

EXTERNAL

AI Index: ASA 16/11/96

22 March 1996

Further information on UA 04/96 (ASA 16/03/96, 10 January 1996) and follow-ups (ASA 16/04/96, 19 January 1996; ASA 16/07/96, 5 February 1996) - Fear of ill-treatment / Legal concern

MYANMARU Pa Pa Lay, comedian
 U Lu Zaw, comedian
 U Aung Soe, NLD member
 U Htwe, manager of the troupe (*)
new name: U Saw Hlaing, NLD member

On 18 March 1996, U Pa Pa Lay, U Lu Zaw, U Htwe and U Aung Soe were each sentenced to seven years' imprisonment. The four men, who are all members of the National League for Democracy (NLD), the opposition party founded by Daw Aung San Suu Kyi, were sentenced in the Mandalay jail where they have been held since their arrest on 7 January 1996. (* Please note: it is U Htwe, the dance troupe's manager, who remained in detention in Mandalay prison and not U Myint Thein as stated in previous follow-up).

Comedians U Pa Pa Lay and U Lu Zaw, together with six other performers of the dance troupe *Myo Daw Win Mar*, were arrested on returning to Mandalay, having participated in a performance organised by U Htwe at an Independence day celebration at Aung San Suu Kyi's house. The six performers were released without charge in February. However, the two comedians and the organiser U Htwe were held in Mandalay prison along with U Aung Soe, who was arrested on 10 January. He was arrested in connection with distributing video speeches by Daw Aung San Suu Kyi, U Tin Oo and U Kyi Maung.

The four were sentenced under the 1950 Emergency Provisions Act, which provides for a seven-year prison sentence and fine 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 stability of the Union...". The Act is frequently used by the State Law and Order Restoration Council (SLORC, Myanmar's military authorities) to criminalise peaceful political activity. In view of this, Amnesty International remains concerned that U Pa Pa Lay, U Lu Zaw, U Htwe, and U Aung Soe have been sentenced for their peaceful political activities.

Although further details of the trials are not available, Amnesty International is concerned that they will not have conformed to international standards. Military tribunals were abolished by the SLORC in September 1992, but civilian courts are not independent and are subject to pressure from the military.

Aung San Suu Kyi and three senior NLD supporters attempted to travel to Mandalay to witness the trial of her supporters named above. However, they were unable to attend the trial as there was a mechanical problem with their train carriage. In addition, U Saw Hlaing, an NLD member who had been helping Aung San Suu Kyi prepare for her trip to Mandalay, was involved in a minor traffic accident in Kyungone village on his way back from Mandalay. On 16 March, he was sentenced to five years' imprisonment in a closed trial in Kyungone. Amnesty International is concerned that U Saw Hlaing may have received this sentence because of his connections with the NLD. The NLD have applied to appeal both against U Saw Hlaing's sentence and the other four NLD members named above.

Since the NLD withdrew from the SLORC-convened National Convention in November 1995, there has been increasing harassment of the party by the SLORC, including arrests of dozens of party members. Many people have been detained for possessing videotapes of Daw Aung San Suu Kyi's weekend speeches, others for writing a poem commemorating the death in custody of an NLD colleague. Amnesty International is concerned by the growing number of arrests aimed at silencing NLD activity.

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

- calling for the immediate and unconditional release of U Pa Pa Lay, U Lu Zaw, U Htwe and U Aung Soe who are prisoners of conscience detained solely for peacefully expressing their right to freedom of expression;
- expressing concern that U Saw Hlaing may have been sentenced unfairly because of his affiliation to the NLD party;
- expressing concern that both the trials do not conform to international standards;
- expressing concern at the growing number of NLD arrests aimed at silencing NLD activity.

APPEALS TO:

Senior General Than Shwe, Chairman
 State Law and Order Restoration Council
 c/o Director of Defence 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 Director of Defence 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 10 May 1996.