

8. Torture and Other Cruel, Inhuman, Degrading Treatment or Punishment

8.1 Background

Political activists routinely face torture or ill-treatment during their time of arrest, interrogation and detention in Burma. In many cases, torture or ill-treatment have taken place during the often prolonged periods of incommunicado detention following arrest, while the prisoners are isolated from the outside world and under the complete control of their interrogators.

At least six sections of the state security forces have been implicated in the torture and ill-treatment of political and other detainees in their custody. These are the regular army (Pyithu Tatmadaw, or People's Defense Forces); the People's Police Force; the Directorate of Defense Services Intelligence (DDSI); the Special Investigations Department (SID); the Criminal Investigation Department (CID) and Bureau of Special Investigations (BSI). The activities of DDSI, SID, CID and BSI are coordinated by the National Intelligence Bureau (NIB) under the direct control of the SPDC. The DDSI is commonly known by the acronym MIS or MI (Military Intelligence Service) and is the agency most frequently identified as inflicting torture during interrogations. Since 1988, the units under its control (MI-1, MI-2, MI-3 etc.) have nearly doubled from 14 in 1989 to 23 in 1991. Lt-Gen Khin Nyunt, Secretary-1 of the SPDC, is the head of the DDSI.

Over 20 primary detention centers, where brutal interrogation and other methods of torture take place, have been identified throughout Rangoon and in seven other divisions and states across Burma. These include the secret DDSI interrogation center at Ye Kyi Aing camp just outside Rangoon; Insein Prison and its annex; Yankin township military registration camp; Sanchaung police station; Mingladon DDSI interrogation center; Kyeikkasan old race course and Hmawbe Ye Nyunt training camp (all in Rangoon Division); Bassein township MIS office, Mayaungmya prison and Maubin prison (all in Irrawaddy Division); Special Branch II office; Police Station No.8 and Mandalay Prison (Mandalay Division); Tharawaddy Prison and Pegu township prison (Pegu Division); Regiment 31 Headquarters in Thabyuzayut township and Moulmein MIS office (Mon State); Pa-an township MI-5 office (Karen State); Regiment 59 Headquarters in Mawchee township and MI-27 office in Loikaw (Karenni State); Myitkyina Prison, No.8 Northern Command Headquarters and Special Branch II office (all in Kachin State).

Political opposition activists often endure particularly severe treatment while in detention. Torture is used to punish them and to compel them to cooperate with their interrogators. Many of them are forced to sign "confessions" admitting to anti-SPDC activities or implicating colleagues or friends in such activities. Some are forced to sign documents confirming that they had been well-treated during interrogation or in jail, and others say that they have been held incommunicado following torture to allow time for the physical signs of torture to heal before anyone could see them.

82 Solitary confinement

An iron rod, about 0.5 m long is often placed horizontally between the shackled legs of prisoners in solitary confinement, forcing them to stand or lay with their legs astride. Prisoners are locked in tiny cells during their confinement. Normally, small chamber pots are placed in each cell. The pots are never emptied, so the smell becomes unbearable and the cell damp and wet. In the worst cases of solitary confinement, prisoners are forced to stand with both arms tied above their head; they are forced to urinate and defecate while standing. Small daily food rations of soup made from rice are slid through the iron bars from outside of the cell. No blankets or mats are provided; prisoners are forced to sleep on the concrete floor. Most days, prisoners are taken out of the cell, forced to stand in the standard position, with their legs splayed apart, and beaten. Solitary confinement usually lasts for at least one month and may continue for up to three months. In some cases, political prisoners are forced to remain in solitary confinement indefinitely.

8.2.1 Beatings

The SPDC uses many forms of beating to intimidate and torture prisoners and detainees. Soldiers use typical as well as unusual implements to beat their victims, including their fists, combat boots, rifle butts, leather-coated pipes, wooden sticks, sticks made from three interlaced pieces of cane, solid bamboo sticks about 1 m in length, and hard plastic water pipes. Victims often sustain serious permanent injuries including paralysis and even death.

The SPDC beatings are designed to harm physically and humiliate their victims. The following are a few of the typical types of beatings: the prisoner is beaten while he/she stands and embraces a post while both hands are held firmly by another person; the prisoner is beaten while lying prone on the ground; the prisoner is beaten while being forced to stand with both legs chained; the prisoners is beaten while being forced to crawl along the ground; the prisoner is shackled, a long iron bar is placed between his/her legs, and is forced to crawl while being beaten; a prisoner is beaten while being forced to do continuous squat-jumps. Authorities do not hold back during these beatings; they strike victims in the face, chest, abdomen, and back; they also jump on the backs of prisoners while they are being forced to crawl on the ground. Prisoners are routinely seriously wounded; they suffer severe internal bleeding, fractured skulls, broken bones, and paralysis.

The SPDC uses various methods of psychological torture along with inflicting beatings. For example, a SLORC/SPDC officer might ask his victim if he is afraid and forced the prisoners to reply in a demeaning manner. The prisoner is forced to reply: "I am afraid of you, *shint*." *Shint* is a polite Burmese suffix used by females; the term is not meant to be used by men. When a prison officer asks, "What is your name?" a prisoner must reply, "My name is *Ma* [+ name], *shint*." *Ma* is a Burmese prefix for the names of younger women; it is never used by men. The use of these terms is meant to degrade the prisoners. Some prisoners, infuriated by what they are forced to do, refuse to answer the officers in that way; they are severely beaten by the officers until they comply with the orders. Some prisoners are beaten until they fall unconscious, when they awake, they are beaten again. There have been reports that some prisoners, who can no longer endure the

torture, knock their head against the stone walls to fracture their skulls and render themselves unconscious. When prisoners sustain fractured skulls or severe bleeding from the head, they are finally sent to the hospital. However, once in the hospital, the prisoners still do not receive adequate medical attention. If they cry out in pain, they are often beaten for being noisy. Prison officers are not charged with any crimes in these cases, even if a prisoner suffers permanent paralysis or gangrene; the SLORC/SPDC authorities protect their security forces at all costs. (*Source: ABSDF*)

8.2.2 Ill-treatment during forced portering and labor

Reports indicate that SPDC army still uses torture and ill-treatment against ethnic minorities in Shan State, Mon State, Karenni State and Tenasserim Division. Members of ethnic minorities are forced to serve as porters for the army. Any person who cannot carry the required load is beaten with bamboo sticks or rifle butts. Deprivation of food, water, rest and medical care is also a common method of punishment.

Local civilians are arbitrarily seized by the military and forced to serve as porters during military offensives to carry heavy army equipment and supplies. Some porters are held in army custody for periods between a few days to a month or more. Porters who have managed to escape have given consistent and horrific accounts of extra-judicial executions, beatings, and lack of food and medicine. When porters become exhausted from being overworked, underfed, and sometimes beaten, they are subjected to torture and sometimes beaten to death and left in the jungle. Female porters, mostly ethnic women living in combat areas, are subjected to gang-rape and other sexual crimes.

8.2.3 Other forms of ill-treatment during forced labor

The use of forced labor on SPDC's infrastructure projects is widespread across Burma. During the past nine years, SPDC has increasingly forced hundreds of thousands of civilian laborers to build railway lines, airports, dams, quarries, and roads without compensation. Conditions at work sites are often harsh, in many cases soldiers use inhuman and degrading treatment to keep laborers working; forced laborers are often shackled in chains and received inadequate food and medicine.

8.3 List of Incidents

- ◆ On January 16, 1998, Column Commander Saw Aung and Deputy Commander Captain Aung Lwin of IB 355, came to Kawkeh village of Kya Ein township, Karen. The troops arrested and tortured two villagers, Saw Maung Kway and Saw Maung Pulu. The village headman had to ransom them with 200,000 *kyat* in cash. (*Source: KIC*)
- ◆ On February 20, 1998, Captain Soe Naing of IB 39 tortured, by various means, eight village ward leaders from Kler Lar village of Htantabin township, Pegu Division. The victims of torture were Saw Ka Hser, Saw U Ler, Saw Iar Has, Saw Poe Gor, Saw Tha Choe, Saw Htay Kyu, Saw Tar Or Mu and Saw Ba Cho. (*Source: KIC*)
- ◆ On March 21, 1998, a column of IB 19 led by commander Kyi Lwin severely

tortured porters they forcibly seized. Among them was Saw Pah Si, a villager from Pa Lu Hkee villaged, Pa-pun district, Karen State. (**Source: KIC**)

◆ In April 1998, military troops led by division commander Thet Htun from LIB 2 came to the house of Saw Chee Lee, aged 48 in Mi Sakit villaged, Kya-in-seik-kyi township, Karen State. The soldiers accused him for having communication with the KNU and tied him with rope. They also took the property of Saw Chee Lee. He was taken to Mi Sakit creek while his hands were tied behind his back with rope. He was also blindfolded and then tied to a tree. The soldiers questioned him about weapons and walkie-talkies, but he could not answer them as he was not a KNU soldier. The Soldiers beat him all over his body with a stick, punched his face with their bare fists, and burnt his legs and genitals. They left him overnight and continued torturing him the next day. He was tied to a tree up side-down and kicked by soldiers wearing military boots. He was released after two days. (**Source: Yoma 3**)

◆ On April 3, 1998, Major Kyaw Sein from IB 96 interrogated Saw Myint Soe from Waw Kadeh village in Thaton district, Karen State. He was beaten severely and dipped into water. After his interrogation 1,000 *kyat* was taken from him and he was released later. (**Source: KIC**)

◆ On May 19, 1998, U Mya Maung and Ma Kyi Aye of Pegu quarter, Kyaukkyi township, Pegu Division, were arrested and searched by the SPDC troops. As the troops could not find anything from them, they were severely beaten and later released. (**Source: KIC**)

◆ On June 6, 1998, a SPDC division led by Captain Hla Naing Htwe entered Dani Kyar villaged, Ye township, Mon State and rounded up all the villagers. They interrogated the villagers asking if they knew about the Mon troops who attacked the SPDC on May 28 near the village. Each villager was punched two times hard in the stomach. Some were also beaten all over their bodies with wooden sticks. Some suspects were tied with ropes and tortured. (**Source: HRDU**)

◆ On June 28, 1988, troops from DKBA Brigade 999, arrested and beat up Saw Myint Lwin, a villager from Korteh village, Pa-an district, Karen State. He lost a tooth as a result. The troops demanded the villagers ransom him with 80,000 *kyat*. He was released on July 8, on the payment of the ransom. (**Source: KIC**)

◆ On July 19, 1998, troops from IB 367 and LIB 703 arrested Saw Mu Klaw Htoo from Ler Klah villaged tract, Nyaunglebin district, Karen State, and tortured him severely. Later the troops shot and killed him. (**Source: KIC**)

◆ On July 30, 1998, Second Lieutenant Ri Ding, from LIB 374, No 2 company, commander of Kantlang army post, ordered Aa Huat, an 18-year-old Chin farmer, to buy alcoholic drinks from Turahaing villaged, which is a day's walk from Kantlang villaged, Peletwa township, Chin State. Aa Huat could not find any alcohol drinks and came back with empty-handed. As a result, Second Lieutenant Ri Ding beat him at the army post with a 1 m long and 6 cm thick bamboo stick on his head, arms, his backbone and all over his body until he lost consciousness. (**Source: CHRO**)

◆ On October 18, 1998, about 80 soldiers from IB 247 led by commander Htun Win came to Nawng Pha village, Munr Nai township, Shan State. They arrested the village headman Zitta and grilled him about the Shan armed group operating in the vicinity. When the headman said he did not know anything about it, the commander slit the headman's

arms with a knife. Each of his arms was slit in two places, each along the length of the arm about 12 cm long and 1 cm deep. They soldiers later tied him up and beat him severely. (*Source: SHRF*)

◆ On October 20, 1998, LIB 502 ordered Long Kaeng village in Murng Pan township, Shan State, to move to Murng Pan town. About 40-50 troops from LIB 502 led by commander Aye Thaung arrested the village headman and wrongfully accused him of failing to report the activities of a Shan armed group. The soldiers beat him, stabbed his thighs with a pointed knife several times and put chili powder on his wounds. They then covered his mouth with a plastic sheet and beat him with a stick until he lost consciousness four or five times. (*Source: SHRF*)

◆ On November 18, 1998, troops from IB 8 led by commander Min Naing arrested and severely beat Saw Maung Nu and Saw Chit Dah from Shwe-yaung-pay village, Thaton district, Karen State. On 21 November, Saw Chit Dah managed to escape while Saw Maung Nu was still under arrest. As a result the troops demanded two goats as a ransom for his release. On that day, those troops also went into Kler-kher village and extorted two viss of chicken from Pah Day and half a viss of chicken from every house. (*Source: KIC*)

◆ On November 30, 1998, troops from DKBA led by Moe Gyo went to Htee Moo Khee village in Pa-an district, Karen State, and arrested Pah Nya, aged 28, Pah maung Tu, aged 28, Kaw Wah, aged 17 and Toe Hoe, aged 28. They all were severely tortured by cutting their skin to make them bleed. (*Source: KIC*)

◆ On December 4, 1998, Maung Win a villager from Mayagon villaged, Belin township, Mon State, was beaten and tortured as he complained about the forced labor order at a sugar cane plantation project by the battalion under the Southeastern military command. His hands were tied by the soldiers from LIB 8 and beaten with wooden sticks all over his body. He was then taken to the military outpost and was continuously beaten. The soldiers took off his shirt and left him outside for the whole of the winter night. The next day, he was released only after he agreed to give eight goats to the military. (*Source: HRDU*)