



BURMA'S SHAM/E/LECTION

In George Orwell's prescient novel *1984* a mantra of the totalitarian state is: 'Ignorance is Strength'. The Burmese junta appear to have taken to heart that slogan, along with other principles of the 1984 regime. As well as almost completely suppressing in Burma all provision or interchange of information except by the media they control, by refusing for so long to publish the date of the election planned for this year they have made it harder for their various opponents to formulate their strategies. But in any case it seems clear that that election will be a SHAM and a cause for SHAME world-wide. Above all, it will be subject to the Constitution of 2008, forced through by a SHAM referendum in the wake of Cyclone Nargis, which is fundamentally flawed; it ensures that the military will retain control in perpetuity (See panel).

The 2008 Constitution

- gives the military 25% of all seats in national and regional parliaments
- guarantees the chief offices of state to military personnel
- gives the present rulers immunity from future prosecution
- precludes from candidature 'foreigners' (like Aung San Suu Kyi)
- gives grossly inadequate guarantees to ethnic nationalities
- can only be amended by a 75% vote of the parliament – in effect, military power to veto

Similarly, polling will be controlled by the carefully calculated new election laws. The electoral commission will be hand-picked by the junta, and its decisions will be final. It is expected to comprise junta cronies.

The law on the registration of parties debar from participation anyone serving a prison sentence. This includes in particular Aung San Suu Kyi, 'Asia's Nelson Mandela'. The daughter of the hero of Burma's independence has been categorised as a foreigner for having married an Englishman and borne him two sons abroad, and in late February, predictably, Burma's Supreme Court rejected her appeal against her sentence (see below). Her party, the National League for Democracy (NLD) has been given

60 days to expel such non-eligible members in order to be permitted to take part. At the end of that time, NLD will also be deregistered unless it agrees to abide by the new Constitution.

That party, committed to last year's Shwegondaing Declaration - which calls for a revision of the Constitution, dialogue between the junta and pro-democracy groups, and the release of all political prisoners - doubts if it could mount a serious campaign in time for the election, whenever that will be. But though restricted hitherto to Rangoon division, its representatives have recently toured Mandalay; it has increased its Central Executive by electing 9 mainly young members, and is planning to reorganise its youth and women sections. The new Democratic Party is similarly undecided; the Kachin Independence and Mon State parties have said they will not compete, and the United Nationalities Alliance of 12 other ethnic parties that it will not unless the Constitution is changed.

The junta, meanwhile, is busily recruiting and training retired army officers and civil servants as candidates for its own phoney parties, like the Myanmar Veterans Organizations, the National Unity Party, and especially the Union Solidarity and Defence Association. The USDA, allegedly a social organization – hence its nickname 'The White Shirts' - has been used to crack down on dissidents, as in their brutal attack in 1993 on Aung San Suu Kyi and colleagues, but is trying to clean up its image by offering low-interest loans and free community services, like a public housing project.

These are the SHAM candidates for the SHAM election.

At the same time, the junta has been threatening force to impose on ethnic cease-fire groups a plan to transform them into border guards. Having attacked the Kokang, it is expected to target the United Wa State Army, the Shan State Army North and others – all this against the backdrop of its continuing onslaught on other ethnic minorities (See Page 2).

Such policies exemplify another mantra of the 1984 regime: 'War is Peace'.

DAW SUU KYI'S APPEAL DISMISSED



The Burmese courts dismissed Aung San Suu Kyi's appeal against her sentence of 18 months imprisonment, incurred when the American, David Yettaw, swam to her garden last May and she was accused of harbouring him. There was no expectation that her appeal against this trumped-up charge would be successful, but it confirms international analysis that her confinement on this charge is a ruse to prevent her from taking part in the promised election this year, for which no date has yet been set.

However, the constitutional grounds cited for dismissing her appeal underline the real threat facing the Burmese electorate - the force of the new Constitution which the junta forced through in the wake of Cyclone Nargis in 2008. International observers, including some of Burma's neighbours in ASEAN, are already pointing out that the election will be a sham. The foreign minister of Malaysia called on the junta to free Aung San Suu Kyi, and stated:

"We want a free, fair and inclusive election. We should give everybody a chance, including Aung San Suu Kyi. We hope she will be freed."



BURMESE ARMY ONSLAUGHT AGAINST ETHNIC MINORITY CIVILIANS

Extremely disturbing reports continue to emerge about the military offensive which is taking place against ethnic minorities in Eastern Burma. Between July 2008 and December 2009, SPDC troops have uprooted over 118,000 people, many of whom have been trapped inside Burma as Internally Displaced Persons. Recent press releases from the Karen organisations speak of thousands of people being forced from their homes and villages over recent months, and similar reports are published by the Shan, Kokang and Padaung groups. The intensity of this offensive implies that the Burmese regime is engaged in an operation to pin down and control the populations in the border states, in preparation for the sham of elections later this year. It appears that the regime is seriously engaged in a form of ethnic cleansing in the area. The plight of the refugees is compounded by Thailand's increasing reluctance to allow them to remain on Thai territory. New regulations seeking to place a deadline on the refugees' ability to remain are already in place. At the same time, Thai officials have reportedly been driving refugees back across the border to camps on the Burmese side which are heavily land-mined by pro-junta militia.

The Burmese junta has a long, delinquent history of forcing its citizens to seek refuge in neighbouring countries, creating huge problems for them. Up to 1,000 Burmese refugees in a



Burmese refugees in Malaysia.

Malaysian camp recently went on hunger-strike, while South Korea has blocked work permits for Burmese 'migrants'. Malaysia is resolving the situation by allowing the Burmese to have work permits, but as in all the neighbouring countries, this presents the host country with the mixed blessing of dirt-cheap labour. Shan agencies are also reporting an increase in Chinese troops on the Burmese border, an indication of China's unwillingness to allow an influx of refugees into its territories.

Equally appalling is the plight of the Rohingya people, a Muslim minority in Western Burma who have sought refuge in neighbouring Bangladesh. After many years of suffering appalling conditions in refugee camps there, they are now being subjected to violent assaults by the Bangladesh military, apparently with the intention of driving them back into Burma. The Rohingya people have been deprived of Burmese citizenship since 1982, when Ne Win removed their rights.

QUINTANA CALLS FOR INQUIRY INTO HUMAN RIGHTS ABUSES

Following his disappointing visit in February, UN Special Envoy Tomas Quintana has recommended that the UN should consider establishing a **Commission of Inquiry into war crimes and crimes against humanity by the Burmese Government**. His report was discussed by the UN Human Rights Council in Geneva on 15th March.

His requests to meet Daw Aung San Suu Kyi and General Than Shwe were both denied, as on his two previous visits to the oppressed country. In an outspoken press-conference at Rangoon airport before leaving, Quintana poured scorn on the upcoming elections, saying that they will not be credible unless all political prisoners are freed and allowed to participate fully in the

elections. He added that he did not believe the regime was willing to do this.

However, the visit was not totally wasted, as Quintana was permitted to visit Rakhine State, home to the ethnic Rohingya group which have flooded into neighbouring countries causing a regional refugee crisis. Quintana expressed his deep concern at discrimination against Rohingya and all Burmese ethnic minorities.

He was also permitted to meet some legal representatives of the NLD with whom he discussed the legal system and the ongoing detention of Suu Kyi.

Burmese media were forbidden to publish his comments and merely covered the details of his visit.

In his report to the UN Human Rights Council, he said that the "gross and systematic" nature of the abuses and the lack of action to stop them indicated "a state policy that involves authorities in the executive, military and judiciary at all levels." He continued, "According to consistent reports, the possibility exists that some of these human rights violations may entail categories of crimes against humanity or war crimes under the terms of the Statute of the International Criminal Court. UN institutions may consider the possibility to establish a commission of inquiry with a specific fact finding mandate to address the question of international crimes."



INSIDE BURMA

ILO to tackle issue of Child Soldiers inside Burma

The International Labour Organisation (ILO) is stepping up its campaign against forced and child labour in Burma, with particular emphasis on child soldiers. A recent report from Watchlist on Children & Armed Conflict claimed that children as young as 9 are serving in the Burmese Army. An earlier report by Human Rights Watch report found that an estimated 70,000 child soldiers made up around 20 percent of the Burmese army. Many boys from ethnic minority areas and conflict zones are forced to enlist. Burma has the highest number of child soldiers in the world.

More new Dams in Burma for China's gain

Up to 20 Karen villages in central Burma have been submerged to make way for a hydropower dam. Crops and farms have been lost, but no compensation has been paid. The Burmese Army has increased its offensive in the area in the run-up to the dam's opening next month. Similar tactics were recently employed by the Burmese Army in northern Kachin state, where the Myitsone dam is bankrolled by China, the major beneficiary of the project. The Burmese population will receive almost no benefit from these exploitations.



A man rows across the Irrawaddy river (Reuters).

US Citizen imprisoned by Junta

Fears are mounting for Nyi Nyi Aung, a

US citizen in Burma recently sentenced to 3 years prison with hard labour. Aung is a naturalised US citizen who committed no crime but has a history of activism. Now he is known to be sick and has been starved, denied sleep, beaten severely, confined in a dog kennel and tortured in other ways during his brief detention so far.

The former activist was visiting Burma to see his ailing mother, when he was arrested at the airport. His family was not notified of the arrest for a further 17 days. His supporters (including his wife) believe there are no grounds to hold him and are demanding that US authorities take action to liberate him. They draw parallels with the case of John Yettaw, the US citizen who was arrested after swimming to the home of Daw Suu Kyi. In Yettaw's case, direct involvement from the Secretary of State, a former President and a personal visit by Senator Jim Webb, led to the release of the hapless Mr. Yettaw. Yet US authorities have so far failed to take comparable action on behalf of Nyi Nyi Aung who is likewise a US citizen.

Burma declared 'Enemy of the Internet' by RSF

Internet repression in Burma is amongst

the strictest in the world, according to a report released by Reporters Sans Frontieres for the World Day Against Cyber Censorship. It accuses Burma, as well as North Korea, Cuba and Turkmenistan, of being "determined to use any means necessary to prevent their citizens from having access to the Internet."

They highlighted last year's trial of opposition leader Aung San Suu Kyi, when the junta "did not hesitate to cut the telephone and Internet lines of the city in which she was detained".

It warns that in times of political instability in Burma the internet will become even slower than its usual poor performance. During times such as the 2007 Saffron Uprising, it can take an hour to send an email.

At a recent technology fair in Rangoon, a personalised web passport system was shown, whereby internet users' activities could be easily tracked by the authorities. Currently owners of internet cafes are required by the authorities to take down the details of their customers in a more primitive attempt to track users. Burma is cited as having "one of the world's lowest internet penetration rates," estimated to be around a mere 0.2% of the population. Exiled Burmese media groups regularly receive cyber attacks from SPDC government technicians, allegedly trained in Russia.



Internet Users in Rangoon.



NEWS FROM IRELAND

In early February Dublin welcomed Dr THAUNG HTUN, the representative at the UN of the NCGUB (National Government of the Union of Burma). Invited to attend a conference organised by the human rights body, Front Line, he had detailed discussions with our Minister for Foreign Affairs, Micheál Martin, and with members of the Oireachtas Foreign Affairs Committee, and also spoke on TV and to a correspondent of *The Irish Times*. His main message was that without the fundamental changes demanded by the pro-democracy parties and world opinion 'the credibility of the elections is very questionable'.



Dr Thaung Htun.

DAW AUNG SAN SUU KYI 65th BIRTHDAY CELEBRATION CONCERT

On 15 February, a meeting at Dublin's National Concert Hall launched publicity for an **IMPORTANT EVENT** in honour of **AUNG SAN SUU KYI** to be held in its main auditorium on **19 JUNE, her 65th birthday**. Participants will include prominent Irish musicians and personalities who themselves are 65 this

year, among them Christy Moore, Eamonn Dunphy and the organiser, Keith Donald. Tickets are obtainable now from the NCH Box Office (Tel. (01) 417 0000). WATCH OUT for further details in the media and the next issue of this Newsletter.

How you can help

Protest against the oppression of the Burmese people and the detention of Daw Suu Kyi

Write appeals to the Burmese military regime, calling for the safe release of Aung San Suu Kyi and all Burmese political prisoners including Buddhist monks. Please ask the SPDC to take action on the following:

- To end the continuing violations of the human rights of citizens, in particular forced labour; forced relocations, abuse, torture, sexual violence, exploitation and abuse in detention and summary executions, often committed by military personnel,
- To end the systematic forced displacements of persons and the flow of refugees to neighbouring countries and create adequate conditions for their safe and voluntary return and complete reintegration, and to allow humanitarian personnel safe access to assist their return and reintegration.

Please address your action letters to the following:

Senior General Thein Sein,
Prime Minister, State Peace and Development Council, Naypyitaw, Union of Myanmar.

BAI would appreciate it very much if you could send us a copy of your letter(s).

NOTICE

Forced to limit postage costs, BAI invites current recipients of the printed version of this Newsletter to receive it by e-mail (addresses, please, if we don't have them), and regret that in general printed copies can only be sent in future to members who have paid their subscriptions.

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Disclaimer: The views expressed herein are those of **Burma Action Ireland** and can in no way be taken to reflect the official opinion of **Irish Aid**.

Burma Action Ireland is a voluntary group established since May 1996 to raise awareness in Ireland of the current situation in Burma and the nature of the ruling regime.

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