

MYANMAR

@CONDITIONS IN PRISONS AND LABOUR CAMPS

INTRODUCTION

Amnesty International has recently received new information about appalling conditions in labour camps and prisons in Myanmar. Unofficial sources have provided details about the treatment of prisoners, including torture, prolonged shackling, lack of proper medical care, and insufficient food. Torture techniques include beatings, sometimes to the point of unconsciousness; being forced to crawl over sharp stones; and being held in the hot sun for prolonged periods. Such practices are used by Myanmar's security forces to punish and intimidate prisoners. Conditions in labour camps are so harsh that hundreds of prisoners have died as a result. Many prisoners who have been forced to work as porters for the army have also died as a result of ill-treatment.

In the material which follows, Amnesty International has omitted details which could identify imprisoned individuals, for fear of placing them at even greater risk of torture and ill-treatment. Most of the information below concerns Insein Prison, Myanmar's largest detention facility, where at least 800 political prisoners are held along with thousands of people imprisoned under criminal charges. Insein Prison is located in the outskirts of Yangon (Rangoon, the capital). Thousands of other political prisoners are held in prisons throughout the country; however it is much more difficult to obtain information about conditions in these facilities.

PRISON CONDITIONS

Political prisoners are evidently subjected to torture during both the initial interrogation period and after they have been sentenced. Once imprisoned, they can be summoned at any time during the day or night by Military Intelligence (MI) personnel, who maintain a permanent presence in Insein Prison. MI wear the same uniform as that worn by prison staff, and conduct investigations of political prisoners on a regular basis. They interrogate prisoners in an office known as the "Prison Kampetei Office",¹ place them in leg irons, and punish them with beatings, sometimes to the point of unconsciousness.

¹ An apparent reference to practices of the Kampetei, the Japanese military police who subjected prisoners to torture and ill-treatment during World War II.

Political prisoners who break arbitrary and harsh prison rules are subjected to harsh punishments, including torture and severe ill-treatment. Even the possession of almost any reading material is a punishable offence under prison rules. Political prisoners are liable to be sent to "police dog cells", where police dogs are normally kept, or to other cells where they are subjected to beatings and placed in leg-irons made of chains or of an iron rod between the feet. One political prisoner was reportedly punished by the imposition of leg irons for one week because he cooked some curry. Another prisoner was kept in shackles in the "police dog cells" for two months because he was found with a piece of paper. Other punishments include being kept in the sun in temperatures over 100° Fahrenheit (40° Centigrade) and being forced to crawl on the ground over sharp stones.

Male prisoners are also subjected to humiliating practices such as being forced to answer questions using a self-deprecating form of address. If they do not answer in such a manner they are beaten. These practices occur in Block 5, which was opened recently, and is now commonly referred to as the "Women's Block", because of the form of address prisoners are forced to use. Some prisoners are denied visiting rights from relatives as another form of punishment.

Prisoners in Myanmar are also subjected to severe overcrowding, conditions which constitute cruel, inhuman or degrading treatment. Three to four prisoners are held in small cells measuring 8 by 12 feet (2.6 by 3 metres) for more than 20 hours a day. They are fed on an inadequate diet of a thin soup of pulses or vegetables, supplemented with a small piece of fish only once a week. Medical treatment is only provided when an illness has reached a severe stage. Political prisoners are not allowed to communicate with one another and are often held in solitary confinement. MI officials transfer political prisoners at will to remote prisons where their families cannot visit and provide them with additional food and medicine.

Political prisoners are generally only allowed to meet with their families after they have been sentenced, and then only for 15 minutes every two weeks; before that time they are held in incommunicado detention. Guards are present throughout the family meetings, and often take notes. Although families can bring food and medicines to their relatives, such supplies are sometimes confiscated by prison authorities. Political prisoners are also forbidden most reading and all writing materials, and are not allowed to send or receive letters. Religious tracts which have received prior approval are sometimes allowed.

Amnesty International is aware that torture and ill-treatment occurs in other prisons. One recently-released Mon farmer who had been arrested for alleged connections with the New Mon State Party (NMSPP) was held with many other political prisoners in one overcrowded room. He told Amnesty International:

"I was not allowed to see my family while in prison. If the family sent food, the prison warden would take it all...All prisoners were taken to work on the road...At the prison I was forced to dig an underground pit for body discharges."

He was held in Mawlamyine (Moulmein) prison while serving a three year sentence handed down by a military tribunal. Before his trial in 1991, he said that he had been severely tortured.

Deaths in custody of political prisoners

Since September 1988 Amnesty International has recorded the deaths of 15 political prisoners in custody, many of whom died from disease after inadequate medical attention. Recently the organization has learned of the deaths of two more political prisoners. U Dhamma Wara Seit-Dhi, a 51-year-old monk from Mandalay, reportedly died from malnutrition and malaria on 18 November 1994. He had been arrested for his participation in the 1988-89 pro-democracy movement and sentenced to five years' hard labour in the Kachin State. Hundreds of monks were arrested for their role in protest demonstrations and scores are believed to be still detained. After working on a road in a malarial area, U Dhamma Wara Seit-Shi died after repeated attacks of malaria.

U Kin Sein, in his 50's, died in Insein Prison in early 1995 of an unknown disease. He was reportedly arrested in December 1990 and sentenced to seven years' imprisonment under Section 5j of the Emergency Provisions Act. A member of the Prome township People's Progressive Party, he was also a businessman. Amnesty International is concerned at recurrent reports of deaths in custody in Myanmar's prisons, and calls on the SLORC to ensure that prisoners receive proper medical care and food.

LABOUR CAMPS AND FORCED PORTERING

The SLORC has publicly acknowledged the fact that those convicted of criminal offences participate in labour projects. However the military authorities characterize such work as voluntary. A 13 July Myanmar Television broadcast reported a 7 July speech given by Lieutenant General Khin Nyunt:

"The SLORC has reduced by one third the sentences of those convicted persons who have contributed volunteer labour at the various state development project sites...Lieutenant General Khin Nyunt notified that altogether 38,753 convicted persons have been released during the SLORC's tenure of government. This shows the national government's flexibility and humanity..."

While Amnesty International recognizes that there are prisoners who volunteer for work projects in order to reduce their sentences, it remains concerned at current reports of thousands of common criminals who have been forced to work under extremely harsh conditions. Such prisoners are subjected to even worse treatment than political prisoners. They are taken to labour camps established to construct infrastructure projects such as road building, often shortly after they have been imprisoned. Apparently prisoners can avoid going to such camps, or can be sent to camps which are less harsh if they can pay a large bribe to prison officials. Such bribes range from 5,000 *kyats* to 30,000 *kyats*.² Most prisoners are unable to pay such bribes, and are then sent to labour camps.

Forced labour frequently entails prisoners breaking rocks for road building for long hours. Prisoners are subjected to beatings and do not receive adequate food or sleep. Many of them are injured or killed when rocks are blasted with dynamite. Female prisoners are also forced to undertake labour projects in special all-women camps which have been designated by the authorities. Elderly and sick people and even handicapped people are placed in leg irons and forced to work. Health problems, such as malnutrition, dysentery, and malaria are common. Hundreds of prisoners have reportedly died as a result of disease and ill-treatment. Conditions on the Yangon to Mandalay road are so severe that prisoners working there have a saying:

"If the corpses of prisoners who lost their lives working on the Yangon to Mandalay express highway are lined up it would be longer than the mileage of the road already completed."

Reprisals are swift for those prisoners who attempt to escape from the camps, and have included extrajudicial killings. At the end of 1994 two prisoners who tried to flee from the Yangon to Mandalay Road construction, also known as "the Road of No Return", were reportedly shot and killed at close range. One other was hacked to death with a hoe and the remaining seven in the group were severely injured.

Amnesty International has obtained information about nine labour camps throughout Myanmar, including details of the number of reported deaths. About 500 prisoners work in each camp. Reports providing details of such information are summarized below:

LOCATION	NUMBER OF REPORTED DEATHS	OTHER INFORMATION
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² Six *kyats*, Myanmar's official currency, is equivalent to about one US dollar; however unofficial rates are over 100 *kyat* to the US dollar.

	OF PRISONERS	
Kabaw Valley, Western Myanmar	reported 300 died from first group of 500; a reported 200 died from second group	opened February 1992
Ywangan - Hanmyinmo Road, Sagaing Division	400 prisoners reportedly died within one month	opened September 1992; combined stone quarry and road construction
Taungzun/Mopalin Quarry, Mon State	a reported 30% of prisoners have died	
Pinlaung-Pyinmana Road, Shan State - Central Myanmar Aungban - Loikaw Road, Shan - Kayah (Karenni) State Shwenyaung - Namsan Road, Shan State	400 prisoners died in four months in Shwenyaung - Namsan camp	road construction camps
Myitkyina - Sumprabom Road Myitkyina - Shibwe Lawkhaung Road (all Kachin State)	not known	extremely harsh conditions and bad weather
Yangon - Mandalay Highway construction	not known	widespread malaria
Yezin - Htonbo Quarry, south of Mandalay	not known	only female prisoners work there
Myeik - Kawthaung Road Kawthaung Airport Extension, Tanintharyi (Tenasserim) Division	many reported deaths due to disease	not known
Tuntay (Shwethahtay) Camp Tuntay Piggery Phaunggyi Piggery, all near	not known	near Yangon; reportedly best conditions

Yangon		
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Some of those who have been injured in labour camps are brought back to Insein Jail hospital. They suffer from broken legs, hands and backs, malnutrition, malaria, and communicable diseases which they have contracted because of the extremely harsh conditions under which they are held. However those prisoners who are returned to Insein Prison are the lucky ones – an unknown number of other prisoners have died during their forced labour and porter duties. The death rate in labour camps is in the hundreds. Apparently many of these prisoners are homeless young people who are arrested for vagrancy and imprisoned for one year.

Convicted criminals are also forced to act as porters during military operations by the *tatmadaw*, the Myanmar army, in counter-insurgency activities against armed ethnic minority groups. The practice of seizing civilians for porter duty by the *tatmadaw* is routine, and ill-treatment is common. Members of ethnic minorities are most frequently taken because they are living in areas of armed insurgency. However civilians from all over Myanmar, including criminal prisoners, are also seized and moved to such areas to act as porters. Porters are often deprived of food, receive no medical attention, and are beaten if they cannot carry their load of ammunition or food any longer. Some are left to die by the side of the road. Amnesty International opposes the practice of forced portering in all cases, whether civilians are ill-treated or not.

CONCLUSION

Torture has been routine in Myanmar's prisons for many years, and has increased dramatically since the imprisonment of thousands of political prisoners beginning in 1988. Amnesty International opposes the torture and ill-treatment of prisoners in all cases. Such practices are in direct contravention of international standards, including the *Declaration on the Protection of All Persons from Being Subjected to Torture and other Cruel, Inhuman or Degrading Treatment or Punishment*. Ill-treatment and inhumane prison conditions are also in contravention of *The Standard Minimum Rules for the Treatment of Prisoners*, adopted by the First UN Congress on the Prevention of Crime and the Treatment of Offenders, held in Geneva, Switzerland, in 1955.

Recommendations

Amnesty International urges the State Law and Order Restoration Council (SLORC, Myanmar's military Government) to take the following steps to ensure that the practice of torture and ill-treatment of prisoners is eliminated:

1. Initiate an immediate investigation into all prison practices and procedures at Insein Prison and all other detention facilities.
2. Bring those found responsible for torture and ill-treatment to justice.
3. Ensure that prison conditions and practices are brought into conformity with the UN *Standard Minimum Rules for the Treatment of Prisoners*, including the prohibition of beatings, and the provision of adequate food and medical care.
4. Allow proper access to all political prisoners by the International Committee of the Red Cross (ICRC), including permission to conduct private interviews and follow-up visits.
5. Ensure that all prison labour is not punitive in nature and abolish the practice of forced portering of all civilians.
6. Allow independent human rights monitors to visit Myanmar's prisons and meet privately with political prisoners.