

EXTERNAL (for general distribution)

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Legal Concern/Fear of Torture

6 February 2015

MYANMAR SEIN Hlaing, aged 35
(formerly Burma): MYO Myint Nyein, aged 38
NYAN Paw, aged 36

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On 26 September Myanmar's official radio announced that Sein Hlaing, Myo Myint Nyein and Nyan Paw had been arrested on 9, 12 and 13 September respectively, for "organizing youths and students to create instability in Rangoon city and in connection with the preparation, planning and publication of an anti-government propaganda publication..." The authorities claimed that the publication, entitled What's Happening, "aimed at making people misunderstand the government and the Defence Forces". The report also alleged that Myo Myint Nyein had asked Nyan Paw to write poetry ridiculing military leaders. Sein Hlaing then reportedly printed and distributed the poems in the three volume What's Happening.

Since the military coup of September 1988, martial law authorities in Myanmar have detained hundreds, possibly thousands of people for their non-violent political activities. Amnesty International has received detailed information and testimonies from recently released political prisoners and refugees who have fled Myanmar which indicate that torture and ill-treatment of political detainees occurs frequently throughout the country. Consequently, Amnesty International is concerned that those three persons are at risk of being tortured.

BACKGROUND INFORMATION

Large-scale civil unrest erupted in Myanmar in March 1988. Mass demonstrations led by students and others called for an end to 26 years of one-party rule by the military and for an interim civilian administration. The military re-established its power in a coup on 18 September 1988 and established martial law which severely restricted freedom of expression and assembly. They also legalized political parties and promised elections to be held in May 1990. However, within a few months, many leaders and supporters of the newly registered political parties were arrested for breaking martial law orders. Hundreds, possibly thousands of them remain in detention.

Elections took place as scheduled on 27 May 1990. However, the ruling State Law and Order Restoration Council (SLORC) has not announced a firm timetable for the end of military rule, and has stated that a constitution must first be drawn up by the newly-elected parliament which would then be put to referendum and approved by the army.

During August up to 500 people were reportedly detained in Yangon (Rangoon) alone following increased political activity. Demonstrations took place throughout the country on 8 August, the second anniversary of mass demonstrations against one-party military rule in which hundreds of demonstrators had been killed by the army. Four political party leaders from the National League for Democracy (NLD) were arrested on that day for sending out "false news", an apparent reference to reports that four people had been killed by soldiers during a demonstration in Mandalay (see UA 327/90, ASA 16/13/90, 9 August). The official media reported that 6 other political party

leaders had been arrested during the month of September for publishing anti-government literature and distributing classified state documents.

RECOMMENDED ACTION: Telegrams/telexes/faxes/express and airmail letters:

- expressing concern that the three political activists may be detained solely for the peaceful exercise of their rights to freedom of expression and assembly, and asking for details of the law under which they are being held;
- urging that unless they are charged with a recognizably criminal offence and promptly and fairly tried, they should be released immediately and unconditionally;
- urging that they receive treatment in accordance with international standards, that they are given immediate access to lawyers and their families, and are protected from possible torture or ill-treatment in custody.

APPEALS TO:

General Saw Maung
Commander-in-Chief of the Army
Chairman of the State Law and Order Restoration Council
Yangon
Union of Myanmar

Telegrams: General Saw Maung, Yangon, Myanmar
Telexes: 21313 MOFARN BM (via Ministry of Foreign Affairs)
Faxes: +95 1 2 2950 (via Ministry of Foreign Affairs)

Brig Gen Khin Nyunt
1st Secretary
State Law and Order Restoration Council
c/o Ministry of Defence
Yangon,
Union of Myanmar

Telegrams: Brig.-Gen. Khin Nyunt, SLORC, Yangon, Myanmar
Telexes: 21316 MILPRO BM
Faxes: +95 1 2 2950 (via Ministry of Foreign Affairs)

COPIES TO: Diplomatic representatives of Myanmar in your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 13 November 1990.