

EXTERNAL

AI Index: ASA 16/12/96

2 April 1996

Further information on UA 01/96 (ASA 16/02/96, 4 January 1996) and follow-up (ASA 16/05/96, 24 January 1996) - Ill-treatment / Health concern and new Legal concern

MYANMARU Win Tin, prisoner of conscience - sentenced to an additional five years' imprisonment
Myo Myint Nyein, magazine editor - sentenced to an additional seven years' imprisonment

New names: Ba Myo Thein, civil servant; Soe Myint; Dr. Zaw Myint, NLD MP-elect, dentist; Lu Baun Thein aka Johnny - sentenced to an additional 12 years' imprisonment

Win Thein; Sein Hlaing, writer; Aung Myo Tint; Lwin Oo; Kyi Pe Kyaw; Aung Kyo Soe; Zaw Tun, ABSDF; Hla Than, NLD MP-elect; Soe Htet Khaing; Tint San, student union chairperson; Myint Thaug - sentenced to an additional seven years' imprisonment

Htay Win Aung; Bo Bo Oo, ABSDF; Yin Htway; Myat Tun, NLD - sentenced to an additional five years' imprisonment

Amnesty International is gravely concerned to learn today of the sentencing on 28 March 1996 of 21 political prisoners to additional long terms of imprisonment. Among the group is Win Tin, a prisoner of conscience and prominent leader of the National League for Democracy (NLD, the opposition party founded by Daw Aung San Suu Kyi). Win Tin and Myo Myint Nyein are part of a group of political prisoners in Insein Prison who were being punished for possessing a letter from some prisoners about harsh prison conditions addressed to the United Nations Special Rapporteur for Myanmar. They had been held in tiny military dog cells, forced to sleep on concrete floors with no bedding, and forbidden any family visits.

Amnesty International is particularly concerned that the prisoners have apparently been punished for passing information to the United Nations, which is contrary to the UN Commission on Human Rights resolution 1994/70. The UN Commission on Human Rights is currently in session in Geneva, Switzerland, where it will consider the human rights situation in Myanmar.

The trial took place in closed sessions in Insein Prison, where all of the prisoners had been serving sentences. The group was accused of hiding three radio sets and circulating a newsletter in Insein Prison. The materials confiscated included a copy of the letter to the Special Rapporteur signed by some prisoners. The 21 were all sentenced under Section 5j of the 1950 Emergency Provisions Act, which provides for a maximum seven year sentence for anyone who: *"causes or intends to disrupt the morality or the behaviour of a group of people or the general public, or to disrupt the security or the reconstruction of the stability of the Union..."*. They were also reportedly sentenced under a section in the Penal Code which is concerned with the misappropriation of state property. They had no legal counsel during the proceedings, which is contrary to international fair trial standards. Amnesty International is concerned that those sentenced may have been charged solely for exercising their rights to *"Contact with the outside world"* as provided

for in Articles 37 and 39 in the UN Standard Minimum Rules for the Treatment of Prisoners.

Ba Myo Thein is a 42-year-old civil servant imprisoned since late 1990. Dr Zaw Myint is a dentist and NLD MP-elect for Ayeyarwady Division imprisoned since October 1990. Sein Hlaing is a writer who was arrested with Myo Myint Nyein (see above) in September 1990. Zaw Tun is a member of the All Burma Student Democratic Front (ABSDF) arrested in August 1991. Hla Than is an NLD MP-elect from Yangon Division detained since October 1990. Soe Htet Khaing has been imprisoned since October 1989. Tint San is a former chairperson of the Yangon University Student Union arrested in June 1989 and due to be released in June 1996. Myat Tun is a member of the NLD arrested in July 1991.

It is not known whether the 21 prisoners are now allowed family visits and whether they have been moved to standard prison cells, as reported on 24 January. Amnesty International has no further information about Saw Naing Naing, NLD MP; Monywa Tin Shwe, lawyer; Dr. Myint Aung, NLD MP elect; Dr. Khin Zaw Win; Dr. Myint Naing, NLD MP; and Moe Zaw Oo, mentioned in the previous update to this Urgent Action. The organization is attempting to discover whether these six prisoners, who had originally been part of a group of eight who were punished for possessing letters and radio sets, have also been sentenced.

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

- calling on the authorities to allow the families of all 21 prisoners to visit them regularly and to allow the prisoners immediate and continuing access to legal counsel and proper medical care;
- expressing grave concern that the prisoners have apparently been punished for passing information to the United Nations, contrary to UN Commission on Human Rights resolution 1994/70;
- calling for their additional sentences of 28 March 1996 to be dropped if this is the case;
- calling for the immediate and unconditional release of U Win Tin;

if possible also:

- call for a review of the trial procedures in order to ensure that international standards for fair trial are met;
- urge the authorities to ensure that prison conditions in Myanmar comply with the UN Standard Minimum Rules for the Treatment of Prisoners.

APPEALS TO:

Senior General Than Shwe, Chairman
 State Law and Order Restoration Council
 c/o Directorate of Defense Services Intelligence (DDSI)
 Ministry of Defence, Signal Pagoda Road
 Dagon Post Office
 Yangon, Union of Myanmar

Telegrams: General Than Shwe, Yangon, Myanmar

Telexes: 21316

Salutation: Dear General

Lieutenant General Khin Nyunt, Secretary 1
 State Law and Order Restoration Council
 c/o Directorate of Defense Services Intelligence (DDSI)
 Ministry of Defence, Signal Pagoda Road
 Dagon Post Office

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 15 May 1996.