

PUBLIC

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20 January 2006

UA 15/06 **Possible "disappearance"/Fear of torture/ Arbitrary detention**

**MYANMAR/
INDIA** **Chit Thein Tun (m), aged 42, liaison officer of Burmese Solidarity Organization (BSO)
Maung Maung Oo (m), aged 40, BSO representative
Ma Hnin Hnin (f), aged 24, wife of Chit Thein Tun
Ei Po Po (f), aged 4, daughter of Chit Thein Tun and Ma Hnin Hnin**

Maung Maung Oo and Chit Thein Tun, Burmese refugees working for the Indian-based organization, the Burmese Solidarity Organization (BSO), are believed to be in the custody of the Myanmar army after reportedly being abducted by armed men close to the Indian border with Myanmar. Their whereabouts are unknown and they may be at risk of torture. Ma Hnin Hnin, wife of Chit Thein Tun, and their four-year-old daughter Ei Po Po are believed to be in police custody in Sagaing Division, Myanmar.

On 14 January, Maung Maung Oo and Chit Thein Tun were at Maung Maung Oo's home in the town of Moreh in Manipur, northeastern India, which is also the office of the BSO, an organization working with Burmese refugees in India. Moreh is 1km from the border with Myanmar, which is reportedly relatively easy to cross. At about 10.30pm, they were reportedly abducted by some 25 men, dressed in black and armed with AK47 rifles and pistols, who spoke Burmese and the local Manipuri language.

The unidentified men reportedly took Maung Maung Oo and Chit Thein Tun across the border into Myanmar. When Maung Maung Oo and Chit Thein Tun tried to escape, they were severely beaten with firewood, and Chit Thein Tun received head injuries. It is believed that they have been handed to the Myanmar army and are under interrogation in Burmese military custody, in either Tamu, Sagaing Division, close to the Indian border, or in the capital, Yangon. The reason for their abduction and reported detention is not known. Torture and ill-treatment in interrogation is common in Myanmar, particularly during incommunicado detention.

Ei Po Po and her mother Ma Hnin Hnin are believed to be detained in a police station in Tamu. They are normally resident with Chit Thein Tun in India, but were visiting relatives in Myanmar when they were reportedly arrested on the night of 16 January by the security forces in Yan Lem Phai village, Sagaing Division. They are reportedly being detained separately. It is not known why they have been detained.

BACKGROUND INFORMATION

Maung Maung Oo and Chit Thein Tun left Myanmar for India in 1988, after the violent suppression by the Myanmar authorities of demonstrations against one-party rule. Thousands of people were killed by security forces and hundreds imprisoned for demonstrating or expressing their opposition to decades of military rule. They were previously members of the All Burma Students Democratic Front (ABSDF), a coalition of Burmese students in exile, which has engaged in armed opposition to the ruling military authorities in Myanmar. The organization they currently work for, the BSO, provides training in health, computer skills and advocacy for Burmese refugees and ethnic groups along the Myanmar/Indian border.

Myanmar is a state party to the UN Convention on the Rights of the Child (CRC), which states that " a child shall not be separated from his or her parents against their will, except when competent authorities subject to judicial review determine, in accordance with applicable law and procedures, that such separation is necessary for the best interests of the child." The CRC also states that "No child shall be deprived of his or her liberty unlawfully or arbitrarily."

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible:

To the Myanmar authorities, in Burmese or your own language:

- expressing concern at reports that the Myanmar army in Tamu, Sagaing Division has detained Maung Maung Oo and Chit Thein Tun, Myanmar refugees resident in India, after they were reportedly abducted and taken against their will to Myanmar; that their current whereabouts are unknown and therefore they may have “disappeared”;
- urging that the Myanmar authorities establish their whereabouts as soon as possible and allow them to return to India;
- expressing concern that the wife of Chit Htein Tun, Ma Hnin Hnin, and their four-year-old daughter, Ei Po Po, have reportedly been detained in Tamu;
- urging that Ma Hnin Hnin either be charged with a recognizably criminal offence or immediately and unconditionally released, and in the interim be granted access to lawyers, family, and medical care, and the ability to challenge the lawfulness of their detention before a civilian court in accordance with international standards of fairness.
- expressing particular concern at reports that Ei Po Po, aged 4, has been held separately from her mother;
- urging that Myanmar adheres to its obligations under the UN Convention on the Rights of the Child, and either release her from detention immediately, or if there is no available care meeting her best interests, treat her in a manner which takes into account the needs of a child of her age until her mother is released.

To the Indian authorities, in English or your own language:

- expressing concern at the reported abduction of Burmese refugees Maung Maung Oo and Chit Thein Tun from Indian territory;
- calling on the authorities to investigate this incident and bring those found responsible to justice;
- urging that they make urgent enquiries with the Myanmar authorities regarding the fate of Maung Maung Oo and Chit Thein Tun, who have reportedly “disappeared” in military custody in Myanmar, and request their immediate return to India;
- urging that they allow Ei Po Po and Ma Hnin Hnin to re-enter Indian territory and to re-avail themselves of international protection.

APPEALS TO:

Myanmar

General Than Shwe
Chairman, State Peace and Development Council, and Minister of Defence
c/o Ministry of Defence
Ahlanpya Phaya Street
Yangon, Union of Myanmar

Salutation: Dear General

Brigadier General Tha Aye
Chairman Sagaing State Peace and Development Council, Commander Northwest Military Command
c/o Ministry of Defence
Ahlanpya Phaya Street
Yangon, Union of Myanmar

Salutation: Dear Major General

India

Shivraj Patil
Minister of Home Affairs
Government of India
104-107 North Block
New Delhi 110 001, India

Salutation: Dear Minister

COPIES TO:

Major General Maung Oo
Minister of Home Affairs and chairman of the Myanmar Human Rights Committee
Ministry of Home Affairs
Corner of Saya San Street and No 1 Industrial Street,
Yankin Township
Yangon, Union of Myanmar

B. Ahamed
Minister of State for External Affairs
172 South Block
New Delhi 11001, India
Fax: + 91 112 309 4221

and to diplomatic representatives of Myanmar and India accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 3 March 2006.