

PUBLIC

AI Index: ASA 16/002/2005

UA 38/05

Fear of Torture

16 February 2005

MYANMAR

**Khun Tun Oo (m), chairman, Shan Nationalities League for Democracy (SNLD)
Sai Nyunt Lwin (m), SNLD secretary, aged 54
Sai Hla Aung (m), SNLD central Committee member
Sao Kyar Oo (m), SNLD member
U Myint Than (m), member of Shan New Generation Youth (political party)
General Hso Ten (m), chairman, Shan State Peace Council (SSPC)
U Shwe Ohn (m), aged 82, leader of the United Nationalities League for Democracy (a coalition of political parties representing ethnic minority groups in Myanmar), author and lawyer**

The seven political activists named above were arrested on 8 and 9 February.

They are all political representatives, most of them senior, of the ethnic minority Shan group, who are the largest ethnic minority in Myanmar. U Shwe Ohn was put under house arrest on 8 February. The others were arrested the following day: their whereabouts are not known.

The authorities have given no reason for the arrests, which are believed to be linked to the men's alleged participation in a meeting of opposition Shan opposition politicians on 7 February, and also to a forthcoming government-sponsored meeting to draft a new national constitution.

BACKGROUND INFORMATION

Myanmar's military government has been in power since 1962. After widespread protest against one-party rule, the authorities held elections in 1990. Opposition parties won a majority of seats, but the authorities delayed the transfer of power until a new constitution had been drafted. The constitution drafting process, which has been repeatedly delayed since the first meeting in 1993, recommenced in 2004.

A meeting to draft a new constitution, known as the National Convention, is scheduled to convene on 17 February. The Shan State Peace Council (SSPC) are among those scheduled to send delegates. They represent various ethnic Shan armed opposition groups who agreed ceasefires with the authorities during the 1990s, after decades of fighting for greater autonomy.

Opposition political parties including the Shan Nationalities League for Democracy (SNLD) and the National League for Democracy (NLD) have boycotted the Convention on the grounds that the authorities have restricted their political activities and imprisoned senior opposition political leaders, and that there has been a lack of democratic procedures and free speech at the Convention. During previous sessions of the Convention the authorities have sentenced opposition party members and political activists to long prison terms for commenting on the procedures of the Convention or communicating with delegates. U Shwe Ohn was arrested in December 1992 and sentenced to one year's imprisonment for writing and distributing an essay making suggestions to the National Convention about the new constitution. In the lead-up to recent sessions of the National Convention, members and leaders of opposition parties have been followed, interrogated, and intimidated for attempting to engage in legitimate and peaceful political activities. Some have been arrested for their non-violent protests, for example, calling for all political prisoners to be released.

There are more than 1,300 political prisoners in Myanmar, many of whom have been arrested for peaceful opposition political activities. The authorities frequently arrest political activists and members of opposition political parties. Political detainees are at risk of prolonged interrogation accompanied by torture and ill-

treatment, including deprivation of sleep, food and drink. They are also frequently held without access to the outside world, which puts them at greater risk of torture.

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

- expressing concern at the detention of the seven activists (naming them) and urging the authorities to either charge them with a recognizably criminal offence or release them immediately and unconditionally;
- urging the authorities to give them immediate access to lawyers, their families and any medical attention they may require, and to ensure that they are held in conditions which match international standards and are not subjected to torture or any other form of cruel, inhuman or degrading treatment;
- urging the authorities not to restrict or penalize the peaceful exercise of the right to freedom of expression and association.

APPEALS TO:

General Than Shwe
Chairman
State Peace and Development Council
Ministry of Defence
Dagon Post Office
Yangon, Myanmar

Salutation: Dear General

Lieutenant General Soe Win
Prime Minister
State Peace and Development Council
Ministry of Defence
Dagon Post Office
Yangon, Myanmar

Salutation: Dear Prime Minister

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 30 March 2005.