

# The Mon Forum

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## Some Acronyms in This Issue

MMSCFD-	Cubic feet per day
ERI-	Earth Rights' International
IB -	Infantry Battalion
LIB -	Light Infantry Battalion
DKBA-	Democratic Karen Buddhist Army
VPDC-	Village Peace and Development Council
NMSP-	New Mon State Party
SPDC-	State Peace and Development Council
TPDC-	Township Peace and Development Council

## News

### Ye Township Immigration Department inflates ID COSTS

September 29th, 2010  
by Wera Mehm, IMNA

Ye Township villagers report that while the township's Immigration Department is pushing residents to make identification cards (IDs), Immigration authorities are responsible for a dramatic spike in ID prices.

According to a 40 year-old male Ye resident who recently made an ID, residents must pay 70 thousand kyat to the Immigration Department in Ye town if they want their new ID cards within two or three days, and 50 thousand if they are willing to wait about a week.

Ye residents explained that in July of this year, the Immigration Department office in Ye town encouraged residents without ID cards to have them made in advance of the 2010 elections, and led campaigns in individual villages and township quarters to induce community members to obtain the cards; many residents ignored or put off the task. The cost for making ID cards was about 6 thousand kyat at the time. The campaign has since ended, and Ye residents who now find themselves in need of ID cards are being forced to pay unexpectedly high prices for the documents.

Individuals who need the ID cards for immigration purposes have often already made travel plans in advance, and are forced into paying 70 thousand kyat in order to receive their ID cards as soon as possible.



Immigration officer delivering ID Cards in 2007, Ye Township

## Who will be responsible for past human rights violations?

After the November 2010 elections, whether the people like it or not, a new government, with heads of both active and retired military commanders, will be formed and power will be transferred within the inner circle of the military leaders.

In many countries, where there have been past serious violations of human rights, there have always been commissions on truth and reconciliation formed to inquire about these past human rights violations in order to avoid the possibility of similar mistakes in the future.

However, the transition in Burma does not seem to embody such a commission for the formation of truth and reconciliation, because the most of human rights perpetrators will be in power, and they will continuously try to win through war in all matters, without accepting the political intentions of the people for peace talks or reconciliation.

The civil war will be continued and the human rights violations in ethnic regions will continue. The oppression of pro-democracy movements will continue and the imprisonment and the detention of political leaders and activists will continue. The new regime will have ignored past human rights abuses and will not conduct opportunities for genuine peace, truth and reconciliation in order to accept all parties to participate in peaceful transition.

Since there is no truth and reconciliation within the country to provide justice for human victims countrywide, HURFOM believes it is the responsibility of international judicial institutions to seek justice for the people of Burma.

The male resident from Ye township said “I made it [the 70 thousand kyat ID] because I was having problems going on a trip to make a living [migrating for work]”. He reported that he is planning on entering Burma’s neighboring country of Thailand as a legal migrant worker because he is unable to make a living in his native village, and he needed his ID as soon as possible.

A woman who recently waited three days to get her ID said “I spent 50 thousand kyat and waited 3 days”. She reported that she and two of her friends when through the ID-making process, and only paid 50 thousand kyat per ID because they had friends working in the Immigration Department office.

Ye residents reported that when asked, officers at the Ye Immigration Department claimed that the cost of the rush-made ID cards could be broken down to 50 thousand kyat for the cost of an ID, and 20 thousand kyat for the cost of a quick trip to Moulmein to obtain the necessary signature of the Mon State Immigration Department.

Another woman, aged 38 years old, told IMNA she believes that the Immigration Department’s government servants in Ye township are extorting excessive funds from people purchasing ID cards with the intention of traveling to neighboring countries. She claimed that civil servants delay the delivery of ID cards until their owners pay fees in addition to the 70 thousand kyat they’ve already spent.

High ID costs and extortion fees make traveling

abroad as a legal migrant worker even more expensive, as residents must also travel to Rangoon to have passports made before they legally can travel abroad.

Migrating to Thailand for work is becoming an increasingly common practice in Burma, as many citizens find that working abroad, and sending earnings home to family members, is more profitable than working within Burma’s failing economic climate. Citizens from Ye Township claim that working in Thailand is customary for the majority of youth and young men in the area, partially because Ye Township shares a border with Thailand.

According to a Chauk kone villager from Ye Township who recently traveled to Rangoon to have a passport made for immigration purposes, 170 Burmese citizens from around the country were at the city’s passport office on the day he visited, most with the intention of becoming legal migrant workers. Individuals who wish to be legal migrant workers often choose to make passports before traveling abroad, especially if they are planning to move to countries like Malaysia or Singapore, where migrations restrictions are strict.

Even as Ye residents must pay exorbitant fees to obtain ID cards, field reporters claim that Immigration authorities in Mon State’s Paung Township are giving ID cards to quarter and village headmen; Paung residents who want the cards must only pay a small fee. Villagers from other townships in Mon State are unfortunately barred from the campaign.



## Report

# 35 DAYS TILL ELECTION: HOW STATE RESOURCES AND AREA RESTRICTIONS IMPACT ETHNIC VOTES IN MON AND KAREN STATES

On September 11th, the Burmese State Election Commission<sup>1</sup> evoked section 8 (f) of the Union Election Laws, declaring at least 164 village tracts, as HURFOM can confirm, unsuitable for participation in the November 7<sup>th</sup> election due to apparent security concerns. Specifically, 155 of these village-tracts belonged to 7 townships of Karen State and 9 village-tracts belonged to 2 townships of Mon State. Affected are an estimated 400,000 voting age citizens. The sudden decision to exclude these predominately ethnic regions has raised considerable concerns, as the regions concerned are not particularly unstable and possess a fair amount of infrastructure. Rather, the areas targeted have particularly high levels of ethnic constituents that had, until that point, rallied around the campaigns of local ethnic parties.

Moreover communities in more rural ethnic regions of Burma have not benefited from the nominally more transparent setting that campaigning in Rangoon has given some parties. Areas of Mon and Karen state not banned from participation, have experienced frequent and widespread instances of election fraud, manipulation and coercion by regime forces as well as members of the pro-regime parties, the Union Solidarity and Development Party (USDP) and the National Unity Party (NUP).

This report will be the fifth by HURFOM providing information and personal accounts from residents detailing abuses that have targeted the predominantly ethnic and more rural regions of eastern Burma. Information documenting abuses is divided in two categories of election abuse currently employed by the State Peace and Development Council (SPDC) in targeting ethnic and independent parties. The first method is comprised of general election abuses that revolve around the use of state resources and employees to strengthen support for the USDP through manipulation of election data, bribery, and threats. The second focuses is on regional area restrictions; specifically the impact of the recent exclusion of nearly 164 predominantly ethnic village tracts from voting constituencies. Residents living in these regions have expressed widespread dissatisfaction citing government manipulation efforts, exclusion from voting, and general disinterest for the sake of security. None the less, villagers have remained agents of activity in their community, carrying out a variety of non-compliance or deflection methods to avoid or negate government or party threats that insist on subservience.

The data and accounts included below were collected in late August and through September in 2010 by 3 field reporters. This data was specifically gathered from central and north and eastern Mon State, and central and southern Karen State. Researched under significant security concerns, the scope of information obtained is representative and embodies a sample of the wider election abuses that have continued since 2009.

## Background

During the 1990 election, 67 representatives from 19 ethnic political parties won approximately 16 percent of the available parliamentary seats, and formed a united body known as the United Nations League for Democracy (UNLD)<sup>2</sup>. These parties represented, Karen, Shan, Mon, Rakhine, Kachin Chin, Pao, Kayan, Naga, Mro (Khami) and Ta-ang (Palaung) ethnicities. While the results of the 1990 election had been officially annulled after the then ruling regime refused to acknowledge the election, the then victorious National League for Democracy had supported the UNLD's call for the ethnic rights of 'self-determination' and 'self-administration'<sup>3</sup>.

Since, ethnic political parties, the ceasefire parties of the late 80's and early 90's, and active insurgent groups have faced increasing pressure to submit to unified regime domination. Most recent manifestations have been pressure to submit and restructure armed wings into either border guard forces or peoples' militia forces<sup>4</sup>. It is not yet clear if or how the ceasefire parties themselves will be transformed after the election.

<sup>1</sup> Translates in Burmese to "Pyidaungsu" Election Commission, and in multiple accounts by interviewees is referred to as such.

<sup>2</sup> Chao-Tzang Yawngwe and Lian Sakhong (editors). "Federalism, State constitutions and self-determination in Burma [Report on state constitutions Drafting process]," UNLD Press, Chiang Mai, Thailand 2003.

<sup>3</sup> Martin Smith, *Burma: Insurgency and the Politics of Ethnicity* (Bangkok, Thailand: White Lotus, 1999), 439.

<sup>4</sup> "Largest Mon ceasefire group holds emergency meeting over fate of 'border guard' force story on BGF requirements," *The Independent Mon News Agency (IMNA)*, July 14, 2009.

Over the last year as election deadlines, rules and regulations became clear, ethnic communities and democracy activists were forced to face the question of whether to participate in another election, despite the annulment by the regime of the democratic victory in the 1990's, or to boycott, instead taking a stand to maintain the legitimacy to the previous election results. While several key parties have chosen not to participate, most notably the National League for Democracy, the Mon National Democratic Front (MNDF), and leadership from several ethnic ceasefire parties including the New Mon State Party (NMSP), a significant number of ethnic parties have registered for the 2010 election. As Richard Horsey notes, this seems to indicate that the issue of ethnic identity in a democratic process is still a significant driving force for ethnic communities<sup>5</sup>. As a result the lack of appeal by pro-SPDC parties to an ethnically interested voting population appear to be a cause for concern for the regime's election campaign.

Since November 2009, HURFOM research has indicated that the current regime has actively pursued a campaign of preparing predominantly ethnic regions of Karen and Mon state for the larger election campaigns of the pro-government parties. This has included the formation of local militias and thug groups, trainings of police and fire brigade units in weapons use, crowd control, intimidation, and surveillance; use of arbitrary taxation to fund these groups, and at the same time undermine the financial stability of local communities; census gathering to maintain accurate lists of possible voters 18 and up, determine which residents are government employees, and retired government employees; issuing ID cards to residents, often which label the bearer as 'Burman' or combination of Burmese and their ethnic identity travel restrictions; and special election related trainings for members of the Union Solidarity and Development Association (USDA) that has since become the premier government party, the Union Solidarity and Development Party (USDP)<sup>6</sup>.

## Election Abuses

The following election abuses represent the final stages of this long running effort by the current regime to solidify and attempt to guarantee the primacy of its pro-government parties before the election date in the areas of Karen and Mon State<sup>7</sup>. Frequently towns and villages in Karen and Mon State have seen multiple visits by regime representatives or the now defunct USDA, for ostensibly civic purposes, that instead have pressured community members to support the regime and whatever political party it would field. The cases of voter data manipulation; coercion through bribery, threats, or force; and direct involvement of government employees appears to embody the matured aim of electoral domination by the USDP.

## Manipulation – Family Lists and ID Cards

Local Township and Village Peace and Development Council (T & VPDC) representatives were first documented collecting family lists by HURFOM in November 2009. Ostensibly to keep track of population via a census, the effort has continued, with some communities being visited in upwards of 15 times. This practice continues now as the lists have been used extensively in pro-government campaign efforts. These lists have been used to bolster the membership of the pro-government USDP, give the party exclusive access to an accurate number of eligible voters, and serve as a clear indication of family members that are abroad and can have ballots cast in their name by either family members or proxy representatives that are members of the VPDC, fire brigade, Maternal and Child Welfare Association, or the healthcare department.

Nai Nyan, Maw Kanin village, Ye Township, demonstrates the means by which the SPDC administration gathers lists of eligible voters:

As far as I know, U Thein Zaw, the chairman of Ye Township Peace and Development Council (TPDC), ordered U Aye Sein, a chairman in MawKanin village, to collect [the] numbers of young people from 18 years old through over 18 within one day (that day was on a 10 Sept, 2010). However, as there are over 3,000 [also estimated to be 4,000 to 5,000] households in Mawkanin, U Aye Sein could not complete [the] collecting of numbers in one day. U Aye Sein also told me that he had to collect the numbers [of voting age residents] ... otherwise he would be punished.

On September 12<sup>th</sup> the Burmese election commission announced a rule allowing family members or members of the VPDC to cast votes for the absent eligible voter. This raises the obvious concern that of Burma's

<sup>5</sup> Richard Horsey. "Overview of Registered Political Parties in Myanmar," *Conflict Prevention and Peace Forum*, June 15, 2010.

<sup>6</sup> These abuses are detailed in 4 previous reports produced HURFOM, documenting election related abuses in eastern Burma. Please see, *Burmese government pressure on communities for support in 2010 election*, HURFOM, December 2009; *Election preparations round off a year of abuses against farmers in Mon territory*, HURFOM, January 2010; *"We have to try" : Mounting pressure in election preparations and responses from the Mon State community*, HURFOM, February 2010; *Watering the Poison-Tree: The ongoing systemic erosion of democratic process*, HURFOM, August 2010.

<sup>7</sup> *Ibid.*



estimated 2 million migrant workers will not participate in the election, and instead have votes cast in their name by other persons – an situation that leaves ample opportunity for vote buying or coercion.

A Mon youth, age 28, from Chaung Sone Town, who graduated with a Law degree, describes how votes can be cast for citizens abroad:

In Chaung Sone Township, the heads of the Village Peace and Development Council ... have gathered lists of people who are abroad in other countries, [migrants working in bordering countries]. On behalf of those people, the village headmen and the VPDC can vote for USDP in advance....In our Chaung Sone Township, the registration of citizens, who are eligible voters but abroad, has been collected by local [SPDC] authorities. By the time of going to poll, on behalf of these citizens, the proxies representatives [VPDC, fire brigade, Maternal and Child Welfare Association, healthcare department] will vote for USDP.



Immigration Officers give villagers the ID cards that later will be used to register them as voters, Northern Ye Township 2007

The above anonymous Mon law graduate also noted to HURFOM's field reporter, that this September 11<sup>th</sup> ruling will significantly disadvantage the local Mon party the AMRDP. Large numbers of migrant workers from Karen and Mon state annually travel to Thailand to take advantage of the more prosperous economy, to find work and send remittances home to supplement family incomes. Due to this proximity, 600,000 Mon work in Thailand according to a minimum estimate by the Thai Labor Bureau and will be excluded from the election.

The collection of family registration lists has frequently been connected with the issuing of identification (ID) cards. On multiple occasions ethnic residents, who also or only speak Burmese, receive cards marking their ethnicity as Burman or Burman as well as their own ethnicity. This method of re-designating the official ethnicity of residents has been used to keep some large pockets of ethnic communities from contesting for ethnically designated seats in the region state assemblies<sup>8</sup>.

Mehm Tala Sorn, 26, a resident of Baylamine village, Northern Ye, Mon State, describes how ID cards and family lists are connected to pro USDP pressure:

Lately, it [the SPDC] announced [it will] issue the ID cards for the people from Baylamine village-tract, [for] ages 18 and over..., who do not have ID cards yet. Issuing ID cards [is] led by Lamine Sub-township *La Wa Ka*<sup>9</sup> secretary Saw Nay Htuu. Each person has to pay 15,000 Kyat or 20,000 Kyat in order get an ID card. If we do not want to get ID card, they members of *La Wa Ka* will issue temporary cards that [are supposed] to be used to support [the USDP] for this upcoming election. Once they also issued Family Registration Lists for families in Baylamine village with a seal stamp [belonging to the SPDC]. However, this time, they [from the VPDC] said that that seal stamp is not legal and it is not a USDP seal stamp, so people have to come and get Family Registration List issued again.

Saw Pa Kar, 40, from Baylamine village, Northern Ye, Mon State, highlights the fees that are charged to register for a new ID card:

Everyone who wants to get ID card issued has to get new Family Registration List with new union seal stamp...One ID card costs 15,000 kyat and 20,000 kyat. If you do not understand [them] or cannot

<sup>8</sup> "Mon Party Barred from Minority Constituencies," *IMNA*, September 13, 2010.

<sup>9</sup> *La Wa Ka* is the Burmese acronym use to describe the administration equivalent of an immigration bureau. Either *La Wa Ka* or Immigration Bureau will be used depending on speakers use of the word.

complain about how expensive the ID card is, [the person] has to pay 20,000 kyat, whereas some who understand and can complain about it [only] have to pay 10,000 kyat.

## Coercion - Bribery

In multiple instances gift giving and financial support was first donated by the state to pro-government parties. Most notably, the pro-government USDP has frequently used gifts, the promise of business concessions or contracts, and giving mosquito nets to court the support of powerful political or administrative figures, wealthy business leaders, and area residents. It is likely that a significant portion of the USDP's capacity to fund these activities, as well as other development projects, comes from money provided by the state and the now defunct predecessor to the USDP, the USDA. Though vote buying does not appear to be directly illegal in campaign laws, this practice of apparently using state funds has received significant criticism as it violates the regime's own election laws:

Nai Nyan, 55, used to be employed as a member of a local village security unit in Mawkanin village, Ye township, from 2007 to 2010. Here he describes the current activities of the USDP in attempting to gather the support of village headmen:

I also witnessed that the Union Solidarity and Development Party (USDP) officers [were] provided [with] satellite televisions (TV set + a 18 inches satellite dishes) for village-tract [leadership] in Baylamine village as the USDP wanted people from there to vote for them and organize people voting for them. The USDP only provided the satellite televisions for the village chiefs as they are considered important individuals who would help [the] USDP get more votes or work for the USDP to win in the election in this village tract.

U Myo Naing, 45, a dry fish merchant, originally from northern Ye township, Mon State talks about USDP efforts to recruit community members:

In Ye township, the USDP members cooperated with the rich people in order to organize people for voting for it [USDP]. It provides something needed or can be helpful for people in giving a loan, providing mosquito nets, and doing clean-up<sup>10</sup>. They also said that they will make change or develop [the] living standards for people if they [USDP] win the election. However, as people know that this party supports the government, the SPDC, they are not interested in what they are promising or saying and they do not want to support the USDP either. Also, if possible, they will complain or argue not to vote for it [USDP] even though they are forced with guns to vote.

Nai Jein, Ayutaung village, northern Ye Township, Mon State, sees the limited donation of mosquito nets as a half-hearted effort illustrating the USDP's desire to buy votes rather than rally aid the welfare of the community:

For the mosquito net distribution, they [TPDC and USDP members] did not provide [nets] for people from every village-tract. They only provide [nets to] the villages where they can organize to vote for them. Some villages have 300 to 500 households and they provided 100 to 200 bed nets for people in those villages, having 300 to 500 households. [In other areas] some villages do not want to accept the bed nets as they only distribute about 5 – 10 bed nets. Distributing only 5-10 bed net is not enough for them [residents of a village]. But some villages accept the bed nets – although [there are] only 5-10 bed nets – because they do not understand that the bed nets are provided for what they [will] have to do after accepting the bed nets.

Daw Ma Tin, 47, from Ye town, Ye Township, Mon State, is a local store owner and a merchant. She describes how the USDP recruits candidates, not on goals for the community, but on existing personal wealth:

In Ye Township, in Shwe Taung Kyar quarter, the quarter candidates [are] U Htun Myint, a businessman, and another, U Htun Myint, from Ye Township too [both candidates have the same name]. They both will cooperate with government to run their business in order to get a profit. These two men are not running as individual candidates, [though] they are rich enough, but for the USDP to get any support from the USDP, like getting loans from it and [benefits in] running their businesses. These two men – businessmen – have never carried out any duties of civil service personal, but they are rich and the USDP came to organize them to present as candidates for it [USDP]. They accepted to do what the USDP

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<sup>10</sup> Referring to village clean up, often conducted prior to the arrival of government VIP's but also to disperse standing water to reduce the presence of mosquitoes, to improve health in the community.

wanted them to do because they can have a good chance to [improve] their business. These two men have never done anything that [is] good for people in Ye Township, they only know how they can make profit for their businesses or do businesses.

### Coercion – Threats, Force, and Use of State Employees

As a military regime, the use of threats and force are not uncommon within the political sphere. In the case of this election, multiple accounts have indicated the use of either direct pressure from military forces, civilian militias and thug groups, or the use of government civil servants in support of the pro-government USDP party.

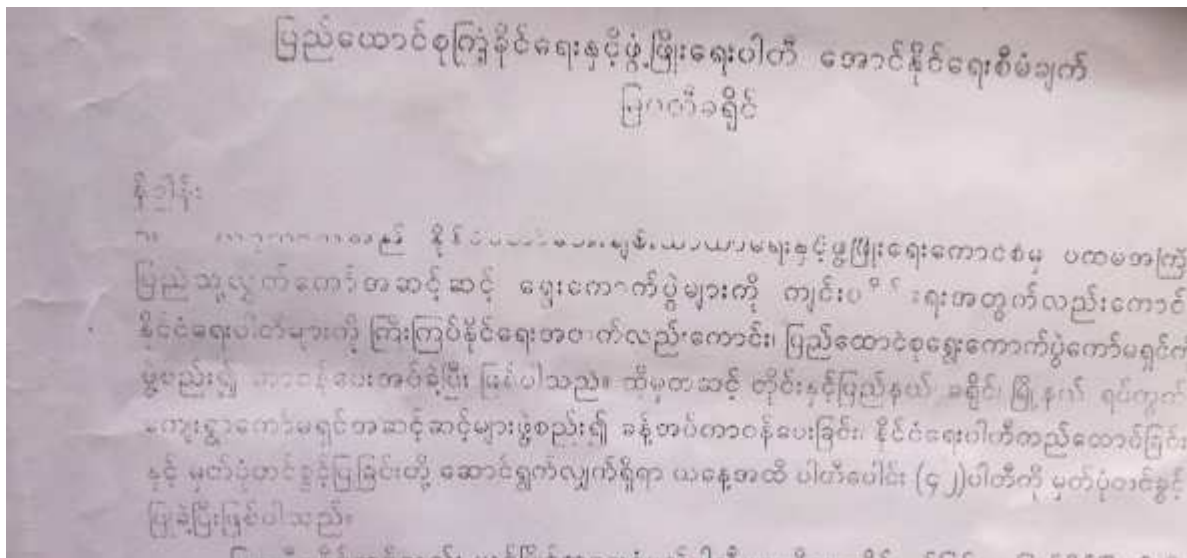
Since November 2009, the regime has developed a network of local militias and civilian thug groups; and trained fire brigades, medical staff, and police forces in weapons use, crowd braking, surveillance, and intimidation under the premise of civil development and security. These groups, financially supported, and set apart from other community members with special privileges and the ability to tax locally, have formed a base from which the regime can exert control over local voters. In addition, the documented frequent use of administrators and education staff in preparing communities for the election under the apparent supervision of members of the USDP appears to violate the regimes own election laws, which prohibits the use of government servants and civil staff by political parties

Mi Sandar, 29, from Thanbyuzayat Township, Mon State, is a schoolteacher. She describes how government staff have been used by the USDP to staff polling booths:

The education service [and teachers] are organized by USDP. The civil servants [and] teachers are appointed to organize for polling booths and organize as polling booth team officers or members [to operate the polling booths] but not as [authorities] of it. They, as polling booth team officers or team members, carry out their duties to register voters and organize for the poll. They teachers work as teachers, but because they are concerned about their livelihood and fear the orders from the government. Even though they are not interested in polling or serving as polling booth officers or team members, they have to do or serve like that. They do know that this upcoming election will be held unfairly and if this government keeps running the country, we the people will keep suffering. They the teachers have to do or serve like that, even though they know that election will be held unfairly and people [will] keep suffering, because they are worried about their living [situation] and fear the government. So, obviously, the teachers are carrying out their assigned duties with no interest or will.

In early September, members of the USDP and soldiers from the Burmese Light Infantry Battalion (LIB) No. 106, visited Mawkanin village tract, in northern Ye Township, Mon State, to gather election support. Nai Nyan, 55, who worked in a village security organization from 2007 to 2010, explained how LIB No. 106 forces were directly involved in campaign efforts for the USDP:

In early September, 2010, the commander of Light Infantry Battalion LIB No. 106 which is based at Mawkanin village, called an emergency meeting with all village chiefs from Mawkanin, Lamine, and



The USDP plans to win the coming elections in Myawaddy Division

Kawdot village tracts. An approximated 40 villages' chiefs and some village security troops attended the meeting. In the meeting the commander of LIB No. 106 Lieutenant Colonel Khin Maung Cho instructed all villages' chiefs about the upcoming election preparation in detail. What I know is, in that meeting, Lt. Col. Khin Maung Cho ordered that every villages' chief has to take responsibility for the tasks of organizing villagers going to the poll for this upcoming 2010 election. In his orders he seriously urged all attendees to organize the local people to vote for the USDP. The second thing he mentioned [was] the area security issues. All villages' chiefs and village security troops must take responsibility of the security during the pre, during, and after election periods. He wanted nothing to happen during these periods<sup>11</sup>. Moreover, all village chiefs and villages security troops have to form a special secret informant group and monitor closely how the members of [the] NMSP and other political parties move and their activities. Then, Lt. Col. Khin Maung Cho ordered [them] to report back weekly on the mentioned group activities during this pre-election [period]. Village heads or chiefs, who failed to organize or report the activities of the ceasefire and political parties' members, would be punished.

Nai Kom Myint, Ngyan Tay quarter, Moulmein Township, Mon State, who has a son in the USDP, describes how the party ahs worked to ensure its election on November 7<sup>th</sup>:

For example, the USDP is, as everybody knows, the party which was founded after being transformed from the civil society USDA group – monitored and supported by military. Also it is the party organized [by the] military, civic servants [fire brigade, members of the Maternal and Child Welfare Association, healthcare department,] and education staff and formed with help from educated people [people who have graduated with degrees]. So if we speak of it, it is the party founded with volunteers ... according to what my son, who was forced to become a member of it [USDP], said every member of USDP has already voted for [the USDP] it in advance. Additionally, they, the members of USDP, also have collected the numbers of 18 year and over boys and girls in every village-tract with assistance of the government. By the time of going to the poll, with assistance of each village's headman, they [USDP] will get numerous votes from those 18-year-old boys and girls. The USDP members also have organized a lot of *lu yen gah*<sup>12</sup> in every quarter in order to [cause] fear in people, fight against when other political parties [gather], and [force voters] not to boycott the USDP... As these *lu yen gah* are also the ones to oversee or organize at polling booths for this 2010 election, on this November 7<sup>th</sup>, they are together with education staff [in a] training given by senior members of the USDP. To go for polling, the citizens who do not know about polling will be organized and vote for what the *lu yen gah* say. In this cases – because of these unfair strategies used by USDP and organizing the proxies – the USDP will contest throughout the Mon region and it can outcompete [other] political parties.

Beginning on September 6<sup>th</sup>, two military columns from Light Infantry Battalion (LIB) No. 242 began patrols to at least 4 villages, including Mar Taw Koo, Hi Phoe Dae, Part Tala, Taw Kho, and Pa Aww Taw villages in Naung Lay Bin Township. The villages, located south of Nyaung Lay Bin town, are with in approximately 5 miles of the LIB, and often subject to frequent travel restrictions, due to the SPDC's perceived threat of Karen National Liberation Army (KNLA) Brigade No.3 operating in the area.

The two columns from LIB No. 242, comprised of 30 members each, arrived and gathered villagers to make threats of travel restrictions outside the village if security worsened, and to give an election presentation describing how to vote and that villagers should vote for the pro-government parties. The commander of LIB No. 242, who operates under Military Operations Management Command (MOMC) No. 16 issued the orders for these activities.

During the presentation, the unit commander for the LIB No. 242 column insisted that villagers cast their votes on November 7<sup>th</sup>. According to villagers who attend one of the presentations, the commander did not state the name of the party to vote for, but stated that they should vote for “the party that stands for the State's benefit”, leaving the interpretation of the phrase open to attendees. According to one resident who has knowledge of the political situation with in the area, and the situation in Burma, highlighted that the party implied by the description of, ‘stand for the state's benefit’ was likely that of the government supported Union Solidarity and Development Party (USDP). Saw Kyi Sein, 43, who is a cultivator of tobacco, hillside rice paddy, and corn, describes the meeting, and his prediction for election day:

The name of the commander of the Burmese army was unknown. He is tall and strapping. He and over 30 privates assembled the headmen and the prominent persons of our village ... In the meeting, the local security issue was discussed first. If the security is very bad, a curfew will be imposed. They said bluntly that if you go outside village during [the] curfew, you will be shot dead. Next, [they] talked about the

<sup>11</sup> The speaker is implying the possibilities of disruption previously mentioned by the Lt. Col. Khin Maung Cho, of bombings, at tacks from insurgent groups, challenges from the political parties, or efforts to boycott the election, in the northern Ye Township areas.

<sup>12</sup> *Lu Yen Gah* in Burmese translates most closely to proxy gangs or thug groups - often youth - that form non-official bodies used to intimidate opponents.



vote. They said that [we] have to vote only for the party that stands for the State benefits. I think they mean [the] “USDP”. In desolate areas like this village, the army will put in the polling-box in due course and force us to vote [by] pointing [at us] with the guns. We can do nothing but follow as we are instructed. Even [if they lose the vote] they will win [the election].

An anonymous resident of the area, aged 30, who is close to a local VPDC headman, described to HURFOM's field reporter how later on September 16<sup>th</sup>, most of the village headmen in the township were forced by the commander of LIB No. 242m based at Htet Htu, to sign a document saying that they would guarantee all the voters in their particular villages would vote for the State backed parties:

The army forced them [8 village headmen total from Nyaung Lay Bin Township, all of whom are Karen] to sign an agreement letter that they will organize the villagers to cast their votes as they are instructed. That happened on September 16<sup>th</sup>. The village headmen and secretaries have to take the risk that all [villagers] will vote for them [government supported parties].

An anonymous Mon resident, in Mudon Township, who is currently a member of the USDP, describes how the USDP campaign uses local village administration to attempt to secure votes for the party:

Organized by Township Peace and Development Council since Sept 5<sup>th</sup> – almost every week – the local level [USDP] campaigning members come to organize people to vote for the USDP in 19 villages, in Mudon Township – Pian Ka Mar, Wad Tal, Joil Pyak, Kyiek kar Naing Sjan , Winn Ta Maw, Kyiek Sol, Taw Kuu, Ta Kon Tain, Ah Kon, Lat Tat, Kong Nyin Tan, Ka Mar Wad, Pal Tow, Ka Law Taw, Tow Mar, Sat Dow, Kom Ka Wee, and Taung Pa – by threats [reported to the speaker by sources from those villages]. Every one from each household is ordered by Village Peace and Development Council heads to attend meetings at state-run schools, monasteries, etc. At that meeting, the respective representatives talked about the organizing for the poll. Also, heads of the Village Peace and Development Councils and Secretaries have been given responsibility for the task of making sure that every vote given ... must be a vote for the USDP in their respective villages.

## Election Restricted Village Tracts

By controlling where the election can be held, and how election or party information can be distributed, the regime has severely hampered the opportunity for thousands of voters to participate in the election. In particular, this has been frequently documented by HUFOM in more contested “black areas” or free fire zones in which SPDC battalions have actively restricted travel outside villages, barring opportunities for villagers to meet with or attend campaign activities of independent and ethnic parties<sup>13</sup>.

As an alternative to the regional travel restrictions in each village, HURFOM has documented the impact of the recent restriction ruling by the Burmese Election Commission. On September 16<sup>th</sup> the Burmese Election Commission banned 164 village tracts in Karen and Mon States, from participating in the election. While the election committee has evoked the electoral law section 8 (F), banning constituencies that appear unable to guarantee ‘free and fair’ election process due to security concerns, it has in fact not targeted the country’s most fractious or violent regions. Instead, communities targeted tend to be predominantly either Karen or Mon and are home to strong competitive ethnic parties such as the All Mon Region Democratic Party (AMRDP) and the Phalon Sawaw Democratic Party. As a result, ethnic parties that were legally approved to participate, and have successfully approved candidate lists, now face significantly reduced prospects for electoral success. It appears that regions where the election is banned will be designated ‘Union Territory’ under the 2008 Constitutions article 50 (b), meaning that these regions will be directly administered by the president and have no regional representation until the next election<sup>14,15</sup>.

Saw Nyo Lwin, Wae Kha Mi village-tract, Thanbyuzayat Township, Mon State has studied politics and the political situation within the region, and commented on the recent election commission declaration:

In my opinion, that the Pyidaungsu Election Commission specified ethnic tribes’ territories as the areas that do not favor “free and fair election” by the section 8 (F) is not an honest deed. As I know, the USDP is not a favorite to win the election in those areas. Moreover, the 2008 referendum got a lot of ‘crosses’ from those regions<sup>16</sup>. In detail, the big villages in which many Karen people live such as Taung Swun, Win Kanar, Kha Lae Takhon Tai, Law Shan, Kamoke, Azin, Ko Du Kwe Kyake, and Taung Kalay

<sup>13</sup> *Watering the Poison-Tree: The ongoing systemic erosion of democratic process*, HURFOM, August 2010.

<sup>14</sup> Richard Horsey. “Countdown to the Myanmar Elections,” *Conflict Prevention and Peace Forum* August 25<sup>th</sup>, 2010

<sup>15</sup> “Constitution of the Republic of the Union of Myanmar,” Printing & Publishing Enterprise, Ministry of Information, 2008.

<sup>16</sup> Specifically, during the 2008 referendum period for the Constitution, rejection of the proposed referendum was marked with an ‘X’.

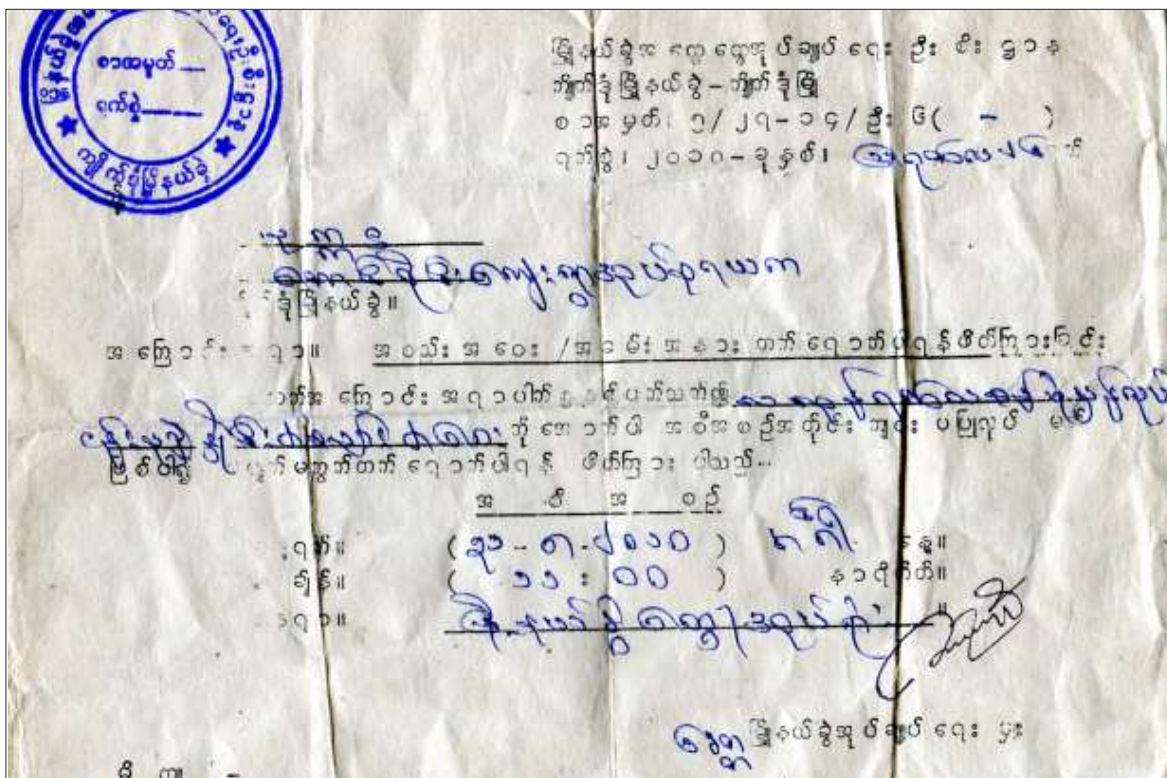
of Kyarinnseikyi Township, are targeted [for the election] to be canceled. It is very important to elect Pyithu Hluttaw representatives or Amyotha Hluttaw representatives who benefit your ethnic groups in Hluttaw. Now they won't get that opportunity. I speak frankly; the deed of the SPDC military government is absolutely not honest. I dare say that [they] annulled [the ethnic territories] intentionally.

Saw Mann, from the Irrawady delta area and currently lives in Kyarinnseikyi Township which has been banned from participating in the election:

Most of Mon and Karen villages they annulled [are justified by the] reason of "not suitable to vote in" – they are the village-tracts [that gave] a lot of 'crosses' during the referendum of the 2008 constitution. If it is not allowed to vote in those areas, the crosses will disappear [stated as a joke]. Another point is that the announced areas are the village-tracts which are quite far from the urban areas, and are the areas in which Karen parties got support after they had zealously met with the civilians many times. I speak that in those areas, the USDP absolutely can't [spread] any propaganda. The difficulty is that no one can know how they [the SPDC] work, so the ethnic parties have mainly campaigned in the areas that they expected to get more supporters [in]. Another point is that they gave a reason that those areas are insecure, but all canceled 166 Karen village-tracts are not black areas<sup>17</sup>. They intentionally schemed to make a cheat. In conclusion, the areas that they will hold the elections are townships, sub-townships and village-tracts in which their backbone supporters have already been raised [support] systematically by giving a variety of opportunities for many years. Backbone supporters maybe exist in various sorts [such as villagers, military forces, and education and administrative staff]. Therefore, they announced the people can cast their votes in that area they suppose they will definitely win the election [in]. They are arrogant in the areas they get favor. If you think this is justifiable or fair, you can cast your vote.

U Pan Ngwe, from Kyarinnseikyi Township, and who works as a political observer, commented on the recent restriction of election participation, and how in Kyarinnseikyi Township significant infrastructure exists, rather than fighting or security threats:

That the Commission did not allow [the people in] the ethnic territories to vote makes the dishonesty of the military government more apparent. The whole Karen people will suffer a lot. It is not reasonable to restrict election [areas by] giving security reasons. In both Mon and Karen States, 166 village-tracts are banned. If we count by village, there will be a lot [banned from the election]. Some village-tracts



Letter ordering village headmen and villagers to attend weekly VPDC meetings in Karen State

<sup>17</sup> 'Black areas', or 'free fire zones' are terms used to describe areas of eastern Burma still contested by SPDC soldiers, against insurgent forces. These areas see the most frequent and widespread human rights abuses committed by SPDC soldiers, including land and property theft, torture, imprisonment, rape and summary execution. For examples, see HUFOM's report, *Laid Waste: Human Rights along the Kanbauk to Myaing Kalay Gas Pipeline*.

have 10 villages. There are approximately three hundred thousand Karen people [excluded] Mon and Mon who can't speak Mon language are one hundred thousand in numbers [excluded]. So you can guess how much they [will] suffer because of having no rights to elect their representatives independently. One point I can't understand is that amongst the village-tracts which is announced as "areas not suitable to hold the elections", some village-tracts have police stations and also high schools. I can't really understand why [the people in] such situations<sup>18</sup> are not allowed to vote. It is very obvious that they canceled [the election] because they can't win [in those areas]. The suffering of the Karen people is really too much.

A Mon youth who refused to give his name, from Kyeik Hto Township, complains about the registration costs, election manipulation, and recent election commission ban all of which have led to the AMRDP not being able to field candidates in his region:

Because of restrictions from various sides, we'll not have any candidates present. One thing that I am totally sure is that the All Mon Region Democracy Party (AMRDP) cannot come to contest for its candidates in my Township. Because of that, I am really unhappy....At the moment, there are only two political parties – the USDP and the NUP – competing with each other in this region – [the western] side of Salween River. In my opinion, however, the NUP cannot compete [with] the USDP. But the NUP still announces that it will work hard in order to succeed in competing with the USDP. Because of [only USDP or NUP parties] campaigning like that [with out a Mon or Karen party] it does not seem to be really fair.

## Personal Resistance

While resistance to the current election period has thus far not been manifested through the eye-catching turnout of the protests in 1988 and 2007, individuals have been able to retain a degree of personal resistance through defiant acts of non-compliance as well as mitigate negative impacts of ongoing election repression. HURFOM hopes to highlight that these actions illustrate an ownership that individuals still have over their own agency when relating to the larger issues of political and election repression in the area.

On September 4<sup>th</sup> U Mya Thein, USDP Pyithu Hluttaw Township representative running for Mudon Township, organized a meeting intended to draw attention to the USDP's funding for the construction of a tower next to the religiously significant Kang Kyi lake in Mudon Town. With the assistance of the TPDC chairman, U Mya THEin send sent invitations to households from Nyaung Kom village and Wad Dal village. While an estimated 2,000 households were invited, only 50 households of people attend the meeting.

Nai Thein Lwin, 45, from Nyaung Kom village, describes the reaction of the local community to the USDP invitation:

When everybody knows that the meeting is conducted by [the] USDP, no one wants to show up at that meeting. You can assume whether villagers wanted to attend the meeting or not by observing that there were only about 50 households [that] attend the meeting while there are 2,000 households [total] in those two villages. I did not attend the meeting. But, I know about it as I was told by my neighbors who attended the meeting. My neighbors said that to build a tower at Kam Kyi, a historical site in Mudon, the USDP members pointed out that they offered some packages of cements and provided social welfare, and they stated that they will do everything that can benefit villagers. In that meeting, U Mya Thein, a Pyithu Hluttaw representative, said that if they USDP members were elected as representatives for this Mudon Township, they would take responsibility for the tasks of providing education, health care, and social welfare for everyone in this Mudon town and make Mudon town [into] a fully developed town. However, it is obvious that they only could talk about it with their USDP members as other people did not attend the meeting. They USDP members [must] also have known that people are very reluctant to believe in what they [USDP] had been saying. Because [they are] not getting any support from people, I think, the USDP members will ask the government to assist them in order to get people [to] vote for them. For me, honestly, I will never vote from them, but I will vote for our Mon party, the AMRDP.

Ko Aung Nyain, 27, a Mudon resident who earned a History degree, and is waiting for work permit in order to work in abroad, describes how residents refused to attend the meeting due to their dislike of the USDP, but would to protect themselves from threats:

Frankly, a signboard saying who is a donor can be lined up as they want everyone to know that they are the donors. Typically, it is still considered fair when organizing [a] campaign. However, besides the pets of USDP, no one will stay, if [the] USDP comes, and spend their time listening the unworthy speech

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<sup>18</sup> The speaker is specifically referring to places where there is community infrastructure and very little security concern, yet were still banned from participation in the election.



given by USDP members. Also, the USDP proudly announced that they will win a landslide victory in this election. Therefore, the meeting conducted by them became the meeting that no one wanted to attend. However, I am sure that there be some pressure put on us if we do not want to attend the meeting in subsequent times. And at that time, we should attend the meeting [to avoid the pressure].

In another instance Kyaikmayaw Township community members were intimidated by police forces to vote for members of the AMRDP. On September 18<sup>th</sup>, members of the AMRDP, and party chairman Nai Ngwe Thein, visited parts of Kyaikmayaw Township, Mon State for their canvassing activities. On multiple occasions during speeches the local township Police intimidated them by following them wherever they made the public speech with the local Mon residents, according to Nai Hla Khine, a representative from the AMRDP. After meetings residents who had attended were approached by police and questioned as to why they had attended the meeting, and made to promise they would vote for the USDP. Below are accounts of villagers who were harassed by police, but to avoid further threats, promised they would vote for the USDP.

Nai Hla Khine, who worked with the AMRDP while campaigning in Kyaikmayaw Township, described how police attempted to intimidate party supporters. Noting that such intimidation is illegal by election rules, he describes how party members worked to ensure intimidation would not happen again, by complaining to election officials:

On that day, the township police [from Kyaikmayaw Township police authority] showed off their forces, approximated 7 to 8 privates on each team [during meetings]. I notice that there were at least 4 teams [that] tried to follow us. But we did not care and we tried to accomplish all of our activities on that day. However, later, we heard that after we left from the township territory [Kyaikmayaw Township], some police officers and their troops questioned local residents who we met with. From our side, we were permitted to meet with the people, however, they tried to threaten our supporters. We feel that such kinds of police activities are unacceptable and now we have reported these cases to the Mon State Election Commission. We got a reply from the Commission and they promised that they will take action on the cases.

One resident, 58, who wished to remain anonymous, and whose son is in his 3<sup>rd</sup> year of studying at the government medical school, explained how he was interrogated by a Police Captain from Kyaikmayaw Township's Police Station on September 18<sup>th</sup>. In order to satisfy the captain, and protect his son's position in the school, he promised he would vote for the USDP:

He [the Police Captain] asked me and some of my neighbors like this, 'Why are you guys paying attention to the speech of the Chairman in the AMRDP's campaign?' He asked us like that. And I replied that for me, I wanted to observe them [the AMRDP] because we are the ones who have to vote [for] a political party and we have to be clear on all registered political parties, otherwise, we [will] have no idea who they are. And it is also difficult supporting an unknown political party without knowing what they are standing for. I explained to him like that. Then he bullied me like this, 'I know that one of your sons are in the medical school and do you want him to face problems for his studies?' I said, 'no, I don't want [that] sir'. Then he forced me to only think about the 'smart and perfect political party like the USDP.' I had to promise him that I will vote for that party [to protect myself].

## Opinions

As part of understanding the impact of election abuses and peoples reactions amongst communities in Mon and Karent States, HURFOM has included opinions on the election have been included. These provide some illustration of the motivating factors for people's reactions, the impact of ongoing abuse of election laws, and how people increase their awareness of the situation in the current election period.

Nai Kom Myint, from Ngyan Tay quarter, Moulmein Township, Mon State, has a son who was pressured to join the USDP in high school. Here he notes the difference between the election situation on the ground and that promoted by regime run media:

Firstly, what I want to point out is that in order to get more votes or win in contesting throughout Mon region, the USDP has used unfair strategies. Even though the state-run media (TV and Radio) and state-run newspaper have announced that the Election Commission will monitor the election fairly and has given freedom for voting – everyone can vote with their attitudes – in practice, here in Moulmein township it is totally different from what it is said in the media and in newspapers.

Nai Nyan, 55, who used to serve as a village security member at Mawkanin village, Ye township, Mon State, states:



This USDP will win in the election as it's already gotten 24 million votes [official nationwide membership of defunct USDA party] even though it is not voted by anyone yet, I predict. It wins as it has organized respective local levels, but it will obviously be unfair because people are forced to vote for it. As the election is going to be held unfairly, it will be unfair election and the government will not run the country democratically. For us, in our humble opinions, we, friends of mine and I, from our nearby villages, do not want to vote for it nor do we want to support for it and approve it is fair election.

Saw Pa Kar, 40, from Kyainnseiki Township, describes the election as unfair due to the elections basis on the 2008 constitution. He also highlights alternative radio as a source of information regarding the election:

The last thing what I want to say is that this SPDC government is running the country unfairly and they are an unfair government. They SPDC are the ones who, with their power, have treated the people cruelly about 48 years. This forthcoming election is also made by them [to go from] unfair to fair and they will rule the country with the 2008 constitution. However, this 2008 constitution also does not seem to be granting any change for the country but only change for them, the government. Because of this unfair constitution, what I want to say is that let's fight against the government together with the real nationality democratic parties by not voting for it, not supporting for it, and not approving the election is a fair election or boycotting the election. ...What media I read or listen to are FM radio, DVB, RFA, BBC, and VOA. As I am very interested in being aware of what the SPDC is doing daily and wanting to criticize the SPDC, I will always keep criticizing.

According to a Mon woman, from Pian Ka Mar village, Mudon Township, Mon State, describes her reaction to USDP campaigning efforts:

The USDP village-tract team members came to organize everyone in the quarter by going house by house....The USDP village-tract organizing team members have come to our quarter about 2 months ago by now. Their 5 member group came to our quarter and organized people in our quarter by going door to door. While organizing, they said in Mon language, awkwardly, that USDP is the only party that can win in the election competition with landslide victory. [They said] if the USDP won the polls, we USDP members would make the living standards here rather improved. So, instead of supporting or voting for other political parties, support and vote for the USDP. We wanted to laugh at their Mon [and] make fun of their Mon, as they can not speak Mon very well. As can we [could] hardly comprehend their Mon, we asked them to talk in Burmese and then they started talking in Burmese. They gave us the USDP member forms and cards. They also said that in order to get a member card, for the people who already passed Grade 10, [there would be] no need to pay for the fee of the party member registration and photos.

A retired middle school teacher, over 60, who currently lives in Nyan Lay Bin Township, Pague Division and actively participated in the 1990 election, also noted the dissolution felt around the current election process:

As it was expected, the condition do not favor to monitoring the election. In the desolate Karen villages that you mentioned<sup>19</sup>, the condition will be worse. I am not even surprised [if] the soldiers forced [the villagers] to vote pointing [at them] with the guns. The words "free" and "justice" are copied from the other countries and used in propaganda in order to get a nice sound. Not only in the desolate villages, even in the township I live, it is possible to lie openly. To cheat, everything has been already prepared in every step. It is totally certain that the election held by the military government will become an unjust election.

## Conclusion

This report is the fifth released by HUFOM documenting the ongoing abuses of the election period that the SDPC has used to ensure its succession to a nominal civilian government. With only a little over a month until the November 7<sup>th</sup> election, these abuses appear to be the final stages of collective efforts by the regime to build support for the USDP and limit the capacity of opposition parties to reach potential voters. This support for the USDP has come through the use of voter eligibility lists and newly created ID's; and the use of government officials, programs, soldiers, and funding to entice or threaten support from local leaders and villagers. In a sweeping measure 164 village tracts have been banned from the election on the pretense of security, denying an estimated 400,000 residents in predominately ethnic regions the right to vote for what had been strong

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<sup>19</sup> HURFOM interviews are translated directly in order to preserve accuracy. Here the retired teacher responds to the interviewer regarding the villages of Mar Taw Koo, Hi Phoe Dae, Part Tala, Taw Kho, and Pa Aww Taw

ethnic opposition parties. However, despite these continuing oppressive measures, there are cases in which individuals continue to find ways to voice their dismay over election abuses, and protect the security of themselves and their families.

Given the breadth of resources the regime has spent on carefully shaping the election and the perception of the democratic process to its own needs, it seems likely that there will be longer term impacts on the potential for democracy in the region. So long as legitimate and alternative voices on the role and function of democracy are repressed, it is evident that little improvement in the democratic process will be made before future elections. For this reason HURFOM hopes that with a clearer picture both of how the regime operates its election strategy, and how communities are still able to reach their own conclusions based on their experiences, appropriate support can be provided for democracy education and dialog; a necessary alternative to the process this election has embodied.



## Local SPDC police captain orders forced labor for police station construction in southern Ye Township

September 9, 2010

HURFOM, *Khaw Zar, southern Ye, Mon State*

The police captain in Khaw Zar sub-township has ordered the use of Yin Ye villagers in the construction and possible supply of a police station seated in Yin Ye village. The order requires 1 member of each household to serve each day, but offers no compensation. For villagers, labor lost by working on construction undermines incomes already impacted by years of continued conflict in the region.

On September 5<sup>th</sup> the State Peace and Development (SPDC) police captain, based in Khaw Zar sub-township, issued a written order to the village headman of Yin Ye village, requesting village labor for the construction of a police station. The order requested that one person from each household be provided on a rotating basis for the construction of the station until its completion. According to residents from Yin Ye the village contains approximately 400 houses.

Nai San (not real name), 38, had to contribute labor to the preparation of the construction site for the police station on September 6<sup>th</sup>:

Our headman and secretary said they didn't order [this work] and the police station officer of Khaw Zar sub-township dictated [it] by a written order. A person for every house has to work till the police station is finished. The police station is not so big, but I think it will take a long time because we have to prepare for everything starting from preparing the land. We have been divided into three groups of a-person-per-house [for this] rotation. The east, the middle, and the west parts of the village. People [from each] house from each part have to contribute labor in rotation till [the police station is] finished. To avoid misunderstanding with the villagers, even the headman has been contributing labor. The work has [been going on] since September 5<sup>th</sup>, but when it will be finished can't be predicted. We can't do our work till it is finished.

Although Yin Ye has 400 houses, residents report an apparent shortage in viable labor due to scarce

local employment, high commodity prices, and increasing human rights violations by the local government and army units. Subjected to these factors, young people and family members who would make up most of the normal labor force have fled neighboring regions and countries for work.

A 56-year-old widow, who withheld her name, normally hawks snacks in the village, but explained the hardship this working rotation has created for her household:

My sons have [been] working in Thailand for four years. It is not suitable to send my two daughters [to contribute labor], so I had to be involved in contributing labor. The headman allowed me to work for just a half day on September 5<sup>th</sup>. Anyhow, I couldn't do my work, and was [only able to] provide... money for a half day.

Previously, according to residents, policemen from Khaw Zar sub-township police station would come to address incidents in whichever village they occurred, including Yin Ye. However only Yin Ye villagers have been tapped for the construction of a separate police station. According to residents who have worked in government administration, the costs of public projects are normally supported by the local government. However, Yin Ye residents have reported being suspicious, as in previous circumstances police authorities have usually appropriated the money for projects, and demanded that the cost of a project be paid by locals.

Ko Kyaw (not real name), 43, explained his reason for his mistrust of the project and experience working as a laborer under similar projects:

Look at the previous cases. Whatever they did – constructing governmental buildings, roads, or bridges – the government always financed how much it costs. My uncle who used to be a governmental staff always points out that fact. He always said that “relying on self-reliance” is a beautiful phrase used by [local] the government for their own opportunities. Now, although the [construction of the police station] is not “relying

*Continued on page 16..*

### Information on HURFOM and Invitation for Feedbacks from Readers

Dear Readers,

The Human Rights Foundation of Monland (HURFOM) was founded in 1995 by a group of young Mon people. The main objectives of HURFOM are:

- monitoring the human rights situations in Mon territory and other areas Southern Burma,
- protecting and promoting internationally recognized human rights in Burma

In order to implement these objectives, HURFOM produces the monthly "Mon Forum" newsletter. If publication is delayed it is because we are waiting to confirm information, and it comes with our heartfelt apologies.

We encourage you to write to us if you have feedback or if you know someone who you think would like to receive the newsletter. Please email or mail a name and address to:

HURFOM, P. O. Box 2237, General Post Office  
Bangkok 10501, THAILAND  
E-mail: [hurformcontact@yahoo.com](mailto:hurfomcontact@yahoo.com)  
Website: <http://www.rehmonnya.org>

With regards,

Director  
Human Rights Foundation of Monland

## Mon monk sentenced to 15 years in Insein Prison

*September 30th, 2010*  
*by Arka, IMNA*

Mon monk Ashin Uk Kong Sah, arrested on January 7th of this year, received a sentence of 15 years in Insein Prison, from the Insein Prison court in Rangoon.

According to his attorney, Ashin Uk Kong Sah was sentenced on Monday to 10 years in prison for violating "Electricity Act", 4 years for Publication Act and 1 year for disturbing the security and peace of the state.

The broken "Electricity Act" refers to the cache of computers, printers, and hard drives that the defendant had stored in his residence at the time of his arrest.

Daw Khin Htay Kywe, Ashin's attorney, reported that technically, the court was entitled to mete out a longer sentence comprised of 15 years for Electricity Act, 7 years for Publication Act, and 2 years for disturbing the security and peace of the state, but the original 24 year-long sentence was reduced to a 15 year period.

Despite the sentence reductions, Daw Khin Htay Kywe told IMNA that he was displeased with the results of the trial, as he maintains that his client was convicted without valid legal evidence. "The [plaintiffs] couldn't confirm their proof of his

case, according to the law" Daw Khin Htay Kywe said.

Ashin's sister told IMNA that he has been suffering from a stomach disease, kidney disease, and back pain after being tortured in June; he also reportedly caught malaria around this time.

The defendant was taken to Insein prison after his arrest in January, and has been on trial in the Insein court for over 4 months, since May 14th .

Ashin was from Mudoon village, Chaungzone township and was 30 years old; he has been a monk for 9 years. After becoming a monk, he served at Aung Zeya Pariyatti monastery in Naing Hlone village, Mudon Township as a lecturer, and lived at the monastery for roughly 5 years.

Ashin Uk Kong San was arrested on January 7th, while in possession of four leaflets protesting the upcoming 2010 elections, by police forces in Kjan Khaing Ye quarter, Thanphyuzayart Township.

IMNA's January 14th article covered how that following Ashin's arrest, Burmese authorities occupied the Mudon Township monastery where he lived, and seized documents and equipment belonging to him; the monastery was kept under surveillance. He was transferred to Rangoon three days later, after reportedly being hospitalized for sustaining serious injuries at the hands of Burmese government troops.

*Continued on page 16..*

# News

Associates of Ashin stated that he acted as a teacher at the Mon National school in Nyi Sar, in New Mon State Party-controlled area for roughly 2 years. He spearheaded the opening of libraries, youth organizations, and blood donation groups; Ashin taught Mon summer school and participated in other Mon cultural activities.

Ashin donated food to his former monastery and his fellow prisoners at Insein prison on the 63rd anniversary of Mon Revolution Day this year, while in custody at Insein; IMNA reported on the event in Burmese this August.

His relatives told IMNA that they, and Ashin's attorney, plan to push for a retrial to reduce the length of his sentence.



A shot of Ashin Uk Kong Sah's arrest in early January 2010



## News from Page...14

on self-reliance" [yet – using local funds], the government is [fully] responsible for police station construction, but they ordered the villagers to work instead. Not only on just this: if they asked [the locals] to donate construction materials such as wood, iron, galvanized iron sheets, etc., it seems that the locals will have to support with. We experienced that a lot – we have had to work for and also pay money [already a lot]. At this time, I don't know whether we will meet the same conditions again [this time].

In this case, the long-term systemic impacts of Yin Ye's position within the "black area", or contested territory, of southern Ye Township, have undermined its physical capacity to resist further abuse.

As noted here, long-term tension from frequent abuse and harassment by local SPDC forces has undermined the population of the Yin Ye, driving

many residents and youth away to seek safety or regular paying jobs aboard[1].

The result has left some families less able to deal with abuses that continue in the home village. With fewer members available, a family may be less able to meet frequent demands for labor, as in this case, or less able to meet taxation or resource demands, as is feared here. This is a significant concern, especially as communities have fewer resources or members to meet demands, the impact of even the most basic abuses grows.

However it is important to note that despite this possible diminished ability to meet demands, some residents and local leaders have made efforts to mitigate or equalize the impacts on local residents. As noted in this case, the headman of Yin Ye chose both to participate in the labor, though it was likely not expected of him by the Police Captain, and halved the amount of work the elderly widow with absent sons had to perform due to her circumstance.

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