

EXTERNAL

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Fear of torture / Legal concern

23 November 1995

MYANMARMaung Aye) representatives of the
Toe Aung) National League for Democracy
Myo Zaw) (NLD) Youth

Amnesty International fears that three young men arrested in Yangon on 18 November 1995 may be facing ill-treatment or torture in detention and may have been arrested solely for exercising their rights to freedom of expression and association.

All three are representatives of the National League for Democracy (NLD) Youth. Maung Aye represents Yangon (Rangoon) Division, Toe Aung represents Tanintharyi (Tennasserim) and Magway (Mergui) Divisions, and Myo Zaw represents Magway Division.

On 18 November, Daw Aung San Suu Kyi, leader of the NLD, addressed a large crowd outside her house. Such meetings have been held every weekend since Daw Aung San Suu Kyi's release from house arrest in July. However, for the first time, police officials were present and put up barbed-wire barricades to keep the road outside the house clear. As Daw Aung San Suu Kyi began to speak from the house gates, people in the crowd ignored the barricades and moved around them to get closer. Daw Aung San Suu Kyi asked for the barricades to be removed, but the police did not respond. Maung Aye, Toe Aung, Myo Zaw and one other person then tried to talk to the police in order to have the barricades removed. At the end of the meeting the four young people were arrested. The unnamed detainee was subsequently released.

On 19 November Maung Aye, Toe Aung and Myo Zaw were charged with allegedly assaulting police officials and preventing civil servants from carrying out their duties. The exact legislation used is not known, but according to unofficial sources, the allegations made against the three are exaggerated and are a pretext to detain political activists. All three were reportedly tried on 20 November but the outcome of the trial is not known.

Torture and ill-treatment is common in Myanmar both during interrogation and after sentencing. In addition, conditions in the country's prisons fall far short of international minimum standards, with lack of access to proper medical treatment, overcrowding, and insufficient food all concerns.

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, with hundreds more arrested and imprisoned in 1989. General elections held in 1990 resulted in an overwhelming victory for the NLD, the political party founded by Daw Aung San Suu Kyi. However the SLORC refused to hand over power and has continued to rule by decree since 1988. Freedom of expression, association and assembly are severely restricted in Myanmar, and anyone expressing opposition to the SLORC is at risk of arrest. Although over 2000 political prisoners have reportedly been released since April 1992, hundreds remain in prison. In the last 18 months, prisoners have been given long sentences for allegedly passing on information concerning the human rights situation in Myanmar to foreign groups and individuals.

In a press conference at her home on 22 November, Daw Aung San Suu Kyi said that the NLD had not yet decided whether to boycott or to attend the National Convention which is due to be reconvened on 28 November. The National Convention was convened by the SLORC in January 1993 in order to agree the basic principles for a new constitution. In an NLD statement, Daw Aung San Suu Kyi is reported as saying that "If the National Convention continues in its present form it cannot assist in achieving national reconciliation, genuine multi-party democracy, or a state constitution that enjoys the support and confidence of the people."

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

- seeking assurances that the treatment of Maung Aye, Toe Aung and Myo Zaw conforms to international standards and that they are being given proper access to family, lawyers of their own choice and medical personnel;
- seeking information about the whereabouts of the three young men, the exact charges against them, and prison sentences imposed;
- urging that if they have been arrested solely for exercising their rights to freedom of expression and association, they should be immediately and unconditionally released.

APPEALS TO:

1. Senior General Than Shwe, Chairman
State Law and Order Restoration Council
c/o Ministry of Defence, Signal Pagoda Road
Yangon, Union of Myanmar
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, Union of Myanmar
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 8 January 1996.