

BURMA HUMAN RIGHTS YEARBOOK 2007
CHAPTER 1

**ARBITRARY DETENTION
ENFORCED OR
INVOLUNTARY
DISAPPEARANCES**

“No one shall be subjected to arbitrary arrest, detention, or exile.”

- Article 9, Universal Declaration of Human Rights

1.1 Introduction

Throughout 2007 the situation for the citizens of Burma, including the thousands of political prisoners held in Burma's numerous prisons, deteriorated. Burma's military junta, the SPDC, continued a policy of arbitrarily detaining and harassing the political opposition, pro-democracy activists, members of ethnic minorities, and ordinary citizens. While politically motivated arrests were carried out all year, a spike in arrests was seen during and after the pro-democracy protests in August and September. The extensive arrest campaign carried out by the military regime after the protests resulted in the imprisonment of thousands of citizens, including numerous monks and nuns. By the first week of October it was widely estimated that up to 6,000 persons, including at least 1,400 monks, had been arrested since the beginning of the protests.¹ Not counting the arrests made during the protests, there was an overall increase of at least 704 political prisoners in the year 2007, pushing the total number to 1,864.²

The eruption of protests throughout Burma in September 2007 seemed for a brief moment to offer hope for political change in Burma, but this hope was quickly extinguished when the military regime responded to the protesters with a violent crackdown, and an extensive arrest campaign. Especially significant was the junta's response to the protesting monks. Perceived by the SPDC as a distinct threat that could undermine the regime's hold on power, thousands of monks were arrested during a series of raids on monasteries throughout Burma. Human Rights Watch described the situation as follows:

"The government crackdown included baton-charges and beatings of unarmed demonstrators, mass arbitrary arrests, and repeated instances where weapons were fired-shoot-to-kill. To remove monks and nuns from the protests, the security forces raided dozens of Buddhist monasteries during the night, and sought to enforce the defrocking of thousands of monks. Current protest leaders, opposition party members and, activists from the '88 Generation students were tracked down and arrested- and continue to be arrested and detained."³

The year 2007 then, has been extremely significant, not only for the widespread popular protests, but also for the extraordinarily high amount of arrests that took place in its wake. Pinpointing the exact number of arrests has been difficult. On 2 October, the United Nations Human Rights Council passed resolution S 5/1, requesting the Special Rapporteur on the situation of Human Rights in Burma to be invited to the country to assess the human rights situation, and investigate reports of arbitrary arrests, killings and other human rights abuses.⁴

However, the Special Rapporteur was only granted limited access, hampering his ability to fulfill his mandate. Leading human rights groups, including Amnesty International, have claimed that the lack of access to information resulted in an artificially low number of arrest and death estimates. The SPDC claimed the September crackdown resulted in 2,927 arrests; though, this figure was widely contested among opposition groups and international observers that have estimated as many as 6,000 arrests took place.

During his November visit, the Special Rapporteur was told by Burma's Minister of Home Affairs that of the alleged 2,927 arrestees, 2,836 had been released, leaving 91 in detention. Of those remaining in detention, most were held on charges of terrorism while others were still under investigation. Furthermore, at least 15 individuals had been sentenced to prison terms of up to 9.5 years for their roles in the protests.⁵

The majority of arrests took place from 18 September to the end of the curfew on 20 October, with massive numbers of arrests carried out at the height of the crackdown, on 26, 27, 28 and 29 September. In addition to the arrests made during the protest crackdown, many arrests were carried out in night-time raids at homes of activists as well as at a large number of monasteries. While the raids on monasteries were largely carried out by the military, many of the raids and arrests of activists were carried out by non law enforcement officials, such as members of the USDA and Swan Arr Shin.⁶

Since the lifting of the curfew on 20 October, the Special Rapporteur continued to receive reports of further arrests and releases. Of the arrestees, between 500 and 1,000 were still detained when the Special Rapporteur released his report in early December. In addition, 1,150 political prisoners held prior to the protests had not been released.⁷ Moreover, as of 9 December opposition groups held lists with names of 635 persons who remained in detention after being arrested as a result of the anti-junta protests.⁸ According to the Assistance Association for Political Prisoners (AAPP), by early December at least 28 individuals arrested in relation to the protests had already been sentenced to prison terms of up to 20 years.⁹ In late December, 3 months after the protests, the junta continued arresting protesters.

Recent History

One of the key indicators of Burma's lack of freedom is the high arrest levels across the population, particularly arbitrary arrests. Many of those who are constantly being targeted for arbitrary arrest are the political opposition and human rights activists. The main opposition party National League of Democracy (NLD), which won the majority vote in the 1990 elections, has seen several of its members detained, including its two top leaders, Daw Aung San Suu Kyi and U Tin Oo, who have been in and out of house arrest since the early 1990s. The two leaders were last arrested following the 30 May 2003 brutal attack upon their convoy during a political tour in Depayin, Sagaing Division.¹⁰ In August 2003, whilst the two were still under house arrest, the SPDC announced its "roadmap to democracy", which would include the continuation of the National Convention (NC) to draft a new constitution. Though, it is important to note that the NLD, along with other opposition parties, have never participated in the National Convention. This boycott was a result of the illegitimacy of the rules set forth by the SPDC that banned freedom of expression from the convention. On the occasion of a session of the National Convention in May 2004, Amnesty International criticised the junta for its continued practice of arrests, surveillances, and intimidating opposition members.¹¹

When Prime Minister General Khin Nyunt was arrested and removed from office in October 2004, the SPDC also charged many of his chief agencies with surveillance of perceived political dissidents, disbanding the agencies and arresting many of their members. However, this was not by any means the end of military intelligence activities in Burma, merely a transferral of responsibility to the Office of the Military Affairs Security (OMAS) in February 2005. OMAS has been under the leadership of the Directorate of Defence Services and SPDC Chairman Senior General Than Shwe,¹² with the force named SaYaPa, or Military Security Force (MSF).¹³ This was followed by the Special Bureau of police (SB) also increasing their surveillance roles in 2006.

The Year 2007

In 2007 the SPDC continued its pervasive strategy of monitoring, intimidating, interrogating and detaining NLD members, 88 Generation Student leaders, and other political and social activists. This harassment continued despite the junta's repeated claims that it is seeking to move towards democracy. In July 2007 the National Convention finished the redrafting of the 1974 Constitution, which had been in progress for the last 13 years. The delegates of the National Convention were handpicked by the regime, which excluded the NLD and other opposition groups from the drafting process. Due to the drafting process being strictly controlled by the SPDC, many observers have asserted that the National Convention and the seven point "roadmap to democracy" contain little hope for substantive political change.

Throughout 2007, the junta systematically impeded the free actions of a civil society in Burma by arresting and harassing socially concerned individuals and groups. This assertion was maintained by UN Special Rapporteur Sergio Pinheiro, who in December 2007 stated that *"over the last two years, the Special Rapporteur has received several reports alleging the government's involvement in cracking down on several initiatives by people to organize themselves, even for non-political purposes, such as social and economic issues."*¹⁴

Rising inflation and soaring commodity prices led to a few small-scale protests in the first half of 2007, most of which ended swiftly with arrests of the participants. For example, in February 2007, nine activists were arrested in Rangoon after protesting against Burma's worsening economic conditions. Moreover, in April at least eight people were arrested after further small-scale economic protests were launched. (For more information, see Section 1.2: Arbitrary or Politically-Motivated Arrests, Detention and Disappearances).

Aside from the arrests made during demonstrations, many have also been arrested for trying to better their economic conditions through enhanced labour rights. On 1 May 2007, 33 persons were arrested after attending separate workshops on labour rights. While most of those detained were subsequently released, six of the workshop organizers were sentenced to lengthy prison terms.¹⁵

Arrest Campaign Following the September 2007 Saffron Revolution

The latter half of 2007 saw a spike of arrests as the military regime carried out a brutal crackdown against pro-democracy protestors in September. Following a policy of systematic oppression, SPDC authorities intimidated and harassed pro-democracy groups by arresting activists without legal justification and utilizing harsh interrogation methods. For observers outside the country, the September protests offered a glimpse into the regime's willingness to use force to quell popular protests. Unfortunately, the junta's brutal response was not an isolated event, but rather a continuation of policy that has existed since the 1988 uprising.

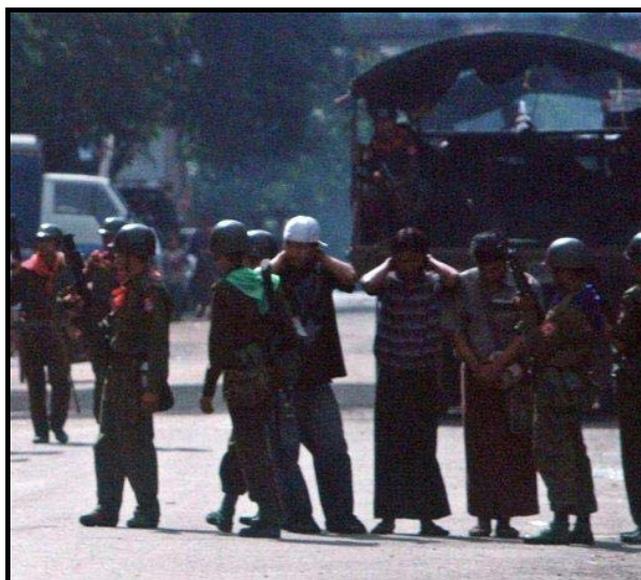
After forcefully putting down the street demonstrations, the authorities started its search for suspected protest participants and supporters. In addition to arresting suspected protesters, the SPDC arbitrarily arrested persons for donating food or water to the protesting monks, for applauding the protest on the sidewalks and for providing shelter to protestors in hiding.

On the night of 25 September a curfew was imposed, and military trucks roamed the streets of Rangoon shouting through loudspeakers, *"We have your photos. We will come and take you."* In an effort to arrest protesters, the authorities matched photographs taken at the demonstrations with those held by each town's governing office, the Township Peace and Development Council (TPDC), to locate the residency of each protester. The authorities also went from house to house looking for protesters. This can be conducted rather easily

as residents in many areas of Rangoon are required to display photographs of household members outside their homes.

A strict curfew that forced people to stay in their homes led to effective late-night raids by the SPDC, accounting for the arrest of hundreds of protestors. Moreover, on occasions where the authorities were unable to find a suspected protester, they would often arrest his family members, holding them hostage until the suspect turned himself in. A report by the UN Special Rapporteur on the situation of Human Rights in Burma commented on this issue:

“State security groups have continued to search for and detain specific individuals suspected of involvement in the anti-government protests primarily through night raids on homes. It has also been confirmed that the authorities have resorted to arbitrary and unlawful detention of family members or close friends and suspected sympathizers of protesters currently in hiding. This constitutes hostage taking- explicit or implicit pressure on suspected protesters to forward as a condition for releasing or not harming the hostage. It is a violation of fundamental rules of international law.”¹⁶



SPDC army soldiers arresting three men in Rangoon in a crackdown against protesters on 29 September 2007. [Photo: AP]

1.2 Arbitrary or Politically-Motivated Arrests, Detention and Disappearances

"The judicial system, far from affording individuals basic standards of justice, is employed by the Government as an instrument of repression to silence dissent."¹⁷

- UN Special Rapporteur on Burma, Paulo Sergio Pinheiro

Burma's military regime has long relied on vague and antiquated laws to legitimize its actions against the political opposition. Many of the laws in use today originate in British colonial law, while others have been created since independence. The lack of legal clarity leaves much room for interpretation on both the prosecutorial and protective sides of the law. Unfortunately the regime is often guilty of stretching certain laws beyond recognition, while ignoring others. The SPDC has for years exploited the vagueness of some of these laws, to provide for the imposition of imprisonment by a court for conduct defined broadly enough to encompass peaceful political resistance. While there is a legal framework in place to guarantee the rights of defendants, this framework is often only partially implemented in political cases, or simply dismissed entirely.

In order to imprison and sentence activists, the junta frequently turns to section 505 (b) of the *Penal Code*, using it as a blanket charge against protesters and pro-democracy group leaders. Under the penal code, section 505 (b) states that:

"Whoever makes, publishes or circulates any statement, rumor or report... (b) with intent to cause, or which is likely to cause, fear or alarm to the public or to any section of the public whereby any person may be induced to commit an offence against the State or against the public tranquility... shall be punished with imprisonment which may extend to two years, or with [a] fine, or with both."¹⁸

The ambiguity of this law allows it to be utilized in multiple contexts and situations. The SPDC has used it to sentence citizens for "offences" ranging from making complaints about forced labour to the watching of a wedding video of General Than Shwe's daughter.¹⁹ Whatever the situation, section 505 (b) has been the favored law for retribution against pro-democracy activists and citizens alike. The section was used against many of the September protesters, even against persons who were merely offering water and food to monks.

The SPDC also makes use of other laws which have coalesced under the general umbrella of 'security' legislation. Primarily, these laws emanate from the *Emergency Provisions Act* (1950), the *Unlawful Associations Act* (1908), and the *State Protection Law* (1975).

The *1950 Emergency Provisions Act* is a commonly used alternative to Section 505(b), used to sentence people for political reasons. The Act carries with it the possibility of a death sentence if convicted of articles 2, 3, and 4, all of which concern assisting in an act of treason. Two of the most common articles used in sentencing are Articles 5 (e) and 5 (j), which state that:

5 (e) *"If anything is done intentionally to spread false news knowing it to be false or having reason to believe that it is false or if any act which is likely to cause the same is done"*²⁰

5 (j) “[Anyone who] causes or intends to disrupt the morality or the behaviour of a group of people or the general public, or to disrupt the security or the reconstruction of stability of the union.”²¹

Both articles carry lengthy seven year prison sentences and heavy fines. Article 5(j) has been used so widely in the indictment of political prisoners that ‘5J’ is often used as short hand to denote a political prisoner.²²

Another law often used to charge members of the pro-democracy movement is the *1908 Unlawful Associations Act*, which criminalizes association with groups, most often of a political nature. This Act comprises multiple articles which have been used to charge activists. The “offences” can range from something as simple as an individual who “takes parts in meetings, or contributes or receives or solicits any contribution for such an association, or any way assists the operations of an unlawful association,” as in article 17(1), to an individual that “encourages or aids persons to commit acts of violence or intimidation or of which the members habitually commit such acts,” as in article 15(2).²³

The *1975 State Protection Law* allows the state to restrict a citizen’s ‘fundamental rights’ during times of duress. SPDC authorities use this law to detain any individual or restrict them to residence for up to five years without charge or trial if they are suspected of “having performed, or is performing, or is believed to be performing an act endangering the state sovereignty and security, and public law and order...”²⁴

Another law used by the SPDC to repress political activism is Section 143 of the *Penal Code*. Following the September protests several NLD members were charged under Section 143, for unlawful assembly, which can lead to up to six months’ imprisonment.²⁵

These laws have severely restricted the rights of individuals, and political groups within Burma. Contorted and misused, overtime, these laws have eroded the basic civil liberties and protections needed to guard against a repressive state.

Disappearances

In December 2007 Pinheiro’s report noted at least 74 cases of enforced disappearances, while Human Rights Watch said that hundreds of protestors remained unaccounted for. Such estimates were echoed by other groups, including the AAPP which claimed the location of at least 300 remained unknown.²⁶

In some cases, disappeared persons have only been found when it is too late to rescue them. In such cases it is often difficult to prove the responsibility of the authorities. However an indication of state involvement is reluctance to find and punish the perpetrator, especially in case of political activists. In the months following the September protests, several persons were reported missing and some of these were later found dead. For example, on 17 October 2007, prominent activist Nyi Pu Lay was found dead in the Gwa River. According to an anonymous source, “his body was floating on the Gwa River and when the police learnt about it, they immediately took it away and cremated it. His family members identified him from his clothes”. Nyi Pu Lay was a member of the NLD and was missing for four days before being found.²⁷ (For more information, see Chapter 3: Extra-Judicial, Summary or Arbitrary Executions).

Arrest and Pre-Trial Interrogation and Detention

Numerous reports have documented cases of arrest without charge, prolonged detention, pre-trial interrogation, and torture, within the Burmese legal system. These conditions often accompany politically motivated arrests, and individuals are denied contact with family, lawyers, and medical professionals. As mentioned above, many of the laws utilized by the regime have eroded individual protections against such acts.

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 in Burma (AAPPB) reported that 5 political prisoners died in custody in 2007. Prisons are often overcrowded, and in 2007 the ICRC continued to be barred from conducting visits to prison facilities.²⁸

Regime security forces often conduct nighttime raids; arresting people without providing legal justification, or any information to family members. This was seen in multiple cases throughout 2007, especially after the onset of protests in August and September. Monks and suspected political leaders were arrested under the cover of darkness, and taken to undisclosed locations to face interrogation. Once in custody, individuals often face harsh interrogative tactics, such as physical abuse, denial of food and water, and sleep deprivation. In 2006 the AAPPB released a report detailing the torturous conditions detainees met while in custody. The report outlines the three types of torture prevalent in detention facilities; physical torture, mental torture, and sexual torture, stating that:

“Among the physical torture endured, brutal beatings are the most common. These beatings frequently last until the prisoner falls unconscious. In many cases the prisoner is forcibly woken from his or her unconsciousness to be tortured and abused again. Other physical torture includes: rolling an iron bar up and down the shins (known as the Iron Road), until the flesh is ripped; forcing political prisoners to assume positions of an ‘airplane,’ ‘motorbike,’ ‘semigwa dance,’ or ‘crocodile;’ tying political prisoners down for an extended period of time with ropes or chains; water torture; beating a single spot on the prisoners body for hours on end; burning with cigarettes, hot wax, lighters or electric rods; and electric shocks. Among the mental torture inflicted is the use of incommunicado detention. When a political prisoner is arrested, neither their families nor a lawyer is informed of where they are being taken. It often takes weeks, months and even years to learn of a loved ones location. Incommunicado detention is a noted precursor to torture as no one can be held accountable. It also causes untold mental suffering for the individual detained. Other mental torture includes blindfolding and hooding a prisoner; blaming the prisoner for torture; witnessing other prisoners being tortured; no legal recourse to defend oneself; false releases; lack of family visits; isolation and solitary confinement; playing on phobias; using inappropriate titles of address. Sexual abuse also occurs during interrogation, including: threats of rape, harassment; molestation; beating or electrically shocking an individual’s genitals; and one documented attempted rape of a male political prisoner with a dog.”²⁹

Interrogation methods have changed little since the report was authored in 2006. In fact, the magnitude of arrests made during the September 2007 protests, may have resulted in larger scale violations. (For more information, see Chapter 2: Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment; and the HRDU report: *Bullets in the Alms Bowl*).

As a result of the large number of arrests during the September 2007 protests, detainees suffered worsening conditions as the detention facilities became overcrowded. The influx of new prisoners led the regime to create ad hoc detention centers. These new facilities were grossly overcrowded, exposing prisoners to cramped and unhygienic conditions. Moreover there were reports of insufficient food and water, as well as a lack of sanitary facilities. One account of the prison conditions was stated by a former detainee in an Asian Human Rights Commission (AHRC) report:

*"I saw people being beaten there. There were people with fractured skulls, with hands bound by rope. We went hungry at mealtimes, and also were not allowed to bathe. They didn't feed us. For over 150 women there was a single room to one side for discarding excreta. Just only this room. After a while it began to stink ..."*³⁰

A report by the UN Special Rapporteur on the Human Rights Situation in Burma also found prison conditions far below acceptable standards:

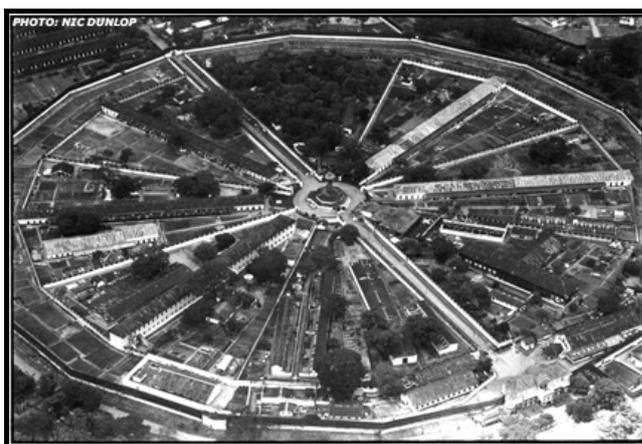
*"Credible sources report that detainees were held in degrading conditions in a special punishment area of Insein prison, commonly known as the "military dog cells", a compound of 9 tiny isolation cells measuring 2 meters by 2 meters constantly guarded by a troop of 30 dogs. The cells lack ventilation or toilets, and the detainees (mostly political prisoners) have to sleep on a thin mat on the concrete floor and are only allowed to bathe with cold water once every three days for five minutes. A recently released detainee testified that he was made to kneel bare legged on broken bricks and also made to stand on tiptoe for long periods. Further reports confirm that monks held in detention were disrobed and intentionally fed in the afternoon, a time during which they are religiously forbidden from eating."*³¹

The Burmese legal system does provide minimal protections to those in legal custody, but unfortunately the language is ambiguous. Articles 330 and 331 of the *Burmese Penal Code* ban interrogators from causing 'hurt' or 'grievous hurt' to prisoners during interrogation. The *Burmese Penal Code* also states, under Articles 323 and 325, that detainees and prisoners should be free from 'hurt' and 'grievous hurt' outside of interrogation. Article 166 states that injury of an individual should not be carried out by a public servant.³² Because the legal code fails to adequately define and prohibit torture, the provisions provided through the legal system offer little protection, as they can easily be sidestepped or ignored by the jailing officials.

Failures to address the problem of torture within the legal system are compounded by the non-transparent nature of the Burmese legal system. Night-time raids, the use of SPDC-controlled civilian organizations such as the USDA and Swan Arr Shin, and incommunicado detention practices, all work to obfuscate the illegitimate practices of the legal system. Concealing the identities of the arresting officials, outsourcing to proxy organizations and failing to provide information, all work to leave the affected individuals and family members with few alternatives to contest the arrest.

Officials often deny the existence of torture, and routinely cover up evidence. This was the case several times in 2007 when individuals died while in custody. Police typically report that the victim died of natural causes while in custody, although marks of physical abuse points to the contrary. In other cases, authorities cremate the bodies before notifying the family of the death. This was reported to have happened in the aftermath of the Saffron Revolution, with reports of over 20 being secretly cremated during the night of 30 September alone.³³ (For more information, see Section 1.9: Deaths in Detention, and the HRDU Report: *Bullets in the Alms Bowl*).

The Burmese legal system is further hindered by the multiple actors and groups which become involved in the arrest process. The increased use of mass-based state-controlled civilian groups like the USDA and Swan Arr Shin is in clear contravention to the Universal Declaration of Human Rights, which states that, “arrests must be carried out by legally authorized persons.”³⁴ The use of these groups has further infringed on the rights of detainees, because the arrested individual is rarely informed of the charges against him or her.³⁵ These factors in combination are evidence of a truly flawed and opaque legal system, which is unable to meet even the most basic standards set by International agreements.



A bird's eye view of Insein Prison. [Photo: Nic Dunlop]

Denial of Fair and Public Trials and Appeals

Although protections are granted to defendants under the Criminal Procedure Code, they often fail to materialize in the courtroom. According to the law, defendants have several rights including: the presumption of innocence, the right not to testify against oneself or be compelled to confess guilt, the burden of proof must lie with the prosecution, as articulated in Article 342. Furthermore, according to the Criminal Procedure Code, under Articles 208 and 340 defendants also have the right to cross-examine prosecution witnesses, and be allowed to present evidence. Despite these safeguards, numerous reports indicate that defendants are forced to confess during interrogation sessions involving torture or other means of unlawful pressure. Even when defendants are not forced into confession, it is common for courts to prearrange verdicts, without conducting a proper trial. This can be seen from an excerpt of an AAPP report:

“Those interviewed reported their trials lasted between five and fifteen minutes, and that the judge often read out their sentence from a sheet of paper. The sentence appeared to be prepared in all cases by the MI [military intelligence], and the judges seemed intimidated by the MI’s presence. Only one person interviewed was provided a lawyer; however, the lawyer failed to consult with him regarding his case. None of those interviewed were allowed to call witnesses or speak in their defense. The family members of the political prisoners were most often not informed of their trial date, and in one case, they were purposely misinformed about the trial’s proceedings.”³⁶

Political prisoners face even greater obstacles to receiving a fair and transparent trial than other prisoners. Defendants suspected of political involvement are often tried using military tribunals in closed court proceedings. In 1989, Martial Law Orders 1/89 and 2/89 were

passed sanctioning the use of military tribunals. These tribunals were subsequently outlawed in September 1992, under Order 12/92. Although Orders 1/89 and 2/89 were revoked, the SPDC continues to hold closed court military tribunals, especially for political trials.³⁷

Pervasive corruption, the misuse of overly broad laws, and the manipulation of the courts for political ends continue to deprive Burmese citizens of their legal rights. It is clear that the judiciary is not independent. Judges are appointed or approved by the junta, and judge cases according to the junta's orders. People are held without charge, trial, or access to legal counsel for up to five years if the SPDC considers them a threat to the state's security or sovereignty. According to the US State Department 2006 Human Rights Report, some basic due process rights are reportedly observed in ordinary criminal cases, but not in political cases. The lack of an independent judiciary, denial of counsel, secret trials, and the inability of the defense to call and question witnesses, puts Burma's courts far below international legal standards.³⁸

Sentences

As already noted, the Burmese judicial system is especially harsh on political dissidents. In addition to unsanctioned interrogation sessions, torture in custody, and unlawful trials, political offenders are often given the maximum sentence associated with a crime. Moreover, political prisoners routinely face cumulative penalties, as opposed to concurrent charges that are given in non-political cases. This greatly lengthens the prison sentences of political prisoners, leading to longer prison terms than non-political offenders receive for more serious crimes.³⁹

Sentencing guidelines for the Burmese judicial system reserve the right to implement the death penalty in political cases, and otherwise. The option of judicial execution remains accessible to judiciary members; who can give political prisoners judicial execution if they are found guilty of treason.

Activists, Opposition Forces and MP-Elects Arrested - Partial list of incidents for 2007

On 4 January 2007, Ko Tun Tun, of Nyaungdone was detained after attending a prayer meeting for political prisoners at the Shwedagon pagoda. Ko Tun Tun was approached by five pagoda police and asked to cover the t-shirt he was wearing picturing NLD leader Aung San Suu Kyi. When Ko Tun Tun refused he was escorted to an undisclosed location by the police.⁴⁰ He was released from a psychiatric institution four days later on 8 January 2007.⁴¹

On 5 January 2007, it was reported that five 88 Generation Student Leaders had begun a hunger strike after being incarcerated for over 100 days. The five student leaders; Min Ko Naing, Min Zeya, Ko Ko Gyi, Ko Htay Kywe and Ko Pyone Cho, had been detained since 27 September 2006.⁴²

On 16 February 2007, the SPDC extended the house arrest of U Tin Oo, deputy NLD leader who was arrested in 2003 on charges of disturbing public order.⁴³

On 22 February 2007, two protest leaders and three journalists were arrested at a public protest in downtown Rangoon. The protestors were demanding better living standards, 24-hour electricity. The three journalists were released from police custody five hours after being arrested. The arrestees were:

1. Ko Htin Kyaw (protester);
2. Ko Myint Shwe (protester);
3. Ma Sint Sint Aung (journalist);
4. Myat Thura (journalist); and
5. May Thingyan Hein (journalist).⁴⁴

Burmese Military authorities continued to seek out persons involved in the protest, and in the evening the same day several more activists were arrested. The arrested activists included:

1. Ko Hla Myint Aye;
2. Ko Hla Thein;
3. Ko Myo Oo;
4. Ma Kyu Kyu San; and
5. U Ohn Than.⁴⁵

On 23 February 2007, further arrests were made over the 22 February protest. Arrested activists included Ko Tun Tun from Nyaungdone Township and Ko Tin Win from North Okkalapa Township.⁴⁶

On 24 February 2007, Daw May Win (50) from North Okkalapa was arrested from a friend's home in the evening, also over involvement in the 22 February protest.⁴⁷

On 24 February 2007, Arakan State NLD Chairman U Thein Maung, was interrogated in Manaung Township, after junta officials suspected him of distributing NLD party booklets.⁴⁸

On 25 February 2007, police arrested U Ohn Than, who became the ninth person in detention for involvement in the 22 February protest.⁴⁹

On 28 February 2007, Ko Ba Chan Pru a member of the Arakan League for Democracy, was arrested on suspicion of having connections with Arakanese political groups outside of Burma. Ko Ban Chan Pru was arrested after a letter he had written to an outside Arakan opposition political group, was intercepted on the Thai-Burmese border. On 4 April 2007, his whereabouts were still unknown.⁵⁰

On 5 March 2007, Thwin Lin Aung was arrested at Rangoon Airport before departing on a flight to the U.S. He was then interrogated about his involvement as a president of the Myanmar Debate Society which he had set up at the American Center in Rangoon.⁵¹ On 2 April 2007 Ko Thwin Lin Aung was released, however his passport was confiscated, effectively prohibiting him from leaving the country. Thwin Lin Aung was previously a student at the Rangoon Institute of Technology, and served seven years in prison for his involvement in the 1996 student movement before he was released in 2002.⁵²

On 7 March 2007, seven persons from Okkalapa Township in Rangoon were arrested in connection with protest that occurred on the 22 February. Ko Htin Kyaw, who had briefly been detained on 22 February for leading the protest, was asked by the police to gather nine protesters who had not already been interrogated. Ko Htin Kyaw was released upon arrival at the detention centre. Authorities told Ko Htin Kyaw that the other nine protestors would be questioned briefly and released. However, they were held in detention for eight days and released on March 14, 2007. The detained protesters were:

1. Moe Aye Soe;
2. Thein Aung Myint;
3. Ko Aye Lwin;
4. Myint Shwe;
5. Tin Min Naing;
6. Win Aung; and
7. Ko Aye Kyi.⁵³

On 8 March 2007, Thein Zan was arrested in Thingangyun Township, accused of writing satires critical of the Burmese state run media. His satires had focused on the state media's reporting on the inflation of commodity prices in Burma. He claimed that state run newspapers were using false propaganda to hide the severity of rising electrical and commodity prices.⁵⁴ Thein Zaw was charged with violating Article 505, for 'intention of inciting others to commit an offense against the state.' The trial of Thein Zaw was postponed to 26 March by a Rangoon court.⁵⁵

On 8 March 2007, Burmese military officials arrested veteran politician U Win Naing and political activist Htin Kyaw after they held a press conference concerning Burma's political situation.⁵⁶ Military officials told U Win Naing he could be charged with a lifetime prison sentence for making "false allegations against the government based on wrong information".⁵⁷ The next day, Htin Kyaw and U Win Naing were released, and authorities failed to press charges.⁵⁸

On 14 March 2007, it was reported that Ko Maung San, an NLD member from Kawthaung in Tenasserim Division, was arrested by Burmese authorities after they found a "biscuit tin full of gunpowder" with his name on it. The tin was found on a boat docked in the Kawthaung Port and was addressed to 'Ko Maung San'. After finding the gunpowder, police arrested six other suspects with the same name, on charges of gunpowder trafficking. All other suspects were released but Ko Maung San continued to be detained, possibly because of his position as general secretary of the Kawthaung NLD. Although the use of gunpowder is widespread in the fishing industry, according to the NLD "authorities are treating these materials as criminal explosives."⁵⁹

On 20 March 2007, Kyaw Kyaw Oo and Kyaw Swe were arrested on suspicion of distributing the text of the United Nations' Universal Declaration of Human Rights. The two activists are members of the Pegu division of the Human Rights Defenders and Promoters (HRDP).⁶⁰ The two were released without charge the next day.⁶¹

On 20 March 2007, Ko Than Htun and former Democracy Party for a New Society (DPNS) chairman Ko Tin Htay, were arrested for possessing a censored video of the wedding of Senior General Than Shwe's daughter. Police raided Than Htun's house and found a DVD containing excerpts from the wedding. Police also raided Tin Htay's house but were unable to find any evidence against him. Despite this, he was accused of being 'politically active' after police found a picture of independence hero Aung San in his house. In April, Than Htun was sentenced to four and a half years hard labour, and Tin Htay was sentenced to two years hard labour.⁶²

On 4 April 2007, Tin Ko, an HIV patient from Magwe Division, staged a solo protest in Rangoon demanding better health care for HIV patients.⁶³

On 18 April 2007, Ko Myint Naing and Ko Maung Maung Lay from Rangoon were arrested with five other villagers in Oakpone, Henzada Township. Ko Myint Naing and several other members of the HRDP were attacked by a pro-junta mob wielding weapons. A passing vehicle carrying a monk intervened and took the wounded protesters to the local hospital. On 2 May, Ko Myint Naing, Ko Maung Maung and the villagers were charged with violating act 505(b) for “*showing disrespect to the state*” and sentenced to up to 8 years in prison. The village chairman later sued Ko Myint Naing and all others involved.⁶⁴

On 22 April 2007, Rangoon police and the USDA arrested seven persons protesting in Rangoon’s Thingangyun Township. The protestors called for a halt to rising prices and economic hardship in Burma. The protesters included:

1. Htin Kyaw;
2. Thein Aung Myint;
3. Thein Myint Tun;
4. Lay Lwin;
5. Myint Sein;
6. Than Zaw Myint; and
7. Tin Maung Kyi.⁶⁵

On 25 April 2007, former political prisoner Ohn Than was arrested in downtown Rangoon at Thein Gyi Zee market, after staging a solo protest “*to escape from the world’s poorest country*”.⁶⁶

On 1 May 2007, SPDC authorities arrested 30 persons after they attended a public lecture on workers rights held at the American Center in Rangoon. Of the 30 attendees, 27 were detained and interrogated for several hours before being released.⁶⁷ However, police continued to hold six labour rights activists, who were later sentenced in a court set up inside Insein Prison.⁶⁸ They were sentenced to between 20 and 28 years imprisonment on charges of discrediting the government, violating immigration laws and engaging with unlawful organisations. All six were sentenced to 20 years under section 124(a) of the penal code on sedition, while Thurein Aung, Wai Lin, Kyaw Min and Myo Min were given an additional five-year sentence under section 17(1) of the Unlawful Associations Act and a further three years for immigration offences.⁶⁹ An appeal submitted by the group’s lawyer, Aung Thein, was rejected in November by Rangoon divisional joint court (12).⁷⁰ The six sentenced activists were:

1. Ko Thurein Aung (32) event organiser, resident of Hlaingthayar Township, Yangon;
2. Ko Way Lin (24) event organiser resident of Mangaleit village, Kunchankone Township, Rangoon Division;
3. Ko Kyaw Min (aka) Ko Wanna;
4. Ko Myo Min;
5. Ko Nyi Nyi Zaw (25) event organiser, resident of Thukhayeithar, Hlaing Township, Rangoon; and
6. Ko Kyaw Kyaw (29) junior lawyer, resident of Ward 20, South Dagon Township, Rangoon.⁷¹

On 2 May 2007, three Burmese human rights activists were arrested by Burmese authorities for violating guest registration laws. Ko Aung Kyaw Soe and Ko Aye Lwin were arrested for failing to register as overnight guests in Rangoon. The third activist, Ko Yin Kyi, was arrested after going to the police station to check on the status of his friends.⁷²

On 15 May 2007, human rights activist Su Su Nway was arrested in Rangoon along with 39 other activists. In two separate incidents, USDA and Swan Arr Shin members claiming to be civilians confronted the two separate groups of activists and began making arrests. The two groups of activists were attending prayer meetings for the release of Aung San Suu Kyi.⁷³ During the arrests, Kyaw Kyaw Min, a law student, was severely beaten by the arresting officials.⁷⁴ Fifteen protesters were released two hours later, due to overcrowding in the interrogation centre.⁷⁵ In a separate report it was stated that Ye Myat Hein, a university student from Hta Tapin Township, was arrested by an unidentified group, calling themselves "the people". Ye Myat Hein was arrested after conducting prayers at the Kyaikdawgyi pagoda in Insein Township. His whereabouts were still unknown on 11 June 2007.⁷⁶

On 17 May 2007, 62 year-old NLD member Tin Tin Maw was arrested in front of Rangoon City Hall after staging a solo protest for the release of Aung San Suu Kyi.⁷⁷

On 21 May 2007, journalists U Aung Shwe Oo and Daw Sint Sint Aung were arrested on their way to Thilawar port to report on the arrival of a North Korean cargo vessel. The two journalists were employed with Japanese news agency NNN.⁷⁸

On 21 May 2007, NLD member and HiV/AIDS activist, Phyu Phyu Thin, was taken from her home and detained by SPDC officials and special police.⁷⁹ Phyu Phyu Thin was released from prison on 3 July 2007 after staging a seven-day hunger strike.⁸⁰

On 24 May 2007, U Htun Lwin was arrested in Myitkyina, Kachin state, after staging a solo protest for the release of political prisoners, including Aung San Suu Kyi and U Tin Oo. U Htun Lwin was arrested by an unidentified group of people.⁸¹

On 26 May 2007, military junta officials detained 8 NLD members as they joined prayers for the release of Aung San Suu Kyi at pagodas in Rangoon.⁸² The 8 demonstrators were taken to the Kyaikkasan interrogation centre and released without charge three days later. They were:

1. Zin Ma Ma Htun;
2. U Zaw Win;
3. U Thaug Han;
4. U Thaug Myint;
5. Ko Pauk;
6. Ko Aung Htay;
7. Ko Win Naing; and
8. U Bala.⁸³

On 29 May 2007, Ko Tun Tun, a prominent democracy advocate, was arrested after attending a prayer meeting at Shwedagon pagoda in Rangoon.⁸⁴

On 5 June 2007, the SPDC confined 11 HIV patients to Waybargyi Infectious Disease hospital, after they staged several separate prayer vigils to protest against the arrest of Phyu Phyu Thin. The group was detained for three days before being released.⁸⁵

On 6 June 2007, three youths from Sittwe, Arakan State, were arrested by police for displaying anti-Shwe Gas Project posters.⁸⁶

On 19 June 2007, Ko Balagyi (aka) Maung Kyaw Naing was arrested for staging a solo protest in commemoration of Aung San Suu Kyi's 62nd birthday. After Ko Balagyi was arrested in the town of Taungkok, Arakan State, police raided his home and detained his mother and sister. Ko Balagyi was released two days later together with his mother and sister.⁸⁷

On 24 June 2007, SPDC authorities and fire brigade members in Rangoon arrested Ko Maung Oo for protesting against the junta's economic policies and calling for Aung San Suu Kyi's release.⁸⁸

On 27 June 2007, Sabe Oo, elder sister of detained HIV/AIDS activist Phyu Phyu Thin, was arrested by SPDC officials after trying to contact her sister at the Kyaik Ka San interrogation centre. After Sabe Oo and several others attempted to enter the centre where Phyu Phyu Thin was being held, the authorities sealed the street leading to the detention centre using barbed wire to block the activists from gaining access.

On 10 July 2007, Ko Min Min, a teacher from Prome, Pegu Division, was arrested after hosting a human rights workshop at his house. Several prominent human rights activists attended the meeting including Ko Maung Maung Lay and Ko Aung Kyaw Soe. Ko Min Min was charged with tutoring without a license. Prome police took Ko Min Min to the Prome police station and failed to release him on bail the next day.⁸⁹ On 30 July he was sentenced to three years in prison and fined 30,000 kyat by Prome Court.⁹⁰

On 22 August 2007, 13 leaders of the 88 Generation Students' Group and several other activists were arrested in midnight raids. The raids came in response to the 19 August protest, which was videotaped by the junta. The SPDC viewed the protests as a serious threat that would "undermine the peace and security of the state." Those arrested included:

1. Min Ko Naing;
2. Ko Ko Gyi;
3. Pyone Cho;
4. Min Zeya;
5. Mya Aye;
6. Ko Jimmy;
7. Ko Zeya;
8. Kyaw Kyaw Htwe;
9. Arnt Bwe Kyaw;
10. Panneik Tun;
11. Zaw Zaw Min;
12. Thet Zaw; and
13. Nyan Lin Tun.⁹¹

The 13 activists were sent to Insein prison on the 25 August, and junta officials warned that the activists could face 20 year sentences for their involvement in the protests.⁹²

On 22 August 2007, over 150 people were detained in Rangoon after protesting against the fuel prices in Hedan Murlat in Kamayut Township. The arrested protesters were taken away in military vehicles.⁹³ Seven of the activists, who were arrested near Thamine junction, were:

1. Naw Ohn Hla (protest leader);
2. Htet Htet Oo Wai;
3. San San Myint;
4. Cho Cho Lwin;
5. Thant Zaw Myint;
6. Yee Yee Nyunt; and
7. Daw Tin Yee.⁹⁴

On 23 August 2007, at least 40 activists, including '88 Generation Student Group member Ko Htay Kywe, were arrested by USDA and Swan Arr Shin members.⁹⁵

On 23 August 2007, former political prisoner U Ohn Than was arrested in front of the U.S. Embassy after staging a solo protest.⁹⁶

On 24 August 2007, more than 20 persons were arrested by pro-junta security forces, as they prepared to launch a protest outside Rangoon city hall. The protesters consisted mostly of women coming to demonstrate the rising fuel prices enacted by the SPDC.⁹⁷

On 25 August 2007, SPDC officials conducted raids on the residences' of over 40 prominent activists. Officials used the pretext of searching for "illegal items" to conduct the raids. Sandar Min, of the 88 Generation Students' Group, was arrested after junta officials conducted a raid at her home. In the raids, the authorities confiscated various items, including computers, mobile phones, photo albums, and even a copy of a poem translated by Aung San Suu Kyi.⁹⁸

On 25 August 2007, Ko Htin Kyaw, the prominent activist who called for nation wide protests, was arrested after he joined a protest near Theingyi market. U Zaw Nyunt was also arrested after he engaged the security officials arresting Ko Htin Kyaw.⁹⁹ On 8 November it was reported that Ko Htin Kyaw was being held in Insein prison.¹⁰⁰

On 27 August 2007, over 50 pro-democracy activists were arrested after staging another protest against rising fuel prices. The activists protested by silently marching from a market in Pegu.¹⁰¹

On 28 August 2007, three persons from Sittwe, Arakan State, were arrested for distributing water to protesting monks. Those arrested were identified as Ko Ne Win, from MK snack shop; Ko Than from Amyo Tha photo house, and another unnamed man from Sanpya snack shop. Family members were unable to contact the arrested men, who continued to be held as of 31 August 2007.¹⁰²

On 1 September 2007, reports suggested that an estimated 150 protestors had been arrested by police and the state supported USDA since 19 August for protesting against the ruling junta. They were held in four main detention centers: Kyaikkasan Detention Center, Shwe Pyithar Regiment, Insein Prison, and a detention center in Mingaladon Township.¹⁰³

On 3 September 2007, a planned 'long march' from Labutta to Rangoon was halted by authorities and three leaders of the protest march were arrested.¹⁰⁴

On 3 September 2007, police surrounded the home of human rights activist Su Su Nway (34) who had been in hiding since leading a protest over the increase in fuel prices. Htay Kywe, another prominent activist was reportedly also in hiding after police raided his home in Rangoon.¹⁰⁵

On 3 September 2007, as many as 14 writers led a protest march in response to the arrest of Ko Kyaw Thu Moe Myint a day earlier. The protest march was cut short after protestors learned of a police van awaiting their arrival along the planned protest route.¹⁰⁶

On 3 September 2007, U Ray Thein (aka) Bo Aung (39) was arrested in Buthidaung for leading a solo protest for 45 minutes. U Ray Thein had bound his mouth, and placed placards in the market reading "FREE ASSK".¹⁰⁷

On 5 September 2007, seven activists were arrested in Laputta, as they attempted to stop police from arresting other protest leaders. The arrested were:

1. Ko Aung Moe Win;
2. Ko Kyi Than;
3. Ko Htay;
4. Ko Pauksa;
5. Ko Pho Cho;
6. Ko Maung Kyaw; and
7. Ko Hla Soe.¹⁰⁸

On 5 September 2007, U Aung Khin Bo, chairman of the Bogalay NLD, was arrested for leading a protest of 14 activists who marched through downtown Bogalay.¹⁰⁹

On 5 September 2007, Mya Mya San was arrested after leading a group of 15 activists at a weekly prayer vigil at Shwedagon Pagoda in Rangoon.¹¹⁰

On 7 September 2007, two NLD officials, Daw Khin Lay and Daw Mi Mi Sein were arrested by members of the Myanmar Women Entrepreneurs Association in Bogalay for involvement in earlier protests against the ruling junta. The women were arrested in a Bogalay marketplace.¹¹¹

On 11 September 2007, solo protester Ko Soe Win (aka) Soe Aung, from Sar-Kyin village, outside Taunggok, Arakan State, was arrested after staging a solo protest in the market calling for the expulsion of Than Shwe.¹¹² Ko Soe Win was charged under Section 505 (b) of the penal code and sentenced to four years in prison the same day of his arrest. According to local residents, Soe Win had displayed a placard calling for the release of political activists, including Aung San Suu Kyi, and the excommunication of Than Shwe from the Buddhist faith. He was charged with insulting religion and creating a public disturbance. He was not able to meet with a lawyer or family members.¹¹³

On 11 September 2007, Pakokku authorities arrested four people for having provided foreign media with information concerning the monk led September protests. The detainees were initially held at the police station, but were later transferred to the police jail. They were:

1. U Thant Shin;
2. U Nay La;
3. U Sein Linn; and
4. U Thar Aung.¹¹⁴

On 11 September 2007, two men who were arrested for distributing water to monks during the protest on 28 August 2007 were sentenced to two years in prison by the Burmese Military Authority. The men, Ko Min Min (aka) Han Min Soe and Ko Maung Soe Thein, were marching with the monks in Sittwe to protest the recent increase in fuel prices.¹¹⁵

On 18 September 2007, NLD member Naw Ohn Hla was arrested in Rangoon by a large group of USDA members. More than 200 members of the USDA came to her neighbourhood and arrested Naw Ohn Hla as she emerged from her hiding place.¹¹⁶

On 18 September it was reported that two persons had been arrested and sentenced to two years each for providing water to the protestors. They were given a summary trial on the same day as the arrest, and were denied legal representation.¹¹⁷

On 19 September 2007, it was reported that HRDP member Ko Kyaw Soe and his wife were arrested. At the time of report, the reason for their arrest remained unclear.¹¹⁸

On 23 September 2007, a schoolteacher in Myitkyina, Kachin State, was arrested after taking pictures of an anti-government protest. The protests took place at the Kyauntai Temple and featured about 200 monks and 500 civilians.¹¹⁹

On 24 September 2007, police conducted a further 15 arrests in response to the protests. Among the 15 arrested were:

1. Pyait Phyo Hlaing;
2. Lin Lin;
3. Ko Phone;
4. Ko Phyo;
5. Ko Thiha; and
6. Ko Kyaw Soe.¹²⁰

On 25 September 2007, the military conducted raids, arresting the following politicians and celebrities in conjunction with the protests:

1. Ko Thura (aka) Zarganar, comedian;
2. Par Par Lay, comedian;
3. Khin Mar Lar, celebrity;
4. Myint Myint San, NLD member;
5. Tin Aung, MP;
6. Khin Maung Thaug, NLD member;
7. Myo Naing, MP;
8. Myint Myint Aye, NLD member; and
9. Tin Ko, NLD member.¹²¹

On 26 September Thein Zaw (19) was arrested for donating food and drinking water to monks at the upper east gate of Shwedagon Pagoda. He was later charged with violation of Section 144 of the State Rebellious Act and Section 5(j) of the 1951 Emergency Provisions Act, and detained in Insein prison. He was not allowed a lawyer, and the prison authorities did not allow his family to meet him until two weeks after his arrest.¹²²

On 26 September 2007, pro-democracy politician Win Naing was arrested around 2:30 am at his home in Rangoon, after donating food and water to protesting monks.¹²³

On 26 September 2007, U Khin Sein, Chairperson of the NLD in Hopin Township, Shan State, was arrested by local authorities along with over twenty other people in nighttime raids. No reason was given for the arrests.¹²⁴

On 28 September 2007, U Aung Than Soe, an organizer for the NLD was arrested by authorities in Tamwe Township. Aung Than Soe was involved in the September protests, and was taken to Thonegwa Township for detention.¹²⁵

On 30 September 2007, Min Zaw, a Burmese citizen working in Rangoon for a Japanese news outlet, The Tokyo Shimbun, was taken from his home by plain clothed officers. The arresting officials claimed he was being held temporarily for questioning.¹²⁶

In September 2007, Fu Cin Shing Htan, a Zomi ethnic leader and member of Committee Representing the People's Parliament (CRPP) was arrested by police as part of a larger crackdown on protestors. Police have refused to release any information concerning his location or the charges against him.¹²⁷

On 1 October 2007, U Zaw Hein, an NLD member from Patheingyi, was arrested by SPDC officials and taken in for questioning.¹²⁸

As of October 2007, Ma Ke Naing Zaw, and her two small children (aged 5 and 1½), had been missing since 27 September. It was said that she had been taken into custody near Rangoon's Sule Pagoda.¹²⁹

As of 2 October 2007, Ma Po Po Pyi Sone, and her sisters, Ma Thida Aung, and Ma Moe Moe Swe, had been missing since 27 September. The three sisters were last seen by Rangoon's Sule Pagoda.¹³⁰

On 2 October 2007, authorities detained U Myat Hla, chairman of the Pegu branch of the NLD, in response to continued protests throughout Burma. U Myat Hla was also detained on 28 September, but he was released from custody the same day.¹³¹

On 2 October 2007, NLD member, U Than Lwin was arrested by SPDC authorities in Mattaya town, Mandalay Division.¹³²

On 2 October 2007, NLD member U Myint Htay was arrested by SPDC officials in Tharsi town, accused of being connected to the September protests.¹³³

On 3 October 2007, over 50 persons were arrested by SPDC officials in Magwe Division on unknown charges, but suspected of being involved in the September protests. It was unknown where they were being held. Among those arrested were two Pakokku NLD members; U San Pwint and MP U Hlaing Aye. Other persons arrested in this raid included:

1. U Ba Hmin;
2. U Myo Tint;
3. Ko Tin Nyunt;
4. Ko Kyaw Htay;
5. Ko Myint Khaing; and
6. Ko Khin Maung Myint.¹³⁴

On 3 October 2007, raids in the Mandalay area led to the arrest of several NLD members including U Sein Kyaw Hlaing, U Kyat Soe, U Win Shwe, U Paw Aye, and Ko Ye Tun.¹³⁵

On 3 October 2007, Ko Kyauk Khe (aka) Ko Aung San Oo was arrested after criticizing SPDC's actions against protestors. USDA members arrested Kyauk Khe, claiming he violated act 505 of the penal code. Kyauk Khe was watching a news report on TV in a teashop, when he reportedly shouted "long live the Buddhist religion" in response to images of the military assaulting protesting monks.¹³⁶

On 4 October 2007, 50 students from the Mandalay area, who had been arrested for their involvement in the September protests, were sentenced to five years of hard labour in Sagaing prison.¹³⁷

On 8 October 2007, Ko Thiha, human rights activist and member of NLD Youth Meikhtila Township, and Ko Wunna Aung from Mandalay were charged under Section 505(b) and sentenced to two years imprisonment for possessing illegal documents. Ko Thiha accompanied Daw Aung San Suu Kyi on her Upper Burma tour and was severely beaten in the Depayin massacre. Ko Wunna Aung had been discussing human rights affairs with HRDP leader U Myint Aye. Ko Thiha and Ko Wunna Aung were placed in Insein prison, cell no. 3, room no. 13.¹³⁸ When visiting Ko Thiha in Insein prison, his wife learnt that in addition to the initial two year prison term, he had been sentenced to another 20 year prison term under Section 124 (a) of Criminal Code. He was tried by a special tribunal in Mandalay's Obo prison and sentenced to long prison terms after hearing unknown witnesses.¹³⁹

On 8 October 2007, it was reported that several NLD members had been sentenced to prison terms for reporting a brutal attack on U Than Lwin (70), vice chairman of NLD Mandalay Division. Nyo Gyi, vice chairman of Madaya Township, was arrested along with 8 others. Nyo Gyi was sentenced to seven years in prison under section 506(b) of the penal code of 506(b), charged with abusing and threatening U Than Lwin's attacker. The 8 other defendants, members of Than Lwin's family, and NLD members, received sentences of five years in prison.¹⁴⁰

On 8 October 2007, SPDC officials arrested former political prisoner Chit Ko Lin and several of his family members in morning raids. Police arrested Chit Ko Lin's mother and mother-in-law and attempted to arrest his wife, Thet Thet Aung, but she narrowly evaded arrest.¹⁴¹

On 8 October 2007, Ko Thiha, a street vendor in Bassein Market, was sentenced to two years imprisonment by Bassein Township Court under Section 505(b), and placed in Bassein prison. He was charged with informing monks about imminent arrests.¹⁴²

On 10 October 2007, two students from the United States Information Service (USIS) were arrested by Rangoon police for their alleged involvement in the September protests. SPDC officials took Ye Myant Hein and Aye Myint Myint, from their homes in night-time raids.¹⁴³

On 10 October 2007, famous Burmese actor and director, Kyaw Thu was taken into custody along with his wife for his involvement in the September protests. Kyaw Thu and his wife joined several other prominent entertainment figures being detained for their involvement in the protests.¹⁴⁴

On 10 October 2007, two prominent '88 Generation activists were arrested as they sought medical treatment in a Rangoon clinic. Htay Kywe and Hla Myo Naung, were wanted by SPDC authorities for their involvement in the September protests.¹⁴⁵

On 10 October 2007, 88 Generation Students' Group leader, Hla Myo Naung, was arrested by SPDC officials in Sanchaung Township.¹⁴⁶

On 10 October 2007, SPDC officials arrested several demonstrators throughout Arakan State in connection with the September protests. Those arrested included Ko Nyi Nyi Lwin and Ko Aung Naing. The two men were taken to an undisclosed location,¹⁴⁷

On 10 October 2007, five residents of Pakokku Township, including NLD member U Pike Ko, were charged with damaging public property according to Section 6 (1) of the 1947 Public Property Protection Act, and were given long prison sentences. They were arrested in September on suspicion of passing information to foreign media. A Thayet prison official reported that they had been sent to Thayet prison after their arrest and brought before the prison court on 24 and 26 September.¹⁴⁸

On 11 October 2007, it was reported that Ko Thet Oo and Ko Zaw Htun, arrested on 15 September, had been charged with distributing illegal materials under Section 5(j) of the 1950 Emergency Provisions Act. The cases of Ko Thet Oo (39) and Ko Zaw Htun (34), both from Prome, Pegu Division, were heard in the Prome Township Court. It was reported that police personnel temporarily detained and intimidated witnesses and threatened them with being included on prosecution lists unless they testified against the accused.¹⁴⁹

On 11 October 2007, Ko Kyauk Khe (aka) Ko Aung San Oo, an NLD member in Aunglan Township, Magwe Division, was charged under Section 505(b) of the penal code and sentenced to two years imprisonment for making '*statements conducing to public mischief*'. Ko Kyauk Khe had been arrested on 30 September for shouting a pro-Buddhist slogan in a

local video house after watching footage of the crackdown on foreign media. Witnesses of the incident reported that Ko Kyauk Khe had only shouted '*Long live the Buddhist religion*', however prosecutors alleged that he had also shouted "*Down with Than Shwe*" and other anti-government chants, and they accused him of supporting the monk-led protests in the township. He was denied the right to a lawyer in court after military officials warned local attorneys not to represent him.¹⁵⁰

As of 12 October 2007, no information had been released concerning Ko Ngwe Soe, who continued to be missing after he was taken into custody by police on 28 August. Reasons for his arrest remained unclear, and no information was known about where he was being held.¹⁵¹

On 12 October 2007, MDC member Ko Aung Gyi (aka) Ko Moe Aung Soe, was taken from his house by several SPDC officials for his participation in the September protests.¹⁵²

On 12 October 2007, three members of the 88 Generation Students' group; Htay Kywe, Mie Mie, and Aung Thu, were arrested after being discovered by police in Rangoon. The three had been in hiding since their participation in protests in August. A man known as Ko Ko, was also arrested, charged with helping the three activists hide.¹⁵³

On 12 October 2007, Naw Ohn Hla was placed under a restraining order in accordance with the 1961 Restriction and Bond Act. She was arrested after being one of the first to protest in August. At a court hearing in Hmawbi, Rangoon division, she was denied a lawyer and the only witnesses were the township police chief, her village tract council chairman and an official beneath him. At the end of the brief trial, Judge Aye Aye Mu instructed Ohn Hla that she was not to leave the township for the next year without seeking a permit, or reside in another part of the country. She was also told to report to the local police station once every seven days.¹⁵⁴

On 13 October 2007, Ko Min Aung, the assistant secretary for the NLD in Arakan State was arrested by Taungup police, who also seized his house and land, estimated to be worth 8 million kyat. Police did not reveal the charges against him.¹⁵⁵

On 15 October 2007, former Arakan Student leader Ko Than Kyaw, was sentenced to six months in prison for allegedly attempting to recruit protestors during the September protests.¹⁵⁶

On 15 October 2007, four NLD members in Taunggok Township, Arakan State were sentenced to imprisonment, accused of taking a leading role in the protests in Sittwe. Party chairman U Kyaw Khine (85) and secretary Ko Min Aung (40) were each sentenced to seven and a half years' imprisonment by Taunggok Township Court. Two members of the NLD Township organising committee, U Htun Kyi and U Than Pe, were each sentenced to four and half years by Sandoway Township Court.¹⁵⁷ They were all sentenced in secret trials.¹⁵⁸

On 16 October 2007, Khin Htun, committee member of the Ma-au Township NLD, was arrested by police at his house. Police have not specified what charges he is facing.¹⁵⁹

On 16 October 2007, three members of the youth branch of Mandalay NLD were arrested by authorities. Ko Wunna Aung, Ko Ye Min Zaw, and Ko Soe Khine, were arrested by authorities and taken to an undisclosed location. Authorities failed to release official charges.¹⁶⁰

On 18 October 2007, U Myint Kyi and Zaw Min, two political organizers from Katha Township, were each sentenced to two years in prison, charged with violating section 505(b).¹⁶¹

As of 18 October 2007, the SPDC started targeting Burmese nationals returning to Rangoon airport, for their participation in anti-junta protests overseas. The junta arrested several people, matching their faces with photos taken at anti-junta protests abroad. Burmese nationals with any connection to protests abroad were taken directly to prison.¹⁶²

On 18 October 2007, four 10th grade students were arrested in Mandalay after participating in the protests. Thura Koko, Wunna Koko, Maung Wathone and Maung Ye Myint Lwin, were all taken into custody by SPDC officials. Family members did not receive any information about their location or the charges against them.¹⁶³

On 19 October 2007, three people in Arakan State were arrested by NaSaKa officials after they passed out information concerning the recent protests. The men were identified as Mohammed Yunus, Nurul Islam, and Mohammed Eliyas. They were severely beaten before being taken to a military camp in Sittwe. They were on 29 October believed to be held in Insein prison.¹⁶⁴

On 22 October 2007, Ko Thein Swe, NLD coordinator in the Irrawaddy region, was arrested at his house in Phyar Pon Township, Irrawaddy division, on the evening of 22 October in connection with the public demonstrations in September. Ko Thein Swe's father U Myint Swe, a people's parliament representative from Phyar Pon Township, met his son during a prison visit in Insein on 24 December 2007 and said he would be brought to court on 2 January 2008. On 28 December 2007 it was reported that Ko Thein Swe could face a long-term jail sentence when charged with six offences at Bahan court on 2 January 2008. He was to be charged under sections 143 and 145 of the penal code on unlawful assembly, which could lead to a jail term of up to two years; section 147 for rioting, which carries a two-year sentence, and under section 505 (b) for incitement of offences against the state, which could lead to another two years' imprisonment. He is also being charged under section 124 for not disclosing information on high treason to the authorities, which carries a seven-year penalty. In addition to the charges related to the protests, he was given an additional and unrelated charge of selling pornographic materials under obscenity laws in section 292.¹⁶⁵

On 22 October 2007, it was reported that four NLD members had been sentenced to prison terms for violating section 505 (b) of the penal code. People's parliament representative Myint Kyi, NLD communication department member Zaw Min, and U Shwe Paing and U Chan Aung, two political organizers from Intaw Township, were all sentenced to two years in prison.¹⁶⁶

On 24 October 2007, student activists Ko Thwin Lin Aung and Ko De Nyein were arrested by police. No information was released concerning their location or sentencing.¹⁶⁷

On 25 October 2007, Aung Naing, an 88 Generation Student Group member, was reported missing, assumed to have been arrested by SPDC officials.¹⁶⁸

On 25 October 2007, police arrested 8 persons for assisting monks during the September protests, and charged them with “the act of discredit for the country”. They had supported monks during a protest in Kalay Township, Sagaing division, by offering the monks food and water. The 8 arrested and charged were:

1. Michel Wint Kyaw;
2. U Ba Min;
3. U Nyo Mya;
4. U Myint Thein;
5. Ko Zaw Moe;
6. Ko Aung Kyaw; and
7. Ko Myo.¹⁶⁹

On 29 October 2007, 88 Generation Students’ leader Ko Htay Kywe and several others were arrested by police in Pegu. Ko Htay Kywe had been in hiding in a rubber compound, but was eventually discovered by SPDC officials. Officials also arrested Ko Aung Gyi and some of his workers in the raid.¹⁷⁰

On 31 October 2007, it was reported that Aye Cho, an NLD member from Mandalay, had been tried before Yamethin prison court, and sentenced to six years in jail for violating section 505 (b) of the penal code. Aye Cho was then transferred to Myin Chan prison in Magwe. He had been arrested by SPDC officials on 30 September after accusing USDA members of plotting to assassinate NLD leaders.¹⁷¹

On 30 October 2007, popular comedian Zarganar was arrested by police for the second time since the September protests. He was released one day after being detained. Zarganar was first arrested on 24 September after he offered alms to protesting monks, and was detained for three weeks. Since his incarceration, Zarganar has been candidly speaking out against the conditions he faced while in prison.¹⁷²

On 30 October 2007, Ko Tin Htoo Aung, of the 88 Generation Students’ Group, was arrested by SPDC officials. Junta officials arrested him in front of the Dagon Center in Rangoon.¹⁷³

On 1 November 2007, Tin Yu, a Rangoon man, was arrested by SPDC police after allegedly speaking to foreign media. Tin Yu from Hlaing Tharyar Township, was arrested on suspicion of giving information to foreign media, although authorities failed to disclose which media service Tin Yu had spoken with.¹⁷⁴

On 2 November 2007, Ko Sein Hlaing, an 88 Generation Students’ Group member, was arrested by authorities and subsequently released two days later. Ko Sein Hlaing had been placed on the junta’s ‘top ten list’ after he managed to evade police for two months.¹⁷⁵

On 2 November 2007, U Thein Zaw, an NLD organizer from Magwe Division, was arrested by Magwe police in connection with the recent demonstrations.¹⁷⁶

On 3 November 2007, it was reported that Ko Aung Kyaw Moe had been arrested in Hlaing Tharyar Township, Rangoon, for his participation in the anti-junta protests.¹⁷⁷

On 4 November 2007, Ko Zaw Zaw, a former NLD member from Tontay Township was arrested in Thiri Mingalar market.¹⁷⁸

On 7 November 2007, three HRDP members were sentenced to two years in prison for violating section 505 (b) of the penal code. Thet Oo, Zaw Htun, and U Panita, a monk who was disrobed since his arrest, were sentenced in a Prome court.¹⁷⁹

On 7 November 2007, the junta announced that it would “take action” against 91 persons detained over the pro-democracy protests. The junta labeled these as terrorists who committed “violent and terrorist acts.”¹⁸⁰

On 7 November 2007, 9 Muslims from Rangoon were arrested after giving water to monks during the September demonstrations. They were reportedly subject to physical abuse during their incarceration. The 9 persons were:

1. Myot Thant;
2. Nyi Nyi Zaw;
3. Myo Win;
4. Naing Min;
5. Htun Htun Naing;
6. Kyaw Kyaw Satt;
7. Htun Myint Aung;
8. Han Zaw Min Aung; and
9. Thaung Htut.¹⁸¹

On 8 November 2007, Captain Win Htun Aung from LIB #3 was forced to flee his battalion after the junta issued a warrant for his arrest. Authorities issued the warrant after Win Htun handed out bottles of water to protesting monks on September 26 and 27.¹⁸²

On 9 November 2007, secretary of Kachin State NLD, U Ne Win and U Ba Myint, an NLD member from Bhamo Township, were sentenced to two years in prison for participating in the September demonstrations. The two men were secretly tried in separate prison courts in Myitkyina and Bhamo. The men were convicted under section 505(b), and denied legal council.¹⁸³

On 11 November 2007, it was reported that 4 NLD members had been sentenced after being found guilty of violating act 505(b), and sections 143, 124(a) of the penal code. The four were identified as:

1. U Myint Oo;
2. U Thar Cho;
3. Ko Htun Htun Nyein; and
4. U Htay Win.¹⁸⁴

On 12 November 2007, Ko Win Kyaw was sentenced to prison, accused of violating section 505(b). Ko Win Kyaw was arrested on 25 September after offering alms to protesting monks.¹⁸⁵

On 12 November 2007, Ko Thiha, an NLD Youth member was sentenced to a ‘long-term’ jail sentence in Meikhtila Township, Mandalay division. Ko Thiha had been arrested along with Ko Tin Ko as the two returned from an NLD meeting.¹⁸⁶

On 14 November 2007, at least three unidentified persons were arrested in Thiri Mingalar market after they were found handing out anti-junta literature. No further information about the location or identities of those arrested was released.¹⁸⁷

On 14 November 2007, activist Su Su Nway and a co-worker were arrested in Bahan Township near Kokhine, after police caught her putting up anti-junta posters.¹⁸⁸

On 16 November 2007, it was reported that private tuition teachers Ko Ye Win, Ko Aye Min and Ko James had been arrested in the last week of October. They are familiar with the 88 Generation Student leaders and ABSFU (All Burma Students Federation Union) Ko Aung Naing, De Nyein Linn and Sithu Maung.¹⁸⁹

As of 19 November 2007, Ko Khin Maung Soe, who was arrested in the beginning of October, was still missing according to his wife Ma Htay Hlaing. At the time of report no information had been released about his location or the charges against him.¹⁹⁰

On 19 November 2007, a riot broke out after police attempted to arrest famous Burmese rapper G-Tone. Police attempted to arrest G-Tone after he showed an audience his religious tattoo, of two hands in prayer with prayer beads. Police waited until he had finished his set and proceeded to arrest him. Violence ensued as the audience reacted to G-Tone's arrest. The concert was stopped prematurely and sources were not sure if G-Tone was actually arrested.¹⁹¹

On 20 November 2007, three members of democratic opposition groups were detained by junta officials. Dr Myint Naing, NLD MP and ex-political prisoner, was arrested along with Tha Aung and Soe Win, two members of the Committee Representing the People's Parliament (CRPP). The three men were taken for questioning, before being released later the same day.¹⁹²

On 20 November 2007, Zomi ethnic leader Cin Sian Thang was taken into custody for questioning. Sian Thang's arrest came after several other ethnic politicians were arrested, including: Naing Ngwe Thein of the Mon National Democratic front, Aye Tha Aung Chairman of the Arakan League for Democracy, Ohn Tin also of the Arakan League for Democracy, and Soe Win of the National League of Democracy. SPDC officials released the aforementioned individuals shortly after their arrest. Only Cin Sian Thang continued to remain in custody.¹⁹³

On 22 November 2007, the SPDC reportedly asked Thai universities in Bangkok to provide a list of Burmese students attending the universities. The request came after several protests took place outside the Burmese embassy in Bangkok. The junta also denied visa renewals to some Burmese students in Thailand suspected of participating in the demonstrations. Ko Ko Lwin, a student from St. John's University, was denied a passport renewal after junta officials found out he was involved in the demonstrations.¹⁹⁴

On 24 November 2007, Ko Ray Thein (aka) Bu Maung, was rearrested by Arakan authorities for staging a solo protest in September. Authorities claimed that Ray Thein was mentally ill and needed to be evaluated by health professionals in Rangoon. However, sources reported that this was only a pretext for interrogating Ray Thein.¹⁹⁵

On 26 November 2007, U Shan Shwe Tun, chairman of the NLD in the Arakan State was arrested by SPDC authorities at his home. Only fifteen days earlier, on 5 November, he had been released after serving a three year prison sentence. Authorities released no information concerning the 26 November arrest.¹⁹⁶

On 27 November 2007, Aung Zaw Oo, a prominent HRDP member, was arrested in Kyauktada Township in Rangoon. No information was released concerning his arrest.¹⁹⁷

On 28 November 2007, Kyaw Thu Moe Myint, a famous Burmese poet, fled to Thailand after SPDC courts sentenced him to another prison term. In February Kyaw Thu Moe Myint was arrested and fined for publishing politically sensitive material, and given 12 days in prison. In November, police informed Kyaw Thu Moe Myint that he would be tried again, and could face up to 18 months in prison. Kyaw Thu Moe Myint fled to Thailand to avoid arrest and further persecution.¹⁹⁸

On 28 November 2007, Win Maw, a popular Burmese musician and two of his friends, Myat San and Aung Aung, were arrested in a Rangoon teashop by SPDC officials. Win Maw was said to be involved in planning events to mark International Human Rights Day on 10 December, with recently arrested Aung Zaw Oo.¹⁹⁹

On 29 November 2007, famous comedian Ko La Raung was arrested by SPDC officials after performing in Mrauk U. Ko La Raung performed a show depicting the shooting of a monk. This displeased local authorities, who assumed it was a reference to recent actions by the army during the protests. Ko La Raung was detained for three days before being released after he agreed not to repeat the performance again.²⁰⁰

On 5 December 2007, a government appointed village secretary in Arakan State was sentenced to two and a half years in prison for his involvement in the September protests. Ko Win Maung, from Manaung town, Arakan State, was accused of “betraying the state” after he participated in the protests.²⁰¹

On 13 December 2007, it was reported that social activist Ko Htin Kyaw (40) was charged after he demonstrated against declining living standards. Ko Htin Kyaw was accused of “public mischief” and could face up to two years in prison.²⁰²

On 12 December 2007, student Maung Ye Myat Hein (17) had been detained in Insein prison for over two months in connection with the September demonstrations. He was told he would only be held for a few days, but had still not been released or charged.²⁰³

On 14 December 2007, Ko Kyaw Min Naing, a member of Taungup NLD, was arrested and drugged by local police. It was reported that police forced Ko Kyaw Min Naing to ingest an unidentified syrup which caused him to lose consciousness for two days. Police had arrested Ko Kyaw Min Naing and another NLD member on suspicion of spray painting anti-junta graffiti on the streets of Taungup.²⁰⁴

On 16 December 2007, three members of the 88 Generation Students’ Group were arrested in their homes in Rangoon. They were:

1. Min Min Soe;
2. Htun Htun Win; and
3. Myo Yan Naung Thein.²⁰⁵

On 17 December 2007, junta officials arrested the parents of All Burma Federation of Student Unions (ABFSU) member Ko Si Thu Maung, after they refused to cooperate with authorities. U Peter and Daw Nu Nu Swe were arrested after they refused to assist junta officials attempting to arrest their son. The police did not have a warrant, and were refused access into the house by the parents. U Peter and Daw Nu Nu Swe, were charged with violating section 505(b), denied bail, and sent to Insein prison.²⁰⁶

On 18 December 2007, three more members of the 88 Generation Students’ Group were arrested. They were:

1. Khin Moe Aye;
2. Kyaw Soe; and
3. Zaw Min (aka) Bound Bound.²⁰⁷

On 18 December 2007, Aung Gyi, a member of HRDP, was arrested from his home in North Okkalapa Township, Rangoon.²⁰⁸

On 18 December 2007, junta court officials postponed the trial of Htin Kyaw to 26 December. Htin Kyaw was arrested on 25 August for protesting in Pabedan Township. He went on hunger strike on 30 November in protest against the junta's arrest of students and monks.²⁰⁹

On 18 December 2007, Win Myint, an NLD member from Hlaing Tharyar Township, Rangoon, was sentenced to three years imprisonment on allegations of possessing a weapon. However, his arrest came shortly after he refused SPDC authorities demands on him to leave the political party. On 2 December, soon after turning down the order, U Win Myint picked up a passenger in his trishaw and took him to a bus stop, where Win Myint found police and ward authorities waiting for him. They searched his trishaw and found a nine-inch knife. Although Win Myint insisted it must have belonged to his passenger, the police refused to believe his story and arrested him.²¹⁰

On 21 December 2007, Ko Shwe Thway, Ko Zaw Gyi, and Ko Yazar were arrested and charged with incitement of offences against the state or public tranquility under section 505(b) of the Penal Code and also with defamation. The three residents of Monywa, Sagaing division, were accused of giving water to protesting monks. Ko Shwe Thway was sentenced to two and a half years in prison, while Ko Zaw Gyi and Ko Yazar each received a two year sentence.²¹¹

On 28 December 2007, four students from West Rangoon University were charged with violation of six offences, and faced a possibility of 12 years in prison. They were to due appear in court 2 January 2008, under the charges that they violated sections 143, 144, 147, 295, and 505 (b). The four students were:

1. Ye Myat Hein;
2. Sithu Maung;
3. Ye Min Oo; and
4. Kyi Phyu.²¹²



Sittwe Prison. [Photo: AAPPB]

1.3 Arbitrary or Politically-Motivated Arrests of Ethnic Minorities

“As the result of a military campaign characterized by killings, torture and rape of ethnic-minority women, it is estimated that almost 3000 villages have been destroyed since 1996. One million refugees have fled to neighboring countries while 600,000 internally displaced persons now struggle to subsist in primitive jungle conditions. The military junta is also estimated to have imprisoned more than 800,000 people in forced labour camps and to have utilized more than 70,000 child soldiers.”²¹³

Burma’s ethnic minority regions remained heavily militarised throughout 2007, namely Arakan State, Chin State, Karen State, eastern Pegu Division, Karenni State, Mon State and Shan State. Despite the existence of ceasefire agreements in most of these areas, the SPDC army has a strong presence and remains suspicious of resistance efforts. The Karen National Union (KNU) and the Shan State Army (SSA) are the most formidable of the remaining armed ethnic minority resistance groups, and 2007 saw continual SPDC military activity in areas of Karen State where the KNU maintained a presence. (For more information, see Chapter 15: Ethnic Minority Rights).

The arrest and detention of civilians in ethnic conflict areas is often a result of the SPDC’s suspicion of civilian’s assisting resistance groups. Whilst some detainees for which the SPDC had genuine reasons to believe were involved in supporting resistance efforts were shown no mercy, numerous other arrestees were simply forced to carry out labour duties for the SPDC. Such duties range from building military camps to portering for the army. (For more information, see Chapter 5: Forced Labour and Forced Conscription).

In SPDC-controlled areas of the ethnic minority regions, villagers can face arrest or even arbitrary execution if caught outside their village boundaries without the necessary documentation which they must purchase from the SPDC. Particularly vulnerable to arrest and arbitrary detention are the village heads, who are often summoned to the local army camp and blamed for the actions of their fellow villagers, failure to report local insurgents in the area or simply as a means to demand labour, money and goods from the village. Family members are also subject to arrest in lieu of the accused.

In February of 2007, the SPDC stepped up its campaign in Karen areas. The SPDC has initiated a “shoot on sight” policy in areas not under tight SPDC control. In areas that have been secured by the SPDC, a policy of arrest is prevalent. The current offensive has led to increased displacement of persons and a larger problem of food insecurity. Movement restrictions and constant fear of arrest has disrupted the food production capabilities in Karen State. Essential tasks such as farming and tending to livestock have become impossible for most, leading to the abandonment of entire villages. Those continue to risk working, face the constant fear of imprisonment and even death. This year alone has seen over 2,150 persons arrested, most being forced to work as porters in the field.²¹⁴

Similar conditions could be seen in other ethnic areas throughout Burma, proving the insecurity and instability faced by ethnic groups throughout Burma. Systematic harassment and imprisonment of ethnic minorities was prevalent in all of the ethnic states, although implementation took on different forms in different regions. Highly orchestrated schemes by local security officials, involving the possession of cell phones, foreign currency, and foreign medicines, occurred repeatedly this year.

In Arakan State, the Rohingya continue to be frequent targets for extortion and imprisonment. The Rohingya, a Muslim minority group denied citizenship since 1982, face systematic discrimination at both a state and societal level. Rohingya's are thus particularly targeted and vulnerable to the system of threats, extortion and abuses at the hands of the SPDC, which relies on the threat of arrest to continually suppress and exploit this ethnic minority group. Under threat of imprisonment, they are generally prohibited from travel, and must obtain the permission of the authorities to marry. As the fees garnered from authorities in order to grant permission are often unaffordable and the processing of applications is often delayed, they are often forced to travel or marry secretly.

Arrest and Detention of persons in Ethnic Minority Areas – Partial list of incidents for 2007

Arakan State

On 1 January 2007, three Rohingya boatmen were arrested after crossing a river between Bangladesh and Burma. The men were on a boat with several other people when NaSaKa officials detained them. The boatmen were identified as:

1. Rahamat Ullah (30) son of Salay Ahmed;
2. Abul Fayaz (27) son of Idda Ali; and
3. Abul Fayaz (25) son of Bailar.

On 13 January, the men were taken to Rathedaung court where they were sentenced to lengthy prison terms. Rahamat Ullah was given nine years, while the other two men were sentenced to five years each.²¹⁵

On 14 January 2007, Haron a Moulvi of Sibin Thaya Zay, was arrested after he was found in possession of a mobile phone. The phone was given to Haron by an Arakan youth, after the youth told Haron he did not know how to use a phone. The youth, whose name is Boygi, is a known informer for the SPDC. Haron was arrested, and later released after paying a 500,000 kyat bribe.²¹⁶

On 15 January 2007, a shopkeeper from Buthidaung was arrested by police after he requested that the police pay for the items they had taken from his shop. The police beat the shopkeeper, and took him to the army camp in Thinga Net village, where he was held for seven days. During his detention, the shopkeeper was tortured, including being tied to a pole and submerged in water. He was released on the seventh day after paying a 60,000 kyat fine.²¹⁷

On 18 January 2007, Sokina Khatun (50) and her son Mohamed Fayas were questioned by police, after seeking medical treatment in Bangladesh. Sokina Khatun suffered from a peptic ulcer and was unable to obtain medical treatment in Arakan State. Sokina and her son had obtained the proper documents to cross the border into Bangladesh to receive treatment. However, upon returning to Burma they were questioned by police who claimed they had crossed illegally. Mohamed Fayas was arrested and taken to the NaSaKa camp. He was detained for one day and forced to pay a 50,000 kyat fine.²¹⁸

On 20 January 2007, two Rohingya men were taken into police custody after they were found in possession of mobile phones. Mohamed Hassain and Abul Hassain were arrested and severely tortured by NaSaKa officials in a detention centre, after admitting they possessed mobile phones from Bangladesh.²¹⁹

On 30 January 2007, ten members of a committee from five mosques in Buthidaung continued to remain in detention without being formally charged. The men had been detained for six months but arresting officials had failed to charge the men with a crime.²²⁰

On 7 February 2007, it was reported that police in the Maungdaw Township had arrested several local businessmen for being in possession of mobile phones. Reports stated that the police often plant evidence, then return and demand that the accused pay money or face imprisonment.²²¹

On 10 February 2007, it was reported that Nurul Ullah (20) from Buthidaung was detained after refusing to give soldiers his cows for use in the fields. Soldiers arrested Ullah and detained him for three days before demanding 30,000 kyat upon his release.²²²

On 18 February 2007, it was reported that Mahfuzul Karim, a Rohingya businessman, was arrested in Maungdaw on human trafficking charges. Karim frequently crossed the border between Burma and Bangladesh for his business. He was taken to a SaRaPa camp and tortured for over 28 hours before being released. He was also fined 1.1 million kyat.²²³

On 7 March 2007, NaSaKa officials detained Mohammed Islam after returning a day late from visiting his aunt in Poug Zar, Maungdaw Township. Mohammed had applied for a travel permit but was late returning to his village in Rathedaung Township because his aunt was ill. When he returned home, NaSaKa officials summoned him to their office and detained him. While in custody he was tortured. He was released a day later after paying a 50,000 kyat fine.²²⁴

On 16 March 2007, a Rohingya high school student (18) from Buthidaung was arrested by military forces after submitting a complaint against an Arakanese student. The student was taken to Hlet Wat Dad army camp for questioning. He was returned to his relatives three days later in critical condition.²²⁵

On 20 March 2007, a woman was detained by NaSaKa officials after traveling to Bangladesh to seek medical treatment. Although Sura Khaton had received travel permission, on return to Burma she was taken into custody and told to surrender her passport. She refused, and was detained for two days, then fined and released.²²⁶

On 5 May 2007, Mohammed Rafique (15) from Pa Dinn village, Maungdaw Township, was arrested for possessing a mobile phone. He was detained by NaSaKa authorities for ten days and severely beaten while in custody. He was subsequently released on 15 May and received medical treatment. On 21 May he succumbed to his injuries and died.²²⁷

On 17 May 2007, it was reported that three members of a Rohingya family from Maungdaw Township narrowly escaped arrest, but were forced to pay NaSaKa authorities 2.5 million kyat. The police questioned Hussain Ahamed, Somuda Khatun and Hamid Hussain on suspicion of human trafficking, after the family sent a family member abroad for work.²²⁸

On 7 April 2007, Liala Begum (18), daughter of Gura Meah hailing from Nyaung Chaung village in Buthidaung Township, Arakan State, was detained by police for marrying without a permit. The police detained her, and forced her to walk around her village only wearing her 'tami' as punishment. Liala Begum had applied for a marriage permit but was unable to pay the cost.²²⁹

On 15 April 2007, Osman (22), a Rohingya from Thapay Taw village, Maungdaw Township, was arrested by NaSaKa personnel. They accused Osman of having a romantic relationship with a female he had been seen walking with. The police detained both individuals for questioning. The female was released after two hours, while Osman was detained for one week.²³⁰

In April 2007, it was reported that Maung Ko Kyi had been missing since 10 March 2006. Captain Kyaw Zayar Win of IB #590 had arrested him after he failed to pay 300,000 kyat (US\$ 250) to be released. Reports suggest that he was sent to Armed Battalion #13 to work as a porter. As of April 2007 his whereabouts remained unknown.²³¹

On 9 July 2007, Nabi Hussain was herding cattle from Buthidaung to Maungdaw when he was arrested by SPDC military intelligence (SaRaPa). Hussain was arrested along with two other co-workers, Mohammed Salim and Abdul Hakim, because he allegedly had failed to inform SPDC of his movements. Hussain and his two co-workers were taken to the SaRaPa camp, interrogated, and tortured. The following day, Hussain was brought to the hospital by SaRaPa authorities for wounds sustained while in custody. He died shortly after arriving at the hospital. Mohammed Salim and Abdul Hakim continued to be detained.²³²

On 21 July 2007, Mohammed Jamil (27) was arrested after SaRaPa officials discovered that he had married two years earlier without a permit. He was detained and made to pay a 40,000 kyat fine before being released.²³³

On 21 July 2007, the body of a seven-months-old infant was found in a river between Ulet Watad Pyin Chay and Lamber Bill villages, in Buthiduang, Arakan State. Police questioned residents from both villages, and responded by arresting ten villagers from Lamber Bill and Ulet Watad. The villagers were released after paying 10,000-20,000 kyat depending on their financial status. The persons arrested were identified as:

1. Hanifia (50);
2. Motiur Rahaman (55);
3. Abdul Nasser (40);
4. Kala Meah (65);
5. Mohammed Nabi (65);
6. Zahir Uddin (35);
7. Abul Hussain (45);
8. Mozal Ahmed (70);
9. Abdul Salam (30); and
10. Mohammed Harun (40).²³⁴

On 3 August 2007, it was reported that Mohammed Talukder had been arrested by NaSaKa police in Buthidaung, accused of illegally crossing the Burma-Bangladesh border. He was arrested, tortured and fined 150,000 kyat, which his family was unable to pay. He was forced to sign an agreement stating he would return to the military outpost in Taung Bazaar until he had worked off his fine.²³⁵

On 5 August 2007, four people were arrested after they were found to be in possession of mobile phones. The arrested individuals could face up to three years in prison. They were:

1. Maung Kuu, from Shwe Zar Quarter in Maungdaw;
2. Joyn, from Shwe Zar Quarter in Maungdaw;
3. Marmad Shar, from Maungdaw Township; and
4. Zarhite Husein from Maungdaw Township.²³⁶

On 9 August 2007, a newly married Rohingya couple fled to Bangladesh after facing fines and possible arrest for marrying without permission. The couple married in 2006 but was unable to afford the price of the permit.²³⁷

On 29 August 2007, Fazal Rashid (70) was arrested for illegally crossing the border into Bangladesh after he was found in possession of medicine from Bangladesh. Rashid bought the medicine at a local market in Mrauk-U, but SPDC officials claimed crossed the border. He was brought to an army camp where he was detained for one week.²³⁸

On 28 October 2007, Abu Talek was detained and interrogated by over 40 NaSaKa officials, concerning the recent death of his daughter. Officials questioned Abu Talek, claiming he had not registered the death of his daughter. Police exhumed the child's body, and brought it to the father for confirmation. Abu Talek cooperated with police and told them that he had already registered the death. Despite his cooperation, he was tortured by police officials. He later fled to Bangladesh, fearing further torture.²³⁹

Chin State

On 19 February 2007, Lt. Colonel San Aung, the tactical commander of Chin State, ordered the arrest of 9 village headmen in Southern Chin State. The arrests came as reprisal for the deaths sustained by SPDC soldiers during a fight with Chin rebels. Headmen from the following villages were arrested:

1. San Pyah;
2. Way Laung;
3. Si Wa;
4. Lin Song;
5. Khaw Boi;
6. Dar Chung;
7. Tingsi; and
8. Cun-Nam.²⁴⁰

On 24 February 2007, soldiers from LIB #140 arrested 17 people on suspicion of aiding local rebel groups. The villagers were taken to Matupi and detained. One of the villagers, U Tin Ceu, was found dead two days later. Witnesses reported that he was taken to another location and executed.²⁴¹

On 22 March 2007, Lt. Colonel San Aung, the Chin State tactical commander, detained and forcibly conscripted over 20 class ten students of Tui Moe Boarding School. Several students fled to India to avoid conscription.²⁴²

On 9 April 2007, the SPDC arrested 7 villagers in Chin State, on suspicion that they were paying taxes to rebel groups. The SPDC released four of the men claiming that the other three had escaped custody. The three men, Mum Hte, Khun Ling and Tin Cung, were later found dead by relatives.²⁴³

On 17 June 2007, SPDC officials arrested three Chin youth near the Indo-Burma border on suspicion of being affiliated with the Chin National Front (CNF). The youths confessed to being involved with the CNF, but claimed they had fled from the training camp because of the harsh conditions.²⁴⁴

On 30 June 2007, 6 Chin villagers from Matupi Township were arrested after writing a letter to Senior General Than Shwe, protesting the killing of U Tin Ceu and the arrest of 16 others in February 2007.²⁴⁵

Karen State

On 7 January 2007, the head of village tract Aung-soe-moe was arrested by LIB #350. No reason was given for the arrest.²⁴⁶

On 10 January 2007, DKBA troops, led by Than Ma Na, initiated a program of forced recruitment in Pa-an Township. DKBA forces arrested and conscripted over 51 people from several local villages including:

1. K'ru-she (10 persons);
2. Pwa-gaw (10 persons);
3. No-aw-la (10 persons);
4. Doh-law-plaw (10 persons);
5. Ha-ta-yeh (2 persons);
6. Hta-thu-khee (2 persons);
7. Kyaw-kay-khee (2 persons); and
8. Doh-law-plaw (5 persons).²⁴⁷

On 19 January 2007, 6 villagers from Yea-Shan and Zee-Pyu-Gon villages were arrested by troops from IB #75. They were taken to Shan-Zee-Bon camp, Toungoo District. They were:

1. Saw Pa, from Yea-Shan village;
2. Saw Ah Lu, from Yea-Shan village;
3. Saw Kyaw Nee Win, from Zee-Pyu-Gon village;
4. Maung Yu, from Zee-Pyu-Gon village;
5. Saw Ta Kya, from Zee-Pyu-Gon village; and
6. Saw Ta Yo Yor, from Zee-Pyu-Gon village.²⁴⁸

On 29 January 2007, SPDC troops from the local military command headquarters shot one villager and arrested two others in Hu-Mu-Deh village, Toungoo district. After killing Saw Taw Luku, the SPDC troops arrested Naw May Mae and an unidentified person. The two were later released.²⁴⁹

On 30 January 2007, Saw Has Pra and Saw Win Kyaw, from Kaw Thay Deh village, were arrested by SPDC officials. The two villagers were forced to work as porters for the military.²⁵⁰

On 8 February 2007, troops from the LIB #104 entered Kyu-khee village and arrested Tee Hto Yei (50), the village head. The commander, Bo Aye Aung, demanded him to carry military supplies to Ter-paw-deh.²⁵¹

On 9 March 2007, SPDC soldiers stationed at Gkaw Thay Der arrested Saw Ta Gko Gka, after finding him tending to his field. The soldiers took Saw Ta Gku Gka to the SPDC controlled camp at Kler La. After his arrest, soldiers burned his field and home, resulting in the destruction of over 275 kilograms of rice.²⁵²

On 9 March 2007, three community leaders from Kaw Law Gkah village were arrested by soldiers from IB #373, MOC #5. They were:

1. Saw Ker Mer (50);
2. Saw Du Kler (58); and
3. Saw Paw Hta (32).

The soldiers took them to Khoo Thay Der army camp for questioning. The following day, Saw Du Kler was released, while Saw Ker Mer and Saw Du Kler were transported to MOC #5 headquarters in Kler La.²⁵³

In May 2007, several families were arrested while they planted rice in the fields near the Kler La – Mawchi vehicle road in eastern Toungoo. The families were arrested by SPDC soldiers from MOC #5, under the command of Kuang Mya; LIB #542, under Battalion Commander Thuang Htin Soe; and LIB # 544, under Battalion Commander Hla Htwin. A total of 12 families were arrested, 3 from Wah Soh village, 3 from Ao Kweh village and 6 families from Ber Ka Lay Kor village. The soldiers later released the women but kept the men in custody.²⁵⁴

On 4 May 2007, SPDC MOC #5 soldiers arrested three villagers from Hsaw Wah Der, on their return from buying supplies in nearby Kaw Thay Der. The arrested villagers were:

1. Saw Kya Soe (51);
2. Saw Kin Rin (43); and
3. Saw Ka Lay (50).²⁵⁵

On 16 July 2007, it was reported that over 21 people had been arrested for possessing Thai mobile phones. SPDC officials detained those who were unable to pay a fine and sent them to Hpa-an jail.²⁵⁶

Karenni State

On 10 April 2007, Saw Lee Reh Kyaw, a member of relief group Free Burma Rangers (FBR), was arrested and later executed. After Lee Reh was captured, he was taken to army headquarters, where he was interrogated and later executed. Two other villagers were also taken by army officials, but their whereabouts remained unknown.²⁵⁷

On 11 April 2007, Daw Mu Meh of Dawpapa village was arrested by SPDC soldiers after they found her harbouring a Karenni rebel in her home. The rebel evaded arrest, but Daw Mu Meh was detained for two days before her release.²⁵⁸

On 13 April 2007, it was reported that a village chairman and a secretary from Hilikhu village had been arrested after a fight broke out between SPDC troops and Karenni rebels. The condition of the two remained unknown. This incident followed a similar incident that occurred in January 2007, when a chairman from Phukhrakhu village was arrested, and later executed.²⁵⁹

On 4 May 2007, it was reported that Saw Lwin and two other Kayan New Land Party (KNLP) members had been arrested after allegedly being found in possession of firearms. The three men were charged with breaching Burma's weapon and sensitive commodities act. The men were sentenced to three years for breaching the weapons act and seven years for breaching the sensitive commodities act.²⁶⁰

On 19 October 2007, it was reported that over 50 villagers had been arrested by soldiers in Karenni State. The arrests came after IB #54 was attacked by Karenni rebel forces. The villagers from Loi Kaw Township were arrested on suspicion of aiding Karenni rebel groups.²⁶¹

Kachin State

On 22 November 2007, soldiers from the LIB #241 arrested 8 members of the Kachin Independence Army (KIA) in a raid on a regional command office. Shortly after the arrests, six of the soldiers were released, but the army continued to hold the commander and assistant commander.²⁶²

On 23 November 2007, senior intelligence chief, Lt. Gala Brang Shawng of the Kachin Independence Organization (KIO), was released after being detained by the military junta. His release came after KIO officials made requests to the junta. Lt. Gala Brang Shawng was arrested in October after he was found carrying firearms.²⁶³



A man is arrested by plain clothes security officers affiliated with SPDC paramilitary forces during a protest in Rangoon on 28 August 2007. [Photo: DVB/AP]

Mon State

On 2 March 2007, Nai Pha Dort had been incarcerated since December 2006 on accusations that he was supporting Mon rebels in Khaw-zar sub-township. Although the family paid SPDC officials 300,000 kyat to secure his release, SPDC officials refused to release him. The SPDC also demanded that the family stop sending food.²⁶⁴

On 3 March 2007, troops of LIB #590 captured an unidentified villager as he was returning to his village after buying food. The villager was taken to Thit Chat Zeik village where he was tortured. No other information was available at the time of report.²⁶⁵

On 16 March 2007, SPDC officials arrested a father, son, and another man, all from Aung Soe Moe village. The identities were withheld and the reason for their arrest was unknown.²⁶⁶

On 26 June 2007, over 50 villagers in Bayoun-ngae, Southern Ye Township, were arrested by SPDC soldiers after being accused of supporting rebel groups in the area. The villagers were sent to Han-gan. Reports confirm that ten of the villagers were severely tortured during interrogation. Military officials demanded that the villagers pay 20,000 kyat each to be released. The military officials then returned to the village and demanded 300,000 kyat from the remaining villagers.²⁶⁷

On June 2007, a 37-year-old mother from Southern Ye Township reported that her daughter had been arrested after soldiers from LIB #586 were unable to find her. The military forces had accused her of giving support to Mon rebel troops. When the soldiers could not find her, they interrogated her daughter and aunt and then arrested the daughter.²⁶⁸

On 3 July 2007, Nai Maw, a farmer, was killed by SPDC soldiers during interrogation. Nai Maw was arrested by SPDC soldiers for selling food to Mon rebels, and died as a result of the wounds sustained during his detainment. The death occurred between Singu and Toe Thet Ywa villages.²⁶⁹

In July 2007, Kabya village headman, Nai Min Tin Aung and an unidentified man were arrested by SPDC officials on suspicion of giving aid to Mon rebel groups.²⁷⁰

On 14 August 2007, five youths from Hnee-padaw village in Mudon Township, were arrested by police while waiting to meet friends at a public rest-house. The five youths were charged under the "law act of living in shadow". The police demanded 100,000 kyat each for their release.²⁷¹

Pegu Division

In March 2007, it was reported that 12 child soldiers had fled to the Indo-Burma border after attending a training session in Shwekyin, Pegu division. The child soldiers were recruited by Colonel Lwin Oo and Battalion Commander Soe Tin from LIB #349.²⁷²

Shan State

In February 2007, a mentally unstable man from Mai Hai village, Shan State, was shot by SPDC soldiers. SPDC soldiers claimed the man was a Shan rebel, and proceeded to question the villagers, accusing them of harbouring rebels. After questioning the villagers, the soldiers arrested village headman Kaw-Ta-La. By October 2007 he was still missing.²⁷³

Between the end of 2006 and the beginning of 2007, five villagers from Zizawya Khe village in Lai-Kha Township, were arrested and beaten by SPDC officials. The villagers were:

1. Naang Zing Wa (female, 36) was accused of being the wife of a Shan soldier. She was arrested, interrogated and tortured in her house in Zizawya Khe village;
2. Zaai Zit-Ta (male, 43) was accused of having connections with local Shan rebel groups. He was beaten by SPDC officials, but managed to escape with only minor injuries;
3. Zaai Kalaa (male, 39) was accused of supporting Shan rebels. He was interrogated by SPDC officials near Zalaai Khum village before being beaten to death; and
4. Zaai Su and Zaai Zaw Phae, two village headmen, were questioned on suspicion of supporting Shan rebels. The SPDC sentenced them to three months as porters in Nam-Zarng.²⁷⁴

On 21 June 2007, two residents of Mong Yu village in Shan State were arrested by police for failing to comply with orders to move their residences. U Maung Maung and U Maung Nyu were told by authorities to vacate their houses, as to make room for the extension of the border trade zone. Police arrested all citizens who failed to comply with the demand.²⁷⁵

On 18 December 2007, as many as 100 SPDC troops arrested 9 members of the Shan State Nationalities People's Liberation Organization (SSNPLO). Shan Battalion commander major Bar Pray and eight other SSNPLO members were arrested as they traveled through Palan Naw Ka Village in See Sai Township. The junta failed to disclose the reasons for their arrest, or what charges the nine would face.²⁷⁶

On 21 December 2007, a warehouse owner was arrested in Shan State. Local military officials found an overturned truck carrying guns and ammunition, and were able link the arms to local warehouse owner U Li Kyin Kwaw.²⁷⁷

The Crime of Reporting Rape

On 3 February 2007, four girls between the ages of 14 and 16 were on their way home from a karaoke shop when they were abducted by SPDC soldiers from IB #138. The four girls were taken to an army camp near Doketan, where they were raped by seven of the soldiers. The group of soldiers involved in the rape included three army officers and four soldiers.²⁷⁸

The soldiers released the girls after the rape, and attempted to bribe the girls to stop them from reporting the incident to the police. However, the victims' parents reported the rape, and news of the rape was published by an independent news agency. Local officials subsequently arrested the four girls, charging them with ten accounts including prostitution. The girls were sent to Putao jail, and were awaiting transfer to Mandalay prison when they were released. The four girls were eventually released from prison after the Myanmar Women's Affairs Federation (MWAFF) visited Putao jail following international pressure. The incident sparked widespread condemnation from human rights groups, sparking several protests in foreign countries.²⁷⁹

1.4 Arbitrary or Politically-Motivated Arrests of Civilians

In 2007 the army, police and local officials continued to victimize Burma's ordinary civilians through extra-judicial beatings, killings and arbitrary arrests. The greatest spike of arbitrary arrests occurred in the aftermath of the September protests. Many of these arrests were made against those who had no alleged involvement in the protest. When local officials were unable to find suspected protest participants and supporters, the authorities would in turn arrest the family members and friends of the suspect, holding them hostage until either a fine was paid or until the suspect turned him or herself in. These hostages would sometimes include entire families, children and even the mentally disabled. (For specific examples, see the incidents dated 11 October 2007; 12 October 2007; 19 October 2007 and 21 October 2007 in Section 1.4: Arbitrary or Politically-Motivated Arrests of Civilians).

In addition to the arbitrary arrests made in relation to the September protests, the SPDC also arrested civilians in order to control their livelihoods, to control foreign influence and to limit the use of mobile phones in the country. The junta has maintained its campaign to limit any external influence and uncensored information into Burma. Those caught listening to foreign news networks on the radio or for possessing any type of foreign currency have often been arrested. (For specific examples, see the incidents dated 20 October 2007 and 26 December 2007 in Section 1.4: Arbitrary or Politically-Motivated Arrests of Civilians).

This junta's persistent control on information in Burma has led to a crackdown on mobile phones. Those possessing unlicensed foreign mobile phones in border areas have faced arrest. Moreover, mobile phone owners can be accused of sending information or pictures to the foreign media market, therefore, those who possess such phones or even phone batteries have been subject to arrest. (For specific examples, see the incidents dated 9 October 2007 and 5 December 2007 in Section 1.4: Arbitrary or Politically-Motivated Arrests of Civilians).

While struggling to maintain their livelihoods, many have been arrested for not having proper work permits, while others have been detained for contributing to developmental and social projects. (For specific examples, see the incidents dated 24 January 2007; 22 February 2007; 26 July 2007 and 15 October 2007 in Section 1.4: Arbitrary or Politically-Motivated Arrests of Civilians).

Failing to acquire certain work permits, obtaining foreign news or currencies and possessing mobile phones were only some of the reasons why ordinary civilians faced detention in 2007. Others were still arbitrarily arrested under the suspicion of fleeing the country, driving unlicensed motorbikes and for waging complaints against local authorities.

Arbitrary or Politically-Motivated Arrests of Civilians – Partial list of incidents for 2007

On 16 January 2007, 20 suspects in Arakan State were taken into custody on charges of illegal gambling. Several retired government servicemen and retired officials were taken into custody during the raids.²⁸⁰

On 24 January 2007, at least 40 workers in Taungup Township, Arakan State, were arrested by authorities for operating an illegal timber production site.²⁸¹

On 19 February 2007, Jaffar Alam was arrested by NaSaKa officials for transporting livestock into Burma from the Bangladesh border. Despite having paid the required taxes

and obtained the necessary documents to cross the border, Alam was arrested and had his livestock confiscated by NaSaKa officials who failed to recognize his documentation. Alam was detained for two days and severely beaten before being released without charges.²⁸²

On 22 February 2007, three persons were jailed after organizing a literary event without permission. The Pegu Court sentenced each of the accused to three months in prison.²⁸³

On 28 March 2007, over 60 farmers from Shan State were charged with pollution violations after burning their fields. The farmers were arrested and held in several locations around Shan State. The arrests came after the Thai government lodged a complaint concerning brush burning in the area.²⁸⁴

On 4 May 2007, Christian preacher Tu Rin Tun and his supporter Min Phyo were arrested and sent to Monywa jail after the SPDC claimed that the men had crossed illegally into India. The two men failed to receive permission for travel, and now face up to two years in jail. The authorities have also demanded a 400,000 kyat fine to be paid for their release.²⁸⁵

On 22 May 2007, SPDC officials arrested two journalists, Aung Shwe Oo and his daughter Sint Sint Aung, after they covered a story of the reestablishment of relations between Burma and North Korea. The two were on assignment for the Japanese Nippon News Network.²⁸⁶

On 7 June 2007, 6 businessmen from Maungdaw and Buthidaung, Arakan State, went missing after their arrest. Seven men in total were arrested, and only one man, Tun Myint, was released two days after being arrested. The identities of the missing men were:

1. Kyaw Myint;
2. Hla Shwe;
3. Joji Mular;
4. Harsan;
5. Hla Myint; and
6. Soe Lay.²⁸⁷

On 26 July 2007, over 300 gold miners operating near Indawgyi Lake, Kachin State, were arrested by the SPDC following complaints by local farmers. Farmers in Kachin State claimed that the mining practices were destroying their lands. The miners were detained throughout the state.²⁸⁸

On 27 July 2007, 25 persons from Rambree, Arakan State, were ordered to report to the township administration office in response to a forced labor complaint that was submitted to the International Labour Organization (ILO). They were asked to sign a statement invalidating the claim. Authorities arrested U Thein Shwe Maung and sentenced him to prison when he filed a claim with the ILO on 17 July 2007.²⁸⁹

On 30 July 2007, Aung Zaw Lin (17), a bus conductor from Mandalay, was arrested and sentenced to seven years for his involvement in a 'punch up' with a bus station manager. Aung Zaw Linn was found guilty of violating criminal act 325, leading to a sentence of seven years of hard labour.²⁹⁰

On 28 August 2007, Abul Kalam (13) from Arakan State was arrested by NaSaKa officials because of his father's outstanding loan debt. Since NaSaKa officials were unable to find his father, Noor Hussain, they decided to detain Abul Kalam instead. The police reportedly tortured the boy in custody, and claimed they would release him in exchange for his father.²⁹¹

On 7 October 2007, two men from Arakan State were arrested by NaSaKa officials on charges of attempting to flee to Bangladesh. Nurul Haque and Nurul Islam were picked up on their way home from the local mosque.²⁹²

On 9 October 2007, Mohammed Sadek was arrested by Maungdaw police after he was found in possession of a mobile phone from Bangladesh. He was arrested but later escaped, only to be rearrested by police hours later. Mohammed was forced to pay the police a 100,000 kyat bribe for his release.²⁹³

On 11 October 2007, it was reported that family members of Daw Thet Thet Aung had been arrested for her involvement in the September protests. As Daw Thet Thet Aung was not present at her house when the police came to arrest her, the authorities proceeded to arrest her family members instead. Among those arrested were her husband, U Chit Ko Lin, her mother, Daw Su Su Kyi (54), and Daw May Than Yee (70).²⁹⁴

On 12 October 2007, junta officials arrested a mentally ill man, Thein Aye, after they were unable to locate De Nyein Linn, an All-Burmese Federation of Students' Unions (ABFSU) member. When officials were unable to find De Nyein Linn during a residential raid, they instead took Thein Aye into custody for questioning. According to anonymous sources, Thein Aye suffers from mental illness, and police had not given any other information concerning his whereabouts. It was reported that police later found and arrested De Nyein Linn.²⁹⁵

On 15 October 2007, NaSaKa forces arrested four villagers in Rathedaung, Arakan State, for helping the United Nations Development Program (UNDP) dig three wells. Despite the UNDP having gained clearance from NaSaKa, the security forces arrested Yakub Ali, Nur Mohamed, Sainn Gaung, and Nazim Uddin. NaSaKa officials demanded 600,000 kyat for their release, but local villagers were unable to meet their demands.²⁹⁶

On 19 October 2007, SPDC officials arrested family members of U Gambira, the leader of the All-Burma Monks Alliance (ABMA), after officials were unable to arrest him for his involvement in the September protests. U Gambira's two brothers, Ko Aung Kyaw Kyaw and Ko Win Zaw, his mother and sister were arrested in the raid. His brother Ko Aung Kyaw Kyaw is also the secretary for the NLD in Pauk Township. Moreover, U Gambira's father U Min Lwin was later also arrested. The family members were informed that they would be detained until U Gambira was apprehended.²⁹⁷ However, Ko Aung Kyaw Kyaw and U Min Lwin were not released upon the arrest of U Gambira on 4 November.²⁹⁸ U Min Lwin was released a month later, on 3 December, while Kyaw Kyaw continued to be detained.²⁹⁹

On 20 October 2007, Nai Aung Khin, a 45 year-old villager from Kaw-Zar, Mon State, was arrested and imprisoned after being caught listening to news from foreign based media services. He was sentenced to seven years imprisonment for listening to the banned broadcasts.³⁰⁰

On 21 October 2007, junta officials arrested the family of exiled 88 Generation Student leader Ko Nyi Nyi in an early morning raid. Ko Nyi Nyi now resides in the United States, but his family was arrested for their connections to other prominent '88 Generation Student activists, such as Ko Htay Kywe. Five family members and two guests were arrested in the raid. The arrested family members were:

1. Ma Thet Thet Aung;
2. Ma Noe Noe;
3. Daw San San Tin;
4. Ko Ko Gyi; and
5. Ko Kyaw Swa.³⁰¹

On 30 October 2007, Win Aung (48), a school teacher from Tenasserim Division, was sentenced to one year in prison for wearing his uniform to a pro-junta rally. Win Aung was punished for disobeying an SPDC order stating that teachers and students were not to wear their uniforms to the rally.³⁰²

On 17 November 2007, five youths from Hnee-pa-daw village, aged 14 to 18, were arrested by police officers in Kamarwet village, for being in possession of unlicensed motorcycles. The police demanded the youths to pay 20,000 kyat each to be released, and 100,000 kyat for each unlicensed motorbike.³⁰³

On 28 November 2007, 4 men were arrested as they attempted to transport motorcycles across the border from India's Mizoram state into Burma. A member of the Young Mizo Association (YMA) apprehended the men as they crossed the border. Local authorities suspected the motorcycles were stolen. The four men were identified as:

1. Dalkhena (35);
2. Liannang;
3. Ngindo Nang; and
4. Langa.³⁰⁴

On 27 November 2007, Ko Than Naing was stabbed while being arrested by *Swan-Arr-Shin* members, after they were called to his house following an argument he had with his mother, Daw Than Win. His mother had asked local police to talk to her son, but members of the *Swan-Arr-Shin* became involved instead. They stabbed Ko Than when he tried to escape, and then arrested him. His mother requested that he be released but the authorities refused to do so. Ko Than Naing was charged with possession of the knife that the *Swan-Arr-Shin* members had used to stab him with. His mother was forced to sign a document confessing his crime.³⁰⁵

On 2 December 2007, an Arakan man was arrested by police after writing a letter to the BBC documenting the human rights atrocities against Rohingya people in Arakan State. Hajee Amir Hakim's letter was intercepted by the NaSaKa, who in turn informed local police. Hajee Amir Hakim was taken into police custody, interrogated, and tortured. He was released on 3 December, after his family paid a portion of the 200,000 kyat demanded for his release.³⁰⁶

On 4 December 2007, Tin Lun was arrested and beaten by USDA officials after he confronted a soldier who had insulted his sister. The soldier had propositioned Tin Lun's sister for sex after a party. Ma Than Than Myint declined the offer, and told her brother about the event. When Tin Lun approached the officer, he was accused of interfering in state business. He was arrested and taken to a nearby army camp, and military officials threatened to sue his parents.³⁰⁷

On 5 December 2007, Jaffar, a Rohingya man from Bawli Bazaar north village, was arrested when police illegally searched his home. Police failed to give a reason or to issue a warrant for the raid. After searching his home multiple times, police allegedly found a battery for a mobile phone. Police arrested Jaffar accusing him of illegally possessing a phone. The police then demanded 500,000 kyat for his release. He was taken into custody but was later released after paying the bribe.³⁰⁸

On 17 December 2007, two Burmese women were arrested by customs officers in Bangladesh, after trying to illegally enter Bangladesh. Ma Thein and Ma Tin were stopped at the border and searched. Bangladeshi officials found they were carrying Burmese identity cards, foreign currency and a hard drive. The women were handed over to NaSaKa security officials, and have faced charges in the Burmese legal system.³⁰⁹

On 25 December 2007, three family members were arrested for arguing with another family in Mono Para village, Buthidaung Township. Maulvi Anis, Monir Ahmed, Mohamed Sultan, and Fatema Khatoon, were arrested after Zuhura Khatoon, a member of the other family, was injured. Police demanded a 3 million kyat bribe to release the family; however, the family was only able to raise half the requested amount and was thus not released.³¹⁰

On 26 December 2007, Rashid Uddin, a 13 year-old Rohingya from Sin Oo Khya village, was arrested by NaSaKa personnel when he was found carrying foreign currency. Rashid Uddin was on his way to school when approached by the NaSaKa. Officials arrested him after finding a 500 taka note in his school bag.³¹¹



Civilians arrested in downtown Rangoon in a crackdown on protesters on 27 September 2007.
[Photo: unknown]

1.5 Foreigners Arrested and Detained in 2007

On 5 January 2007, 7 Bangladeshi and 48 Burmese Muslims were sentenced to five years in prison for attempting to illegally migrate to Malaysia. The group had been arrested on 20 December 2006.³¹²

On 4 February 2007, 5 Bangladeshi fishermen from Nathmura Para village were arrested on the Naff River by NaSaKa officials. The fishermen were detained and had their boats and nets confiscated. Family members of the detained contacted the Bangladesh government, but no action was taken. The fishermen from Nathmura Para (village) of Nila union under the Teknaf Upazila, Cox's Bazaar District, were identified as:

1. Chandranath Jaladash (23) son of Sudar Jaladash;
2. Bogirath Jaladash (21);
3. Hori Jaladash (30) son of Bokto Jaladash;
4. Jodo Jaladash (22) son of Shafer Jaladash; and
5. Shonjito Jaladash (12) son of Auzit Jaladash.³¹³

On 16 April 2007, a Thai citizen and another man were arrested by the DKBA, a ceasefire group with ties to the SPDC.³¹⁴

On 21 April 2007, Mohammed Tayub, from Assatali in Bangladesh, was arrested by NaSaKa forces. NaSaKa illegally entered Bangladesh to arrest Tayub, where they claimed that he was a robber. Tayub was returned to Bangladeshi officials on 22 April.³¹⁵

On 28 May 2007, NaSaKa officials arrested a Bangladeshi fisherman and his son on the Naff River in Bangladesh, while demanding 8,000 kyat for their release. When Jahangir Hussain and his son were unable to pay, NaSaKa handcuffed the men and took them to Taungbru camp. The two escaped custody when NaSaKa personnel fell asleep after drinking. Once back in Bangladesh, the father and son reported their arrest to government officials. NaSaKa officials declined to return the fishing boat to its owners.³¹⁶

On 27 June 2007, 6 Bangladeshi fishermen were abducted by NaSaKa officials on the Naff River. The men were arrested and tortured by the NaSaKa. They were released the same day, but their boats and nets remain in NaSaKa custody. The arrested men from Leda village, Teknaf union, Cox's Bazaar district, were identified as:

1. Abdu Shukur (35), son of Ramjan Ali;
2. Abdul Amin (30);
3. Rofique (25);
4. Mokter Ahmed (40);
5. Khobir Ahmed (20); and
6. Sultan Ahamed (23).³¹⁷

On 19 July 2007, 4 Bangladeshi men were arrested by NaSaKa authorities who crossed into Bangladesh demanding bribes from local woodcutters. When they failed to pay the bribes, NaSaKa arrested the woodcutters. The men were later released after the Bangladeshi government became involved. The arrested were identified as:

1. Abu Sidique;
2. Kolimul Islam;
3. Sayed Alam; and
4. Abdu Rahim.³¹⁸

On 24 July 2007, two fishing boats owned by Bangladeshi citizens were seized and over 24 fishermen were arrested in the Bay of Bengal by NaSaKa forces. NaSaKa officials claimed the fishermen were in Burma territorial waters, however alternative reports contradicted this

claim. The 24 fishermen were taken to a NaSaKa detention facility before being returned to Bangladeshi officials four days later.³¹⁹

On 6 September 2007, NaSaKa forces abducted 2 Bangladeshi woodcutters, Mohmad Ismol (30) and Swe Yu Korim (26), and took them to Degaliyer Village in Okia Township. NaSaKa authorities accused the men of crossing illegally into Burma.³²⁰

On 12 November 2007, NaSaKa officials abducted 5 Bangladeshi woodcutters from the border area near Naikhongchari. At the time of reporting, the Bangladesh Rifles (BDR) were trying to release them. The woodcutters were identified as:

1. Lutfur Rahaman (25);
2. Ashraf Ali (18);
3. Rafique Uddin (16);
4. Abdur Rahman (15); and
5. Mofiz Uddin (13).³²¹

On 13 November 2007, 14 Bangladeshi fishermen were arrested by NaSaKa officials near St. Martins Island in the Bay of Bengal. Officials from the Bangladeshi government requested their return, however at the time of reporting their fate was unknown.³²²

On 1 December 2007, a group of 56 Burmese and 13 Bangladeshi citizens were arrested after their boat broke down. They were accused of attempting to illegally immigrate to Malaysia. The group faced the possibility of long prison sentences for violating immigration laws.³²³

On 15 December 2007, a Thai fishing boat was impounded and its crew arrested by junta officials after the boat strayed into Burma waters. The crew was made up of 6 Burmese nationals and 17 Thai nationals. The Thai nationals were sent to Rangoon, while the Burmese nationals were kept at the interrogation center in Kyaukprou.³²⁴

On 20 December 2006, NaSaKa forces arrested 56 persons on a boat destined for Malaysia. The arrests were made off the coast near Sittwe in Arakan State after the boat's engine had died. Of the 56 persons arrested, 15 were from Bangladesh. NaSaKa forces forwarded the names and addresses of the arrested Bangladeshi citizens to the Bangladeshi government.³²⁵

1.6 Arrest of Monks

“Our spiritual obligation is to freedom, not to silence or submission. Today, we know that several leading Buddhist monks in Burma are still on the run. We do not know with any accuracy how many monks have been killed, how many were forcibly disrobed. We do not know how many monks are in prison. We do not know how many monks have been taken to secret locations. What we know is there is a terrible secrecy and silence over Burma.”³²⁶

- Ashin Nayaka, International Burmese Monks Organization

The monks have an integral role in Burma’s civil society. They have also been involved in the various political movements, and as a result the junta put into place laws to dictate the association and activities of monks, enforced under threat of prison and/or disrobing. Monks taken into custody are disrobed and some are ordered to renounce their vows. The AAPP recorded that as of December 2007, there were 174 monks in prison for political reasons.³²⁷

Following the monk-led September 2007 demonstrations, aptly named the Saffron Revolution, the junta rounded up thousands of monks after they joined in the national protests. The junta systematically arrested monks, both in the streets and in raids on several monasteries. It was estimated that monks made up 1,400 of the around 6,000 arrested in connection with the protests. There were numerous reports of monks being disrobed and abused during arrest, interrogation and in detention. In a report by Human Rights Watch, U Khan Di, from Ngwe Kyar Yan monastery, described a nighttime raid:

“The raid at the monastery was around 1 am. The soldiers shouted to open the monastery gates, and then broke the gate open by hitting it with their truck when no one came to open. Shouting loudly, they were throwing teargas and firing their automatic guns into the buildings of the monastery, and used their batons to beat the monks whenever they saw them. Many monks ran away, climbing into the trees nearby and escaping by hiding in the houses of the neighborhood. I was injured in the head when I was hit by baton charges. I saw pools of blood, shattered windows, and spent casings on the floor when I came back to the monastery in the morning. We found about 100 monks missing out of 230 monks. They took our money and jewelry, and other valuable things they found at the monastery.”³²⁸

In an attempt to dissuade other monks from joining the protests, the junta imposed particularly severe punishments. In a reversal of the high social status usually accorded to the revered religious members, monks often faced worse conditions in prison:

“Those monks arrested after the September 2007 demonstrations were forcibly disrobed and made to wear soiled civilian clothes. Several monks were severely beaten, kicked and hit. No exception was made for the monks in regards to the amount or severity of torture they endured in detention.”

As the crackdown continued, many monks were taken to secret holding facilities while others simply disappeared. Thousands of monks went into hiding, discarding their traditional robes as they returned to their native villages. (For more information, see Chapter 8: Freedom of Belief and Religion, and the HRDU Report: *Bullets in the Alms Bowl*).

Arrest of Monks – Partial List of Incidents for 2007

On 3 July 2007, U Dhamma Tharmi (42), from Yaykha Monastery in Mandalay's Maddaya Township, was sent to Obo prison in Mandalay for staging a protest for the release of Aung San Suu Kyi.³²⁹

On 17 September 2007, it was reported that 5 monks who had been arrested after leading recent demonstrations in Sittwe had disappeared. The monks were arrested by the Burmese army troops of Lt. Col. Htin Lin on 29 August 2007 and have been missing since the arrest.³³⁰

On 18 September 2007, U Warathami, who took part in anti-government protests in Sittwe, was bound hands behind his back and beaten by a number of Burmese soldiers. The initial beating knocked out several of U Warathami's teeth and left him with cuts on his head and ears. He was then taken to a police station and beaten again until he fell unconscious. When he awoke he was returned to his residency at the Dhammathukha monastery.³³¹

On 25 September 2007, the military conducted raids and arrested several monks, including Piak Ko from Pakkoku and Min Thu from Mogok.³³²

On 27 September 2007, local residents in South Okkalapa Township surrounded a monastery when soldiers attempted to arrest the local abbot. The monastery had on an earlier occasion been raided and approximately 130 monks were detained, their personal belongings were taken and about two million kyat was seized. The protests from local residents kept the soldiers from entering the monastery a second time.³³³

On 26 September 2007, U Tayzaw Bartha, a 76 year old monk from Kalyarnitsein in Pegu, was arrested by junta officials for staging demonstrations and giving public speeches. He was sent to Insein Prison. U Tayzaw Bartha was released after a month, on 25 October, but was rearrested ten days later and sent to Ywar Thar Gyi psychiatric hospital outside of Rangoon. He was kept there for 25 days before being transferred to a monastery in Sakhan Gyi village, Hle Ku Township, where he continued his detention for a further 20 days. U Tayzaw Bartha was released after writing a formal letter requesting to be released. However, his movement continued to be restricted after his released and he was not allowed to return to his monastery in Pegu.³³⁴

On 29 September 2007, it was reported that a senior monk, who was taken to Insein Prison by authorities to talk to the detained monks, stated that some monks had already been sentenced to six years imprisonment by a specially convened court.³³⁵

On 1 October 2007, a prominent Arakanese monk was arrested by junta officials in Rangoon. U Kawwidda, abbot of Thatka Thila Zaya Thidi Pati Phatan Monastery in North Okkalapa, Rangoon, was arrested for his alleged involvement in the September protests. Officials declined to release any information as to his whereabouts or charges held against him.³³⁶

On 2 October 2007, the abbot of Thitsar Mandai Monastery was arrested by junta authorities and held hostage until he could be exchanged for his brother. The arrest came after the junta had searched for the abbot's brother, a monk who was involved in the September protests.³³⁷

On 2 October 2007, reports from Rangoon suggested that as many as 4,000 monks had been arrested and taken to an abandoned race track on the outskirts of Rangoon. The monks were arrested after junta officials conducted widespread monastery raids across much of Burma.³³⁸

On 3 October 2007, junta officials closed Rangoon's Maggin Monastery, forcing many of the resident monks to flee. The monastery was a focal point for the anti-junta protests and provided care to HIV/AIDS patients. Maggin Monastery was raided several times, resulting in the arrests of seven monks, including the abbot U Nandiya. U Nandiya became interim abbot after the former abbot, his son, was jailed by the regime. Closure of the monastery resulted in widespread criticism within Burma and from the International community.³³⁹

On 4 October 2007, junta officials raided five monasteries and arrested 36 monks in the Rangoon area. The raided monasteries were:

1. Shwetaungpaw Monastery, South Okkalapa Township;
2. Dhammazaya Monastery, South Okkalapa Township;
3. Sandilayama Monastery, South Okkalapa Township;
4. Zayawaddy Monastery, North Okkalapa Township; and
5. Pannitayama Monastery, North Okkalapa Township.³⁴⁰

On 11 October 2007, 16 monks were brought before a specially convened tribunal inside Thayet Prison. There was no further information on the sentences or charges against the monks.³⁴¹

On 12 October 2007, it was reported that monks from Ngwe Kyar Yan Monastery had been disrobed and sent to Insein Prison. According to sources there was a recent influx of approximately 100 prisoners with shaved heads in the prison.³⁴²

On 17 October 2007, it was reported that Eik Darea, a 26 year-old monk involved in the September protests, had been sentenced to seven and a half years imprisonment. Eik Darea was tried in a Sittwe district court in Arakan State. He faced the possibility of completing the prison sentence in a labour camp.³⁴³

On 29 October 2007, U Indra Panya and U Magindar, both monks from Alodawpyih Dama Sariya Monastery, fled to Bangladesh in an attempt to evade police. The two monks had been wanted for their participation in the recent monk-led protests.³⁴⁴

On 30 October 2007, 4 monks from a monastery in Mudon Township were interrogated and severely beaten by local authorities. The monks were suspected of having participated in the recent protests. Locals claimed that over 200 monks had disappeared in the Moulmein area since the protests.³⁴⁵

On 4 November 2007, junta officials arrested U Gambira (29), a prominent abbot who took a leading role in the August and September protests. Police claimed that U Gambira was the mastermind behind the anti-junta demonstrations. U Gambira went into hiding shortly after the protests and had been in contact with foreign media since then. On 15 November, junta authorities charged U Gambira with high treason, which carries death penalty or life in prison.³⁴⁶

On 8 November 2007, U Khaymarwuntha, a 20 year-old monk from Zantila Kamahtan Monastery in Rangoon's South Dagon Township, was arrested in connection with anti-junta demonstrations. No further information was released about the incident.³⁴⁷

On 15 November 2007, U Than Rama, a monk from Arakan State, was arrested during a monastery raid in Sittwe. He was wanted in connection to the monk led demonstrations. Eyewitnesses claimed that police beat U Than Rama as they took him into custody. He was taken to an undisclosed location.³⁴⁸

On 16 November 2007, U Sanda Wara, a monk from New Dagon Township, was beaten and arrested by USDA officials when over 150 USDA members raided Aung Dhamma Pala Monastery. U Sanda Wara was taken to an undisclosed location, and no information was released on the charges held against him.³⁴⁹

On 24 November 2007, at least 15 monks went missing from Ngwe Kyar Yan Monastery in South Okkalapa Township, Rangoon. The whereabouts of the monks was unknown at the time of reporting. Seven of the missing monks were identified as:

1. U Egga;
2. U Gawthita;
3. U Zarnaya;
4. U Nanda;
5. U Zantila;
6. U Wilatha; and
7. U Eiktheriya.³⁵⁰

On 17 December 2007, it was reported that 25 monks from Kaba Aye Sangha University had been expelled from campus and forced to return to their villages. Authorities claimed the monks were expelled due to their participation in the September demonstrations.³⁵¹

On 17 December 2007, it was reported that in late November 2007, U Zantila, the abbot of Zantila Rama Monastery, South Okkalapa Township, Rangoon, had been disrobed and sentenced to two years imprisonment. He was charged with defamation after complaining about the seizure of money from the monastery during a previous raid. When Zantila Rama Monastery was raided by government security forces in early October, officials reportedly confiscated 4.2 million kyat from the monastery. U Zantila proceeded to write a letter of complaint to the minister of home affairs, minister of religious affairs and the SPDC chairman. A few days later he was arrested at the monastery by security forces.³⁵²

On 29 December 2007, monastery officials in Arakan State compiled a list of monks that had been missing since the demonstrations. The list contained 50 missing monks from five townships in Arakan State. The majority of the missing monks came from Sittwe.³⁵³

1.7 Prolonged Detention

Since the establishment of Burma's 1975 Protection Law ('The Law to Safeguard the State against the Dangers of Those Desiring to Cause Subversive Acts') the junta has been able to prolong detention to any individual without trial. This law allows extra-judicial, executive authorities *inter alia* to order a person's detention in prison (Article 10A) or under house arrest (Article 10B) for up to five years (Article 14) without charge or trial if the person "*has performed or is performing or is believed to be performing an act endangering the state sovereignty and security, and public law and order...*" (Article 7). Despite the vagueness of this law, which has troubled the UN for a number of years, the junta has continued to claim that the law is required to achieve peace and stability within Burma.³⁵⁴ Furthermore, Burma's Attorney General has maintained that the law will only experience revision when peace and stability has been guaranteed.³⁵⁵

The provisions in this law allow the SPDC to unquestionably hold any political threat, such as senior members of the NLD, under house arrest or in prison for extended periods. This process benefits the regime by keeping key leaders, like Daw Aung San Suu Kyi, out of the public eye and attention. Only an internal government review can appeal decisions made from Act 10A, and such measures have ceased to exist in recent years.

The year 2007 witnessed little change in the status of those serving prolonged sentences. The junta extended the sentences of four MPs including U Tin Oo, and Aung San Suu Kyi. The regime continues to hold additional members of Parliament (see section 1.11 List of MP-Elects who remain Imprisoned in 2007), and has consistently ignored their judicial rights. Many of those nearing the end of their sentences are entitled to remission under Burmese law. In spite of this, officials continue to extend the sentences of some of Burma's most influential politicians.

On 19 January 2007, Dr Than Nyein, a detained NLD member, had his prison sentence extended for one year under Act 10A. Than Nyein was first arrested in 1997 and was due for release in 2004, but his sentence has been extended several times since then.³⁵⁶

On 16 February 2007, former Army Chief of Staff and long serving political prisoner, U Tin Oo, was denied release again this year. U Tin Oo is a founding member of the NLD.³⁵⁷

On 22 February 2007, the prison sentence of Daw May Win Myint, an NLD MP, was extended for an additional year. She was originally sentenced to a 10 year prison term in 1997.³⁵⁸

On 25 May 2007, the SPDC extended Daw Aung San Suu Kyi's house arrest by another year. The refusal of the regime to release the NLD leader sparked widespread international criticism and resulted in protests throughout Burma. Daw Aung San Suu Kyi has spent 11 of the last 19 years under house arrest.³⁵⁹ On 22 September 2007 she made a rare appearance, when armed guards allowed over 2,000 people, half of whom were monks, to pray outside her home. The pro-democracy leader briefly emerged from her house to greet the protesters.³⁶⁰

1.8 Conditions of Detention

Political prisoners are currently held in at least 20 of Burma's 39 prisons. Generally, political prisoners are journalists, editors, writers and poets; parliamentarians; Buddhist monks; political activists belonging to the opposition party, the NLD; political leaders of Burma's ethnic communities; students and family members of activists. Prison conditions vary, but all have been labelled "*generally harsh*" and "*dire*", which is dangerous to the health and wellbeing of prisoners.³⁶¹

In 2007 prison conditions deteriorated further, partly due to the increase in arrests associated with the September protests. Numerous first hand accounts were released detailing some of the harsh conditions faced by detainees. Several makeshift detention centers were created to house the growing numbers of monks, political activists, and ordinary civilians that were arrested in the regime's brutal crackdown. The AAPP reported the creation of at least eight new detention facilities, including:

1. Government Technical Institute (GTI), Insein Township
2. Police Centre No. 7, Thanyin Township
3. Aung Tha Paye, Mayangone Township
4. Riot Police No. 5, Hmawbe Township
5. Plate Myot Police Centre, Mandalay
6. Kyaik Ka San Interrogation Centre, Tamwe Township
7. Kabaraye Tharthana Yeiktha, Bahan Township
8. Yakyi Ai, Mingaladone Township³⁶²

Many of these detention centers were sports stadiums and educational facilities converted into temporary prisons in order to facilitate the influx of prisoners from the protests. Because these facilities were not built or equipped to hold large amounts of people, there were several problems related to overcrowding, lack of water, food supply, sanitation, toilet facilities and medical care. Some rooms were so overcrowded that it was physically impossible for the detainees to lie down, forcing many to sleep sitting. Due to a lack of toilet facilities, guards made the prisoners defecate and urinate on their cell floors. During meals prisoners would only get minimal water and rice soup that was full of gravel and smelled so bad that it was claimed by prisoners that "even dogs wouldn't eat".³⁶³ Such overcrowded and unsanitary conditions led to illnesses and the spread of diseases among the detainees.

As well as the poor sanitary situation posing great health risks, medical treatment was either non-existent or insufficient. UN Special Rapporteur Pinheiro gave a vivid picture of the situation in his December report, where he stated that while the GTI could only host 1,500 persons at a time, Government officials had informed him that 2,500 blankets were made available. Moreover, 488 persons had reportedly been sick under the responsibility of 5 doctors and 15 nurses.³⁶⁴

Pinheiro's report made further comments regarding the harsh conditions many political prisoners faced at Insein Prison for their roles in the protests. Many have been punished by spending time in solitary confinement cells, called 'military dog cells.' These isolation cells, measuring two by two meters, are constantly guarded by 30 dogs. Prisoners in this confinement lack ventilation, toilets, are forced to sleep on concrete floors and are only allowed to bathe once every three days for five minutes with cold water.³⁶⁵

Problems of overcrowding and unsanitary living conditions are in a long line of problems that leave observers worried about the state of Burma's prisons. In 2006, it was made public that the SPDC intended to cut the already meager prison budget. Due to the funding cuts, prison officials could no longer supply food and other basic commodities to detainees. According to

the new system, food procurement and other basic services were to be self-funded.³⁶⁶ This new policy has led to an economy of extortion in a prison system already riddled with corruption. The AAPP has reported that many prisoners must pay bribes to avoid torture, as this eyewitness describes:

“As soon as a prisoner is arrested, he or she must bribe police officers, judges, various levels of prison authorities, officers of the prison (ordinary prisoners) such as tasees, room in charge, work in charge and discipline keepers, appointed by different prison authorities.”³⁶⁷

The rising costs of food and bribes have forced many prisoners to take on work arranged by prison officials, at substantially lower rates than they would receive on the outside market. As labour provided by prisoners is both inexpensive and plentiful, local employers have reportedly begun using prisoners in place of traditional farm animals such as oxen.³⁶⁸

Health

The health conditions of prisoners have been high on the list of problems associated with Burma’s legal system. The spread of HIV/AIDS, TB, and other communicable diseases, has been on the rise in prisons throughout Burma, due to unhygienic conditions and lax medical care. There has also been a repeated use of needles without sterilization or decontamination, which has led to a rising HIV/AIDS epidemic in the prisons, causing many prisoners to refuse medical care, even in dire circumstances. The use of ‘fake’ or substandard medicine is also widespread in the jail system. The International Committee of the Red Cross (ICRC) has made several substantive medical donations, however it has been reported that most of it is sold by the regime rather than supplied to the prisoners.³⁶⁹

Many detainees who were seriously injured from the September crackdown were not allowed medical attention, and new detainees with pre-existing medical conditions were denied medication and treatment. Their conditions have generally deteriorated in the overcrowded prisons because of the lack of food, water, and the spread of further diseases from the unsanitary environment. Some detainees have reacted to the worsening prison conditions and lack of medical treatment by launching protests to raise awareness. Political prisoners, such as Su Su Nway and Ko Htin Kyaw, launched hunger strikes to highlight the dire prison situation.

Conditions of Detention – Partial list of incidents for 2007

On 8 May 2007, it was reported that Ko Myint Naing and 5 others from Henzada Township, Rangoon, were denied medical treatment by prison officials in Henzada Jail after sustaining severe beatings by a pro-junta mob. After the arrest, Ko Myint Naing was kept in isolation.³⁷⁰

On 23 May 2007, it was reported that Su Su Nway, a prominent human rights activist, was admitted to the Muslim Free Hospital in Rangoon, several days after she was taken into custody. On 15 May, Su Su Nway was arrested along with a large group of activists participating in a peaceful prayer campaign for the release of Daw Aung San Suu Kyi.³⁷¹

On 24 May 2007, it was reported that the health of U Aye Kyaw (74), a former 88 uprising leader, had rapidly deteriorated since his arrest on 28 February 2007. He was arrested by police on accusations of creating unrest among students during the final exam at Pri Daung government middle school. He was detained at the Pauktaw police detention centre.³⁷²

On 1 September 2007, a group of detainees at Kyaikkasan Detention Centre launched a hunger strike to protest against the lack of medical treatment being given to those who were injured and beaten during the September protests crackdown.³⁷³

On 4 September 2007, 41 detainees continued a hunger strike to highlight the junta's unwillingness to grant medical treatment to prisoners.³⁷⁴

On 5 September 2007, 11 arrested NLD members were moved from Kyaikkasan interrogation centre to Kyauktan interrogation centre. Those moved include:

1. Ko Kyaw Soe Win;
2. Ko Thant Zin Myo;
3. Ma San San Win;
4. Ko Thant Zaw Myint;
5. Pho La-pyay;
6. Ko Ye Thein Naing;
7. Ko Aye Naing;
8. Ko Mya Hlaing;
9. Ko Thant Zin Oo; and
10. Ko Nay Doon.³⁷⁵

On 20 September 2007, reports suggested that the health of detained 88 Generation Students' leaders Min Ko Naing, Mya Aye, Marki, and Ko Jimmy is deteriorating. The four 88 Generation Students' leaders had been held in Insein Prison since their arrest on 21 August 2007. Reports suggest that physical torture was the suspected cause of their deteriorating health.³⁷⁶

On 21 September 2007, over 46 prisoners were being kept in harsh conditions at Police Battalion #7 in Rangoon. Prisoners faced unsanitary conditions, denial of healthcare, improper access to adequate water or food, and lack of mosquito nets. The centre was overcrowded and cell windows were permanently shut. The compound was fenced with barbed wire and armed guards 24 hours a day. Of the prisoners, it was reported that Thant Zin Myo was suffering from severe pain in his chest and high fever; Thant Zaw Myint was suffering from such severe pain in his back and abdomen that he could not sit down; and Myo Khin was suffering from frequent and severe stomach cramps, hypertension and a gastro-intestinal infection.³⁷⁷

On 3 October 2007, a released detainee from the recent protests, Ma Hla Hla Mon, described the dire situation at GTI:

"We were kept in GTI for 4 days. There were 156 persons in one room. All were women. There were also old ones and children. That room was not good for health. There was a room beside the room where we were. We used it as the toilet. They didn't allow us to wash our faces. When we told to them about the foul smell in the room, they moved us to another room. They called the Municipal Servicemen to clean that room. They made a toilet for us, but the toilet was only a ditch. There was no water. They didn't allow the girls to have a bath. Our bodies had a foul smell."³⁷⁸

On 5 October 2007, it was reported that detainees at GTI were not being served enough food, and that the little provided food was frequently taken away by the LID #77 soldiers.³⁷⁹

On 7 October 2007, a released monk (18) reported the inhumane prison conditions he experienced at GTI while being detained following the September protests. He claimed to see frequent detainees pass out due to the filthy and unhygienic conditions:

“We weren’t allowed to move at all, not even to go to the lavatory – we had to just do it where we were sitting. Once in the morning, and once in the afternoon, the guards would come in and give us water, but it would only be one or two bottles for 50 people or more.”

The same monk also maintained that many prisoners, with severe cuts and gashes that had penetrated through the bone, were denied medical assistance. Three inmates died from their untreated injuries.³⁸⁰

On 11 October 2007, an anonymous monk (24) reported about his experiences being held at GTI for a period of 10 days following the demonstrations:

“There were about 400 of us in one room. No toilets, no buckets, no water for washing. No beds, no blankets, no soap. Nothing. The room was too small for everyone to lie down at once. We took it in turns to sleep. Every night at 8 o’clock we were given a small bowl of rice and a cup of water. But after a few days many of us just couldn’t eat. The smell was so bad. Some of the novice monks were under ten years old, the youngest was just seven. They were stripped of their robes and given prison sarongs. Some were beaten, leaving open, untreated wounds, but no doctors came.”³⁸¹

On 12 October 2007, 6 protestors suffering from gun shot wounds were transferred from Rangoon hospital to the GTI interrogation centre. Family members of the detained expressed concern over the medical conditions in the interrogation centre.³⁸²

On 21 October 2007, famous musician U Ye Lwin (60) reported about his experience of being detained at GTI for 12 days following the September protests. For three days he was forced to sleep in a sitting position because there was not enough room for him and the other 600 detained individuals to lie down on the room’s concrete floor. The detainees were given little water and were only allowed to go to the toilet once a day until authorities built temporary toilets three days later. At meal times, the detainees had to wipe their hands on their clothes because they were not given water to wash their hands. For the 12 days U Ye Lwin was there, no one was allowed to bathe, resulting in further foul smelling and deteriorating prison conditions.³⁸³

On 23 October 2007, it was reported that the health of Myint Thein had been deteriorating since his arrest. Myint Thein, spokesperson for the NLD, was arrested for his involvement in the September protests. He was consistently denied medical treatment and supplies in detention.³⁸⁴

On 23 October 2007, Zarganar, a famous comedian who was previously released from detention, reported of the dangers that are occurring inside the prisons because of the lack of medical attention. The prison could not provide medication for elderly NLD members who suffer from gastritis, high blood pressure and even stroke. Zarganar also claimed that the local guards could not provide medical treatment because the detainees were not in their direct custody. The guards needed permission from the controlling detention center’s officers before any aid could be given to a prisoner.³⁸⁵

On 27 October 2007, a released detainee from Insein Prison, Ma Ohn Mar, reported of the interrogation tactics that were used on her. She was deprived of food and water until all questioning was complete and she was not allowed to receive any medical attention when she was in ill health. Recalling her experience, she stated, *“Finally, late at night, they gave me some water, but the water was very dirty. There were hairs, leaves, and even dead ants in it.”*³⁸⁶

On 29 October 2007, junta officials separated a family that had been arrested in June 2007. The family was arrested for allegedly threatening USDA members after the members assaulted NLD MP, Than Lwin. Police arrested Than Lwin with several of his family members, and sent them to Mandalay Prison. In October, the junta separated the family by sending Than Lwin’s two daughters to different prisons, while denying other family members access to them.³⁸⁷

On 15 November, it was reported that released prisoner, Ko Thet Naung Soe suffered from severe mental problems after having sustained torture in detention. Upon his release he suffered from loss of memory, and could not even remember the name and address of his parents. Ko Thet Naung Soe, a 2nd year law student, had been arrested during a solo protest in front of Rangoon City Hall on 18 August 2002. He was at the time sentenced to 14 years. In addition to being tortured, he suffered from lack of medical treatment and his family could not visit him in the prison.³⁸⁸

On 14 December 2007, junta authorities banned family members from meeting with imprisoned NLD members in Mandalay and in Taungup Township of Arakan State. Authorities stopped family members from meeting Min Aung, organizer of the Taungup Township NLD, held in Thandwe Prison, and Daw Win Mya Mya, organizer of the Mandalay NLD, held in Obo Prison. Reportedly, at least 8 other NLD members detained in Obo Prison of Mandalay were not allowed to meet their family members. Authorities gave no reason for denying prisoner access to family members.³⁸⁹

On 24 December 2007, it was reported that three activists held in Insein Prison had been put in solitary confinement for staging a hunger strike. The three activists were commodity price protester, Htin Kyaw, private tutor and HRDP member Myo Thant (aka) John Naw Thar, and university student Zin Lin Aung. Htin Kyaw began his hunger strike at the end of November to call for the release of all political prisoners. He was admitted to hospital for a short time in early December. Myo Thant and Zin Lin Aung had also been refusing food. According to Myo Thant’s sister, Ma Thi Thi Htun, Myo Thant claimed that he would not even drink coffee from 25 December onwards. At the time of reporting, the authorities had yet to give a public response to the hunger strike.³⁹⁰

1.9 Deaths in Detention

As of December 2007, the AAPP had documented 132 deaths of political prisoners, 92 of which were in prison, 11 in interrogation centres, 4 in labour camps and 10 shortly after having been released from prison, since the 1988 uprising.³⁹¹ According to reported incidents by AAPP, at least 5 political prisoners died in police custody throughout 2007. However, the figure is likely to be much higher, as several deaths occurring in connection with the September 2007 protests remain unaccounted for. Moreover, in December, several activists remained missing. The December report of the UN Special Rapporteur counted 74 cases of enforced disappearances, and other sources report of even higher numbers. In December, the AAPP claimed the location of at least 300 remained unknown.³⁹²

In January 2007, Maung Chan Kun was arrested by police and died while in custody. His beaten corpse was brought to a hospital; however the police claimed he died of malaria.³⁹³

On 4 January 2007, Htwee Maung (30), a trishaw driver from Taunggut Township in Arakan State, was arrested by police for causing a disturbance at a traditional variety show. However, eyewitnesses claimed that Htwee was mistakenly arrested, and had no involvement with the disturbance. Police took him to jail in Myepone and he was sent to the local hospital the next morning by the police chief, Station Officer Myo Thant. However, before arriving at the hospital Htwee Maung died from the wounds he sustained in detention. According to a person who saw his body, there were serious injuries to his head and over his right eye, and the doctor who examined the body said that it was an obvious case of "excessive force" by the police. After he died, around 200 other local trishaw drivers rallied outside the police station to demand an investigation, but nothing was done. According to a local source, the victim's family had been threatened not to make a complaint.³⁹⁴

On 8 February 2007, Maung Lin Lin Naing (18) was arrested by army officials while returning from Panut village in Daik-U Township, Pegu Division. He was detained by police after being accused of theft by a local shop owner. According to police reports, Maung Lin Lin Naing was found dead the next day after apparently committing suicide. Police took photos of the death and proceeded to destroy the body without informing the family. The family was forced to hold religious ceremonies without the body, and authorities have failed to answer any of the family's questions relating to the death.³⁹⁵

On 19 March 2007, Ko Naing Oo was arrested by SPDC officials in North Okkalapa Township after he had an argument with his wife. The man was taken to the police station and died during the night. Naing Oo was examined and found to have a serious head injury, but police claimed he had died of 'a cold'.³⁹⁶

On 5 May 2007, Mohammed Rafique (15) from Pa Dinn village, Maungdaw Township, was arrested for possessing a mobile phone. He was detained by NaSaKa authorities for 10 days and severely beaten while in custody. Following his release, and despite the medical treatment he received on 15 May, Mohammed Rafique died on 21 May.³⁹⁷

On 23 May 2007, U Maung Thein Aung was arrested in Sittwe, Arakan State, on his way home from work. Police accused him of being a burglar and demanded he pay a bribe. After refusing to do so, he was sentenced in a Sittwe court to three years of labour in Kauk Kouk. Thein Aung died a few days after entering the labour camp.³⁹⁸

On 2 August 2007, Ko Kyaw Htay was arrested by Meikhtila police on suspicion of stealing a motorbike. He was in custody for two days before he died of wounds inflicted by the authorities. Police claimed the suspect killed himself by "repeatedly banging his head against the wall". However, upon its return from the police, family members found the entire

body bruised and cut. Consequently, the family refused to cremate the body, against the will of the police, and took pictures to document the wounds of the corpse instead.³⁹⁹

On 8 August 2007, Ko Maung Htun was arrested by railway police for stealing food from a local shop. Maung Htun was admitted to a local hospital one day after being taken into custody, and died shortly after being admitted. Police claimed his death came as a result of alcohol abuse, but family members, who were able to view the body before it was cremated, claimed that it contained clear signs that he was severely beaten.⁴⁰⁰

On 9 August 2007, it was reported that U Ohn Kyaing, a pagoda official from Meikhtila, was arrested on suspicion of stealing a valuable relic from the pagoda where he worked in July. U Ohn Kyaing was questioned and later arrested by police. He died in custody on 29 July.⁴⁰¹

On 30 September 2007, Thet Naing Oo @ Naing Oo (30) son of U Ohn Myint, died in Kyaikkasan Interrogation Center, Rangoon.⁴⁰²

On 30 September 2007, Aung Kyaw Oo (42) son of U Soe Myint, died in Insein GTI Interrogation Center, Rangoon. He was allegedly killed.⁴⁰³

On 9 October 2007, NLD member Win Shwe (42) died in custody. No other information surrounding his death was released. Shwe was arrested for his participation in the September protests.⁴⁰⁴

On 10 October 2007, the AAPP reported that NLD member Ko Win Shwe (42) had died during interrogation on 9 October. Ko Win Shwe and 4 others were arrested on 26 September 2007 because of their active support and participation in the monks-led demonstrations. After Ko Win Shwe and his group were arrested, they were taken to Plate Myot Police Center near Mandalay. He died as a result of torture during interrogation. However, the body was not sent to his family as the interrogators claimed they had already cremated it. Authorities from Kyaukpandawn Township informed the family of his death.⁴⁰⁵

On 11 October 2007, it was reported that U Than Aung had died in the GTI interrogation center in Rangoon. U Than Aung was seriously wounded by a gunshot and subsequently arrested in a protest on 27 September 2007. Witnesses reported that Than Aung was denied medical treatment during his detention.⁴⁰⁶

On 24 October 2007, U Soe Myint, of Kam villiage tract, Taikkyi Township, Rangoon division, died in Thayet prison, Magwe division. He had been arrested in connection with taking part in recent protest of September and sentenced to imprisonment.⁴⁰⁷

On 30 July 2007, eyewitness reports claimed that Maran Seng Awng (22) from Myitkyina, Kachin State, was beaten to death by narcotics officers. Maran Seng Awng was chased by three police, before being caught, and beaten in the street in front of several eyewitnesses. Seng Awng was taken to the hospital, but died on arrival. Police claimed that Seng Awng died as a result of a drug overdose. His mother lodged a formal complaint against the police, and claimed that the police offered her 300,000 kyat not to pursue the complaint.⁴⁰⁸

1.10 Release of Political Prisoners

Most political prisoners are required to serve the entirety of their sentences, and some even have their sentences arbitrarily prolonged. On the occasion of early release or the suspension of a sentence, political prisoners are threatened with re-arrest for any involvement with political activities. Often they have to sign a pledge not to be involved in politics upon their release. This has created a situation where released political prisoners become constantly vulnerable to re-arrest.⁴⁰⁹ Furthermore, released political prisoners and their families are often subject to surveillance, monitoring, and harassment from local authorities.

Among those released were Than Htay, MP from Lashio in northern Shan State, and journalists Thaug Tun and Than Win Hlaing.⁴¹⁰

On 4 January 2007, the regime released 2,831 prisoners to commemorate the 59th anniversary of Burma's independence from Britain. However, according to the NLD, only 50 political prisoners were freed as part of the mass release. About 20 of those freed from prisons around the country were low-level NLD members, while another 30 were student leaders or other pro-democracy activists. The released included 2 MPs, 3 journalists, and 5 prominent activists from the 88 Generation Student Group. The mass release was seen as an attempt to appease international condemnation over the regime's human rights practices. Those released included:

1. Min Ko Naing, 88 Generation Students' group;
2. Ko Ko Gyi, 88 Generation Students' group;
3. Htay Kywe, 88 Generation Students' group;
4. Min Zeya, 88 Generation Students' group;
5. Pyone Cho, 88 Generation Students' group;
6. Zaw Min, NLD member;
7. Than Htay, elected MP from Lashio, Shan State;
8. Than Win Hlaing, journalist;
9. Thaug Tun, journalist; and
10. Nyein Thit, writer.⁴¹¹

As part of the mass prisoner release on 4 January 2007, the junta also released 31 Chinese prisoners who had been jailed in Burma.⁴¹²

On 5 January 2007, SPDC authorities released activist Ko Tun Tun from a psychiatric institution after being detained for shouting politically sensitive prayers at Rangoon's Shwedagon pagoda on 2 January 2007. Ko Tun Tun said he had been seized by officials after he arrived at the pagoda wearing a General Aung San t-shirt, with friend Naw Ohn Hla, who wore a t-shirt bearing the image of Daw Aung San Suu Kyi.⁴¹³

On 14 January 2007, it was reported that the junta had released over 250 Arakan prisoners on 31 December 2006 in the northern part of Arakan State. It was speculated that the mass release came in response to strong international condemnation.⁴¹⁴

On 26 January 2007, over 370 customs officials, who in 2006 had been jailed on corruption charges, were released from Insein Prison. In May 2006 around 500 customs officers had been arrested during anti-corruption raids, and the Head of the Customs Department, General Khin Maung Lin was given a 66 year prison sentence.⁴¹⁵

On 27 February 2007, military police released 9 protestors in connection with the Rangoon street protests that occurred on 22 February 2007. Ma Kyu Kyu San, Daw May Win, Ko Htin

Kyaw, Ko Hla Myint Aye, Ko Myo Oo, Ko Hla Thein, U Tin Win, U Ohn Than and Ko Tun Tun were released from the Aungthabye interrogation centre in Rangoon.⁴¹⁶

On 16 March 2007, the SPDC released 50 prisoners from Kalay Myo, to commemorate the 62nd anniversary of Armed Forces Day. None of the prisoners released seemed to have had any political connections.⁴¹⁷

On 29 March 2007, Burmese border police released 15 Bangladeshi citizens back to Bangladeshi authorities. The 15 persons had been arrested along the Burma-Bangladesh border in separate incidents.⁴¹⁸

On 11 July 2007, Ko Balagyi was released by junta officials after being detained for almost a month. Ko Balagyi was arrested on the eve of Aung San Suu Kyi's birthday (19 June) after he staged a solo protest in a local market. Police also arrested his mother and sister, but they were released two days after being taken into custody.⁴¹⁹

On 13 August 2007, Thein Shwe Maung was released from Rambree Prison in Arakan State after being arrested in mid-July for filing a forced labour claim with the ILO. Thein Shwe Maung registered a complaint on behalf of himself and 25 Kanaung Chay villagers after they had worked on the construction of a fish-breeding tank for a private company without compensation. Thein Shwe Maung was detained for over a month before his release.⁴²⁰

On 7 September 2007, Ye Thein Naing, who suffered a broken leg while being arrested on 28 August 2007, was released from Kyauktan interrogation centre. It was reported that the release was a conciliatory gesture after Buddhist monks seized a group of SPDC officials as hostages when the officials had used violence against monks during a protest in Pakokku.⁴²¹

On 5 September 2007, protestors, Ko Sithu and Ko Than Lwin, were released at 6 am. They had been arrested a week earlier and held in a government guesthouse in Taunggok.⁴²²

On 2 October 2007, prison officials in Myitkyina released 90 of the 400 monks detained during raids on 25 September. The raids occurred in Myitkyina, the capital of Kachin State. Although the monks were found to have no involvement in the protests, they were not allowed to return to their monasteries. Instead, the monks were taken to Wuntho monastery, which was run by a junta-appointed abbot.⁴²³

On October 4 2007, a UN staff member and her family were arrested by junta police as the authorities conducted sweeps across Rangoon. Mynt Ngwe Mon, a programme assistant with UNDP, was arrested with her husband, Than Tun, and her brother-in-law, Aung Kyaw Sint. The UN requested the immediate release of Mynt Ngwe Mon and her family, but the junta had not yet responded at the time of reporting.⁴²⁴

On 18 October 2007, 6 prisoners were released from Hopin detention centre in Kachin State. They had been arrested with two others on 26 September. While the six were released on 18 October, the two others, U Ba Myint, NLD Banmaw and U Nay Win, of the Myitkyina NLD continued to be detained. The released prisoners were:

1. U Tin Aye, NLD member;
2. U Ba Maung, NLD member;
3. U Htun Tin, NLD member;
4. Ko Khin Maung Htun, NLD member;
5. U Maung Maung; and
6. Ko Chit Htoo.⁴²⁵

On 18 October 2007, Min Htay Win, from Ye Town, Mon State, was released from prison after being arrested for transporting drugs into Thailand. Min Htay Win was arrested on 12

October, and his sudden release came as a surprise to many along both sides of the border. His release came at the request of Major General Hla Oo.⁴²⁶

On 19 October 2007, three elderly prisoners were released by junta officials due to their old age. U Ba Hmin (85), U Kyaw Htay (70), and U Than Oo, were released after being detained for their participation in the recent protests.⁴²⁷

On 23 October 2007, famous Burmese songwriter, Ko Ye Lwin, was released after spending 21 days in detention. Ko Ye Lwin was arrested for participating in the protests at Sule pagoda on 27 September.⁴²⁸

On 24 October 2007, Kyaw Khaing (85), a representative for the Taunggyi branch of the NLD, was released from prison.⁴²⁹

On 24 October 2007, the military junta released several prominent persons from detention, including film director Min Htin. The junta also released journalists, Maung Yan Paing, Win Ko Ko Latt, and Nay Linn Aung, all of which had been detained since the September protests.⁴³⁰

As of 24 October 2007, the following NLD members were released from prison:

1. Khin Mar Lar, wife of poet Nyein Thit;
2. Sein Hla Aung, Mandalay NLD;
3. Saw Lwin, Mandalay NLD;
4. Thein Than Oo, lawyer;
5. Thin Thin, Meogok NLD;
6. U Than Myint, Bogalay NLD;
7. Ko Kyaw, Bogalay NLD;
8. Ko Min Thu, Bogalay NLD;
9. Daw Kyin Than, Bogalay NLD;
10. U Aung Kywe, Wakalama NLD;
11. U Hla Aung, Nyaung Don NLD;
12. Khin Wine, Zeegone NLD;
13. Aye Ko, Zeegone NLD;⁴³¹
14. U Tae Zaw;
15. Ko Aung Htun;
16. Ma Pa Pa;
17. Ma Khin Sein;
18. Ko Soe Win;
19. Ko Tin Htun Aye;
20. Uthan Phae; and
21. Ko Aung Gyi.⁴³²

On 25 October 2007, it was reported that several NLD members from Arakan State had been released from Kyauk Pru, including:

1. U Thein Maung, elected MP, Manaung Township;
2. U Pru Aung, Manaung Township;
3. U Pyo Nu, Manaung Township;
4. U Shwe Tin, Manaung Township;
5. U San Pu, Manaung Township;
6. U Nyi Pu, Manaung Township;
7. U Chan Tha Aung (aka) U Ran Shwe, Rambree Township;
8. U Maung Shwe, Rambree Township;
9. U Soe Thein from Rambree Township; and
10. U Sein Kyaw (82), from Gwa Township.⁴³³

On 25 October 2007, it was reported that 73 persons connected with the September protests had been released from Insein Prison. Those released included 50 members from the NLD, including U Hla Pe, as well as 10 women and 13 monks.⁴³⁴

On 26 October 2007, NLD members Than Pe and U Htun Kyi were released by SPDC authorities after spending 13 days in prison. The two NLD members were arrested in the raids conducted across Arakan State and were returned to their homes upon being released. Authorities have continued to detain several other NLD members that were arrested during the same raids.⁴³⁵

On 30 October 2007, 17 activists were released from a Rangoon prison, including:

1. U Myint Thein, NLD MP;
2. Leh Leh, NLD leader;
3. Han Zaw, NLD division chairman, Magwe Division;
4. Htaung Kho Htan, representative of People's Parliament;
5. Pu chin Sain Thang, Zomi National Congress leader;
6. Amyotharyay Win Naing, veteran politician;
7. Chit Zaw Thet, NLD;
8. Maung Soe, NLD;
9. Nyat Gyi, NLD;
10. Nat Mauk, NLD;
11. Khin Win, NLD;
12. Ye Tint, NLD;
13. Bo Ni, NLD;
14. Par Lay, NLD;
15. Bo Sati, NLD;
16. Kyaw Naing, NLD; and
17. Out Ko Ko, NLD.⁴³⁶

On 2 November 2007, Ko Htun Myint, secretary for Bahan Township NLD, was released after being incarcerated on 23 August 2007. Ko Htun Myint was arrested by Special Branch officials and questioned about his role in the demonstrations against rising fuel prices.⁴³⁷

On 5 November 2007, Khin Ma Gyi, Khin Ma Lay, and Nyan Sein were released from detention after a Mandalay division court reversed their convictions. They were acquitted of charges that they threatened USDA members in June 2007. The three were part of a group of nine that were charged with threatening USDA members who had brutally assaulted NLD member and MP U Than Lwin. Khin Ma Gyi and Khin Ma Lay are daughters of Than Lwin, and Nyan Sein is his son-in-law. The remaining six are still in prison, although some have had their sentences reduced. At the time of report, the family had no information on the location of U Than Lwin, who had been missing since he was arrested on 2 October 2007.⁴³⁸

On 15 November 2007, junta officials released several political prisoners, many of whom were suffering from medical conditions that worsened during their time in prison. Among those released were:

1. Ko Thet Naung Soe, 2nd year law student, solo protestor;
2. Ko Phone Aung, solo protestor;
3. Ko Htun Lin Kyaw, solo protestor;
4. Ko Thein Naing Oo, NLD member;
5. Ko Kyaw Tin, NLD member;
6. Maung Myint, NLD member; and
7. Ma Yee Yee Win, NLD member.⁴³⁹

On 17 November 2007, 20 prisoners were released from Buthidaung Township in Arakan State. The released prisoners were all over 60 years old and had been jailed on a range of charges.⁴⁴⁰

On 16 November 2007, four women and an elderly man were released after being arrested for opposing the Irrawaddy dam project. The activists were arrested and taken to Myitkyina police station. The 5 involved in the demonstrations were identified as:

1. Pan Tsun;
2. Lang Myaw;
3. Chaw Ar Mi;
4. Ze Yang; and
5. K. Zau Lawn.⁴⁴¹

On 20 November 2007, U Hkun Htoo, a Kachin leader, was released from Aung Thapyay detention camp after being held there for two days. U Hkun Htoo was taken by authorities when they approached him for help with negotiations between ethnic rebels and the junta. After being asked several questions, U Hkun Htoo was detained and subsequently released.⁴⁴²

On 28 November 2007, Cin Sian Thang, a prominent Zomi ethnic leader, was released from SPDC custody after being held for eight days. Cin Sian Thang was arrested with several other prominent political officials, but remained in custody after the others were released.⁴⁴³

On 2 December 2007, military authorities released 10 activists that were arrested during the September pro-democracy protests. Among those released was pregnant female activist Ma May Mee Oo. She was taken from her home on 19 September 2007 and sent to Insein Prison before being released two months later.⁴⁴⁴

On 4 December 2007, it was reported that military authorities had released over 8,500 prisoners between 16 November and 3 December, to mark the completion of the National Convention. However, only 20 of those released had been jailed for political reasons.⁴⁴⁵

On 6 December 2007, junta officials agreed to release 49 Bangladeshi prisoners. The officials failed to disclose exactly when the prisoners would be released, only that it would be "very soon".⁴⁴⁶

On 17 December 2007, Sayadaw U Tayzawhbartha, the abbot of Kaliani Thein Monastery in Pegu, was released from a Rangoon mental institution. The abbot had been detained for 25 days before eventually being released.⁴⁴⁷

On 14 December 2007, 96 monks arrested in the September protests were released. Half of those released were from Ngwe Kyar Yan Monastery in South Okkalapa, Rangoon, including the abbot, U Yeveda.⁴⁴⁸

On 17 December 2007, it was reported that 96 monks arrested in the September protests had been released. Half of those released were from Ngwe Kyar Yan Monastery in South Okkalapa, Rangoon, including the abbot, U Yeveda. Although the monks were allowed to return to the monastery, it remained under close surveillance by junta officials and lay people were not allowed access.⁴⁴⁹

On 26 December 2007, NaSaKa border forces returned 4 Bangladeshi monks and 11 Bangladeshi prisoners to Bangladesh. The monks and prisoners were held in Maungdaw Township before being sent back to their respective villages.⁴⁵⁰

1.11 MP-Elects who Remained Imprisoned in 2007⁴⁵¹

No	Name	State/Div	Constituency	Party	Date of Arrest	Prison	Remark
1	Dr. Zaw Myint Maung	Mandalay	Amarapura (1)	NLD	00-11-1990	Myitkyina	37 Years
2	Khin Maung Swe	Rangoon	Sanchaung	NLD	05-08-1994	Myingyan	7 Years
3	Dr. Than Nyein	Rangoon	Kyauktan (1)	NLD	28-10-1997	Prome	8 Years
4	Dr. May Win Myint(F).	Rangoon	Mayangone (2)	NLD	28-10-1997	Insein	7½ Years
5	Naing Naing	Rangoon	Pazundaung	NLD	00-08-2000	Insein	21 Years
6	Kyaw Kyaw, Dr.	Pegu	Yedashe (1)	NLD	18-09-2002	Toungoo	19 Years
7	Aung Soe Myint	Pegu	Taungoo (1)	NLD	31-08-2003	Thayet	7 Years
8	Khun Tun Oo	Shan	Thibaw (1)	SNLD	09-02-2005	Putao	93 Years
9	Kyaw Khin	Shan	Taung-gyi (1)	NLD	25-02-2005	Taunggyi	14 Years
10	Kyaw Min	Arakan	Buthidaung (1)	NDPHR	17-03-2005	Insein	47 Years
11	Kyaw San	Sagaing	Tantse	NLD	17-03-2005	Insein	7 Years
12	Saw Hlaing	Sagaing	Inndaw	NLD	30-03-2005	Kathar	12 Years
13	Khin Maung Win	Pegu	Oaktwin (2)	NLD	31-03-2006	Insein	Detention

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