

MYANMAR

SEPTEMBER - DECEMBER 1996

INTRODUCTION

Political tension in Myanmar escalated steadily in 1996, characterized by political brinkmanship between the State Law and Order Restoration Council (SLORC, Myanmar's military government) and the National League for Democracy (NLD, the primary legal opposition party). Each time the NLD attempted to organize large-scale political activities, the SLORC took rapid pre-emptive steps to prevent such plans from coming to fruition. SLORC repression of the NLD included mass arrests of NLD supporters by the security forces in order to prevent meetings; sentencing dozens of NLD members to long terms of imprisonment; and restrictions on movement and intensified surveillance and intimidation of NLD members and leaders. Long dormant student activism also emerged in the last three months of the year, with protest demonstrations calling for student rights in Yangon, the capital, and in Mandalay, Upper Myanmar. Demonstrations were broken up by the authorities, who arrested hundreds of students during and after the protests. Although most were released, others remain in detention.

Beginning on 28 September, security forces blocked access to the street in front of Daw Aung San Suu Kyi's home compound, where weekend public meetings had been convened for over one year. Although these meetings were held in contravention of Law No 2/88, which prohibits most public gatherings of more than five people, the SLORC had previously allowed them to take place. On 23 October U Kyi Maung, the 78-year-old NLD Vice Chairman and former army colonel, was detained for five days when the SLORC accused him of involvement in the October student demonstrations. Although he was released unharmed, constant surveillance of U Kyi Maung, U Tin U, the co-Vice Chairman and a former army General, and Daw Aung San Suu Kyi continued throughout 1996. With the exception of top NLD leaders, people were often prevented from entering Daw Aung San Suu Kyi's compound during the last three months of the year. After the arrests of 273 NLD members of parliament-elect in advance of a planned party congress in late May, 39 of them resigned from both the party and their positions as MPs-elect by the end of the year. They were believed to have resigned after the authorities were said to have threatened them with job losses and other punitive measures.

Since July 1990 the authorities have denied a publication license to the NLD, preventing the party from printing any written material. During 1996 further restrictions on freedom of expression were established, most notably the Computer Science Development Law, the promulgation of which was announced on 21 September 1996. According to its provisions, anyone who "*is desirous of importing, keeping in possession or utilizing...*" a computer for purposes other than teaching or transacting business must obtain prior permission from the Ministry of Communications, Posts and Telegraphs. Anyone "*...desirous of setting up a computer network or connecting a link inside the computer network...*" must also obtain prior permission from the aforementioned ministry. Failure to obtain permission to possess a computer or set up a network can result in a sentence of from seven to 15 years' imprisonment and a fine. Anyone who "*commits any of the following acts using computer network or any information technology*" shall also be sentenced to seven to 15 years imprisonment:

(a) carrying out any act which undermines State Security, prevalence of law and order and community peace and tranquillity, national unity, State economy or national culture;

(b) obtaining or sending and distributing any information of State secret [sic] relevant to State security, prevalence of law and order and community peace and tranquillity, national unity, State economy or national culture.”¹

Although it is not known if this law has yet been used by the SLORC, Amnesty International is concerned that the vaguely-worded provisions could be employed to sentence people peacefully exercising their right to freedom of expression to long terms of imprisonment.

The SLORC-controlled National Convention, which is meant to draw up a new constitution, adjourned on 31 March and was not reconvened during the remainder of 1996. The NLD, which boycotted the Convention in November 1995 and was subsequently expelled, repeatedly called for dialogue with the SLORC as a means to national reconciliation. These requests were ignored. In response to a question about potential dialogue between the SLORC and the NLD by a journalist at a news conference on 1 November, Foreign Minister U Ohn Gyaw said, “...*this National Convention is there. This is where the dialogue is going on, country-wide dialogue.*”²

In the last three months of 1996 Burmese students staged large-scale demonstrations for the first time since 1991, when demonstrations in December called for the release of Daw Aung San Suu Kyi and celebrated her award of the 1991 Nobel Peace Prize.³ In 1996 a series of student demonstrations was held in Yangon in October and again in December, when demonstrations also occurred in the northern city of Mandalay and in other cities on a smaller scale. Initial protests revolved around the alleged beatings during the detention of three Burmese students by municipal police in October, but student demands later grew to calls for the establishment of a student union and for human rights and democracy. Although the SLORC repeatedly alleged that the NLD had “instigated” the demonstrations, both the party and the students have denied any such connection. After the 2 December student demonstration, Daw Aung San Suu Kyi was rarely allowed by the security forces to leave her compound; at the time of writing her freedom of movement is still curtailed.

This report is a summary of events in central Myanmar from the end of September until the end of December 1996. During this period hundreds of people were arrested, most of whom were detained solely for the expression of their peaceful political views during demonstrations or for attempting to attend political meetings. Although the majority were apparently released, Amnesty International is concerned at the use of short-term political arrests by the SLORC in order to repress any peaceful political activity. Amnesty International is further concerned at the SLORC’s suppression of mostly peaceful protest demonstrations, during which some demonstrators were beaten by the security forces.

¹*New Light of Myanmar*, 21 September 1996.

²Rangoon TV Myanmar Network, 1 November 1996, as translated in Foreign Information Broadcast Service (FBIS).

³Some 900 students were arrested in December 1991, many of whom are believed to remain in detention.

NEW INFORMATION ABOUT ARRESTS AND SENTENCES JULY-SEPTEMBER

Amnesty International has obtained the names of 16 people who were arrested from July to September 1996, all of whom were later tried and sentenced to terms of imprisonment. These political prisoners are a fraction of hundreds who were arrested in 1996. Nine of them are students and four are NLD MPs-elect. Four are prisoners of conscience, arrested solely for peacefully expressing their political views. Although Amnesty International has not been able to obtain details of the trials of these 16 people, it is concerned that they may not have conformed to international fair trial standards. Political prisoners are almost never allowed legal representation; trials are generally held *in camera*; and are concluded in a few sessions over a brief period of time.

Dr. Aung Khin Sint, an NLD MP-elect from Mingala Taung Nyunt, Yangon, was arrested on 22 or 23 July. He had been previously arrested along with scores of other NLD MPs in late May, and had resigned from the NLD after his release. According to unofficial reports, he must now serve the remainder of the 20 year sentence originally handed down in 1993. Amnesty International believes that he is a prisoner of conscience, arrested solely for the peaceful expression of his non-violent political views.⁴ **U Hla Myint**, an NLD MP from Maubin, Ayeyarwady Division, was sentenced to two years' imprisonment on 20 September and is held at Maubin Jail. He was reportedly arrested after asking a police officer, who was writing down the names of those present, to leave an NLD meeting. Amnesty International is concerned that he may be a prisoner of conscience and is seeking further information about the circumstances of his arrest and trial.

U Kan Saung was arrested on 7 July 1996, apparently for shouting "*Long live Daw Aung San Suu Kyi!*". He attended the NLD weekend rallies in front of Daw Aung San Suu Kyi's compound in Yangon regularly. He was sentenced on 2 September to seven years' imprisonment under Section 5(j) of the 1950 Emergency Provisions Act, which states: "*He who...causes or intends to disrupt the morality or the behaviour of a group of people or the general public, or to disrupt the security or the reconstruction of stability of the Union;...shall be sentenced to seven years in prison, fine, or both.*" His trial took place at Insein Jail, Myanmar's largest prison, where he is currently being held. He is not a member of any political party. Amnesty International considers U Kan Saung to be a prisoner of conscience, arrested solely for peacefully expressing his political views.

Daw Khin Aye Kyu, an unmarried professional photographer in her mid-40's, was arrested at her home on 20 September 1996. Her brother, **Ko Sein Ohn**, a 43-year-old married videographer, was arrested the same day in Mandalay, Upper Myanmar. Daw Khin Aye Kyu is the official NLD photographer who took pictures of NLD leaders. The Myanmar security forces raided her home in Pazundaung, Yangon, and confiscated videotapes and a video player. She was sentenced on 3 January 1997 to three years' imprisonment under the provisions of the 1996 Video Act, which relates to the distribution of videotapes deemed commercial without having been vetted by a censor. Although Amnesty

⁴Dr. Aung Khin Sint was a prisoner of conscience from 1993 to 1995. For further information on his case, please refer to *Amnesty International, MYANMAR: Human rights developments, July to December 1993*, January 1994, (AI Index ASA 16/03/94). He had served 18 months of the 20 year sentence.

International does not have a copy of this law, it is widely believed to have been promulgated in order to suppress the distribution of videotapes of recorded speeches of NLD leaders. Ko Sein Ohn was sentenced on 3 January to ten years' imprisonment under the provisions of the 1996 Video Act and the Export/Import Act of 1947. Amnesty International believes that Daw Khin Aye Kyu and her brother Ko Sein Ohn are prisoners of conscience, sentenced solely for peacefully expressing their rights to freedom of expression. They are currently imprisoned in Insein Jail.

Although Amnesty International has few details of the following arrests, it remains concerned that these people may have been arrested solely for their peaceful political activities. It is seeking further information about their cases in an attempt to clarify their status. **U Kyaw Tin**, an NLD MP-elect from Saw Township, Magwe Division, was arrested on an unknown date and sentenced to two years' imprisonment under the Video Act. He is currently being held in Pakokku Jail, Magwe Division. **U Kyin Thein**, an NLD MP-elect from Kyar-in-seit, Kayin (Karen) State, was arrested on an unknown date and sentenced to seven years' imprisonment under Section 5(j) of the 1950 Emergency Provisions Act. He is now held in Moulmein Prison, Mon State.

A group of nine young men, who are not believed to be NLD members, were sentenced on 21 October to 13 years' imprisonment and are now held at Insein Jail. Details about their trial and the laws under which they were sentenced are not known. According to official sources **Kyin Thein, Thant Zin, Ngwe Soe, Nyan Win, Hla Hla Win, Kyaw Aye, Tun Aye, Myo Htut Aung** and **Tun Naing** were arrested for passing out anti-government leaflets. The government media reported that:

"Authorities concerned have exposed a group of subversive youngsters who were engaged in spreading false and frivolous news among the public with intent to disrupt stability of the nation and community peace and tranquillity...It was reported that Kyin Thein, Thant Zin and Ngwe Soe of Sangyoung Township, under the name 'Lutlatthaw Thakin Lungemyar Aphwe' [Independent Youth League] spread unfounded rumours among the public, distributed instigative leaflets, addressing monks, people and students, with intent to create misleading impressions on [sic] the Government and to cause panic among the people, and especially, they were engaged in handing out leaflets and engaged in whispering campaigns at the roadside talks on University Avenue.

*Investigation further exposed with evidence that the three collaborated with Nyan Win, Hla Hla Win, Kyaw Aye, Tun Aye, Myo Htut Aung and Tun Naing in distributing leaflets in North Okkalapa, Khayan, Thongwa, Thanlyin, and Pyay."*⁵

Amnesty International considers all nine students to be possible prisoners of conscience, arrested solely for expressing their political opinions.

SEPTEMBER MASS ARRESTS

⁵New Light of Myanmar English edition of 22 September 1996.

The SLORC stepped up its repression of the NLD in late September when the party again tried to convene a meeting. In May the SLORC had arrested some 300 NLD members on the eve of a planned NLD congress; in September the SLORC detained almost double that number to prevent another congress from being held. From 27 to 29 September the NLD attempted to convene The All Burma Congress of the National League for Democracy to celebrate the eighth anniversary of the founding of the party.⁶ In a swift pre-emptive move beginning on 26 September, the authorities arrested 159 NLD delegates and 414 NLD supporters around the country. The next day security forces blocked off Daw Aung San Suu Kyi's compound on University Avenue, preventing the public rallies of Saturday and Sunday from taking place for the remainder of the year. NLD headquarters in Yangon was also sealed off by the authorities when a group of NLD members convened there after having been prevented from entering Daw Aung San Suu Kyi's compound. However none of the NLD executive committee members were detained and some NLD members who evaded arrest were able to enter the compound before the barricades went up. On 27 September people gathered on University Avenue but were dispersed by the security forces.

Armed riot police continued to blockade the compound on the weekend of 28/29 September, preventing Burmese people and international photographers and television crews from entering the area. People were arrested both at the scene and also in other Yangon townships. NLD delegates to the congress were held in government guesthouses and other NLD supporters were detained in local police stations. The NLD claimed that some 800 people were arrested while the SLORC put the figure at 573. Most are believed to have been released over the following two weeks, although lack of access has prevented details of arrests of specific individuals and subsequent releases from becoming available. Amnesty International is concerned by the SLORC's use of short-term arrests as a tactic of repression, the effect of which is to instill fear in anyone who may try to hold a peaceful political party meeting.

The SLORC stated on 27 September that the NLD had not sought permission from the authorities to hold a meeting, and that the authorities prevented the congress from taking place "*so as to avoid unnecessary instability and disturbance in the state*". They also stated that the congress was planned to coincide with the United Nations General Assembly and a meeting of the US Congress, who were voting on a bill enabling the US administration to apply economic sanctions against Myanmar. The SLORC further claimed that the NLD had planned the congress in consultation with the US Embassy in Yangon.⁷ On 2 October the SLORC stated that at weekend public gatherings NLD leaders were "*...speaking ill of the Government and the Tatmadaw⁸, sowing discord among the lower and upper levels of the Tatmadaw, inciting instability among the people and exhorting foreign businessmen not to invest in Myanmar and tourists not to visit.*"⁹ The SLORC also asserted that NLD activities

⁶ The first congress was convened for 27 May 1996; please see *Amnesty International, Myanmar: Renewed repression*, July 1996, (AI Index 16/30/96).

⁷ Radio Myanmar, Rangoon, in Burmese, 1330 GMT 27 September 1996 as translated in Summary of World Broadcasts, British Broadcasting Corporation (BBC).

⁸ *Tatmadaw* is the Burmese word for the army of Myanmar.

⁹ Myanmar News Bulletin, Embassy of the Union of Myanmar, Paris, France, 2 October 1996.

were aimed at creating riots and other disturbances reminiscent of the 1988 mass civil unrest in Myanmar.¹⁰ At the monthly SLORC press conference held on 1 October, the Information Committee claimed that the NLD was conducting an anti-SLORC propaganda campaign involving the media and governments of “*the West bloc*”.¹¹ However Amnesty International believes that the NLD was merely attempting to hold a peaceful political meeting, and that they had no intention of engaging in or inciting violence.

Amnesty International issued a statement on 27 September, expressing concern that hundreds of people were arrested merely for attempting to attend a peaceful political meeting and calling for their immediate and unconditional release. The Governments of Japan, the United Kingdom, Canada, and the United States all called on the SLORC to immediately release those arrested in the September crackdown. On 28 September NLD Chairman U Aung Shwe issued a press statement in response to the SLORC’s actions. He denied that the NLD had planned its congress in collusion with the US Government, and said that the NLD, as the victor of the 1990 elections, maintained friendly relations with embassies in Yangon as a matter of course. He also stated:

“The State Law and Order Restoration Council, which claims that it is seeking to promote multi-party democracy, should do everything it can to encourage the movements of political parties. Steps to prevent normal party work from proceeding belies such a claim....The assertion of the authorities that the NLD intended to adopt resolutions and to make demands aimed at creating confusion and undermining the stability of the state is entirely untrue. The NLD is a responsible political party which is constantly striving to achieve conditions that will ensure peace and progress within the nation.”

On 2 October Daw Aung San Suu Kyi was able to conduct a press conference after she left her compound and went to another house to meet journalists. During the meeting she stated: “*We will continue our plans for our party...We are certainly not going to ask for anybody’s permission...None of this would have happened over the past few days if we had dialogue [with the SLORC]*”¹². In response to a journalist’s question about the NLD’s moderate response to the crackdown, she said: “*Do you not think it’s enough that some people get arrested for their beliefs? Do you want us to die in the streets?*”¹³

Barricades remained in place over the 5/6 October weekend, and there were no reports of attempted gatherings. However they were removed on 8 October after which Daw Aung San Suu Kyi called another press conference for that day. Also on 8 October Bohmu Aung, one of Myanmar’s

¹⁰*The New Light of Myanmar*, English language edition of 5 October 1996.

¹¹Rangoon TV Myanmar Network in Burmese, as translated in Foreign Broadcast Information Service, 1 October 1996.

¹²*Reuter*, 2 October 1996, Rangoon.

¹³*Agence France Presse*, October 2, 1996, Rangoon.

independence leaders, called for cooperation between the SLORC, the NLD, and ethnic minority leaders. The barricades were reinstated for the 12/13 October weekend, when over 200 people were turned away from the area by the police. The NLD had apparently called another party meeting at the compound for 12 October, but because of the barricades, most delegates were unable to enter. Reports also indicated that police arrested dozens of people that day, who were believed to have been released after questioning. There were also reports on 12 October of riot police charging crowds in order to disperse them. The SLORC claimed that some 70 persons attempted to enter the restricted area, 27 of whom were put into vehicles, driven from the scene, and “*persuaded to return to their homes.*”¹⁴

In mid October the SLORC announced a new crackdown on crime, which also appeared to include those who peacefully expressed their opposition to the government. The establishment of a Crime Reduction and Educative Publicity Work Committee was reported in the official media, which would take “*drastic actions against crimes posing danger towards security beginning on 15 October.*” The article described the increase in common crimes, such as theft, but also characterized other activities as crimes:

*“Currently, crimes threatening community peace and breaking the laws have occurred due to instigations by internal and external ax-handles [sic] and influences by local and alien political interferences..internal destructive elements are attempting to hamper the nation politically, economically and socially..”*¹⁵

NLD leaders continued to meet in small groups and on 16 October the NLD headquarters was able to reopen its offices in Yangon. The blockade around Daw Aung San Suu Kyi’s compound remained in place until 21 October, when it was lifted for a few hours.

OCTOBER DEMONSTRATIONS AND THE DETENTION OF U KYI MAUNG

In October for the first time in almost five years university students initiated large protest demonstrations in Yangon. On 20 October a group of students from Yangon Institute of Technology (YIT) were involved in a fight with local residents at a food stall at Sawbwa-gyigong, Insein township. The police were called, and subsequently took three of the students to the Insein police station and held them overnight. According to official reports, after a “*misunderstanding*”, the police realized that the three were in fact students and handed them over to the YIT Rector.¹⁶ However YIT students claim that the three were beaten while in custody. The next day a group of students gathered peacefully at the corner of University Avenue and Prome Road, calling on the authorities to publicly account for the incident and apologize for the ill-treatment. Still dissatisfied with the official media account, hundreds of students marched again on

¹⁴Statement issued on 16 October 1996 by the Ministry of Foreign Affairs, Yangon.

¹⁵17 October English language edition of *The New Light of Myanmar*, as quoted in Foreign Broadcast Information Service (FBIS).

¹⁶Radio Myanmar, Rangoon, in Burmese 1330 GMT, 22 October 1996, as translated in Summary of World Broadcasts, British Broadcasting Corporation.

22 October and staged a sit-down protest at the Hledan Junction, where Hledan Road, Insein Road, Promé Road and University Avenue meet, until early in the morning of 23 October. Most students left of their own accord, but security forces dispersed those who remained.

On 23 October U Kyi Maung, 78 year-old NLD Vice-Chairman and a former army colonel, was arrested early in the morning at his home and taken to an unknown place. He was held in incommunicado detention until 28 October when he was released unharmed. His arrest provoked widespread international condemnation from governments and human rights organizations, including Amnesty International. The authorities reported that he was detained because of suspected involvement in the student demonstrations. Two YIT students had come to visit Daw Aung San Suu Kyi's compound after the blockade was briefly lifted again early in the morning of 22 October. Because Daw Aung San Suu Kyi was busy at the time, U Kyi Maung met with the students. NLD sources stated that he had merely listened to the two students' concerns during the meeting. After his release U Kyi Maung said that he had been treated well during his stay at a military intelligence (MI) guesthouse, when MI officials asked him about the student protests and the NLD. He stated further that he did not have much to tell them, as the NLD was not involved in the demonstration.¹⁷ There were also reports of some seven young people, most of them NLD youth members, who were arrested that week and released in the two-week period following the demonstrations. One of them was reportedly deprived of sleep for three days.

After the demonstrations Daw Aung San Suu Kyi did not leave her house from 23 to 25 October. She was apparently discouraged by Military Intelligence personnel from leaving her compound during that time. She agreed to these restrictions, provided other NLD leaders were allowed access to her home.

NOVEMBER EVENTS

The SLORC made further repressive moves against the NLD and its leaders during the month of November, including short-term arrests of NLD supporters and physical attacks on NLD leaders. Amnesty International is concerned by the official inaction and possible collusion in these organized mob attacks on Daw Aung San Suu Kyi, NLD leaders and supporters.

On 29 October Daw Aung San Suu Kyi spoke to the press, stating she would resume her weekend talks, but would not conduct the weekend meetings inside her compound. On 1 November the SLORC held its monthly press conference, during which questions were taken from journalists. With regard to future weekend meetings in front of Daw Aung San Suu Kyi's compound, Colonel Kyaw Thein, stated, "*We are allowing the NLD to hold meetings inside the compound.*"¹⁸ On Saturday 2 November Daw Aung San Suu Kyi left her compound to meet with hundreds of supporters near her home after the security forces blocked people from approaching. There were reports of a confrontation between riot police armed with batons and some 100 people who refused to disperse, but further details were not available.

¹⁷ *Reuter*, Rangoon, 1 November 1996.

¹⁸ *Ibid*, 1 November 1996.

The blockade remained in place on 3 November when Daw Aung San Suu Kyi did not leave her compound to meet hundreds gathered on nearby streets. An eyewitness gave the following account of what happened that day to Amnesty International. Hundreds of NLD supporters and suspected members of the United Solidarity Development Association (USDA, a SLORC-sponsored group of some alleged 5 million members) armed with large sticks marched down roads towards a gathering of NLD supporters. A fistfight broke out between the two groups. Riot police and soldiers stood by without intervening, but did arrest three NLD supporters. The remaining supporters apparently demanded the release of the three by 5.30pm. The police in turn demanded that the supporters disperse by 6pm, by which time most had in fact left the scene. About 25 people, including Buddhist monks, were arrested and loaded into two trucks after they refused to disperse in the face of riot police requests. Officials stated that only 12 people were arrested, all of whom were released on 4 November; unofficial sources claimed that the 25 were beaten and deprived of food and water during their detention.

Eyewitnesses provided details to Amnesty International of an attack on the NLD on Saturday 9 November. A group of about 1,000 young men from outlying townships were trucked into the centre of town on that day. At about 3.30 pm Daw Aung San Suu Kyi, U Kyi Maung, U Tin U and other NLD leaders left her compound in a five-car motorcade including a car with MI personnel. The stated purpose of their trip was to meet with NLD supporters outside the barricades who gather every weekend in anticipation of speeches by NLD leaders. They first went to the home of U Kyi Maung, when the area around his house was sealed off by security forces. The motorcade was attacked as it left U Kyi Maung's house by a group of 200 young men, thought to be USDA members. The group attacked four cars with iron bars and sticks, smashing the windscreens of the vehicles. U Tin U sustained a small cut on the face when his windshield shattered. Daw Aung San Suu Kyi's car was hit with an iron bar, which left a large hole. The young men chanted "Down with the traitors" and had sticks and bricks and stones. One eyewitness said that some of the men told him that they were being paid 500 kyats per person to participate in the attack.

A second attack by about 100 men took place at the corner of University Avenue and Thanlwin Road. The rear windshield of U Tin U's car was smashed and a man armed with an eight inch knife jumped on the back of the car. The driver then accelerated rapidly, knocking the attacker off the car. The attacks took place in full view of traffic and riot police present at the scene, who did not intervene. When the MI car was severely attacked, one MI officer jumped out of the car waving a pistol, and the attackers backed away. After the two attacks, Daw Aung San Suu Kyi managed to leave her car and address a crowd of supporters, whom she asked to disperse. At about 7pm an eyewitness saw three two-ton trucks drive up, and the suspected USDA members got in and were driven off. The attack is widely believed by independent eyewitnesses to have been organized by the government.

On Sunday 10 November mobs of suspected USDA members were trucked in to Bahan and Yankin townships and roamed the streets in the area, although there were no reports of violence. Also on the same day Daw Aung San Suu Kyi and other NLD leaders addressed a group of supporters at Shwedagon Pagoda, the scene of many significant political gatherings.

On 11 November the NLD reported the 9 November attack to the Bahan township police station where the party filed an official complaint. According to reports, the government has instigated an

investigation, although to Amnesty International's knowledge any results of such an investigation have not been made public.

The government provided the following account and commentary on the attack:

*"Last Saturday, 9 November 1996, she had cheaply organizable persons, fanatics and awalas gather...On getting in front of the Bahan Basic Education High school No 2 at Kaba Aye Pagoda Road at about 3.45 pm, about 200 persons opposed to Suu Kyi threw stones at the motorcade...Suu Kyi will get into trouble if she thinks that every group she sees is her supporters. Upon reaching the stage of being hit by stones openly she will have to exercise a restraint. It is difficult to allege specifically who are opposed to Suu Kyi, for Suu Kyi has caused trouble to various strata of society...As Suu Kyi is becoming more and more apparent as the one trying to destroy all these prospects for stability of the State with her fangs, it is rather difficult to indicate what sorts of people do not want her."*¹⁹

Another government article responded to the NLD's claims that the USDA attacked the motorcade:

*"It is clearly a deception on the part of the woman and her co-conspirators to have more Western pressure on the Na Wa Ta [SLORC] that they cursorily, dishonestly and rather brazenly accused the incident was the work of the government. In other words, it was just a deliberate attempt with low-down plot hatched to damage the political prestige of the steady and mature government which handles political problems so pliantly and gently, though it happens to be called a military government."*²⁰

Amnesty International believes that the attack took place with at the very minimum the knowledge and probably with the assistance of the SLORC, and fears for the personal security and the lives of NLD leaders, who remain at risk. The attack was also widely condemned by governments and intergovernmental groupings, including the United States, Japan, and the European Union.

On 18 November a group of some 200 NLD supporters gathered at the Goodliffe Junction,²¹ which is a meeting place for supporters who wait for the arrival of NLD leaders. However no NLD

¹⁹The English language version of *The New Light of Myanmar*, as quoted in the Foreign Broadcast Information Service, 12 November 1996.

²⁰ The 15 November 1996 English language edition of the *New Light of Myanmar*, as quoted in Burmanet.

²¹This junction, which is near Daw Aung San Suu Kyi's home compound, is also known as Saya San Junction. Since the authorities began to prevent her and other NLD leaders from speaking to weekend gatherings in front of her house, supporters have gathered there at the weekends as a show of solidarity.

leaders appeared on that date. On 22 November a meeting of some 200 party members was held inside the compound, the purpose of which was to announce party condemnation of the 9 November attack. On Saturday 23 November Daw Aung San Suu Kyi addressed a group of supporters outside the barricades blocking her house. She said: “*We are not here to cause unrest, we are here to show that we will go on until we reach our intended goal with discipline like this.*”²² However on Sunday 24 November she did not appear, although a crowd of supporters gathered. On the following Saturday, 30 November, she also did not appear to a crowd of some 800 supporters.

Other arrests

Two arrests of NLD members of parliament-elect from ethnic minority states in November appeared to be unrelated to the events in central Myanmar. **U Saw Oo Re**, MP-elect from Hpruso Township, Kayah State, eastern Myanmar, was arrested on 15 November. He resigned from his position as elected MP on 28 November. According to official sources, security forces raided Saw Oo Re’s house in Loikaw on the day of his arrest and confiscated documents which showed his involvement with a Karenni insurgent group. The authorities also found a book which they claimed he had written and published illegally in 1993, the text of which they said encouraged armed rebellion. He was also accused of giving money to Karenni insurgents. On 29 November a court in Loikaw, Kayah State capital, sentenced him to three years’ imprisonment under Section 17/1 of the 1908 Unlawful Associations Act, which states:

“Whoever is a member of an unlawful organization, or takes part in meetings of any such association, or contributes or receives or solicits any contribution...or in any way assists the operations of any such association, shall be punished with imprisonment for a term which shall not be less than two years and more than three years and shall also be liable to a fine.”

This provision is often used to sentence political prisoners whom the authorities allege have had contact with insurgent groups or other illegal organizations. Saw Oo Re was also sentenced in a separate hearing on 18 December to seven years’ imprisonment under Section 2/B of the Law Amending the 1962 Printers and Publishers’ Registration Law. Although further details are not available, Amnesty International is concerned that Saw Oo Re may not have received a fair trial.

U Hla Min, an NLD MP-elect from Tanintharyi (Tenasserim) Division in southeastern Myanmar, was arrested on 19 November. Further details about his arrest are unknown, and Amnesty International is seeking further information about his case.

STUDENT DEMONSTRATIONS AND MASS ARRESTS OF DECEMBER

During the month of December the SLORC responded to large student demonstrations by arresting hundreds of students and NLD members. Although most of these individuals have been released, Amnesty International remains concerned about the continued detention of almost 100 people, who were

²²Reuter, 23 November 1996.

still held at the time of writing. On 2 December a group of students from the Yangon Institute of Technology (YIT) staged a sit-in demonstration on their campus, and then marched to the entrance of the Yangon University campus. They initially protested the earlier alleged police beatings of three YIT students who had been briefly detained on 20 October 1996 after a fight at a food stall in Insein township. They were also protesting against the circulation of letters on 29 November to some YIT students, which reportedly called on them not to ignore their studies in favour of politics. Students' demands included the punishment of the policemen involved in the October beatings and the reinstatement of two students who had been subsequently suspended. The authorities responded by stating that the policemen involved in the 20 October arrest had been sentenced to two years' imprisonment with hard labour. Students also asked to be able to form a student union, which had been abolished by the SLORC when it re-established military control in 1988 after suppressing the pro-democracy movement.

Peaceful protests continued all night, when YIT students were joined by students from other universities, to form a group of 2,000 people, much larger than the previous October demonstration. Their demands grew to include the release of imprisoned students, human rights and democracy, and improved educational standards. Students marched through the streets of central Yangon carrying the flying peacock flag, a symbol of Burmese independence, and pictures of General Aung San, Myanmar's independence hero and father of Daw Aung San Suu Kyi. At about 5.30 am on 3 December a group of some 400 students gathered at Shwedagon Pagoda, were arrested by police and taken away in trucks to the Kyaikkasan sports ground. There were unconfirmed reports of beatings of students with rubber batons. According to the SLORC, all of the students were released after they were identified and questioned. The SLORC claimed that the group was detained in order to determine whether they were students or "infiltrators". The authorities later said that 424 students were arrested and later returned to their campuses and 172 non-students who were also briefly detained were sent back to their homes. However, Amnesty International remains concerned about those whom the SLORC characterize as "infiltrators" who are still in detention.

Among the group of people arrested was **U Myo Thant**, a local reporter for Japan's *Yomiuri Shimbun* newspaper. He was detained on 4 December by police and beaten several times on the head with truncheons despite having identified himself as an accredited journalist. He was later taken to the hospital and released on 7 December. In an unprecedented move, on 4 December the Foreign Correspondents Club of Myanmar, which comprises only Burmese reporters, issued a statement of protest at his treatment. In a 2 January 1997 press conference, the SLORC said that after the beating "humanitarian" assistance had been provided to U Myo Thant. Amnesty International is concerned that the security forces beat a journalist who was attempting to report on events.

Barricades were lifted on the road in front of Daw Aung San Suu Kyi's compound on 2 December, but it was blocked again at about 7am on 3 December, and by the end of the year the barricades remained in place. As a consequence she was unable to hold a planned press conference on 3 December. Also on 3 December five members of the NLD youth wing were arrested after they left Daw Aung San Suu Kyi's compound. Daw Aung San Suu Kyi was able to leave her compound on 5 December in order to join over 200 NLD members and supporters to mark Myanmar's National Day at the home of U Tin U. However she could not leave her home again until 27 December, although key NLD leaders, including party chairman U Aung Shwe, U Kyi Maung, and U Tin U were able to visit her. During and after the December student demonstrations, Daw Aung San Suu Kyi stated that the NLD was

not involved in the demonstrations, although they certainly supported the students' goals of democracy and human rights.

Further demonstrations by students took place in Yangon on 6 December. Eyewitnesses provided the following account of events on that day and in the early hours of 7 December. YIT students began protesting on their campus in the morning, and in the early afternoon marched down towards the main Yangon University (YU) campus. Students from various universities gathered at Hledan intersection, the site of the October 1996 demonstration. Between 2 and 3 pm Insein Road was blocked by riot police and army troops. The students displayed banners and made speeches, repeating their calls for the right to form their own union and the release from prison of 80 student leaders. Some students left the demonstration during the day, fearing intervention by riot police and armed troops, but by late evening some 500 remained, ignoring appeals from teachers to disperse. Local residents and other onlookers provided the students with water and food.

In the early morning hours of 7 December a group of some 100 - 150 students remained sitting at the Hledan intersection, surrounded by security forces. The group of students burned candles and prayed towards Shwedagon Pagoda. Onlookers, local residents and other students were gathered on streets and balconies nearby. Students from inside the YU campus also looked on. Riot police backed by armed troops were assembled on the surrounding streets. As the riot police marched down Insein Road towards the Hledan intersection, people gathered on that road threw bricks and other projectiles at the riot police, who threw stones back at them.

Demonstrations were finally broken up forcibly by the authorities at about 3 am with the use of water-cannons and riot police who charged the crowd wielding shields and batons. All the students in the intersection ducked down to avoid the water cannon directed at them, but one student, holding the flying peacock flag, remained standing and was knocked over. Police sprayed water cannons for 20 minutes on the students in the intersection before arresting them, and riot police with batons and shields charged another group of 100 students gathered nearby. According to official sources, 180 students and 83 non-students were detained and taken away to the Kyaikkasan sports stadium. The authorities later claimed that all of them were "handed over to their guardians".²³ Amnesty International is concerned that although for the most part the authorities exercised restraint, they did use violence against peaceful demonstrators in the centre of the intersection.

According to the NLD, **Kampye**, a Hindu laundry worker who was an onlooker, died after being beaten at the demonstrations on Insein Road on 7 December. He was seen being hit on the head with a stick, dragged off by police and eventually taken to the hospital. The authorities later denied the NLD's claim, but Amnesty International remains concerned about the report, and calls on the SLORC to investigate the whereabouts of Kampye.

After the demonstration most of central Yangon was blocked off and only residents were allowed through checkpoints. On 7 and 8 December hundreds of NLD supporters gathered at Goodliffe Junction

²³Rangoon TV Myanmar Network in Burmese, 1330 GMT, 2 January 1997, as translated in the Foreign Broadcast Information Service.

to wait for NLD leaders, who did not appear. They dispersed quietly after one hour. The SLORC stated that the NLD, the ex-patriate All Burma Students Democratic Front (ABSDF, an armed opposition group) and the largely defunct Burma Communist Party (BCP) were involved in the student demonstrations. The NLD continued to deny that there was any connection between itself and the demonstrations.

Two universities in Mandalay were closed on 9 December after demonstrations by students there. During the week beginning 9 December there was a heavy security force presence throughout Yangon. Students who boarded at YU and YIT began to return home and classes at universities and other educational institutes, including boys' high schools, were suspended from 9 December. On the same day there were reports of a small demonstration of some YU students, which was broken up by security forces. There were also small demonstrations at Dagon University, Kyimindine College, Botatang College and the Institutes of Dentistry and Medicine, all of which were broken up by the security forces. After the demonstration at Dagon University at least four students were arrested.

According to official sources, a crowd at the Dagon University demonstration attacked Lance-Corporal Kyaw Ohn, who "*was seriously hurt and had to be hospitalized.*" This occurred after the security forces barricaded roads and broke up the demonstration. The Minister of Education had talked with the group, which the authorities claimed comprised non-students, but they proceeded to "*push their way*" down the road.²⁴

A small demonstration in front of the US Embassy was held the night of 10 December when about 20 students were reportedly arrested. Small demonstrations on that day also occurred at the Governmental Technical High School, which was broken up by the riot police, and at the Number One Institute of Medicine, where a second demonstration was held on 11 December. The same day students from the Number One Institute of Medicine wrote a letter to the Rector concerning the continued detention of three medical students who had been arrested during the 11 December demonstration. On 13 December roadblocks began to be lifted but five tanks were deployed near City Hall in Yangon; by the end of the year they were still in place.

Demonstrations occurred in other parts of the country. On 11 December there was a demonstration of some 200 people in front of the palace in Mandalay. On 12 December there was a student demonstration at the university in Moulmein, capital of the Mon State in southeastern Myanmar. On 14 December a demonstration took place at the university in Sittwe, capital of the Rakhine (Arakan) State in southwestern Myanmar. Both universities were subsequently closed by the authorities. Reports also indicate that students at Monywa high schools, Sagaing Division, Upper Myanmar, held demonstrations on 11 and 12 December.

Five foreign nationals were reportedly deported from Myanmar, apparently for filing stories on the student demonstrations. In addition to the Burmese national who was beaten on 3 December, a Japanese national, Shigefumi Takasuka, a reporter for *Yomiuri Shimbun*, was beaten and briefly detained on 6 December. Although he explained who he was, he was hit repeatedly on the head with wooden clubs

²⁴ "*Myanmar authority concerned*" comments on student protests, BurmaNet News Listserv in English, 10 December 1996, as quoted in the 13 December 1996 Summary of World Broadcasts (SWB).

by police and soldiers. In a 2 January press conference the Foreign Minister U Ohn Gyaw said that it was very difficult to protect one individual when the crowd was being cleared. Amnesty International is concerned that Shigefumi Takasuka was beaten severely during the demonstration while attempting to report on events.

THE AFTERMATH OF THE DEMONSTRATIONS

The NLD

The authorities continued to restrict the movements of Daw Aung San Suu Kyi, who was not able to leave her compound until 27 December. Supporters gathered on the weekends of 14/15 and 21/22 December at the Goodliffe Junction but she failed to appear. On 20 December a US diplomat was able to visit her after the US Chargé d’Affaires had been turned away a week before. On 31 December Daw Aung San Suu Kyi went to U Kyi Maung’s house where she conducted an informal press conference.

The NLD made two press statements during December about the demonstrations. On 9 December the party issued a statement asserting that those NLD youth members arrested in the context of the demonstrations were not in fact involved in them. They also protested the “*wrongful restraint upon Daw Aung San Suu Kyi personally*”. The statement went on to say:

*“The demonstrations arose out of the perception that the legitimate grievances of university students have been ignored by the authorities. The NLD deplores the use of violence to put down the demonstrations. We believe that long term solutions to social and political problems can be found only through a process of negotiation and reconciliation.”*²⁵

In a 12 December statement, the NLD said:

*“It is further stated in the [SLORC] circular that there is evidence of NLD involvement in the student demonstrations. The NLD supports all calls for justice and human rights and we sympathize with the grievances of the students but we strongly protest against such unsubstantiated accusations.”*²⁶

The NLD further commented on the arrests of NLD members, some of whom were subsequently released. Vice-Chairman U Tin U stated that NLD members arrested in the context of the demonstrations were in fact onlookers and not participants. He also said that six members who had been

²⁵ The National League for Democracy Press Statement, Central Executive Committee, 9 December 1996, Rangoon.

²⁶ The National League for Democracy, Central Executive Committee, 12 December, Rangoon.

released told him that “they were warned before their release not to talk about their arrest and questioning or they would be violating the Government Secrets Act”.²⁷

The 25 December bombing of Kaba Aye Pagoda

On the evening of the 25 December two bombs exploded at the Kaba Aye pagoda complex in northern Yangon, where a tooth relic of the Buddha on loan from China was being displayed. Five people were killed and 17 were wounded in the blast. The second bomb, which had been planted in a vase in the Maha Pasana cave shrine where the tooth relic was located, caused the deaths and injuries. Those killed included one member of the police special branch, one security official, one Red Cross worker, and two members of the USDA. The SLORC later said that it was likely that the Karen National Union (KNU, the main armed ethnic minority group not to have agreed a cease-fire with the SLORC) and the All Burma Students Democratic Front (ABSDF, a group of students who had fled to Thailand and formed an armed opposition group) sent people to plant the bombs. Both the KNU and the ABSDF rejected the claim, and the ABSDF suggested that it was the SLORC itself which had planted the bomb. At a 2 January 1997 press conference, the SLORC stated that they had not yet made any arrests in the case, which was still being investigated.

Arrests during December

Hundreds of people were arrested during the month of December, most of whom the authorities claim were subsequently released. Amnesty International has obtained the names of 96 people who at the time of writing are believed to remain in detention, but that number may represent just part of those still held. Of these individuals, 45 are NLD members; 40 are students; five are onlookers at the student demonstrations; and the affiliations of the remaining six are unknown.

Most of these individuals are from Yangon; however, some are from the Ayeyarwady Division in southern Myanmar. NLD members in this area appeared to be particularly targeted for arrest, and were apparently told not to leave their home townships. People were reportedly being held in three places: two wings of Insein Prison in Yangon; the Kyaikkasan racecourse in Yangon, and Ye Mon Army Base, which is near Hlegu township, northeast of Yangon. The numbers of those detained in the three locations are not known, but they are believed to be in the hundreds.

According to previous official figures, 859 people were arrested during the two major December student demonstrations, all of whom the SLORC claim were released. In a 31 December press conference, Lieutenant General Khin Nyunt, SLORC Secretary I, stated that 34 Burma Communist Party (BCP) underground agents and 13 NLD members remained in detention for their involvement in the student demonstrations. He also stated that three additional BCP members, two of them students, were still at large.

SLORC press conferences

²⁷Reuter, Rangoon, December 12 1996; 12.12 GMT.

The SLORC gave two press conferences during which they discussed the student demonstrations and the 25 December Kaba Aye Pagoda bombing. On 31 December Lieutenant General Khin Nyunt set forth the SLORC's belief that the December demonstrations were "instigated" by the NLD and the BCP. He named 13 NLD members, all part of the party's youth wing, whom he claimed were involved in "*creating unrest*."²⁸ Those named in the press conference were: **Ko Zaw Win**, Kymindine township; **Ko Tin Hla**, Hlamadaw township; **Ko Kyaw Soe**, Sangyaung; **Ko Mya Shwe**, Sangyaung; **Ma Cho** (f), Sangyaung; **Ma Khin Ma Yee** (f), Sangyaung township; **Ma Thin Thin Aye** (f), South Okkalapa; **Ma Ei Shwe Zin** (f), Insein; **Ma Thi Thi Aung** (f), Kamayut; **U Myo Myint**, Kamayut; **Ko Haing Ko Oo**, Insein; **U Kyaw**, Kamayut; **Ko Myo Zaw Oo**, Insein. In addition Khin Nyunt said that 34 BCP underground agents also created unrest. Over 60 pages of photographs and other documents were displayed during the conference.

At the 2 January 1997 press conference military officers from the Office of Strategic Studies of the Ministry of Defence provided further details about the SLORC's theory of the NLD's and the BCP's involvement in the recent demonstrations. They claimed that after the October 1996 student demonstrations "*a number of youths belonging to bogus student youth organizations, who had been clandestinely working in movements to oppose the government, infiltrated the students*". They later singled out the All Burma Students Union and the All Myanmar Students Union, members of whom they claim had met with Daw Aung San Suu Kyi, who "*encouraged and supported their subversive activities against the government*". Because some of the points in the NLD's demands and the students' demands were identical, the SLORC claimed that the NLD was involved in the "*conspiracy to incite the students*". The same held true for the BCP's demands and the student demands. The SLORC asserted that the BCP had consistently over the years demanded the formation of a student union. The officers also said that **Thin Thin Aye**, one of the 13 detained NLD members, had made an "*inflammatory speech to the students at the Dagon University on 9 December*". With regard to the BCP, the officers said that "*Nyein Si alias Nyein Myint and his followers had conspired in the recent student unrest*". **Nyein Si** was arrested on 7 December and 34 youths also involved in the demonstrations were apparently arrested on an unknown date.²⁹ Amnesty International is concerned that these individuals may have been arrested solely for peacefully exercising their rights to freedom of expression and assembly.

INTERNATIONAL INITIATIVES

In response to the deteriorating human rights situation during 1996, governments around the world called on the SLORC to release political prisoners, to exercise restraint during demonstrations, and to engage in dialogue with the NLD. In February the UN Special Rapporteur on Myanmar submitted an extensive report on the human rights situation in the country to the UN Commission on Human Rights. In April the Commission adopted by consensus a resolution extending the Special Rapporteur's mandate for another year, and expressing grave concern at the extremely serious human rights situation in Myanmar. Both the

²⁸Reuter, Rangoon, 31 December, 6.44 GMT

²⁹Rangoon RV Myanmar Network in Burmese, 1330 GMT, 3 January 1997, as translated in the Foreign Broadcast Information Service (FBIS).

Special Rapporteur and officials in the UN Secretary General's office were repeatedly denied access by the SLORC to the country throughout the year. In October the Special Rapporteur issued a detailed and comprehensive report about the human rights situation in Myanmar. In December the UN General Assembly adopted by consensus a resolution strongly urging the Government of Myanmar to fully respect human rights and fundamental freedoms. The European Parliament adopted several resolutions and the European Union (EU) agreed on a Common Position, calling on the SLORC, *inter alia*, to immediately and unconditionally release all political prisoners. In December the European Commission proposed to the Council, the EU governing body, to end preferential tariffs to Myanmar under the Generalized System of Preferences (GSP), following an enquiry on the extensive use of forced labour in Myanmar.

The June 1996 International Labour Organization's (ILO) International Labour Conference in Geneva, Switzerland endorsed the decisions of the ILO's Committee on the Application of Standards, which deplored "*the serious situation prevailing in Myanmar over many years where systematically recourse was had to forced labour*". The Conference also took the unusual step of recommending that a special Commission of Inquiry be set up to investigate allegations of human rights abuses.³⁰ Since 1991 the Interparliamentary Union (IPU) has been pursuing the cases of detained NLD members of parliament-elect, although to date the SLORC has refused to allow an IPU visit to Myanmar.

Despite the growing political unrest and the SLORC's widespread repression of human rights, the Association of Southeast Asian Nations (ASEAN) granted Myanmar Observer Status to ASEAN in July 1996.

CONCLUSIONS AND RECOMMENDATIONS TO THE UNITED NATIONS

Almost 2,000 people were known to have been arrested for political reasons in central Myanmar alone in 1996. Although most of these people have been released, hundreds are believed to remain in detention. Throughout the year peaceful political meetings, gatherings, and demonstrations have been suppressed by the SLORC, sometimes violently. The SLORC has shown an almost complete intolerance of any peaceful political activity whatsoever. At the beginning of the year Burmese people could gather peacefully each weekend in order to hear speeches by NLD leaders; during the last quarter of 1996 even this right was forbidden. The authorities' use of mass arrests, ill-treatment during interrogation, and summary trials are all methods employed to frighten the population and deny them their rights to freedom of expression and assembly.

In the face of the SLORC's continuing refusal to grant the Burmese people even the most fundamental of human rights, the international community needs to remain vigilant and to persist in reminding the SLORC of its obligations under international human rights law. Amnesty International regards it as extremely important that the United Nations Commission on Human Rights renew the mandate of the Special Rapporteur and to press the Government of Myanmar to allow him complete and unrestricted access to Myanmar and to the Burmese people.

³⁰ILO Press Release, 20 June 1996, ILO/96/23c.