

12. Freedom of Movement

12.1 Background

The interference by the SPDC in the lives of its citizens continues. Through its extensive intelligence network and administrative procedure, the SPDC systematically monitor the travel of all citizens and closely monitor the activities of politically active people in the country. All residents in Burma have to carry identity cards, showing the citizenship status, normal place of residence, date of birth, name of father, and so on. The format of the identity card was changed in 1990 to include not only all of the above, but also of ethnicity and religion. All residents and citizens of Burma are required to apply for the new cards, without which it is illegal to buy a train or bus ticket, to register with a local council outside one's normal place of residence, and to vote in any future election.

Citizens can travel freely within the country except for limitations in areas of ethnic armed activity. However, there is the requirement that any person who spends the night at a place other than his registered domicile must inform the police in advance, and that any household that hosts a person not domiciled there must submit to the police a guest list. The name of the overnight guests must be reported to and registered with the local authorities. SPDC's Order 1/90 on May 22, 1990 said "action will be taken against all those who fail to report people illegally residing in their home." This order threatens that those who fail to report their guests will be charged under section 124 of the Criminal Code, "for failing to disclose to the authorities concerned either an act or a conspiracy that amounts to high treason." The minimum sentence for this crime is seven years' imprisonment, or three years' imprisonment under the Unlawful Association Act, section 17.1 or six months' imprisonment and a fine or both under section 22 of the Criminal Code for "failure to report crimes committed." Authorities sometimes enter homes during night hours to check registration documents of occupants as a form of monitoring personal movements. Security forces also commonly search private premises and other property without warrants in other contexts.

Leaving the country (legally) requires the possession of specific government authorization, which it is extremely difficult to obtain. The SPDC carefully scrutinizes prospective travel abroad. This produces rampant corruption as many applicants are forced to pay large bribes to obtain passports to which they are otherwise entitled. The official board that reviews passport applications denies in some cases apparently on political ground. All college and higher education graduates who obtain passport (except for certain government employees) are required to pay a specific education clearance fee to reimburse the government. The authorities on occasion restrict the issuance of passports to young women applicants seeking work abroad, reportedly to prevent young women from being enticed to travel abroad for jobs that are in fact in the commercial sex industry. Each time Burmese citizens come back to the country, they are required to return their passports to the authorities; a passport application must be submitted each time they want to travel outside the country.

Government servants general are required to obtain advance permission before meeting with foreigners. Military intelligence continues frequently to monitor the movements of foreigners and to question citizens about conversations with foreigners. Restriction on foreign travelers have been tight in 1999 as two foreign activists held one-person demonstrations against the regime in Burma this year. Burmese embassies abroad issue tourist visas, valid for one month. However, select categories of applicants, such as foreign human rights advocates, journalists and political figures, continue to be denied entry visas unless traveling under the agency of a sponsor acceptable to the SPDC, and for purpose approved by the authorities. Although some areas of the country remain closed to foreigners for security reasons, the authorities permit travel to most other destinations. Rangoon-based diplomats generally must apply ten days in advance for travel outside the capital.

12.2 Restriction on the movements of Daw Aung San Suu Kyi

SPDC has prohibited the weekend gathering in front of Daw Aung San Suu Kyi's residence since late 1996, at which she and other NLD leaders formerly responded to letters from the public and delivered the speeches. Freedom of Daw Aung San Suu Kyi to leave her compound or to receive visitors is restricted. During late 1998 and early 1999, SPDC refused to allow Daw Aung San Suu Kyi's late husband Michael Aris, then terminally ill, to travel from Britain to visit his wife in Rangoon. SPDC stated that if Daw Aung San Suu Kyi wanted to see her British husband, she could leave the country to visit him in the United Kingdom. The SPDC announced that it would allow her to reenter Burma only if they judged her visit to be non-political.

12.3 Restriction of the movement of NLD MPs-elect

The NLD party continue to be subject to intense and constant monitoring by the SPDC throughout 1999. This is aimed at restricting its activities and prohibiting its members from leaving their localities. Existing orders including the 1961 Habitual Offenders restrictions Act preclude members of political parties from leaving their localities or their houses without prior permission from the authorities; otherwise they risk arrest and interrogation by the police or military intelligence agents. Many of the NLD MPS and members were arrested under this Habitual Offenders Act and are being detained at the military bases.

Some sixty MP remain under detention while thousands of NLD registered voters and members are forced to resign their party memberships in 1999.

On July 19 1999, the NLD held a ceremony to mark the 52nd anniversary of the death of Aung San, Burma's national hero, at the NLD party headquarters in Rangoon. The army put up road-blocks, barring the entrance to the headquarters, but allowed some 400 people with invitations to attend the ceremony.

In another instance in late September 1999, military police again blockaded roads leading to the NLD party headquarters in preparation for the party's 11th anniversary of its founding.

12.4 Restriction on the movement of Rohingya

It is still virtually impossible for Muslims to move within Arakan State or to other parts of Burma from Arakan State. Only citizens carrying identity cards are free to travel within the country, which precludes movement by those unable to meet the restrictive provisions of the “citizen law”. Rohingya (Bengali-speaking Muslims) who would like to travel outside the village must apply to the local SPDC authorities, which pass requests on to the nearest administrative base. The Immigration and Manpower Department, Police, Riot Police, Military Intelligence, and Custom Departments all have to agree to each individual’s request. In most cases, passes are only granted for a twelve-hour period; only on rare occasion are Muslims permitted to stay outside their village overnight. To travel further, for instance, to the Township capitals at Maungdaw or Buthidaung or the state capital at Sittwe is virtually impossible.

12.5 Restrictions on the movements of villagers in areas of ethnic insurgency

In areas of ethnic insurgency, there are often severe restrictions placed upon movement. In “brown” or “black” areas, people wishing to leave their village often must obtain a permission slip from local officials before they can go out to tend their farms, or travel. In These permission slips are usually only obtained if a “fee” is paid. In relocation sites, people are often not allowed to return to their land, as they have been warned that anyone moving about in their former fields and towns will be shot on site. In addition, it is common for the army to burn houses and place landmines in the former fields and towns of relocated people to further prevent them from returning.

Refugees prevented from returning

In Shan State people have been denied their citizen cards, and therefore, cannot travel. New household registrations by the SPDC in the town of Pang Long are causing concern that Shan refugees from the area are being deliberately deprived of their citizenship. Since May 22, 1999, the SPDC authorities in Pang Long have been ordering headmen of town quarters and villages around the town to compile new house registration lists. Anyone not physically present in the household is not allowed to be registered. Since the forced relocation of over 10,000 Shan villagers to Pang Long in early 1998, large numbers of these Shans have fled to Thailand. With the new registrations, those seeking refuge in Thailand are now being deprived of their original identity and may not be allowed to return if they wanted to. (*Source: SHRF*)

In mid July 1999, SPDC Township authorities in Kaeng-Tung, Shan State issued an order banning people who held citizen ID cards issued on the western side of the Salween river from going through to Tachilek. Many people from lowland Burma and Shan State west of the Salween have been turned back by the authorities under the order, which was apparently issued to prevent people from fleeing to Thailand. However, traders who could afford to pay 100,000 *kyat* were allowed to travel through without any obstruction. (*Source: SHRF*)

- there are many checkpoints in which documents are inspected, if the document is old or tattered, in some places the card is then rejected and the person arrested or “fined”

- in times of insurgent or army activity, more roadblocks are put up

- villagers in areas of fighting are often restricted more than others:

In one instance, on August 2 1999, nine villages were blockaded by DKBA troops, who came from nearby camps. In Waiyaw, Htee Nya Baw, Ma Hta Aye, Mayakon, Kalaw Yea, Shwe Yaung Pya, Phalaw Po, Dayae Mee, and Dayae Wa villages, in Karen State, people were not permitted to leave. (*Source: KIC*)

In March 1999, *Sa Thon Lon* units in Kyauk Kyi Township, Karen State began ordering villagers to build fences around their home villages, with only two gates for access. Villages in Tantabin Township, Toungoo District have also been forced to fence in their villages. This is to limit village access. (*Source: KHRG*)

12.6 Restrictions on the movements of people in cease-fire areas

Even in areas where the local armed group has signed a cease-fire with the junta, restrictions on the people continue. On September 12 1999, a curfew was ordered by Major Aung Naing of IB 296 based in Kali, Kun-hing Township, Shan State. The order stated that anyone seen on the streets during the curfew hours of 9 PM to 4 AM would be shot on the spot. The order also stated that household registers were to be hung outside houses for the inspecting officials to see, and anyone whose name was not stated in the household register and was found, would face instant arrest. The village is near the headquarters of the Shan State Army (North) 7th brigade, a group which signed a cease-fire with the junta in 1989. The Shan State Army South, whose peace offers were turned down by the junta, is reported to be active in the area also. (*Source: SHAN*)

12.7 Restrictions of movement prior to the '9999' planned uprising

Restriction of the movement of military personnel

On August 27 1999, two military orders were issued from the military command headquarters of the main War Office in Rangoon. These orders instructed all military commanders to prohibit military personnel from travelling to Rangoon unless they had duties in the capital, and to call back all officers who are presently in Rangoon, including those who are on casual leave, to return to their respective military units. Restrictions were also imposed on relatives of military personnel. They were strongly prohibited from wearing anything with a yellow colour, the symbol of the planned 9-9-99 pro-democracy movement, and they were not allowed to organize any religious ceremonies at that time. (*Source: NCUB*)

Increased Security in Mon State

Beginning in August, the government beefed up security in Mon State. Extra security forces were brought in, all roads were also blocked and the local military battalions made check points along the roads. LIB 343 had to take security along Ye-Tavoy railway road section in Mon State while IB 106 took security in areas along the Thanbyzayat-Ye Motor

road. Additionally, the police, army, MI No. 5 unit and the respective Township authorities also opened check-points at the entrance of every town and village.

The members from USDA, Myanmar Red Cross Society and Fire Departments were instructed by Township PDC authorities to supervise the closest security outposts and have people watch the Town section or village areas to check the situation of the civilians and civilians 24 hours a day. Similarly, civilians were conscripted into security forces and forced to watch the activities of residents and students. This also took place in other Township areas. According to the civilians in Paung Township, each family had to provide one person to be security member in an outpost and stay for at least two days within the month. In Thaton Township, IB 24 took civilians to use as watchers in security outposts and porters when they checked security along the railway and motor roads.

Starting from the second week of August, 1999, Mon State PDC authorities in many Townships declared a curfew and restricted the movement of civilians. According to the curfew, the authorities only allowed the civilians to be on the roads until 8:00 p.m. in evening. If they met someone on the roads later than this time, he /she was to be arrested. Following to this order, 3 young men, 1 day-labourer, and 2 tri-shaw drivers were arrested because they returned to their homes late. Similarly, two farmers who returned home to Kalorttort village late at night were also arrested and detained. As a result of the curfew, people had to give extra care about their activities and lost some income from their work.

The order also prohibited the gathering of more than five people in the streets or in coffee shops or other public places and so authorities closed down movie and other show theatres, and many coffee/teashops were temporarily closed.

The authorities also ordered people to inform them if they had any guests, and give them information about their guests' name, civilian card, and background. They were threatened that if they failed to report their guests to the nearest section/ ward leaders, those in their house and the four nearest houses would be punished.

The authorities also called a meeting with high and middle level schools head masters, head mistresses and teachers. They gave two months rice ration supplies to the teachers, and asked the teachers to sign papers promising they would not encourage or participate in any uprising, that they would help the authorities by giving information regularly concerning any uprising, and that they would keep their students from joining any uprising in coming 9-9-99. The authorities closed some schools, pretending that the teachers were asked to attend training. Moulmein based MI 5 also ordered their Township MI unit to send one MI officer to each school, except primary schools, and report the situation development to the battalion regularly. Thus, in August, MI officers in civilian clothes holding walkie-talkies entered every school and stayed in the head master or head mistress rooms, regularly reporting the students situation to the Township unit base. When the schools closed at 3 p.m., the teachers were not allowed to return home until they had searched every room for illegal materials that could encourage the uprising.

In addition, the Township authorities arrested some well-known 1988 pro-democracy activists and detained them until the situation became "normal". Some former activists had not participated in any pro-democracy activities for a long time, but they were still detained for several months. Nearly all active NLD members in Mon State were arrested and kept in detention. (*Source: HURFOM*)

Curfews in Rangoon area

In the first week of September, security increased in the Rangoon area. Ward authorities in new Dagon town, a northern suburb of Rangoon, announced an 11 p.m. curfew over loudspeakers, warning people to report arrivals of guests to the local ward police and development council office. Residents were warned that failure to obey the curfew or to report the arrival of guests could result in prison up to 15 years.

According to ward residents, at least one youth who broke the curfew was detained and interrogated the first night of the curfew, but later released. According to residents of Rangoon, a curfew was also declared at night in the city. In addition, Military lorries were patrolling the streets of Rangoon, and high-school students were checked before and after entering their classrooms.

It was also reported by the BBC World service that in Rangoon, in the weeks prior to the planned 9999 uprising, that extra troops were deployed at temples and official buildings, some tea shops and restaurants were ordered shuttered, and hundreds of people were reportedly detained.