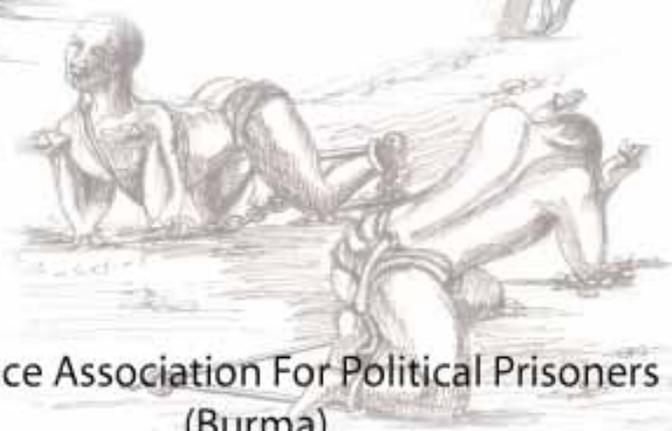




**The Darkness We See :**



**Torture  
in  
Burma's  
Interrogation Centers  
and  
Prisons**



Assistance Association For Political Prisoners  
(Burma)

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## **Foreword**

There is an increased focus on the conditions for prisoners and others who are kept in detention in the world today and there are good reasons for that. The number of prisoners worldwide is increasing.

The bad news is that the International Rehabilitation Council for Torture Victims again and again receives alarming reports describing torture in interrogation centres, places of detention and prisons.

The good news is that today we do have the international instruments that are needed to improve the conditions for detainees. There is a total prohibition of torture in the United Nations Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment.

The Optional Protocol to the Convention against Torture provides the establishment of national as well as international visiting mechanism to monitor the conditions in detention places in each country.

It is beyond doubt that Burma will benefit from international visiting mechanisms, which comprise of independent doctors and other medical professionals amongst a multidisciplinary team. From this report it is evident that Burma must improve the prison conditions. The torture as described by former prisoners has been physical, psychological and sexual. The inhuman prison conditions give rise to disease and illness among the prisoners. The standard of the prison health care system amounts not only to ill-treatment but to torture.

Safe spaces for an ongoing dialogue are necessary and even a pre-requisite to fight against torture and cruel and inhuman or degrading treatment in places of detention and prisons. It is commendable that the authors of this report at the risk of their own lives have provided such a detailed analysis of the torture that has taken place in Burma. Documentation such as in this report is the very basis to inform our thinking about how best to promote change. It is a prerequisite for the prevention of torture as well as for the rehabilitation of torture victims.

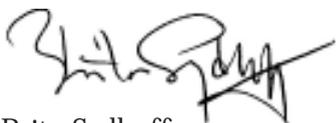
In order to improve the Burmese detention and prison conditions, the IRCT advises the government of Burma to pay attention to the fact that medical knowledge is important during prison visits and to assure that there are people with the necessary medical knowledge among the members of the national visiting mechanism.

It goes without saying that the first step for the Burmese government must be to ratify the UN Convention against Torture as well as the optional protocol to the convention.

According to the UN Convention against Torture the torture survivors have the right to rehabilitation and redress. Doctors and lawyers must be trained so that they are aware of the national and international human rights instruments related to torture. The doctors and lawyers must furthermore receive training in the documentation and investigation of torture so that the perpetrators can be brought to justice.

The IRCT and its global partners offer its full co-operation in assisting the Burmese government in the process that leads to ratification of the UN Convention and the Optional Protocol to the Convention.

It has taken 20 years to build the knowledge that the health profession today has about torture. The former political prisoners in Burma have not had access to adequate medical support. They have to live with the multi-faced sequelae that they suffer as a result of the torture. The longer you have to suffer without treatment, the longer it will take for you to recover and become part of society again. The IRCT offers its full co-operation in the efforts to establish rehabilitation facilities in order to limit the suffering for current and future generations of Burmese. The establishment of rehabilitation centres for torture victims is probably the best way to help the survivors.



Brita Sydhoff,  
Secretary-General

International Rehabilitation Council for Torture Victims (IRCT)

## **Executive Summary**

*"The release of political prisoners is the most important thing for all those who truly wish to bring about change in Burma." <sup>1</sup>*

In June 2005, many world leaders gathered to call for the release of Daw Aung San Suu Kyi, the General Secretary of the National League for Democracy (NLD) and Nobel Peace Laureate. Their actions imply a commitment to ensuring Burma begins an earnest transition to democracy. Prior to beginning her third period of house arrest, Daw Aung San Suu Kyi reminded the world that such change can not come about until all political prisoners in Burma are released.

In March 1988, a teashop brawl between students and local authorities sparked the long latent desire of the people of Burma for democracy and human rights. In the months that followed, unrest spread throughout the country as people from all walks of life began to gather and voice their demands to the military dictatorship. The unrest culminated on August 8, 1988 as thousands joined in an uprising that would shake the ruling regime. However, the military regime quickly regrouped, killing thousands of demonstrators and arresting and imprisoning thousands more. Most of those arrested and detained then and in the following seventeen years have been subjected to torture and ill-treatment while in the country's interrogation centers and prisons.

Most recently, Aung Hlaing Win, a 30-year old member of the National League for Democracy, was attacked by government authorities in May 2005 and brought to an interrogation center where he was tortured to death. Though an autopsy revealed his body had marks consistent with torture, Aung Hlaing Win's death was ruled a result of natural causes. He was buried without his family's knowledge, and the authorities attempted to bribe his family to keep quiet. The authorities who tortured him are known and though

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<sup>1</sup> Daw Aung San Suu Kyi. *A Message from Daw Aung San Suu Kyi*, August 2002.

his family has filed his case in court, the case has consistently been rejected. No action has been taken against his torturers.

The State Peace and Development Council (SPDC), the current moniker for the military regime which has ruled Burma since 1962, refutes the claims of torture and ill-treatment in its interrogation centers and prisons, and even denies that there are political prisoners. However, as former political prisoners flee to countries bordering Burma, they are able to recount the torture and ill-treatment which they suffered, as well as that which they witnessed. The credible testimony of several former political prisoners invalidates the SPDC's claim that torture and ill-treatment are not used in the interrogation centers and prisons.

The Assistance Association for Political Prisoners (AAPP) has conducted interviews with thirty-five former political prisoners to detail the torture and ill-treatment inflicted on political prisoners while in the interrogation centers and prisons, and to show the physical and psychological effects of this torture and ill-treatment. All persons interviewed for this report were tortured in one of the country's many interrogation centers before being imprisoned in one of the country's forty-three prisons where torture was justified as both official and unofficial punishment for breaking arbitrary prison rules. Except for one, all persons interviewed were actively involved in movements opposing the SPDC prior to their arrest; most were student leaders in the 1988 democracy uprising.

There are five components of this report:

- o *Legal Framework Prohibiting Torture and Ill-Treatment.* Through the promulgation of 'security' legislation, arbitrary detention, failure to provide detainees with fair trials, and tacit approval of torture and ill-treatment, the SPDC has flouted international law and avoided being held accountable for their actions. This section looks at international standards prohibiting torture and ill-

treatment, the SPDC's abuse of the justice system, and the possibilities for bringing the torturers to justice.

- o *Torture in the Interrogation Centers and Prisons.* The same methods of torture have been used over the past seventeen years on political prisoners, varying only according to the torturers' imaginations. The torture detailed here is that recounted by the interviewed former political prisoners. Though divided into physical, psychological and sexual abuse, the testimonies of those interviewed revealed the deep psychological impact of all torture.
- o *General Prison Conditions.* This section looks at the cell conditions, hard labor, food provisions and hygiene for political prisoners. The inhuman prison conditions give rise to disease and illness among the prisoners. The deliberate aggravation of prison conditions and the suffering arising from such conditions raise the possibility that these conditions should be classified as torture, as opposed to ill-treatment.
- o *Prison Health Care System.* The prison health care system is such that it too may rise to the standard for torture and not just ill-treatment. This section examines the illnesses contracted in prison, the medications provided to political prisoners, the poor quality of the prison hospital, and the incompetence of the prison doctors. The management of political prisoners' health is purposefully incompetent, and causes needless suffering for many.
- o *The Future for Political Prisoners.* Torture and ill-treatment create physical and mental suffering which former political prisoners must contend with for the remainder of their lives. The physical and psychological effects of torture and ill-treatment are often ignored by former political prisoners for fear of being perceived

weak, and, in the case of mental suffering, 'mad.' Many former political prisoners also must overcome the social stigma attached to them, and struggle to re-establish their identities. Rehabilitation and counseling for former political prisoners in Burma is needed.

The treatment of political prisoners is a reflection on the political situation in Burma. It is clear that torture is state policy for the SPDC. Torture is endemic in Burma's interrogation centers and prisons and serves the dual function of breaking down suspected political dissidents and creating a climate of fear. The people of Burma all fear acting in any manner that could be perceived as in opposition to the SPDC, as they know such actions can lead to arrest, torture and long-term imprisonment, all with impunity.

## **Recommendations**

The Assistance Association for Political Prisoners (AAPP) recommends that:

### **The United Nations (UN)**

- o The UN Security Council appoint the Secretary-General as the Council's special representative to Burma, and request periodic updates to the Council on his efforts and progress;
- o The UN Commission on Human Rights condemn torture, ill-treatment and arbitrary detention in Burma's interrogation centers and prisons in its annual resolution on the situation of human rights in Burma.

### **The State Peace and Development Council (SPDC)**

- o The SPDC release all political prisoners immediately and unconditionally;
- o The SPDC release all severely ill political prisoners on humanitarian grounds (See Appendix E for list);

- o The SPDC ratify the International Covenant on Civil and Political Rights (ICCPR) and the Convention Against Torture (CAT), and implement substantive measures to bring the behavior and treatment in the interrogation centers and prisons into compliance with these treaties;
- o The highest authorities in the SPDC condemn torture publicly and issue orders to the Military Intelligence, the police force, prison officials and all authorities involved in interrogation and imprisonment not to torture or ill-treat anyone in their custody;
- o The SPDC revise the Burmese Penal Code so that torture is defined and designated as a grave crime;
- o The SPDC adopt measures to prevent torture in detention by ending the practice of incommunicado detention and allowing prompt access to lawyers, medical professionals and family, and assuring a prisoner is expeditiously brought before a judicial authority after being taken into custody;
- o The SPDC investigate all allegations of torture, ill-treatment and death in custody in a prompt, impartial and effective manner, and bring the perpetrators of torture and ill-treatment to justice according to the rule of law.

## **Governments**

- o Governments demand the SPDC release all political prisoners immediately and unconditionally;
- o Governments denounce torture without reservation and call on the SPDC to do the same;
- o Governments increase pressure on the SPDC to engage in meaningful dialogue with the National League for Democracy (NLD) and representatives of ethnic nationalities;
- o Governments implement and maintain economic sanctions and withhold development and loan or debt assistance until significant improvement has been made in the human rights situation, particularly as regards arbitrary detention and torture, as independently verified;

- o Governments seek to ensure that the families of political prisoners benefit from all forms of assistance without undue restrictions by the SPDC.

### **NGOs and International Organizations**

- o Organizations join the international campaign to stop torture, ill-treatment and arbitrary detention in Burma through advocacy and public statements;
- o Non-Governmental Organizations (NGOs) work to build the capacity of former political prisoners to document human rights violations in the interrogation centers and prisons;
- o NGOs seek to assist former political prisoners inside Burma in rehabilitation and counseling for trauma;
- o NGOs look to provide assistance to the families of political prisoners so that they are able to visit their loved ones in prison, assist their loved ones with health care needs, and address their own educational and professional needs.

## **I. Introduction**

Midnight. You hear many people pounding away at your door, demanding you open up. You make one last-ditch effort to hide the incriminating evidence, though you know they are only documents calling for democracy in your country. They pose no threat to anyone, except the brutal minds of your captors. You tell your family to remain calm; everything will be OK. Your heart is pounding, your mind racing. You open the door slightly and the authorities push their way into your home, overturning everything and demanding you come with them. They show no warrant; there is no need for legal matters when the authorities decide to take you away.

You are hooded and handcuffed; now you must rely entirely on your captors. You are made to lie down in the back of a van, a gun held at your back. As the van moves along, you pray the gun will not accidentally go off. You are not told where you are going, and there is no point in asking. Suddenly, the van stops and you hear the cruel voices of your captors ordering you to get out, to jump, to duck, to twist, to turn, all for their amusement. You are taken to a small room where the torture begins. You are stripped naked and are beaten until you lose consciousness. You are awakened when your captors drench you with a bucket of water. The beatings begin again. This time a rod is run up and down your shins until you scream out in agony as your flesh peels off. Your captors are laughing and threatening to kill you and your family. You remain hooded and handcuffed, unable to defend yourself or move away. You are humiliated, made to pretend you are riding motorcycles and airplanes. You sit and stand continuously until you are exhausted, all the while being beaten. You are forced to hold unnatural positions for extended periods of time until you collapse. You are denied food, water, sleep and must beg to use the toilet. You are degraded, bruised and battered. Your entire existence is reduced to the struggle to survive.

Finally, the torture stops and again you are hooded and taken to prison, which will be your home for the next seven years or more. So far, you have not been allowed to see your family or a lawyer, and you have no idea when

you will be sentenced. You are placed in a cell with five of your colleagues, two criminals and several rats. You are given undercooked and dirty food to eat. You sleep on the cold concrete. Your toilet is a small pot which overflows, creating maggots and a foul, nauseating smell. You are allowed seven plates of water to wash your self. You have nothing to read, no mental stimulation. Your cell is so dark and damp that reading materials would not much matter. You are finally brought to court where you have a five minute trial. Your sentence is read out; you have no opportunity to defend yourself.

You are taken back to prison; the conditions are the same. You become ill, but are not allowed to see a doctor. Your condition worsens; still, no doctor, no medication. You must wait until your next family visit to receive medication. You have been placed in a prison hundreds of miles away from your family's home. By the time they visit, you are no longer ill. You have managed to ride out your illness. Your other colleagues are not so lucky.

The years pass. One day you are told you will be released. You are prepared to go, standing at the gate, in site of your family, when the authorities re-arrest you. You will be held five more years, though they do not charge you or put you on trial. You want to complain, but fear the torture that would ensue.

You are finally released. You arrive home to find your mother has died while you were imprisoned. Your spouse has married another person. Your children struggle to remember you. You try to find work or restart your education, anything to regain the identity that was stolen from you when you were tortured and imprisoned. You cannot find employment, the universities turn you away. The Military Intelligence follows you and your family. You fear being re-arrested. You become depressed and feel marginalized. Your old friends no longer want to associate with you. You are misunderstood, but how can you explain yourself? You decide there is no future for you in your own country. You flee in the dark of night to an uncertain future.

You are a political prisoner from Burma.

## **II. Legal Framework Prohibiting Torture and Ill-Treatment**

A legal framework has been developed in the international community which protects against unlawful detention and strictly prohibits torture and ill-treatment. Moreover, the past decade has seen a strengthening of legal measures to bring torturers to justice. This section looks at the international legal standards prohibiting torture and ill-treatment, the abuse of the justice system by the SPDC leading to torture and ill-treatment, and the possibilities for prosecuting the torturers in Burma's interrogation centers and prisons.

### International Provisions against Torture and Ill-Treatment

As part of customary international law, which results from countries agreeing to certain norms as law, prohibition of torture has been defined as a 'peremptory' norm, which binds a state to uphold prohibition even if it disagrees or does not actively agree to such action through ratification of human rights treaties. There are no circumstances under which torture can be justified, not in time of war, under threat of war, or when facing internal instability or a state of emergency. Under international human rights law, prohibition of torture is absolute.

International treaties which include prohibitions of torture are: Article 5 of the Universal Declaration of Human Rights; Article 7 of the International Covenant on Civil and Political Rights; Article 37 (A) of the Convention on the Rights of Child; Declaration on the Protection of All Persons for Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; Standard Minimum Rules for Treatment of Prisoners; Principle 6 of the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment; Article 5 of the Code of Conduct for Law Enforcement Officials; Principle 2 of the Principles of Medical Ethics relevant to the Role of Health Personnel, Particularly Physicians, in the Protection of Prisoners and

## Detainees against Torture and Other Cruel, Inhuman or Degrading Treatment of Punishment.

These treaties also require steps be taken to prevent torture, to not allow confessions derived from torture to be used in trial, and to end impunity for torturers.

The SPDC has ratified only two multilateral treaties, one of which is the Convention on the Rights of Child (CRC), which was ratified in 1991 with reservations which it later withdrew in 1993. The CRC considers a child to be any person under eighteen years of age. In the interviews conducted for this report, two of the former political prisoners interviewed were found to have been tortured during interrogation or imprisonment prior to their eighteenth birthday.

For the purpose of this report, torture is defined according to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment as:

*“...any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity.”*

Some of the torture methods which are listed in this report qualify as torture in some cases, but not others. For example, handcuffing a detainee is not torture, but when the situation is deliberately aggravated as noted, or occurs in conjunction with other abuse, then it can qualify as torture.

The prison health care system and the general conditions of the prisons qualify under international human rights standards as ‘other cruel, inhuman

or degrading treatment or punishment,' hereafter referred to as 'ill-treatment,' strictly prohibited within the same international treaties which prohibit torture.

Additionally, it is arguable that detention in Burma's prisons, due to the purposeful aggravation of the prison conditions and health care system and the degree of suffering arising from this aggravation, is in itself torture. Burma's prisons have become institutions whose primary function is to deliberately and systematically shatter the identity of political activists and other civilians deemed threatening to the rule of the regime.

### Abuse of the Justice System

The following looks at how the justice system in Burma has long been used by the SPDC to justify its detention of the political opposition and individuals deemed threatening to its continued rule, and to give tacit approval for the torture and ill-treatment of political prisoners. The abuse of the justice system has become an integral part of the torture and ill-treatment of political prisoners.

### *Security Legislation*

Several laws have been promulgated by the SPDC, under the guise of 'security' legislation, to detain those who act in opposition to the regime. The primary laws used are the Emergency Provisions Act (1950), the Unlawful Association Act (1908), the Printers and Publishers Registration Law (1962), and the State Protection Law (1975).<sup>2</sup> All of the laws are vague and nebulous, and it is not clear what actions are intended to be criminalized.

Section 5 (J) of the Emergency Provisions Act is the most common charge for political prisoners (so common that '5J' is often used as short-hand to denote a political prisoner), and carries with it a sentence of 7 years imprisonment. Most of the former political prisoners interviewed for this report were charged under 5J. Section 5 (E) of the Act is also used to detain activists and other civilians. Those who cause or intend to affect the morality

<sup>2</sup> Information from: Burma Lawyers' Council (BLC), [www.blc-burma.org](http://www.blc-burma.org)

of the general public or who threaten the stability of the Union are detained under this Act.

Article 17 (1) and 17 (2) of the Unlawful Association Act is used to detain activists who are members or are associated with unlawful organizations and allows for sentences of two to three years and three to five years imprisonment respectively. With the exception of the National League Democracy (NLD), all organizations political in nature, including the All Burma Federation of Student Unions (ABFSU), are unlawful.

The Printers and Publishers Registration Law allows for a sentence of seven years imprisonment for those who print, publish or distribute written materials without permission.

Section 10 (A) of the State Protection Law allows for detention without charge or trial for up to five years. Many leaders of the democracy movement have had their already unjust sentences extended using this piece of legislation. Section 10 (B) of this law is currently being used to detain Daw Aung San Suu Kyi, the General Secretary of the National League for Democracy (NLD) and Nobel Laureate.

In addition to such security legislation, the authorities will sometimes charge political activists under criminal law, using false allegations. In October 2005, Su Su Nway, a NLD member, was sued for a criminal offence after she won a lawsuit against the local authorities for forced labor practices. She was sentenced to twenty months imprisonment. Her trial and detention were politically motivated, and she remains in Insein prison to date.

### *Arrest*

Anyone suspected of political dissent can be arrested, detained, and interrogated by the Military Intelligence (MI) without warrant, and without accountability of the MI to a judicial authority. Sections 61, 81, 100 and 167 of the Burmese Criminal Procedure Code contain provisions for judicial oversight of arrests and detentions, as does the United Nations Body of Principles for the Protection of All Persons under Any Form of Detention

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<sup>3</sup> Myanmar: Justice on Trial. Amnesty International, 2003.

or Imprisonment (Body of Principles).<sup>3</sup> The SPDC adheres to neither its own Code nor to the Body of Principles.

Based on information provided in interviews, most political prisoners are arrested in the night by members of the MI who search the premises for documents considered illegal. In the vast majority of cases, no warrant is shown and no reason is given for the arrest. The suspects are not told of the charges being brought against them. They are hooded, handcuffed and taken to one of the country's interrogation centers without being told exactly where they are being taken. Their family remains uninformed as well. This then begins a period of incommunicado detention (detention without access to the outside world), often lasting for days, weeks, and even months, which creates a situation in which torture can be used on the detainee without fear of repercussion on the part the authorities. The majority of torture which political prisoners endure occurs during this period.

#### *Arbitrary Detention*

All the former political prisoners interviewed were held longer than twenty-four hours without warrant and without being brought before a judicial authority to be informed of the charges against them. They were not provided with lawyers or access to their families, nor were they allowed any medical care. All were unable to challenge the lawfulness of their detention, and in fact did not learn of the charges leveled against them until the day of their trial.

According to the UN Working Group on Arbitrary Detention, three categories have been outlined to determine whether a person is being arbitrarily detained. The three categories are: when there is no legal basis to justify the deprivation of liberty; when the deprivation of liberty violates certain articles of the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights; when international norms relating to the right to fair trial are ignored or only partially observed.<sup>4</sup> The arrest and detention procedures of the SPDC raise the possibility that the vast majority, if not all, political prisoners in Burma are in arbitrary detention.

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<sup>4</sup> Fact Sheet No. 26. The UN Working Group on Arbitrary Detention.

### *No Fair Trials*

The trials for the great majority of political prisoners would further qualify their detention as arbitrary. These trials nearly all fail to adhere to international standards for fairness. From July 1989 to September 1992, Martial Law Orders 1/89 and 2/89 created military tribunals with special summary powers to try offenders of martial law.<sup>5</sup> These tribunals were in contravention of international standards for fair trials. In September 1992, Order 12/92 revoked Orders 1/89 and 2/89, yet the SPDC continues to fail to provide for fair trials of political detainees. Those standards not met include: lack of independence of the judiciary, inability of the defendants to call and question witnesses, denial of the right to counsel, lack of judicial appeal, and trials held *in camera* (denying the right to a public trial).<sup>6</sup>

Those interviewed reported their trials lasted between five and fifteen minutes, and that the judge often read out their sentence from a sheet of paper. The sentence appeared to be prepared in all cases by the MI, and the judges seemed intimidated by the MI's presence. Only one person interviewed was provided a lawyer; however, the lawyer failed to consult with him regarding his case. None of those interviewed were allowed to call witnesses or speak in their defense. The family members of the political prisoners were most often not informed of their trial date, and in one case, they were purposely misinformed about the trial's proceedings.

### *Release*

While in prison, a political prisoner has no legal recourse to file complaints or to appeal their case. Though most political prisoners serve the entirety of their prison sentence, many are offered the chance to sign a document under Section 401 (1) of the Criminal Procedure Code, which allows for a prisoner's sentence to be suspended or remitted by order of the 'President of the Union.' If a political prisoner is later arrested, he or she can be made to serve the remaining years left on their original sentence in addition to any new sentence. The power to suspend or remit a sentence, and the

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<sup>5</sup> Myanmar: Justice on Trial. Amnesty International, 2003.

<sup>6</sup> *Ibid.*

decision to re-arrest an individual, both have been made functions of the executive branch of the government when they should be functions of the judicial branch. Some political prisoners sign '401,' while others adamantly resist signing, viewing signing as a denunciation of their political activities. Many who sign are kept in detention for months after signing.

### *Torture and Ill-Treatment*

Torture has not been explicitly prohibited under Burma law. However, the Burmese Penal Code has outlawed 'hurt' and 'grievous hurt.'

Under Articles 330 and 331 of the Burmese Penal Code, 'hurt' and 'grievous hurt' during interrogation is prohibited. Articles 323 and 325 prohibit 'hurt' and 'grievous hurt' ostensibly outside of interrogation for detainees and prisoners. Article 166 outlaws the injury of anyone by a public servant. Though such provisions would indicate a prohibition of torture, the failure to explicitly designate and define torture as a grave crime allows for torture to more easily take place.

The Jail Manual was written during Burma's colonial times and contains provisions which guard against ill-treatment of prisoners. Though still used by the SPDC, its provisions themselves fall short of international standards, and would need to be updated to be in compliance. In deciding whether to define the prison conditions and prison health care system as ill-treatment for this report, the Standard Minimum Rules for Treatment of Prisoners was consulted.

### Holding the Torturers Accountable

The following is intended to instigate discussion and provide information for the potential prosecution of the instigators and perpetrators of torture. Though the AAPP is currently unable to initiate or facilitate any efforts to prosecute the torturers, and ostensibly such action will not be taken until Burma begins a genuine transition to democracy, it is important that consideration for such prosecution begin so that justice can be had in the future. Impunity for torturers must end.

*The Chain of Command*

Torturers have names.<sup>7</sup> Those who are responsible for torture in Burma's interrogation centers and prisons must be named and held accountable for their actions. There is a clear chain of command leading from the perpetrators of torture to the highest offices of the SPDC. It is clear from this chain of command that torture in Burma is state policy.

The torture incurred during interrogation is done primarily by the Military Intelligence Service (MIS or MI) under the Directorate of Defense Services Intelligence (DDSI).

Frequently, interrogations are also conducted by the Bureau of Special Investigations (BSI) and the Myanmar Police Force, one branch of which is the Special Investigations Department (SID or 'Special Branch'). The BSI and the Myanmar Police Force are accountable to the Minister of Home Affairs.

The MI, BSI, SID and CID are all coordinated by the National Intelligence Bureau (NIB).

After Khin Nyunt, who headed the DDSI, was purged from the SPDC in October 2004, cosmetic changes were made to the Military Intelligence. The army has taken control over intelligence, led by Major General Myint Swe. The breakdown of departments and responsibility remains the same.

Political prisoners are overseen by the Myanmar Correctional Department, which is accountable to the Minister of Home Affairs.

*Prisoners Detained Under Section 10 (A) of the State Protection Law*

Prisoners detained under Section 10 (A) of the State Protection Law are usually the top leaders of political organizations or activists the SPDC deems threatening to their rule. The Law allows for detention without charge or trial for up to five years and is frequently used to extend an already arbitrary

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<sup>7</sup> See Appendix C.

and unjust detention. Those held under this Law have included Min Ko Naing and Ko Ko Gyi, both top leaders of the All Burma Federation of Student Unions (ABFSU) in 1988.

The decision about which activists will be held under this Law is made by the Minister of Home Affairs, the Minister of Defense and the Minister of Foreign Affairs in committee. Thus, these persons are responsible for how the activists detained under this law are treated, including all incidents of torture. The AAPP has collected evidence concerning the torture of individuals held under this Law.

#### *Definition of Torture as a Crime against Humanity*

According to the Rome Statute of the International Criminal Court, Article 7 (f), torture has been defined as a crime against humanity when it is “committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack.”<sup>8</sup> It is notable that the attack can be either widespread *or* systematic, but need not be both to prove a crime against humanity. The AAPP cannot conclusively prove at this time that the torture in Burma's interrogation centers and prisons rises to the level of crimes against humanity; however, the following is information collected regarding the widespread and systematic use of torture on political prisoners presented in this report to raise the question of whether such torture qualifies as a crime against humanity.

#### *Widespread Attack*

Since March 1988, approximately 5,000 people have been held as political prisoners. However, this figure only reflects those cases that can be adequately verified. The actual number of former political prisoners is likely to be much higher, possibly 10,000 or more.

Currently, 1,196 political prisoners are behind bars.<sup>9</sup>

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<sup>8</sup> Rome Statute of the International Criminal Court, Article 7(f), UN Doc. A/CONF.183/9 (1998).

<sup>9</sup> 48 women, 79 monks, 143 students prior to arrest

Further, numerous people have been detained for short periods of time and tortured. These short, arbitrary detentions instill a deep fear into the civilian population as a whole, as every Burmese fears being arrested at any time. Those who are only detained and interrogated and not imprisoned are not included in the estimate of former political prisoners.

Additionally, this figure does not take into account the number of ethnic persons in Burma's rural areas who are frequently detained and tortured in unknown or inaccessible locations, separate from Burma's forty-three prisons and various known interrogation centers.<sup>10</sup>

Widespread attack is defined as "on a large scale, meaning that the acts are directed against a multiplicity of victims."<sup>11</sup> The number of persons detained and tortured in Burma possibly rises to the level of widespread attack.

### *Systematic Attack*

A systematic act has been defined as one which occurs following a "preconceived plan or policy. The implementation of this plan or policy could result in the repeated or continuous commission of inhumane acts."<sup>12</sup> In order for an attack to be systematic, it does not have to be formally stated as state policy, and governmental action or inaction can demonstrate the policy.

In Burma, the SPDC systematically arrests, detains and imprisons civilians for their political affiliations, specifically members of the National League for Democracy (NLD), with the intention to torture. The torture's purpose is elimination of any opposition to the regime's rule. Most recently the SPDC has begun a systematic crackdown on the NLD intended to eliminate the party and those who would join in political opposition to the regime. This was confirmed when a senior Burmese diplomat, Aung Lynn Htut, sought

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<sup>10</sup> Uncounted: Political Prisoners in Burma's Ethnic Areas. Burma Issues and ALTSEAN, 2003.

<sup>11</sup> Report on the International Law Commission to the General Assembly on its work of its 48<sup>th</sup> Session, 51 UN GAOR Supp. (No. 10) at 94, UN Doc A/51/10 (1996).

<sup>12</sup> Ibid. at 93.

asylum in the United States, and in the process revealed the SPDC intended a “complete routing”<sup>13</sup> of NLD members and their families by 2006.

Further, the Ad Hoc Commission on the Depayin Massacre (Burma), in their second preliminary report, compiled evidence to indicate that the events of May 30, 2003 themselves, in which Daw Aung San Suu Kyi and members of the NLD were attacked, could qualify as a crime against humanity, but also to indicate a renewed effort on the part of the SPDC to systematically attack those civilians with particular political affiliations.<sup>14</sup> This then would indicate that the current arrests, detentions, imprisonments, and subsequent torture, of civilians with specific political affiliations are not without plan.

#### *Admission of Guilt and Premeditation*

There are two other factors that would assist in any prosecution of the torturers from Burma's interrogation centers and prisons, namely admission of guilt and premeditation of torture.

During the torture of some former political prisoners, the authorities have boasted about torturing other political prisoners to death.<sup>15</sup> Some cases of torture have been coldly premeditated by the authorities, as in the case of the 1990 Hunger Strike and the 1990 Labor Strike. One other case in 1992 of premeditation has been documented, though there are likely more instances.

Premeditation was made clear during the Hunger Strike when the authorities set up speakers around Insein prison and then proceeded to blare military

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<sup>13</sup> Aung Lynn Htut.

*Unofficial Translation of Letter to Foreign Minister from U Aung Lynn Htut*

. Democratic Voice of Burma. 7 April 2005. Website last visited: 27 September 2005.

<sup>14</sup> The Second Preliminary Report of The Ad hoc Commission on Depayin Massacre (Burma), 2003.

<sup>15</sup> Tun, Phone Myint. *No Escape*. Tortured Voices: Personal Accounts of Burma's Interrogation Centers. All Burma Students' Democratic Front, 1998. p.16.

music while carrying out one of the worse incidents of torture yet documented.<sup>16</sup>

Prior to the torture administered in response to the 1990 Labor Strike, the authorities beat pigs nearby and continued as political prisoners were being tortured. The squeals of the pigs were clearly intended to cover the tortured screams they knew would come from the political prisoners.<sup>17</sup>

Pigs were also beaten during another incident of torture in 1992, and it is safe to venture that this is a common practice when the authorities plan out torture.<sup>18</sup>

The use of speakers and pigs to drown out the tortured cries of political prisoners reveals the authorities had a clear plan for the torture they were about to inflict. These factors further support the argument that torture in the interrogation centers and prisons is systematic.

### **III. Torture Methods in Interrogation Centers and Prisons**

This section contains detailed descriptions of the methods of torture sanctioned by the SPDC and used in Burma's interrogation centers and prisons as reported by those former political prisoners interviewed for this report. The torture documented occurred between March 1988 and May 2005 (See Appendix D for exact dates and locations of torture). This is by no means an exhaustive list, as most former political prisoners remain inside Burma, unable to speak about their torture for fear of repercussions.

#### Physical Torture

It is not possible to separate physical torture from psychological torture, as most torture is intended to simultaneously inflict physical and psychological harm. The torture explained here then is that torture which, in addition to causing mental suffering, also brings about physical pain.

<sup>16</sup> AAPP Interview, T-15 July 2005; on file with AAPP

<sup>17</sup> AAPP Interview, T-1 August 2004; on file with AAPP

<sup>18</sup> AAPP Interview, T-5 August 2004; on file with AAPP

*Restricted Movement: Handcuffs, Thumbcuffs, Ropes and Shackles*

When political prisoners are first detained, they are generally handcuffed. However, the restriction of movement is often also used as a form of punishment. Some political prisoners have been thumbcuffed, as opposed to handcuffed, which primarily serves to humiliate a prisoner.

One man's movements were restricted by rope during interrogation:

*"In the MI office, they tied my throat with rope, and bound my hands behind my back and my feet with the same rope. The end of the rope was then tied to the table. I was standing, and I couldn't move at all. The rope felt tight around my neck, and I couldn't breathe easily. When they pulled on the rope, my head tilted back. I had to stand in this position for six hours. They pulled the rope often. If I tried to sit down, the rope tightened on my throat."*<sup>19</sup>

Political prisoners are also sometimes tied down to chairs, tables, and the prison bars.

Shackles are used in the transportation of prisoners, and also as a means of punishment. One man explains his punishment involving shackles:

*"Once I had to wear shackles for three months. Win Myint, the Superintendent of Tharawaddy prison, said, 'This is my prison. If I want to shackle you for three days, three months, or three years, I can and I will.' He told me that if I complained, he would keep them on longer."*<sup>20</sup>

The punishment shackles the man describes, in addition to being extremely heavy (about 6 kilograms), have an iron bar placed in between the feet, keeping the legs permanently astride. This iron bar is generally between 1.5 and 2 feet long, though bars of all sizes have been noted, with some as small as 6 inches, making it near impossible and very painful to walk.

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<sup>19</sup> AAPP Interview, T-9 August 2004; on file with AAPP

<sup>20</sup> AAPP Interview, T-8 July 2005; on file with AAPP

Punishment shackles are always worn during solitary confinement. They are also worn while other torture is inflicted. One man explains his experience:

*“After being relocated to the dog cell, I was taken out of the cell with other prisoners and made to run, shackled and blindfolded, under the noonday sun for 5-7 minutes, with authorities forcing us to run as fast as possible. This lasted for three days each afternoon, and was overseen by the jailer Thein Myint. Finally, we were taken back to the cells, where the door was opened and we were kicked inside. Only then were we able to remove our blindfolds. We remained shackled.”<sup>21</sup>*

### *Deprivation*

Political prisoners are deprived of food, water, sleep, light and use of the toilet during interrogation and punishment. Deprivation of sleep generally lasts one week, deprivation of food for three days, and deprivation of water for two days. However, there is no set time for which these deprivations are intended to or can last, and are usually only ended at the authorities' whim or when the prisoner is perceived to be near unconsciousness or even death. Deprivation causes the prisoner to lose all track of time. When food and water are provided, it is generally insufficient to give any nourishment. Occasionally, though, the authorities will provide great amounts of water, which the prisoners drink readily, as their mouths are parched and they fear they will not get any more. They then face the indignity of begging the authorities to use the toilet.

Political prisoners are allowed to use the toilet during interrogation only after asking, which generally devolves into begging, though many have been left to defecate on themselves. Several political prisoners have attempted to drink water from the toilet in order to alleviate their thirst if they have not been provided with enough water. This often results in the prisoner receiving beatings. One woman explains:

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<sup>21</sup> AAPP Interview, T-19 June 2005; on file with AAPP

*"During my interrogation, I received limited drinking water. When I was allowed to go to the toilet, I drank water from the toilet. The authorities soon noticed that my hands were wet from cupping the toilet water. They then kicked my hands twice very brutally causing me great pain."*<sup>22</sup>

During interrogation and as punishment in prison, political prisoners are either kept in a room or cell with the light on all the time or in complete darkness. One man was stripped naked and made to remain in a pitch-black cell for three days as punishment. He explains:

*"I was put in the pitch-black cell as a minimum punishment for three days... When I looked at that cell, I didn't see any difference. But I found the difference when I was in there... It was similar to the other cell, 8 feet by 12 feet. But, the window at the back wall and the iron-gate at the front were covered with metal plates. When they closed the door, there was no light in the cell. That's why it was called the pitch-black cell. Furthermore, there was no bamboo mat, no blanket and no chamber pot. And I was naked. They took off my prisoner uniform before they put me into there. A few hours later, I was scared and shaking. Coldness, darkness and loneliness attacked me in the cell. I cried. I shouted. I sang songs. But this made an echo in the cell and made me more scared. I tried to sleep on the floor. It was too cold. I couldn't lie down for more than 15 minutes. I cursed the military junta with dirty words. I ran in the cell. I jumped. I did everything that made me feel alive and still sane. It was the first time I started to look for someone to worship under this huge amount of fear. I have to admit that I may have become crazy if they had put me in that cell for more than three days..."*<sup>23</sup>

### *Beatings*

Political prisoners are punched, kicked, slapped, kneed, and beaten with a variety of implements, including rubber or wooden batons, truncheons, rifle butts, rubber cords, bamboo sticks and plastic pipes. Political prisoners have also been beaten with thick books, chair legs, broomsticks, sandals,

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<sup>22</sup> AAPP Interview, T-18 June 2005; on file with AAPP

<sup>23</sup> AAPP Interview, T-20 July 2005; on file with AAPP

belts and other common objects. The authorities beat all parts of the prisoner's body, including the head, and generally target places where a prisoner is already injured. There are several positions that political prisoners have been made to assume while receiving a beating. The more common positions are standing and holding on to a post (with hands held firmly in place), lying prone on the ground, crawling on the ground (sometimes while in punishment shackles), squatting and standing continuously, and doing squat-jumps (as in the game of leap-frog). One man explains his beating:

*"Then I was made to lie prostrate on hot sand, face down. Two prison authorities stepped on my legs, while two other prison authorities pressed my hands and arms into the hot sand. A two-star officer then kicked my head repeatedly with his boots...this lasted about 20 minutes."*<sup>24</sup>

One man was made to continuously do somersaults as the authorities took a break from beating him. He explains:

*"I was also made to do somersaults while the authorities stood back and watched. This was humiliating, but also painful. My head and back were injured and bloodied by this action. I was not allowed to see a doctor and received no treatment for my wounds."*<sup>25</sup>

Another man was pelted with hardened balls of mud thrown from a sling-shot in between his beatings. The authorities paused in their beating of one man, and, using two bamboo rods tied with wire, squeezed the rods tightly around his body. Another man had his legs placed in stocks, and the hair on his shins plucked out. Yet another man was made to lick up his own spit during his beatings.

Beatings, either systematic or wanton, are often brutal and frequently only end when political prisoners lose consciousness. Political prisoners are not

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<sup>24</sup> AAPP Interview, T-7 August 2004; on file with AAPP

<sup>25</sup> AAPP Interview, T-8 July 2005; on file with AAPP

allowed to be examined by a medical professional after being beaten, and are often subsequently kept from family visits so that their wounds will have time to heal. One man explains a particularly brutal beating he received:

*“In one incident, the jailer, Ko Ko Gyi, called out a list of names from those prisoners being held in solitary confinement. I was one of the names called. They shackled us, with an iron bar in between our feet, but did not tell us where or why we were being taken. When we reached the bottom of a stairwell, the jailer, Sein Maung Win, who was drunk, took each prisoner, one by one, upstairs and had two jailers restrain the prisoners as he savagely beat each prisoner on the back with a wooden rod. While beating me, they accused me of having contacts with insurgents.*

*My prison sentence was almost finished at this time, which I reminded the authorities of, saying that they should avoid harming me. This only further angered the Deputy Superintendent, Htay Win, also drunk, who then tried to beat me. Sein Maung Win continued beating me until I fell to the floor. He then proceeded to jump up and down on the iron bar between my legs until I fell unconscious. At around 3am, the authorities poured a bucket of water all over me. I woke, and began to crawl, as I could not walk. I was then kicked and tumbled down a flight of stairs, causing my elbow to become disjointed. The authorities then grabbed the iron bar in between my legs and drug me back to my cell, number 5. I was then beaten three times to the back with a thick wooden rod. I was not allowed to see a doctor, and so my cellmate tried to help correct my elbow.*

*The next afternoon I was taken out of my cell, hooded and shackled, and placed in a corner. Deputy Superintendent Htay Win then gave instructions to beat the prisoners, including me. The authorities then proceeded to beat us three at a time, pausing only when their bamboo sticks broke. They would receive additional sticks from the guard tower. These sticks cut several of us,*

*causing us to bleed. The Senior Jailer, Myint Tha, was responsible for the beating which lasted around 45 minutes. Many of us also defecated on ourselves during these beatings, yet even this did not give the jailers pause.”*<sup>26</sup>

Beatings are the most common means of torture and occur in interrogation, upon entering a prison, and as part of punishment. Beating political prisoners and hurling verbal abuse at them as they enter the prison serves as initiation into prison life. One man explains:

*“... the authorities still torture political prisoners as they enter the prison. This is the ‘fee’ for entering into a prison cell.”*<sup>27</sup>

In some instances, the authorities will slap a prisoner’s face in front of other prisoners. This is intended less to cause physical pain and more to humiliate the prisoner in front of others, as he is unable to move away or otherwise defend himself.

### *Iron Road*

The iron road is when an iron or wooden bar is pressed down upon a prisoner’s shins and rolled up and down. Often the person’s flesh will be ripped off, leaving deep scars. One man explains:

*“I once refused to answer a question and they sat me down and rolled a wooden bar up and down my shins. The bar was rolled so many times that my skin was ripped off. I still have many scars.”*<sup>28</sup>

### *Stress Positions*

Political prisoners are made to sit, squat, and stand in the same position for hours on end. They are beaten when they break their position, which occurs often as it is impossible to remain entirely still for longer than a few minutes.

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<sup>26</sup> AAPP Interview, T-12 July 2005; on file with AAPP

<sup>27</sup> AAPP Interview, T-6 July 2005; on file with AAPP

<sup>28</sup> AAPP Interview, T-10 August 2004; on file with AAPP

One man explains:

*"On the first day I was interrogated, I was forced to stand in the same position all day, while the authorities asked me the same question over and over again. I was punched in the face when my answer was unsatisfactory."*<sup>29</sup>

Many political prisoners cite the use of a chair as part of their torture. A woman political prisoner describes the chair:

*"Every night, eight to ten people came into the room, they were always very drunk. I still hadn't slept but they made me sit on this chair; it was very tall and had a very small seat and no back. My feet could not touch the ground. It took a lot of concentration just to not fall off. They hurled insults at me."*<sup>30</sup>

One man noted the use of a see-saw to inflict pain:

*"When I failed to respond as they wanted, they placed me on a see-saw, tying me down with rubber belts at the chest, waist and knees. They then positioned the see-saw so that my head was toward the ground and my feet raised. I was kept in this position for 4 hours. At this time, I felt my blood rushing to my head, causing great pain. I felt I was beginning to slip into unconsciousness. After 4 hours, I was asked to tell the authorities the 'truth,' which I refused. I was then held in this position for an additional hour."*<sup>31</sup>

A few men have had their hands tied behind their back with rope, and then were suspended from this rope until only their big toes could touch the ground for support. They have been kept in this position for as many as three days with only short, intermittent breaks.<sup>32</sup>

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<sup>29</sup> AAPP Interview, T-8 July 2005; on file with AAPP

<sup>30</sup> AAPP Interview, T-12 August 2004; on file with AAPP

<sup>31</sup> AAPP Interview, T-7 July 2005; on file with AAPP

<sup>32</sup> AAPP Interview, T-23 July 2005; on file with AAPP; See Appendix B for illustration.

*Poun-Zan* <sup>33</sup>

Unique to Burmese prisons is the use of what is called 'poun-zan.' Poun-zan is prison terminology which, literally translated, means 'model.' There are three common poun-zan positions, and one poun-zan position used as punishment.

In the first poun-zan position, a prisoner is made to sit cross-legged with their arms straight out, placing both fists on their knees. The body must be held absolutely vertical with the face downward. This position is for roll-call and inspection by the authorities.

The second poun-zan position is a squatting position with the arms straight out on the knees. The back is held straight with the head down. This is an emergency position used if a prison authority passes through unannounced.

The third poun-zan position is a standing position with the head down and hands crossed over the groin. This position must be assumed when a prisoner walks past or stands in front of prison authorities.

A punishment position has also been developed wherein which a prisoner must stand on their tip-toes with their knees bent at a 45-degree angle while keeping their back straight and their hands clasped behind their head with their face raised. Sometimes sharp pins are placed underneath the prisoners' raised feet. If they come out of position, their feet are pierced by the pins. This position must be held for an extended period of time, often until collapse. Prisoners are beaten while in this position.

When political prisoners first enter prison, they are taken to the poun-zan room, a room reserved specifically to teach prisoners how to assume poun-zan positions. When the political prisoners make mistakes, they are beaten.

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<sup>33</sup> See Appendix B for illustrations.

*Airplane, Motorbike, Walking on the Beach, and the Semigwa Dance*

There are two separate forms of torture that can be explained as the airplane. In one form, a political prisoner is strung up by their feet and then spun around repeatedly. Another form is when a prisoner is made to assume the position of an 'airplane.'<sup>34</sup> One former political prisoner explains:

*"I was then asked if I knew how to play 'airplane' as children sometimes do. At this point, the authorities made me stretch out my arms, and balance myself on one foot while leaning forward. My head was meant to be the front of the airplane, and my foot the tail. Then, I was questioned and knocked to the ground anytime my answers were unsatisfactory. I would then be made to resume the 'airplane' position. This continued for 10 minutes."*<sup>35</sup>

As the name would indicate, the motorbike is where prisoners are made to pretend they are riding a motorbike while imitating the engine sounds.<sup>36</sup> They must do this until exhaustion and are frequently beaten. One man explains:

*"You can ride a motorbike, can't you?" he [prison authority] said. I had to half squat down as if I were riding one. When they were content with my position, they began questioning me. After about half an hour in that position I fell to the floor from pain and exhaustion. I was then forced to get up and squat in the same position. I don't remember how many times over the next three hours of questioning that I fell to the floor in this way."*<sup>37</sup>

Political prisoners have also been made to walk across, kneel and move across, or crawl on their stomachs across a mixture of sharpened stones, glass, metal and gravel. This is referred to often as 'walking on the beach'

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<sup>34</sup> See Appendix B for illustration.

<sup>35</sup> AAPP Interview, T-19 July 2005; on file with AAPP

<sup>36</sup> See Appendix B for illustration.

<sup>37</sup> Kyaw, Naing. *Like Water in Their Hands*. Tortured Voices: Personal Accounts of Burma's Interrogation Centers. All Burma Students' Democratic Front, 1998. p. 119.

and occasionally the 'crocodile.' One man explains:

*"For another half hour, they made me crawl on my stomach, the whole front of my body being scraped by the sharp stones beneath me."*<sup>38</sup>

The Semigwa Dance is a traditional Burmese dance in which a dancer performs intricate movements while holding candles or other materials in the palms of their hands. This dance has been perverted to become a form of torture.<sup>39</sup> One man explains:

*"At this time, prisoners were punished through a method called the Semigwa Dance. During this torture, prisoners are made to crawl on gravel on their knees and elbows with their feet and hands up in the air, holding onto handfuls of gravel, while singing. If they do not sing smoothly or can not crawl, the authorities whip them with bamboo batons. All the other prisoners are forced to watch this."*<sup>40</sup>

### *Water Torture*

Water has been used in various ways to inflict torture on political prisoners. In some cases, the prisoners' faces are covered with cloth as water is poured over them making it impossible to breathe. One man notes:

*"I was also made to lie on a table, tied down by rope, while thin pieces of cloth were placed on my face. The authorities then poured buckets of water over my face until I thought I would suffocate to death..."*<sup>41</sup>

Another way in which water is used as torture is by dropping water slowly on top of a prisoner's head that has been covered in plastic, which causes great pain. This is also done after covering a prisoner's head with a cloth hood. Prisoners are nearly suffocated by this action. One man explains his

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<sup>38</sup> AAPP Interview, T-10 July 2005; on file with AAPP

<sup>39</sup> See Appendix B for illustration.

<sup>40</sup> AAPP Interview, T-6 August 2004; on file with AAPP

<sup>41</sup> AAPP Interview, T-11 July 2005; on file with AAPP

experience in the water room, a room reserved in the interrogation center specifically for water torture:

*"It was silent again and I started to feel cool, as if the room was air-conditioned. I felt some drops of water slowly dripping on my head which was still covered by the hood. A few seconds later the drops quickened and then slowed again. I tried to move from the chair... Sometimes water would pour quickly over my head, and sometimes it would slow to droplets. This, however, was different to the torture I had been told about, and my hood was now soaked through. I began to suffocate and I felt like I was drowning. I then started to scream... It was worse than drowning because I couldn't move. My hands were still handcuffed and a soldier, who was standing between my legs, was pressing down on my shoulders. My head was also being held still. They were asking questions at the same time, but the more they tortured me the more I suffocated and the more I screamed..."*<sup>42</sup>

Many prisoners note that they sometimes had buckets or cups of water (or, in one case, green tea) randomly thrown on them during interrogation. One woman reported being kept in a room that was dark and wet, which the authorities kept throwing water into.

### *Tick-Tock Torture*

Some political prisoners have experienced 'tick-tock' torture wherein which a single spot on a person's body is beaten rhythmically every second for hours on end. This torture causes physiological damage:

*"I was also beaten on the head with a wooden ruler... It was non-stop, like the ticking of a clock. One hit for every second. It was a regular beat. For three days, non-stop my head was hit every second with the ruler. There was only one target that they kept hitting; it felt like a hammer hitting my head every time... I still get terrible headaches..."*<sup>43</sup>

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<sup>42</sup> Aye, Moe. *A Dialogue with the Devil*. Tortured Voices: Personal Accounts of Burma's Interrogation Centers. All Burma Students' Democratic Front, 1998. p.88.

<sup>43</sup> AAPP Interview, T-7 August 2004; on file with AAPP

*Burning with Cigarettes, Hot Wax, Lighters and Electric Rods*

Cigarettes, hot wax, lighters and electric rods have all been used to burn political prisoners on the most sensitive parts of the body, including the genitals. One man explains:

*“Over the next several days, I was subjected to numerous cruelties. The authorities burned my left arm with a cigarette and dropped hot wax on my knee and thigh. They also placed a gas or candle flame near my genitals, close enough that the heat caused me pain, but not close enough to burn my flesh.”<sup>44</sup>*

Another man describes his experience:

*“Suddenly my right hand was pulled into the air and something cold and metallic was wrapped very tightly around my wrist. My left arm was twisted and pulled behind my back. I felt I was now in some kind of danger and my mind was focused on my right hand...”*

*It was very difficult listening to what he was saying and, at the same time, waiting to see what may happen to my right hand. I then noticed that my right wrist was getting hotter and hotter and I tried to shake my hand.*

*‘What’s the problem?’ someone said in front of me. ‘Don’t move your hand.’*

*‘Please take it off! It’s very hot!’ I pleaded. I heard them laughing at me...*

*My wrist was now extremely hot. They asked me the same questions again and again and I gave them the same answers.*

*Finally the officer said, ‘Okay, I’ll take it off your wrist. But you must sign a document regarding Martin. What do you say?’*

*I had lost all resistance. I nodded after a few seconds and they took the*

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<sup>44</sup> AAPP Interview, T-8 July 2005; on file with AAPP

*thing off my wrist. I was then taken back to the stocks. I checked my wrist through the small gap in the blindfold and my skin was flayed and burnt in an area about an inch square. I didn't understand how they had done this to my wrist."*<sup>45</sup>

### *Electric Shocks*

Electric shocks have been administered to political prisoners, and are generally applied to the most sensitive parts of a person's body, including the genitals. The electric shocks have been administered through wires wrapped around body parts, through electric rods the prisoners are made to hold onto, and through headsets placed over the prisoners' ears. This torture directly targets the person's internal physiology. One former political prisoner explains his experience:

*"In the last two days, I received several severe electric shocks. The authorities pierced the flesh around my wrists with the tip of a wire and then coiled the rest around my handcuffs. They then slowly began turning the generator and I began to shake uncontrollably as involuntary spasms contracted my muscles. The authorities would gradually increase the speed with which they turned the generator until the current was such that my whole body was thrown clear across the room. This continued for ten times each day lasting one to two minutes each time. . . I screamed loudly when shocked, so they gagged me with a bloodstained cotton towel. They said, 'This is U Ye We Da's blood; your blood and his will blend.'" <sup>46</sup>*

### Psychological Torture

While many people are aware of physical torture and its ramifications, less people are aware of the use of psychological torture and the suffering that it causes. The use of psychological torture has increased over the years in Burma. The scars incurred from psychological torture are rarely

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<sup>45</sup> Aye, Moe. *A Dialogue with the Devil*. Tortured Voices: Personal Accounts of Burma's Interrogation Centers. All Burma Students' Democratic Front, 1998. p.98.

<sup>46</sup> AAPP Interview, T-8 July 2005; on file with AAPP

ever healed, leading to lifetimes of mental anguish for which too little treatment is available.

### *Blindfolds and Hoods*

When first arrested, a political prisoner is either blindfolded or hooded. They are kept this way throughout the interrogation, which creates a situation in which they are unable to identify their captors. Many former political prisoners remember voices, footsteps, keys jangling, and shadows instead.

While blindfolded or hooded, prisoners are reliant on the instructions of the authorities in order to move. The authorities use this reliance to further humiliate, often ordering a prisoner to jump, duck and turn when it is entirely unnecessary. One man explains:

*“I was still hooded when we arrived. They ordered me to jump left, jump right, bend my head and act as if there were many steps even though it was a flat hallway. I think this is a type of mental punishment.”<sup>47</sup>*

The hoods used are made of thick cotton, old rice bags, or the prisoner's own clothes or blankets, which make breathing extremely difficult. They are also generally already dirty when put on a prisoner's head. Sometimes the blindfold is made of rubber, which when left on for long periods of time causes a burning sensation in the eyes.

### *Threats*

Political prisoners are always threatened during interrogation and while in prison. The authorities threaten to beat, rape and even kill. They likewise threaten to harm or imprison family members, friends and colleagues. One man relates the threat he received during interrogation:

*“They held a gun to my head and threatened to kill me if I didn't give them the right answers to their questions. They said, ‘We don't want to kill you*

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<sup>47</sup> AAPP Interview, T-8 August 2004; on file with AAPP

*in this office, so we'll take you to the side of a stream and kill you there, and then throw your body in."*<sup>48</sup>

A woman recalls the authorities making it clear she was now in prison:

*"That night I went back to my small cell and began singing. The female wardens screamed 'Shut your mouth!' at me and other rude things I don't want to repeat. About an hour later, at 10 pm, when I was asleep I was ordered to get up and shouted at some more. They told me things like 'This is a military prison, you must be silent! You are not at home now.' Then they started threatening me, saying things like 'Bitch, shut up!' and 'I'll kill you!' I was frightened and sad."*<sup>49</sup>

One man relates how it was made clear the control the authorities had over them:

*"Prisoners were always threatened. They said that they had the right to kill us, stop our visits with our family, and keep us in the jail for a long time. It was not jail, it was hell. All prisoners were always frightened about what would be done to us by the officers."*<sup>50</sup>

The authorities sometimes show their weapons to political prisoners while threatening them:

*"They always threatened that they could kill us whenever they wanted, and they even showed me their guns...I was very afraid."*<sup>51</sup>

Often political prisoners are made to feel that they are common criminals, as opposed to political prisoners. One man explains:

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<sup>48</sup> AAPP Interview, T-10 July 2005; on file with AAPP

<sup>49</sup> AAPP Interview, T-4 August 2004; on file with AAPP

<sup>50</sup> AAPP Interview, T-9 August 2004; on file with AAPP

<sup>51</sup> Ibid.

*“During the interrogation, the MI officers said, ‘We do not respect you as a party leader, you are a criminal.’ They threatened me with 20 years imprisonment, and they threatened to rape my wife.”<sup>52</sup>*

The authorities have even written on the walls of the interrogation centers and prisons in an effort to intimidate:

*“After ten minutes, I was taken to a dimly lit room the walls of which were covered with writing which I was told was from other political prisoners who had stayed there. However, I believe that the authorities actually wrote on the walls in an effort to intimidate the new prisoners.”<sup>53</sup>*

Political prisoners are also told just how little the authorities value their life:

*“When I complained about the amount of water I was allowed to use to shower, I pointed out that the pigs in the jail were bathed using a generous amount of water. The authorities told me that not only was this true, but also when a pig died, the authorities were made to fill out numerous forms, as many as seven pages, but when a political prisoner died they would only need to file half a page report.”<sup>54</sup>*

### *Blaming the Victim*

When the authorities do not get the answers they want, they often blame the victim for the torture that ensues. In doing this, they attempt to make the victim feel that they are responsible for the length and degree of their torture. One man explains:

*“Though I was at the MI-12 offices, all the interrogation up this point was done, I was told, by MI-7, who were drunk during the interrogation. When*

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<sup>52</sup> AAPP Interview, T-8 July 2005; on file with AAPP

<sup>53</sup> AAPP Interview, T-14 July 2005; on file with AAPP

<sup>54</sup> AAPP Interview, T-12 July 2005; on file with AAPP

*MI-12 began to interrogate me, they blamed me for the need to continue the interrogation, and began to kick things around the room.”<sup>55</sup>*

### *Witnessing Torture*

Many political prisoners are made to listen to the tortured screams of other prisoners, and some have also witnessed torture. One man notes:

*“I was then made to strip naked and watch the interrogation of others for an hour. I saw several people lying on the floor, bloody and unconscious.”<sup>56</sup>*

Several political prisoners feel that hearing and witnessing torture was among the worse torture they had to endure. The tortured cries and images haunt political prisoners when they are released:

*“When I speak about my torture, I feel as if it is happening to me again...I can still hear the screams of my colleagues.”<sup>57</sup>*

### *Incommunicado Detention*

Keeping political prisoners in incommunicado detention impacts the mental health of the prisoner, as they fear that lack of contact with the outside world will allow the authorities to do as they wish. When a person is detained, they are not allowed access to a lawyer, their family, nor do they appear before a judge for sometimes several months. Additionally, only some of the interrogation centers throughout the country have been identified, with several more secret interrogation centers impossible to locate. Many political prisoners are kept in government ‘guest houses’ or on military bases which prohibit access to civilians.

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<sup>55</sup> AAPP Interview, T-19 July 2005; on file with AAPP

<sup>56</sup> AAPP Interview, T-7 July 2005; on file with AAPP

<sup>57</sup> AAPP Interview, T-8 July 2005; on file with AAPP

### *No Rule of Law*

The lack of rule of law in Burma is well documented, but the psychological effect that this has on political prisoners has been less explored. Political prisoners are not allowed a lawyer, nor are they given any opportunity to defend themselves during trial. In fact, trial is a disingenuous word for the charade all political prisoners must go through. Generally, such 'trials' last approximately fifteen minutes with the 'judge' simply reading out the charge and sentence. Military Intelligence is always present, and several political prisoners note that they felt their presence and the fear of retribution intimidated the judges into complying with their orders without protest. Many political prisoners have been tried before secret military tribunals. One man explains his experience in court:

*"But this so-called 'trial' seemed to be a mere show. A single judge hurriedly entered the courtroom and, without any discussion, sentenced me to five years imprisonment with hard labor, all the while walking around the courtroom looking very busy. He didn't sit down once, and didn't give me the opportunity to speak in my defense."*<sup>58</sup>

Sometimes bureaucratic errors result in lengthier sentences:

*"The judge gave me a sentence of 14 years under 5(j) and 17/20. When I was moved to the prison though, they told me I had been given 21 years. This is not what the judge had told me, so I asked how my sentence had been changed. They only said that it was written on the register and there was nothing I could do. By that point, I had no feeling."*<sup>59</sup>

The regime sentences some activists to inordinately long prison sentences in an attempt to break their spirits. Such a thing happened to Thet Win Aung, a student leader, who has been sentenced to 60 years imprisonment for attempting to form a student union. He is known to be in poor health,

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<sup>58</sup> AAPP Interview, T-10 July 2005; on file with AAPP

<sup>59</sup> AAPP Interview, T-12 August 2004; on file with AAPP

and is unable to walk. Despite his ill-health, he continues to languish in Mandalay prison.

### *False Releases*

When a political prisoner is imprisoned, they are not told the date of their release, and so it often comes as a surprise. Several times the authorities have informed political prisoners that it was time for their release and then went through the procedures that precede release. The political prisoners were brought to the prison gate, sometimes in view of their family, where they were then rearrested. They were made to serve out the rest of their prison sentence, or most often held under Section 10 (A) of the State Protection Law, which allows for detention without charge or trial for up to five years. Political prisoners live in anticipation of their release, and so this is a severe form of psychological torture.

Most recently, U Win Tin, a founding member of the National League for Democracy (NLD), was made to prepare for his release on two separate occasions, once in November 2004 and again in July 2005. The authorities even announced that he was scheduled to be released. However, they did not release him, and to this day he remains behind bars where the authorities continue, systematically, to try to break his morale.

### *Lack of Family Visits*

Family visits of political prisoners are kept to fifteen minutes every two weeks, though often political prisoners are not allowed the whole fifteen minutes. However, a variety of obstacles prevent family visits from occurring. Prison authorities will transfer political prisoners to prisons long distances away from their homes so that their families can not afford to visit them. Often, the person imprisoned is also the primary income earner in the family, and so families face tremendous hardships to visit their loved ones and also manage for their day to day survival.

When a person is detained, they are unable to immediately contact their family and will often be held for months without being allowed contact.

Some political prisoners have managed to inform their families of their whereabouts through other prisoners who are allowed family visits. Additionally, the restriction of family visits is often used as a form of punishment.

Even when family visits are allowed, a jailer always stands in the room taking careful notes of what is said. In some cases, political prisoners have later been punished for what they said during their family visits.

The regime is known to arrest and imprison members of one family at the same time, which only exacerbates mental anguish. Mothers and daughters, fathers and sons, brothers and sisters have all been imprisoned at the same time. In March 2005, U Kyaw Min, an elected Member of Parliament, was imprisoned in Insein prison. Two months later his wife, two daughters and son were also imprisoned in Insein. The authorities have provided no reason for the imprisonment of U Kyaw Min's entire family, and they remain imprisoned to date.

### *Isolation and Solitary Confinement*

The authorities attempt to isolate political prisoners, particularly the leaders, so that they will not be able to organize others to demand their rights in prison. Attempts are made to marginalize certain political prisoners, and most often such prisoners are held for extended periods of time in solitary confinement. One man explains his experience:

*"I was kept in solitary confinement for 1 year and 6 months. There were no reading materials... During the time I was there, three people went crazy in solitary confinement; they started hearing voices threatening to kill them and their family. In order to maintain my sanity, I meditated three times a day for one hour. I did not think about yesterday or tomorrow; I only thought about the present."*<sup>60</sup>

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<sup>60</sup> AAPP Interview, T-8 August 2004; on file with AAPP

The most notable case of solitary confinement was that of Min Ko Naing, the Chairman of the All Burma Federation of Student Unions (ABFSU) during the 1988 uprising. He lived in solitary confinement for nearly 16 years.

### *Playing on Phobias*

When the authorities learn a political prisoner has a particular phobia, they will use this phobia to inflict further suffering, most often during the interrogation period. Most often the phobias involve animals. One man explains his interrogation, during which the authorities were aware of his phobia of snakes:

*“On the third day, while still blindfolded, I felt something wet and cold touching me for about fifteen minutes. I was surprised by this sudden sensation. The authorities then asked if I was afraid of snakes, to which I replied that I was. They removed my blindfold, and I saw a snake which appeared agitated and ready to bite. I was so shocked that I fainted. . . I am not sure if what I saw was a real or fake snake, as after three days of interrogation I was extremely weak and tired”*<sup>61</sup>

### *Inappropriate Titles*

In the Burmese language, the titles ‘U’ and ‘Ko’ mean ‘Mr.’ and are used for older and younger men respectively. The terms ‘Daw’ and ‘Ma’ mean ‘Ms.’ and are used for older and younger women respectively. There are also polite tags used in response that are gendered. When a man finishes a sentence, he may add the polite tag ‘k’in bya.’ A woman adds the polite tag ‘shin.’ Further, when speaking of ‘I,’ a man will say ‘ca naw,’ while a woman will use ‘ca ma.’ It is considered inappropriate and insulting for a man to speak using the terms used by women. The authorities then distort social customs to humiliate male political prisoners. They will use female titles when addressing a political prisoner, and force, under threat of beating, the man to reply using female terms. They occasionally will change the prisoner’s name so that it is more feminine. Additionally, a cellblock in Insein prison, cellblock 5, has been designated the ‘Yuwaddy’ cell. Its

<sup>61</sup> AAPP Interview, T-15 July 2005; on file with AAPP

name is taken from one of the women's dorms in Rangoon University, and this is typically where male political prisoners must endure the described humiliation.

### *Human Feces*

Several political prisoners have been made to sit or stand in human feces. While this can cause illness, its primary purpose is to inflict mental suffering. One man speaks of his experience:

*"There was a large pit next to the interrogation center where the pots of urine were emptied. In order to extract a confession from me, the MI forced me to stay in this pit from 7am to 11am that day. Though most of the urine began to soak into the ground while I was in the pit, the experience was degrading and the smell offensive."*<sup>62</sup>

### Sexual Abuse

Both men and women face sexual abuse in the interrogation centers and prisons.

### *Women*

The most severe threat that women face is that of rape. Many women political prisoners cite the rumors (never confirmed) of women and girls being raped in detention centers during the 1988 uprisings as foremost in their minds when they are arrested and imprisoned. One woman explains the fears of her fellow detainee:

*"One of the detainees was only 14. She asked us where we were. She was very afraid of being detained, as she was so young. She also heard that female activists were raped after (authorities) cracked down on the 1988 people's demonstrations. It made her more frightened. She cried loudly. She was next to my dark cell."*<sup>63</sup>

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<sup>62</sup> AAPP Interview, T-6 July 2005; on file with AAPP

<sup>63</sup> Thin, Aye Aye. *Interview with Aye Aye Thin* Women Political Prisoners in Burma Joint Report: Burma Women's Union and Assistance Association for Political Prisoners, 2004. p.54.

The authorities do little to quell their apprehension, and will often make menacing comments regarding a woman's virginity:

*"The officer then slapped me a number of times and other officers punched me on my back. I only then realized that there were a number of soldiers around me. After that, he threatened that I shouldn't forget that I was a virgin. This terrified me more than the beatings."*<sup>64</sup>

Many women in Burma, for various social, cultural and personal reasons, keep their virginity until marriage and place a high value on personal modesty. Burmese women then fear the stigma that society may later attach to her once she is out of prison. The authorities use a woman's virginity or desired modesty as a means of control during interrogation and in prison.

Women political prisoners are interrogated and often guarded by male wardens and some women report that these men would try to watch them through holes in the wall as they bathed. Only after complaining repeatedly were these holes covered and the women's privacy ensured. One of the women explains:

*"I had started noticing a peephole on the wall near our bathing place since August 1999. I informed a female warden about the peephole, and she simply replied, 'Yes, there had been a hole there before.'*

*I was in doubt, so I watched while my casemates were taking a bath. We were being watched through the hole as we bathed. When I reported this, Nilar Thein [a political prisoner] went to the wall and caught a man red-handed. I was very angry because that was real harassment for us. The whole cellblock exploded about this insult. We demanded the Superintendent of the prison inform his superiors, and also punish the person who did this. The man was a warden, Aung Zaw. As a matter of fact, he was not the*

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<sup>64</sup> Maw, Tin Tin. *My Interrogation*

. *Tortured Voices: Personal Accounts of Burma's Interrogation Centers*

. All Burma Students' Democratic Front, 1998. p.104.

*only one who committed this act. Later, we came to know that we had been watched for several months. Three months after this incident, and only after the ICRC visit, our bathing place was covered.”<sup>65</sup>*

Another woman had a similarly degrading experience:

*“I was with a female warden at this point, and we made a right turn into a room on the ground floor. In this room, she opened my shirt and undid the many hooks on the front of my corset. Then the female warden patted me down.*

*She told me I could remove the clothes used as a blindfold from my face. Only then did I see that I was facing a large window outside of which maybe seven or eight male wardens stood watching me. I was totally exposed and they were watching everything. I tried to close my shirt and cover myself...”<sup>66</sup>*

One woman experienced a physical assault:

*“I was forced to continuously squat and stand with my arms raised in the air... The pain of squatting and standing was intense, and whenever I had to stop because of the pain someone would hit me with a cane stick across my hips and on my nipples. This torture went on for the whole night.”<sup>67</sup>*

### *Men*

Male political prisoners also have had to endure sexual abuse, though many are reluctant to discuss such abuse. This is primarily because the abuse they face often involves homosexuality or similar actions and threats that are perceived to be not only degrading to their manhood, but also unnatural.

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<sup>65</sup> Htun, Yee Yee. *Prison Experience of Yee Yee Htun*.

Women Political Prisoners in Burma. Joint Report: Burma Women's Union and Assistance Association for Political Prisoners, 2004. p. 160.

<sup>66</sup> AAPP Interview, T-12 August 2004; on file with AAPP

<sup>67</sup> Mon, Su Su. *At the Mercy of the Beast*. Tortured Voices: Personal Accounts of Burma's Interrogation Centers. All Burma Students' Democratic Front, 1998. p.27.

Men have faced the threat of rape during interrogation. One man explains:

*"Suddenly, a guard kicked me behind my knee. I collapsed on the floor on my knees. When I tried to stand up, I was forced to lie on my stomach and both my hands were pulled behind my back and I was handcuffed. The hood was still over my head and I was lying face down on the floor. Suddenly, my sarong was taken off. I wasn't wearing any underwear and my lower body was completely naked.*

*'You have thirty minutes to consider whether or not you are telling lies, and to think about your life,' one of the officers said.*

*There was nothing but silence.*

*I don't want to describe what followed because I don't even want to think about it. However, it's important the world knows what I experienced and what is happening in MIS Interrogation Centers in Burma.*

*A voice broke the silence. 'Moe Aye, think carefully and tell us the truth. If you don't, we will make you a homosexual.'*

*Someone then sat on top of me. Another took off my handcuffs, pulled both of my hands forward and handcuffed me again. I was about to be raped by another man. I was absolutely terrified as I expect anyone would be in such a situation." <sup>68</sup>*

Moe Aye quickly gave the authorities some information, and so was allowed to put his clothes on. However, one officer left him with a threat:

*"Take him back to his room,' an officer ordered, 'I'll call him again later.' He then turned to me and threatened, 'We'll know whether your answers*

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<sup>68</sup> Aye, Moe. *A Dialogue with the Devil*. Tortured Voices: Personal Accounts of Burma's Interrogation Centers. All Burma Students' Democratic Front, 1998. p.84.

*are correct or not within a couple of days. If they aren't, prepare yourself to become a homosexual instead of a politician.”*<sup>69</sup>

While in prison, there is sometimes the pressure to have sex, though this pressure usually comes not from prison authorities, but from the criminals kept in the same cells as political prisoners. Young prisoners are particularly vulnerable. Many former political prisoners attest to witnessing the sexual abuse of young criminal prisoners, and attempts of such abuse on young political prisoners. A former political prisoner recalls:

*“I was kept in the same cell with two criminals and one other political prisoner. One of the criminals wanted to have sex, and would try to pressure my other two cellmates into agreeing. But, none of us wanted this; it was a real problem for us. One of the rules that political prisoners agree to live by is not to have same-sex relations in the prison, and to oppose those who force such behavior on others. So, we informed the authorities of the situation and let this one criminal know that we would defend each other against any of his advances. We managed to prevent anything from happening, and eventually, after much complaining, convinced the guards to remove that criminal.”*<sup>70</sup>

The period of interrogation is generally when most sexual abuse takes place. In several instances, those detained are made to strip and remain naked for long periods of time, often while they receive other abuse. One man had rubber bands continuously flicked at his naked body. Some have been made to assume modeling positions while naked.

The authorities are known to have repeatedly beaten male prisoners' genitals while naked, held flames directly underneath their genitals and some have had electrodes attached to their genitals and then been electrically shocked. A male former political prisoner explains his sexual abuse:

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<sup>69</sup> Ibid. p.85.

<sup>70</sup> AAPP Interview, T-2 July 2005; on file with AAPP

*"I was arrested on December 12, 1996 at a rice shop run by the student unions to raise funds. Until December 22, I was forced to be naked. had only one piece of clothing and that was the hood over my head. December is wintertime in Burma and it was very cold..."*

*One day I heard the screams of a young woman in the next room. They were forcing her to undress and that is why I heard her shouts. The interrogators, under Captain Aung Kyaw Linn, told me they would rape her if I did not confess to what they were accusing me of. I immediately thought it was my little sister. She was only eighteen at the time, and has a heart ailment. The young woman in the next room was not her, but in my state I was convinced it was..."*

*For ten days I was kept undressed; I was very ashamed. They continued to beat and kick me all the while I was naked. I was beaten at least four times in one day with canes. Then, they gave me too much to drink; I was very emotional and thirsty so I kept drinking the water. They would not allow me to urinate. Whenever my penis became hard, they would beat it with a small cane. They did this approximately sixty times. It was too much to bear..."<sup>71</sup>*

The authorities have also used animals to sexually abuse detainees. One male former political prisoner describes his interrogation:

*"...I was then made to assume a position similar to the 'Semigwa dance,' while pins were placed underneath my elbows and knees. I was stripped of all my clothes. There were four guards in the police station, all drunk, and they found a large dog, which they made mount my back. They then used their hands to arouse the dog's penis and placed it against my anus. The dog ran away, as such a thing is not natural, but the authorities brought it back and continued with the abuse. This did not last long, but it was deeply*

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<sup>71</sup> AAPP Interview, T-2 August 2004; on file with AAPP

*humiliating. . . I can forgive my torturers for everything but the sexual abuse. No religion permits such an act. It has destroyed my self-esteem, my dignity.*"<sup>72</sup>

## **IV. General Prison Conditions**

The following describes the inhumane prison conditions, which is the primary factor behind the poor health of many political prisoners. When a political prisoner falls ill, their illness is further compounded by the prison health care system. While these two factors of prison life easily meet the definition of ill-treatment, they may also, due to the extent that they are purposely aggravated and the suffering that arises, qualify as torture.

### Cell Conditions

There are a variety of cells which hold political prisoners, including regular cells, solitary confinement cells, death row cells, and dog cells. However, all cells are similar in that they are overcrowded, contain both criminals and political prisoners, and are extraordinarily unsanitary. Additionally, political prisoners must adhere to arbitrary rules set forth by corrupt authorities with no concern for prisoners' rights and with no formal complaint mechanism.

Placing criminals with political prisoners leads to many problems for the political prisoners. The regime does not recognize the existence of political prisoners in their jails, and so criminals and political prisoners are placed in the same cells. The criminals are used by the authorities to monitor the activities of political prisoners, and a hierarchical system of power usually develops among the criminals. Political prisoners are often intimidated and threatened by criminals when they try to carry out any activities or commemorate important dates:

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<sup>72</sup> AAPP Interview, T-10 July 2005; on file with AAPP

*"The authorities would frequently encourage the criminals to denounce the political prisoners, and in one case provided the criminals with tools by which to abuse the political prisoners should they begin to discuss politics."*<sup>73</sup>

The cells in prison teem with a variety of animals and insects, which the authorities make no real effort to remove. Such animals and insects spread disease, posing a threat to the political prisoners' health. Rats, mice, snakes, scorpions, spiders, worms, lizards, leeches, cats, lice, flies, maggots, and bird droppings have all been reported in the cells. One woman relates:

*"There were 35 rats in the cell; I counted them one day. One day, the chief jailers came around to my room while I fed some rice to the rats. They saw many rats in my room and were surprised, but they did not seem worried about my health. They were just surprised I was staying with rats. I asked the Director General to do something about the rats coming into the cells. He gave me a very funny answer right away, which was, "I will send a cat for that." Then he sent a cat, but the cat gave up and ran away from the women's ward as it could not stand living with so many rats. . . In my room the rats and I were like family. At night, they used to run over my head. Some were very big. . . The next time I was in prison, there were many cats in the ward, and we lived together with them."*<sup>74</sup>

Political prisoners all face the challenge of adhering to many arbitrary and forever changing rules and regulations. When they first arrive, a political prisoner's possessions are confiscated and they are instructed on the rules and regulations of the prison. Failure to adhere to these rules and regulations, even when uninformed of certain rules and regulations, results in punishment, which in Burma's prisons is nearly synonymous with torture. One man explains his experience:

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<sup>73</sup> AAPP Interview, T-1 July 2005; on file with AAPP

<sup>74</sup> San, San. *Daw San San*. Women Political Prisoners in Burma . Joint Report: Burma Women's Union and Assistance Association for Political Prisoners, 2004. p. 130.

*“The next morning all 100 prisoners were made to sit in 10 rows of 5 each in the poun-zan position. The authorities then began to beat the prisoners on the outer rows, saying they were not following the rules of Taungoo prison, which were different than those of Insein. Prisoners in Taungoo were required to hold their registration cards while in the poun-zan position. However, the authorities did not inform us of this rule change before they began to beat us.”*<sup>75</sup>

Corruption in the prisons is rampant, and many political prisoners have had to bribe guards for them to do what should be their job. One man explains:

*“In the bag I had been carrying [when arrested], I had about 50,000kyat. I would be made to use this money to buy proper food to eat, bribe the authorities to contact my family, and most bizarrely pay for my time in detention.”*<sup>76</sup>

There is no formal mechanism for political prisoners to make complaints, and those who do complain are either punished (tortured) or transferred:

*“Sometime in 1995, five other political prisoners and I began to complain to the authorities about the small handful of rice and curry that we received as meals. We were then sent to a cellblock where we were beaten very harshly for 4 hours. We were then made to remain, shackled, in solitary confinement for 3 months, 1 month of which was without showers.”*<sup>77</sup>

Another man explains:

*“Though the food in the prison was poor and the political prisoners were only allowed seven plates of water for showering, complaints were rarely heard and when heard rarely acted on. When the situation in the prison was*

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<sup>75</sup> AAPP Interview, T-7 July 2005; on file with AAPP

<sup>76</sup> AAPP Interview, T-10 July 2005; on file with AAPP

<sup>77</sup> AAPP Interview, T-7 July 2005; on file with AAPP

*bad, no complaints were heard, but when it was good, complaints were heard. Whenever a person was bold enough to complain, they would be marked for punishment or transfer.”<sup>78</sup>*

Despite the pressure not to complain, many political prisoners decide to fight for their rights as prisoners. They complain to authorities, defiantly commemorate important days, and go on hunger or labor strikes. They are punished (tortured), transferred and even have had their prison sentences extended:

*“While in Tharrawaddy, some political prisoners and I went on a 3 day hunger strike to demand the authorities provide prisoners with better rice. The hunger strike was successful and we were finally given better quality rice, although I would later learn that such an action had caused the authorities to extend my prison sentence.”<sup>79</sup>*

### *Regular Cells*

It is misleading for the authorities to distinguish between regular and punishment cells, as none of the cells that hold political prisoners meet international or domestic standards. One man reveals the harshness of his living conditions:

*“I was then placed in a cell with hardly any light. An iron sheet was placed over the doors such that I could only peer out over the top. I was only allowed 15 minutes to empty my chamber pot and 15 minutes to shower each day. The room smelled very foul due to these conditions, and I began to become ill. I felt dizzy all the time, and my heart would beat rapidly. I developed heart disease, but was only allowed to visit with a medic. My family had to provide me with the medication I needed.”<sup>80</sup>*

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<sup>78</sup> AAPP Interview, T-13 July 2005; on file with AAPP

<sup>79</sup> AAPP Interview, T-18 July 2005; on file with AAPP

<sup>80</sup> AAPP Interview, T-12 July 2005; on file with AAPP

Another man notes:

*“At this time, I was held in an 8' by 8' cell with improper clothing for the cool climate. I was not given any toilet paper when using the toilet, and had to demand even to be allowed to be taken to the toilet. When I was allowed to shower, the other political prisoners and I were made to file past the other cells naked.”<sup>81</sup>*

The regular cells are even so poorly constructed as to leave the prisoners exposed to the elements:

*“That night, it rained heavily and the weather was too cold. I was totally soaked by the rain coming through the roof, and they gave me nothing to keep me warm- all I had was my field jacket. The next day, I spent the whole day in the sun.”<sup>82</sup>*

### *Punishment Cells*

The authorities have set aside cells within each prison for punishment (torture). Though some have specific names and conditions, others are just referred to as punishment cells. One man explains the conditions of one punishment cell:

*“I was the only one in my cell, and I was not allowed to leave once. The punishment cell was a very dangerous place. Parts of the concrete ceiling were always falling down. I could not sleep easily, as I was afraid that the concrete would fall on me. There was no toilet plate, so it was very dirty. The toilet was the corner of the cell, and the cell was never cleaned. There were leeches. We would receive a very small amount of rice on a very dirty plate twice a day. The water pot was broken and uncovered.”<sup>83</sup>*

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<sup>81</sup> AAPP Interview, T-11 July 2005; on file with AAPP

<sup>82</sup> AAPP Interview, T-3 August 2004; on file with AAPP

<sup>83</sup> AAPP Interview, T-9 August 2004; on file with AAPP

Another former political prisoner relates his punishment experience:

*"I was placed in a dark cell, with no light but from a small hole, for ten days. I was unable to shower and only allowed one pot for excrement, which I was not able to clean. Authorities would open the door and throw my food to me. Additionally, I had no blankets or bedding and so was made to sleep on the cold, hard floor. Fearing tuberculosis, I would lay on my stomach to sleep."*<sup>84</sup>

Political prisoners are never sure what will happen to them in these cells:

*"Also, the Superintendent ordered the guards and criminals to hold us down while they cut our hair haphazardly so that our hair was not in any style, but rather all different lengths. This was done to humiliate us."*<sup>85</sup>

### *Solitary Confinement Cells*

A prisoner is placed in solitary confinement cells as punishment, and thus the conditions are worse than those in a regular cell. The cell is smaller in size, and when in solitary confinement, the political prisoners are placed in punishment shackles. They must sleep on a cold concrete floor with out any mat or blanket, which can cause tuberculosis. Political prisoners are not allowed to shower, and the small pots intended for excrement are not emptied, if they are present at all. As a result, the excrement remains uncovered and begins to give rise to maggots and a horrible stench. When prisoners receive their meals, the authorities slide the plates in through the cell bars, which often causes food to spill and become inedible. One man explains solitary confinement conditions:

*"The period of solitary confinement usually lasts for at least 2 weeks but may last up to three months or more. For a period of solitary confinement, the authorities feed the prisoner overcooked rice that has the appearance*

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<sup>84</sup> AAPP Interview, T-19 July 2005; on file with AAPP

<sup>85</sup> AAPP Interview, T-4 July 2005; on file with AAPP

*and texture of glue for 3 or 4 days. The worst part of solitary confinement is that there is no chance to wash the urine pot.”<sup>86</sup>*

Another man notes:

*“I was held in solitary confinement for a period of 28 days in a 6' by 8' room with no natural light. I was not allowed to leave the cell or shower, and was made to defecate in a pile of ashes in the corner of the room.”<sup>87</sup>*

### *Dog Cells*

As with the solitary confinement cells, the dog cells are used for punishment. One man explains the origins of the cells' name and the conditions:

*“The dog cells were old kennels used for military dogs during British colonial times. Now they are used as punishment cells for prisoners. It was very dirty. There were white lice everywhere, including in the mattresses. There were no windows, and only a weak light. Worst of all, it smelled very strongly like excrement and urine. Two political prisoners and two hardened criminals were kept together in each cell.”<sup>88</sup>*

Another man speaks of his experience in the dog cell:

*“The cells are 7' by 10' with no mats and one pot for use as a toilet. The food is even worse than the regular prison food, and I was only allowed one cup of water once in two weeks.”<sup>89</sup>*

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<sup>86</sup> AAPP Interview, T-2 July 2005; on file with AAPP

<sup>87</sup> AAPP Interview, T-7 July 2005; on file with AAPP

<sup>88</sup> AAPP Interview, T-5 August 2004; on file with AAPP

<sup>89</sup> AAPP Interview, T-6 July 2005; on file with AAPP

### *Death Row Cells*

The death row cells are also a type of punishment cell. Again, the conditions are purposely worsened to inflict suffering on the political prisoners:

*“Even though it was summer time, death row was very cold. I was not allowed to wear a long shirt and had only a short sleeve shirt and lon gyi. I had no shoes and no mat, so I slept on the cold cement. I had no lavatory pot so I had to use a corner of the cell as my toilet. There was no water for me to clean myself, so I had to rip up small pieces of my clothes to use as toilet paper. Maggots infested everything. I needed to wrap my lon gyi around my waist like shorts in order to protect my self from the maggots. I stuffed my ears and nose. We all took turns sleeping while one person sat up removing the maggots from around those sleeping. We could not shower and within in a week our clothes turned from white to black.”<sup>90</sup>*

### Hard Labor

Many political prisoners are sentenced to a number of years with hard labor. This ‘hard labor’ has meant different things for different political prisoners. Some political prisoners have been assigned to labor camps:

*“They sent me to a hard labor site to carry full water tanks. They were very heavy. I was there for three days, and demanded that the jail officer release me from work because of my age; I was 36 years old. Most of the people at this work camp were 16 or 17 years old. But, if they want you to work, age is not an issue -they will force 60 and 70 year olds to work. At this camp, there are many people over 50.”<sup>91</sup>*

A number of political prisoners have been spared work in labor camps after they bribe the authorities. Still, they are made to do exhausting work in the prison:

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<sup>90</sup> AAPP Interview, T-12 July 2005; on file with AAPP

<sup>91</sup> AAPP Interview, T-9 August 2004; on file with AAPP

*“In the prisons, there are sections for different kinds of labor, such as that for rice, cement, water, the plantation and waste. I was made to carry heavy bags of rice, one of which I dropped, and was subsequently beaten. I was then made to carry bags of cement, and again I dropped a bag and was thus beaten. I was placed in the plantation, and then with water, and beaten both times for mistakes that I made.”<sup>92</sup>*

The conditions under which the political prisoners must work are unbearable, and have led to illness:

*“I had to continue to assume poun-zan positions for an hour each day in the hot sun, as well as work in the prison plantation in such unbearably hot weather. Also, the political prisoners were charged with drawing water from the well twice a day. Because of this, many prisoners became sick, particularly the elderly. However, there was only a medic available to tend to the health of the political prisoners, and as a result several criminal prisoners would attempt to administer health care.”<sup>93</sup>*

Sometimes, the work political prisoners are forced to do is menial, serving no purpose other than to humiliate the prisoners:

*“Political prisoners were made to work while in prison, often at menial and even humiliating tasks. In one case, I was asked to catch flies in the prison. Whenever a prisoner refused to work, they would be beaten and sent to solitary confinement.”<sup>94</sup>*

The authorities also assign needed tasks, but then purposely fail to give the political prisoners the proper materials to carry out the task:

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<sup>92</sup> AAPP Interview, T-10 July 2005; on file with AAPP

<sup>93</sup> AAPP Interview, T-13 July 2005; on file with AAPP

<sup>94</sup> AAPP Interview, T-11 July 2005; on file with AAPP

*"Each day I was made to clean the iron bars of my cell as well as the floor with pieces of glass and the bottom of a water pot. No brooms were ever provided. If the cells were deemed not sufficiently cleaned, we would be beaten."*<sup>95</sup>

### Food Provisions

The poor quality of prison food, generally lacking basic nutrients, and the failure to provide political prisoners with sufficient daily caloric intake has led to malnutrition among prisoners, as well as exacerbated many political prisoners' illnesses. Political prisoners are provided with the lowest quality rice, which is usually under or overcooked so as to make it difficult to chew and lacking in any nutritious value.

Two curries are offered, one a pea curry and the other Talapaw curry. However, these are not traditional curries containing thick broths and many vegetables. The pea curry is comprised of water and peas and is often tasteless. Because of the small number of peas and large amount of water, the prisoners call this curry 'mirror soup.' The Talapaw curry is a small amount of unwashed vegetables in a large amount of water, which is placed in a large pot and boiled. Several political prisoners have found leeches, worms, sand, stones, and twine also mixed into the curry. The prisoners have taken to calling the curry 'wet khaung khar,' meaning that though a pig will usually eat any and all food you give it, when a pig is given Talapaw curry, it will look at the curry and then refuse to eat it.

Political prisoners are given a teaspoon of fish paste (grounded fish mixed with seasoning) at each meal. The fish used is of the worst quality, the paste is not properly seasoned, and sand has been found mixed into the dish.

Once a week prisoners are allowed beef, pork, fish or eggs. However, the meat is only about a one-inch cube, and is only ever boiled, creating a foul smell throughout the prisons.

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<sup>95</sup> Ibid.

The food is so poor in quality that in many cases it is actually rotten:

*“At Tharawaddy, we were served boiled fish that had already gone rotten. We demanded better food, but we were refused.”<sup>96</sup>*

The inability to provide quality food has led to food poisoning and many gastric ailments that continue after release:

*“We were given the poorest quality rice; in fact, it was only the rice paddy, the husk. I had stomachaches all the time.”<sup>97</sup>*

Besides not providing enough food, the authorities also allow criminal prisoners to take the best food for themselves:

*“Also, the authorities would try to create conflict between the criminals and political prisoners in various ways. In one case, the criminals would take the good meat from the weekly meat ration and demand bribes from the political prisoners for the meat.”<sup>98</sup>*

There is never enough time allotted for the prisoners to receive their food and eat at a reasonable pace. This also creates gastric ailments:

*“The prisoners were made to line up to receive our rice. As there were several people in line, passing through the line would take up the majority of our allotted meal time, and force us to eat our food very quickly or else not at all.”<sup>99</sup>*

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<sup>96</sup> AAPP Interview, T-18 July 2005; on file with AAPP

<sup>97</sup> AAPP Interview, T-12 July 2005; on file with AAPP

<sup>98</sup> AAPP Interview, T-13 July 2005; on file with AAPP

<sup>99</sup> AAPP Interview, T-1 July 2005; on file with AAPP

The authorities are careless about keeping the food free from contamination:

*"During meal time, the toilet pot was passed down at the same time as the food, and excrement splashed into the food pots. These conditions are torture inflicted by the prison authorities."*<sup>100</sup>

Due to the insufficient, poor quality food, all political prisoners rely on their families to receive extra food, which they then try to share with their fellow political prisoners:

*"The food was not nutritious and I supplemented my prison meals with food from my family. Twice a month they came and brought me vegetables, chilies and fruit."*<sup>101</sup>

However, as noted, families face various hardships in providing for their imprisoned loved one, and so many prisoners simply go hungry and subsequently become ill:

*"While in Mandalay prison, I was unable to receive frequent family visits, and so at this time I was only able to eat one meal a day, as what was offered at night caused me to feel I would vomit. I was also unable to have any pure drinking water."*<sup>102</sup>

### Hygiene

The complete failure of prison authorities to provide for basic hygiene is the primary source of disease, illness and poor health among political prisoners. When political prisoners first arrive at prison, they are provided with one or two prison uniforms (a shirt and lon gyi made of thin white cloth), one pair of underwear and no slippers. The uniforms are only allowed to be washed once a week:

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<sup>100</sup> AAPP Interview, T-8 July 2005; on file with AAPP

<sup>101</sup> AAPP Interview, T-4 August 2004; on file with AAPP

<sup>102</sup> AAPP Interview, T-2 July 2005; on file with AAPP

*“While in Myitkyina, I was issued only two uniforms, and was only allowed to wash them once a week, which is not sufficient stay clean. Sometimes we found a way to secretly wash our uniforms more than once a week.”<sup>103</sup>*

Political prisoners are not given any toilet paper or means of cleaning themselves, which leads many to use parts of their uniforms:

*“As we were not provided with toilet paper, we would use parts of our prison uniform for this purpose. For this reason, our uniforms would become progressively shorter, until they were up to our thighs. The authorities would only provide one uniform a year. These poor hygienic conditions inevitably led to disease and illness, but the doctor did not properly perform his duties.”<sup>104</sup>*

When allowed to shower, the toiletries provided are wholly inadequate:

*“We were only given a very small piece of soap. Prison regulations state that we were supposed to get a larger piece of soap, since this was too small to adequately wash ourselves.”<sup>105</sup>*

The authorities use the political prisoner’s bathing time to further humiliate:

*“While showering, the political prisoners were only allowed 8 plates [not cups] each, and had to wait for the authorities’ command before using each plate.”<sup>106</sup>*

One man relates a particularly degrading experience:

*“After we made our complaint, they stopped allowing us to shower altogether and stopped giving us lighting. Eventually we were allowed two plates of*

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<sup>103</sup> AAPP Interview, T-6 July 2005; on file with AAPP

<sup>104</sup> AAPP Interview, T-11 July 2005; on file with AAPP

<sup>105</sup> AAPP Interview, T-7 August 2004; on file with AAPP

<sup>106</sup> AAPP Interview, T-1 July 2005; on file with AAPP

*water a day to wash our hands and face. Sometimes they would take us all outside and hose us down all together like animals. We complained again, and they told us that they did not have enough in the budget for political prisoners, but I think the officers were simply keeping the money.”<sup>107</sup>*

When women political prisoners begin menstruating, they are forced to rely on their families for the proper supplies. However, many are left without the needed materials, and must suffer the indignity of menstrual blood staining their uniforms and remaining on their bodies for lack of water to wash themselves. One woman relates her experience:

*“There was no alternative underwear to wear while my only panty was washed and wet. I used to face many problems during my period. I had no sanitary napkins, extra panties or even a piece of cloth to use for a pad.”<sup>108</sup>*

## **V. Prison Health Care System**

The health of several political prisoners is grave, and rapidly deteriorating. Overcrowding, poor quality and insufficient food, improper hygiene and lack of treatment after brutal torture and during imprisonment are primary factors leading to illness. Additionally, long term imprisonment, with some political prisoners being held past expiry of their original unjust sentences, has taken its toll on many of the political prisoners. There are more political prisoners with serious health conditions now, as many political prisoners are moving into the second decade of imprisonment.

No exceptions are made for ill political prisoners. In September 2005, U Hla Aye, an active NLD member, was dragged from his hospital bed after suffering a stroke, taken to court and sentenced to two years and

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<sup>107</sup> AAPP Interview, T-12 July 2005; on file with AAPP

<sup>108</sup> Aye, Kaythi. *Prison Experience of Kaythi Aye*.

Women Political Prisoners in Burma. Joint Report: Burma Women's Union and Assistance Association for Political Prisoners, 2004. p.78.

one month imprisonment for refusing to give money which local authorities had tried to extort. He remains imprisoned to date without concern for his illness.

### Illnesses in Prison

After the torture faced in interrogation or as punishment in prison, political prisoners are not able to see a doctor, and are often prevented from seeing their family until their wounds heal. One political prisoner, a doctor forced by the authorities to treat patients while imprisoned, relates:

*"I did not see so many cases related to physical abuses, because unless a prisoner was exceptionally hurt, he never came to the hospital. When prisoners were beaten severely enough to sustain serious injuries or even die, the officers never wrote down the real diagnosis for fear of punishment."*<sup>109</sup>

In addition, the authorities have sought certification from doctors as to the fitness of a jailer to torture:

*"After prisoners are tortured, they are unable to be examined by a doctor. In fact, in one case, a doctor was summoned for one of the jailers in order to see if he was in sufficient shape to administer torture, as he was known to have a heart condition."*<sup>110</sup>

Once a political prisoner has been weakened by torture they are placed in prisons where the authorities take no steps towards preventing the spread of disease:

*"No mosquito nets or coils were ever provided, which led to illnesses. When the prisoners would try to cover themselves with blankets to keep away the mosquitoes, it would be unbearably hot and we could not avoid the mosquitoes."*<sup>111</sup>

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<sup>109</sup> AAPP Interview, T-3 August 2004; on file with AAPP

<sup>110</sup> AAPP Interview, T-15 July 2005; on file with AAPP

<sup>111</sup> AAPP Interview, T-2 July 2005; on file with AAPP

The poor hygiene of the individual prison cells has been noted. However, this lack of sanitation extends to the whole prison:

*“The sewage disposal was very dirty even after we moved to the new prison in 1994. Two men would carry a large glazed jar on a stick across their shoulders into which all the prisoners would empty their earthenware plates. Urine from the jar would be used to rinse the plate, which is how diseases spread. This large jar was carried outside to a pit where the feces and waste were left exposed...”<sup>112</sup>*

The drinking water is yet another way in which diseases spread:

*“After 6 pm when the prison was locked down, there was only water for drinking. But even the drinking water was not clean, having been handled and carried multiple times without careful cleanliness before reaching the prisoners.”<sup>113</sup>*

Perhaps the most serious health threat to political prisoners is HIV/AIDS, as it is a sure death sentence. Yet, the authorities do not sterilize needles used in injections, ensuring the spread of HIV/AIDS:

*“When prisoners required injections, they were lined up and given shots with the same needle without any effort at sterilization. For this reason, many political prisoners would request our families provide us and other political prisoners with single use needles. Those not fortunate enough to obtain such needles were at risk of infection, most seriously with HIV/AIDS. Some political prisoners are known to have died from AIDS contracted while in prison.”<sup>114</sup>*

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<sup>112</sup> AAPP Interview, T-3 August 2004; on file with AAPP

<sup>113</sup> Ibid.

<sup>114</sup> AAPP Interview, T-1 July 2005; on file with AAPP

Though political prisoners are aware of the lack of sterilization, there is often no choice for them in receiving an injection, and many have risked possible infection in order to treat another illness:

*“Of particular concern was the possible spread of HIV/AIDS in the prison. Political prisoners had to rely on their families for all medical needs, which meant that their families were the only source for disposable syringes. Though we worried about contracting HIV/AIDS, our sickness would prevent us from having a choice as to whether or not we would accept an injection. Also, at that time there was not widespread knowledge and awareness about AIDS. Some political prisoners have died as a result of AIDS contracted in prison.”<sup>115</sup>*

One political prisoner made to work in the prison hospital recalls his efforts at sterilization were thwarted by the authorities:

*“We had many patients with TB who we kept in isolated cells. The only way we could treat them since we did not have enough drugs was with injection therapy. We had perhaps 20 or 30 patients at a time and only 6 or 7 needles. While administering the injections, we had to boil the needles over and over again, but as you know, this is not sufficient. If it was near lock down time, the guards would yell, ‘Move! Move! Move!’ and tell us to hurry up with the injections. We would ask them to wait so we could boil the needles the needed 20 minutes, but they would just shout at us and tell us to move. We were forced to use one syringe for two or three patients without sanitizing it. I, myself, was pricked four or five times by dirty needles...”<sup>116</sup>*

When political prisoners and criminal prisoners contract HIV/AIDS, they are left for dead:

*“We did have several HIV/AIDS patients, but there was nothing we could do but treat their superficial symptoms. We had no retroviral drugs.*

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<sup>115</sup> AAPP Interview, T-13 July 2005; on file with AAPP

<sup>116</sup> AAPP Interview, T-3 August 2004; on file with AAPP

*They often had dysentery and in the end stage we could not care for them properly. We trained a few prisoners to provide nursing care, but they required so much attention that we did not have the medicine or staff to deal with them. They often just lied flat on the concrete floor on a rough country mat and passed stool all day. The nurses could not keep up and keep the area clean. The medicines were not effective anymore, and we had to give up. They were all skin-and-bones. I have never seen such scene like it outside. We could not even cover them with clothes.”<sup>117</sup>*

In addition to the potential of contracting physical ailments, all political prisoners must contend with mental anguish, which has in many cases become serious mental illness. Political prisoners have not been allowed any reading materials while in prison, conversation among political prisoners is severely restricted and many political prisoners have been held in solitary confinement for extended periods of time. The near complete lack of mental stimulation ensures some degree of mental suffering among political prisoners, a suffering which is never addressed. One political prisoner notes:

*“Sometimes people would come in with mental health problems. I think all the prisoners were mentally unsound. Everybody looked like a withered, sun-burnt flower. They could not read books, watch television, read the newspaper. They could not sing. Those restrictions are mental torture. The appointed psychiatric consultant rarely came into the hospital.”<sup>118</sup>*

The following are the diseases and illnesses political prisoners suffer while in prison based on interviews conducted for this report:

- o Dysentery
- o Scabies
- o Various Skin Diseases
- o Cholera

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<sup>117</sup> Ibid.

<sup>118</sup> Ibid.

- o Malaria
- o Piles (Hemorrhoids)
- o Anemia
- o Hypertension
- o Low/High Blood Pressure
- o Irregular Heartbeats
- o Heart Disease
- o Heart Attack
- o Stroke
- o Stiff Joints, Neck, Back
- o Broken Bones
- o Spinal Chord Injuries, Paraplegia
- o Nerve Damage
- o Weakened Vision
- o Tooth Decay
- o Hearing Loss (from beatings to the head)
- o Food Poisoning
- o Malnutrition
- o Gastric Ulcers and other Ailments
- o Liver Ailments
- o Ring Worm
- o Severe Diarrhea
- o Diabetes
- o Kidney Ailments
- o Lung Ailments
- o Irregular Menstruation
- o Depression
- o Mental Illness
- o Tuberculosis (TB)
- o Hepatitis
- o HIV/AIDS

## Medications

Limited medications of poor quality are made available to political prisoners. Many political prisoners noted that regardless of the illness, they would receive the same, inadequate, medication. Some have been given lower quality medications, fake medication, and even the wrong medication:

*“One day, during my six-month solitary confinement, I suffered from a severe stomach ache and I had to shout for help. The prison doctor came to me, examined me and ordered a female medic to give me an injection. During the injection, another female warden rushed in and shouted, ‘Stop the injection, the doctor said the medication he ordered was wrong.’ ...I was worried at this time because I thought nobody would be informed if I died.”<sup>119</sup>*

The following are the primary medications known provided to political prisoners according to the former political prisoners interviewed:

- o Paracetamol (pain killer)
- o Sodamint (decreases acidity for gastric ailments)
- o Buspro (pain killer, not widely used because of many side effects)
- o Metro (for dysentery and other bacterial diseases)
- o Plurazel (brand name, for dysentery and other bacterial diseases)
- o Oxytetra (for infections, not widely used outside prison)
- o Dygine (for gastric ailments)
- o Burmiton (for allergic reactions)
- o Neuropatene (for strengthening nerves, similar to B-12)

While the International Committee of the Red Cross (ICRC) has provided the prisons with several, quality medications, political prisoners rarely ever benefit, as many note that the authorities sell the medications on the market or to the political prisoners themselves:

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<sup>119</sup> Htun, Yee Yee. *Prison Experience of Yee Yee Htun*. Women Political Prisoners in Burma. Joint Report: Burma Women's Union and Assistance Association for Political Prisoners, 2004. p. 158.

*“The ICRC visited Mandalay prison three times while I was there. During these times, conditions did improve to a certain extent. However, we found out that though the ICRC had donated much medicine to the prisons, the authorities kept it to themselves to sell while giving the prisoners poorer quality medicine.”*<sup>120</sup>

One woman notes:

*“Though the ICRC provided proper medicine for us, the authorities would keep this medicine, and only in rare cases allow us to buy it to help with our illnesses.”*<sup>121</sup>

The same thing occurs when families provide political prisoners with medication:

*“I did not face any serious illness during my prison term, but I can confirm the poor quality of health care available to political prisoners. While I was in prison, I noted that when families brought good, quality medicine for their family members, this medicine never reached the prisoners. Instead, the authorities would keep the good medicine, and give the prisoners medicine of lesser quality. The quality medicine would then be sold on the market for a profit.”*<sup>122</sup>

As a result, political prisoners must pay for their medications, rely on their families, or receive no medication at all:

*“Though the ICRC provided the prisons with the appropriate medicine, all these medicines were kept by the authorities and then sold. Prisoners had to pay for the medicines they received, or rely on their families for the proper medicine.”*<sup>123</sup>

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<sup>120</sup> AAPP Interview, T-9 July 2005; on file with AAPP

<sup>121</sup> AAPP Interview, T-18 July 2005; on file with AAPP

<sup>122</sup> AAPP Interview, T-19 July 2005; on file with AAPP

<sup>123</sup> AAPP Interview, T-7 July 2005; on file with AAPP

Often, the authorities fail to inform families of their loved one's illness, and so by the time the prisoner receives the medication, it is no longer needed:

*"While our families were allowed to purchase medication for us, they first had to receive a prescription from the prison doctor. However, it took an unacceptable amount of time to receive the prescription, and the delayed family visits meant the proper medications often did not reach us in time to be of any use."*<sup>124</sup>

When unable to receive medicines from their families, political prisoners look to their fellow prisoners who might have managed to store away medicine. Several political prisoners have risked punishment or transfer in order to help others:

*"I had hurt my left leg in interrogation. I could not walk alone. I had to lean on my case partner in order to walk; my leg was paralyzed for over about a month. I couldn't even feel it. When we came to the prison, another prisoner gave me some neuropatene tablets, and I recovered. The prison authorities never gave me any treatment."*<sup>125</sup>

When the prisons close for the night, political prisoners are often left without access to needed medications. Political prisoners have then had to negotiate with the authorities and rely on their own resourcefulness to improve their ability to follow their medication schedule:

*"While in Insein, I developed a severe case of scabies for which I needed constant injections or else I would suffer for much longer. However, was not allowed to receive proper treatment despite repeatedly complaining. At this time, Dr. Thin Pe was the chief medical officer. Though he would prescribe medicines for the prisoners, the prison guards would not allow us to keep*

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<sup>124</sup> AAPP Interview, T-15 July 2005; on file with AAPP

<sup>125</sup> AAPP Interview, T-9 August 2004; on file with AAPP

*the medications with us. When the prison would close, no medic was on duty and so a prisoner would have to suffer the whole night without treatment, even to the point of death.*

*I was told that the prisons did not have enough medicines to which I replied that I could find a way to have medicines donated legally. The jailers became interested, but quickly lost interest when I told them they should write a letter requesting medicines to Daw Suu [Aung San Suu Kyi]. Eventually, we were able to convince the authorities to allow us to keep our medications in the jailer's office. The political prisoners frequently sought to take care of and provide for the prisoners who fell ill. We even formed a medical committee and managed to hide away a medical book." <sup>126</sup>*

Even when the proper medication is provided, it is rarely ever provided in sufficient amounts. Medications all have certain dosages that must be taken for a certain number of days in order to have any effect. Frequently, prisoners will have their receipt of medications ended far short of the required time, leaving the prisoner's condition unimproved.

Additionally, when prisoners are released, they are not provided a record of the medications they have been taking or the treatment received, which makes continuing treatment after release extremely difficult.

### Doctors' Visits and the Prison Hospital

Political prisoners are afforded the lowest standard of health care in the prisons. Political prisoners are hesitant to seek medical care when they become ill for fear of punishment or transfer to a prison with worse conditions. Additionally, most of the political prisoners must rely on medics, criminal prisoners trained by medics, or political prisoners with some medical knowledge for treatment. There is an insufficient number of skilled medical staff for the prison population, such that one political prisoner, a doctor, was forced to care for patients while in prison:

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<sup>126</sup> AAPP Interview, T-2 July 2005; on file with AAPP

*"After a review by the jail superintendent, I was assigned to work in the jail hospital because they needed my help. There were two medical officers there, who were not working at all; they never saw the patients and only signed referrals. There was one other prisoner doctor. So there were really only two doctors for 3,000 prisoners. It was very dirty; often the prisoners who were employed as nurses could not afford to clean patients because they were so dirty."*<sup>127</sup>

One former political prisoner sarcastically remarked:

*"I believe that it is easier to see God than it is to see the prison doctor."*<sup>128</sup>

When political prisoners are finally allowed to see the prison doctor, they must face the doctors' apathy:

*"In 1998, I contracted food poisoning and malaria. A fellow political prisoner let my family know so that they could provide me with the proper treatment. The prison doctor was apathetic to my case, and informed me that if my family was unable to provide for me, I would die in the prison. I stayed in the prison hospital for 11 days, but discharged myself even though I was still ill because I feared I would get dysentery if I stayed in the hospital."*<sup>129</sup>

Many political prisoners note that the prison doctors' ineptitude is related to the control and intimidation that the MI exerts on the doctors:

*"I became ill with the flu twice while in Taungoo, but was only allowed to see medics, not doctors. The only medicines provided were paracetamol, oxytetra, and burmiton. All of my complaints were ignored. When the*

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<sup>127</sup> AAPP Interview, T-3 August 2004; on file with AAPP

<sup>128</sup> AAPP Interview, T-6 July 2005; on file with AAPP

<sup>129</sup> AAPP Interview, T-3 July 2005; on file with AAPP

*doctor was present, he stood back and did not help the medics. I believe that he was under pressure from the authorities.”<sup>130</sup>*

Due to the incompetence of the prison doctors, many political prisoners must go through long ordeals to receive a simple diagnosis, and often must beg for the results of their medical examination. Sometimes, they are taken to hospitals outside the prison, but are kept in a ‘guard ward,’ under the watch of the Military Intelligence. One man’s telling of his experience reflects well what a number of prisoners must endure:

*“In 2001, I began to feel dizzy and unable to maintain my balance. Not knowing the cause of my dizziness, I asked to see a doctor, but the authorities refused my request. At that time, I was forced to rely on another political prisoner, a doctor and MP, who told the medic to give me a B6 injection.*

*When I was finally able to see a doctor, the doctor assumed that it was my eyes that were the cause of my dizziness. At this time, my blood pressure was normal, but the joints in my hands were stiff and I frequently vomited. Thus, I was taken to the township hospital. While in the hospital, the MI visited me and suggested that I sign 401, which would allow me to be released on the condition that should I continue my political activities I would be rearrested and made to serve the remaining time in addition to whatever sentence I received. I brushed off this suggestion, and believe the authorities were trying to use my illness as a means to break my spirit. After a day, I began to feel better and left the hospital. However, I remained dizzy for a year, never knowing what the source of my suffering was.*

*In 2002, I was taken to Insein to see an eye specialist, as I continued to feel dizzy. When I arrived, the medics took my blood pressure, and, not having a scale available, guessed at my weight. That night I was supposed to see the doctor, but because I had violated the authorities’ orders by talking with other prisoners, I was not allowed to see the doctor.*

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<sup>130</sup> AAPP Interview, T-7 July 2005; on file with AAPP

*After 2 months, I was finally allowed to see the eye specialist, who told me that there was no problem with my eyes. The doctor assumed that I simply needed glasses, but this did not change my condition.*

*After 4 months of no improvement, and many requests to see a doctor, I was able to go to Insein township hospital where I was given a prescription for medicine, which the ICRC had provided the prison. Yet, after 1 month, I was still ill, and told I needed to see an ear specialist. I was initially denied permission, but eventually taken to the ENT (Ears, Nose, Throat Doctor), where I saw a specialist who said there was no problem with my ears. The doctor suggested that the problem might be with my neck.*

*With this suggestion, I underwent X-rays at the prison, which finally led to a proper diagnosis. I had a growth on the back of my neck that was causing this dizziness. Still, I was made to quarrel with the authorities in order for them to tell me what the illness was, at which time I requested treatment. The treatment I received was at the hands of an ex-army officer, now a criminal in the prison, who also happened to be a bone specialist. This doctor told me that if I felt dizzy, I should take exercise and medicine. Of course, this was not proper treatment, but now I just felt relieved to finally know the cause of my illness.”<sup>131</sup>*

The prison hospitals are unsanitary and lacking in the proper medical instruments and medication, making providing proper treatment for political prisoners impossible. Some prisoners have been so repulsed by the prison hospital that they have checked themselves out despite illness. Also, many of the patients in the prison hospital are not actually ill, but rather have bribed the authorities for a bed in the hospital so that they can be relieved from any labor and receive better quality and portions of food. Political prisoners have subsequently been placed in overcrowded wards containing patients with contagious diseases. One man explains the conditions of the prison hospital:

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<sup>131</sup> AAPP Interview, T-15 July 2005; on file with AAPP

*“There is only one hospital in prison and it is always crowded. The hospital provides no medicine except some kinds of temporary anesthetics and antiseptics. The doctor neither examines patients nor prescribes medicine for them; these tasks are carried out by some criminal prisoners. The prison hospital is always dirty and the sanitation is incredibly poor.”*<sup>132</sup>

Another man notes:

*“Some prisoners wouldn’t come to the hospital for treatment because of the smell; you could smell it even at the prison gate. And there was not nearly enough medicine—sometimes I gave patients my own personal reserve of medicine.”*<sup>133</sup>

When a patient is in need of surgery, his family must cover the expenses or the surgery is not performed:

*“While in prison, I could not receive surgery to correct my condition as I would have to pay to run the generator should the electricity go out during the operation, which I and my family could not afford.”*<sup>134</sup>

One man was not even taken to the prison hospital, but rather had his surgery performed in a room of the prison:

*“On the third day I fell unconscious. A military medical doctor was sent for and I was treated with medicines. To recover, I was kept in a detention cell with no light for ten days. I was not taken to a hospital. When I was moved to Insein, I was given an operation in the common room of the prison. The prison authorities supplied bandages, gauze and some medicines but no anesthesia. Other political prisoners, inmates who had medical training, performed this operation.”*<sup>135</sup>

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<sup>132</sup> AAPP Interview, T-2 July 2005; on file with AAPP

<sup>133</sup> AAPP Interview, T-3 August 2004; on file with AAPP

<sup>134</sup> AAPP Interview, T-4 July 2005; on file with AAPP

<sup>135</sup> AAPP Interview, T-7 August 2004; on file with AAPP

Pregnant women political prisoners have faced serious consequences when not allowed to stay in the prison hospital:

*"I was not sent to the hospital, and I did not demand that. In fact, I did not know I had the right to demand to be taken to the hospital. Mi Lone [prisoner] pushed on my belly extremely hard to give birth, which is why I am barren. If I had given birth in any hospital outside of the prison, I would not have gotten this disease. I had to give birth to my baby with many difficulties." <sup>136</sup>*

Several women are unable to breastfeed their children due to their own malnutrition, yet no special food or health care are provided for the newborns. Many women are afraid to go to the prison doctor for fear of inappropriate behavior during the examination.

The poor health care system is responsible for the deaths of a number of political prisoners in the prisons. However, even when a political prisoner is clearly dying, they are not released and allowed to die in the presence of their families, despite repeated requests:

*"I have never heard of anyone being released on humanitarian grounds because they were dying. I remember when U Cho Kyi was dying of liver cancer and didn't have much longer to live, they refused to release him. He was sent to the township hospital, but there was nothing they could do for him, so he was returned to the prison hospital. He should have been released to die at home in the care of his family; but he wasn't. I have never heard of anyone who was released to die peacefully." <sup>137</sup>*

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<sup>136</sup> Nwe, Khin San. *Firsthand Account of Khin San Nwe, who was imprisoned in Insein Prison*. Women Political Prisoners in Burma. Joint Report: Burma Women's Union and Assistance Association for Political Prisoners, 2004. p. 97.

<sup>137</sup> AAPP Interview, T-3 August 2004; on file with AAPP

### Prison Health Care System

The health care system of the prisons is an integral part of the effort to break the body and spirit of political prisoners. Easily prevented illnesses become deadly due to the decision of prison doctors, under the influence of the MI, not to respond. Some prison doctors have realized the consequences of the health care system and resigned:

*“While in Thayet, one doctor decided to resign after she refused the authorities orders to administer a deadly injection to one of the prisoners. She was unable to comply with the authorities repeated demands to break medical ethics and participate in the ill-treatment of prisoners.”<sup>138</sup>*

The authorities, though, try to cover-up the consequences of the health care system. When the case of an ill political prisoner receives significant domestic or international attention, the authorities use the opportunity to take photos of the prisoner receiving proper medical treatment which they then circulate to give the impression that such treatment is standard:

*“I suffered a serious kidney ailment while in prison, but did not receive proper treatment for 3 days from the time I informed the authorities. I believe that while the authorities might have provided me with treatment otherwise, the reason they finally provided me with treatment, effective treatment that is, was due to the fact that my case was told by my colleagues to those outside the prison, and aired publicly. The authorities then used my case to illustrate their commitment to health care by photographing my examination. The medicine that I was provided came from the ICRC, though I had to pay for it.”<sup>139</sup>*

Another man relates:

*“When I was finally told the results of my medical exam, I learned about the nerve damage in my back and the effect that this would have on my*

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<sup>138</sup> AAPP Interview, T-15 July 2005; on file with AAPP

<sup>139</sup> AAPP Interview, T-18 July 2005; on file with AAPP

*physical abilities. For a while I was still able to play chin-lone [traditional Burmese sport], which the authorities used to their advantage by taking pictures of me playing and publicizing them.*"<sup>140</sup>

Another way in which the fallout of the poor healthcare system is covered up is through false autopsy reports. Ninety-six political prisoners have died behind bars as a result of torture, ill-treatment or the failure of the healthcare system. Yet, in most all the autopsy reports, the cause of death has been falsified by doctors who comply with the pressure of the authorities.

The responsibility for the prison health care system lies in a committee comprised of the Ministry of Health, the Prison Department (under the Ministry of Home Affairs), and the ICRC.

The ICRC has managed to improve the conditions for some of the prisons. They have overseen improvement in food and bedding materials, donated medicines and toiletries, increased time out of cells, covered cement floors with wood, ensured political prisoners some reading materials (mainly religious), tried to improve the prison water system, provided money to families of political prisoners for visits, and even given training to prison directors. However, many former political prisoners note that they did not always benefit from the ICRC's efforts due to the interference of the authorities, as is the case with the medications donated. Because the ICRC agrees to refer to political prisoners as 'security detainees' to gain access to the political prisoners, some political prisoners have been hesitant to meet with the ICRC and some have reported that they were tortured after meeting the ICRC.

Thus, though the ICRC has managed to improve some aspects of prison life, the ultimate control over the prison healthcare system, and therefore responsibility for the poor health of political prisoners lies with the prison doctors and authorities, in this case the Ministry of Health and the Prison Department, under the Ministry of Home Affairs.

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<sup>140</sup> AAPP Interview, T-11 July 2005; on file with AAPP

## **VI. The Future for Former Political Prisoners**

The physical and psychological scars of torture and ill-treatment, and the social stigma attached to former political prisoners create difficulties that last long after a person is released. The military regime seeks not only to breakdown the identity of former political prisoners, but also to make them walking advertisements for the consequences of speaking out against the regime. This section is intended to highlight the challenges that political prisoners face once released so that family members, friends, colleagues and even former political prisoners themselves can understand the full ramifications of torture and ill-treatment. This section is also intended to serve as a reference and guide for any international organizations, NGOs or governments wishing to assist or in other ways work with former political prisoners from Burma.

### Physical Ailments

Many of the physical ailments that former political prisoners suffer from were incurred while in prison either as a result of torture, inhumane prison conditions, or the inadequate health care system, and persist due to lack of proper treatment. Former political prisoners do not have enough money or stability in their lives to begin the extensive medical treatments that would be required to alleviate their suffering. Further, many must contend with several illnesses at once, making treatment difficult.

Some former political prisoners are known to suffer from incurable paralysis as a result of beatings received during interrogation or imprisonment. They require constant assistance to carry out the simplest of daily routines. The physical illnesses and disabilities incurred from interrogation and imprisonment are concrete daily reminders of what former political prisoners have endured.

One former political prisoner relates the pain he feels when waking:

*"I still get terrible headaches especially when there is sunlight or heat. I have trouble going to sleep, and trouble getting up. Some days, when I wake up, the pain is so great I cannot lift my head. My right shoulder is still in pain from the beatings I received at Insein."*<sup>141</sup>

One man reveals the effects of his torture:

*"As a result of brutal treatment, in both interrogation and prisons, I am unable to undertake physical work and can not sit or stand for prolonged periods of time."*<sup>142</sup>

Another man conveys his fear that his brain has been damaged:

*"Furthermore, I believe that I have sustained brain damage from the head injuries received during my beatings. I feel slower than I did before I was arrested. I used to be very bright; now I have lost my ability to remember things in detail."*<sup>143</sup>

Though former political prisoners suffer from physical ailments, the inability to properly treat their illnesses and the resentment at even having to contend with such illnesses frustrates many. These feelings of helplessness and exasperation often increase mental suffering. One man explains:

*"After my imprisonment, I still struggle with the pain in my neck and must take medicine everyday to alleviate this pain. I feel that at my age, 35, I should not have to deal with the kind of illnesses which I face, and believe that they are a direct result of my imprisonment."*<sup>144</sup>

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<sup>141</sup> AAPP Interview, T-7 August 2004; on file with AAPP

<sup>142</sup> AAPP Interview, T-2 July 2005; on file with AAPP

<sup>143</sup> AAPP Interview, T-10 July 2005; on file with AAPP

<sup>144</sup> AAPP Interview, T-15 July 2005; on file with AAPP

The following is a compilation of illnesses that former political prisoners interviewed reported having after their release:

- o Aversion to noise and sunlight
- o Weakened eyesight
- o Tooth decay
- o Hearing loss (from beatings to head)
  
- o Stiff jaw, neck and joints (exacerbated in cold weather)
- o Difficulty walking, sitting for prolonged periods of time, gripping objects
  
- o Piles (Hemorrhoids)
- o Gastric ailments
- o Kidney ailments
- o Liver ailments
  
- o Lung ailments
- o Asthma
  
- o Brain damage
- o Persistent headaches
  
- o Barrenness (from giving birth in prison)
  
- o Heart disease
- o Hypertension
- o Low/high blood pressure
- o Weak heart
- o Irregular heartbeats
  
- o Heart Attack
- o Stroke

- o Diabetes
- o Back pain, spinal chord injuries, paraplegia
- o Nerve damage, delayed reaction to stimulus, unsteady hands
- o Musculoskeletal problems
  
- o Scarred shins (from iron road), ankles (from shackles), and other body parts (from burnings and beatings)
- o Baldness (from Tuberculosis (TB))
  
- o Tuberculosis (TB)
- o HIV/AIDS

Other potential physical ailments from torture, ill-treatment and imprisonment not yet recorded, primarily for lack of medical examinations, but noted in other torture survivors, and believed likely to arise in former political prisoners <sup>145</sup>:

- o Occult fractures (where bones are 'bruised,' but not completely broken)
- o Dislocation of vertebrae
- o Chronic venous incompetence of the legs (lack of proper blood circulation, from prolonged standing, sitting, squatting)
- o Sexual dysfunction and testicular atrophy (from genital torture in men)

Further, several political prisoners have died very shortly after their release from the torture and ill-treatment which they faced in prison without access to proper health care.

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<sup>145</sup> Basoglu, Metin. *Torture and Mental Health: A Research Overview*.

The Mental Health Consequences of Torture. New York: Plenum Publishers, 2001.

### Mental Suffering

The most severe consequence of torture, ill-treatment and imprisonment of political prisoners is the lifetime of mental suffering. The former political prisoner's experience comes to define his or her life, past, present and future. Many former political prisoners repeatedly explain that once they are a political prisoner, they are always a political prisoner, and only other individuals with similar experiences can fully understand them. One woman explains:

*"People avoided me when I came out of prison; they did not want to try to connect with me. That was fine because I could not relate to them anymore; only other politicians knew what I had been through."*<sup>146</sup>

Another man relates:

*"After my release, I was very impatient with others, as many people did not understand my experience. Only my younger sister really understands and supports me."*<sup>147</sup>

Many former political prisoners feel they can no longer trust many people:

*"My attitude after my release was that I needed to be far more careful of the people I worked with. Whereas before I had worked with everyone, now I limited it to a select few."*<sup>148</sup>

Many have feelings of anger that they struggle to control:

*"After my first imprisonment, I was much more aggressive and easily angered. Matters that once could be handled in a calm manner were no longer able to be handled with such ease."*<sup>149</sup>

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<sup>146</sup> AAPP Interview, T-12 August 2004; on file with AAPP

<sup>147</sup> AAPP Interview, T-7 July 2005; on file with AAPP

<sup>148</sup> AAPP Interview, T-17 July 2005; on file with AAPP

<sup>149</sup> AAPP Interview, T-15 July 2005; on file with AAPP

Another man speaks of his anger:

*"Those years took their toll on me, especially psychologically. Now, I cannot tolerate very loud sounds or bright lights. I also get angry easily."*<sup>150</sup>

Some former political prisoners feel their personalities have permanently changed as a result of their torture and imprisonment, as one woman explains:

*"When I was finally released, I had become a very different person. I have a fear of large crowds now; I think I am much quieter. I was 23 when I was arrested. I was 27 when I was released. Those four and half years in prison should have been my school years. It was difficult for me to interact with other students and I became withdrawn. Before I was arrested, I spoke English pretty well, but by the time I was released, my English was very poor. I wasn't able to read English books in prison. I have problems falling asleep and sometimes there are nightmares."*<sup>151</sup>

One man reveals how his changes led to feelings of marginalization:

*"I changed a great deal during my time in prison, and I felt now I had targeted work that I must do. Whereas before prison, I had often met my friends socially to talk about lighthearted matters, I now only wanted to discuss the political and economic problems of my country and how these problems might be solved. My friends were once discussing how abnormal they felt I had become, which I overheard. I began to feel not abnormal, but definitely socially marginalized."*<sup>152</sup>

Friends that former political prisoners had prior to imprisonment are timid about re-establishing ties:

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<sup>150</sup> AAPP Interview, T-5 August 2004; on file with AAPP

<sup>151</sup> AAPP Interview, T-12 August 2004; on file with AAPP

<sup>152</sup> AAPP Interview, T-2 July 2005; on file with AAPP

*“When released, I felt marginalized by society as my friends were afraid to meet with me. In fact, only one of my old friends came to visit me after prison.”*<sup>153</sup>

Many former political prisoners are approached about becoming informers, and so their friends and colleagues are always fearful of possible arrest and imprisonment:

*“When I was released, several people were afraid to deal with me, fearing they would be arrested. The MI frequently questioned me and pressured me to inform on my colleagues.”*<sup>154</sup>

This also impairs the ability of former political prisoners to find employment, and thus earn an income. Employers are afraid to hire former political prisoners, and the MI frequently will visit businesses that have hired former political prisoners and pressure them to dismiss the individual. Even when former political prisoners try to generate their own income, the MI will sabotage any progress. One man explains:

*“Though I do not have any serious health conditions to contend with, when I was released, I had difficulty reentering the society. Many people were afraid to resume their relationships with me. I also refused to give donations to the military officers or to provide them with information. When I tried to work as a trader, the authorities would follow me, making it impossible for me to do business. My child was outcast as someone who simply brought trouble with her.”*<sup>155</sup>

In addition to being unable to find employment, former political prisoners are often unable to resume their education. High schools and universities generally refuse to accept former political prisoners, and when they do,

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<sup>153</sup> AAPP Interview, T-4 July 2005; on file with AAPP

<sup>154</sup> AAPP Interview, T-8 July 2005; on file with AAPP

<sup>155</sup> AAPP Interview, T-6 July 2005; on file with AAPP

the former political prisoners must sign a document agreeing not to participate in political activities again:

*“As I was surrounded by military officers when I was released, I found it difficult to live in my community. I was only allowed to finish high school after I signed a document agreeing not to participate in any more political activities. Before attending university (I only got through 2 years), I had to meet with a professor and again agree not to participate in politics.”<sup>156</sup>*

Additionally, former political prisoners are routinely denied passports and visas that would enable them to study or pursue other work outside of the country.

Being denied opportunities for schooling and employment, former political prisoners are unable to establish a new identity, and some begin to feel guilty that they can not provide for their families:

*“When released, I was no longer a student and now needed to earn an income as I no longer could rely on my parents. As I am the oldest son in my family, I also felt an obligation to provide for my family and to try to relieve some of their economic hardships. I also worried greatly for my family as the MI would frequently visit and tell my father that it was his responsibility to control me...”*

*My love for my mother is very deep, and when I remember her kind face exhorting me not to continually engage in politics, only then do I feel great emotion when discussing the struggles that I have been through and the sacrifices I have made. I sometimes feel guilty that I could not provide adequately for her. It is the one thing that makes my story difficult to tell others.”<sup>157</sup>*

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<sup>156</sup> AAPP Interview, T-5 July 2005; on file with AAPP

<sup>157</sup> AAPP Interview, T-2 July 2005; on file with AAPP

Many family members of former political prisoners try to convince their loved ones not to continue in politics, to try to live peacefully:

*“For the first couple of years after my release, I found it difficult to deal with my family. My mother did not denounce my activities, but encouraged me to live quietly as other Burmese do, without provoking the ire of the government.”*<sup>158</sup>

Several families have been torn apart and relationships ended when former political prisoners refuse to give up politics:

*“When first released, I felt timid when eating with my family, remembering back to my imprisonment. Additionally, my old friends before I was imprisoned did not want to be around me or interact in anyway, as it might lead to their own imprisonment. People were generally afraid to form any kind of relationships with me. My girlfriend left me while I was still in prison.*

*Also, my family warned me against continuing my political activities, and told me they would stop seeing me if I did. My sister continually blamed me for her being kicked out of university, believing that my political activities had hurt her future opportunities.”*<sup>159</sup>

Some former political prisoners do decide to give up all politics. One man explains the thinking behind his decision:

*“After I was released, there were threats from the MI and police telling me I had to join them as an informer. I never did. I know of one man who was denounced because he was too friendly with the MI. I moved to Rangoon and started practicing [medicine], but kept a low profile. I never acted politically in Burma again. I didn’t dare endanger anyone.”*<sup>160</sup>

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<sup>158</sup> AAPP Interview, T-1 July 2005; on file with AAPP

<sup>159</sup> AAPP Interview, T-19 July 2005; on file with AAPP

<sup>160</sup> AAPP Interview, T-3 August 2004; on file with AAPP

A number of former political prisoners have developed serious mental illnesses while in prison, and continue to suffer after imprisonment. Life for these men and women is difficult because of the lack of treatment available or understanding of mental illness in Burma.

For some, the mental anguish they are made to endure has proved too much. Some political prisoners and former political prisoners are known to have committed suicide in their despair. One man reveals the reasoning behind his suicide attempt:

*“On the seventh day, I rammed my head against the wall three times. When the authorities came to my cell, I demanded to be allowed to write a letter to my family explaining that I had decided to commit suicide. Knowing that many political prisoners had died at the hands of the authorities, I decided that I did not want the authorities to have this control over my life. If I was going to die in prison, it would be by my own hand.”<sup>161</sup>*

The following are the psychological effects of torture, ill-treatment and imprisonment reported or observed in former political prisoners interviewed for this report:

- o Posttraumatic Stress Disorder  
(following sufferings generally indicate PTSD)
- o Depression
- o Nightmares
- o Sleep disturbances
- o Flashbacks, Re-experiencing of trauma
- o Avoidance of reminders of trauma
- o Distress in response to reminders of trauma
- o Detachment from others, self-exclusion
- o Feeling that others, even family, can never fully understand or appreciate one's experience
- o Easily angered, irritable

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<sup>161</sup> AAPP Interview, T-11 July 2005; on file with AAPP

- o Feelings of alienation and marginalization
- o Feeling stigmatized for life
- o Restricted expectations for the future
- o Feelings of humiliation from inability to defend against certain types of torture
- o Feelings of guilt at not being able to provide for family during and after imprisonment
- o Difficulty with memory and concentration
- o Decreased interest in activities previously enjoyed
- o Difficulty reestablishing one's identity
- o Inability to get on with life, move past torture and imprisonment
- o Feeling overwhelmed, frustrated and incompetent when learning new skills or relearning old skills
- o Mental illness
- o Suicidal thoughts

Though mental suffering is a fact of torture and imprisonment, the sheer resilience of many former political prisoners is notable. Many have found ways of coping with their experiences often through meditation, mastering a new skill, or rededicating themselves to their political activities. One man speaks of his determination to learn English:

*“Additionally, prior to being arrested, the MI had told me that my family would be ashamed of me when I was released as I would become dull. Because of this, I felt it was my duty not to become dull. If this was the MI’s desire, I would work hard so that it did not become a reality. I now had a reason to do things, to study. When I was released, many were surprised to realize that I could speak English well.”<sup>162</sup>*

A common occurrence among former political prisoners is re-arrest and imprisonment. Despite the regime’s most cruel efforts, several former political prisoners were emboldened by their experiences to such an extent as to risk re-arrest by continuing their political activities. Those not re-

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<sup>162</sup> AAPP Interview, T-2 July 2005; on file with AAPP

arrested vigorously pursue their activities in exile. Some former political prisoners were not actually involved in politics prior to their arrest, but became involved after their release. One man reveals the effect of his imprisonment:

*"I never considered myself a politician before my arrest, but now the regime has made me political through my imprisonment."* <sup>163</sup>

### Families of Political Prisoners

Torture, ill-treatment and imprisonment affect not only the individual political prisoner, but his or her family as well. Greater attention should be paid to the burden such families endure. Family members of political prisoners are often dismissed or demoted in their jobs, leading to additional financial hardships. Some families have been forced to sell their homes and other possessions in order to pay bills and support their loved ones in prison. One man explains his wife's experience:

*"When I was arrested, my wife was a curator at a museum. But because of my case, she was dismissed from her post, just like that. Later, she worked at the UN office for three months, but was dismissed when an MI officer commanded her boss to do so. The MI refused to allow her to take other positions, so finally she had to make a living as a private teacher."* <sup>164</sup>

The families of political prisoners also lose out on educational opportunities, either due to financial hardship or pressure from the military regime:

*"When I was in prison, my daughter was accepted into medical school. They [authorities] then came to me and asked me to abandon my political career. I refused. They said, 'If you do not abandon your political career, your daughter will lose her education. It depends on you.' I replied, 'I can't abandon politics.'*

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<sup>163</sup> AAPP Interview, T-4 July 2005; on file with AAPP

<sup>164</sup> AAPP Interview, T-11 July 2005; on file with AAPP

*So, they dismissed my daughter from medical school. Now, she is supporting the family as a private teacher.”<sup>165</sup>*

Family members also face imprisonment. When the regime wants to arrest a particular person, they sometimes will arrest that person’s parents, spouse, or children to force the person to turn themselves into the regime:

*“The MI was always watching, especially before the 9-9-99 movement. At this time, I was placed under a kind of house arrest, after returning to my home when I learned my colleague, brother and cousin had all been arrested in succession due to my delayed return.”<sup>166</sup>*

Some family members of political prisoners become ill or even die from the overwhelming harassment and hardship they must endure. One man reveals the circumstances of his mother’s death:

*“After my release, I had to write reports daily to MI officers in order to keep myself and my home safe. I had to record everyone who visited the house and what we discussed. This was mental torture. The MI knew that I was not reporting truthfully, but they didn’t react -they only made me do this to harass me. Then, my mother died from a heart attack because she knew that her son had met with serious torture in interrogation and it was more than she could bear.”<sup>167</sup>*

Imprisonment has also lead to rifts in families. Some political prisoners are the children of army officers or government officials. One man explains his relationship with his father:

*“My father is a retired Air Force Sergeant [during the BSPP era]. My relationship with my father was never particularly good, and we would communicate through my mother...I wanted my mother to tell my father to*

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<sup>165</sup> Ibid.

<sup>166</sup> AAPP Interview, T-17 July 2005; on file with AAPP

<sup>167</sup> AAPP Interview, T-8 July 2005; on file with AAPP

*retire from the military. My father was very simple, though, and continued to work in the military until 1987. I was really disappointed with him, and also his generation, as their failure to address the country's problems meant that my generation would have to suffer greatly. I believe my generation had to make some sacrifices so that the next generation does not have to endure an even worse situation.*"<sup>168</sup>

Despite these difficulties, many families strongly support their loved ones and are understanding of the sacrifices they must make as a family. Recently, the family members of political prisoners have begun to speak out about the torture and unjust imprisonment of their loved ones, even giving interviews to foreign news media. This is a brave and needed action that should be encouraged.

### Rehabilitation and Counseling

A common discussion among torture survivors is how to move from feeling like a victim to feeling like a survivor. This is the case to an extent among the non-political civilians who were wrongly imprisoned in Burma, and among family members of political prisoners. However, among the political activists that have been wrongly imprisoned in Burma, the problem is also that the feeling of being a survivor is sometimes felt to the exclusion of the feeling of being a victim. Such unwillingness to accept a certain level of victim hood prevents former political prisoners from discussing their torture and seeking appropriate counseling. Many feel they have sacrificed for their country, and so that future generations will not also have to sacrifice. They then view their imprisonment as expected when they decided to partake in politics, and do not generally admit their feelings of weakness and vulnerability.

An obstacle to seeking counseling for the trauma former political prisoners have been through is the nearly complete lack of psychological or psychiatric help or literature offered to those in Burma. Many of the former political prisoners dismiss the necessity of counseling, as it is associated

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<sup>168</sup> AAPP Interview, T-2 July 2005; on file with AAPP

with being 'mad' or 'crazy.' When asked if they experience depression, stress or other mental burdens, many former political prisoners are quick to assure one of their sanity. There is a lack of common knowledge in Burma about the psychological suffering that is the result of torture, ill-treatment and imprisonment. The social stigma on persons in need of counseling needs to be addressed, as there are a large number of persons in Burma who have been similarly traumatized. Rehabilitation and counseling services need to be offered to former political prisoners and their families in Burma so that healing can begin.

### Thoughts on Transitional Justice

When an earnest transition to democracy begins in Burma, former political prisoners will have to consider what they feel to be appropriate justice for the instigators and perpetrators of torture and unjust imprisonment. When asked for their thoughts on this topic, all former political prisoners interviewed made it clear that they sought no revenge. Though a few admitted to personal hatred of their tormentors, most noted that justice could only be administered according to the rule of law. Many noted that justice must be administered in a way that is good for the country, and so as to prevent future generations from having to make the same sacrifices.

Many declined to offer more specifics about exactly how the process of transitional justice would work, and many revealed some understanding of the fear that might have compelled the perpetrators of torture to act. One man explains:

*“They are ordered by their superiors to threaten us. If they showed some merciful treatment to us, they would be punished.”<sup>169</sup>*

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<sup>169</sup> AAPP Interview, T-9 August 2004; on file with AAPP

Another man reveals:

*"We later learned that the guards had been trained prior to their arrival to beat us, having been deprived of food, given liquor and told the incoming prisoners were the worst of the criminals, and not, in truth, political prisoners." <sup>170</sup>*

After the former Prime Minister of the military regime, Khin Nyunt, was purged along with several others under his command, one former political prisoner met the MI agents who had at one time tortured him. Instead of acting with vengeance, the former political prisoner felt sorry for the MI prisoners and tried to help them.

Many former political prisoners even noted that some of their jailers treated them well and would sympathize with their plight.

One man's explanation of his thoughts on the topic revealed the common emotions former political prisoners have about this matter:

*"Immediately after I was released, I thought that if I ever saw my torturers on the street, I would surely attack them. However, since that time, I have changed my attitude. I do not want revenge, but instead I think the truth about what happened to those who were imprisoned and those of my colleagues who died must be made known. Both the victims and the criminals (torturers, jailers, officers, etc.) should know and accept an accurate account of the events that have taken place under the regime. Those who are responsible should be held accountable for their actions so that reconciliation can begin. This should never happen again. Simply, I want the truth." <sup>171</sup>*

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<sup>170</sup> AAPP Interview, T-11 July 2005; on file with AAPP

<sup>171</sup> AAPP Interview, T-17 July 2005; on file with AAPP

## **VII. Conclusion**

This report has sought to expose the torture and ill-treatment which takes place in Burma's interrogation centers and prisons. The abuse of the justice system creates conditions which facilitate the use of torture and ill-treatment on political prisoners; such torture and ill-treatment occurs with complete impunity. The question was raised as to whether this impunity can be ended through the use of international law, though no definitive conclusion can yet be drawn as to whether the torture in Burma's interrogation centers and prisons rises to the level of a crime against humanity.

This report also has sought to show how far torture reaches into and touches a person's life. Torture does not end when the physical wounds heal; the emotional scars last a lifetime. When a person's identity has been so shattered, finding employment or restarting one's education become unnecessarily difficult. Feelings of helplessness and marginalization turn into the deeper problem of depression, all of which affect the families of former political prisoners. This situation is then worsened by the constant watch of the MI. There is a real need for those former political prisoners in Burma to receive rehabilitation and counseling.

The torture and ill-treatment of political prisoners is a reflection on the broader political situation in Burma. Torture is state policy in Burma. It is used to breakdown political activists and instill fear into the general public. The people of Burma live in a climate of fear, in constant anticipation that their human rights will be violated by the SPDC. Any person even suspected of political dissent can be arrested and tortured. They are tortured not only to halt their possible opposition to the regime, but so that they may return to their families and friends with the physical and psychological remnants of their torture on display, silencing any thoughts the public may have of speaking out against the regime.

Though this report has exposed the darkest side of humanity, it is also a tribute to the indomitable human spirit. It is the history of men and women who have refused to be overcome by the darkness, who have refused to allow their light to be extinguished. They are the hope of a future democratic Burma, one that respects and promotes the human rights of all its citizens. Those who have read this report incur a responsibility to those courageous enough to share their experiences, a responsibility to take action.



**Appendix A(ii): List of Known Interrogation Centers\***

<b>Name</b>	<b>Location</b>	<b>Concerned Area</b>
Ye Kyi Ai	Central Military Intelligence, Rangoon	All Burma
MI-1	Mandalay	Mandalay Division
MI-2	Taungyi	Taungyi
MI-3	Pegu	Pegu Division
MI-4	Irrawaddy	Irrawaddy Division
MI-5	Moulmein	Mon State
MI-6	Mayangone	Rangoon
MI-7	Dagon	Hlaing, Kamayut, Bahan, Dagon, Alon San Chaung, Kemmendine
MI-8	Myitkyina	Myitkyina
MI-9	Lashio	Lashio
MI-10	Sittwe	Sittwe, Rakhine
MI-11	Prome	Pandaung, Pegu Division
MI-12	Burma Rifle Regiment-4	Thingangyun, Tamwe, Mingalar Taung Nyunt, Bahan
MI-13	-	-
MI-14	Botahtaung	Kyauktada, Pabedan, Latha, Lanmadaw
MI-15	Meiktila	Meiktila
MI-16	Mandalay	Mandalay
MI-17	Kale	Kale
MI-18	Buthi Daung	Buthi Daung
MI-19	Mergui	Tenasserim Division
MI-20	Monywa	Monywa
MI-21	Bamaw	Bamaw
MI-22	Kengtung	Kengtung, Shan State
MI-23	Kunheng	Kunheng, Shan State
MI-24	Tachilek	Tachilek
MI-25	Pa-an	Pa-an, Myawaddy, Kawkarik
MI-26	Dagon Myo Thit	Dagon Myo Thit, Rangoon
MI-27	Loikaw	Kayah State
MI-28	Mawlaik	Mawlaik, Sagaing Division
MI-29	Langkho	Langkho, Shan State

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<b>Name</b>	<b>Location</b>	<b>Concerned Area</b>
MI-30	-	-
MI-31	Yuzana Garden City	Rangoon
Airforce MI-1	Mingaladon	Insein, Mingaladon
Navy MI-1	Irrawaddy Navy Base	Botahtaung, Puzuntaung, Tanyin
Navy MI-2	Irrawaddy Navy Base	Botahtaung, Puzuntaung, Tanyin
Navy MI-3	Irrawaddy Navy Base	Botahtaung, Puzuntaung, Tanyin
Defense Services	Highland, Prome Road	All Burma
Military Security-1 Special Branch (Headquarters)	Aungthabyai, Mayangone	All Burma
Police Intelligence (Headquarters)	Kyauktada	All Burma

\*There are several unknown and inaccessible locations where political prisoners have been interrogated. Political prisoners are sometimes interrogated in government 'guest houses' and on military bases which prohibit civilian access.

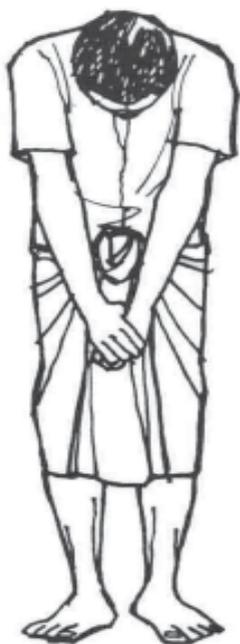
Appendix B: Illustrations of Torture Methods and Instruments



(i) Poun-Zan, Position 1



(ii) Poun-Zan, Position 2



(iii) Poun-Zan, Position 3



(iv) Poun-Zan, Punishment



(v) The Motorcycle



(vi) The Airplane



(viii) Semigwa Dance, Traditional



(vii) Torture: Stress Position



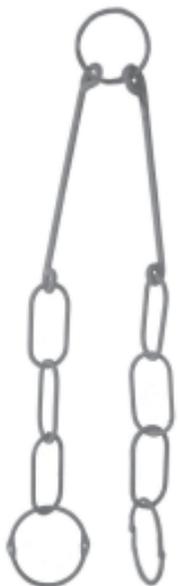
(ix) Semigwa Dance, Torture



(x) Baton, Used to beat prisoners.



(xi) Military Boots,  
Used in torture of prisoners.



(xii) Shackles,  
Used for transfer of prisoners.



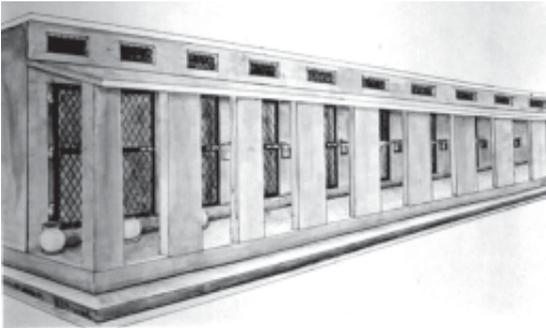
(xiii) Punishment Shackles,  
Used during torture.



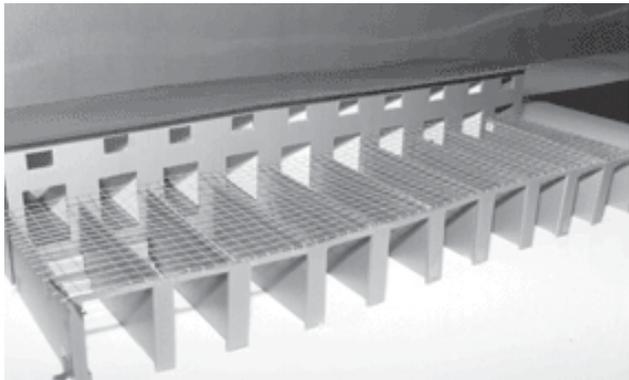
(xiv) Hard Labor,  
Prisoners in Mandalay Prison.



(xv) Cell Gate,  
Entry to prison cells.



(xvi) Row of cells where prisoners are kept.



(xvii) Row of cells where prisoners are kept in isolation.

Appendix C: Table of Torturers and Prison Doctors

*Names of Instigators of Torture*

1. DDSI
  - Major General Myint Swe (Now)
  - Khin Nyunt (1988-2004)
  
2. BSI
  - Director General Colonel Aung Saw Win (Now)
  
3. Myanmar Police Force
  - Director General Brigadier General Khin Yee (Now)
  
4. Myanmar Correctional Department
  - Director General Zaw Win (9-1-2004 to Now)
  - Director General Ba Myint (3-12-2003 to 8-31-2004)
  - Director General Kyaw Tun (8-31-1995 to 3-11-2003)
  - Director General Zaw Min (10-11-1988 to 8-23-1995)
  - Director General Tin Oo (7-15-1985 to 10-10-1988)
  
5. Minister of Home Affairs
  - Major General Maung Oo (Now)
  - Colonel Tin Hlaing (1997-2004)
  - Mya Thin (1993-1997)
  - Phone Myint (1990-1992)
  - Myo Nyunt (1988-1990)
  
6. Minister of Foreign Affairs
  - Nyan Win (Now)
  - Win Aung (1996-2001)
  - Ohn Gyaw (1991-1996)
  - Colonel Able (1988-1990)

7. Minister of Defense

-Than Shwe (Now)

-Saw Maung (1988-1992)

*Names of Perpetrators of Torture*

Each prison has a Superintendent and a Chief Medical Officer. All other prison authorities report to the Superintendent. The division of responsibilities among the other authorities is difficult to determine due to the varied terms used to describe the same position. We have kept the terms used by those interviewed.

The following are the known prison authorities responsible for political prisoners working in the prisons currently:

1. Moulmein

-SI Kyaw Nyunt

-Assist. SI Thein Tun

-Senior Jailer Tun Tun

-Jailers: Tin Maung Oo, Hla Myo, San Aung, Nyein Maung,  
Myo Min

2. Myingyin

-SI Zaw Ohn

-Assist. SI Myint Aung

-Senior Jailer Ko Ko Naing

-Jailers: San Tun, Myint San, Nan Aung Kyaw

3. Thayet

-SI Win Thaw

-Jailers: Tun Tun, Tin Myint

4. Mandalay

- SI Aung Zin
- Assist SI Mya Thwin
- Senior Jailer Thaung Myint
- Jailer: Thein Myint, San Win, Than Tun, Htay Lwin Tun
- Chief Medical Officer: Saw Lwin

5. Kale

- SI Aung Lin
- Assist. SI Win Kyaing
- Senior Jailer Win Saung
- Jailers: Aung Cho, Tin Aung, Hla Win Cho, Ye Thura Win
- Chief Medical Officer: Than Pe

6. Sittwe

- SI Soe Win
- Jailers: Aye Nyunt, San Maung, Win Maung
- Chief Medical Officer: Than Maung

7. Taungyi

- SI Thaung Nyunt

8. Insein

- SI Soe Tint
- Senior Jailers: Min Maw, Thein Zaw
- Jailers: Mya Than, Shwe Ko
- Chief Medical Officer: Tun Tun

9. Prome

- SI Win San
- Senior Jailer Nwe Soe
- Jailers: Tun Tun Oo, Win Wa

## 10. Myaungmya

- SI Chit Ngwe
- Jailers: Maung Pyone, Win Naing Phone, Hla Myint
- Chief Medical Officer: Ye Win Aung

## 11. Tharawaddy

- SI Myint Swe
- Senior Jailer Myint Soe

The following are the MI and prison authorities reported by the former political prisoners as responsible for their torture:

Prisons:

### 1. Insein

- Director Khin Maung Latt (1989)
- Assist. SI Ohn Pe (1989)
- Chief Medical Officer: Dr. Soe Kyi (1989)\*
- Assist. Doctors: Dr. Tun Tun, Dr. Aung Than Myint (1989)
- Jailers: Myat Moe, Hla Myint, Phone Cho,
- Assist. SI Pyone Cho (1990)
- Jailers: Thein Myint, Aung Naing, Tin Maung, Htun Htun Oo, Win Thein, Aung Gyi, Sergeant Kan Htun, Two-Star Jailer Hla Myint, Tin Maung, Soe Oo, Myint Oo (1990)
- Jailer: Thein Myint (1991)
- Jailers: Sein Htay, Hla Pe, Thar Oo (1992)
- Annex SI Soe Myint (1993)
- Annex Jailers: Thin Myint, Ko Ko Naing (1993)
- Jailer: Thin Myint (1995)
- Chief Medical Officer: Dr. Thin Pe (1995)
- SI Lu Hla (1996)\*
- Assist. SI Thein Myint (1996)
- Senior Jailer Zaw Myint (1996)
- Jailers: Thein Myint, Nyunt Wai, San Ya, Maung Hla, Tint Lwin, Corporal Shwe Win, Kan Myint, U Hla, Aung Khiang, Two-Star Officer Saw Zin Myat, Thet Thet Mon, MawMaw, Ohnmar Oo, Ohnmar Shwe, Tin Ma Gyi, Ohn Maung (1996)

- Director Shwe Kyaw (1997)
- Annex Jailer: Chit Maung (1997)
- Jailer: Corporal Ma Thet Mon (1998)
- SI Win Myint (2000)
- Jailers: Two-Star Officer Maung Maung Gyi, One-Star Officer Aung Khine (2000)

\*These two individuals have overseen the worse cases of torture yet documented in the prisons.

## 2. Tharawaddy

- SI Myint Thein (1989)
- Chief Medical Officer: Dr. Khin Maung Thein (1989)
- Jailers: Min Zaw, Hla Htun, Sein Maung Win, Myint Than, Tin Maung Lwin (1989)
- Senior Jailer Myint Tha (1991)
- Jailers: Ko Ko Gyi, Sein Maung Win (1991)
- Senior Jailer: U Hla Than (1996)
- SI Win Myint (1997)
- Assist. SI Hla Tun (1997)
- Assist. SI Kyaw Sein (1997)
- Chief Medical Officer: Dr. Aung Than (1997)
- Jailers: Khin Win Win Mar, Daw Aye Myint, Daw Khin Mya Yi, Hla Tun, Tin Aye, Zaw Win, Tin Tun, Tin Maw Kyi, Aung Zaw (1997)

## 3. Mandalay

- SI Tun Aung Kyaw (1991)
- Senior Jailer U Chit (1991)
- Jailers: Tin Aung Hlaing, Myint San (1991)
- Chief Medical Officer: Dr. Aye Cho (1991)
- SI Lu Hla (1990)
- SI Tun Aung Kyaw (1999)
- Jailer: Thein Myint (1999)

#### 4. Myingyin

- Jailers: Tin Myint Ko, Phone Cho, Saw Pe, Zaw Ohn (1994)
- Chief Medical Officer: Dr. Tun Tun (1994)
- SI Captain Thaung Nyunt (1997)
- Chief Medical Officer: Dr. Toe Toe (1997)
- Jailer: Myint Win (1997)
- SI Lu Hla (1994)

#### 5. Moulmein

- SI Htay Win (2000)
- Assist. SI Thet Shay (2000)
- Jailer: Chit Maung, Kyaw Naing (2000)
- Dr. Thet Win (2000)

#### 6. Myitkyina

- SI Thar Oo (1997)
- Assist. SI Pyone Cho (1997)
- Jailer Min Thu Shwe Ohn (1997)
- Jailer Htun Htun Win (1997)

#### 7. Taungoo

- SI Captain Aung Naing (1991)
- Assist. SI Aye Myint (1991)
- Dr. Than Win (1991)
- SI Tin Kyaw (1997)

#### 8. Thayet

- SI Thaung Nyunt (1991)
- Senior Jailer: Kyaw San Oo (1991)
- Jailers: Khan Myint, Min Naing, Naing Shwe, Kyaw Nyunt, Hla Shwe, Saw Lee Pe, Khin Maung (1991)
- SI Aung Naing (1997)
- SI Kyaw Lwin

Interrogation:

1. MI-1

- Sergeant Aung Moe (1990)
- Major Myint Oo (1990)
- Captain Myint Htun (1990)
- 1-Star Officer Tin Shwe (1990)
- Company Sergeant Soe Myint (1990)

2. MI-4

- Captain Tin Myint Htun (1990)
- Major Maung Win (1990)

3. MI-6

- Sergeant Moe Aung (1996)

4. MI-7

- Aung Than (1989)
- Major Hla Than(1989)
- Captain Situ (1990)
- Captain Kyaw Zin Thet (1990)
- Bo Letwa (1990)
- Captain Thein Zaw Myint (1991)
- Sergeant Major Maung Thein (1991)
- Hla Thet Maw (1998)
- Captain Ye Kyaw Thu (1998)
- Captain Myint Swe (1998)

5. MI-12

- Captain Soe Nyunt Aung (1998)
- Corporal Tint Lwin (1998)

6. MI-14

- Captain Soe Kyi(1989)
- Captain Tun Aung Kyaw (1989)
- Captain Naing Win(1989)

7. MI-16

- Captain Myint Oo (1991)

Other:\*

- Captain Aung Kyaw Linn
- Captain Than Oo
- Sergeant Kyaw Win
- Ohn Myint
- Captain Myo Naing
- Captain Maung Sein
- Captain Hnin Zaw
- Captain Myin Chit Oo
- Major Sithu
- Major Maung Maung Kyaw
- Captain Kyaw Kyaw Ohn
- Captain Kyaw Zin Thet
- Stone Giant (alias)
- Major Soe Nyunt
- Rangoon Police Officer Soe Naing
- Pa-an Police Officer Paing Paing
- Mandalay Police Officer Khin Maung Win
- Special Branch Officer Ye Nyunt

\*Some persons interviewed were unaware of the MI unit of which their torturers were a part.

Appendix D: Table of Interviews

#	Period of Detention/Imprisonment	Location of Torture
T-1, 2004	7 July 1989-1992	MI-14, Tharawaddy
T-2, 2004	12 December 1996-2004	Ye Kyi Ai
T-3, 2004	1991-1994	Myitkyina, Mandalay
T-4, 2004	1989-1991, 1996	MI-4, MI-6, Insein Main
T-5, 2004	19 July 1989-20 January 1995, 5 December 1996 -9 October 2002	MI-12, MI-6, MI-7, MI-1 Insein Annex, Insein Main, Tharawaddy, Special Branch Headquarters, Bassein
T-6, 2004	1991- 1996	Insein Main
T-7, 2004	14 October 1988-28 February 1997	MI-7, Insein Main
T-8, 2004	18 June 1989-20 February 2004	Ye Kyi Ai, Insein Main, Tharawaddy
T-9, 2004	1990-1995	MI-14, Tharawaddy, Insein Main
T-10, 2004	2 August 1991	MI-7, MI-6, Insein Annex, Insein Main, Tharawaddy
T-11, 2004	March 1991	MI-6, Ye Kyi Ai
T-12, 2004	October 1998- 2003	Insein Main, Shwebo
T-1, 2005	5 January 1990- 3 July 1992	Insein Main
T-2, 2005	23 March 1989, 16 March 1990- 21 January 1993, July 1994-October 1998	MI-12, MI-7, Insein Main, Mandalay, Tharawaddy
T-3, 2005	22 May 1990, 29 July 1993-May 2003	MI-14, Insein Main, Special Branch, Insein Annex, Tharawaddy
T-4, 2005	10 September 2000-12 December 2004	MI-6, Insein Main
T-5, 2005	19 July 1990-19 May 1994	MI-7, Special Branch, Insein Annex, Insein Main
T-6, 2005	25 October 1989-13 February 2002	MI-7, Insein Main , Myitkyina, Mandalay
T-7, 2005	7 July 1989-4 August 1989, 8 August 1989- 23 January 1997, 20 February 1997-6 May 2005	MI Headquarters, Insein Main, Taungoo, Air Force MI-1, Insein Annex, Tharawaddy
T-8, 2005	27 July 1990-August 1990, 23 October 1990- 10 August 1994, 12 December 1996-1 March 2004	MI-1, MI-6, Insein Annex, Insein Main, Ye Kyi Ai, Tharawaddy
T-9, 2005	7 February 1990-26 October 1990, 23 May 1991-August 1996, 9 September 1999-12 December 2004	Mandalay Police Station, MI-1, MI-16, Mandalay
T-10, 2005	12 March 2000-17 September 2003	Kyonedoe Township Police Station, MI-25, Moulmein
T-11, 2005	16 March 1988, 8 April 1989-June 1989, 10 December 1990-4 May 2003	Insein Annex, MI-7, MI-12, NIB, Insein Main, Myingyin

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#	Period of Detention/Imprisonment	Location of Torture
T-12, 2005	29 October 1990-10 July 1993, 13 June 1996-Novemebr 2002	MI-3, Insein Annex, Insein Main, Tharawaddy, MI-12
T-13, 2005	27 December 1990-October 1994, 12 December 1996-11 March 2004	MI-7, Insein Annex, Insein Main, Thayet, Ye Kyi Ai, Tharawaddy
T-14, 2005	18 June 1989-20 May 2003	MI-6, Insein Main, Taungoo
T-15, 2005	September 1990-December 1993, 18 December 1996-13 November 2003	MI-7, Insein Annex, Insein Main, Thayet, Special Branch
T-16, 2005	21 January 1991-August 1995	MI-6, Insein Main, Thayet
T-17, 2005	15 August 1990-12 December 1993	MI-7, Insein Main , Thayet
T-18, 2005	3 December 1996-24 July 2003	MI-12, Insein Main, Tharawaddy
T-19, 2005	12 July 1996-9 January 2001	MI-12, MI-7, Insein Main, Tharawaddy
T-20, 2005	23 April 1989-1994	Insein Main
T-21, 2005	20 May 1993-19 November 2004	Army Battalion, MI-3, MI-6, Insein Annex, Tharawaddy
T-22, 2005	12 August 1992-September 2001	Bogalay Police Station, Maubin, Insein Main , Tharawaddy
T-23, 2005	6 September 1991-5 November 1993	Bogalay Police Station, Maubin, Pathein

\*All interviews on file with the AAPP.

Appendix E: Severely Ill Political Prisoners

<b>Name</b>	<b>Prison</b>	<b>Disease</b>
Aung Aung	Mandalay	paralysis
Aung Naing	Mandalay	hypertension
AungKyawOo (a)KyawWinThein	Tharawaddy	liver, kidney ailments
Aung Shin (Monywa)	Insein	asthma
Aung Soe Myint	Insein	diabetes, heart disease, eye problem
Aye Aung	Kale	malaria, typhoid
Hardon(aka)Hla Win	Moulmein	piles (bleeding)
Hla Aye	Insein	paralysis
Khin Khin Leh (F)	Insein	rheumatic arthritis
Khin Maung Lwin	Putta O	heart disease, hypertention, malaria
Kyaw Min	Insein	rheumatic arthritis
Kyaw Mya	Myaungmya	gastric ulcer
Kyaw Soe Wai	Bassein	chest pain
KyawKyawTun(a)ArDaBanAli	Myaungmya	piles, inguinal hernia
Lwin Nyein	Myaungmya	hepatitis
May Win Myint, Dr (F)	Insein	rheumatic arthritis, gastric ulcer
Mu Tuu (aka) Myo Naing	Myaungmya	neuropathy
Myo Chit	Tharawaddy	severe asthma
Myo Thein (aka) Da Ban	Myaungmya	neuropathy
Naing Aung Mon	Tharawaddy	gastric ulcer
Nanda Sit Aung (aka)Sit Ko Aung	Pa-an	severe migraine, unable to walk
Nay Kyaw	Pa-an	severe weakness, unable to eat-no diagnosis
NineNine(a)SawNineNine	Insein	surgical operation for hedrocoele, in recovery
Nyi Nyi Oo	Taungoo	paralysis
Phone Thet Paing	Myaungmya	osteosclerosis
San Aye	Tharawaddy	severe weakness, elderly-unable to stand
Saw Myint	Tharawaddy	asthma, hypertention
Soe Han	Moulmein	severe eye disease
San Hla Baw	Thayet	paralysis, nephritis
SoeMoeNaing(a)Ngone	Taungoo	mental illness, psychosis
SoeMyint(a)SayaSoe	Tharawaddy	rheumatic arthritis, hypertension
Su Su Nway	Insein	heart disease
Than Hteik (aka) Zar Zarr	Myaungmya	heart problem

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<b>Name</b>	<b>Prison</b>	<b>Disease</b>
Than Maung (aka) Wah hap	Myaungmya	heart problem, diabetes, nephritis
Thet Naung Soe	Insein	mental illness
Than Nyein, Dr	Insein	liver cirrhosis
Than Than Htay	Insein	rheumatic arthritis, tonsillitis
Than Win Hlaing	Tharawaddy	diabetes, kidney ailments
Than Zaw Htwe	Taunggyi	mental illness
Thet Naung Soe	Insein	mental illness
Thet Win Aung	Mandalay	malaria, mental illness
Thura Kyaw Zin	Myaungmya	hypertension, gastric ulcer
Tin Cho	Mandalay	hypertension
Tin Myint (aka) Zin Bo	Myaungmya	malaria
Tin San	Insein	hypertension, heart disease
Tun Linn Kyaw	Insein	tuberculosis
Tun Ngwe Thein	Tharawaddy	fistula, pain in urination
Tun Oo (aka) ET	Thayet	gastric ulcer
Win Naing	Moulmein	heart problem
Win Tin	Insein	osteosclerosis
Win Mung(a)Min Aung	Moulmein	hypertension, depression
Yan Gyi Aung	Tharawaddy	glaucoma
Yan Naing Min	Mandalay	inguinal hernia, mental illness
Zaw Htoo(a)Mg Mg Htoo	Myaungmya	hypertension, gastric ulcer
Zaw Min Oo	Insein	coronary heart disease
Zaw MinTun(a)MuSa	Myaungmya	coronary heart disease
Zaw Myint Maung , Dr.	Myitkyina	depression
Zaw Ye Win	Taungoo	heart disease, hypertention, kidney ailments
Zin Linn Tun	Insein	heart disease, hypertention, gastric ailments

\*Additional information on file with AAPP.

## **About the Assistance Association for Political Prisoners-Burma (AAPP)**

*The campaign to improve prison conditions is part of the human rights struggle.*

### **What is the AAPP?**

Since the 1988 popular democracy movement was crushed in a ruthless crackdown by the military regime, thousands of people have been arrested, tortured and given long prison sentences for their beliefs and political activities. Moreover, even after political prisoners are released, they continue to face horrible treatment. The military uses all available means to intimidate and harass former political prisoners in order to prevent them from conducting political activities. When extraordinarily sensitive occasions take place in the country-such as the anniversary of the 1988 pro-democracy uprising- former political prisoners are usually re-arrested, interrogated and detained for an unlimited amount of time without reason. The military regime also uses many different tactics to attempt to isolate former political prisoners from society. The main weapon of the junta in marginalizing former political prisoners is denying them economic and educational opportunities. For these reasons, many former political prisoners are forced to live in exile. Many former political prisoners who previously gave assistance to their fellow political prisoners wanted to continue these activities. In order to be effective and efficient in performing these activities, and to honor student leader Min Ko Naing, arrested by the regime in March 23,1989 and only recently released after 16 years in prison, a group of former political prisoners established the AAPP on the 11th anniversary of Min Ko Naing's arrest.

### **What We Do:**

1. Assist families of political prisoners to visit their loved ones.
2. Support political prisoners by providing necessities, such as food and medicine.
3. Monitor prison conditions.

4. Publicize arrests, torture, prison conditions and life stories of imprisoned political activists and artists.
5. Advocate before international bodies; provide information to Amnesty International, International Committee of the Red Cross, Human Rights Watch, etc.
6. Assist former political prisoners with their mental and physical rehabilitation from torture and isolation.

**Objectives:**

1. To report on the military regime's oppression of political prisoners presently detained in various prisons.
2. To encourage the support of international governments and organizations in pressuring the Burmese military regime to stop current and further persecution of political prisoners.
3. To secure political prisoners' fundamental human rights, and to provide them with basic necessities, such as food and medicine.
4. To protect political prisoners upon their release from harassment and intimidation by the military regime, including when they are looking for employment, continuing their studies, associating with friends and colleagues, and especially if they decide to resume their political activities.
5. To aid in the reconstruction of the former political prisoners' lives, including both their mental and physical well-being.

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