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**Contribution of Reporters Without Borders (a non-governmental organisation
with special consultative status) about press freedom in Myanmar / Burma**

Introduction: Overview of press freedom situation

The army, which has been in power since 1962, uses repression and propaganda to gag the pro-democracy movement and civil society, of which journalists are often in the vanguard. A paradise for censors, Burma is one of the very few countries where all publications are subjected to prior censorship. After China, it is the Asia's largest prison for journalists and bloggers. At least 12 journalists and two netizens are currently imprisoned in Burma, some of them serving jail terms of more than 20 years.

The head of the military junta, General Than Shwe, is in charge of the special police force responsible for the repression. Its targets have included the owners of video cameras who were suspected of filming the crackdown on the protests by monks in 2007 and then sending their footage abroad. And those who shot video footage exposing governmental negligence after Cyclone Nargis in 2008. As shown in the documentary film *Burma VJ*, working as a clandestine reporter for **Democratic Voice of Burma** or other Burmese exile media continues to be very dangerous.

The exile media play a vital role in informing the Burmese people because Burma's two television and radio channels and the daily newspapers are under the military junta's direct control. **Mizzima** and **Irrawaddy**, two of the most popular online exile media, were again the target of cyber-attacks in 2009.

The privately-owned press is subject to military censorship. An average of one third of a privately-owned magazine's content is removed by the censors. The military censorship bureau, called the Press Scrutiny Board, said in a 2008 message to Burmese media that the "the publication of any photo, sketch, painting, article, novel

or poem without being sent [in advance to the censor] will be punished". Failure to comply can lead to sanctions ranging from seizure of the publication to imprisonment for the editors.

The prior censorship can be draconian. The Burmese press was banned from carrying any reports about the investigation into the collapse of the Danok pagoda near Rangoon that killed several people.

The junta tries to break imprisoned journalists physically and psychologically by sending them to insalubrious jails far from the capital, while its refusal to give political prisoners the medical treatment they need is criminal. Worse still, a young poet is believed to have been infected with HIV when he was given a blood transfusion against his will in prison in 2006.

By arresting journalists and netizens, the junta tries to intimidate potential critics and encourage self-censorship. **Win Zaw Naing**, the author of the Shwenyartha.co.cc blog, was held by police under article 33 (A) of the Electronic Act, which provides for sentences of up to 15 years in prison. Freelance journalist, **Zaw Tun**, was sentenced to two years in prison in June 2009 after being arrested close to the home of Aung San Suu Kyi by a police officer who claimed he had shown "hostility".

The well-known comedian **Zarganar** was sentenced to 35 years in prison for posting articles online that were critical of the way the government handled humanitarian aid after Cyclone Nargis. His blog was one of the most visited Burmese websites inside the country. On 31 December 2009, **Hla Hla Win**, a video journalist working for Oslo-based Democratic Voice of Burma (DVB), was given a 20-year jail sentence. The following month, journalist **Ngwe Soe Lin** got a 13-year term for working for DVB. He had been arrested in a cybercafé in the Rangoon's Kyaukmyaung district on 26 June 2009.

Foreign journalists are rarely given press visas and therefore have to use tourist visas, with all the risks that entails for their fixers and those who agree to talk to them, like the blogger Zarganar, who was arrested after being interviewed by the BBC.

Bloggers and journalists collaborating with exile media are among the regime's priority targets, particularly since the 2007 Saffron Revolution and the international condemnation that followed the widespread distribution of photos of the crackdown. The authorities make frequent use of the Electronic Act of 1996, a highly repressive law regulating the Internet, television and radio. One of its articles, for example, prohibits the importation, possession and use of a modem without official permission. Offenders risk 15 years in jail for "endangering the security of the state, national unity, culture, the national economy, and law and order." After being arrested in 2008, blogger **Nay Phone Latt** (<http://www.nayphonelatt.net/>) was sentenced to 15 years in prison for possessing a "subversive" film. He has developed eyesight problems while in prison.

The death sentences passed on two high-ranking government officials for emailing documents abroad showed that Internet censorship is taken seriously in Burma. Websites are heavily filtered and protracted slowdowns are common at times of

unrest. The junta regards netizens as enemies of the state. The Electronic Act contains some of the most repressive Internet legislation in the world.

The Burmese firewall's strict censorship limits Internet users to an Intranet purged of any criticism of the regime. Use of proxies or other censorship circumvention tools is the only way to access the World Wide Web. Blocked sites include those of exiled Burmese media groups, international media outlets, blogs and study-abroad scholarship sites, as well as proxies and other censorship circumvention tools. The authorities block both websites and URLs. At the same time, censorship is not consistent. The www.peoplemediavoice.com website, for example, is filtered but its identical counterpart, www.peoplemediavoice.net, is not.

Use of email services is also heavily restricted. Officially, Burmese Internet users are prohibited from using any email services other than those provided by the government. Website-based email services such as Yahoo! and Hotmail are blocked in Burma but can be accessed using proxies.

2. Government steps to improve the situation

The government's promise to hold elections in 2010 – the first since the 1990 elections that were won by Aung San Suu Kyi's party – has not been accompanied by any letup in repression of dissidents and privately-owned media.

The regime has still not made it clear how Burma's privately-owned media and the international media will be able to cover these elections. The electoral laws established by the military government do not guarantee the media's right to freely cover the campaign and voting.

In an announcement on 17 March 2010, the military government said political parties that wanted to publish reports or programmes for the elections would have to get them approved by the censorship office within 90 days of the party's registration with the Electoral Commission.

The announcement also pointed out that all electoral leaflets, newspapers, books and publications were subject to the 1962 Printers and Publishers Registration Act, under which disseminating information that criticises the government or disturbs the peace is punishable by up to seven years in prison.

3. Working with non-governmental organisations (NGOs)

NGOs are subject to strict control and surveillance. Reporters Without Borders has been denied visas for Burma for years. And verbal attacks by the government on human rights groups and international media are very common. Officials often use the governmental media to defame exile groups and civil society activists.

The junta does not allow journalists group such the Burma Media Association (BMA) to operate in the country. An independent organisation founded by Burmese journalists and writers in January 2001 to defend free expression in Burma, the BMA

(<http://www.bma-online.org/>) is a member of the Reporters Without Borders network of partner organisations.

4. Recommendations

1. For this year's general elections, all Burmese and foreign journalists should have unrestricted access to information, polling stations, all participating parties (including their candidates), the Electoral Commission and the government.
2. Burmese news media based abroad, such as Democratic Voice of Burma, which are the leading source of news for Burmese, should be allowed to operate within Burma.
3. All journalists, bloggers and free expression advocates must be released from jail.
4. The Press Scrutiny Board must be disbanded and the media laws must be overhauled.

The information in this report was gathered and checked by Reporters Without Borders, which has a network of correspondents in 130 countries and partner organisations in about 20.

There are countries where journalists can spend years in prison because of a word or a photo that offends. Reporters Without Borders has been working tirelessly to defend press freedom since 1985 because it believes that imprisoning or killing a journalist eliminates a vital witness and threatens everyone's right to be kept informed.

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