

EXTERNAL

AI Index: ASA 16/19/95

UA 189/95

Fear of ill-treatment / Legal concern 1 August 1995

MYANMARU Tun Shwe

U Thu Wai

U Htwe Myint, mid 60's

Amnesty International fears that the three men named above may be facing ill-treatment in detention. They have been sentenced to seven years' imprisonment, apparently after a summary trial, and Amnesty International is further concerned that the trial may not have conformed to international standards and that the three may be prisoners of conscience.

U Tun Shwe, a veteran politician, U Thu Wai, former Chairman of the now-defunct opposition Democracy Party, and U Htwe Myint, a long-time political activist, were sentenced after meeting regularly with resident foreigners.

U Htwe Myint, a Vice-Chairman of the Democracy Party, was previously arrested in September 1988, released and rearrested in February 1990. Adopted as a prisoner of conscience, he was released on 11 May 1992. U Thu Wai was arrested in January 1992 and released on the same day as U Htwe Myint. U Tun Shwe and U Thu Wai were rearrested on 1 or 2 June 1995 along with Tin U and Kyi Maung, two prominent opposition politicians who had been released in March 1995 after several years of imprisonment.

According to initial reports, all of them were released after questioning on 8 June. However, new information indicates that U Tun Shwe, U Thu Wai, and U Htwe Myint were rearrested in mid-June and taken to Insein Prison, Myanmar's largest detention facility, where they were apparently sentenced during a summary trial at the end of June. Amnesty International has no further details about why they were sentenced, but is concerned that their trial may have been unfair. The civilian judiciary is not independent in Myanmar and is subject to intimidation from the military.

Concern for the well-being of the three men is heightened by the fact that ill-treatment is common in Myanmar's detention centres. Conditions in Insein Prison do not meet international standards for the treatment of prisoners. Political prisoners are generally not given access to proper medical treatment and are sometimes held in solitary confinement.

Surveillance of real or imputed critics of the military government by Military Intelligence (MI) is pervasive in Myanmar, sometimes leading to arrest and imprisonment. Myanmar citizens who meet with foreigners are particularly vulnerable to such surveillance activities. Many political prisoners who are now free have been warned by the authorities not to become involved in politics, and are also watched by MI.

BACKGROUND INFORMATION

The State Law and Order Restoration Council (SLORC, Myanmar's military government) took power following the violent suppression of widespread pro-democracy demonstrations in 1988. Hundreds of people were killed during the military crackdown, and subsequently hundreds more were arrested and imprisoned in 1989. General elections held in 1990 resulted in an overwhelming victory for the National League for Democracy, the political party led by Daw Aung San Suu Kyi. However the SLORC refused to hand over power and has continued to rule by decree since 1988. The rights to freedom of expression and assembly

are severely curtailed in Myanmar, and anyone expressing opposition to the SLORC is at risk of arrest. Although over 2,000 prisoners have reportedly been released since April 1992, hundreds remain in prison.

RECOMMENDED ACTION: Please send telegrams/telexes/faxes/airmail letters in English or your own language:

- seeking assurances that the treatment of U Tun Shwe, U Thu Wai, and U Htwe Myint conforms to international standards, and that they be given access to their families, lawyers, and medical personnel.
- expressing concern at reports that the three were sentenced during a summary trial which may not have conformed to international standards;
- seeking clarification of the reasons for their prison sentences, and urging that, if they have been imprisoned solely for peacefully exercising their right to freedom of expression and association, they be immediately and unconditionally released.

APPEALS TO:

1) General Than Shwe, Chairman
State Law and Order Restoration Council
c/o Ministry of Defence, Signal Pagoda Road
Yangon (Rangoon), Union of Myanmar (Burma)
Telegrams: General Than Shwe, Yangon, Myanmar
Telexes: 21316
Salutation: Dear General

2) Lieutenant General Khin Nyunt, Secretary 1
State Law and Order Restoration Council
c/o Ministry of Defence, Signal Pagoda Road
Yangon (Rangoon), Union of Myanmar (Burma)
Telegrams: Lieutenant General Khin Nyunt, Yangon, Myanmar
Faxes: +95 1 229 50
Salutation: Dear General

COPIES TO: diplomatic representatives of Myanmar accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 16 September 1995.