

Myanmar

Travesties of Justice – Continued Misuse of the legal system

Introduction

Despite releases of political prisoners in July 2005, Amnesty International remains concerned that the State Peace and Development Council (SPDC) have continued to abuse the justice system to silence peaceful dissent. This misuse denies the rule of law and the enjoyment of basic political freedoms in the country, and human rights in Myanmar generally. People continue to be arrested and imprisoned in Myanmar solely on account of their peaceful exercise of the rights to freedom of expression, association, assembly and movement.

In a welcome move in July 2005 the authorities released more than 260 political prisoners. However, in the last 12 months they have arrested or sentenced at least 60 individuals for political reasons. Since July 2005, the authorities have penalized senior political figures with extraordinarily long prison sentences in secret trials; held individuals incommunicado, and prosecuted persons attempting to report on human rights violations.

Arrests and harassment of members and activists of registered political parties are continuing. On 27 November 2005 the SPDC renewed the detention of opposition leader Daw Aung San Suu Kyi, without charge or trial, for a further six months. The continued use of detention to remove from the political process both senior political leaders and those petitioning for their release, is presenting a significant obstacle to resolving the political deadlock in the country.

Amnesty International renews longstanding calls by Myanmar citizens and members of the international community on the SPDC to immediately and unconditionally release all prisoners of conscience. The organization also calls on the Myanmar authorities to implement reform of judicial procedures and laws to uphold and protect human rights. The authorities must also eradicate torture and other forms of cruel, inhuman or degrading treatment. The organization also urges that discriminatory laws on citizenship and stringent travel restrictions are amended in order to end discrimination against the Rohingya ethnic group.

Amnesty International has long-standing concerns at the lack of judicial independence in Myanmar that has enabled the state to imprison political opponents. Furthermore the organization has repeatedly expressed concern to the authorities about the abuse of due process in political trials, and the denial of basic rights in detention. Individuals are routinely arrested without warrant; held incommunicado and tortured or ill-treated in pre-trial detention. Sentences have been handed down following trials which fall far short of international fair trial standards. For example defendants have been denied the right to legal counsel or to legal

counsel of their own choice. Prosecutors have also relied on confessions extracted through torture. Prison conditions continue to be poor, and prisoners are being denied adequate nutrition and necessary medical treatment.

This document updates earlier reports listing prisoners of concern to Amnesty International issued in June 2005,¹ December 2004,² and April 2001,³ and reiterates long-standing concerns on the administration of justice⁴ in the country, and the treatment of more than 1160 political prisoners. A list of prisoners of conscience and possible prisoners of conscience follows this introduction. Other sources estimate that the figure of political prisoners may be significantly higher.

Amnesty International has gathered information on the situation of political prisoners in Myanmar from a variety of sources, including private individuals, members of political parties, official and opposition news media, and from visits to Myanmar and neighbouring countries. With the exception of press reports Amnesty International has omitted identifying details about individual or organizational sources for reasons of their security.

Political Background

The political situation in Myanmar remains tense. The SPDC is prioritizing implementation of a “road map” to democracy proposed by former Prime Minister Khin Nyunt ostensibly as a means of political reconciliation. This process continues despite the absence of major political parties and ceasefire groups.

The third session of the National Convention began on 5 December 2005. This process is drafting principles for a new constitution resumed on 5 December 2005. According to the “road map”, the National Convention will be followed by the writing of a constitution, which will be subject to approval by referendum, and then by multi-party elections. In May 2005 the main opposition party, the National League for Democracy (NLD),⁵ declined to attend the National Convention after its conditions for attendance were not met. These included that

¹ Myanmar’s Political Prisoners, a growing legacy of injustice, ASA 16/019/2005
<http://web.amnesty.org/library/Index/ENGASA160192005?open&of=ENG-MMR>

² Myanmar, Facing Imprisonment: Prisoners of Concern to Amnesty International, ASA 16/07/2004, December 2004, <http://web.amnesty.org/library/Index/ENGASA160072004?open&of=ENG-MMR>

³ Myanmar: Prisoners of Political Repression, ASA 16/006/2001, April 2001,
<http://web.amnesty.org/library/Index/ENGASA160062001?open&of=ENG-MMR>

⁴ Please see Myanmar, Justice on Trial, ASA 16/7/2003, July 2003, Myanmar: Grave Concerns with the Administration of Justice, ASA 16/01/2004, accessible on <http://web.amnesty.org/library/eng-mmr/index&start=1>

⁵ The NLD won an overwhelming majority of seats in May 1990 elections. Hundreds of party members and representatives elected at that time have been subjected to imprisonment and harassment on account of their peaceful support and activities for the party.

detained party leaders Daw Aung San Suu Kyi and U Tin Oo be released and that party offices be reopened.⁶ The United Nationalities Alliance, a coalition of political representatives of Myanmar's ethnic nationalities also declined to attend. In January 2005 the Committee Representing People's Parliament, a coalition of MPs elect from the 1990 elections strongly criticised the National Convention process, calling into question its capacity to resolve issues of political reconciliation under current repressive conditions in which freedom of expression and association are denied.

Sessions of the National Convention have discussed the role of the judiciary and the legislature amid unresolved tensions with members of ceasefire and opposition groups over issues including the extent of devolution of legislative authority at state level, and the principle that the military have a guaranteed role in government.

Senior Shan political representatives arrested in February 2005 have been prosecuted under charges of treason, reportedly for initiating political discussions about the National Convention. Members of the group are reported to have been charged under a law promulgated in 1996 (Law 5/96), which provides for up to 20 years imprisonment for anyone who directly or indirectly instigates, protests, preaches, says, writes or distributes anything to disrupt the stability of the state, or to "undermine, belittle and make people misunderstand the functions being carried out by the National Convention."⁷ This is believed to be the first prison sentence imposed under this law. Amnesty International is concerned that the provisions of Law 5/96 are vague and sweeping and criminalize the peaceful expression of political beliefs, and has called for its repeal.

In August 2005 the SPDC further accused members of the political opposition in exile, the National Coalition Government of the Union of Burma (NCGUB), comprised of members of parliament (MP) elected in 1990 currently in exile, student group, the All Burma Students Democratic Front (ABSDF) and the Free Trade Union of Burma (FTUB) of being linked to bombings in Yangon in April and May 2005, which these organizations have denied. The authorities also implicated the Vigorous Burmese Student Warriors with responsibility for the attacks. They declared the NCGUB, ABSDF and FTUB to be unlawful associations under the 1908 Unlawful Associations Act. This means that anyone who is either a member, or in any way associated with these organizations, may be imprisoned. The Unlawful Associations Act allows the authorities to deem any association unlawful solely on the basis of the head of state's opinion rather than on reason or evidence. Human rights standards on freedom of expression and association require that interference with this right must be necessary and proportionate to a threat posed. Associations whose methods are non-violent, which could

⁶ Daw Aung San Suu Kyi, the General Secretary of the NLD, and U Tin Oo, the deputy chairman, have been detained since 30 May 2003 when they and other party members were subjected to a violent state sponsored attack whilst travelling through northern Myanmar.

⁷ Law No 5/96, *to protect the stable, peaceful and systematic transfer of state responsibility, and the successful implementation of National Convention tasks from disruption and opposition*

include trade unions, political parties, student associations, or religious organizations, can arbitrarily be declared unlawful under these provisions.

During 2005, individuals, including teachers and doctors have been penalized for peaceful exercise of freedom of expression and association such as giving students information about the architects of Myanmar's independence, and possessing videotapes of imprisoned opposition leader Daw Aung San Suu Kyi, or literature criticizing a former head of state, General Ne Win. A Rohingya MP-elect and his family have been sentenced to up to 47 years' imprisonment on account of discriminatory nationality laws, and his political activities.

International Developments

On 26 July 2005, the SPDC declined to assume the chair of the Association of South East Asian Nations (ASEAN) which it had been scheduled to assume in July 2006, stating that it wished to concentrate its energies on implementing the "road map" to democracy. International pressure had been increasing on the Myanmar authorities to improve their human rights record before assuming the chairmanship. The authorities have since been reported in the state-controlled press attacking such pressure as "colonialist" and excessively interventionist.

The International Labour Organization (ILO) in June and November 2005 expressed concern at the failure of the SPDC to implement measures against forced unpaid labour.⁸ It also expressed concern at the threat of and actual imprisonment of individuals for reporting forced labour, and at the Myanmar authorities' obstruction of ILO investigations into complaints of forced labour. At the March 2006 meeting of the Governing Body the ILO will revisit whether to institute further measures against Myanmar should it continue not to take action against unpaid forced labour.

The United Nations General Assembly passed a resolution in December 2005, expressing grave concern at the systematic violation of human rights in Myanmar. In December 2005 the UN Security Council (SC) requested a briefing by the UN Secretary General on the human rights situation in Myanmar.

Torture and Cruel, Inhuman or Degrading Treatment

Torture in prisons

Prisoners protesting poor conditions during 2005 have faced torture and ill-treatment as a punishment. In June 2005, Amnesty International detailed the case of prisoners who were

⁸ Unpaid forced labour contravenes ILO Convention No 29, to which Myanmar is party. Despite the criminalization of forced labour in Myanmar in 2000, the practice continues. The ILO has adopted a series of measures in order to encourage the Myanmar government to comply with Convention No 29.

punished by prison authorities, including by being shackled, beaten, and made to perform *pounzan*.⁹ The organization has received further reports of the beating by criminal prisoners of political prisoners in Insein Prison. In September 2005 a private tutor, U Aung Pe, serving a three year prison sentence for talking to his students about General Aung San, the father of Daw Aung San Suu Kyi, was reportedly beaten by criminal prisoners. Prison authorities reportedly took no action against the perpetrators.

International standards prohibit the use of corporal punishment, shackling and other restraints and confinement in a dark cell as a punishment against detainees and prisoners. Such punishments violate the absolute prohibition on torture and other cruel, inhuman or degrading treatment or punishment (ill-treatment), which is a rule of customary international law binding on all states. Such punishments are also explicitly prohibited by Rules 31 and 33 of the UN Standard Minimum Rules for the Treatment of Prisoners. Nevertheless, the authorities in Myanmar continue regularly to use such methods against prisoners, particularly against individuals who have protested their conditions of detention, including by staging hunger strikes. While the authorities have frequently stated that the use of prisoners to discipline other prisoners is forbidden in Myanmar, it appears that they are continuing to use criminal prisoners to beat other prisoners, including political prisoners.

Torture and ill-treatment in pre-trial detention

Amnesty International has documented the pervasive and systematic use of torture by authorities in pre-trial detention, and believes that the practise is continuing.¹⁰ There have been widespread reports that individuals in pre-trial interrogation continue to be tortured and ill-treated. Political activists who have been taken into detention for short-term questioning, have reportedly been beaten, denied sleep, and in some cases subjected to abusive language by the authorities. Doctors are reported to have found injuries consistent with torture on the body of **Ko Aung Hlaing Win**, an NLD member who was detained on 1 May 2005, and is reported to have died in custody on 7 May 2005.

Deaths in Custody

At least six deaths in custody have been reported since January 2005, in which individuals in pre-trial detention and prisons are suspected to have died either as a result of a lack of adequate medical attention or torture or ill-treatment. It is the responsibility of the state to initiate thorough, prompt and impartial investigations into the cause of death in suspicious circumstances. The UN Principles on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions state that such investigations should, where the

⁹ a squatting position, in which the individual has to place his hands clenched on his knees, when so instructed by prison authorities.

¹⁰ Myanmar: *The Institution of Torture*, ASA 16/24/2000, December 2000, Myanmar: *Justice on Trial*, AI Index ASA 16/07/2003, July 2003

established investigative procedures are inadequate, be conducted by an independent commission or similar procedure. The investigation should include an adequate autopsy, collection and analysis of all physical and documentary evidence and statements from witnesses. The findings should be made public. The bodies of the deceased should be returned to the families for burial.

No independent investigation is known to have taken place into the deaths that occurred in custody this year. Attempts by families to use the courts to secure such investigations have reportedly failed. Furthermore, authorities have in at least four cases reportedly cremated the bodies of those who died before their families were informed by security forces or prison authorities of their deaths, and no autopsies are known to have taken place.

In June 2005 Amnesty International raised concern about the deaths of at least three individuals reported to have died in pre-trial detention, including **Ko Aung Hlaing Win**, a member of the NLD Youth Wing. His family's attempts to seek redress and an investigation into the circumstances of his death through the courts have since then met with rejection. On 1 May 2005, Ko Aung Hlaing Win, aged 30, who was married with a child, was taken into custody by plain-clothed members of the security forces. Ten days later the chief of an interrogation centre is reported to have visited his family members in Hlaing township, Yangon, and to have informed them that Ko Aung Hlaing Win had died of a heart attack during interrogation on 7 May 2005 and had already been cremated. The official is reported to have offered family members 100,000 kyat¹¹ as compensation, which they refused. Ko Aung Hlaing Win's family, with the assistance of NLD lawyers, then attempted legal action to secure an investigation into the circumstances of his death. Their submission to the township court was rejected in June 2005. Their appeal to the township court was not allowed in September 2005, and the Supreme Court reportedly refused to admit their appeal in November 2005.

The death in May 2005 of **Min Tun Wai**, from Kyaukmaw, Mon state, was reported in September 2005 after his relatives contacted NLD lawyers for assistance in securing an investigation into the circumstances of his death. He is reported to have died shortly after being arrested and transferred to Mawlamyine Prison on 30 May 2005. Relatives were reportedly informed of his death the day after he was cremated.

In July 2005, **Saw Stanford**, a 40 year old Karen school teacher from Einme township, Ayeyarwaddy Division, was arrested with other villagers by members of the army searching for arms allegedly hidden in the village. He is reported to have died while being tortured during interrogation. Relatives are reportedly seeking an investigation with the assistance of NLD lawyers. The authorities, as with other deaths in pre-trial detention, had quickly offered compensation to relatives, and reportedly placed pressure on them not to publicize the death.

¹¹ Myanmar's currency has an official exchange rate of c.6.4 kyat to the US dollar, and up to 900 kyat to the US dollar on the black-market.

Aung Myint Thein, 37, a civil servant from Bago Division, who was arrested on 2 July 2005, died while on trial in Insein prison on 5 November 2005. Prison officials reportedly told his family that he had died of dysentery, and pressurised them to cremate him immediately. Sources in exile reported that he was suffering from lung disease. He was among prisoners referred to in a press conference given by the Myanmar Director-General of Police on 28 August 2005, and cited as having confessed to attending a training session on labour rights, gathering news and communicating it to opposition groups in exile. Confessions are frequently extracted through torture in Myanmar. Individuals with suspected links to the opposition in exile are reportedly most vulnerable to such treatment. It is not known if torture or ill-treatment was a cause or contributory factor in Aung Myint Thein's death, but no autopsy is known to have taken place to determine the cause of his death.

Conditions of detention

The Myanmar authorities have a duty under rules of customary international law binding on all states to treat detainees and prisoners humanely; to provide prisoners with food of nutritional value adequate for health and strength; to provide the services of qualified medical officers within facilities; and to transfer prisoners and detainees who require specialist treatment to specialized institutions or to civil hospitals. Amnesty International is deeply concerned that authorities are failing, at times through neglect, and at times deliberately, to respect their international obligations fully in this regard.

Political prisoners are susceptible to a host of detention-related health problems, which have been caused or exacerbated by their treatment in detention. Medical care within prisons is woefully inadequate, with some prisons lacking adequate numbers of trained medical personnel, particularly Myaungmya, Sittway and Myingyan Prisons. Amnesty International has received reports of one prison where there are no medical personnel whatsoever. Specialist medical treatment is not available in many prisons, and in some cases when prison doctors recommend specialist treatment, prison authorities refuse or are slow to give consent.

Prisoners have an extremely poor diet, and are reliant on families for supplements of fresh food. Released prisoners regularly report that the diet provided by the prison is not adequate for survival. Many political prisoners require medical treatment after their release, and many suffer from ailments compounded by their poor diet. Prisoners who have been held for long terms of imprisonment, and often without regular access to their families, have health problems as a result of malnutrition, and particularly lack of vitamins and protein.

Malaria is endemic in Kalay Prison, Sagaing Division, and also reported at Thayet Prison. Heart disease, mental illnesses, hypertension and malnutrition-related disorders, including peripheral neuropathy, are common. There were reports in September 2005 of a cholera outbreak in Thayawaddy Prison, in which dozens of prisoners are reported to have died.

Many prisoners are reported to have suffered from mental illnesses, including depression and schizophrenia, and not to receive specialist medical treatment for such problems.

Many prisoners are over 65, and suffer from common age-related illnesses, such as hypertension and heart disease. Among these prisoners is **U Win Tin**, a former editor, who has heart disease and spondylitis, and during his imprisonment has been in and out of prison hospital. His health has been compromised by his treatment in prison, including by being denied food and water for periods, and being made to sleep for protracted periods without bedding in a cell designed as a kennel for military dogs.

There are many prisoners with chronic health problems. Among these, Amnesty International is particularly concerned by the health situation of **Dr. Than Nyein**, 67 years old, a medical doctor, who has liver cirrhosis, heart disease, hypertension, and renal stones. Authorities are holding him after the expiry of his sentence under an administrative detention law¹² and have repeatedly transferred him to prisons where medical treatment is among the worst reported. Since late 2004 they have failed to act on prison doctors' recommendations that he receive specialist medical treatment.

There have also been reports that prisoners have been refused medication necessary for long-term health problems. **Su Su Nway**, who reportedly suffers from heart disease, is reported not to have been permitted necessary medication after her imprisonment in October 2005. Amnesty International is also concerned by reports that the authorities failed to take into consideration the health of NLD township vice-chairman **Hla Aye**, who was reportedly undergoing medical treatment in hospital after a stroke, when he was required to appear in court in September 2005 for allegedly obstructing local authorities.

Many prisoners who were arrested for membership of armed opposition groups in the 1980s remain in prison – in some cases after the expiry of their sentences. There are at least 37 members of the Karen National Union¹³ (KNU) who were detained between 1983 and 1986. There are reportedly at least 16 members of the Arakan Communist Party¹⁴ (ACP) who have been imprisoned since 1986, among whom are individuals who are due for release. According to former prisoners, members of these groups are less likely to receive regular family visits so have less access to food to supplement their prison diet, and are therefore more likely to suffer from ill health and malnutrition related disorders. Many are reportedly in poor states of health.

Trials

¹² 1975 State Protection Law, section 10 [a]

¹³ The Karen National Union was established in 1947, and is the oldest ethnic nationality armed opposition group.

¹⁴ The Arakan Communist Party, now defunct, represented the interests of Arakan (Rakhine) state members of the Communist Party of Burma, a coalition of Marxist groups that has engaged in armed resistance to military rule in Myanmar since the 1960s.

Amnesty International remains concerned that trials for political prisoners in Myanmar continue to fall far short of international standards for fair trial. Individuals are held incommunicado for lengthy periods after arrest. The authorities frequently make statements about defendants before trials begin which are prejudicial to their right to be considered innocent until proven guilty. The right to a lawyer, or to a lawyer of one's own choice is frequently denied. Political trials are often held in camera.

International standards recommend that detainees are not held for more than a very short period without access to relatives, doctors and lawyers. The UN Human Rights Committee and the UN Special Rapporteur on Torture and other bodies have also expressed concern that lack of such access/such incommunicado detention facilitates torture and ill-treatment, and called for safeguards against it or for its elimination.

It has however been standard practice for some time in Myanmar for detainees to be held incommunicado for considerable periods of time after their arrest, and in most cases until they have been sentenced. During 2005 the situation worsened, and many individuals continue to be denied access to their families even after having been sentenced. In many cases prison authorities have reportedly denied access on the basis that orders from the government granting permission have not been given. A number of Shan politicians arrested in February 2005 have been denied access to family members, including after being sentenced in October 2005.

The SPDC has given periodic press conferences before or after political arrests naming detained individuals who they claim have been involved in anti-government activities. They have effectively declared these named individuals as guilty before they have been charged or tried. This continues to prejudice defendants' rights to be presumed innocent until and unless "proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defence", which is a fundamental principle of fair trial, enshrined in Article 11 (1) of the Universal Declaration of Human Rights, and is a rule of customary international law binding on all states. Public officials should not go beyond factual statements in informing the public about criminal investigations, and should not state that persons arrested are guilty.

In August 2005,¹⁵ the Director-General of the Myanmar Police gave a press conference detailing the organization of the gathering of news within Myanmar to be communicated outside the country. The Director-General gave the details of ten individuals or "culprits" who he alleged had gathered news about the situation in the country, or had attended meetings outside the country discussing labour rights. He repeatedly referred to the suspects as "hardcores", and stated that individuals arrested with possession of satellite phones had "collected unfounded news..... sent exaggerations through satellite phones so as to earn their

¹⁵ Regular Press Conference Held, *NCGUB, FTUB and ABSDF are terrorist groups which have been constantly committing terrorist acts to endanger lives and properties of innocent people.*
[Http://www.myanmarigest.com/press/2005/28-8.html](http://www.myanmarigest.com/press/2005/28-8.html),

livelihood...made interviews with BBC and spread exaggerated news many times". The individuals mentioned had not yet gone to trial.

The right to legal counsel, including to legal counsel of one's choice underpins international fair trial standards. Prompt access to a lawyer following arrest, and regular access thereafter, provides detainees with essential opportunities to ensure that their defence can be prepared, and is a safeguard against torture and ill-treatment. Currently detainees have no or limited access to legal counsel or the facilities necessary to prepare their defence during pre-trial proceedings. This includes during interrogations in police custody, interviews with the prosecutor and during pre-trial hearings.

Four NLD members were reportedly arrested on 8 July 2005, and tried two days later and had limited access to legal counsel. They were reportedly sentenced to prison terms of between three and 10 years for having videotapes of Daw Aung San Suu Kyi making speeches while visiting party members, and for distributing a book criticizing Ne Win, the former head of Myanmar's military government.

The right to a public hearing is guaranteed under international human rights standards. Article 11 of the Universal Declaration on Human Rights (UDHR) states: "*1. Everyone charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defence.*" The right to a public hearing means that not only the parties in the case, but also, with limited exceptions, the general public, have the right to be present. The public has a right to know how justice is administered, and what decisions are reached by the judicial system.

The right to a public hearing appears to be provided for under Myanmar law. Chapter II, Judicial Principles, of the Judiciary Law, 2000, was promulgated by the SPDC on 27 June 2000.(28) Section 2 of Chapter II states: "*The administration of justice shall be based upon the following principles;...(e) dispensing justice in open court unless otherwise prohibited by law;...*".

Amnesty International is concerned that defendants in political trials in 2005 were tried *in camera*, with their relatives and the public denied access. Shan political leaders; former Prime Minister Khin Nyunt, his family and other senior MI officials, and MPs elect are among those who have been tried *in camera* in recent years. Furthermore, information about trials held in camera is difficult to obtain, including for defendants and their lawyers. Defence lawyers have reportedly had great difficulty obtaining trial transcripts. as have defendants. All these factors have seriously hampered the ability of defendants to appeal their sentences judicially, as they do not have the means to prepare an appeal. ¹⁶

Ongoing Arrests

¹⁶Please see Myanmar, Justice on Trial, ASA 16/7/2003, July for further information.

Amnesty International has frequently expressed concerns to the SPDC that articles of Myanmar's legislation excessively restrict the right to freedom of expression, association and assembly. The authorities continue to use these laws to detain peaceful government critics. The organization has also called for the amendment or repeal of certain security laws that are open to such wide interpretation that they may be used as a measure to diminish freedom of expression rather than as a legitimate defence of the security of the state. These include the 1962 Printers and Publishers Registration Act; the 1908 Unlawful Associations Act; the 1950 Emergency Provisions Act and the 1975 State Protection Law. These laws have been used to imprison many political prisoners and subject rights and freedoms to far greater restrictions than are permitted under international law.

Penalization of human rights defenders

Individuals in Myanmar are being imprisoned or harassed for protesting peacefully against human rights violations. The authorities continue to label reports on the human rights situation as gross exaggerations, and characterize legitimate activities in defence of the rule of law and human rights as activities intended to undermine the state.

In recent months, authorities have prosecuted individuals reporting on forced labour in Myanmar. Unpaid forced labour is in contravention of the ILO Convention No 29, to which Myanmar has acceded. Despite the criminalization of forced labour in Myanmar in 2000, the practice continues. At the June 2005 International Labour Conference (ILC), ILO officials registered concern that the Myanmar authorities had stated that "*false complaints of forced labour were placing a great drain on government resources and undermining the dignity of the state...legal action would be taken against complainants or their representatives who lodged false complaints.*"¹⁷ The ILO also reported that the authorities restricted the ILO liaison officer's ability to investigate reports of forced labour, including by limiting his ability to travel freely outside of Yangon, his base. The state-controlled press has published reports attacking the ILO and the liaison officer has received over 30 death threats.

On 31 October 2005, **U Aye Myint**, a lawyer in his 50s, was sentenced to seven years' imprisonment for passing to the government complaints of farmers whose land had been confiscated by the local authorities. He reportedly helped farmers compose a letter to the authorities, which was then copied to the ILO liaison officer in Yangon. The lawyer was reportedly sentenced under the 1950 Emergency Provisions Act, section 5 [e], which allows for the imprisonment of anyone who does anything "*intentionally to spread false news, knowing it to be false or having reason to believe that it is false*" on the basis that it may then cause unrest. None of the farmers he has represented are known to have been prosecuted. All reportedly testified in U Aye Myint's trial that he was acting in his professional capacity and

¹⁷International Labour Conference **22 Provisional Record** Ninety-third Session, Geneva, 2005
PART THREE; **Special sitting to examine developments concerning the question of the observance by the Government of Myanmar of the Forced Labour Convention, 1930 (No. 29)**
<http://www.ilo.org/public/english/standards/relm/ilc/ilc93/pdf/pr-22-3.pdf>

carrying forward their legitimate complaints. U Aye Myint had been released in January 2005 from a death sentence, commuted to three years' imprisonment, for treason imposed partly on the basis that he had communicated with the ILO. Another lawyer and MP elect, **U Thein Zan**, 67, and two others, are reportedly due to face trial for assisting relatives of a man who is alleged to have died during forced labour, report his death to the authorities.

Villager **Su Su Nway**, 34, successfully sued her village authorities in January 2005 for requiring her and fellow villagers to take part in forced labour. She has since then been harassed by local authorities. On 16 October 2005 she was sentenced to 18 months' imprisonment for defamation of village officials following an unfair trial. Her sentence is believed to be linked to her success in suing village officials for forcing her and fellow villagers to work on a road construction project. Officials reportedly made death threats against her following the suit, and alleged that she had sworn at them.

Amnesty International urges the Myanmar authorities not to punish people who in good faith have submitted reports of human rights violations to government officials and to international organizations. The right to take part in the conduct of public affairs, to freedom of expression and to protest peacefully against human rights violations and government policies generally are rights recognized in international law and standards, including in the United Nations Declaration on Human Rights Defenders. The SPDC must allow human rights defenders and other individuals unhindered access to and communication with international bodies on matters of human rights, and not prosecute or in other ways harass individuals for their peaceful exercise of this right.

Amnesty International is concerned that punitive acts by the state against human rights defenders, including members of civil society acting in a professional capacity, will further inhibit much needed initiatives to improve the human rights situation in Myanmar.

Right to freedom of expression

The right to freedom of expression is severely restricted in Myanmar, and there is no independent media. Rigid censorship regulations mean that in practice journalists are required to self censor heavily. The authorities have in the past prosecuted individuals for talking to independent journalists from other countries, and have characterised such activities as designed to discredit the state¹⁸.

¹⁸ **U Win Htein**, a senior NLD advisor, has been in prison since 1996 for receiving information from farmers about crop yields. He is also serving a sentence for reportedly instructing a former political prisoner to give an interview to an Australian broadcasting station about torture. The state maintained that this information was to be sent outside the country to discredit the nation.

Amnesty International is concerned that the authorities continue to prosecute individuals solely on the basis that they have communicated information about events in the country that could not reasonably be construed as state secrets to individuals outside the country. Authorities routinely characterize the communication of information not approved by the state censor, including about forced labour, as “*unfounded...exaggerated... fabricated*”.¹⁹ They have further complained that the communication of such information to international organizations, for example, the, ILO, led to the ILO making “*lopsided and unjust accusations against Myanmar and put pressure on her*”.

Peaceful political activities

Amnesty International is concerned that since June 2005 extremely lengthy sentences have been handed down for peaceful political activities. Political repression is intensifying against individuals across the opposition political spectrum. NLD offices, with the exception of the party’s headquarters, have remained closed since the attack on members and supporters of the NLD on 30 May 2003. Individuals raising concerns or discussing the National Convention have been particularly harshly penalized, including being sentenced to prison terms of up to 109 years. During 2005 five MPs-elect have been sentenced to prison terms of between seven and 93 years’ imprisonment. Two representatives of the Committee Representing People’s Parliament have been given lengthy prison terms. **U Khun Htun Oo**, MP elect and head of the Shan Nationalities League for Democracy, was sentenced in November 2005 to 93 years’ imprisonment. **U Kyaw Min**, an MP elect from the National Democratic Party for Human Rights, was sentenced to 47 years’ imprisonment in August 2005 on account of his political activities.

Members of registered political parties and activists continue to be harassed and arrested solely on the basis of their peaceful political activities. During 2005 NLD members, including township committee chairmen, have been sentenced to seven years’ imprisonment for distributing political leaflets approved by the official censor. **U Aung Pe** was arrested in February and sentenced in August 2005 to three years’ imprisonment for teaching school students about political veteran U Aung San, the father of Daw Aung San Suu Kyi. **Dr Win Aung** NLD chairman and medical doctor and **U Khin Maung Win**, a teacher, were sentenced to ten years’ imprisonment for possessing videotapes with speeches by Daw Aung San Suu Kyi. They were arrested on 6 July 2005 and sentenced on 8 July 2005 together with **U Soe Win Aung**, a teacher who received a three-year prison sentence. Amnesty International considers them to be prisoners of conscience. Amnesty International has also received reports that a group of NLD members and one Democratic Party for a New Society member, **U Ba Myint**, **U Ba Tint**, **Ko Khin Kyaw**, **Aung Myo San** and **Thet Naing**, arrested in December 2004 were sentenced to life imprisonment in July 2005, reportedly for distributing leaflets about the National Convention. Amnesty International is seeking more information about the nature of charges brought against them.

¹⁹ 28 August 2005 press conference

Since July 2005, NLD officials in Rakhine State, Sagaing Division, Yangon and Kachin state are reported to have been arrested on fabricated criminal charges, including gambling, foreign currency offences, and obstructing officials. Amnesty International is concerned by the very high level of harassment against political party members, including recent reports that professional licenses, including as private tutors, have been withdrawn on the basis of political affiliation. Authorities are reported to have threatened individuals in 2005, that should they engage in politics they may face long terms of imprisonment. Authorities have in the past taken measures to dissuade people from participation in opposition political activities. In past years civil servants have been threatened with dismissal in the past and state sponsored rallies have been organized against NLD MPs elect in their constituency. NLD MPs from Shan state and Sagaing Division, who were reportedly very politically active before their arrest, are serving sentences of between five and seven years' imprisonment for minor infringements of export legislation and vehicle licensing. At least one had been under pressure from local authorities before his arrest to resign from his position as MP-elect.

In March 2005 **U Kyaw Min**, National Democratic Party for Human Rights (NDPHR) MP elect of Bohtataung, Rakhine state and member of the Committee Representing the People's Parliament (CRPP), was arrested. He is believed to have been held in incommunicado detention since his arrest. U Kyaw Min was sentenced to 47 years' imprisonment in August 2005. His wife, two daughters and son, were arrested in May 2005 and also sentenced to 17 years' imprisonment. It is not known whether U Kyaw Min and his family, who were sentenced in what is believed to have been a secret trial, had access to legal counsel.

U Kyaw Min and his family are Rohingyas. As such, they, like other are subject to host of discriminatory treatment by law, including denial of citizenship and freedom to travel without official permission. The Rohingya, Muslims of Bengali origin, are denied citizenship in Myanmar under discriminatory legislation on nationality. However, despite this restriction, the Rohingya were allowed to vote and to contest seats in the 1990 elections. It is believed that U Kyaw Min was penalized on the basis of his peaceful political activities, and that the authorities have also prosecuted him and his family for infringing discriminatory legislation on citizenship. Amnesty International believes that they are prisoners of conscience.

Nine senior political representatives of the Shan ethnic nationality were sentenced on 3 November 2005 to prison terms of up to 109 years on charges of treason, "discrediting the nation", disrupting the National Convention, flouting stringent censorship laws and for economic offences. They had been arrested immediately before the convening of the National Convention in February 2005. Authorities prosecuted them for taking part in a political meeting of senior representatives of the Shan ethnic nationality on Shan National Day, 7 February 2005. The meeting was hosted by the Shan New Generation Youth political party, and was attended by political representatives. **Khun Htun Oo**, the Shan Nationalities League for Democracy (SNLD) chairman MP-elect and member of the CRPP;²⁰ the party's General

²⁰ The 13member CRPP was formed by the NLD in September 1998, with the support of 251 MPs elect, including MPs from other parties.

Secretary **Sai Nyunt Lwin**; SNLD Central Committee member **Sai Hla Aung**; Shan State Peace Council(SSPC)²¹ and United Nationalities League for Democracy²² chair **General Hso Ten**; Shan New Generation Youth members **U Myint Than, Myo Win Tun, Sai Nyi Moe, Tun Nyo, U Ba Thin** and **U Shwe Ohn**²³ aged 82, author and lawyer. After they were arrested, authorities stated that the group had been discussing a common position among political representatives of ethnic nationality political parties, and to agree principles for the political future of Shan State.

The group were sentenced to extraordinarily lengthy prison terms on charges of treason, discrediting the state, and specifically for discussing the National Convention. They received smaller prison terms for infringing foreign currency and import and export legislation – which is reportedly widely flouted throughout the country. Amnesty International believes that the group have been harshly penalized primarily for engaging in peaceful political discussions, and is calling for their immediate and unconditional release. **U Khun Htun Oo** and **General Hso Ten** were sentenced to 93 and 106 years' respectively on charges under the penal code, for insurrection, discrediting the nation, and under Law 5/96 which criminalizes any discussion of the National Convention that authorities considers undermines stability or "national reconsolidation". General Hso Ten was also sentenced under the Printers and Publishers Registrations Act, which allows the prosecution of individuals who distribute any form of written material without authorization of the official censor.

U Shwe Ohn has been held under house arrest without charge or trial. U Khun Htun Oo and his co-defendants were tried over several months in camera in Insein Prison in proceedings that failed to meet international fair trial standards. They were denied access throughout the trial to lawyers of their choice. In press conferences in March and April 2005 the authorities made statements which would have compromised the fairness of their trial. They presented allegations as fact and characterized the political discussion as "*detrimental*"²⁴ to the SPDC's objectives of upholding "*three main national causes – non-disintegration of the union, non disintegration of national solidarity and perpetuation of sovereignty*"²⁵ and that the discussion would lead to the disintegration of the union. In subsequent press conferences in April and again in May 2005 government officials stated that the Shan State Army–South,²⁶

²¹ The SSPC represents various ethnic Shan armed opposition groups who agreed ceasefires with the authorities during the 1990s, after decades of fighting for greater autonomy.

²² A coalition of political parties representing non-Burman ethnic nationality groups in Myanmar.

²³ U Shwe Ohn had been arrested in December 1992 and sentenced to one year's imprisonment for writing and distributing an essay making suggestions to the National Convention about the new constitution.

²⁴ New Light of Myanmar, official government publication, 16 March 2005.

²⁵ as above.

²⁶ The Shan State Army – South, is an armed opposition group active in Southern and Eastern Shan State.

the Shan Nationalities League for Democracy²⁷ and Shan State Intellectual Advisory Council planned to “*form a nominal union and later secede from the union*”²⁸, and had encouraged armed opposition groups to discuss matters pertaining to the significance of the forthcoming National Convention, which they were scheduled to attend. On 22 April 2005, authorities stated that they had “*exposed their conspiracies and protected the union from disintegration in time*”.²⁹

Amnesty International is also concerned by the high level of secrecy in which members of this group were tried. They were denied access to their families during and after their trial. Their families were reportedly not informed by the authorities of their sentences. Members of the group were sent, without having access to relatives, to prisons very distant from their homes. In some cases it takes several days to travel to these prisons, including Putao, Kachin State, where conditions are harsh. Amnesty International is concerned that this may affect their ability to have access to lawyers to appeal their sentences.

Sao Oo Kya, a senior representative of the Shan ethnic nationality, was arrested in early August 2005. He is a cousin of U Khun Htun Oo (see above), and in February 2005 became a member of the Shan State Intellectuals Advisory Body, as a representative of the Shan State National Army (SSNA).³⁰ Sao Oo Kya, also known as Donald, was sentenced to 13 years’ imprisonment in September 2005. According to unconfirmed reports, he was sentenced to ten years’ imprisonment for attempting to excite disloyalty toward the state under section 124 (a) of the Myanmar Penal Code. The court is reported to have justified his conviction on the basis of comments that two tourists had written in the guestbook of the palace where he resides and that he had accepted donations from these visitors for the maintenance of the building. Amnesty International believes that he may be a prisoner of conscience.

Prosecution of “underground” activists

In a press conference on 28 August 2005, the authorities’ detailed allegations against a group of individuals whom they alleged had contact with the FTUB in Thailand. The group were sentenced in November 2005 to between eight and 25 years’ imprisonment, and include **Wai Lin, Than Oo aka Ko Ye, Myint Lwin**, aged 77, **Win Myint**, lawyer **U Hla Myint aka Hla Myint Than, Daw Thaug, Ma Aye Chan, Aye Thi Khaing** and **Daw Yin Kyi**.

Amnesty International is concerned that among the charges laid against the group include acts which would be considered to be legitimate exercise of the right to freedom of expression.

²⁷ The Shan Nationalities League for Democracy is a legally registered opposition political party, which won 23 seats in Shan State in 1990 elections.

²⁸ New Light of Myanmar, 5 April 2005.

²⁹ New Light of Myanmar, 23 April 2005.

³⁰ An armed group representing the political interests of the Shan ethnic nationality. At the time of the meeting they had observed a cease-fire over hostilities with Myanmar authorities for nearly ten years. This ceasefire was broken in May 2005, reportedly due to the SPDC’s request that the SSNA disarm.

Authorities alleged that individuals, including NLD members were allegedly trained by the FTUB on how to “collect all sorts of news including those on peasants, workers, as well as natural disasters and to exaggerate them with intent to destabilize the country and create unrest.”³¹ Members of the group, particularly **Wai Lin, Than Oo, Myint Lwin and Win Myint** were also accused of speaking to the British Broadcasting Corporation and spreading “exaggerated news many times”.³² The authorities further stated in the press conference that individuals in Thailand had “obtained fabricated news” from individuals arrested, and made complaints with the information to the ILO to destabilize the state and “endanger the lives and properties of the people”.³³ Amnesty International is further concerned that members of the group may have been subjected to ill-treatment, particularly following reports of the death in custody of Myint Lwin’s son, **Aung Myint Thein**.

Sentencing of former Prime Minister Khin Nyunt

Amnesty International is concerned that there have also been unfair judicial procedures used against former Prime Minister General Khin Nyunt and his former employees and allies. Former Prime Minister Khin Nyunt, who also headed Myanmar’s Military Intelligence Service (MIS), was arrested on 19 October 2004. On 22 July 2005 he was given a 44 year suspended sentence and remains confined in his house with his wife, who was also arrested. He had been sentenced on charges of bribery, corruption and insubordination. His sons, Zaw Naing Oo and Ye Naing Win, a businessman who ran a publishing company and a data communications and internet company, are also under house arrest after receiving suspended sentences of 68 and 51 years’ imprisonment respectively for economic crimes and violations of import and export regulations. The trial was conducted in camera in Insein Prison Correctional Facility Jail.

While full information about the charges, sentences and individuals prosecuted is not available, reports suggest that an unknown number of individuals in some way associated with Khin Nyunt may have also been sentenced under charges relating solely to their peaceful exercise of freedom of expression and association. For example, businessman **Sonny Swe**, the Deputy Chief Executive Officer of the semi-independent publication *The Myanmar Times*, was among those sentenced. He was charged under the Press and Publications Act and sentenced to 14 years’ imprisonment – it is believed that he was sentenced because *The Myanmar Times* was published without the permission of the official censorship board, and because of his family’s proximity to former Prime Minister Khin Nyunt. Amnesty International is concerned that he may be a prisoner of conscience, and is calling on the SPDC to provide full information including the names of other individuals arrested in connection

³¹ Regular Press Conference Held, NCGUB, FTUB and ABSDF are terrorist groups which have been constantly committing terrorist acts to endanger lives and properties of innocent people, 28 August 2005, [Http://www.myanmar Digest.com/press/2005/28-8.html](http://www.myanmar Digest.com/press/2005/28-8.html)

³² as above.

³³ as above.

with the recent crackdown on former Prime Minister Khin Nyunt and the nature of charges against all of them.

Misuse of security legislation to imprison non-citizens

Amnesty International is concerned that many members of the Rohingya³⁴ ethnic group have been imprisoned for travelling without permission from the local authorities. AI considers these restrictions on freedom of movement on the basis of ethnicity to be discriminatory and unlawful, and calls for those individuals imprisoned for travelling without permission to be immediately and unconditionally released from prison.

Amnesty International is concerned by the official restrictions on travel for the Rohingya population, which are disproportionate and discriminatory. The United Nations Human Rights Committee³⁵ has stated that in applying laws restricting freedom of movement, states must demonstrate that restrictions are based on clear legal grounds and meet the test of necessity and requirements of proportionality. Amnesty International calls for the release of any person imprisoned solely for infringing these discriminatory travel restrictions.

Individuals from the Rakhine state, have been prosecuted under the 1950 Emergency Provisions Act, section 5 [j] for travelling without permission. In court judgements seen by Amnesty International, the sole justification for the use of security legislation has been that by infringing state directives, individuals have acted to harm the security of the Union of Myanmar. The 1950 Emergency Provisions Act, section 5 [j] does not use precise criteria to determine what constitutes a threat to national security. Amnesty International is concerned that, in the court judgements it has seen, sentences have been handed down solely on the basis of travelling without a permit, and that this would not constitute an adequate justification to condemn individuals on the basis that their actions threaten state security.

Amnesty International believes that Rohingyas imprisoned solely for travelling without official permission are being punished in a discriminatory and arbitrary fashion. Many Rohingyas, who are Muslims of Bengali origin and in many cases have been resident in Rakhine state for generations, are not recognized as citizens by the Myanmar authorities and are therefore effectively stateless. Under Myanmar's 1982 Citizenship Law, nationality is subject to being a member of a recognized ethnic group, regardless of the length of time an individual or his or her family have permanently resided in the country. As the Rohingyas are not considered to be a national ethnic group under the 1982 Citizenship Law, they are ineligible for full citizenship. Amnesty International has called on the SPDC to repeal these

³⁴ Persons of Bengali descent resident in Rakhine state. Many have been denied the right to citizenship, and are effectively stateless. Please see Amnesty International, Myanmar: The Rohingya Minority - Fundamental Rights Denied, 19 May 2004, AI Index ASA 16/005/2004 <http://web.amnesty.org/library/Index/ENGASA160052004?open&of=ENG-MMR>

³⁵ Human Rights Committee, General Comment 27, Freedom of movement (Art. 12), U.N. Doc CCPR/C/21/Rev.1/Add.9 (1999).

discriminatory provisions on citizenship which solely on the basis of their ethnicity deny Rohingyas the right to a nationality even when they are children born in the country or individuals who have a genuine and effective link to the country who would otherwise be stateless.³⁶

Most Rohingyas are considered by the Myanmar authorities to be resident foreigners, and as such are subjected to a range of restrictions on their rights. Travel restrictions have been applied against Rohingyas under laws on citizenship and under a decree issued by state authorities requiring Rohingyas to apply for official permission to travel outside and within Rakhine state, the state where the majority of them are resident. Permission to travel outside Rakhine state is infrequently granted by the authorities. Scores of Rohingyas have been imprisoned solely for travelling outside Rakhine state without authorization. Many Rohingyas have for extended periods lived outside Rakhine state without officials enforcing legal restrictions. Individuals travelling from Rakhine state to visit relatives, including parents, resident in other parts of the country, have been sentenced to prison terms for travelling to visit them without permission. Citizens of Myanmar do not generally require permission to travel, except to areas demarcated as zones of internal armed conflict, and are only required by law to travel with valid documentation of their identity and to register themselves as guests when staying outside their normal place of registration.

The SPDC is also reported to have issued a decree in 2004 prohibiting, on grounds of state security, Rohingyas and residents of Rakhine state with citizenship, namely Kamans (non Rohingya Muslims) and “Brahmans”, from travelling to Yangon. Amnesty International is concerned that restrictions on movement included in this decree may be arbitrary and discriminatory.

Extension of sentences by Executive Order under the 1975 State Protection Law.

The SPDC is continuing to use legislation which allows the Home Minister to detain without charge or trial anyone he believes may endanger the state. Such detention orders are often repeatedly renewed. Prolonged detention without charge or trial is in contravention of international human rights standards. Amnesty International is also concerned that this law does not define what constitutes “*a danger to the state*” and thereby has allowed the authorities to arbitrarily detain people for peaceful political activities. Amnesty International reiterates calls on the SPDC to repeal or amend this law to bring it into line with international standards.

On 27 November 2005 the authorities issued a new order extending the detention of opposition leader **Daw Aung San Suu Kyi** for a further six months. Daw Aung San Suu Kyi has been under house arrest at her home or unacknowledged detention for more than 10 of the

³⁶ see Amnesty International, Myanmar: The Rohingya Minority - Fundamental Rights Denied, 19 May 2004, AI Index ASA 16/005/2004.
<http://web.amnesty.org/library/Index/ENGASA160052004?open&of=ENG-MMR>

last 16 years. She has been most recently held without charge or trial since 30 May 2003, as has **U Tin Oo, 78**, vice-chairman of the NLD, His detention was extended by a further year on 13 February 2005.

After Daw Aung San Suu Kyi and U Tin Oo were detained, the SPDC stated that they and other NLD members were being held “*for their own security...under temporary protective custody*” and that measures would be lifted “*as soon as the situation returns to normal*”. Authorities have for a number of years given assurances that Daw Aung San Suu Kyi, will be released but have failed to provide any reliable schedule for releases beyond promising that they will do so when “*the time is right*”.³⁷ In late July 2003 Foreign Minister U Win Aung stated that Daw Aung San Suu Kyi would be released “*when the time comes... I can't see a timeframe right now*” and also added about her detention that “*We don't have any intention to prolong that arrangement. We are waiting for the cool down*”³⁸ In October 2003 the authorities said that “*we do not call it house arrest or anything like that*”^{39,40} and added that she will be released “*eventually.*” At the beginning of December 2004 Thai authorities reported General Than Shwe saying that Daw Aung San Suu Kyi, would be released but “*whenever Aung San Suu Kyi is released some trouble has happened. They need time to arrange everything and finish several meetings.*”

U Shwe Ohn, an 82 year old Shan political veteran and retired lawyer, has been held under house arrest since he took part in a political meeting of Shan politicians on 7 February 2005. Authorities have publicly stated that he played a major part in the organization of the meeting. There have been unconfirmed reports that authorities have ordered his detention for one year under the 1975 State Protection Law.

Other prominent political leaders are being held beyond the end of their prison sentence under this legislation. **Myat San**, a former bodyguard of Daw Aung San Suu Kyi and member of the All Burma Federation of Student Unions, is being detained in prison after the expiry of his sentence. He had served a sentence for taking part in student demonstrations celebrating Aung San Suu Kyi receiving the Nobel Peace Prize in December 1991. He is reported to be suffering from ill-health. NLD MPs elect and medical doctors, **Dr. Than Nyein** and **Daw May Win Myint** have had detention orders extended by a year. Both were not released after serving sentences of seven years' imprisonment after arranging for NLD leader Daw Aung San Suu Kyi to meet with party members in September 1997. Both are in poor states of health.

³⁷ When the time is right we shall set her free." Colonel Kyaw Win, 28 March 1995.

“We review things and when the time is right” Deputy Foreign Minister Kyaw Thu, 26 November 2004.

³⁸ Foreign Minister U Win Aung, quoted by Agence France Presse, 27 July 2003 and Kyodo News 29 July 2003

³⁹ Minister U Win Aung, quoted by Agence France Presse, 4 October 2003

⁴⁰ Foreign Minister U Win Aung, quoted by Agence France Presse, 27 July 2003 and Kyodo News 29 July 2003

Amnesty International reiterates calls on the SPDC to immediately and unconditionally release the above prisoners of conscience.

Releases

On 6 July 2005 at least 260 political prisoners were released from prisons across Myanmar. Among them were a number of individuals whose imprisonment was known to Amnesty International and who were imprisoned for their peaceful political activities. Their release was strongly welcomed. It should also be noted that among the group were individuals who were close to the end of their sentence, with time off due for good behaviour. Information on some of the individuals known to Amnesty International who were released is attached in appendix I.

Amnesty International is concerned by the treatment of **U Win Tin**, 75, Myanmar's longest serving prisoner of conscience, who has arrested in July 1989. According to reports, he was informed on 6 July 2005 that he would be released, and would need to meet with the Minister of Home Affairs beforehand. He was, however, not released but returned to his prison cell. Officials had also named U Win Tin, as one of the prisoners to be released in November 2004, but he had remained in detention.. Amnesty International continues to call for his immediate and unconditional release.

Amnesty International welcomes the release of prisoners of conscience. The organization also believes that the Myanmar authorities should establish a genuinely independent judicial procedure for reviewing convictions and sentencing for political offences, applying international human rights standards, including the rights to freedom of opinion and expression and freedom of peaceful assembly and association, and release all prisoners who were imprisoned solely for the peaceful exercise of these rights. The Myanmar authorities acknowledged that the justice system had been misused to detain political opponents in November 2004, when it announced the suspension of the sentences of prisoners. They maintained that these persons had been wrongfully imprisoned by security services under the command of former Prime Minister Khin Nyunt.

Amnesty International has been informed by former political prisoners that in the lead up to their release from prison, authorities asked them questions about their political attitudes. In many cases, it appeared that individuals who stated that they did not plan to resume any form of political activity were more likely to be released. Amnesty International is concerned that political attitudes favourable to authorities should not be considered a factor in the release of prisoners, particularly if they should never have been imprisoned in the first place.

Prisoners offered early release before the end of their sentences have often had conditions attached to their release under section 401 of the Criminal Procedure Code, which allows authorities to re-imprison individuals without warrant, and require them to serve the remainder of their sentence, should authorities believe they have not fulfilled the conditions of

their release. Conditions of early release have included not engaging in political activities. This prison “debt” of unserved time from previous political imprisonment has repeatedly been employed by the authorities to threaten and harass former prisoners and make them desist from political activities. A number of prisoners featured on the appended list, including **U Kyaw San** and **U Aye Myint** were arrested and sentenced for acts of peaceful dissent, within months of their release from prison during a mass release of prisoners.

RECOMMENDATIONS

A) Recommendations to the government of Myanmar:

Amnesty International urges all members of the international community, and particularly fellow ASEAN member states, make use of every opportunity in both bilateral and multilateral fora to ensure the SPDC implement the following recommendations.

Amnesty urges the State Peace and Development Council to adopt the following measures:

With regard to prisoners of conscience and political prisoners

1. Stop arresting people solely for the peaceful exercise of their rights to freedom of expression, association and assembly and to immediately and unconditionally release any person who has been arrested for the peaceful exercise of these rights.
2. Make public information about the charges preferred against all political prisoners or “security detainees” and of members of Military Intelligence personnel, and any former personal or business associates of former Prime Minister Khin Nyunt, their sentences and current whereabouts.
3. Review the convictions of all political prisoners and ensure that any who have been unfairly tried be re-tried promptly and in accordance with international fair trial standards, or released, and institute a clear transparent mechanism to ensure a truly independent judicial review is conducted.

With regard to procedures for arrest, detention and trial, including of political prisoners

4. Ensure that all detainees have the right to promptly challenge the lawfulness of their detention before a court, and ensure that they are released if their detention is found to be illegal. Article 100 of the Code of Criminal Procedure should be changed to establish an accessible procedure for detainees, their families, and their lawyers to challenge the legality of a detention.
5. Ensure that all political detainees are either released or promptly charged with recognizably criminal offences and tried by procedures which conform to international standards of fair trial, including the right to legal counsel, the right to presumption of innocence, the right to a public trial, the right to defend oneself, and the right to adequate time and resources to prepare a defence.
6. Ensure that all political detainees have access to legal counsel promptly following arrest and regularly thereafter, and have adequate time to prepare a defence. Detainees should have the right to meet with their lawyers privately.
7. Prohibit incommunicado detention and ensure that all prisoners have immediate, confidential, and regular access to relatives, doctors, and lawyers.
8. Ensure that the military does not manipulate the judiciary, whether directly or indirectly, so that courts may determine cases impartially and independently.
9. Ensure that officials, including government Ministers, refrain from conduct that jeopardizes the rights of the accused to a fair trial. This includes ending the practice by some officials of making public remarks that prejudge the guilt of political suspects.
10. Ensure that members of the judiciary have security of tenure; proper training, including in international human rights standards. and freedom from interference by the executive branch of the government. Ensure that all trials are held in public.
11. Ensure that all persons convicted of crimes have the right to appeal to a higher tribunal.
12. Review all criminal laws relating to freedom of expression and association, particularly the 1950 Emergency Provisions Law; the 1975 State Protection Law; the 1962 Printers and Publishers Law and the 1908 Illegal Associations Law and reform them so that the

laws are clear and specific, and do not breach the internationally recognized right to freedom of expression and association.

13. In particular, repeal Law No 5/96, the provisions of which allow for up to 20 years' imprisonment of anyone who drafts a constitution without official permission and otherwise criminalizes the right to freedom of expression and assembly.
14. Repeal any provisions in the 1975 State Protection Law allowing for detention by executive order without charge or trial.
15. Keep procedures for detention and investigation under regular review. All prisoners should be promptly told of their rights, including the right to lodge complaints about their treatment.
16. Abolish all laws, orders, regulations, policies and practice which allow incommunicado detention.
17. Abolish all secret or unofficial places of detention and interrogation under Myanmar law. It should be a punishable offence for any official to hold a person in a secret and/or unofficial place of detention.
18. Ensure in law and in practice that anyone who is arrested is informed, at the time of arrest, of the reasons for their arrest and is promptly informed of any charges against them.
19. Ensure that all detainees receive a medical examination soon after they are arrested, and are provided with proper medical care.

With regard to conditions of detention

20. Ensure that detainees and prisoners in every prison, labour camp, and other detention facility in Myanmar are treated humanely, and with the respect due to their inherent dignity and value as human beings.

21. Ensure that all detainees and prisoners are held in conditions which meet international standards, and are provided with adequate accommodation, hygiene, food and medical care on a timely basis, and that all prisoners are supplied with mosquito nets.
22. Ensure that all detainees and prisoners have opportunities for socialization with one another; and that all prisoners have ready access to reading and writing materials.

With regard to torture and ill-treatment

23. Define torture in law, according to internationally accepted definitions, as a specific crime of the utmost gravity in the Myanmar Penal Code, and issue clear orders to all members of the security forces not to torture or otherwise ill-treat anyone in their custody.
24. Introduce measures to safeguard against the use of torture and ill-treatment in interrogation, and to ensure that no evidence extracted as a result of such treatment is admissible in court, for example by recording the questioning of suspects and ensuring that such recordings are made available to defendants and their legal representatives.
25. All detainees must be brought before a judicial authority promptly after being taken into custody and have prompt access to lawyers, medical professionals and their families.
26. Initiate prompt, effective, independent, and impartial investigations into all allegations of torture or ill-treatment, whether they are held in prisons or other official places of detention. Where there is evidence of torture, bring to justice all suspected perpetrators, including those who had ordered or acquiesced to torture or ill-treatment, in proceedings which meet international standards of fairness.
27. Ensure that confessions or other evidence obtained through torture are never invoked in legal proceedings, except as proof of torture or ill-treatment.

With regard to disciplinary measures within prisons

28. Ensure that disciplinary measures within prisons do not constitute torture or other forms of cruel, inhuman and degrading treatment, that shackling and corporal punishment are not used as a form of punishment, and that all reports of such treatment are promptly, independently and effectively investigated and perpetrators are prosecuted in proceedings which meet international standards of fairness.

With regard to all reported deaths in custody

29. Independently and impartially investigate all reports of deaths in custody, and where the death occurred as a result of unlawful acts by officials or other persons, promptly bring perpetrators to justice in proceedings which meet international standards of fairness. Give families of the deceased and their lawyers access to information about the investigation procedure, and to other forms of redress, including compensation.

With regard to the harassment of released political prisoners and their families

30. Ensure that former prisoners, political activists and their families are not subjected to arbitrary detention, discrimination or harassment.

With regard to the International Community

31. Implement the recommendations of United Nations General Assembly Resolution A/C.3/60/L.53 on the situation of Human Rights in Myanmar, adopted by the General Assembly in November 2005, and of the UN Commission on Human Rights E/CN.4/2005/, and grant the UN Special Rapporteur on Myanmar and the UN Secretary General's Special Envoy on Myanmar unimpeded access to the country.

Accede without reservations to international human rights treaties, in particular the International Covenant on Civil and Political Rights and its protocols; the International Covenant on Economic, Social and Cultural Rights; the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its protocol; and the International Convention on the Elimination of all Forms of Racial Discrimination.

List of Prisoners of conscience and Possible Prisoners of Conscience in Myanmar.

This list gives details of a selected number of individuals whom Amnesty International believes have, or may have been imprisoned in Myanmar on account of their peaceful exercise of the rights to freedom of expression, association and assembly, and of those held without charge or trial under the State Protection Law. Amnesty International calls for the immediate and unconditional release of anyone among the more than 1,350 political prisoners in Myanmar who has been penalized solely for their peaceful exercise of these rights

1.

Name / Age	AUNG KO OO / Male, not known	He was arrested with four others for the formation without official permission of a student union, distributing a statement about the student union to several
Political Party / Role / Place	Thingangyun, Yangon	

Sentence / Legislation	/ 13 years / SLORC Law 6/1988	universities, and planning to hold a students' conference on Human Rights Day, 10 December 2003. He was allegedly the student union's Executive Committee member. It is believed that he and others were tortured during interrogation.
Date of Arrest	16 July 2003	
Prison Held	Insein Prison	
Health Concerns		
Torture Concern	YES	
Profession	Student	

2.

Name / Age	AUNG KYAW OO AKA KYAW WIN THEIN	He has served a sentence for alleged contact with the ABSDF, and is now serving his second sentence, received while he was still imprisoned. He received a second sentence for writing a poem while imprisoned in Insein Prison, which was reportedly included in a magazine prepared by prisoners to commemorate the 75th anniversary of Yangon University. A total of 24 prisoners were given sentences at the beginning of 1996 in connection with their circulation of news within the prison, their preparation of a magazine, and their attempts to report on human rights violations in the prison. While authorities investigated the incident many were held in cells designed for military dogs, made to sleep on concrete floors without bedding and deprived of food and water. They were also reportedly denied legal representation at their trial, at which a number reported that they had been tortured. Two persons sentenced at this time subsequently died in custody, one of whom was arrested at the same time and was the same age as Aung Kyaw Oo.
Political Party / Role / Place	alleged ABSDF, from Yangon	
Sentence / Legislation	/ 10 or 12 years + 7 years / 1950 EPA, 5[j,] [e], UAA, 17 (1), PPRA 17/20	
Date of Arrest	August 1991	
Prison Held	Tharawaddy	
Health Concerns	liver, kidney disease, various health problems	
Torture Concern	YES	
Profession	Student	

3.

Name / Age	AUNG KYI or GYI, male	He was arrested with four others for the
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Political Party / Role / Place	South Okkalappa 1 Yangon	formation without official permission of a student union, distributing a statement about the student union to several universities, and planning to hold a students' conference on Human Rights Day, 10 December 2003. He was allegedly the student union's chair. It is believed that he and others were tortured during interrogation.
Sentence / Legislation	15 years / SLORC law 6/88, 1950 EPA, 5 (j), PPRA, 17/20	
Date of Arrest	14 June 2003	
Prison Held	Insein	
Health Concerns		
Torture Concern	YES	
Profession	Student (Law)	

4.

Name / Age	AUNG PE AKA MAUNG MAUNG OO/ Male, 40	He was sentenced to a prison term on 25 August 2005. He had been reportedly arrested after he gave his pupils information about General Aung San, one of the architects of Myanmar's independence from Britain, and the father of detained opposition leader Daw Aung San Suu Kyi. He reportedly put his picture in the classroom and sang a song in his honour. U Aung Pe was reportedly sentenced for infringing legislation on the licensing of private tutors. He was badly beaten by criminal prisoners in Insein Prison in September 2005, and the authorities reportedly did not intervene.
Political Party /	Not known	
Role / Place	Twante, Yangon Division	
Sentence /	3 years imprisonment	
Legislation		
Date of Arrest	February 2005	
Prison Held	Insein Prison	
Health Concerns		
Torture Concern	Yes	
Profession	Private tuition teacher	

5.

Name / Age	AUNG SAN SUU KYI (DAW) / f, 1945	She has been detained since she and NLD members travelling on party business in Upper Myanmar were violently attacked, in what is believed to have been a state orchestrated operation. Authorities stated that she and other NLD members were being held under " <i>protective custody</i> ." She was held
Political Party / Role / Place	NLD General Secretary	
Sentence / Legislation	none / 1975 SPL, 10 (b)	

Date of Arrest	30 May 2003	incommunicado in an undisclosed location for more than four months until September 2003 when she was put under house arrest after undergoing surgery. She was reportedly informed in November 2004 that she was being held under the 1975 State Protection Law, which allows detention without charge or trial on executive order. Her detention was extended by a further six months in November 2005.
Prison Held	House arrest	
Health Concerns		
Torture Concern		
Profession		

She was held under house arrest between July 1989 and May 1995 and between September 2000 and May 2002, and in intervening periods has had her movement severely restricted. She has never been charged or tried for any of these periods of detention. She was awarded the Nobel Peace Prize while under house arrest in 1991.

6.

Name / Age	AUNG SOE MYINT / Male, not known	He was arrested for possessing a motorcycle without license, and had been arrested after a minor accident in which the injured party did not wish to pursue a complaint. It is believed that he has been selectively prosecuted on behalf of his political activities, as the possession of motorcycles without license is widespread and individuals are reportedly seldom prosecuted for this offence. He was reportedly tortured in pre-trial detention, and has had health problems in detention.
Political Party / Role / Place	NLD MP elect, Taungoo Bago Division	
Sentence / Legislation	7 years	
Date of Arrest	19 August 2003	
Prison Held	Insein Prison	

Health Concerns	Diabetes, high blood pressure
Torture Concern	
Profession	

7.

Name / Age	AUNG TUN	He was arrested with a group of students and veteran political activists for allegedly writing a history of the student movement
Political Party /	ABFSU CC member	

Role / Place		and its prominent role in political activism in Myanmar. He had reportedly coordinated the writing of the document, which ran into several volumes. Veteran student activists from the previous 40 years were arrested and sentenced at the same time, at least two of whom have reportedly died in prison. He was reportedly tortured during interrogation. This is his second period of detention as a result of his political activities.
Sentence Legislation	/ 17 years / 1950 EPA, 5 [j], UAA, 17 (1), PPRA 17/20	
Date of Arrest	17 February 1998	
Prison Held	Insein Prison	
Health Concerns		
Torture Concern	YES	
Profession	Student	

8.

Name / Age	AYE AUNG / dob c. 1974	Aye Aung was arrested in connection with peaceful demonstrations by students in favour of convening parliament. He is believed to have distributed leaflets to the public. He is being held 680 miles from his home, a journey of more than 14 hours by public transport, in a prison where malaria is endemic.
Political Party / Role / Place	ABFSU / Thingangyun Yangon	
Sentence Legislation	/ 24 or 45 years / EPA 5 [j], UAA 17 (1)	
Date of Arrest	14 September 1998	
Prison Held	Kalay Prison	
Health Concerns	malaria and typhoid	(photograph from Myanmar TV broadcast of SPDC press conference on recent arrests, October 1998)
Torture Concern		
Profession	Student (Physics)	

9.

Name / Age	AYE KYU (U) AKA MONYWA AUNG SHIN / Male, at least 60	He was sentenced for allegedly writing a statement calling for the lifting of restrictions recently placed on the NLD, including the release of senior party leaders from house arrest. At least four other senior NLD members were sentenced with him, and accused by authorities of attempting to incite unrest, and breaking laws that require any printed material to be approved by the official censor. His health is reportedly poor.
Political Party / Role / Place	NLD DOC vice chair, NLD CEC member / Monywa Township Sagaing Division	
Sentence	/ 21 yrs / 1950 EPA, 5	

Legislation	[j], PPRA 17/20
Date of Arrest	14/09/00
Prison Held	Insein
Health Concerns	Asthma and respiratory problems
Torture Concern	
Profession	Journalist / Poet

10.

Name / Age	Aye Myint (U)
Political Party /	Bago Division
Role / Place	
Sentence /	Seven years
Legislation	
Date of Arrest	31 October 2005
Prison Held	Bago
Health Concerns	Yes
Torture Concern	
Profession	Lawyer

U Aye Myint was arrested for passing to the government complaints of farmers whose land had been confiscated by the local authorities. He reportedly helped farmers compose a letter to the authorities, which was then copied to the ILO liaison officer in Yangon. None of the farmers he has represented are known to have been prosecuted, and all reportedly testified in U Aye Myint's trial that he was professionally carrying forward their legitimate complaints. The lawyer was sentenced under emergency legislation which allows for the imprisonment of anyone who does anything "intentionally to spread false news, knowing it to be false or having reason to believe that it is false" on the basis that it may then cause unrest. His family is reported to have been denied access to him after his arrest. U Aye Myint had been released from prison in January 2005. He had been sentenced in 2003 for passing information and news to political groups in exile, and communicating with the International Labour Organization. He had been sentenced to death, which was reduced to three years' imprisonment in 2004 on appeal. He is reported to be in a poor state of health.

11.

Name / Age	BA MYO THEIN AKA KO MYO / c. 38	He was arrested in 1991 for alleged connections to the CPB, and has served this part of his sentence. He was given a second term of imprisonment with a group of
Political Party /	Alleged CPB, Yangon	

<p>Role / Place</p> <p>Sentence / Legislation / Seven + 12 years/ 1950 EPA, 5 [e] + [j], UAA 17 (1) Penal code 6A</p> <p>Date of Arrest 05/02/1991</p> <p>Prison Held Thayet Prison</p> <p>Health Concerns</p> <p>Torture Concern</p> <p>Profession Civil Servant</p>	<p>prisoners while in prison in 1996, for taking part in the gathering of information on human rights violations in Insein Prison to transmit to the United Nations. A total of 24 prisoners were given sentences at the beginning of 1996 in connection with their circulation of news within the prison, their preparation of a magazine, and their attempts to report on human rights violations in the prison. While authorities investigated many were held in cells designed for military dogs, made to sleep on concrete floors without bedding during winter months, and deprived of food and water. They were also reportedly denied legal representation at their trial, at which a number stated that they had been tortured. He is being detained 340 miles from his home, a journey of approximately 10 hours by road.</p>
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12.

<p>Name / Age HAN SEIN (U)</p> <p>Political Party / Role / Place / NLD / Pabedan (Yangon Division)</p> <p>Sentence / Legislation / 20 years imprisonment / UAA 17(1); 1950 EPA, 5(J), PPRA 17/ 20</p> <p>Date of Arrest 10 August 1993</p> <p>Prison Held Tharawaddy Prison, Bago Division</p> <p>Health Concerns</p> <p>Torture Concern YES</p> <p>Profession TV Video Store Owner</p>	<p>U Han Sein was arrested on account of his alleged possession and distribution of the "New Era" journal. Ten others were sentenced on similar charges.</p>
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13.

<p>Name / Age</p>	<p>KHAING KAUNG SAN / He was forcibly returned from Thailand to</p>
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	Male, not known		Myanmar. He had been living in Thailand as an asylum-seeker for several years. He was granted official refugee status by the United Nations High Commissioner for Refugees (UNHCR) in 2000. He is reported to be a well known political dissident and human rights activist who worked closely with Arakanese organizations in providing political, socio-cultural and economic support to Arakanese people in Thailand.
Political Party / Role / Place	ALD vice chairman		
Sentence / Legislation	10 years / UAA 17 (1)		
Date of Arrest	5 December 2000		
Prison Held	Thayet Prison Division	Magway	

Health Concerns

Torture Concern YES

Profession

14.

Name / Age	KHIN KHIN LEH (MA) / f, dob 1966	She was arrested in connection with a demonstration to commemorate the assassination of General Aung San and to support the NLD, the lowering of food prices and revision of civil servants' salaries. Her three year old daughter was arrested at the same time, and was held with her in custody for up to five days.
Political Party / Role / Place	NLD / Bago Division	
Sentence / Legislation	life / 1950 EPA 5 [j], UAA 17(1)	
Date of Arrest	July 1999	
Prison Held	Insein	
Health Concerns	lung disease, rheumatoid arthritis, dysentery	
Torture Concern		
Profession	Teacher	

15.

Name / Age	KHIN MAUNG SWE AKA YE KYAW / aged c. 63 dob 1942	He was arrested in 1990 under charges of support for the formation of a parallel government, and was released under an amnesty in 1992. He was rearrested and on the basis that authorities alleged he had told
Political Party /	NLD / MP-elect / Yangon	

Role / Place	(Sanchaung)	diplomats and foreign journalists "fabricated news" and had allegedly given them documents produced by expatriate groups, the terms of his amnesty were revoked, and he was given a further sentence of seven years' imprisonment. He has reportedly had chronic health problems in detention, and has been held for the majority of the time in Myingyan prison c. 400 miles from his family, a journey of at least 12 hours.
Sentence / Legislation	/ 10 + seven years / 1950 EPA, 5 [e]	
Date of Arrest	4 July 1994	
Prison Held	Mandalay	
Health Concerns	Haemorrhoids, gastric ulcer	
Torture Concern		
Profession	Geologist	

16.

Name / Age	KHIN MAUNG WIN (U)	He was sentenced for having a film of Daw Aung San Suu Kyi visiting NLD members in 2003. He was also sentenced for having circulated two books about Burmese history by writers in exile to another NLD member. He, Dr. Win Aung and Soe Win Aung were tried immediately after arrest without time to prepare an adequate defence, and sentenced two days after arrest.
Political Party /	NLD member	
Role / Place	Khin U, Sagaing Division	
Sentence /	10 years	
Legislation	1962 PPRA, 1985 1985 Video Act	
Date of Arrest	6 July 2005	
Prison Held	Shwebo	
Health Concern		
Torture Concern		
Profession	Not known	

17.

Name / Age	KYAW KHIN (U) / dob May 1939	He was sentenced for giving a leaflet containing the list of awards conferred on Daw Aung San Suu Kyi to a girl and for a piece of paper allegedly found at a seat used by him and which contained the predictions by the BBC for the following year. Authorities reportedly penalized him for photocopying an NLD
Political Party / Role / Place	NLD / (MP) of No.1, Constituency of Taunggyi Township, Shan State	
Sentence / Legislation	/ 14 years / 1950 EPA 5(J), 1962 PPRA 17	

Date of Arrest	25 February 2005	leaflet, which had been approved by the official censor. He was previously detained between 1996 and January 2005. Authorities had sentenced him to 10 year' imprisonment, and alleged that he had been contacted to obtain "recorded videotapes with antigovernment messages broadcast by foreign television stations" to agitate civil unrest.	
Prison Held	Taunglaylone Prison		
Health Concerns	Heart disease		
Torture Concern			
Profession	Trade Corporation Officer in a jade mine		
Name / Age	KYAW MIN (U)/ Male, c.50 years old	U Kyaw Min is believed to have been arrested on account of his political activities. He was held incommunicado, and his wife, two daughters and a son were arrested in May 2005. His family was sentenced to 17 years imprisonment on the basis that the authorities disputed their right to nationality. They are Rohingyas, Muslims from Western Myanmar. Many Rohingyas are discriminatorily denied nationality in Myanmar.	
Political Party / Role / Place	National Democratic Party for Human Rights MP elect Buthidaung, Rakhine State, CRPP members		
Sentence / Legislation	43 years / 1950 EPA, section 5 [j], citizenship law section 18		
Date of Arrest	March 2005		
Prison Held	Insein Prison		
Health Concerns	Yes		
Torture Concern			
Profession	headmaster		
18.			
Name / Age	KYAW MYO MIN / Male, not known		He was arrested with his wife, Kyi Kyi Win, for allegedly contacting NLD members in Thailand and for allegedly distributing political literature, videotapes and stickers.
Political Party / Role / Place	NLD / Bilin township Mon State		
Sentence / Legislation	Seven or 15 years / 1950 EPA, section 5 [j], 17 (1), 13 (1)		
Date of Arrest	May 2000		
Prison Held	Insein Prison		

Health Concerns

Torture Concern

Profession

19.

Name / Age	KYAW SAN (U) / 73 years old, dob 13 June 1932	U Kyaw San was penalized for having goods at his house without the correct import documentation. The goods reportedly did not belong to him, He staged a month long hunger strike in protest at his arrest. He had been released from prison on 19 November 2004, where he had been held since September 1998. He had been sentenced to seven years' imprisonment in 1992, reportedly for distributing pamphlets, and was released in 1995. When the NLD called for the convening of parliament, authorities rearrested him and made him serve the remainder of his previous prison sentence, from which he had been released, reportedly under the condition that he would have to serve the remainder of his sentence should he reoffend by engaging in politics.
Political Party / Role / Place	NLD MP-elect Tantse Township, Sagaing Division chairman	
Sentence / Legislation	7 years' imprisonment, under import and export legislation, MPC 51,53	
Date of Arrest	17 March 2005	
Prison Held	Insein	
Health Concerns	Hypertension	
Torture Concern		
Profession	Former military colonel	

20.

Name / Age	KYI KYI MIN (MA) AKA MA HTAY HTAY NGWE YEE / female, not known	Authorities alleged she and her husband Kyaw Myo Min brought stickers and other materials from opposition groups in exile during 1999 into Myanmar urging people to support the convening of parliament and in support of demonstrations against one party rule.
Political Party / Role / Place	NLD / Bilin township Mon State	
Sentence / Legislation	Seven or 15 years / 1950 EPA, 5 [j], UAA 17(1)	
Date of Arrest	May 2000	
Prison Held	Insein Prison	
Health Concerns		
Torture Concern		
Profession		

Concern**Profession**

21.

Name / Age	LWIN AUNG (KO) / M	He was arrested in connection with student plans to convene a meeting to discuss current national and international political affairs.
Political Party / Role / Place		
Sentence / Legislation	7 years' imprisonment / 1950 EPA, 5 [j]	
Date of Arrest	9 August 1996	
Prison Held	Insein Prison	
Health Concerns		
Torture Concern		
Profession	Student	

22.

Name / Age	MAY WIN MYINT (DAW) / f, 55 yrs. old dob 08/03/1950	Daw May Win Myint was among a group arrested after an attempt by the NLD to hold a meeting with Daw Aung San Suu Kyi and the NLD Youth in Mayangone township, which authorities characterized as "anti-government activities with a mob." She is reported to have been deprived of drinking water and to have been mistreated during interrogation. She is being detained under an administrative detention law beyond the expiry of her sentence.
Political Party / Role / Place	NLD / MP-elect / Mayagone 2 Yangon Division	
Sentence / Legislation	6 years imprisonment / 1950 EPA, 5[j], SPL 10 [a]	
Date of Arrest	28 October 1997	
Prison Held	Insein Prison Yangon	
Health Concerns	Heart disease, high blood pressure and arthritis, stiff shoulder	
Torture Concern	YES	
Profession	Medical Doctor	

23.

Name / Age	MYAT SAN	Myat San was sentenced for his participation in demonstrations to celebrate Aung San Suu Kyi receiving the Nobel peace prize. He is being held beyond the end of his sentence under section 10 a of the 1950 State Protection Law. He is being held at least 170 miles from his home, a journey of more than eight hours by road.
Political Party / Role / Place	NLD / Pabedan township Yangon Division	
Sentence / Legislation	15 or 20 years; commuted to 10 years 1.1.93 / 1950 EPA 5 [j], SPL 10 [a]	
Date of Arrest	11 December 1991	
Prison Held	Taungoo Prison	
Health Concerns	gastric ulcer, tuberculosis	
Torture Concern		
Profession	Student	

24.

Name / Age	MYO MIN ZAW ALIAS MOE HEIN AUNG / Male, dob 1977	Myo Min Zaw was arrested for his role in student demonstrations calling for improvements to education in the country, and support for NLD calls to convene parliament. He was reportedly tortured in interrogation. He was transferred to Mandalay from Patheingyi Prison in September 2003 after taking part in a hunger strike calling for the release of political prisoners, including Daw Aung San Suu Kyi, implementation of the results of the general election and improvements to living standards for political prisoners. (photograph from Myanmar TV broadcast of SPDC press conference on recent arrests, October 1998)
Political Party / Role / Place	SYUF, ABFSU / Bahan Yangon	
Sentence / Legislation	52 years / 1950 EPA 5 [j], PPRA 17/20	
Date of Arrest	14 September 1998	
Prison Held	Mandalay Prison	
Health Concerns		
Torture Concern	YES	
Profession	Student	

25.

Name / Age	NAING NAING (U) (SAW) / aged 66 dob 1942	U Naing Naing was arrested for his alleged involvement in the preparation of a statement calling for the release of Daw Aung San Suu Kyi, and for the lifting of
Political Party /	NLD / MP-elect /	

Role / Place	Pazundaung Yangon	restrictions on the National League for Democracy.
Sentence / Legislation	21 years / 1950 EPA, 5 [j], PPRA 17/20	
Date of Arrest	14/09/00	Previous Imprisonment
Prison Held	Insein Prison	After authorities refused to transfer power to the NLD, a group of Members of Parliament, allegedly including U Naing Naing, met to discuss the formation of a parallel government until the time that power was transferred. As a result he was imprisoned between 1990 and 1999. Authorities forced him on two occasions to sleep in military dog cells, and deprived him of food and water for extended periods. On the first occasion, he was among prisoners who were being interrogated about how information on the ill-treatment of prisoners had been gathered within the prison. On the second occasion, he was being punished for making a memorial for a political prisoner who had died in custody and who had also been held in a prison dog cell at the same time as U Naing Naing.
Health Concerns	hernia and heart disease	
Torture Concern	YES	
Profession	Former Govt Trade Manager	

26.

Name / Age	OHN THAN (U) / Male, 58 years old	He was reportedly arrested for staging a peaceful one man protest outside United Nations offices in Yangon, calling for the convening of parliament under UN supervision, and for an investigation into the attack on NLD members at Depayin on 30 May 2003. He was reportedly sentenced for inciting unrest. This is reportedly his third period of imprisonment for political reasons.
Political Party / Role / Place	Dagon Yangon	
Sentence / Legislation	two years / 515 b, MPC 505B	
Date of Arrest	September 2004	
Prison Held	Insein Prison	
Health Concerns		
Torture Concern		
Profession	Forestry Department Employee	

27.

Name / Age	SAN YA / Male, not known	He is reported to have been sentenced in September 2004 with three NLD members for allegedly receiving foreign satellite stations without official permission for satellite use.
Political Party / Role / Place	NLD Mon State	
Sentence / Legislation	Seven years' imprisonment / 1950 EPA, 5[j]; UAA 17 (1)	
Date of Arrest	July 2004	
Prison Held	Insein Prison	
Health Concerns		
Torture Concern		
Profession		

28.

Name / Age	SAW HLAING (U) / 49 years old, dob 8 February 1956	He was sentenced for having “unlicensed” computers and was reportedly denied access to legal counsel. He has been repeatedly arrested for political reasons, including in 1974; 1990; 1998 and 2003.
Political Party / Role / Place	NLD MP-elect, Indaw Township / Sagaing Division	
Sentence / Legislation	12 years, PPRA 16,17/20	
Date of Arrest	30 March 2005	
Prison Held	Katha	
Health Concerns	Chronic backache, arthritis	
Torture Concern		
Profession	Lawyer	

29.

Name / Age	SHWE OHN (U) / 82 years old	He was placed under house arrest for taking part in a Shan National Day meeting in Taunggyi on 7 February 2005. It was reported that participants discussed the future of the Shan State and the role of the ceasefire groups
Political Party / Role / Place	Democratic League for the National Races of the	

	Shan State (abolished) / Shan veteran politician	at the National Convention. He was previously arrested in December 1992 and sentenced to one year imprisonment for writing and distributing an essay on the form the new constitution should take.
Sentence / Legislation	Reportedly one year of house arrest / 1975 SPL 10 (B)	
Date of Arrest	8 February 2005	
Prison Held	House arrest	
Health Concerns		
Torture Concern		
Profession	Lawyer and writer	

30.

Name / Age	SOE HAN / Male, c. 50	He was sentenced in connection with the issuing of an NLD statement calling for the lifting of restrictions against party members, including Aung San Suu Kyi, who was under house arrest at the time. He is a former chief court advocate. He served part of a three month sentence handed down in June 2000. He was reportedly widowed in 2000 and is in a poor state of health. He was reportedly penalized for taking part in a hunger strike in Insein Prison in May 2005, and is believed to have been transferred to Thayet Prison. He reportedly needs treatment for eye disease.
Political Party / Role / Place	NLD DOC member, legal advisory chair / Yangon	
Sentence / Legislation	21 years / 1950 EPA, 5 [j], PPRA 17/20	
Date of Arrest	September 2000	
Prison Held	Mawlamyine Prison	
Health Concerns	eye problems	
Torture Concern		
Profession	Lawyer	

31.

Name / Age	SOE MYINT (U) AKA SAYA SOE / Male, not known	He was arrested in 1992 on account of his former affiliations with the Communist Party of Burma, and reportedly because he composed a song commemorating the election victory of the National League for Democracy. He was given a second sentence for his participation in a group in prison who coordinated the production of a magazine,
Political Party / Role / Place	Alleged CPB / Hlaing township Yangon	
Sentence / Legislation	22 years (10 + 7 + 5) / 1950 EPA, 5 [j], 5 [e], UAA 17/1,	

Date of Arrest	1992	for which he reportedly wrote some songs and short stories. A total of 24 prisoners were given sentences at the beginning of 1996 in connection with their circulation of news within the prison, their preparation of a magazine, and their attempts to report on human rights violations in the prison. While authorities investigated him and others were held in cells designed for military dogs, made to sleep on concrete floors without bedding during winter months, and deprived of food and water. He was held in a dog cell between November 1995 and January 1996. They were also reportedly denied legal representation at their trial, at which a number reported that they had been tortured. This is his third period of imprisonment for political reasons.
Prison Held	Tharawaddy Prison	
Health Concerns	rheumatoid arthritis	
Torture Concern	YES	

32.

Name / Age	SOE WIN AUNG (U)	He was reportedly sentenced for having a film of Daw Aung San Suu Kyi visiting NLD members in 2003. He, Dr. Khin Maung Win and Soe Win Aung were tried immediately after arrest, without time to prepare an adequate defence.
Political Party / Role / Place	NLD member, Khin Sagaing Division U	
Sentence / Legislation	3 years, 1985 Video Act	
Date of Arrest	6 July 2005	
Prison Held		
Health Concerns		
Torture Concern		
Profession	Local school teacher	

33.

Name / Age	SU SU NWE (Ma), (f)	Su Su Nwe successfully sued her village administration for illegally requiring her and others to take part in unpaid forced labour. Following the prosecution she was
Political Party / Role / Place	NLD, Kawmoo, Yangon	

Sentence / Legislation	18 months' imprisonment; MPC 506, 294 (b)	threatened by village authorities. Village authorities alleged that she had sworn at them and prosecuted her for defamation. Persons who supported her prosecution of the authorities were reportedly also threatened by the local authorities. She suffers from heart disease and reportedly has been denied medication since her imprisonment.
Date of Arrest	13 October 2005	
Prison Held	Insein Prison	
Health Concerns	Yes	
Torture Concern		

34.

Name / Age	THAN HLAING / Male, not known	He was arrested after he protested against the confiscation of his land used for rice paddy by the army and the Union Solidarity and Development Association, by leading others whose land had been taken to local authorities to ask for its return. He was reportedly denied access to lawyers at his trial.
Political Party / Role / Place	NLD	
Sentence / Legislation	Seven years' imprisonment / 1950 EPA, 5 [j]	
Date of Arrest	2000	
Prison Held	Taungoo Prison	
Health Concerns		
Torture Concern		
Profession	Farmer	

35.

Name / Age	THAN HTAY (U), dob 1948	He was arrested in August 2004, and was reportedly sentenced with his son, Than Htun Oo, his nephew and one other for alleged infringements under import and export legislation, relating to his son's electronic shop. It is believed that he was sentenced in connection with his political
Political Party / Role / Place	NLD MP elect, Lashio Shan State	
Sentence / Legislation	Three years	
Date of Arrest	August 2004	

Prison Held	Kalay Prison	activism, and his refusal to cease political activities. He had reportedly been under pressure from local SPDC authorities to resign from his position of elected MP and was also reportedly active in an NLD signature gathering campaign for the release of Daw Aung San Suu Kyi. He was arrested in September 1998 and detained by authorities after refusing to report twice daily to them and not to travel. He was also held in incommunicado detention in 1996 to prevent him from attending an NLD meeting.
Health Concerns	Yes, kidney problems when previously detained	
Torture Concern		
Profession	Lawyer	

36.

Name / Age	THAN MIN ALIAS TIN TUN AUNG / dob c. 1958	Than Min was sentenced for sending allegedly "threatening" letters written by NLD MP-elect Dr. Aung Khin Sint and information about the NLD to National Convention delegates, characterized by authorities as "instigative letters for disrupting the National Convention".
Political Party / Role / Place	NLD EC member / Mingala Thaungnyunt Yangon	
Sentence / Legislation	20 years / UAA 17 (1), 1950 EPA, 17(1), 1962 PPRA 17/20	
Date of Arrest	03/08/93	
Prison Held	Taungoo Prison	
Health Concerns		
Torture Concern		
Profession	Assistant to MP-elect	

37.

Name / Age	THAN NYEIN (DR.) / 68 years old dob 1937	He was arrested for attempting to arrange a meeting of local NLD activists with the party's General Secretary, Daw Aung San Suu Kyi. He is being held beyond the expiry of his sentence under an administrative detention law that allows authorities to hold prisoners without charge or trial. He went on hunger strike in October 2004 to protest this, and was reportedly transferred as a punishment to
Political Party / Role / Place	NLD MP-elect / MP-elect / Kyauktan 1 Yangon	
Sentence / Legislation	Seven years / SPL, 10 (a) 1950 EPA, 5 [j]	
Date of Arrest	28/10/97	
Prison Held	Pyay prison	

Health Concerns	chronic liver cirrhosis, heart disease, hypertension, renal stones and bleeding, swollen abdomen	Tharawaddy Prison before being returned to Insein hospital. He has been repeatedly hospitalised during his imprisonment. He was moved for the fourth time since his sentence expired, in January 2005, to Pyay Prison.
Torture Concern		
Profession	Medical Doctor	

38.

Name / Age	THAN THAN HTAY (DAW) / female, not known	She is reported to have been sentenced in September 2004 with three other NLD members for allegedly receiving foreign satellite stations without official permission for satellite use, and under suspicion of communicating news to opposition groups in exile. She and others were reportedly not allowed to testify in court.
Political Party / Role / Place	NLD Women's Wing, DOC member / Magway Division Myothit 2	
Sentence / Legislation	Seven years' imprisonment / 1950 EPA 5j, 13 (1)	
Date of Arrest	8 June 2004	
Prison Held		
Health Concerns		
Torture Concern		
Profession		

39.

Name / Age	THAN THAN HTAY (MA) / f dob 1967	She was reportedly arrested for taking part in campaigns on education initiated by student groups in exile. She was previously imprisoned on account of her activities as a member of the ABFSU.
Political Party / Role / Place	Yangon	
Sentence / Legislation	17 years / 1950 EPA, 5 [j], UAA 17 (1)	
Date of Arrest	2000	
Prison Held	Insein Prison	
Health Concerns	arthritis	
Torture		

Concern

Profession

40.

Name / Age	THAUNG TUN, AKA NYEIN THIT / Male, not known	He is reported to have been sentenced to eight years imprisonment for allegedly making unauthorised video tapes, including of forced labour, and sending them outside the country. He is a well-known poet, and has also worked for the MV media group.
Political Party / Role / Place	NLD / Mandalay	
Sentence Legislation	/ Eight years / 17 (1), 13 (1) Immigration Act	
Date of Arrest	October 1999	
Prison Held	Mawlamyine Prison	
Health Concerns	gastric ulcer	
Torture Concern		
Profession	Poet/ private tutor	

41.

Name / Age	THEIN NAING OO(U) /	He was sentenced in September 2003 for allegedly distributing information about the attack on NLD members at Depayin on 30 May 2003.
Political Party / Role / Place	NLD Dallah Yangon, Youth	
Sentence Legislation	/ Seven years / 1950 EPA 5 [j]	
Date of Arrest	June 2003	
Prison Held	Insein Prison	
Health Concerns	YES	
Torture Concern		
Profession		

42.

Name / Age	THET NAUNG SOE /	Thet Naung Soe, a final year law student, was
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	Male, not known	arrested for staging a peaceful demonstration outside City Hall in Yangon, with fellow law student Khin Maung Win. He had reportedly handed out leaflets the previous day, calling on authorities to initiate political dialogue with the NLD.
Political Party / Role / Place	Monywa, Sagaing	
Sentence / Legislation	14 years / 1950 EPA, 5 [j]	
Date of Arrest	17 August 2002	
Prison Held	Insein Prison	
Health Concerns	Mental illness	
Torture Concern		
Profession	Student	

43.

Name / Age	THET WEI / Male, not known	He was sentenced in connection with U Ohn Than's peaceful demonstration outside UNDP offices in Yangon.
Political Party / Role / Place	NLD TOC chairman / Sanchaung Yangon	
Sentence / Legislation	Two years	
Date of Arrest	September 2004	
Prison Held	Insein Prison	
Health Concerns	YES	
Torture Concern		
Profession		

44.

Name / Age	THET WIN AUNG Male, dob c. 1972	Thet Win Aung was arrested in connection with peaceful student demonstrations which protested against the poor quality of education and the human rights situation in
Political Party /	ABFSU / Member /	

Role / Place	Tamway Township, Yangon	Myanmar. This is the second time he has been detained -- he was reportedly held in prison for 9 months in 1991, during which period he is reported to have been tortured. He is being held around 400 miles from his home, a journey of around 12 hours.
Sentence / Legislation	59 years / 1950 EPA 5[j] UAA 17 (1)	
Date of Arrest	4 October 1998	
Prison Held	Mandalay Prison	
Health Concerns	Mental illness, malaria and other ailments	
Torture Concern	YES	
Profession	Student	

45.

Name / Age	TIN MYINT (U) / Male, not known	He was arrested with three other NLD members, and reportedly sentenced for owning satellite television equipment without official permission. He and others were reportedly not allowed to present testimony during the trial.
Political Party / Role / Place	NLD TOC secretary / Thingangyun Yangon	
Sentence / Legislation	Seven years' imprisonment / 1950 EPA 5 [j], 13 (1)	
Date of Arrest	8 June 2004	
Prison Held	Insein Prison	
Health Concerns		
Torture Concern		
Profession		

46.

Name / Age	TIN OO (U) / aged 78 dob 1927	He was detained by authorities after he and other NLD officials and members were violently attacked in what is believed to have been a state orchestrated operation. He was held in Kalay Prison and transferred into house arrest in February 2004. He was held in Insein Prison between 1990 and
Political Party / Role / Place	NLD Vice Chairman	
Sentence / Legislation	1975 SPL	

Date of Arrest	30 May 2003	1995 on account of his peaceful political activities. He has also been made to remain under effective house arrest during successive crackdowns on NLD political activities, including in September 2000, after he and other senior officials of the NLD had been prevented from leaving the capital on party business. His detention was increased by a further year on 13 February 2005.
Prison Held	house arrest	
Health Concerns	Deep vein thrombosis	
Torture Concern		
Profession	Former Chief Of Staff Of Armed Forces And Former Minister Of Defence	

47.

Name / Age	TUN LIN KYAW, male aged 28 years old	He was arrested for staging a peaceful one-man demonstration outside City Hall in Yangon on 14 December 2004. He reportedly protested the continued detention of Daw Aung San Suu Kyi, and called for her release. He was reportedly sentenced in February 2005.
Political Party / Role / Place	NLD Youth member, Sanchaung Yangon	
Sentence / Legislation	Seven years, 1950 EPA, 5 [j]	
Date of Arrest	December 2004	
Prison Held	Insein Prison	
Health Concerns		
Torture Concern		
Profession	Former bodyguard for Daw Aung San Suu Kyi	

48.

Name / Age	DR WIN AUNG	He was sentenced for having a film of Daw Aung San Suu Kyi visiting NLD members in 2003. He was also sentenced for having lent two books about Burmese history by writers in exile to other NLD members. He, Khin Maung Win and Soe Win Aung were immediately put on trial, without time to prepare an adequate defence, and sentenced two days after their arrest. Dr. Win Aung was injured during an attack on NLD members by a group supported by the SPDC on 30 May 2003, and was held without charge or trial
Political Party / Role / Place	NLD, TOC chairman Khin-U, Sagaing Division	
Sentence / Legislation	Ten years, 1962 PPRA, 1985 Video Act	
Date of Arrest	6 July 2005	
Prison Held	Shwebo Prison	
Health Concerns		
Torture Concern		

Profession **Medical doctor**

49.

Name / Age	WIN HTEIN / aged c. 55 dob 1950	Win Htein was sentenced for allegedly organizing farmers and NLD members to collect agricultural statistics, including video footage of dry rice-fields and for instructing a young man to be interviewed about the torture of political prisoners in Myanmar's jails. He is a senior advisor to Aung San Suu Kyi. This is the second time since 1989 that Win Htein has been detained for his peaceful political activities. Win Htein was previously detained as a prisoner of conscience between 1989 and 1995. He is being held at least 12 hours journey by public transport from his home.
Political Party / Role / Place	NLD / Insein Yangon	
Sentence / Legislation	7 + 7 years / 1950 EPA, 5 [j]	
Date of Arrest	22 May 1996	
Prison Held	Myingyan Prison	
Health Concerns	acute spondylitis, high blood pressure and migraines	
Torture Concern	YES	
Profession	Business Consultant And Retired Army Officer	

50.

Name / Age	WIN TIN AKA U WIN TIN / aged 74 dob 1930	He is serving a 20 year prison sentence. He has received three separate sentences while imprisoned-- firstly for harbouring a girl who had received an illegal abortion, secondly, while still imprisoned for "giving seditious talks, organizing subversive movements within the NLD and writing and publishing pamphlets to incite treason against the state." His third prison sentence of 7 years was given for allegedly writing political analyses: authorities stated he "secretly published anti-government propaganda to create riots in jail". A total of 24 prisoners were given sentences at the beginning of 1996 in connection with their circulation of news within the prison, their preparation of a magazine, and their attempts to report on human rights violations in the prison. While authorities
Political Party / Role / Place	NPF, NLD	
Sentence / Legislation	20 years / Section 216 of the Burmese Penal Code, 1950 EPA 5 [j],[e]	
Date of Arrest	4 July 1989	
Prison Held	Insein Prison	
Health Concerns	spondylitis, heart disease, haemorrhoids	
Torture Concern		
Profession	Journalist; Editor	

investigated the incident many, including U Win Tin, were held in cells designed for military dogs, made to sleep on concrete floors without bedding during winter months, and deprived of food and water. They were also reportedly denied legal representation at their trial, at which a number reported that they had been tortured. Two persons sentenced at this time subsequently died in custody, one of whom was in his 30s. He has chronic health problems, including spondylitis.

51.

Name / Age	YI YI WIN (MA) / f	She is reported to have been sentenced in September 2004 with three NLD members for allegedly receiving foreign satellite stations without official permission for satellite use. She and others were reportedly not allowed to testify in court.
Political Party / Role / Place	NLD member / Theinyazat Mon state	
Sentence / Legislation	Seven years' imprisonment / 1950 EPA, 5[j], 17 (1),	
Date of Arrest	July 2004	
Prison Held	Insein Prison	
Health Concerns		
Torture Concern		
Profession		

52.

Name / Age	ZAW MYINT MAUNG (DR) / aged 54 dob 11 December 1951	He was imprisoned for his alleged participation in discussions about the formation of a parallel government in Mandalay, and was sentenced at a military tribunal with no legal representation. He is believed to have been deprived of food and sleep during interrogation. He was one of a total of 24 prisoners given further prison sentences at the beginning of 1996 in connection with their circulation of news within the prison, their preparation of a
Political Party / Role / Place	NLD / MP-elect / Amarapura 1 Mandalay Division	
Sentence / Legislation	20 years, commuted to 10 + 7 years (17 yrs) / 1950 EPA, 5 [e], BPC,122/1, PPRA 17/20	

Date of Arrest	November 1990	<p>magazine, and their attempts to report on human rights violations in the prison. He was alleged to have written two poems and to have signed a petition for the release of Aung San Suu Kyi. While authorities investigated he and others were held in cells designed for military dogs, made to sleep on concrete floors without bedding during winter months, and deprived of food and water. He was held in a dog cell between November 1995 and January 1996. The group were also reportedly denied legal representation at their trial, at which a number reported that they had been tortured. He is being held more than 400 miles from his home.</p>
Prison Held	Myitkyina Prison	
Health Concerns	Hepatitis	
Torture Concern	YES	
Profession	Doctor	

POSSIBLE PRISONERS OF CONSCIENCE

53.

Name / Age	ANNUL (KO) AKA WIN TIN	<p>He was arrested in connection with demonstrations in support of the NLD in Bago Division. Individuals arrested at the time in Bago were reportedly subjected to severe torture.</p>
Political Party / Role / Place	Bago	
Sentence / Legislation	24 or 25 years with hard labour / 1950 EPA. 5 [j], UAA 17(1) PPRA 17/20	
Date of Arrest	19 July 1999	
Prison Held	Tharawaddy Prison	
Health Concerns	Tuberculosis	
Torture Concern		
Profession	Trader	

54.

Name / Age	AUNG KO KO	<p>He is believed to have been arrested in connection with NLD calls to convene</p>
Political Party /	Sanchaung township Yangon	

Role / Place	Division	parliament in September 1998.
Sentence / Legislation	14 years imprisonment / 1950 EPA, 5 [j]	
Date of Arrest	September 1998	
Prison Held	Insein Prison	
Health Concerns		
Torture Concern		
Profession	Student	

55.

Name / Age	AUNG NAING THU / Male, not known	He was reportedly sentenced for alleged contact with opposition political groups in exile. His mother, Daw Hnin Pa Pa, was also sentenced in the same case.
Political Party / Role / Place	NLD Youth / Mandalay	
Sentence / Legislation	12 years' imprisonment / not known	
Date of Arrest	December 2003	
Prison Held	Mandalay Prison	
Health Concerns		
Torture Concern		
Profession	University Student	

56.

Name / Age	AUNG SOE MIN / Male, not known	He was arrested in connection with student protests for the formation of people's parliament in September 1998. In 2003 he reportedly went on hunger strike with two other political prisoners, as they were being denied reading and writing materials. He is being held at least 12 hours by train from his home.
Political Party / Role / Place	North Okkalappa Yangon	
Sentence / Legislation	14 or 21 years / 1950 EPA, 5 [j]	
Date of Arrest	02/09/98	

Prison Held **Insein Prison**

**Health
Concerns**

(photograph from Myanmar TV broadcast of SPDC press conference on recent arrests, October 1998)

**Torture
Concern**

Profession **Student**

57.

Name / Age **AUNG ZAW OO / Male, not known**

He was reportedly arrested in connection with demonstrations planned by opposition groups in exile and for possessing written materials that had not been approved by the official censor. He was transferred from Patheingyi to Tharawaddy for participating in a hunger strike in 2003 calling for the release of Aung San Suu Kyi.

**Political Party /
Role / Place** **ABFSU / Myingyan
Mandalay Division**

**Sentence /
Legislation** **14 years' imprisonment /
1950 EPA, 5j, PPRA, 17/20**

Date of Arrest **1999**

Prison Held **Tharawaddy Prison**

**Health
Concerns**

**Torture
Concern**

Profession **Private Tuition Teacher**

58.

Name / Age **AUNG AUNG (KO) / Not known**

He was reportedly sentenced with 10 others for allegedly passing news about the situation in the country to opposition political groups in exile.

**Political Party /
Role / Place** **NLD Youth / Mandalay**

**Sentence /
Legislation** **Seven years' imprisonment**

Date of Arrest **December 2003**

Prison Held **not known**

**Health
Concerns**

**Torture
Concern**

Profession **Rice And Gold Rings
Merchant**

59.

Name / Age	AUNG GYI / m	He was arrested in connection with student demonstrations for the formation of a student union in December 1996.
Political Party / Role / Place	Yangon Division	
Sentence / Legislation	10 years' imprisonment / 1950 EPA, 5 [j]	
Date of Arrest	20 December 1996	
Prison Held		
Health Concerns		
Torture Concern		
Profession		

60.

Name / Age	AUNG MYO SAN, Male	He was arrested with three other NLD members and another political activist. He was reported to have been denied access to family and lawyers, and to have been sentenced to life imprisonment in June 2005.
Political Party / Role / Place	NLD member, Kamayut Yangon /	
Sentence / Legislation	Reportedly to life imprisonment	
Date of Arrest	December 2004	
Prison Held	Insein Prison	
Health Concerns		

**Torture
Concern**

Profession

61.

Name / Age	AUNG NAING (M), c. 26 years old	His father, an opposition MP elect, U Kyaw Min is believed to have been arrested on account of his political activities. He was held incommunicado, and he, his mother, sister and brother were arrested in May 2005. They were sentenced to 17 years imprisonment on the basis that the authorities disputed their right to nationality. They are Rohingyas, Muslims from Western Myanmar. Many Rohingyas are discriminatorily denied nationality in Myanmar.
Political Party / Role / Place	From Yangon and Buthidaung, Rakhine State,	
Sentence / Legislation	17 years citizenship law section 18	
Date of Arrest	May 2005	
Prison Held	Insein Prison	
Health Concerns	Yes	
Torture Concern		
Profession		

**Torture
Concern**

Profession

62.

Name / Age	AYE CHAN (MA) (f)	In a press conference on 28 August 2005, detailing a series of accusations against opposition groups in exile, the Director General of Police stated that she had attended a meeting with the FTUB on the Thai-Myanmar border in December 2003. It was further stated that at the meeting she and seven others, including her husband and father in law were given training on labour issues and how to gather news. Her husband died in prison on 5 November 2005.
Political Party / Role / Place	Bago Division	
Sentence / Legislation	Eight years, 1950 EPA 5 [[j], UAA 17 (1)	
Date of Arrest	28 June 2005	
Prison Held	Insein	
Health Concerns		
Torture Concern	Yes	
Profession	Former teacher	

63.

Name / Age	AYE THI KHAING (f)	In a press conference on 28 August 2005, detailing a series of accusations against opposition groups in exile, the Director General of Police stated that she had attended a meeting with the FTUB on the Thai-Myanmar border in December 2003. It was further stated that at the meeting she and seven others, including her uncle, were given training on labour issues and how to gather news.
Political Party / Role / Place	Bago Division	
Sentence / Legislation	Eight years, 1950 EPA 5 [[j], UAA 17 (1);	
Date of Arrest	July 2005	
Prison Held	Insein	
Health Concerns		
Torture Concern	Yes	
Profession	Former bank employee	

64.

Name / Age	BA CHIT / Male, dob 1951	He was arrested in connection with planned demonstrations in Bago division and accused of being a member of the ABSDF. Persons arrested in this area were reportedly severely tortured.
Political Party / Role / Place	NLD Division OC member / Bago Division	
Sentence / Legislation	29 years with hard labour / 1950 EPA, 5 [j], UAA, 17/1	
Date of Arrest	18/07/99	
Prison Held	Tharawaddy Prison	
Health Concerns		
Torture Concern		
Profession	Merchant	

65.

Name / Age	BA CHIT / Male, c 70 years old	He was arrested in connection with planned demonstrations in Bago division and accused by authorities of receiving leaflets produced by the opposition in exile. Persons arrested in this area were reportedly severely tortured.
Political Party / Role / Place	/ Bago Division	
Sentence / Legislation	24 years with hard labour / 1950 EPA, 5 [j], UAA, 17/1, PPRA 17/20	
Date of Arrest	18/07/99	

Prison Held **Tharawaddy Prison**

Health Concerns **Reported to be in a declining state of health, hypertension, mental health problems**

Torture Concern

Profession **Former army captain**

66.

Name / Age	BA MYINT (U)/ Male	He was arrested with three other NLD members and another political activist. He was reported to have been denied access to family and lawyers, and to have been sentenced to life imprisonment in June 2005.
Political Party / Role / Place	NLD Township OC chairman, Bahan Yangon /	
Sentence / Legislation	Reportedly to life imprisonment	
Date of Arrest	December 2004	
Prison Held	Insein Prison	
Health Concerns		
Torture Concern		
Profession		

67.

Name / Age	BA THIN	He was arrested in connection with a discussion with other Shan political representatives on Shan National Day. The group reportedly discussed the National Convention and the political future of Shan state. They were held without access to family members, denied legal representation of their choice, and tried in camera. After their sentencing in November 2005, members of the group were transferred to distant prisons.
Political Party / Place	Shan New Generation Youth, Shan State	
Sentence / Legislation	79 years imprisonment	
Date of Arrest	8 February 2005	
Prison Held		
Health Concerns		
Torture Concern		
Profession		

68.

Name / Age	BA TINT (U)/ Male	He was arrested with three other NLD members and another political activist. He was reported to have been denied access to family and lawyers, and to have been sentenced to life imprisonment in June 2005.
Political Party / Role / Place	NLD member, Ahlone Yangon / Bahan	
Sentence / Legislation	Reportedly to life imprisonment	
Date of Arrest	December 2004	
Prison Held	Insein Prison	
Health Concerns		
Torture Concern		
Profession		

69.

Name / Age	BO GYI (U)	He was reportedly arrested with U Pe Tin for allegedly distributing leaflets legally printed and distributed by the NLD. The leaflets reportedly elections of speeches on democracy by Aung San, the father of Daw Aung San Suu Kyi. They were reportedly sentenced on 27 May.
Political Party / Role / Place	NLD / Township secretary / Shwekyin Township, Bago Division	
Sentence / Legislation	7 years / 1962 PPRA 17/20, 1950 EPA 5 (j)	
Date of Arrest	13 May 2005	
Prison Held	Bago Prison	
Health Concerns	Yes	
Torture Concern		
Profession		

70.

Name / Age CHAN MYA AUNG (MA) female
Political Party / Role / Place NLD Youth
Sentence / Legislation / 7 years / 1950 EPA, 5 [j]
Date of Arrest September 1998
Prison Held Insein Prison
Health Concerns
Torture Concern
Profession

She was arrested in a crackdown on opposition activists and students in September 1998, after opposition calls for convening parliament, and student demonstrations. Many of those arrested at the time were reportedly tortured in detention. It is believed that up to 54 other activists were sentenced at the same time, among whom were at least 30 women students.

71.

Name / Age CHIT MIN LAY AKA CHIT MIN NAY AKA CHIT MIN OO / Male, dob c. 1972
Political Party / Role / Place ABFSU, Student and Youth Unity Front
Sentence / Legislation / 31 years imprisonment / 1950 EPA, 5 [j], UAA, 17 (1)
Date of Arrest 17/09/98
Prison Held Mawlamyine Prison
Health Concerns
Torture Concern YES
Profession Student

He was sentenced in connection with student demonstrations in favour of convening parliament. He also had reportedly formed a literary reading group. He was reportedly tortured in detention, and was held incommunicado for some time.

(photograph from Myanmar TV broadcast of SPDC press conference on recent arrests, October 1998)

72.

Name / Age CHO MA HTWE
Political Party / Role / Place NLD, Kamayut Yangon
Sentence / Legislation / 7 or 14 years / 1950 EPA, 5

She was arrested in connection with NLD calls to convene parliament in September 1998.

Legislation	[j]	
Date of Arrest	September 1998	(photograph from Myanmar TV broadcast of SPDC press conference on recent arrests, October 1998)
Prison Held	Mawlamyine Prison	
Health Concerns	Hypertension, heart disease	
Torture Concern		
Profession	Trader	

73.

Name / Age	HAN WIN AUNG (KO) / Male, not known	Han Win Aung was arrested for distributing leaflets criticizing official plans for transition to democracy. He was reportedly penalized for taking part in a hunger-strike in Insein Prison in May 2005. He was formerly imprisoned for political reasons
Political Party / Role / Place	ABFSU, South Okkalappa 1 Yangon	
Sentence / Legislation	Seven years' imprisonment / 1950 EPA, 5[j]	
Date of Arrest	03/10/03	
Prison Held	Insein Prison	
Health Concerns		
Torture Concern	YES	
Profession		

74.

Name / Age	HLA AYE(U)	He and his son were arrested under charges of obstructing civil servants carrying out their duties. They were reportedly prosecuted for being involved in an argument with firemen who allegedly asked them for money NLD lawyers stated that the pair were selectively prosecuted on the basis of their activities on behalf of the NLD. He is reported to have been taken to court
Political Party / Role / Place	NLD TOC vice-chairman Hlaingthaya, Yangon Division	
Sentence / Legislation	Two years and one month, MPC 332	
Date of Arrest	19 September 2005	
Prison Held	Insein Prison	

Health Concerns Yes
Torture Concern
Profession

from hospital, despite medical professionals' advice. He was reportedly being treated after having a stroke and high blood pressure. He is reportedly still in a bad state of health.

75.

Name / Age	HLA MYINT (U), aka U Hla Myint Than	The authorities stated that he was among a group of activists recruited to gather “ <i>all sorts of news</i> ” including on peasants, workers as well as natural disasters and “ <i>to exaggerate them with intent to destabilize the country and create unrest</i> ” The authorities further stated that this news was used by opposition groups in exile to make complaints to the International Labour Office (ILO) “ <i>to the liking of ILO itself and cohorts</i> ” and that the ILO “ <i>made lopsided and unjust accusations against Myanmar and put pressure on her</i> ”. In a press conference on 28 August 2005, detailing a series of accusations against opposition groups in exile, the Director General of Police stated that a satellite phone had been found in U Hla Myint's possession. It was further stated that U Hla Myint had “ <i>confessed</i> ” that the phone had been sent to him by a political activist in exile.
Political Party / Role / Place	NLD member, Bago Division	
Sentence / Legislation	Eight years	
Date of Arrest	4 July 2005	
Prison Held	Insein	
Health Concerns		
Torture Concern	Yes	
Profession	lawyer	

76.

Name / Age	HLA WIN (KO) / Male, 28 dob 1976	He was arrested in connection with demonstrations planned in Bago division to support the NLD and the revision of civil servants' salaries. People arrested in this area were reportedly severely tortured.
Political Party / Role / Place	NLD / Bago Division	
Sentence / Legislation	25 years with hard labour / 1950 EPA, 5 [j], UAA 17(1)	
Date of Arrest	July 1999	
Prison Held	Tharawaddy Prison	

**Health
Concerns**

**Torture
Concern**

Profession **Student**

77.

Name / Age **HNIN PA PA (F) / f**

She was arrested, reportedly for communicating with opposition groups in exile, and sentenced in April 2004.

**Political Party /
Role / Place** **NLD / Mandalay**

**Sentence /
Legislation** **7 years / not known**

Date of Arrest **22 December 2003**

Prison Held **Mandalay Prison**

**Health
Concerns**

**Torture
Concern**

Profession **Dancer**

78.

Name / Age **H SO TEN (General); dob
1936**

He was arrested in connection with a discussion with other Shan political representatives on Shan National Day. The group reportedly discussed the National Convention and the political future of Shan state. They were held without access to family members, denied legal representation of their choice, and tried in camera. After their sentencing in November 2005, members of the group were transferred to distant prisons.

**Political Party /
NLD** **Shan State Peace Council,
chairman**

Role / Place

**Sentence /
Legislation** **106 years imprisonment;
121 (1); 124 (a), Law 5/96;
PPRA 17/20.**

Date of Arrest **February 2005**

Prison Held **Khamti Prison**

Health Concerns

Torture Concern

Profession **Former general and
founder of Shan State
Army**

79.

Name / Age	HTAY LWIN OO / Male, not known	He was arrested with a group of NLD members and allegedly sentenced for passing information to opposition groups in exile
Political Party / Role / Place	NLD / Mandalay	
Sentence / Legislation	Seven years	
Date of Arrest	December 2003	
Prison Held	Mandalay Prison	
Health Concerns		
Torture Concern		
Profession		

80.

Name / Age	KHIN KHIN NU (f), c. 25 years old	Her father, an opposition MP elect, U Kyaw Min is believed to have been arrested on account of his political activities. He was held incommunicado, and she, her mother, sister and brother were arrested in May 2005. They were sentenced to 17 years imprisonment on the basis that the authorities disputed their right to nationality. They are Rohingyas, Muslims from Western Myanmar. Many Rohingyas are discriminatorily denied nationality in Myanmar.
Political Party / Role / Place	From Yangon and Buthidaung, Rakhine State,	
Sentence / Legislation	17 years citizenship law section 18	
Date of Arrest	May 2005	
Prison Held	Insein Prison	
Health Concerns	Yes	
Torture Concern		
Profession	Former student	

81.

Name / Age	KHIN KYAW (U)/ Male	He was arrested with three other NLD members and another political activist. He was reported to have been denied access to family
Political Party / Role / Place	NLD member, Kamayut Yangon /	

Sentence / Legislation / **Reportedly to life imprisonment** and lawyers, and to have been sentenced to life imprisonment in June 2005.

Date of Arrest **22 December 2004**

Prison Held **Insein Prison**

Health Concerns

Torture Concern

Profession

82.

Name / Age **KHIN KYAW / Male, not known** He was arrested in connection with his activities as executive committee member of the Free Trade Unions of Burma.

Political Party / Role / Place **Official of the Seamen's Union of Burma, Member of FTUB, ITF-affiliate of the International Transport Workers' Federation (IFT) / Yangon**

Sentence / Legislation / **17 years imprisonment / 1950 EPA, 5[j]. UAA, 17 (1)**

Date of Arrest **13 June 1997**

Prison Held **Tharawaddy prison**

Health Concerns

Torture Concern

Profession

83.

Name / Age **KHIN MAUNG AYE / Male, not known** He is believed to have been arrested in a crackdown on political activists and sentenced with c. 40 others, including individuals who participated in the writing of a history of the student movement in Myanmar.

Political Party / Role / Place

Sentence / Legislation / **7 years' imprisonment / 1950**

Legislation	EPA, 5[j]	
Date of Arrest	02/02/98	
Prison Held	Insein Prison	
Health Concerns		
Torture Concern		
Profession	Lawyer	
	84.	
Name / Age	KHIN MAUNG LWIN aka Nay Min Aung	He was reportedly sentenced for writing a letter to Myanmar's state sponsored advisory committee on religious affairs, which is comprised of 47 monks. He is reported to have written appealing that they intervene to resolve problems of poverty in Myanmar. In November 2005 it was reported that he has been denied medical treatment.
Political Party / Role / Place	Yangon	
Sentence / Legislation	Ten or 21 years' imprisonment	
Date of Arrest	1998	
Prison Held	Kalay	
Health Concern	Yes	
Torture Concern		
Profession		
	85.	
Name / Age	KHIN WIN ALIAS BODAW KHWIN WIN / dob c. 1944	
Political Party / Role / Place	NLD, Yangon	
Sentence / Legislation	/ 20 + 3 years / 1950 EPA, 5 [j]	
Date of Arrest	2003	
Prison Held	Insein Prison	
Health Concerns	nerve damage to hands	
Torture Concern	YES	

Profession

- 86.
- | | | |
|-------------------|--|--|
| Name / Age | KHUN HTUN OO (U), dob 1943 | He was arrested in connection with a discussion with other Shan political representatives on Shan National Day. The group reportedly discussed the National Convention and the political future of Shan state. They were held without access to family members, denied legal representation of their choice, and tried in camera. After their sentencing in November 2005, members of the group were transferred to distant prisons. |
| Political Party / | SNLD, Chairman and MP elect, | |
| Role / Place | Hsipaw 1, Shan State, United Nationalities Alliance spokesman | |
| Sentence / | 93 years imprisonment, MPC 121 | |
| Legislation | (1); 124 (a); 1950 EPA 5 [h]; 5 (23) | |
| Date of Arrest | 8 February 2005 | |
| Prison Held | Putta-O | |
| Health Concerns | | |
| Torture Concern | | |
| Profession | Former assistant to Indonesian military attaché | |
- 87.
- | | | |
|-------------------|---|--|
| Name / Age | KYAW AYE NAING / Male, not known | Authorities stated that he had received funds from political groups in exile to support political prisoners. He was given a second term in 2002 while imprisoned in connection with a skirmish that happened between two prisoners, and was denied legal assistance. He is being held more than 170 miles from his home, a journey of more than eight hours by road. |
| Political Party / | NLD Youth (dismissed) / | |
| Role / Place | Mayangone Yangon | |
| Sentence / | 8+7 years / UAA 17 (1), | |
| Legislation | 5[d] | |
| Date of Arrest | 1999 | |
| Prison Held | Mandalay Prison | |
| Health Concerns | | |
| Torture Concern | | |
| Profession | | |
- 88.
- | | | |
|-------------------|---|---|
| Name / Age | KYAW HTUN MIN (KO) / Male, dob c. 1979 | He was arrested in connection with demonstrations in support of the NLD in Bago division. Many people were arrested in this connection, and were reportedly |
| Political Party / | Bago Division | |
| Role / Place | | |

Sentence / Legislation / **25 years' imprisonment / 1950 EPA 5 [j], UAA 17 (1)** / particularly severely tortured in detention.

Date of Arrest **23 July 1999**

Prison Held **Thayet Prison**

Health Concerns

Torture Concern

Profession **Student**

89.

Name / Age **KYAW KYAW / Male, not known** He was arrested for illegally distributing leaflets reportedly critical of the SPDC's political plans for transition to democracy. He was reportedly penalized for taking part in a hunger strike in Insein Prison in May 2005.

Political Party / Role / Place **Mon state**

Sentence / Legislation / **Seven years' imprisonment / 1950 EPA, 5[j]**

Date of Arrest **September 2003**

Prison Held **Not known**

Health Concerns

Torture Concern **yes**

Profession **Student**

90.

Name / Age **KYAW KYAW LWIN AKA U MAUNG LWIN / Male, not known** He is believed to have been sentenced for distributing leaflets with information about the attack on members of the NLD on 30 May 2003, during which a number of persons were killed and after which there were widespread arrests of NLD members and supporters.

Political Party / Role / Place **NLD / Kawthaung Tanintharyi Division**

Sentence / Legislation / **10 years' imprisonment / 1950 EPA, 5[j], 24 (1),**

Date of Arrest **30/06/03**

Prison Held **Kawthaung**

**Health
Concerns**

**Torture
Concern**

Profession

91.

Name / Age **KYAW MIN THAN / Male, not known** He is believed to have been sentenced in connection with student support for NLD calls to convene parliament.

**Political Party /
Role / Place** **Mandalay**

**Sentence /
Legislation** **21 years' imprisonment / 1950 EPA, 5 [j], PPRA 17/20s** (photograph from Myanmar TV broadcast of SPDC press conference on recent arrests, October 1998)

Date of Arrest **September 1998**

Prison Held **Shwebo Prison**

**Health
Concerns**

**Torture
Concern**

Profession **Student**

92.

Name / Age **KYAW MIN (U) / Male, not known** He is believed to have been sentenced in connection with NLD calls to convene parliament.

**Political Party /
Role / Place** **NLD Youth / San Chaung township Yangon**

**Sentence /
Legislation** **7 years' imprisonment / 1950 EPA, 5[j]**

Date of Arrest **02/09/98**

Prison Held **Mandalay Prison**

**Health
Concerns**

Torture

Concern

Profession

93.

Name / Age **KYAW SOE MOE / Male, not known** He was reportedly arrested for distributing leaflets criticising authorities' political plans for democracy.

Political Party / Role / Place

Sentence / Legislation / **12 years' imprisonment**

Date of Arrest **4 October 2003**

Prison Held **Insein Prison**

Health Concerns

Torture Concern **YES**

Profession **student**

94.

Name / Age **KYAW TUN MIN (KO) AKA AUNG KYAW AKA KO KYAW TUN MIN SOE / Male, dob 1979** He was arrested in connection with planned demonstrations about civil servants' salaries and commodity prices in Bago Division. Persons arrested in this area were reportedly subjected to severe torture.

Political Party / Role / Place **Bago Division**

Sentence / Legislation / **25 years with hard labour / 1950 EPA, 5 [j], UAA 17(1)**

Date of Arrest **04/08/99**

Prison Held **Thayet Prison**

Health Concerns

Torture Concern

Profession **Student**

95.

Name / Age **KYI THA OO / Male, not known** He was arrested in connection with student demonstrations in support of the convening of parliament.

Political Party / Role / Place **Yangon**

Sentence / Legislation **/ 14 years' imprisonment / 1950 EPA, 5 [j]**

Date of Arrest **September 1998**

Prison Held **Insein Prison**

Health Concerns

Torture Concern

Profession **Student**

96.

Name / Age **KYI THA TUN / Male, not known** He was arrested in connection with student demonstrations in favour of convening parliament.

Political Party / Role / Place **Yangon**

Sentence / Legislation **/ 14 years' imprisonment / 1950 Emergency Provisions Act, Section 5 [j], PPRA 17/20** (photograph from Myanmar TV broadcast of SPDC press conference on recent arrests, October 1998)

Date of Arrest **November 1998**

Prison Held **Shwebo Prison**

Health Concerns

Torture Concern

Profession **Student**

97.

Name / Age **KYI LWIN AKA THET HTWE / Male, not known dob 1971** He was arrested in connection with plans by the opposition in exile for mass demonstrations.

Political Party / Role / Place NLD / Tamway Yangon

Sentence / Legislation 21 years' imprisonment with hard labour / 1950 EPA, 5 [j], UAA 17(1), PPRA 17/20

Date of Arrest 02/11/99

Prison Held Tharawaddy Prison

Health Concerns

Torture Concern

Profession Student

98.

Name / Age KYI TUN / Male, not known He was arrested in connection with student demonstrations.

Political Party / Role / Place

Sentence / Legislation 14 years' imprisonment / 1950 EPA, 5 [j]

Date of Arrest 1996

Prison Held Insein Prison

Health Concerns

Torture Concern

Profession Student

99.

Name / Age LWIN KO LATT / Male, not known He was arrested for illegally distributing leaflets reportedly critical of the SPDC's political plans for transition to democracy.

Political Party / Role / Place ABFSU, Yangon He was reportedly penalized for taking part in a hunger strike in Insein Prison in May 2005.

Sentence / Legislation Seven years' imprisonment / 1950 EPA, 5[j]

Date of Arrest 26 September 2003

Prison Held Not known

Health Concerns

Torture Concern yes

Profession Student

100.

Name / Age LWIN MOE MYINT (KO) AKA KO ZAR NI / Male, dob 1972

He was sentenced for his alleged involvement in demonstrations to support the NLD and commemorate the 52nd anniversary of the assassination of independence leader General Aung San.

Political Party / Role / Place ABSFU / Bago Division

Sentence / Legislation / Life imprisonment / 1950 EPA, 5 [j] UAA 17 (1), PPRA 17/20

Date of Arrest 19 July 1999

Prison Held Tharawaddy Prison

Health Concerns gastric ulcer

Torture Concern YES

Profession Student (Maths)

101.

Name / Age MAUNG MAUNG AYE / Male, not known

Authorities stated in a press conference that he was arrested for alleged contact with the NLD and NCGUB in Thailand, allegedly bringing funds as assistance for former political prisoners and for political activities, including demonstrations, and allegedly bringing news to Thailand about the political situation

Political Party / Role / Place N. Okkalappa

Sentence / Legislation / 13 years' imprisonment (3 years + 5 years + 5 years / 1950 EPA, 5 [j] UAA 17 (1) & (2)

Date of Arrest February 2003

Prison Held Insein Prison

**Health
Concerns**

**Torture
Concern**

Profession

102.

Name / Age	MAUNG MAUNG LATT (KO) / m	He was arrested in connection with four others, including Ne Min and Ye Thiha, for the alleged distribution of criticism of official plans for political transition and communication with opposition groups in exile. He has a crippled leg, and had been detained between 1996 and 2002 for alleged involvement in student demonstrations in December 1996 calling for the legitimisation of student unions and the release of political prisoners. He was released in 2002, a year before the expiry of his sentence, under section 401 of the Criminal Code. Other prisoners released under this condition have been rearrested for resuming political activities and have been made to serve the remainder of their original sentence.
Political Party / Role / Place	South Okkalappa 1 Yangon	
Sentence / Legislation	Seven years / 1950 EPA, 5 [j]	
Date of Arrest	February 2004	
Prison Held	Insein Prison	
Health Concerns	crippled leg	
Torture Concern		
Profession	Student	

103.

Name / Age	MAUNG MAUNG MYINT / Male, not known	He was accused in a government press conference of planning to distribute leaflets that authorities stated "contained seditious and false statements against the government" that were "intended to mislead the people". This is his second period of imprisonment.
Political Party / Role / Place	North Okkalappa Yangon	
Sentence / Legislation	Life + 5/ 1950 EPA, 5 [j]	
Date of Arrest	5 February 2003	
Prison Held	Insein Prison	
Health Concerns		
Torture Concern	YES	

Profession

104.

Name / Age MAUNG MAUNG (KO) / Male, not known He was arrested in connection with his alleged support for the convening of parliament.

Political Party / Role / Place DPNS, Mandalay

Sentence / Legislation / 20 years / 1950 EPA, 5 [j], UAA 17(1)

Date of Arrest July 1998

Prison Held Mandalay Prison,

Health Concerns

Torture Concern

Profession

105.

Name / Age MON GYI (KO) AKA SEIN LIN / M He was arrested in connection with student demonstrations calling for the legitimisation of student unions. He is being held at least 170 miles from his home.

Political Party / Role / Place South Okkalappa 1 Yangon

Sentence / Legislation / 10 + 7 years imprisonment / 1950 EPA 5 [j], UAA 17 (1)

Date of Arrest 19 January 1997

Prison Held Taungoo Prison

Health Concerns

Torture Concern

Profession Student (History)At Dagon University

106.

Name / Age MYAT THURA KYAW / He was arrested in connection with student

Male, not known demonstrations.

Political Party / Role / Place

Sentence / Legislation / **14 years imprisonment / 1950 EPA, 5 [j], UAA, 17 (1)**

Date of Arrest **December 1996**

Prison Held **Insein Prison**

Health Concerns

Torture Concern

Profession **Student**

107.

Name / Age **MYINT LWIN, 77 years old** He was arrested with his son and daughter in law. His son died in prison on 5 November 2005. In a press conference on 28 August 2005, detailing a series of accusations against opposition groups in exile, the Director General of Police stated that Myint Lwin was an “*aboveground hardcore*”, and that he and three others had “*collected unfounded news and sent exaggerations through satellite phones so as to earn their livelihood.*” The D-G further stated that the group had “*confessed that they made interviews with the BBC and spread exaggerated news many times*”. The D-G also stated that he was among a group of activists recruited to gather “*all sorts of news*” including on peasants, workers as well as natural disasters and “*to exaggerate them with intent to destabilize the country and create unrest*”. It was further stated that this news was used by opposition groups in exile to make complaints to the International Labour Office (ILO) “*to the liking of ILO itself and cohorts*” and that the ILO “*made lopsided and unjust accusations against Myanmar and put*

Political Party / Role / Place **Bago Division**

Sentence / Legislation **Eight years 1950 5 [j], UAA 17 (1)**

Date of Arrest **28 June 2005**

Prison Held **Insein Prison**

Health Concerns

Torture Concern **Yes**

Profession

pressure on her". The authorities also accused him of attending a training session on "*collecting local news...world's labour disputes, employer –employee issues*" in Thailand in December 2003, and receiving 100,000 kyats from the FTUB.

108.

Name / Age	MYINT OO / Male, 35 years old, dob 1969	He was sentenced in connection with plans made by political groups in exile for mass demonstrations.
Political Party / Role / Place		
Sentence / Legislation	25 years imprisonment with hard labour / 1950 EPA, 5 [j], UAA, 17(1), PPRA	
Date of Arrest	22/08/99	
Prison Held	Tharawaddy Prison	
Health Concerns	gastric disease	
Torture Concern	YES	
Profession	Trader	

109.

Name / Age	MYINT THAN (U) aka Maths	He was arrested in connection with a discussion with other Shan political representatives on Shan National Day. The group reportedly discussed the National Convention and the political future of Shan state. They were held without access to family members, denied legal representation of their choice, and tried in camera. After their sentencing in November 2005, members of the group were transferred to distant prisons.
Political Party / NLD	New Generation Youth, member, Shan State,	
Role / Place		
Sentence / Legislation	79 years imprisonment	
Date of Arrest	8 February 2005	
Prison Held		
Health		

Concerns

Torture

Concern

Profession

110.

Name / Age	MYO AUNG / Male, 29 years old dob 1975	He was sentenced to death in connection with an alleged bomb plot against the SPDC. He was alleged only to have had leaflets, and to have had no involvement in any plot. He was transferred from Pathein Prison after he and a group of other prisoners, including his older brother Myo Thant, were involved in a hunger strike calling for the release of Daw Aung San Suu Kyi in 2003.
Political Party / Role / Place	Bago Division	
Sentence / Legislation	28 years' imprisonment or death / 1950 EPA, 5 [j], UAA 17 (1)	
Date of Arrest	May 2000	
Prison Held	Toungoo Prison	
Health Concerns	general health problems	
Torture Concern		
Profession	Student	

111.

Name / Age	MYO AUNG / Male, not known	He was arrested in connection with student support for the convening of parliament.
Political Party / Role / Place		
Sentence / Legislation	14 years' imprisonment / 1950 EPA, 5 [j]	
Date of Arrest	September 1998	
Prison Held	Pathein Prison	
Health Concerns	gastric ulcer	
Torture Concern		

Profession **Student**

112.

Name / Age **MYO AUNG THANT / Male, not known** He was arrested in connection with his activities as executive committee member of the Free Trade Unions of Burma.

Political Party / Role / Place **Member of the All Burma Petrol-Chemical Corporation Union , executive committee member of Federation of Trade Unions-Burma (FTBU) / Member / Yangon**

Sentence / Legislation **/ 30 years (20 years+3+7) / UAA (3), 1950 EPA, 5 [j]**

Date of Arrest **13 June 1997**

Prison Held **Myitkyina Prison**

Health Concerns

Torture Concern

Profession **Trade Unionist**

113.

Name / Age **MYO MIN HTIKE AKA MYO MIN HTAI / Male, dob 1976** He was sentenced in connection with student support for the convening of parliament. He is being held nearly 400 miles from his home, a journey of at least 12 hours by train.

Political Party / Role / Place **Bahan Yangon**

Sentence / Legislation **/ 52 years' imprisonment / 1950 EPA, 5 [j]** (photograph from Myanmar TV broadcast of SPDC press conference on recent arrests, October 1998)

Date of Arrest **September 98**

Prison Held **Myingyan Prison**

Health Concerns **gastric ulcer**

Torture Concern

Profession **Student**

114.

Name / Age **MYO THANT AKA MYO SAT / Male dob 1968** Authorities in a press conference described him as a destructive element, and stated that he had been planning to plant mines. Opposition sources maintain that he had no involvement in plans for violence, but had political leaflets. He was reportedly ill-treated in January 2001 when authorities investigated a hunger strike in Insein Prison, and was held for a month in a cell designed to house military dogs. His younger brother, Myo Aung was also arrested in this case. He and his brother were moved to Taungoo after they reportedly went on hunger strike in 2003, calling for the release of Aung San Suu Kyi. This is his second period of imprisonment.

Political Party / Role / Place **Bago Division**

Sentence / Legislation **Death + 8 years, possibly commuted to 25 years**

Date of Arrest **June 2000**

Prison Held **Insein Prison**

Health Concerns

Torture Concern

Profession **Student**

115.

Name / Age **MYO WIN TUN (U)** He was arrested in connection with a discussion with other Shan political representatives on Shan National Day. The group reportedly discussed the National Convention and the political future of Shan state. They were held without access to family members, denied legal representation of their choice, and tried in camera. After their sentencing in November 2005, members of the group were transferred to distant prisons.

Political Party / NLD **Shan New Generation Youth, Shan State**

Role / Place

Sentence / Legislation **79 years imprisonment**

Date of Arrest **February 2005**

Prison Held **Mandalay**

Health Concerns

Torture Concern

Profession

116.

Name / Age	NAY WIN NAING / Male, dob 1976	He is believed to have been arrested in connection with student demonstrations in favour of convening parliament in 1998.
Political Party / Role / Place	Yangon	
Sentence / Legislation	/ 14 years imprisonment / 1950 EPA, 5 [j]	
Date of Arrest	November 1998	
Prison Held	Insein Prison	
Health Concerns		
Torture Concern		
Profession	Student	

117.

Name / Age	NAY KYAW / Male, not known	He was charged with contact with opposition groups in exile and the distribution of materials without the approval of the official censor. He was arrested during a period when opposition groups in exile were attempting to organize widespread protest against authorities.
Political Party / Role / Place	NLD / Tamway Yangon	
Sentence / Legislation	/ 14 or 17 years' imprisonment / 1950 EPA, 5 [j], PPRA 17/20	
Date of Arrest	02/09/99	
Prison Held	Hpa'an Prison	
Health Concerns		
Torture Concern		
Profession	Student	

118.

Name / Age	NAY MIN AKA WIN SHWE / 45/ male	He was arrested for allegedly having contact with opposition groups in exile, and reportedly preparing information that criticized official plans for political
Political Party / Role / Place		

Sentence / Legislation / 15 years' imprisonment / 1950 EPA, 5 [j]

Date of Arrest February 2004

Prison Held Insein Prison

Health Concerns

Torture Concern

Profession Lawyer and journalist

reconciliation. He was previously imprisoned in 1974 and 1988, when authorities penalized him for speaking to foreign journalists.

119.

Name / Age NYAN TUN LIN AKA YAN NAING / Male, not known

Political Party / Role / Place ABFSU / Ahlone Yangon

Sentence / Legislation / 22 years' imprisonment / 1950 EPA 5 [j], PPRA 17/20, Immigration Act 13 (1)

Date of Arrest February 2004

Prison Held Insein Prison

Health Concerns

Torture Concern

Profession Former Online News Editor

He was arrested for allegedly having contact with opposition groups in exile, and reportedly preparing information that criticized official plans for political reconciliation. He was previously in exile in Thailand, where he worked on a monthly newspaper and daily news website with news in Burmese, and was charged with illegally leaving the country. He was imprisoned with four others, including former lawyer Ne Min.

120.

Name / Age NYAN WIN / Male, c. 50 years old

Political Party / Role / Place alleged ABSDF

Sentence / Legislation / 10 years' imprisonment / 5j, 17/1

Date of Arrest January 1998

Authorities stated that he had been involved in the instigation of unrest by "spreading rumours and sending false reports" on the situation in the country. This is his second term of imprisonment for political reasons.

Prison Held **Tharawaddy Prison**
Health Concerns **Gastric problems, colitis, heart problems**
Torture Concern
Profession

121.

Name / Age **NYI HTWE AKA SAN ZAW HTWE / Male, dob c.1977** He was arrested in connection with plans by opposition political groups in exile for mass demonstrations. He is believed to have been severely tortured. He was believed to have taken part in a hunger strike in prison in 2001, and was reportedly badly beaten on his arrival in Taungoo Prison.

Political Party / Role / Place **NLD or ABFSU**

Sentence / Legislation **21 years imprisonment with hard labour / 1950 EPA,5 [j], UAA17/1**

Date of Arrest **20/09/99**

Prison Held **Taungoo Prison**

Health Concerns **hypertension and other health problems**

Torture Concern **YES**

Profession **Student (Geography)**

122.

Name / Age **NYO AUNG AKA KO NYO AUNG / Male, not known** He was reportedly accused of organizing political movements. He was previously imprisoned for his part in 1988 demonstrations against one party rule, where he was required to work in a prison labour camp, causing his health to deteriorate.

Political Party / Role / Place **ABFSU**

Sentence / Legislation **15 years with hard labour**

Date of Arrest **end 1999**

Prison Held **Insein Prison**

Health Concerns **deteriorating health**

Torture

Concern

Profession

123.

Name / Age	NYI MOE	He was arrested in connection with a discussion with other Shan political representatives on Shan National Day. The group reportedly discussed the National Convention and the political future of Shan state. They were held without access to family members, denied legal representation of their choice, and tried in camera. After their sentencing in November 2005, members of the group were transferred to distant prisons.
Political Party / Role / Place	Shan New Generation Youth Shan State,	
Sentence / Legislation	79 years imprisonment	
Date of Arrest	8 February 2005	
Prison Held		
Health Concerns		
Torture Concern		
Profession		

124.

Name / Age	PAW LWIN / Male, not known	He was arrested for allegedly having contact with opposition groups in exile, and reportedly preparing information that criticized official plans for political reconciliation.
Political Party / Role / Place		
Sentence / Legislation	/ 12 years / 1950 EPA, 5 [j]	
Date of Arrest	February 2004	
Prison Held	Insein Prison	
Health Concerns		
Torture Concern		
Profession		

125.

Name / Age	PE TIN (U)	He was reportedly arrested with U Bo Gyi
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Political Party / Role / Place	NLD / Organising committee member / Shwekyin Township, Bago Division	for allegedly distributing leaflets legally printed and distributed by the NLD. The leaflets reportedly selections of speeches on democracy by Aung San, the father of Daw Aung San Suu Kyi. They were sentenced on 27 May 2005.
Sentence / Legislation	7 years / 1962 PPRA 17/20, 1950 EPA 5 (j)	
Date of Arrest	13 May 2005	
Prison Held	Bago Prison	
Health Concerns	Yes	
Torture Concern		
Profession		

126.

Name / Age	PHO THAR (KO) / Male, not known	He was arrested in August 2004, with his uncle, Than Htay, and cousin, Than Htun Oo, and sentenced for alleged infringements under import and export legislation, relating to electronic goods. It is believed that he was sentenced in connection with Than Htay's political activism, and his refusal to cease political activities.
Political Party / Role / Place	NLD / Lashio Shan State	
Sentence / Legislation	Three years	
Date of Arrest	August 2004	
Prison Held		
Health Concerns		
Torture Concern		
Profession		

127.

Name / Age	PHO THAR (KO) / m	He was arrested in connection with student demonstrations in December 1996. He is a student from Dagon University.
Political Party / Role / Place	Yangon	
Sentence / Legislation	10 years / 1950 EPA, 5[j]	
Date of Arrest	December 1996	

Prison Held Pathein

Health Concerns

Torture Concern

Profession Student

128.

Name / Age RAJADAMMA (U) / Male, He was reportedly ill-treated for participating in a hunger strike in Insein Prison in May 2005.
not known

Political Party / Role / Place Bahan Yangon

Sentence / Legislation Not known

Date of Arrest Not known

Prison Held Not known, possibly transferred from Insein Prison

Health Concerns

Torture Concern yes

Profession

129.

Name / Age SAI HLA AUNG

Political Party / NLD SNLD Central Committee member Shan State

Role / Place

Sentence / Legislation 79 years imprisonment

Date of Arrest 13 August 2005

Prison Held Kyaukbyu Prison

Health Concerns

He was arrested in connection with a discussion with other Shan political representatives on Shan National Day. The group reportedly discussed the National Convention and the political future of Shan state. They were held without access to family members, denied legal representation of their choice, and tried in camera. After their sentencing in November 2005, members of the group were transferred to distant prisons.

**Torture
Concern
Profession**

130.

Name / Age	SAI NYUNT LWIN, aka Sai Nood, dob 1953	He was arrested in connection with a discussion with other Shan political representatives on Shan National Day. The group reportedly discussed the National Convention and the political future of Shan state. They were held without access to family members, denied legal representation of their choice, and tried in camera. After their sentencing in November 2005, members of the group were transferred to distant prisons.
Political Party / NLD	SNLD, general secretary, Shan State	
Role / Place		
Sentence / Legislation	85 years imprisonment	
Date of Arrest	8 February 2005	
Prison Held	Kalay Prison	
Health Concerns		
Torture Concern		
Profession	Publisher and writer	

131.

Name / Age	SAO OO KYA, c 60 years old	He was arrested for infringing a law on tourism, reportedly for accepting a token donation from a tourist for the renovation of the Shan palace where he resides. He was also penalized for comments written by tourists in his guest book, which authorities interpreted as discrediting the state. He is the nephew of the last Shan prince. His cousin, U Khun Htun Oo and others were arrested for discussing the National Convention in February 2005. They were sentenced to up to 109 years' imprisonment in October 2005.
Political Party /	Hsipaw, Shan state	
Role / Place		
Sentence / Legislation	13 years' imprisonment, 1993 Myanmar Hotel and Tourism Law, 26 [a]; MPC 124	
Date of Arrest	3 August 2005	
Prison Held	Not known	
Health Concerns		
Torture Concern		

Profession

132.

Name / Age	SAW MIN HTEIK GYAW / Male, not known	He was arrested in connection with the organization of a student commemoration of the death of Phone Maw, a student who was shot during demonstrations against one party rule in 1988.
Political Party / Role / Place		
Sentence / Legislation	7 years' imprisonment	
Date of Arrest	2000	
Prison Held		
Health Concerns		
Torture Concern		
Profession	Metallurgy Student	

133.

Name / Age	SAW MYO HTUN / Male, not known	He was arrested for allegedly taking part in a ceremony to commemorate the death of a Phone Maw, a student, in demonstrations in 1988. He was held in a cell designed for military dogs for a month in January 2001, after authorities cracked down on prisoners who went on hunger strike calling for dialogue between the NLD and the SPDC, reading materials, improvements to prison conditions and more family interviews. Members of the group, which also included criminal prisoners, were beaten and kicked, and regularly interrogated with force and held in leg shackles with iron bars, and made to race one another in the prison exercise yard while shackled. They were also made to strip by prison officials.
Political Party / Role / Place		
Sentence / Legislation	7 years' imprisonment	
Date of Arrest	12 April 2000	
Prison Held	Myaungmya Prison	
Health Concerns		
Torture Concern	YES	
Profession	Student	

134.

Name / Age	SHWE HTOO (U) / Male,	He was reportedly arrested for his alleged support for calls to convene parliament. He
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	not known	was charged with illegally possessing arms because there was an airgun used for shooting birds in his house. This is his second term of imprisonment. He was reportedly severely beaten after a demonstration for prisoners' rights in Mandalay Prison.
Political Party / Role / Place		
Sentence / Legislation	42 years' imprisonment with hard labour / 1950 EPA, 5 [j], UAA, 17 (1), 124(A)	
Date of Arrest	July 1998	
Prison Held	Mandalay or Taunggyi Prison	
Health Concerns	deteriorating general health	
Torture Concern	YES	
Profession	Tutor	

135.

Name / Age	SIT KO AUNG AKA NANDA SIT AUNG / Male, not known	He was arrested for distributing leaflets that were critical of authorities' planned "roadmap" for political change. He was reportedly penalized for taking part in a hunger strike in Insein Prison in May 2005.
Political Party / Role / Place	ABFSU	
Sentence / Legislation	17 years' imprisonment / 1950 EPA 5 [j], UAA, 17 (1), Immigration Act, 13 (1)	
Date of Arrest	4 October 2003	
Prison Held	H Pa'An Prison	
Health Concerns		
Torture Concern	YES	
Profession	Student, ABFSU	

136.

Name / Age	SOE MOE NAING (KO) / Male, not known	He was arrested in connection with NLD calls to convene parliament.
Political Party / Role / Place	DPNS / Mandalay	

Sentence / Legislation / 21 years imprisonment / 1950 EPA 5 [j], UAA 17 (1)
Date of Arrest 1998
Prison Held Taungoo Prison
Health Concerns various health problems
Torture Concern
Profession Sweet Shop Owner

137.

Name / Age SOE LWIN / Male, not known
Political Party / Role / Place NLD Youth member / Yangon
Sentence / Legislation / 21years' imprisonment / 1950 EPA, 5 [j], PPRA 17/20
Date of Arrest September 1998
Prison Held Taungoo Prison
Health Concerns
Torture Concern
Profession

He was sentenced in connection with student demonstrations in favour of calling parliament.
(photograph from Myanmar TV broadcast of SPDC press conference on recent arrests, October 1998)

138.

Name / Age SOE LWIN (K0) / Male, not known
Political Party / Role / Place DPNS Pazundaung, Yangon
Sentence / Legislation / 14 years' imprisonment / 1950 EPA, 5 [j], UAA, 17 (1)
Date of Arrest February 1998
Prison Held Insein Prison

He was arrested during a crackdown on political activists, and sentenced in a two day trial with 40 others, including individuals who were sentenced for their part in the preparation of a history of the student movement.

**Health
Concerns**

**Torture
Concern**

Profession

139.

Name / Age **SONNY SWE, 36, (m)**

**Political Party /
Role / Place**

Sentence / Legislation **/ 14 years, PPRA 17/20**

Date of Arrest **November 2004**

Prison Held

**Health
Concerns**

**Torture
Concern**

Profession **businessman**

Sonny Swe was reportedly sentenced for infringements of censorship legislation. He was the Deputy Chief Executive Officer of the semi-independent publication *The Myanmar Times*. It is believed that he was sentenced because *The Myanmar Times* was published without the permission of the official censorship board, and because of his family's proximity to former Prime Minister Khin Nyunt.

140.

Name / Age **SWE SWE WIN (MA)/
female, not known**

**Political Party /
Role / Place** **NLD Yangon**

Sentence / Legislation **/ 7 years' imprisonment or 10
years' imprisonment / 1950
EPA, 5 [j]**

Date of Arrest **02/09/98**

Prison Held **Insein Prison**

**Health
Concerns**

**Torture
Concern**

Profession **Student**

It is believed that Swe Swe Win's arrest is connected with student demonstrations and NLD calls to convene parliament in September 1998, which were followed by a large-scale crackdown on opposition activists. She is believed to have been held incommunicado for some time after her detention.

141.

Name / Age	TI ZA (Daw) (f), c. 55 years old	Her husband, an opposition MP elect, U Kyaw Min is believed to have been arrested on account of his political activities. He was held incommunicado, and she, their two daughters and a son were arrested in May 2005. She and her children were sentenced to 17 years imprisonment on the basis that the authorities disputed their right to nationality. They are Rohingyas, Muslims from Western Myanmar. Many Rohingyas are discriminatorily denied nationality in Myanmar.
Political Party / Role / Place	From Yangon and Buthidaung, Rakhine State,	
Sentence / Legislation	17 years citizenship law section 18	
Date of Arrest	May 2005	
Prison Held	Insein Prison	
Health Concerns	Yes	
Torture Concern		
Profession	housewife	

142.

Name / Age	THAN HTUN OO / Male, not known	He was arrested with his father, U Than Htay, an NLD MP elect, and his cousin. He was reportedly sentenced for possessing television satellite equipment without the correct license. It is however believed that the motive for their prosecution is related to their peaceful political activities.
Political Party / Role / Place	Lashio Shan State	
Sentence / Legislation	Three years	
Date of Arrest	August 2004	
Prison Held		
Health Concerns		
Torture Concern		
Profession	Electronic Shop Owner	

143.

Name / Age	THAN LWIN (U) OR WIN / Male,	He was sentenced with a group of other NLD members for allegedly contacting
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	not known	political groups in exile.
Political Party / Role / Place	Yangon	
Sentence / Legislation	12 years' imprisonment	
Date of Arrest	December 2003	
Prison Held		
Health Concerns		
Torture Concern		
Profession		
144.		
Name / Age	THAN OO, aka KO YE	In a press conference on 28 August 2005, detailing a series of accusations against opposition groups in exile, the Director General of Police stated that he and three others had " <i>collected unfounded news and sent exaggerations through satellite phones so as to earn their livelihood.</i> " The D-G further stated that the group had " <i>confessed that they made interviews with the BBC and spread exaggerated news many times</i> ". The D-G also stated that he was among a group of activists recruited to gather " <i>all sorts of news</i> " including on peasants, workers as well as natural disasters and " <i>to exaggerate them with intent to destabilize the country and create unrest</i> ". It was further stated that this news was used by opposition groups in exile to make complaints to the International Labour Office (ILO) " <i>to the liking of ILO itself and cohorts</i> " and that the ILO " <i>made lopsided and unjust accusations against Myanmar and put pressure on her</i> ".
Political Party / Role / Place	Bago Division	
Sentence / Legislation	Not known	
Date of Arrest	4 July 2005	
Prison Held	Insein Prison	
Health Concerns		
Torture Concern	Yes	
Profession		
145.		
Name / Age	THAN WIN	He was reportedly sentenced for writing about General Aung San, one of the architects of Myanmar's

Political Party / Role / Place	HLAING (U) Shwepittiya, Yangon	independence and father of opposition leader Daw Aung San Suu Kyi. Than Win Hlaing had reportedly included information on General Aung San in the 2 nd edition of a 1995 history of prominent figures of Burmese political history. Opposition sources report that the information had been approved by the official censor, and that he was arrested on the basis that publicising information about Aung San was an implied criticism of the present authorities. He is reportedly suffering from eye and other health problems.
Sentence / Legislation	7 years, PPRA 17/20	
Date of Arrest	June 2000	
Prison Held	Thayawaddy	
Health Concerns	Yes	
Torture Concern		
Profession	Author	
146.		
Name / Age	THANT ZIN MYO	He and his father were arrested under charges of obstructing civil servants carrying out their duties. They were reportedly prosecuted for being involved in an argument with firemen who allegedly asked them for money. NLD lawyers stated that the pair were selectively prosecuted on the basis of their activities on behalf of the NLD. He is reportedly has health problems.
Political Party / Role / Place	NLD TOC joint secretary, Hlaingthaya, Yangon Division	
Sentence / Legislation	Two years and one month, MPC 332	
Date of Arrest	19 September 2005	
Prison Held	Insein Prison	
Health Concerns	Yes	
Torture Concern		
Profession		
147.		
Name / Age	THEIN LWIN OO	In a press conference on 28 August 2005, detailing a series of accusations against opposition groups in exile, the Director General of Police stated that he had attended a meeting with the FTUB on the Thai-Myanmar border in December 2003. It was further stated that at the meeting he and seven others, including his two nieces, were given training on labour issues and how to gather
Political Party / Role / Place	Bago Division	
Sentence /	Eight years	

Legislation news.
Date of Arrest 28 June 2005
Prison Held Insein
Health Concerns
Torture Concern Yes
Profession

148.

Name / Age THET HTUN AKA KO SAW He was accused of agitating unrest and
 THET HTUN / Male, dob having contact with groups on the border.
 1965 He had been released from a previous term
 of imprisonment for political reasons in
 1997.
Political Party / Tamway Yangon
Role / Place
Sentence / 36 years' imprisonment or 20
Legislation years' imprisonment / 1950
 EPA, 5[j], UAA 17(1)
Date of Arrest September 1999
Prison Held Tharawaddy Prison
Health
Concerns
Torture
Concern
Profession Student

149.

Name / Age THET AUNG NAING He was arrested with four NLD members. He
 was reported to have been denied access to
 family and lawyers, and to have been
 sentenced to life imprisonment in June 2005.
Political Party / Not known
Role / Place
Sentence / Reportedly to life
Legislation imprisonment
Date of Arrest December 2004
Prison Held Insein Prison

**Health
Concerns**

**Torture
Concern**

Profession

150.

Name / Age	THET OO / Male, not known	He was arrested in connection with student demonstrations in favour of the formation of a student union and the release of political prisoners. He was charged with collaboration with underground movements because he allegedly photocopied materials for use in student demonstrations in December 1996. He is reported to have been severely tortured during interrogation.
Political Party / Role / Place		
Sentence / Legislation	14 or 26 years/ 1950 EPA, 5[j], UAA, 17 (1), PPRA 17/20	
Date of Arrest	December 1996	
Prison Held	Insein Prison	

**Health
Concerns**

**Torture
Concern** **YES**

Profession **Photocopy Shop Owner**

151.

Name / Age	THU YA AUNG	He was sentenced in connection with demonstrations organized by opposition groups in exile. This is his second period of imprisonment for political reasons
Political Party / Role / Place	ABFSU; YASU / Bago Division	
Sentence / Legislation	25 years / 1950 EPA, 5 [j], UAA 17 (1)	
Date of Arrest	25 August 1999	
Prison Held		

**Health
Concerns**

**Torture
Concern**

Profession **Artist**

152.

Name / Age	THURA / Male, not known	He was sentenced in connection with student support for convening parliament.
Political Party / Role / Place		
Sentence / Legislation	14 years' imprisonment / 1950 EPA, 5 [j]	
Date of Arrest	September 1998	
Prison Held	Insein Prison	
Health Concerns		
Torture Concern		
Profession	Student	

153.

Name / Age	THURA SOE / Male, 25 years old	He was arrested in connection with plans by opposition groups in exile to hold demonstrations. He was reportedly tortured, including with electric shocks. He and co-defendants reportedly stated in court that they were tortured, and there was no response from the presiding judge. They also reportedly requested legal counsel, which was denied.
Political Party / Role / Place	Bago Division	
Sentence / Legislation	25 years' imprisonment	
Date of Arrest	1999	
Prison Held	Toungoo Prison	
Health Concerns		
Torture Concern	YES	
Profession	Household Goods Salesman	

154.

Name / Age	TUN AYE / Male, not known	He was sentenced with eight others for distributing leaflets, which authorities categorized as spreading rumours "with
Political Party / Role / Place	North Okkalappa Yangon	

Sentence / Legislation / **13 years' imprisonment, commuted to 10 years by SLORC amnesty 01/12/97,** intent to create misleading impressions on [sic] the government and to cause panic". He was arrested during a crackdown on political activists after renewed political activities by the NLD. He is reported to have suffered tuberculosis in prison. He is being held at least 340 miles from his home.

Date of Arrest **02/06/96**

Prison Held **Thayet Prison**

Health Concerns **tuberculosis**

Torture Concern

Profession **Student**

155.

Name / Age **TUN NYO** He was arrested in connection with a discussion with other Shan political representatives on Shan National Day. The group reportedly discussed the National Convention and the political future of Shan state. They were held without access to family members, denied legal representation of their choice, and tried in camera. After their sentencing in November 2005, members of the group were transferred to distant prisons.

Political Party / NLD **Shan New Generation Youth member Shan State**

Role / Place

Sentence / Legislation **79 years imprisonment**

Date of Arrest **February 2005**

Prison Held

Health Concerns

Torture Concern

Profession

156.

Name / Age **TUN ZAW HTAY / Male, not known** He was arrested in a crackdown on students, including individuals who authorities alleged were involved in a plot to plant bombs in Yangon. No allegations of violence are believed to have been made against Tun Zaw Htay, and it has been reported that one of the reasons he was arrested was because he allegedly assisted in the provision of financial assistance to

Political Party / Role / Place **Kamayut Yangon**

Sentence / Legislation **10 years / 1950 EPA, 5 [j], UAA 17 (1)**

Date of Arrest **June 2000**

Prison Held	Insein Prison	former prisoners and student activists.
Health Concerns		
Torture Concern		
Profession	Student (Maths)	
157.		
Name / Age	WAI LIN	In a press conference on 28 August 2005, detailing a series of accusations against opposition groups in exile, the Director General of Police stated that he and three others had “ <i>collected unfounded news and sent exaggerations through satellite phones so as to earn their livelihood.</i> ” The D-G further stated that the group had “ <i>confessed that they made interviews with the BBC and spread exaggerated news many times</i> ”. The D-G also stated that he was among a group of activists recruited to gather “ <i>all sorts of news</i> ” including on peasants, workers as well as natural disasters and “ <i>to exaggerate them with intent to destabilize the country and create unrest</i> ”. It was further stated that this news was used by opposition groups in exile to make complaints to the International Labour Office (ILO) “ <i>to the liking of ILO itself and cohorts</i> ” and that the ILO “ <i>made lopsided and unjust accusations against Myanmar and put pressure on her</i> ”. He was arrested after a satellite phone was found by members of security services in a well at the back of his house.
Political Party / Role / Place	Bago Division	
Sentence / Legislation	25 years, 1950 EPA 5 [j]; UAA 17 (1)	
Date of Arrest	28 June 2005	
Prison Held	Insein Prison	
Health Concerns		
Torture Concern	yes	
Name / Age	WAI WAI NU (f), c. 20 years old	Her father, an opposition MP elect, U Kyaw Min is believed to have been arrested on account of his political activities. He was held incommunicado, and she, her mother, sister and brother were arrested in May 2005. They were sentenced to 17 years imprisonment on the basis that the
Political Party / Role / Place	From Yangon and Buthidaung, Rakhine State,	
Sentence / Legislation	17 years citizenship law section 18	

Date of Arrest **May 2005**
Prison Held **Insein Prison**
Health Concerns **Yes**
Torture Concern
Profession **student**

authorities disputed their right to nationality. They are Rohingyas, Muslims from Western Myanmar. Many Rohingyas are discriminatorily denied nationality in Myanmar.

158.

Name / Age **WIN KYI / Male, not known**
Political Party / Role / Place **NLD / Mandalay/ Letwe**
Sentence / Legislation **/ 22 years, 1950 EPA, 5 (j), UAA 17 (1)**
Date of Arrest **21/12/03**
Prison Held
Health Concerns
Torture Concern
Profession

He was arrested with a group of NLD members and allegedly sentenced for passing information to opposition groups in exile

159.

Name / Age **WIN MIN THAN / Male, not known**
Political Party / Role / Place
Sentence / Legislation **/ 7 years / 1950 EPA, 5 [j]**
Date of Arrest **September 1998**
Prison Held **Insein Prison**
Health Concerns
Torture

He was reportedly sentenced in connection with NLD calls to convene parliament.

Concern**Profession**

160.

Name / Age WIN MYINT (U)**Political Party /****Role / Place** Bago Division**Sentence /** 17 years**Legislation****Date of Arrest** 4 July 2005**Prison Held** Insein Prison**Health Concerns****Torture
Concern** Yes**Profession** Cafe owner

In a press conference on 28 August 2005, detailing a series of accusations against opposition groups in exile, the Director General of Police stated that he and three others had “*collected unfounded news and sent exaggerations through satellite phones so as to earn their livelihood.*” The D-G further stated that the group had “*confessed that they made interviews with the BBC and spread exaggerated news many times*”. The D-G also stated that he was among a group of activists recruited to gather “*all sorts of news*” including on peasants, workers as well as natural disasters and “*to exaggerate them with intent to destabilize the country and create unrest*”. It was further stated that this news was used by opposition groups in exile to make complaints to the International Labour Office (ILO) “*to the liking of ILO itself and cohorts*” and that the ILO “*made lopsided and unjust accusations against Myanmar and put pressure on her*”.

161.

Name / Age YAN NAING MIN**Political Party /
Role / Place** ABFSU, Mandalay**Sentence /
Legislation** 20 years, 1950 EPA 5 (j)**Date of Arrest** 1998**Prison Held** Mandalay Prison**Health Concerns** Hernia and other health problems**Torture
Concern** YES

It is believed that he was arrested in connection with student support for the convening of parliament

Profession **Student and poet**

162.

Name / Age **YE LWIN / Male, not known** He was reportedly arrested in connection with student demonstrations in support of the creation of a student union.

Political Party / Role / Place **Hlaingthaya**

Sentence / Legislation **18 years / 1950 EPA, 5 [j], UAA, 17 (1)**

Date of Arrest **20 December 1996**

Prison Held **Tharawaddy Prison**

Health Concerns

Torture Concern

Profession **Student (High School)**

163.

Name / Age **YE TUN MIN (KO) / Male, not known** He was arrested with a group of NLD members for allegedly contacting opposition political groups in exile. His father, U Than Lwin, was also sentenced in this case.

Political Party / Role / Place **Yangon**

Sentence / Legislation **12 years**

Date of Arrest **22 December 2003**

Prison Held **not known**

Health Concerns

Torture Concern

Profession

164.

Name / Age	YE THIIHA / Male, not known	He was sentenced in May 2004 for allegedly having contact with opposition groups in exile, and reportedly preparing information that criticized official plans for political reconciliation. He was reportedly imprisoned in 1989 for his alleged former association with the ABSDF.
Political Party / Role / Place	Yangon	
Sentence / Legislation	Seven years / 1950 EPA, section 5 [j]	
Date of Arrest	February 2004	
Prison Held	Insein Prison	
Health Concerns		
Torture Concern		
Profession		
165.	YE MYINT	In a press conference on 28 August 2005, detailing a series of accusations against opposition groups in exile, the Director General of Police stated that he had attended a meeting with the FTUB on the Thai-Myanmar border in December 2003. It was further stated that at the meeting he and seven others were given training on labour issues and how to gather news.
Name / Age		
Political Party / Role / Place	Bago Division	
Sentence / Legislation	Eight years	
Date of Arrest	July 2005	
Prison Held	Insein	
Health Concerns		
Torture Concern	Yes	
Profession		
166.		
Name / Age	YIN KYI (DAW) (f)	In a press conference on 28 August 2005, detailing a series of accusations against opposition groups in exile, the Director General of Police stated that she had attended a meeting with the FTUB on the
Political Party / Role / Place	Pantanaw, Ayeyarwaddy	

Role / Place	Division	Thai-Myanmar border in December 2003.
Sentence / Legislation	Eight years, 1950 EPA 5 [[j], UAA 17 (1)	It was further stated that at the meeting she and seven others, including her uncle, were given training on labour issues and how to gather news.
Date of Arrest	July 2005	
Prison Held	Insein	
Health Concerns		
Torture Concern	Yes	
Profession	Junior assistant teacher	
167.		
Name / Age	ZAW LIN TUN / Male, not known	He was reportedly sentenced in February 2004 for allegedly distributing leaflets critical of the authorities announced plans for political transition.
Political Party / Role / Place	ABFSU	
Sentence / Legislation	/ 17 years / 1950 EPA, 5 [j]	
Date of Arrest	October 2003	
Prison Held	Insein Prison	
Health Concerns		
Torture Concern		
Profession		
168.		
Name / Age	ZAW MIN HTIKE (KO) / Male, not known	He was arrested in 1999 after being deported from Thailand. He was reportedly accused of being a member of an exiled political group and youth workers organization.
Political Party / Role / Place	Hpa-an Kayin State	
Sentence / Legislation	/ 7 years' imprisonment / 1950 EPA, 5 [j]	
Date of Arrest	25 December 1999	
Prison Held	Insein Prison	
Health Concerns		

**Torture
Concern**

Profession **Migrant Factory Worker In
Thailand**

169.

Name / Age **ZAW MIN NAING / Male, not known** He was arrested with a group of NLD members and allegedly sentenced for passing information to opposition groups in exile

Political Party / Role / Place **NLD / Yangon**

Sentence / Legislation **/ 12 years**

Date of Arrest **December 2003**

Prison Held

Health Concerns

**Torture
Concern**

Profession

170.

Name / Age **ZAW MIN OO / Male, not known** He is believed to have been arrested in connection with demonstrations in support of the convening of parliament. He was reportedly badly beaten in Insein Prison in April 2005.

Political Party / Role / Place **ABFSU Yangon**

Sentence / Legislation **/ 14 years, 1950 EPA, 5 [j], UAA 17 (1), Immigration Act 13 (1)**

Date of Arrest **September 1998**

Prison Held **Not known**

**Health
Concerns**

Torture Concern **yes**

Profession

171.

Name / Age	ZAW YE WIN (KO) / male dob 1972	He was sentenced for alleged involvement in the organization of demonstrations in September 1999. He was previously imprisoned in 1990 for his involvement in the commemoration of the death of Phone Maw and imprisoned for three years.
Political Party / Role / Place		
Sentence / Legislation	7 or 14 years / 1950 EPA, 5 [j], UAA 17 (1)	
Date of Arrest	28 August 1999	
Prison Held	Thayet Prison	
Health Concerns	heart disease	
Torture Concern	YES	
Profession	Student	

PRISONERS HELD WITHOUT CHARGE OR TRIAL UNDER THE 1975 STATE PROTECTION LAW

Name / Age	AUNG SAN SUU KYI (DAW) / f, dob 1945	She has been detained since her and NLD members travelling on party business in Upper Myanmar were violently attacked, in what is believed to have been a state orchestrated operation. Authorities stated that she and other NLD members were being held under “ <i>protective custody</i> .” She was held incommunicado in an undisclosed location for more than four months until September 2003 when she was put under house arrest after undergoing surgery. She was reportedly informed in November 2004 that she was being held under the 1975 State Protection Law, which allows detention without charge or trial on executive order, and her detention order is believed to have been extended by six months in November 2005.
Political Party / Role / Place	NLD General Secretary	
Sentence / Legislation	none / 1975 SPL, 10 [b]	
Date of Arrest	30 May 2003	
Prison Held	House arrest	
Health Concerns		
Torture Concern		

She was held under house arrest between July

1989 and May 1995 and between September 2000 and May 2002, and in intervening periods has had her movement severely restricted. She has never been charged or tried for any of these periods of detention. She was awarded the Nobel Peace Prize while under house arrest in 1991.

Name / Age	MAY WIN MYINT (DAW) f, 54 yrs. old 08/03/1950	Daw May Win Myint was among a group arrested after an attempt by the NLD to hold a meeting with Daw Aung San Suu Kyi and the NLD Youth in Mayangone township, which authorities characterized as "anti-government activities with a mob." She is reported to have been deprived of drinking water and to have been mistreated during interrogation. She is being detained under an administrative detention law beyond the expiry of her sentence.
Political Party / Role / Place	NLD / MP-elect / Mayagone 2 Yangon Division	
Sentence / Legislation	6 years imprisonment / 1950 EPA, 5[j], SPL 10 [a]	
Date of Arrest	28 October 1997	
Prison Held	Insein Prison	
Health Concerns	heart disease, high blood pressure and arthritis	
Torture Concern	YES	
Profession	Medical Doctor	

Name / Age	MYAT SAN	Myat San was sentenced for his participation in demonstrations to celebrate Aung San Suu Kyi receiving the Nobel peace prize. He is being held beyond the end of his sentence under section 10 a of the 1975 State Protection Law. He is being held at least 170 miles from his home, a journey of more than eight hours by road.
Political Party / Role / Place	NLD / Pabedan township Yangon Division	
Sentence / Legislation	15 years; commuted to 10 years 1.1.93 / 1950 EPA 5 [j], SPL 10 [a]	
Date of Arrest	11 December 1991	
Prison Held	Taungoo Prison	
Health Concerns	gastric ulcer, tuberculosis	
Torture		

Concern

Profession **Student**

Name / Age **SHWE OHN (U) / 82 years old** He was placed under house arrest for taking part in a Shan National Day meeting in Taunggyi on 7 February 2005. It was reported that participants discussed the future of the Shan State and the role of the ceasefire groups at the National Convention. He was previously arrested in December 1992 and sentenced to one year imprisonment for writing and distributing an essay on the form the new constitution should take.

Political Party / Role / Place **Democratic League for the National Races of the Shan State (abolished) / Shan veteran politician**

Sentence / Legislation **Reportedly one year of house arrest / 1975 SPL 10 (B)**

Date of Arrest **8 February 2005**

Prison Held **House arrest**

Health Concerns

Torture Concern

Profession **Lawyer and writer**

Name / Age **SOE MYINT** He was reportedly sentenced for alleged links with the CPB. He is being held in a prison more than 12 hours by train from his family.

Political Party / Role / Place **All Burma Youth League, allegedly CPB**

Sentence / Legislation **20 years, commuted to 10 years imprisonment, currently SPL 10 [a]**

Date of Arrest **November 1989**

Prison Held **Mandalay**

Health Concerns **Not known**

Torture Concern **Not known**

Profession **Not known**

Name / Age	THAN NYEIN (DR.) / 67 years old dob 1937 male	He was arrested for attempting to arrange a meeting of local NLD activists with the party's General Secretary, Daw Aung San Suu Kyi. He is being held beyond the expiry of his sentence under an administrative detention law that allows authorities to hold prisoners without charge or trial. He went on hunger strike in October 2004 to protest this, and was reportedly transferred as a punishment to Tharawaddy Prison before being returned to Insein hospital. He has been repeatedly hospitalised during his imprisonment. He was moved for the fourth time since his sentence expired, in January 2005, to Pyay prison.	
Political Party / Role / Place	NLD MP-elect / Kyauktan 1 Yangon		
Sentence / Legislation	Seven years / SPL, 10 (a) 1950 EPA, 5 [j]		
Date of Arrest	October 1997		
Prison Held	Pyay Prison		
Health Concerns	chronic liver cirrhosis, heart disease, hypertension		
Torture Concern			
Profession	Medical Doctor		
Name / Age	TIN OO (U) / aged 78 dob 1927		He was detained by authorities after he and other NLD officials and members were violently attacked in what is believed to have been a state orchestrated operation. He was held in Kalay Prison and transferred into house arrest in February 2004. He was held in Insein Prison between 1990 and 1995 on account of his peaceful political activities. He has also been made to remain under effective house arrest during successive crackdowns on NLD political activities, including in September 2000, after he and other senior officials of the NLD had been prevented from leaving the capital on party business. His detention was increased by a further year on 13 February 2005.
Political Party / Role / Place	NLD vice Chairman		
Sentence / Legislation	1975 SPL		
Date of Arrest	30 May 2003		
Prison Held	house arrest		
Health Concerns			
Torture Concern			
Profession	Former Chief Of Staff Of Armed Forces And		

**Former Minister Of
Defence**

Name / Age YE NYUNT He was reportedly sentenced for alleged connections to the CPB. He is currently imprisoned at least 12 hours travel by train from his family.

Political Party / Role / Place Alleged CPB, Yangon

Sentence / Legislation Not known. Currently SPL, 10 [a]

Date of Arrest 1989

Prison Held Mandalay Prison

Health Concerns Not known

Torture Concern Not known

Profession Not known

(KEY TO TABLE REFERENCES)

1) Political Groups

ABFSU	All Burma Federation of Student Unions
ABSDF	All Burma Students Democratic Front
ALD	Arakan League for Democracy
CPB	Communist Party of Burma, also known as the BCP
CRPP	Committee Representing the People's Parliament
DPNS	Democratic Party for a New Society
FTUB	Federation of Trade Unions - Burma
MNDF	Mon National Democratic Front
NCGUB	National Coalition Government of the Union of Burma
NLD	National League for Democracy
NPF	National Politics Front

Roles

MP-elect: elected as Member of Parliament in the 1990 elections
 TOC - Township Organizational Committee
 DOC: Divisional Organizational Committee

Legislation

1950 EPA	<p>1950 Emergency Provisions Act</p> <p>Section 5 [e] of the 1950 Emergency Provisions Act allows authorities to imprison up to seven years, or fine, or both, anyone who <i>“causes or intends to spread false news, knowing beforehand that it is untrue”</i></p> <p>Section 5 [j] of the 1950 Emergency Provisions Act allows authorities to imprison for up to seven years and/or fine anyone who <i>“causes or intends to disrupt the morality or the behaviour of a group of people or the general public, or to disrupt the security and stability of the Union.”</i></p>
1975 SPL	<p>1975 State Protection Law</p> <p>Anyone who is suspected of having committed, or who is committing, or who is about to commit, any act which <i>“endangers the sovereignty and security of the state or public peace and tranquillity”</i>, can be imprisoned for up to five years without trial on the orders of the executive, without any legal appeal to the detention.</p>
1985 TV and Video Law	<p>This provides for the compulsory licensing of television sets and video recorders, and for the mandatory censorship of all video tapes. Under this law copying, hiring, distributing or showing a video tape that has not been approved by censors is punishable with imprisonment for up to three years, or a fine, or both.</p>
Penal Code	<p>Under Section 122/1, <i>Whoever commits High Treason within the Union of Burma shall be punished with death</i></p> <p>Under Section 122/2 <i>Whoever, being a citizen of the Union of Burma or ordinarily resident within the Union, commits High Treason outside the Union shall be punished with death.</i></p> <p>Under Section 505, anyone who</p> <p><i>makes, publishes or circulates any statement, rumour or report...</i></p> <p><i>[b] with intent to cause, or which is likely to cause, fear or alarm to the public or to any section of the public, whereby any person may be induced to commit an offence against the State or against the public tranquillity</i></p> <p>may be punished with two years’ imprisonment and a fine</p>
PPRA	<p>The 1962 Printers and Publishers Registration Act requires all books, magazines, periodicals, song lyrics and film scripts to be approved by censors prior to publication or distribution: anyone breaching it may be punished with up to seven years’ imprisonment and a fine.</p>
UAA	<p>Unlawful Associations Act (India Act XIV, December 11 1908)</p> <p>Section 17/1 allows the imprisonment of a minimum of two years, and a maximum of three, and a fine, of anyone who is a member of an association considered unlawful by authorities, or who <i>contributes, receives or solicits any contribution for the purpose of any such association, or in any way assists the operations of such an organization.</i></p> <p>Section 17/2 allows a minimum term of three years’ imprisonment, and a maximum term of five years’ for anyone who <i>manages or assists in the management of an unlawful association, or promotes or assists in promoting a meeting of any such association, or of any members thereof as such members.</i></p>

Place Detained

Insein	Insein Prison, Yangon Division
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Kalay	Kalay Prison, Sagaing Division
Katha	Katha Prison, Sagaing Division
Mandalay	Mandalay Prison, Mandalay Division
Mawlamyine	Mawlamyine Prison, Mon State
Myitkyina	Myitkyina Prison, Kachin State
Patheingyi	Patheingyi Prison, Ayeyarwady Division
Tharawaddy	Tharawaddy Prison, Bago Division
Thayet	Thayet Prison, Magway Division
Toungoo	Toungoo Prison, Shan State

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APPENDIX

Prisoners featured in Myanmar's Political Prisoners: A Growing Legacy of Injustice, AI Index 16/019/2005, released from prison in July 2005

PRISONERS OF CONSCIENCE

1.

Name/ Age	AUNG KYAW HEIN AKA KYAW ZAW (KO) / M, date of birth 1972	<p>He was arrested in 1998 with scores of other students, and sentenced for his peaceful activities to re-establish a student union in Myanmar. This was his second period of imprisonment - his first sentence was for displaying a picture of assassinated independence campaigner General Aung San at a stand during water festival celebrations in 1991, when he was a high school student. His father, U Kyi Tin Oo, was imprisoned for political reasons in 1994 and died shortly after his release from detention in 2004. His second term of imprisonment involved being held 680 miles from his home; a journey of more than 15 hours by road. The prison had reportedly endemic levels of malaria..</p>
Political Party / Role / Place	NLD Youth / Hlaing Yangon	
Sentence / Legislation	14 years' imprisonment / 1950 EPA Section 5 [j]	
Date of Arrest	March 1998	
Prison Held	Kalay Prison	
Health Concerns	Malaria, urinary tract infection and related problems	
Torture Concern		
Profession	Student	

2.

Name / Age	AUNG MYAT THU / Male, not known	<p>He is believed to have been arrested in connection with student demonstrations supporting educational reforms and with the NLD calls to convene parliament in September 1998.</p> <p>(photograph from Myanmar TV broadcast of SPDC press conference on recent arrests, October 1998)</p>
Political Party / Role / Place	Bilin township Mon state	
Sentence / Legislation	14 years / 1950 Emergency Provisions Act 5 [j], UAA 17 (1)	
Date of Arrest	September 1998	
Prison Held	Mawlamyine Prison Mon State	
Health Concerns		
Torture Concern		
Profession	Student	

3.

Name / Age	AYE MYINT THAN (DAW) / female, aged	<p>She was arrested in a crackdown on opposition activists and students</p>
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Political Party / Role / Place c.50
NLD TOC secretary / Thingangyun township Yangon

Sentence / Legislation **7 or 21 years / 1950 EPA, 5 [j]**

Date of Arrest **August 1998**

Prison Held **Myaungmya Prison**

Health Concerns **heart disease, arthritis, 2 strokes**

Torture Concern

Profession **Primary School Teacher**

in September 1998, after the NLD called for parliament to be convened. Many of those arrested at the time were reportedly tortured in detention. It is believed that she was imprisoned for her peaceful political activities in support of the Committee Representing the People's Parliament, as a member of the NLD, and for possessing NLD materials. Her daughter, Hnin May Aung, was arrested at the same time and is also imprisoned. Whilst in prison, she had two strokes, and washeld c. 170 miles from her home.

(photograph from Myanmar TV broadcast of SPDC press conference on recent arrests, October 1998)

4.

Name / Age **AUNG PWINT
AKA AWAYLU /
Male, c. 55**

Political Party / Role / Place **Patheingyi
Ayeyarwady
Division**

Sentence / Legislation **Eight years /
UAA 17 (1),
Immigration Act
13 (1),**

Date of Arrest **September 1999**

Prison Held **Tharawaddy**

Health Concerns **gastric ulcer**

Torture Concern

Profession **Poet And
Videographer**

He is reported to have been sentenced to eight years imprisonment in connection with the making of unauthorised video tapes, including features of forced labour, and allegedly passing news to organizations outside the country. He was charged with leaving the country without official permission. He is reported to have suffered a gastric ulcer in detention. He is a well-known poet, and has also worked for a media group.

5.

Name / Age **BO BO HAN / m**

Political Party / Role / Place **Shan State**

Sentence / Legislation **15 years
imprisonment;
commuted to 10
years 1.1.93 + 7
years' imprisonment
11/01 / 1950 EPA 5
[j], SPL Section 10
[a]**

Date of Arrest **02/12/91**

Bo Bo Han was arrested in connection with the peaceful demonstrations held in Yangon in December 1991 which called for the release of Aung San Suu Kyi and other political prisoners. He was given a second sentence in 2001 in connection with a skirmish between prisoners in Taungoo Prison, in which he was reportedly not involved.

Prison Held **Thayet Prison
Magway Division**

Health Concerns

Torture Concern **YES**

Profession **Student**

6.

Name / Age **BO BO OO / Male, c. 40**

Political Party / Role / Place **Yangon**

Sentence / Legislation **22 years / UAA 17 (1), 1950 EPA, 5 [e] 5 [j]**

Date of Arrest **1991**

Prison Held **Myingyan Prison**

Health Concerns **respiratory disease**

Torture Concern

Profession **Finished degree. Small business owner**

The original reason for his arrest is not known. He was sentenced to a second prison term, whilst still imprisoned, for disseminating news from overseas broadcasts with Insein Prison in 1995. A total of 24 prisoners were given sentences at the beginning of 1996 in connection with their circulation of news within the prison, their preparation of a magazine, and their attempts to report on human rights violations in the prison. While authorities investigated the incident many were held in cells designed for military dogs, made to sleep on concrete floors without bedding during winter months, and deprived of food and water. They were also reportedly denied legal representation at their trial, at which a number stated that they had been tortured. Two persons sentenced at this time subsequently died in custody, one of whom was in his 30s. He was held nearly 400 miles from his home, a journey of at least 12 hours by road.

7.

Name /Age **HLA SHWE (U) AKA AUNG THA / m, c. 60**

Political Party / Role / Place **formerly People's Progressive Party / Thingangyun Yangon**

Sentence / Legislation **14 years / 1950 EPA 5 [j], PPRA 17/20**

Date of Arrest **February 1998**

Prison Held **Thayet**

Health Concerns **heart attack, gastric ulcer**

Torture Concern

Profession **Quail Farmer**

He is a political veteran and former student activist. He was sentenced for allegedly assisting Ko Aung Tun write a history of the student movement in Myanmar, along with several others. He had reportedly suffered cardiac problems, and was imprisoned three times in the 1980s under suspicion of being a member of the CPB, when he is believed to have been badly tortured. His son, Set Aung Naing, was arrested at the same time as him and is serving a sentence of 14 years' imprisonment. He was held over

300 miles from his home, a journey of more than 12 hours by road.

8.

Name / Age HNIN MAY AUNG (MA) / female dob 1975

Political Party / Role / Place Thingangyun Yangon

Sentence / Legislation 42 years' imprisonment / 5 j, PPRA 17/20/21

Date of Arrest 29/09/98

Prison Held Myaungmya

Health Concerns Various

Torture Concern

Profession Student (Physics)

She was arrested in connection with small demonstrations in Yangon that took place in support of student rights and for the convening of parliament. She was reportedly tortured in detention and held incommunicado for several months after arrest. She was held more than five hours away from her home.

9.

Name / Age HTAY HLAING / Male, not known

Political Party / Role / Place not known / Yangon

Sentence / Legislation 13 years / 1950 EPA 5 [j]

Date of Arrest November 1996

Prison Held Taungoo

Health Concerns asthma, gastric complaints

Torture Concern YES

Profession Private Teacher/Landlord

Htay Hlaing was arrested after he and other teachers called on the SPDC to have dialogue with the NLD. It is believed that he was ill-treated in interrogation. He was held 175 miles from his home, a journey of approximately eight hours by road.

10.

Name / Age KHIN MAUNG KYI (U) / Male, 56 dob 1948

Political Party / Role / Place NLD Mon State EC member / Mon State

Sentence / Legislation 10 years / 1950 EPA [5j], UAA 17 (1)

He was arrested for allegedly distributing leaflets in November and December 1998, and accused of carrying out anti-government activities "under the pretext of democracy." He was imprisoned at least 250 miles from his home, a journey of approximately 10 hours

Date of Arrest	8 September 1998	by road.
Prison Held	Thayet	
Health Concerns	gout	
Torture Concern	YES	
Profession		

11.

Name / Age	KHIN MAUNG WIN / Male, not known	He was arrested for staging a peaceful demonstration outside City Hall in Yangon, with fellow law student Thet Naung Soe. He had reportedly handed out leaflets the previous day, calling on authorities to initiate political dialogue with the NLD
Political Party / Role / Place		
Sentence / Legislation	7 years / 1950 EPA, 5 [j]	
Date of Arrest	18 August 2002	
Prison Held	Insein Prison	
Health Concerns		
Torture Concern		
Profession	Student (Law)	

12.

Name / Age	KHIN SOE / Male, not known	He was arrested for distributing pamphlets characterized by authorities as propaganda, and "instigative" in July 1998.
Political Party / Role / Place	NLD TOC chair / Ye Mon State	
Sentence / Legislation	20 years' imprisonment / 1950 EPA, 5[j], UAA 17(1)	
Date of Arrest	22/12/98	
Prison Held	Tharawaddy	
Health Concerns		
Torture Concern		
Profession		

13.

Name / Age	KHIN ZAW WIN (U) ALIAS KELVIN / dob 30/01/50; m	He was arrested at Yangon airport on his return to Singapore in connection with papers, computer disks and letters which he was carrying with him which allegedly included "anti-government sentiments". He was among a group of prisoners who were
Political Party / Role / Place	Yangon	
Sentence / Legislation	15 years / 1950 EPA, 5[e], UAA, 17 (1),	

	currency and customs charges; OSA, section 5	penalized in 1996 for allegedly attempting to send information regarding poor prison conditions in Insein to the UN, and for circulating news in the prison. They were placed in military dog cells, forced to sleep on concrete floors with no bedding, and forbidden any visits from their families. He was held in a prison more than 900 miles from his family, a journey of approximately 24 hours by train.
Date of Arrest	4 July 1994	
Prison Held	Myitkyina Prison	
Health Concerns	Gastric problems, arthritis, haemorrhoids	
Torture Concern	YES	
Profession	Overseas Student; Dentist	

14.

Name / Age	KYAW MIN YU AKA JIMMY, 32 years	Kyaw Min Yu was arrested in connection with his political activities, including the formation of a student union. He was originally held without charge or trial and then charged with trying to incite unrest, and has completed this sentence. He received a second sentence while still imprisoned in connection with his alleged involvement in plans to distribute news from overseas broadcasts within Insein Prison, and to contact the United Nations Human Rights Commission about conditions in the prison. A total of 24 prisoners were given sentences at the beginning of 1996 in connection with their circulation of news within the prison, their preparation of a magazine, and their attempts to report human rights violations in the prison. While authorities investigated, many were held in cells designed for military dogs, made to sleep on concrete floors without bedding during winter months, and deprived of food and water. They were also reportedly denied legal representation at their trial at which a number reported that they had been tortured. He is reported to have been severely tortured during detention, including in the suppression of a hunger strike in Insein Prison in 1990, during which prisoners requested the right to read books. His brother is a former political prisoner.
Political Party / Role / Place	DPNS / Hlaing Yangon	
Sentence / Legislation	20 years ; commuted to 10 years 01/01/93 + 7 years / 1950 EPA, 5 [a], 5 [e]	
Date of Arrest	1989	
Prison Held	Tharawaddy Prison	
Health Concerns	Malnutrition, gastric problems	
Torture Concern	YES	
Profession	Student	

15.

need to check

Name / Age	KYAW SWA / M	He was sentenced for his suspected involvement in plans
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Political Party / Role / Place	dob 1964 Tamway Yangon	for demonstrations by political groups in exile. It is believed that he was badly tortured in interrogation.
Sentence / Legislation	36 years / 1950 EPA, 5 [j], UAA 17(1)	
Date of Arrest	September 1999	
Prison Held	Yangon	
Health Concerns		
Torture Concern	YES	
Profession	Student	

16.

Name / Age	MA OO (MA) (F), c. 40	She was arrested in connection with student demonstrations in favour of the legitimisation of student unions, and is currently reported to be in a poor state of health. She was denied legal counsel at her trial. This was her second period of imprisonment for political reasons. She was held more than 400 miles from her home, a journey of more than 12 hours by train.
Political Party / Role / Place	Mandalay	
Sentence / Legislation	14 years	
Date of Arrest	December 1996	
Prison Held	Insein	
Health Concerns	rheumatoid arthritis, upper respiratory tract infection	
Torture Concern		
Profession	Former student	

17.

Name / Age	MYINT HTAY / Male, c. 38	He is believed to have been charged for distributing false information, for allegedly distributing testimony from victims of the violent attack on NLD members at Depayin in May 2003. He was reportedly tortured during detention. He was arrested on account of his political activities before. He was reportedly ill-treated and penalized for taking part in a hunger strike in Insein Prison in May 2005.
Political Party / Role / Place	NLD Youth / Tamway Yangon Division	
Sentence / Legislation	Seven years' imprisonment	
Date of Arrest	June 2003	
Prison Held		
Health Concerns		
Torture Concern	YES	
Profession	Builder	

18.

Name / Age MYO MIN TUN
Political Party / Role / Place North Dagon
Sentence / Legislation 13 years / SLORC law 6/88 [6]
Date of Arrest July 2003
Prison Held Insein
Health Concerns
Torture Concern YES
Profession Student (Law)

He was arrested with four others for the formation without official permission of a student union, distributing a statement about the student union to several universities, and planning to hold a students' conference on Human Rights Day, 10 December 2003. He was allegedly the student union's temporary vice-chair. It is believed that he and others were tortured during interrogation.

19.

Name / Age NAY TIN MYINT / 37 years old dob 1967
Political Party / Role / Place Bahan Yangon
Sentence / Legislation 20 years / UAA 17/1, 1950 EPA, 5 [j], PPRA 17/20
Date of Arrest 7 July 1993
Prison Held Myingyan Prison, Mandalay Division
Health Concerns malnutrition, gastric disease and impaired movement, peripheral neuropathy, bad respiratory problems
Torture Concern YES
Profession Student (Zoology)

Nay Tin Myint was imprisoned with 11 others for distributing and photocopying journals, which were characterized by authorities as against the government. He was reportedly denied legal representation at his trial. This was the second time he was imprisoned since 1989, and he was reportedly badly tortured when previously imprisoned between 1989 and 1992. He is believed to have had chronic health problems. He was held more than 400 miles from his home, a journey of approximately 12 hours by road.

20.

Name / Age NE WIN (KO) / Male, c. 43 years old
Political Party / Role / Place NLD / Dagon Township
Sentence / Legislation 7 years / 1950 EPA, 5[j]
Date of Arrest June 2003
Prison Held Insein
Health Concerns

He is believed to have been arrested for distributing testimony from victims of the violent attack on NLD members at Depayin in May 2003. He was arrested on account of his political activities before.

Torture Concern YES
Profession Builder

21.

Name / Age PHYO MIN THEIN / Male, not known
Political Party / Role / Place ABFSU, DPNS / Tanyin Yangon
Sentence / Legislation 14 years / 1950 EPA, 5 [j], UAA 17/1
Date of Arrest December 1991
Prison Held Myingyan
Health Concerns Malnutrition, heart problems
Torture Concern YES
Profession Student

He is believed to have been arrested in connection with student demonstrations after Daw Aung San Suu Kyi received the Nobel Peace Prize. He received a second sentence while imprisoned in Insein Prison, for allegedly making a cover of a magazine to commemorate the 75th anniversary of Yangon University, prepared clandestinely by prisoners, and for discussing sending information on human rights violations in the prison to the United Nations. A total of 24 prisoners were given sentences at the beginning of 1996 in connection with their circulation of news within the prison, their preparation of a magazine, and their attempts to report on human rights violations in the prison. While authorities investigated the incident many were held in cells designed for military dogs, made to sleep on concrete floors without bedding during winter months, and deprived of food and water. They were also reportedly denied legal representation at their trial, at which a number reported that they had been tortured. He was reportedly severely tortured during interrogation, and is reported to have health problems during his detention. Two persons sentenced at this time subsequently died in custody.

22.

Name / Age SAW NAN DI / Male dob 1935
Political Party / Role / Place NLD / Divisional Organizational Committee chairman / Kengtung Shan state
Sentence / Legislation 7 years six months / 1950 Emergency Provisions Act, 5j, 33 of the Drug Special Act

He was reportedly arrested for representing farmers' complaints about the rice trade. U Sai Phat, vice chairman of NLD Shan State organizational committee, who was arrested with him died one month after arrest, reportedly of cerebral malaria.

Date of Arrest September 2002

Prison Held Kengtung Prison

Health Concerns liver and kidney disease

Torture Concern

Profession Politician

23.

Name / Age SAW NE DUN (U) / c.84/5 years old

Political Party / Role / Place NLD TOC chairman / Pauk Hkaun Bago Division

Sentence / Legislation 17, commuted to 10 years
1.1.93 / 1950 EPA, 5 [j], BPC, 124 (A)

U Saw Ne Dun was sentenced for alleged support of the formation of a government in exile, after authorities failed to recognize the results of the 1991 elections. His wife died on her way to see him in prison in early 2004.

Date of Arrest 1991

Prison Held Tharawaddy Prison

Health Concerns asthma, hypertension, heart problems

Torture Concern

Profession

24.

Name / Age SEIN HLA OO (U)
AKA MAUNG NGWE
OO / aged 66 dob 1938

Political Party / Role / Place NLD / MP-elect / Insein 2 Yangon

Sentence / Legislation 7 years + remainder of 10 years previous term / 1950 EPA 5 [j]

Date of Arrest August 1994

Prison Held Myitkyina Prison

Health Concerns hypertension, hernia

Torture Concern

Profession Former Newspaper Editor And Film Critic

Authorities alleged that he had told foreign diplomats and journalists "fabricated news" and distributed documents produced by expatriate groups "to cause misunderstanding of the government". He was also being made to serve the remainder of a previous prison sentence for political reasons, because authorities stated that he "*breached his promise and secretly carried out anti-gov't activities.*" He had been previously detained between 1990 and 1993 for allegedly taking part in a discussion about the formation of a parallel government. He was held approximately several days journey from his family by road.

25.

Name / Age SET AUNG NAING /
aged c. 30

**Political Party /
Role / Place** Thingangyun Yangon

**Sentence /
Legislation** 14 years / 1950 EPA, 5
[j], UAA 17 (1) (2)

Date of Arrest 24 January 1998

Prison Held Myingyan Prison

Health Concerns kidney disease

Torture Concern YES

Profession Student

He is believed to have been arrested on account of his peaceful activities to campaign for the establishment of a student union in Myanmar, which authorities categorized as activities "to foster student dissatisfaction against the government." His father, U Hla Shwe, was sentenced at the same time for allegedly helping prepare a history of the student movement in Myanmar. This is Set Aung Naing's second term of imprisonment. Set Aung Naing is believed to have been previously arrested in connection with the political activities of his family members. He was reportedly severely tortured in September 1990, and is suffering from kidney disease. He was held 400 miles from his home, a journey of approximately 12 hours by road.

26.

Name / Age SOE MYINT (U) / Male,
58 years old dob 1946

**Political Party /
Role / Place** NLD / MP-elect / Min Bu1
Magway Division

**Sentence /
Legislation** 14 or 28 years

Date of Arrest September 1998

Prison Held Insein Prison

Health Concerns heart condition, arthritis,
high blood pressure,
paralysis

Torture Concern

Profession Former Teacher And
Businessman

He was arrested in connection with NLD calls to convene parliament in 1998. He was reportedly admitted to Insein Prison hospital in September. His son, Lin Lin Tun, was also imprisoned with the same connection, and suffered from heart and gastric disease in Mandalay Prison.

(photograph from Myanmar TV broadcast of SPDC press conference on recent arrests, October 1998)

27.

Name / Age THAN HTAY (MA) AKA
MALAYI / female, not
known

**Political Party /
Role / Place** Lemyethna

Sentence / 13 years / 1950 EPA, 5 [j],

She and another nun staged a peaceful protest outside City Hall in Yangon, the capital of Myanmar, calling for political dialogue and protesting increases in food prices. Authorities stated that they were

Legislation	UAA 17 (1), Immig. Act 13 (1)	committing "destructive acts in the name of religion", and had been instructed to do this by the opposition in exile. She was also charged under the Immigration Act for leaving the country illegally. She was imprisoned at least 12 hours by road from her home.
Date of Arrest	16 January 2003	
Prison Held	Insein Prison	
Health Concerns		
Torture Concern		
Profession	Nun	

28.

Name / Age	THAN OO (KO) / M	He was arrested in August 1996, reportedly for planning a student group meeting to discuss world affairs, the UN, ASEAN, ethnic minority issues and political and social conditions.
Political Party / Role / Place		
Sentence / Legislation	Seven years / 1950 EPA, 5 [j]	
Date of Arrest	9 August 1996	
Prison Held	Myingyan Prison	
Health Concerns		
Torture Concern		
Profession	Student	

29.

Name / Age	THAYZAWADDY / female	She and another nun staged a peaceful protest outside City Hall in Yangon, the capital of Myanmar, calling for political dialogue and protesting increases in food prices. Authorities stated in a press conference that they were committing "destructive acts in the name of religion", and had been instructed to do this by the opposition in exile. She was also charged under the Immigration Act for leaving the country illegally.
Political Party / Role / Place	Labutta Ayeyarwady Division	
Sentence / Legislation	seven or 15 years' imprisonment / 1950 EPA,5j, UAA 17 (1), Immigration Act 3 (1)	
Date of Arrest	16/01/03	
Prison Held	Insein Prison	
Health Concerns		
Torture Concern		
Profession	Buddhist Nun	

30.

Name / Age	THET OO / c. 45	He was arrested for the alleged distribution of New Era, an opposition journal produced in Thailand.
Political Party / Role / Place		
Sentence / Legislation	20 years imprisonment / UAA, 17(1) 1950 EPA, 5(1), 1962 PPRA, 17/20	

Date of Arrest 19/06/93
Prison Held Tharawaddy Prison
Health Concerns He reportedly has one leg disabled by polio, hypertension and Menier's disease, and hearing problems
Torture Concern
Profession Businessman

31.

Name / Age TIN TIN NYO (Ma) (f)
Political Party / Role / Place NLD Dallah Yangon
Sentence / Legislation Seven years / 1950 EPA 5 [j]
Date of Arrest June 2003
Prison Held Insein Prison
Health Concerns YES
Torture Concern
Profession c. 40 years old

She was sentenced in September 2003 for allegedly writing to Daw Aung San Suu Kyi about the state of education in the country.

32.

Name / Age TUN MYINT AUNG / Male, not known
Political Party / Role / Place Kyimindine Yangon Division
Sentence / Legislation 21 years' imprisonment / 1950 EPA, 5[j], UAA 17 (1)
Date of Arrest August 1998
Prison Held Myingyan Prison
Health Concerns oedema
Torture Concern YES
Profession Art Gallery Manager

He was arrested in connection with student support for the convening of parliament. He was mentioned in a press conference by authorities in October 1998 and was charged with contacting people to take part in calls for the convening of parliament. He had previously been a political prisoner who opened a gallery with a prominent artist after being released from this earlier sentence. He was held nearly 400 miles from his home, a journey of at least 11 hours by train.

33.

Name / Age WIN HTUT LWIN / Male, not known
Political Party / Role / Place South Okkalappa 1 Yangon
Sentence / 13 years / SLORC Law

He was arrested with four others for the formation without official permission of a student union; distributing a statement about the student union to several universities, and planning to hold a students'

Legislation 6/88
Date of Arrest 16 July 2003
Prison Held Insein Prison
Health Concerns
Torture Concern YES
Profession Student (Chemistry)

conference on Human Rights Day, 10 December 2003. He was allegedly the student union's Executive Committee member. It is believed that he and others were tortured during interrogation.

34.

Name / Age WIN KYWE (U) / Male, not known
Political Party / Role / Place NLD TOC member / Ye Mon State
Sentence / Legislation 10 years / 1950 EPA, 5 [j], UAA 17 (1)
Date of Arrest 22/12/98
Prison Held Mawlamyine Prison
Health Concerns stroke and other ailments
Torture Concern
Profession

He was charged with distributing journals, leaflets and cassettes that criticized authorities and sending news stories to journals and radio stations outside Myanmar, including Radio Free Asia. Authorities characterized these in a press conference in January 1999 as "acts to create panic among local residents".

35.

Name / Age YE KYAW SWA / m
Political Party / Role / Place ABFSU / Yangon
Sentence / Legislation 19 years / 1950 EPA, 5 [j], UAA 17(1), PPRA 17/20
Date of Arrest 29/12/96
Prison Held Myingyan Prison
Health Concerns Depression
Torture Concern YES
Profession Student

He was arrested for his part in widespread student demonstrations calling for the legitimisation of student unions and the release of political prisoners. He was tortured in detention, and is reported to have brought this to the attention of the court at his trial. He was previously detained between 1989 and 1994, when he was a high school student. He was held more than 300 miles from his home, a journey of more than 11 hours by train.

36.

Name / Age YE MYINT KYAW (KO) OR KO YE MIN KYAW / m
Political Party / Role / Place
Sentence / Legislation 14 years / 1950 EPA, 5[j]
Date of Arrest 19 January 1997

He was arrested in connection with student demonstrations calling for the legitimisation of student unions.

Prison Held Patheingyi Prison
Health Concerns
Torture Concern YES
Profession Student From Dagon University

37.

Name / Age YE TUN (KO) / M
Political Party / Role / Place
Sentence / Legislation 13 years / 1950 EPA, 5 [j]
Date of Arrest 9 August 1996
Prison Held Thayet Prison
Health Concerns
Torture Concern
Profession Student

He was arrested in August 1996, reportedly for planning a student group meeting to discuss world affairs, the UN, ASEAN, ethnic minority issues and political and social conditions.

38.

Name / Age ZAW WIN / Male, late 40s
Political Party / Role / Place NLD TOC member / Ye Mon State
Sentence / Legislation 10 years' / 1950 EPA 5[j], UAA 17 (1)
Date of Arrest late 1998
Prison Held Tharawaddy Prison
Health Concerns
Torture Concern
Profession Carpenter

He was charged by authorities for distributing leaflets and stickers, which authorities characterised as "anti-government propaganda", and for allegedly passing "false" news to Radio Free Asia.

Released Possible Prisoners of Conscience

39.

Name / Age AYE AYE SWE (MA) (F) / Female, not known
Political Party / Role / Place Kyimyindine Yangon Division

She is believed to have been arrested in connection with calls to convene parliament in September 1998.

(photograph from Myanmar TV)

Sentence / Legislation	10 years imprisonment / 1950 EPA, 5 [j]	broadcast of SPDC press conference on recent arrests, October 1998)
Date of Arrest	September 1998	
Prison Held	Tharawaddy Prison	
Health Concerns		
Torture Concern		
Profession	Civil Servant	

40.

Name / Age	HLA HTUT SOE / Male, 39	He was reportedly arrested for possessing political written materials and accused of CPB membership. He is a former political prisoner.
Political Party / Role / Place		
Sentence / Legislation	3 years / UAA 17 (1)	
Date of Arrest	25/09/02	
Prison Held	Insein Prison	
Health Concerns	Asthma, mental problems	
Torture Concern	YES	
Profession	Private tuition teacher, sports writer	

41.

Name / Age	HLA WIN AKA HARON / Male, not known	The reason for his arrest is believed to be connected to Ko Aung Htun's preparation of a history of the student movement in Myanmar. He has had health problems in detention.
Political Party / Role / Place	North Dagon Yangon	
Sentence / Legislation	14 years / 1950 EPA, 5[j], PPRA 17/20	
Date of Arrest	January 1998	
Prison Held	Mawlamyine Prison	
Health Concerns	haemorrhoids	
Torture Concern		

Profession

42.

Name / Age	KHAMMASARA (U) AKA U SAN HLA / Male, c. 20 years old	He and 19 novice monks at Maha Gandayon monastery in Yangon were reportedly sentenced for refusing to eat a meal provided by Military Intelligence officials to the monastery.
Political Party / Role / Place	Magway Division	
Sentence / Legislation	Seven years / 1950 EPA, 5 [j] [d] 295 (1)	
Date of Arrest	November 2003	
Prison Held	Not known	
Health Concerns		
Torture Concern		
Profession	Novice Monk	

43.

Name / Age	KONTARA (U) AKA KYAW MYINT / Male, c. 20 years old	He and 19 others at Maha Gandayon monastery in Yangon were reportedly sentenced for refusing to eat a meal provided by Military Intelligence officials to the monastery.
Political Party / Role / Place	Sagaing Division	
Sentence / Legislation	Seven years / 1950 EPA, 5 [j] [d] 295 (1)	
Date of Arrest	November 2003	
Prison Held		
Health Concerns		
Torture Concern		
Profession	Novice Monk	

44.

Name / Age	KYAW WAI SOE AKA KYAW WEIGHT / Male, 26 years old	He was arrested under suspicion of involvement in plans by overseas groups to hold mass demonstrations, and for breaking the immigration act by illegally leaving the country. He was reportedly beaten on arrest.
Political Party / Role / Place	NLD / Mawlamyine-2 Mon State	
Sentence /	12 years'	

Legislation **imprisonment /
1950 EPA, 5 [j], 13
(1) of the
Immigration Act**

Date of Arrest **August 1999**

Prison Held **Tharawaddy
Prison**

Health Concerns

**Torture
Concern**

Profession

45.

Name / Age **KYAW ZIN HTWAY
(KO) / Male, not known**

**Political Party /
Role / Place** **ABFSU**

**Sentence /
Legislation** **28 years' / 1950 EPA,
5[j], UAA 17 (1)**

Date of Arrest **September 1998**

Prison Held **Pathein Prison**

Health Concerns **epilepsy**

Torture Concern **YES**

Profession **Clothes Shop Assistant**

He was arrested in connection with calls for the convening of parliament. He was transferred to another prison after taking part in a hunger strike in 2003 calling for the release of Aung San Suu Kyi.

46.

Name / Age **KYI THA NYEIN /
Male, dob c. 1977**

**Political Party /
Role / Place**

**Sentence /
Legislation** **21 or 14 years' imprisonment
PPRA 17/20**

Date of Arrest **September 1998**

Prison Held **Sittway Prison**

Health Concerns

**Torture
Concern**

Profession **Student
(Economics)**

He was arrested in connection with student demonstrations to support the convening of parliament.

(photograph from Myanmar TV broadcast of SPDC press conference on recent arrests, October 1998)

47.

Name / Age **LIN LIN TUN / Male,
not known**

Political Party / Role / Place	NLD Youth / Kamayut Yangon
Sentence / Legislation	42 years' imprisonment / 1950 EPA, 5[j]
Date of Arrest	September 1998
Prison Held	Mandalay Prison
Health Concerns	heart disease and gastric problems
Torture Concern	
Profession	Student

48.

Name / Age	MANDALA (U) AKA MYAT MAW / Male, c. 18 years old	He and 19 others at Maha Gandayon monastery in Yangon were reportedly sentenced for refusing to eat a meal provided by Military Intelligence officials to the monastery.
Political Party / Role / Place	Mon State	
Sentence / Legislation	Seven years / 1950 EPA, 5[j]	
Date of Arrest	November 2003	
Prison Held		
Health Concerns		
Torture Concern		
Profession	Novice Monk	

49.

Name / Age	KO MAUNG (KO) / Male, not known	
Political Party / Role / Place	NLD Youth / Yangon	He is believed to have been arrested in connection with activities showing support for the establishment of the CRPP.
Sentence / Legislation	or 24 years / 1950 Emergency Provisions Act, section 5 [j]	(photograph from Myanmar TV broadcast of SPDC press conference on recent arrests, October 1998)
Date of Arrest	02/09/98	
Prison Held	Myingyan Prison	
Health Concerns		
Torture		

Concern

Profession

50.

Name / Age

**MAUNG MAUNG
AYE AKA KO
BAYDAR (M) /
Male, not known**

He is believed to have been imprisoned for possessing printed political materials. This is his second prison term.

**Political Party /
Role / Place**

Yangon

**Sentence /
Legislation**

**3 years'
imprisonment / UAA
17 (1)**

Date of Arrest

25/09/02

Prison Held

Insein Prison

Health Concerns

**Torture
Concern**

Profession

51.

Name / Age

**MOE MAKHA / Male,
c.26 years old**

He was arrested in connection with a statement issued by the NLD headquarters in 2000, and given an additional two years' imprisonment for allegedly selling teak without the correct license.

**Political Party /
Role / Place**

**Taungoo Bago
Division**

**Sentence /
Legislation**

**9 years' imprisonment
/ 1950 EPA, 5 [j]**

Date of Arrest

2000

Prison Held

Toungoo Prison

Health Concerns

**Torture
Concern**

Profession

Student (Zoology)

52.

Name / Age

**MYINT YI / Male,
not known**

He was sentenced for possessing printed materials of a political nature. He is a former political prisoner.

**Political Party /
Role / Place**

**Sentence /
Legislation**

**Three years'
imprisonment / UAA
17 (1)**

Date of Arrest **September 2003**
Prison Held **Insein Prison**
Health Concerns
Torture Concern
Profession

53.

Name / Age **NANDATHIRI (U)**
AKA HTEIN LIN /
Male, c.20

Political Party /
Role / Place

Sentence /
Legislation **Seven years / 1950**
EPA, 5 [j] [d] 295 (1)
Date of Arrest **November 2003**
Prison Held
Health Concerns
Torture Concern
Profession **Novice Monk**

He and 19 others at Maha Gandayon monastery in Yangon were reportedly sentenced for refusing to eat a meal provided by Military Intelligence officials to the monastery.

54.

Name / Age **NANDIYA (U) AKA**
ZAW MOE TUN /
Male, c. 20

Political Party /
Role / Place **Sagaing Division**

Sentence /
Legislation **seven years / 1950**
EPA, 5 [j] [d] 295 (1)
Date of Arrest **November 2003**
Prison Held
Health Concerns
Torture Concern
Profession **Novice Monk**

He and 19 others at Maha Gandayon monastery in Yangon were reportedly sentenced for refusing to eat a meal provided to the monastery by Military Intelligence officials.

55.

Name / Age **NAY LIN SOE / Male,**
not known

Political Party /
Role / Place **DPNS / Insein Yangon**

Sentence / **14 years' imprisonment**

Nay Lin Soe was arrested in February 1998 in connection with activities calling for the reopening of universities and for allegedly having links with opposition groups in

Legislation / 1950 EPA, 5 [j], UAA, 17 (1) exile.

Date of Arrest February 1998

Prison Held Kalay Prison

Health Concerns serious eye problems, malaria, mental illness, other health problems

Torture Concern YES

Profession Student (Physics)

56.

Name / Age NE OO (KO) / Male, not known

Political Party / Role / Place NLD TOC chairman / Dagon Myothit township Yangon

He was sentenced with 40 other political activists, including individuals penalized for writing a student history.

Sentence / Legislation 14 years' imprisonment, 1950 EPA, 5 [j], 17 (1)

Date of Arrest 01/01/1998

Prison Held Kalay Prison

Health Concerns malaria and gastric ulcer

Torture Concern

Profession

57.

Name / Age NILAR THEIN (MA) / f

Political Party / Role / Place Yangon

She has been imprisoned in connection with student demonstrations that took place in Yangon in December 1996. Students had demonstrated in Yangon and Mandalay in protest at the alleged beating in custody of three students by police officers. They also called for permission to form a student union, the release of student political prisoners and improvement in educational standards.

Sentence / Legislation 10 years' imprisonment / 1950 EPA, 5 [j], UAA, 17 (1)

Date of Arrest 30/12/96

Prison Held Tharawaddy Prison

Health Concerns Rheumatic heart disease

Torture Concern

Profession University student

(physics)

58.

Name / Age	NYEIN (KO) / Male, c.60	He was accused by authorities in a press conference of acting on behalf of the CPB to steer student demonstrations in favour of the legitimisation of student unions. He was reportedly badly tortured, including by being deprived of sleep, and sustained medical injuries as a result.
Political Party / Role / Place	Alleged CPB / Salin Magway Division	
Sentence / Legislation	19 years' imprisonment / 1950 EPA, 5[j], UAA, 17(1), PPRA 17/20	
Date of Arrest	29 December 1996	
Prison Held	Tharawaddy Prison	
Health Concerns	heart disease	
Torture Concern	YES	
Profession	Poet	

59.

Name / Age	NYI NYI AKA MYO SAN / Male, not known	He is believed to have been arrested in connection with student demonstrations calling for the legitimisation of student unions and the release of student political prisoners.
Political Party / Role / Place	DPNS	
Sentence / Legislation	10 years / 1950 EPA, 5 [j], UAA, 17 (1)	
Date of Arrest	December 1996	
Prison Held	Myaungmya Prison	
Health Concerns		
Torture Concern		
Profession	Student	

60.

Name / Age	PANYATHIHA (U) AKA U NYO THWIN / Male, c. 20 years old	He and 19 others at Maha Gandayon monastery in Yangon were reportedly sentenced for refusing to eat a meal provided by Military Intelligence officials to the monastery.
Political Party / Role / Place	Sagaing Division	
Sentence / Legislation	Seven years / 1950 EPA, 5 [j] [d] 295 (1)	
Date of Arrest	November 2003	
Prison Held		

Health Concerns**Torture
Concern****Profession****Novice Monk**

61.

Name / Age**PHO WAI MIN/ male
dob 1981**

He was arrested in connection with plans for demonstrations in Bago division. People arrested in this area were reportedly severely tortured.

**Political Party /
Role / Place****Bago Division****Sentence /
Legislation****25 years with hard
labour / 1950 EPA, 5
[j], UAA 17 (1), (2)****Date of Arrest****August 1999****Prison Held****Thayet Prison****Health Concerns****Torture
Concern****Profession****Student**

62.

Name / Age**PINYANANDA (U),
AKA MIN MOE /
Male, not known**

He and 19 others at Maha Gandayon monastery in Yangon were reportedly sentenced for refusing to eat a meal provided by Military Intelligence officials to the monastery.

**Political Party /
Role / Place****Sagaing****Sentence /
Legislation****Seven years / 1950
EPA, 5 [j] [d]****Date of Arrest****November 2003****Prison Held****Health Concerns****Torture
Concern****Profession****Novice Monk**

63.

Name / Age**SANANDA WARA (U)
AKA SAN WIN HTUT
/ Male, c.20**

He and 19 others at Maha Gandayon monastery in Yangon were reportedly sentenced for refusing to eat a meal provided by Military Intelligence officials to the

**Political Party /
Role / Place****Sentence /
Legislation****Seven years / 1950
EPA, 5 [j] [d] 295 (1)**

Date of Arrest	November 2003	monastery.
Prison Held		
Health Concerns		
Torture Concern		
Profession	Novice Monk	
64.		
Name / Age	SANDAZAWTI (U) AKA NYAN LIN / Male, not known	He and 19 novice monks at Maha Gandayon monastery in Yangon were reportedly sentenced for refusing to eat a meal provided by Military Intelligence officials to the monastery.
Political Party / Role / Place		
Sentence / Legislation	Seven years / 1950 EPA, 5 [j] [d] 295 (1)	
Date of Arrest	November 2003	
Prison Held		
Health Concerns		
Torture Concern		
Profession	Monk	
65.		
Name / Age	SARSANA (U) AKA THUYIN / Male, not known	He and 19 others at Maha Gandayon monastery in Yangon were reportedly sentenced for refusing to eat a meal provided to the monastery by Military Intelligence officials.
Political Party / Role / Place		
Sentence / Legislation	Seven years / 1950 EPA, 5 [j] [d] 295 (1)	
Date of Arrest	November 2003	
Prison Held		
Health Concerns		
Torture Concern		
Profession	Novice Monk	
66.		
Name / Age	SEKKEINDA (U) AKA U MYINT / Male, c. 18 years old	He and 19 others at Maha Gandayon monastery in Yangon were reportedly sentenced for refusing to eat a meal provided by Military Intelligence officials to the monastery.
Political Party / Role / Place	Sagaing Division	
Sentence / Legislation	Seven years / 1950 EPA, 5 [j] [d] 295 (1)	

Date of Arrest November 2003

Prison Held

Health Concerns

**Torture
Concern**

Profession Novice Monk

67.

Name / Age SURIA aka THURIYA
(U) / Male, not known

**Political Party /
Role / Place**

**Sentence /
Legislation** Seven years / 1950
EPA, 5 [j] [d] 295 (1)

Date of Arrest November 2003

Prison Held

Health Concerns

**Torture
Concern**

Profession

He and 19 others at
Maha Gandayon
monastery in Yangon
were reportedly
sentenced for refusing to
eat a meal provided by
Military Intelligence
officials to the
monastery.

68.

Name / Age THANANDA (U) AKA
MAUNG SWE / Male,
not known

**Political Party /
Role / Place**

**Sentence /
Legislation** Seven years / 1950 EPA
5 [j]

Date of Arrest November 2003

Prison Held

Health Concerns

**Torture
Concern**

Profession Novice Monk

He and 19 novice
monks at Maha
Gandayon monastery in
Yangon were reportedly
sentenced for refusing to
eat a meal provided by
Military Intelligence
officials to the
monastery.

69.

Name / Age TIN OO / Male, not
known

**Political Party /
Role / Place** NLD / Yangon

**Sentence /
Legislation** 12 years

He was arrested with a
group of NLD members
and allegedly sentenced
for passing information
to opposition groups in
exile.

Date of Arrest December 2003
Prison Held Mandalay Prison
Health Concerns
Torture Concern
Profession

70.

Name / Age	VIPULLA (U) AKA HLA THAN HTEIK / Male, c.20	He and 19 others at Maha Gandayon monastery in Yangon were reportedly sentenced for refusing to eat a meal provided by Military Intelligence officials to the monastery
Political Party / Role / Place	Mon State	
Sentence / Legislation	Seven years / 1950 EPA, 5 [j] [d]	
Date of Arrest	November 2003	
Prison Held		
Health Concerns		
Torture Concern		
Profession	Novice Monk	

71.

Name / Age	VIRAZAYA (U) AKA CHIT MYO / Male, not known	He was reportedly sentenced with a group of novice monks for refusing to eat a meal offered to them by Military Intelligence officials.
Political Party / Role / Place	Mandalay	
Sentence / Legislation	Seven years	
Date of Arrest	November 2003	
Prison Held		
Health Concerns		
Torture Concern		
Profession	Novice Monk	

72.

Name / Age	WANNATHARMI (U) AKA WIN SAUNG / Male, c. 18 years old	He and 19 others at Maha Gandayon monastery in Yangon were reportedly sentenced for refusing to eat a meal provided by Military Intelligence officials to the
Political Party / Role / Place		
Sentence /	Seven years / 1950	

Legislation EPA, 5 [j] [d] 295 (1) monastery.
Date of Arrest November 2003
Prison Held
Health Concerns
Torture Concern
Profession

73.

Name / Age WARYAMEINDA (U) AKA WIN BO / Male, c. 18 He and 19 others at Maha Gandayon monastery in Yangon were reportedly sentenced for refusing to eat a meal provided by Military Intelligence officials to the monastery.
Political Party / Role / Place Sagaing
Sentence / Legislation Seven years / 1950 EPA, 5 [j] [d] 295 (1)
Date of Arrest November 2003
Prison Held
Health Concerns
Torture Concern
Profession Novice Monk

74.

Name / Age WISAREINDA AKA KYAW NIN OO / Male, not known He and 19 others at Maha Gandayon monastery in Yangon were reportedly sentenced for refusing to eat a meal provided by Military Intelligence officials to the monastery.
Political Party / Role / Place
Sentence / Legislation Seven years / 1950 EPA, 5 [j] [d] 295 (1)
Date of Arrest November 2003
Prison Held
Health Concerns
Torture Concern
Profession Novice Monk

75.

Name / Age YA MA AKA THET HTUT NAING / Male, 19 years old Aged 15 at time of arrest, he was sentenced for alleged involvement in plans to demonstrate in Bago division.
Political Party / Role / Place Bago Division

Sentence / Legislation	not known	Persons arrested at this time in Bago division were reportedly subjected to strong torture. His brother is also believed to have been detained during demonstrations in 1998.
Date of Arrest	1999	
Prison Held	Thayet Prison	
Health Concerns		
Torture Concern	YES	
Profession		

76.

Name / Age	YE NAING WIN / Male, not known	He was arrested in connection with student demonstrations in favour of the legitimisation of student unions and the release of political prisoners. He was reportedly tortured in interrogation and sustained injuries. He was reportedly denied legal representation at his trial.
Political Party / Role / Place	DPNS / North Dagon Yangon	
Sentence / Legislation	19 years, commuted to 10 years by SLORC amnesty 01/12/97 / Section 5 [j] of the 1950 Emergency Provisions Act; UAA 17 (1)	
Date of Arrest	December 1996	
Prison Held	Myingyan Prison	
Health Concerns	has had liver disease	
Torture Concern	YES	
Profession	Builder	

77.

Name / Age	YEWATA (U) AKA U KYIN HLAING / Male, not known	He and 19 novice monks at Maha Gandayon monastery in Yangon were reportedly sentenced for refusing to eat a meal provided by Military Intelligence officials to the monastery.
Political Party / Role / Place		
Sentence / Legislation	Seven years / 1950 EPA, 5 [j] [d] 295 (1)	
Date of Arrest	November 2003	

Prison Held

Health Concerns

**Torture
Concern**

Profession Novice Monk

78.

Name / Age YUGANDARA
(U) AKA U NYO /
Male, not known

**Political Party /
Role / Place** Sagaing Division

**Sentence /
Legislation** Seven years / 1950
EPA, 5 [j] [d] 295
(1)

Date of Arrest November 2003

Prison Held

Health Concerns

**Torture
Concern**

Profession

He and 19 novice monks at
Maha Gandayon monastery in
Yangon were reportedly
sentenced for refusing to eat a
meal provided by Military
Intelligence officials to the
monastery.

79.

Name / Age ZAW ZAW LAT
(KO) AKA ZAW
GYI / Male, dob 1979

**Political Party /
Role / Place** NLD / Bago Division

**Sentence /
Legislation** 25 years with hard
labour / 1950
Emergency
Provisions Act,
Section 5 [j], PPRA
17/20

Date of Arrest July 1999

Prison Held Thayet Prison

Health Concerns

**Torture
Concern**

Profession Boxing Trainer

He was arrested in
connection with a planned
demonstration in July
1999 to commemorate the
assassination of
independence campaigner
General Aung San.
Persons arrested in Bago
division at this time are
reported to have been
severely tortured. His
father, U Zaw Myint, was
also reportedly released
from Thayet Prison.