

2. Arbitrary Detention and Enforced or Involuntary Disappearances

2.1 Background

During 1999, the SPDC intensified its systematic use of coercion and intimidation to deny citizens the right to change their government. In August 1998, the NLD leadership organized a 10-member Committee Representing the People's Parliament (CRPP) to act on behalf of the parliament. The SPDC has responded by intensifying its campaign to destroy NLD without formally banning it, by intimidating several elected representatives into resigning from the parliament, by detaining 55 other elected representatives, and by pressuring constituents to sign statement of no confidence in others.

Throughout the year, SPDC continues its campaign of detention and intimidation to prevent the NLD from convening the parliament elected in 1999. Between July and September, SPDC arrested or detained hundreds of local NLD leader and former students leaders throughout the country; reportedly detaining as many as 100 persons in Pegu and Mandalay alone.

At year's end, the SPDC continued to detain, with charges, 55 persons elected to parliament in 1999; most of whom were NLD members detained since September 1998, just before the NLD organized the formation of the CRPP. During the year, the junta released about 150 members-elect of parliament who had been detained without charges in 1998. However, there were numerous reports that the regime released these members-elect of Parliament only after they had agreed to resign from the elected Parliament, to draw their proxies to CRPP members, or otherwise to restrict their political activities.

In May 1999 the International Committee of the Red Cross (ICRC) announced that it had begun to visit prisons in Myanmar. In March 2000 the ICRC also began visiting labour camps, where convicted criminals have been held in extremely poor conditions. In addition the ICRC has reported that they have been able to visit prisoners held in government guesthouses, where NLD members have been detained without charge or trial since the party's announcement in September 1998 that they would convene parliament unilaterally.

2.2 Human Rights and SPDC laws

The SPDC's use of its laws to quash the principles of basic human rights in Burma is long-standing and well-established. The SPDC has enforced laws curtailing civil and political freedom and utilized laws that allow it to crush any political opposition. The SPDC's laws and regulations hamper and even criminalize freedom of thought, the dissemination of information and the right of association and assembly.

The most commonly employed laws banning the demonstration of civil and political rights have been the 1923 Government's Official Secrets Act, the 1950 Emergency Provisions

Act, the 1957 Unlawful Associations Act, the 1962 Printers' and Publishers' Registration Law, the 1975 State Protection Law (Law to Safeguard the State against the Dangers of those desiring to cause Subversive Acts), Law No. 5/96 (Law Protecting the Peaceful and Systematic Transfer of State Responsibility and the Successful Performance of the Function of the National Convention against Disturbance and Opposition). These laws and orders have restricted the civil and political rights of Burmese citizens for years; now, with technological advances available across the globe, new laws have been enacted in order to provide the SPDC authorities additional legal bases to curtail freedom of expression and the exchange of information.

In 1998, in order to restrict the activities of the NLD MPs, the SPDC has used the 1961 Habitual Offenders Restrictions Act, that precludes members of political parties from leaving their localities or their houses without prior permission from the authorities; otherwise they risk arrest and interrogation by the police or military intelligence agents. A number of NLD elected representatives have been arrested or charged under this Habitual Offenders Restrictions Act. This 1961 Act was intended to be applied only to restrict the habitual offenders of the law; instead, it is being used only to harass the activities of the NLD MPs.

A description of some of the most widely-cited laws appears below:

The 1950 Emergency Provisions Act allows up to seven years imprisonment for any person who “infringes upon the integrity, health, conduct, and respect of State military organizations and government employees, spreads false news about the government, or disrupts the morality or the behavior of a group of people.” The law also makes it an offense, punishable by life imprisonment, to “intend to or to cause sabotage or hinder the successful functioning of the State military organizations and criminal investigative organizations.” This law is commonly used by the regime to carry out indiscriminate and arbitrary arrest and detention of political opponents.

Under the 1975 Law to Safeguard the State against the Dangers of those desiring to cause Subversive Acts (amended in 1991), the Council of Ministers is authorized under section 7 of the law to “pass an order, as may be necessary, restricting any fundamental right of a person if there are reasons to believe that any citizen has committed or is about to commit any act which infringes upon the sovereignty and security of the State or public peace and tranquility.” The law also stipulates in sections 13 and 14, the possibility to continue imposing restraint for “a period not exceeding one year at a time up to a total of five years.” This State protection law has been applied extensively to suppress peaceful political dissidents; it was used to detain Daw Aung San Suu Kyi under house arrest between July 1989 and July 1995.

The 1957 Unlawful Associations Act permits up to five years imprisonment for any person who has been a member of, contributes to, or receives or solicits any contribution towards any association which “encourages or aids persons to commit an act of violence or intimidation or in which the members habitually commit such acts; or which has been declared unlawful by the President of the Union.” Moreover, anyone managing or assisting in promoting a meeting of such an association can be subjected to similar punishment. A number of organizations, including political parties, student unions, profession groups, religious associations, as well as armed opposition groups, have been declared unlawful under this Act. This Act

falls far short of international human rights standards; its incompatibility with international standards is underlined by the arbitrary, indiscriminate, and heavy-handed manner in which it is applied, usually to suppress peaceful dissent.

A law issued on June 7, 1996, No. 5/96, allows prison sentences up to 20 years for anyone who expresses political views publicly. This law, entitled “The Protection of the Stable, Peaceful, and Systematical Transfer of State Responsibility and the Successful Implementation of National Convention Tasks, Free from Disruption and Opposition,” prohibits, inter alia, the preparation or dissemination of speeches or statements that undermine the stability of the State or are critical of the SPDC, and prescribes up to 20 years imprisonment for persons violating the law; organizations taking part in such activities can be banned and have their funds and property confiscated. Harassment of NLD members and supporters was further stepped up under this law.

Under the 1980 Video Law, all video cassettes must be submitted to the Video Censorship Board, controlled by the SPDC, for scrutiny. Any person involved in the production, duplication, or distribution of videos is threatened with a prison term of up to three years under this law.

The new Television and Video Act, issued on July 31, 1996, requires that: a) foreign diplomatic Missions and United Nations agencies obtain permission to show imported videos at “public exhibitions” and gives Government video censorship boards the right to ban, censor, or restrict their showing; b) private video operators have to obtain licenses from the Video Business Supervisory Committees formed in all States and Divisions in the Union of Myanmar; and c) all videos, both imported and locally-produced, have to be approved by the Video Censorship Board. Violators of these provisions are subject up to three years in prison and/or a fine of up to 100,000 *kyat*. The new law also forbids private transmitters that are not authorized by the government, prescribing up to five-year prison terms for offenders.

Another law entitled “The Computer Science Development Law,” issued on September 27, 1996, makes the unauthorized import, possession, and use of certain types of computer equipment illegal. For example, the unauthorized use of computers with networking capability is punishable with a sentence of between seven and 15 years in prison and/or a fine. A “Myanmar Computer Science Council” is to be established to decide which computer equipment should be restricted or banned. According to the government-controlled newspaper, *The New Light of Myanmar*, the punishment will be prescribed for anyone establishing links with a computer network without prior permission or who uses computer networks or information technology for undermining State security, law and order, national unity, the national economy, national culture, or who obtains or transmits State secrets. Members of unauthorized computer clubs may, according to reports, be sentenced to a minimum prison term of three years. A punishment of between five and 10 years in prison is prescribed for anyone who imports or exports computer software or information banned by the Myanmar Computer Science Council.

Since July 1998, the SPDC has used the 1961 Habitual Criminal Offenders Act against NLD MPs in order to restrict the activities of the NLD. This puts repeat offenders on permanent bail, forcing them to sign up with local authorities on daily basis. Many NLD MPs refused to sign, and as a result by mid-July 1998, some 79 MPs had been detained. This 1961 Act was intended to be applied only to restrict habitual offenders of the law. Since

section 5/1(g) applies to those habitual lawbreakers and offenders only, the assumptions and accusations of the SPDC concerning the NLD MPs is not applicable. The restraining order issued under this Act that all MPs to remain within certain areas and not to be allowed to travel outside specific areas is a violation of the Universal Declaration of Human Rights.

2.3 Denial of a fair and public trial

Although remnants of the British-era legal system are formally in place in Burma, the court system and its operation remain seriously flawed, particularly in the handling of political cases. Throughout 1999, the SPDC continued to rule by decree and was not bound by any constitutional provision providing for fair trials or any other rights. Not only have the people charged under the various law and military decrees been consistently denied fair trials and the due process of law, but also the judicial system itself has been emasculated over the years.

SPDC appoints the Judges of the Supreme Court. The Supreme Court selects judges for the lower courts, but requires the approval of SPDC authorities. The Supreme Court is further in charge of supervising the lower courts. The Judiciary Law does not contain any provisions on the security of tenure of judges and their protection from arbitrary removal, thus leaving such issues entirely in the hands of the SPDC and, what is worse, without any guarantees provided by law by which the SPDC is bound.

In addition to the SPDC's unrestricted power in the appointment of judges, the courts are powerless to protect the rights of victims of oppression. This is so because a great number of decrees have been promulgated by the SPDC for the purpose of repressing political activity and the freedoms of thought, expression, association and movement, among others. Moreover, emergency laws are still resorted to. The courts have no jurisdiction to challenge or to discard this repressive legal arsenal.

Unprofessional behavior by some court officials, the misuse of overly broad laws — including the Emergency provisions Act of 1950, the Unlawful Associations Act, the Habitual Offenders Act, and the Law on Safeguarding the State from the danger of Destructionists — and the manipulation of the courts for political ends continue to deprive citizens of the right to a fair trial and the rule of law.

Some basic due process rights, including the right to a public trial and to be represented by a defense attorney are generally respected, except in political cases that the authorities deem especially sensitive. Without the permission of the intelligence organs, judges cannot even let the family and counsel of the accused know what sentence has been passed. In many cases, the accused is kept in ignorance of the section of law under which he is charged. There have been reported instances where Military Intelligence has passed sentences orally at the time of arrest, before any trial had taken place. More often than not trials are held on camera. Defendants with political charges are given little chance to speak during the trial, let alone present a proper defense. Even where they manage to make a statement, the judges pay no heed to it. Prior to being charged, detainees rarely have access to legal counsel or their families and political detainees have no opportunity to obtain release on bail. In most political cases, trials are held in courtrooms on prison compounds and are not open to the public. In these instances, defense counsel appears to serve no purpose other than to provide moral support, since reliable reports indicate that verdicts are dictated by higher

authorities. Political detainees are held incommunicado for long periods. Even after being charged, detainees rarely have benefit of counsel.

In October 1999, the Supreme Court dismissed suits brought by members of the NLD's central executive committee against SPDC Secretary 1, Lt-Gen. Khin Nyunt, the Chief of the MIS. (Military Intelligence) The lawsuit alleged that the military intelligence apparatus intentionally damaged private individuals in connection with the detention of NLD members and elected MP. They also filed a lawsuit against other senior SPDC officials for libelous fraud, and intimidation in connection with the organization of "no confidence" petitions against NLD members-elect of parliament. Although the hearing was closed to the public, the Supreme Court reportedly ruled that the Lt-Gen. could not be sued for official actions without the permission of his superior, Senior General Than Shwe, and that the "no confidence" petitions were valid.

2.4 Activists Arrested Prior to the planned 9-9-99 uprising, including former activists (Massive arrests to prevent 9999)

Between July and September 1999, SPDC arrested and detained hundreds of local NLD leaders and former student leaders throughout the country. SPDC reportedly detained as many as 100 persons in Pegu and Mandalay between July and September, many of these arrests were intended to prevent public demonstrations in connection with the anniversary of the August 1988 pro-democracy uprising or on the numerologically significant date of September 9, (9.9.99) on which some pro-democracy groups in exile had called for a nationwide general strike to commemorate the 1988 uprising. Several of those arrested were women, including three sisters who were reportedly arrested for wearing yellow t-shirts with pictures of Daw Aung San Suu Kyi on the front.

Case of Kyaw Wunna and his family (World's youngest Prisoner of Conscience)



Three-year-old Thaint Wunna Khin and 18 others were arrested between July 19 and 24 in Pegu, central Burma. They were detained on suspicion of planning a July 19 march to commemorate the 52nd anniversary of General Aung San's assassination. Between 16 and 18 July, pamphlets announcing the march were distributed and messages were spray-painted on walls calling for support for the NLD, for prices to be lowered, and for civil servants' salaries to be raised. The local Military Intelligence (MI) arrested Thaint Wunna Khin, aged 3, and her mother, Ma Khin Khin Leh, when they could not find her father, Kyaw Wunna. They arrested six other members of his family on July 23. A further 11 people who distributed pamphlets were arrested between July 19 and 24. Thaint Wunna Khin was named by Amnesty International as the "world's youngest prisoner of conscience".

2.5 Students Given Sentences up to 54 years

In August and September 1998, demonstrations by the students resulted in another crackdown by the Military Junta. Many students involved in the activities went into hiding and were later caught and arrested and on January 18, 1999 were sentenced to long prison terms ranging from 10 to 52 years. While awaiting their sentencing, the students were detained in Military Intelligence Service (MIS) interrogation camps where many were tortured and sustained severe injuries. Some of the students and their sentences are as follows:

Ko Thet Win Aung

He was an underground (UG) participant in the 1998 student demonstrations. In September 1998, Ko Thet Win Aung was arrested by MIS and sentenced to (52) years imprisonment under the Insein Prison Code. He was given an additional one-year term and is serving his sentence in Myitkyina Prison.

Ko Myo Min Zaw

A second-year English Major, Hlang Campus, Ko Myo Min Zaw was arrested by MIS for participating in the student demonstrations. He went into hiding where he tried to organize another student demonstration when MIS caught him. He was accused of agitating unrest and originally given a sentence of 38 years, which has since been increased to 52 years. Now he is being detained at Bassein Prison.

Ko Myo Min Htike

In September 1998, Myo Min Htai, a 23 year old student of the Yangon Institute of Technology was arrested by MIS at his house and sentenced to 52 years imprisonment under 5(j) and the Insein Prison Code. Currently, he is serving his sentence at Patheingyi Prison.

Ko Aye Aung

A second-year Physics major, Distance Education University (Dagon University) and one of the main leaders of the demonstrations, he was arrested in hiding in Rangoon together with Ko Myo Min Zaw by MIS and sentenced to an imprisonment of 14 years. After a second interrogation, MIS added another 10 years. He is serving his sentence at Kalay Prison.

Ko Yan Aung Soe

He was arrested by MIS and originally sentenced to 14 years but was given an additional 10 years and is being detained at Myingyan Prison.

Ko Kyaw Swar Swe

On September 24 1998, during a demonstration, Kyaw Swar Swe, aged 23, who was a 2nd year student of electrical power at the Association of Government Technical Institute, was arrested by MI on 30th street in downtown Rangoon. He was sentenced to 14 years [under 5(j) act] imprisonment and the Insein Prison Code. He is serving his sentence

at Pathein Prison.

Ko Chan Nyein Win

On September 23 1998, in the evening, Chan Nyein Win, aged 24, who had been a 2nd year student at the Association of Government Technical Institute was arrested by MIS at his house and sentenced to 14 years.

Ko Bo Bo

A member of the National League for Democracy-Youth (NLD-Y), MIS caught and sentenced him to a 7-year term for joining the student movement. Recently, we have learned from sources inside Burma that Ko Bo Bo was tortured and had his fingers smashed and broken during a second interrogation by the MIS.

Ko Kyi Thar Nyein

In September 1998 Kyi Thar Nyein, a 22 year old student in 2nd year at the Yangon Institute of Technology, was arrested by MI at Shwe Bo. After his arrest, he was interrogated in Yangon, and sentenced to 7 years imprisonment under 5(j) and the Insein Prison Code. When ICRC came to Burma to investigate prison conditions in June 1999, he was secretly transferred from Insein Prison to Kalay Prison, and 7 more years were added onto his sentence.

Ko Thuya Aung

On August 24 1998, Thuya Aung, a 21 year old student in the first year chemistry program at Hlaing College, was arrested by MIS at his house in Kamaryut Township, and sentenced to 7 years imprisonment under 5(j) and the Insein Prison Code. He is currently serving his sentence at Myitkyina Prison (Northern Burma).

Ko Htein Lin Aung

On August 24 1998, Htein Lin Aung, a 22-year-old student of physics at Hlaing College, was arrested along with his wife by MIS at his house in Kamaryut Township. Three months later, his wife was released and he was sentenced to 7 years imprisonment under 5(j) and the Insein Prison Code. He is now being detained at Insein Prison.

Again, after the 9-9-99 action, students were arrested and given long prison terms. The following students were given the following sentences and sentence extensions.

Ko Nyi Htwe, or San Zaw Htwe

Nyi Htwe, aged 22, was involved in the 1996 student movements, during which he established many connections in the freedom of education movement. In 1998, he was again actively involved in the August 24 student demonstrations. Some of his friends were arrested after this movement, and he was forced into hiding. During his time in hiding, he became an extension member of the NLD-Youth and worked at the NLD Headquarters. In September 1999 he attempted to organize the '9999' action so MI came to arrest him at his house on the evening of 9-9-99. However, he was able to evade their arrest. On September 20 the MI again attempted to arrest him, and searched his house and took some documents

and other materials of his. In November 1999 the MI succeeded in arresting him. On December 3, 1999 he was sentenced in Insein Prison Court to 37 years with hard labour under the 5(j), 17/1, Illegal Publication law. On January 22, 2000 he was transferred to Thayet prison.

Ko Zaw Ye Win

Ko Zaw Ye Win, now aged 27, was involved in the 1988 uprisings in Burma as a RIT (Rangoon Institute of Technology) student and a member of the RIT student union. In 1989 he became a member of the Democratic Student Front, Yangon division. Together with this group he was involved in the memorial ceremony of Phone Maw on the 1990 anniversary of his death. Due to this activity, he was arrested by the MI and sentenced to 3 years imprisonment with hard labour. After he was released from prison, he continued his involvement in the political field. In September 1999, he worked to organize the support of people for the '9999' action. He was arrested again by the MI at the end of September, 1999. On December 3 he was sentenced in Insein Court to 17 years in prison under the 5(j), 17/1 Illegal Publication law. On January 22, 2000 he was transferred to TharYarWaddy prison.

Ko Thet Htwe

In 1988, Thet Htwe, now aged 29, was heavily involved in the '88 movement as a member of Rangoon University Students Union. In 1989 he joined the Student Democratic Front, Yangon Division. In 1990 he was on the leading committee of All Burma Federation of Student Unions (lower Burma). At the end of 1990, after the election results of Aung San Suu Kyi's NLD party were denied, he fled to the border area. In 1997 he secretly returned to the central area of Burma to work underground with Rangoon University Students Union. In 1999 he supported the work for the '9999' action, and was subsequently arrested by the MI in November. On December 3, 1999 he was sentenced in the Insein Prison court to 21 years imprisonment with hard labour under the 5(j), 17/1 Illegal Publication law. On January 22, 2000 he was transferred to Taungue Prison.

(Source: ABFSU-FAC)

2.6 Arrest of Foreign Activists

Two foreign pro-democracy activists were arrested and sentenced to long prison terms during 1999.

Case of James Mawdsley

On August 31, 1999, James Mawdsley, a British and Australian citizen who had previously been arrested in Burma in 1997 and 1998, serving 90 days of a five-year prison sentence for illegal entry, was arrested again in Tacheleik Township, Shan State. He was arrested while he was distributing anti-SPDC leaflets at the local market. He was convicted and sentenced to a total of 17



years in prison. He was charged with Section (13/1) of 1947 Immigration Law and punished to five years imprisonment and also charged with Section (17) of 1962 Printers' and Publishers' Registration Law and sentenced to (7) years imprisonment. In addition, he has to serve his unfinished previous 5 -year prison term of his last arrest in 1998. The trial was held in secret at Tachileik Court. According to sources, he was transferred to Kengtung Prison on September 1st, 1999. He refused to appeal his sentence, insisting that the SPDC and its legal system are illegitimate. He is currently still serving his sentence in Kengtung prison.

Case of Rachel Goldwyn



On September 7, 1999, at 5:30 in the evening, 28-year-old London woman, Rachel Goldwyn, was arrested by the military police after singing an outlawed revolution song and demanding civil rights in a busy Rangoon market place — at the corner of Ahnaw-ra-ha Road and Barr Street. In front of a crowd of 300 students MISs Goldwyn sang the revolution song, “We Will Never Forget,” chanted “free Burma,” and demanded the release of all political prisoners, freedom for James Mawsdley, and the stopping of ethnic cleansing. She put up a poster which read, “Free Burma” and publicized the 9.9.99 uprising planned by underground student activists. Shackled at the ankles she sang the (Burmese) revolution song and shouted pro-democracy slogans for 15 minutes before the military police dragged her into a van and drove off through the shouting crowds. She was convicted of sedition and sentenced to seven years' imprisonment, but released on appeal and left the country in November.

Partial list of the Arrest of Military personnel in 1999

On August 27, 1999, seven military officers as well as two rank-and-file soldiers were arrested in Papun Township of Karen State because they had been circulating pro-democracy pamphlets, posters and stickers in Karen State. They had also been trying to organize fellow military personnel to involve in the pro-democracy movement led by NLD and Daw Aung San Suu Kyi They were detained and interrogated by the military intelligence service (MIS). The men were:

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|-----------------------|-------------------------------|
| 1. Lt. Kyaw Thura | 6. Lt. Kyaw Zaya |
| 2. Lt. Maung Aung | 7. Lt. Than Win |
| 3. Lt. Aung Htay Lwin | 8. Lance-Corporal Sein Thuang |
| 4. Lt. Okkar Myint | 9. Lance-Corporal Myint Kyu |
| 5. Lt. Myint Zaw | |
- (Source: NCUB)

On December 18, 1999, six people including Col. Khin Maung Lwin, the computer officer at the War Office in Rangoon and five instructors from Eagle Computer School and Winner Computer School were arrested for violating the Official Secrets Act. They had reportedly been accessing ‘Burmanet’, a web infosite containing news from the opposition.

The schools were closed and they were instructed to tell students that they were closing due to “Y2K problems.” (*Source: HRDU*)

2.7 Life of Political Prisoners

Some human rights organization estimate that there are 1,300 political prisoners in Burma, but some activists from Burma say that there are presently over 2,500 in prisons across Burma. They are suffering as a consequence of their involvement in the struggle for democracy and human rights.

Prison condition in Burma fall far short of international standards (e.g. the Standard Minimum Rules for the Treatment of Prisoners, the Basic Principles for the Treatment of Prisoners and the Body of Principles for the Protection of All Persons Under Any forms of Detention or Imprisonment). However, international monitoring of prisons began in May 1999 after the SPDC agreed to allow the ICRC unrestricted access to all prisoners in all prisons, detention centers, and labor camps. During 1999, the ICRC was able to visit more than 30,000 prisoners in at least 18 prisons including more than 1,300 political prisoners. SPDC allowed the ICRC to perform its traditional services such as delivering letters to and from prisoners.

However, there are many reports of the maltreatment of prisoners in Burma documented in 1999. It includes torture, prolonged shackling, lack of proper medical care, and insufficient food. Torture techniques including beating, often to the point of unconsciousness; being forced to crawl over sharp stones or shards of glass; and being held in the hot sun for prolonged periods. Such gruesome tactics and others are used by SPDC security forces to punish and intimidate prisoners.

Political prisoners are subjected to torture during both the initial interrogation period and after they have been sentenced. Once imprisoned, prisoners can be summoned at any time during the day or night by Military Intelligence (MIS) personnel, who maintain a permanent presence in most of the prisons in Burma. Political prisoners who break arbitrary and harsh prison rules are subjected to even harsher punishments. Even possession of almost any reading material is a punishable offense under prison rules. Political prisoners are often sent to “military dog cells,” extremely small cells where military dogs are normally kept, or to other cells where they are subjected to beatings and placed in stocks or leg-irons made of chains with an iron rod between the feet.

Prisoners are also subjected to severe overcrowding, conditions that by themselves constitute cruel, inhuman or degrading treatment in other parts of the world. It is standard in prisons throughout Burma for 3 or 4 prisoners to be held in small cells measuring 8 by 12 feet (2.6 by 3 meters) for more than 20 hours a day. They are fed an inadequate diet of a thin bean soup or vegetables, sometimes supplemented with a small piece of fish only once a week. In Thayet prison, Magwe Division, where there are a total of 74 political prisoners, 3 persons are placed in each of the cells measuring 12' x 8' where they sleep, eat, and defecate. These conditions are most inhuman and a danger to health of the prisoners which has resulted in the sickness and death of some.

Medical treatment is rarely provided and then only when a prison's illness has reached a severe stage. The most common diseases among the prisoners are: gastrointestinal diseases (amoebic dysentery, bacillary dysentery and diarrhea), jaundice (viral and amoebic hepatitis),

AIDS and skin diseases. Conditions in prison allow for the easy transmission of these diseases due to poor sanitation, unclean and semi-cooked food, dirty kitchens, polluted surroundings, and lack of personal hygiene (particularly because of poor water supplies).

Under the current military regime, the political prisoners in Burma have even been denied the rights of prisoners outlined in the "Jail Manual", a document drawn up by the British in 1891, and supposedly still recognized by the regime. The political prisoners are often subjected to extra prohibitions and severe punishments in repressive degrees that are not mentioned in the manual. Moreover, the political prisoners who peacefully complain about the abuses and ill treatments of the prison officials and ask for redressing are given both severe punishments and additional prison terms. Political prisoners are not allowed to communicate with one another. In addition, they are only allowed to meet with their families after they have been sentenced.

Apart from the political prisoners who are put in the solitary confinement, an unknown number are forced to perform hard labor in their respective prisons on a daily basis. However, the political prisoners are not provided sufficient water (for bathing and drinking), food, medical treatments and even space for sleep. Therefore the political prisoners absolutely depend on the support of their families for the preservation of their lives. Some political prisoners have died from the lack of essential assistance such as medicine and nutritious food.

The SPDC intentionally tries to break the spirit of political prisoners down by sending them to the remote prisons far away from their families where they suffer psychological and often physical misery from the lack of support from their family. All 15 NLD members imprisoned in the jail that is built in deep jungle area near Kalay Town in Sagaing Division where family members can not reach are suffering from Malaria.

Meanwhile the MI and local authorities of the SPDC regularly intimidate and persecute the family members of political prisoners. The MI frequently confiscates the belongings of the families of political prisoners. They also harass the economic, social and educational lives of the family members of political prisoners. In most cases the family members lose their jobs, so that in the end they find it very hard to provide regular support for their imprisoned family member. They even can not afford the transportation costs to visit their imprisoned relatives. In many cases, as the political prisoners used to be the breadwinners of their families, many families that are left outside can not afford to assist them for a long time.

Moreover, the political prisoners meet even further bitter situations when they are released from prison. The SPDC intimidates and harasses the former political prisoners using all available means, although they have finished their prison terms, to ensure that they can not resume their political activities. When extraordinarily sensitive occasions take place in Burma such as anniversary dates, the former political prisoners are usually detained and interrogated for unlimited periods without reason. The SPDC also utilizes many different ways to isolate them from society. The main weapons of the SPDC to marginalize the former political prisoners are to outcast them from economic and educational opportunities.

2.8 Transfer of Political Prisoners

Throughout 1999, the SPDC has frequently transferred political prisoners to different

prisons throughout Burma. It is believed that this is done to prevent links from forming between political prisoners, as well as between prisoners and prison staff. All prisoners usually are permitted to receive medicine and essential supplemental food brought by their families during 15-minute visits permitted every two weeks. However, these visits become difficult when the political prisoners are transferred to remote prisons far from where their families are living. Most such prisoners suffer additional hardship in the form of reduced access to family support, food, medicine, and clothing. SPDC transferred many political prisoners from Rangoon's Insein prison to other prisons remote from the city before the ICRC's first visit to Insein in May 1999. Groups of political prisoners from Insein prison were transported in large motor vehicles and railway cargo cars to jails all over the country. The prisoners were treated harshly during the transfer, which was supervised by the MI. Their heads were shaved, and they were put heavy metal chains that were old and rusted and caused sores to develop on the prisoners ankles. The transfers were hurriedly completed the night before the first ICRC inspection.

Between April and May of 1999, the military junta secretly transferred an estimated three hundred to five hundred political prisoners from Insein Prison to ten other remote prisons all over the country. The junta neglected to inform the families or issue an official news release regarding this matter. The various penitentiaries to which the prisoners have been transferred are Myitkyinar, Kathar, Shwe Bo, Myingyan, Mandalay, Thayet, Monywa, Kalay, Besein, Myaung Mya, Moulmein and Myeik (Mergui). Most of the transferred political prisoners comprise students who participated in the August and September student movements in 1998 and were subsequently sentenced to 14 to 52 year long-term imprisonment. Prison authorities regularly move only criminals. However, in previous instances, the junta had transferred political prisoners during mass arrests of pro-democracy activists given a certain the political situation, protests by political prisoners against jail authorities for injustice treatment, and pressure from the international communities (such as the UN, the ICRC and etc.) to improve prison conditions. Due to the mass prison transfers, it has become extremely difficult and time-consuming for the families - especially the poor - to meet with the prisoners. Travelling costs are considerably high, and only the family members are allowed to meet the prisoners with authorized permission from the junta officials. Political prisoners have been systematically transferred between prisons partly in order to hamper communication between prisoners and their families. The recent transfers coincided with the attempt by the ICRC to investigate prison conditions inside Burma. The authorities completed the transfers within a month prior to the ICRC inspection. Thus it could be concluded that, despite granting token permission to the ICRC to inspect Burmese prisons, the junta intended to forestall any meeting between ICRC officials and the political prisoners. Several political prisoners were repeatedly transferred among prisons. (*Source: ABFSU-FAC*)

Partial List of Prisoners transferred prior to the ICRC visits

No.	Name	Age	Imprisonment term	Original Jail	Transferred Jail
1	Ko Thet Win Aung	28	52 years	Insein	Myit Kyi Nar
2	Ko Myo Min Zaw	23	38 years	Insein	Basein
3	Oo Kyaw Min	52	28 years	Insein	Mandalay
4	Ko Htun Myint Aung	32	21 years	Insein	Myinghan
5	Ye Kyaw Swar	27	19 years	Insein	Basein
6	Ye Maw Htoo	27	19 years	Insein	Thyet
7	Kyaw Zaw	28	14 years	Insein	Myit Kyi Nar
8	Thar Lin Tin	26	14 years	Insein	Basein
9	Ye Min Kyaw	28	14 years	Insein	Basein
10	Phone Thet Pyne	26	14 years	Insein	Basein
11	Aye Myint Than	30	14 years	Insein	Basein
12	Aye Naing	32	14 years	Insein	Basein
13	Yan Aung Soe	28	14 years	Insein	MyinGyan
14	Kyi Thar Htun	21	14 years	Insein	Kalay
15	Kyaw Htwe (Markie)	35	14 years	Insein	Myit Gyi Nar
16	Khun Syne	46	7 years	Insein	Shwe Bo
17	Ma Lay Lay Mon	23	10 years	Insein	Basein
18	Zin Mar Aung	24	10 years	Insein	Mandalay
19	Laith Laith	28	10 years	Insein	Shwe Bo
20	Ma Khin Cho Myint	28	10 years	Moulmein	Moulmein
21	Mya Sabai Moe	24	7 years	Insein	Mandalay
22	Kyi Kyi Win	36	7 years	Insein	Mandalay
23	Ko Than Naing	-	-	Insein	Myeik

(Source: ABFSU- FAC)

2.9 Death in Prison

U Hla Khin

U Hla Khin, a 43-year-old NLD member died in his cell in Insein prison on May 31, 1999. He had been sentenced for allegedly violating the 1975 Law that deals with subversion. (The ‘Safeguard the State against the Danger of those desiring to cause Subversive Acts’ law). According to the SPDC press statement, he committed suicide in his cell by hanging himself with his sarong. The statement further said that he had been undergoing treatment for long-term alcoholism, which had brought on neurological disorders. The Deputy Chairman of the NLD, U Tin Oo, stated that his party held the government responsible for the death.

There were other cases in which prisoners had died just days after being released from prison. An elected NLD representative and retired Colonel Tin Ko Ko, who was released from prison early 1999 had also died in May. The SPDC pass statement said he had been jailed for violation of a 1975 law that dealt with subversion, without giving details of his crime or jail term.

U Kyaw Min

U Kyaw Min, a former member of the Central Executive Committee of the NLD and the MP-elect from the Bassein West of the Irrawaddy Division, was infected with Hepatitis B virus while he was in Insein Prison under long imprisonment. He was a well-known lecturer at the Rangoon Institute of Technology (RIT) and by profession an architect.

He was released for treatment only after the disease was found to be out of control. He succumbed to the disease on July 1, 1999. He was 66 years old.

2.10 Health Concern for Political Prisoners

Zaw Maung Maung Win, aged 22, is one of the student leaders of the All Burma Federation of Student Unions. He was detained in 1996 after widespread student protest demonstration, and was sentenced in 1997 to Seven years imprisonment including hard labour under the 5(j) code. Prior to his detention he had suffered from a heart attack and had been operated on twice. Two or three months after his sentence, he was transferred into Mandalay prison far away from his family to make it impossible for them to provide for him well. He is extremely weak and suffering from his heart problem. Witnesses who were released recently reported that he could only walk very short distances before feeling exhausted or fainting. His health is reportedly deteriorating further. He is currently held in Mandaley Prison, but does not receive adequate medical care.

Ko Htay Aung, aged 37, was arrested and sentenced to seven years' imprisonment by the special court on April 26, 1997. He was accused of involvement in the student-led demonstration of December 1996. He was later transferred to Bassein prison. In 1999, ICRC was allowed to inspect Bassein prison and had a chance to meet some political prisoners including Ko Htay Aung. After the visit, the prison authorities ordered Ko Htay Aung to tell them everything that had been said during the visit. Ko Htay Aung answered with ' "if you want to know, you should have asked ICRC. There is no need for me to tell you" Since then, Ko Htay Aung has been subsequently denied his visiting rights and put in solitary confinement as punishment. He is suffering tuberculosis and pain due to the torture he received in his previous arrest. He was one of the student leaders of "Makatha", a student organization in 1988 and was arrested for the first time in March 1990 together with 15 colleagues. All were sentenced to three years' imprisonment. He was severely tortured and beaten for his involvement in a September 1990 hunger strike in Insein prison. He was transferred to Thayet prison and released in October 1992. In February 1995, he was detained for 15 days and again in December 1996.

Nay Tinn Myint, aged 33, was actively involved in the 1988 pro-democracy protests. In 1989 he was detained and sentenced to three years imprisonment including hard labour. While in prison he was tortured, both physically and mentally, and held in solitary confinement in shackles. He was released in 1992, but re-imprisoned in 1993 together with U Tin Htun and Dr Ma Thida who was released on 11 February 1999. He was sentenced to 20 years imprisonment including hard labour. Nay Tinn Myint is currently being held in Myingyan prison. He is reported to be vomiting blood, to have a swollen right leg and to experience loss of equilibrium.

U Ohn Kyaw, aged approximately 70, is a retired Township education administrator. U Ohn Kyaw is not a political activist, but was reportedly arrested because of his sons involvement in the Democratic Party for a New Society (DPNS), a student-led political party. In 1998 he was sentenced to seven years imprisonment. He is currently being held in a solitary confinement cell in Myingyan prison although he is suffering from heart disease / hypertension. Myingyan prison is considered to be among the worst in Myanmar for the provision of medical services and the treatment of prisoners. There is a clinic in the prison, but there is no medication available. Family of ill prisoners must purchase medicines outside the prison and deliver it to the clinic. U Ohn Kyaw's family has been unable to provide regular medical supplies because of their financial situation and because Myingyan prison is located far from their home.

Lwin Moe Myint, was arrested on July 19, 1999 in Pegu along with other activists for allegedly organizing an anti-SPDC protest. The authorities accused him of being a member of the ABSDF and sentenced him to life imprisonment in a special court on December 3, 1999. Two or three months later, he was transferred to Tharawaddy prison. His family could not make frequent visit to see him. He is now suffering from a gastric ulcer.

U Tun Aung Kyaw (a) Thakhin Mipwar, aged 50, was arrested and sentenced in 1990 for the first time to five years imprisonment including hard labour. While in prison he contracted tuberculosis. He was released in 1994, and his health worsened due to financial inability to treat his disease. Despite this problem, he continued to be secretly active in political movements. He therefore was re-arrested in 1997 while in hospital and sentenced to seven years imprisonment including hard labour. U Tun Kyaw is still suffering from tuberculosis.

U Khin Kyaw Han, NLD MP elect for Constituency 2, Yenangyaung Township, Magwe Division has been held in custody at the holding center under the control of No. 15 Military Intelligence unit for one year and six months. Only once in five or six months a medical check is conducted which is inadequate. On December 15, 1999, U Khin Kyaw Han lost two of his upper teeth and was taken to a dental surgeon by military intelligence personnel. He was advised to receive dentures. When he informed the Captain in charge he was told that half of medical expenses that exceed *Kyat* 1000/- would have to be paid by the patient himself. However, the matter hasn't gone further than that.

U Thar Aung, NLD MP elect for Constituency 1, Myo-thit Township, Magwe Division has also been held in custody at the holding center under the control of No. 15 Military Intelligence unit for one year and six months. He suffered from giddy spells on December 27, 1999 and reported this to the Military Intelligence personnel in charge. He was taken to the doctor who found that the patient was suffering high blood pressure and some medicine was supplied but the patient felt no improvement. He asked to be taken to the doctor again but was told that the guard was not free. From the December 29, 1999 to the January 11, 2000 he saw the doctor only three times.

Ko Sai Si Thu Aung, a 22 year old student in 2nd year at the Institute of Economics,

Sai Sai Thu was arrested on 25 August 1998, at 10:30 in the morning by the MI, as he was returning from an examination at Basic High School No (1), Kamaryut Township. In January 1999, he was sentenced to 7 years imprisonment under 5(j) act and the Insein Prison Code. Presently, he is still in detention at Insein Prison, where his health is in very bad condition due to having to drink contaminated water.

2.11 Prolonged detention

Although the law in Burma provides for the commutation of sentences for good behavior, political prisoners often are not granted this benefit. Moreover, some political prisoners remain in custody despite having completed their sentences. Though their sentences are over, they are still being kept in prisons without proper reason. The Order allows for prisoners serving a death sentence to have their sentence reduced to ‘transportation’ (imprisonment for a term of 20 years); prisoners undergoing sentences ranging from a term of 20 years or more to a term of 15 years; prisoners undergoing sentences of transportation or life to imprisonment for a term of 10 years and prisoners undergoing sentences ranging from 10 to 20 years according to each offence to imprisonment for a term of ten years.

Among the unknown number of political prisoners who were due to be released under this sentence commutation, the following political prisoners are examples:

In October 1999, Ma Aye Aye Myint, wife of U Thi Ha (a) U Tint Swe received a letter from the Myaungmya prison authorities that that at the next visitation date her husband would be set free. U Thi Ha was sentenced in 1989 to 10 years imprisonment (1.11.89 to 31.10.99) and denied the period of reMISsion that all prisoners are entitled to. She joyously prepared food, clothing and medicines and went to meet him. On arrival at the jail she was notified that in accordance with orders from the Home Ministry given under Section 10 (d) of the Law to Prevent Disturbance to the State, he was to be kept in custody for another 60 days. (*Source: NLD*)

Ktay Thein and **Khin Maung** in Thayet prison were sentenced to 20 years’ imprisonment with hard labor on November 13, 1989 for their political activities. They received the sentence commutation and reMISsion on December 1997 and their sentences were commuted to ten years. Their prison terms were over on November 13, 1999, but they are still being kept behind bars.

U Tin Aye Kyu and **U Tin Myint** in Mandalay Jail have served their full term, yet they also were not released. Their prison term was extended on the orders of the Minister for Home Affairs under “Section 10 (a) of the Law to protect the state from disturbing elements” which was handed to them at the departure point in the jail. These two were not granted any reduction in the jail term for good behaviour which are mandatory rights provided in the Prison Law and Prison Manual. Eleven other political prisoners in Mandalay jail have completed their terms but have not been released because of the same action under Section 10 (b) of the law. They are:

- | | |
|------------------|---------------------|
| 1. Dr. Zaw Min | 7. U Zarni Aung |
| 2. Dr. Nay Win | 8. U Thein Than Oo |
| 3. U Tin Aye Kyu | 9. U Kyaw Sein Aung |

- | | |
|------------------------|-------------------|
| 4. U Tin Myint | 10. U Naing Myint |
| 5. Ko Tin Aye | 11. U Htay Nyunt |
| 6. Ko Khin Maung Thant | |
- (Source: NLD)

2.12 Release of political prisoners

Three high-profile prisoners were released during 1999 in response to international pressure.

81-year-old **U Ohn Myint** was released in January following the visit of United State Congressman Tony Hall.

Dr. Ma Thida, a medial doctor, writer and close colleague of Daw Aung San Suu Kyi, was released from prison on February 11, 1999 on “humanitarian grounds” during a period of diplomatic differences between the European Union and the ASEAN. Ma Thida had received a sentence of 23 years imprisonment in October 1993 for distributing anti-SPDC materials.

Daw Kyi Kyi, the 80-year-old widow of the late chairman of the Burmese Communist Party was also released from prison on July 11, 1999. Daw Kyi Kyi, the widow of Thakin Zin, was sentenced in November 1989 to 20 years’ imprisonment under internal security provisions. The SPDC announced that Daw Kyi Kyi was pardoned and released “out of consideration of her age.”

2.13 Profiles of some political prisoners

Ma Khin Khin Leh

Ma Khin Khin Leh, in her early 30s, was arrested in July 1999 along with 18 others, in Pegu, central Burma. She is a teacher who graduated from university with a history degree. Her husband, Kyaw Wanna, is a political activist and member of *Ba Ka Tha*, the All Burma Federation of Student Unions, an organization which has taken a leading role in peaceful political opposition activities for the past twelve years. Kyaw Wanna and other pro-democracy activists in Pegu were planning a peaceful march on July 19, Martyrs’ Day, the 52nd anniversary of the assassination of independence hero General Aung San.

Between 16 and 18 July, pamphlets were distributed announcing the march and messages were spray-painted on walls in Pegu calling for support for the NLD, prices to be lowered, and civil servants’ salaries to be raised. When the local Military Intelligence (MI) could not locate Kyaw Wanna, they arrested his three-year-old daughter Thaint Wanna Khin and wife Ma Khin Khin Leh on July 19. His daughter was released after five days, but Ma Khin Khin Leh and others arrested in subsequent days were taken to MI 3 headquarters in Bago. They were then transferred to Wakteka, which is a new detention center near Phaungyi, on the road from Yangon to Pegu.

Subsequently Ma Khin Khin Leh was transferred to Insein Prison in Rangoon, joining hundreds of other political prisoners. On December 3, she was sentenced to life imprisonment in Insein Special Court under the vaguely-worded provisions of the 1950 Emergency Provisions Act and the 1908 Unlawful Associations Act. These two laws are

frequently used to imprison people for their peaceful political activities in Burma. Moreover trials of political prisoners, including prisoners of conscience, contravene international fair trial standards, such as the right to adequate consultation with a lawyer of ones choice. Although military tribunals were abolished in 1992, the civilian judiciary is not independent from the military authorities. The judge usually reads out the sentence and the defendants or their lawyers have little or no opportunity to speak in court.

In January 2000 Ma Khin Khin Leh was transferred from Insein Prison to an unknown location. She suffers from an unspecified lung problem and it is not known if she is receiving medical care.

Daw San San

Daw San San, age 70, was arrested on October 28, 1997, and is currently serving a sentence of 25 years' imprisonment in Insein Prison, Yangon, for her peaceful political activities. She is a prominent member of the NLD, a leader in the party's women's group, an elected Member of Parliament for the NLD, and a former civil servant. Daw San San suffers from hypertension, and is held in solitary confinement.

This is the second time since 1991 that Daw San San has been imprisoned, and at least the third time that she has been deprived of her liberty on account of her peaceful political activities. Daw San San was sentenced by a military tribunal to 25 years' imprisonment on April 30, 1991, reportedly for her participation in discussions about the formation of a parallel government in Mandalay. These discussions took place following the military authorities' refusal to acknowledge the results of elections in which the NLD won the majority of votes, and to hand over power. There is no information about the conditions of her trial, but it is more than probable that the conditions failed to meet internationally agreed standards of fair trial. At the time of her trial military tribunals were still in place to try and sentence political prisoners. Martial law decrees providing for military tribunals in 1989 denied the right to judicial appeal, and the right to recall witnesses.

Daw San San was released under the provisions of a 1992 decree, which provided for the release of political prisoners not affecting "national security." As a condition of her release it is believed that she was required to sign a commitment not to undertake any political activities. In July 1996 she was again arrested with hundreds of other NLD members in an attempt by authorities to stop a planned party congress from taking place, and released after a short period in custody.

Daw San San was re-arrested on October 28, 1997 with six other prominent NLD members, following an attempt by Daw San San and other NLD officials to hold a meeting with local members and Daw Aung San Suu Kyi. The meeting in Mayangone Township, a suburb of Rangoon, was scheduled to take place to discuss the restructuring of the local branch of the party's youth wing. Security forces stopped the meeting from proceeding by setting up barricades preventing supporters from entering the building, and detaining a number of supporters, including Daw San San. After her arrest Daw San San is thought to have been held incommunicado for at least three months, without access to family, doctors or lawyers. Such conditions of imprisonment contravene international standards regarding people who are deprived of their liberty.

In April 1998 it was made public that Daw San San was serving the rest of the 25-year sentence which had been imposed in 1991. Officials stated that she was arrested in

October 1997 for her involvement in anti-government activities, such as “*providing false information to foreign media and taking a lead role in anti-government mass rallies.*” Some sources have commented that Daw San San was imprisoned because she had conducted an interview, critical of the authorities, with the British Broadcasting Corporation (BBC) in June 1997. Officials have denied that this was the motivation for her arrest.

Daw San San was born on January 10, 1930 and graduated from Yangon University in 1954 with a bachelor’s degree in biology. Between 1959 to 1988 Daw San San was a civil servant, and worked as assistant Director of the Labour Directorate. When peaceful protests against military rule broke out in 1988, Daw San San played a key role and headed the Labour Directorate’s Workers’ Union. Because of her leading role in the peaceful demonstrations, she lost her job. Daw San San became one of the founder members of the National League for Democracy, a member of the party’s Central Committee, and contested and won the seat of Seikkan, the port area of Rangoon.

Moe Kalayar Oo

At the time of her arrest on 20 February 1995, Moe Kalayar Oo was 30 years old and a science student at Rangoon University. She was one of more than fifty young people arrested by police and Military Intelligence (MI) officers at the funeral of U Nu in Rangoon. U Nu was the first democratically-elected Prime Minister of Burma, who died at the age of 87 on February 14, 1995; he was a popular politician who had been held under house arrest between 1989 and 1992 for his opposition to the military government.

During the course of the funeral, some of the young people present delivered a eulogy about U Nu. This reportedly prompted the security forces to make the arrests; two people were believed to have been severely beaten during the arrests. Although some of those arrested on February 20, 1995 were released after a short time in detention, further arrests were made at a later date in connection with the events at the funeral.

On April 28, Moe Kalayar Oo, two other women and six men were sentenced to seven years’ imprisonment under section 5(J) of the 1950 Emergency Provisions Act. This section provides for the imprisonment of 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*”.

Moe Kalayar Oo was initially detained in Insein Prison, Rangoon. During the course of her imprisonment there she was reported to have been held in solitary confinement because she complained that she was being denied medication. She is reportedly currently in Thayawaddy Prison, Pegu Division. Moe Kalayar Oo is believed to be suffering from suspected osteoporosis and tuberculosis, is in pain and has difficulty walking. Her family lives in Rangoon and is unable to visit her.

Soe Htun

In 1996, Ko Soe Htun was a final year electrical engineering (Electrical Power) student at the Rangoon Institute of Technology (RIT) as well as an executive member of a Buddhist organization. He was well respected by other students.

Ko Soe Htun joined the demonstration for students’ rights when the 1996 October student unrest broke out. After the October movement, he led many student meetings and participated in preparing for the next student’s movement. He became a prominent student

leader during the 1996 December students' demonstration, and was known as a hard-line leader in a 10-member committee of mostly RIT students that was set up to defend students rights.

On December 2, 1996, he led one of the student marches as well as gave public speeches, and in the early morning of 3 December, he was beaten and arrested by the riot police (Lon Htein) along with 81 students from RIT and 400 students from other universities and colleges.

He was released immediately following a demonstration staged by other students to demand his liberation. Upon his release, he resumed his leadership of the students' demonstrations. These demonstrations took place not only in Rangoon and Mandalay, but also spread to other universities.

On 1 May 1997, Ko Soe Htun participated in founding the New Vision Literacy Club, located on Zayerthiyi Street in Hledan, Kamayut Township, Rangoon. He and seven other students were arrested by a group of MI led by Major Hla That Maung. He was detained and interrogated on July 6, 1997 at the headquarters of MI 7 which is situated in Manaw- hayee Road, Rangoon Township.

Although this was a time when the military intelligence was trying to sow confusion among the students, Ko Soe Tun stood firmly for the students, and continued to lead the students' movement after he was released three days later.

Ko Soe Htun was again arrested on August 27, 1997 with seven other students. He had been demanding that authorities reveal the truth about a car accident that killed a young girl from the engineering diploma class, Ma Aung Mi Khing, in July 1997. Instead of prosecuting the driver, U Aike Koug from Wa special region (2), the military tried to replace him with another culprit.

Ko Soe Htun led a student group demanding justice in this case. Ko Soe Htun was sentenced to 7 years imprisonment, with hard labour, on 10 October 1997. He is currently detained in Tharyarwaddy prison in Pago under Article 5(J) of the 1950 Emergency Provisions Act. (*Source: ABFSU-FAC*)

Ye Kyaw Swa

Ko Ye Kyaw Swa became involved in student politics when he was a basic education high school student and served as an underground activist for the ABFSU and DPNS after these organizations were banned in the middle of 1990. Ye Kyaw Swa was born in 1973 and he was only 15 when the 8888 democratic movements began.

His father was Bo Ye Hla, the leader of Phyithu Ye Baw during the time of the Independence movement. Ye Kyaw Swa became a member of COC (Central Organization Committee) of Bakatha (Lower Burma) when it was reformed in 1990. He also took part in organizing and campaigning for DPNS as a party member. During the organizing period for the Bakatha central conference, he assisted with the heavy workload and attended the conference held in Mandalay in 1990 as a representative and became a leader of Bakatha. He was actively involved in all the movements of Bakatha and on 2 September 1990 was arrested by the MI and on 28 October 1990 was sentenced to 3 years imprisonment.

In 1991, he was moved to Thayet Prison from Insein and in 1992 was released from Thayet Prison. After his release from jail, he successfully did the matriculation examination and was able to attend RIT. During his time of study he secretly performed activities for

Bakatha, as a member of the central organization committee, and participated in some underground movements of DPNS, which was abolished as an illegal party.

After Daw Aung San Suu Kyi was released from house arrest in July 1995, Ko Ye Kyaw Swa became involved in organizing the students to support the NLD. The MI followed him, searching for a pretext to arrest him, and then issued a warrant for his arrest in 1996. He was detained for one month. In 1996 he was attending RIT (Rangoon Institute of Technology) as a 2nd year student and participated in the October and December student demonstrations as a leader of ABFSU. Most of the students deeply respected him, and he was elected to the 10-member committee that was formed during December 1996 to protect student rights.

Ye Kyaw Swa also participated in a human rights commission. This commission was formed by the workers' union, youth unions and other political parties in order to inform the international community about human rights violations by the military regime and the oppression of the authorities against the people of Burma. Ko Ye Kyaw Swa was among the leaders of the December 2, 1996 student demonstration and was arrested together with other students. He was released with Ko Soe Htun the evening students organized a demonstration demanding their release.

Ko Ye Kyaw Swa persisted in leading the student movement after his release and tried to maintain secret contact between different student groups. He was re-arrested by the MI in the middle of December 1996 while he was in the process of setting up systematic underground networks, and sentenced to 19 years imprisonment. Recently, Ye Kyaw Swa was moved from Insein Prison to Bassein Prison. (*Source: ABFSU-FAC*)

Aung Htun

Ko Aung Htun was born in 1965. He was a 5th year electrical Engineering (Electrical power) student at RIT during the 1988 upheaval. He became involved in the student demonstrations during the 13 March 1988 affair, and continued to take part in demonstrations throughout 1989 and 1990.

Ko Aung Htun became involved in reforming the ABFSU when the activities of the vice-chairperson, Ko Ko Gyi, started diverting from the principles of the ABFSU, and was elected secretary of the central executive committee when ABFSU (Lower Burma) was formed in April 1990. He also attended the ABFSU conference that was held in Mandalay in 1990, and was elected secretary of the central executive committee of the joint ABFSU (both Upper and Lower Burma).

He was among the group who encouraged the NLD to call for the convening of parliament within 30 days after the election results. In July 1990, he attended the joint meeting of the central executive committee of the ABFSU and the central executive committee of the NLD. The ABFSU promised to ensure public support for the parliament, and staged a demonstration with the Committee for Labour Solidarity, FTUB (Federation of Trade Unions of Burma), and the All Burma Federation of Youth Unions (ABFYU). Most of the students, workers, and youth leaders were arrested in that demonstration. Shortly after, the NLD presented its plans concerning the call for the convening of parliament during the meeting of NLD MPs that was held at the Gandhi Hall in Kyauktada Township, Rangoon, from July 28-29, 1990.

On September 1, 1990, several student leaders from ABFSU were detained, including

Ko Aung Htun. On October 28, 1990, he was sentenced to 5 years imprisonment. At the end of 1991, he was transferred from Insein prison to Thayawaddy prison. He was released in 1994. Ko Aung Htun then joined RIT and received a Bachelor's degree in electrical engineering in 1996. He maintained low-profile participation in the 1996 student demonstrations, and in 1997 he contacted student leaders in exile and started working with the secret networks of the ABFSU.

In January 1998, Ko Aung Htun was arrested and sentenced to 14 years imprisonment for writing the history of the student unions and student movements in Burma. This is his second sentence, and he is currently being detained in Insein prison. The history he was in the process of writing is a six volume long history (each volume 500 pages) of the student unions in Burma. It begins with the student movement of 1920, and continues until 1990 and after. Ko Aung Htun interviewed and received suggestions from prominent leaders in Burmese politics and the volumes include his outlook on Burmese politics, as well as his experience in prison. (*Source: ABFSU-FAC*)

Htun Myint Aung

Ko Htun Myint Aung was born in 1968. Ko Htun Myint Aung became a student activist in the 13 March 1988 affair. He served as leader of the Rangoon University Student Union (RUSU) as well as a committee member of the central executive committee of ABFSU (Lower Burma) and of the joint ABFSU that emerged from the conference in Mandalay in 1990.

Ko Htun Myint Aung was active in politics throughout 1988 and 1989, and was arrested for the first time in July 1990 during a student demonstration organized by the ABFSU. He was sentenced to 4 years imprisonment and in 1991, he was transferred to Thayet prison. Upon his release in October 1993, he continued to be involved in the struggle by participating in the set up of underground student networks.

Following the December 1996 student demonstrations, he had to go into hiding as the MI was looking for him. At that time, he was suffering from tuberculosis as a result of his previous incarceration, but still managed to secretly get in touch with student leaders from the ABFSU while he was receiving treatment. In 1998, the NLD and Daw Aung San Suu Kyi decided to call for the parliament to be convened before 21 August 1998. The ABFSU decided to support the endeavor of the NLD.

Ko Htun Myint Aung became involved in the process of activating the ABFSU for this purpose. He discussed with the monks' union, with workers' unions and with members of the NLD in order to organize for a people's uprising. He also urged other student leaders to set up a foreign affairs committee of the ABFSU members in exile who would be able to share information and discuss future plans for the ABFSU with them.

Ko Htun Myint Aung was one of the leaders of the student demonstrations in August and September 1998. He was arrested at 8:00 p.m. on September 19, 1998, and sentenced to 21 years imprisonment. This is the second time he has been sentenced. He is presently detained in Insein prison and suffering from tuberculosis. (*Source: ABFSU-FAC*)

Khin Cho Myint @ Zu Lu

Ma Khin Cho Myint was about to take her matriculation exam when the 8888

uprising occurred in August 1988. She immediately became involved in the student movement against the military dictatorship as an active member of the financial committee of her high school student union, and maintained her involvement throughout 1988 and 1989.

She also participated in the Tricolor Students Group, which was very close to Daw Aung San Suu Kyi. She played an important role in reorganizing the students during 1989-1990, and became a central leader in the formation of the Rangoon Division of the Basic Education Students Union (BESU). She was working for the ABFSU when BESU became part of ABFSU (Lower Burma) on 14 April 1990, together with the Rangoon Institute of Technology students' union, the Medical students' union, the Rangoon University students' union, the Tricolor Students Group and other unions during a meeting in Rangoon.

In 1990, Ma Khin Cho Myint attended the conference of the ABFSU in Mandalay as a representative of the BESU. When most leaders of the BESU were arrested at the end of 1990, she attempted to reform the BESU to enable the union to continue functioning in spite of the oppression by the military regime. She participated in the 10 December 1991 demonstration led by Rangoon University students that demanded the release of Daw Aung San Suu Kyi, the Nobel Peace Prize laureate. She then had to go into hiding to avoid being arrested by the MI. In spite of this, she continued her activities for the ABFSU, and played a significant part in enabling a new generation of students to become involved in the union in the period 1992-1995.

In 1991, she passed her matriculation exam and became a Rangoon University student majoring in physics. In 1996, Ma Khin Cho Myint participated in the December student demonstrations while preparing for her masters' degree. Moreover, she actively participated in the student demonstration on 24 August 1998 despite being closely watched by the MI.

Ma Khin Cho Myint with more than 400 other students and 1,500 members of the NLD, including members of parliament, were arrested in connection with the NLD's call for the convening of parliament in August 1998. Ma Khin Cho Myint was sentenced to 10 years imprisonment together with 200 other students. (*Source: ABFSU-FAC*)

2.14 Partial List of arrested politicians, including NLDMP-elects and members arrested in 1999

◆ In January 1999, NLD members Khin Soe, Zaw Win, and Win Kywe were arrested by MI for the possession of anti-government pamphlets and other documents. (*Source: AP*)

◆ On January 4, 1999, NLD parliamentarians-elect U Bo Zan and U Ngwe Tun of Kyaukpadaung Township in Mandalay Division were arrested and pressured to resign but both adamantly refused. They were then released at night. (*Source: HRDU*)

◆ On January 18, 1999, over 200 students were each sentenced to 14 years in prison for supporting the attempts of Aung San Suu Kyi and the NLD to convene the National Assembly. Some of the student leaders received sentences up to 52 years. A further 70 members of the NLD, including two elected MP's, were each sentenced to 7 years imprisonment. (*Source: ABFSU*)

◆ On January 18, 1999, the local SPDC raided a home of U Soe Myint, Moulmein Township NLD CEC member and arrested him for illegally practicing herbal medicine.

(Source: HRDU)

◆ On January 22 1999, U Kyaw San, NLD organising committee member for Prome Township, was arrested by the power holding authorities for distributing an NLD Statement. (Statement # 4 1/99) As of March 5, 1999 he had not been allowed a bath. In addition, the authorities shut down his family's fortune telling business on February 8, terminating their source of livelihood. (Source: NLD)

◆ In February 1999, eight NLD organizing committee members who were arrested in Prome Township, Pegu Division in May 1998 were sentenced to 5 years imprisonment each. The eight, including women, were arrested for holding a monthly meeting and were not given a fair and legal trial. (Source: NLD)

◆ On February 1, 1999, SPDC sentenced U Yaw Hsi, aged 51, a Kachin Member of Parliament (MP) from the National League for Democracy (NLD) to 5 1/2 years imprisonment with hard labor for possessing a tiny amount of opium oil for medical use. He is an MP from Putao Township in the Northernmost part of Burma and was arrested in October last year during a raid at his home in Putao in Kachin State, in which the police found among papers a rag soaked with opium oil. The cloth weighed about 3.4 milligrams. U Yaw Hsi however was arrested and charged with possession of the illicit drug. According to locals, it is common in upper Kachin State to keep small pieces of rags or cloth soaked in opium oil for use as a traditional cure for dysentery and other minor illnesses. (Source: ABSDF)

◆ On February 4, 1999, NLD parliamentarians-elect U Bo Zan and U Ngwe Tun of Kyaukpadaung Township in Mandalay Division were arrested and pressured to resign but both adamantly refused. They were then released late that night. (Source: NLD)

◆ On February 8, 1999, three MPs were arrested as they were preparing to attend a meeting of the Committee Representing the People's Parliament scheduled to be held at the NLD headquarters in Rangoon. The three MPs are Naing Thaung Nyunt from Paung Constituency 2, Daw Khin Htay Kywe from Chaungson Constituency. 2 and retired Lt. Colonel Hla Maung from Kyar Inn Seikkyi constituency 1 who belongs to the Patriotic Veterans Group. This group which is mainly composed of former army officers makes up the core of the NLD in addition to intellectuals. The military has charged the three under section 5 (j) of the **1950 Emergency Provisions Act**, citing them as threats to national security. (Source: NLD)

◆ On February 12 1999, Daw Kyu Kyu San, Secretary (temporary) of the Organizing Committee of NLD, Sanchaung Township, Rangoon Division, and member of the Women Support Group of the Divisional NLD (Rangoon Division) was forcefully arrested and taken away by the MI and about 30 members of the ward administration. No reason was given for her arrest. (Source: NLD)

◆ At the beginning of August, 1999, an ethnic leader, Doo-Wah U Zaw Aung, and MP-elect for Waingmaw Township, Kachin State disappeared. His fate or whereabouts remains undetermined. (Source: HRDU)

◆ In August 1999, two MP-elect from Laputta Township, Irrawaddy Division, U KyiWin, a Supreme Court lawyer, and U Aye Kyu, along with two other Township NLD officers were sentenced to two years imprisonment in Myaungmya. They had been arrested for their efforts to secure the release of four other Township branch members, who had been sentenced to five year's imprisonment. (Source: HRDU)

◆ On August 1, 1999, the No. 19 military intelligence unit, together with members of

the [Union Solidarity and Development Association] and the Fire Brigade, searched the homes of NLD members in Shwe Pyithar Ward, Kawthaung Township, Tenasserim Division, for NLD membership cards, pins, pictures of Daw Aung San Suu Kyi, and NLD documents. They took away Ko Zaw Latt, an NLD member, and two young children. The parents are searching for their children who were taken away. They had no information on where they were being detained. It was also learned that Ko Soe Min Aung, son of U Tin Aye of Kanbaungyoe Ward, Mergui, is also being detained by the No. 19 military intelligence unit. Ko Soe Min Aung was arrested last year in connection with the 10th anniversary of the 8-8-88 movement in Mergui and was released later after posting a bond. The military intelligence agents are believed to have detained him again to prevent him from organizing the 9-9-99 movement. (*Source: ABSDF*)

◆ On August 23, 1999, U Kyi Win, NLD MP from the No. (1) constituency, Latputta Township and Dr. Aye Kyu, NLD MP from the No. (2) constituency from the same Township were arrested by the SPDC and charged under 5 (j). They were charged with possession of 35 T-shirts with 9999 words, anti-SPDC literature and other NLD papers and a video tape of a speech by Daw Aung San Suu Kyi. (*Source: HRDU*)

◆ On September 1, 1999, 13 NLD members and 5 students were arrested in Mandalay. (*Source: NLD*)

◆ On September 4, 1999, police raided the house of U Tin Win, vice-chairman of the Shwebo Township NLD and searched for anti-SPDC literature. Although they did not find any political literature, they arrested him for having one strip of lomitol, a common drug, and charged him with drug possession. He was sentenced to seven years' imprisonment on April 5, 2000 under the Drug Act. (*Source: HRDU*)

◆ On September 9, 1999, NLD youth member Teyza from Myinmu Township in Sagaing Division was arrested for posting a sign that his shop would be closed on September 9. He was tried and sentenced later to two years in prisons on charge of instigating public panic. (*Source: HRDU*)

◆ On November 3 1999, Nai Htun Thein the 82 year old chairman of the Mon National Democratic Front and Kyin Shain Htan, chairman of the Zomi National Congress were arrested by the SPDC. According to sources inside Burma, both were arrested for their meeting with Mr. De Soto, special UN representative, during his visit to Burma. This was the second time they were arrested for their political activities. They had been arrested along with U Saw Mra Aung aged 82, the leader of Arakan National League for Democracy, in September 1998 for their support of the Committee Representing the People's Parliament (CRPP). (*Source: Inside*)

2.15 Partial List of Activists Arrested in 1999

◆ On January 18, 1999, over 200 students were each sentenced to 14 years in prison for supporting the attempts of Aung San Suu Kyi and the NLD to convene the National Assembly. Some of the student leaders received sentences up to 52 years. A further 70 members of the NLD, including two elected MP's, were each sentenced to 7 years imprisonment. (*Source: ABFSU*)

◆ On June 10, 1999, ABSDF leaders Moe Kyaw and Than Zaw were arrested by MI

in Rulli, southern China where they were meeting supporters of the democracy movement. They were taken to MI Unit 23 HQ in Kutkai, Shan State. (*Source: ABSDF*)

◆ On July 19 1999, 19 people were arrested in Pegu. 11 of those arrested had been involved in the planning for a commemorative march, including two former student leaders from 1988, Ko Lwin Moe Myint, 27, and Ko Myint Oo, 30. The other eight arrested were the family members of activist Kyaw Wunna who the authorities were unable to find, including his wife and his 3 year old daughter. **The names of the arrested family members were:**

1. U Aye Swe, aged 55, Chairman of the Shin Saw Pu ward Peace & Development Council, Pegu (uncle of Kyaw Wunna),
2. Daw Tin Tin, aged 50, Executive member of Myanmar Mother & Child Welfare Association, Pegu (wife of U Aye Swe),
3. Kyaw Kyaw Oo, aged 33 (son of U Aye Swe and Daw Tin Tin),
4. U Zaw Myint, aged 49 (uncle of Kyaw Wunna),
5. Daw Tint Tint, aged 47 (wife of U Zaw Myint),
6. Ko Zaw Zaw Latt, aged 20, Army Boxing Trainer at Infantry Battalion 101 in Pegu (son of U Zaw Myint and Daw Tin Tin), and
7. Kyaw Wunna's wife, Ma Khin Khin Leh, aged 33, teacher at middle school No. 8, New Oakthar Township in Pegu, and their three-year-old daughter.

The names of the 11 arrested activists were:

1. U Ba Chit, aged approximately 48,
2. U Ye Tint, aged approximately 45, English tutor,
3. U Win Myint, aged approximately 45, Mya Kan Thar Caf=E9 shopkeeper
4. Dr. Shwe Bo, aged approximately 45, a female medical doctor, Pegu General Hospital,
5. Ma Thida Htway, aged 27, Taungoo Township Primary School teacher and 3rd year female university student,
6. Ko Lwin Moe Myint, aged 27, 2nd year university student and former 1988 student leader,
7. Ko Myint Oo, aged 30, roadside vendor and former 1988 student leader in Pegu,
8. Ko Ah Thay Lay, aged 21, finished 10th standard and awaiting university entrance,
9. Ko Hla Win, aged 23, finished 10th standard and awaiting university entrance
- 10.-11. Two female doctors, names unknown, aged approximately 30-35 years, employed at Pegu General Hospital. (*Source: ABSDF*)

◆ In August 1999, three sisters; Daw Tin Win Yee, Daw Khin Kyi Kyi, and Daw Tin Aye, were arrested in Zegyo Market in Mandalay. The three were reportedly arrested for wearing yellow t-shirts with pictures of Daw Aung San Suu Kyi on the front. They were later sentenced to five years' imprisonment at the Special Court in Mandalay Prison under Section 5e of the 1950 Emergency Provisions Act, for "spreading false information". According to reports they were not allowed legal counsel or permitted to defend themselves during the trial. (*Source: HRDU*)

◆ On August 1, 1999, Ko Soe Min Aung, son of U Tin Aye of Kanbaungyoe Ward, Mergui, Tenasserim Division, was arrested and detained by the No. 19 military intelligence unit. Ko Soe Min Aung was arrested in 1998 in connection with the 10th anniversary of the 8-8-88 movement in Mergui and was released later after posting a bond. The military intelligence agents are believed to have detained him again to prevent him from organizing the 9-9-99 movement. (*Source: ABSDF*)

◆ On August 2, 1999, Kyaw Aung, 23 years old trader, Kyaw Min Htun (a) Wa Gyi, 20 years old student, Pyo Wai, 19 year old student and Maung Saw, 18 years old student were arrested by military intelligence (MI) at their homes in Pegu, north of the capital Rangoon. (*Source: Inside Burma*)

◆ On August 2, 1999, three students; Kyaw Min Htun (a) Wa Gyi, aged 20, Pyo Wai, aged 19, Maung Saw, aged 18 and a trader Kyaw Aung, aged 23 were arrested by MI in Pegu. (*Source: NCGUB*)

◆ On August 12, 1999, a total of 29 people, including 23 high school students were arrested for holding a peaceful demonstration in Mergui in which they marched from SHS (1) to SHS (4) and demanded a better education system. Some of the arrested students were:

1. Maung Win Phyto Hla, aged 14, from SHS (1)
2. Maung Than Zaw, aged 16, from SHS (2)
3. Maung Aung Min, aged 17, from SHS (2)
4. Maung Khaing Lin, aged 16 from SHS (2)
5. Maung Than Win, aged 17 from SHS (2)
6. Maung Thein Than Win, aged 18 from SHS (2)
7. Hlaing Win, aged 19, 9th standards from SHS (4)
8. Myo Win Htun, aged 18, 9th standard from SHS (4)
9. Phyto Wai Win, aged 18, 9th standard from SHS (4)
10. Zani Win Kyaw, aged 18, 10th standard from SHS (3)
11. Ye Yint Aung, aged 17, 9th standard from SHS (1)
12. Ni Min Htun (a) Pho Lone, aged 17, 10th standard from SHS (1)
13. Nyi Nyin Htwe, aged 17, 10th standard from SHS (4)
14. Ko Ko Naing (a) Nyi Nyi, aged 17, 9th standard from SHS (3)
15. Ananwa, aged 17, 8th standard from SHS (4)
16. Kyaw Wai, aged 18, 10th standard from SHS (3)

They were arrested for allegedly instigating civil disobedience and charged under Emergency Act 5 (J) and face up to 7 years imprisonment. Six other youths were also arrested at the same time under the same charge for their support of the high school demonstration, including Maung Soe Myat, aged 21, Kyaw Thu, aged 21, Moe Myat (a) Joseph, aged 23, Ma Thida Soe aged 20 from Payagone ward, and Ma Khin Win aged 21 from Kankaung ward in Mergui. , Mergui, Tenasserim Division (*Source: HRDU*)

◆ In the week of August 12, 1999, 40 more people were arrested by MI in Pegu. (*Source: ABSDF*)

◆ On August 24, 1999, policemen searched the home of writer Myat Khine Oo, aged 31, in Heinzada, Irrawaddy Division. They found two political poems written by him. He was arrested and interrogated. (*Source: HRDU*)

◆ On August 26, 1999, Khin Thida aged 20, Soe Yu Maw aged 19, Zaw Lin Aung aged 20, Thiha Soe aged 19, Maw Lwin Oo aged 21 and Aye Aye Mar aged 20 from Mergui, Tenasserim Division were arrested for having NLD statements and 9999 literatures. On the same day, U Kyaw Kyaw Maung aged 41 and Daw Than Sein aged 35 were arrested for having anti-SPDC literature. (*Source: HRDU*)

◆ On the night of August 27 199, six high school students from Daw Bon and Thar Kay Ta Townships in Rangoon were arrested. for their involvement in a students meeting

and for distributing pamphlets on the street. They were: Myat Thu, Htun Htun, Kyaw Htay, Myat Thu Nyi, all in 10th standard, BEHS (1)Daw Bon Township, and 2 unknown students from BEHS (1) Thar Kay Ta Township. (*Source: ABSDF*)

◆ On August 29, 1999, 15 high school students from Dala Township near Rangoon were arrested when they staged a demonstration. (*Source: ABSDF*)

◆ In the first week of September 1999, the MI cracked down and arrested many pro-democracy activists. Former student leaders, including Min Ze Ya and Ko Maw Lynn, were among those arrested. (*Source: ABSDF*)

◆ On September 1, 1999, 13 NLD members and 5 students were arrested in Mandalay. (*Source: NLD*)

◆ On September 8, 1999, U Ba Soe, aged 54, a shop owner of Zegyo market, Mandalay was arrested for wearing yellow t-shirts with pictures of Daw Aung San Suu Kyi on the front. Photos of Daw Aung San Kyi and bags with fighting peacock drawings were found in his shop. (*Source: HRDU*)

◆ On September 10, 1999, Aung San (a) Moe San and Tin Htun from Kyaukkar village, Kawlin Township were arrested while they are shouting democracy slogans. They were charged under the Emergency Act 5 (j). (*Source: HRDU*)

◆ On October 1, 1999, eighteen people including ten relatives of Ye Thiha, believed to be one of five dissidents who seized the Burmese embassy in Bangkok, were arrested. They were arrested at 10am on Oct 1 before the junta knew the identity of the students who undertook the MIS. Those arrested included the mother, the aunt, three sisters, three brothers-in-law and their father and a niece of Ye Thiha. They were released the next day. (*Source: NLD*)

◆ On December 25, 1999, Military Intelligence [MI] Unit 19 arrested seven students including Ninth Standard Student Maung Naing Oo, age 19 years of Kansaung Ward, Mergui, Tenasserim Division. When Maung Naing Oo's parents asked why their son was arrested, the MI personnel replied that he was detained for allegedly planning to stage a students protest on New Year's Eve. Maung Naing Oo was also arrested on 12th August for staging a protest in Mergui to commemorate the 11th anniversary of the 8-8-88 mass democracy demonstrations. He was detained for more than a month at an interrogation centre and was released after his teacher in-charge of the class and parents signed a bond on his behalf. (*Source: ABSDF*)

◆ On December 25, 1999, Maung Myint Swe, a second year student from Pakokku Degree College in Magwe Division, and four other students were also arrested by MI personnel. They were arrested for allegedly planning to hold a year 2000 new year's eve prayer service. (*Source: ABSDF*)

◆ On December 25, 1999, Maung Toe Win, a student from Yangon Institute of Technology [YIT] residing at Myoma Kwetthit in Mandalay, and three other students were arrested by MI Unit 16. They were arrested for possessing instigative papers entitled "What will the students do in Year 2000" and "The role of Burmese students in the 21st century". The authorities also seized writings and poems in honor of Ko Aung Tun, a former YIT student who was serving a long prison term in Insein Jail for writing a paper on the history of the students' struggle in Burma, from Maung Toe Win. (*Source: ABSDF*)

◆ On December 25, 1999, 22 year old Ko Zaw Min Htike(a) Min Min, a member of Young Chi Oo, who had been working at Champion Factory in Mae Sot, Thailand was

arrested by Thai police and forcefully deported back to Myawaddy. Immediately upon arrival, Myawaddy based MI 25 arrested him and took him to the MI headquarters cell. The MI accused him of being a member of Yaung Chi Oo in connection with the political groups and involved in the protest during the 9999 action in Mae Sot. They sentenced him to five years imprisonment in Myawaddy Court on 24 January, 2000 under the 5(J) Emergency Provisions Act. On 7 February, 2000 they transported him to Mawlamyine Prison. (*Source: ABFSU-FAC*)

2.16 Civilians Arrested in 1999

◆ In January 1999, a column of LIB 355 entered Haw Ket village, Kyar-ein-Seik-Kyi Township, Karen State, arrested over 10 villagers, and threatened to kill them. They were accused of not informing the troops of the KNU activities, and were all tortured. They were all released after the village paid 20,000 *Kyat*. (*Source: HRDU*)

◆ On January 5, 1999, about 60 SPDC troops of a Company from IB 221 led by Captain Sein Hla Win arrested six villagers at Murng Pak village, Murng Phyak Township, Shan State. They were accused of collecting funds for the Shan armed group in the region. The six arrested were Sai Pan Nya, aged 28, Sai Kanna, aged 19, Loong In, aged 43, Sai Saw Na, aged 30, Sai Suya aged 30, and Sai Peng aged 18. (*Source: SHRF*)

◆ On January 22, 1999, Naw Htoo Phaw, a mother of an infant, Naw Kumar and Naw Wah lay Htoo, all from Mahn Lone ward, Loikaw Township, Karenni State were arrested at night by SPDC IB 54. They were accused of having communication with the KNPP troops. They were badly mistreated during the interrogation. No visitor has been allowed to meet them. None of them have been released as of the writing of this report. (*Source: KNWO*)

◆ On January 23, 1999, soldiers Lein Htan, Thet Cho Oo, Than Aye, and Htun Htun of IB 11 arrived in Maungdine village, Zee-byu-gone village-tract, Kan-ba-lu Township, Sagaing Division and arrested the first two villagers they saw, Maung Htun and Mya Thein. They demanded 20,000 *Kyat* from the 2 men, and beat them when they did not give the money immediately. The villagers who witnessed this found it intolerable that they came out and beat up the soldiers. Lein Htan was beaten to death, Thet Cho Oo received injuries and the other two escaped. These soldiers had a history of continuously making demands for money from the villagers. Fourteen villagers were arrested in connection with the death of this soldier. (*Source: NLD*)

◆ On January 28 1999, the police chief of KawKareik Township, Karen State went to Kawkyaik village and arrested 6 Mon farmers for their failure to sell the required quota of rice to the government paddy-buying center. The men were brought to KawKareik Town and detained for 5 days in the police station. The six farmers were: 1) Nai Ha Nee, 2) Nai Khare, 3) Nai Paroe, 4) Nai Win, 5) Nai Yin, and 6) Nai Kyaw. When they were in detention, the authorities forced their families to sell the remaining amount of paddy in their quota. (*Source: HURFOM*)

◆ On February 6, 1999, SPDC troops from IB 242 ordered 30 villagers from Kun Long village to come and plant rice in the military-own-paddy-plantation. Only 17 were able to come. The troops arrested the headman as a punishment and later the troops arrested 13

more –nine men and four women, who had failed to come as demanded. The 13 people were released only after the paid 1,000 *kyat* each to the authorities. (*Source: SHRF*)

◆ On February 10, 1999, a troops from Loikaw-based IB 54 led by captain Aung Kyi arrested village tract chairman U Kyaw Lwin aged 49, Naung Lon Ain village headman U Soe Rei aged 38 and U Sae Rei aged 40. All of them were severely tortured at the interrogation center at the military headquarters. Due to the torture, U Kyaw Lwin died in March. (*Source: HRDU*)

◆ During February and March, 1999, Township authorities and troops from IB 29 went into Kamawet village, Mudon Township, Mon State every week and arrested at least 5-6 farmers (who had failed to give their full rice quota) each time. They brought them to Mudon Town and detained them in Township police station, interrogated them and tortured or pressured them until they agreed to sell the full quota amount. (*Source: HURFOM*)

◆ In March 1999, 7 villagers from Wan Zarn village, Murng Lay tract, Murng-Yarng Twonship, Shan State were arrested by troops from LIB 327 and taken to their base in Murng Khark. They were arrested for their failure to pay 9,000 *Kyat* for the repair of the Town market. As punishment, they were forced to work at the military base for 7 days. (*Source: SHRF*)

◆ On March 3, 1999, troops from Loikaw-based IB 54, led by Captain Aung Kyi, arrested 16 villagers from villages in Htee Sae Khar village tract, Loikaw Township, Karenni State after an attack by Karenni armed group which took place in February. They all were tortured and accused of being supporters of the armed group. Later all of them were sentenced to three year's imprisonment under 17 (a). (*Source: HRDU*)

◆ On March, 13 1999, the Chaungzon Township PDC authorities including Secretary U Khin Maung Myint, the police and some local militia troops entered Bonet village, Chaungzon Township, Mon State, and arrested about 30 villagers who had failed to give the full paddy tax to the concerned paddy buying center. They were brought with a truck to a paddy buying center 30 miles away, and put in detention. All of them, of whom half were women, were put under the sun for 8 hours and questioned. They were forced repeatedly to agree to sell their paddy to the center, and had to sign or give finger-prints for their proMISe before they were released. (*Source: HURFOM*)

◆ On April 10, 1999, 23 able bodied young men from the Kun-Hing relocation site gathered at the military base of LIB 524. The troops had proMISed to issue permits on this day to those who wanted to fish in the Nam Paang river for their income. However, instead the men were all detained in the military base most likely to be used as porters and relocation area patrol guides. (*Source: SHRF*)

◆ On April 20, 1999, a group of villagers from Naung Katot village, Belin Township, Karen State was stopped by troops from LIB 355 led by Captain Aung Soe. The troops then tied up Saw Nyar Yit aged 40 and Maung Nu Nu aged 20 with rope and took them away. Both of them were killed on May 25. (*Source: HRDU*)

◆ In May 1999, Daw San Kyi of Ywa-thit-kyi village refused to labor for free on the nga-Wun embankment project in Nga-thain-chaung Township, Irawaddy division. She cited that the government had announced that forced labor did not exist in Burma. She was subsequently handcuffed, arrested, taken to Ye-kyi Police station, and imprisoned for 15 days. (*Source: NLD*)

◆ In May 1999, 12 troops of IB 279 led by Capt Sein Myint arrested a father and son

of Mawng Ke village, Murng-Yarbg Township, Shan State. They were arrested on the charge of stealing a buffalo, which they had just bought and with them upon their arrest. The troops demanded 10,000 *Kyat* for their release, but the 2 were only able to give 4,000, which was all they had. (*Source: SHRF*)

◆ On May 1, 1999, Ko Tet Tun and Ko Aye Myint of Thazin-gnu village, Bogaly Township, Irawaddy division were summoned to Bo-ga-lay police station because they had failed to provide their free labour for the Pae-chaung to Ka-done-ka-ne road. They explained that they had to harvest paddy and were not free, and also that they had no money for the fine. As a result, Kyaw Soe Moe, Deputy Superintendent of Police charged them under the 1908 Village Act 12 and imprisonment them for 15 days. (*Source: NLD*)

◆ On June 15, 1999, a combined force of 15 SPDC troops from IB 99 and LIB 525, led by Lt. Saw Ne Htun and Sgt Kyaw Win respectively, arrested Loong Kan-Tha from Son Oi village, Haai Kuay tract, Larng Khur Township, Shan State. They interrogated him, accusing him of secretly keeping a handgun. He was not tied and managed to run away, but the troops then arrested his wife, Pa Wo, his son Sai Mart, and two of his daughters Naang Mae and Naang Kyi. They were detained at the Wan Zit village military camp and were told they would not be released until Loong Kan-Tha was captured or turned himself in. (*Source: SHRF*)

◆ On June 27, 1999, a company of 34 soldiers led by 2nd Lieutenant Myo Kyaw from LIB 266 stationed at Lungler Camp on their way to Lung Ding village, Chin State discovered near Thangpi village that a soldier was MISSING from their ranks. The major held the Tlangpi villagers responsible for his sudden disappearance. He arrested villagers and took them to Lungler Camp to serve as forced laborers. Pu Tial Awr, the Village PDC chairman, Pu Ral Lian Kap, Pu Hnok Kio, Pu Lian Kham, Pu Kap Lian, Salai Peng Thang and two other villagers were also arrested and taken to Hakha prison. Their feet were beaten so severely with batons that they are now unable to walk. During the torture, the Chairman's calf was pierced with a 4-inch heated nail at least 20 times until his legs were completely maimed. He had to be carried by other people with his hands tied behind his back whenever he was summoned to the Army camp. The chairmen of Farrawn and other neighboring villages were also arrested, taken to Hakha, and severely tortured.

◆ The chairman of Tlangpi village was given a 12 year prison sentence including hard labor and the others were given 2-3 year prison sentences, also with hard labor. All the chairmen of the villages in Zahnak Tlang area, Thantlang Township, have been arrested and tortured. These villages are: Lungler, Bungkhua, Dawn, Ralpel, Saikah, Fungkah, Thangzang, Sihhmuh, Ruabuk, and Ruakhua.

◆ On September 7, 1999, Rev. Biak Kam, aged over 60, the senior pastor of the Thantlang Baptist Church and Rev. Thawng Kam, the General Secretary of the Thantlang Association of Baptist Churches, were also arrested because they had called a meeting without army knowledge or permission. They were taken away hastily and secretly that night on foot to the Military Outpost in Lungler village, 30 miles away. They were detained there, and nothing has been heard about them, as no one is allowed to see them. These two Baptist pastors were almost arrested once in connection with the erection of a cross on a hill west of Thantlang in January 1999. (*Source: CHRO*)

◆ On September 7, 1999, a military column led by commander Than Shwe from LIB 357 entered Ta Ywe Wah village, Thaton district, Karen State and arrested four villagers.

The soldiers later demanded one goat for their release. (*Source: KIC*)

◆ On September 19, 1999, village headman Saw Phaw See from Maung Phar De village, Taunggoo district, Karen State was arrested by Captain Soe Naing, commander of IB 39. Captain Soe Naing demanded 300,000 *Kyat* in porter fees as ransom. (*Source: KIC*)

◆ On September 25, 1999, soldiers from IB 9 entered Upper Kadoke village, Thaton district, Karen State and arrested villager Saw Pho Thu. (*Source: KIC*)

◆ On September 28, 1999, soldiers from LIB 375 arrested village headman Tee Chit Khin and two other villagers from Naung Kadot village, Thaton district, Karen State. They were taken to the LIB base for detention. (*Source: KIC*)

◆ On September 29, 1999, troops from IB 433 and 280 entered Se Khee village in Mergui-Tavoy district, Karen State and arrested Phu Kaw aged 53, Naw Shell aged 30, Naw Htoo Phaw aged 10, Saw The Htaw aged 12, Naw Khwee Doe aged 8, Saw Sar Pway aged 4, Saw Sa Kuklu aged 2, Naw Nan Nu aged 1, and Saw Mar Bu aged 4. (*Source: KIC*)

◆ On October 6, 1999, militias from Pall village in Mergui-Tavoy district, Karen State, arrested village headman Saw Phar Yu aged 45 and villager Saw Hell Lay aged 40 from Lell Htar Say village. No further information has been received at the time of this report. (*Source: KIC*)

◆ On October 19, 1999, military column commander Myint Zaw and troops from LIB 59 arrested two villagers from Ye Hlwan village and Saw Tasee, aged 30, Naw Le Phaw and Naw Pree Kadee from Kholu village in Karen State. All of them were taken to Klaw Mee De village and the soldiers demanded 150,000 *Kyat* as ransom. (*Source: KIC*)

◆ On November 9, 1999, 209 villagers including children and elderly from Takolar village Suang Phaung district, Ratchburi province, Thailand were rounded up by the Thai authorities. These villagers were arrested for allegedly having communication with the five Burmese students who seized Burmese Embassy in Thailand in October. Most of the arrested people were women and children. They were detained at Kanchanaburi after they were interrogated for their alleged connection with the students. They had lived in Takola village for ten years and had no connection with the students. They were told that they would be released if they could provide the whereabouts of the five students. On November 18, all the detained villagers were deported back to Halockani camp near Sankhlaburi, Thailand. (*Source: HRDU*)

◆ In December 1999 a column from LID #88 came to Khay R'Moh village, Doo-playa District, Karen State and gathered all the women and children together, detained them for an entire day without food or water, then forced them to search for their husbands and bring them back to the village. The soldiers accused the villagers of helping the resistance and demanded that all men be accounted for; later they targeted several villagers—both men and women—as suspicious persons, then arrested and tortured them at their Army camp. (*Source: KHRG*)

◆ On December 3, 1999, a military column led by Okkar from IB 76 entered Tamalay village, Karen State and arrested Saw Phar Ti, his wife Naw Htwe Htwe, and Pharti Sar Khwar. (*Source: HRDU*)

◆ On December 3 1999, troops from IB 269 led by Major Moe Hein arrested 5 men and 3 women from Weing Phwee tract, Kun Hing Township, Shan State. The men were; Muling (age 35), Mar King Ta (age 45), Kar Wi (age 45). Nai Mee La (age 40), and Nai

Morn (age 40). The women, Nang Mart (age 25), Nang Leik (age 35) and E Ar (age 20) were raped by the troops and later sent to the jail in Kun Hing Township. (*Source: SSA*)

◆ On December 4 1999, 5 village headmen from Hai Kui, Wan Sit tract, Lang Kho Township, Shan State were summoned to the camp of LIB 525 and IB 99, commanded by Sgt, Kyaw Win. They were questioned about the activity of the SSA troops in the area, then Sgt. Kyaw Win kept them as shields for the night and released them the next day. (*Source: SSA*)

◆ On December 8 1999, eight policemen led by Police Captain Kyaw Myint Naing arrested Sai Kung Na, aged 29, Sai Wanna, aged 27, and San Muling aged 18 from Wan Tung Karng, Nong Long tract, Lankho Township, Shan State. They were arrested by order of the authorities from IB 99. No reason was given for the arrests but villagers were demanded to pay 20,000 *kyat* for their release. (*Source: SHRF*)

◆ On December 10 1999, troops from Battalion 246 arrested innocent villagers from Wan Tong, Keng Lom tract, Kun Hing Township, Shan State. Loong tae-wing (age 55), Kawliya (age 27), Yasing (age 22), Taewing (age 20), Sai Sing (age 16), Pa Oo (age 38), Mya Oong (age 37) and Nang Keing (age 20) were accused of being from the SSA; they were beaten and sent to the Burmese garrison in Kun Hing. These people also lost a bull and other household belongings worth about 62,000 *kyat*. (*Source: SSA*)

◆ On December 19, 1999, soldiers from IB 99 led by second Lt. Kyaw Naing arrested four men and two women from Wan Suon Oi village, Hai Kwi tract, Lankho Township, Shna State. They were Ing Ta, San Ta, Kum Na, Sai Lu Nouk, Pa Mart and Nang Saw. They were accused of allegedly helping the Shan armed group in the region. (*Source: SHRF*)

◆ On December 24, 1999, SPDC troops from Hon Tang, Shan State arrested and tortured three villagers from Wan Sai Leng village, Kun Hing Township, Shan State. They were Sai Phaw Ka, Sai Saw and Sai Pinya. The soldiers demanded 3 ticals of gold and 80,000 *kyat* in cash as ransom for their release. (*Source: SHRF*)

2.17 IFU list of Detained MP's

Parliamentarians arrested between 1990 and 1993 and still detained:

- | | |
|--------------------|-------------------|
| 1. CASE N° MYN/01 | - OHN KYAING |
| 2. CASE N° MYN/36 | - MYINT NAING |
| 3. CASE N° MYN/04 | - KHIN MAUNG SWE |
| 4. CASE N° MYN/41 | - ZAW MYINT |
| 5. CASE N° MYN/09 | - SEIN HLA OO |
| 6. CASE N° MYN/42 | - MYA WIN |
| 7. CASE N° MYN/10 | - WIN HLAING |
| 8. CASE N° MYN/60 | - ZAW MYINT MAUNG |
| 9. CASE N° MYN/13 | - NAING NAING |
| 10. CASE N° MYN/68 | - AUNG KHIN SINT |
| 11. CASE N° MYN/26 | - HLA TUN |
| 12. CASE N° MYN/71 | - KYI MYINT |
| 13. CASE N° MYN/28 | - TIN AUNG AUNG |

14. CASE N° MYN/73 - FAZAL AHMED

Parliamentarians arrested between 1996 and May 1998:

1. CASE N° MYN/64	DAVID HLA MYINT
2. CASE N° MYN/112	HLA WIN
3. CASE N° MYN/83	KYAW MIN
4. CASE N° MYN/113	AYE THAN
5. CASE N° MYN/84	SOE THEIN
6. CASE N° MYN/114	OHN NAING
7. CASE N° MYN/85	KHUN MYINT HTUN
8. CASE N° MYN/115	THEIN ZAN
9. CASE N° MYN/86	AYE SAN
10. CASE N° MYN/116	NYUNT HLAING
11. CASE N° MYN/87	DO HTAUNG
12. CASE N° MYN/117	KYAW MYINT
13. CASE N° MYN/88	CHIT HTWE
14. CASE N° MYN/118	THAN NYEIN
15. CASE N° MYN/89	MYO NYUNT
16. CASE N° MYN/119	MAY WIN MYINT
17. CASE N° MYN/100	HLA MYINT
18. CASE N° MYN/120	SAN SAN
19. CASE N° MYN/101	SAW OO REH
20. CASE N° MYN/121	TIN OO
21. CASE N° MYN/102	HLA MIN
22. CASE N° MYN/122	MIN SOE LIN
23. CASE N° MYN/103	TIN AUNG
24. CASE N° MYN/123	NAN KHIN HTWE MYINT
25. CASE N° MYN/104	KYAW KHIN
26. CASE N° MYN/124	OHN MAUNG
27. CASE N° MYN/105	KYIN THEIN
28. CASE N° MYN/125	MAHN KYAW NI
29. CASE N° MYN/106	KYAW TIN
30. CASE N° MYN/126	TUN WIN
31. CASE N° MYN/107	SAN MYINT
32. CASE N° MYN/127	BO HTWAY
33. CASE N° MYN/108	MIN SWE
34. CASE N° MYN/128	THA AUNG
35. CASE N° MYN/109	THAN AUNG
36. CASE N° MYN/129	KYI LWIN
37. CASE N° MYN/110	TIN MIN HTUT
38. CASE N° MYN/130	TIN WIN
39. CASE N° MYN/111	SAW LWIN

Since September 1998, 150 MPs elect have been arrested and are in detention as of April 1999.

Parliamentarians deceased:

- | | |
|-------------------|---------------|
| 1. CASE N° MYN/53 | U HLA THAN |
| 2. CASE N° MYN/67 | HLA PE |
| 3. CASE N° MYN/55 | TIN MAUNG WIN |
| 4. CASE N° MYN/72 | SAW WIN |
| 5. CASE N° MYN/66 | WIN KO |