



Assistance Association for Political Prisoners (Burma)

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RELEASE IN FULL

Burma: Allow Torture Victim Medical Treatment and Prosecute Security Forces Responsible for Torture

Statement

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Assistance Association for Political Prisoners (AAPP) calls on the government to allow torture victim La Htaw Brang Shawng immediate access to appropriate medical care, as in line with international standards for detainees. In addition, security forces responsible for the torture of the Kachin villager must be prosecuted in order to send a strong message that the use of torture and related practices will no longer be tolerated in Burma.

Military Affairs Security (MAS) forces have a long history of torturing detainees with impunity, a practice that continues to this day as shown by the horrific case of La Htaw Brang Shawng.

On 17 June, 25 year old La Htaw Brang Shawng was arrested by police officers in Myitkyina Township, Kachin State on false allegations of involvement in a bomb plot. He was handed over to MAS authorities and held in Myitkyina prison where he was tortured over a period of 3 days. He is accused under Section 3 of the Explosive Substance Act and Article 17/1 of Unlawful Associations Act. His next trial is on 16 July 2012.

According to his lawyer, U Mar Khar, MAS officers handcuffed and tied him up with ropes. La Htaw Brang Shawng was then tortured in an effort to extract a forced confession: his cheeks were burned with hot knives, his thighs were heavily carved into with knives, and the skin on his calves shows evidence of extensive peeling.

"I am very appalled to hear such kind of torture in this political climate. The case of La Htaw Brang Shawng is not unique and shows that torture is still government policy. If U Thein Sein really wants Burma to reform, he needs to enact a zero tolerance policy for torture. Those responsible for inflicting violence against innocent detainees need to be brought to justice - that is definitely what he needs to do," said Bo Kyi, Joint-Secretary of the AAPP.

As a result of the torture, La Htaw Brang Shawng has difficulty hearing from his left ear. The torture has taken an enormous toll on his emotional and mental health - he is said to be in a constant state of fear. He is unable to eat properly and is in pain when swallowing. His wife is worried by his abnormal behavior. For example over the course of the trial, La Htaw Brang Shawng was found laughing by himself.

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The judge, U Myint Htoo, has denied requests made by the defense lawyer to allow appropriate medical treatment for La Htaw Brang Shawng. This is in spite of the fact that the court has been made aware of the extensive torture inflicted against the defendant.

La Htaw Brang Shawng is now in urgent need of proper medical treatment, which is not available in the current prison he is being held.

Article 22/2 of Standard Minimum Rules for Treatment of Prisoners provides that sick prisoners who require specialist treatment must be relocated to a civic hospital or specialized institution. Regardless, the court is refusing to observe the standard international right of prisoners to proper and adequate medical treatment. This is in line with Burma's long history of systematically denying health care to political prisoners while subjecting them to torture and other kinds of cruel, inhumane and degrading treatment.

"It is unconscionable that one of the nation's courts is prohibiting a defendant from seeking medical relief from serious allegations of ill treatment and torture. Denying urgent health care is like torturing a person again," said Bo Kyi.

Torture is a chronic problem in Burma, as highlighted by recent deaths of political prisoners shortly upon their release. Within one month, 2 political prisoners passed away due to extreme torture and gross medical negligence while in detention. One of those is Ko Thet Nwe. The mental and physical torture he was subject to, which includes having his head forced over a toilet filled with feces while shackled, was so severe that he was admitted to the Rangoon Psychiatric Hospital twice during his prison sentence. He died 10 days after his release in the much-trumpeted 13 January prisoner release.

"Torture is not a thing of the past. The international community needs to wake up to the fact that Burma continues to violate basic principles of humanity. Talking about reform while security forces continue to torture is no improvement," added Bo Kyi.

Burma still has neither signed nor ratified the Convention Against Torture (CAT) nor the International Covenant for Civil and Political Rights (ICCPR).

"It is absurd to speak of progress in Burma when torture is rampant and the victims are refused basic medical care," said Bo Kyi. "When will the government wake up and act to end torture and all human rights abuses?"

AAPP calls on U Thein Sein Government to immediately allow La Htaw Brang Shawng appropriate and adequate medical treatment. The government should ensure that his health is attended to in line with international standards and that prisoner rights such as the right to access health services around the country without discrimination on grounds of legal situation are protected.

In addition, AAPP calls on U Thein Sein Government to take action against the security forces responsible for the egregious treatment of La Htaw Brang Shawng. An independent and impartial investigation into allegations of torture should be opened immediately. Without dismantling the culture of impunity, there is little hope to ending pervasive torture epidemic in Burma.

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