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## MYANMAR Appeal Cases



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September 1996  
AI Index: ASA 16/37/96  
Distr: SC/CO

INTERNATIONAL SECRETARIAT, 1 EASTON STREET, LONDON WC1X 8DJ, UNITED KINGDOM

## MYANMAR

### SAN SAN NWE: JOURNALIST AND WRITER SENTENCED TO 7 YEARS IMPRISONMENT

Daw San San Nwe, a 51-year-old journalist and well-known writer, was arrested on 4 or 5 August 1994 in Yangon. A widow with four children, she was arrested with her daughter Ma Myat Mo Mo Tun and two other political leaders. According to the State Law and Order Restoration Council (SLORC, Myanmar's military government), the four were detained for passing on information to foreign journalists and diplomats "against or critical of the government in order to make foreign governments misunderstand the government." They were also accused of sending information to the United Nations Special Rapporteur for human rights on Myanmar.

Daw San San Nwe was sentenced on 6 October 1994 to seven years' imprisonment under Section 5(e) of the 1950 Emergency Provisions Act (for spreading false information) and three years under Section 17(1) of the Unlawful Associations Act (membership or contact with illegal organizations). However Amnesty International believes that she is a prisoner of conscience, imprisoned solely for exercising her rights to freedom of expression and assembly. Daw San San Nwe had been arrested previously in July 1989 during a nationwide crackdown by the military of the political opposition. She is a member of the National League for Democracy

(NLD), Myanmar's foremost opposition party founded by Daw Aung San Suu Kyi in 1988. Her writing has been banned in Myanmar since the beginning of the 1988 democracy movement. All publications are heavily censored there, and the government controls most of the media. However, one of her banned short stories was featured in a book entitled *"Inked Over, Ripped Out, Burmese Storytellers and the Censors"*, which was published by the PEN American Center in 1993.

In March 1993 Daw San San Nwe made this comment about her role as a writer:

*"I believe that it is not the duty of a writer to take part personally in political battles; it is my conviction that a writer discharges his or her duty simply by observing and putting on record the rights and wrongs, the justices and injustices that result from these battles."*

Once democracy was established in Myanmar, Daw San San Nwe had planned to resign from the NLD in order to take an independent stand as a writer. However, because of a lack of progress towards democracy, she felt that she must continue to work on behalf of the party.

She was born on 28 August 1945 in the town of Tha-ya-wadi, about 50 miles north of Yangon, and took *Tha-ya-wadi* as her pen name. She began her career at 13 when she wrote poems and stories for *The Children's Journal*. She also wrote for newspapers when she was a teenager, and later married another journalist in 1966 and moved to Yangon. Her first novel was written in 1974, but it was her third novel *Prison of Darkness*, critical of the ruling party's policies, which created interest among the general public and politicians.

Please call for the *immediate and unconditional release* of Daw San San Nwe, and all other prisoners of conscience in Myanmar.

Write to:

General Than Shwe	Lt General Khin Nyunt
Chairman	Secretary 1
State Law and Order Restoration Council	State Law and Order Restoration Council
c/o Ministry of Defence	c/o Ministry of Defence
Signal Pagoda Road	Signal Pagoda Road
Yangon	Yangon
Union of Myanmar	Union of Myanmar

- Send copies of some of your letters to the Myanmar Embassy in your country, or, if there is no Embassy, to:

His Excellency Ohn Gyaw  
Minister of Foreign Affairs  
Ministry of Foreign Affairs  
Yangon  
Union of Myanmar

## MYANMAR

### WIN TIN: JOURNALIST SERVING A 19 YEAR PRISON SENTENCE

Win Tin, a 66-year-old prominent journalist, was arrested on 4 July 1989 during a nationwide crackdown on the opposition by the ruling military authorities, the State Law and Order Restoration Council (SLORC). He was originally accused of influencing and guiding Daw Aung San Suu Kyi when the National League for Democracy (NLD), Myanmar's largest opposition party, was founded by her and others in 1988. He was also accused of being a leftist politician who urged the NLD to adopt a civil disobedience campaign against martial law in 1989. Win Tin was believed to have cited the works of the philosopher Henry David Thoreau and the example of Mahatma Gandhi. He was an original Central Executive Committee member of the NLD, and a close associate of Daw Aung San Suu Kyi.

He was initially charged with a criminal offence and sentenced to three years' hard labour in October 1989. In light of the SLORC's allegations that he was guilty of political offences, Amnesty International believes that the criminal charges were used as a pretext to imprison him. In June 1992 - just a few months before completing this prison sentence - he was sentenced to an additional 11 years under the 1950 Emergency Provisions Act, which is widely used by the

SLORC to sentence political detainees to long terms of imprisonment. Amnesty International believes that Win Tin is a prisoner of conscience, imprisoned solely for peacefully exercising his rights to freedom of expression and assembly.

A former newspaper editor, Win Tin was Vice Chairman of the Writers' Association for a brief time in 1988 when it was possible to form independent associations. He was also active in forming trade union newspapers. Win Tin received a Bachelor of Arts degree in English literature, Modern History, and Political Science from Yangon University in 1953. He was also a consultant with the *Djambartan* publishing company of the Netherlands from 1954 to 1957, and has travelled widely in Western Europe and Asia.

Win Tin has been in poor health for several years; he suffers from spondylitis, an inflammation of the vertebrae. He has also lost several teeth and requires dental treatment. Win Tin is dependent on his family for medicine and meat, which he needs for his medical condition.

In mid November 1995 he and a group of other NLD political prisoners were placed in military dog cells, small prison cells normally used for dogs. They were also made to sleep on cold concrete floors and could not receive visits from their families. Prisoners' families normally give them food and medicine to supplement the inadequate prison provisions. Prison officials were evidently punishing the group for allegedly having passed on a letter describing poor prison conditions to the UN Special Rapporteur for Human Rights in Myanmar. In early January they were moved from the police dog cells to larger solitary confinement cells. All of them were brought to

trial in the prison without being allowed any legal representation. On 28 March 1996 U Win Tin and 20 others were sentenced under Section 5j of the 1950 Emergency Provisions Act and under a Section of the Myanmar Penal Code relating to misappropriation of state property. It is not known why these charges were brought against them. U Win Tin received an additional five year prison term.

Amnesty International believes that U Win Tin and the others were sentenced solely for exercising their rights to "contact with the outside world" as provided for in Articles 37 and 39 of the UN Standard Minimum Rules for the Treatment of Prisoners. Amnesty International remains gravely concerned for the health of U Win Tin.

**•Please call for the *immediate and unconditional release* of U Win Tin. At the same time express concern for his health and urge that he be provided with all the medical care that he needs, and that he be detained under conditions conforming to minimum international standards.**

Write to:

General Than Shwe  
Chairman  
State Law and Order Restoration Council  
c/o Ministry of Defence  
Signal Pagoda Road  
Yangon  
Union of Myanmar

Lt General Khin Nyunt  
Secretary 1  
State Law and Order Restoration Council  
c/o Ministry of Defence  
Signal Pagoda Road  
Yangon  
Union of Myanmar

•Send copies of some of your letters to the Myanmar Embassy in your country, or to:

His Excellency Ohn Gyaw  
Minister of Foreign Affairs  
Ministry of Foreign Affairs  
Yangon  
Union of Myanmar

## MYANMAR

### MA THIDA: SURGEON AND WRITER SENTENCED TO 20 YEARS IMPRISONMENT

Dr Ma Thida, a surgeon and well-known writer, was arrested in July 1993 together with a number of other members of the National League for Democracy (NLD). Prominent amongst Myanmar's political opposition, she had earlier been a campaign assistant for Daw Aung San Suu Kyi, one of the leaders of the NLD. In October 1993 she was sentenced to 20 years' imprisonment and remains in solitary confinement in Insein Prison, Yangon (Rangoon, the capital), where she has been suffering from health problems.

Between March and September 1988, widespread civil unrest broke out in Myanmar as mass demonstrations were held to call for an end to 26 years of one-party military rule. Although the demonstrations were put down by the army, often violently, the pro-democracy movement grew and demonstrations continued for several months until a final crackdown by the security forces. The army reasserted military control in September 1988 through the newly-formed State Law and Order Restoration Council (SLORC). In May 1990 the NLD won over 80% of the seats in a general election, but

the SLORC has refused to accept the result and remains in power today.

Dr Ma Thida and the others arrested with her were held incommunicado before being brought to trial. The first attempt to start the trial had to be postponed because large crowds gathered at the courtroom. The trial finally began on 27 September. Dr Ma Thida and the 10 other defendants were charged with endangering public tranquillity under Section 5j of the 1950 Emergency Provisions Act, having contact with unlawful associations under Section 17(1) of the 1908 Unlawful Associations Act, and distributing unlawful literature under Sections 17 and 20 of the 1962 Printers and Publishers Registration Act. Amnesty International believes that the vaguely-worded provisions of these laws have been used to sentence Dr Ma Thida and the others to long terms of imprisonment solely for their peaceful political opposition activities. All defendants were sentenced to 20 years' imprisonment on 15 October 1993.

At the time of her arrest Dr Ma Thida was working at the Muslim Free Hospital in Yangon. She had written many short stories, as well as several novels, none of which have been published. Although she was given official permission to publish her latest novel, this has now been banned.

Dr Ma Thida has suffered from poor health since her detention, including digestive problems, tuberculosis and ovarian tumours which may require surgery. Although she is reported to have recovered from tuberculosis, Amnesty International remains concerned that she is not receiving the adequate treatment that she needs - provision of medical treatment in

Insein Prison is negligible. She is held in solitary confinement and has no access to reading or writing materials.

**•Please call for the *immediate and unconditional release* of Dr Ma Thida. At the same time, urge that she be provided with all the medical care she needs which she remains in detention.  
Write to:**

General Than Shwe  
Chairman  
State Law and Order Restoration Council  
c/o Ministry of Defence  
Signal Pagoda Road  
Yangon  
Union of Myanmar

Lt General Khin Nyunt  
Secretary 1  
State Law and Order Restoration Council  
C/o Ministry of Defence  
Signal Pagoda Road  
Yangon  
Union of Myanmar

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Ministry of Foreign Affairs  
Yangon  
Union of Myanmar

# MYANMAR

## U KAWEINDA: PRISONER OF CONSCIENCE

U Kaweinda, a prominent Buddhist monk in his early 40s, was arrested on 23 June 1989 in Mandalay, Myanmar's second largest city, after distributing leaflets along with a group of youths urging people to stage demonstrations. The group was flying the fighting peacock banner, a symbol of Myanmar's independence struggle, which has been adopted by students and others to represent the democracy movement. According to the official media, the group wanted to "*hamper efforts to establish a multi-party democratic system...*". U Kaweinda was also said to be the "*leader fomenting unrest and distributing anti-government papers*". Amnesty International believes that U Kaweinda is a prisoner of conscience, imprisoned solely for the peaceful exercise of his rights to freedom of expression and assembly.

In March 1988 demonstrations protesting 26 years of one-party military rule broke out in Myanmar, and in August hundreds of people were shot dead by the security forces during further demonstrations. During this time U Kaweinda was the Chairman of the All-Mandalay Strike Front, which was formed on 20 August 1988 and which virtually administered the city for a few months. The All Mandalay Strike Front later became a legally-registered political party called the National Politics Front (NPF). The NPF and dozens of other legally registered political parties were subsequently banned by the government.

After his arrest in 1989, U Kaweinda was sentenced to seven years' imprisonment on unknown charges. Unofficial sources reported that he was severely beaten in prison after his arrest, and that he was transferred to the closed ward of a monks' hospital where he was in a very bad condition. He subsequently disappeared and there were unofficial reports that he had died as a result of his injuries. Later information indicated that he was in fact still alive. In August 1990 he was sentenced to an additional 20 years' imprisonment, again on unknown charges. U Kaweinda, whose health has improved, is believed to remain in Mandalay Prison.

Since 1988 Buddhist monks have played a significant role as leaders of protests against policies of the military authorities. Dozens of monks were arrested for their involvement in the 1988 protests, and a number were reportedly shot dead by the security forces. In 1990 monks began a boycott of military personnel and their families after troops opened fire on peaceful demonstrators in Mandalay on 8 August that year. The demonstration marked the second anniversary of the date when hundreds of Burmese citizens were shot dead by the security forces. After the 1990 demonstration, thousands of monks in Mandalay and Yangon refused to provide services or accept alms from members of the military and their families. The boycott was suppressed in October when troops raided monasteries and arrested hundreds of monks. In a further effort to control the monks, on 31 October the ruling authorities promulgated a new decree, No 20/90, which provides for the imprisonment of up to three years for monks who are members of unofficial monastic organizations or who criticize official monks' organizations.



Scores of Buddhist monks are believed to remain in prison, where they have been disrobed and regarded by the state as ordinary civilians.

•Please call for the *immediate and unconditional release* of U Kaweinda.

Write to:

General Than Shwe  
Chairman  
State Law and Order Restoration Council  
c/o Ministry of Defence  
Signal Pagoda Road  
Yangon  
Union of Myanmar

Lt General Khin Nyunt  
Secretary 1  
State Law and Order Restoration Council  
c/o Ministry of Defence  
Signal Pagoda Road  
Yangon  
Union of Myanmar

Lt General Myo Nyunt  
Minister of Religious Affairs  
Ministers' Office  
Yangon  
Union of Myanmar

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Ministry of Foreign Affairs  
Yangon  
Union of Myanmar

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## 75 BUDDHIST MONKS IMPRISONED

In March 1988 demonstrations protesting 26 years of one-party military rule broke out in Myanmar. In the following months Buddhist monks played a significant role as leaders of the protests against the policies of the military authorities. Dozens of monks were arrested, and a number were reportedly shot dead by security forces during violent suppression of the demonstrations. On 8 August 1990 monks were part of a demonstration in Mandalay to mark the second anniversary of the date when hundreds of Burmese citizens were shot dead by security forces. Troops again opened fire and dozens of monks were reportedly wounded and beaten. After the 1990 demonstration, thousands of monks in Mandalay and Yangon began a peaceful protest. The protest involved a boycott of religious ceremonies for the military and their families, with monks refusing to provide services or accept alms from them, thus depriving them of the means to earn merit. The military took steps to break the protest by raiding monasteries and arresting hundreds of monks. Despite repeated requests for information about these monks, Amnesty International has received no response from the ruling military authorities, the State Law and Order Restoration Council. Amnesty International believes that the 75 monks named below, arrested in October and November 1990, may be prisoners of conscience arrested solely for exercising their right to freedom of expression and association.

**AWTHA DATHARA** (Aye Kyaw);  
**SHIN AWBATHA** (Myint Maung);  
**SHIN GUNAWARA** (Khin Saung);  
**SHIN KALYANA** (Kyaw San U);  
**SHIN MANITA** (Maung Myint);  
**SHIN PANDITA** (Moe Kye);  
**SHIN PINYABALA** (Tin Moe);  
**SHIN THAGALLA**;  
**SHIN WAYPULLA** (Win Hlaing);  
**SHIN WITHUTA**;  
**SHIN ZAWANA** (Nyunt Way);  
**U AWBATHA** (Maung Myint);  
**U NANDAW BATHA**;  
**U KAWWIDA BIWUNTHA**  
(Maung Kyar);  
**U DHAMMA**;  
**U SAN DANNA** (Kyaw Aye);  
**U EINDAKA** (Aung Htun);  
**U EINDAKA** (Aung Myint);  
**U EINDAKA** (Ba San);  
**U EINDASARA** (Punya);  
**U GONITHARA** (Khin Maung San);  
**U KAUNDANYA** (Kyaw Hswe);  
**U KAYLATHA** (Mya Maung);  
**U KAYLATHA** (Ko Ko Lay);  
**U KAYMAINDA** (Kyi Hlaing);  
**U KAWTHALLA** (Kaung Pe);  
**U KO KAWTHANLA**;

**U KEISSARANA** (Kyaw Soe Moe);  
**U KUTHALA** (Kan Myint);  
**U LABA** (U Wayama);  
**U TI LAWKA** (Ko Gyi);  
**U NE MEINDA** (Htun Myint);  
**U THIRI MINGALA** (Tin Soe);  
**U KAYMA NANDA** (Kyaw Hswe  
Win);  
**U NANDATHARA** (Aye Lwin);  
**U NANDIMAR** (U Zaw Win);  
**U NYANNITA** (Soe Win Naing);  
**U PANDITA** (Maung Maung Thein);  
**U PANDITA** (Ba Maw);  
**U PANDITA** (Thaung Myint);  
**U PANDITA** (Thein Naing);  
**U PANNAWA** (Chit Mya);  
**U PINYATHAMI** (Myint Thu);  
**U PINYEINDA** (U Thaung);  
**U RAZANYA** (Maung Win);  
**U RAZEINDA** (Hla Chaw);  
**U SANDIMAR** (Nyunt Aung);  
**U SAREINDA** (Soe Tint);  
**U KHI MAR SARI**;  
**U AYE SEIKKA** (Yar Myint);  
**U PINYA SEIKKA** (U Tin Htun);  
**U TAYZEINDA** (Tin Hswe);  
**U THANWARA** (Thein Lwin);  
**U ZAWTI THARA** (Soe Naing);  
**U THATHANA** (Than Htun Aung);

**U THAWBANA** (Thet U);  
**U THILASARA** (Thet Htun);  
**U THITTLA** (Khin Maung Tint);  
**U THUMANA** (Maung Nyunt);  
**U WARATHAMI** (Yin Htun);  
**U KAW WIDA** (Kula);  
**U WILATHA** (Hla Htun);  
**U WIMALA** (Hla Win);  
**U WIMALA** (Hla Moe);  
**U WIRADA**;  
**U WITHODDA** (Kyaw Lin);  
**U WITHUTA** (Maung Shwe);  
**U NAGA WUNTA** (Maung Poe);  
**U DAMMA WORA** (Tin Maung  
Myint);  
**U YEWATA** (Hla Myint);  
**U ZALITA** (San Htwe);  
**U TAY ZANIWA** (Tint Lwin);  
**U ZAWTIKA** (Soe Ning); **U**  
**ZAWTIKA** (Maung Sein);  
**U ZAWTIKA**

**•Please express your concern about the arrest of the Buddhist monks named. Ask for information about the exact reason for their imprisonment, charges brought against them, whether they have been tried and sentenced, and where they are currently detained. Say that you believe that they should be released immediately and unconditionally if they are detained solely for peacefully exercising their rights to freedom of expression and association. Write to:**

General Than Shwe  
Chairman  
State Law and Order Restoration Council  
c/o Ministry of Defence  
Signal Pagoda Road  
Yangon  
Union of Myanmar

Lt General Khin Nyunt  
Secretary 1  
State Law and Order Restoration Council  
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Signal Pagoda Road  
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Lt General Myo Nyunt  
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