



Written by [Angeline Tan](#) on September 30, 2022

Myanmar Sentences Ousted Leader Aung San Suu Kyi to Three Years, On Top of 20-year Sentence

SINGAPORE — On September 29, ousted Myanmar leader Aung San Suu Kyi was sentenced by the incumbent junta to prison for three years for violating Myanmar's Official Secrets Act.

This latest sentencing is an addition to the current 20 years' jail time Suu Kyi is serving for other offenses such as corruption, electoral fraud, and breaching Covid-19 government restrictions. These charges are generally believed by critics of the junta to be devised to halt Suu Kyi's political career.

The combined maximum sentences for such alleged charges exceed 190 years. Suu Kyi's alleged violation of Section 3(1)(c) of the nearly 100-year-old [Official Secrets Act](#) carries a maximum prison sentence of 14 years. This statute outlaws the possession, collection, recording, publishing, or sharing of state information that is "directly or indirectly useful to an enemy."

Suu Kyi, 76, has been held in custody since the military took over Myanmar in February of 2021. The military seized power to prevent Suu Kyi's National League for Democracy (NLD) party from forming a new government after the election, which it claimed had instances of fraud that had not been investigated. Suu Kyi's NLD won the 2015 and 2020 elections. In response, the NLD has dismissed accusations of fraud and said it won fairly.

In June 2022, authorities transferred Suu Kyi to solitary confinement in a prison in the capital Naypyidaw from a confidential location. Thus far, Suu Kyi's trials have been conducted with limited media attention in Naypyidaw. Moreover, the junta has made limited statements regarding the trial. Additionally, Suu Kyi's lawyers have had a gag order imposed on them. Yet the junta has claimed that Myanmar's courts are independent and that Suu Kyi is being given due process in her trial proceedings.

Earlier this month, a junta-backed court also ruled Suu Kyi guilty of electoral fraud in the November 2020 general election that the NLD won with a stunning legislative majority, defeating the party created by the military.

A source familiar with the proceedings, who declined to be identified as people involved were prohibited from speaking to media, revealed that it was the first time hard labor had been meted out in Suu Kyi's sentencing and was uncertain about details pertaining to what the hard labor would entail.

The same source disclosed that Suu Kyi's co-defendant, Win Myint, the deposed president, received the same sentence.



AP Images
Aung San Suu Kyi



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Former inmates divulged to Reuters the grim conditions in some Myanmar jails. Additionally, there have been media reports of shackling and hard labor in quarries at some prison facilities in recent years.

An official at the Assistance Association for Political Prisoners, an activist group that tracks detentions, previously remarked that Suu Kyi's sentence of hard labor was unexpected, as it would imply fraternizing with other inmates.

This official also added that laws regarding Myanmar prisons stated that the elderly or people in poor health should be spared such labor.

In August 2022, the globalist EU foreign policy chief Josep Borrell denounced [a Myanmar court's "unjust" sentencing of Aung San Suu Kyi to six years for corruption](#), demanding her immediate release. Back then, the junta deemed Suu Kyi guilty of four corruption charges linked to a charity named after her late mother, based on people acquainted with the matter who spoke on condition of anonymity as the proceedings were not public.

"I condemn the unjust sentence of Aung San Suu Kyi to an additional six years of detention," Borrell said on Twitter, urging the Myanmar regime to "immediately and unconditionally release her."

Suu Kyi's former economic advisor Sean Turnell, as well as three of her former Cabinet members — Kyaw Win, Soe Win, and Set Aung — also received a three-year prison term each for breaking Myanmar's Official Secrets Act on September 29.

Turnell, an Australian economist from Australia's Macquarie University, was sentenced to another three years' jail for breaching Section 13(1) of Myanmar's Immigration Act, which pertains to unlawful overstay or entry to the country. The sentence was ordered to run simultaneously with his first. Turnell was detained briefly after the coup and incriminated with possessing confidential documents. The defendant dismissed the allegation.

Meanwhile, Turnell's wife appealed for clemency to be granted, lamenting that his imprisonment in Myanmar is "heartbreaking" for his whole family.

"It's heartbreaking for me, our daughter, Sean's 85-year-old father and the rest of our family," Ha Vu said in a statement.

"My husband has already been in a Myanmar prison for almost two-thirds of his sentence. Please consider the contributions that he has made to Myanmar, and deport him now."

Like others put on trial by Myanmar's junta, Turnell was tried under hush-hush conditions, with his lawyers disallowed from commenting to the media.

"It's terrible news but hopefully it also opens up the possibility of the next step ... for his return home," former Australian ambassador to Myanmar Nicholas Coppel told *Myanmar Now* on Thursday. "With the trial out of the way, the military regime will now be wondering what next to do with Sean [Turnell]. In previous cases, foreigners have been convicted and then pardoned or deported fairly quickly. I think that's the best we can now hope for in the case of Sean."

Australian Foreign Minister Penny Wong lambasted the ruling against Turnell, as he was tried in a closed court with no consular access.

Canberra will "advocate strongly" for Turnell until he is returned to his family, Wong said.

"The Australian government rejects today's court ruling ... and calls for his immediate release," she



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added.

Elaine Pearson, Asia director at advocacy group Human Rights Watch, remarked, “The junta’s willingness to pile sentences on Aung San Suu Kyi, along with the Australian economist Sean Turnell and three of her ministers, show that Myanmar’s military has no qualms about their international pariah status.”

“Concerned governments should take this as a clear signal that they need to take concerted action against the junta if they are going to turn the human rights situation around in the country.”

Turnell is among several foreign nationals who have been held in custody and charged by the junta since the 2021 coup.

On September 2 this year, former British ambassador Vicky Bowman had a jail sentence of one year meted out to her as she was accused of violating immigration laws. Bowman and her husband, Myanmar artist Htein Lin, were detained in August in Yangon after returning from their home in Shan state. Prosecutors charged Bowman with the offense of failing to register a change of residential address.

American journalist Danny Fenster was convicted in May 2021, and sentenced in November to 11 years in prison for incitement and breaching Myanmar’s laws on immigration and unlawful associations. Days after his sentencing, Fenster was released and deported.

Japanese freelance journalist Yuki Kitazumi was arrested in April 2021 and accused of spreading fake news. Yet Kitazumi was freed in May that year, a decision that the junta-controlled media claimed was made “in consideration of cordial relations between Myanmar and Japan up to now and in view of future bilateral relations, and upon the request of the Japanese government special envoy on Myanmar’s national reconciliation.”

Meanwhile, Myanmar’s junta plans to hold fresh polls in 2023.

Nonetheless, it has to deal with resistance from new armed groups that have arisen in response to the coup. The rival National Unity Government, comprising deposed parliamentarians and allied groups, alleges that the junta now controls only half the country.

The number of people detained by the junta since the coup now exceeds 12,000, based on reports from the Assistance Association for Political Prisoners. At least 2,300 people have been killed.



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