

Can The Outside World See the Darkness We See?

A report on the situation of political prisoners detained in Burma. May 1st, 2000.

As Burma is a member of the United Nations, the military junta, who call themselves the Government, must respect the UN Declaration of Human Rights. Moreover, they must follow the convention against torture and other cruel, inhumane or degrading treatment or punishments adopted by the General Assembly on 10 December 1984. The state parties to this convention have agreed - in regards to article 5 of the Universal Declaration of Human Rights, and article 7 of the International Covenant on Civil and Political rights - that no one shall be subjected to torture, to cruel, inhumane or degrading treatment or punishments.

There is no country in the world that does not have a prison. The prison system of a country reflects to a certain extent the type of government ruling that country. Justice, fairness, sympathy and regard for human rights are always maintained in the prisons of a ruling government which respects human dignity.

When a nation is under the rule of a government which does not respect human dignity, the prison is a place dominated by violations of this dignity, brutal harassment and any kind of abuse that the authorities choose.

Although the junta declared that they are still adhering to the rules set down in the 'Jail manual', drawn up by the British Government in 1891, all political prisoners have been denied the rights of prisoners which appear in that manual. The political prisoners are often subjected to prohibit one and severe punishments in repressive degrees that are not mentioned in the jail manual.

Myingyan Prison

Although torture, rape and other human rights violations are common throughout Burma, this report will focus on atrocities which occur in Burmese prisons, especially Myingyan Prison.

There are 36 prisons in Burma, and of them, 20 detain political prisoners. All prisons have been places of numerous violations of human dignity and brutal harassment, yet among them, the situation of Myingyan prison is the worst. Insein Prison was the most notorious for its human rights abuses until the beginning of 1991. Since then, Myingyan prison has become a new model for the breaking of ones spirit and the destruction of ones resolve. The authorities systematically attempt to exploit every weakness, demolish every initiative, and negate all signs of individuality.

Myingyan prison is located in the middle of Burma and therefore suffers extreme climate changes and severe draughts. When it is the hot season, there is no other city in Burma as hot as Myingyan. And when it is winter, Myingyan becomes extremely cold; the rainy season comes and passes shorter there than anywhere else. This semi-circular prison houses around 1,000 prisoners - between 150 and 200 are political prisoners. There are 50 cell blocks, measuring 8ft x 12ft, in a special ward allocated to detaining the political prisoners. Outside each cell block there is an area of earth and is covered with an iron grill.

Welcome to Prison Newcomers

As soon as a male political prisoner walks in the iron gate of Myingyan prison, the first treatment given will be covering his eyes with a dirty piece of cloth. Beating immediately follows as a second lesson. The prison authorities refer to this event as the 'welcoming ceremony with orchestra', in which they regard truncheons and 2" diameter bamboo rods as musical instruments.

A former political prisoner reported, "We were punched, kicked and beaten with truncheons, jungle boots and bamboo rods at least 200 times by 4 or 5 wardens. We had already been chained, [but], while we were beaten, we were also forced to crawl upon the sharp pieces of bricks until we reached the cells where we would be kept. The wardens shouted 'this is Myingyan prison, this is Myingyan prison' while beating us. They treated us as if we were animals from the very first day. Some even lost consciousness on the way to their prison cells."

When the prisoners reach their cells, they are forced to sit for a long time in the corner, a dirty place designated for toilet use, in 'poun-zan' position. Instead of having the chains removed immediately, the political prisoners remained chained - some were even reinforced by a long iron rod between the feet - and were kept this way for months. All prisoners have faced the above torture routinely in Myingyan prison since 1991.

Routine of Life in Myingyan Prison

"Prison life is all about routine, each day like the one before, each week like the one before it. We were awakened at 5:30 am each morning by a sentry, who entered and commanded "poun-zan". It would take at least one hour. If we were not in the right position, we would be beaten and punished severely, then locked in a solitary confinement cell.

After counting the prisoners, we were not let out of our cells until 8 am, by which time we were to have cleaned our cells and folded our blankets. While they filled the water pots, we were forced to sit 'poun-zan' opposite the entrance. Then, 'Ganbalar' - the bowl used for a toilet - was cleaned. There were two doors in the cell. After 8 am, they opened the inside door and we were forced to work on nonsense jobs, intended to degrade our dignity, such as catching flies, polishing the earth with the

base of a small bottle and polishing the iron door with a piece of cloth until the doors were as shiny as steel (the doors are made of iron bars).

At 10 am, lunch was delivered to us in our cells by criminal prisoners. From 12 noon to 2pm, whether we wanted to sleep or not, we were made to lie down in the confinement cells designed for solitary confinement. If we sat or stood at that time, we would be brutally punished and accused of trying to break out of prison.

After that we worked until 4pm. Then we were permitted to take a bath. Bathing is allowed once a day, and clothes may be washed once a week. The political prisoners are allowed to use only shallow dinner plates to scoop water for bathing.

We were allowed fifteen dishes of water, but usually we received less. Most prisoners suffer scabies and other skin diseases associated with poor sanitation because of the small amount of water provided.

Criminal prisoners, along with a warden, would search our solitary confinement cells. While doing so, we were forced to sit 'poun-zan'. Then they locked the inside door and we were left again in solitary confinement. When there was a loud knock on the outside door, it meant that dinner had been delivered. We sat 'poun-zan' again until the prison closed. When the prison closed, we could stay up, talking quietly if you had roommates, but if you spoke too loud, you would be beaten the next morning. When it was 9 pm, the warden ordered us to go to sleep. Nevertheless, we would try to chat a bit to each other, or to other rooms, before going to sleep."

Food for Prisoners

All prisoners receive three meals. The first meal is in the morning after the prison opens and consists of boiled rice . The second is in the morning around 10 am and consists of rice, pea curry and fish paste . The third meal is in the evening about 4:30 pm and consists of rice, talapaw (vegetable soup) and fish paste. For a special meal once a week, the prisoners are given meat.

When the representatives of the international community such as International Committee of Red Cross (ICRC) , or a special mission of the UN inspects the prison, prisoners are given very good food. After they leave, the situation returns to normal.

The Right to Complaint

Every prisoner is entitled to complain about any difficulties to the prison authorities when they inspect the prison. Yet, in reality, when political prisoners even request the authorities to provide them more rice, they are punished severely.

For instance, on 9 August 1996, Ba Htoo Maung was hobbled for 500 days with a 6"iron rod between his feet for asking to the prison supreme officer U Tin Myint Ko to give him more rice. Ba Htoo Maung was sentenced to 15 years imprisonment including hard labor in 1992 for participating in a demonstration to honor Daw Aung San Su Kyi's receipt of the Nobel Peace Prize. His sentence has since been completed, but he is still in prison.

Another student prisoner, Saw Thet Htun, sentenced to seven years imprisonment including hard labor, was also hobbled for several days, for the same case under the rule of the supreme officer, U Lu Hla. Saw Thet Htun was released from jail in 1997, but arrested again in 1999. He was then sentenced to 35 years imprisonment with hard labor and is now in Thayawaddy prison.

Visiting Rights and Prisoner Well-being

The military junta intentionally tries to break down the spirit of political prisoners by sending them to remote prisons. Myingyan is far from Rangoon and the families of the prisoners. Therefore, they suffer psychological misery and lack important support from their families. As a result their health, both physical and mental, deteriorates day by day.

In Burma, the price for even ordinary commodities is high. Therefore many families cannot afford to provide for their imprisoned fathers, mothers, husbands, wives, sons, daughters and siblings. However, a few families are able to give assistance and provide food for their imprisoned relatives who receive their visiting rights. This is the only opportunity for the prisoners to have nutritious food.

Although many prisoners really want to share the quotas received from their families with their cellmates whose relatives cannot provide, the authorities prohibit it. Therefore prisoners who have visitors must find alternative ways to give the food to their cellmates. It is very difficult and dangerous to do so because many political prisoners are locked in the solitary confinement cells. However, these cells are often shared by 3-5 political prisoners. Each room is abreast. Therefore political prisoners in adjacent cells cannot see one another.

If a political prisoner in solitary confinement is seen throwing food to another room by a warden or a senior criminal, that political prisoner would be hobbled and denied permission to take a bath for several days. The prisoner would also not be allowed to receive a clean 'Gabalar' for several days, meaning that he has to sleep with his excrement.

For example, in 1996, a warden witnessed Ko Thein Aung giving some food to Ko Aung Min. As a result, they were summoned to the prison office and punished brutally.

Because political prisoners are not permitted to receive food except from their families, poor political prisoners rarely have nutritious food. For years, poor political prisoners have nothing to eat but the inadequate food given by the prison. As a consequence of this malnutrition, two Karen men have died in Myingyan prison.

Saw Yin Thit died in January 1996. He was arrested in 1991 and sentenced to 10 years imprisonment including hard labor.

Saw Ether died in August 1998. He was arrested in 1991 and sentenced to 10 years imprisonment including hard labor.

Suppression of members of the National League for Democracy (NLD) Torture, and other cruel, inhuman, or degrading treatment and punishment

The challenge for every prisoner, particularly every political prisoner, is how to keep ones beliefs. The prison authorities and higher authorities conspire to rob each man of his dignity and his beliefs.

The military junta's use of cruel and unusual torture techniques have been well-documented by survivors. Prison punishment is often very similar to the cruel treatment endured during an interrogation period. Prisoners are severely beaten, transferred to other cell-blocks, placed in solitary confinement, etc.. In solitary confinement they are denied contacts with the outside world, subjected to beatings, and placed in chains - either leg-irons or an iron rod positioned between the feet.

The Case of U Win Htein:

U Win Htein, personal assistant to Daw Aung San Suu Kyi, spent over five years in Insein prison and was released in 1995. After his release, he served as a Vice Chair-person of the NLD's prisoner social support group. U Win Htein was re-arrested in May 1996 and sentenced to 14 years imprisonment including hard labor. One year later, on 5 April 1997, he was transferred from Insein Prison to Myingyan Prison. Due to weather changes and old age, he fell sick in May 1997. However, instead of being allowed to care for his health, he was forced to do nonsensical work. In one instance, after U Win Htein had been ordered to polish the ground and the iron rods of cell doors, he replied that he could not because he was sick. He was then slapped by warden Myint Win in front of other political prisoners by order of the supreme prison officer U Tin Myint Ko, in order to publicly humiliate him.

One morning in 1997, U Win Htein said "Good Morning" to Bo Bo Oo, who stayed in the next room. One of the wardens heard the greeting and accused U Win Htein of breaking prison rules. According to Myingyan prison rules, even if a prisoner says 'Good Morning' to another, he must be punished. As a punishment, he was beaten brutally and forced to clean his toilet bowl using only his hands. After that he was hobbled for six months. U Win Htein was also denied permission to wear his spectacles, with which he needs to see. Currently he is still alone in the solitary confinement cell.

The Case of U Hla Min:

U Hla Min was arrested on 19 November 1996 and sentenced to seven years imprisonment . He is one of the elected Members of Parliament in Tenasserim Division. When he was arrested, he was a member of the NLD Central Committee and chief organizer of Tenasserim Division NLD. He was transferred to Myingyan prison from Insein in November 1997. He is nearly 70 years old and his health condition is deteriorating.

Despite his position as a Member of Parliament and his old age, he was forced to do nonsensical work. He was required to catch 100 flies a day. If he was not able to catch the required amount, they made him to squat quickly 300 times as a punishment as they shouted very rude words at him. Whenever he did the 'Sit and stand', his knees would shake, and he would collapse on the ground. Then they would curse him more and beat him. U Hla Min is currently under detention in Myingyan prison's solitary confinement ward.

The case of U Khin Maung Swe: U Khin Maung Swe is also a Member of Parliament. He was earlier arrested by the State Law and Order Restoration Council (SLORC) in November 1990 for forming a provisional government and sentenced to 20 years imprisonment under Penal Code Article 122(1) in April 1991. He was released from Insein prison on 1 May 1992. However he was rearrested on 5 August 1994 in connection with Dr. Khin Zaw Win who was imprisoned earlier that year under the Official Secrets Act. At that time he was sentenced to seven years imprisonment including hard labor. He was transferred to Myingyan prison from Insein in 1998. The same year, when his wife came to him, he asked about Daw Aung San Su Kyi. After finishing his visit, he was slapped, beaten and cursed by the prison officers. Then in August 1998, he was beaten 50 times by the senior prisoner, Phone Myint, with a wooden rod because he did not bow his head on the way to the 30ft concrete bath to take a shower.

Punishment in Myingyan

Prison Solitary confinement cells

A 1.5-2ft long iron bar is placed horizontally between the leg irons of prisoners, forcing them to stand permanently with legs astride. There are no blankets or mats meaning prisoners have to sleep on the bare concrete floor. They are locked in a tiny cell during this period and have no chance to wash at all. Normally, small chamber pots and urine pots are put in each tiny cell. These pots are not emptied, so after a while the cell gets wet, becoming very dirty and smelly. Nobody wants to be put in these cells because of the bad smell. Food is slid in from outside the cell through the iron bars.

The period of solitary confinement usually lasts for at least one month but may last up to three months or more. For a period of solitary confinement, the authorities feed the prisoner overcooked rice that has the appearance and texture of glue for 3 or 4 days. The worst part of solitary confinement is that there is no chance to wash the urine pot.

The experience of Thura, an ex-political prisoner who spent 9 years in prison:

Thura was arrested in 1989 and sentenced to 10 years imprisonment. He was transferred from Insein to Myingyan Prison in July 7, 1990 and then released in 1998.

"When I reported to the supreme officer, U Lu Hla, and asked him to give us more rice, instead of rice I was given physical and mental torture. I was hobbled with a long iron bar placed between my legs. I was forced to crawl on sharp pointed stones for about 500 yards. While crawling I was beaten with rubber-covered truncheons by officials on both sides. Finally I was put into a solitary confinement cell.

In the solitary confinement cell, there was no mat, blanket, or electricity - only mosquitoes and one small urine pot. I was not allowed to wash the urine pot. They did not open my door for one month. I was also denied my visiting rights. I received a little drinking water (two liters) a day. I was forced to sleep on the concrete floor. It was very difficult to urinate and defecate because of the hobbles and iron bar.

In the worst stage of my solitary confinement, 4 or 5 days later, the urine pot was filled with urine and excrement so the smell became unbearable and the room became damp and then wet. Then maggots appeared among the excrement and started walking around the room. After 10 or 12 days, the maggots had doubled in number. When I had a meal, they surrounded me and my left hand removed them but I could not stop them. Finally I was forced to eat my meal while standing. The maggots then would climb up my legs, but I could not shake my legs because if I did, it would produce noise. I was afraid of an extension of my solitary confinement. At night, I was not able to sleep well because when I slept the maggots would crawl into my mouth, ears and nose."

Health Care

There is only one hospital in Myingyan prison and one doctor. The hospital provides no medicine except some kinds of temporary anesthetics and antiseptics, such as Paracetamol, Sodamint and Buspro. The doctor neither examines patients nor prescribes medicine for them; these tasks are carried out by some criminal prisoners. The prison hospital is always dirty and the sanitation is incredibly poor.

The worst thing is that there is also a high prevalence of HIV/AIDS in the prison. Prisoners are always afraid of injections in the prison hospital because of AIDS. The doctor uses the same needle and syringe for many prisoners. The health care system for political prisoners is very poor and they are always the lowest priority.

Conclusion

It is clear that there are blatant and horrific abuses of human rights occurring regularly within the prison walls of Myingyan. Further, these abuses against the dignity of man, especially the political prisoners, extends to all the prisons within Burma. Yet, although these tragedies have occurred, the military junta still categorically denies the existence of cruel and inhumane treatment against its political prisoners. The ICRC has been granted visits but, as noted in this report, prior to their arrival, true prison conditions are altered.

We, the AAPP, hope that with the release of this report, the world will be better informed of the true and appalling situation of political prisoners in Burma and support us in our struggle to assist these, our suffering brothers and sisters. We also hope that concrete steps will be taken to radically improve the conditions in Burmese prisons and moreover, that the people imprisoned for their political beliefs will be immediately and unconditionally released.

Recommendations

1. Physical and mental torture in all its forms should cease to exist.
2. Prisoners should not be subjected to lengthy periods of solitary confinement. A maximum period for solitary confinement should be imposed and enforced.
3. Sanitation projects inside prisons should be implemented to improve the general health situation.
4. Adequate and nutritious food and sufficient clothing should be provided to all prisoners.
5. Access to adequate medical treatment should be available to all prisoners.
6. Political prisoners should not be transferred to remote prisons in order that families can visit on a regular basis.
7. Immediate release of prisoners on their due date of release should be strictly enforced.
8. Access to a fair public judiciary system should be available.
9. The opportunity to read books and journals as well as have access to and the opportunity to use writing materials.

Foot Notes

'poun-zan' - prison terminology, referring to the position of sitting cross-legged with arms straightened out and both fists on knees, holding the body absolutely vertical with the face downward. This position is for the counting of prisoners and for inspection by prison officials. We, AAPP members, believe this system was introduced at every prison in our country with the objective of mentally torturing, and eventually dehumanizing the prisoners.

Boiled Rice: Consists of only rice and water

Pea curry: Consists of only water and peas. We call it mirror color soup because there is a lot of water and a small amount of pea. Sometimes it can be salty. Sometimes tasteless. Sometimes it is tasty on the days when ICRC or a Foreign Mission inspects prison.

Fish paste: Fish paste is a traditional Burmese side dish made of pounded fish usually served mixed with chilies and other seasonings. The fish paste given to prisoners is the lowest quality available in Burma made of a little fish paste with salt, and sand. A prisoner gets only one teaspoon of fish paste for one meal.

Talapaw curry: We call it 'Wet Khaung Khar'. It means when you give any food to pig, the pig will eat all you gave but when you give Talapaw to the pig, after looking at it, the pig will refuse to eat it. Talapaw curry consists of a small amount of various unwashed vegetables and water. They are put together into a large urn, and then boiled. The soup always contains leeches, sand or some very tiny pieces of stone.

Meat: Beef or pork or fish or egg is given to a prisoner once a week. In the jail manual there is a 4 ounce allowance, yet each prisoner gets only a small piece of meat (about a one-inch cube). The authorities never cook the meat, instead they boil it.

April 1, 2000 AAPP Assistance Association for Political Prisoners (Burma)