

# MYANMAR

## 1988 TO 1998

### HAPPY 10TH ANNIVERSARY?

#### DEATH IN CUSTODY

#### Introduction

In the ten years since the violent suppression of the pro-democracy movement in 1988, Amnesty International is aware of at least 30 political prisoners who have died in custody in Myanmar, though the true number is believed to be much higher. Information collected during the last **10** years shows that torture and ill-treatment of political prisoners is common, conditions in prisons are poor and insanitary, prisoners are provided an inadequate diet and commonly denied the medical care they need, and some prisoners are made to work under harsh conditions in labour camps. Given this combination of abuses the risk of not surviving imprisonment in Myanmar, particularly for the elderly, is great.

Deaths in custody in Myanmar generally fall into two categories. Some prisoners die because they have been tortured and suffer fatal injuries. Other prisoners die from illness -- sometimes induced or worsened by ill-treatment or the conditions under which they are held -- for which they do not receive proper medical care; often prisoners who are ill are not sent to hospital until it is too late. The **10** deaths described below are examples of what can and still does happen to political prisoners in Myanmar.

**Name:** Kyaw Myo Thant                      **Age at death:** 26 years old  
**Date of arrest:** July 1989                      **Date of death:** May 1990

*Place of detention:* Maubin prison, Ayeyarwady Division

*Occupation:* student and active member of the Democratic Party for a New Society (DPNS), an organization which campaigned peacefully for an end to military rule and which is now illegal in Myanmar

*Reason for arrest:* he wrote a letter to the local authorities asking about other DPNS members who had been arrested

*Sentence:* 18 months imprisonment under martial law legislation

*Circumstances of death:* in prison he complained about having been arrested when he was not guilty of any crime and asked to be treated as a political prisoner. He was severely beaten by the warders and suffered from internal injuries which made him

unable to digest his food properly. Because he wasn't getting any nourishment his condition deteriorated until he lost consciousness. It wasn't till then that he was taken to the hospital but it was too late for him -- he died a week later.

**Name:** U Maung Ko **Age at death:** 52 years old  
**Date of arrest:** 20 Oct. 1990 **Date of death:** 9 Nov. 1990

*Place of detention:* Insein Prison, Yangon

*Occupation:* civil servant; Central Executive Committee member of the National League for Democracy (NLD), the major opposition party of Myanmar

*Reason for arrest:* alleged to have been involved in planning to form a "parallel" government because the military government refused to hand over power to the NLD which won the May 1990 elections; he was very active in organizing demonstrations against military rule

*Sentence:* not sentenced

*Circumstances of death:* he is believed to have been severely tortured. Witnesses at his funeral said that his body was bruised and burned and appeared to have several broken bones. The authorities claimed that he hanged himself with a blanket after "confessing".

**Name:** U Ba Thaw **Age at death:** 65 years old  
**Date of arrest:** July 1989 **Date of death:** June 1991

*Place of detention:* Insein Prison, Yangon

*Occupation:* former naval commander, author and cartoonist; Central Executive Committee member of the NLD

*Reason for arrest:* alleged to have urged Navy officers to break away from the armed forces; he was a close associate of NLD leader Daw Aung San Suu Kyi during the 1988 demonstrations.

*Sentence:* 20 years imprisonment by a military tribunal

*Circumstances of death:* at the time of his arrest he was suffering from chronic spondylitis, a degenerative disease of the spine. In September 1990 he was severely beaten during a hunger-strike of political prisoners protesting the second anniversary of the re-imposition of military rule. The beating left him paralysed. Another prisoner was assigned to help him walk to the shower room, wash and sometimes feed him. This prisoner said that U Ba Thaw received only minimum medical care and was not allowed to see specialists. In June 1991 he suffered a heart attack and died three days later.

**Name:** U Sein Win **Age at death:** not known  
**Date of arrest:** late 1988 **Date of death:** January 1991

*Place of detention:* Insein prison, Yangon

*Occupation:* English language teacher

*Reason for arrest:* he was active in the pro-democracy demonstrations in his township of Thongwa, Yangon Division. He had also helped the police in maintaining public order. The authorities alleged that he had hidden weapons.

*Sentence:* his trial had not yet been completed by the time he died.

*Circumstances of death:* the hospital doctors are said to have told his family that U Sein Win's intestines contained small punctures caused by being forced to swallow small pieces of glass.

**Name:** James Leander Nichols **Age at death:** 65 years old  
**Date of arrest:** 5 April 1996 **Date of death:** 22 June 1996

*Place of detention:* Insein Prison, Yangon

*Occupation:* businessman and former honorary consul for Norway, Denmark, Finland and Switzerland; he raised and donated money to a number of charities

*Reason for arrest:* allegedly operating unregistered telephone and fax lines from his home. Amnesty International believes these charges were politically motivated. He was a close friend of NLD leader Daw Aung San Suu Kyi and reportedly paid for some material items in her household.

*Sentence:* three years imprisonment under the Burmese Wireless Act of 1933.

*Circumstances of death:* when he was arrested he was suffering from diabetes, hypertension and heart problems. He was reportedly deprived of sleep for four nights during interrogation 10 days before he died, and was reportedly not receiving the proper medical treatment he needed. He was found unconscious in his cell and moved to Yangon General Hospital. The authorities published the detailed results of an autopsy carried out by government doctors, which concluded that he died from heart failure, but refused to launch an official inquiry into the circumstances of his death as requested by concerned governments and other organizations.

**Name:** Mohamed Ilyas **Age at death:** 60's

***Date of arrest:***            **13 June 1992**                                ***Date of death:*** **19 June 1992**

*Place of detention:* unknown location in Rakhine State

*Occupation:* former clerk at the district education office of Maungdaw, Rakhine State; secretary of the local NLD office

*Reason for arrest:* alleged involvement in a bomb explosion near Maungdaw town.

Amnesty International believes there was no foundation to this allegation.

*Sentence:* died before charges could be brought against him

*Circumstances of death:* reportedly held incommunicado and severely beaten. On 19 June he was taken to hospital where he later died. His dead body was returned to his relatives by soldiers on 23 June and was quickly buried. The authorities claimed that he died of "acute gastrointestinal disease". Other sources report that Mohamed Ilyas was in good health when he was arrested.

***Name:***                        **U Thein Tin**                                ***Age at death:***    **not known**  
***Date of arrest:***            **May 1996**                                ***Date of death:***    **18 Feb. 1998**

*Place of detention:* Insein Prison, Yangon

*Occupation:* writer; organizer for the NLD's Yangon Division

*Reason for arrest:* one of hundreds of NLD members arrested to prevent them from holding a meeting to commemorate the sixth anniversary of their 1990 election victory

*Sentence:* held without trial under the 1975 State Protection Law

*Circumstances of death:* he died two days after being transferred to Yangon General Hospital. The authorities reportedly claimed that he died of blood cancer. Unofficial sources claim that he was tortured and that despite his deteriorating health, he was denied proper medical care.

***Name:***                        **U Zaw Tika**                                ***Age at death:***    **60's or 70's**  
***Date of arrest:***            **late 1990**                                ***Date of death:***    **November 1992**

*Place of detention:* Insein Prison, Yangon

*Occupation:* senior Buddhist monk and abbot of a monastery in Yangon

*Reason for arrest:* one of many monks arrested for taking part in a boycott of accepting alms from the military in protest at their violent treatment of demonstrators

*Sentence:* three years imprisonment

*Circumstances of death:* U Zaw Tika was suffering from cancer. He was transferred to hospital in August 1992 where he was kept shackled to his bed. He was sent back to Insein Prison where he died. It is not known what treatment he received.

***Name:*** U Hla Than                      ***Age at death:*** 52 years old  
***Date of arrest:*** 23 October 1990                      ***Date of death:*** 2 August 1996

*Place of detention:* Insein Prison, Yangon

*Occupation:* formal naval officer, law graduate; NLD Member of Parliament-elect

*Reason for arrest:* alleged to have been involved with planning to form a parallel government because the military authorities would not hand over power to the NLD.

*Sentence:* 25 years imprisonment, commuted to 10 years in an amnesty for prisoners; sentenced to an additional seven years in March 1996 for alleged involvement in trying to pass on a letter to the UN Special Rapporteur on Myanmar about prison conditions at Insein Prison.

*Circumstances of death:* according to unofficial sources his official death certificate stated that he died from pulmonary tuberculosis and had tested positive for Human Immune Deficiency Virus (HIV). Unofficial sources also report that the incidence of HIV in Insein Prison is high, because proper medical procedures are not followed when giving intravenous injections. Needles used to give injections are often re-used without any sterilization process. In November 1995 he was one of a group of political prisoners in Insein Prison who were held in tiny cells meant to house military dogs as punishment for trying to pass on information to the UN. Amnesty International is concerned that this cruel, inhuman and degrading treatment may have contributed to his death. U Hla Than is reported to have asked to die at home, but the authorities denied his request unless he resigned from the NLD; he refused and was transferred to Yangon General Hospital where he died.

***Name:*** Aye Lwin                                      ***Age at death:*** 38 years old  
***Date of arrest:*** August 1988                                      ***Date of death:*** December 1992

*Place of detention:* Insein Prison, Yangon

*Occupation:* not known

*Reason for arrest:* alleged involvement in an attack on Thingangyun police station outpost in Yangon.

*Sentence:* death

*Circumstances of death:* reported to have died from internal injuries after being severely beaten by a prison official. Although he was vomiting blood, he received no medical care and died in his cell. Two other political prisoners who protested about his treatment were also beaten. Aye Lwin had also been badly beaten during a hunger strike in Insein Prison in 1990, after which time his health seriously deteriorated. According to reports at least six prisoners were beaten to death and over 40 needed hospitalization in order to control the hunger-strikers.

**Amnesty International is calling on the Myanmar Government to ensure that all prisoners are not subjected to torture or ill-treatment, that they are provided with all the medical care they need, including timely hospital treatment if necessary, and that they are allowed regular access to family and lawyers. Investigations should be carried out into all deaths in custody and allegations of torture and ill-treatment, and those found responsible brought to justice.**

**Amnesty International is gravely concerned about the treatment of prisoners in Myanmar during the last 10 years. Fundamental improvements need to be made urgently.**

**Please add your voice to the many others who have campaigned for human rights in Myanmar since 1988.**

**Urge the Myanmar Government to end all torture and ill-treatment of prisoners, and take steps to improve prison conditions and ensure that all prisoners receive the medical treatment they need.**



**Write to:**

**Senior General Than Shwe  
Chairman  
State Peace and Development Council  
c/o Ministry of Defence  
Signal Pagoda Road  
Yangon  
Union of Myanmar**

**or**

**Lieutenant General Khin Nyunt  
Secretary 1  
State Peace and Development Council  
c/o Ministry of Defence  
Signal Pagoda Road  
Yangon  
Union of Myanmar**

**or**

**write to the Myanmar Embassy in your country**

**You could also ask your own government what it is doing to promote human rights protection in Myanmar by writing to your elected representative.**

*No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.*

**(Article 5, Universal Declaration of  
Human Rights)**