC, Deputy Minister of Defense, and Army Chief of Staff. In 1990 he was promoted to general.

He planned the first National Convention to draft a new constitution, which first convened in 1993. The same year, the junta formed the Union Solidarity and Development Association, or USDA, the junta's civilian mass organization, of which Than Shwe is patron.

**We hear:** Than Shwe is said to think and act like a king and is rumored to seat visitors to his home in chairs lower than his, just as the dictator Ne Win did. His family members prefer to address each other with royal titles. In a recent meeting with an Asian ambassador, he reportedly said he wanted see the end of military rule in Burma. He also reportedly considers the constitution-drafting convention as his only exit from the political deadlock.

### DEPUTY SENIOR-GENERAL MAUNG AYE

Deputy Sr-Gen Maung Aye is the army chief and vice chairman of the junta. In 1959 he graduated from the Defense Service Academy (1st intake) with a Bachelor of Science.



He became commander of the Northeast Region in 1968, served in Infantry Battalion 68 as a lieutenant colonel and was promoted to colonel in 1979. In 1988, he became commander of the Eastern Region with the rank of brigadier-general.

Two years later he was promoted to major-general. In 1992 he was made Army Chief. In 1993 he was

named lieutenant-general and the Deputy Commander in Chief of Defense Services. In 1994 he was appointed Deputy Chairman of SLORC, and now holds the same position in the SPDC.

A career soldier, he is believed to have long been at loggerheads with ex-PM Khin Nyunt. As a commander in Shan State, he forged close ties with influential businessmen such as Aung Ko Win, a.k.a. Sayar Kyaung, the chairman of Kanbawza Bank and the Billion Group.

But Maung Aye has generally been hostile toward the ethnic groups, particularly the Kachin and Karen; during a televised surrender ceremony with a battalion of Karen insurgents, he walked on the Karen flag. Karen were outraged.

Thai security advisors say that Maung Aye holds a grudge against the Thai Third Army, which is responsible for patrolling much of Thailand's border with Burma. He was unhappy with Thailand's joint military exercises with the US, some of which were held along the border.

Maung Aye is tipped to take over the junta if Than Shwe steps down. But some speculate that he will meet the same fate as Khin Nyunt and that Gen Thura Shwe Mann would become army chief and SPDC deputy chairman.

**We hear:** Aung San Suu Kyi has reportedly called Maung Aye the most charismatic of Burma's top brass. His friendliness toward Suu Kyi when the two last dined together was described as unusual. Army sources have said Maung Aye wants to keep the army clear of politics. He has been reported to have been in poor health for several years.

### LIEUTENANT-GENERAL SOE WIN

Before his appointment as prime minister in October, Soe Win was best known for his part in the crackdown on democracy protestors in 1988—deploying troops around Rangoon University and ordering them to shoot at Rangoon General Hospital during the upheaval.

A graduate of the Defense Services Academy (12th intake), he became Tactical Operations Commander 3 of the Northwestern Regional Command in 1990. In 1997 he was named Regional Commander and a member of the junta. In November 2001 he was named Air Defense General of the War Office. In February 2003 he was promoted to Secretary-2 of the junta, which was vacant after Lt-Gen Tin Oo was killed in a helicopter crash two years before.



He is a senior member of the USDA and is close to Than Shwe. The two men see eye-to-eye on “nation building projects”, which include constructing dams, roads and bridges. He is widely regarded as the mastermind behind the deadly attack against Suu Kyi and her supporters in Depayin in May 2003. The same year he accompanied Than Shwe on state visits to Vietnam and China. Soe Win also signed the order to dismiss Foreign Minister Win Aung and his deputy in September.

A devout Buddhist, Soe Win upped the persecution against the predominantly Christian Chin when he was the Northwestern Regional Commander in Chin State.

**We hear:** Soe Win was once quoted as saying at a local gathering of the USDA in Prome that “the SPDC not only will not talk to the NLD but also would never handover power to the NLD.”

### GENERAL THURA SHWE MANN

Gen Thura Shwe Mann is the Defense Services Chief of Staff. He graduated from the Defense Services Academy in 1969 (11th intake).



A year later he was promoted to lieutenant colonel and conferred the title ‘Thura’ for his bravery in action against Karen insurgents at their headquarters in Manerplaw, during his time as a regiment commander.

In 1991 he was promoted to colonel and became one of the tactical operations commanders of the Light Infantry Division, or LID, 66

based in Prome. In 1996, he was named a brigadier general and appointed as the commander of the elite LID 11, based in Htauk Kyant, 32 km west of Rangoon.

In 1997 he was appointed Commander of the Southwest Regional Command in Bassein. In 2000, he became a permanent member of the junta.

In 2001, he was transferred to the Ministry of Defense and named Joint-Chief of Staff of the armed forces. The following year, he was assigned to the newly created position of ‘Tatmadaw Nyi Hnying Kutkae Yay Hmu’ which authorized him to supervise the Army, Navy and Air Force commanders, the commanders of the four Bureaus of Special Operations, and the Commander of the Rangoon Command. In 2003, he was promoted to general.

Regarded as a loyal military servant, Shwe Mann has earned the trust of senior and junior officers in the armed forces. Some suggest that Shwe Mann has been groomed to replace Than Shwe as Commander in Chief.

**We hear:** This year, Shwe Mann’s son married the daughter of prominent businessman Zaykabar Khin Shwe. At a lavish wedding party held in the Sedona Hotel, the keys to more than 50 new vehicles were presented as gifts.

### LIEUTENANT-GENERAL THEIN SEIN

Recently appointed Secretary-1, Thein Sein was the Commander of the Triangle Regional Command in 2001, considered one of the most vital military positions. There he dealt with local drug lords in Shan State and with the Thais—whom he reportedly distrusts and dislikes—to resolve conflicts along the border. But he failed to convince several insurgent groups operating in the area to enter ceasefire agreements with the military.

He graduated from the Defense Services Academy (ninth intake) and became a colonel in 1986. He later was named Commander of Strategic Command 2 of the Eastern Regional Command, and in 1992 became a general staff officer at the War Office in Rangoon. In 1997 Thein Sein became a member of the SPDC.



In late 2001 he was promoted to major general and appointed Adjutant-General of the War Office. A year later he was elevated in rank to lieutenant-general.

Thein Sein also heads the National Convention Convening Commission and is the Chairman of the Central Organizing Committee for Burma’s War Veterans Organization. He is regarded as one of Than Shwe’s strongest supporters.

## PRISONER RELEASES: EASING THE PRESSURE VALVE?

### WHO WAS RELEASED?

Authorities have not released a list of who will be freed. Amnesty International reports that a total of 3,937 prisoners will be released. Of those already released, most were petty criminals, said to be serving terms of five or seven years for robbery or assault.<sup>4</sup>

Only several hundred prisoners have been released so far, and some say further releases will be delayed.

One high profile release is student leader Min Ko Naing.<sup>5</sup> A Reuters report said Win Tin, aide to Aung San Suu Kyi, was also released on Friday.<sup>6</sup> NLD Central Executive Committee member Than Tun also reportedly said Win Tin was released alongside female MP Mey Win Myint,<sup>7</sup> but others say U Lwin has denied rumors of his release.<sup>8</sup> Another report also suggests that at least two-dozen NLD members will be released.<sup>9</sup>

Other freed prisoners are said to be “cronies of the regime who were imprisoned for rubbing the authorities the wrong way over the past decade.”<sup>10</sup> They also reportedly include military personnel arrested during the past two years in connection with the daughter of Burma’s late dictator, Ne Win. Others are said to be members of the United Wa State Army. Most of those who were released had either completed their prison term or were close to finishing.”<sup>11</sup>

### SOME STILL WAITING

One MP awaiting discharge was told he faced an additional 60 days in prison. Than Nyen, NLD politician and Gen Khin Nyunt’s brother-in-law, was told he would remain under detention for another 60 days despite having served his seven-year jail term.<sup>12</sup>

### WHAT ABOUT AUNG SAN SUU KYI?

Spokesperson for the National League for Democracy, U Lwin, welcomed the move: “We are very glad no matter who is released,” he said.<sup>13</sup> However diplomats have stressed that it is “not possible” that Aung San Suu Kyi or her NLD deputy U Tin Oo would be among those freed.<sup>14</sup> However, as this report goes to print, wild rumours emerged that their release was imminent. Military checkpoints near Aung San Suu Kyi’s home were reportedly removed on 23 November.

### NO SIGNS OF CHANGE

Despite raised hopes surrounding the announced releases, observers were quick to advise caution: “There are no signs this represents any fundamental change in their policy toward the democratic opposition, or dissenters in general.” Rangoon diplomat<sup>15</sup>

On 5 November, three NLD members were arrested and sentenced to seven years in prison for distributing pamphlets to party members. The arrests are a signal that the SPDC intends to continue its repression of political voices in Burma.<sup>16</sup>

In a ploy to dispel mounting international pressure, the SPDC announced, on 18 November, plans to release 3,937 prisoners.

Amnesty International has clarified that only about 20 of the prisoners set to be released are political prisoners.

Wire services reported on 23 November that the releases appeared to have halted, with one jailed MP told he now faced an extended sentence.

Student leader Min Ko Naing, first detained in 1988 for his role in the 8888 student protests was released on 19 November. Min Ko Naing said he believed he was wrongfully charged by Military Intelligence: “So I thought it was appropriate that they released me”.<sup>1</sup>

Most of the prisoners were petty criminals sentenced to five to seven years in prison. Others were business or political rivals of ousted PM Gen Khin Nyunt and other military intelligence officers.

Although the releases have been cautiously welcomed, there has been no sign the SPDC intends to reduce pressure on the NLD or other political parties inside Burma.

The SPDC has said the releases are a result of their conclusions “...that the National Intelligence Bureau may have used irregular and improper means to put them into prison.”<sup>2</sup>

UN Special Envoy, Razali Ismail, welcomed the “quite exceptional” number of detainees due to be released and said Aung San Suu Kyi wanted her freedom only after all other political prisoners.<sup>3</sup>

### A RESPONSE TO PRESSURE

While the generals have pegged the mass release as a response to the MI’s “improper” behavior, most analysts believe the generals are desperately trying to stave off international pressure in the lead-up to this month’s ASEAN Summit in Laos.

“It is an overture to the international community which has become more and more stern in its approach to the junta, which has come under withering criticism from international quarters,” one Western diplomat said.<sup>17</sup>

Another Rangoon-based observer called the release a “ploy to ease widespread international condemnation of the dismissal of Prime Minister Khin Nyunt and his replacement by a hardline general.”<sup>18</sup> “These are damage-control meas-

ures taken by the military hierarchy to negate some of the negative developments here," the observer said.<sup>19</sup>

Zin Linn, a representative from the National Coalition Government of the Union of Burma, says the release was a signal to India and China: "ASEAN and neighbors India and China have been worried about the present situation, and the junta needed to show some signal they were on the democratic trend... There may have been some suggestions to them that they should go along with democratic reforms."<sup>20</sup>

## NOT THE FIRST TIME

The prisoner releases should not be overstated. This is not the first time such a 'goodwill gesture' has taken place, and in the long run meant very little.

- In May 2003, the junta freed 18 political prisoners after a hunger strike brought intense pressure from international governments and grassroots actors.<sup>21</sup> Soon after, the SPDC orchestrated the assassination attempt against Daw Aung San Suu Kyi at Depayin.
- On 21 November, 2002, the SPDC released 115 political prisoners, in the largest mass release of political prisoners in 14 years. Then too, the international community viewed the releases as a poor attempt to divert international pressure away from democratization.<sup>22</sup>
- During 2001, the SPDC periodically released small groups of political prisoners in connection to their talks with Daw Aung San Suu Kyi. During 2001, the generals released a total of 550 political prisoners, though only 130 actually obtained early releases: most of those freed had never formally been charged.<sup>23</sup>

## DAW AUNG SAN SUU KYI: BURMA'S MOST FAMOUS POLITICAL PRISONER

Aung San Suu Kyi will have spent 9 years and a month in detention as of November 24, 2004.

- She was first placed under house arrest in July 1989 and released six years later on 10 July 1995.
- In July and August 1998, Daw Aung San Suu Kyi attempted twice to travel outside Rangoon to meet NLD members. On both occasions, she spent days confined in her vehicle on the road before police seized her car, and forced her to return home.
- In August 2000, 200 riot police near Dala surrounded her motorcade, and she was forced to return to Rangoon after a nine-day standoff.
- On 21 September 2000, Daw Suu and NLD Vice-Chairman U Tin Oo were arrested together at Mandalay Train Station. She was later released in May 2002, only to be brutally attacked during the Depayin Massacre in May 2003.

## Junta's prison doors shut

**RANGOON:** Burma's planned release of nearly 4,000 prisoners appeared to have halted yesterday with no sign of any easing of restrictions around the nation's most famous detainee, democracy leader Aung San Suu Kyi. Families of political dissidents faced an anxious wait after one opposition MP expected to have been released was told he faced an additional 60 days in prison, according to his family. Burma's junta on Thursday ordered the release of nearly 4,000 inmates they say may have been wrongly imprisoned by a now-dissolved military intelligence unit but the opposition says red tape meant the process could take a week. AFP

Bangkok Post, Nov. 23, 2004

## ENDNOTES:

- 1 Irrawaddy (22 Nov 04) Min Ko Naing 'unsurprised' by his release
- 2 AFP (20 Nov 04) Prisoners to be Freed in Burma
- 3 AFP (22 Nov 04) Uncertainty surrounds Myanmar prisoner release as families wait
- 4 AFP (22 Nov 04) Uncertainty surrounds Myanmar prisoner release as families wait
- 5 AFP (22 Nov 04) Uncertainty surrounds Myanmar prisoner release as families wait
- 6 International Herald Tribune (20 Nov 04) Myanmar junta freeing some of its foes
- 7 AFP (19 Nov 04) Prominent Myanmar pro-democracy figures part of mass prison release
- 8 Mizzima (19 Nov 04) U Win Tin not free
- 9 International Herald Tribune (20 Nov 04) Myanmar junta freeing some of its foes
- 10 USCB (19 Nov 04) Breaking News Update—MIN KO NAING FREED!!!
- 11 USCB (19 Nov 04) Breaking News Update—MIN KO NAING FREED!!!
- 12 AFP (22 Nov 04) Uncertainty surrounds Myanmar prisoner release as families wait
- 13 International Herald Tribune (20 Nov 04) Myanmar junta freeing some of its foes
- 14 AFP (19 Nov 04) Prominent Myanmar pro-democracy figures part of mass prison release
- 15 International Herald Tribune (20 Nov 04) Myanmar junta freeing some of its foes
- 16 AFP (15 Nov 04) Three members of Myanmar's opposition arrested for distributing pamphlets
- 17 AFP (19 Nov 04) Prominent Myanmar pro-democracy figures part of mass prison release
- 18 AFP (19 Nov 04) Prominent Myanmar pro-democracy figures part of mass prison release
- 19 AFP (19 Nov 04) Prominent Myanmar pro-democracy figures part of mass prison release
- 20 AFP (21 Nov 04) Foreign pressure may have prompted Myanmar junta to free some foes: analysts
- 21 Free Burma Coalition (5 May 03) Prominent Political Prisoner Released in Burma
- 22 AAPPB (21 Nov 02) Statement on the conditional release of 115 political prisoners in Burma
- 23 AAPPB (21 Nov 02) Statement on the conditional release of 115 political prisoners in Burma

## WHY THE RELEASES?

### INTERNATIONAL PRESSURE

Khin Nyunt's ouster proved to be a "wake-up call" which resulted in a wave of concern and pressure from the international community, notably ASEAN and China:

- China and Singapore had quietly expressed displeasure at the setbacks implied by the ouster.
- The Indonesian Foreign Minister's 12 November visit to Rangoon would have flagged fast-diminishing patience with the regime. Regional pressure has targeted Burma's chairing of ASEAN, scheduled to occur in mid-2006, and governments have not ruled out skipping Burma for the role.
- Moves have begun within the ILO governing body to renew calls for concerted action against forced labour in Burma under as outlined in its 2000 resolution on Burma. This could lead to far-ranging sanctions against the regime.
- The upcoming ASEAN Parliamentarians' Workshop on Myanmar in Kuala Lumpur on 26-28 November, followed by the ASEAN Summit in Vientiane 29-30 November, would discuss whether Burma should be disqualified from chairing ASEAN in 2006. The regime seems to have shrunk its sphere of international interaction to ASEAN, China, India and Pakistan. Therefore, threats to their standing with these states would be taken very seriously.
- The regime may be hoping that releases of prisoners would ease international pressure and convince the international community to support its roadmap to democracy.

### INTERNAL PRESSURE

The hardliners may have released the prisoners because they:

- Feel compelled to 'prove' that they can do a better job than Gen Khin Nyunt.
- Want to make Khin Nyunt and his associates the scapegoats for Burma's loss of international and domestic credibility.
- Think that such a move would shore up the confidence of the local business community, which took a severe beating in the wake of the Khin Nyunt purge.
- Need to free up space in jails for a new round of political prisoners including, possibly, Gen Khin Nyunt and his associates.

### WHAT NEXT?

Pressure must be maintained to ensure that the significant step implied by these releases actually lead to:

- The unconditional release of all political prisoners including Daw Aung San Suu Kyi and U Tin Oo.
- A cessation of military hostilities in ethnic and border areas. While pro-democracy activists, especially prisoners whose prison terms have almost been fully served, have been released, ethnic nationality groups may still be extremely vulnerable to military attack in the near future.
- Commencement of political dialogue and the observance of conditions that are conducive to the inclusion and democratic participation of the NLD and political parties in all aspects of the roadmap.
- Strengthening the rule of law and the capacity of civil and legal institutions to protect and uphold human rights.

### CONCLUSION

It is clear pressure has worked. The question is whether the Asian region will have the staying power to ensure that pressure can maintain the momentum launched by these recent releases.

The key points of leverage that must be exploited are:

**LEGITIMACY:** The leadership are hungry for international recognition and acknowledgement to justify the purge of Khin Nyunt, who was more recognisable and acceptable to the international community. Hence, any threats to such legitimacy could be effective in securing political reforms. A key concern is the chairing of Asean in 2006.

**MONEY:** The economic pie has been shrinking due to sanctions, hence intensifying business competition between army and military factions - one of the key factors leading to the purge. Increased economic pressure would be a source of grave concern for the new leaders.

**MILITARY PRESTIGE:** As hardline traditionalists, they care deeply about military prestige: Therefore military cooperation and access to equipment, including prestige acquisitions are definitely important.

**FAMILY:** Tightening visa bans on military leaders and their families are beginning to create intra-family pressures, particularly for young people wanting to flee the impoverished education system for colleges and career opportunities in Europe and North America.

## LOTS OF NOISE, LITTLE CHANGE: HUMAN RIGHTS POST-KHIN NYUNT

While ousted Gen Khin Nyunt has been responsible for much of the harassment of the pro-democracy movement, his removal has not made a difference to the suffering endured by civilians.

### PEOPLE STILL LACK ACCESS TO BASIC AMENITIES

People in Mandalay (central Burma) have literally been living in the dark since the ousting of Gen Khin Nyunt. Reports show there has been no electricity for nearly a month in Burma's second largest city: only Lt Gen Yan Thein, the city's mayor, has been receiving a regular power supply. Despite the SPDC's anti-corruption airs, the electricity debacle has allowed corruption to flourish, with hotel owners bribing electricity plants to receive a regular supply.

### THE JUNTA CONTINUES TO SEIZE LAND FROM CIVILIANS

A report from 2 November said an additional 350 acres of land in Southern Mon State had been seized by the SPDC, forcing farmers into daily unpaid labor.<sup>2</sup>

### THE NLD STILL HARRASSED

Three NLD members were arrested on 5 November for distributing pamphlets to party members. The three face jail terms of up to seven years. According to U Win Myint, the NLD has written to PM Lt Gen Soe Win requesting a waiving of the allegations, but has not yet received a reply.<sup>3</sup>

### ABUSES AGAINST WOMEN CONTINUE

Reports continue to surface of abuses against women in ethnic areas by Army officers. Women in one Mon village are still being forced to 'entertain' senior military commanders each night at military camps.<sup>4</sup>

### PEACEFUL ACTIONS STILL TARGETED

On 25 October, a court in Rangoon sentenced two men to prison in connection with a one man protest outside UN Offices. The two were sentenced to two years in prison after a closed trial at Insein Prison. Neither was permitted to present a defence.<sup>5</sup>

### FORCED CONSCRIPTION STILL ON

On 22 October, LIB-530 ordered villagers in Southern Shan State to send male youths between 18 and 35 to be trained as paramilitaries. The youths were later ordered to change into army uniform and patrol the region. Villagers were then told that if they wanted to see their boys back, they would have to pay 10,000 kyat (about USD 10) for each of them.<sup>6</sup>

Amidst the tumult of political upheaval, little has improved in the daily lives of civilians in Burma.

While world attention is riveted on the recent ouster of Myanmar's prime minister, UN Rapporteur Prof. Pinheiro has urged: "...let us be reminded of the broader picture of the human rights situation in the whole country, which shows no improvement." .<sup>1</sup>

#### ENDNOTES:

- 1 Reuters (28 Oct 04) UN expert urges Myanmar to end limits on politics
- 2 Kao Wao (2 Nov 04) More Monland lost to Burma army
- 3 AFP (15 Nov 04) Three members of Myanmar's opposition arrested for distributing pamphlets
- 4 Kao Wao (2 Nov 04) More Monland lost to Burma army
- 5 Reuters (28 Oct 04) UN expert urges Myanmar to end limits on politics
- 6 SHAN (3 Nov 04) Youths for Ransom in Shan State

## LEGISLATORS ACTING ON BURMA

Parliamentarians worldwide have, at times, been very active at promoting the cause of democracy in Burma.

However parliamentarians from ASEAN countries have yet to coordinate a substantial regional effort to support democratic change in Burma. Below is a description of some of the key actions undertaken by legislators on Burma.

### INTER-PARLIAMENTARY UNION

The Inter-Parliamentary Union (IPU), an international organization of Parliaments founded in 1889, has consistently condemned Burma's military regime for its refusal to implement the results of the 1990 election. In its annual resolutions on Burma, the IPU, currently representing 140 Member Parliaments and seven Associate members such as the European Parliament, calls on the regime to release imprisoned MPs. The IPU has also sought an on-site mission of parliamentarians to clarify the case of the imprisoned MPs, something the regime has systematically refused.<sup>2</sup>

The IPU is severely critical of the regime's so-called roadmap to democracy. "The National Convention, in its present form, is designed to prolong and legitimize military rule against the will of the people, as expressed in the 1990 election," stated the most recent IPU resolution that was adopted on 1 October 2004.<sup>3</sup>

In April 1997, the IPU called on member Parliaments from the ASEAN region to be "duly cautious about admitting a State in breach of the most fundamental human rights norms."<sup>4</sup> Following Burma's admission to ASEAN, the IPU expressed hope that this membership would help Burma "bring its law and practice more into line with international human rights standards."<sup>5</sup> Unfortunately, it didn't.

By 2001 the IPU had already called on its member Parliaments to show their solidarity with their elected colleagues from Burma by "forming parliamentary caucuses to promote awareness of the situation of their colleagues in Myanmar among fellow MPs, and to make appropriate Myanmar-related policy recommendations to their governments."<sup>6</sup> Such policies, the IPU clarified in a later resolution, included "discouraging trade with or tourism to Myanmar."<sup>7</sup>

The IPU was "shocked" at the violent attack on Daw Aung San Suu Kyi and her entourage at Depayin, and urged the authorities "to conduct without any further delay a thorough, independent and transparent investigation into the 30 May 2003 event".<sup>8</sup>

In light of the dramatic lack of process towards democracy in Burma, the IPU reaffirmed in its 1 October 2004 resolution that "stronger and more concerted action by members of the Inter-Parliamentary Union, in particular those from the region, is required to press for the respect of democratic principles in Myanmar."<sup>9</sup>

The next IPU Assembly will be held in Manila on 3-8 April 2005.

"The case of the Burmese MPs elected in 1990 is particularly painful for the Inter-Parliamentary Union. It is no secret that the MPs elected in 1990 have never been able to exercise their mandate." ~ Mr. Francois Autain, President of the Committee on the Human Rights of Parliamentarians, IPU <sup>1</sup>

### 3,285 PARLIAMENTARIANS SIGN SOLIDARITY DECLARATION

In 2000 the Burmese government-in-exile, the National Coalition Government of the Union of Burma (see Burma Briefing Vol. 1 p.63), launched a signature campaign to raise support for Burma's MPs-elect from parliamentarians worldwide. A total of 3,285 parliamentarians from 94 countries and the European Parliament signed the "Declaration of Members of Parliaments throughout the World in Solidarity with the Democratically Elected Members of the Parliament of Burma". The Declaration calls for the release of imprisoned MPs-elect, an end to violations of human rights in Burma, and the right of the duly elected representatives of Burma to convene the parliament. In the ASEAN region, 131 MPs-elect from five countries signed the Declaration.<sup>10</sup>

### EUROPEAN PARLIAMENT CALLS FOR INCREASED PRESSURE ON BURMA

The European Parliament has consistently insisted that "the SPDC relinquish its grip on power and that the results of the last elections be fully respected."<sup>11</sup> The European Parliament, now comprising 732 Members from 25 countries<sup>12</sup>, has called in its annual resolutions on Burma for the release of Daw Aung San Suu Kyi and all political prisoners. The European Parliament was opposed to the participation of Burma at the ASEM Summit in Hanoi in October 2004, and has called on the EU to strengthen its common position on Burma to include an import ban on Burmese goods. It has also called on the United Nations to impose targeted sanctions on Burma.<sup>13</sup>

The European Parliament's efforts were rewarded when the EU imposed stronger sanctions on Burma after the October 2004 ASEM V in Hanoi. The EU extended the visa ban to include serving members of Burma's armed forces of the rank of Brigadier-General and above. The EU also banned the "granting of any financial loan or credit to Burmese state-owned enterprises", and "the acquisition or extension of a participation in Burmese state-owned enterprise".<sup>14</sup>

On 16 September 2004, the European Parliament called on the ASEAN states "to join the EU in exerting greater pressure on the SPDC to release Aung San Suu Kyi and other detained NLD members immediately, and to take meaningful steps to exercise their influence over the Burmese regime so as to bring about change for the better in Burma."<sup>15</sup>

In October 2004 Malaysian Parliamentarians said they might seek Burma's expulsion from ASEAN if there is no transition to democracy. Opposition parliamentary leader Lim Kit Siang said that ASEAN must "consider unpleasant options such as the expulsion or suspension of Myanmar from ASEAN."

Datuk Nazri Aziz, Minister in the Prime Minister's Department, added "Myanmar has taken advantage of the fact that Asean governments are very tolerant [...] We have to tell them, straight to their faces, what is not acceptable to us."<sup>22</sup>

In October 2004 the Italian Parliament's Foreign Affairs Committee passed a motion calling on the Burmese junta to respect the results of the 1990 election, to free all political prisoners, and allow the NLD to operate freely.

The motion also called on the ASEAN states "to join the EU in exerting greater pressure on the SPDC to release Aung San Suu Kyi and other detained NLD members immediately, and to take meaningful steps to exercise their influence over the Burmese regime so as to bring about change for the better in Burma."

Already in 1995 the European Parliament had expressed its concern "at ASEAN's policy of 'constructive engagement' towards Myanmar, given that there is a risk of it being interpreted as support for the SLORC."<sup>16</sup>

### PARLIAMENTARIANS SUPPORT THE CRPP

The creation of the Committee Representing the People's Parliament (CRPP) in September 1998 garnered strong support from parliamentarians worldwide. The National League for Democracy (NLD) established the CRPP to represent the parliament elected in Burma on 27 May 1990 until it is convened. In reaction to the CRPP's creation, the regime arrested and detained at least 200 NLD MPs and hundreds of party members on 6 September 1998.<sup>17</sup>

The following parliamentary bodies were the first to support the CRPP:

- The Inter-Parliamentary Union,
- The Norwegian Parliament,
- The Danish Parliament,
- The Belgian Parliament,
- The European Parliament,
- The Legislative Assembly of British Columbia (Canada),
- The National Assembly of Quebec (Canada).

In its resolution adopted on 16 October 1999 in Berlin, the IPU stated that "in demanding that Parliament be convened and in setting up the [CRPP], the MPs-elect are merely defending the rights of their constituents to take part in the conduct of public affairs through representative of their choice, as guaranteed under Article 21 of the Universal Declaration of Human Rights, and exercising their right to discharge the mandate entrusted to them in 1990."<sup>18</sup>

### US CONGRESS: UNITED ON BURMA

US Congress resolutions on Burma are among the most unanimous adopted by US legislators in recent years. The US House of Representatives voted 418-2, and the US Senate 94-1, in favor of new sanctions on Burma in July 2003, following the brutal attack by the regime on the NLD and Daw Aung San Suu Kyi in Depayin.<sup>19</sup> A similar landslide vote took place in June 2004, to renew the measures contained in the "Burma Freedom and Democracy Act of 2003" for a year.<sup>20</sup>

In October and September 2004 the US Congress adopted bipartisan resolutions calling on the United Nations Security Council to "immediately consider and take appropriate actions to respond to the growing threats posed to the South-east Asia region by conditions in Burma."<sup>21</sup>

### OTHER RECENT PARLIAMENTARIAN INITIATIVES ON BURMA

In October 2004 Malaysian Parliamentarians said they might seek Burma's expulsion from ASEAN if there is no transition to democracy. Opposition parliamentary leader Lim Kit Siang said that ASEAN must "consider unpleasant options such as the expulsion or suspension of Myanmar from ASEAN." Datuk Nazri Aziz, Minister in the Prime Minister's Department, added "Myanmar has taken advantage of the fact that Asean governments are very tolerant [...] We have to tell them, straight to their faces, what is not acceptable to us."<sup>22</sup>

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On 18 September 2004 the New Zealand government announced a visa ban on regime officials and their family members, to protest the ongoing detention of Daw Aung San Suu Kyi and human rights abuses.<sup>24</sup>

## ASEAN: PARLIAMENTARY CAUCUSES ON BURMA FORMED

### Malaysia

In late May 2004, Malaysian MPs announced the formation of a bipartisan parliamentary caucus on Burma. "We see the problem in Myanmar as a regional problem and we want to assist," said Datuk Seri Nazri Aziz, Minister in the Prime Minister's Department and chair of the caucus. The caucus plans to advise the Malaysian government on how to persuade the junta to restore democracy, and also assist in the work of UN Special Envoy Razali Ismail.<sup>25</sup>

The caucus has urged the regime to release Daw Aung San Suu Kyi and all political prisoners, to include the NLD in the National Convention and to transfer power to the Parliament elected in 1990. The group also called on the regime "to respect ASEAN and international opinion and return to the mainstream of responsible international norms and behavior". Malaysian Parliamentarians expressed the hope to eventually visit Burma and meet with Daw Aung San Suu Kyi.<sup>26</sup>

### Thailand

In August 2004 it was announced that some Thai legislators also formed a parliamentary caucus on Burma, including Democrat MP Sukhumbhand Paribatra, Bangkok Senator Jon Ungphakorn, and Chiang Rai Senator Tuenjai Deetes.<sup>27</sup> Other legislators from ASEAN countries have also expressed interest in parliamentary action on Burma.

Also making their support for a democratic Burma clear, in 2001, 16 Philippines congressmen crossed party lines to sign a manifesto of support for the NLD.<sup>28</sup>

### ENDNOTES:

1 Inter-Parliamentary Union (16 Oct 1999) Human Rights of 200 MPs Flouted in 33 Countries

2 See the resolutions on Myanmar adopted by the Inter-Parliamentary Union at its 156th to 175th sessions. Available online [www.ipu.org](http://www.ipu.org)

3 Inter-Parliamentary Union (1 Oct 04) Myanmar - Resolution adopted without a vote by the Council of the Inter-Parliamentary Union at its 175th session

4 Inter-Parliamentary Union (15 Apr 97) Myanmar - Resolution adopted without a vote by the Council of the Inter-Parliamentary Union at its 160th session

5 Inter-Parliamentary Union (11 Apr 98) Myanmar - Resolution adopted without a vote by the Council of the Inter-Parliamentary Union at its 162nd session

6 Inter-Parliamentary Union (7Apr 01) Myanmar - Resolution adopted without a vote by the Council of the Inter-Parliamentary Union at its 168th session

7 Inter-Parliamentary Union (14 Sep 01) Myanmar - Resolution adopted without a vote by the Council of the Inter-Parliamentary Union at its 169th session

8 See the resolutions on Myanmar adopted by the Inter-Parliamentary Union at its 173rd and 174th sessions, available online: [www.ncgub.net](http://www.ncgub.net)

9 Inter-Parliamentary Union (1 October 04) Myanmar - Resolution adopted without a vote by the Council of the Inter-Parliamentary Union at its 175th session

10 NCGUB (8 Dec 01) MP Campaign Update, available online: [www.ncgub.net](http://www.ncgub.net)

11 See European Parliament (16 Sep 04) European Parliament resolution on Burma/ASEM, and previous European Parliament resolutions available online: [www.ncgub.net](http://www.ncgub.net)

12 For more information on the European Parliament consult [www.europarl.eu.in](http://www.europarl.eu.in)

13 European Parliament (16 Sep 04) European Parliament resolution on Burma/ASEM, available online: [www.ncgub.net](http://www.ncgub.net)

14 Official Journal of the European Union (26 Oct 04) Council Common Position 2004/730/CFSP of 25 October 2004 on additional restrictive measures against Burma/Myanmar and amending Common Position 2004/423/CFSP

15 European Parliament (16 Sep 04) European Parliament resolution on Burma/ASEM, available online: [www.ncgub.net](http://www.ncgub.net)

16 European Parliament (16 Feb 1995) Resolution on the continued violation of human rights in Burma (Myanmar), available online: [www.ncgub.net](http://www.ncgub.net)

17 The CRPP is a legal and legitimate body. According to the 1974 Pyithu Hluttaw (People's Parliament) Law, State Authorities are required to convene Parliament if 34% or more MPs-elect demand so.

On 27 May 1998, 251 NLD MPs, far more than the necessary 34%, empowered its central executive committee to call on the junta to convene Parliament. The regime refused to comply with the NLD's demand (and similar demands made by other political parties), thus violating the 1974 Law and the 1989 Pyithu Hluttaw Election Law. The creation of the CRPP was announced a few days after the regime failed to meet the NLD's deadline.

The CRPP is acting on behalf of the Parliament to implement the responsibility of representing the MPs' constituencies. The CRPP has four main types of activities: establishing a structure and democratic principles for the Parliament, documenting human rights abuses by the regime, re-examining Burma's laws and recommending their amendment or revocation, and developing international relations. Initially composed of a total 10 members, the CRPP now comprises 10 NLD members, plus 8 members from other political parties. For more information on the CRPP, consult *Altsean-Burma (2000) Ten Years On: A Parliament Denied*, and [www.ncgub.net](http://www.ncgub.net)

18 Inter-Parliamentary Union (16 October 99) Myanmar - Resolution adopted without a vote by the Council of the Inter-Parliamentary Union at its 165th session

19 AP (16 Jul 03) Congress sends Myanmar sanctions bill to president

20 AFP (15 Jun 04) US Congress passes resolution renewing import ban on Myanmar

21 Voice of America (7 Oct 04) US House Approves Measure Demanding UN Action on Burma; News from Senator Feinstein (22 Sep 04) Senate Approves McConnell-Feinstein Resolution Calling on UN Security Council to Take Action Against Burma, available online: <http://feinstein.senate.gov>

22 AP (25 Oct 04) SE Asian lawmakers may seek Myanmar suspension from Asean

23 (Oct 04) The motion on Burma adopted last week by the Foreign Affairs Committee of the Italian Congress, available online: [www.ncgub.net](http://www.ncgub.net)

24 DVB (18 Sep 04) New Zealand Government bans visa on Burma's officials

25 New Straits Times (25 May 04) Panel on Myanmar dispute

26 BERNAMA (8 Jun 04) Malaysian Parliamentarians To Help Nudge Myanmar Junta Towards Democracy

27 Bangkok Post (10 Aug 04) Caucus to work for civil liberties

28 ABS-CBN (11 Dec 01) Solons cross party lines

## RECENT CIVIL SOCIETY INITIATIVES ON BURMA

### NOBEL LAUREATES

Since 1991 the Nobel Laureates have undertaken a number of initiatives in solidarity with Daw Aung San Suu Kyi, the only imprisoned Nobel Peace Laureate:

**13 April 2004:** Fifteen Nobel Literature Laureates including former Czech President Vaclav Havel, published a letter addressed to Sr Gen Than Shwe demanding the release of Daw Aung San Suu Kyi and all imprisoned writers.<sup>1</sup>

**September 2001:** Six Nobel Peace Laureates including Jose Ramos Horta, Oscar Arias and the Dalai Lama wrote a letter to the University of Virginia calling on the administration to divest its holding in Unocal, an oil company owning a pipeline in Burma.<sup>2</sup>

**June 1995:** Eleven Nobel Peace Prize Laureates appealed to the United Nations for the release of Daw Aung San Suu Kyi and other prisoners of conscience in Burma.<sup>3</sup> Daw Aung San Suu Kyi was released for the first time a few weeks later, on 10 July 1995.

**1993:** A group of Nobel Peace Laureates attempted to visit Burma, but were refused entry by the regime. Instead the Laureates visited Burmese refugees at the Thai-Burma border, and called for Daw Aung San Suu Kyi's release.<sup>4</sup>

### REGIONAL ACTIVISTS

In early November 2004, activists from nine Asian countries urged ASEAN to expel the Burmese military regime from the regional bloc, in the absence of irreversible steps to achieve national reconciliation, political and economic reforms.

On 15-17 October 2004, 142 delegates from 14 countries met in New Delhi, India, for the **Second International Convention for the Restoration of Democracy in Burma**. The participants unanimously declared their intention to establish a support group of parliamentarians and parliamentary organizations around the world to promote the cause of democracy in Burma. The participants also declared 4 January 2005 an International Day of Solidarity with the Democratic Movement of Burma, and planned to promote the signing of a statement by the heads of all political parties and parliamentarians worldwide.

On 9 September 2004 international organizations attending the **ASEM People's Forum V** adopted a resolution condemning ASEM member countries' decision to allow Burma to participate in ASEM V. They called on the regime to release all political prisoners, cease hostilities against ethnic nationalities, and begin tripartite dialogue.<sup>5</sup>

### LABOR GROUPS

Labor unions have been particularly supportive of Burma's pro-democracy movement.

**The International Confederation of Free Trade Unions (ICFTU)**, representing 148 million workers in 231 affiliated organizations has worked with the Federation of Trade Unions – Burma (FTUB), and documented instances of forced labor in Burma for use by the International Labor Organization.<sup>6</sup>

The **AFL-CIO**, representing 13 million workers in the United States, has been very supportive in the campaign to get Unocal Corp, a California-based oil company, out of Burma.<sup>7</sup>

Australian unions, such as the **New South Wales State Council of the Australian Manufacturers Workers Union**, the **Tasmanian Trades and Labor Council**, and the **Australia Services Union**, lent their support to the CRPP.<sup>8</sup>

### ENDNOTES

1 AP (15 Apr 04) Havel, other Nobel laureates urge Myanmar junta to free Suu Kyi

2 Free Burma Coalition (2 Oct 01) Nobel Laureates Declare Support for Divestment from Burma

3 The Nation (27 Jun 1995) Nobel Laureates Urge UN to Act on Suu Kyi's Plight

4 Nobelprize.org (last updated 29 Apr 04) Aung San Suu Kyi - Biography, available online: <http://nobelprize.org/peace/laureates/1991/kyi-bio.html>

5 Statement issued by International Organisations attending the ASEM People's Forum V concerned about the continuing violations of human rights and democracy in Burma (9 Sep 04) available online: [www.ncgub.net](http://www.ncgub.net)

6 ICFTU (12 Nov 04) Burma: Fresh ICFTU evidence of forced labour ahead of crucial ILO meeting

7 PRNewswire (21 May 01) AFL-CIO and ICEM Protest Unocal's Burma Joint Venture at Shareholders Meeting available online: [www.aflcio.org](http://www.aflcio.org)

8 Altsean-Burma (2000) Ten Years On: A Parliament Denied

## RESPONSES FROM INTERNATIONAL BODIES

### UNGA'S ANNUAL RESOLUTIONS

Since 1988, the UN General Assembly has annually passed a resolution condemning the SPDC and expressing “grave concern” at the continued systematic violation of human rights, extra judicial killings, use of torture, sexual violence and the destruction of livelihoods by the armed forces.<sup>1</sup>

In November 2004, the 3rd Committee of the UNGA adopted a resolution on the ‘Situation of Human Rights in Myanmar,’ which noted continued human rights abuses and called on the SPDC to formulate a clear, inclusive and transparent plan for the transition to democracy.<sup>2</sup> The resolution was adopted without a vote. This normally leads to adoption by the UNGA itself.<sup>3</sup>

The annual resolutions have put forward a list of recommendations that would allow a proper transition to democracy to take place. This sustained interest from the UNGA is indicative of the international community’s unified stance against the SPDC’s continued misrule and mismanagement.

### ILO: PRESSURE TRIGGERS RESPONSE

The International Labour Organization’s initiatives are a prime example of how the Burmese regime is responsive to international pressure. Since the early 1960s the ILO, grouping governments, employers and workers of 177 member countries, has called for the end of forced labor in Burma.<sup>4</sup>

When the regime refused to respond positively to various ILO efforts, including a Commission of Enquiry, it recommended in June 2000 that its members “review” relations with Burma to ensure they did not contribute to forced labor. In November 2000, the ILO, for the first time since its founding in 1919, invoked Article 33, putting the SPDC at risk of extensive bans. In response, the regime created a legal order banning forced labor, and reportedly began “secret talks” with Daw Aung San Suu Kyi.<sup>5</sup>

Despite initial resistance, the regime began engaging with the ILO in the hope of restoring its image abroad. The junta eventually agreed to host an ILO Liaison Officer in Burma, and another ILO high-level team visit to the country to demonstrate their ‘commitment’ to eradicate forced labor.

The regime also commuted the death sentences of 9 people in May 2004 after it was exposed that 3 of them had been accused of having contact with the ILO. (See Burma Briefing Vol.1, p. 64, 67, 73-74)

### FATF: MONEY LAUNDERING CONCERNS

The Financial Action Task Force on Money Laundering (FATF) operates under the auspices of the OECD. It has 31 country members, plus the European Commission and the Gulf Cooperation Council. The regime’s reactions to FATF proves the effectiveness of concerted international pressure.<sup>6</sup>

In June 2001, FATF identified Burma as one of a few non-cooperative countries and territories (NCCTs) in the fight

against money laundering. The FATF recommends that financial institutions pay special attention to their business relations and transactions with persons or companies from NCCT countries. At that time Burma had not yet criminalized money laundering except in relation to drug trafficking. There were also no legal requirements to maintain records or report suspicious transactions. FATF reported “significant obstacles to international co-operation by judicial authorities”.<sup>7</sup>

A year later on 17 June 2002 the Burmese junta enacted the Control of Money Laundering Law (CMLL). The law however had several loopholes regarding implementation measures, and did not contain any provision for international co-operation against money laundering.<sup>8</sup>

For this reason FATF decided to impose additional counter-measures on Burma on 3 November 2003. These additional counter-measures take the form of recommendations to FATF member countries regarding “enhanced surveillance and reporting of financial transactions” with Burma.<sup>9</sup>

The junta responded immediately to the counter-measures, and enacted new legislation in December 2003, and January and April 2004, regarding the implementation of the CMLL. On 14 October 2004 the regime also enacted the Mutual Assistance in Criminal Matters Law, in a clear attempt to conform to FATF’s demands.<sup>10</sup>

On 22 October 2004 FATF did withdraw the additional counter-measures on Burma. However the country remains on the NCCT list until the Burmese regime can demonstrate that it effectively implemented the legislation.<sup>11</sup>

The NCCT designation also allowed the US Government to strengthen their sanctions regime against the Burmese regime. (See Burma Briefing Vol. 1 p. 68)

#### ENDNOTES:

1 GA 2003 (58th Session): Resolution on the situation of human rights in Myanmar

2 GA 2004 (59th Session): Resolution on the situation of human rights in Myanmar: GA/SHC/3805

3 AFP (17 Nov 04) UN committee raps Myanmar over rights abuses

4 See [www.icftu.org](http://www.icftu.org) & [www.ilo.org](http://www.ilo.org)

5 See Altsean-Burma (Nov 03) Ready, Aim, Sanction

6 See [www.fatf-gafi.org](http://www.fatf-gafi.org)

7 FATF (21 Jun 01) Review to Identify Non-Cooperative Countries and Territories: Increasing the Worldwide Effectiveness of Anti-Money Laundering Measures; available online: [www1.oecd.org/fatf](http://www1.oecd.org/fatf)

8 FATF (20 Jun 03) Annual Review of Non Cooperative Countries and Territories

9 OECD (3 Nov 03) FATF Decides to Impose Counter-measures on Myanmar

10 FATF (2 Jul 04) Annual Review of Non Cooperative Countries and Territories

11 FINTRAC Advisory (29 Oct 04) Financial Action Task Force (FATF) withdraws countermeasures with respect to Myanmar and Nauru

## LEGAL PROOF OF A DICTATORSHIP

### EMERGENCY PROVISIONS ACT (1950)

A long-standing favorite of the junta, the Emergency Provisions Act has habitually been used to put hundreds of monks, students, activists and NLD members behind bars. Due to its abundant ambiguity, the Act confers sweeping powers on authorities to quell real or imagined dissent.<sup>2</sup> Although it claims to be an 'Emergency' Provisions Act, there is no need under the act to declare a state of emergency before its provisions come into play.

Under this law it is an offence, punishable with imprisonment of up to seven years, to commit **any** act which "violates or infringes upon the integrity, health, conduct and respect of State military organizations and government employees towards the...government," or "causes or intends to disrupt the morality or the behavior of a group of people, or the general public."<sup>3</sup>

Section 5 of the EPA is frequently invoked to jail dissidents, in particular section 5(j) which says **any** act likely to "affect the morality or conduct of the public or a group of people in a way that would undermine the security of the Union or the restoration of law and order," is considered an offence, punishable by up to seven years in prison.

The vagueness of the EPA's wording contravenes section 29(2) of the Universal Declaration of Human Rights, which specifies that people cannot be subjected to greater limitations than are determined by the law. Where a law is so ambiguous its full scope cannot be identified, it fails to meet internationally recognized standards.

The EPA also circumscribes the right to appeal, the requirement that all detainees be informed of the reason for their arrest, are entitled to consideration of bail and are brought quickly brought before a judge:<sup>4</sup> each of which is considered integral to a just law under international norms.

### STATE PROTECTION LAW (1975)

The State Protection Law gives authorities the power to detain anyone suspected of having committed, committing, or about to commit an act endangering the "sovereignty and security of the state or public peace and tranquility."<sup>5</sup> The law does not specify a definition for what constitutes an act that endangers state security. In addition, it allows an 'offender' to be imprisoned for up to five years without trial on the orders of the executive. While these provisions alone contradict international standards, a 1991 amendment to the law also introduced a retrospective increase in the maximum penalty for those already detained under the act. This violates Article 11(2) of the UDHR, which prohibits the retrospective enhancement of punishments.

Unlike the Emergency Provisions Act, the State Protection Law can only legally be utilized in a state of emergency, which must be approved by the ever elusive People's Assembly. Nevertheless, no state of emergency has been declared.<sup>6</sup>

Despite its disdain for the law, at times even its own, the junta regularly exploits a number of repressive laws to stifle dissent and perpetuate fear amongst civilians.

These laws have been classified by the United Nations to be in breach of international civil and political rights standards and internationally recognized legal norms.<sup>1</sup>

Selective use of a wide array of laws against MPs and dissidents have become a common fact of life.

Some extreme examples include:

- The death in custody of Scandinavian consul James Nichols, who was serving a 3-year sentence for unauthorised use of a fax machine (1996).
- A 25-year jail sentence on Rangoon MP Daw San San for giving interviews to the international media (1998).
- A 3-year sentence on Pantanaw MP Dr Tin Min Htut for violating the 1947 Foreign Currency Exchange Act - exhaustive searches by the authorities discovered the MP's son playing with 2 Singaporean coins in a toy cup (1997).

Most detainees under the State Protection Law are held under section 10(a), which enables the government to detain people suspected of "endangering the peace of most citizens." The highest profile detainees under section 10(a) are Daw Aung San Suu Kyi and U Tin Oo.<sup>7</sup>

### TELEVISION & VIDEO LAW (1996)

The Television and Video Law fundamentally circumscribes the freedom of expression in Burma. The Law requires the licensing of all television sets, video cassette recorders<sup>8</sup> and satellite television.<sup>9</sup> The Law makes it compulsory for every video tape shown in Burma to include a censorship certificate, which must be exhibited at every screening of the tape. Under the Act, all video businesses must obtain a license from the Video Business Supervisory Committee, which also has the authority to carry out on-site inspections. Those found in violation of the law face imprisonment for up to three years and fines of up to 100,000 kyat (approx. USD 100), or both. The law also allows the Censor Board to revoke a certificate "if there is valid reason to do so."

In addition to its sub-standard position on censorship, the Television and Video Law falls short of international standards on grounds of clarity and lacks a provision guaranteeing the right of appeal to an independent authority.<sup>10</sup>

## **UNLAWFUL ASSOCIATIONS ACT (1908)**

The Unlawful Associations Act makes it an offence, punishable with two to three years in prison, to have contact with any organization that the junta declares as ‘illegal.’ Under this law, an association that “interferes or has for its object interference with the administration of the law and with the maintenance of law and order, or that it constitutes as a danger to the public peace,” may be deemed illegal.

The Unlawful Associations Act has posed significant problems concerning links between the NLD leadership and exiled pro-democracy organizations, rendering it impossible for any individual or organization outside of Burma to officially represent the party. In addition, the regime has frequently threatened to outlaw the NLD for alleged contact with “illegal” organizations.

## **INTERPRETATION OF EXPRESSIONS LAW (1973)**

The Interpretation of Expressions Law, designed to create methods for interpreting Burmese Laws, is yet another tool that enables the junta to circumvent the rule of law by merging judicial, executive and legislative powers.

Section 2 of the law establishes the SPDC/SLORC as a ‘legislative authority,’ while still allowing it to maintain executive power.

Section 27 allows the executive to ‘interpret’ the laws, while chapter 2 says interpretation must be done in ‘conformity with the intention of the legislative authority:’ i.e., the SPDC.<sup>11</sup>

The Interpretation of Expressions Law ensures the corrosion of judicial independence and is a blatant indication that the SPDC intends to safeguard its own power by any means.

In a law that would be unconscionable anywhere but Burma, the Interpretation of Expressions Law allows the same people who break the law to interpret it.<sup>12</sup>

## **PRINTERS & PUBLISHERS REGISTRATION LAW (1962)**

This Act requires all books, magazines, periodicals, song lyrics and film scripts to be approved by a censorship board prior to publication or distribution. An offence under this law is punishable with up to seven years imprisonment and a fine. In 1975, the Press Scrutiny Board (PSB) introduced a very broad set of guidelines for censorship. According to these guidelines, anything ‘detrimental to the ideology of the state; anything which might be harmful to security, the rule of law, peace, public order, national solidarity and unity; and any incorrect ideas and opinions which do not accord with the times’ is not tolerated.

While international law does acknowledge state capacity to impose some restrictions on freedom of expression, the PSB is guided by very vague classifications. This makes the law unduly susceptible to arbitrariness and allows the SPDC to manipulate it in a wholly repressive manner.<sup>13</sup>

## **THE OFFICIAL SECRETS ACT (1923)**

Under the Official Secrets Act it is an offence to possess, control, receive or communicate any document which may have an adverse effect on the sovereignty and integrity of the state, or which may affect Burma’s foreign relations, or threaten the safety of the state. No provision is made for the release of information for public interest. The authorities are afforded wide powers in classifying information as secret, yet there are no provisions for informing the public of any classifications. Those found guilty under this Act can be punished with imprisonment for up to two years or a fine, or both.

In 1998, Rangoon MP Daw San San was sentenced under this Act to 25 years’ imprisonment for giving interviews to the BBC.

## **HABITUAL OFFENDERS ACT (1961)**

This act requires any person spending the night at a place other than their registered residence to be registered twice a day with the authorities as a guest. The Burma Human Rights Yearbook 1998-1999 reported that up to 79 MPs had been detained under this Act.

## **THE BURMA WIRELESS TELEGRAPHY ACT (1933)**

Under this law, it is an offence to possess any “wireless telegraphy apparatus” without an official permit. In 1995, the SPDC amended the act to include fax machines; in 1996, it was again expanded to include computer modems. Anyone possessing the prohibited items without permission is liable for three years imprisonment and fines of up to 30,000 kyat (USD33). This law became notorious in 1996 when Scandinavian consul Mr James “Leo” Nichols died in custody, a month into his 3-year sentence.

## **THE LAW PROTECTING THE PEACEFUL AND SYSTEMATIC TRANSFER OF STATE RESPONSIBILITY AND THE SUCCESSFUL PERFORMANCE OF THE FUNCTIONS OF THE NATIONAL CONVENTION AGAINST DISTURBANCES AND OPPOSITIONS (1996)**

This law prohibits “inciting, demonstrating, delivering speeches, making oral or written statements and disseminating in order to undermine the stability of the State, community peace and tranquility and prevalence of law and order.” It also makes it illegal to question the functions of the National Convention. Those found guilty of such an offence may be punished with a maximum of 20 years imprisonment.

In June 2000, **Myanmar Posts and Telecommunications** declared that users of non-registered cordless phones would be liable for up to 3 years imprisonment and/or a fine of approximately 30,000 kyat (USD33).<sup>14</sup>

## USES & ABUSES OF THE LAW

In August 1996, two NLD members, U Win Htein and Maung San Hlaing were sentenced to 14 and seven years in prison (respectively) under the Emergency Provisions Act for allegedly discussing the treatment of political prisoners with foreign journalists. According to Amnesty International, neither was allowed legal representation at the trial, despite s.340(1) of the Criminal Code, which ensures legal representation during trial procedures.<sup>15</sup>

In 1994, Daw San San Nwe was sentenced to seven years imprisonment under the same Act for speaking to the UN Special Rapporteur.<sup>16</sup>

Both former Prime Minister U Nu and Daw Aung San Suu Kyi have been detained under the State Protection Law as a result of their opposition to the military. Another NLD Activist, U Thein Tin was detained in 1996 under Section 10(a) of the State Protection Law as a pre-emptive measure against him participating in an event commemorating the NLD in May 1996.<sup>17</sup>

In October 1994, Dr Khin Zaw Win, a former UNICEF worker was sentenced to two years' imprisonment under the Official Secrets Act for attempting to smuggle 'state secrets' out of the country, one of which was a Burmese translation of Daw Aung San Suu Kyi's 'Freedom from Fear.'<sup>18</sup>

Dr Aung Khin Sint, a NLD Central Executive Member, was sentenced to 20 years imprisonment under the Official Secrets Act for distributing leaflets detailing his opposition to the 1993 National Convention.

### BUT SOMETIMES THE LAW ISN'T SO IMPORTANT...

Under Section 342 of the Burmese Penal Code, which provides for the punishment of individuals who wrongfully detain another, detainees are entitled to dispute mistreatment under detention. Yet detainees have told Amnesty International that they were informed by judicial representatives that there was no recourse for ill treatment under detention.<sup>19</sup>

## FURTHER DEFICIENCIES

### Guilty until Proven Innocent

Contrary to international standards on the presumption of innocence, some of Burma's laws force the accused to prove their innocence.<sup>20</sup> The 2002 Control of Money Laundering Law directly contradicts the presumption of innocence by demanding that the person under investigation "prove clearly...how he legally obtained the money and property under investigation."<sup>21</sup>

In other cases, the military circumvents its duty to discharge the burden of proof altogether. Under section 7 of the State Protection Act, it is an offence if a person is 'believed' to have committed an act that endangers state security, yet there is no standard, or burden, for determining when a person is 'believed' to have committed the act.<sup>22</sup>

### Legal Bid to Free Daw Aung San Suu Kyi Fails

In an attempt to work within Burma's malfunctioning legal system, the National League for Democracy has consistently tried to invoke legal mechanisms in order to seek redress for harassment and persecution by the regime.

A recent effort saw the NLD make a legal bid to free Daw Aung San Suu Kyi and reopen party offices in August 2004.

On 17 August 2004, NLD representatives submitted a legal suit accusing the junta of wrongfully detaining Daw Aung San Suu Kyi and U Tin Oo and claiming that the electoral commission had illegally shut down NLD offices.<sup>1</sup> However, the Rangoon Divisional Court rejected the papers on account of a 'legal technicality.' A Burmese legal expert informed the NLD representative that the submission had to be rejected because it did not come with attached affidavits.<sup>2</sup> Other legal representatives said the bid failed because legal officials were too afraid to sign it for fears of reprisals from the generals.<sup>3</sup>

The legal attempt comes as part of a wider NLD effort to utilize the country's failing legal system to free the democracy leader and her fellow political prisoners. "We will exhaust all other legal avenues to get Aung San Suu Kyi and Tin Oo released," said NLD Spokesperson U Lwin.

1 PNG Post Courier (18 Oct 04) Suu Kyi freedom rejected

2 AFP (15 Oct 04) New legal bid to free Myanmar democracy leader fails

3 AFP (15 Oct 04) New legal bid to free Myanmar democracy leader fails

### Inaccessible Laws

One fundamental tenet of international legal standards is that an executive must make laws accessible to the people. The military junta in Burma has habitually sought to limit access to legal information, often to such a degree that it is difficult to ascertain what the law is.

In 1993, the UN Special Rapporteur said "Various SLORC Orders... have been inaccessible to those to whom they would have applied, they have been vague, randomly interpreted and arbitrarily applied. Government authorities themselves, in explaining the law to the Special Rapporteur, proffered contradictory interpretations. Lawyers and elected representatives told the Special Rapporteur that they did not have any idea which laws and orders were applied, how they were applied or to whom they applied."<sup>23</sup>

## MORE SACKINGS

In continuing proof of Burma's inadequate judicial tenure, another two Supreme Court justices were fired on 12 November. According to a law official, the two justices were removed from office after refusing a request from Gen Thura Shwe Mann to give advice that favored the conviction of Gen Khin Nyunt.<sup>24</sup>

**NOTE:** The information in this paper is intended to complement an existing briefing note in *Burma Briefing: Issues and Concerns Volume 1*. For the complementary piece, please see: p. 70, *Who Needs the Rule of Law?*, *Burma Briefing: Issues and Concerns Vol. 1*.

23 International Centre Against Censorship (1996) *Burma: Beyond the Law*

24 DVB (12 Nov 04) Two Burmese Supreme Court judges removed from office

## ENDNOTES:

- 1 Inter-Parliamentary Union (16 Apr 99) Resolution 169
- 2 International Centre Against Censorship (Mar 1999) *Acts of Oppression: Censorship and the Law in Burma*
- 3 International Centre Against Censorship (Mar 1999) *Acts of Oppression: Censorship and the Law in Burma*
- 4 International Centre Against Censorship (Mar 1999) *Acts of Oppression: Censorship and the Law in Burma*
- 5 Sec. 4 State Protection Law (1975)
- 6 Burma Lawyers Council (2001) *Burma's State Protection Law*
- 7 Irrawaddy (18 Jun 03) Suu Kyi Held under State Protection Act
- 8 Sec 4. Television and Video Law 8/96
- 9 Sec 8. Television and Video Law 8/96
- 10 International Centre Against Censorship (Mar 1999) *Acts of Oppression: Censorship and the Law in Burma*
- 11 *Legal Issues on Burma Journal* (Apr 03) The 1973 Interpretation of Expressions Law
- 12 *Legal Issues on Burma Journal* (Apr 03) The 1973 Interpretation of Expressions Law
- 13 International Centre Against Censorship (Mar 1999) *Acts of Oppression: Censorship and the Law in Burma*
- 14 US State Department (31 Mar 03) *Burma: Country reports on Human Rights Practices – 2002*.
- 15 International Centre Against Censorship (Mar 1999) *Acts of Oppression: Censorship and the Law in Burma*
- 16 Amnesty International (1996) *Myanmar: Update on Political Arrests and Trials*
- 17 International Centre Against Censorship (Mar 1999) *Acts of Oppression: Censorship and the Law in Burma*
- 18 International Centre Against Censorship (1995) *Censorship Prevails: Political Development and Economic Transition in Burma*
- 19 Amnesty International (2004) *The Administration of Justice: Grave and Abiding Concerns*
- 20 See, for example, Article 10 of the Universal Declaration of Human Rights and Article 14 of the International Covenant on Civil and Political Rights.
- 21 Section 33, State Peace and Development Council Law 6/2002: the Control of Money Laundering Law
- 22 Burma Lawyers Council and Assistance Association for Political Prisoners (Burma) (2001) *Joint Report*

## THE LAST WORD

Daw Aung San Suu Kyi (pronounced Ong Sahn Soo Chee) is General Secretary of the National League for Democracy (NLD), Nobel Peace Laureate and recipient of numerous awards for her unwavering commitment to democracy and non-violence.

She commands such widespread respect and popularity within Burma and internationally, that Burma's military leaders cannot even tolerate the uttering of her name, and usually refer to her as "that Lady" or "the Lady".

As the public face of the NLD and the broader pro-democracy movement, Daw Aung Suu Kyi's public statements are frequently used as a reference point on a range of topics.

### BURMA & ASEAN

"I would like to appeal to them [Asean governments] to do what they can to help bring about democratisation of Burma, because we do believe that once there is an accountable and transparent government in this country we shall be able to improve our economic situation, and we shall be able to make our contribution to the region. So whenever there are problems connected to the region Burma would not be a dead weight but a source of help. At the moment of course we are needing help, but we look forward to the time when we can contribute to the progress and peace in the region."<sup>1</sup>

### ASEAN'S CONSTRUCTIVE ENGAGEMENT

"I think if Asean is truly interested in constructive engagement it should try engage with both sides in Burma, with the Slorc [regime] as well as the democratic opposition, and make sure the engagement leads to something constructive, in the way of development towards democracy."<sup>2</sup>

"Unless there is peace and prosperity in this country we will always provide a threat to the peace and prosperity of this region [...] We cannot say that we are not going to interfere in the internal affairs of a country because it's got nothing to do with us. It has something to do with everybody. Those who claim that they will not interfere in the internal affairs of Burma do not hesitate to be involved economically in Burma. As long as they are involved economically, how can they say that they are not interfering in the internal affairs of our country? If they are prepared to engage economically with our country, then they must also be prepared to do what they can to help us resolve our political problems. There is no way that we can resolve our economic problems without a political solution."<sup>3</sup>



"...if Asean is truly interested in constructive engagement it should try engage with both sides in Burma, with the Slorc (State Law and Order Restoration Council) as well as the democratic opposition, and make sure the engagement leads to something constructive, in the way of development towards democracy."<sup>4</sup>

"The question is for whom has it been constructive? Was it constructive for the forces of democracy? Was it constructive for the Burmese people in general? Was it constructive for a limited business community? Or was it constructive for SLORC?"<sup>5</sup>

### REFUGEES

"Unless there is rule of law in this country, unless there is a system of government which will guarantee the people the basic right to life – the very, very basic right to life - there will be a continuing stream of refugees fleeing across our borders."<sup>6</sup>

### DEMOCRACY

"We are working for democracy in Burma, not because we think that democracy is a magic word that will resolve all the problems of our country, we are working for democracy because we understand that democracy is a system which believes in the protection of the basic human rights of the people."<sup>7</sup>

"What we want is a liberal, practising democracy. A democracy where there will be regular elections, where the people are in a position to freely change the government if they feel that it is not acting for their benefit, and a system that is strong enough to withstand whatever crises the nation might have to face."<sup>8</sup>



## HUMAN RIGHTS AND ASIAN VALUES

“Burma was one of the original signatories to the UDHR (Universal Declaration on Human Rights) and I’m not aware that any Burmese at the time stood up and said ‘this is not Asian, this is not Burmese.’ If we are only to accept values that originated in our own region, there can’t be any Muslims in Malaysia, for example, because Islam did not originate from Malaysia, neither can there be Christians in any part of the world except the Middle East. It just doesn’t make sense.”<sup>9</sup>

## THE UN SPECIAL ENVOY RAZALI ISMAIL

“As a special representative of the secretary-general of the UN who is working towards a dialogue he should be allowed to visit any time he wants, go anywhere he pleases and talk with anybody. If we really respect the position of the United Nations we should let him come here. I think it is for Razali to decide when he should come and not have to wait for an invitation.”<sup>10</sup>

## ECONOMIC POLICY

“We have tried to make our Asean neighbors as well as the rest of world to understand that we believe in an open market economy based on free and fair competition”<sup>11</sup>

## THE 1990 ELECTION

“There were many restrictions on the National League for Democracy. U Tin Oo, the chairman of the League, and myself, the General Secretary, were placed under arrest a year before the elections took place. Many of our colleagues were also placed under arrest, there were many cases of harassment, we were restricted in what we were allowed to do, we were not free to campaign as we pleased, but yet the people of Burma voted for us

overwhelmingly not because they wanted the NLD as such, but because they wanted a party that would protect their democratic rights.”<sup>12</sup>

“To those who say that this was ten years ago [now 14], I would like to say give us a chance to move freely, to operate freely as a political party and we can ensure that the support of our people not only is maintained but will increase.”<sup>13</sup>

## POWER-SHARING?

In response to a question whether or not Daw Aung San Suu Kyi would accept to form a coalition government with the ruling military junta, she answered: “We are keeping all our options open. It is very important never to say never in politics.”<sup>14</sup>

NLD Vice Chairman U Tin Oo also said in another interview that “there will be a compromise, a give and take,” regarding power sharing with the military.<sup>15</sup>

## ON THE NLD’S “INFLEXIBILITY”

“The military regime often accuses the National League for Democracy of inflexibility. We have done everything we can to try to bring about a dialogue that will help us find solutions to the problems of our country. It is the military regime that is opposed to dialogue.”<sup>16</sup>

“The National League for Democracy and I think I myself personally, have often been accused of being inflexible by those who are opposed to a democratic transition. I think some members of Asean and other nations are in the best position to know whether or not we are inflexible. We have accepted suggestions by Asian countries and by Asean countries with regard to compromises that should be made to make dialogue possible between the military regime and ourselves. And we accepted those compromises.”<sup>17</sup>

“We have always been ready to compromise for the good of our nation and for peace, stability and harmony within our region. And this remains our firm policy; that reasonable compromise which would promote peace, stability and harmony within our country or within our region is always acceptable to us. There is a difference between a readiness to compromise and a readiness to kneel. We are not ready to kneel — that we have to say frankly, because by kneeling we would be letting down those who trusted us to bring democracy

to Burma. This would always be our aim.”<sup>18</sup>

We have tried to make it very clear to the SPDC, we do not want to be the enemy. We do not want to look upon them as the enemy. We are in opposition to each other at the moment but we should work together for the sake of the country and we certainly bare no grudges against them. We are not out for vengeance. We want to reach the kind of settlement which will be beneficial to everybody, including the members of the military. What we’ve always said is that dialogue is not a competition.”<sup>19</sup>

“You know we have a saying in Burma it’s very, very difficult to wake somebody up who is pretending to be asleep. If somebody is really asleep it’s easier to wake him up. But if they are pretending to be asleep you can’t wake them up, and sometimes I cannot but wonder if they are pretending not to understand what we have been saying all along: that we have genuine good will towards Burmese Military.”<sup>20</sup>



#### ENDNOTES:

- 1 The Nation (17 Feb 98) Suu Kyi: Never Say Never
- 2 Daw Aung San Suu Kyi (May 97) Message to the Leaders of Asean
- 3 Daw Aung San Suu Kyi (Mar 98) Address to the United Nations Commission on Human Rights
- 4 Altsean-Burma (29 May 97) Suu Kyi Asks Asean: Engage with Us
- 5 Deutsche Presse Agentur (31 Jul 95) Aung San Suu Kyi questions ASEAN’s stance
- 6 Daw Aung San Suu Kyi (Mar 98) Address to the United Nations Commission on Human Rights
- 7 Daw Aung San Suu Kyi (Mar 98) Address to the United Nations Commission on Human Rights
- 8 Altsean-Burma (3 Jan 98) Independence Should Mean Better Human Rights – Suu Kyi
- 9 Altsean-Burma (3 Jan 98) Independence Should Mean Better Human Rights – Suu Kyi
- 10 AFP (23 Apr 03) Myanmar’s Aung San Suu Kyi complains for first time of stalled talks
- 11 Daw Aung San Suu Kyi (20 Jul 00) To the 33rd Asean Ministerial Meeting & 7th Asean regional Forum
- 12 Daw Aung San Suu Kyi (Mar 98) Address to the United Nations Commission on Human Rights
- 13 Daw Aung San Suu Kyi (20 Jul 00) To the 33rd Asean Ministerial Meeting & 7th Asean regional Forum
- 14 Nation (17 Feb 98) Suu Kyi: Never Say Never
- 15 Nation (16 Feb 98) NLD Ready to Share Power, Says Suu Kyi
- 16 Daw Aung San Suu Kyi (23-24 Jun 99) Transcript of Message to “New NGO Strategy for Democratization in Burma” Conference by FDL-AP
- 17 Daw Aung San Suu Kyi (20 Jul 00) To the 33rd Asean Ministerial Meeting & 7th Asean regional Forum
- 18 Daw Aung San Suu Kyi (20 Jul 00) To the 33rd Asean Ministerial Meeting & 7th Asean regional Forum

19 BBC (10 Mar 03) Exclusive Interview with Daw Aung San Suu Kyi by Larry Jagan

20 BBC (10 Mar 03) Exclusive Interview with Daw Aung San Suu Kyi by Larry Jagan

## SOME RESOURCES FROM ALTSEAN-BURMA

- 2000 Sep REPORT CARD: Stand Off!. A5, 40pp
- 2001 Mar REPORT CARD: Tentative Steps. A5, 80pp. Price \$5 each
- 2001 Jun SPECIAL BRIEFING: Women's Report Card on Burma 2001. 36pp. US\$5
- 2001 Jun POSTER: What Women of Burma Want! A2. Price \$5 for 5
- 2001 Jun T-SHIRT: "Burma: Asean's Shame" US\$15/40 for US\$400
- 2001 Sep REPORT CARD: Still Waiting. A5, 66pp. Price \$5 each
- 2001 Oct REPORT CARD: Burma's Plea. A5, 80pp. Price \$5 each
- 2001 Dec T-SHIRT (Multilingual): "Free Aung San Suu Kyi" US\$15/40 for US\$400
- 2002 Jan POSTER: ALTSEAN-BURMA ACTIVISTS' CALENDAR 2002. A2. Gratis.
- 2002 Mar REPORT CARD: Labor Pains. A5, 64pp. Price \$5 each
- 2002 Apr SPECIAL REPORT: Some Talk, Little Action, Burma's Secret Talks. A5, 60pp. Price \$5
- 2002 Apr POSTER: Burma – Prison State! A2. Gratis.
- 2002 Jun BOOK: Burma ~ Women's Voices for Change. 116pp. US\$10
- 2002 Jul REPORT CARD: Rangoon Suspense. A5, 60pp. Price US\$5 each
- 2002 Sep REPORT CARD: New Page, Old Story. A5, 68pp. Price US\$5 each
- 2002 Oct SPECIAL REPORT: A Peace of Pie? Burma's Humanitarian Aid Debate. A5, 84pp. Price \$5 each
- 2002 Dec REPORT CARD: Smokescreen. A5, 72pp. Price \$5 each
- 2003 Jan POSTER & POCKET PLANNER: ALTSEAN-BURMA ACTIVISTS' CALENDAR 2003. A2. Gratis.
- 2003 Feb T-SHIRT (Multilingual): "National Reconciliation" US\$15/40 for US\$400
- 2003 Mar Women's Report Card on Burma: Abused Bargaining Chips. 40pp. US\$5
- 2003 Mar REPORT CARD: Balancing Act. A5, 84pp. Price \$5 each
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- 2003 Jun BOOK: Burma ~ Women's Voices Together. A5, 177pp. Price US\$10 each
- 2003 Jun POSTCARDS: A set of 4 photos from Daw Aung San Suu Kyi's travels in Burma (2002-2003). A5, colour.
- 2003 Nov REPORT CARD: Charm Offensive. A5, 72pp. Price \$5 each
- 2003 Nov REPORT CARD: ARRESTED. A5, 100pp. Price \$5 each
- 2003 Nov SPECIAL REPORT: Ready, Aim, Sanction! NonMilitary Options to Support Burma's Democratisation. A5, 212pp.
- 2004 Jan REPORT CARD: Under Pressure (1 July – 30 September 2003)
- 2004 Jan POSTER & POCKET PLANNER: ALTSEAN-BURMA ACTIVISTS' CALENDAR 2004
- 2004 Mar SPECIAL REPORT: On the Road to Democracy? (prepared for the 60th Session of the UNCHR)
- 2004 Apr POSTCARDS: Set of 10 postcards featuring Daw Aung San Suu Kyi's Rallies in Burma
- 2004 Apr VIDEO/VCD: Depayin Report \*plus\* Raw Footage of Aung San Suu Kyi's Travels in Kachin & Shan States, Mandalay & Sagaing Division
- 2004 Apr WEB FEATURE: Slideshow of 87 photos of Daw Aung Suu Kyi's Rallies in Burma
- 2004 May WEB FEATURE: On the Road to Depayin – Speeches by Daw Aung San Suu Kyi
- 2004 Jun BRIEFING NOTE: It is Time to Act in Burma
- 2004 Nov SPECIAL REPORT: Burma Briefing: Issues and Concerns Vol. 1. A4, 88pp.
- 2004 Nov SPECIAL REPORT: Burma Briefing: Issues and Concerns Vol. 2. A4, 28pp.
- 2004 Nov SPECIAL REPORT: A Failing Grade. Burma's Drug Eradication Efforts. A5, 250pp.

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