

EXTERNAL

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Date: 16 July 1996

### *MEDICAL CONCERN*

#### Death in custody of Léo Nichols MYANMAR

Amnesty International is concerned about the death in custody of James Leander Nichols, commonly known as Léo Nichols, who died on 22 June 1996 two months after his arrest. Léo Nichols was aged 65 and suffered from diabetes, hypertension and heart problems. Amnesty International is seeking clarification from the authorities in Myanmar about whether he was receiving routine medication and medical attention while he was imprisoned. Of mixed Burmese and European origin, Léo Nichols was former honorary consul in Myanmar for Norway, Denmark, Finland and Switzerland. He was a very close friend of Daw Aung San Suu Kyi, the leader of Myanmar's main opposition party who was held under house arrest for almost six years until her release in July 1995. Many believe his arrest was prompted by the close links he had with her.

A successful businessman, Léo Nichols raised and donated money to a number of charities, including Burmese orphanages, and is reported to have paid for a number of material items in Aung San Suu Kyi's household, strengthening the likelihood that the authorities suspected him of close involvement with the opposition National League for Democracy. The NLD won a clear victory in elections in 1990, but the military government has failed to relinquish power and has imprisoned many NLD leaders and supporters. Léo Nichols was charged with operating unregistered phone and fax lines from his home and sentenced to three years' imprisonment.

Immediately following his death, Denmark asked to be allowed to send a forensic expert to perform an autopsy to determine the exact cause of death. This request was not permitted, although authorities in other countries which he had represented in a diplomatic capacity also joined the call for an independent inquiry. All four countries wrote to the ruling military government demanding a full explanation of his death. An autopsy was allegedly performed by government doctors which is said to have found that Léo Nichols was suffering from massive left coronary atherosclerosis and died of heart failure. He was buried the day after his death and the authorities are reported to have warned his family not to attend the funeral. By contrast, several military officers were present. A memorial service was held for him some days later and was attended by ambassadorial representatives from those countries he had represented.

Following the news of Léo Nichols' arrest, the Danish government is reported to have repeatedly asked for his prison conditions to be improved, fearing that harsh prison conditions could place him in danger given his age and state of health.

Amnesty International is concerned that Lzo Nichols' death may have been preventable. In addition to wishing to clarify what medical care he received in prison, it is also concerned by reports that he was subjected to sleep deprivation during long periods of interrogation. It is seriously concerned by these reports, given his history of medical problems which were known to the authorities and to the prison administration. Furthermore, conditions at Insein prison where he was held are harsh and prisoners have been subjected to ill-treatment in punishment for infractions of the strict and often arbitrary prison rules. Such ill-treatment has included beatings, deprivation of family visits and the holding of prisoners in very cramped and cold conditions. In mid-November 1995, for example, the authorities began to hold a group of almost 50 political prisoners in tiny "cells" built to house military dogs. This was in punishment for sending a letter about prison conditions to the UN, for the possession of three radio sets and for the circulation of a newspaper inside the prison. Within these cramped quarters, they were made to sleep on cold concrete floors without bedding and they were also deprived of family visits.

Amnesty International is renewing its calls to the authorities in Myanmar to provide a detailed explanation of how Lzo Nichols was treated while in detention, what medical attention he received, the exact cause of death, the circumstances surrounding his death and whether - in the opinion of doctors - his death could have been prevented. The official account is that he was found unconscious in his cell and transferred to hospital where he died one hour later. Some believe he died in Insein prison.

Amnesty International is also calling on the authorities to ensure that conditions in the prison conform to proper standards and to provide an undertaking that the ill-treatment of prisoners will cease.

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To: Medical professionals  
From: Medical Officer / Asia Regional Program  
Date: 16 July 1996

### *MEDICAL LETTER WRITING ACTION*

#### **Death in custody of Leo Nichols MYANMAR**

#### **Keywords**

Theme: Death in custody

#### **Summary**

Attached is information on the death in custody of Leo Nichols, a 65-year-old diabetic with heart problems, who died in custody two months after his imprisonment. He had been honorary consul to a number of countries and, although his formal appointment had been revoked following a brief period of detention in the early 1980s, he continued to act in that capacity *de facto*. The governments of the countries he represented have called for a full explanation and investigation of his death from the Burmese authorities. Please see the details attached.

#### **Recommended Actions**

Letters are requested from medical professionals to the addresses below:

- expressing concern at the death of Leo Nichols on 22 June in Insein prison and seeking information on the exact cause of death
- further expressing concern at reports from Amnesty International that he was subjected to sleep deprivation during prolonged interrogation, although he was known to have a history of medical problems for which he required regular medication
- asking whether he was provided with uninterrupted access to medication while imprisoned and asking precisely what medical attention was provided to him by the prison administration
- noting that the Danish authorities offered to send a forensic pathologist to Myanmar to conduct an autopsy and asking why this offer was refused
- asking for further information on the conditions in which Leo Nichols was held and expressing general concern at reports of the poor conditions in Insein prison and the lack of adequate medical attention provided

- urging the authorities to respond to your queries and to provide medical opinion on whether Leo Nichols' death could have been prevented had he had access to the attention he required; further urging them to address the overall question of treatment of prisoners and detainees

## Addresses

General Than Shwe  
 Chairman  
 State Law & Order Restoration Council  
 c/o Ministry of Defence  
 Signal Pagoda Road  
 Yangon  
 Union of Myanmar  
 (also Prime Minister; Minister of Defence;  
 Commander-in-Chief of the Defence  
 Services)

Lieutenant General Khin Ngunt  
 Secretary 1  
 State Law & Order Restoration Council  
 c/o Ministry of Defence  
 Signal Pagoda Road  
 Yangon  
 Union of Myanmar  
 (also Director of the Directorate of  
 Defence Services Intelligence; Head  
 of Office of Strategic Studies)

Vice Admiral Than Ngunt  
 Minister of Health  
 c/o Ministry of Defence  
 Signal Pagoda Road  
 Yangon  
 Union of Myanmar  
 (also Commander-in-Chief of the Navy)

U Zaw Min  
 Director General  
 Ministry of Home Affairs  
 Ministers' Office  
 Yangon  
 Union of Myanmar