



## Assistance Association for Political Prisoners (Burma)

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### Burma: Investigate Death of Former Political Prisoner

AAPP is deeply saddened to learn about the passing of former political prisoner Phyo Wai Aung. He passed away due to liver cancer at his home in Rangoon on 4 January 2012, only 5 months after his release from Insein prison where he served 2 years.

The Burmese authorities should investigate the death of the 33 year old construction contractor and immediately provide his family with information surrounding circumstances surrounding his death, especially torture and denial of medical treatment while he was in prison.

Documentation received by AAPP strongly suggests that he passed away due to torture and denial of medical care while behind bars. Although high level government officials and prison authorities were aware of his deteriorating health situation, no action was taken until the very last minute. Instead, Phyo Wai Aung was subject to cruel and inhumane treatment that only aggravated his condition, potentially leading to his early death.

At the time of his arrest, Phyo Wai Aung was already suffering from Hepatitis B and had undergone surgery for a liver abscess. Family concerns regarding his health were high considering his father passed away because of a Hepatitis B complication that led to liver cancer. Numerous pleas were made to prison authorities, Ministry of Home Affairs, and the President of Burma, urgently requesting Phyo Wai Aung regular access to a liver specialist. The pleas, made by family members and concerned organizations including AAPP and the United Nations Special Rapporteur on the human rights situation in Burma, all went unanswered.

During his imprisonment Phyo Wai Aung suffered from severe health complications, including rapid enlargement of the liver, elevated liver enzymes, and inability to walk or sit due to chronic pain. His fragile health status was worsened by the cruel conditions of detention, which include solitary confinement, placement in a prison cell that floods when it rains, and denial of family visits that would have brought him critical medication.

Requests to the appropriate authorities were made demanding Phyo Wai Aung early release from prison based on humanitarian grounds when it was clear he was suffering from advanced stages of liver cancer. According to his brother, Dr. Htet Wai Aung, he should be released immediately so “he can fight his final days with his beloved wife, two children; he can get the supportive strength from his beloved friends and relatives.”

Phyo Wai Aung was released from prison over 3 months after being diagnosed with acute liver cancer, and after 2 years of petitioning for proper medical treatment for Phyo Wai Aung. It is believed the consistent refusal of the relevant authorities to heed recommendations to provide Phyo Wai Aung with appropriate medical care severely damaged his health.

*“In the past couple of years, three political prisoners have passed away shortly after their release. Add this to the more than 157 political prisoners that have died behind bars and it is clear that detention centers and prisons of Burma are death traps, especially for those who should have never been placed behind bars in the first place,”* explained Tate Naing, Secretary of AAPP.

Phyo Wai Aung is the latest in what is becoming a long line of political prisoners who passed away shortly after their release. In December 2011, Zaw Lin Htun passed away after a long battle with several different types of cancer. His family, as well as AAPP, submitted appeals requesting an early release on medical grounds. None received a response. A month later, Thet Nwe passed away 10 days after his release from prison. Brutal torture received while in prison coupled with advanced liver disease contributed to his death.

*“Burma authorities, including prison authorities and high-ranking government officials, have a responsibility to the family members of deceased political prisoners – a responsibility to come clean about what happened behind bars that led to the deaths of political prisoners like Phyo Wai Aung,”* added Tate Naing.

No authorities have ever taken public responsibility for the deaths of political prisoners.

Both international law and domestic prison regulation require prison authorities to provide detainees with adequate medical care. Article 22 of the Standard Minimum Rules for the Treatment of Prisoners protects cases like Phyo Wai Aung in stating that sick prisoners who require specialist treatment shall be allowed to seek external care.

In addition, international law and domestic regulation require all prisoners are treated with dignity and respect and to be provided with basic necessities.

#### Background on Phyo Wai Aung

The construction contractor, Phyo Wai Aung, was arrested in conjunction with a bombing that killed 10 and injured 168 in Rangoon during the water festival in April 2010. Since his arrest, Phyo Wai Aung has been subject to a litany of human rights violations that include serious breaches of his right to a fair trial; torture and other cruel treatment; and systematic denial of appropriate medical care.

Phyo Wai Aung maintained his innocence throughout his arrest and even provided the names of witnesses who can attest to the fact he was nowhere near the bombing when it took place. The witnesses were not contacted by the authorities. Instead, Phyo Wai Aung was severely tortured over a period of six days in order to extract a false confession.

To read more about the injustices surrounding the case of Phyo Wai Aung please refer to a previous AAPP press releases including, [“Phyo Wai Aung: catalogue of human rights abuse stain the lawfulness of his trial”](#) and [“Burma: allow early release of 3 political prisoners facing imminent threats to life due to critical health conditions.”](#)

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