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MYANMAR (BURMA) PRISONERS OF CONSCIENCE A CHRONICLE OF DEVELOPMENTS SINCE SEPTEMBER 1988

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SUMMARY

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In 1988 large scale civil unrest erupted in what was then known as Burma - now renamed Myanmar. Massive, largely peaceful street demonstrations called for an end to one-party rule by the military-dominated Burma Socialist Programme Party. Led largely by students, demonstrators demanded the replacement of the government of General U Ne Win with an interim government of civilians until free and fair elections could be held and a system of multi-party parliamentary democracy introduced. Demonstrators also demanded the restoration of long-restricted civil and political liberties, including the rights to freedom of expression and association.

The violent measures to suppress the demonstrations during the first half of 1988 resulted in thousands of deaths. Some peaceful demonstrators were believed to have been deliberately killed while others arrested in street clashes died in detention. Police action failed to halt the demonstrations and in July 1988 General U Ne Win resigned. Measures taken in August by his successor, U Sein Lwin, to suppress the unrest resulted in further bloodshed: thousands more were alleged to have been deliberately killed. Dr Maung Maung, who briefly succeeded U Sein Lwin as the head of government, was himself replaced by the military when civil servants joined protestors demanding political reforms in continuing street demonstrations.

A military government was established on 18 September 1988 headed by a military-controlled State Law and Order Restoration Council (SLORC). The SLORC again violently suppressed street demonstrations and imposed martial law, severely restricting freedom of assembly. The SLORC pledged, however, to carry out economic and political reforms and subsequently legalized the formation of political parties. More than 200 political parties were duly registered over the next year.

The development of a political opposition movement since the military coup of 18 September 1988 has involved both student organizations which have not been formally authorized, notably the All-Burma Federation of Student Unions (ABSFU), and the newly registered political parties. Some of the principal opposition parties were founded by political figures who had emerged to support calls for an end to military rule before the 18 September coup. •They include the National League for Democracy (NLD), whose principal leaders, both under house arrest at the time of writing, are Aung San Suu Kyi, the daughter of the late leader of Burma's independence movement and Tin U, a former officer who became a critic of military rule. Other legally registered

parties were founded by student leaders, notably the Democratic Party for a New Society (DPNS), whose leader Moe Hein is now also in detention (the three leaders are considered prisoners of conscience). The numbers of arrests steadily increased as opposition groups attempted to step up their activities in the later part of 1988 and in early 1989, in the lead up to the projected 1990 elections.

The number of political prisoners detained in Myanmar since July 1989 alone has been estimated by some sources as over 3,000. The SLORC has acknowledged that some 1,200 people, including students and members of political parties, were arrested in connection with political activities between 18 September 1988 and 18 August 1989, most of whom it said remain in detention.

Amnesty International concerns outlined in the report include the detention without charge or trial of political prisoners under preventive detention legislation and the trial of others by military courts using summary procedures that fall far short of international standards for fairness. Emergency legislation curtailing freedom of expression has provided a basis for the summary trials and the sentencing to long prison terms of prisoners of conscience detained solely for the exercise of the rights to hold opinions and express them without the use or advocacy of violence. Other prisoners of conscience are believed to have been held on false charges of using or advocating violence, or of association with organizations espousing violence. Amnesty International is calling on the government of Myanmar to bring to trial -or release all political prisoners held in preventive detention without charge. It is urging a review of the cases of all political prisoners formally charged or tried since 18 September 1988 and the release of all prisoners of conscience.

This document includes information concerning 107 cases of political prisoners currently believed to be in custody, many of whom have been identified as prisoners of conscience or may with further investigation be identified as prisoners of conscience. Prisoners of conscience include Nay Min, a lawyer who was sentenced to 14 years imprisonment for his alleged contact with foreign news agencies. Others whose cases are under investigation as possible prisoners of conscience include three young men sentenced to death.

The document outlines the background to the military takeover on 18 September 1988 and describes the martial law orders and earlier legislation that provide the legal basis for the detention of people for their beliefs and their non-violent involvement in political life. It provides a chronology of events as they relate to recent arrests of concern to Amnesty International. The authorities' views on the incidents and individual arrests chronicled month by month are cited in some detail, as published or broadcast in Myanmar's official media. The public statements of some of the detained leaders of the major student organizations and political parties are also cited at length. A glossary at the end of the document explains the names and acronyms of principal Myanmar political and student organizations and the official change announced in June 1989 of many Myanmar place names and names of ethnic groups.

This summarizes a 78-page document, Prisoners of Conscience in Myanmar (Burma): A Chronicle of Developments Since September 1989, AI Index: ASA 16/23/89), issued by Amnesty International in November, 1989. Anyone wanting further details or to take action on this issue should consult the full document.

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PRISONERS OF CONSCIENCE IN MYANMAR (BURMA):

A CHRONICLE OF DEVELOPMENTS SINCE SEPTEMBER 1988

1. INTRODUCTION

In 1988 large scale civil unrest erupted in what was then known as Burma - now renamed Myanmar. Massive, largely peaceful street demonstrations called for an end to 26 years of one-party rule by the military-dominated Burma Socialist Programme Party and the government of retired General U Ne Win (U is a title meaning "superior" - see glossary). Led largely by students, demonstrators demanded an interim government of civilians until free and fair elections could be held and a system of multi-party parliamentary democracy introduced. Demonstrators also demanded the restoration of long-restricted civil and political liberties, including the rights to freedom of expression and association.

The violent measures to suppress the demonstrations during the first half of 1988 resulted in thousands of deaths. Some peaceful demonstrators were believed to have been deliberately killed while others arrested in street clashes died in detention. Police action failed to halt the demonstrations and in July 1988 General U Ne Win resigned. Measures taken in August by his successor, U Sein Lwin, to suppress the unrest resulted in further bloodshed: thousands more were alleged to have been deliberately killed. Dr Maung Maung, who briefly succeeded U Sein Lwin as the head of government, was himself replaced by the military when civil servants joined protestors demanding political reforms in continuing street demonstrations.

A military government was established on 18 September 1988 headed by a military-controlled State Law and Order Restoration Council (SLORC). The SLORC again violently suppressed street demonstrations and imposed martial law, severely restricting freedom of assembly. The SLORC pledged, however, to carry out economic and political reforms and subsequently legalized the formation of political parties. More than 200 political parties have now been registered in anticipation of the elections announced by the SLORC to be held in May 1990.

The development of a political opposition movement since the military coup of 18 September 1988 has involved both student organizations which have not been formally authorized, and the newly registered political parties. Some of the principal opposition parties were founded by political figures who had emerged to support calls for an end to military rule before the 18 September coup. They include the National League for Democracy (NLD), whose principal leaders, both under house arrest at the time of writing, are Daw ("Superior") Aung San Suu Kyi, the daughter of Aung San, the late leader of Burma's independence movement and Tin U, a former army

officer who became a critic of military rule. Other legally registered parties were founded by student leaders, notably the Democratic Party for a New Society (DPNS), whose leader Moe Hein is now also in detention. The three leaders are considered prisoners of conscience.

Some students and others who had been involved in the earlier opposition to the military fled the towns after the coup and went into areas controlled by ethnic minority or communist insurgencies that had long fought the central government. Most, however, stayed in the towns. Some students remained in student organizations that had been formed illegally before the coup, most notably the All-Burma Federation of Student Unions (ABFSU), led by Paw U Tun alias Min Ko Naing. Others formed legally-registered parties, such as the DPNS, originally led by Moe Thi Zun. Many students joined parties with a broader base, such as the NLD.

The increasing numbers of student and political party organizations have not all agreed on how to oppose the rule of the martial law authorities. The majority reportedly advocated non-violent opposition and agreed on the final goal of establishing a multi-party democratic system guaranteeing civil and political rights, but there were disagreements about immediate goals and tactics. Generally speaking, students have advocated using non-violent protest demonstrations in direct defiance of martial law to voice demands for an end to martial law and for the formation of an interim government. Non-student political leaders have mostly advocated limiting the organization of gatherings to assemblies of party supporters to hear speeches and limiting their demands to lifting martial law restrictions against such meetings and the restoration of the freedom of speech.

The activities of the authorized opposition parties and the student organizations were restricted by emergency legislation and the special martial law powers of the SLORC. Emergency powers of preventive detention without charge or trial were increasingly used after March 1989 to detain critics of the SLORC within the opposition movement. Others were charged and detained under emergency legislation restricting freedom of expression and assembly, including censorship regulations. The numbers of arrests steadily increased as opposition groups attempted to step up their activities in the later part of 1988 and in early 1989, in the lead up to the projected 1990 elections. Waves of political arrests in March, April and June 1989 and from July 1989 to the present are chronicled in this report.

The number of political prisoners detained in Myanmar since July 1989 alone has been estimated by some sources as over 3,000. The SLORC has acknowledged that some 1,200 people, including students and members of political parties, were arrested in connection with political activities between 18 September 1988 and 18 August 1989, most of whom it said remain in detention. The SLORC has officially stated that 793 people were arrested between 18 September 1988 and 18 April 1989, 195 between 13 March and 22 June 1989, and 208 between 20 July and 18 August 1989. Opposition and diplomatic sources allege that the number of political arrests has been much greater: foreign news media reports have cited estimates that some 3,000 political prisoners were detained between 18 September 1988 and the beginning of July 1989 and the numbers detained since the end of July 1989 may be in excess of 3,000. Among those detained are most of the important leaders of the ABFSU, the DPNS, the NLD and other major student and non-student political groups. The effect of these arrests has been to incapacitate or severely limit the action of most of the major student and

non-student political organizations that had been preparing to participate in the elections scheduled for May 1990.

Amnesty International concerns outlined in the report include the detention without charge or trial of political prisoners under preventive detention legislation and the trial of others by military courts using summary procedures that fall far short of international standards for fairness. Emergency legislation curtailing freedom of expression has provided a basis for the summary trials and the sentencing to long prison terms of prisoners of conscience detained solely for the exercise of their rights to hold opinions and express them without the use or advocacy of violence. Other prisoners of conscience are believed to have been held on false charges of using or advocating violence, or of association with organizations espousing violence. Amnesty International is calling on the government of Myanmar to bring to trial or release all political prisoners held in preventive detention without charge. It is urging a review of the cases of all political prisoners formally charged or tried since 18 September 1988 and the release of all prisoners of conscience.

This document includes information concerning 107 cases of political prisoners currently believed to be in custody, many of whom have been identified as prisoners of conscience or may with further investigation be identified as prisoners of conscience. Prisoners of conscience include Nay Min, a lawyer who was sentenced to 14 years imprisonment for his alleged contact with foreign news agencies. Others whose cases are under investigation as possible prisoners of conscience include three young men sentenced to death. Zaw Gyi, Nyi Nyi U and Moe Kyaw Thu were sentenced after a summary trial by a military court on what appear to have been false charges of involvement in acts of violence. Amnesty International has urgently appealed for their sentences to be commuted pending a review of their cases.

The document outlines the background to the military takeover on 18 September 1988 and describes the martial law orders and earlier legislation that provide the legal basis for the detention of people for their beliefs and their non-violent involvement in political life. It provides a chronology of events as they relate to recent arrests of concern to Amnesty International. The authorities' views on the incidents and individual arrests chronicled month by month are cited in some detail, as published or broadcast in Myanmar's official media. The public statements of some of the detained leaders of the major student organizations and political parties are also cited at length. A glossary at the end of the document explains the names and acronyms of principal Myanmar political and student organizations and the official change announced in June 1989 of many Myanmar place names and names of ethnic groups. Brief explanations are provided of Bamar (formerly Burmese or Burman) language kinship terms commonly appearing in personal names. There are no Bamar surnames, family names or married names. Names may consist of one or more syllables, and these do not necessarily bear any relation to the name of the parents, siblings, spouse or any other relative. The report has a detailed contents page and an index of prisoners whose cases are mentioned in the text.

2. THE MILITARY TAKEOVER OF 18 SEPTEMBER 1988 AND ITS BACKGROUND

There have been important developments in Myanmar since 1988, when mass civil disobedience broke out against military dominance of the country's administration. Widespread calls for non-violent political change emerged

after 26 years of one-party rule by the army-dominated Burma Socialist Programme Party (BSPP), which was headed by retired army General U Ne Win and espoused an economic programme called "the Burmese Way to Socialism". From March 1988, the security forces moved to suppress largely peaceful demonstrations by students and others. These culminated in August and September 1988 in a series of mostly student-led mass street demonstrations demanding an end to the political influence of the military and the establishment of an interim civilian government to oversee the holding of multi-party elections.

Several thousand demonstrators, including women and children, were reportedly killed by army and police forces between March and August 1988 in Yangon, the capital, and in Mandalay, Mawlamyine, Bago, Prome, Taunggyi, Sagaing and other major towns throughout the country. Some political activists, including students, carried out violent attacks on the security forces and killed captured government soldiers and suspected government informers. Most demonstrators were peaceful, however, and most of the dead are thought to have been victims of deliberate killings by army personnel, in disregard of law enforcement standards of necessity and proportionality in their use of lethal force. During the same period approximately a thousand other demonstrators and political activists, including prisoners of conscience, were arrested for their participation in peaceful political protests, and often held for weeks or more in incommunicado detention. Although almost all of them were eventually released, some had allegedly been tortured or otherwise ill-treated during interrogation while held without charge or trial.

On 18 September 1988 a group of army officers led by General Saw Maung deposed the government of civilian Prime Minister Dr Maung Maung, which had been formed with apparent army backing on 18 August 1988. They proclaimed the establishment of a State Law and Order Restoration Council (SLORC). The SLORC declared martial law and established direct military control over government through a martial law administration composed of local Law and Order Restoration Councils (LORCs). The military takeover on 18 September 1988 and its immediate aftermath prompted another wave of civil unrest during which hundreds more mostly peaceful, unarmed demonstrators were reportedly killed or wounded by army and police gunfire.

3. MARTIAL LAW RESTRICTIONS ON CIVIL LIBERTIES AND LEGISLATION USED TO DETAIN PRISONERS OF CONSCIENCE

Myanmar military spokesmen have repeatedly maintained that security forces have complete freedom of action - regardless of human rights standards - under a martial law administration. On 7 April 1989 a SLORC spokesman declared that under such a regime, a "military commander has the right to apply the military regulations from the battlefield in resorting to maximum power to restore stability". On 29 June 1989 the official The Working People's Daily newspaper reiterated that military officials have absolute freedom of action in coping with emergency situations in the same way as a "field commander has in the battlefield". It said that under a "martial law regime" a military official need not be accountable to any higher authority for official acts, whether to his superior officers, the government, or the country's basic law or constitution.

3.1 Martial law Order Number 2/88 and Notification Number 8/88 of 18 September 1988 and 10 October 1988

In a radio broadcast on the day of the military takeover, the armed forces proclaimed martial law Order Number 2/88. It declared: "Congregating, walking, marching in procession, chanting slogans, delivering speeches, agitating and creating disturbances on the streets by a group of more than five people is banned regardless of whether the act is with the intention of creating disturbances or committing a crime or not." It also declared: "No one is permitted to block roads or to demonstrate en masse"; that "No one, without proper authorization, is permitted to travel on the streets between 2200 and 0400"; and that "No one is to interfere or obstruct people carrying out security duties."

While restricting civil liberties, the new authorities on 27 September 1988 also legalized the formation of political parties. SLORC Law Number 4/88 issued on that date provided for the legal registration of "any political organization which accepts and practices genuine multi-party democracy", and the SLORC has since promised that elections will be held in May 1990. However, political party activities remained restricted by Order Number 2/88's suspension of some civil liberties, and on 10 October 1988 the SLORC issued Notification No 8/88 further defining limits on party organizational and informational activities. It declared: "some political parties have taken advantage of the right to organize and have made speeches and engaged in organizational activities to create a misunderstanding between the people and the Defence Forces and divide and undermine the unity of the Defence Forces." It also declared: "Political parties ... must not damage any particular person or organization", specifying that "organizational activities, speeches, propaganda and subversive literature aimed at dividing the Defence Forces are prohibited." It warned that "effective action will be taken if this prohibition is violated."

People accused of acting contrary to Order Number 2/88 and Notification Number 8/88 may be detained under various laws promulgated before the assumption of power by the SLORC. These include the 1950 Emergency Provisions Act, the 1975 State Protection Law, and the 1962 Law for the Registration of Printers and Publishers and directives related to it.

3.2 The 1950 Emergency Provisions Act

According to an article published on 31 January 1989 in the official The Working People's Daily, the Emergency Provisions Act allows for up to seven years' imprisonment of anyone who "spreads a false news item or a rumour to excite disaffection", to make someone "disloyal to the State", or to "disrupt the discharge of duties" by official personnel; who "does an act with intent to cause alarm among the people"; who "commits an offence with the intent to cause disintegration of the moral character of the people using methods that cause harm to the security, the law and order and rehabilitation of the State"; or who "commits an offence that harms in one way or another the ... morale" of official personnel or incites them "to go against the rules and regulations, to be disloyal, to stage a revolt or to discard duties".

3.3 The 1962 Law for the Registration of Printers and Publishers

On 6 June 1989, Major General Phone Myint, the Minister of Home and Religious Affairs, issued a directive drawing attention to Regulations Number 18 and 19 of the Law for the Registration of Printers and Publishers. They require that all publications specify the name and registration number of their printer and the location of their press, and that all periodicals specify the name of their editor. The major general also drew attention to a 1977 directive modifying the 1962 law to require the submission of "all manuscripts", except "periodicals which are published regularly", to the authorities "for approval before printing and publishing them". On 9 June 1989, an official of the Ministry of Home and Religious Affairs said that because the 1962 Law did not mention political parties, "publications related to elections that are published by parties - such as objectives and platforms of the parties, biographical data of their candidates and election campaign materials" could be "exempted" from its provisions, but declared that political parties nevertheless had "to submit drafts of the printed material they want to publish for approval before they are distributed", and that "in distributing", they had "to observe Regulations Number 18 and 19".

On 14 June 1989, Director General of the national police, Colonel Thura Pe Aung, declared that "all publications and documents - whether they be handwritten, printed, or typed - aimed at educating the people through wide dissemination must be submitted for approval to the authorities concerned". On 27 June 1989 Brigadier General Khin Nyunt, Secretary-1 of the SLORC and also head of the Directorate of Defence Services Intelligence (DDSI), announced that: "Legal organizations that have registered" and "that wish to print and publish documents, books and printed material, will have to register with the Ministry of Home and Religious Affairs and apply for exemption in accordance with the 1962 Printers and Publishers Law." He said that after obtaining the exemption, they could "print and publish any document, book and printed material on the condition that they do not contain material that":

"Opposes the SLORC, the regional LORCs at different levels, or the government;

"Insults, slanders or attempts to divide the Defence Forces;

"Instigates actions that affect law and order and peace and tranquility; or

"Contradicts the orders that have been issued whenever necessary."

He added that legally-registered political organizations which had obtained exemption "may print and publish without prior approval documents, books and printed material that clarify the policy, stand or programmes, organizational methods and discipline of their parties and that boost their chances of winning the election." An official broadcast on 2 August 1989 reiterated that although "organizations that received exemption certificates shall publish their party policies, programmes, organizational methods and rules", they could not publish "articles opposing the SLORC or the councils at different levels." It said party "publications shall not include anti-government articles or articles trying to dissolve the Defence Forces and instigating to harm the rule of law and peace."

Meanwhile, on 18 June 1989, the authorities had reportedly announced that the maximum prison term for those who published material without proper registration was being increased from three years to seven.

4. UNFAIR TRIAL AND DETENTION WITHOUT CHARGE OR TRIAL

Those accused of violating the Emergency Provisions Act and the Law for the Registration of Printers and Publishers must apparently be charged and brought to trial.

4.1 The Judicial Law of 26 September 1988

Upon assuming power the SLORC had abolished all existing judicial institutions. On 26 September 1988, a Judicial Law was promulgated defining the principles on which judicial proceedings should be based and reestablishing courts at various levels. The law proclaimed that "judicial proceedings shall be independent and in accordance with the law" and also "contribute to the restoration of peace and tranquility and law and order" It said that "judicial proceedings shall permit the right to argue one's case and the right to make legal appeals", and that "judicial proceedings shall be in public except in cases where legally prohibited". It included provision for the formation of a Supreme Court.

4.2 Martial law Orders Numbers 1/89 and 2/89 of 17 and 18 July 1989

However, on 17 and 18 July 1989 the SLORC announced martial law Orders Numbers.1/89 and 2/89. They bestowed judicial authority on the Military Commanders in Yangon and in the Central and Northwest Military Commands, and empowered them to conduct summary trials by military tribunals. The orders said that "in order to make the work aimed at enforcing security, law and order ... more effective", these commanders could "conduct trial and sentence those found committing offences either in law courts formed under existing laws or by established military tribunals", and that those who opposed martial law authority by "violation or defiance of the orders issued by the SLORC, the government or [military] commanders" could only be tried by military tribunals. Order 2/89 said that "regardless of the provisions under existing laws", those found guilty of such offences must receive one of three sentences: "(a) The death sentence; (b) life imprisonment; or (c) a jail term of not less than three years with hard labour". It said military tribunals conducting summary trials could "waive unnecessary witnesses", "indict an offender without hearing prosecution witnesses", and "reject the recalling of witnesses who have already testified". It added that "the decisions and judgments passed by a military tribunal shall be final". There is no right of judicial appeal, although military commanders have to approve death sentences and life imprisonment sentences. For those sentenced to death, life imprisonment or more than three years' imprisonment the only other recourse is to ask the army commander-in-chief to review their cases. The army Commander-in-Chief is currently General Saw Maung, the Chairman of the SLORC. On 22 July the official radio announced that the Commander of the Yangon Military Command, who is also a member of the SLORC, had exercised the judicial authority bestowed on him by Order Number 1/89 and established five military tribunals. Each tribunal was chaired by an active duty army or airforce lieutenant colonel or a navy commander, assisted by two junior officers from the army, air force or navy. Similar military tribunals have also been

set up in the Central and Northwest Military Commands.

4.3 The 1975 State Protection Law

While people charged with violating the Emergency Provisions Act and the Law for the Registration of Printers and Publishers must apparently be tried, the State Protection Law allows the authorities to order up to three years' detention or restricted residence without charge or trial of anyone they believe "will do, is doing, or has done an act which endangers the peace of most citizens or the security and sovereignty of the state". Up to three consecutive 60-day detention orders may be issued by a cabinet committee, and it can order up to one year's restricted residence. With the full cabinet's approval further orders may be issued at 180-day intervals for detention or house arrest up to three years.

5. NUMBERS OF ARRESTS

On 30 September 1988 the government said 1,376 people had been arrested since the establishment of the SLORC; it described them as looters and other ordinary criminal offenders. However, unofficial sources report that many people were detained for questioning about their suspected participation in peaceful demonstrations and other non-violent political activities or opinions. They were said to include hundreds of pro-democracy activists detained in Yangon, Mawlamyine, Mandalay, Taunggyi, Patheingyi, Bago and other towns, among them student and labour activists, Buddhist monks, medical personnel, government employees and workers. Most of them were released after initial investigations; some may still be detained.

Political arrests continued to take place on a smaller scale during the remainder of 1988 and into early 1989. No prominent leaders of major political organizations were detained, but lower-level leaders and participants in opposition activities were. Some of these are known to remain in detention. These arrests reportedly took place when individuals or ad hoc organizations set up by students and others acted to organize small-scale anti-government activities, including peaceful demonstrations and dissemination of information critical of the authorities.

Since January 1989, especially during March and April and again in June and since July, the tempo of arrests has increased as major student and political groups have organized more frequent and larger gatherings at which criticism of the authorities has become increasingly vocal. Those arrested have included leaders of the most important student groups and political parties, such as the All-Burma Federation of Student Unions (ABFSU), the Democratic Party for a New Society (DPNS) and the National League for Democracy (NLD).

Opposition sources and diplomats from countries that have been critical of the SLORC's human rights record allege that the number of political arrests has been much greater than has been officially recognized by the authorities. Foreign news media reports have cited estimates that 3,000 political prisoners were detained between 18 September 1988 and the beginning of July 1989, and that another 3,000 or more political prisoners have been arrested since the end of July 1989. The martial law authorities say the number of arrests has been much smaller. On 27 April 1989, responding to a question about political prisoners, a spokesperson for the SLORC said that "during the period from 18 September 1988 and 18 April 1989, a total of 793 have been arrested, of which 225 were students, and

that a total of 72 have already been released, including 42 students, therefore 721 are still being detained." At a press conference on 22 June, a spokesman said that 195 more prisoners had been arrested throughout the country since 13 March. He said "some have been released after making them understand about good behavior", but gave no figure. On 18 August, a spokesman said that another 208 such people had been arrested since 20 July, including 181 in Yangon and 27 in the provinces.

Amnesty International has not been allowed to visit Myanmar, and the organization has experienced difficulties in obtaining information on political imprisonment from the country. It is not in position to estimate the true number of political arrests there since the coup, or the current number of political detainees in the country. However, the organization has been able to compile information on some 107 political prisoners it believes may be among those still held. Some of them are held without charge or trial. Thirteen of these prisoners were arrested between October 1988 and January 1989, 51 in March and April 1989, and another 43 since June 1989.

6. THE AUTHORITIES' POSITION

The government has denied detaining students, political party members and other political activists for their non-violent political opinions and activities. For example, in response to Amnesty International inquiries about several students and others arrested in connection with demonstrations held in October 1988, the government told the organization these prisoners were being held for acting contrary to Order Number 2/88 and violating the Emergency Provisions Act. It said that people detained under such provisions cannot be considered non-violent and peaceful demonstrators, and alleged they were "unscrupulous instigators" who intended to create "confusion and chaos".

More recently, in an interview published in the Bangkok Nation daily on 19 and 20 June 1989, SLORC Secretary 1 Brigadier General Khin Nyunt explained the authorities' reasons for continuing to impose Order Number 2/88 and denied it was being used to detain people arbitrarily or for their political views. The brigadier general said:

"The main aim of Law No 2/88 is to restore law and order it would not be advisable to revoke it as the elements of disruption still exist and there is no guarantee that lifting of curfew will directly contribute toward stability.... To maintain law and order, it is necessary that any move to destabilize the peace and tranquility should be discouraged in the interest of peace and order.

"The news that the government still continues to arrest students and ... functionaries of political parties without any cause is not true. Deliberate violations of public safety by the students or party functionaries compelled the law enforcing authorities to take necessary action. They are detained in accordance with the prevailing security measures.... On the part of the political parties it is necessary that they do not violate the existing laws which are established to maintain law and order.... Those ... who are under

detention have been [arrested] not because of their political conviction but because they transgressed the law.

"Those who can fully convince the authorities that their actions had not been contrary to existing law will be released in due course."

7. AMNESTY INTERNATIONAL AND INTERNATIONAL STANDARDS

In its efforts to secure the observance worldwide of the provisions of the Universal Declaration of Human Rights, Amnesty International seeks the release of all persons detained for the exercise of their rights to hold opinions and to express them, so long as they have neither used nor advocated violence. It uses the term prisoners of conscience to describe those persons who, while non-violent, were detained by reason of their conscientiously held beliefs - or their ethnic origin, colour, sex or language.

Amnesty International's work for prisoners of conscience has its foundation in international human rights law. The Universal Declaration of Human Rights, particularly in its Articles 19 and 20, establishes the rights to freedom of opinion and expression, and of peaceful assembly and association - all of particular significance in Myanmar's current human rights situation - are stated eloquently in the Universal Declaration of Human Rights:

Article 19: Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

Article 20: 1. Everyone has the right to freedom of peaceful assembly and association.

These fundamental human rights are further defined and protected in other instruments of international human rights, notably the United Nation's International Covenant on Civil and Political Rights, Articles 18, 19, 21 and 22.

Amnesty International is concerned that the martial law authorities in Myanmar appear to be increasingly using the vaguely-worded provisions of martial law Order Number 2/88, Notification Number 8/88 and of such legislation as the Emergency Provisions Act, the State Protection Law, and the Law for the Registration of Printers and Publishers and directives related to it to imprison people for their non-violent political activities or beliefs, in contravention of international human rights law.

Amnesty International does not oppose the arrest and trial of people against whom there is credible evidence of involvement in armed attacks or other recognizably criminal acts. The prolonged detention of political prisoners without charge or trial, however, is contrary to international human rights standards. Article 9 of the International Covenant on Civil and Political Rights (ICCPR) states that:

"Anyone arrested or detained on a criminal charge shall be brought promptly before a judge or other officer authorized by law to exercise judicial power and shall be entitled to trial within a reasonable time or release".

Trials of political prisoners accused of violent crimes should take place in accordance with internationally recognized standards for fairness, such as those set out in Article 14 of the ICCPR. Article 14 states, inter alia, that everyone charged with a criminal offence is guaranteed "the right to have his convictions and sentence being reviewed by a higher tribunal", and "to examine, or have examined, the witnesses against him and to obtain the attendance and examination of witnesses on his behalf under the same conditions as witnesses against him."

Amnesty International is concerned that the martial law authorities appear to be using the detention without charge or trial provisions of the State Protection Law to imprison prisoners of conscience. It is also concerned that in other cases summary trials by military tribunals appear to have facilitated the imprisonment of prisoners of conscience and undermined the right of all political prisoners to a fair trial within a reasonable time or to release. The procedures followed by those tribunals appear to fall short of international norms, including those concerning standards of evidence, particularly insofar as the testimony of witnesses is curtailed, and the right to a legal defence, and for appeal.

8. AMNESTY INTERNATIONAL'S RECOMMENDATIONS

Amnesty International is calling on the Myanmar Government to review all cases of political prisoners arrested since 18 September 1988 under the terms of Order Number 2/88 and Notification 8/88 and other martial law announcements, the Emergency Provisions Act, the State Protection Law, and the Law for the Registration of Printers and Publishers and directives related to it. All prisoners held on account of their non-violent political activities or beliefs, including prisoners of conscience among the 107 named in this document, should be released immediately and unconditionally. Other political prisoners should either be promptly charged and fairly tried in accordance with the safeguards provided in international law, or released.

9. STUDENT OPPOSITION GROUPS AND POLITICAL PARTIES

Until the civil disobedience movement emerged in 1988, the only significant organized opposition groups in Myanmar were ethnic minority and communist insurgencies in rural and mountainous areas near the country's remote borders with Thailand, China and India. These insurgencies continue to fight the government, and recent official and unofficial reports suggest that armed conflict in some rural areas has intensified as the government has launched a series of offensive operations against insurgent bases.

9.1 Student groups: The All-Burma Federation of Student Unions (ABFSU) and the All Burma Students' Democratic Association (ABSDA)

Several non-violent student opposition groups emerged during the civil

disobedience movement before 18 September 1988.

The best-known student group inside Myanmar today is the All-Burma Federation of Student Unions (ABFSU). It was originally formed on 28 August 1988, at the height of the mass civil disobedience campaign against military political dominance, as an umbrella group for student groups in Yangon and other towns. At its founding rally, the most prominent figure in its collective leadership, Paw U Tun, reportedly called on students throughout the country to struggle peacefully against military rule and for "democracy" and the "right of association". On 15 September 1988, the ABFSU reportedly endorsed a call by prominent opposition political figures not to resort to violence. It called on students instead to continue massive peaceful demonstrations demanding the formation of an interim government to oversee free and fair elections to a multi-party parliament. Paw U Tun launched his 1988 appeal for peaceful political action in the name of "Min Ko Naing", a pseudonym he and at least 18 other students had jointly adopted earlier to sign posters and leaflets criticizing military rule. It reportedly means "the Conquerer of Kings". He was arrested on 24 March 1989 and was still detained at last report (see section 12.14).

A second student organization established before 18 September 1988 was the All Burma Students' Democratic Association (ABSDA), led by Min Zeya, a law student of Mon ethnic minority origin. Its programme was reportedly similar to that of the ABFSU. On 28 December 1988, Min Zeya reportedly led a group of 30 students who met with SLORC Secretary 1 Brigadier General Khin Nyunt. The students are said to have tabled a 17-point proposal relating to the possible establishment of a non-party and non-political "Committee for the Re-Formation of the Students' Union", which they apparently hoped could obtain legal registration. This idea is said to have been greeted with suspicion by Paw U Tun and ABFSU activists in Yangon, as well as by students grouped under the ABSDF in insurgent-controlled areas.

9.1.1 Student political objectives, strategy and tactics

Since the military takeover on 18 September 1988, the ABFSU and ABSDA leaders and members seem to have periodically reconsidered their political objectives, strategy and tactics. While individuals have changed their stances as the general political situation has developed and as specific events have affected them, several clear currents have emerged. Some student circles have continued to demand a civilian interim government to replace the existing martial law administration, which they reject as illegitimate and with which they refuse in principle to have any dealings. Other groups seem increasingly inclined to accept the de facto power of the military authorities and to mute demands for an interim government. All important groups seem to favour demanding an end to restrictions on civil liberties in order to create what they consider proper conditions for free and fair elections. Some groups have adopted the tactical course of "underground" action, a term used to refer to the clandestine organization of activities, including peaceful protest gatherings, that the government could claim are contrary to Order Number 2/88 or other martial law orders or laws. Other groups have adopted the tactic of organizing students into legally-registered political parties that try to avoid acting contrary to martial law announcements.

9.1.2 Students and armed insurgents

Still other groups have opted to try to take up arms, either to form self-defence forces guarding sanctuaries to which activists under threat may flee or with a view to forming "armies of liberation" to compel the military authorities to step aside in favour of an interim government.

Several longstanding insurgent groups in border areas thus have now been joined by students and others who fled from the towns after 18 September 1988 claiming they feared arrest and ill-treatment in military custody. According to estimates by student leaders, as many as 30 per cent of the students who were politically active as of 18 September 1988 fled to insurgent areas. Estimates of the number who originally went vary from 7,500 to 10,000, and it is reported that while some merely sought sanctuary from arrest many of them hoped that the insurgents would help them take up arms against the government. However, a significant number are said to have eventually given up this idea. They are understood to have returned to the towns after discovering that the insurgents were unable or unwilling to provide significant numbers of weapons and after being confronted with the extremely difficult conditions of life in insurgent areas, where malaria is rampant and food in short supply. On 13 July 1989 a SLORC spokesman said the authorities knew of 3,170 students who had returned, and the authorities believe others have returned without their knowledge. Student sources have claimed that 5,500 remain on the borders, but foreign news media reports published in late June 1989 suggest the number may be closer to 2,000. Although students fearing detention have continued to flee to border areas since the tempo of arrests picked up in March 1989, others who came to the border areas in 1988 have continued to return to the interior.

9.1.3 The All Burma Student Democratic Federation (ABSDF)

An umbrella group called the All Burma Student Democratic Federation (ABSDF) is believed to be the largest body promoting the idea of armed struggle among students who fled to border areas, especially those on the frontier with Thailand. The ABSDF was formally created as the result of a meeting held from 1 to 5 November 1988 in an insurgent-controlled area near the Myanmar-Thailand border. It declared its primary "aim" to be "to achieve genuine democracy" in Myanmar and its primary "objective" to be to bring about the election of "a government which uses its authority for the benefit of the people" in the country. Affiliated with it was the Burma National Liberation Party (BNLP), a clandestine group that was explicitly meant to become an army of students and workers. According to an article published in *Asiaweek* magazine on 11 November 1988, a former ABFSU figure, Maung Maung Kyaw, was the head of the BNLP. The article quoted him as saying that Paw U Tun was "the leader inside Burma," but that: "I am the exiled leader. We are friends separated for the revolution." It said he claimed continued membership in the ABFSU Central Executive Committee. A news report published in December 1988 quoted another ABSDF leader, Htun Aung Kyaw, as saying that while "Min Ko Naing" headed the non-violent struggle inside the towns, those who had come to the border in search of arms believed: "It is one struggle, two tactics."

By 28 June 1989, however, Maung Maung Kyaw had apparently given up on the idea of leading an armed struggle. On that date he reportedly turned himself in to military authorities in the town of Myawaddy, on the Myanmar-Thailand border, together with his brother, two other students and a lawyer named Kyaw Lin. He was said to have come to the conclusion that he would

not be able to achieve his goal of returning democracy to Myanmar if he stayed on the border, and to have vowed that he would continue to "fight for democracy" in "his own way" inside Myanmar, apparently referring to means other than armed struggle.

9.2 Political parties

More than 200 groups have registered as political parties since 18 September 1988. The National League for Democracy (NLD) is the largest and best-known of the political parties to register since the military takeover. Other relatively prominent parties or organizations registered as parties include the DPNS, the League for Democracy and Peace (LDP), the National Politics Front (NPF), the People's Progressive Party (PPP), the People's Volunteer Organization (PVO), the League of Democratic Alliance (LDA), the Union of Burma Main Anti-Fascist People's Freedom League (UBMAFPFL), the National League for Democracy Justice (NLDJ), the Burma United Democratic Party (BUDP) the People's Democratic Party (PDP), and the Patriotic League for Peace (PLP). They also include the National Unity Party (NUP), which was formed by veteran members of the former ruling party, the BSPP, after it was declared dissolved. Other organizations registered as political parties are in fact student organizations that have proclaimed political goals as well as policies relating to students. Among the relatively prominent of these are: the Students' Revolutionary Party for Democracy (SRPD), League of New Generation (LNG), Evergreen Young Men's Association (EGYMA), All Burma Youth League Headquarters (ABYLH), Graduates and Old Students Democratic Association (GOSDA), People's Students Democratic Party (PSDP), and the Youth and Students' Union Association (YSUA).

9.2.1 The National League for Democracy (NLD)

The NLD was registered on 30 September 1988. In its founding statement the party declared it would "strive peacefully" to "achieve a genuinely democratic government which guarantees basic human rights" and to "prevent the revival of a dictatorial and repressive political system". Until they were placed under restricted residence on 20 July 1989, the NLD was led by its General Secretary Aung San Suu Kyi and Chairman Tin U. They had become prominent as opponents of military rule during the period of mass civil disobedience before 18 September 1988, and have remained among the best-known of the non-student leaders of the opposition. Aung San Suu Kyi is the daughter of the man who is officially considered the father of Myanmar's independence, Aung San, who was assassinated in 1947. Tin U is a former army general. Other NLD leaders believed currently detained include Daw Myint Myint Khin, U Aung Lwin, Maung Moe Thu alias U Moe Thu, U Thaw Ka alias U Ba Thaw, Ma Theingi and Myint Shwe. Amnesty International considers all of them to be prisoners of conscience. It has also identified another eight NLD figures thought to be currently detained as probable prisoners of conscience. These include three young people who may have been wrongly sentenced to death in connection with the bombing of an oil refinery: Zaw Gyi, Nyi Nyi U and Moe Kyaw Thu.

The NLD has repeatedly called for a restoration of civil liberties in order to create what it considers proper conditions for the holding of general elections. The government has pledged to hold these in May 1990, but the NLD and other political parties have said that unless civil liberties are fully restored to legalize public rallies and other

campaigning activities, conditions will not exist for free and fair elections.

Until July 1989 the government had sometimes tolerated NLD political rallies which involved peaceful gatherings of many more than five people. However, the NLD and other political parties have alleged that in some places party activists involved in organizing such gatherings have been detained for violating Order Number 2/88 and the Emergency Provisions Act even before July. For example, an NLD spokeswoman reportedly said on 30 June 1989 that "nearly 1,000" NLD activists had been arrested in "recent months", and that "about 800" of them were still in detention. On 10 July 1989, NLD officials reportedly said that "more than 100 party organizers" had recently been detained, and that "many" were still in jail. However, most of these arrests apparently have not been officially confirmed, and Amnesty International has not been able to discover any details about them. It is not clear how many of the number referred to might still be detained and on what grounds.

9.2.2 The Democratic Party for a New Society (DPNS)

The DPNS was legally registered as a political party on 13 October 1988. The party declared that its "objectives" were "to work for the emergence of genuine democracy in the interests of the people" and "to systematically draft a new, strong, and stable constitution that would guarantee the durability of genuine democracy". It was formed under the chairmanship of ABFSU leader Moe Thi Zun, with ABFSU leader Moe Hein as General Secretary. It has been described as the second-largest political party in Myanmar. Moe Thi Zun is believed to have fled Yangon on 18 April 1989, and at last report he was living along the Myanmar-Thailand border. Since his departure from Yangon, the authorities have alleged that he was "recruited" by the communist insurgents in 1988, but these allegations apparently remain unsubstantiated and have reportedly been denied by the DPNS and Moe Thi Zun himself. Moe Hein was reportedly arrested on 17 July 1989, and at last report was believed still detained. Amnesty International considers him a prisoner of conscience. The organization has identified four other DPNS figures who may also be prisoners of conscience.

9.2.3 Other political parties

The League for Democracy and Peace (LDP) is associated with U Nu, the last prime minister elected before the military took power in 1962. It was legally registered on 21 November 1988, and its primary declared aim was to "safeguard the fundamental rights of mankind".

The National Politics Front (NPF) was legally registered on 14 November 1988. It later declared that its primary aim was "to systematically attain through legal means, and to safeguard democratic rights declared in the UN Charter and the Universal Declaration of Human Rights". The first plank of its programme was "to draft and establish a new state constitution that strongly guarantees democratic rights and respect for humanity embodied in the UN Charter and the Universal Declaration of Human Rights."

The People's Progressive Party (PPP) was legally registered on 9 November 1988. It declared that among its "aims" were "to establish a genuine multi-party democracy system which observes, practices and

guarantees basic democratic rights and human rights contained in the UN Charter" and "to achieve internal peace through democratic means", and one of its "programmes" was "to safeguard the democratic rights of the students and to allow the formation of student unions".

The People's Volunteer Organization (PVO) was legally registered on 14 October 1988, and later declared that its objectives included building "a state that ... guarantees full democratic rights" and its "work programmes" would work "to fully develop democratic rights in a disciplined and united manner".

The League of Democratic Alliance (LDA) was legally registered on 27 February 1989, and included among its patrons and officers members of the People's Democratic Party, the People's Volunteers Organization, the DPNS, the Anti-Fascist People's Freedom League, the Society for International Friendship, the League of New Generation, the People's Solidarity and Action Party, and the Democratic Republic Front. It declared that among its "aims" were "to bring an end in ... Burma [to] fascism, all forms of dictatorship and foreign-influenced administrative systems", "to work jointly with others for the full enjoyment of democratic and human rights", and "to disseminate among the people the democratic practice of holding discussions among the many, deciding by a majority, and implementation by all involved." It said that among its "programmes" were "to work through all means for the holding of free and fair multi-party elections" and "to consult and cooperate with the other parties and the people of all nationalities so that a new constitution ..." could be promulgated.

The People's Democracy Party (PDP) was legally registered on 4 October 1988 under the patronage of Aung Than, the elder brother of Aung San Suu Kyi's father. A week later it reportedly announced that that it was affiliating itself with the NLD because it considered Aung San Suu Kyi's organization a "popular front".

The Union of Burma Main Anti-Fascist People's Freedom League (UBMAFPFL) was registered on 18 October 1988, and has declared that its prime objective is to "foster among the people an eternal spirit that ... opposes fascism and dictatorship". It took its name from the organization which led the Myanmar independence movement and dominated the country's politics in the 1950s. Its General Secretary, Cho Cho Kyaw Nyein, is the daughter of the long-time former general secretary of that organization. She was reportedly detained on 16 June 1989 and held for 21 hours of interrogation before being released.

The National League for Democracy Justice (NLDJ) was legally registered on 6 January 1989. It declared that its "aims" included working "for the emergence of a democratic government that guarantees basic human rights and that one of its "programmes" was "to establish a democratic system and to safeguard and protect it."

The Burma United Democratic Party (BUDP) was legally registered on 11 October 1988. It declared that its "objectives" included "forming a government which is capable of guaranteeing basic human rights and full democracy".

The Patriotic League for Peace (PLP) was legally registered on 1 November 1988. It declared that its "aims" included working "toward the emergence as soon as possible of a genuine democratic system that will ensure full human rights" and its "programmes" included educating

"individuals and the people as a whole about genuine democracy through talks and publications" and striving "to the utmost for the full enjoyment of human rights".

There have been reports of arrests of leaders or members of most of these parties. However, Amnesty International has been able to identify only a few individual prisoners, such as Ko ("elder brother" - see Glossary) Hla Hwte alias U Hla Hwte and Daw Cho Cho Than, the Chairman and General Secretary, respectively, of the PLP. The organization believes they may be prisoners of conscience.

The Students Revolutionary Party for Democracy (SRPD) was legally registered on 31 October 1988. It proclaimed that among its objectives were "to build a modern nation through a democratic system that firmly guarantees human rights" and "to avoid negative attitudes in politics, such as blaming and censuring others, and to encourage positive criticism, positive speech, and positive writing and publication."

The League of New Generation (LNG) was legally registered on 28 November 1988. It declared its "aims" included working "for the holding of free and just general elections" and its programmes included protecting "the democratic rights of citizens in a new democratic state".

The Evergreen Young Men's Association (EGYMA) was legally registered on 7 November 1988. It declared that some of its "aims" were "to hold free and fair democratic multi-party general elections", "to ensure full enjoyment of basic human rights contained in the UN Declaration on Human Rights" and "to prevent the emergence of any form of dictatorial systems in Burma". It outlining its "programmes", it declared that it had "no aim of achieving power", but instead would "coordinate with all political parties to build a democratic front composed of genuine democratic forces".

The All Burma Youth League Headquarters (ABYLH) was legally registered on 21 November 1988. It declared that its "aims" included working "for the attainment, perpetuity and growth of democratic rights".

The Graduates and Old Students Democratic Association (GOSDA) was legally registered on 10 October 1988. It declared that its "objectives" included fostering "genuine and lasting democracy" and protecting and safeguarding "basic human rights".

The People's Students Democratic Party (PSDP) was legally registered on 21 October 1988. It declared that its "programmes" included coordinating and working "with political organizations and the elections commission so that genuine democratic multi-party elections can be held as soon as possible" and working "to guarantee full human rights for the people regardless of race, religion or class".

. The Youth and Students Union Association (YSUA) was legally registered on 26 October 1988. It declared that its "objectives" included "safeguarding and protecting human rights" and that its "programmes" included promoting "a genuine democratic system".

Again, there have been reports that leaders or members of most of these student groups have been detained, but Amnesty International has been able to identify only a few. They include Aye Lwin, Chairman of the SRDP, U Yan Kyaw alias Ko Yan Kyaw, Chairman of the GOSDA; and Ko Aung Kyaw Myint, General Secretary of the PSDP; and Aung Myat Tun and Ko Aung Win

alias U Aung Win, Chairman and General Secretary, respectively, of the YSUA. The organization believes all of them are possible prisoners of conscience.

10. ARRESTS OF PRISONERS OF CONSCIENCE OR POSSIBLE PRISONERS OF CONSCIENCE BETWEEN 18 SEPTEMBER 1988 AND JANUARY 1989

Some prisoners arrested between 18 September 1988 and January 1989 are accused of involvement in military training, attempting to obtain or store weapons, or planning to join armed insurgent groups in order to carry out violent opposition to the government, or of possessing documents suggesting involvement in such activities. Amnesty International does not call for the release of people involved in violent political activities. The allegations against many, however, refer explicitly only to the possession, reproduction, distribution or display of literature described as "anti-government", which may have involved only expression of non-violent political opinions, and not advocacy of violence. The allegations against others refer to organizing or planning political meetings or demonstrations, activities which were not explicitly alleged to have involved the use or advocacy of violence.

10.1 Nay Min alias Win Shwe

One prisoner of conscience arrested in 1988 and sentenced by a military court in October 1989 is Nay Min alias Win Shwe, a 42-year-old lawyer. He was accused of sending false news and rumours to the British Broadcasting Corporation (BBC), and of possession of anti-government literature. He was sentenced to 14 years' hard labour. His case was heard by Military Tribunal Number 2 of Yangon Military Command, using summary trial procedures, on a charge under Section 5-E/J of the 1950 Emergency Provisions Act. Amnesty International believes Nay Min has been imprisoned solely for the non-violent exercise of his rights to hold opinions and express them, and to receive and impart information, without having used or advocated violence, and as such considers him a prisoner of conscience.

Nay Min was arrested in Yangon on 21 October 1988. The official radio said that he was detained for having sent "false news and rumours" to the BBC in August and September 1988. It said he had become "dissatisfied with the government" after "hearing rumours in connection with the March and August disturbances in 1988", an apparent reference to reports that security forces deliberately killed peaceful demonstrators during these two months. According to unofficial reports, he became close to student and other leaders of these demonstrations during that period.

On 8 November 1988 the official radio said Nay Min had admitted sending news to the BBC which suggested that the Communist Party of Burma (CPB) had defeated the government armed forces in a battle in the ethnic minority Shan State. It said "he confessed that he had sent the news to the effect that the CPB had captured Mogkok and rumours and other false news concerning the Tatmadaw [the Myanmar armed forces] and sent groundless news by making contact with certain political organizations to the foreign news division" of the BBC. It said unspecified steps were in process "to take legal action against him".

Nay Min was reportedly first held under provisions of the Emergency Provisions Act accused of defaming the government and inciting unrest. He reportedly appeared in court on 7 and 21 November 1988. At the second appearance he was remanded for further detention. According to a foreign news media report, during his second court appearance he complained of ill-treatment in detention and asked to be admitted to a hospital, but the request was refused. Other unofficial sources also alleged that he had been ill-treated. According to unofficial information, by the time of his second court appearance, he was held under the provisions of Section 10(A) of the State Protection Law. The continuation of his detention under its provisions was followed by the publication in an official journal of an article on 12 November 1988 which alleged that in September an "unholy alliance" had been formed between the BBC and what it described as "CPB hardcore fifth columnist[s] churning out fabricated news designed to discredit the Tatmadaw [the Myanmar armed forces] in the eyes of the people".

In statements broadcast by the official radio on 21 January 1989, the Information Committee of the SLORC confirmed that Nay Min was still detained, and said that he was in good health. It said that he was detained under Article 10-A of the State Protection Law "for acting against the interests of the state security and unity". The broadcast also included an allegation from an unnamed student that Nay Min was a communist and had "incited people to create unrest and disturbances".

10.2 Aung Thet U alias Aung Thet Oo, Maung Maung Nyunt, Myo Zaw Win, Ne Win alias Nay Win, Aung Tha Win

Six other political prisoners arrested in late 1988, Aung Thet U alias Aung Thet Oo, Maung Maung Nyunt, Myo Zaw Win, Ne Win alias Nay Win, Aung Tha Win and Zaw Win alias Hanid alias Maung Zaw Win alias Hadun alias Har Nink, also appear to remain in detention for their peaceful political activities or views.

According to the official radio, Aung Thet U, a student, Maung Maung Nyunt, a worker, and Myo Zaw Win, a student, were arrested in Yangon on 25 October 1988. Ne Win and Aung Tha Win were arrested in the capital the next day.

The radio said that the first three arrests took place after "about 50 youths chanted anti-government slogans" on 25 October at Yangon's Shwedagon Pagoda, Myanmar's most revered Buddhist shrine. It said that security forces arrested nine people, but that five "who were not involved in the disturbance and demonstration" were later released, while four others remained in detention. Two of these were later released.

. The radio said that during interrogation Myo Zaw Win "disclosed" that he had gone to the Shwedagon Pagoda "with the intention of creating disturbances and demonstrating", and that he was "a member of the All-Burma Students Movement for Democracy Organization". He also allegedly admitted that "he had attended underground revolution military training". Aung Thet U alias Aung Thet Oo was said to have come to the pagoda "to demonstrate" wearing the clothing of Myanmar's Kachin ethnic minority. Maung Maung Nyunt was said to have "applied for membership at the NLD", and to have been paid a small sum of money to demonstrate.

The radio said Ne Win alias Nay Win and Aung Tha Win were arrested at the pagoda on 26 October 1988 when the former appeared there "to demonstrate" and the latter came there "to attend a meeting". It was alleged that Aung Tha Win had also "undergone underground revolution training" in Yangon. Ne Win alias Nay Win was said to be a member of a Committee for the Formation of an Interim Government, a body that apparently advocated the establishment of a civilian administration to oversee general elections in place of military authorities.

On 12 November 1988, the radio said that "the authorities concerned [were] making arrangements to take legal action against" these five detainees.

In a letter addressed to Amnesty International on 22 February 1989 and quoted below, the Myanmar Permanent Mission to the United Nations in Geneva reiterated the explanation of the arrest of the five given in the official news media. The letter drew the conclusion that:

"It is abundantly clear from the above information that these students had come to the Shwedagon Pagoda with the intention of creating disturbances and inciting the people to violence in breach of the declaration dated 18 September 1988 of the State Law and Order Restoration Council, prohibiting the gathering or marching in procession of more than four persons. The youths in question cannot, therefore, be considered as non-violent and peaceful demonstrators but may be regarded as unscrupulous instigators with the intention of creating confusion and chaos."

It added:

"Authorities are, therefore, taking legal actions against them in due process of law. They have been charged under Section 5 Sub-Section (j) of the Emergency Provisions Act of 1950...."

However, Amnesty International continues to be concerned about their detention because it appears from the authorities' February 1989 allegations against them that there are no specific accusations that they used or advocated violence during the gatherings for which they were arrested, or that the gatherings themselves involved violence. There is no information that they have been released.

10.3 Zaw Win alias Hanid alias Maung Zaw Win alias Hadun alias Har Nink

Zaw Win alias Hanid alias Maung Zaw Win alias Hadun alias Har Nink, a Muslim student, was apparently arrested in November 1988 in Yangon. He had reportedly fled Yangon after 18 September 1988 and was alleged to have spent some time in a camp of the insurgent KNU before returning to the capital. The official radio said that he had been a member of a student union which they had dismantled. It alleged that he had reorganized 12 former members of this organization, and that on 31 October 1988 he had gathered 97 other young people into a "Youth Power Solidarity Group". It said he was planning to use "guerrilla tactics" to "demonstrate, deliver anti-government speeches and distribute anti-government handbills". The

broadcast did not explain what was meant by "guerrilla tactics" but suggested this involved calling "snap demonstrations" which it claimed, without citing any specific evidence, aimed at "creating disturbances".

According to student sources, Zaw Win was a physics student at Yangon University who had been a member of the ABFSU. They say he had actively participated in its activities before 18 September 1988, and that he had been photographed by military intelligence agents while distributing leaflets. They believe that this may have led to his arrest, and claim that security forces who came to arrest him at his home brought prints of the photographs with them.

On 27 January 1989, the Information Committee of the SLORC denied allegations that Zaw Win had been tortured to death at Insein prison. It said he remained in detention because unspecified legal action had been taken against him in connection with the distribution of anti-government pamphlets, and that he was "healthy inside the jail". He is feared to be still detained. Amnesty International has no information that Zaw Win has used or advocated violence; the charges against him refer to his alleged role in student demonstrations and the distribution of leaflets. Amnesty International continues to investigate his case as that of a possible prisoner of conscience detained solely for non-violent political beliefs and activity.

10.4 Aye Myint

According to student sources, in January 1989 security forces arrested Aye Myint, a 29-year-old coolie from the Thingangyun area of Yangon. They say he had also been photographed distributing leaflets "calling for an end to the military regime", and that he was probably arrested for this and also for putting up posters with similar content. At last report, he was "believed still detained, and Amnesty International is concerned that he may also be a prisoner of conscience.

10.5 Sein Hla Aung, Maung Maung Soe alias Wai Lu, Kyaw Lin, Aung Cho, Aung Gyi

Sein Hla Aung was reportedly arrested on 5 November 1988, apparently in Patheingyi, the capital of the Ayeyarwady Division. The official radio said he was a member of the NLD, as well as of a group of "youth who have taken the blood oath to defend the democratic state". It said he was carrying "anti-government pamphlets" which he had written, and alleged that he was also in possession of "maps marking troop positions in Patheingyi".

Interrogation of Sein Hla Aung reportedly led to the arrest of Maung Maung Soe alias Wai Lu, a student. The official news media said he was carrying and making copies of anti-government leaflets, and also alleged that he had made contact with an unspecified anti-government group from which he had obtained documents about army weapons.

Two other people, Kyaw Lin and Aung Cho, were apparently also arrested in this case.

It is not known what legal action, if any, has been taken against these people, and there is no substantiated information indicating that they used or advocated violence. Their cases are under investigation as

possible prisoners of conscience.

Aung Gyi was reportedly arrested on 3 November 1988, apparently in Yangon. The official radio said he had organized a meeting of "anti-government underground organizations" that day, and that he was the leader of one such organization in Kemmendine Township. It alleged this organization was formed to "create disturbances" and had issued a statement calling for the formation of an "interim government" by 8 November 1988. The radio also alleged that Aung Gyi had attended "a theoretical course on small arms", but did not explain this allegation further.

The radio said that Aung Gyi admitted having organized the meeting of underground organizations, and by 18 November 1988 unspecified legal action had been taken against him and several other people who were arrested after he reportedly implicated them during interrogation. The others were later released, but Aung Gyi is still detained as far as is known, and Amnesty International is concerned that he may have been detained solely for his non-violent beliefs and activities and may be a prisoner of conscience.

11. DEVELOPMENTS BETWEEN JANUARY AND MARCH 1989

11.1 Paw U Tun's first public appearance since the coup

On 2 January 1989, Paw U Tun apparently made his first public appearance in Yangon when he spoke at the funeral of Daw Khin Kyi, mother of NLD leader Aung San Suu Kyi. Despite the ban on public gatherings, large crowds of NLD supporters and others accompanied the funeral cortege. According to reports, popular attendance at the funeral was mobilized by the ABFSU and DPNS. The military reportedly warned "unscrupulous elements" not to cause "disturbances" at the funeral. Aung San Suu Kyi is said to have asked mourners not to turn the occasion into an anti-government demonstration, and order was kept by student marshals under leaders associated with the ABFSU. In an impromptu speech, Paw U Tun reportedly declared: "Although we are in no position to do anything we want at this moment, we are determined to continue using non-violent means to achieve democracy." There were apparently no arrests at the funeral.

11.2 Aung San Suu Kyi's visit to the Ayeyarwady Division and reported arrests

However, later that month, the NLD reported the first arrests of political activists in connection with non-violent campaigning activities by legally registered parties. According to an NLD press release dated 23 January 1989, the arrests occurred during a mid-month campaign trip by Aung San Suu Kyi to Ayeyarwady Division. It named 32 NLD supporters and two supporters of the DPNS who it said had been arrested, apparently for violating Section 5(J) of the Emergency Provisions Act. Most of them were reportedly later released on bail, but their current status is unknown.

According to a report in the 10 February 1989 issue of Asiaweek, the NLD claimed that in addition to the people detained during Aung San Suu Kyi's campaign trip to the Ayeyarwady Division, another 15 to 25 party members had recently been detained for violating the prohibition on gatherings. It also reported that a spokesman for the LDP said the government had detained more than a dozen members of this party, apparently

on similar grounds. The current status of these people is unknown.

Meanwhile, on 31 January 1989, the official The Working People's Daily published the above-mentioned article warning that people who violated Section 5 of the Emergency Provisions Act could be liable to up to seven years' imprisonment. The same article also warned that: "Whoever brings or attempts to bring into hatred or contempt or excites or attempts to excite disaffection towards the Government or State" could be sentenced to up to life imprisonment under Section 124(A) of the Penal Code. It further warned of possible legal action against people it said were known to be "carrying out espionage work in collaboration with the above-ground and underground insurgents and destructive elements as well as with the foreign and local periodicals with intent to cause disintegration to the nation building tasks."

11.3 Bo Yan Naing's funeral

The funeral on 1 February 1989 of Bo Yan Naing, another veteran political figure associated with the opposition, was apparently the occasion for a second gathering of opposition elements. According to a description given by a SLORC spokesman at a press conference on 3 February, a group of people at the funeral "shouted Strike! Strike! to create disturbances", and "some pamphlets were distributed." The spokesman cited this as an example of one of the "various means ... employed to incite disturbances so that the people cannot live in peace". He said that although the government "tolerated" the activities of this group "and did not take action", such events demonstrated the necessity of continuing the ban on gatherings contained in Order Number 2/88. He warned, however, that "action will be taken according to the law against any political party, leader or person who violates the law." He also claimed that some political parties had said they might be compelled to "follow the path of going into the jungle" if SLORC did not legalize their exercise of full civil liberties. He warned of the legal consequences of any involvement or contact with insurgent groups, declaring that: "According to Article 111A of Chapter 6 of the Penal Code any effort to undermine an organization of the Union of [Myanmar] ... with arms or other means of insurgency or to prepare to undermine [it] through other means, or participate in any such attempt or connected with such attempt ... amounts to high treason and is punishable by death or a life sentence."

11.4 Aung San Suu Kyi's visit to the Shan State

After a campaign trip to the ethnic minority Shan State in northeast Myanmar, Aung San Suu Kyi said in an interview broadcast by the BBC on 14 February 1989 that NLD activists there had been threatened that they would be arrested once she left the area. She again called for the lifting of Order Number 2/88, saying it was a "great obstacle" to the organizational efforts of political parties. This call was repeated in several interviews published during the remainder of the month.

11.5 A February 1989 ABFSU open letter to political parties

On 17 February 1989 an open letter addressed to political parties was issued in the name of the Yangon chapter of the ABFSU. It declared that:

".... political parties and the ABFSU are allies in the

democratic revolution of Burma fighting through different means for the same objective. To achieve these objectives, we believe that we will mutually cooperate with and extend help to each other in the struggle.

"Today, the military authorities are issuing all sorts of laws to obstruct and suppress the rights of political parties freely to organize, deliver speeches and publish. Moreover, they are also ignoring the demands made by the political parties....

"... we at the ABFSU would like to appeal to the political parties to make common demands....

"The behavior of the military authorities today is contrary to that of an interim government, making it impossible to hold clean, free, and fair elections An interim government is a must if elections are to be clean, fair and free. It is our belief that we should be repeating this demand time and time again in the same way that we demanded it in the days of our struggle. We should not lessen our demand for an interim government for any reason. Hence, we ... appeal to the political parties to make a unified demand for an interim government.

".... Our main aspiration is for the military authorities to give up power as soon as possible.

"When making this demand, we should also consider how we shall react or what action we shall take if our demand is not met. We cannot simply forget about the demand if it is not met. We Wish the political parties to consider a common course of action that all of them can take in unity. We ... promise to join hands and to take that same course whatever it may be."

11.6 A Paw U Tun statement about the military

In a statement reportedly made in February 1989, Paw U Tun explained his attitude toward the military. Speaking of the events of 1988, he said:

"The mass uprising occurred because of the infiltration and overdominance of the defence organizations - whose sole duty is their defence task - in the political arena.... Since the military coup 26 years ago, the military has monopolized and dominated the administration, politics, management, departments and corporations, without regard for the people's will. Intellectuals and technocrats, who should have been employed according to their special skills, were dominated by the trouser-wearing class [those in military uniform]. Youths and students, intellectuals and technocrats, who should have been playing a key role in national construction, were ignored, while military dominance was established with the sole objective of

entrenching the military in power and strengthening their administrative system.

".... We want a new-style Defence Forces which cherish, value, and safeguard democracy and which pay due respect to the wishes of the people. We only want Defence Forces which serve the people well.

"Our current problems came about because we allowed the ruling party to do what it wanted and that party in power was monopolized by military dictators who used the Defence Forces as an instrument of intimidation. The dictators controlled the three main sources of power - judicial, legislative, and administrative - without allowing freedom of work and the right to scrutiny. In order to remove these undesirable traits from Burma, the military must be separated from politics and the military must be prevented from interfering in politics.

".... It ... is the responsibility of all our student youths to ensure that the Defence Forces flourish forever.

"It is necessary for the Defence Forces, which are indispensable for the country, to reform themselves so as to once more gain the faith of the country and the faith and respect of students and youths.

".... Under current circumstances, as students, we cannot say that we have trust in the elections. Only if the military clique which seized power acts as an interim government could there be trust in elections. However, they are not acting like an interim government. That is why our ABFSU sees no reason to have any faith in the elections. I would like to state clearly that the election is not our final objective."

11.7 Differences between student and political leaders

The letter of 17 February 1989 reportedly reflected political disagreement between at least some student leaders and NLD and other political parties. For example, DPNS Chairman Moe Thi Zun was said to have criticized the NLD and other non-student parties for failing to press for free and fair elections by demanding the formation of interim government to organize the balloting. He and other student political leaders were said to fear that these parties' willingness to forego making such a demand lessened the pressure on the government to allow free and fair elections, when instead increased pressure was needed in order to bring them about. They reportedly also felt the non-student parties were generally not being assertive enough in encouraging popular expressions of protest in favour of free and fair elections.

11.8 Aung San Suu Kyi's response

Aung San Suu Kyi later indicated that the NLD did not accept the students' arguments. In an interview broadcast by Indian radio on 25 March

1989, she declared that her party was "aiming neither for an interim government nor for the election, but [was] seeking the attainment of basic human rights as soon as possible." She said the party's position was that "if these basic human rights are achieved, one of the rights - free and fair elections - will materialize." In response to a question about whether the NLD intended to hold negotiations with students in insurgent-held border areas, she said that her party would "never desert these students who are our democracy comrades", adding that, "our position is that they ended up at the border because of the brutal suppression by the government...."

In an interview published the next day in the Bangkok Post, she explained, "I don't believe in the armed struggle. But I sympathize with the students who are engaged in armed struggle." She also elaborated the NLD position on elections. She said that "in order to have free and fair elections, we must create a kind of condition in which elections can be free and fair, which means that first of all the people must be entitled to the basic human rights and democratic freedom. ... we must have these basic human rights so that people are allowed to believe what they want to believe without fear of arrest or intervention or unfair treatment. And we must have freedom of speech, publication and assembly...." She added that if these were not granted, then she did not think anyone would "have trust and confidence" in any elections.

12. ARRESTS IN CONNECTION WITH MEMORIAL AND PROTEST GATHERINGS AND POLITICAL MEETINGS IN MARCH 1989

12.1 SLORC warnings

From the beginning of March 1989, the authorities began to express concern and issue warnings against possible memorial gatherings by students and others to mark the first anniversaries of the deaths of student demonstrators killed during the initial waves of civil unrest in March 1988. According to an official radio broadcast, on 3 March a SLORC spokesman warned against "attempts to create anxiety and fear among the people and destabilize the situation" during the month. Saying that "some students and youths are under the organization of some party organizations, and these parties have the responsibility to control the students and youths", he admonished those who "genuinely want democracy" that they had "the responsibility to act with restraint so as to prevent disturbances and acts of violence which are against the spirit of democracy and could undermine democracy." He criticized "some political parties" for "making accusations so as to belittle, create misunderstanding and undermine faith in the government and the Defence Forces", and said that "it is sad that some political parties are openly saying that they maintain contact with the ABSDF". He also criticized those who he said had "contacted foreign broadcasting stations and said whatever they wanted to say and whatever slanders they wanted to make", warning that this sort of thing "should not be done".

12.2 Student plans and leaflets

Despite the official warnings, student organizations proceeded to organize memorial gatherings for 13 and 16 March 1989. Some student groups began distributing leaflets on 8 March calling for popular participation in

a 13 March memorial ceremony for Maung Phone Maw, a student of the Yangon Institute of Technology (YIT). He and a second student were fatally shot on 13 March 1988. On that day riot police opened fire on them and other students who were demonstrating against what they considered lack of appropriate action by the authorities after a fellow student was stabbed to death during a dispute between students and people living near the YIT campus. According to one of the 13 members of the student committee that planned the Maung Phone Maw memorial ceremony, they ordered it to be kept peaceful, because they "didn't want any more killings or loss of life". The leaflets asking people to participate in the memorial reportedly stressed it should be non-violent.

On 9 March 1989 it was reported that another set of leaflets had appeared in Yangon. They called on all students to assemble on 16 March. On that day in 1988 students from the YIT and Yangon University had gathered to march in a funeral procession for Maung Phone Maw. They also rallied in support of demands for a government inquiry into his death, to protest alleged brutality by the riot police, and to demand the release of students they said had been arrested during similar rallies the previous day. Riot police reportedly broke up these student actions with baton charges, and it has been repeatedly alleged that some demonstrators, including women students, drowned after being clubbed unconscious on the banks of Yangon's Inya Lake and left in the water. These alleged deaths apparently occurred at a place in the capital called "White Bridge", which the students had renamed "Red Bridge" to symbolize the blood of those they believe were killed.

The 9 March leaflets calling for a memorial ceremony on 16 March 1989 were signed by a "Student Action Committee", which was reportedly made up of representatives of nine student unions including one that was described as "a federation of underground students". According to a member of the committee, it also again ordered student participants not to do anything violent on this occasion. The leaflets reportedly also called for a "peaceful" memorial ceremony at "Red Bridge", which they said would be "dedicated to those students who died while demanding the truth".

12.3 Further government warnings

The next day, a SLORC spokesman said that "some underground organizations, which are not included among the listed registered political parties" were allegedly "carrying out agitational activities ... with the despicable intention of creating disturbances and unpleasantness". He said they had urged that "cars should stop and honk on 13 March" and issued "calls for agitation on the Inya Lake bund [a shorefront embankment] on 16 March". He warned that "incitement to disturbances and acts which cause distress to the people would not be tolerated and condoned. We will take appropriate action."

12.4 Arrests on 10 and 11 March 1989:

**Than Nyunt Oo, Ko Ko Naing, Zaw Thein Oo,
Kyaw San Oo, Ko Yan Nyein, Nyi Nyi Naing**

According to reports by the Student Union at Yangon's Number One Institute of Medicine and other student groups, three medical students were arrested on 10 and 11 March 1989 in connection with the distribution of

pamphlets urging people to participate in the 13 March memorial ceremony for Maung Phone Maw. They have said Than Nyunt Oo, a first year student, was arrested while distributing leaflets at the Bogalay Zay market and then detained for interrogation at a police station in the Botataung area. It said Student Union Chairman Ko Ko Naing, a final year student, and Zaw Thein Oo, a second year student, were arrested at home and detained at an unknown place. Three other students were also allegedly arrested on 10 or 11 March in connection with preparations for the 13 March memorial: Kyaw San Oo, a second year student at YIT and member of the Executive Committee of the student union there; Ko Yan Nyein from Yangon University; and Nyi Nyi Naing, from the Number One Institute of Medicine. In allegations on 5 August 1989 that the student movement had been infiltrated by underground operatives of the communist insurgency, the authorities accused Ko Ko Naing of communist links, but like similar allegations against other student activists, those against him have apparently still not been substantiated in a fair trial. Amnesty International is concerned that he and the other people arrested on 10 and 11 March 1989 may be prisoners of conscience detained for their involvement in preparations for peaceful memorial gatherings.

12.5 The 13 March 1989 memorial rallies in honour of Maung Phone Maw

On 13 March 1989 thousands of students, monks and ordinary people rallied at the campuses of YIT and the Yangon Arts and Sciences University (YASU). Several political parties, led by the NLD, reportedly proclaimed the anniversary as "Burma Human Rights Day". They held memorial services in their offices and flew party flags at half mast. An NLD spokeswoman declared that "Maung Phone Maw's death started the whole fight for human rights in Burma", and said that 300 people had protested at the party headquarters in Yangon against the "non-existence of human rights" in the country. She said that human rights day was intended to highlight the situation of "hundreds" of political prisoners detained without trial after the takeover. She also stated that about 100 members of the NLD had been arrested for political activity since September 1988, many of them denied bail. No further details about these people are available, and their current status is unknown.,

The university rallies included Buddhist rites in memory of Maung Phone Maw and lasted more than two hours. Despite the presence of soldiers outside both campuses and warnings by roving police loudspeaker vans that no gatherings other than religious ceremonies would be allowed, there were speeches by students, political party leaders and monks at both rallies. Student speakers advised against street processions and reportedly put forward five demands: the abrogation of Order Number 2/88; the guaranteeing of all democratic rights, including freedom of assembly and expression; the release of all of the hundreds of political prisoners they claimed had been arrested since 18 September; the reinstatement of hundreds of civil servants they said had been dismissed for taking part in demonstrations in 1988; and an end to what they said was "oppression" of farmers, particularly what they said was "forcible" collection of rice. Student leaders reportedly refrained from putting forward a demand for the formation of an interim government because they did not want to highlight differences between themselves and the NLD and other political parties that opposed this.

Students dressed in traditional black clothing laid wreaths at the YIT to the memory of Maung Phone Maw and other students killed. This rally was

attended by NLD General Secretary Aung San Suu Kyi and Chairman Tin U, and many in the crowd wore NLD badges. Tin U gave a speech in which he reportedly said the death of Maung Phone Maw had led to the mass civil disobedience campaign for democracy that ended what he described as the "repressive reign of the single party system" and brought about the military's promise to hold elections in May 1990. He said, "We hold the military to its promise for free and fair elections", adding that, "Free and fair elections must be preceded by freedom of speech, freedom of assembly and freedom of the press, and we demand that these be allowed immediately."

12.6 Arrests on 13 March 1989:

Kyaw Oo, Ma Lay Lay Myint, Ma Mar Lar Nwe, Ma Santia U, Aung Naing Oo, Ma Thi Thi Maw, Ma Sein Sein Kyu, Maung Maung, Min Aung, Chit Swe, Pe Win, Maung Win, Ma Tin Win, Khin Yu Swe, Kaing Kaing Maw and Ma Mu Mu Lwin

According to press reports, some 200 students, including NLD members, proceeding to the ceremonies were rounded up and ordered to squat in a field, but were detained only briefly. In a press conference on 19 April, a SLORC spokesman denied that these people had been arrested. However, he said the authorities had "unavoidably arrested four persons in downtown Yangon as they had violated the law", but gave no further details about them.

Similar rallies were reportedly held in other towns, such as Mandalay and Mergui, a town in the Tanintharyi (formerly Tenasserim) Division. Student sources alleged that 18 people were arrested there on 13 March 1989 when they attempted to lay commemorative wreaths. They named 16 detainees, who they said had been charged under Section 5(J) of the Emergency Provisions Act and would be brought to trial. They were: Kyaw Oo, a 26-year-old student; Aung Naing Oo, a 17-year-old student; Ma Lay Lay Myint, a female student; Ma Mar Lar Nwe, a 17-year-old female student; Ma Sanda U, a 20-year-old female student; Ma Thi Thi Maw, a 16-year-old female student; Ma Sein Sein Kyu, a 19-year-old female student; Ma Tin Win, a 17-year-old female student; Khin Yu Swe, an 18-year-old female student; Kaing Kaing Maw, a 14-year-old female student; Maung Maung, a 17-year-old butler; Min Aung, a 18-year-old mason; Chit Swe, a 28-year-old carpenter; Pe Win, a 27-year-old fishery worker; Maung Win, a 26-year-old fishery worker; and Ma Mu Mu Lwin, a 16-year-old trader. Amnesty International is concerned that these possible prisoners of conscience may still be detained.

12.7 "Red Bridge" demonstrations on 16 March 1989

On 16 March 1989 several thousand more students, including some from groups that described themselves as "underground", reportedly gathered on the campus of YASU and shouted anti-government slogans at the "Red Bridge" memorial ceremony. This gathering was reportedly convened by Min Zeya, who remained head of the "Reorganizing Committee of the ABFSU", and DPNS Chairman Moe Thi Zun. Min Zeya told reporters that "Holding these memorials is a means to give the students a chance to rally in a single united front, to help them make contact with each other, and to keep alive the movement for democracy." Student speakers again called on the government to abrogate Order Number 2/88 and release political prisoners.

12.8 Arrests on 16 March 1989:

Lu Aye, Kyaw Sein and Ye Win

Army troops using armoured cars reportedly sealed off entrances to the Inya Lake bund, to which some students who had come to the ceremony wanted to march in order to float wreaths to commemorate students they believed were killed there. The troops warned that no processions would be allowed to leave the campus, and Min Zeya and Moe Thi Zun were reportedly concerned to prevent what they considered "excited" students from staging such processions and confronting security forces. No students marched from the campus, but four students who tried to reach the bund from a nearby island on a raft filled with wreaths were reportedly stopped and detained. Their current status is unknown. Troops are also said initially to have prevented one attempt by U Aung Gyi, leader of the legally-registered Union National Democratic Party, to lay wreaths on the bund. (He is not to be confused with the person of the same name mentioned above, see p. 22). A second attempt by him and party followers was, however, allowed to proceed.

Two people associated with the DPNS were reportedly arrested on 16 March 1989 before the "Red Bridge" memorial began. Lu Aye and Kyaw Sein, both graduates of Yangon University in their late 20s, are said to have been arrested at the Bogoyoke New Market bus terminal while giving speeches criticizing the previous one-party political system and encouraging people to attend the memorial ceremony. They were allegedly arrested by soldiers, and it is feared they are still detained. Amnesty International is concerned that they may be prisoners of conscience.

According to foreign press reports, as many as 40 students may have been detained after they began distributing leaflets on their way home from the ceremony. These leaflets are believed to have said that people should continue to mourn for the students killed at Red Bridge by participating in further protest activities against the military government. At a press conference on 19 April 1989, however, a SLORC spokesman declared that "rumours" of the arrest of 40 of "those who had ... distributed pamphlets" were "totally wrong", and that "we had arrested only nine persons" on 16 March.

Student groups have named five students allegedly arrested on 16 March 1989: Kyaw Zay Yar, Yan Naing Aung, Ye Win, Tin Zaw Oo, and Tin Htun Naing. They have also alleged that eight others who were members of an NLD youth organization were arrested that day. Tin Htun Naing, who was reportedly arrested as he drove home with other students singing songs about the death of Maung Phone Maw, is believed to have been released on 21 March 1989. On 29 June 1989 the official radio announced the release that day of Yan Naing Aung, who it said had been "arrested for shouting anti-government slogans". It also announced the release of six other "youths" detained on the same grounds, including Aung Kyaw Zeya alias Kyaw Zaw, who appears to be the same person as Kyaw Zay Yar, and Tint Zaw Ohn, who may be the same person as Tin Zaw Oo. The other names of people released mentioned in the 29 June broadcast do not seem to match that of Ye Win, the other prisoner identified by student groups, and he may still be detained. Amnesty International is concerned that this possible prisoner of conscience may still be held.

12.9 Demonstrations on 17 March 1989

At a press conference on 17-March 1989 a SLORC spokesman said that some student and youth groups were using the term underground "loosely" and "proudly" without "realizing its implications". He warned that "underground activities come under the category of secret documents and treason against the state", and that under Section 6 of the Penal Code, "crimes committed against the government" could be punished with death or life imprisonment. He added:

"with regard to demands for lifting of SLORC Order Number 2/88, we have shown much tolerance and the order does not contain matters that could not be followed. The limitations contained in the order will be reduced as the situation becomes stable. We would just like to say: Do not violate Order No 2/88."

Nevertheless, on 17 March 1989 students reportedly organized by ABFSU activists gathered outside the gate of YASU to demonstrate against the arrests of the previous day. It is said that when troops intervened to attempt to carry out additional arrests, a crowd of local residents gathered to protest, and no arrests could be made. There was reportedly also a demonstration outside the Hledan police station to protest the detention of students there, but there were apparently no arrests on this occasion, either.

12.10 Arrests on 18 March 1989:

**Toe Kyaw Hlaing, Ma Khin Hnin Nwe, Tint Lwin Oo,
Tun Tun Aye, Tin Ko Oo**

Student groups have alleged that five more students were arrested on 18 March, namely Toe Kyaw Hlaing, Ma Khin Hnin Nwe, Tint Lwin Oo, Tun Tun Aye and Tin Ko Oo. They were apparently detained in connection with the gatherings of the previous several days, and it is feared these possible prisoners of conscience may still be held.

12.11 Meetings at political party offices from 16 to 20 March 1989

At a press conference on 24 March 1989 a SLORC spokesman said that "some political parties, which do not desire ... a peaceful state," began on 16 March "allowing dissidents bent on creating disturbances to use loudspeakers to make anti-government and anti-military speeches in their offices." He described nine meetings between 16 and 20 March, including six at offices of the NLD in Yangon, and one each at offices in the capital of the DPNS, the Union of Burma Main Anti-Fascist People's Freedom League (UBMAFPFL) and the Patriotic Old Comrades' League (POCL). He identified those involved in the meetings and speech-making as: U Aung Gyi and U Lwin, apparently NLD officials in North Okkalpa Township; Soe Thein, who he said was another NLD official; Paw U Tun, Ko Ko Gyi, Aung Din, Aung Thura from the ABFSU; Sit Ko Naing alias Myo Thein from the Student Youth Federation for Democratic Struggle (SYFDS); Moe Thi Zun, Moe Hein and Tin Than U from the DPNS; and Wai Lin, Khin Than and Min Din from Yangon University Student Union. He named the others involved as Tet Maw, Ma Tun Tun Maw, Thiha Tun, Moe Kyaw Htet, Ye Teza, Naing Win, Zaw Moe Htet, and Win Hlaing. Of these Tet Maw, Ma Tun Tun Maw and Thiha Tun have been identified by student

sources as ABFSU activists, but the organizational affiliations of the others are not known. Student sources have also said that Soe Thein and Sit Ko Naing alias Myo Thein are the same person, and that his SYFDS "distributed leaflets and took part in demonstrations".

The SLORC spokesman said the meetings were "a clear indication that some political parties are encouraging their followers to create disturbances deliberately to instill fear among the people living in peace.... Political parties concerned and dissidents bent on creating disturbances are warned to stop their activities aimed at inciting disturbances. Effective action will be taken against them if they continue these activities." He stressed that the ABFSU, the Yangon University Student Union and the SYFDS were all "illegal organizations" because they had refused to register with the authorities.

Unofficial accounts confirm that Min Ko Naing, Moe Thi Zun and other student activists from the ABFSU and DPNS gave a series of talks in NLD and other offices during this period, and that party officials and the public were invited to attend them. One student leader later said that in their talks, he and other activists: "explained what democracy is, the difference between democratic countries and countries ruled by dictatorship". He said because they believed the emergence of so many legally-registered political parties undermined the unity of the struggle for democracy, they also "spoke of the need to gather the parties and the people into a smaller number of large groups." He said that in some cases "thousands" of people turned out to attend these talks.

12.12 Demonstrations and arrests on 20 and 21 March 1989:

Myat San, Zaw Oo, Aye Min, Thant Zin, Ma San San Oo, Bo Kyi, Yan Myo Thein, Min Thu, Aung Myat Oo and Ma Win Myo Kyi

At the 24 March 1989 press conference, the SLORC spokesman said that "on 20 March, ten youths including four youths in charge of close security from the NLD, a youth member of the DPNS and two female students were arrested for creating a disturbance at the gates of YASU"; and that "on the same day, Min Ko Naing, Ko Ko Gyi and Soe Thein ... arrived and demanded the release of the ten detained youths and instigated disturbances."

Another official description of these events said that around noon on 20 March:

"... about 20 students came and demanded that the main gate of YASU be opened. As the teachers and other staff refused them entry, the students struck out the 'staff only' sign and chanted anti-government slogans and created disturbances. As the appeal for calm by the Defence Forces nearby fell on deaf ears, arrests were made. A total of ten students - two girls and eight boys - were arrested and temporarily detained at the Kamayut police station."

It said that later that afternoon:

"... Min Ko Naing and several other students arrived and demanded that the detained students be released within 30 minutes. While the demand was being made, about 300

people gathered around the police station. Responsible officials controlled the situation, asking the mob to disperse and warning against creating disturbances. The mob peacefully dispersed"

Student sources say that the incident developed when students tried to get onto the campus of YASU to reopen an office which had been used by Min Zeya, but which the authorities had closed in retaliation for the prominent role he had played in the "Red Bridge" memorial ceremony. This group of students reportedly included several who had attended a talk held that morning at the Yangon Division Office of the NLD. Students say that when the university gatekeepers prevented entry to the campus, those gathered began shouting "Down with the military regime!", "Form an interim government!", "Abrogate Order Number 2/88!" and "Release student leaders". They were then surrounded by troops, and as the crowd dispersed, several arrests were carried out.

Student sources say that later on 20 March, a crowd of students marched spontaneously to the Kamayut police station to demand the release of those detained there, and a crowd of 800 reportedly gathered. Student and youth leaders Paw U Tun, Ko Ko Gyi, Moe Thi Zun, Zaw Zaw Aung and Soe Thein then went to the police station. One student leader later said they found that "tension around the station was growing and growing, with louder and louder shouting demanding the release" of those arrested, while several truckloads of troops and police despatched to the scene closed off main streets. Fearing that violence might ensue because some of the demonstrators wanted to storm the police station, student leaders urged them to disperse. Some accounts maintain that several more arrests occurred while the crowd was dispersing. At a press conference on 27 April 1989 a SLORC spokesman said the authorities "arrested four persons as they incited strikes, putting the blame on the arrest of the ten persons."

Student groups have named ten students they allege were arrested on 20 March 1989: Myat San of Yangon University; Zaw Oo and Aye Min, members of an NLD youth organization, Thant Zin of the DPNS; Ma San San Oo of the Kemmedine Student Union; Bo Kyi, an ABFSU member from Yangon University; and Yan Myo Thein; Min Thu; Aung Myat Oo; and Ma Win Myo Kyi. It is feared that these possible prisoners of conscience may still be detained.

12.13 Demonstration and arrests on 21 March 1989:

Cho Gyi, Ma Saw Thu Wai and Win Naing

There was another demonstration on 21 March 1989, near the Yangon University campus. According to a broadcast by the official radio:

"... about 100 people led by Soe Thein from the NLD and Ko Ko Gyi from Min Ko Naing's group gathered ... to incite unrest. The Defence Forces told them ... that action would be taken against those who violate the law, and told them not to disturb law and order and to disperse. While the majority dispersed, some did not follow and four more persons were detained."

Student sources say these demonstrators had gathered to demand the release of those detained the previous day. They have said that those arrested on this occasion were members of the ABFSU. and named three of them as Cho

Gyi, Ma Saw Thu Wai and Win Naing. They say that Win Naing was also a member of the Central Executive Committee of a group called the "National Promotion Forum". These possible prisoners of conscience may still be held.

12.14 Arrest of the ABFSU Chairman Paw U Tun on 24 March 1989

Paw U Tun was reportedly arrested on 24 March 1989. According to the statement of the SLORC spokesman at his press conference that day:

"Min Ko Naing, alias Paw U Tun, chairman of the illegal ABFSU, has been arrested ... because he and his associates instigated disturbances to the detriment of law and order, peace and tranquility. At the same time, it had been ascertained that they have been carrying out organizational work and giving speeches.... Furthermore, Min Ko Naing has been found to have repeatedly violated Order No 2/88 of the SLORC. . . . Action will be taken against him in accordance with the law."

The spokesman said another reason for his arrest was that: "We have learned that Min Ko Naing and his associates have been carrying out activities and plans to disturb and undermine the holding of Armed Forces Day", an official event held annually on 27 March. He added: "We have learned that some political parties are claiming that the holding of Armed Forces Day violates Order Number 2/88 They are saying that if we have the right to hold the Armed Forces Day celebrations, then they have the right to carry out their activities." He warned: "The final point is: Do not try to disrupt the holding of Armed Forces Day activities. Any such attempt will result in action being taken in accordance with the regulations."

According to student sources, before his arrest some of his fellow student leaders had tried to convince Paw U Tun that he should leave Yangon and seek sanctuary with the ABSDF on the Thai border. He reportedly refused, saying that he would continue ABFSU activities such as distributing leaflets and organizing demonstrations.

Student sources agree that Paw U Tun was arrested because the authorities feared that he and the ABFSU had the capacity to organize popular demonstrations coinciding with official celebrations of Armed Forces Day but expressing dissatisfaction with the continued political predominance of the military. They claim the authorities particularly wanted to detain Paw U Tun because he "had power and influence over so many people" and "wherever he went, the masses would gather".

Although the accusation against Paw U Tun apparently centers on his work in the organization of student demonstrations, SLORC spokesmen on other occasions have alleged that he and several other ABFSU leaders were "recruited" by the communist insurgent underground during the "early stages" of the student movement in 1988. Although some leaders of groups within the ABFSU are believed to have had contact with various insurgent groups, the stated position of Paw U Tun and other principal leaders has been to pursue a course of political organization and demonstrations. ABFSU leaders have not, however, ruled out a turn to violence in the event of increased repression and a halt in the democratization process. Amnesty International is investigating the case of Paw U Tun and other ABFSU detainees and believes they may be prisoners of conscience, detained solely

for their leadership role in the student movement without having used or advocated violence.

12.15 Arrest on 24 March 1989:

Ma Saw Sandar Win

Student groups say another student, Ma Saw Sandar Win of the Ahlone Township Student Union, was arrested also on 24 March 1989. She was reportedly detained after making speeches and distributing leaflets in front of the NLD office in this township calling on people to demonstrate on Armed Forces Day. At last report, this possible prisoner of conscience was still held.

12.16 Demonstrations and arrests on 25 March 1989

On 25 March 1989 the official radio announced that two more arrests had taken place that day during what it said was a student street demonstration at the NLD headquarters in Yangon. Some 1,300 members of the security forces reportedly broke up this demonstration. The radio described the incident as follows:

"...about 100 students - of whom 20 came out of the compound of the NLD ... and were joined by 80 students who arrived from nearby areas ... chanted anti-government slogans and marched from the front of the NLD office security units in the nearby area stopped and dispersed the group. Some from the group fled into the compound of the NLD while others fled into the compound of the residence of Aung San Suu Kyi

"Khin Maung Kyi alias Maung Lay ... and Tin Htwe who created the disturbances, were detained by the security units. Before creating disturbances and shouting slogans, the students while gathering in front of the NLD stopped a passenger bus ... and removed and threw away a small Union of Myanmar flag and a resistance flag which were put up for the Armed Forces Day."

According to unofficial reports, Khin Maung Lay, a 39-year-old businessman, worked as a volunteer information officer with the NLD and with its youth organization.

At a press conference on 26 March 1989, Aung San Suu Kyi denied the authorities' suggestions that the NLD was inciting demonstrations. At the same time she called for the release of those arrested in connection with them. She reportedly said that although some NLD supporters had been involved in the gatherings and speech-making, the party leadership had actively tried to prevent demonstrations, and emphasized that the party continued to maintain a policy of achieving democracy through peaceful means. Aung San Suu Kyi said she had consistently told young dissidents not to make defamatory statements against the armed forces, "because there is a difference between the armed forces and those who abuse the power of the armed forces." She said that the group of youths who had gathered outside the NLD headquarters compound was comprised of people "unknown" to the

party leadership, and that the military authorities were aware that "party elders" had tried to defuse the situation. She said the NLD had often said it welcomed investigations, questions, or consultations related to any incidents raising dissatisfaction within the SLORC, but that these offers were never accepted.

According to foreign press reports, the NLD and several other opposition political parties were at this time trying to convince student leaders that demonstrations could be counter-productive because they might create a situation in which the military could argue that it was impossible to hold elections. These reports said that these parties were anxious to prevent any repeat of widespread disturbances in the run-up to general elections promised for May 1990. According to one report, they were said to be "worried that if there is trouble and the shooting starts again, the army will decide that there is no more law and order and so there will be no elections." This report added, however, that the political parties had "no real control over the students". Observers reportedly also said that the recent arrests increased student mistrust of the army's intentions, and that they had prompted student groups that had confined their activities since the military takeover to cooperation with legal opposition groups to consider whether to operate independently or underground.

According to student sources, the 25 March 1989 demonstration was organized by high school students who wanted to protest the arrest of Paw U Tun and demand that he and other detained student leaders be released. They maintain that the march did not originate in the NLD office and was planned without the agreement of either the NLD or the ABSFU leadership. Both Aung San Suu Kyi and senior ABFSU figures had, according to these accounts, counselled against staging marches because of the danger of clashes with the security forces, but had been unsuccessful. The destination of the high school march was Kamayut police station, where the high school students believed Paw U Tun was held, but the soldiers intervened when the column approached the NLD headquarters. The sources agree that fleeing students took refuge in Aung San Suu Kyi's house, as well as in other private residences in the area where they hoped they would not be arrested. They say that the two NLD officials arrested, Khin Maung Kyi and Tin Htwe, had not participated in the march, but were detained on their way back to the NLD headquarters from a nearby teashop.

Amnesty International has learned that Khin Maung Kyi and Tin Htwe were released on 22 June 1989, reportedly after a court, apparently operating according to the SLORC's 28 September 1988 Judicial Law, found them not guilty of any offence.

12-17 Demonstrations on Armed Forces Day, 27 March 1989

On 27 March 1989, despite the warnings against staging demonstrations and the arrest of Paw U Tun, students and others in Yangon and in Mandalay, the country's second largest town, launched street demonstrations to mark Armed Forces Day.

The official radio said one group of Armed Forces Day demonstrators emerged from an office of the LDP in Yangon. It said that "about 200 people, bent on creating disturbances", were stopped by security forces when they tried to leave the LDP office compound. Then, "following an appeal by the security forces not to create disturbances and to disperse, the people left the compound in groups of two or three, and completely

vacated the area

12.18 Arrests on 27 March 1989:

Tin Htay, Sithu Tun and Win Myint Than

The broadcast reported three arrests at another demonstration, during which is said that about 20 students gathered in front of No 8 Yankin State High School "and started a commotion". It said "as security forces arrested three of the disturbance makers - Tin Htay ...; Sithu Tun ...; [and] Win Myint Than ... - the crowd dispersed immediately." At a news conference on 31 March 1989, a SLORC spokesman added that the 20 demonstrators were "chanting anti-government slogans", and gave a different description of how the gathering was broken up. Responding to foreign press reports that the security forces had opened fire during the demonstration, he said that "although the security forces tried to disperse the crowd, they refused to break up, and even put up a fight. The security forces fired four rounds to disperse the crowd." He continued: "We did not get any news about anyone receiving injuries or being killed."

Student sources say those who gathered at the high school had intended to march from there into central Yangon, and that plans for this procession had been made on 25 March 1989, the day after Paw U Tun was arrested. They have identified one of those arrested, Tin Htay, as a native of Pahan Township and a member of the Yangon University Student Union. As far as is known he and the other two students arrested in Yangon on Armed Forces Day are still held, and Amnesty International is concerned that they may be prisoners of conscience.

12.19 Other Armed Forces Day demonstrations

Foreign news reports said there were other demonstrations in Yangon, involving groups of between 10 and 50 people, mostly students, who chanted democracy slogans and scattered when approached by security forces. The official radio reported a larger Armed Forces Day demonstration, but no arrests, in Mandalay. It said these demonstrations began after about 100 students gathered to pray at the Maha Myat Muni pagoda in the town. Then, "led by those intent on creating disturbances, the group started chanting slogans and marched.... When they reached downtown, the crowd grew to about 500 people." The radio said the demonstration was stopped by security forces who appealed to the crowd "not to create disturbances", after which it "gradually dispersed". Foreign press reports described the demonstration as involving several thousand people who sang "pro-democracy songs", and who were applauded and given flowers and drinks by bystanders.

12.20 General Saw Maung's Armed Forces Day speech

In a speech delivered on Armed Forces Day, SLORC Chairman General Saw Maung warned that communist and ethnic minority insurgents were still "carrying out activities to undermine the country's independence, sovereignty and territorial integrity." He called on "all patriotic and nationalistic people" to eliminate "any acts and plans aimed at undermining the national unity." He asked the security forces to assist in the work of "exposing and smashing above-ground saboteurs who are agents, spies, and henchmen of the insurgents". He also said "it is necessary that they act

according to law in all undertakings."

12.21 New SLORC warnings to student organizations and political parties

In a news conference on 31 March 1989, a SLORC spokesman reiterated that the authorities could not accept "organizations [which], under the guise of being student organizations, are creating disturbances". He said "student organizations should ... not get involved with political parties," and that "we cannot accept as students those engaging in party politics under the guise of students". He said that authorities believed that "some organizations are using the names of student organizations while publishing documents to instigate youths and students to oppose the government and the Defence Forces", while others were using "the name of student organizations while operating overtly and underground in coordination with insurgent groups". He said specifically that the ABSDF "cannot be considered a student organization", because "it is already an armed underground grouping." He also said the ABSDF, the ABFSU and a number of other groups that had "assum[ed] the names of student organizations" were "in practice ... serving some political parties", and that the NLD "has said it sympathizes with the students who are engaging in armed struggle". He said that "how the two are operating in tandem we do not know," but that "some so-called student organizations bent on creating disturbances and some political parties are trying to sow division within the Defence Forces." He also announced that the authorities had "summoned" ABFSU leader Moe Thi Zun and "warned him over his statement asking for the formation of an interim government". Student sources say that this referred to an incident on 28 March 1989, when Moe Thi Zun was briefly detained, although they claim that the authorities said nothing to him about the demand for an interim government.

12.22 Aung San Suu Kyi on arrests in March 1989

In an interview on 31 March 1989, Aung San Suu Kyi alleged that more than 160 people had been arrested in connection with anti-military gatherings and speech-making since 14 March. She said more than 60 people had been arrested in the capital and over 100 in Mandalay, and that over half of those arrested in Mandalay and 20 in Yangon were NLD members. The NLD leader estimated that more than a thousand people had been detained for political activities since September 1988, and said she believed many were held without charge and had no access to legal representation. "A lot of people in prison have no contact with the outside world at all," she said. Except for the cases already mentioned, Amnesty International has no further information about any of the arrests reported by Aung San Suu Kyi. In this interview, Aung San Suu Kyi voiced her opinion that arrests in March had led other students to fear they might also be arrested. She also said she believed the March arrests "indicate we are still a long way from the basic freedoms to take us to free and fair elections".

Also in this interview, Aung San Suu Kyi again affirmed NLD unwillingness to dissociate itself completely from the activities of students in insurgent-controlled areas along the Myanmar border with Thailand "The NLD has always said it will never disown the students who have gone across [the border] regardless of what their situation is now." She said this was because, in the NLD's view, "the main reason they went across was that they were denied their democratic freedoms"

13. APRIL AND MAY 1989 ARRESTS IN CONNECTION WITH POSSESSION OF ANTI-GOVERNMENT DOCUMENTS, PERFORMANCE OF ANTI-GOVERNMENT SATIRES, AND MAKING OF ANTI-GOVERNMENT SPEECHES

13.1 SLORC warnings on 7 April 1989

At a press conference on 7 April, a SLORC spokesman said that "some political parties which are demanding human rights most are deliberately violating the very human rights they are demanding,". He warned that the military authorities could not be expected "to tolerate the activities of a group of persons or an organization who are resorting to various means to create disturbances." He said the government believed that some 1,800 students were organized as military units in border areas "operating along with the insurgents in the territories of Mon, Kayin (formerly Karen), Kayah, the Shan State Army, Palaung, Pa-O, and the Kachin insurgents and at the Indian border area." This allegation is understood to have referred to ABSDF claims to have set up more than twenty "battalions" based in minority areas. The SLORC spokesman reiterated the allegation that "there are organizations and persons who have contacts with and who are assisting and supporting these student regiments." He called on them to "Please stay clear of the insurgents, as contacts with them amount to a criminal offence." He also rejected demands for the formation of a coalition or interim government, and declared that "these words and activities are not according to the law and we warn that these persons and organizations engaging in such words and activities could be in danger." He said that "when we can no longer tolerate the situation we will ... take legal action."

13.2 Arrests on 8 April 1989

The next day the authorities detained Thet Tun, the 26-year-old Vice Chairman of the DPNS, and Kyi Myo, its 28-year-old treasurer and a member of its Executive Committee. The official radio reportedly said that they were arrested after patrolling troops found anti-government leaflets, journals and poetry books in their possession, and that they were accused of violating emergency regulations. According to student sources, they were arrested by uniformed and plainclothes military personnel who stopped and searched them as they were going from the Yangon Division office of the DPNS to a bank and discovered they were carrying ABFSU and ABSDF publications. On 14 June 1989, the official radio announced that Kyi Moe had been released on 4 May, and that Thet Tun was released on 13 June. Without saying whether either of them had ever been charged, the broadcast said they had been arrested for carrying documents "defamatory to the government and defence forces". On 5 August 1989 the authorities alleged that Thet Tun, like Moe Thi Zun, had been "recruited" by the communist insurgent underground in 1988. He denied this in a press conference in Yangon on 23 August 1989.

It may have been the arrests of Thet Tun and Kyi Myo which prompted DPNS leader Moe Thi Zun to leave Yangon for ABSDF-controlled areas along the Thai border. He is believed to have fled the capital on 18 April 1989 and to have arrived in an ABSDF area later that month.

13.3 Gatherings on the traditional new year

The arrests of Thet Tun and Kyi Myo were reportedly followed by an official warning that "drastic action shall be taken according to existing laws against all those who fail to abide by the prescribed rules" for the water festival celebrating the traditional Burmese new year. The celebrations, known as the Thingyan, took place from 13 to 17 April 1989.

In past years, the water festival had featured traditional competitions in chanting satires, rhymes and short skits reflecting popular grievances. In 1989, the NLD is said to have hosted competitions among its various township branches to perform the best Thingyan rhymes and skits on the theme of "democracy". The NLD headquarters provided the venue for performances of political satire by some 27 troupes of mostly student artists. Their performances on a makeshift stage set up under the NLD flag in front of the party headquarters reportedly included allusions to human rights violations and corruption by the military authorities. Youthful chanters, both male and female, are said to have satirized what they depicted as a lack of democracy and performed chants urging military authorities to rectify matters as soon as possible. The NLD reportedly did not invite non-NLD groups to participate in the contest because it feared their verses might be too provocatively anti-government, and because it wanted to avoid being accused by the government of trying to coordinate opposition to military rule.

Security units that toured Yangon on 13 April 1989 are said to have appeared at the NLD headquarters in the morning before withdrawing as the crowd grew larger. As the performances began, security forces reportedly arrested seven NLD activists who were returning to Yangon after accompanying Aung San Suu Kyi on a campaign tour in the provinces, but they were later released. They were said to have been temporarily held by a security unit for hoisting the party flag on their vehicle and to have been released when Aung San Suu Kyi interceded on their behalf. An estimated crowd of about 2,000 spectators who gathered to watch the competition reportedly dispersed peacefully after several hours.

13.4 Arrests in connection with new year's gatherings:

Pa Du

There were no other incidents while the Thingyan festival continued. However, in an interview with the BBC on 23 April 1989, Aung San Suu Kyi claimed that 30 NLD members had been arrested during the previous two days, and that those detained had taken part in the traditional chorus chanting of political slogans. Foreign press reports said that those arrested included 14 students. In another BBC interview, on 24 April, Aung San Suu Kyi reiterated that it was not the intention of the NLD "to cause a rift between the Defence Forces and the people, and we do not want the Defence Forces to break up," but complained that "one traditional chorus group after another is being arrested, probably because they criticized the government." The same day, the official radio declared that:

"One political party used the Thingyan festival and tried to create disturbances through anti-government and anti-military chants.... The government will have to take action against any person found violating government decrees, announcements, and regulations; and

action is being taken against some."

On 27 April 1989, a SLORC spokesman declared that "some members of Thingyan water festival chant teams who took advantage of the festival to recite anti-government chants had been arrested." He said the total number of persons arrested was only 11, and that "of these, most were members of the NLD."

Student sources have identified one of those arrested as Pa Du, the 27-year-old leader of the Sanchaung Township chanting team. He is believed to be an NLD member who made his living by repairing and selling used cars. He is said to have been arrested at his home by soldiers of the 22nd Light Infantry Division. After being held overnight at the Sanchaung police station, he is believed to have been transferred to Insein prison, where at last report he was still held. Amnesty International believes he is a prisoner of conscience.

13.5 Arrests on 24 April 1989:

Aung Din and Min Thein Kha

On 24 April 1989 Aung Din, the best-known leader of the ABFSU then still active in Yangon, and Min Thein Kha, a well-known novelist, were arrested. Aung Din, a 26-year-old engineering student, had previously been number three in the hierarchy of ABFSU leadership. He was one of the people named a month earlier by a SLORC spokesman as having participated in "anti-government and anti-military" speech-making in NLD and other party offices between 16 and 20 March 1989. His arrest was first reported by Aung San Suu Kyi, who described him as belonging "to the group of Min Ko Naing". His detention was confirmed by a SLORC spokesman at a press conference on 27 April, who said that "like Min Ko Naing, he was arrested for breaking the law." According to student sources, the authorities had been trying to arrest him since 24 March 1989, and he was reportedly seized by military intelligence agents while riding in disguise on a city bus.

A few hours before his arrest, Aung Din was interviewed by a correspondent of the news agency Agence France Presse (AFP). According to the correspondent's account, the student leader said he was seeking to move Myanmar to democracy by peaceful protest rather than armed activities, and that he wanted to work with the military junta rather than fight it. Aung Din reportedly said he was committed to peaceful action and was allied with students fighting attempts to move towards confrontation with the government. He was quoted as saying that although "all students took part in demonstrations" before 18 September 1988, "We have changed tactics because we believe there is no need now for strikes." He added: "We have demanded an interim government. There are two ways to achieve this. One is to turn to violence. The other one is a political party that will win the election." He reportedly said revolution was a last resort, but opposed this because "armed struggle will lead to suffering and destruction inside the country." Amnesty International considers him a prisoner of conscience.

On 12 May 1989 a SLORC spokesman confirmed the detention of Min Thein Kha, and said he "was arrested for giving speeches aimed at dividing the Defence Forces and inciting unrest." He added that "action would be taken against" him "according to the law". At last report he was detained at Insein prison, and Amnesty International believes he may also be a prisoner

of conscience.

The spokesman also confirmed the detention of the Deputy Chairman of the ABFSU, Ko Ko Gyi. Like Paw U Tun and Aung Din, he had earlier been named as involved in proscribed speech-making between 16 and 20 March, and he has since been accused of having links with the communist insurgency. He had also been named as having participated in a demonstration on 20 March demanding the release of ten students arrested that day. The spokesman declared that legal action was being taken against him because "together with Min Ko Naing", he had "criticized the current government and incited unrest." At a press conference on 16 June 1989, a SLORC spokesman announced that Ko Ko Gyi had been released that day.

14. JUNE 1989 ARRESTS APPARENTLY CONNECTED TO PLANS FOR A SCHOOL BOYCOTT

At the beginning of the second week of May 1989, the official news media announced plans for the reopening of at least some schools in June. All schools had been closed since August 1988. However, an editorial in the official The Working People's Daily newspaper reportedly predicted that "unscrupulous persons and traitors" might try to disrupt the opening of schools and students' education, and warned that "All attempts designed to hinder our children's peaceful pursuit of education must be severely dealt with."

14.1 The ABFSU conference in Mandalay

According to foreign news media reports, many students were opposed to reopening of schools unless detained student leaders were released and the authorities took other measures they felt were necessary to create conditions allowing those students who had fled to border areas to return and resume their studies. On 20 May 1989, the ABFSU convened an All Burma Students Conference at Mandalay University to discuss the government's announced plan to reopen schools in June and how the student movement should respond to it and other government moves. The conference was reportedly attended by student representatives from the Yangon, Mandalay, Magway (formerly Magwe), and Sagaing Divisions and the Kachin and Shan States, and remained in session from 21 to 22 May. It is said to have passed a 19-point resolution, which included demands for the release of student political prisoners, the restoration of freedom of assembly, speech and publication, and lifting legal restrictions it said stood in the way of genuine legalization of student unions. The conference was reportedly divided over whether the ABFSU should request a meeting with the authorities to discuss its demands. Although some participants opposed any contact with the authorities, a committee is understood to have been set up at the conference to attempt to initiate a dialogue with them.

14.2 NLD and other political party endorsements

At least some of the ABFSU's demands were reportedly soon endorsed by the NLD. In interviews both Party General Secretary Aung San Suu Kyi and Party Chairman Tin U said they believed the authorities should create a peaceful atmosphere for the reopening of schools by rescinding Order Number 2/88, releasing student leaders already detained and refraining from further arrests. Former prime minister U Nu, patron of the LDP, reportedly

also called for such moves while urging the army to refrain from any unnecessary violence that could lead to bloodshed and to engage in a dialogue with the A8FSU.

While reiterating her long-standing call for an end to restrictions on freedom of assembly and opinion, Aung San Suu Kyi also continued to counsel students and others against organizing possibly unruly mass gatherings or attacking the military and government unfairly. In an interview on 21 May 1989, she said her speeches explained "that democracy doesn't just mean demonstrations" and that "freedom of speech doesn't mean freedom to abuse anyone you feel like abusing". She said that while "working for basic human rights", she also used her speeches to emphasize the need for "discipline", and that she was committed to working within the guidelines laid down by the military authorities, as long as she was convinced it was ready to hold free and fair elections.

On 24 May 1989 Brigadier General Khin Nyunt held a meeting with Brigadier General Myo Nyunt, Yangon Military Commander, and Dr Pe Thein, the Minister of Education and Health. In a report on the meeting, the official radio said that Dr Pe Thein criticized an unnamed political party for "holding a conference to demand that we do not reopen schools". On 30 May, Dr Pe Thein announced that primary schools would reopen on 19 June. The next day, the official The Working People's Daily reportedly declared that: "Certain elements are opposed to [reopening the schools] simply because they wish to make political capital of the existing situation. They are reported to be planning to make demands which are not concerned with education. Obviously such attempts are designed to hinder children's peaceful pursuit of education."

On 31 May 1989, the NLD reportedly issued a statement in which it declared: "With the present rules and regulations in force, we believe it is impossible to resume peaceful education". The statement also again demanded the release of detained students and restoration of civil liberties, as well as the reinstatement of education staff allegedly fired for participation in the democracy movement.

14.3 Reported arrests on 11 June 1989

A government order officially ordering the reopening of primary schools was reportedly issued on 10 June 1989. The ABFSU Executive Committee reportedly alleged that 15 ABFSU members were arrested the next day, including eight who were taken away from a teashop with sacks over their heads. It appears they may have been arrested because of ABFSU plans to organize school boycotts.

14.4 More SLORC warnings on 13 June 1989

On 13 June 1989, the official The Working People's Daily reportedly warned that "illegal organizations" had held "secret meetings" to plan disturbances. It is quoted as calling for vigilance "against bogus students who infiltrate the student ranks and who actively attempt to disrupt the peaceful pursuit of education by the genuine student mass."

On 16 June 1989, a SLORC spokesman again declared that "some youths and students are preparing to boycott the reopening of schools and incite unrest", and warned again that the authorities would "not remain

indifferent to those wanting to disrupt the reopening of schools." He said that student organizations should "be involved only with student affairs", with "non-political student and civic affairs", and should not "operate under the influence of political parties".

14.5 Arrests on 27 June 1989:

Nyo Tun and Zaw Zaw Aung

On 26 June 1989, 24-year-old Nyo Tun, an ABFSU Central Executive Committee member who had become its temporary Chairman after the arrest of Paw U Tun, reportedly declared at a press conference that students were planning to launch a nationwide movement if military authorities continued to reopen schools without acknowledging students' demands for democracy and basic human rights. According to student sources, Nyo Tun had previously been ABFSU General Secretary, and had been very active since March 1989 organizing student activities at the high school and university levels, both in Yangon and in other towns. On 5 August 1989 Brigadier General Khin Nyunt accused him of having worked for the the communist insurgent underground since 1988, but student sources have denied this and the allegations are not known to have been proven in a fair trial.

According to reports Nyo Tun told the 26 June press conference: "The reopening of schools without first solving the current political situation cannot assure peaceful pursuit of studies under secure conditions." He expressed the belief that if the military government was motivated by sincere goodwill in reopening Myanmar's schools and universities, it should heed a call by students for dialogue. He also declared that pro-democracy students should consider dialogue with the military government not as a surrender to them, but "carrying on the fight at the conference table." He and other students reportedly said the movement they were planning would involve organization, propaganda and dialogue aimed at achieving demands for revoking repressive laws, the release of students and political prisoners as well as ensuring basic democratic and human rights.

The next day, the authorities reportedly arrested Nyo Tun and Zaw Zaw Aung, another well-known ABFSU organizer who has also since been accused by the authorities of involvement with the communist insurgent underground. They reportedly also arrested a third student, a member of the People's Progressive Party (PPP) and a member of another legally-registered political party, the National Democratic Front (NDF).

On 5 and 6 July 1989, according to foreign news media accounts of a broadcast by the official media, eight students who had been arrested for "anti-government activities" or "failing to report to the authorities after returning from rebel-held areas" were released. Among the names mentioned was Nyo Tun. It appears, however, that the Nyo Tun mentioned is not the ABFSU temporary chairman, but someone else with the same name. Despite the allegations of their links to the communist insurgency, Amnesty International believes Zaw Zaw Aung and Nyo Tun may be prisoners of conscience, detained solely for their non-violent student leadership activities, without having used or having advocated violence.

15. MAY AND JUNE 1989 ARRESTS CONNECTED TO RESTRICTIONS ON PRINTING, PUBLICATION AND DISTRIBUTION OF DOCUMENTS

At a press conference on 26 May 1989 SLORC officials drew the attention of the student and political groups to the Law for the Registration of Printers and Publishers. The official radio said that they "explained the ... requirement to observe" this legislation. That same day, according to NLD Chairman Tin U, the authorities allegedly detained six people who had pasted posters on trees in Yangon proclaiming support for the student democracy movement in China. It is not known whether they have been released.

The government announcement was seen by some observers as an attempt to enforce an official monopoly on the news media and to restrict the distribution of handbills and booklets by "underground" student groups and by legally-registered political parties alike.

On 6 June 1989 Brigadier General Phone Myint, the Minister of Home and Religious Affairs, issued a directive drawing attention to Regulations Number 18 and 19 of the 1962 Law and to the 1977 directive modifying the law to require the submission of manuscripts to the authorities for approval. Declaring that "at present, some printers and publishers and organizations and individuals engaged in printing and publishing" were not abiding by these, the Minister said that after 6 June "effective action" would be taken to enforce them.

On 14 June 1989 Director General of the national police, Colonel Thura Pe Aung, convened a meeting of 838 printers and publishers attended by Ministry of Home and Religious Affairs officials at which he again announced that the rules on publication would be enforced and that all documents must be censored before publication. According to an account of the meeting broadcast the next day by the official radio, Colonel Thura Pe Aung said the meeting was being held in order to "remind printers and publishers to strictly abide by" the directive of 6 June. The broadcast said he "recalled that some printers, publishers, and organizations have in recent times been printing and publishing whatever they wish by ignoring" the rules and regulations, and that "many organizations are distributing posters and handbills at will among the public." Moreover, "some organizations, without prior approval from the authorities, have been writing, printing, publishing, and disseminating handbills, pamphlets, and posters which generally contain views that slander or attack the SLORC, the Government or the Defence Forces." He said: "Strict, effective, and decisive action" was to be taken "against all printers, publishers and press owners who do not strictly abide by" the directive of 6 June, with legal action being "taken today" in some cases.

15.1 Arrests on 14 June 1989

On the night of 14 June, according to foreign press reports citing diplomats in Yangon, more than 10 publishing houses were raided, and some printers of political pamphlets were taken into custody. Their current status is unknown.

On 27 June 1989, the official radio broadcast an announcement from Brigadier General Khin Nyunt that in addition to the 226 political parties that had registered with the Commission for Holding Democratic Multi-Party Elections and 57 other "social organizations" that had registered "with the

Ministry of Home and Religious Affairs in accordance with the Registration of Associations Law," there were also 48 "illegal organizations" and 51 "other bodies that go under the name of student organizations" that had "not registered" and were "illegally printing and publishing documents, books and other printed material aiming to disrupt law and order and regional tranquility and to oppose and defy the state government". The broadcast warned that: "Effective action will be taken, in accordance, with the law, against illegal organizations that have been operating, organizing and illegally printing and publishing documents without registering", and that: "Action will be taken, in accordance with the powers bestowed under martial law, should authority be challenged with the intention of opposing the government's warning."

15.2 Aung San Suu Kyi's response to the restrictions

In an interview on 5 June 1989, Aung San Suu Kyi said she believed that the NLD and other legally-registered political parties had the right to publish documents, and that her party would continue to do so since this was its main form of communications with the public. In a subsequent interview, she accused the authorities of trying to curtail legitimate NLD activities, declaring that "They are just trying to stop us publishing papers and getting them out."

After General Phone Myint's directive was announced, the NLD reportedly characterized it as an "unlawful command". It is said to have insisted that the original 1962 law should be interpreted as giving political parties the right to print and publish freely, and that it would therefore ignore the authorities' efforts to require it to obtain their approval before publishing party materials.

16. JUNE 1989 ARRESTS IN CONNECTION WITH MEMORIAL AND CAMPAIGN GATHERINGS ORGANIZED BY STUDENT GROUPS AND LEGALLY-REGISTERED POLITICAL PARTIES

Early June 1989 was marked by other disagreements between the SLORC and the NLD and also by the authorities' formal severing of links with the DPNS. By mid-month, the NLD and student groups, together with some other political parties, had reportedly decided to resume organizing mass gatherings to mark anniversaries, as well as political rallies. These led to a new wave of arrests in June and July 1989.

16.1 Disagreements over continuation of the martial law regime

On 2 June 1989 military spokesmen announced intentions to keep the martial law regime in place even after the elections scheduled for May 1990. They said it would stay in power until after the parliament elected could agree to a constitution and a government could be formed on the basis of that constitution. They also said that Order Number 2/88 and other martial law provisions would remain in force even during the 90-day period of campaigning for the elections, if the authorities deemed that attempts at "inciting disorder" were continuing. On 5 June the NLD denounced the announcement. Party Chairman Tin U described the military's position as a "senseless" delaying tactic to prolong its power, and said that if it stayed in power after the elections this would be tantamount to "ignoring the people's mandate". Aung San Suu Kyi declared that the NLD could not

participate in the elections "until the question of power transfer is resolved"; and that the NLD had "always said and accepted the fact that there are officers within the Defence Forces who are good, who prefer freedom of movement for democracy in accordance with the people's desire, and who wish the Defence Forces would remain neutral with dignity". Declaring that the NLD had "no desire whatever to confront the Defence Forces", she stated: "We have said repeatedly that we are unhappy with only some of the officers in the SLORC, the regional LORCs, and the Defence Forces who are resorting to dirty tricks to attack the movement of the people."

16.2 Severance of official contacts with the DPNS

Also on 5 June 1989, the authorities announced that they were suspending legal contact with, but apparently not legal recognition of, the DPNS. According to an official radio broadcast, the Commission for Holding Democratic Multi-Party Elections declared that it "had been making legal contacts with the DPNS", but that "subsequently, DPNS Chairman Myo Than Htut alias Moe Thi Zun, resigned from the chairmanship, withdrew his party membership, and went underground". It said that since his resignation, two factions had emerged within the DPNS, one led by General Secretary Moe Hein, the other by Joint General Secretary Aung Zeya, and that because of this, there was no one to act as legal guarantor of the party. Therefore the commission had "decided to temporarily suspend all legal contacts with that party."

16.3 Temporary detention of Cho Cho Kyaw Nyein

On the afternoon of 16 June 1989, military intelligence agents reportedly detained for interrogation Cho Cho Kyaw Nyein, General Secretary of the Union of Burma Main Anti-Fascist People's Freedom League (UBMAFPFL). On 20 June Cho Cho Kyaw Nyein told journalists that "I was called away by military intelligence officers ... saying they wanted to have a 'respectful discussion' with me, but I was subjected to a gruelling non-stop overnight interrogation." She said she was taken by three military intelligence officials to the headquarters of the National Intelligence Bureau (NIB) at three in the afternoon and not released until 21 hours later. "What they wanted to know is my links with students - if I have been supporting them or encouraging them to foment trouble - and my relations with foreign diplomats," she said. She added she thought the authorities were concerned about a possible recurrence of student gatherings in the next several weeks as student activists were planning further memorial ceremonies. She said the authorities appeared to believe that she and Aung San Suu Kyi were "the two main persons the students look up to most, and that without our support, they would become helpless". She reportedly also said that although she was fully sympathetic towards student activists, she had discouraged them from resorting to arms. Speaking of her treatment during questioning, she claimed "I was interrogated the whole night, the interrogators taking turns after an hour or so, and by about dawn the next day, my head was in such a whirl that I did not know if I made any coherent replies to their questions." She concluded that: "I am the leader of a legally registered political party, so the treatment meted out to me could also be meted out to other political leaders."

16.4 ABFSU-NLD Youth joint press conference

On 19 June 1989, the ABFSU and youths from the NLD reportedly held a joint press conference at which they announced they would hold memorial ceremonies on 21 June. These gatherings were to mark the death of at least three students killed on the same date in 1988 during violent clashes between students and riot police near the Myenigon traffic circle in the capital. Student groups have persistently said that several students were killed on 21 June 1988 at the circle, although the authorities deny this. They agree, however, that clashes occurred when security forces attempted to break up marches by demonstrators from high schools and universities. According to reports the demonstrators were putting up posters, distributing leaflets and making speeches demanding the release of all students then detained by the government, the launching of a government inquiry into earlier killings of students, permission to set up an independent student union, and the reopening of universities ordered closed by the government the previous day.

16.5 Memorial ceremonies on 21 June 1989

On 21 June 1989 students and the NLD proceeded with their plans to hold the first memorial ceremonies in Yangon since March. Student groups reportedly organized similar memorial gatherings in Mandalay and other towns.

On the morning of 21 June, the authorities reportedly prevented a group of students from occupying the campus of Yangon University, one of the universities ordered closed on 20 June 1988. The official radio said that: "about 30 youths bent on creating disturbances tried to enter the Yangon University campus. But as the university authorities refused them permission, they distributed pamphlets at Kamayut intersection. Security personnel arrested a disturbance maker with 24 pamphlets inciting trouble". His current status is unknown.

Also that morning, according to the official radio, "a memorial under the auspices of Tin U ... and ... Aung San Suu Kyi ... was held at the NLD Yangon Division headquarters ... to commemorate the events at Myenigon Circle Agitating speeches were delivered at the ceremony attended by about 400 people." The broadcast said Tin U and Aung San Suu Kyi then went to the NLD branch headquarters in Sanchaung Township" where "a similar ceremony to deliver agitating speeches was once again held" and attended by "about 500 people". According to unofficial reports, a religious ceremony to honour the dead was held at this branch NLD office while army vehicles full of troops attempted to scare away the crowds. They drove up and down the streets at high speeds as an officer shouted "animals, get back" through a loudhailer. According to a later statement by a spokesman of the Ministry of Defence, Aung San Suu Kyi made what he characterized as an inflammatory speech.

16.6 Security force shootings, the temporary detention of Aung San Suu Kyi and other arrests on 21 June 1989

The official radio said that after the gathering at the NLD's Sanchaung office, "about 100 people who left the ceremony proceeded to Myenigon Circle" where "four or five persons placed bouquets, raised a flag, and chanted slogans". It said that "security personnel arrested

three of the disturbance-makers", while unofficial reports quote eyewitnesses as saying "about a dozen" people were arrested. The radio said that "while the disturbances were taking place", security forces also "fired five shots to warn and disperse the crowd." According to the broadcast, Aung San Suu Kyi then arrived in a car from which she emerged and "placed a basket of flowers". It said "members of the security unit stopped the car" and asked her "to go with them the Sanchaung Township LORC Office", where she was "warned not to create disturbances" and then released. According to another official report, she was also warned "not to stimulate the people to act against the government again." The three people arrested earlier apparently remained in detention, but their current status is unknown.

According to the official broadcast, while Aung San Suu Kyi "was taken to the township council office and was meeting with responsible officials, about 100 persons on the other side of Myenigon Circle shouted and charged at security personnel with what appeared to be an intent to attack the security personnel. One of the security personnel fired three shots to stop the charge." It said "one person was killed and one was wounded by the shots." According to foreign news media reports, which generally repeat the official version of the incident, the dead man was a 36-year-old worker and member of the pro-government National Unity Party, successor to the formerly ruling Burma Socialist Programme Party (BSPP).

Aung San Suu Kyi later reportedly said she was detained for 15 minutes at a local office of the LORC. She condemned the military for resorting to arms to stop what she said had been a "peaceful" wreath-laying ceremony. "If the military resort[s] to arms every time anniversaries are held for those who died during pro-democracy movements, the shedding of blood will never end," she said. She claimed that the authorities were "trying to imply that we were trying to incite unrest, but it's nothing like that We are not interested in that." She continued that: "Unless there are human rights and democratic freedoms, I don't think these elections are going to be the kind of elections we want We just want to get on with normal campaigning," adding that she planned to leave on 23 June for a two-day tour of Bago.

16.7 22 June 1989: SLORC announces continued tight control and attacks Aung San Suu Kyi

On 22 June 1989, the SLORC Information Committee held one of its regular news conferences. According to the official radio, in "discussing the NLD's attempts to create violent disturbances recently and the incident at the Myenigon intersection on 21 June, members of the Committee said the state had obtained information earlier that some NLD members were trying to create disturbances while laying wreaths." They said that "a few days ago" the authorities "noticed that not only the youths but also a major political party had become involved in agitating disturbances", adding that the NLD had said it was going to "hold commemorative events in July and August to mark the incidents which have happened." They said that because of this the SLORC had given up on the idea of "permitting registered political parties to print and publish party papers without official scrutiny", adding, "it appears we shall have to continue our tight control as long as constant efforts are being made at every available opportunity to speak out against the government and Defence Forces, to divide the Defence Forces, and to agitate disturbances." It also said that as long as "some parties" declared "their intention to create disturbances in July and

August, we are unable to lift Order Number 2/88 and Notification Number 8/88."

The broadcast referred to a variety of alleged statements and activities by Aung San Suu Kyi and "NLD youths" since as early as the end of 1988. It said these not only showed an intent to create disturbances and divide the armed forces, but also were offensive to Buddhism, the national religion.

It said that on the occasion of the 3 December 1988 celebrations of Myanmar's National Day, Aung San Suu Kyi had asked: "Who is the Buddha?", and replied "He is an ordinary person like us." It went on to say that the press conference convened by "NLD youths" and the ABFSU on 19 June 1989 and held "in the conference hall of the home of Aung San Suu Kyi", some speakers had said that if the government's decision change "B" to "M" in the transliteration of the country's name (from Burma to Myanmar) were applied to the name of the Buddha, it would become "moatta", the Bamar (formerly Burmese or Burman) word for testicle. The SLORC spokesman declared that Aung San Suu Kyi was "the teacher of those youths", and described this alleged remark as "a profound insult to all Buddhists".

The SLORC added that the authorities had "learned" of a "person in religious robes", a term apparently referring to Buddhist monks whose activities it considered improper, who was "instigating unrest in the Mandalay area." It said he was "connected with political parties" and that his activities "undermine religion".

Turning to "the matter of dividing the Defence Forces and the people", the SLORC broadcast cited two occasions on which it said that Aung San Suu Kyi had made "remarks ... to divide the Defence Forces personnel aimed at breaking up the Defence Forces and sowing dissension between them and the people". It said that at a meeting in the NLD Township Office in Syriam on 18 March 1989, she had said:

"There are two sides within the Defence Forces; one side represents the Defence Force personnel who honorably stand on the side of the people, while the dishonorable ones only strive to prolong their hold on power. We shall have to do a lot to influence them. Some stand openly on the side of the people while others do so in a reserved way, and there are also others who oppose the people."

It said that at a meeting at the NLD Township Office in Kemmendine on 14 June 1989, she said "the Defence Forces are divorced from the people and are also divided within because they have been used to preserve the power of U Ne Win", the retired Chairman of the formerly ruling BSPP who many critics of the SLORC reportedly believe dominates it from behind the scenes.

The broadcast also accused Aung San Suu Kyi of "obstructing the reopening of schools" and of "implying" that students should wage "struggle ... whether schools are open or not". In this connection it cited remarks made by her on three occasions. It said that while in Myitkyina, the capital of the Kachin State, she had said that "the issue of the reopening of the schools should be reconsidered as it could give rise to renewed disturbances". It said that on 15 May 1989 in Madaya, she had said that "there could be a problem when the schools reopened", and that several

problems "should be resolved before the schools reopen". It said she had "made several demands for the removal of notifications, decrees and prohibitions of the SLORC which could obstruct education", and that she had stated that "schools should be reopened only after these demands are met". It said that on 14 June she had said that "when the schools reopened she would not like to tell the students either to attend or not attend," but that "those who attend schools as well as those who do not attend schools are to wage a struggle for democracy".

Turning to the most recent period, the broadcast said that there had been a meeting on 17 June 1989 at the Sanchaung Township office of the NLD at which it had been stated that "saying martial law was still in force was tantamount to a threat against the people", that "the people wanted democracy but were given only bullets", that "it was the duty of everyone to oppose laws which were unjust", and that "although the threat to use guns is increasing, people should not be afraid of the situation." It said that at an NLD "township congress meeting" held the same day at the party's South Okkalapa headquarters, Aung San Suu Kyi had "said that the people should observe laws that are just but should not obey laws that are unjust", and that "the NLD would stand on the side of the people and defy authority", and further that she had generally "made remarks fomenting disturbances and encouraged the people and children to defy authority."

The broadcast said the authorities had "learned" on 18 June 1989 that "a meeting headed by NLD youths was held in Lanmadaw Township", at which there "was discussion about the secret formation of hardcore suicide squads". It said these youths said they had "been asked by their leaders to wait, but being young they cannot, and there is only one way to go - to defy the authorities." It said the meeting discussed "plans to hold street demonstrations" to "defy authority", and that it was decided that the suicide squads would "not run away but ... sacrifice their lives when they are shot at".

The broadcast reported that the SLORC Information Committee had stated that the "modus operandi" of the NLD was "just like" that of the outlawed Communist Party of Burma (CPB), various factions of which have been waging an armed insurgency against the government for more than 40 years. The radio said the NLD was "fomenting disturbances and creating unrest ... just like the CPB had done during the time of General Aung San", "when they surrounded a place here and there and looted rice". This apparently refers to alleged communist activities in the period immediately after World War II, before some communists turned to open insurrection.

The broadcast said the authorities had identified 94 "illegal organizations" and called on political parties to "act properly and avoid contact with these organizations". It also again called on them not to "foment disturbances in the country", and warned "if such activities are continued, harsh action will be taken against those who are responsible."

16.8 NLD denials of links to the communist insurgency

According to foreign news media reports, the broadcast's likening of the NLD's methods to those of the CPB coincided with the launching of an official publicity campaign describing Aung San Suu Kyi as a "red" and emphasizing that several other members of the NLD leadership had once had communist links. She reportedly told journalists in reply that she and her party were anti-communist. She is quoted as saying, "What this campaign is

all about is a fight against socialism." On 1 July 1989, she reportedly admitted that some NLD figures had previously been communists or had communist connections, but said that all of them had already rejected this ideology and were no longer communist party members. She is quoted as saying that "I don't think there are any there are any real communists left [in the NLD]. They may have been communists in the past, but I think that after the country's experience of U Ne Win's Burmese Way to Socialism, every kind of 'ism' is really out of favour."

The allegation that Aung San Suu Kyi was a communist or communist sympathizer was also denied by former DPNS Chairman Moe Thi Zun in an interview on the Myanmar-Thailand border. He reportedly said that he believed the military authorities was unable to differentiate between opposition based on communism and opposition based on nationalism. He claimed that they had "always tried to discredit any opposition group" by allegations of communism, and said that, "for instance", they had claimed that "all ... student uprisings ... were instigated by the communists." He said that this was not true, and that Aung San Suu Kyi and student leaders like himself were "nationalists and not communists."

16.9 A gathering on 23 June 1989

On 23 June 1989, some 2,000 young people reportedly rallied outside Yangon General Hospital in the central part of the capital in reaction to military spokesman's comments about Aung San Suu Kyi and the NLD the previous day. Some members of the crowd said they had been attracted to the rally site by rumours that Aung San Suu Kyi was going to speak. In fact she had gone to Bago as previously announced, and the NLD denied promoting the gathering. Some members of the crowd reportedly taunted truckloads of armed soldiers who sealed off roads in the hospital area. Some 500 troops reportedly took up positions near the hospital and put up barricades closing off several streets. Army vehicles fitted with loudspeakers toured the area broadcasting reminders that Order Number 2/88 and other martial law restrictions remained in force, but troops made no move to disperse the crowd.

16.10 Arrests on 23 June 1989:

U Kaweinda and Ko Thant Sin alias Ko Thant Zin

Also on 23 June, according to a later broadcast by the official radio, "a youth group went around Mandalay distributing pamphlets that urged the people to stage demonstrations", and "about 20 people who wished to hamper efforts to establish a multi-party democratic system marched around" a Mandalay market "flying the fighting peacock banner". (The peacock banner was a symbol of the national independence movement and has been adopted by students and others as a symbol of the democracy movement.) The broadcast said security forces first chased the group into a market and "then proceeded to the Payagyi Pagoda compound where they found and arrested 31 people who wished to hamper efforts to establish a multi-party democratic system". It said those arrested included one "robed person", U Kaweinda, and Ko Thant Sin alias Ko Thant Zin. It said security forces confiscated "two fighting peacock banners, one Mandalay District Students Union headband, 10 posters slandering the government and the Defence Forces [and] about 1,000 pieces of red cloth to be used by people joining the disturbances". According to the broadcast, 14 of the 31 detained "had been

misled" and were therefore released, but "legal action" had been taken against the remaining 17, including the monk, U Kaweinda. He was said to be "the leader fomenting unrest and distributing anti-government papers". On 5 August 1989 Brigadier General Khin Nyunt alleged that as of the middle of 1988, Ko Thant Sin alias Ko Thant Zin had been the "chairman" of the communist insurgent organization for upper Myanmar, but this accusation has evidently not been proven in a fair trial. As far as is known, Ko Thant Sin, U Kaweinda and the other 15 are still held, and Amnesty International is concerned that they may be prisoners of conscience.

16.11 Aung San Suu Kyi's 26 June 1989 press conference announcing plans for anniversary gatherings

On 25 June 1989 the official radio announced that starting that evening military vehicles would again be touring the streets in Yangon, as well as other towns, broadcasting the texts of Order Number 2/88 and Notification Number 8/88 "in order to prevent untoward incidents from taking place as a result of the instigation of unscrupulous people who want to obstruct and disrupt the tranquility and law and order of the country as well as the peaceful lives of the people".

However, at a press conference held at the NLD headquarters on 26 June 1988, Aung San Suu Kyi reportedly announced that the NLD was going to continue to hold memorial and anniversary ceremonies. She said there were plans to have such gatherings on 7 July, the date on which in 1962 military forces blew up the headquarters building of the student union, resulting in the deaths of a number of students; 19 July, the date on which in 1947 her father and other leaders of Myanmar's independence movement were assassinated and which the government has regularly marked with official Martyrs Day ceremonies; on 8 August, the first anniversary of mass marches and a general strike against military rule which ended in numerous deaths when security forces opened fire on demonstrators; and 18 September, the first anniversary of the reimposition of military rule. She reportedly said that basic human and democratic rights were currently "being eroded bit by bit" and "repressive acts [were] getting worse", so it was the duty of everyone to "defy unlawful commands in the present struggle for democracy". She also reportedly vowed that she and the NLD would be "disciplined and systematic"; specifying that "We shall not resort to unjust or secretive measures or instigate violence." She reportedly denied that she was trying to split the military, but reiterated her belief that "some elements in the military and SLORC were against all forces of democracy" and aimed to enable former BSPP leader general U Ne Win "to retain power". She said it was "the opinion of all our people that U Ne Win is still creating all the problems in this country."

16.12 30 June 1989: More SLORC attacks on Aung San Suu Kyi and the NLD

At a press conference on 30 June 1989, a SLORC spokesman reiterated the authorities' view that "the activities of the NLD" were "defying authority in violation of Orders Number 2/88 and 8/88", and he described a series of incidents between 21 and 29 June to illustrate this. He said that there had been "a problem in Myenigon on 21 June because of an instigation by [the NLD] to create disturbances", while announcements and rumours that Aung San Suu Kyi would speak at various places in Yangon on 22 and 23 June had led to people gathering and putting up signs and flags welcoming her. Noting that she had in fact gone to Bago on 23 June and returned to Yangon

the next day, the spokesman said that "everywhere she went she advocated defiance against authority." He added "similar activities of an illegal nature were carried out by a youth organization in Mandalay on 24 June", when "about 50 youths hoisted the peacock flag and sang the national anthem" and then "fled amidst commotion when our security forces arrived." He said that also on 24 June "another youth organization gathered in Payangyi and delivered speeches."

He said that on 25 June 1989 "about 2,000 people listened to the general secretary deliver a speech at the township office of the NLD ... in Insein". (According to unofficial reports, army and police obstructed crowds of other people who wanted to attend this rally).

The SLORC spokesman described two incidents on 29 June 1989. At one "about 500 people attended the inauguration of a new office of the NLD ... in Tamwe", and that after "attendance grew to 1,000 people", Aung San Suu Kyi "delivered a speech". Then "the township LORC announced through loudspeakers not to violate Order Number 2/88, and the crowd dispersed." At the second incident NLD Chairman Tin U "delivered a speech at the office of the National Politics Front ... Tamwe" to an audience of "about 700 people". Aung San Suu Kyi then delivered a speech "and the crowd grew to about 2,000". Security forces arrived "because Order Number 2/88 was being violated, and the crowd dispersed within 20 minutes." The spokesman said that although Aung San Suu Kyi "did not attack the security units in her speeches", the various incidents showed "disturbances are being instigated in violation of Order Number 2/88 in Yangon as well as in the provinces," adding that "printed materials distributed during these campaigns and press conferences contain calls to defy authority." He warned that the NLD's "defiance of authority is not acceptable to the Defence Services," and that "effective action will be taken against those involved in instigating disturbances".

16.13 28 June 1989 arrests

U Aung Lwin

At the same press conference of 30 June, the spokesman announced that "U Aung Lwin from the NLD and three leaders of the ABFSU have been arrested as a preventive measure." This suggested that the four were being held under the preventive detention provisions of the 1975 State Protection Law, but the official news media have subsequently said that action was taken against U Aung Lwin under different legislation, which was not specified.

An NLD spokeswoman later said U Aung Lwin had been arrested on 28 June 1989. In a 30 June statement, she claimed the well-known actor and founding member of the NLD Executive Committee was surrounded by 15 to 20 plainclothes security officials on a Yangon street, and that they beat him, put a bag over his head and made him lie handcuffed face down in a truck. Describing him as the party's "information officer", she said it had no official word of where U Aung Lwin had been taken for detention. Her statement reportedly criticised his arrest and that of Nyo Tun and other political party activists on 27 June as a "manifestation of political persecution" by the military authorities, and demanded the immediate release of the detainees.

Student sources say that a son and daughter of U Aung Lwin had been arrested in March 1988 during the first public demonstrations against

military rule, and that both had taken "a very active part" in the student movement. U Aung Lwin's son, Than Kyaw Maung, had been one of the 21 members of the Central Executive Committee of the ABFSU. They say U Aung Lwin often provided financial help to students in need, and that students frequently approached him and asked him to present their views on various questions to Aung San Suu Kyi. Amnesty International believes he is a prisoner of conscience.

17. JULY 1989 ARRESTS IN CONNECTION WITH MEMORIAL AND CAMPAIGN GATHERINGS ORGANIZED BY STUDENT GROUPS AND LEGALLY-REGISTERED POLITICAL PARTIES

17.1 Aung San Suu Kyi again criticizes U Ne Win and denies communist influence

In an interview about this same time, Aung San Suu Kyi continued her criticisms of U Ne Win and again denied allegations of communist influence over the NLD. She said that in her view, U Ne Win had "done enough to ruin the country", but described him as a "megalomaniac" who would "do anything to keep himself in power". She said allegations about communist influence were part of an effort by some military leaders to create suspicions about her and the NLD among other elements in the army, explaining that, "having fought the communist insurgents for years and years and years, the army has very strong feelings about communism."

17.2 The NLD gathering on 2 July 1989

On 2 July 1989 Aung San Suu Kyi reportedly spoke to a peaceful gathering of some 3,000 people. About 100 NLD members are said to have urged the crowd to refrain from causing any disturbances and to have directed traffic. Student activists were apparently absent from the gathering, and there was no shouting of slogans or any expression of anti-government sentiment. In her speech, Aung San Suu Kyi reportedly made no direct criticism of the military government, but objected to the authorities' restrictions on the publication of printed material.

17.3 Arrest on 2 July 1989:

U Yan Kyaw alias Ko Yan Kyaw

No arrests were reported as having taken place at the 2 July rally. However, according to reports received by Amnesty International, on the same day the authorities arrested U Yan Kyaw alias Ko Yan Kyaw, Chairman of the Graduates and Old Students Democratic Association (GOSDA), at his home in Yangon. As far as is known, he is still detained, and Amnesty International believes he may be a prisoner of conscience.

17.4 NLD gathering on 3 July 1989

On 3 July 1989 Aung San Suu Kyi reportedly spoke to a peaceful gathering of some 10,000 people who assembled near Sule Pagoda Road in Yangon's Pabedan Township. Hundreds more people are said to have crowded the balconies of buildings along the street as Aung San Suu Kyi spoke from

the township NLD office. She is said to have urged military authorities to meet political parties to "thrash out existing misunderstandings" and "to use political means to solve political problems rather than the force of authority". She is said to have pointed to the peaceful crowd as proof people did not want violence, declaring: "If there is no provocation, people can gather peacefully without any disruption". She exhorted the crowd to support the movement for democracy "with discipline and courage", and neither to expect to "get democracy overnight" nor to settle for "pseudo-democracy".

Aung San Suu Kyi's 3 July call for a dialogue between political parties and the military authorities came on the same day that she was reportedly designated by a group of opposition parties as their representative for such talks. In a statement issued that day, the parties declared their belief that the chances for elections in May 1990 were "in danger of fading away" because of what they described as the "repressive actions of the SLORC". The statement reportedly said a "timely and suitable political solution" needed to be found to "prevent further deterioration of the situation" and called for a dialogue "as a first step" towards this.

17.5 Arrest on 4 July 1989:

Win Tin and U Ngwe Hlaing

On 4 July 1989, according to foreign news media reports, the authorities arrested Win Tin, like U Aung Lwin, a member of the NLD Executive Committee. Ngwe Hlaing, a member of the Yangon Division NLD organizing committee is thought to have been detained about the same time. Although Amnesty International is unaware of SLORC statements concerning the political background of U Ngwe Hlaing, Win Tin was the object of considerable comment by the SLORC in the immediate aftermath of his arrest.

On 5 August 1989, Brigadier General Khin Nyunt, SLORC Secretary 1, gave a news conference at which he reportedly showed journalists documents and photographs which he said proved the NLD was under the influence of the Communist Party of Burma (CPB). According to official radio broadcasts detailing Khin Nyunt's allegations, the brigadier general said Aung San Suu Kyi and the NLD were being used by the insurgent CPB in plans to coordinate political action with guerrilla warfare to overthrow the government.

Khin Nyunt also said that Aung San Suu Kyi was "urged" and "guided" into politics in August 1988 by "politicians" of "the leftist tradition", and four leftist "members of the literary and artistic circles" who became members of the NLD Central Committee or this body's Executive Committee including Win Tin. He also said that Win Tin was an official patron of the National Politics Front (NPF), which he alleged was almost entirely led by CPB underground members.

The brigadier general said that on 18 April 1989, NLD Chairman Tin U and Executive Committee member Win Tin had attended a meeting of 18 legally-registered political parties to discuss the setting up of an "organizing committee", evidently to coordinate opposition activities, and that this body was eventually set up on 29 June 1989. He said that in May, after Aung San Suu Kyi was given "a warm and enthusiastic welcome" in Mandalay by the NPF, this allegedly communist-controlled party made contact with the NLD with a view to establishing a "joint action committee",

evidently with the same purpose. He said that at the end of May, Win Tin urged that the NLD adopt civil disobedience to defy martial law. He noted that in so doing Win Tin cited the works of the philosopher Henry David Thoreau and the example of Mahatma Gandhi.

Despite the stated political motives for Win Tin's arrest, and SLORC's allegations that he and other NLD leaders were guilty of political offences, authorities announced two months later that he was to be charged with a common criminal offence. The new accusation - and prosecution - appears to have been intended both to justify his detention and to impune his reputation. He was alleged to have offered hospitality to an NLD member whose companion had allegedly undergone a criminal abortion - on these grounds he was accused of sheltering a criminal. Ngwe Hlaing, who had also allegedly known the same man, was charged with the same crime. Both were sentenced to three years' hard labour by a court in Insein Central Prison on 3 October 1989. In a press conference on 9 September 1989 SLORC Secretary 1 Brigadier General Khin Nyunt stated that "U Win Tin was put up for trial not because of a political offence but because of his having committed a criminal offence. Giving protection to a person involved in the criminal abortion such as hiding him is an act which ought not to have been done by a person who is serving as a secretary of a political party with the aim of becoming the leader of the nation one day."

Although the sentence was handed down under section 216 of the Criminal Procedure Code, which establishes sanctions for "harbouring an offender", Amnesty International believes the arrest and prosecution of the two men was motivated solely by their lawful leadership role in a major opposition party and not for any real criminal act or commission. Amnesty International believes the two men are prisoners of conscience and has called for their immediate release.

Amnesty International is not in a position to fully assess the various accusations regarding efforts by CPB elements to promote or manipulate the NLD. However the organization considers that they do not contain information leading it to alter its conclusion that Win Tin and Ngwe Hlaing are prisoners of conscience held for their non-violent opposition activities.

17.6 NLD gathering and General Saw Maung's press conference on 5 July 1989

On 5 July 1989 Aung San Suu Kyi spoke to a crowd estimated at more than 10,000 people who gathered in Yangon's Chinatown district. She reportedly reiterated demands for democratic change and protested against harassment and arrest of NLD members.

That same day, SLORC Chairman General Saw Maung held a press conference. Declaring that "today's youths should be taught to obey law and order", he alleged that the NLD was instead advocating that they "defy all forms of authority". Addressing himself directly to Aung San Suu Kyi, he said: "Please do not do this. Please do not infringe Order Number 2/88. Please do not infringe 8/88. Please observe regulations on printing and publication." He also called on students and political parties to "forget about commemorating 7 July", adding "it will serve no purpose".

17.7 NLD gatherings on 6 July 1989 and student demonstrations on 7 July 1989

On 6 July 1989 Aung San Suu Kyi gave speeches in Yangon's Pazundaung and Bothathuang Townships, which she estimated attracted audiences of 10,000 to 20,000. In these speeches, she reportedly asked NLD followers to continue to adhere to a "peaceful, non-confrontational" struggle for democracy. Declaring that the party was planning to go ahead with memorial activities on 7 July, she said they would be peaceful and that their purpose was not "to make confrontation". Instead, she said, "the spirit to hold the commemoration is just so we can take lessons from the past."

On 7 July 1989 a group of students variously reported as numbering several hundred to a thousand people are said to have tried to enter Rangoon University campus to lay wreaths where the student union building had been, but were prevented from doing so by riot police and troops, who also closed off roads around the campus. The students are said to have performed a Buddhist ceremony outside the grounds in memory of those allegedly killed in 1962. They then reportedly dispersed peacefully, and the army cleared hundreds of onlookers who had gathered in hopes of watching the wreath-laying on campus from the boulevard that runs alongside the campus. One group of students and others who left the campus area apparently gathered again later in the town centre but were again dispersed. Elsewhere in the capital, groups of up to several hundred students reportedly chanted the slogans of 1988 demonstrations and, according to foreign press reports "played cat and mouse" with armed troops. These mostly high school age youths are said to have held snap demonstrations at which they shouted slogans and distributed anti-government leaflets before scattering at the approach of mobile security units. The official radio described three ten to fifteen-minute gatherings just before and after noon in which it said 30 to 50 "people ... created disturbances and shouted slogans in violation of the law". It said that the first took place "near Than Market", the second "at the corner of Anawratha Road and Sule Pagoda Road", and the third "at the corner of Maha Bandoola Road and 30th Street".

17.8 Arrests on 7 July 1989:

Mya Thin, Kyaw Htay U, Aung Kyaw U and Toe Kyaw Hlaing

The radio reported that "six youths among the disturbance makers were arrested". They are apparently still held.

According to information received by Amnesty International, they may include four ABFSU activists detained that day. They are Mya Thin, Kyaw Htay U, Aung Kyaw U and Toe Kyaw Hlaing. Amnesty International believes they may be prisoners of conscience.

17.9 NLD and ABFSU gatherings and the Syriam bomb explosion on 7 July 1989

According to foreign news reports, Aung San Suu Kyi said the NLD had not been involved in any student plans for 7 July street demonstrations, and a party spokeswoman said none of those arrested were NLD members.

However, according to the spokeswoman and foreign news media reports, Aung San Suu Kyi and Tin U addressed a meeting that day at the NLD headquarters, which is near the campus, to mark the anniversary. "About 200 people attended the meeting, including representatives of about 70 other political parties many of whom are allied with the NLD," the spokeswoman is quoted as saying. Foreign news media reports said "several thousand" people gathered as she spoke. According to the NLD spokeswoman, Aung San Suu Kyi spoke of the hopelessness of the authorities efforts' to solve problems by force, as several truckloads of armed troops stood by in the vicinity. Foreign news media reports said Tin U talked of what he described as a spirit of 7 July. He said this was one of "non-violent resistance against force of arms and of truth against injustice", and one which should "continue to be imbued in all students in their on-going fight for democracy".

Foreign news media reports said that the ABFSU held its own separate memorial ceremony at the offices of the UBMAFPFL.

In an interview the next day, Aung San Suu Kyi explained that the NLD had decided not to participate in the student demonstrations on 7 July because it believed demonstrations were "not the only way to carry out the struggle" or for the people to show how they felt about the authorities. She reiterated that the NLD did "not want violence", but refused to rule out the possibility of its participation in street demonstrations, saying that its commitment to non-violence did "not mean we are going to sit back weakly and do nothing". She also said that the party would not use "communist methods", but would employ civil disobedience. She said that this type of political activity had "a great history" and pointed out that she had recently begun putting forward Mahatma Ghandi and Martin Luther King as models in her speeches. She reiterated her belief that U Ne Win was behind the SLORC's refusal to hold a dialogue with the opposition. She declared that the NLD wanted "the army to realize that what they are doing is not for their own good, either," and added that, "they have been made to play the role of thugs, to make sure that a few old men can remain in power". She said: "We want the army to remain neutral. That is what a professional army ought to do."

Late on 7 July the official radio announced that a parcel bomb killed two people and seriously wounded a third that day at the home of an employee of the Syriam oil refinery near Yangon. It said the bomb was delivered on that day by a youth aged 17 or 18, who it described as an "unscrupulous person".

17.10 NLD gathering and the bomb explosion on 10 July 1989

In an interview before a scheduled NLD rally on 10 July 1989, Aung San Suu Kyi confirmed that the NLD was still planning to hold gatherings to mark such dates as her father's assassination, the resignation of U Ne Win as BSPP chairman (23 July 1988), the demonstrations and killings of 8 August 1988 and the military coup of 18 September. She reportedly again stressed that these gatherings would be based on the NLD's principle of non-violence, and that the party was not seeking any confrontation with the security forces. She said the NLD wanted a democracy movement that was "strong, but in a peaceful and disciplined way", adding: "We don't want violence."

On 10 July Aung San Suu Kyi addressed a crowd near Yangon's Sule

Pagoda she estimated at 30,000, and vowed that the NLD was going to continue its campaign of civil disobedience against what she described as "unjust laws". She reportedly declared: "What I mean by defying authority is non-acceptance of unlawful orders meant to suppress the people". However, she reportedly also said that, "at the moment our civil disobedience consists of putting out as many pamphlets as possible in defiance of the SLORC." She added, "There's nothing violent about it. It's no more violent than is necessary in banging the keys of a typewriter." She also reportedly urged the military to pull troops off the streets of the capital. She is quoted as saying, "it's time that the SLORC took a good look at the situation and start asking themselves whether it's necessary to have armed troops prowling around the city," adding that if the SLORC "really wants a return to normalcy, they should start withdrawing their troops to barracks." In this speech, she also reportedly continued to criticize U Ne Win and alleged that he remained politically powerful. She reportedly said the NLD was "convinced that U Ne Win is still pulling the strings from behind Saw Maung."

Several hours later on 10 July, according to the official radio, a second bomb exploded near the lift by the main entrance of the Yangon city hall, killing three people and wounding four. The broadcast said the "explosives" were "planted by unscrupulous people", and a policeman was among those wounded.

17.11 Arrests on 10 and 13 July 1989:

Moe Maung Maung, Tun Kyi and Aung Myat Tu

Official news media apparently have not reported any arrests in connection with the NLD rally on 10 July. However, according to unofficial reports, on that day the authorities arrested Moe Maung Maung and Tun Kyi, Joint Secretary 1 and Joint Secretary 2, respectively, of the ABFSU. At last report, they were believed still detained. Three days later, on 13 July, another student political leader, Aung Myat Tun, was reportedly arrested while on the train from Yangon to Mandalay. He was reportedly Chairman of the Youth and Students Union Association (YSUA). Amnesty International is concerned that he, Moe Maung Maung and Tun Kyi may be prisoners of conscience.

17.12 NLD plans for Martyrs Day ceremonies on 17 July 1989

On 16 July 1989, Aung San Suu Kyi reportedly vowed that the NLD and other opposition parties would go ahead with plans for their own Martyrs Day ceremonies on 19 July and other anniversary gatherings despite the repeated warnings from the government. According to foreign news media interviews, she declared:

"We don't have any intention to seek a confrontation ... We do not want any trouble ... We intend to carry on peacefully with our rallies ... We will continue to hold anniversaries ... to protest to use of arms to solve political problems."

She added she expected that political arrests would continue on a daily basis up to 19 July and increase thereafter. According to foreign news media reports, she and other top NLD figures expected that those

likely to be arrested soon included herself and other members of the party's original Executive Committee. This body was therefore expanded from nine to 13 members in the hope that the authorities would not be able to detain the entire party leadership.

17.13 The SLORC ban

An army spokesman repeated at a news conference on 16 July 1989 that the government would hold official Martyrs Day ceremonies but was banning attempts by anyone else to hold processions, shout slogans or "instigate disturbances". Also that day, the SLORC announced its Notification Number 2/89. It reiterated that although "people who wish to pay their respects peacefully" could do so under official auspices at the Martyrs mausoleum "either individually or in groups of not more than five persons", a "prohibition order" was "in effect to prevent those with the intention of making political gains from inarching in procession, chanting slogans, inciting trouble, causing disturbances, using forceful methods to recruit people and gathering en masse." It warned that "effective legal action will be taken against anyone who violates this order".

On 17. July 1989, SLORC Secretary 1 Brigadier General Khin Nyunt appeared at a press conference. He said there had been a letter to the SLORC from NLD Chairman Tin U which stated that 104 political parties had agreed to join with it in alternative ceremonies by marching "peacefully to the Martyrs Mausoleum" to lay wreaths there. He reiterated the previous day's notification and warning and declared "this is not permitted". He said that the authorities had "also learned that a youth group in Kemmedine planned to gather and march in force", and that this also would be prevented.

17.14 Arrests on 17 July 1989:

Zaw Gyi alias Than Zaw alias Nwe Thagi, Nyi Nyi U and Moe Kyaw Thu

Khin Nyunt also announced that 18 people had been detained that day in connection with the 7 July explosion at Syriam Oil Refinery, and that the National Investigation Bureau (NIB) had identified another suspect whom it considered "the main person responsible" for it and the 10 July explosion at Yangon City Hall. He named four of those arrested as Zaw Gyi alias Than Zaw alias Nwe Thagi; Ny Nyi U, Moe Kyaw Thu and Dr Tun Lu alias Tin Thain alias Thurein. He named the suspect still at large as Moe Thiha alias Aung Naing.

According to Brigadier General Khin Nyunt, Moe Thiha "was at one time a zone level organization officer of the Yangon Division office of the NLD", who had "gone underground in April 1989". He said he had "consulted" Zaw. Gyi, "a member of the youth wing of the NLD in Syriam" and Nyi Nyi U, who he said was also an NLD member, "about his plan to go underground", but they had "declined to join him". He said Moe Thiha had gone to an area controlled by the insurgent KNU, where he allegedly "underwent training in explosives", and then returned to Yangon at an unspecified time in June with at least one explosive device.

Khin Nyunt alleged that meanwhile, in May 1989, "a person responsible for underground contacts" had come from ABSDF areas to Yangon and "contacted some political parties". He said that during such meetings,

"disturbances inside the country and sabotage missions were discussed".

On 3 July Moe Thiha allegedly met and turned over "a very powerful time bomb" to Zaw Gyi, who by this time had "formed an underground organization called the Three S's - Special Selected Supply", which Zaw Gyi allegedly headed. According to the brigadier general, this organization's 16 members included Dr Tun Lu, who was described as "an NLD member in charge of organization in Syriam", and that all of them had been detained. He said: "They carried out the explosion as members of the youth wing of the NLD." He said after receiving the device from Moe Thiha, Zaw Gyi allegedly took the bomb to a meeting with Nyi Nyi U at the Yangon Division office of the NLD, where they went "under the pretext of printing documents". The bomb was allegedly carried to the Syriam Oil Refinery by Moe Kyaw Thu, set to explode at the same time as the NLD-sponsored memorial ceremony on 7 July, and intended to explode in such a manner as to cause secondary explosions that would destroy the refinery.

Khin Nyunt alleged that Moe Thiha was also responsible for planning the explosion at Yangon City Hall, but that it was "likely that another team" carried out this bombing. He said that "work is underway to expose the other team".

Moe Thiha has given interviews to foreign journalists denying he or the three young NLD activists named by the authorities were responsible for the explosion. The interviews were apparently given along the Thailand-Myanmar border in an area administered by the ABSDF. Moe Thiha said that he participated in the 1988 mass civil disobedience campaign, and that he joined the NLD in November 1988 and became an organizer for its youth wing. He confirmed he left Yangon in early April 1989 after the March arrests, but denied that he either underwent training in explosives with the KNU or returned to Yangon in June with an explosive device. He claimed, moreover, that he had remained in the border area and had not been involved in the armed activities of the ABSDF or KNU. He said he had been "writing pro-democracy poems and prose for student publications", "taking part in the production of democracy songs for distribution", and attending a "jungle university" for students who had left the towns.

Moe Thiha and student groups in the border area also reportedly denied the authorities' claims that Zaw Gyi, Nyi Nyi U and Moe Kyaw Thu formed an underground organization called Special Selected Supply to carry out the bombing. They claimed that the bombing was in fact carried out by an organization called "the Three F's", from its initials, standing for Fight for Freedom. They described it as "an obscure organization".

These sources said that Zaw Gyi participated in the civil disobedience campaign in 1988, and that his sister was killed by security forces who opened fire on demonstrators protesting the military takeover on 18 September. They confirmed that he, Nyi Nyi U and Moe Kyaw Thu were active in the organization of NLD youth activities in Syriam.

On 27 July 1989 the official radio announced that Zaw Gyi, Nyi Nyi U and Moe Kyaw Thu had been sentenced to death by a military tribunal operating according to the martial law provisions allowing summary procedures proclaimed on the day of their arrest and the following day. This was apparently the first such trial under these procedures, which do not conform to international standards for fairness. According to the radio, the trial was completed in a single morning session conducted inside Insein prison. The broadcast said the court examined prosecution evidence,

but did not mention any examination of defence evidence. It said nothing about the status of Dr Tun Lu or other people the authorities earlier said had been arrested in connection with the bombing.

Since the death sentences were passed, a spokesman for the insurgent KNU has reportedly claimed that the bomb at the Syriam oil refinery was not planted by Zaw Gyi and the other two youths. According to foreign news reports, the spokesman, Dr Em Marta, said he had spoken with the man who had carried out the attack, who he said was a Kayin who was among those who fled with students to insurgent-held areas after the military takeover on 18 September 1988. The spokesman was quoted as saying: "This is secret information, but I am speaking because I do not want those innocent three to hang. I hope it's not too late."

Another report says that a KNU officer has claimed that the Syriam bomb was planted by a group of Kayin from Yangon. According to this report, they arrived at the Myanmar-Thailand border shortly before the explosion and requested explosives from the KNU, which it provided. The KNU officer said that they returned to the border after the Syriam bombing and claimed responsibility for it.

Although Amnesty International is not in a position to draw any final conclusions on the merits of the allegations and denials related to the involvement of Zaw Gyi, Nyi Nyi U and Moe Kyaw Thu in the bombing, it is concerned that they did not receive a fair trial, and may have been wrongly convicted and sentenced. The organization is concerned that they may be prisoners of conscience detained for their non-violent beliefs and activities on behalf of the NLD. Amnesty International also opposes unconditionally the execution of Zaw Gyi, Nyi Nyi U and Moe Kyaw Thu. Amnesty International opposes the death penalty in all instances as a violation of the right to life and the right not to be subjected to cruel, inhuman or degrading treatment or punishment.

17.15 Other arrests on 17 July 1989:

Moe Hein, San Maung, Zaw Win Aung, Kyaw Win Moe, Htay Lwin, Khin Maung Tin, Thet Naing alias Htet Naing and Kyaw Lwin Nyunt alias Kyaw Lwin Myint

On 17 July 1989, the authorities also reportedly arrested Moe Hein, DPNS General Secretary and leader of one of its two factions, near Sule Pagoda. There was apparently no official confirmation of his arrest, but unofficial accounts suggested that he was arrested in connection with student plans to organize participation in alternative Martyrs Day gatherings. He is believed to be still detained, and Amnesty International believes he is a prisoner of conscience.

The authorities did confirm the arrest on 17 July of 10 people during a gathering of monks at Shwedagon Pagoda during a traditional festival marking the anniversary of the Buddha's first sermon. The official radio said the incident began when some among a group of 100 monks who tried to enter the pagoda ground were prevented from doing so by "pagoda trustees" because they were not carrying monk identity cards. According to the government's account, the group of monks then "protested loudly and shouted for the opening of the gates", and "Lay people ... arrived at the place and joined in the chants." When an appeal from the security forces for calm went "unheeded", they "chased the people and the crowd dispersed" and

arrested ten people. Later, the monks reassembled and "demanded the release of those suspects", and they were "joined by the people" until "the crowd increased to about 200". This second gathering broke up after "security forces warned the crowds to disperse because they were violating Order Number 2/88.

On 28 July 1989 a military tribunal sitting "at the court in Insein prison" summarily sentenced seven of the ten to "five years hard labour under Section 5(J) of the 1950 Emergency Provisions Act". The official radio said they had "disturbed the [religious] devotees at the Shwedagon pagoda by shouting slogans and demonstrating in a group". The broadcast said they had acted "in defiance of Order Number 2/88 with the intention of disturbing the peace, undermining national security and the prevalence of law and order and peace and tranquility". It named those sentenced as San Maung, Zaw Win Aung, Kyaw Win Moe, Htay Lwin, Khin Maung Tin, Thet Naing alias Htet Naing, and Kyaw Lwin Nyunt alias Kyaw Lwin Myint. The status of the three other people arrested on 18 July, namely Kyaw Moe U, Hyat U, Shwe Aye, is not known. According to the broadcast, the seven imprisoned were sentenced after a single court session held in Insein prison, and all but Htay Lwin and Lyaw Lwin Nyunt had pleaded guilty. Amnesty International believes all seven may be prisoners of conscience.

17.16 Aung San Suu Kyi on summary trials and allegations of NLD involvement in the Syrian bombing

On 17 July 1989 Aung San Suu Kyi had said in an interview that Notification Number 2/89 allowing for summary trials by military tribunals was "part of a series of repressive measures which have been taken against the people". She said the NLD members, students and young people were still "going to go to the Martyrs Mausoleum and lay wreaths" in a "very quiet and peaceful" way. She added that in her view "people are fed up with all these restrictions and of course all the arrests." She promised that NLD members would not create problems on Martyrs Day, but warned "there's always the possibility of problems if armed troops are running around".

On 18 July 1989 she responded to the authorities' allegations about NLD involvement in the bombing incidents. She reportedly said that acts of terrorism were "entirely against the principles of our party". She added that the NLD accepted "the possibility" that those detained "could well be NLD members who have taken to such acts", but that the party condemned the bombings "very, very strongly", and that if they were indeed guilty they would be expelled from the party. Finally, she expressed her opinion that if some people had turned "to such undesirable methods of terrorism", they had "been driven to it by the way in which people were put down so violently" in 1988.

17.17 Arrest on 18 July 1989:

Aung Zeya

Meanwhile, on that date the authorities reportedly arrested Aung Zeya, Joint General Secretary of the DPNS and leader of its other faction. As in the case of Moe Hein there was no official confirmation of his detention, but he is said to have been seized from his DPNS office. Like Moe Hein, he was apparently detained in connection with student plans to organize marches to the Martyrs Mausoleum, and he is believed to be still in

custody. Amnesty International believes he may be a prisoner of conscience.

17.18 SLORC special measures to prevent Martyrs Day gatherings

The SLORC reportedly deployed thousands of troops in full combat gear onto the streets of Yangon on 18 July 1989. This is believed to have followed the transfer of at least 12 light infantry battalions, each with up to 600 men, to the capital from counterinsurgency combat duties in countryside. Troops deployed in the streets were said to include soldiers from the 22nd and 11th Light Infantry Divisions, both of which have been accused of deliberately killing demonstrators in 1988. Soldiers armed with automatic rifles and fixed bayonets were reportedly stationed along the approaches to the Martyrs Mausoleum and the nearby Shwedagon pagoda as well as other important points. They set up barbed wire barricades, and by the evening official loudspeaker vehicles began touring the capital announcing that in addition to the nighttime curfew already imposed by Order Number 2/88, there would also be a curfew from six in the morning until six in the evening on Martyrs Day. Despite the troop presence, a petrol bomb was reportedly thrown at the Ministry of Communications building near Sule Pagoda, but it is said to have done little damage.

Ignoring the troop movements and the additional curfew, on 18 July Aung San Suu Kyi reportedly said the NLD was going to go ahead with its plans for an unofficial memorial ceremony, and the party made public a detailed programme for it. It said there would be a short march from a designated gathering point to the mausoleum, and that marchers would follow NLD supporters carrying the party flag.

17.19 The NLD cancels its Martyrs Day gathering

However, on 19 July 1989, after lines of troops reportedly blocked the way to the NLD Yangon Division headquarters and truckloads of troops stood by where marchers were supposed to gather, the party cancelled its plans. Aung San Suu Kyi reportedly said she and other party leaders had decided to call off the march "because of the very big troop presence and because we heard that some hospitals had made preparations to receive extra patients". In cancelling the march, the NLD said it believed it was acting to save lives, because it "had no intention of leading our people straight into a killing field". The NLD had issued a warning that people should stay indoors to "let the world know that under this military administration we are as prisoners in our own country" because "the government is intimidating the people in various ways". Aung San Suu Kyi said the army "could easily have found an excuse to open fire" on marchers. She expressed her belief that the authorities had shown that "the only way they know how to handle the situation is by bringing out force and more force", and their actions "certainly show ... we have a fascist government in power". She reportedly also commented: "They are acting now like a fascist government ... and like fascists, the only language they understand is confrontation." She added that the NLD considered the main aim of its recent activities was to oblige the authorities to observe the rule of law by organizing people to "ask for basic human rights [and] democratic freedom".

17.20 Student demonstrations and arrests on 19 July 1989

Despite the official curfew and the NLD's call for people to stay off the streets, some 3,000 mostly young people reportedly attempted to march to a statue of Aung San near Yangon's Kandawgyi Lake to lay wreaths. The NLD reportedly denied they were party members. They are said to have dropped wreaths in the road when soldiers armed with automatic rifles, grenade launchers and truncheons chased them away with a baton charge and beat some of them. According to one account, an eyewitness said he saw "about 25 to 30 soldiers advance ... in line" with "bayonets leveled" at one group, which they "pursued down a side street." He said the soldiers dragged some of them out and beat them, and that he "saw about 15 or 20 picked up and put in a truck." Foreign news media reported allegations that troops also chased and beat small groups of other young people, mostly students, who attempted to gather in other parts of the capital, and arrested many of them. The official radio announced on the night of 19 July 1989 that "disturbance makers gathered at some points in Yangon and marched in procession bearing banners and anti-government posters, chanted slogans and distributed anti-government pamphlets. It reported seven different gatherings of groups of from 70 to 500 people, and said that "44 disturbance makers were arrested and detained for further legal action" because "they were shouting slogans and violating Order Number 2/88". As far as is known, they are still held, but Amnesty International has not been able to identify them.

17.21 Arrests on 20 July 1989 of the NLD leadership:

**Aung San Suu Kyi, Tin U, Daw Myint Myint Khin,
Maung Moe Thu alias U Moe Thu, U Thaw Ka alias U Ba Thaw,
Ma Theingi, Myint Shwe, Soe Myat Thu and Moe Myat Thu**

Eleven truckloads of troops had reportedly been stationed outside Aung San Suu Kyi's home compound, where the national headquarters of the NLD is also located, since 19 July. On the morning of 20 July 1989 soldiers are said to have surrounded the compound. Aung San Suu Kyi reportedly tried to leave it to visit the Martyrs Mausoleum, but was prevented from doing so and forced back inside. Tin U reportedly attempted to visit her, but was also turned back. He was apparently confined to his home after it was surrounded by troops later in the same morning.

Meanwhile, the authorities reportedly began arresting other members of the NLD Executive Committee and the larger Central Committee from which this top leadership body was drawn. It has been said that five Executive Committee members were detained.

Information received by Amnesty International has named four of these five as Daw Myint Myint Khin, Maung Moe Thu alias U Moe Thu, and U Thaw Ka alias U Ba Thaw. Daw Myint Myint Khin is a lawyer and the Honorary Secretary of the All-Burma Bar Association. Maung Moe Thu is reportedly a film director. Also reported arrested and still detained are two close associates of Aung San Suu Kyi: NLD spokeswoman Ma Theingi and Myint Shwe, who is described as a member of the general secretary's staff. Amnesty International considers Aung San Suu Kyi, Tin U and the six other detained NLD leaders it has been able to identify as prisoners of conscience.

On 28 July, according to an official radio broadcast, a SLORC spokesman said that "the list of the detained members of the NLD would be

released when the time is ripe", but to Amnesty International's knowledge, no such list has yet been made public.

On the night of 20 July, after curfew time, the authorities reportedly raided Aung San Suu Kyi's home and also detained some 40 mostly young people staying there, including some who had acted as her security guards. The authorities reportedly claimed they were being arrested for "illegally" failing to properly register their place of residence with the police, but it is feared that the real reason for their arrest may be their political activities and association with the NLD. Two of the young people arrested have been named in information received by Amnesty International as Soe Myat Thu and his brother Moe Myat Thu. The organization believes they may be prisoners of conscience.

17.22 21 July 1989: The SLORC explains the arrests

On 21 July a SLORC spokesman was quoted by the official radio as confirming that Aung San Suu Kyi and Tin U were confined to their homes. He said they were confined because "they carried out activities to create conditions which could endanger the state", and because "they tried to sow dissension between the national people and the Defence Forces and to cause hatred among the people for the Defence Forces". Foreign news media reports quoted him as saying that because they had been "endangering the state", they would be confined under the provisions of the State Protection Law for one year or "as long as the danger of disruption of peace and tranquility by them exists", and that "whether or not the detention time would be reduced or increased depends entirely on the accused". The official radio said he explained that the State Protection Law "was enacted as a pre-emptive measure to safeguard the sovereignty of the state, state security, peace and tranquility of the general public from impending danger, and to protect the state from the danger of those who commit acts of destruction". It quoted him as accusing Aung San Suu Kyi and Tin U of repeated "attempts ... to disintegrate the Defence Forces, create dissension between the Defence Forces and the people, stoke the people's hatred for the Defence Forces, instigate disturbances in the state, and see the disintegration of the Defence Forces and the re-emergence of anarchy." He said they had "taken advantage of the goodwill of the Defence Forces to intensify their activities during the last two months aimed at instigating the people and attempting to bring about the disintegration of the Defence Forces with the objective of causing the disintegration of the country", adding that, "in doing so, they have sought to blackmail the Defence Forces through the strategy of confrontation".

Declaring that there was "ample evidence" that Aung San Suu Kyi and Tin U "made statements on many occasions to undermine the prestige of the Defence Forces and make the people oppose them", he cited a dozen occasions on which they had allegedly done so.

The spokesman said that at a press conference on 6 June 1989, Aung San Suu Kyi had "incorrectly charged" that on that date "the Defence Forces had bayoneted to death eight youths who were digging jade" in the Kachin State. He denied this allegation, and said Aung San Suu Kyi had made it "to give the people a wrong impression of the Defence Forces and to incite them to hate them". He added that her "accusation was made deliberately to create a grudge among the people against the Defence Forces and to create dissension between the people and the Defence Forces".

He also mentioned that in her interview on 8 July 1989 she had alleged that U Ne Win still controlled the military, and that she had expressed her belief that "the Defence Forces have been made to play the role of thugs to make sure that a few old men can remain in power".

He said that in a speech in front of a DPNS office in Pabedan Township on 10 July 1989, she had said that if the military authorities once again suppressed citizens with weapons, the NLD would have to declare them "a fascist government". He said that it was "clear that this statement was made to create hatred among the people towards the Defence Forces".

Finally, he said that in an interview on 19 July 1989, Aung San Suu Kyi said that:

"We will never cause death among the people. We value people's lives. We are not like the SLORC which does not value people's lives. It is quite clear that our country is now ruled by fascists under the pretext of military government and military administration. Our people will have to struggle under the fascist system. That is, we have to continue to struggle with courage under the fascist system."

He said that "such untrue accusations amount to comparing the people's army with fascists", and that "branding the Defence Forces as fascists is a lie and an accusation with the unscrupulous objective of creating antagonism between the Defence Forces and the people" as part of "a plot aimed at pushing the state towards danger."

He said Tin U had "made every effort to cause the disintegration of the Defence Forces" as early as September 1988, when he allegedly used "a group of army defectors" to march "during the demonstrations for democracy". The spokesman said that in an interview on 26 May 1989, Tin U had said the people did not believe in the government's pledge to hold free and fair elections, and that no elections held anywhere in the world under army supervision had been free and fair. He said that during a tour of the Chin State, Tin U had said the state's expenses were high because the head of the SLORC was using weapons to settle matters that could be settled peacefully. He alleged that on 4 July 1989 Tin U had characterized the authorities' refusal to grant bail to a political prisoner as "intimidation through the use of arms".

The spokesman said that after a tour of the Kachin State, both Aung San Suu Kyi and Tin U had "referred to the Defence Forces as if it were an economic organization which is inhuman and brutal on the issue of the use of porters".* Finally, he said on 19 July 1989 both of them "played the people against the Defence Forces by saying that the militarists were

* The Myanmar army routinely seizes civilians to serve as porters to carry military supplies during offensive operations against insurgents, and there have long been reports that porters are often subjected to torture or other ill-treatment and that many have been executed extrajudicially. See "The Kayin State in the Union of Myanmar (formerly the Karen State in the Union of Burma): Allegations of Ill-treatment and Unlawful Killings of Suspected Political Opponents and Porters Seized Since 18 September 1988", AI Index ASA 16/16/89.

attempting to use weapons to crush the people's plan to pay tribute to the martyrs on Martyrs Day and that they were ruthlessly attempting to shed more blood on Martyrs Day."

The spokesman said that according to "restrictions" imposed on Aung San Suu Kyi and Tin U under the provisions of the State Protection Law, they were "to live in the house in which they are currently living" and were "not allowed to move outside the compound of their house". He said "only members of the family registered in the official household list can go outside" and only "with an escort". Moreover, these family members were not allowed to "contact foreign embassies, political parties or those having contact with political parties". At the same time, "those from outside" could not contact either of the two "in person or by telephone".

He said the NLD itself was not banned, because "action is taken only against the two persons concerned and not against their party." He is quoted as saying the NLD could "continue to function as usual", but reportedly added that this decision could be reconsidered if the party continued with its "confrontations" and became "too much".

At the 21 July 1989 press conference, the SLORC spokesman also denied reports that Aung San Suu Kyi had started a hunger strike on 20 July to demand that she be transferred to Insein prison and kept under the same conditions as other NLD prisoners. He said such reports were "completely untrue". However, unofficial sources reported that starting on 20 July Aung Suu Kyi began taking only water and fruit juice. According to foreign news media reports, she continued her hunger strike until 1 August 1989. The reports quote her husband as saying she stopped her hunger strike "after receiving solemn assurances from the Myanmar authorities that her supporters were not being subjected to inhuman interrogation and that their cases would be dealt with by due process of law." He also reportedly indicated that after she halted her hunger strike, she went on an intravenous drip and received medical treatment. (Aung San Suu Kyi's husband, a British citizen, was allowed to meet British diplomats on 12 August 1989 in the presence of Myanmar officials at a place outside her home.) According to reports in the foreign news media, on 4 August 1989 Aung San Suu Kyi was taken to hospital by military authorities, apparently because of her weakened condition due to the effects of her hunger strike. It is understood she later returned home, but may have continued to suffer from ill-effects related to her fast.

17.23 Other arrests on and since 20 July 1989

17.23.1 In Yangon on 20 July 1989:

Aye Lwin, Ko Hla Twe alias U Hla Htwe

Other leaders of legally-registered political parties were also reportedly arrested on 20 July. One person detained that day has been named as Aye Lwin, Chairman of the Students' Revolutionary Party for Democracy (SRPD). Another youth political leader reportedly arrested in Yangon on 20 July has been named as Ko Hla Htwe alias U Hla Htwe, the Chairman of the Patriotic League for Peace (PLP) and also of an eight-party coalition called the Youth and Students Democracy Force.

17.23.2 In Mandalay on 25 July 1989:

Ko Aung Win alias U Aung Win, Daw Cho Cho Than, Ko Aung Kyaw Myint, and Daw Aye Aye Than

According to information received by Amnesty International, the arrests of opposition political leaders in Yangon were followed by arrests of others in Mandalay and other towns. For example, on 25 July 1989, according to one report, three youth political leaders were detained in Mandalay. They have been named as Ko Aung Win alias U Aung Win, General Secretary of the Youth and Students Union Association (YSUA); Daw Cho Cho Than, General Secretary of the PLP; and Ko Aung Kyaw Myint, General Secretary of the People's Students Democratic Party (PSDP). Also named as arrested that day in Mandalay is Daw Aye Aye Than, a member of the YSUA.

18. DEMONSTRATIONS AND ARRESTS ON AND SINCE THE 8 AUGUST ANNIVERSARY

According to reports, on the 8 August anniversary of the mass demonstrations and army killings of demonstrators on that day in 1988, a larger number of troops than usual were deployed on patrol in the streets of Yangon. Forty youth members of the NLD are said to have marked the occasion by a fast on the grounds of the NLD headquarters for the capital. Soldiers are said to have removed placards listing their grievances, including demands for the release of Aung San Suu Kyi and Tin U and appeals for political freedom, but not to have conducted any arrests or to have used violence against them. Similar fasts were reportedly held at other NLD offices in Yangon. Elsewhere in the capital, small groups of protesters reportedly gathered in peaceful snap demonstrations. In one incident, security forces are said to have chased a group of about 70 slogan-shouting demonstrators and 200 bystanders in the centre of the city, striking several of them with rifle butts and arresting five or six. Amnesty International has not been able to identify any of those reportedly detained on 8 August.

18.1 Arrest on 11 August 1989:

U Tin Myo Win

On 11 August 1989, the authorities reportedly arrested another prominent NLD figure, U Tin Myo Win. He is said to have headed a committee supervising student activities during the mass civil disobedience campaigns of 1988. Amnesty International is concerned that he may be a prisoner of conscience.

19. NUMBERS OF ARRESTS SINCE 20 JULY 1989

By 29 July 1989, opposition political figures and foreign diplomats in Yangon estimated that hundreds of political prisoners had been arrested in the capital and elsewhere over the past ten days. According to one diplomat, security forces were "going into people's houses at night ... pulling them off the streets, even off buses or out of offices and hotels." Other reports said the security authorities were ransacking NLD offices in various parts of the country, seizing files and conducting arrests of local activists. By 2 August opposition and diplomatic sources said the number of arrests had reached 1,500, and the next day they revised their estimate

upwards to 2,000. By 10 August, the number of detainees was estimated at up to 3,000.

On 18 August 1989 a SLORC spokesman reportedly said that the number of people arrested since 20 July was 208, including 181 in Yangon and 27 elsewhere. Opposition and diplomatic sources continued to insist the number was much larger. They say those detained included not only many NLD and DPNS leaders, but also many or most of the leaders of such other legally registered political parties as the People's Progressive Party (PPP), the League of Democratic Alliance (LDA) and the National Politics Front (NPF). Amnesty International believes the arrests during this period numbered in the thousands.

20. SLORC ALLEGATIONS ASSESSED

On 5 August 1989, Brigadier General Khin Nyunt gave a news conference at which he reportedly showed journalists documents and photographs which he said proved the NLD was under the influence of the Communist Party of Burma (CPB). He is quoted as saying the authorities had "uncovered the whole despicable communist plot, including their plan to form an interim government with 20 of their own selected people," and that "the timely arrests of over 100 underground elements have foiled the Communist grand strategy and saved the country from a bloodbath".

According to official radio broadcasts detailing Khin Nyunt's allegations, the brigadier general said Aung San Suu Kyi and the NLD were being used by the insurgent CPB in plans to coordinate political action with guerrilla warfare to overthrow the government. According to his remarks, CPB elements supported the idea of Aung San Suu Kyi becoming the leader of Myanmar, wrote letters of support to her, and encouraged her to conduct a campaign of civil disobedience against martial law restrictions on freedom of expression and assembly.

The official radio said Brigadier General Khin Nyunt "explained in detail about the arrest by the National Intelligence Bureau (NIB) of people connected with the underground movement of the CPB, the efforts by the clandestine CPB members to create disturbances within the country and thereby to seize state power, and the infiltration of political parties by underground CPB members." He alleged that four legally-registered political parties were either CPB fronts or had been infiltrated by it at a high level. These included the DPNS, the National Politics Front (NPF), the People's Volunteer Organization (PVO), and the League of Democratic Alliance (LDA). He said the ABFSU and the Upper Burma Federation of Student Unions (UBFSU), an affiliated group that had also rejected legal registration, were similarly infiltrated. He alleged that the legally registered People's Progressive Party (PPP) and League of New Generation (LNG) were significantly linked to the CPB. He suggested that five other legally registered political organizations had somehow been used by the CPB. He identified these as the former prime minister U Nu's League for Democracy and Peace (LDP), the Evergreen Young Men's Association (EGYMA), the People's Democratic Party (PDP), the All-Burma Youth League Headquarters (ABYLH), the Burma United Democratic Party (BUDP), and the National League for Democracy Justice (NLDJ).

On 23 August 1989, DPNS leader Thet Tun held a press conference at which he rejected SLORC allegations that the CPB had infiltrated the student movement and organized pro-democracy groups and gatherings. He

declared that: "The demonstrations were caused solely by the hardships of the people and the difficult problems they faced", and that "students took a leading part in the demonstrations because they believed they should not stay aloof from the national cause, so, to say that the demonstrations were the result of communist intrigues and plots is to insult the students and the people of the country." At the same time, he claimed that 300 to 400 DPNS members had been detained by the authorities. He said the party was dropping its demand for an interim government, but would be "continuing pressing for the removal of such curbs on democratic rights as freedom of assembly, or expression" in order "to see that elections, if held, are really free and fair."

Amnesty International is not in a position to comment on the SLORC's sweeping allegations of communist infiltration of Myanmar's principal legally registered political opposition parties and student organizations. Brigadier General Khin Nyunt's 5 August statement does not, however, offer compelling evidence that detained student and political party leaders whose cases are described here had either acted upon the instructions of clandestine organizations pursuing a course of revolutionary violence, knowingly or unknowingly, or that they had themselves used or advocated violence.

Amnesty International remains convinced that many of Myanmar's political prisoners, including NLD leaders Aung San Suu Kyi and Tin U, are prisoners of conscience. Many others, whose cases are still under investigation by Amnesty International are also thought to be prisoners of conscience, held solely for the exercise of their rights to hold opinions and to express them freely without having used or advocated violence. Amnesty International is further concerned that Myanmar's political prisoners may not have the opportunity to refute the charges against them in trials conducted according to international standards of fairness.

APPENDIX: PRISONERS OF CONSCIENCE AND POSSIBLE PRISONERS OF CONSCIENCE
ARRESTED SINCE 18 SEPTEMBER 1988

PRISONERS OF CONSCIENCE

	<u>Name</u>	<u>Date of Arrest</u>	<u>Profession or organization</u>
1.	Nay Min alias Win Shwe	21 Oct 1988	lawyer
2.	Pa Du	late April 1989	NLD
3.	Aung Din	24 April 1989	ABFSU
4.	U Aung Lwin	28 June 1989	NLD
5.	Win Tin	4 July 1989	NLD
6.	U Ngwe Hlaing	July 1989	NLD
7.	Moe Hein	17 July 1989	DPNS
8.	Aung San Suu Kyi	20 July 1989	NLD
9.	Tin U	20 July 1989	NLD
10.	Daw Myint Myint Khin	20 July 1989	NLD
11.	Maung Moe Thu alias U Moe Thu	20 July 1989	NLD
12.	U Thaw Ka alias U Ba Thaw	20 July 1989	NLD
13.	Ma Theingi	20 July 1989	NLD
14.	Myint Shwe	20 July 1989	NLD

POSSIBLE PRISONERS OF CONSCIENCE

	<u>Name</u>	<u>Date of Arrest</u>	<u>Profession or organization</u>
15.	Paw U Tun alias Min Ko Naing	24 March 1989	ABFSU
16.	Aung Thet U alias Aung Thet Oo	25 October 1988	student
17.	Maung Maung Nyunt	25 October 1988	worker
18.	Myo Zaw Win	25 October 1988	student
19.	Ne Win alias Nay Win	26 October 1988	?
20.	Aung Tha Win	26 October 1988	?
21.	Zaw Win alias Hanid alias Maung Zaw Win alias Hadun alias Har Nink	November 1988	student
22.	Aye Myint	January 1989	coolie
23.	Sein Hla Aung	5 November 1988	NLD
24.	Kyaw Lin	5 November 1988	?
25.-	Maung Maung Soe alias Wai Lu	November 1988	student
26.	Aung Cho	5 November 1988	?
27.	Aung Gyi	3 November 1988	?
28.	Than Nyunt Oo	10 or 11 March 1989	student
29.	Ko Ko Naing	10 or 11 March 1989	student
30.	Zaw Thein Oo	10 or 11 March 1989	student
31.	Kyaw San Oo	10 or 11 March 1989	student
32.	Ko Yan Nyein	10 or 11 March 1989	student
33.	Nyi Nyi Naing	10 or 11 March 1989	student

	<u>Name</u>	<u>Date of Arrest</u>	<u>Profession or organization</u>
34.	Kyaw Oo	13 March 1989	student
34.	Ma Lay Lay Myint	13 March 1989	student
36.	Ma Mar Lar Nwe	13 March 1989	student
37.	Ma Sanda U	13 March 1989	student
38.	Aung Naing Oo	13 March 1989	student
39.	Ma Thi Thi Maw	13 March 1989	student
40.	Ma Sein Sein Kyu	13 March 1989	student
41.	Maung Maung	13 March 1989	butler
42.	Min Aung	13 March 1989	mason
43.	Chit Swe	13 March 1989	carpenter
44.	Pe Win	13 March 1989	fishery worker
45.	Maung Win	13 March 1989	fishery worker
46.	Ma Tin Win	13 March 1989	student
47.	Khin Yu Swe	13 March 1989	student
48.	Kaing Kaing Maw	13 March 1989	student
49.	Ma Mu Mu Lwin	13 March 1989	trader
50.	Lu Aye	16 March 1989	DPNS
51.	Kyaw Sein	16 March 1989	DPNS
52.	Ye Win	16 March 1989	student
53.	Toe Kyaw Hlaing	18 March 1989	student
54.	Ma Khin Hnin Nwe	18 March 1989	student
55.	Tint Lwin Oo	18 March 1989	student
56.	Tun Tun Aye	18 March 1989	student
57.	Tin Ko Oo	18 March 1989	student
58.	Myat San	20 March 1989	student
59.	Zaw Oo	20 March 1989	NLD
60.	Aye Min	20 March 1989	NLD
61.	Thant Zin	20 March 1989	DPNS
62.	Ma San San oo	20 March 1989	student
63.	Bo Kyi	20 March 1989	ABFSU
64.	Yan Myo Thein	20 March 1989	student
65.	Min Thu	20 March 1989	student
66.	Aung Myat Oo	20 March 1989	student
67.	Ma Win Myo Kyi	20 March 1989	student
68.	Cho Gyi	21 March 1989	ABFSU
69.	Ma Saw Thu Wai	21 March 1989	ABFSU
70.	Win Naing	21 March 1989	ABFSU
71.	Ma Saw Sandar Win	24 March 1989	ABFSU
72.	Tin Htay	27 March 1989	student
73.	Sithu Thun	27 March 1989	student
74.	Win Myint Than	27 March 1989	student
75.	Min Thein Kha	24 April 1989	novelist
76.	Nyo Tun	26 June 1989	ABFSU
77.	Zaw Zaw Aung	26 June 1989	ABFSU
78.	U Kaweinda	23 June 1989	monk
79.	Ko Thant Sin	23 June 1989	student
	alias Ko Thant Zin		
80.	U Yan Kyaw	2 July 1989	GOSDA
	alias Ko Yan Kyaw		
81.	Mya Thin	7 July 1989	ABFSU
82.	Kyaw Htay U	7 July 1989	ABFSU
83.	Aung Kyaw U	7 July 1989	ABFSU
84.	Toe Kyaw Hlaing	7 July 1989	ABFSU

	Name	Date of Arrest	Profession or organization
85.	Moe Maung Maung	10 July 1989	ABFSU
86.	Tun Kyi	10 July 1989	ABFSU
87.	Aung Myat Tun	13 July 1989	YSUA
88.	Zaw Gyi alias Than Zaw alias Nwe Thagi	17 July 1989	NLD
89.	Nyi Nyi U	17 July 1989	NLD
90.	Moe Kyaw Thu	17 July 1989	NLD
91.	San Maung	17 July 1989	?
92.	Zaw Win Aung	17 July 1989	?
93.	Kyaw Win Moe	17 July 1989	?
94.	Htay Lwin	17 July 1989	?
95.	Khin Maung Tin	17 July 1989	?
96.	Thet Naing alias Htet Naing	17 July 1989	?
97.	Kyaw Lwin Nyunt alias Kyaw Lwin Myint	17 July 1989	?
98.	Aung Zeya	18 July 1989	DPNS
99.	Soe Myat Thu	20 July 1989	?
100.	Moe Myat Thu	20 July 1989	?
101.	Aye Lwin	20 July 1989	SRPD
102.	Ko Hla Htwe alias U Hla Htwe	20 July 1989	PLP
103.	Ko Aung Win alias U Aung Win	25 July 1989	YSUA
104.	Daw Cho Cho Than	25 July 1989	PLP
105.	Ko Aung Kyaw Myint	25 July 1989	PSDP
106.	Daw Aye Aye Than	25 July 1989	YSUA
107.	U Tin Myo Win	11 August 1989	NLD

GLOSSARY OF ACRONYMS, CURRENT AND FORMER PLACE NAMES AND NAMES
OF ETHNIC GROUPS, AND BAMA KINSHIP TERMS USED IN PERSONAL NAMES

Acronyms

Government bodies

BSPP	Burma Socialist Programme Party (former ruling party, now dissolved)
DDSI	Directorate of Defence Services Intelligence (military intelligence body)
LORCs	Law and Order Restoration Councils (local martial law administrative bodies)
NIB	National Intelligence Bureau
SLORC	State Law and Order Restoration Council (central martial law administrative body)

Institutes of Higher Learning

YASU	Yangon Arts and Sciences University
YIT	Yangon Institute of Technology

Legally Registered Political Parties and Student Organizations

ABYLH	All Burma Youth League Headquarters
BUDP	Burma United Democratic Party
DPNS	Democratic Party for a New Society
EGYMA	Evergreen Young Men's Association
GOSDA	Graduates and Old Students Democratic Association
LDA	League of Democratic Alliance
LDP	League for Democracy and Peace
LNG	League of New Generation
NLD	National League for Democracy
NLDJ	National League for Democracy Justice
NPF	National Politics Front
NUP	National Unity Party
PDP	People's Democratic Party
PLP	Patriotic League for Peace
POCL	Patriotic Old Comrades' League
PPP	People's Progressive Party
PSDP	People's Students Democratic Party
PVO	People's Volunteer Organization
SRPD	Students' Revolutionary Party for Democracy
UBMAFPFL	Union of Burma Main Anti-Fascist People's Freedom League
YSUA	Youth and Students' Union Association

Non-Registered Student Organizations

ABFSU	All Burma Federation of Student Unions
ABSDA	All Burma Students' Democratic Association
SYFDS	Student Youth Federation for Democratic Struggle
UBFSU	Upper Burma Federation of Student Unions

Insurgent Groups

ABSDF	All Burma Student Democratic Federation
BNLP	Burma National Liberation Party
CPB	Communist Party of Burma
KNU	Karen National Union
PUDF	People's United Democratic Front

Place Names and Names of Ethnic Groups

<u>Current</u>	Former
Myanmar	Burma
Yangon	Rangoon
Tanintharyi	Tenasserim
Bago	Pegu
Magway	Magwe
Ayeyarwady	Irrawaddy
Dawei	Tavoy
Patheingyi	Bassein
Bamar	Burman
Kayah	Karen

Bamar kinship terms used in personal names

U	honorific for men of superior age or social status
Ko	elder brother
Maung	younger brother
Daw	honorific for women of superior age or social status
Ma	younger sister
Thakin	"master"

NOTE: It is not uncommon for Bamans to be known by more than one name. The term alias is used in this text to signify that the person referred to is known by one or more other names.