

PUBLIC

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29 September 2006

UA 261/06 Fear of torture/ arbitrary detention/ medical concern

MYANMAR U Htay Kywe (m), aged about 41
Tun (alias Min Ko Naing) (m), aged 43

Ko Ko Gyi (m), aged 44

Paw U

The three former student leaders named above were detained by police Special Branch officers after dawn on 27 September. Amnesty International fears that they are at risk of torture and other cruel, inhuman or degrading treatment. They are reportedly held incommunicado without charge, in Special Branch offices and at the Ministry of Home Affairs, beyond the 24 hour period admissible under Myanmar law.

The group were reportedly taken from their homes hours before activities to mark the 18th anniversary of the founding of the opposition party National League of Democracy. The three were among the few remaining leading activists still at liberty in Myanmar, where the majority of senior opposition figures have been imprisoned on account of their peaceful exercise of basic rights. They are known to have health problems.

BACKGROUND INFORMATION U Htay Kywe, Ko Ko Gyi and Paw U Tun were student leaders during 1988 demonstrations against 26 years of military rule. Paw U Tun and Ko Ko Gyi were respectively chair and vice chair of the All Burma Federation of Student Unions. They were released in 2004 and 2005 respectively, after up to 15 years' imprisonment for their role in organizing peaceful student protests. All have had health problems during their detention, which included prolonged periods in solitary confinement. Since their release they have been subjected to heavy surveillance. Their movements have been reported on and criticized in the state-controlled press. The situation in Myanmar is scheduled to be discussed at the United Nations Security Council today. After Myanmar was placed on the Security Council's agenda a fortnight ago, the authorities alleged in the official press that opposition groups were involved in plots to cause unrest in the country.

Amnesty International has long-standing concerns at the deprivation of basic rights in detention. People are frequently arrested without warrant and held incommunicado. Torture and other forms of cruel, inhuman and degrading treatment are common in pre-trial detention. Proceedings against political detainees have failed to meet international standards for fair trial. Defendants are often denied the right to legal counsel or to legal counsel of their own choice. Prosecutors have relied on confessions extracted through torture.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English or your own language:

- expressing concern at reports that that U Htay Kywe, Ko Ko Gyi, and Paw U Tun aka Min Ko Naing have been arbitrarily detained and held incommunicado since the morning of 27 September;-- urging the authorities to release them immediately and unconditionally, unless they are to be charged with a recognisably criminal offence;- urging the authorities to ensure that, while they remain in custody, the three men are held only in an official place of detention, and are granted immediate access to lawyers, their families and any medical treatment they may require;

- calling on the authorities to ensure that all people in Myanmar are able to peacefully exercise the rights to freedom of expression, association and assembly without fear of harassment, intimidation or arbitrary detention, in line with international human rights standards.

APPEALS TO:

General Than Shwe Minister of Defence/Chairman of the State Peace and Development Council
c/o Ministry of Defence,
Ahlanpya Phaya Street,
Yangon,
Union of Myanmar

Salutation: Dear General

Foreign Minister Nyan Win
Ministry of Foreign Affairs
Pyay Court, Pyay Road,
Yangon
Union of Myanmar

Fax: +951 222950

Salutation: Dear Minister

Major General Maung Oo
Minister of Home Affairs and chairman of the Myanmar Human Rights Committee
Ministry of Home Affairs,
Corner of Saya San Street and No 1 Industrial Street,
Yankin Township, Yangon, Union of Myanmar

Salutation: Dear Major 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 10 November 2006.