

## **Statement by the Asian Human Rights Commission**

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*Press Release: Asian Human Rights Commission*

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The numbers of persons and Buddhist monks and nuns who have been taken into custody in Burma during recent days remains unknown. This is largely because none of them have been taken in accordance with any law. There has not even been the pretence of law as normally exists in Burma.

Hundreds have been rounded up from in and around protest sites, and in virtually every township of Rangoon there are reports of persons having left their homes in the morning who have not come back at night. But many more have been taken directly from their houses and offices around the country, especially members of the National League for Democracy, lawyers and human rights defenders. Those taking people away have included soldiers, police, local council officials, members of the quasi-government Union Solidarity and Development Association and government-organised Swan-arshin gangs, and others. For the most part, where they are being detained and what is likely to happen to them also remains unknown: thus the Asian Human Rights Commission (AHRC) has said that these persons should be treated as forcibly disappeared until shown otherwise, and their removal be treated as abduction rather than arrest.

There are already reports emerging of torture and inhuman treatment of these detainees. At least one witness at the Government Technological Institute, where hundreds of monks are reportedly being held, having been disrobed, said that he saw a soldier whipping a monk with a belt. At least three persons and one monk who were receiving emergency treatment at the Rangoon General Hospital were reportedly removed while still getting medical attention and taken to undisclosed locations. Four detainees taken to Insein Prison after the protests in August were said to have been transferred to the jail hospital where they were kept isolated from other inmates, also having been seriously tortured.

In November 2004 the Thailand-based Association for the Assistance of Political Prisoners (Burma) released a report on the jailing and torture of hundreds of monks after the 1988 protests and the last mass-boycott of the military regime was declared in 1990, and again after a boycott in Kyaukse, upper Burma, during 2003.

Descriptions by monks in that report give a clear indication of what their counterparts will be going through today. According to U Kumuda, who was imprisoned for five years from 1989,

"They forced me to stand on the toes of one foot and to stretch out my arms. They placed very sharp needles in the arch of the foot I stood on. Sometimes, my hands were tied behind my back and I was then kicked and beaten from both in front and behind while being veiled with a plastic bag. They shouted at me, 'Why didn't you live peacefully and luxuriously as a monk? Why did you participate in political movements? That's none of your business.'"

U Kumuda was sent to a forced labour camp in the north of the country where, he alleges, the work on a hydro-electric power plant was under supervision of Japanese engineers. "They noticed us working with iron shackles but they did not ask anything," he said. Throughout his time working at that site, he and the other prisoners were also routinely beaten. Subsequently, he was transferred to work as a porter in civil war area near to Thailand, from where he escaped. "I had not known I would be imprisoned and sent to work as a porter until my death for organising and standing on the side of the people," he concluded.

It is safe to assume that the monks and persons alike who have been taken into detention by illegal methods in Burma during recent days will be subjected to torture and cruel and inhuman treatment. This is incidental to the lack of medical treatment, nutritious and adequate food, hygienic conditions and other aspects of prison life in Burma that have caused former inmates to describe the country's jails system as a living hell, and leave most who survive with permanent physical and psychological damage.

The Asian Human Rights Commission thus reiterates its calls for the international community--and in particular the UN Human Rights Council through its special session on Burma this week--to demand that the government of Burma immediately:

1. Reveal in full the whereabouts and physical circumstances of all detained persons and the remains of all those who have died;
2. Enable the International Committee of the Red Cross (ICRC), concerned United Nations agencies and other relevant agencies to establish centres where incidents of disappearance, torture and extrajudicial killing can be reported, documented and investigated.
3. Show evidence of under what laws and legal procedures all recently-detained persons have been arrested and are being held;
4. Bring all detained persons before courts of law within 24 hours as required by section 61 of the Criminal Procedure Code, and guarantee their personal integrity at all times;
5. Provide detainees with unrestricted access to family members, lawyers and the ICRC;
6. Conduct judicial inquests into the deaths of all persons fired upon or assaulted by security forces, or otherwise killed under unnatural circumstances;
7. Permit access to the country by key United Nations experts, including the Special Rapporteurs on Myanmar, torture, and extrajudicial killings, and members of the Working Groups on arbitrary detention and enforced disappearances; and,
8. Agree to the establishing of a UN observer mission to be dispatched to the country within the shortest possible time, under the auspices of the Secretary General, to prevent further incidents of torture, arbitrary detention, forced disappearance and killing.

In the event that the authorities in Burma fail to comply with these requests--which amount to no more than calls for adherence to domestic standards and little more than the

minimum requirements of international law--the AHRC calls for the United Nations and all concerned international and bilateral agencies to review immediately their operations in Burma with a view to withdrawing all non-essential activities until such a time as the government there indicates its willingness to cooperate.

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*About AHRC: The Asian Human Rights Commission is a regional non-governmental organisation monitoring and lobbying human rights issues in Asia. The Hong Kong-based group was founded in 1984.*

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