

↓ Burma (Myanmar)

Population: 51,000,000

Capital: Rangoon

Political Rights: 7

Civil Liberties: 7

Status: Not Free

Trend Arrow: Burma received a downward trend arrow due to the largest offensive against the ethnic Karen population in a decade and the displacement of thousands of Karen as a result of the attacks.

Overview:

Although the National Convention, tasked with drafting a new constitution as an ostensible first step toward democracy, was reconvened by the military regime in October 2006, it was boycotted by the main opposition parties and met amid a renewed crackdown on opposition groups. Aung San Suu Kyi, the leader of the opposition National League for Democracy (NLD) party, remained under house arrest in 2006, and the activities of the NLD were severely curtailed. Meanwhile, a wide range of human rights violations against political activists, journalists, civil society actors, and members of ethnic and religious minority groups continued unabated throughout the year. The military pressed ahead with its offensive against ethnic Karen rebels, displacing thousands of villagers and prompting numerous reports of human rights abuses. The campaign, the largest against the Karen since 1997, had been launched in November 2005.

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

The present junta, led by General Than Shwe, dramatically asserted its power in 1988, when the army opened fire on peaceful, student-led, prodemocracy protesters, killing an estimated 3,000 people. In the aftermath, a younger generation of army commanders created the State Law and Order Restoration Council (SLORC) to rule the country. However, the SLORC refused to cede power after it was defeated in a landslide election by the National

League for Democracy (NLD) in 1990. The junta jailed dozens of members of the NLD, which had won 392 of the 485 parliamentary seats in Burma's first free elections in three decades.

Than Shwe and several other generals who headed the junta refashioned the SLORC into the State Peace and Development Council (SPDC) in 1997. The generals appeared to be trying to improve the junta's international image, attract foreign investment, and encourage an end to U.S.-led sanctions linked to the regime's grim human rights record. In late 2000, encouraged by the efforts of UN special envoy Razali Ismail, the government began holding talks with NLD leader Aung San Suu Kyi, which led to an easing of restrictions on the party by mid-2002. Suu Kyi was released from house arrest and allowed to make several political trips outside the capital, and the NLD was permitted to reopen a number of its branch offices.

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

In August 2003, the junta announced that the National Convention, which had the responsibility of drafting principles for a new constitution but had not met since 1996, would be reconvened in May 2004 as part of a new "road map to democracy." However, the convention was boycotted by the main political parties, including the NLD and the Shan Nationalities League for Democracy (SNLD), which did not want to take part under conditions of extreme political repression. The proceedings themselves were heavily restricted in terms of format and operations, as authorities had handpicked most of the delegates and limited the scope of permissible debate from the outset. The convention was adjourned in July 2004. Although it was reconvened in February 2005 for a six-week session, it was again boycotted by the NLD and SNLD. In a similarly restricted atmosphere, delegates agreed to draft principles that enshrined the military's role in government, reserving 25 percent of seats in any future parliament for the military. The convention met again in October 2006, with the opposition parties maintaining their boycott. The body met as the government renewed efforts to repress its critics; in the week leading up to the gathering, six prodemocracy activists were detained.

Relations between the SPDC and numerous ethnic rebel groups significantly worsened during 2006. The government had verbally agreed to an

informal ceasefire with the Karen National Union (KNU) in late 2003, but skirmishes between the two sides continued, and in November 2005 the army launched its largest offensive in Karen State since 1997, sending approximately 5,000 troops into KNU-controlled areas. Thousands of villagers were displaced as a result of the offensive, and Burmese military personnel have been accused of numerous abuses, such as looting and burning homes, using villagers as slave laborers, and planting antipersonnel mines in civilian areas. Karen leaders met with government officials in October 2006 to attempt to negotiate a cease-fire, but attacks continued through the end of the year. Meanwhile, there have been numerous reports of abuses against the Chin minority group, and in September, the army stepped up its offensive against ethnic Shan rebel groups in eastern Burma.

This increased violence may be the result of an October 2004 government purge in which Khin Nyunt, the prime minister and head of military intelligence, was removed from office and placed under house arrest. A relative moderate, he had advocated limited dialogue with both the NLD and Burma's armed ethnic factions, and had spearheaded several recent cease-fire agreements. His replacement by hard-liner Lieutenant General Soe Win, who has been accused of masterminding the May 2003 attack on Suu Kyi as she rode in her motorcade, suggests that the junta will continue to resist all pressure to reform.

Since the 2004 purge, there have been persistent rumors of tension within the junta's senior leadership, and several reshuffles of both administrative and military personnel were conducted in 2006. Also that year, authorities officially shifted the country's capital 600 km (370 miles) inland, to a new site called Nay Pyi Taw, near the town of Pyinmana. However, foreign embassies remained in Rangoon. The junta continued to accuse opposition groups of involvement in May 2005 bombings in Rangoon, and in April 2006 the government designated four exiled political groups as terrorist organizations. Among the groups listed was the National League for Democracy-Liberated Area, which was loosely affiliated with the NLD. The junta also adopted an increasingly threatening stance towards the NLD itself, stating in April 2006 that it had enough evidence tying the NLD to terrorist groups to justify dissolving the party. The continued crackdown on opposition groups, coupled with the new offensive in Karen State, led to increased international focus on Burma in 2006. In September, the UN Security Council added Burma to its permanent agenda, with many members arguing that internal repression and the flourishing drug trade made the country a threat to international security. The United States has stated its intention to submit a draft resolution on Burma, calling for the release of political prisoners and an end to human rights abuses perpetrated by the army. The resolution was pending at the end of 2006.

Political Rights and Civil Liberties:

Burma is not an electoral democracy, and continues to be governed by one of the world's most repressive regimes. The SPDC rules by decree; controls all executive, legislative, and judicial powers; suppresses nearly all basic rights; and commits human rights abuses with impunity. Military officers hold most cabinet positions, and active or retired officers hold most top posts in all ministries, as well as key positions in the private sector.

Since rejecting the results of the 1990 elections and preventing the elected parliament from convening, the junta has all but paralyzed the victorious NLD party. Authorities have jailed many NLD leaders, pressured thousands of party members and officials to resign, closed party offices, harassed members' families, and periodically detained hundreds of NLD supporters at a time to block planned party meetings. After being allowed somewhat greater freedom in 2002, the NLD was subjected to another crackdown in 2003 that has for the most part continued to date. Although the party's main office was allowed to reopen in April 2004, its branch offices remain closed and several key party leaders, including Aung San Suu Kyi, remain under house arrest. In the run-up to the National Convention session held in October 2006, opposition party leaders and members of prodemocracy youth groups faced heightened surveillance, intimidation, and arrest as they attempted to engage in peaceful political activities.

Besides the NLD, there are more than 20 ethnic political parties that remain suppressed by the junta. Of the 28 ethnic parties that participated in the 2004 session of the National Convention, 13 called for greater local autonomy, according to Amnesty International. In February 2005, at least 10 ethnic Shan politicians were arrested, including the senior leaders of the SNLD party, and in November that year, nine were sentenced to lengthy prison terms and transferred to undisclosed locations. At least three NLD party leaders were arrested in 2006, and several student and youth members were also imprisoned.

In a system that lacks both transparency and accountability, official corruption is rampant at both the national and local levels. Burma was ranked 160 out of 163 countries surveyed in Transparency International's 2006 Corruption Perceptions Index.

The junta sharply restricts press freedom, and either owns or tightly controls all daily newspapers and broadcast media. It subjects private periodicals to prepublication censorship and also restricts the importation of foreign news periodicals. Under new censorship rules that came into effect in July 2005, media are ostensibly allowed to offer criticism of government projects as long as the criticism is deemed "constructive," and are allowed to report on natural disasters and poverty as long as the reports do not adversely affect the national interest. In February 2006, four individuals involved in the publication of a book

of poems critical of the government were sentenced to prison terms ranging from 7 to 19 years. Two photojournalists who photographed buildings in the new capital were imprisoned in March. The Burma Media Association reported in February that the government had launched a campaign to track down and imprison people who gave information to the international media. Several journalists, businessmen, and civil servants have reportedly been interrogated in relation to the program. While some people have access to international shortwave radio or satellite television, the Committee to Protect Journalists notes that those caught accessing foreign broadcasts can face jail time. The internet, which operates in a limited fashion in the cities, is tightly regulated and censored.

Ordinary Burmese can worship with some freedom. However, the junta shows a preference for Theravada Buddhism, discriminating against non-Buddhists in the upper levels of the public sector and coercively promoting Buddhism in some ethnic-minority areas. The regime has also tried to control the Buddhist clergy by placing monastic orders under a state-run committee, monitoring monasteries, and subjecting clergy to special restrictions on speech and association. A number of monks remain imprisoned for their prodemocracy and human rights work. Violence and discrimination against the Muslim minority continues to be a problem; recent incidents include a deadly flare-up in Arakan State in January 2005, in which two Muslims were killed in violence between Muslims and Buddhist monks. Ethnic Chin, who are predominantly Christian, continue to be persecuted for their beliefs. A report released by three human rights groups in March 2006 documented several instances of forced labor and sexual violence against the minority. There were also several reported cases of intimidation and harassment of Christians in Rangoon, where they are barred from attending church and forced to register with local authorities.

Academic freedom is severely limited. Teachers are subject to restrictions on freedom of expression and publication, and are held accountable for the political activities of their students. Since the 1988 student prodemocracy demonstrations, the junta has sporadically closed universities, limiting higher education opportunities for a generation of young Burmese. Most campuses have been relocated to relatively isolated areas as a way to disperse the student population. According to Amnesty International, teachers have recently been imprisoned for talking about or possessing books on historical political figures, and the licenses of private tutors have been withdrawn on political grounds.

Freedom of association and assembly is restricted. An ordinance prohibits unauthorized outdoor gatherings of more than five people, and authorities regularly use force to break up peaceful demonstrations and prevent prodemocracy activists from organizing events or meetings. Since the May 2003 crackdown, an increasing number of people have been detained for attempting to exercise their rights to freedom of association and expression. However, some public sector employees, as well as other ordinary citizens, are induced to join

the junta's mass mobilization organization, the Union Solidarity and Development Association. Domestic human rights organizations are unable to function independently, and the regime generally dismisses critical scrutiny of its human rights record by international nongovernmental organizations (NGOs). In February 2006, the government released new guidelines that further restricted NGOs, leading Medecins Sans Frontieres and the Centre for Humanitarian Dialogue to cease activities in Burma. The International Committee for the Red Cross (ICRC) has also recently been barred from carrying out prison visits.

Independent trade unions, collective bargaining, and strikes are illegal, and several labor activists are serving long prison terms for their political and labor activities. The regime continues to use forced labor despite formally banning the practice in October 2000. The International Labor Organization and other sources report that soldiers routinely force civilians, including women and children, to work without pay under harsh conditions. Laborers are commandeered to construct roads, clear minefields, porter for the army, or work on military-backed commercial ventures. The practice appears to be most widespread in states populated by ethnic minorities. In the past year, the government reportedly began using prisoners as forced laborers for government projects.

The judiciary is not independent. Judges are appointed or approved by the junta and adjudicate cases according to the junta's decrees. Administrative detention laws allow people to be held without charge, trial, or access to legal counsel for up to five years if the SPDC feels that they have threatened the state's security or sovereignty. Some basic due process rights are reportedly observed in ordinary criminal cases, but not in political cases, according to the U.S. State Department's 2006 human rights report. Pervasive corruption, the misuse of overly broad laws, and the manipulation of the courts for political ends continue to deprive citizens of their legal rights.

Detailed reports issued by Amnesty International have raised a number of concerns about the administration of justice, highlighting laws and practices regarding detention, torture, trial, and conditions of imprisonment. Political prisoners are frequently held incommunicado in pretrial detention, facilitating the use of torture and other forms of coercion, and are denied access to family members, legal counsel, and medical care. The Assistance Association for Political Prisoners (AAPP) reported that six political prisoners died in custody in 2006. Prisons are often overcrowded, and in 2006 the ICRC was barred from conducting visits to prison facilities.

The junta has periodically released some of those arrested in the aftermath of the May 2003 violence. In the month after General Khin Nyunt's October 2004 removal, thousands of prisoners were released, including several dozen who were being held on political charges. However, according to AAPP more than 1,000 political prisoners remain incarcerated at the end of 2006,

including 78 people detained in the past year. Most prisoners are held under broadly drawn laws that criminalize a range of peaceful activities, such as distributing prodemocracy pamphlets or reporting on human rights violations. The frequently used Decree 5/96, issued in 1996, authorizes prison terms of up to 20 years for aiding activities “which adversely affect the national interest.” After the October 2004 purge, jails were also filled with suspected allies of Khin Nyunt; several thousand were arrested, and beginning in November of that year, a number were sentenced to lengthy prison terms.

The UN Commission on Human Rights in Geneva condemns the regime each year for committing grave human rights abuses. Annual resolutions commonly highlight a systematic pattern of extrajudicial, summary, or arbitrary executions; arrests, incommunicado detention, and “disappearances”; rape, torture, inhumane treatment, and forced labor, including the use of children; forced relocation; and the denial of freedom of assembly, association, expression, religion, and movement. Police and security forces that commit such abuses operate in a climate of impunity, as such incidents are not commonly investigated and prosecutions are rare.

Some of the worst human rights abuses take place in the seven states populated by ethnic minorities, who comprise approximately 35 percent of Burma’s overall population. In these border states, the *tatmadaw*, or Burmese armed forces, kill, beat, rape, and arbitrarily detain civilians. According to a July 2006 report released by the Women’s League of Chinland, Burmese soldiers are promised 100,000 kyat (US\$16,000) for marrying Chin women as part of a strategy of “Burmanization.” As described in an Amnesty International report released in September 2005, soldiers also routinely destroy property and seize livestock, cash, property, food, and other goods from villagers. The junta has committed particularly serious abuses against the Muslim Rohingya minority in northern Rakhine State. A 2006 British Broadcasting Corporation (BBC) news report noted that the vast majority of Rohingya are denied citizenship and face severe restrictions on their freedom of movement, their right to own land, and their ability to marry. In addition, they are regularly subjected to arbitrary taxation and other forms of extortion, as well as forced eviction and land confiscation, at the hands of Burmese security forces. More than 250,000 Rohingya remain in neighboring Bangladesh, where they fled in the 1990s to escape extrajudicial execution, rape, forced labor, and other abuses.

The junta continues to face low-grade insurgencies waged by the KNU and at least five other ethnic rebel armies. In November 2005, the army stepped up its attacks in Karen State, leading to a prolonged offensive that lasted throughout 2006. Several reports have accused the Burmese military of targeting civilians and destroying fields and food supplies. Approximately 16,000 Karen have been displaced as a result of the attacks. Seventeen rebel groups, however, have reached cease-fire deals with the junta since 1989, under which they have been granted effective administrative authority in the areas under their control

and are able to retain their own militias. While army abuses are the most widespread, some rebel groups forcibly conscript civilians, commit extrajudicial killing and rape, and use women and children as porters, according to the U.S. State Department's 2006 human rights report. Child soldiers are used frequently in the army, and the practice of recruiting them has increased in recent years, according to a 2006 report by the Human Rights Education Institute of Burma.

Tens of thousands of ethnic minorities in Shan, Karenni, Karen, and Mon states remain in squalid and ill-equipped relocation centers set up by the military. The army has forcibly moved the villagers to the sites since the mid-1990s as part of its counterinsurgency operations. Press reports indicate that at least one million people have been internally displaced by these and other tactics.

In addition, according to Refugees International, several million Burmese have fled to neighboring countries, including Thailand, India, and Bangladesh. Thailand continues to host at least 145,000 Karen, Mon, and Karenni in refugee camps near the Burmese border, as well as hundreds of thousands more who have not been granted refugee status. In March 2005, a renewed offensive by the regime, aided by the United Wa State Army, an ethnic force allied with the government, that targeted the rebel Shan State Army led to intensified abuses against and the displacement of thousands of civilians in Shan State.

Authorities in 2006 continued to infringe on citizens' privacy rights by arbitrarily searching homes, intercepting mail, and monitoring telephone conversations. Laws criminalize the possession and use of unregistered electronic devices, including telephones, fax machines, computers, modems, and software.

Burmese women have traditionally enjoyed high social and economic status, but domestic violence is a growing concern, and women remain underrepresented in the government and civil service. A September 2004 report by the Women's League of Burma detailed an ongoing nationwide pattern of sexual violence, including rape, sexual slavery, and forced marriage, against women by SPDC military personnel and other authorities. Criminal gangs have in recent years trafficked thousands of women and girls, many from ethnic minority groups, to Thailand and other destinations for prostitution, according to reports by Human Rights Watch and other organizations.