£MYANMAR (BURMA)
@Continuing killings and ill-treatment of minority peoples

Introduction

According to evidence gathered by Amnesty International in June and July 1991, the Myanmar (Burma)[1] armed forces, officially known by their Burmese name *tatmadaw*, continue to seize arbitrarily, ill-treat and extrajudicially execute members of ethnic and religious minorities in rural areas of the country. The victims include people who were detained or targeted for shooting because soldiers suspect they may sympathize with or support ethnic minority guerrilla groups that have been fighting the *tatmadaw* for many years. They also include people seized by the *tatmadaw* and compelled to perform porterage - carrying food, ammunition and other supplies - or mine-clearing work. Among those who allegedly have been killed or ill-treated are members of the Karen, Mon and "Indian"[2] ethnic minorities, which groups include people belonging to the Christian, animist[3] and Muslim religious minorities.

Amnesty International's information comprises testimonies gathered during interviews along the border between Thailand and Myanmar from people who had recently left their homes in Myanmar and who said they were themselves the victims of human rights violations in 1990 and 1991, or had witnessed such violations committed against others or were personally acquainted with victims of such violations. Amnesty International has not been granted permission to visit Myanmar[4], and under the current circumstances the organization is not in a position to cross-check or otherwise confirm the accuracy of all the testimonies it has gathered. However, on the basis of the available information, Amnesty International believes the allegations of human rights violations are credible enough to warrant serious concern.

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[1] Myanmar is the official name of the country previously known as Burma. The name change was proclaimed by the ruling State Law and Order Restoration Council (SLORC) after it seized power in 1988.

[2] The term "Indian" is used in the literature on Myanmar's ethnic minority groups to refer generally to people from and descendants of people from India, Bangladesh, Pakistan and Sri Lanka.

[3] "Animism" is a term that refers to belief that natural objects and phenomena have souls. In Myanmar spirits are deified and known as "Nats". These include the souls of local and national mythological heros.

[4] The organization's most recent request, made in October 1990, has received no response.

Those who gave testimonies to Amnesty International consistently expressed fear that members of their families, relatives and friends still in Myanmar could be put at risk of ill-treatment or harassment by the authorities if their identities were revealed or could be established. In the material that follows Amnesty International has therefore often left out details that would readily identify its sources.

Context

For decades, armed groups organized among Myanmar's ethnic minorities have fought the central authorities. *Tatmadaw* counter-insurgency campaigns in recent years have scored significant military gains against them. The areas controlled by insurgent groups have been reduced. Meanwhile, since 1989 several insurgent groups have ceased armed opposition and have now reached formal political agreements with the SLORC. However, underground organizing activities by ethnic minority insurgents and occasional armed clashes between them and the *tatmadaw* continue in some areas. These are accompanied by allegations of human rights violations similar to those documented by Amnesty International in earlier years, when the country was still ruled by the Burma Socialist Programme Party.[5] This document refers to the period since that party's disbandment and the assumption of power by the State Law and Order Restoration Council (SLORC) in September 1988. It focuses in particular on evidence that killings and ill-treatment of people from ethnic minorities have taken place since February 1990, when the SLORC allowed campaigning for the general election it held on 27 May 1990 to begin. This evidence should be considered in the context of serious human rights violations which have taken place as the SLORC sought to control the political activities of the various new political groupings that emerged during and after the massive civil unrest in favour of parliamentary democracy in Yangon (Rangoon)[6], Mandalay and other towns in 1988. Thousands of people who campaigned for free and fair elections, participated in the electioneering activities and then became involved in efforts to bring about an early transfer of power by the SLORC to an executive authority they believe reflects the outcome of the elections, have been arrested.[7] Many were detained merely for the non-violent exercise of their rights to freedom of expression and assembly. Political prisoners have been tortured and detained without charge or trial or imprisoned as a result of unfair trials.

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[5] See, for example, Burma: Extrajudicial Execution and Torture of Members of Ethnic Minorities (AI Index ASA/16/05/88), published in May 1988.

[6] Yangon is the name given by the SLORC to the country's capital, previously known as Rangoon.

[7] See, for example Myanmar: `In the National Interest', Prisoners of Conscience, torture, summary trials under martial law (AI Index 16/10/90), published in November 1990, and also Myanmar: Update on Human Rights Violations (AI Index ASA 16/39/90. Amnesty International will soon be publishing new information on these human rights violations.

Deliberate killings and ill-treatment of people seized as porters or to clear mines

The largest number of testimonies gathered by Amnesty International during its research in June and July 1991 referred to deliberate killings and incidents of ill-treatment - sometimes resulting in death - of members of ethnic and religious minorities seized as porters or to clear mines. In some instances, the victims were seized because they were suspected of involvement with the armed opposition. More often, they were apparently seized at random. The SLORC has previously justified such seizures[8] on the basis of the provisions of colonial-era legislation apparently aimed in part at controlling vagrancy by allowing the "recruitment" of unemployed labour. According to the legislation, the Towns Act of 1907 and the Village Act of 1908, those seized as porters must be "unemployed", "physically fit to work" and be paid "a reasonable amount". According to numerous first-hand accounts given to Amnesty International by people who were actually seized, these legal stipulations are consistently ignored. Those seized are rarely unemployed, all too frequently in no condition to perform the arduous labour demanded of them, and more often than not paid nothing. Amnesty International has concluded that in many cases, their seizure is not based on any legal authority, but is an expression of the *tatmadaw*'s de facto power to detain arbitrarily, ill-treat and even kill people in its custody with impunity, particularly when the victims come from politically weak sectors of Myanmar society.

[8] *Such justification can be found in a letter addressed to Amnesty International on 6 February 1991 by the Permanent Mission of the Union of Myanmar to the United Nations Office and other International Organizations, Geneva.*

Deliberate killings

One Muslim "Indian" woman from the Kayin (Karen)[9] State described how her brother, a farm labourer and stevedore in his early 20s, was seized by the *tatmadaw* outside a cinema near the family home in Thaton Township in November 1990 and then taken to be used as a porter and deliberately killed. After three days, the family was informed by the soldiers of the army that he had died, but no explanation was given of the circumstances. However, another person who had been seized as a porter at the same time later explained what had happened:

> "The boy who came back said my brother could not manage the load he had been given...the reason he couldn't manage the load was because he was beaten; he was beaten more because he was Indian...one of the officers in charge got angry with him and hit him and told him to pick [his load] up, and he couldn't pick it up so they shot him. The soldiers said, `Indians don't matter' and shot him."

He identified the soldiers responsible as belonging to a *tatmadaw* unit designated the 44th.[10]

Karen Buddhists seized as porters have allegedly been executed after they were seized in conditions of ill-health that made it impossible for them to perform the work demanded of them. The mother of one described how her eldest son, who worked on the family rice farm in a village in Hlaingbwe Township of the Kayin State, was seized by soldiers from a *tatmadaw* unit designated as the 66th and shot to death in May 1991:

> "When the soldiers came outside my house, they shouted, `Is the owner there?', and I said, `My son is here but he is not well; my husband is in the fields.' My son heard this and came downstairs, and they took him away...He was in bed when they came at about eight [in the morning]. He had a high fever, but I don't know what was wrong with him...My husband came back and...the [village] elders said they had taken my son to [another] village...My husband went there, but

[9] Kayin State is the name given by the SLORC to what was previously known as the Karen State. Opposition groups prefer either to continue calling it the Karen State or to refer to it as Kawthulee.

[10] Amnesty International's sources were usually able to give the numbers of the tatmadaw units, but were typically unsure whether the numbers referred to a battalion, regiment, division or some other size of unit.

> they had already gone into the forest. My husband could not eat for two days, and then we found out my son was dead...
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> "Someone who was taken at the same time to be a porter came back and told me what happened. [My son] had dropped his load because he was ill...so the soldiers just shot him three times and gave his load to someone else...My husband cannot believe he has died and is waiting for him to come back..."

Those who resist being taken as porters may be shot, and the family has no effective recourse, according to one Karen Buddhist interviewed by Amnesty International. She described what happened when her cousin, who worked on a family farm in her village in Hlaingbwe Township, tried to talk soldiers out of seizing him as a porter in October 1990. They were from a *tatmadaw* unit based in nearby Naungtangwe village and came to take him from his home. When he protested that he needed to take care of his children, a soldier allegedly declared, "We've come to take you to be a porter, not to look after your children," and fired one shot which killed both the father and a two-year-old child he was holding. The woman interviewed by Amnesty International said the soldier was drunk, but that no one thought there would be any use in lodging a complaint about the incident because "there is no way of complaining about anything that the government does."

Ill-treatment, including ill-treatment resulting in death

A Muslim "Indian" man described how his 30-year-old aunt, who worked as a day labourer in another village in Hlaingbwe Township, was seized as a porter in April 1991 despite the fact that she was an epileptic, and was then beaten to death because she suffered a seizure which made it impossible for her to perform porter duties. According to his account, soldiers of a *tatmadaw* unit designated the 28th entered the village one morning and took away the aunt:

> "...the village head said, `Don't take her, she is ill.' They took her anyway, saying, `We'll only take her for a little while.' Ten days later we heard she was dead... one of the porters who was with her came back and told me...She was carrying rice on her back and exerting herself so much she had a fit. They kicked and punched her to try to make her get up, but she couldn't, and then they kicked her and punched her so much she died...She died from the beatings."

A Mon farmer from a village in Mudon Township of the Mon State described an incident in April 1990 when soldiers ill-treated an "Indian" man who had been seized from his village by

soldiers of a *tatmadaw* unit designated the 62nd. He had first met the victim, who was a native of Mawlamyine (Moulmein)[11], the capital of the Mon State, while they had been held in a jail in Mudon for three nights. After a twelve-hour journey by truck and boat they and other porters had been compelled to walk three days to the area of an operation against the Karen National Union (KNU), one of the largest of the ethnic minority insurgent groups. His new acquaintance was one of several "older men in their 50s who couldn't keep up and collapsed" because of the rigours of the march and the porters "hadn't eaten or had proper water for two days". After the "Indian" man fell, one of the soldiers began "shouting at him, asking him why he was so lazy and why he didn't get up." The soldier then allegedly kicked him in the chest and elsewhere until he lapsed into unconsciousness. The Mon farmer believed the victim's injuries may have been severe enough to have resulted in death.

In another interview, a Karen Buddhist woman from a village in Hlaingbwe Township described how her 16-year-old son, who worked as a cow-herd, died after being severely ill-treated while serving as a porter in November 1990. He was seized in the village by soldiers from a *tatmadaw* unit designated the 6th and returned after four days, only to die six days later, even though he had been "very healthy" when he was seized.

> "When my son returned home, he was having difficulty in breathing, it was painful. He said he had found it hard to carry the load; every time he fell they beat him and kicked him and he had to pick it up again...They beat him with bamboo sticks and kicked him with their boots. He had marks on his back...he just couldn't breathe properly. He did not pass much urine but it was bloody...Since he was never ill before, I think he died from injuries he received. He just couldn't breathe. He died at seven in the evening. He had been unconscious."

When asked whether the family had thought about registering a complaint with the military about the apparently fatal ill-treatment, the boy's mother said there was no point in making a trip to the *tatmadaw* unit's base, because the military would not act against those responsible. "It's a long way to go for nothing," she commented.

People seized to do mine-clearing work face dangers from the mines themselves, but they may also suffer from ill-treatment by the soldiers in charge of them. A Buddhist Karen man from a village in Hlaingbwe Township who made his living as a cartdriver described how he was punched and then stabbed by soldiers from a *tatmadaw* unit designated the 88th who had seized him in February 1991 and compelled him to drive his cart ahead of it up a trail they feared might

[11] *Mawlamyine is the new name for the town previously known as Moulmein.*

be mined. He explained that after he had driven the cart up a steep section of the trail, he stopped to give his oxen a rest, and then:

> "When I got off the cart, I accidentally bumped into a soldier, and this soldier accused me of trying to take his gun and punched me. Then another soldier who was sitting next to him said, `why are you trying to steal a gun', and then bayonetted me twice, once on each side of my thigh, above the knee."

This interviewee showed Amnesty International the two scars he said were caused by the bayonet wounds.

Deliberate killings and ill-treatment of people suspected of involvement with armed opposition groups

Deliberate killings

Another Karen Buddhist man interviewed by Amnesty International said that a relative of his from a village in Hlaingbwe Township had been executed in May 1991 after he had finished serving as a porter because the soldiers who had seized him discovered he had a brother who was an insurgent with the KNU. The victim, in his mid-20s, worked on the family farm in the village, and was seized by soldiers of a unit designated the 28th. According to accounts given to villagers by several other men who were seized at the same time:

> "On his way home he was killed for having contact with the insurgents...[He] had a younger brother who is a KNU soldier, although [he] himself had no contact with his brother or with the KNU...He was knifed to death one mile from the village, next to the main road...He was stabbed in the stomach and chest. The...soldier who stabbed him was...a captain...Soldiers would not let the body be taken away. Other porters who were there buried the body. After the soldiers had gone, his family and other villagers unburied the body and reburied it in the cemetery."

In an incident which Amnesty International was told took place in around February 1990 near another village in Hlaingbwe Township, a 22-year old Karen Buddhist agricultural labourer was allegedly shot to death by soldiers who accused him of supporting the KNU. They were apparently suspicious because they found him outside his village carrying what they considered an unusually large quantity of rice. According to his father:

> "He was two miles from the village...He took rice with him to eat...My son had gone off to find work...He had taken...rice for his food supply. The *tatmadaw* accused him of taking rice to the KNU...He tried to run away, and they shot him in the leg. He got as far as the village, and they shot him again and he died...He was actually inside my house when four soldiers came into the house...I was there at the time. They shot him twice, once in each side of his chest."

The father said that in his view, "there wouldn't have been any point in complaining to the government" about the killing, because nothing would have been done about it.

Fatal and other ill-treatment

The wife of a Buddhist Karen day labourer from a village in Hlaingbwe Township described how her husband died after being ill-treated while detained in Hlaingbwe town by a *tatmadaw* unit designated the 28th. She said he was arrested in May or June 1990 and held incommunicado on suspicion of contact with the KNU until around October 1990:

> "My husband and I were planting rice - he was arrested at midday. We were transplanting seedlings. These were someone else's fields; someone from the village owned them. Six or seven soldiers came. They arrested him immediately; they tied his hands together, asked him `do you have contacts with insurgents?' and took him away...He didn't have any contact at all with the insurgents, but because the area where we were planting rice was a busy thoroughfare, the KNU were sometimes there...They tied a red nylon rope around his hands - behind his back - then around his neck. They did not say where they were taking him. When I got back to the village, other people told me he had been taken into Hlaingbwe. He was released at harvest time, four or five months later. I did not see him that whole time. Other elder relatives of his went to see him but they were not allowed in."

She said that when he came home he give her the following description of his treatment:

> "My husband said that he was interrogated - asked if he was in the KNU, or had contact with it. He said he denied it, and then they hit him. Finally he had to admit he had contacts even though he didn't...He said they put a plastic bag over his

> head and tied it so he couldn't breathe. They hit him on the soles of the feet. They did not take the bag off until he almost suffocated. They hit him all over, especially his legs and back and shoulders."

She explained that he returned home with serious illnesses that proved fatal.

> "When he was released he had internal pains and was coughing up blood. He had some marks on his legs...The internal pain was in his chest - it was very painful for him to breathe. He didn't pass much urine and when he did it was very dark and sometimes had blood clots in it. All sorts of illnesses came out - he got fever towards the end. He was jaundiced from the time he came home. He died after about ten days. We did not have any money to seek medical help. We treated him with traditional medicine - roots. He was conscious when he died, but he couldn't go anywhere - he just lay there."

A Karen animist woman and rice farmer from a different village in Hlaingbwe Township State told Amnesty International about how she herself was ill-treated in December 1990 by soldiers of a *tatmadaw* unit she believed was designated the 28th. She said there had been a clash between the soldiers and KNU guerillas, and that the soldiers were searching her village "looking for KNU people". Her husband had fled "because he thought if he were caught...he would be taken as a porter and not let go." She herself had not "run away because I thought if I did they would take everything from my house and then destroy it." She was there with her children when ten soldiers came up into her house:

> "They came in and asked me questions in Burmese, which I couldn't understand...They were shouting and swearing at me...they slapped me and...they punched me because I didn't understand what they were asking me...I was shaking and my heart was beating fast. The children were very frightened and crying."

She said that in the end, the soldiers seized her as a porter and compelled her to carry rice they had taken from the village back to their base, which was a two-hour walk away.

A Mon farmer from a village in Kyaikmaraw Township of the Mon State described how he himself was ill-treated in April 1991 when he was detained for interrogation when the *tatmadaw* surrounded a village festival. He said that although the village headman had obtained

a permission from the local branch of the SLORC to hold the festival, the village was surrounded by some 60 soldiers of a unit based in the township who first fired shots and then seized and interrogated some 20 villagers. He explained that the soldiers apparently thought that officials or guerillas of the insurgent New Mon State Party (NMSP) might have come to attend the festival, and that one of the reasons why the *tatmadaw* had first allowed it and then surrounded it was in hopes of catching them. He said this is what happened to him:

> "A soldier took me away and hit me and rammed my head up against a tree while he accused me of having links with the New Mon State Army and asking me whether I had given it money or supported it. He kicked me in the back with his combat boots and then he threw me at a tree and banged my head against it maybe five times. He said he knew I had links with the Mon State Army, and when I denied it he banged my head against the tree and asked me the same questions again.
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> "After the soldier finished banging my head against the tree, he took me off to be a porter. I was walked through the forest for three hours. At first I thought I was the only one taken away like this. In fact, a lot of other people were being interrogated at the same time as me...at least 20 were interrogated. Some of them were beaten and a lot of them had their watches and rings stolen."

Also in April 1991, a Mon farmer from a village in Hpa-An (Pa-An)[12] Township of the Kayin State was ill-treated when soldiers of a *tatmadaw* unit designated the 61st came into it pursuing NMSP guerillas who had been in the village the night before to collect money. The soldiers arrived by boat at around ten in the evening, and when they landed, "asked the first person they saw what was going on". When he failed to respond because he did not speak Burmese, the soldiers allegedly "beat him up and wouldn't let anyone help him" and also "hit him around the face with the butts of their rifles". They then set fire to a number of houses, as a result of which half the village burned down.

In a February 1991 incident, soldiers allegedly ill-treated Mon villagers for not having informed the *tatmadaw* about insurgent activities. This is said to have occurred after a clash between a *tatmadaw* unit from Mawlamyine and guerillas of the NMSP near a mostly Mon-inhabited village in Kawkareik Township of the Kayin State. According to a Mon villager interviewed by Amnesty International:

[12] *Hpa-An is the new name for the town previously known as Pa-An.*

> "There had been a battle about three miles from the village, after which the *tatmadaw* came back through the village. The soldiers interrogated and hit villagers for not having informed them that the enemy was in the area. ...About half of the 60 *tatmadaw* troops who had been involved in the battle came into the village...They interrogated most of the men who were left in the village, of which there were 25 or 30...the soldiers asked them whether they had contacts with the New Mon State Army and hit them. The soldiers also kicked them with their combat boots."

Another Mon villager described an earlier incident of ill-treatment at a different village in Kawkareik Township, in an area where the population included Mon, Karen, Pa-O and "Indians". He said that in around July 1990 there had been an exchange of fire in the vicinity between KNU guerillas and *tatmadaw* soldiers from a unit he thought was designated the 22nd. After the clash, soldiers seized two Karen, and the villager interviewed by Amnesty International said he saw them being interrogated and being subjected to mock drowning by being repeatedly dunked in water.

There is no insurgent group claiming to fight specifically on behalf of members of "Indians". However, members of this grouping have allegedly been ill-treated because they are suspected of involvement with other ethnic insurgencies. For example, a Muslim "Indian" merchant from Hlaingbwe Township in the Karen State described how soldiers based on the outskirts of Hlaingbwe town ill-treated him after they detained him in May 1990 on suspicion of trading arms to the KNU. He said that "When they arrested me, they didn't give me any reason at all, but when I got to their barracks they accused me of having contacts with the insurgents." They then took him to a house in front of which there was a tree to which he was tied with his hands bound behind his back: "They were asking me if I had been taking guns to the insurgents, and when I denied it they hit me several times." The soldiers then departed, but he was kept under guard in front of this house "on show" for seven days. Except when eating, he remained tied to the tree with both hands bound behind his back. Over the course of the seven days, he was reinterrogated several times, during which time he said soldiers sometimes "punched me with their fists or hit me with the butt of a rifle on my back and shoulders". They also threatened that unless he "confessed", "they would kill me - hang me from the tree or shoot me".