

amnesty international

BURMA

THE 18 SEPTEMBER 1988 MILITARY TAKEOVER AND ITS AFTERMATH

DECEMBER 1988

SUMMARY

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Widespread human rights violations have taken place throughout the country since March 1988 as security forces have moved to suppress unprecedented popular unrest that culminated in August in a huge uprising demanding an end to authoritarian military rule and the establishment of multi-party democracy.

Several thousand mostly non-violent demonstrators including women and children were reportedly killed by government security forces in March, June and August in Rangoon, the capital, and in Mandalay, Moulmein, Pegu, Prome, Taunggyi, Sagaing and other towns. During the same period a thousand others, including prisoners of conscience, were arrested and held for long periods, mostly in incommunicado detention. Although many of them were reportedly released after, sometimes brutal, interrogation, hundreds, including prisoners of conscience, were reported, in early September, to be still in prison, many without charge or trial.

On 18 September 1988 the army staged a coup and brutally re-imposed government control over the administration of the country which had been almost paralysed by a series of general strikes that had involved an enormous number of people throughout the country. The coup and its immediate aftermath prompted a fresh outburst of street violence that resulted in hundreds more mostly peaceful, unarmed demonstrators being killed and wounded and thousands of others being arrested. Although no official figure was available, by December 1988 hundreds of political prisoners nationwide (including possible prisoners of conscience) arrested since or before 18 September, were believed to be in detention, most of them without charge or trial.

This summarizes a 14-page document, Burma: The 18 September Military Takeover and Its Aftermath, AI Index: ASA 16/15/88) issued by Amnesty International in December, 1988. Anyone wanting further details or to take action on this issue should consult the full document.

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BURMA:

THE 18 SEPTEMBER 1988 MILITARY TAKEOVER AND ITS AFTERMATH

1. Amnesty International's Concerns Since the 18 September Military Takeover

Very severe human rights violations continued in Burma following the 18 September 1988 coup, when Armed Forces Chief of Staff General Saw Maung announced that he had deposed the government of Dr Maung Maung. Hundreds of extrajudicial executions and other unlawful political killings were reported in Rangoon and other towns. Mass arrests were carried out in urban areas and among those still held are possible prisoners of conscience. There are also allegations that the military has seized suspected political opponents in urban centres and forced them to work as porters for army units engaged in counter-insurgency operations, and that some of them have been subjected to cruel, inhuman or degrading treatment or punishment by soldiers controlling them. It is reported that those taken in these circumstances include people who had been involved in peaceful political activities.

These human rights violations took place within the context of the new military authorities' successful attempt to reassert direct control over administration of the country. This followed six months of massive civil disobedience campaigns and overwhelmingly peaceful demonstrations demanding the establishment of multi-party democracy to replace 26 years of one-party rule by the army-dominated Burma Socialist Programme Party (BSPP). Widespread popular unrest gained momentum throughout the country in June, July and August and culminated in a general strike that almost paralyzed the country. On 18 September General Saw Maung and other high ranking officers in the armed forces declared a military takeover. They promised to hold general elections under a multi-party system, while vowing to restore law and order.

The new authorities have admitted that up to five hundred Burmese civilians have been killed in shooting incidents in Rangoon, the capital and other towns, since 18 September. They claim all those killed were "looters" and other "destructive elements bent on violence" who were

sometimes attacking security forces with jinglees (sharpened bicycle spokes fired from catapults) and other weapons. They specifically deny that any of the victims were unarmed and peaceful political activists or demonstrators. However, consistent and independent unofficial reports say that as many as one thousand people have been killed, and that those shot include many unarmed people who were peacefully protesting the military coup in the immediate aftermath of 18 September. The victims are said to also include children, adolescents and Red Cross personnel. The Red Cross personnel were apparently targeted because they were seen trying to help wounded protesters. Official announcements say security forces arrested over 1,300 people after 18 September, and describe those detained as looters and other ordinary criminal offenders. However, unofficial sources allege that many were detained for and questioned about their suspected or imputed participation in demonstrations or political sympathies or activities. Although large numbers were officially reported to have been released after initial investigation, many are believed to be still detained. Amnesty International believes they may include prisoners of conscience held for their non-violent political activities and beliefs and other prisoners held for prolonged periods without charge or trial.

More recently, the authorities have announced that the army has been seizing "petty criminals" and other alleged "unsavoury elements" in the capital to serve as porters. Other sources report that hundreds of Rangoon residents, including students and others who have been active in the movement in favour of multi-party democracy, have been rounded up. Amnesty International has received information suggesting that some of these people may have been seized to punish them for having participated in the largely non-violent demonstrations for multi-party democracy or to prevent them from engaging in further anti-government political activities. The information also alleges that some of those seized have been ill-treated in a manner consistent with the pattern of routine abuse of members of ethnic minorities seized as porters in rural areas, (see Amnesty International's reports entitled "Burma: Extrajudicial Execution and Torture of Members of Ethnic Minorities", May 1988 and "Burma: Extrajudicial Execution, Torture and Political Imprisonment of Members of Shan and Other Ethnic Minorities", August 1988).

2. The 18 September 1988 Military Takeover

On the evening of 18 September 1988 Radio Rangoon announced that General Saw Maung, Chief of Staff of the Defence Forces Services and Minister of Defence, had assumed power as the Chairman of a 19-member State Law and Order Restoration Council. This body was formed by the highest ranking officers of the Burmese armed forces to replace the existing government headed by a civilian lawyer, Dr Maung Maung. In a series of orders broadcast by the official radio, General Saw Maung announced the dissolution of all government organs, including courts, down to the village level and the imposition of dusk-to-dawn curfew and a ban on gatherings of more than five people. He declared that the takeover was for "the sake of the

interests of people" who he said were facing "deteriorating conditions on all sides". The new authorities vowed "to restore law, order, peace and tranquillity" and to work towards creating the conditions for organizing democratic multi-party general elections.

Troops from the 22nd, 33rd and 44th Light Infantry Divisions reportedly took up positions in the streets. Amnesty International had previously received evidence that soldiers from some of these units had committed extrajudicial executions and other unlawful killings of civilians during the March and August demonstrations in Rangoon and during counter-insurgency operations in rural ethnic minority areas (see the above-mentioned Amnesty International reports on Burma).

The coup followed almost one and a half months of massive, overwhelmingly non-violent demonstrations calling for the formation of an interim government to oversee a transition to multi-party democracy. Strike-centers had been set up throughout the country by protesters. By August several urban centers had effectively passed under their control. Mandalay, the second largest town, was said to have been administered for several weeks by committees of students, Buddhist monks and other activists and organizers calling for multi-party democracy.

Burma has been ruled by military-dominated forces since 1962. The army had formed the BSPP after the 1962 military takeover led by the then Armed Forces Chief of Staff, General Ne Win, who dissolved the existing multi-party parliament. In July 1988 BSPP chairman Ne Win announced that he and other top party leaders were resigning and proposed a referendum to decide on the future political shape of Burma. BSPP Joint-General Secretary U Sein Lwin, widely blamed for the brutal handling of the protests since March, succeeded to General Ne Win as Party chairman and to U San Yu as Head of State. On 12 August he was forced to step down in the face of popular pressure and he was replaced on 17 August by a civilian, Dr Maung Maung.

The coup of 18 September came only hours after opposition figures and leading advocates of a return to a multi-party democracy had reiterated previous instructions to students and other protesters to keep demonstrations peaceful. They warned that any use of violence would only play into the hands of the military.

3. Legal and Political Developments

On 23 September, General Saw Maung declared his government's intention not "to hold state power for a prolonged period". He called on all people, parties and organizations to cooperate with it in order to maintain the order and stability necessary to the organization of multi-party democratic elections. In late September, the State Law and Order Restoration Council promulgated a "Democratic Multiparty General Elections Commission Law" and a "Political Parties Registration Law". It said these would "enable the

political parties which accept the practice of genuine multi-party democracy to contest freely and systematically in the democracy multi-party elections demanded by the entire people". As a result, by early December, over 160 political parties and organizations had registered with the election commission. The ruling BSPP was formally dissolved and replaced by the National Union Party.

On 26 September a "Judicial Law" was promulgated defining the principles upon which judicial proceedings should be based. The law guarantees the independence of the judiciary, the right to a public hearing "except in cases where legally prohibited", and the rights to defence and of appeal. The law also provides for the formation of the Supreme Court, the State and Divisional courts and the Township courts.

However on 7 November 1988 the State Law and Order Restoration Council promulgated a Special Period Fixing Law "to help protect the interests of the people". The law declared that all courts would be deemed closed between 1 June 1988 and 31 March 1989. It was explained that "those involved in the court cases, for various reasons, faced problems in travelling and in obtaining court fee stamps" and that "some people could be made to forfeit their rights as they could not sue within the allocated time according to the law". Amnesty International fears that the suspension of all judicial proceedings will result in the prolongation of pre-trial detention delays for hundreds of political prisoners, including people who might be prisoners of conscience.

4. Reported Killings of Unarmed Demonstrators

Following the 18 September takeover, some groups of students reportedly armed themselves in preparation for clashes with the army. However, the large majority of students and other protesters vowed to remain peaceful and to continue staging non-violent demonstrations in defiance of the night-time curfew and the general ban on public gatherings. During the night of 18 to 19 September numerous army shootings were reported as soldiers attempted to remove barricades that protestors had set up throughout Rangoon and moved on to enforce strictly the new restrictive emergency measures.

On the morning of 19 September, thousands of mostly non-violent demonstrators reportedly gathered in various places in the capital. Mass protests were staged against the military takeover but they were suppressed in a series of confrontations with security forces. It is alleged that during some of these only the security forces used violence.

Confrontations reportedly took place in several areas of the capital, including on Bogyoke Aung San Street, Merchant Street and Sule Pagoda in the centre, and in other areas such as Tamaing, Okkalapa, Dala, Tamwe, Sanchaung township, and along Insein Road. Hundreds of demonstrators, including female students and school children, were reportedly shot, many

of them to death, by security forces throughout the day. Most of the victims were said to be unarmed and peaceful and in several instances troops reportedly opened fire on demonstrators without warning. Buddhist monks were on several occasions reportedly seen trying to stop the bloodshed by peacefully surrounding attacking soldiers or placing themselves between troops and demonstrators. In many instances, according to witnesses, army shootings were not the result of isolated acts of panic by soldiers. They appeared to be policy orders from the highest military authorities.

According to various reports, including from students present during the incident and diplomats inside the United States Embassy, troops allegedly from Light Infantry Regiment 22 and 33 positioned on nearby rooftops took aim at some 400 unarmed demonstrators, mostly students, and opened fire. In this incident, which took place on 19 September near the embassy, at about 10:00 am, at least three young protestors were said to have been killed. They include Saw Lwin Tun, a 21-year-old medical student and Win Maw, 18, a female high school student who died while transported to the hospital. Up to 30 demonstrators were reportedly wounded in the shooting. One of the wounded youths reportedly laid bleeding on the street for over half an hour as continued firing from troops kept potential rescuers at bay. Twenty-two-year-old Kyaw Soe Moe, a 5th year dentistry student had his right leg amputated as a result of the severe bullet injuries he sustained. None of these students were armed. They were said to be peacefully protesting against the return to power of the military. On the previous evening, shortly after the announcement of the military takeover, four students were seen falling to the ground after security forces opened fire on a group of students who had assembled nearby, in front of the City Hall on Merchant street, to protest against the coup.

During the day, other demonstrators were reportedly shot and killed or wounded near Khilley Market, Rangoon General Hospital, Sule Pagoda, in front of the City Hall and in a number of other parts in Rangoon where demonstrators had assembled.

In an interview to the news agency Reuters, the Dutch Ambassador accredited to Rangoon, described an instance in which Burmese Red Cross personnel had been deliberately targetted by soldiers, apparently to prevent them from rescuing wounded demonstrators. Two Red Cross workers in uniforms were reportedly shot on 19 September near Sule pagoda in central Rangoon.

In an incident that reportedly took place in Sanchaung township at around 5:30 pm on 19 September, troops opened fire without warning on a group of local residents who had been ordered by another military unit to remove one of the many barricades that had been set up across the capital's streets. One of the youths was killed and seven others were wounded. One of the wounded, named Maung Myint, the son of a high ranking military officer, was hit by four bullets. In another incident that took place near Maungon bridge Police personnel opened fire on a group of demonstrating students

killing four.

Despite official denials there have also been credible reports of the army opening fire on children. In one such incident on 19 September, soldiers allegedly opened fire at close range on a group of 13 to 14-year-old schoolgirl demonstrators, killing and wounding several of them. A report originating from Rangoon General Hospital stated that among the 30 gunshot victims in the hospital morgue was the body of a 10-year-old boy who had been shot between the eyes. After one shooting incident on 20 September, doctors at Rangoon Children's Hospital delivered by caesarean section a baby who had been wounded by gunfire. His young pregnant mother, named Htay Win, had been shot in the abdomen.

By 20 September, according to Burmese doctors, Rangoon hospitals had admitted up to 500 patients, most of them wounded by gunshot. Nearly 100 people had been admitted to Rangoon General Hospital alone for army-inflicted wounds, and doctors were reported as saying that they had received only a fraction of the victims, many corpses being picked up by the army for discrete cremation. A similar practice by the army had been previously reported during the suppression of protests in March and August.

Twenty-four hours after the coup, the new authorities said that 54 people had been killed in the streets. This figure was revised upwards the following day to 120 and to 180 on 21 September. On the evening of 19 September the military-controlled radio announced that "since orders were issued by the State Law and Order Restoration Committee, strike centers had been cleared" in some 92 townships all over the country. Reports from the provinces suggested that numerous killings by the armed forces had taken place there too. The official radio claimed all the victims were "destructive elements", and that security force action against them was either preventive or a response to violent attacks from protesters.

A young Buddhist monk interviewed by Amnesty International said he had witnessed the killing of seven villagers in Mudon, Mon State, on 20 September, as troops opened fire at close range on a group of 20 demonstrators who had blocked the main road with tree trunks. Among the seven was a friend of his, 23-year-old farmer Aung Bu, whose body he picked up after the incident. In Moulmein according to another witness, Aung Kyaw Oo and another student, both members of the newly formed "Burma Youth Liberation Front" were executed on 19 September, after they were captured by troops in Wat Gye Buddhist monastery. Similar incidents were reported from other places including Mandalay, Taunggyi, Bassein, Sagaing and other towns.

In Bassein, a witness reported that at least 22 demonstrators were killed in the streets between 18 and 10 September and that some 300 others had been taken into custody. He also alleged that some of these prisoners were severely beaten in prison by security personnel interrogating them, which resulted in some suffering broken limbs.

Unofficial estimates by Rangoon-based diplomats and others of the number of demonstrators killed in the immediate aftermath of the military takeover range from 400 to 500 in Rangoon alone and to up to 1,000 countrywide. Some groups of demonstrators were reportedly seen attacking police stations to try to get guns and others arming themselves with stones, spears, jinglees, slingshots and catapults, and Molotov cocktails. In at least two reported instances, crowds of demonstrators captured soldiers and suspected government informants and beheaded them. However, reports persisted that the civilians killed included hundreds of non-violent demonstrators, many of them high school and university students.

After 20 September a relative calm returned to the capital but the situation was said to be still very tense. Rangoon residents said sporadic shooting could still be heard from some suburban areas. In the evening of 20 September, the state radio announced the formation of a nine-member cabinet, including eight army generals and one civilian. General Saw Maung became Prime Minister and Minister of Defence and of Foreign Affairs. The radio also announced that a new "Code of Conduct for the People's Defence Forces" signed by General Saw Maung had been issued. The code called for increased discipline and avoidance of corrupt practices, and warned against indecency, abuse of women and abuse of power. The radio reportedly added that it was the duty of the armed forces "to communicate patiently with the people". Available information suggested that the new code failed to include clear and precise guidelines against unnecessary and unreasonable use of force such as those set forth in international legal standards.

5. Further Reported Killings and Political Arrests

As the armed forces moved to sweep strike centers all over the country, numerous arrests were conducted. In the capital the shootings of 18 and 19 September were followed by systematic house-to-house searches for pro-democracy literature, arms and suspected opposition organizers. This resulted in additional unlawful killings and arrests of suspected political activists. In one reported incident believed to have taken place on 23 September in Rangoon's northern Okkalappa Township, two young leaders of a youth organization were allegedly taken out of their house by soldiers and executed on the spot.

From 20 September on the official radio began broadcasting regular reports describing incidents in which the army had opened fire on civilians. According to one of these reports broadcast on 7 November, two North Okkalappa residents named Kyaw U, 28 and Kyin Hoke, 30, were killed by security personnel. The report said that "while they were conducting security work at the top of Thu Nanda and Paduma streets in north Okkalappa, on 6 November, security personnel found two suspicious-looking persons and asked them to come over for questioning. As the two tried to flee, they were shot and killed."

By official accounts 450 people had been killed between 18 September and mid-October. The victims were invariably described in these reports as "unruly and undisciplined elements" and "looters". The government radio repeatedly warned that "severe action would be taken against" such people. It said they included those involved in "unscrupulous destructive acts such as setting up road-blocks, printing and publishing libellous pamphlets and stockpiling illegal arms". It claimed that political leaflets, pamphlets and journals carried "false news" and were written by "greedy people under different names for personal gain". It said they "disrupt the interests of the people, encourage destructive and unscrupulous elements and cause misunderstanding between the Defence Forces and the people".

Arrests of hundreds of suspected pro-democracy activists were reported during the same period, in Rangoon, Moulmein, Mandalay, Taunggyi, Bassein, Pegu, and other towns. Those arrested were said to include large numbers of student and labour activists, as well as Buddhist monks, medical personnel, government employees and workers.

In Moulmein students were arrested on 19 September in Kyaw Thein Lan, Kiaik Thoken and Nut Gyi quarters, including a young Buddhist monk U Sandima, and students Aung Aung, Min Naing Aung, Aung Myo Lwin, Myint Oo and Dar Kee. Up to 300 people were reportedly arrested on 18 and 19 September in Bassein, Irrawaddy Division's main urban center. They included the 50-year-old chairman of Bassein hospital, Dr Maung Maung Shein, Dr Pas Mauk, 50, an orthopedic surgeon and immigration officer, and writer U Min Thu. They also included two Bassein education officers and members of the Bassein strike committee, U Hla Aung, 48 and U Tin Chaw, 55. In Taunggy, Shan State, arrestees included Dr Saw Yan Naing, Chairman of the Shan State Health Department, Dr U Te Win, general surgeon and head of Sao San Tun hospital in Taunggyi, Dr Ne Lain, and assistant health officer, Aung Khin. Other arrested medical doctors and health professionals included U Than Nyan (Pekhong township hospital), Kyaw Nyunt (Hobone township hospital), and U Than Lwin and U Hla Tun, both health officers in Me Pein township hospital. Arrests took place also in Sagaing division, in the north, including, reportedly, those of Menji, a chairman of Tamu's youth organization and U Myint Kyi, a journalist.

Demonstrators arrested prior to the 18 September takeover, including Maung Tha, Aye Aung, Myint Than, Hla Thein, Aung Shein, Tin Shwe and San Myint, all students in their early twenties arrested during August demonstrations, were reportedly still held in Insein by mid-October.

On 30 September the government said 1,376 people had been arrested since the coup. Since then several hundred people have reportedly been released after initial questioning and investigation by police or military authorities, but many were said to be still held in early December.

After a first wave of indiscriminate arrests of protestors in the immediate wake of the coup, arrests continued to take place in October and

continued into late November and December. These seemed particularly aimed at suspected grassroots and middle-level leaders and organizers of anti-government protest activities, including non-violent activists. Prominent leaders and opposition figures were clearly not targeted by the new authorities. Despite the government's claims to the contrary, Amnesty International believes that those detained include, in addition to political prisoners, people who may be prisoners of conscience held for their non-violent political activities and beliefs.

These include Zar Gana, a 29-year-old dentistry student and popular humorist, film director Tin Soe, and actor Zin Wyne. They were arrested on 2 October during a meeting at a bookshop on Barr Street in central Rangoon. Three people arrested with them were subsequently released: film director Aung Myint Myat and actors Moe Win and Nyi Win Sein. None of the three remaining in prison is known to have used or advocated the use of violence. They reportedly made speeches during August and September before mass rallies calling on people to support the movement for multi-party democracy. Zar Gana is said to have become a popular figure among Rangoon residents after several public performances in front of rallies during which he ridiculed the government of Dr Maung Maung and what he claimed was military control of it from behind the scenes. In early December there were allegations that Zar Gana had been severely beaten while undergoing interrogation in prison. He is said to have lost his teeth and to have become hardly recognizable. He is alleged to have been forced to re-enact his satirical jokes in front of military intelligence interrogators while hung upside down.

Possible prisoners of conscience include numerous students accused by the official radio of instigating anti-government feelings and activities, making impromptu speeches at street corners, pasting up posters and circulating leaflets. Students Aung Thet, aged 24, Maung Maung Nyunt, 19, Saw Phet Nyi Nyi and Ne Win, 22, were arrested on 26 October in Rangoon for peacefully participating together with some 50 other people in a demonstration at the Shwedagon pagoda in the centre of Rangoon. The official radio broadcast reporting their arrest accused Aung Thet of "coming to the platform to demonstrate" and Maung Maung Nyunt of having come to demonstrate on behalf of the National League for Democracy, a legal political party advocating multi-party democracy. Saw Phet Nyi Nyi, who is a member of the legal Democracy Party, was said to have "come to deliver a speech" and Ne Win, who is a member of a committee advocating the replacement of the military rule by an interim government to oversee general elections, "was arrested when he went to the pagoda to attend the meeting". The report announced that legal action was being taken against these four people. They may be accused of violating Order 2/88 of the military-dominated State Law and Order Restoration Committee issued on 18 September, four hours after the coup, and which prohibits, inter alia, demonstrations, marches and gatherings of more than four people.

Other possible prisoners of conscience include Zaw Win, a 21-year-old street vendor of ice sticks, and a resident of Myenigon ward, Sanchaung

township in Rangoon. He was arrested on 1 November and reportedly admitted to his interrogators to have organized "97 youths under the Youth Power Solidarity Group and gradually recruited others while carrying out social work as a front". He is said to have confessed that "at an appropriate time, his group would use guerrilla tactics to demonstrate, deliver anti-government speeches and distribute anti-government hand-bills." Zaw Win's "testimony" led to the arrest of Kyaw Kyaw Myint, alias Kalar, alias Ali Buttho, accused of "having personally distributed anti-government leaflets on 23 September" and to have had the intention to go underground, and Moe Zaw Tun, accused of having "pasted up anti-government leaflets on two lamp posts" in the capital . The radio said legal action had been taken against the three.

As these and other youths and students accused by the radio of being underground members of anti-government organizations and of having undergone "theoretical military training in small arms" were arrested, Amnesty International's concerns were heightened after information it collected that student and other protestors arrested during earlier demonstrations had been subjected to harsh physical and psychological treatment during interrogation. Testimonies from students who were subsequently released after several months of mostly incommunicado detention described several forms of ill-treatment including beatings, kickings with combat boots, and in some instances sleep deprivation or repeated disruption of sleep. It also included allegations that while interrogated detainees were made to stand for prolonged periods either with their arms stretched in front of them and their palms against the wall or in a position suggesting they were driving a motorcycle, whose sound they were required to imitate. Several released students alleged that they had been forced to walk on their knees over gravel and pebbles. Amnesty International began investigating these allegations.

6. State Law and Order Restoration Council's Clarifications

At a press conference on 11 November 1988 a State Law and Order Restoration Committee spokesman clarified the government's position on the recent events and responded to a joint demand by several political parties to lift restrictions imposed by Order 2/88, to immediately stop unfair search, arrest, recruitment of porters, and intimidation of students, monks and other people who participated in the uprising since March, to release of all political prisoners and to restore human rights as soon as possible.

Referring to the events that prompted the military to take over, he explained that "there was violence and disturbances during which such unlawful and anarchic acts such as abuse, intimidation, insults, looting and decapitations were committed as well as blackmail of the Defence Forces and the capture of weapons... There was widespread destruction and looting of state-owned factories, worksites and warehouses... In some places the demonstrations turned into disturbances during which police stations were raided and weapons were stolen and members of the police force were

attacked and killed...No political parties prevented these events. There were some who even incited them. There are still people who are spreading rumours to make the situation deteriorate again...Just recently some party members gathered and gave training on the use of arms and hand grenades. While such a worrying situation exists and considerable stability is just being achieved, such a demand to lift the order aimed at maintaining law and order and peace and tranquillity should not be made at such a time. Nobody can guarantee there will be no disturbances, lootings or killings... Therefore so long as the situation does not improve, Order 2/88 will remain."

Regarding the second demand, the spokesman explained that "no arrests were made because of participation in demonstrations. Arrests were made only after compiling evidence according to the nature of the offence for violating existing laws, for threats and intimidation, for embezzlement of state property...There were arrests violating the law after Order 2/88 was imposed. Many have been released after interrogation. Action is being taken against only those who committed big offences."

To the demand that all political prisoners be released, the spokesman said that "the point need not to be answered as there are no people arrested for political reasons. There have been arrests only for violations of the law of the criminal procedure. We do not want to arrest and detain. We tolerate and forgive some cases despite firm evidence for arrest. Once the bounds are over stepped, arrests will have to be made and action to be taken. No government favours those who break the law."

The military spokesman responded to the last demand by explaining to those who "believe enjoyment of the rights contained in the universal declaration of human rights is the most fundamental requirement" that "if they want rights they have to be responsible...because rights cannot be achieved just by demand. They will obtain normal rights if they help bring about a situation conducive to these rights. So long as the slander and verbal attacks against our work continue, instead of helping, the normalisation process will be hampered. So please give constructive criticism."

7. Alleged Killings of Students Who Fled from the Towns

The government search for pro-democracy activists and literature provoked the flight of several thousand students and others from Rangoon and other towns for places beyond the government control along Burma's borders with Thailand, China and India. By mid-October over 7,000 people had reportedly taken refuge in areas controlled by Mon, Karen and Kayah ethnic minority insurgent groups in mountainous areas bordering Thailand. Others entered areas controlled by the Kachin and communist insurgents along the Chinese border, or crossed into India to seek asylum. Many reportedly vowed to take up arms against General Saw Maung's government and were offered military training by the insurgents.

Repeated government radio broadcasts called on the students, who it said had "taken the wrong path", to return home. The broadcasts encouraged their parents and relatives to advise them to come back. The government announced that the military had opened 27 "reception centers" along the country's borders, and promised that no action would be taken against those returning. On 17 October it announced a deadline of 18 November for students to return home. It declared that after this date, they would be considered as insurgents and treated accordingly. However, on 16 November, while announcing that up to 1,000 fugitives had already returned, the government extended the deadline to 31 December.

There have been allegations that on several occasions, some of these students were either taken into custody and executed by army units or were shot and killed by soldiers who ambushed them in the forest. In one reported instance nine returning students were arrested by government troops in the Burmese town of Kwathaung, opposite Thailand's southern Ranong district on 19 November and taken to a military camp. There four of them including Than Tun Soe, 27, Hla Win, 22, Tin Nyo and Kyaw Zaw Toe, were allegedly beheaded by soldiers while the five others who had been held separately managed to escape. In another reported instance, 15 university students, including three women, were allegedly executed by government soldiers after they were captured in the forest, on their way back home from border areas. The three young women were allegedly gang-raped by soldiers before being executed.

By mid-December, Amnesty International began looking into increasingly credible allegations that, despite official claims to the contrary, returnees had been arrested and detained after having surrendered to the military.

8. Seizure of Suspected Political Opponents as Porters

According to recent reports, security forces patrolling Rangoon and other towns have been rounding up, sometimes at gun-point, hundreds of urban residents who are then taken to combat zones where the army is fighting ethnic minority and communist insurgencies. They are made to serve as porters carrying ammunition or food for the army. On 17 October the government announced it had rounded up 1,120 Rangoon residents. It claimed these sweeps were aimed at reducing criminality by punishing gamblers and other "law-breakers" and clearing the streets of "waifs and strays". Despite official denials that students and workers were among those press-ganged into service there have been serious allegations that those taken away to front lines have included high school and university students and other civilians suspected by the military of being active or to have simply taken part in the movement for multi-party democracy. These forcibly conscripted porters reportedly also included numerous Indian Muslims who are believed to have played an active political role as a group during the demonstrations. It appears that some of those seized could be considered

prisoners of conscience, held for their non-violent activities and views.

Burmese army units operating in insurgent areas have often seized members of ethnic minorities as porters. Although many are taken at random, others have been seized on account of their suspected political sympathies or activities. Ethnic minority porters have routinely been disciplined by torture or other cruel, inhuman or degrading treatment or punishment and frequently executed summarily after collapsing from exhaustion, complaining or trying to escape. Amnesty International has also begun investigating allegations that student and others porters seized in urban areas have been similarly ill-treated.

9. Amnesty International's Repeated Appeals

From August onward Amnesty International repeatedly appealed to U Sein Lwin, Dr Maung Maung and since the 18 September to General Saw Maung, General Phone Myint and other members of the cabinet, expressing its concern at reported politically-motivated unlawful killings of peaceful demonstrators, including women and children, and detention of possible prisoners of conscience and other political prisoners without charge or trial.

In these urgent appeals Amnesty International took note that increasing numbers of formerly peaceful demonstrators had been resorting to violence. It expressed concern, however, that since 18 September Burmese security forces had apparently adopted policies allowing soldiers to target and shoot unarmed and peaceful people, and that some political prisoners had been executed in custody. The organization emphasized that international human rights standards provide for protection of the right to life even in times of public emergency threatening the life of a nation. It referred to the United Nations Code of Conduct for Law Enforcement Officials, which provisions prohibit the use of firearms except when a person suspected of a recognizably criminal offence offers armed resistance or otherwise jeopardizes the lives of others, and when less extreme measures are not sufficient to restrain or apprehend the suspect. These standards provide that law enforcement personnel should vigorously oppose any violations of them.

Basing itself on these standards, Amnesty International urged the authorities to ensure proper protection of the right to life of unarmed peaceful demonstrators. It in particular urged to ensure that security forces conscientiously refrain from using lethal force when it is not permissible by international law.

Amnesty International urged the government to ensure independent and impartial investigation into the circumstances of all instances since 18 September in which security forces have killed civilians, to make public its methods and findings and to take appropriate action against any security force personnel responsible for unlawful killings.

The organization also urged that all detainees arrested on political grounds since 18 September be either promptly charged with recognizably criminal offences and be fairly tried or otherwise released. It also sought assurances that detainees be treated humanely and asked the government to make their current whereabouts known to their relatives and to give them proper access to legal counsel. Its concerns in this regard are heightened by persistent allegations that political prisoners taken into custody since the beginning of the street disturbances in March have been subjected to harsh ill-treatment and sometimes to torture during interrogation.

On several occasions Amnesty International appealed on behalf of groups of possible prisoners of conscience reportedly held in connection with the anti-government activities, including students, journalists, artists, and medical personnel. For instance, Amnesty International appealed on behalf of nine medical doctors and health professionals who were arrested in the immediate wake of the military takeover in the Shan State and the Irrawaddy and Mandalay Divisions for their suspected involvement in the pro-democracy movement or for having extended medical care to victims of security forces action. Dr Pe Thein, the new Burmese Health Minister, informed Amnesty International on 2 November that they had been released after initial questioning by the police and rejected allegations that any of them had been arrested for providing medical care. A response from the Foreign Ministry also confirmed that four of them had already been released and indicated that similar confirmation about the others was expected.

Amnesty International also asked the government to look into the cases of Zar Gana and the five other people whose arrest was mentioned above. Following the release of three of them, it continued to express concern that Zar Gana and the two others still held may be prisoners of conscience. In early December, Amnesty International received allegations that Zar Gana had been subjected to severe beatings by military intelligence interrogators and asked the government to investigate these allegations. Throughout the end of the year it continued to express concern at the officially reported arrest of 15 other possible prisoners of conscience.