

amnesty international

BURMA

EXTRAJUDICIAL EXECUTION, TORTURE AND POLITICAL IMPRISONMENT OF MEMBERS OF THE SHAN AND OTHER ETHNIC MINORITIES

AUGUST 1988

SUMMARY

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This document presents new evidence of a consistent pattern of unlawful killing and ill-treatment of members of Burma's ethnic minorities by security forces, including the army and police. It is a follow-up to a document published in May 1988, Burma: Extrajudicial Execution and Torture of Members of Ethnic Minorities. That document presented evidence of unlawful killings and torture of members of the Karen, Kachin and Mon ethnic minorities. This document provides information about allegations of similarly severe violations of the human rights of members of the Shan ethnic minority. It also describes the cases of two or three Shan who may be prisoners of conscience. There is information suggesting they may be imprisoned because of their ethnic background and their non-violent political opinions or peaceful exercise of the right to freedom of expression.

This document is based on 91 interviews with villagers and other civilians of Shan or other ethnic minority origin conducted in more than two dozen places in Thailand in June 1988. The Shan interviewed described 46 alleged extrajudicial executions and 58 alleged cases of torture or cruel, inhuman or degrading treatment in the Shan State since 1986. The allegations include reports of such human rights violations in 16 of the Shan State's 52 townships. The information also implicates soldiers of 10 Burmese infantry units operating in the Shan State, as well as State Military Intelligence Service and People's Police personnel. In addition, the information includes allegations of the extrajudicial execution and torture of members of the Karenni minority, who inhabit, the Kayah State, and new information about such human rights violations reportedly committed against members of the Karen minority.

According to the people interviewed by Amnesty International, most of the Shan victims of unlawful killings and ill-treatment are ordinary villagers suspected by the army of cooperating with or supporting various insurgent groups. Other alleged victims were seized as porters to carry ammunition and other supplies for the army.

The document reiterates recommendations Amnesty International made to the government in its May 1988 publication. It notes that the government has apparently not carried out any of the steps the organization suggested

for preventing human rights violations, and states that the new information it presents about alleged human rights violations in the Shan State and other areas of Burma once again suggests the urgent need for serious remedial action by the government.

This summarizes a 25-page document, Burma: Extrajudicial Execution, Torture and Political Imprisonment of Members of the Shan and other Ethnic Minorities (AI Index: ASA 16/10/88), issued by Amnesty International in August, 1988. Anyone wanting further details or to take action on this issue should consult the full document.

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BURMA: EXTRAJUDICIAL EXECUTION, TORTURE AND
POLITICAL IMPRISONMENT OF MEMBERS OF THE SHAN
AND OTHER ETHNIC MINORITIES

I. INTRODUCTION

In May 1988 Amnesty International published a report, Burma: Extrajudicial Execution and Torture of Members of Ethnic Minorities, describing evidence of a pattern of unlawful killing, ill-treatment and arbitrary detention of members of ethnic minorities in the Karen, Mon and Kachin States of the Socialist Republic of the Union of Burma. In June 1988 the organization gathered additional information on the human rights situation in areas of eastern and northern Burma inhabited by these and other minorities. This information relates particularly to the Shan minority. It suggests that a consistent pattern of gross violations of human rights by the military and other security forces assigned to counter-insurgency duties extends to at least some parts of the Shan State and corroborates that such human rights violations are occurring in other minority areas.

The information gathered includes allegations of 46 extrajudicial executions and 58 cases of torture or cruel, inhuman or degrading treatment in the Shan State since 1986. The allegations include reports of such human rights violations in 16 of the Shan State's 52 townships. These are Taunggyi, Mongnai, Monghsu, Mongpan, Monghsat, Mongton, Kehsi, Monghsen, Kengtung, Tachilek, Langkho, Nansang, and Mongkung, Loilem, Mongping and Mongyawng Townships. The information also implicates soldiers of ten Burmese infantry units operating in the Shan State, including Light Infantry Divisions 55, 66, 77 and 88 and Regiments 33, 43, 49, 65, 66 and 99, as well as State Military Intelligence Service and People's Police personnel. In addition the information includes allegations of the extrajudicial execution and torture of members of the Karenni minority, who inhabit the Kayah State, and new information about such human rights violations reportedly committed against members of the Karen minority. (The Karenni, *or* "Red Karen", *are* a subgroup of the Karen ethnic group.)

Amnesty International's new evidence was gathered from 91 Shan and other Burmese civilians who have fled their homes to take refuge in Thailand since 1986. The interviews were conducted in more than two dozen different places in Thailand. Some of those interviewed described their own suffering. Some gave eyewitness or other detailed accounts of the killing or ill-treatment of relatives, friends or fellow villagers. They also provided information on relatives, friends and associates that they said were currently imprisoned in Burma. Amnesty International believes some of them could be prisoners of conscience detained on account of their non-

violent political opinions or peaceful exercise of the right to freedom of expression and in connection with their ethnic minority background.

The information available to Amnesty International remains limited by the unwillingness of the Burmese government to grant independent human rights investigators access to the country. It reflects only that information that can be gathered by careful interviewing of people who have been able to leave the country and close monitoring of the official Burmese news media. It cannot be construed as representing the full picture of the human rights situation in the Shan State or elsewhere in the country.

In this paper, Amnesty International has published the names of victims of extrajudicial executions and of people believed currently detained. It has withheld those of victims and witnesses who requested anonymity because they feared reprisals by the security forces if they returned to Burma or against relatives and associates still in the country.

As with its earlier research on Burma, Amnesty International avoided contact with members of Burmese opposition groups while gathering information on alleged human rights violations by Burmese security forces. It bases its conclusions on testimonies gathered directly from individual villagers and other ordinary civilians who the organization identified and interviewed without interference or assistance from opposition groups. It recognizes that testimonies from people who have fled their homes may contain exaggeration or bias. However, it has carefully evaluated these testimonies for internal and mutual consistency and has tried whenever possible to cross-check the allegations they contain.

Amnesty International considers its new information constitutes further credible evidence that, the Burmese army and police are committing severe human rights violations in eastern and northern Burma. These violations are committed in defiance of Burmese and international law, both of which prohibit extrajudicial execution and torture.

Although the security forces are faced with violent attacks by armed opposition groups, none of the extrajudicial executions or torture described in this paper took place in the context of actual combat. Security problems can, in any case, never be used to justify extrajudicial executions or torture by members of the security forces. They are entrusted with responsibility for upholding and defending the legal system, which prohibits such crimes. Burmese law provides ample scope to arrest, investigate and prosecute people the army suspects of involvement with the insurgents. It also includes important human rights safeguards. Amnesty International's new information suggests, however, that such legislation is no more respected by security forces in the Shan State than by those operating in other minority areas where insurgents *are* active. (For further information on Burmese law and violations of it committed by security forces operating elsewhere, see Burma: Extrajudicial Execution and Members of Ethnic Minorities.!)

The Burmese Government has alleged that armed opposition groups operating in the Shan State have committed crimes of violence against ordinary civilians. For example, on 23 June 1988 the official newspaper The Working People's Daily alleged that on 6 June the insurgent Shan State Army had abducted and killed a 70-year-old man and his two sons and raped his daughter and daughter-in-law in the northern township of Namhsan. It also alleged that on 29 May guerrillas of the Burmese Communist Party had killed residents of Mongphan village, beheaded the dead and thrown the

corpses into the Mekong River. Amnesty International condemns the killing and torture of prisoners by anyone, including opposition groups. It also recognizes that it is within the jurisdiction of governments to bring to justice those responsible for such crimes. However, the exercise of such lawful authority must always be in accordance with international human rights standards and safeguards contained in domestic laws. The organization is concerned by evidence that the Burmese government is consistently failing to ensure that security forces respect these standards and safeguards.

II. BACKGROUND

The Shan State is the largest of the seven ethnic minority states in the Burmese union (see map). The Shan are also the largest single ethnic minority group in Burma. With an estimated population of 4.18 million, they comprise approximately 11 per cent of the country's total population of about 38 million. Shan people also live in neighbouring areas of northern Thailand, southern China and eastern India. At the same time, a wide variety of smaller ethnic minorities inhabit the Shan State. These include Chinese (Shan Tayok), the Akha, the Wa, the Lahu, the Lisu, the Muser and the Palaung.

The Shan (who are also known as the Tai) are overwhelmingly Theravada Buddhist rice farmers, like the majority Burman population. However, they speak a different language, which is similar to the Thai spoken in neighbouring northern parts of Thailand. In pre-colonial times, the area that is now the Shan State was ruled by Shan princes who sometimes owed allegiance to Burman or Thai overlords and were sometimes independent. Under British colonial rule, Shan areas were administered separately from Burman parts of Burma, and maintained a distinct political and cultural identity.

During the negotiations between Britain and Burma about independence, Shan and other ethnic minority leaders demanded guarantees of minority rights in return for agreement to join in a Union of Burma. These were conceded in an agreement between the Burmese government and Shan, Kachin and China representatives in 1947 at Panglong, a Shan town. After Burmese independence in 1948, however, disputes arose between some Shan political figures and the central administration in Rangoon over the handling of Shan affairs. In 1959 the first Shan armed opposition group was organized claiming it was necessary to fight the government to protect Shan interests. Since then various other such groups have taken up arms. These have included the Shan State Independence Army (SSIA), the Shan State Army (SSA), the Shan United Revolutionary Army (SURA), the Shan United Army (SUA), and the Tai Revolutionary Council and its armed wing, the Mong Tai Army (MTA). Not all of these remain active. Several unarmed but clandestine Shan opposition groups have reportedly also been formed, some of which are affiliated with armed elements. In addition to the Shan, smaller ethnic minority opposition armies also exist in the State. These include the Wa National Army, the Pa-O National Army and the Palaung State Liberation Army. Two other armed opposition groups have long been active in the Shan State. They are the Burmese Communist Party (BCP) and the Kachin Independence Organization (KIO). The BCP has bases in the northeastern Shan State, along the border with China. Although the BCP leadership is mostly Burman, some of its cadre and soldiers are Shan. Its troops also include many members of the Wa ethnic minority, and some Shan and Wa groups closely allied with the BCP operate to the south and west of the main BCP

areas. The KIO is based in the neighbouring Kachin State, and it is organized primarily among this minority. It operates in areas of the northern Shan State, parts of which are inhabited by Kachin.

Together, the various insurgent groups operating in the Shan State are estimated to have guerrilla zones covering perhaps a quarter to a third of its territory. The Burmese Government has reportedly assigned four or five light infantry divisions and some 20 regiments to fight Shan State insurgencies. The regiments reportedly answer to two different commands, the Burmese Army Eastern Command, based in the Shan State capital of Taunggyi, and the Burmese Army Northeastern Command, based in the northern Shan State Township of Lashio. Recent official government radio broadcasts have given some indication of their combat activities. For example, on 23 March 1988, Rangoon radio announced that, "As a result of major and minor battles fought in the Eastern Military Command between 21 March 1987 and 20 March 1988, a total of 513 insurgents were killed, 89 were captured, and 177 surrendered." On 13 April 1988 the radio gave an official account of army operations the previous month against 3CP, Wa, SSA, KIO and Lahu insurgents which it said were "engaged in refining and sending opium abroad, black-marketeering and sabotage" in Mongton and Monghsat Townships. According to the broadcast, "on 19 March military columns from the 88th Light Infantry Division, the 33rd Light Infantry Division and Tactical Operations Unit Number 1 under the jurisdiction of the Eastern Military Command launched 'Operation Mohein Phase-12'...During the operations there were 11 major battles and 33 clashes in which 27 members of the [Burmese] Armed Forces laid down their lives and 73 were wounded. Fifty-seven insurgents were killed and one was captured."

Opium is grown in several remote parts of the Shan State and most opposition groups there either tax opium or trade in the crop. Some Shan and Wa ethnic minority organizations claiming to fight for minority rights have long been deeply involved in opium trafficking. They argue the opium problem can only be resolved in the context of a general political solution to Burma's minority problems, but the government and many outside observers regard their leaders as warlords interested in profits, not politics.

III. EXTRAJUDICIAL EXECUTION OF SHAN

Soldiers have allegedly killed Shan civilians because of reports or suspicions that the victims had contact, cooperated or were actively involved with insurgent groups. In no such case described to Amnesty International had the victim been brought before a judicial authority, charged with any violation of the law or given access to any judicial process.

A Buddhist monk from the central Shan State Township of Kehsi described how soldiers of the 77th Light Infantry Division opened fire on villagers they surrounded in April 1988. The shooting took place after a group of about 100 BCP insurgents from the Wa ethnic minority group attended an ordination festival at Loitawng pagoda, where the monk was staying. The 77th Light Infantry Division is believed to be headquartered in neighbouring Monghsu Township.

"The communists...stayed for about an hour. [They] left the village about six in the evening. The Burmese soldiers came about eight at night. They came and surrounded the monastery. The villagers were still

there because the festival hadn't ended. They were all terrified, and tried to run away, but they couldn't because they ran into the Burmese soldiers. The soldiers drove them back into the monastery. Then they opened fire on the monastery.

"There were about 60 Burmese soldiers...[They] were all armed with automatic rifles, like G-3s and G-4s, and as well as with M-79s [grenade launchers]...Although some of the soldiers could speak Shan and some of the villagers could speak Burmese, the soldiers didn't ask anything. They simply opened fire without warning.

"Eight people were killed...one of those who died was Lung Jang Pang. Two of his sons were being ordained as novices. He was a farmer. He was in his early 60s. He was hit by shrapnel from an M-79 round.

"No one in the village dared to protest what had happened. They feared they would be killed themselves if they did."

A Buddhist novice from Wan Mongkao village in Kehsi Township described the killing on 16 November 1987 of a fellow villager by soldiers of this same unit. The novice said the victim, 30-year-old farmer and father of three Saay Nhun, was shot because he was wrongly suspected of gathering intelligence for guerrillas of the BCP who entered his village two or three times a month.

"At around eight at night around 25 soldiers came into the village...he was shot right in his home. [They] shot him from outside without asking him any questions. He was hit by seven rounds, including one in the throat. He died immediately...The villagers took his body for burial."

A 29-year-old villager from Wan Chit village in the southern Shan State Township of Langkho described the apparent extrajudicial execution of a relative who was a farmer and a tailor in neighbouring Wa Nam-Tun village. He identified the apparent victim as 43-year-old Tay Pa, who "disappeared" in March 1986, apparently because soldiers believed he was a guerrilla with the insurgents. Tay Pa was allegedly then killed by soldiers of the 99th Regiment, which is believed to have headquarters in Langkho and Loilem Townships and to answer to the Burmese Army Eastern Command.

"On that day there was a clash between the the Shan State Army (SSA) and a detachment of the 99th Regiment based in Loilem. There were two hours of clashes, and then the SSA withdrew. After the clash, the Burmese soldiers detained around ten villagers for questioning. One of them...was Tay Pa. He was particularly vulnerable to suspicion because he was well-off; he had two sewing machines, and so he had already been accused of being in touch with the SSA.

"Before the clash several SSA men had come to the village, and one of them had stayed at his home. When

the Burmese soldiers came to the village, all the SSA ran away, but the guerrilla who had stayed in Tay Pa's house forgot his M-16. So when the Burmese questioned the villagers after the clash, they went into his house and found the M-16...Tay Pa was not an insurgent, but the SSA had requested shelter and food from him. Tay Pa could not turn them down. When one is caught in such a cross-fire, one has to accommodate all sides.

"The soldiers accused him of being an insurgent. They took him to a place called Nawnglung, where there is a small lake...Two days later we villagers found his body...He had been stabbed with a bayonet in the chest, and his throat had been slit. We brought the body to the village for cremation."

A 53-year-old farmer from Mongpan Township in the southern Shan State described another apparent extra-judicial execution by soldiers of this regiment. He identified the victim as a fellow farmer named Ai Ti, a father of two in his early 30s, and said that Ai Ti had been shot in November 1987. Soldiers of the 99th Regiment based in neighbouring Langkho Township apparently thought the victim might be trading buffalo with the insurgents and may also have wanted to rob him.

"The Burmese were out on patrol, and they saw him putting four or five water buffalo out to pasture at the edge of the forest...he had some orchards in the vicinity. It was not long after noon, maybe about one o'clock. He...was sitting there watching the water buffalo..."

"The Burmese were lying in wait in that area to seize black marketeers... Maybe they thought Ai Ti was trading illegally in water buffalo."

"The patrol surrounded the spot where Ai Ti was and simply shot him...They didn't bother to detain him first because they figured if he had any money or valuables they could take them anyway."

"Ai Ti had been in this village for years, and everybody knew he had nothing to do with the opposition. I think they killed him for his money. In fact, though, they were mistaken in thinking that he was someone who had money. In reality, he was quite poor, and he was actually a hired hand. He had been hired by somebody else to put these water buffalo out to pasture."

"The village chairman... knew what had happened, but he didn't dare to do anything."

Other Shan villagers have allegedly been killed after being seized as porters by the army. These porters often have to carry heavy loads of ammunition or other supplies under extremely difficult conditions. Those killed were apparently subjected to extrajudicial execution or fatal ill-treatment because soldiers were dissatisfied with the victims' performance of the onerous tasks they were compelled to carry out.

A 25-year-old farmer from Monghsat Township in the southern Shan State who was seized as a porter in late March 1988 described the death in early April of three porters seized from nearby villages. He said they were "beaten and bludgeoned to death" by soldiers of the 49th Regiment during operations against Mong Tai Army (MTA) troops of "opium warlord" Khun Sa and of a Wa communist group. These insurgents were based near Monghang and on Loi Angkhang mountain near the Thai border, in neighbouring Mongtung Township. The 49th Regiment is believed to be headquartered in Monghsat and to answer to the Burmese Army Eastern Command.

"None of us had been fed, but we had to go up and down the mountains carrying heavy loads.

"The three who were killed were all Shan in their twenties or thirties. They were apparently not used to this sort of heavy labour and were not strong enough to carry their loads. They collapsed. After that, they were repeatedly bludgeoned with rifle butts and kicked by passing Burmese soldiers. They were bludgeoned around their heads until they lay dead with blood coming out of their ears and various head wounds.

"I heard the Burmese soldiers saying that if they died it was their own fault. The soldiers said that if the Shan weren't in rebellion, we wouldn't have to go through all this. Seizing us as porters was their way of taking revenge on the Shan for making trouble, they said. And they killed these three to scare the rest of us into working harder for them...I got hit a couple of times, too, but not very hard. I was able to keep up."

A 58-year-old farmer seized as a porter from Wan Mor village in Mongtung Township described the apparently fatal ill-treatment of a fellow porter from another Shan village in late May 1988. The two men were among civilians seized by soldiers of the 33rd Regiment to carry loads during another attack on Wa insurgents based near Loi Angkhang. The 33rd Regiment is believed to be headquartered in Tangyan Township in the northern Shan State and to answer to the Burmese Army Northeastern Command. It was reportedly one of several units temporarily sent south to participate in this operation.

"There was one porter who was in his forties...I could see that he was very tired and was no longer able to go up the hillsides...He was tottering back and forth with exhaustion, and you could see that the world was blacking out before his eyes from exhaustion. At one point, he collapsed, and a Burmese soldier tried to lift him up, but he no longer had the strength to stand up. Before he collapsed he had tried to tell them he was too tired to continue, and asked for permission to rest for a while, but the soldier said he had to keep going.

"When the... soldier saw this, he hit the porter in the ribs with his rifle butt. From then on, Burmese soldiers who passed him would do the same. They would try to get him to stand up, and when he couldn't they

kicked him and hit him with their rifle butts. In the end he was vomiting blood and bleeding from the ears as well as from head wounds. The soldiers called him a mother-fucker and shouted at him to get up, but he simply couldn't. I presume that in the end he died because his head injuries were severe enough to kill him..."

A 30-year-old farmer from Monghsen village in the eastern Shan State Township of Mongping described the fatal ill-treatment inflicted on four fellow villagers seized as porters by soldiers of the 43rd Regiment. This unit is believed to be headquartered in Mongping Township and to answer to the Burmese Army Eastern Command. He said the four victims, Naam Nor, Naan Lung Kaew, Jaen Saeng and Aay Say, died in February 1987 in the Monghit area, where this unit was attacking the BCP. He said that the deceased ranged in age from mid-20s to mid-30s, and that three of them were married and had children.

"These four were unable to keep up, and all four were bludgeoned to death with rifle butts on the same day. This was while we were moving through the mountains..."

"All four were sick. They were coming down with fever, and they had cramps in their calves. That's why they couldn't keep up. As soon as they fell behind, the soldiers started beating them. The soldiers were saying to them, 'What's the matter with you? Why don't you hurry up? Get moving!' The four of them were crying that they couldn't continue, but the soldiers kept hitting them with their rifle butts. The soldiers were hitting them with their G-4s. They struck them right on the head until their skulls cracked, and all four died from crushed skulls. The bodies were simply left by the road. The families and relatives weren't allowed to come and get the bodies.

"When I saw what happened to them, I was terrified. My heart was racing. At the same time, I shed tears of sympathy."

A 36-year-old farmer from May Kien village in the southern Shan State Township of Monghsat described the fatal ill-treatment inflicted on another villager, 19-year-old Sai Aye. He said the victim was seized as a porter in January 1988 by soldiers of Regiment 65, which is believed to be headquartered in neighbouring Mongtung Township and to answer to the Burmese Army Eastern Command. The unit was engaged in operations against the BCP.

"After two days of walking, about two hours before we got to the BCP area, our column had to climb up some hills, quite steep hills. We were compelled to carry heavy loads of ammunition, like 81 millimeter mortar rounds, six of them, plus lots of other things.

"The load was too heavy, and [Sai Aye] could not keep up with the column, which was moving quickly up the hills. Because of this, he was beaten with a bamboo stick, and was then hit and kicked after he fell to the ground. He was most severely beaten around his kidneys

and on his legs. The soldiers also punched him in the face until it was swollen. He was so severely beaten that he passed out. The soldiers thought he was dead, and they kicked his body down a slope."

According to this account, several porters who were released after a battle with the BCP discovered that Sai Aye was in fact not yet dead, though his injuries were indeed to prove fatal.

"They helped him and carried him back to Monghsat, where they took him to a hospital. A doctor examined him and said nothing could be done for him because he had sustained severe internal injuries affecting his organs. He died two days later at the hospital...I [attended] the cremation..."

A 25-year-old farmer from Monghang in the southern Shan State Township of Mongtung who was seized as a porter by soldiers of the 65th Regiment in March 1988 described how they executed a villager from Nakawngmu. The victim, 30-year-old Sangsu, had been seized and forced to carry ammunition during large-scale Burmese army operations against Khun Sa's MTA. The 65th Regiment was one of several units involved in this operation. The killing took place after an MTA counter-attack forced a Burmese army retreat.

"While we were retreating.., Sangsu fell down. His load was too heavy for him because he had been given some of the ammunition that was being carried by a porter who had been killed in shelling. He had to climb up a steep cliff in the forest. Because of the steepness of the slope, the weight on him and our fast pace, he lost his balance and fell down.

"A captain following him ordered him to stand up and keep running. He hit Sangsu with his rifle butt, and this actually made it more difficult for him to stand up. He was hit again by a corporal while he was trying to get to his feet. Another corporal lunged at him and stabbed him in the back with a bayonet. He was bayoneted.

"The commanding officer, the captain, didn't reprimand the corporal who killed him...the captain said it was a good thing, because these Shan were always creating problems, and now there was one fewer of the bastards."

This troop column later eventually continued its operations in the eastern Shan State Township of Mongywang, where this porter witnessed two more executions. He did not know the victims' names.

"We passed by a stream, the Mekok, and two Shan porters drank from it. Maybe they were too exhausted, or maybe they developed severe stomach pains because they drank too much water. In any case, they lay down and refused to get up..."

"When they refused to stand up, a lance corporal and two ordinary soldiers began beating them with their

rifles, hitting them with the butts. The corporal ordered one of the soldiers to cut down a piece of bamboo, a big one about an inch thick, and to beat them with it. He beat them until it broke. One of the porters' arms was fractured. The other one was hit so hard across the face that an eye was knocked loose from its socket. A soldier took out a knife and cut off his left ear.

"Then the two of them were thrown into the river. The corporal and one of the soldiers took them by the hands and feet and threw them into the river...and drowned them."

A 43-year-old farmer from Kattaw village in the eastern Shan State Township of Kengtung said that he witnessed the execution or fatal ill-treatment of seven farmers from Kengtung town and various villages who were seized as porters in March 1936 by soldiers of the 88th Light Infantry Division, which is believed to be headquartered in Kengtung. He named the victims as 45-year-old Ai Hset from Wanpan village, 50-year-old Ai Yin from Wan-hnang village, 42-year-old Ai Hseng from Kattaung village, 48-year-old Nan Hsai from Wan-ngam village, 38-year-old Sam-nhun from Kengtung town, 53-year-old Ai Pan from Wankom village, and 40-year-old Nan Hieng from Wan-nam village. He said they were killed during a two-month operation against the BCP. He described the deaths of Ai Hset and Ai Yin:

"Both were too weak to carry their loads. They were lying there on the ground, so the soldiers tied a rope around their neck and dragged them along the path. The soldiers tied ropes around their necks and pulled on the ropes so that their necks were broken, just as if they had been hanged. Both died as a result."

He said that Ai Hseng and Nan Hsai were beaten to death for being too weak to carry their loads, that Sam-nhun was shot for trying to escape, and that Ai Pan and Nan Hieng were shot for alleged cowardice when they failed to perform their duties under enemy fire.

IV. TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT OF SHAN

Shan have allegedly been tortured or subjected to other cruel, inhuman or degrading treatment or punishment during interrogation about suspected links with or sympathy for the insurgents. In most of the cases described to Amnesty International, the victims were held without charge or trial and apparently without reference to any judicial authority.

A 53-year old former village people's committee chairman Lung Nu from a village in Mongpan Township in the southern Shan State described how he was ill-treated in December 1997 by soldiers from the 99th Regiment. This unit is believed to have headquarters in Loilem and Langkho Townships and to answer to the Burmese Army Eastern Command. The victim explained that although he was appointed by the government, the military was dissatisfied with the extent of his reporting on the activities of Shan insurgents affiliated with "opium warlord Khun Sa and a faction of the one-time Shan State Army (SSA) operating in Mongpan. The military apparently suspected he might be withholding information about the insurgency because he was

sympathetic to its aims.

"[It] was in the morning, around seven o'clock. I had just got up and was eating. I was there with my wife and four children... More than 20 soldiers had come [and] surrounded the village... the soldiers who came to my house... said they had intelligence that a lot of [insurgent] forces were passing through this area and were getting a lot of food supplies from it, but that I hadn't reported anything.

"I was called down out of my house, and [a] soldier interrogated and beat me there in front of the house. My wife and children could see this from the porch. They were screaming and crying. The soldier simply said, 'Why don't you give us reports?' and started hitting me... He was armed with a G-3 or 6-4. He was a corporal, and there was a sergeant there with four or five other troops...

"He hit me with his rifle butt. Before that he had hit me on the right side of my head with his fist. Then he hit me with his rifle butt just behind my right ear, and I was knocked out... I went out like a light, and my children carried me up into the house. I had a huge black bruise for more than a week, and for six or seven days I was deaf in my right ear. To this day, I still have hearing problems with my right ear."

A 45-year old farmer and father of five from Wan Na-in village described how he was tortured during interrogation, apparently by troops of this same unit. He was seized in June 1986 while on a trip to visit relatives in Mongpan Township. Suspicion fell on him when he entered Honawng village to find food and encountered a Burmese army patrol.

"I went into the village to ask for something to eat... When I entered the village, there were some Burmese soldiers there. There were about 30 of them. They suspected that I was working with the [insurgents], perhaps as a scout. They called me over, and when I came over, they grabbed me and tied my hands behind my back.

"One of them starting hitting me with his fist while accusing me of working for the [insurgency]. He hit me over and over again. He knocked me down once. He just kept asking me whether I was with the [insurgency]. He then wrapped plastic around my head. He had made a sort of plastic bag from a military poncho. He tied it tightly around my neck until I passed out. I couldn't breathe, and I passed out. When I came to, I was asked again whether I was with the [insurgency], I kept denying this..."

An 18-year-old farmer from Monghang village in Mongtung Township described what happened to him in March 1988 when a first lieutenant of the 55th Regiment caught him reading an issue of Freedom's Way. This is a publication of the Tai Revolutionary Council (TRC), a Shan insurgent group

affiliated with "opium warlord" Khun Sa. IPC activists had handed him a copy of their publication when he visited a nearby Buddhist shrine where they were doing propaganda work. He had taken it home to read, and it was there that the first lieutenant from the 65th caught him with it. This unit is believed to be headquartered in Mongtung and to answer to the Burmese Army Eastern Command.

"[The] TRC saw me, that I was a kid, and they tried to do political education with me. They gave me a publication which had a photograph of Jao Jam Meuang, the former leader of the Shan State Army... It was written in both Shan and Burmese, as well as English. It was about the history of the Shan opposition.

"My parents didn't know I had this publication... I sneaked it into the house to read... I was reading it, and this Burmese soldier suddenly appeared. The soldier tried to grab it out of my hands. I threw it down out of the house, but he went down and picked it up...

"[He] asked me whether I had been a soldier with the [insurgents] and how I had got hold of that publication... He said I would have to be punished. They put me in a pit all by myself and put wooden stocks around my feet. The stocks were already right there in the pit. I couldn't stand up. I could lie down and sit up, but not stand up. I was kept there a day and a night."

He returned home, but a month later he was accosted by another first lieutenant from the same unit who put him back in the pit.

"I was walking in the village and... he grabbed me and started beating me with his fists. He beat me until my nose bled... He asked me whether I was the one who wanted to fight his soldiers, and then he took me and put me back in the pit for three days and two nights. I was put in the stocks, and I had to piss and shit right there. The smell was awful. They didn't give me enough to eat, and when I asked for more, they cursed me. It was dark and full of mosquitoes. They wouldn't let me wear my shirt. It was... cold all the time. You couldn't see anything at all."

A 47-year old farmer from Mong-ngang village in the Central Shan State Township of Kengtung told of the ill-treatment during interrogation of three fellow villagers in April 1988. They were detained on apparent suspicion of contact with the BCP by soldiers of the 88th Light Infantry Division, which is believed to be headquartered in Kengtung. He said the victims included two men, one 24 years old and the other 28, and a 20-year-old married woman with one child.

"They went into the forest to cultivate their fields. They were on their way to their rice fields when they met soldiers from Nawng-ngang camp. They were arrested about half a mile from the village. They ran into sentries manning mobile forest checkpoints and were arrested. They were arrested by a group of about 10

soldiers. The soldiers suspected them of being on their way to provide food to or make contact with the insurgents because they encountered them in the forest.

"They began to interrogate them on the spot, asking them about their contacts with the insurgents. They were suspected of providing money and food to and making contact with the BCP. They replied that they were just ordinary villagers and had no contact with the BCP, that they did not support it. The soldiers hit them with their rifle butts and forced water down their throats to make them 'confess'. This interrogation took place near a stream in the forest, near the village.

"They had bruises all over their bodies and were unable to sleep because of them... There were bruises all over their backs, which were black and blue with rifle butt marks."

A farmer and trader in his mid-twenties from a village in the central Shan State Township of Kengtung described how he was severely ill-treated during two weeks of detention in February 1988 by various security forces in Tachilek Township in the southern Shan State. He and nine others were first interrogated by militia forces that initially arrested them on suspicion of being escaped convicts. During subsequent interrogation by the militia, the Military Intelligence Service (MIS) and the police, they were accused of being involved with the Shan insurgency.

"We were arrested in Mongkho by members of the Burmese militia, who took us to the military in Tachilek after detaining us for a night in Mongkho, in the militia's temporary detention centre. We were arrested at nine in the morning. After our arrest, we were chained together. The militia interrogated us... into the evening and through until midnight. The following day we were taken by truck to Tachilek.

"We were arrested because we were suspected of being bandits who had escaped from Kengtung prison several days earlier. They were looking for them and suspected us. When they interrogated us, they first accused us of being members of this bandit gang, and when we denied it, they accused us of being members or supporters of the insurgents. We were accused of being in touch with them. We also denied these accusations, and they began beating us up... eight of us were beaten. They beat up eight of us, those they thought we looked most intelligent, because they were most suspicious of us.

"I was the first to be interrogated. My hands were tied behind my back. While being interrogated, I was slapped on the ears and punched in the sides, the chest and the stomach. I was also punched under my nose with the heel of a fist. The interrogation lasted about two hours. Then I was taken back to my cell..."

"The following day...we were taken to Tachilek... We were first taken to the police station...we were detained there but the interrogation took place in military custody...

"We were taken to the MIS Office in Tachilek in groups of two. First they took [two others]. [One of them] was forced to 'confess' that some of us were in touch with the insurgents. Meanwhile, two more of us, including me.., were brought in and interrogated separately. They were interrogating us separately and checking our stories against each other, going back and forth between the room where [one who had 'confessed'] was and the room where we were.

"We were asked the same set of questions as before, and we were beaten even before they began asking them. Our hands were tied behind our backs. While they beat us up, we were undressed, completely naked. We were beaten by three guys, ordinary MIS personnel, not officers. They brought in a bunch of pieces of bamboo, which they used to beat us on our backs until the pieces broke. They also rolled them up and down our shins, and I have scars on my legs as a result. Then they hit us on our heads with pistol butts.

"Then, in a separate room, I was tied to the ceiling by my hands, which were still tied together behind my back. Before being hung, I was kicked in the chest with combat boots. I was kept hanging in this position for a couple of hours, and during this time I was repeatedly beaten with bamboo. I was interrogated by a guy in plainclothes. He wanted to know where the insurgents were, and who the leader in our group was. I continued to deny everything. Four guys in plainclothes beat me up during this interrogation, even the guy who was sitting at a table and taking notes. He got angry when I denied the accusations, stood up and participated in the beatings . . .

"After they lowered me to the ground, I had to kneel. They kept hitting me. I was kicked several more times in the chest. I fell over and was kicked several times on the side of my neck. I received some more blows from bamboo, and finally I passed out.

"When I awoke they were shaking me to bring me back to consciousness. When I recovered they hung me up for maybe another hour and resumed beating me. The whole interrogation lasted from nine at night until midnight.

"...they took me back to my cell at the police station. There I just lay on the floor for three days. I couldn't move. I didn't see any doctor. I asked for medicine, but was told by a police sergeant-major that since I was going to die anyway there was no need for medical treatment. During these three days we were not

fed by the prison authorities.

"After three days I was taken to a military camp northwest of Tachilek, on the outskirts of town. There I was interrogated again by three soldiers, including one first lieutenant. This interrogation lasted many hours, from seven in the morning until three in the afternoon.., and the ill-treatment was even worse than the previous time.

"I was first beaten and interrogated in a room. The officer asked the questions and hit me with the blade of a machete on my head, chest and thighs. The two others beat me with their fists and slapped me. I was also beaten with bamboo and rifle butts. I was then taken outside and hung up on some poles. Each of my hands was tied to a frame... so that I was in a crucified position with the tips of my toes barely touching the ground. There were many soldiers outside, and they came and beat me, punched and slapped me, as they pleased, but there were no questions.

"Then I was taken back in the room, interrogated and beaten again by the first lieutenant. After that I was hung up a second time outside, where I was beaten and interrogated some more.

"The second time I was hung up I was in such pain, I was suffering so much that they untied me and took me back to the police station... the pain was so severe that I was in a state of shock, that I couldn't speak. Even if I had wanted to talk, I couldn't have. At some points, I could not even hear the questions they were asking me. I could see them talking, but I was unable to react or even understand. My mind and body were in a state of great confusion. My body was painful all over, such pain, and I was in a state of semi-consciousness. At some points I couldn't even feel the blows. The only thing I could do was to repeat, 'I don't know, I don't know', but I was muttering these words like an automaton. I may have said other things, but I was not in control of myself. I could see them, that they were talking to me and beating me, but I felt somehow separated from the scene, as if I was observing it from the outside.

"Back in my cell at the police station, I stayed in a sort of semi-conscious state for seven days. Sometimes I felt joy, as if I were happy, and then sometimes I would burst into tears. Most of the time I was depressed. For these seven days I was unable to sleep. I wanted to sleep, but each time I was about to fall asleep I imagined that somebody was shaking me and I would awake with a start. In fact nobody was shaking me.

"After the second interrogation, we were all officially handed over to the police and remained in

detention in the police station.

"Interrogations at the police station were also very brutal... They were carried out by a second lieutenant... assisted by two other police personnel. They kept asking the same questions, whether or not I was an insurgent, whether I was the chief of this group of 10, which unit I belonged to, and the like. I was forced to sit on a stool with my hands tied behind my back. I was beaten with bamboo. Once I was beaten with an iron bar. Once I was hit across the back so hard with a chair that I was thrown against the table I was sitting next to. My chest hit up against the corner of the table so hard it almost stopped my breathing.

"[After my release] my sleep came back, but it was disturbed with nightmares and wakings with a start in the middle of the night for the next month. Even now I am very weak emotionally. I cannot stand the noise of motorcycles passing by, and I am afraid and startled by the slightest noises coming from inside or outside the house where I stay... and when I work or exert an effort, like by lifting something heavy, I can feel a pain in my chest, deep inside down on the right side of my chest, and my heart races."

A 26-year-old teacher from the northern Shan State Township of Muse was among 47 people detained in April 1987 during large-scale Burmese army operations in April 1987 against jungle bases of the Tai Revolutionary Council (TRC) in the northern Shan State Township of Hopang. The Burmese military carried out infantry assaults and aerial bombing, and several different units were reportedly involved.

The detainees included students and villagers as well as teachers, and 12 of them were women. Some were reportedly members of a Shan organization known as the "Five Horses", which promotes the teaching of Shan language and culture. The troops held the 47 overnight in a local pagoda. The teacher told Amnesty International, "They accused us of being guerrillas, of being Mong Tai Army soldiers. They threatened to tie us all up together and burn us alive if we didn't 'confess'."

After a night of detention at an army base in the town of Panglong, the detainees were loaded onto army trucks and transported to Loilem Township. There they were turned over to police custody. Around 30 of them were eventually transferred to police prisons in Taunggyi, the capital of Shan State, for interrogation. The teacher said he was interrogated in Prison Number 2.

"I was taken there alone in handcuffs. I was taken to an interrogation room... There were three officials there: a soldier in uniform guarding the door and two police officers in plainclothes. I was interrogated for two or three hours.

"I was made to sit down still handcuffed on a stool. There was nothing in the room except a writing desk and the stool. Their first question was who had called me to do this kind of 'Five Horses' work. They

wanted to know the names of the 'highest commanders' of this organization. They wanted to compel me to 'confess' that this organization was attached to the armed opposition... I... said I knew nothing about the highest level commanders... they started punching and kicking me. They beat me until I passed out.

"After one of the police officers asked me whether I was with the guerrillas and I said no, that I was only teaching villagers, the other police officer, who was standing nearby, punched me twice in the face and kicked me once in the back and once across the legs. At that point I passed out, and I don't know what happened next.

"Once I regained consciousness, he asked me whether I was now willing to 'confess' or not, and when I said that I wasn't, the other one pulled the stool out from under me and hit me with it. I passed out again, and the next thing I knew I was back in a cell."

He said that he met several other detainees who had been ill-treated during interrogation in Police Prison Number 2, including one whose teeth had been knocked out when he was beaten.

A 50-year-old farmer from Nam Halay village in the southern Shan State Township of Mongnai described how he was ill-treated during interrogation in February 1987 by soldiers of the 66th Regiment. It is believed to be headquartered in neighbouring Nansang Township and to answer to the Burmese Army Eastern Command. The soldiers apparently suspected him of harbouring BCP insurgents, who had been active in his area for 30 years and to whom he had once given rice. He claimed he had done this under duress, and that he had never provided lodging to the communists.

"I was arrested in my home. They came up into my house and arrested me there. Twenty or 30 soldiers came and surrounded my house, and five or six of them came up into it. It was before dawn and I was still asleep. I was there with my wife and children.

"They pounded on the door and told me to come, and just as I was getting up, they grabbed me right out from under my mosquito net. They were able to speak a little Shan, and they called out in Shan. They were in uniform and carrying pistols and rifles.

"My wife was absolutely terrified, as if she were in a state of shock, and began crying hysterically. I was scared myself. I was sweating and trembling. I was afraid they would ill-treat and even kill me.

"They accused me of aiding and abetting the communists. I denied it, but they took me away anyway. My wife also pleaded with them not to take me away, but they paid no attention.

"They tied my hands behind my back with blue nylon cord and took me down out of the house. They started kicking me in the house, forcing me down the stairs. I

didn't walk down the stairs, I was kicked down. When I stood up, one of them punched me in the mouth, knocking out two of my teeth, one on top and one on the bottom.

"They then walked me to their base, which was about five miles [eight kilometers] away... in Mongpote. I was first interrogated in a room in a wooden row house. There were five soldiers involved in the interrogation along with a translator. The superior officer didn't speak any Shan, so he asked the questions in Burmese, and they were translated by a Burmese who could speak Shan. There was a guy taking notes.

"I sat there with my hands still tied behind my back while the questions were asked. The questions lasted for about a half an hour. They asked me why I hadn't reported the presence of communists in the village. They said I had committed this offence and refused to admit it. They then surrounded me and hit me with their fists and their rifles and wooden sticks. Sometimes they hit me so hard I passed out. I passed out twice, but I said it wasn't true what they said, and I never admitted to doing anything wrong."

A 20-year-old farmer from this same village described another incident in February 1987 during which a man in his sixties was assaulted by soldiers of the 66th Regiment after BCP activists conducted anti-government propaganda among the villagers.

"Ten soldiers came, and two or three of them ill-treated him while the others surrounded him. They came from the 66th's base. They came around 11 in the morning. At that time [he] was in his home resting and drinking some tea. The soldiers went up into his house. He was there with his whole family, including his mother, his wife and his children. The soldiers threatened him saying that if they heard again that he was listening to the communists they would kill him. The communists had been telling us that we shouldn't have to give the Burmese 30 per cent of our crops.

"They hit him in the face with rifle butts and kicked him in the face and on his backside with their combat boots. His cheeks were torn open, and he passed out...After he passed out, the soldiers left, saying that they didn't care whether he lived or died. He had to spend seven or eight days recuperating from this ill-treatment."

A 28-year-old farmer from Mongkung Township in the central Shan State described how he and two other men about the same age as him were ill-treated in April 1986 during interrogation by soldiers of Light Infantry Division 77, which is believed to be headquartered in Monghsu Township. The soldiers detained the three while they were travelling outside their village with money they planned to use to buy oxen. This apparently led to suspicion they might be involved with the BCP or other insurgent groups.

"On the way we met a Burmese patrol, which arrested us.

The soldiers found the money and suspected that we were insurgents. They tied us up, and we were taken into the forest to be interrogated on the spot by the soldiers.

"We stayed for seven days at the same encampment in the forest. They kept interrogating us, accusing us of working for the insurgents.

"After they tied us up, they wrapped plastic and blankets around our heads. There were four layers of plastic. We would sweat a lot, and the sweat was held in by the plastic. This caused suffocation. We could not see anything, and this increased our fears. We were put under the hot sun, and from time to time they removed the plastic and poured hot water in our mouths, which burned our mouths."

As described above, Shan seized as porters have allegedly been subjected to fatal ill-treatment for allegedly failing to perform their duties. According to other allegations, the victims have not died, but have been subjected to severe abuse.

A 45-year-old farmer from Monghan village in the southern Shan State Township of Mongtung described how he was ill-treated after being seized as a porter in March 1987 by soldiers of the 65th Regiment. This unit is believed to be headquartered in Mongtung and to answer to the Burmese Army Eastern Command.

"The...soldiers...came to the village and rounded up 16...villagers... I was taken for four days. We were just patrolling in the area. The day after I was seized I was beaten by the soldiers. When I was seized I was already quite sick with a malaria fever. They made me carry 25 to 30 kilogrammes of rice...

"The soldier who was following me said that I was too slow, that I was not walking quickly enough. I said that I had been quite sick for the last several days, and that as a result I could not stomach food and had not been eating. He said that I was lying, pretending to be sick in order to evade performance of my duty. He said the only way to make me walk faster was to beat me.

"The soldier stripped some bamboo and made something like a whip out of it, something flexible which he began beating me with. I was beaten really hard by him and other soldiers all over my back, from my neck to my buttocks, which caused severe pain...I had red marks on my back for about a month...I could not lie on my back at night to sleep..."

Relatives of men seized as porters have allegedly been ill-treated during round-ups. If they are women, the alleged abuse may take the form of rape.

A 31-year-old married farmer from Wiangtai village in Monghsat Township in the southern Shan State told of the February 1988 rape of a 17-year-old Shan woman in a neighbouring house by soldiers of the 49th

Regiment who came to seize porters. This unit is believed to be headquartered in Monghsat and to answer to the Burmese Army Eastern Command.

"They came in to seize [her older brother] as a porter, and they also raped [her]. The same soldier who seized [her older brother] also raped [her]. He had already grabbed [her older brother] and turned him over to the other soldiers. He then went back up into the house, saying that maybe there was someone else there. When he found [her] he raped her. He raped her right in front of her mother. She was still a virgin."

This interviewee was himself seized as a porter in February 1988 by troops of this unit to carry ammunition during operations against Wa National Army troops in neighbouring Mongtung Township based on Loi Angkhang mountain, along the Thai border. He described the ill-treatment of a friend in his late 20s who was seized from Taklet village in Monghsat Township.

"He was unable to continue walking. He simply didn't have the strength to carry the four 105 millimeter artillery shells he was assigned to carry. He had been able to go on for seven days, but on the eighth day he just couldn't continue.

"On the eighth day, he stumbled under his load and fell forward and couldn't get up. Four Burmese soldiers came over and started hitting him with their rifle butts. They hit him until he passed out. Before he passed out, he appealed to them to stop. He said to them that he was truly unable to continue, and that they could kill him if they didn't believe him...They said to him that he was smart but lazy, that he really could continue but was just pretending not to be able to go on.

"These four soldiers then dug a shallow pit in which they buried him up to his neck. He was buried lying on his back while still unconscious and was just left there with his head sticking out of the ground."

Immediately thereafter, the victim's friend and several other porters managed to escape from the army column, and they went back to rescue him.

"We waited until [the soldiers] were gone, and then we went back to where he was. He had regained consciousness but was unable to get out of the dirt. We dug him out. We took him to the Monghsat hospital. He was hospitalized for seven or eight days. He was suffering from complete exhaustion. He had to have stitches at three places on his head.

"Ever since then, he's been weaker than ever. He can't do any sort of heavy labour at all. He can't make his living doing anything that requires great physical effort."

V. POSSIBLE SHAN PRISONERS OF CONSCIENCE

THE CASES OF SAI LONG AND MU NING TA

On 20 October 1987 a 24-year-old Shan Buddhist monk named Mu Ning Ta was reportedly arrested at Theinbyu pagoda, near Rangoon's railway station. Two days later a second monk, 25-year-old Aye Long was reportedly arrested in the same pagoda.

Both came from farming families in the Shan State and had been in the monkhood for many years. Mu Ning Ta, a native of Mongyan Township in the eastern Shan State, had become a novice there at the age of 10. He later went to study Pali, the scriptural language of Buddhism, at Kangyi pagoda in Yawnghwe Township, near the Shan State capital, Taunggyi. Aye Long, a native of Wanmao village in the eastern Shan State Township of Kengtung, also became a novice at the age of 10.

Both monks had come to Rangoon to further their secular studies. Aye Long graduated from Botataung High School there and then enrolled in Rangoon University. He was a second-year mathematics student at the time of his arrest. Mu Ning Ta had been in Rangoon since around 1984 and at the time of his arrest was enrolled in an English school.

The two may have had some contact with the Young Shan Monks' Assembly of Rangoon. This organization reportedly operates without government authorization in Rangoon to help newly arrived monks to find pagodas in which to stay and schools in which to study.

The arrests of Mu Ning Ta and Aye Long reportedly came a week after the arrest of a Shan trader named Aye Lakhaye. He travelled frequently back and forth between Rangoon and Lashio, a town in the northern Shan State. In Rangoon, he sometimes stayed at Theinbyu pagoda, and there became acquainted with Mu Ning Ta. His travels apparently led to suspicions that he might be working as an intelligence agent for the Shan State Army (SSA), and he was arrested by officers of the Military Intelligence Service (MIS) in Rangoon. Nothing more is known about his background.

Amnesty International has received allegations that Aye Lakhaye was ill-treated by MIS interrogators, and that afterwards he was seen with a face swollen from beatings. During interrogation he reportedly implicated three people, including Mu Ning Ta, as his "accomplices".

Late in the morning of 20 October, a man in plainclothes reportedly came to Mu Ning Ta's quarters at Theinbyu pagoda and told him that he had some visitors who had just arrived in a car. He was arrested when he went to see who was in the car and taken to an MIS detention centre near Mingaladon airport, just outside Rangoon. There he was defrocked (removed from the robes signifying his membership in the Buddhist monkhood), allegedly without authorization from the abbot of Theinbyu pagoda. Defrocking without the permission of an abbot is contrary to ecclesiastical law.

After two days of incommunicado detention, he was escorted back to the pagoda in handcuffs. His face was reportedly observed to be black and blue from beatings. Security personnel were overheard saying that he had

"confessed" to possession of issue number four of Freedom's Way, the insurgent Tai Revolutionary Council (TRC) publication. They were heard to allege that he was a TRC propagandist and organizer. However, a search of the premises reportedly failed to find any TRC documents. Monks present during the search were allegedly threatened with arrest when they denied to the authorities escorting Mu Ning Ta that he had ever had TRC materials. Some of them reportedly later claimed that his "confession" was the result of ill-treatment. They reportedly said that he had in fact never had anything to do with the TRC, although he may have privately expressed dissatisfaction with some government policies on the ethnic minorities. According to one monk interviewed by Amnesty International, Mu Ning Ta may have been vulnerable to suspicion because of his desire to study English and his possible involvement with the Young Shan Monks' Assembly. He explained that the MIS "doesn't like Shan to learn English. They suspect that those who are learning English are trying to be great ones", which they don't like. They say it's better for the Shan not to be educated because then they get involved with the opposition."

The monk Aye Long was reportedly arrested on 22 or 23 October, allegedly as a result of being implicated by Mu Ning Ta during his interrogation. He was reportedly arrested without warrant by officers of MIS Unit 13 and initially detained at Mingaladon, where he was also defrocked without authorization from his abbot. He was reportedly accused of distributing TRC propaganda, apparently on the basis of information obtained during the interrogations of the trader Aye Lakhaye and Mu Ning Ta. People who knew him well later claimed to Amnesty International that he had in fact never been actively involved with the TRC or other Shan insurgent groups. One explained that. "He doesn't agree with their violent methods. He's a Buddhist monk, and so he believes in non-violence. That's an important reason why he doesn't support the methods of the Shan insurrectionary groups." He added that Aye Long had nevertheless sometimes expressed dissident views about certain government policies, "and it may be that his views were reported to the MIS".

After about a month of incommunicado detention at Mingaladon, Aye Lakhaye, Mu Ning Ta and Aye Long were reportedly transferred to Insein Central Prison, also on the northern outskirts of Rangoon. The three were then brought before Botataung Court, where they are understood to have been remanded pending further investigation for possible violation of Section 17.1 of the Unlawful Associations Act, which prohibits involvement with organizations advocating the use of violence. At their first court appearance, both Aye Lakhaye and Mu Ning Ta were reportedly observed still to have bruised faces.

The three were reportedly thereafter brought regularly to Botataung Court for remanding (continued detention pending charge and trial). However, as of May 1988, they still had not been formally charged and had not been allowed to consult legal counsel. Family members and friends could not visit them at Insein prison, and could see them only during their brief court appearances, when communication was difficult.

The available information does not make it possible to evaluate the allegations reportedly made against Aye Lakhaye, Mu Ning Ta and Aye Long of involvement with the SSA, TRC or other violent opposition groups. However, this information does suggest that at least some of the three may be held on account of their non-violent political opinions or peaceful exercise of the right to freedom of expression. It also raises fears that evidence obtained through ill-treatment may eventually be used against them in court.

and that they have been denied proper opportunities to consult with legal counsel to prepare their defence. This could contribute to their being unfairly tried.

VI. EXTRAJUDICIAL EXECUTION AND ILL-TREATMENT OF 'MEMBERS OF THE KAREN AND KAYAH ETHNIC MINORITIES

In its report, Burma: Extrajudicial Execution and Torture of Members of Ethnic Minorities, Amnesty International described cases of unlawful killings or ill-treatment of members of the Karen, Kachin and Mon ethnic minorities during 1986 and 1987. This report was based primarily on research conducted in November 1987.

Research conducted since then indicates that Karen continue to be victims of severe human rights abuses. Information obtained in Thailand in June 1988 includes allegations that Karen have been unlawfully killed not only in the Karen and Mon States, where most of them live, but also in the neighbouring Pegu Division, where the majority of the population is Burman.

A 42-year-old Karen farmer from Khorpu village in Shwegyin Township of Pegu Division described the killing in February 1988 of five farmers from nearby Kuy Zo Kho village. He said the victims were 35-year-old Pa Kuy, 50-year-old Saw Tha Myi, 35-year-old Sa Ya, 30-year-old Htun Yu, and a woman around 40 whose name he could not remember. According to his statement, he passed them along a road while they were on their way back from buying rice in a third village, Mete. Immediately thereafter, they encountered a patrol of Regiment 57, and he said he saw what happened from a distance: "The Burmese opened fire on them immediately, without asking any questions." He said he believed the soldiers suspected that they might be involved with the Karen insurgent group, the Karen National Union, because they were travelling in the forest outside their villages. After the patrol moved on, he went back to look at the victims.

"The bodies were lying along the foot trail in the forest. Two of them were right next to each other, and the other three were spread out. The Burmese had taken away the rice they had managed to buy.

"Sa Ya had been hit in the chest, and it was ripped open so that his insides fell out. Pa Kuy had been hit in the chest like Sa Ya. The woman had been hit in the head."

Similar incidents have allegedly resulted in the death of members of the Karenni minority in the Kayah State. A 21-year-old Kayah Christian from Pasawng Township in the Kayah State claimed that soldiers of the 54th Regiment opened fire on him and 11 other Kayah in February 1988 as they were travelling by boat to attend a Christian gathering in Boo Kaw village. The soldiers evidently suspected they might be working with the armed wing of the Karenni National Progressive Party, an insurgent group active in the Kayah State.

"A Burmese patrol appeared on the bank and ordered us to stop the boat. They asked us whether we were carrying weapons for the insurgents, whether we were transporting weapons in the boat, weapons for the insurgents. The pilot...got scared and jumped into the river to try to

escape. They opened fire on him and the boat, They missed him. Three women attempted to escape by jumping in the river, but they died by drowning. A fourth woman was shot dead with several rounds through her body. I tried to protect myself by lying down in the boat."

He identified the woman who was shot as 50-year-old Naw Ku Le, a mother of three children from Nam Pang village. He identified the women who drowned as 30-year-old Naw Htoo Yu, a mother of two. 17-year-old Naw Pow Wa, a student, and 23-year-old Naw in Htoo, both unmarried.

VII. AMNESTY INTERNATIONAL'S RECOMMENDATIONS TO THE GOVERNMENT

In its May 1988 report, Burma: Extrajudicial Execution and Torture of Members of Ethnic Minorities, Amnesty International recommended a number of measures for the protection of human rights which it said the Burmese Government should adopt to stop unlawful killing, ill-treatment and arbitrary arrest and detention 'of members of the Karen, Mon and Kachin ethnic minorities (see pp.67- 71 of the report). It stressed the need for the government to act to ensure that existing safeguards for human rights in Burmese law be fully respected, and that these include provisions against arbitrary arrest and detention and prohibiting homicide and torture by government authorities. Amnesty International urged the authorities to launch a full-scale inquiry into allegations that security forces operating in minority areas are violating these provisions by committing extrajudicial execution and torture and detaining political suspects without reference to any legal or judicial authority. It said the government should bring to justice military and police authorities responsible for such human rights violations. It said the government should consider granting full access to minority areas to appropriate international observers, including representatives of international human rights and humanitarian organizations. It said local and central authorities should compile and make publicly available regularly updated records of all people taken into custody, whether by the military or the police, specifying the places where they are kept, so that family members and lawyers can be promptly informed of their arrest and detention.

To Amnesty International's knowledge, the government has not carried out any of these steps, and believes available recent evidence of severe human rights violations in the Shan State and other areas of Burma confirms the urgent need for serious remedial action by the government. The organization therefore reiterates its earlier recommendations and believes the suggested measures should also be carried out with respect to the Shan State.

It also urges the government, to act to ensure that no Shan or members of other ethnic minorities are imprisoned on account of their non-violent political opinions or peaceful exercise of the right to freedom of expression and in connection with their ethnic minority background. Possible cases of imprisonment on such ground should be examined, and anyone detained on such grounds should be released. At the same time, anyone against whom there is credible evidence of possible involvement with violent anti-government activities should be promptly charged and given a trial conducted according to international standards for fairness, or released.

Rear-Adm. Maung Maung Khin
 Defence Services Vice-Chief-of-Staff
 ibid.

Admiral,

U Ye Gaung
 Deputy Prime Minister
 Minister of Foreign Affairs
 Ministry of Foreign Affairs
 Prome Court
 Prome Road
 Rangoon
 Burma

Your Excellency,

U Saw Hlaing
 Deputy Minister
 Ministry of Foreign Affairs
 ibid.

10. Brig Gen Pe Myaing
 Minister of Home and Religious Affairs
 Ministry of Home and Religious Affairs
 Ministers' Office
 Rangoon
 Burma
11. Col. Khin Maung Win
 Deputy Minister
 Ministry for Home and Religious Affairs
 ibid.
12. Thura U Tun Tin
 Prime Minister
 Minister of Planning and Finance
 Ministry of Planning and Finance
 Ministers' Office
 Rangoon
 Burma
13. U Tin Swe
 Minister
 Ministry of Industry
 Ministers' Office
 Rangoon
 Burma
14. U Ohn Kyaw
 Minister
 Ministry of Labour and Social Welfare
 Ministers' Office
 ibid.
15. U Khin Maung Ghi
 Minister of Trade
 Ministry of Trade
 Ministers' Office
 ibid.

16. U Aung Kyaw Myint
Minister of Information and Culture
Ministry of Information and Culture
Ministers'Office
ibid.
17. Kyaw Sein
Minister of Education
Ministry of Education
Ministers'Office
ibid.
18. U Tun Wai
Minister
Ministry of Health
Ministers'Office
ibid.
19. U Tin Aung Hein Your Excellency,
Chairman
Council of People's Justices
Maha Bandoola Garden Street
Rangoon
Burma
20. U Ohn Tin
Chairman
Council of People's Inspectors
Office of the Council of People's Inspectors
Rangoon
Burma
21. Dr Maung Maung
Chairman
Council of the People's Attorneys
Office of the Council of People's Attorneys
Rangoon
Burma

The Council of State (29 members)

22. U Aye Ko (Vice-Chairman) Dear Sir,
23. Thura U Kyaw Htin (Secretary)
24. U Chit Hlaing
25. U Tun Yi
26. U Hla Tun
27. U Khin Aye
28. U Sap Tu
29. U Soe
30. U Sai Aung Tun
31. U San Maung
32. U Zaw Win
33. U Tin Aung
34. U Tun Yi
35. U Tun Yin Law
36. U Van Kulh
37. U Ba Hla
38. U Ba Thaw

- 39. U Bu Ral
- 40. U Mann San Myay Shwe
- 41. Dr Maung Maung
- 42. U Hla Tun
- 43. U Vamthu Hashim
- 44. U Tha Kyaw
- 45. U Thaung Tin
- 46. U Than Sein
- 47. U Aung Sint
- 48. Thura U Aung Pe
- 49. U Ohn Kyi

50. U Aung Toe
 Chairman
 Pyithu Hluttaw (People's Assembly)
 Prome Road
 Rangoon
 Burma

Your Excellency,

78. U Hla Kyi
 Director
 The People's Police Force
 People's Police Force Headquarters
 Rangoon
 Burma

Dear Mr Director,

79. Director General
 Police Department
 Rangoon
 Burma

Dear Mr Director General,

80. U Lay Maung
 Director
 National Intelligence Bureau
 Rangoon
 Burma

Dear Mr Director,

81. Col. Khin Nyunt
 Director
 Defence Services Intelligence
 Defence Services Headquarters
 Rangoon
 Burma

88. Gen. U Khin Maung Aye
 Director General
 Central Court of Justice
 Office of the Central Court
 Rangoon
 Burma

Dear Mr Director General

92. U Than Nyunt
 Chairman
 Peasants Asiayone Central Body
 Peasant Asiayone Central Body Headquarters
 Rangoon
 Burma

Dear Mr Chairman

II. STATE AUTHORITIES

51. U Ba Than
Chairman
Shan State People's Council
Taunggyi
Shan State
Burma
- Dear Mr Chairman
52. Brig Gen Tun Shwe
Chairman
Shan State Regional Party Committee
Taunggyi
Shan State
Burma
53. U Kyaw Din
Chairman
Kayah State People's Council
Loikaw
Kayah State
Burma
54. U Tha Shim
Chairman
Kayah State Party Regional Committee
Loikaw
Kayah State
Burma