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SUMMARY

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Myanmar's military government, the State Law and Order Restoration Council (SLORC), remains in control of the country in spite of the overwhelming victory of the opposition National League for Democracy (NLD) in May 1990 parliamentary elections. In October the security forces arrested hundreds of monks and scores of political party activists, many of whom are elected members of the assembly, for their peaceful opposition to the SLORC's continued rule. This latest crackdown on dissent followed sporadic arrests of opposition leaders in September and warnings from the SLORC about opposition demands for the transfer of power. Unofficial reports state that some 90 NLD figures were arrested between 23 and 31 October, along with the entire leadership of the Democratic Party for a New Society (DPNS), a student group which has been compiling information on alleged SLORC human rights violations and promoting multi-party democracy.

Official suppression of peaceful political party activities was accompanied by a similar crackdown on monks who had participated in an anti-military boycott. After monks in Mandalay and elsewhere ignored a SLORC ultimatum to stop the boycott, the military announced that troops "raided and swept" numerous monasteries in Mandalay on 22, 23, 24 and 25 October. Unofficial sources state that at least 350 monks have been detained nationwide, over 200 of them in Mandalay. SLORC First Secretary Khin Nyunt has stated that only 77 monks had been arrested in Mandalay.

Military tribunals have continued to hand down long sentences of imprisonment to political party activists. These tribunals operate according to summary procedures which fall far short of international standards for fair trial. Amnesty International also continues to receive reports of ill-treatment and torture of political prisoners. One recent report of torture alleges that it was the cause of the death of Maung Ko, a 52-year-old senior member of the NLD.

This summarises a six page document, (AI Index: ASA 16/39/90), issued by Amnesty International in December 1990. Anyone wanting further details or to take action on this issue should consult the full document.

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MYANMAR:

UPDATE ON HUMAN RIGHTS VIOLATIONS

Myanmar's military government, the State Law and Order Restoration Council (SLORC), remains in control of the country in spite of the overwhelming victory of the opposition National League for Democracy (NLD) in May 1990 parliamentary elections. The SLORC has not convened the elected National Assembly nor has it specified any timetable for a transfer to civilian rule. In October the security forces arrested hundreds of monks and scores of political party activists, many of whom are elected members of the assembly, for their peaceful opposition to the SLORC's continued rule.

Suppression of Opposition Parties

This latest crackdown on dissent followed sporadic arrests of opposition leaders in September and warnings from the SLORC about opposition demands for the transfer of power. The SLORC has continually maintained that the sole function of the National Assembly is to draw up a constitution which must then be put to referendum. It set forth its views about the legitimacy of continued military rule in Declaration 1/90, issued on 27 July. The declaration affirmed continued military control of the legislative, administrative, and judiciary branches of the government.

On 3 October the NLD reportedly held a party meeting in the capital Yangon (Rangoon) which launched a new political programme in response to the SLORC's refusal to convene the National Assembly. The most recent plan reiterated the Gandhi Declaration (so named because it was formulated at Gandhi Hall in Yangon) adopted on 28 July at a party conference which called for talks with the SLORC. The plan also called for the newly-formed NLD Work Committee to meet on 22 October to prepare for the convening of the legislature. Meanwhile, at a Central Committee meeting on 9 October NLD leader Khin Maung Swe said, "We continue to firmly believe that a dialogue between NLD as the leading political party and the SLORC is absolutely essential if the interest of the nation is to be served". However, the SLORC repeatedly refused to meet

with the opposition, stating that "since the SLORC is not a political party, it cannot discuss political matters...".

Early on the morning of 22 October, leaders of the NLD were reportedly ordered from their beds and temporarily detained at the party's headquarters in Yangon while troops searched the premises. During the next two days, troops and security police searched other NLD and political party offices, apparently seeking evidence to link the party with a Buddhist monks' protest movement against alleged shootings, beatings and arrests of monks during anti-army demonstrations in the town of Mandalay on 8 August. During the night of 23-24 October, 14 NLD members were reportedly arrested, including six members of its Central Executive Committee, among them Khin Maung Swe, Chan Aye, Kyaw Min and Soe Thein.

Unofficial reports state that some 90 NLD figures were arrested between 23 and 31 October, along with the entire leadership of the Democratic Party for a New Society (DPNS), a student group which has been compiling information on alleged SLORC human rights violations and promoting multi-party democracy. 16 of the NLD members arrested were elected to the National Assembly in May. The others include 38 NLD workers in Yangon and five leaders of the party's youth wing.

Amnesty International is concerned that the political activists arrested since 23 October may be detained solely on account of their non-violent opposition to continued military rule. Sources indicate that the Military Intelligence Service and other security agencies routinely torture and ill-treat political prisoners in Myanmar. For this reason Amnesty International is also concerned that they may be subjected to torture or other ill-treatment in detention.

Arrests of Buddhist Monks

Official suppression of peaceful political party activities was accompanied by a similar crackdown on monks who had participated in an anti-military boycott. Since the mass civil unrest in 1988, Buddhist monks have carried on in their role as leaders of protests against the SLORC's continued rule. Monks began a boycott of military personnel and their families after troops opened fire on peaceful demonstrators in the central town of Mandalay on 8 August 1990 (see Myanmar: Recent Developments Related to Human Rights, AI Index ASA 16/28/90). During the demonstration, which protested mass killings of demonstrators by security forces in 1988, almost two dozen monks were reportedly shot, beaten, or arrested. Eight monks were allegedly wounded by gunfire, some in the head or chest, and thirteen monks were beaten or kicked, in some cases severely enough to cause serious injury. Some of the wounded are reported missing since the incident, and it is feared that they may be dead. Four monks were arrested during the incident, all of whom are believed to remain in detention.

On 27 August, under the leadership of unofficial organizations such as the Young Monks' Association, monks met in Mandalay to initiate the boycott, which involves a withdrawal of religious services from members of military and their families. The boycott spread to Yangon, the capital, and to other major towns, involving an estimated 20,000 monks in Mandalay and another 15,000 in Yangon.

On 15 October U Yewata and other clerical leaders stated that they would end the boycott if the SLORC Chairman General Saw Maung publicly apologized for the harm inflicted on the monks on 8 August, the authorities published an accurate account of the incident, released all detained monks, and promised to keep troops off monastic grounds.

On 17 October, according to an official broadcast, Lieutenant General Phone Myint, Minister of Home and Religious Affairs, demanded that the boycott end by midnight 20 October, the date on which the SLORC also issued Order 6/90, dissolving all unofficial monks' organizations. The next day the SLORC enforced their demands by issuing Order Number 7/90, which empowered military commanders to try and sentence monks "involved in politics" in military tribunals. These tribunals, which were established in July 1989, operate according to summary procedures which fall far short of international standards for fair trial. The calling of witnesses is severely limited, there is no judicial right of appeal, and the condemned are sentenced to long prison terms at hard labour or to death.

After monks in Mandalay and elsewhere ignored the SLORC ultimatum, the military announced that troops "raided and swept" numerous monasteries in Mandalay on 22, 23, 24 and 25 October. Troops carrying automatic rifles with fixed bayonets reportedly surrounded monasteries in Mandalay and Yangon, while army helicopters dropped copies of the ultimatum on some of them. The official statement also said they arrested an unspecified number of monks, including U Laba alias U Wayama. Unofficial reports allege that U Yewata, aged 44, was arrested, although the date of his arrest is not known. Unofficial sources also state that at least 350 monks have been detained nationwide, over 200 of them in Mandalay. SLORC First Secretary Khin Nyunt has stated that only 77 monks had been arrested in Mandalay.

Amnesty International is concerned that U Laba alias U Wayama and the other monks arrested since 22 October may be detained solely on account of their non-violent opposition to continued military rule. It is also concerned that they may be subjected to torture or other ill-treatment in detention.

The SLORC has accused the monks of "spreading publications containing untrue and agitative materials", claiming that there was anti-military "unrest among students because of the instructions being given from monasteries" and further said that under interrogation monks arrested earlier had admitted urging leaders of the opposition "to work for the quick transfer of power" from military to civilian hands. It accused the unofficial monks' organizations of "undermining law and order...through their deeds, words and publications". The SLORC also accused the monks of participating in a plot by the Burma Communist Party (BCP), calling it a "vicious conspiracy".

On 29 October, the SLORC announced that regulations requiring all monks to carry identification cards would be strictly enforced. On 31 October it promulgated a new law, No 20/90, which provides for imprisonment of up to three years for monks who are members of unofficial monastic organizations or who "organize, incite or speak or write" critically about officially recognized monks' organizations. Meanwhile, security forces continued to raid

monasteries in Mandalay and Yangon. Myanmar military authorities also announced a widening of their arrest net in Mandalay to include lay people apparently accused of supporting the peaceful anti-SLORC protest movement launched by monks. On 26 October security forces arrested a 26-year-old woman named Ma Khin Mar Swe. On 30 October, in what the SLORC described as a further "action against anti-government political movements", security forces arrested another woman, 57-year-old Daw Nan, and two lay men: Maung Aye alias Khin Maung Aye and 37-year-old U Soe Myint.

All are accused of having stored valuable items, apparently for use by protesting monks. The SLORC alleges that the items were illegally stored, but Amnesty International is concerned that those arrested have been singled out for detention because of their involvement with non-violent Buddhist political activity. Although most monks have reportedly agreed to end their boycott of the military, it is not known if the boycott has been completely called off.

Summary Trials and Long-Term Sentences for Political Offences

Military tribunals have continued to hand down long sentences of imprisonment to political party activists. According to a 19 October official statement, Ohn Kyaing and Thein Dan, two of four NLD leaders arrested in Mandalay on 8 August, were sentenced to seven years' imprisonment by a military tribunal. SLORC spokesmen said that they had been imprisoned for "inciting unrest", including writing what the spokesmen described as "false reports about the unrest which occurred in Mandalay on 8 August". This is a reference to reports of shootings, beatings and arrests of demonstrators on that day, which the SLORC has denied. Ohn Kyaing and Thein Dan are believed to have distributed leaflets describing the security forces' violent suppression of the demonstration.

Ohn Kyaing was a member of the NLD Central Executive Committee and is believed to have been a prominent advocate of a prompt transfer of power from the SLORC to the NLD. Thein Dan was a member of the NLD Mandalay Division Organizing Committee.

On 19 November Kyi Maung, acting Chairman of the NLD, and Chit Kaing, its acting secretary, were reportedly each sentenced to ten years' imprisonment by a military tribunal on charges of violating the 1923 Official Secrets Act. The broadly worded provisions of the Official Secrets Act allows for imprisonment of anyone who has in his possession or who passes on to any person whom the government considers to be a foreign agent any document the authorities deem confidential. Official sources have stated that they were sentenced for circulating a letter to them from the SLORC outlining steps the authorities were planning to take in the wake of the NLD election victory. Major General Khin Nyunt said they were arrested on 6 September for passing on sensitive information to unauthorized recipients. Unofficial sources have stated that they were accused of passing a document given to them by Khin Nyunt to other NLD members. Both Kyi Maung, a 72-year-old retired army colonel, and Chit Kaing, the 69-year-old NLD Head of Publications, had been elected to the National Assembly in May.

Amnesty International believes that they are prisoners of conscience, imprisoned because of the peaceful exercise of their rights to freedom of expression and assembly, in connection with their activities as leaders of the NLD.

In another summary trial conducted by the military days after her arrest, Nita Yin Yin May, believed to be in her early 40s, was sentenced on 19 November to three years' imprisonment under the Official Secrets Act. She had been arrested at her home in Yangon on the night of 16 November by plainclothes officers of the Military Intelligence Services. Nita Yin Yin May is a Myanmar national employed as an information officer by the British Embassy in Yangon. In September the SLORC had temporarily detained a number of Myanmar nationals working for foreign embassies and questioned them about their contacts with the NLD and other opposition groups. Nita Yin Yin May was reportedly detained twice. In October, SLORC spokesman criticized NLD leaders for briefing foreign embassies on their party's activities, and several of those criticized were later arrested.

Various sources indicate that it is likely that the real reason for Nita Yin Yin May's arrest and imprisonment is that she was suspected by the SLORC of involvement in discussions with foreign diplomats about non-violent opposition to military rule. Amnesty International believes that if this is the case, her activities may simply have involved the legitimate exercise of the right to freedom of expression, which under international standards includes the freedom "to seek, receive and impart information and ideas through any media and regardless of frontiers". Both members of her family and diplomats from the British Embassy have reportedly been denied access to her, a situation which may make her more vulnerable to ill-treatment.

Reports of Torture and Ill-treatment

Amnesty International continues to receive reports of ill-treatment and torture of political prisoners. Most recent reports about the suppression of the hunger strike which began on 18 September at Insein Prison (see Myanmar: Recent Developments Related to Human Rights, AI Index ASA 16/28/90) indicate that as many as six of those hunger strikers who were beaten may have died, that over 40 required hospitalization, and that up to 70 prisoners were transferred to Tharawaddy Prison, where conditions are reportedly extremely harsh. Unofficial reports also indicate that two NLD Central Executive Committee members and prisoners of conscience Dr Tin Myo Win and Maung Moe Thu were severely injured. Their present condition is not known.

In response to these reports, the SLORC has stated that "internationally recognized batons" were used to control the hunger strikers, that only three prisoners were "slightly injured", and "three or four persons who had played a leading role" were transferred to another prison.

One recent report of torture alleges that it was the cause of the death of Maung Ko, a 52-year-old senior member of the NLD.

Maung Ko died in a military detention centre north of Yangon on 9 November. SLORC Chairman General Saw Maung stated in a speech made to officials in northern Myanmar on 12 November that Maung Ko had committed suicide. "We do not interrogate by torture... The man, after confessing what [the opposition] did and what their plans were, made use of the blanket and hanged himself. He did not die because of our doing", Saw Maung said. The prisoner's family, however, was reported to have stated that they believed he died as a result of torture. They also said that his body was covered in bruises and that one leg was broken. Amnesty

International is concerned that Maung Ko may have died from ill-treatment while in detention.