

The Mon Forum

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Contents

News:

- (1) Land-mine victim could not receive treatment in Burma's hospital
- (2) Forced labour in police force deployment by Burmese Army

Media Release:

Burma's Military Junta
Wages War of Human
Rights Violation in Mon
State, Burma

Report:

- (1) SPDC's Tensions against Mon Political Parties and systematic persecution against Mon activists

Some Acronyms in This Issue

SPDC-	State Peace and Development Council,
LIB-	Light Infantry Battalion (of Burmese Army),
CRPP-	Committee for Representing People's Parliament,
NC-	National Convention,
NMSP-	New Mon State Party,
NLD-	National League for Democracy,
MHS-	Mon National Schools,
MNEC-	Mon National Education Committee,

News

Land-mine victim could not receive treatment in Burma's hospital

An ethnic Mon land-mine victim who does not belong any Identity Card of Burma's nationality was not dare to receive medical treatment in Burma's hospital and sought a relief committee's assistance for treatment in Thailand.

Ethnic people who mostly born in the rural areas and during decade-long civil war in Burma, have not been recognized as citizens of Burma (or Myanmar) as they have been always suspected as rebel-supporters. Accompanying with the lack of citizenship rights, the ethnic people also lost for education, health care and other basic human rights.

Mehm Bo Naing (18 years old boy) did not have any ID Card and he stepped on a land-mines planted by Burmese Army or other rebel armies in Yebyu Township while he and his father were gathering forest



Mehm Bo Naing, Who stepped on a land mine, planted by Burmese Army or other rebel groups

Commentary

Change in Regime Makes No Change for Burma

Recently, in the 3rd week of October, there was a surprise change in Burma and a group of military commanders seized power from military intelligent, and this was just a power struggle within the regime, SPDC. This development will not move forward for democratization in Burma and guaranteeing the rights to ethnic people.

On the other hand, we also do not found any evidence that the SPDC and its armed force, Burmese Army, will stop human rights violations against the political parties and civil society in urban areas and the ethnic civilians in rural area.

Besides the people in Burma has more concerns that the current new regime will be more aggressive against the pro-democracy activists, and is also willing to go into war with ethnic armed groups. If so, the general situation in Burma became worst and worst.

The regime will move forward with its sham National Convention that excludes the pro-democracy parties, and draw a Constitution anyhow in order to maintain in power without elections.

Therefore, we call the international community to keep its requests or pressures to Burma, until the regime release all political prisoners including Daw Aung San Suu Kyi, to hold meaningful political dialogue with oppositions, to respect the rights of ethnic people and stop gross human rights violations unconditionally.

products. After stepping on mines, it makes difficult for his father to carry him for treatment in Yebyu town from his village.

He explained:

"How can I carry my son for treatment in Yebyu and other towns in Burma as we did not have any ID cards. We must be stopped at many check-points if we could not show them our ID cards. My son could die on the half-way to hospital. On the other hand, we are not dare to use NMSP's traveling documents as there was problems between Mon soldiers and Burmese soldiers (*he acknowledged about the arrest of NMSP low rank officials by Burmese Army*). Thus, I decided to cross the border into Thailand by the help of Mon relief committee."

In the Mon displaced communities in areas under the control of NMSP, even there are some hospital and clinic, but they have lack of equipment for surgery and life saving and it is impossible to do such treatments.

He also continued about the difficulties on the way:

"By arrangement of a Mon medic, we have to bring patients for 4 days. 15 people have to carry him on a rotation basis. We had to cross mountains, rivers and streams and jungles in the border areas. Medic was so reliable and he provided treatment on the way."

Currently, the land-mine victim or boy is treated in a missionary hospital in Sangkhlaburi District of Kanchanaburi Province.

Even though the NMSP reached for ceasefire with the regime SPDC for over 9 years, there is still no recognition of citizenship to some Mon villagers in the rural areas. The majority of these people are illiterate and are always afraid to communicate with government authorities or commanders of Burmese Army as their past experience of inhumane or mistreatment by the successive governments.

Forced labour in police force deployment by Burmese Army

After the intensive military offensives against a Mon splinter group since the beginning of 2004, the Burmese Army under South-East Command's Tactical Command No. 3 has deployed more troops in southern part of Ye Township and continuously forced the local Mon civilians to contribute free labour.

Light Infantry Battalion No. 586 led by Maj. Ngwe Soe planned to build a police outpost in Yin-ye village and the villagers are forced to collect building materials, prepare grounds for construction and involve in construction of barracks, said a man who fled from the area said.

First, Maj. Ngwe Soe also planned to seized a Mon National School which is in primary level in the village and decorated it to be police outpost. However, the village headmen and villagers had against his plan. If he could change the school to be police outpost, the Mon schools for Mon children in the village was totally closed.

Media Release

Burma's Military Junta Wages War of Human Rights Violation in Mon State, Burma

The ethnic Mon armed resistance group, New Mon State Party (NMSP) has been stopped fighting with the Burmese military junta, State Peace and Development Council (SPDC), since in 1995 and the junta named Mon State as the cease-fire zone. But there are still several of human rights abuses in Mon State such as cruel and inhumane treatment, arbitrary arrest, sexual violations against women, summary execution, conscription of forced labour and forced confiscation land and properties especially in southern part of Mon State are still committed by Junta and its armed force Burmese Army or *tatmadaw*.

After having the cease-fire with the Burmese military regime, NMSP has intended to have a political dialogue on the table which means to solve the decade-long conflicts in Mon areas. The junta has neglected to have political talks, and instead of having dialogue, they have deployed troops of Burmese Army more than twenty military camps within nine years in the era of truce.

NMSP and other cease-fire groups attended the Burmese regime's National Convention last May, which was adjourned in 1996. The thirteen cease-fire groups have proposed a proposal for the future of Burma to establish federal Union State in the convention. However, the proposal was denied and NMSP eight officials were arrested without trail by the junta.

The junta shows their insincerity by deploying more troops in Mon areas, which means it wishes to adopt assimilation policy against all of the Mon people or Mon patriotic monks or Mon politicians from those areas. Recently, in southern part of Ye Township, villages become as militarized zone or a conflict zone and villagers' movement has been intensively restricted. The population displacement and facing food-shortage are the serious problem in the area.

The Burmese Army's troops, which launched or operated inside villages, in southern part of Ye Township, force to relocate villagers in order to control them not giving supports to a Mon splinter group, which still fights the regime. The Burmese Army's troops arrested villagers who were accused of supporting of the Mon rebels and tortured, killed, beaten, made villagers to be starved, treated them inhumanely against the international principles and even the national laws.

Villagers lost their houses, farms and gardens which were confiscated by the Burmese military regime. There were about 8000 acres lands were confiscated by the Burmese regime in the narrow Mon State since after NMSP ceasefire from 1998 to 2002, and more confiscations are still taken place. Because of lack of food and insecurity, villagers have moved to the Thai-Burma border in the refugee resettlement camps and many of them have secretly migrated into Thailand as unknown migrant workers.

Many women from those areas become the victims of war and were raped by the Burmese Army's troops, which base inside of villages. Some women were executed after raped and some of them were kidnapped for rape.

We strongly believe that the role of the international community in influencing in cases of human rights abuses might be positive to stop the Burmese military junta. Thus, we would like to call for all the international community to put more pressure on the Burmese military junta to stop human right violations in Mon State and other parts of Burma.

Date: 8th October 2004 Human Rights Foundation of Monland (BURMA)

E-mail: hurfomcontact@yahoo.com

Report

SPDC's Tensions against Mon Political Parties and systematic persecution against Mon activists

I. Long Political Struggle of New Mon State Party

Like many ethnic armed organizations, which have taken up arms to revolt against the successive central governments in Rangoon, the New Mon State Party, the main Mon political armed group, was formed in 1958 under the patron of Nai Shwe Kyin. Since the formation with a small number of troops, the NMSP have fought against the central governments, Revolutionary Council and BSPP (Burmese Socialist Programme Party) led by Burma's strongman, Gen. Ne Win, and the then regime, SLORC (State Law and Order Restoration Council). The main aim of the NMSP is to demand the rights to self-determination (greater autonomy) for the Mon people in southern part of Burma and establishment of Federal Union in Burma, which guarantees equality and racial rights to all ethnic nationalities.

On June 29, 1995, like many other armed groups, NMSP agreed for ceasefire with the regime, SLORC. In 1997, the regime changed its name as - SPDC (State Peace and Development Council). Even the NMSP enters for ceasefire, but it does not abandon political aim.

Accordingly to agreement, which was not officially signed by any sides, the NMSP agreed to cooperate with the regime to withdraw their troops into 12 ceasefire zones, cooperate for the border areas development program and involve in business activities.

Even though the NMSP withdrew its troops from various areas where they had operated guerrilla warfare against the successive regimes, however, it has still operated the administration activities such as - providing education to the Mon children, taking care of basic health of the Mon people in general, arranging for courts and judicial activities, seeking the revolutionary fund, cooperating with the local communities for small development activities, etc.

In the ceasefire ideology, the SLORC/SPDC does not want to see the NMSP members' activities within the Mon people even for humanitarian purposes - education and health care. The SPDC always tried to force all NMSP administrative members to move back to 12 ceasefire zones where they agreed as 'troop locations'.

Among many operations, most serious confrontation between the NMSP and the regime is about the operating of Mon National Schools. The regime authorities think the operation of Mon National Schools and adopt of Mon National Education is a serious competition against the government education policy and government organized schools. SPDC authorities, Commanders of Burmese Army's military battalion, Military Intelligence Personnel, have always tried to close down the Mon schools or threaten the Mon education officials, Mon teachers and students, whenever they have opportunity.



Photo of NMSP soldiers from Mon National Liberation Army

After 'Depeyin' massacre, where the pro-SPDC, Union Solidarity and Development Association (USDA) members murdered and mis-treated NLD members and its supporters, SPDC drew a 7-points Road Map for Democracy in order to get international

recognition. As the first step of 7-point Road Map, the regime planned to hold a National Convention in May 2004.

When SPDC held the National Convention in mid-May, even it did not include the representatives from pro-democracy oppositions and winners of 1990 Elections, the NMSP and many other ethnic ceasefire groups are invited. NMSP also sent 5 representatives to the National Convention. By coordinating with other 13 ceasefire groups, NMSP proposed the political points of Constitution as 'Federalism' and put in the National Convention. But the proposal was rejected, as the regime wants to draw a Constitution of 'Unitary System' in power sharing and install the role of Burmese Army to involve in politics without elections.

During NMSP and other ceasefire groups were proposing the political agenda for guaranteeing 'ethnic rights', there were many effects of National Convention received by the Mon people and NMSP members.

Arbitrary arrests to the members of NMSP, forcible closing down of Mon National Schools, continuous detention of NMSP members who were previously arrested, and pressure the Mon people in Mon areas to not support NMSP, etc. The following accounts are the activities of local authorities in oppressing NMSP members, Mon National Schools, another Mon political party, Mon National Democratic Party (MNDF) and the Mon people.

II. Tensions between SPDC and NMSP

A. Arbitrary arrest against NMSP members and use them as 'pawns'



NMSP's General-Secretary, Nai Hongsia

The relationship between the regime SPDC and the New Mon State Party (NMSP), the Mon ceasefire group, has been also intensified even during the National Convention was held in Rangoon. While the NMSP was attending and supporting the Burmese military regime, SPDC, sponsored National Convention, some of its middle-rank and low-rank level 8 officials were arrested without an exact trial, and they were under detention without trail. Even though the NMSP has asked to release their members while refusing they are not criminals but performed the organization's duties, but the SPDC's South-East Command, based in Moulmein, the capital of Mon State, refused to release.

The SPDC local authorities and Military Intelligence (MI) Officers have accused them that they were frightening the villagers during they levied taxes in a rural village, in northern part of Ye Township. But there was no strong evidence and any villager did not found of the NMSP members' threat against the villagers, said a local villager from that village.

On June 29, 2004 (*on the day of 9th Anniversary of NMSP-SPDC ceasefire*), 8 NMSP members were in Lamine village and they were levying 'yearly tax' or 'revolutionary fund' like every year's practices and set the price as 2000 to 4000 Kyat (2 Dollar to 4 Dollar) per household, depending on the households' business. Because the NMSP officials came into village for the purpose of levying tax, they also informed to the village PDC authorities. While they were in the villages, the soldiers from Burmese Army, Military Intelligence Personnel and village headmen came and arrested them.

After the arrest, the SPDC authorities also accused them that they were involving in threatening the villagers to pay money by pointing guns. However, the local villagers said that they did not find any threat from the NMSP members by using guns or other equipment. The NMSP members who arrested were: Nai Ron Nai, Nai Tala Lawi and Nai Aung Yin and other 5 staff and they were taking responsibility as 'administrative officials' in northern part of Ye Township.

The NMSP's General Secretary also expressed that the levying tax from the local Mon people in the community is a normal practice of NMSP and they did not force the villagers to pay for it. Accordingly to him, the NMSP's revolutionary fund has totally relied on the Mon people and they have supported the NMSP for many years before ceasefire.

After 8 NMSP were arrested, they were detained in South-East Command's headquarters in Moulmein, the capital of Mon State, and some of them were also sick due to insufficient of foods and sheltering, and lack of care by the NMSP, according to the NMSP's General Secretary.

According to the NMSP's General Secretary, they still demanded the Burma's self-appointed Prime Minister, Lt. Gen. Khin Nyunt, to release their members. But there has been no reply until the end of August. However, on September 28, the Southeast Command released them after bringing a short trail and imprisoned for 3-months. As they were already in detention for three months and therefore, were released unconditionally.

Analysis on the arrest:

During the NMSP was proposing political agenda to the National Convention, for the establishment of 'Federal Union' or Tower Separation between Central Government and State Government', and tried to create alliance with another ceasefire group SPDC have really concerned that NMSP would create more coordination among the ceasefire groups and involve in more political game against them.

In order to have NMSP busy or could not much time to organize and work with other ethnic ceasefire groups on the political agenda, SPDC arrested 8 of their members, believed among the Central Committee members of NMSP.

On the other hand, it could be also a punishment to NMSP for its leading role in the National Convention in proposing for 'power separation' against the will of the Burmese military leaders to hold on power permanently with plan to consolidate the power at hand of Burmese Army. The SPDC also thought the proposal by the ethnic ceasefire groups was as a 'challenge' to their rule.



SPDC's National Convention

Generally, 8 low-rank NMSP members were used as 'pawns' in the political game of SPDC in order to say to the NMSP to not against them for their future political agenda. If the NMSP plans to against them politically and even in non-violence method, SPDC is ready to punish NMSP anyhow. The SPDC treats NMSP as it has treated the pro-democracy political parties such as NLD (National League for Democracy) led by Daw Aung San Suu Kyi and other ethnic parties.

There are about 1500 political prisoners from pro-democracy political parties in Burma's notorious jails that excluded the prisoners whom belonged to ethnic armed groups. There are many still ethnic political prisoners who has been detained with trial of supporting the armed groups, and involving in the armed forces opposing the government and Burmese Army.

Ethnic politics in Burma:

The proposal of establishment of 'genuine federal union' of Burma was always related to the past history of Burma, in the period of Burma's struggle for independence in 1947 and 1948.

Burma has 8 main ethnic races and many dialects, who live along the borders with Thailand, China, India, Bangladesh, and the majority Burman ethnic people, who have strong armed force Burmese Army and dominated the political power, stayed in the middle and lower parts of Burma.

Before Burma retained 'Independence' from British Colony in early 1947, the majority ethnic Burman leaders led by Gen. Aung San (the father of Nobel Laureate Daw Aung San Suu Kyi) and the ethnic leaders in frontier areas which was under the separate administration of British agreed to establish a Federal Union of Burma that guarantees the rights of all ethnic nationalities. When Burma retained Independence from British in early 1948 and after the assassination of Gen. Aung San by his opposition, Burma's new Prime Minister agreed to establish a 'likely' Federal Union with a Burman central State and five ethnic States. However, more powers were at the hands of 'Burman dominated central government'.

After 10 years of Burma's Independence in 1958, the ethnic leaders in frontier area and other ethnic people who did not have any autonomy States, like Mon (in the southern part of Burma) and Arakanese (in the west of Burma) demanded for the establishment of 'genuine' federal union based on different ethnic races and their territories.

The establishment of genuine federal union among the ethnic nationalities came into a failure after the Burmese Army seized the political power in 1962 from the democratically elected government led by the Prime Minister U Nu. Since then, the armed resistance by almost ethnic nationalities against the Rangoon governments led by Gen. Ne Win began.

B. Serious torture to NMSP former medic

On 3th October, 2004, A former NMSP medic worker who was suspected supporting the Mon rebels escaped to Thailand-Burma border after he was inhumanely beaten by the Burmese Army's soldiers recently in Yephu Township.

Mr. Nai Toe, 27 years old, who had left his family: wife and 2 years old baby, in Kywe-ta-lin village of Yebyu Township (*in Tenasserim Division*) after Burmese army from Light Infantry Battalion (LIB) No.282 forced him to leave the village and abandon all of his belonging. He said with softly voice, "I can't go back to Burma. They suspected me as Mon rebel (Mon splinter groups) supporter. They arrested and detained me for 9 days with serious beating during interrogation."

Nai Toe, who legs has been wounded because seriously tortured was arrested on 4* September to 12* and was beaten by LIB No.282 soldiers led by Captain Min Lwin. Then they forced him to leave the village and all of his belonging in his small clinic which was seized by the army. His small clinic cost was about 800,000 Kyat (~ 800 US Dollar).

"After they forced me to leave the villages, I came back to my parent village Pa-nga, Thanpyuzayat Township. But, Burmese Military Intelligent (MI) followed me at my mom's house and asked my mother where I was. Then I moved to Ye and some police followed to where I stay at my home in Ye. They asked my friend where I was again. I think I can't stay in Burma and decided to leave," said Nai Toe, who also wrote a letter to his family that he will come back home when there was peace.

He lost consciousness many times when he was beaten by the Burmese soldiers. "After I asked the soldiers back why I was arrested, they beat me in my chest many time till I lost consciousness. They put me under the heavy rain all night. No foods, No water they gave me during two days arrest," he added.

"During interrogation, they mostly asked me who were supporting to rebels and do I support the Mon rebels and the places of the rebel camps which I did not know" Nai Toe continuously explained.

Nai Toe was released after the battalion commander asked 10 sack of rice and 100, 000 Kyat of ransom from his wife. The Burmese Army based in his village and totally closed the village that they did not allow any villager to go out for farms or shopping. Every week they used 15 villagers as porter to carry ammunitions and food supplies for the army when they launched military patrol. One villager who was used as porter was killed in 2nd week of September, according to Nai Toe.

He also added that two women in village; Mi Kyan Yit, 24 years old and Mi Yu 18 years old were raped by this battalion soldiers in the 1st and 2nd week of September respectively.

III. Tension during SPDC's closure of Mon National Schools

On August 2004, after the visit of SPDC's leader, Lt. Gen. Maung Bo, from Defense Ministry and Commander of South-East Command, Maj. Gen. Thura Myint Aung, to Ye Township area, the local authorities have stepped up more in pressuring the Mon National Schools (MHS) to close down and replace them with government schools.

Maj. Gen. Maung Bo paid a visit to southern part of Mon State on 30* July, and ordered the local village headmen in the area to have more government schools in order to compete against the MHS which have existed for about 30 years ago in the areas. For the local authorities, it has a full authority for them to against the MHS and therefore, the local military battalion commanders have ordered the village headmen to uproot the signboards of MHS in some villages and replaced with the new 'government school signboards'.

Accordingly to a local Mon teachers, the Burmese Army commander, Col. Nyi Nyi of No. 3 Tactical Command (*under the command of South-East Command bases in Moulmein, the capital of Mon State*) ordered to take out MHS's Signboards from Khaw-za, Yin-ye and Mi-htaw-hla-kalay, Kyone-kanya and Pauk-htaw village primary school and replaced them with the government's schools signboards.

On the other hand, the local Burmese Army commanders also ordered the local village headmen to collect money from the local villagers in order to supplement expenses for the building of new government schools.



Students from a Mon National School

SPDC leaders, Lt. Gen. Maung Bo and South-East Command's Chief Commander, Maj. Gen. Thura Myint Aung, have donated a few amount of money for some villages to build the schools, but the amounts are mostly insufficient. Therefore, the local commanders also forced the village headmen to collect money.

Due to the previous Burmese Army's offensives against a Mon splinter group in southern part of Ye Township, hundreds of villagers fled from their villages. The situation made hard for the local village headmen to collect money from the villagers: as range of 1000-3000 Kyat per household, from the poor villagers. The restriction of

movement against the villagers to not go and work in their farms or plantation also made them a serious problem to villagers to get regular income.

SPDC authorities and the Burmese Army's local commanders have tried in many ways to abolish the MHS, which mainly used the Mon language in teaching at schools. The SPDC and the Burmese Army's commanders believed the teaching of Mon language would create more nationalist philosophy and they tried to definitely close down these schools.

In March 2004, the command of No. 3 Tactical Command, Col. Myo Win called a meeting with Mon teachers and pressured them to change the Mon schools as government schools, and to change themselves as Mon teachers to be government teachers. The Mon teachers disagreed with the commanders and applied the cases to NMSP's Education Department. NMSP leaders also complained the cases to South-East Command and then the tension reduced.

However, as the original plan, the SPDC tried to control the whole area. While the SPDC leader, Lt. Gen. Maung Bo, paid a visit to the area, he also brought a plan of extending government control in southern part of Ye Township and abolishment of Mon education, that have been operated by the local Mon communities and NMSP's Education Department.

While the battalions of Burmese Army launched the offensives against a Mon splinter group in Ye Township, Mon State, they also threatened the Mon teachers to close down all Mon national schools in the rural area of Ye Township.

Accordingly to the Mon teachers who provided basic education to 13,000 Mon students, in Ye Township, the commanders of Burmese Army in the area called meeting with the Mon teachers who are operating the Mon schools, and forced them to close down all schools and converted them to government schools. Forced conversion of the Mon schools to government schools came from a decision in the meeting of Burmese Army's senior commanders accused by the local Mon teachers.

"It is a military government's policy. On March 11, Gen. Maung Bo (from Defense Ministry) and Southeast Command's Commander, Thu Ra Mying Aung, arrived to Te and ordered the local authorities and commanders of Burmese Army to close down all Mon national schools and then operate government schools instead", said by a Mon teacher.

Most of Mon schools in the area are operated by the New Mon State Party's Education Department and teachers are also employed by the NMSP. The schools have operated over 30 years since the Party operated the revolutionary and adopted administration including providing education to the children.

After 1995 NMSP ceasefire with the regime, although the NMSP retreated its troops in the area accordingly to the agreement, but it still operates the Mon education system by opening Mon schools and providing education for the children.

The NMSP also refused to close down all these schools and its spokesperson said, the party complained to the Southeast Command about the cases. In December 2003, SPDC's Southeast Military Command from Moulmein, the capital of Mon State, sent over 1000 troops in south Ye Township and tried to uproot the

activities of a Mon splinter group, which launched military activities against the Burmese Army after the withdrawal of NMSP troops from the area since 1997.

The offensives took over 4 months and at the end, the Burmese Army could get some control in the area. After its control, the commanders of Burmese Army appointed the favour men to be village headmen, and formed many its supporting groups such as Union Solidarity and Development Association (USDA), Women's Affairs Committee and other militia groups. After the Burmese Army occupied the whole area, it again tried to close down Mon schools and disturbed the NMSP's administration activities.

In Ye Township, about 67 basic primary and middle schools are operated by the NMSP's Department with the local communities, while NMSP pays salaries for all teachers. There are about 7000 students attend schools in southern part of Ye Township and 6000 students attend schools in northern part of Ye Township.

Since the SPDC authorities and Burmese Army is afraid of being competed between the Mon schools and government schools, the Burmese Army tried to close down the Mon schools all. Because the schooling cost is cheap, no requirement for additional classes like students in government schools, the number of student in NMSP's Schools are gradually increasing and some students even from the government schools move to Mon schools.

SPDC authorities and the Burmese Army's local commanders have tried in many ways to abolish the MHS, which mainly used the Mon language in teaching at schools. The SPDC and the Burmese Army's commanders believed the teaching of Mon language would create more nationalist thinking and they tried to definitely close down these schools.

Since the SPDC has attempted to close down even when the NMSP attended the regime's sponsored National Convention, the situation made the NMSP leaders unhappy. Attending the National Convention in Rangoon means, the NMSP wanted cooperation with the military regime for the future political reform in the country and proposed for the rights of the ethnic people.

Accordingly to a NMSP senior leader,

"When the news of closure of Mon schools in Te Township occurred in the media, the representatives in the National Convention (NC) are so surprised. While we are talking about for the separation of power between the central government and State government, to guarantee the rights of ethnic people, the regime even does not want to allow the teaching of Mon language in Mon schools. Mon children have no rights to teach their own mother language. Many NC representatives asked to NMSP representatives that whether the persecution against the Mon education is real."

Because of the media attention and NMSP's complaints on the acts of local Burmese Army's commanders, although they stopped the operation against the Mon education for a while, the army commanders used many other ways in order to abolish the Mon education.

Accordingly to a village headman, who fled from southern part of Ye Township,

"Currently the local Burmese Army commanders do not try to close down the Mon schools. But they said to the village headmen to not encourage the school operation. They ordered the village headmen to not repair the Mon schools, to not collect money that needed for the school infrastructure and other expenses. Even to not support any necessary assistance to Mon teachers. They created problems indirectly."

In the new constitution which SPDC plans to draw also clearly mentioned that the official language to use in all different Burman and non-Burman ethnic nationalities is only 'Burmese', and it means the military regime will not allow any other language to occur in Burma.

IV. MNDF leaders are under close surveillance

On 12* October, 2004, the leaders of Mon National Democratic Front who were elected in 1990 general elections exposed that they were closely monitored by Burmese Army's Military Intelligent (MI) according to these leaders' friends and families. The MNDF leaders were just recently released from imprisonment and they are still not independent to involve in the political activities. Three Mon leaders who were released in June 2004 are: Nai Ngwe Thein, Executive Committee Member of MNDF; Dr. Min Soe Lin, General-Secretary; and Dr. Min Kyi Win, Joint-Secretary.

Accordingly the neighbouring of Dr. Min Soe Lin, the MI officials often came to houses nearby and interrogated the house owners of his neighbouring with many questions what he has been doing at his home and who came to his homes.

"Everyday they came to the coffee shop nearby Dr. Min Soe Lin house in Moulmein city and asked about Dr. Min Soe Lin all the time. When Dr. Nai Soe Lin went to Rangoon, they came to ask the family member. When Dr. Nai Se Lin went repeatedly, they often asked more questions to his family," a family member added.

Similarly to Dr. Min Soe Lin, another medical doctor or MNDFs Joint-Secretary, Dr. Min Kyi Win, was also closely watched by Mudon Township's MI officers. The Doctor also knew how he has been under close surveillance, said by a friend of him.

Three MNDF leaders were sentenced for 7 years imprisonment term and put in Moulmein jail by the Burmese military government in 1998 after they complained cease-fire agreement between NMSP and SPDC. On the other hand, they also did not like MNDF leaders because they strongly supported Committee for Representing People's Parliament (CRPP) and call for convening People's Parliament by majority elected Members of Parliament in 1990 elections.

Dr. Min Soe Lin and Dr. Min Kyi Win were elected by the people in Mon State. Dr. Min Soe Lin was elected in Ye Township's constituency and Dr. Min Kyi Win was elected in Mudon Township's constituency.

MNDF is a close alliance to NLD led by Daw Aung San Suu Kyi and other Burman leaders. MNDF is also a member of non-Burman ethnic nationalities' umbrella organization - United Nationalities League for Democracy (UNLD).

Since 1992, the regime SLORC abolished MNDF and did not allow its leaders to involve in the political activities. It was also declared as illegal party and some of its party members were also arrested. Some of them were released in 1995 after the NMSP entered for ceasefire and demand for release.

However, MNDF leaders thought NMSP leaders were too soft in against the regime and argued that the ceasefire was not beneficial to general Mon people. Hence, some of their leaders were again re-arrested while the political tension in Burma was so high between NLD and the regime.

V. SPDC's Dirty Conspiracy against 9 Mon and Pro-democracy Activists

Since NMSP-SPDC ceasefire, the military regime in Rangoon, the local MI battalions and the Burmese Army's military concerned and do not want the members of NMSP to stay among the people and organize the people for the political activities. However, the members of NMSP always visited to their families or relatives in Mon villages, talked and advised with the community leaders and Mon Buddhist monks in the local areas for their literature and culture activities, attended some important occasions, etc.

SPDC especially, the MI offices have not liked NMSP members or leaders are close with people and they also worried about the NMSP members' formation of underground cells in order to against the regime. Due to agreement, however, the regime SLORC/SPDC have allowed the NMSP to open their liaison offices in the capital of Burma, 'Rangoon (Yangon)', the capital of Mon State, 'Moulmein (Mawlamyaing)', other small towns in Mon State such as Thanbyuzayat, Ye. However, with a concern, the MI officials always closely watched to the NMSP members who have duties in liaison offices.

As a political organization, NMSP has always planned to communicate with other political organizations, especially with the different ethnic ceasefire groups and Mon National Democratic Front (MNDF). MNDF is a political party which won 5 seats of Members of Parliament (MP) during 1990 General Elections. This party was announced as illegal party in March 1992 and their leaders were arrested and imprisoned like many NLD members.

Since some NMSP members have some activities contacting with other political organizations, the regime and MI did not like some NMSP activists. Therefore some arrests of NMSP members, MNDF members and other activists happened in July 2003, by the MI and they were accused with a trial of attempt to kill 'State leaders' or SPDC leaders. 9 persons from NMSP, MNDF, were arrested by SPDC in order their cooperation and political activities.

28 November 2003 nine men were sentenced to death for High Treason under Article 122 (1) of the Penal Code. They are:

- (1) Nai Yekha alias Nay Win - NMSP member
- (2) Shwe Mann alias Zaya Oo; - MNDF member
- (3) Zar Naing Tun alias Phyu Lay; - Civilian
- (4) Zaw Myo Htet alias Zaw Zaw; -Civilian
- (5) Myo Htway alias Chin Gakoung; - NMSP member
- (6) Min Kyi alias Nai Min Kyi, - MNDF member, *also a lawyer*
- (7) Zaw Thet Htway alias Thet Zaw; - Editor, First Eleven Sport Journal
- (8) AungLunn; and - MNDF member
- (9) Aye Myint alias Myint Aye Maung, - Lawyer

Thet Zaw, the Editor of a popular sports magazine entitled *First Eleven*, was arrested on 17 July 2003 during a raid on his office in Rangoon. The other eight men, as a group, were also arrested on July 16.

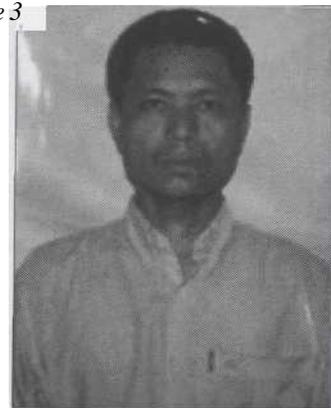


Min Kyi alias Nai Min Kyi

On July 26, 2003 the SPDC officials conducted a press conference in Rangoon explaining the reasons of arresting 9 persons. The group was accused of plotting to plant bombs in strategic locations in Rangoon on 19 July and planning to assassinate SPDC leaders, as instructed by various exile opposition groups based in Thailand and while some of them were giving wrong information of Burma to the pro-democracy oppositions - All Burma Students' Democratic Front (ABSDF) and Free Trade Union of Burma (FTUB), and international organizations especially International Labour Organization (ILO). According to the government spokesperson, this violence was planned in order to spark a mass uprising against the government.

While the 26 July press conference, SPDC did provide information to the public, it also made sweeping assertions in tendentious language about the guilt of the accused. For example the government spokesperson asserted in the press conference that Min Kyi, Aye Myint, and Thet Zaw *"had been in contact with Lwan Ni (a) Kyaw Kyaw of the rank of leading committee member of the ABSDF, Maung Maung, (a) Pyi ThitNyunt Wai of the FTUB and Aung Moe Zaw of the DPNS(41) and through them they had conveyed false information and rumours with regard to the internal situation of the country. It was discovered through further interrogation that these 3 UG members had through Shwe Mann (a) Zeya Oo, become acquainted with explosive experts Maung Maung (a) Pyi ThitNyunt and Zar Ni Thwe in January*

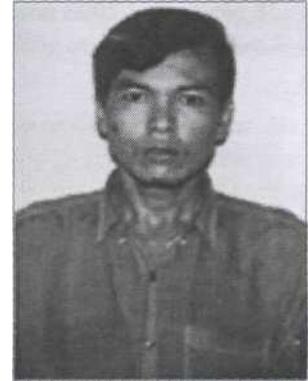
However, the defendants or activists were arrested in different places and some of the accusations were also different, but the sentence 'death penalty'³ was similar to all of them. Nai Yekha, Myo Htway, Zar Naing Tun, Aung Lunn, and Shwe Mann were reportedly arrested in Rangoon in a house belonged to a man called 'U Myo Chit'. Nai Min Kyi and Aye Myint were arrested in Pegu, the capital of Pegu Division, east of Rangoon. The Editor of First Eleven Sport Journal, Zaw Thet Htwe, was alone arrested in his office, while Zaw Myo Htet alias Zaw Zaw was arrested alone in Min Hla town, upper Burma.



Nai Yekha alias Nay Win

Accordingly to the SPDC's spokesperson, only five persons - Nai Yet Kha, Myo Htway, Zar Naing Tun, Aung Lunn and Shwe Mann were arrested with explosives and others were arrested with no evidences. The

other 4 persons were accused having contacts with the exile pro-democracy organizations and International Labour Organization (ILO). However, on 28th November 2003, the District Court of Northern Rangoon (Yangon) prosecuted and sentenced those defendants with death penalty of High Treason. The families of those defendants, NMSP leaders, MNDF leaders and lawyers have felt the sentence was unfair and those defendants or political activists were under the trap of SPDC's or Mi's 'dirty political conspiracy'³.



Defendants and their families' responses

Because of the appeal by the NMSP, civil society organizations, family members of the defendants, and other political organizations, International Committee **Shwe Mann alias Zaya Oo** for Red Cross (ICRC) has had opportunities to meet these prisoners. Later since the early 2004, by the request of ICRC, the SPDC also allowed the family members of the prisoners to meet each other. The prisoners also have a chance to have lawyers to defend them.

Accordingly to the NMSP members and their family members who could meet them, the political activists or prisoners believed they were in trap of SPDC's MI or trapped in their political conspiracy in order to arrest them. All of them believed that they were trapped by the SPDC's dirty conspiracy through 'U Myo Chit', who is a possible Mi-agent.

Accordingly to their families or wives (who did not want to identify their names because of security), the 5 persons who were arrested by explosives said that they did not belong any explosives in their hands. Just right on time when they arrived to in an apartment room of 'Myo Chit', the police came and arrested them while they also found explosives in the room. The apartment is locating in Ta-myawe Township, outskirts of downtown Rangoon.

They thought before they arrived into the room MI and the local police station already planned a plot in order to arrest them. They also believed that U Myo Chit or Mi-agent or Township authorities or local police already put some explosives in the room before they entered into the room. They thought they did not know the police already rounded the apartment, and soon after they arrived into the room, the police came and arrested them. Then the police officers searched the room and they founded the explosives.

On behalf of defendants, Defendant Lawyer also argued as the explosives were founded in the room belonged to 'U Myo Chit', the police should put him onto trial like other defendants. Now, there is no penalty to U Myo Chit, it is so clear that he is a Mi-agent or government agent, who mainly involved in conspiracy.

Like Nai Min Kyi and Aye Myint were lawyers and they have involved in providing information to ILO, keeping the reports issued by ILO and have some address contacts to ILO. They are accused of contacting to foreign organizations and providing wrong information on Burma. They were accused contacting to pro-democracy oppositions without strong evidence. Even they were not involving in disturbing peace and



SPDC's July 26 Press Conference

stability of the country by means of violence or terrorized bomb explosions, accordingly to SPDC's allegation; they suffered from the same death penalty. It was so inhumane and unfair treatments against them.

The other 2 persons were also accused as having contacts with former ABSDF leaders and a plane hijacker. The police and prosecutor lawyers accused they could involve in plotting bombs in important places and assassinating the SPDC leaders. The accusations also have a very less evidences, and all accusations were relating to the past relations.

However, this prosecution case got some of international attention especially serious 'death penalty' for conveying information to ILO.

International responses:

During the Amnesty International on 5th December 2003 meeting with the Minister of Home Affairs, he confirmed that the nine death sentences had indeed been handed down on 28th November 2003. He also confirmed the details of accusations and evidences were given on 26th July 2003 press conference conducted by SPDC.

As discussed above, political trials in Burma (Myanmar) fall far short of international fair trial standards. Amnesty International was concerned that the trial of the nine people sentence to death on 28th November 2003 was not fair. Trials must always be scrupulously observed all the international standards protecting the right to fair trial. All safeguards and due process guarantees set out in international standards applicable during pre-trial, trial and appellate stages must be fully respected. This is especially true in capital cases, in view of the irreversible nature of the death penalty. Amnesty International is further concerned that Aye Myint, Nai Min Kyi, Shwe Mann, and Thet Zaw, who were arrested and tried solely on the basis of their alleged contact with exile pro-democracy opposition groups, may be prisoners of conscience, who may have been sentenced to death solely for peacefully exercising their rights to freedom of expression and association.

Concerns about Aye Myint, Nai Min Kyi, and Shwe Mann were heightened by a 19th March 2004 International Labour Organization (ILO) report submitted to its Governing Body in Geneva, which met to discuss on the situation of 'forced labour requisition' situation in Burma (Myanmar) from 23rd to 25th March 2004. The report was discussed in details as below.

According to this report, the ILO had become aware of an unofficial English translation of the court judgment, in which the nine-person death sentences were handed down for High Treason. Amnesty International has also obtained this unofficial translation, which cites alleged contact by Nai Min Kyi, Aye Myint, and Shwe Mann to the ILO about forced labour in (Burma) Myanmar. The ILO wrote to the SPDC Minister for Labour on 12th March 2004, stating *inter alia*:

"The sentence was passed, taking into account of evidence relating to information received, from, or passed to, the ILO by some of the persons convicted.. If the translation is an authentic one, it could affect the very basis of the ILO's presence in the country. It would indeed seem impossible to reconcile the commitment of your Government to eradicate forced labour in cooperation with the ILO with the notion that contacts with the ILO could constitute an act of high treason."

On 17th March 2004 the ILO Liaison Officer *ad interim* in Yangon met with the Minister of Labour and requested copies of the original trial documents and access to the "*relevant convicted persons*". The Minister stated in the meeting that:

*"The Minister indicated that although the authorities considered that the translation of the court judgment was not fully accurate, they did not contest the general veracity of the document. The Minister stressed that it was certainly not the case that contacts with the ILO could be considered illegal... In his view, therefore, it was clear that the judge had made mistakes and the case would have to be reviewed. **

On 19th March 2004 the ILO in Yangon interviewed the two lawyers: Aye Myint and Nai Min Kyi, at Insein Prison. The meetings took place individually and in private, during which the prisoners reported that although "*they had no major concerns regarding their current conditions of detention*", immediately after their arrest they had been interrogated for several days, deprived of food, water, and sleep, and beaten. The ILO further stated that

the ILO "considered that the case was not investigated or prosecuted in a systematic or credible way. It appeared the police or intelligence officers initially used methods of entrapment and that the subsequent procedures of investigation and prosecution were unsound, without any of the fundamental guarantees necessary to produce a credible outcome. [The ILO] believes in this context it is important for the authorities to make available, in addition to the original judgment, the full transcript of the trial proceedings."

The ILO said that after interviewing the two prisoners it became clear that there was a "significant ILO dimension" to the case of Shwe Mann, also one of the nine sentenced to death. In the report's conclusion, the ILO stated that "On the basis of all the information available, the only conclusion...was that the convictions of these three persons for high treason were unsound. They should be released pending a full review of the case."

Amnesty International supports this call for release of the three prisoners pending a review. In this regard the organization urges the SPDC to review the totality of judicial procedures against all nine persons, and in particular against the three men with ILO contacts and of the journalist Zaw Thet Htwe or Thet Zaw. Such reviewing should include the validity and cognizance of the charges, the conduct of the trials and sentencing. All death sentences should be commuted.

On 25th March 2004 the ILO Governing Body adopted its Conclusions on Burma/Myanmar, the contents of which are summarized below. The ILO Facilitator in Yangon was able to interview Shwe Mann on 25th March and reported that he was in good health, but that he had been beaten both at the time of his arrest and during interrogation at an MI detention centre. The Governing Body expressed their concerns about the ILO dimension to the three death sentences handed down to Aye Myint, Nai Min Kyi, and Shwe Mahn. Furthermore the Governing Body fully supports the ILO Yangon Liaison Office's recommendation that the three men be released pending review of the trial proceedings.

In view of this development, the Governing Body decided to postpone the implementation of the Plan of Action, which would provide for the Facilitator to hear complaints about forced labour in Burma/Myanmar and to find a solution. The Governing Body Conclusions stated *inter alia* that:

"...there is general agreement on the potential usefulness of the Facilitator mechanism. The question which remains, however, is whether there can be sufficient confidence that the guarantees which are built into the mechanism offer the necessary protection to victims who want to make a complaint and whether the necessary conditions and safeguards were put into place to allow the Plan of Action to go ahead. The Office will have to examine this question more thoroughly in light of the results of the review of the recent cases and any further assurances provided by the Government. The results of this examination should then be submitted to the Officers of the Governing Body and should be found sufficiently convincing before proceeding to the implementation of the Plan of Action.

The situation as it stands by the end of May on these various issues should be reported to the International Labour Conference through the Committee on the Application of Standards."

Amnesty International believes that the death sentences against Thet Zaw, Aye Myint, Nai Min Kyi, and Shwe Mann not only violates the right to life, but also the right to freedom of expression. Article 19 of the Universal Declaration of Human Rights proclaims *inter alia* the freedom "...to seek, receive and impart information and ideas through any media and regardless of frontiers." The organization is further concerned that their trials were not fair, and that confessions extracted under torture may have been admitted as evidence during the trial.

Final persecution to nine prisoners

International organizations, NMSP leaders, the families of prisoners, legal experts in Rangoon and defendant lawyers agreed the death penalty to all of these nine prisoners were not fair, and they were in the trap of SPDC's MI. There were many similar conspiracies against the NLD members and other pro-democracy activists.

Since the involvement of ILO in the cases of lawyers, some of them are MNDF members, NMSP and the families of prisoners also attempted to have 'fair' trial to the prisoners even in the difficult situation under the rule of the regime where the 'rule of law' is silent.

NMSP or defendant lawyers always complained to the court why 'it did not punish another key criminal', U Myo Chit in the prosecution. Accordingly to the police, all of the explosives were founded in his apartment, but now they set him free. On the other hand, because of the report by ILO, the court also founds difficult to give the penalty to them.

Information on HURFOM and Invitation for Feedbacks from Readers

Dear Readers,

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

- To monitor human rights situations in Mon territory and other areas southern part of Burma,
- To protect and promote internationally recognized human rights in Burma,

In order to implement these objectives, HURFOM has produced "The Mon Forum" newsletters monthly and sometimes it has been delayed because we wait to confirm some information. We apologize for the delay.

However, we also invite your feedbacks on the information we described in each newsletter and if you know anyone who would like to receive the newsletter, please send name and address to our address or e-mail as below:

HURFOM, P. O. Box 11, Ratchburana P. O.
Bangkok 10140, THAILAND
E-mail: hurfomcontact@yahoo.com
Webpages: <http://www.rehmonnya.org>

With regards,

Director
Human Rights Foundation of Monland

Therefore, the District Court of Northern Rangoon accepted 'appeal' from the defendants and their lawyers to consider the death penalty. Appeal for consideration of punishment was taken by the Court on September 23, 2004.

On October 14, 2004, after reviewing the Appeal from the defendant lawyer and defendants, the same Court reduced the penalty of them as below:

As the court found evidence of guilty by Nai Yetkha alias Nay Win, Zar Naing Tun alias Phyu Lay, Myo Htwe alias Chin Gakoung and Aung Lun, committing of holding explosives, attempts to assassinate the State leaders and betray to the State, so that their death penalty is reduced to **life imprisonment in a island**.

As the court found Shwe Mann alias Zaya Oo had no concrete connection to above four persons and committed **in** similar crimes, his sentence was reduced from life imprisonment in a island to **5 years imprisonment**.

News from page 2

After he could not seized the school, the Burmese commander confiscated a piece of lands opposite side of the school and ordered the headmen to build a police outpost for them. When they built this police outpost, some villagers were forced to collect building materials while some were forced for land preparation and digging hiding **cannels** and trenches.

Similarly to Yin-ye village, LIB No. 586 also deployed another police outpost in an another Mon village, Toe-tat-ywa-thit,. The villagers were similarly forced to collect building materials and involve in the construction of infrastructure for the outpost. In this village, LIB No. 586 also destroyed village's market in the middle of the village and forcibly built the outpost.

For both construction, the Burmese commander collected money from the village. Accordingly to the villagers, each household has to provide 2000 Kyat, and other building materials such as 0.5 tons of wooden lumbers, 30 sheets of roofing thatches and others.

If a family failed to contribute labour or provide building materials, the members of that family must be seriously tortured by the Burmese Army. On the other hand, the Burmese Army totally restricted the movement of local farmers and villagers to not get out from villages.

Villagers said, while the Burmese commanders were barring them to not go to their betel-nut or other fruit plantations, the soldiers from these battalions gathered their fruits or crops and exports to Ye Town for selling.

Because of the continuous conscription of forced labour, movement restriction, land and properties confiscation, inhumane or cruel treatment and other human rights violations, thousands of villagers from southern part of Ye Township have fled and abandoned their native villages. Some hundreds of villagers also arrived into New Mon State Party area and while many others fled into Thailand to seek haven and employments.

The Court also decided that Nai Min Kyi alias Min Kyi, Zaw Myo Htet alias Zaw Zaw, Zaw Thet Htwe alias Thet Zaw, and Aye Myint alias Myint Aye Maung were sentenced to **2 years imprisonment.**

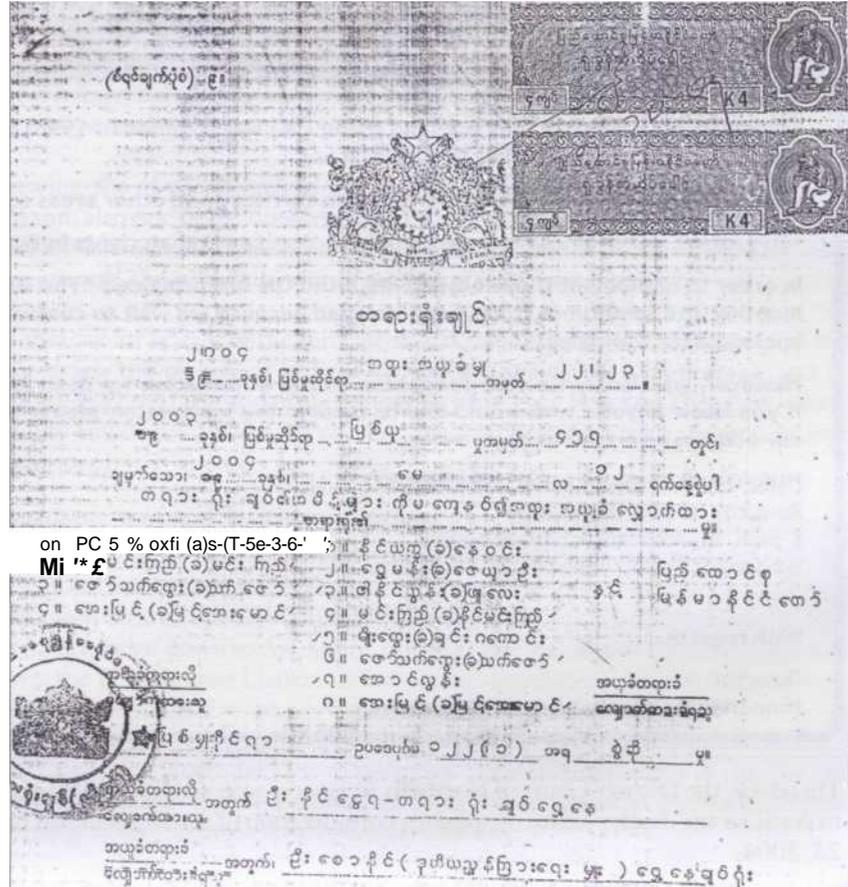
The Court also declared that as Burma (Myanmar) is cooperating with ILO and a member of international organizations, contacting these organizations and cooperation with these organizations are not guilty.

VI. Conclusion

There was a change in SPDC in the 3rd Week of October in which one group of military seized the power of another group led by the former Prime Minister Khin Nyunt and his aid of Military⁷ Intelligent (MI). However, many people did not much expect the change in the political philosophy of the regime.

The regime SPDC will more forward for the establishment of Unitary State of Burma and try to dominate the political power in the future. Currently the regime has encouraged to increase the number of their hand-picked organization - Union Solidarity and Development Association (USDA) - that they plan for the future political party.

If the Burmese Army or the regime move with their own political agenda via National Convention, sham elections, restriction all other political parties and establishment of military dominated future government, the democratic transitions in Burma will not occur and almost political problems will not be solved.



Court proceeding records of 9 prisoners



HURFOM
P. O. Box 11
Ratchburana P. O.
Bangkok 10140, THAILAND
E-mail: hurfomcontact@yahoo.com
Webpages: <http://www.rehmonnya.org/>
monforum_main.php



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