

A Glimpse to Political Prisoners and Prison Conditions in Burma

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Introduction

We, Assistance Association for Political Prisoners (Burma), have been reporting the situation of political prisoners of the prisons around Burma. Many democracy and human rights activists have been arrested, tortured and imprisoned for their peaceful activities since the 1988 military coup. Most of them were given long prison terms and have faced violation of their human rights by the Military Intelligence (MI) and prison authorities in their everyday life. In this paper, we, former political prisoners, present a summary of their horrible condition in prisons.

Detainees

In Burma, anyone can be detained for being involved in human rights and democracy activities and peaceful demonstrations. All the political prisoners and prisoners of conscious are arrested without warrant by the MI personnel, especially late at night. They are blindfolded and handcuffed when arrested, and brutally interrogated and tortured at the MI interrogation centers before being forced to sign a confession. It is the start of the political prisoner's long journey.

Torture

The MI personnel systematically and brutally interrogate the detainees in order to get information and false confessions. The abuse and torture include, among other things: electrocution, sleep denial, forcing people to stand or squat in uncomfortable positions, such as if one were sitting on a motorcycle, for long periods of time, rolling iron or wood rods along a person's shins, pouring water over a person's head covered in plastic, forcing them to kneel on sharp stones or pieces of glass, hanging them by the arms and feet and putting bullets or pencils between the fingers and then squeezing them together. In addition, some women also suffer from sexual abuse, such as having some or all of their clothes removed during interrogation.

The MI personnel use both physical and psychological methods of torture. When the activists or suspected persons arrive at an interrogation center, the MI first breaks down their confidence and morale. The detainees are treated very brutally and they have no choice except to confess what they know.

They are kept in the interrogation center for one to three weeks during which there is non-stop interrogation by rotating teams of MI. Most are not allowed to sleep and usually not fed or given any water. The photos of the detainees shown in the authorities' press conferences demonstrate that they were interrogated and refused sleep for a long time.

When they are sent to prison, they are beaten at the prison gate by the prison staff. They can face the punishment in prison if they complain about the lack of water and poor quality of food, stage a hunger strike or are found holding small amounts of paper. Moreover, they are kept in iron shackles and kept in tiny cells for months and are not allowed to bathe, have family visits etc. The interim report to the Fifty-fifth Session of the General Assembly, the UN Special Rapporteur on Burma said: "-----Torture or other forms of inhuman treatment of political detainees are believed to be routine, especially during initial interrogation. Convicted prisoners are also reported to be subjected to torture and other forms of cruel, inhuman or degrading treatment for breaches of prison regulations." 1

Trial

Political prisoners are almost never allowed legal representation and no one is allowed to attend political trials. MI controlled courts frequently sentenced them to long terms of imprisonment. There has been no fundamental change in the authorities' attitude towards respecting the basic human rights of its citizens.

The authorities use several laws, including the 1950 Emergency Provisions Act, to sentence people for their peaceful activities. Comedian Par Par Lay, Lu Zaw and two others who performed at the residence compound of National League for Democracy (NLD) General Secretary, Aung San Suu Kyi, were arrested on January 10, 1996 when they went back to Mandalay, middle Burma. On the day of their trial in March 1996, they were sentenced to 7 years' imprisonment and no one, including their lawyers, was allowed in court. The injustice of this case is highlighted by the fact that the NLD leaders Kyi Maung, Tin Oo, Aung San Suu Kyi and Win Htein were prevented from traveling to Mandalay to appear as witnesses for the defense.²

Aye Tha Aung, the secretary of the Committee Representing the People's Parliament (CRPP), was given a 21-year prison sentence on June 7, 2000. He was accused of violating publication and emergency laws and was refused any legal defense.³

Forced Labor

Political prisoners sometimes are charged under a section of the criminal act that enables them to be sent to hard labor camps. Par Par Lay and the 3 others mentioned above were sent to a labor camp that used prisoners to construct the Myitkyina airport, and later another camp in Sumprabum to help build a highway road. Both camps were located in Kachin State in Northern Burma. 4

According to their families, who visited the Myitkyina prison on July 14, 1996, they were beaten and forced to work even though they were suffering from malaria. The authorities also forced 18 NLD members⁵, who were detained on Feb 21, 1997, to serve as porters with local people at the front line of military operations. ⁶ Seventy-five year old Saw Tun Nwe, a Karen ethnic minority, Min Thu, Maung Maung San and Ko Lay, high-ranking local NLD officials of Letpadan and Oaktwin Townships, died of fatigue. ⁷

Because there is lack of human rights watch groups in Burma, prisoners of conscience and political prisoners can be forced to work in labor camps and prisons, and the outside world cannot know their true conditions.

The role of MI

The MI personnel are directly involved from the arresting to the release of political prisoners. This includes, interrogation, sentencing, family visits, sending hospital the emergency patient, moving to other prisons, releasing, prison term extension etc. The prison staff has to manage the political prisoners' health and social affairs with approval of the MI.

After some political prisoners are released, the MI not only keeps an eye on them but also harasses them when they join companies or business affairs. In one case, Cherry, a former student political prisoner was offered a job with a company after her release in 1993. The day after she accepted the job, the MI visited her future employers and threatened the officers of the company that it would not be good for them to hire an ex-political prisoner. They also regularly visited Cherry at her home to question her about her political beliefs and plans for the future. She became depressed and later that year committed suicide.

In addition to this type of harassment, students who are released from prison are not allowed to rejoin the universities. Ex-prisoners are refused a passport when they want to go abroad for education or business. The MI orchestrates the above-mentioned examples.

Extension of prison terms and Article 10 (a)

In Insein Prison, some prisoners who were serving long sentences were found in possession of a letter addressed to the UN Special Rapporteur on Burma, Professor Yozo Yokota, which detailed the situation of political prisoners in Insein. Consequently, on March 26, 1996, Dr. Zaw Myint Maung and 3 others were sentenced to an additional 12 years; Win Tin a prominent writer and 17 others were sentenced to a further 7 years and Dr. Myint Naing and one other prisoner received an additional 5 years imprisonment. On Feb 26, 1996, their families appealed to State authorities, the Chief Justice and the Attorney General to allow lawyers to defend them in court. However, there was no response from the authorities. ⁸

Since 1998, the authorities have also extended some prisoners' detentions under Article 10 (a) of the 1975 State Protection Act, which allows officials to detain a person for up to 3 years without trial for " security reasons". In prisons around Burma, the authorities re-arrested and extended the detention of more than 45 political prisoners who did nothing wrong under this Article. When their prison terms were finished they were taken to the prison gates and told that they were detained again. They were temporarily denied family visiting rights under the special law 10 (a) and they suffered from mental illness after experiencing systematic psychological torture.

Health Conditions

The prisons have become distributing centers of communicable diseases, such as AIDS, because one needle is used on many political prisoners when they feel sick or are vaccinated. The health condition in prisons is terrible as there is not enough medicine, medical doctors or timely treatment. The prisoners' health deteriorates as a result of torture, improper food and inappropriate accommodation. There are some deaths, as the extremely sick prisoners have to wait the approval of prison authorities and MI for medical treatment.

Death in Custody

At least 43 political prisoners have died in custody since the military's violent suppression of the democracy movement in 1988, although the true number is believed to be much higher. Torture and ill-treatment, poor prison conditions, and inadequate medical care, sanitation and diet are all factors contributing to deaths in custody, particularly for the elderly and chronically ill. However some political prisoners are in good health at the time of arrest and are tortured to death. ⁹

Among them, Leo Nichols, the honorary consul to Denmark, Norway, Finland and Switzerland is the most well known. He was very close to Burmese dissident Aung San Suu Kyi and passed away after experiencing the above-mentioned conditions in Insein prison.

ICRC

In October 1998, after a three-year absence, the ICRC re-established its presence in Burma by opening an office in Rangoon. In May 1999, the ICRC began visits to the prisons. It conducted visits to more than 26, 000 prisoners in 18 prisons, registering 1,245 political prisoners (so-called security detainees) and revisited over 300 of them. The ICRC financed transport for 155 persons making family visits to political prisoners and collected 199 Red Cross messages from the political prisoners and delivered 63 replies from their families. ¹⁰

Improvements

On October 11, 1997 the authorities announced that they were improving prison conditions in Burma and upgrading prison health facilities. ¹¹ Despite this, we have only seen the following four improvements:

1. In May 1999, ICRC was allowed to begin visits to the prisons.
2. Tun Zaw Zaw, a NLD youth leader arrested in June 1998, was given early release at the end of 2000, as the result of having lost vision while in prison.
3. The authorities have allowed prisoners to read religious books in some prisons since mid 1999.
4. From 1996 to 2000 the authorities conducted mass arrests. Some detainees were released, but others were given long prison terms. On September 21, 2000, the authorities arrested 84 NLD members at the Rangoon railway station. They all, however, were released after four months without being given long prison sentences.

Rights of Reading and Writing

The Burmese jail manual's paragraph 670 (6) says "They may be allowed the use of books from the jail library, and also to read books and magazines from outside (purchased at their own expense), subject to the approval of the Superintendent." The prisoners, however, are not allowed reading books as mentioned in the jail manual. For the past 2 years, since 1999, they have been allowed to read religious books in some prisons but the authorities usually hold the book for 30 days prior to giving it to the prisoner in order to censor it.

The Burmese jail manual's paragraph 670 (8) exactly says "Ordinarily they may be allowed to write and receive one letter, once a fortnight." The political prisoners, however, are not allowed to write letters to their families. The prison authorities brutally beat and put them in the solitary confinement for many days even if they hold a small piece of paper or pen. The only times they have written contact with their families are on those occasions when the ICRC visits the prisons.

Conclusion

The above summary mentions conditions of political prisoners that are a part of the violation of human rights in Burma, which is ruled by the military government. They have been suffering horribly for a long time because the rights of prisoners are only on paper. The quantity of political prisoners is increasing regularly. While the international community welcomes any steps that may lead to the improvement of the human rights situation, such as the recent release of 84 NLD members, the authorities gave 3 high-ranking NLD members, including ex-political prisoners, 21-year prison sentences in December 2000. We estimate that there are more than 2,500 Burmese political prisoners; most have been serving long prison terms. Although there are many politicians and activists in prison, the authorities denies that there are not any political prisoners in Burma.

Inside Burma, there are no human rights watch groups except the NLD and it is not able to watch the condition of non-NLD members who are in the prisons and detention centers across the country. We, AAPP, absolutely believe that the terrible condition of Burmese political prisoners will carry on until there is a democratic government that respects human rights and values, and solves political problems in the right way in Burma.

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