

↓ Burma (Myanmar)

Population: 49,200,000

Capital: Rangoon

Political Rights: 7

Civil Liberties: 7

Status: Not Free

Trend Arrow: Burma received a downward trend arrow due to increased crackdowns on political activists.

Ten-Year Ratings Timeline For Year Under Review

(Political Rights, Civil Liberties, Status)

Year Under Review	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008
Rating	7,7,NF	7,7,NF	7,7,NF	7,7,NF	7,7,NF	7,7,NF	7,7,NF	7,7,NF	7,7,NF	7,7,NF

Overview:

The military regime in 2008 continued to persecute individuals associated with the popular protests of 2007, and the number of political prisoners rose sharply during the year. In early May, Cyclone Nargis devastated the country's Irrawaddy Delta region, but the government's delay in responding and obstruction of international relief efforts resulted in unnecessary losses. Despite the natural disaster, the junta proceeded with a previously scheduled constitutional referendum on May 10. Officials claimed that the new constitution, which entrenched military rule, was approved by 92.4 percent of voters, setting the stage for elections in 2010. However, reports of intimidation and vote-rigging led human rights groups to denounce the referendum as a sham.

After occupation by the Japanese during World War II, Burma achieved independence from Britain in 1948. The military has ruled since 1962, when the army overthrew an elected government. During the next 26 years, General Ne Win's military regime helped impoverish what had been one of Southeast Asia's wealthiest countries.

The present junta, led by General Than Shwe, dramatically asserted its power in 1988, when the army opened fire on peaceful, student-led, prodemocracy protesters, killing an estimated 3,000 people. In the aftermath, a younger generation of army commanders created the State Law and Order Restoration Council (SLORC) to rule the country. However, the SLORC refused to cede power after it was defeated in a landslide election by the National League for Democracy (NLD) in 1990. The junta jailed dozens of members of the NLD, which had won 392 of the 485 parliamentary seats in Burma's first free elections in three decades.

In an effort to improve its international image, the SLORC refashioned itself into the State Peace and Development Council (SPDC) in 1997. The regime began holding talks with NLD leader Aung San Suu Kyi in late 2000, which led to an easing of restrictions on the party by mid-2002. Aung San Suu Kyi was released from house arrest and allowed to make several political trips outside the capital, and the NLD was permitted to reopen a number of its branch offices.

Aung San Suu Kyi's growing popularity and her revitalization of the NLD during the first half of 2003 apparently rattled hard-liners within the regime. On May 30, an ambush on the NLD leader's motorcade by SPDC supporters left an unknown number of people killed or injured. Aung San Suu Kyi and dozens of other NLD members were detained following the attack, NLD offices were again shut down, and universities and schools were temporarily closed to suppress wider unrest. Aung San Suu Kyi was released from prison in September 2003 but remained under house arrest, as did other senior party leaders. Periodic detentions of political activists, journalists, and students continued.

Than Shwe organized an October 2004 government purge in which Khin Nyunt, the prime minister and head of military intelligence, was removed from office and placed under house arrest. In 2005, authorities began shifting the country's capital 600 kilometers (370 miles) inland, to a new site called Nay Pyi Taw. The city was officially designated the capital in 2006.

The National Convention, which was responsible for drafting principles for a new constitution, concluded its 14 years of intermittent deliberations in August 2007. It had been dormant between 1996 and 2004, and met only briefly in 2005 and 2006. The convention was boycotted by the main political parties, and its delegates and agenda were tightly controlled by the junta. The body's recommendations included reserving 25 percent of the seats in any future parliament for the military, and requiring that the president have military experience. In October 2007, the government appointed 54 officials to draft the constitution in line with the convention's recommendations.

The largest demonstrations in nearly 20 years broke out in 26 cities in August and September 2007, triggered by a 500 percent fuel-price increase. The 88 Generation Students, a group composed of dissidents active in the 1988 protests, were at the forefront of many of the demonstrations, calling for better economic management and greater political freedom. In mid-September, soldiers attacked protesting Buddhist monks. Leading monks requested that the regime apologize, reduce fuel prices, release all political prisoners, and enter into dialogue with prodemocracy forces. When the generals failed to grant these requests, thousands of monks took to the streets, joined and encouraged by the general populace. Soldiers, riot police, and members of the paramilitary Union Solidarity and Development Association (USDA) and the Swan Arr Shin militia group responded brutally, killing at least 31 people. The crackdown continued into 2008 and broadened to include those who might participate in forming political parties in the scheduled 2010 elections. A year after the protests, more than 800 of those arrested remained in prison. Politically motivated arrests increased significantly throughout the year.

Cyclone Nargis struck the Irrawaddy Delta on May 2, 2008. The government later estimated that the storm left almost 140,000 people dead or missing, and approximately 2.4 million more were severely affected. The junta initially reacted by preventing humanitarian agencies from entering the country and later obstructed access to the disaster area. On May 20, the SPDC announced the end of the rescue phase of the response, ordering victims to return to their homes despite the fact that many villages remained uninhabitable. Many Burmese volunteers were detained for trying to deliver aid to cyclone victims, including popular comedian Zarganar, who was sentenced to a total of 59 years in prison in November. Donated materials were confiscated by authorities, and there were numerous reports of authorities or soldiers selling relief items at markets or to cyclone victims. Domestic and international relief efforts expanded through June after dialogue sessions were conducted through the Association of Southeast Asian Nations (ASEAN), but the delay worsened conditions for storm victims.

The junta went ahead with the May 10 constitutional referendum as scheduled; the completed draft had been announced in February, and general elections were expected to follow in 2010. The balloting was delayed until May 24 in areas that were severely affected by the cyclone, but the SPDC claimed on May 15 that 99 percent of eligible voters had turned out for the referendum, and 92.4 percent of them voted yes to the constitution, making the delayed vote in the disaster area irrelevant. Burmese political opposition and international human rights groups called the referendum a sham, citing the widespread use of intimidation and repression of freedom of expression during both the campaign period and the referendum itself.

Political Rights and Civil Liberties:

Burma is not an electoral democracy. The SPDC rules by decree; controls all executive, legislative, and judicial powers; suppresses nearly all basic rights; and commits human rights abuses with impunity. Military officers hold most cabinet positions, and active or retired officers hold most top posts in all ministries, as well as key positions in the private sector.

Since rejecting the results of the 1990 elections and preventing the unicameral, 485-seat People's Assembly from convening, the junta has all but paralyzed the victorious NLD party. Authorities have jailed many NLD leaders, pressured thousands of members to resign, closed party offices, harassed members' families, and periodically detained supporters to block planned meetings. Hundreds of NLD members were arrested for their participation in the 2007 protest movement. Besides the NLD, there are more than 20 ethnic political parties that remain suppressed by the junta. In November 2008, about 40 dissidents, including 14 members of the 88 Generation Students, were each sentenced to 65 years in prison.

The May 2008 constitutional referendum was not free or fair. The preelection period was marked by voter-list manipulation as well as intimidation aimed at opposition campaigners. Voters reported being required to print identifying information on their ballots and being watched by officials as they voted. The SPDC did little to promote public awareness about the contents of the draft constitution and banned public debate. The draft was not translated into any minority language. The junta also forbade international observers and failed to create an independent election committee.

In a system that lacks both transparency and accountability, official corruption is rampant at both the national and local levels. Transparency International gave Burma, along with Iraq, the second-to-worst ranking out of 180 countries surveyed in its 2008 Corruption Perceptions Index.

The military government sharply restricts press freedom and either owns or tightly controls all daily newspapers and broadcast media. Although the market for private publications is growing, the military subjects private periodicals to prepublication censorship and restricts the importation of foreign periodicals. Crackdowns on the media continued in 2008. The number of imprisoned journalists and bloggers rose from nine at the beginning of the year, to 14 at year's end. The censorship board suspended one magazine for printing a story without permission and shut down another. The junta stepped up surveillance at internet cafes and sharply raised the fees for satellite dish licenses. Outspoken critics of the referendum were threatened or arrested. In April about 60 people were arrested in Rakhine state for wearing "vote no" T-shirts. After the cyclone, journalists were forbidden to enter damaged areas, publish close-up pictures of corpses, or report unofficial death tolls. Artists, writers, and filmmakers were also persecuted during 2008. On the first anniversary of the 2007 protests, the junta released nine prisoners of conscience, including journalist U Win Tin, Burma's longest-serving political prisoner. At the

same time, three Burmese news agencies in exile came under cyber-attack. In November, the junta sentenced several journalists to harsh prison terms ranging from seven to 20 years.

The 2008 constitution provides for freedom of religion. It distinguishes Buddhism as the majority religion but also recognizes Christianity, Islam, Hinduism, and animism. According to the U.S. State Department, the government at times interferes with religious assemblies and discriminates against minority religious groups. During the crackdown on the 2007 uprising, authorities raided monasteries and arrested thousands of monks, and those detained were reportedly abused and forcibly defrocked. Monasteries were subsequently kept under close surveillance.

Academic freedom is severely limited. Teachers are subject to restrictions on freedom of expression and publication and are held accountable for the political activities of their students. Since the 1988 student prodemocracy demonstrations, the junta has sporadically closed universities, and most campuses have been relocated to relatively isolated areas to disperse the student population.

Freedoms of association and assembly are restricted. Unauthorized outdoor gatherings of more than five people are banned, and authorities regularly use force to break up or prevent demonstrations and meetings. During the fall 2007 protests, the government imposed curfews and beat or arrested thousands of peaceful protesters. Many are thought to have been killed in the crackdown.

Some public-sector employees and ordinary citizens are compelled to join the USDA. Domestic human rights organizations are unable to function independently, and the regime generally dismisses scrutiny of its human rights record. International humanitarian efforts have expanded but face severe restrictions. Many small NGOs provide social services in remote areas but also face threats to their activities.

Independent trade unions, collective bargaining, and strikes are illegal, and several labor activists are serving long prison terms. The regime continues to use forced labor despite formally banning the practice in 2000. Laborers are commandeered to construct roads, clear minefields, porter for the army, or work on military-backed commercial ventures. The practice appears to be most common in states populated by ethnic minorities. After Cyclone Nargis struck in May 2008, there were numerous reports of storm victims being used as forced labor. In February 2007, the regime pledged to allow victims of forced labor to submit complaints to local offices of the International Labor Organization (ILO) without fear of retaliation. However, in 2008 a number of people who had attempted to do so remained in detention, and members of the ILO liaison network, consisting of human rights and labor activists from all over Burma, continued to face arrest and harassment.

The judiciary is not independent. Judges are appointed or approved by the junta and adjudicate cases according to its decrees. Administrative detention laws allow people to be held without charge, trial, or access to legal counsel for up to five years if the SPDC concludes they have threatened the state's security or sovereignty. Some basic due process rights are reportedly observed in ordinary criminal cases, but not in political cases, according to the U.S. State Department's 2008 human rights report. In May 2008, the junta extended the detention of Aung San Suu Kyi, who had served 13 of the past 19 years under house arrest with no charges. The frequently used Decree 5/96, issued in 1996, authorizes prison terms of up to 20 years for aiding activities "which adversely affect the national interest." The Assistance Association for Political Prisoners of Burma (AAPPB) and Amnesty International estimate that the number of political prisoners increased from 1,192 in August 2007 to 2,123 in September 2008. Among those, 700

to 900 were arrested for participation in the 2007 uprising. Political prisoners are frequently held incommunicado in pretrial detention, facilitating torture. Since the end of 2005, the International Committee of the Red Cross (ICRC) has been barred from conducting independent visits to prison facilities. In April 2008, authorities in Rangoon's Insein prison enacted regulations denying visitations rights for non-family members, effectively putting an end to nongovernmental programs providing food and other aid to inmates. Conditions at Insein prison have worsened since prison guards shot and killed 36 inmates during the panic associated with Cyclone Nargis's landfall.

Some of the worst human rights abuses take place in the seven states populated mostly by ethnic minorities, who comprise roughly 35 percent of Burma's population. In these border states, the military kills, beats, rapes, and arbitrarily detains civilians. The Chin, Karen, and Rohingya minorities are frequent victims. According to a March 2007 report released by the Women's League of Chinland, Burmese soldiers rape and beat Chin women with impunity and are promised 100,000 kyat (\$16,000) for marrying Chin women as part of a strategy of "Burmanization." The majority of Rohingya are denied citizenship and face severe restrictions on their freedom of movement, their right to own land, and their ability to marry. However, the Office of the UN High Commissioner for Refugees estimates that 35,000 temporary registration cards were issued to Rohingya in 2007 and additional 48,000 were issued between January and May 2008.

Seventeen rebel groups have signed ceasefire deals with the junta since 1989, under which they retain effective administrative autonomy and their own militias. However, the Karen National Liberation Army and at least five other groups maintain low-grade insurgencies. Some rebel armies have reportedly displaced villagers, used forced labor, and recruited child soldiers. A renewed government offensive in Karen state in 2005 has continued through 2008, displacing some 40,000 Karen. Several reports have accused the military of targeting civilians and destroying food supplies. Tens of thousands of ethnic minorities in Shan, Karenni, Karen, and Mon states live in squalid and ill-equipped relocation centers set up by the military. In addition, according to Refugees International, several million Burmese have fled to neighboring countries. Thailand hosts at least 150,000 Karen, Mon, and Karenni in refugee camps near the border, as well as hundreds of thousands more who have not been granted refugee status. An estimated 26,000 Rohingya live in refugee camps in Bangladesh.

Burmese women have traditionally enjoyed high social and economic status, but domestic violence is a growing concern, and women remain underrepresented in the government and civil service. Several 2007 reports by the Women's League of Burma (WLB) detailed an ongoing nationwide pattern of sexual violence—including rape, sexual slavery, and forced marriage—against women by military personnel and other authorities. In 2008 the WLB called for the generals to be taken to the International Criminal Court for the systematic use of rape as a weapon against ethnic minorities. Criminal gangs have in recent years trafficked thousands of women and girls, many from minority groups, to Thailand and other destinations for prostitution, according to reports by Human Rights Watch and other organizations. The Coalition to Stop the Use of Child Soldiers named Burma as the most persistent user of child soldiers in 2008.