

EXTERNAL (for general distribution)

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Further information on UA 361/90 (UA 361/90, 11 September 1990) - LEGAL CONCERN/FEAR OF TORTURE

**MYANMAR (formerly Burma): KYI MAUNG, aged 72
 CHIT KAING, aged 69**

Unofficial sources have reported that Kyi Maung, acting Chairman of the opposition National League for Democracy (NLD), and Chit Kaing, its acting Secretary, were sentenced to ten years' imprisonment for violating the Official Secrets Act after a summary trial on 19 November 1990. Summary trials by military tribunals are conducted according to procedures which fall far short of international standards for fairness. The calling of witnesses is severely limited, and there is no judicial right of appeal.

Major General Khin Nyunt, First Secretary of the ruling State Law and Order Restoration Council (SLORC) said they were arrested on 6 September 1990 for "handing over classified state secret documents of national interest to unauthorised persons". He did not identify the documents in question or to whom they were purportedly given. Unofficial sources have stated however that Kyi Maung and Chit Kaing were accused of passing a document given to them by Khin Nyunt to other NLD members. Both Kyi Maung, a retired army colonel, and Chit Kaing, in charge of NLD publications, were elected to the National Assembly in elections held throughout the country on 27 May 1990. The NLD won over 80% of the parliamentary seats; however, the SLORC has not announced when the Assembly will be convened or when it will relinquish power.

The Military Intelligence Service and other Myanmar security agencies responsible for the interrogation and detention of political prisoners routinely torture and ill-treat them. One NLD prisoner arrested on 24 October died in Military Intelligence Service custody in early November. The SLORC claimed he committed suicide, but there is credible evidence indicating that he was beaten to death. Amnesty International is concerned that anyone arrested for political reasons in Myanmar is at grave risk of torture and ill-treatment.

Amnesty International believes that Kyi Maung and Chit Kaing have been imprisoned because of the peaceful exercise of their rights to freedom of expression and assembly, in connection with their activities as leaders of the NLD. It is concerned that they were tried and sentenced under summary procedures not conforming to international standards for fair trial.

BACKGROUND INFORMATION

Since 22 October the SLORC has arrested scores of opposition political party activists and at least 50 NLD leaders in a new wave of suppression of opposition to its continued rule. At the same time it has also detained an estimated 350 Buddhist monks in Mandalay and other major towns, in an attempt to break up a boycott of the military. After the security forces reportedly shot dead two monks during a demonstration in Mandalay on 8 August, thousands of monks refused to have religious dealings with military personnel and their families. The latest reported arrest is that of a Burmese employee of the

British Embassy, who was sentenced to three years' imprisonment under the Official Secrets Act by a military tribunal on 19 November.

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

- asking for the immediate and unconditional release of Kyi Maung and Chit Kaing, sentenced to ten years' imprisonment for the peaceful exercise of their rights to freedom of expression.

- urging that their treatment in detention conform to international standards and that they be given access to their families and medical personnel.

APPEALS TO:

General Saw Maung
Chairman
State Law and Order Restoration Council
Yangon, Union of Myanmar
Telegrams: General Saw Maung, Yangon, Myanmar
Telexes: 21316 MILPRO BM
Faxes: + 95 1 2 2950 (Via Ministry of Foreign Affairs)

Major General Khin Nyunt
First Secretary
State Law and Order Restoration Council
c/o Ministry of Defence
Yangon, Union of Myanmar
Telegrams: Major Gen Khin Nyunt, SLORC, Yangon, Myanmar
Telexes: 21316 MILPRO BM
Faxes: + 95 1 2 2950 (via Ministry of Foreign Affairs)

COPIES TO:

Gen (ret) U Ne Win
1 Maykha (Ady) Road
Myangon
Yangon, Union of Myanmar

and to diplomatic representatives of Myanmar (Burma) in your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 9 January 1991.