



Assistance Association for Political Prisoners (Burma)

နိုင်ငံရေးအကျဉ်းသားများကူညီစောင့်ရှောက်ရေးအသင်း (မြန်မာနိုင်ငံ)

Date: December 31, 2005.

During 2005, the release of all political prisoners, including Daw Aung San Suu Kyi, was a fundamental demand at all international meetings.

At the UN, Security Council members held an informal discussion about Burma where the Secretary General and Deputy- Secretary General briefed them about Burma. Moreover, at the ASEAN Summit, ASEAN leaders demanded the military regime release Daw Aung San Suu Kyi, U Khun Htun Oo and all political prisoners and send an ASEAN delegation to Burma in January 2006.

The AAPP has been assisting political prisoners and their families since we set up our association in March 2000. The AAPP has also been campaigning with international Burma groups for the release of all political prisoners. The AAPP is also systematically documenting the military regime's oppression of democracy activists. According to our record, it is clear that the current military regime has been prejudicially cracking down on political organizations and activists in Burma.

Reflections on 2005

(A) Cooperation between the State Peace and Development Council (SPDC) and International Organizations, including the UN

SPDC intentionally reduced cooperation with International Organizations during 2005. There are 3 organizations which are work with an emphasis on preventing human rights violations in prisons. They are the Special Rapporteur on Human Rights, appointed by the United Nations Commission on Human Rights, Amnesty International and the International Committee of the Red Cross (ICRC).

During 2005, SPDC denied the mandate of these organizations to inspect prisons in Burma in various ways. For example, the SPDC did not issue

a visa to the Special Rapporteur on Human Rights, Mr. Paul Sergio Pinheiro.

The Union Solidarity and Development Association (USDA), led by Senior General Than Shwe, Chairman of the SPDC, followed ICRC when they tried to visit Tharrawaddy prison. The move was against ICRC regulations. ICRC negotiated with the USDA, asking them not to follow, but to no avail. Therefore, the ICRC decided not to make the prison visit.

The SPDC did not allow AI to visit Burma, and also neglected recommendations made by AI. AI recommended the release of all political prisoners, a change in the legal system and an end to torture.

(B) Release of Political Prisoners

In comparison with 2004, more prisoners were released in 2005. However, at the end of 2004, and at the beginning of 2005, the SPDC announced that they would release all prisoners whom the military intelligence arrested and sentenced wrongly. They released 19, 906 prisoners throughout Burma, but only 86 political prisoners were freed, including Min Ko Naing, the most prominent leader in the opposition, after Daw Aung San Suu Kyi. On 6 July 2005, the SPDC released over 250 political prisoners. There were several political prisoners who were released, but they had already completed their imprisonment. As far as we know, 361 political prisoners were released during 2005. [See Appendix A for the full list.](#)

80 ethnic political prisoners, more or less, who have been in prison since around 1983, during the time of the Burma Socialist Program Party led by General Ne Win, still remain in prison. Additionally, several political prisoners, who were arrested in 1988 or 1989, are still in prison.

For example, Ko Than Zaw, who is a member of the National League for Democracy, still remains in prison and is in poor health. He was arrested in 1989 as a suspect in a bomb explosion in an oil factory at Thanyin township in Rangoon. He was given death penalty. After his sentencing, the SPDC caught the individual, Ko Ko Naing, who bombed the oil factory after he confessed. Ko Ko Naing has been released, but Ko Than Zaw remains in prison to date.

(C) Continued Arrest of Activists

Although the SPDC released a statement on their release of political prisoners, they have never said officially how many political prisoners are in the prisons, or how many political prisoners were included in the releases. According to our records, during 2005, at least 144 activists were detained, and 68 activists were convicted. [See Appendix B and C for the full list.](#)

(D) Arrest of Ethnic Leaders

In February 2005, the Shan ethnic leaders and some veteran politicians held a meeting in Taungyi, the capital of Shan State in Burma, about the future of Shan State and how ceasefire groups should respond to the upcoming National Convention (NC), which resumed on December 5, 2005. After the meeting, the SPDC arrested the ethnic leaders and gave them extraordinarily long prison sentences, accusing them of trying to interfere with the NC and trying for separation. One of those who were arrested was U Khun Htun Oo, the Chairman of the Shan National League for Democracy, which won the second most votes in the 1990 election. 11 other leaders were also arrested. General Hso Ten, a patron of Shan State Peace Council, who was working with the SPDC on a ceasefire, received the lengthiest sentence. He was given 106 years imprisonment. The others were given over 90 years imprisonment. These are the longest sentences ever given to political prisoners in Burma.

Such kinds of imprisonment are intended to set an example and indirectly threaten others in ceasefire groups not to speak out against the SPDC and the current NC. Now, when the MI warns activists not to criticize the current NC, they say to look at Khun Htun Oo and others as an example.

(E) After Daw Aung San Suu Kyi, U Tin Oo and their groups were attacked by SPDC thugs in Depayin in May 2003, Daw Aung San Suu Kyi and U Tin Oo were placed under house arrest under the State Protection Act, Section 10(b). U Tin Oo's house arrest was extended again in February 2005 for another year, and Daw Aung San Suu Kyi's arrest was extended on November 27, 2005.

The SPDC has not released those who have completed their prison sentences. They are Dr. Than Nyein and Dr. May Win Myint, who are members of parliament from the NLD. They were arrested in 1997 and received 7 years imprisonment. Their imprisonment was completed in 2004. Instead of being released, the SPDC detained them under the State Protection Act, Section 10(a), and placed them back in prison. At the beginning of this year, both of their imprisonments were extended again.

On 8 February 2005, after the SPDC arrested U Khun Htun Oo and others, they put U Shwe Ohn, who is a veteran Shan ethnic leader, under house arrest with State Protection Act, Section 10(b).

(F) Innocent Villagers arrested

On 7 July 2005, Light Infantry 93, based at Myanug Mya in Irrawaddy Division, detained over 30 villagers living at Tagoo Seat and A Thout villages in Eimae Township, Irrawaddy, under suspicion that they were hiding weapons and ammunition for the Karen National Union (KNU). Then, they thoroughly searched for weapons and ammunition in the church, cemetery and homes. Even though they did not discover anything, they interrogated the Chairman of the Ward Peace and Development Council and others.

During the interrogation, because of electric shocks, Saw Stanford, who was a school teacher at the State Middle School, died. They brought 16 villagers into Rangoon for further interrogation. They interrogated them for one month using serious torture, but they did not get any information to support their accusations. Therefore, on 12 August 2005, they release the innocent villagers.

Before they released the innocent villagers, they forced them to sign a document saying they would not say anything about the interrogation to anyone, especially outside media. If the villagers agreed, the military would help for village development, and they would give a compensation of \$300 for Saw Standford's death. The family refused to take the money, and asked to know the truth about Saw Standford's death.

(G) Planned arrest

During 2005, the SPDC used more cunning ways to oppress activists. For example, they arrested NLD members with opium, for an illegal lottery, after a motor cycle accident, under the tuition act, for giving false information to the International Labor Organization (ILO), and under the Courtesy Law. [See Appendix D for full list.](#)

(Note: The Courtesy Law is used only in Burma. Suppose you live in New York. Your mother lives in Washington. If you want to visit and sleep at your mother's home, you have to report to the local state peace and development council. Otherwise, you and your mother would be arrested and given 2 weeks imprisonment, or a fine, or both.)

(H) Died at Interrogation Centers and prisons

During 2005, more activists died in both interrogation centers and prisons. Between May and December 2005, at least 7 activists died because of torture and lack of medical care. We can say that it is systematic and gradual killing. [See Appendix E for the full list.](#)

(I) Trial

The trial system is getting worse and worse. It was especially worse in 2005. We can say that education is not necessary for being a judge. Anyone can become a judge in Burma if he or she can speak. A judge's duty is to read out what written on paper or to speak out according to the instructions of the intelligence. Judges in Burma only think of their promotion, not the truth.

Trials for political activists continue to fall far short of international standards for fair trial. Individuals are held incommunicado for lengthy periods after arrest. The right to a lawyer, or to a lawyer of one's own choice, is frequently denied. Political trials are often held in the prison compound. The SPDC neglects the fact that everyone is considered innocent until proven guilty. While awaiting trial, activists are denied proper medical treatment, and are tortured, both physically and mentally.

(J) Transferring

The SPDC deliberately transfers political prisoners to prisons far distances from their families. Though such transfers have been common, the practice has increased in recent months. Placing political prisoners in remote prisons serves several purposes for a regime intent on systematically eliminating all political dissent.

When a political prisoner is placed in a remote prison, their family then struggles to afford the travel costs to visit their loved ones. There are also the additional costs of losing time away from work, and finding others to look after any children. The spouses of political prisoners subsequently find their employment in question, and the ability to pay for their children's education in jeopardy. Many families of political prisoners have been forced to sell houses, family heirlooms and other valuable possessions to visit their love ones and manage for their daily survival. Some families have made the long journey to visit their loved ones only to be denied permission to enter the prison when they arrive.

Due to the tremendous financial burden that placing a political prisoner in a far away prison creates, many families are unable to visit their loved ones. A

political prisoner is only allowed to be visited by their family members. High profile political prisoners are sometimes allowed to consult with lawyers; most political prisoners have no legal representation. Without family visits, political prisoners are completely cut-off from the outside world. Such a situation is a noted precondition for possible torture and ill-treatment. When a political prisoner is unable to report on the conditions they are facing, the authorities will either deliberately target that individual for torture and ill-treatment, or simply allow the prisoner to be neglected.

Political prisoners further rely on their families to receive the proper food and health care while in prison. While in prison, political prisoners do not receive nutritious food or sufficient caloric intake to remain healthy. When a political prisoner becomes ill, they rely almost completely on their family for the proper medications. The distance between a political prisoner and their family makes receiving packages of food and vital medicines difficult. As a result, many political prisoners develop severe illnesses while in prison which go untreated, and have even resulted in death.

(K) Prison Conditions

- (1) Increased torture of political prisoners in various prisons
- (2) Increased protests or hunger strikes because the prison authorities stopped some cosmetic progress
- (3) Political prisoners were bullied by criminal prisoners because the prison authorities intentionally mixed political prisoners with criminals
- (4) Even though there is a health committee established by the Ministry of Health, the Prison Department and the ICRC, it does not work on the ground. Moreover, the Union Solidarity and Development Association (USDA) disturbed ICRC's activity for visiting prisons by insisting on following along.
- (5) The health situation for prisoners is getting worse, sometimes resulting in death due to a lack of skillful physicians, medics and medicines.
- (6) The prison does not provide enough nutrition, but rather more restrictions on food and medicine. Therefore, prisoners rely on food and medicine from their families. When families visit prisoners, families bring well cooked meat, fried fish, fruits, snacks and medicine. In previous years, the prison authorities allowed families to bring this food, but now the prison authorities limit the foods they can bring. For example, 50 tackles of fried meat, 50 tackles of fried fish paste, a pack of cheroot, a group of bananas, a small pack of snacks and medicine prescribed by the prison doctor. As a result of this, prisoners are facing malnutrition and suffering more diseases.

- (7) Malaria is a common disease in some prisons. Some have died and some suffer mental health problems because of malaria. Mental disorders are widespread among the prison population. There is no proper program for AIDS. Though political prisoners now have access to single use needles, criminals are injected with one needle without sterilization.
- (8) When a political prisoner is brought to the outside hospital for medical treatment, they are taken in shackles and handcuffs and are placed in a guard ward. In the hospital, they are not treated well or provided with suitable food. Therefore, political prisoners are reluctant to go to the hospital guard ward. Additionally, political prisoners are not allowed to meet with their families. In November 2005, Ko Aung Myint Thein died at Insein prison. Before he died, he experienced the above.
- (9) Businessmen and prison authorities make money by using prisoners' labor in prison. Some small business is made in prison. But prisoners receive no wages for their labor contribution.
- (10) Prison authorities used prisoners as animals in the prison agricultural fields.

The above mentioned human rights violations, including arbitrary detention and torture, are the responsibility of several officials. The Ministry of Home Affairs oversees and is responsible for the treatment of political prisoners. Those detained under the State Protection Act are overseen by a committee of the Ministry of Home Affairs, Defense and Foreign Affairs. Interrogations are conducted by the Military Intelligence and the Special Branch (a section of the Police Department), and thus they are responsible for all torture that takes place during this time. Further, the judges in Burma, under the intimidation from the MI, bear responsibility for the numerous arbitrary detentions, as they fail to insist on adhering to international standards for fair trials.

[The AAPP has various means of collecting information regarding political prisoners. We have extensive contacts with the families of political prisoners in Burma, and with former political prisoners. Additionally, we are able to collect and verify information from Burmese radio stations, other Burmese organizations, and even the SPDC press conferences and newspapers.]

Assistance Association for Political Prisoners (Burma)

More Information: Tate Naing 66-1-287-8751
 Bo Kyi 66-1-324-8935

