

EXTERNAL (for general distribution)

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Further information on UA 361/90 (ASA 16/17/90, 11 September 1990) - Legal Concern/Fear of Torture

MYANMAR (BURMA):

Kyi Maung
Chit Kaing
Ohn Kyaing alias U Ohn Kyaing
Thein Dan alias U Thein Dan,
Ye Myint Aung
Sein Hla Aung

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According to an official statement by spokesmen of the military State Law and Order Restoration Council (SLORC), Ohn Kyaing and Thein Dan, two of the four leaders of the National League for Democracy (NLD) arrested in Mandalay in central Myanmar on 8 August 1990, have been sentenced to seven years' imprisonment by a military tribunal. The 19 October 1990 statement said that Ohn Kyaing and Thein Dan were imprisoned for "inciting unrest", including writing what the spokesmen described as "false reports about the unrest which occurred in Mandalay on 8 August". According to unofficial reports, the two men were sentenced on 17 October after a summary trial held inside Insein Prison, Myanmar's main jail. Summary trials by Myanmar military tribunals are conducted according to procedures that fall far short of international standards for fairness.

According to unofficial reports, Kyi Maung, Chit Kaing, Ye Myint Aung and Sein Hla Aung are still detained pending trial.

Amnesty International remains concerned that all six prisoners appear to be imprisoned solely for the peaceful exercise of their rights to freedom of expression and assembly.

Ohn Kyaing was a member of the NLD Central Executive Committee and reportedly the leader of the NLD party branch in Mandalay Division. He is believed to have been a prominent advocate of a quick transfer of power from the SLORC, which seized power in a coup d'etat in September 1988, to the NLD, which swept national elections held in May 1990. Thein Dan was a member of the NLD Mandalay Division Organising Committee.

Ohn Kyaing and Thein Dan are believed to have been arrested for distributing leaflets describing the security force's suppression of an anti-SLORC demonstration in Mandalay on 8 August 1990. The originally non-violent demonstration protested earlier killings of demonstrators by security forces and continued military rule despite the NLD election victory. The SLORC claims demonstrators refused to obey orders "not to create unrest", and that in the ensuing violence three security unit members and one Buddhist

monk were injured. Unofficial reports have persistently alleged that as many as four demonstrators were fatally injured by gunfire or beatings. Amnesty International has obtained a list of two dozen monks who were allegedly shot, beaten or arrested during the incident and remains concerned about fears that some of them may have died. (For further information see UA 327/90, ASA 16/13/90 of 9 August 1990 and UA 445, ASA 16/31/90 of 2 November).

The sentencing of Ohn Kyaing and Thein Dan has been followed since 22 October by a new round of suppression by the SLORC of opposition to its continued rule. Hundreds of Buddhist monks and dozens of NLD and other civilian political leaders and students have reportedly been arrested. The arrests of monks are aimed at ending a movement they launched to protest the security forces' behaviour in suppressing the 8 August demonstration in Mandalay. The new arrests of leaders of the NLD and other political and student groups came after security forces searched their offices, apparently looking for evidence to link them with the monks' protest movement. (For further information see UAs 440/90, ASA 16/29/90 and 441/90, ASA 16/30/90, both dated 1 November 1990).

RECOMMENDED ACTION: Telegrams/telexes/faxes/express and airmail letters:

- expressing concern that Ohn Kyaing, Thein Dan, Kyi Maung, Chit Kaing, Ye Myint Aung and Sein Hla Aung appear to be imprisoned solely for the peaceful exercise of their rights to freedom of expression and assembly;

- urging that their cases be promptly reviewed; and that they be released immediately and unconditionally if they are held solely for peaceful exercise of their rights to freedom of expression and assembly;

- urging that their treatment in detention conform to international standards and that they be given access to their families and lawyers of their own choice.

APPEALS TO:

Gen Saw Maung
Chairman
State Law and Order Restoration Council
Yangon, Union of Myanmar

Telegrams: General Saw Maung, Yangon, Myanmar

Telexes: 21316 MILPRO BM

Faxes: + 95 1 2 2950 (via Ministry of Foreign Affairs)

Maj Gen Khin Nyunt
First Secretary
State Law and Order Restoration Council
c/o Ministry of Defence
Yangon, Union of Myanmar

Telegrams: Major Gen Khin Nyunt, SLORC, Yangon, Myanmar

Telexes: 21316 MILPRO BM

Faxes: + 95 1 2 2950 (via Ministry of Foreign Affairs)

COPIES TO:

Gen (ret) U Ne Win
1 Maykha (Ady) Road
Myangon
Yangon, Union of Myanmar

and to diplomatic representatives of Myanmar (Burma) to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 17 December 1990.