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Myanmar: Death of Activists in Custody

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Six Cases Highlight Alleged Torture, Junta's Failure to Investigate

(Sydney) – [Myanmar's](#) military and police are responsible for scores of deaths in custody since the February 1, 2021 military coup, Human Rights Watch said today.

Human Rights Watch documented the deaths of six detained activists that involved apparent torture or the denial of adequate medical care. The junta authorities have not seriously investigated these deaths or taken action against those responsible.

"The six deaths Human Rights Watch documented are just the tip of the iceberg of suffering and torture of those detained by Myanmar's military and police," said [Manny Maung](#), Myanmar researcher at Human Rights Watch. "Given the junta's cruelty in all aspects of its rule, there's little surprise that no evident action has been taken to investigate deaths in custody and bring those responsible to justice."

The junta should immediately end its abuses against those opposed to military rule, including arbitrary arrests and detention, torture and other ill-treatment, and unfair trials. Deaths in custody should be immediately reported with proper documentation to the person's family, the body should be returned, and those responsible for abuses held to account.

The Thailand-based Assistance Association for Political Prisoners estimates that at least 73 people have died in police or military custody in police stations, military interrogation centers, and prisons since the coup, which effectively ended the democratic transition under Aung San Suu Kyi's National League for Democracy (NLD). These deaths are only a [small percentage](#) of the at least 690 people that have been killed shortly after being apprehended by the security forces, often during military operations in ethnic minority areas. The military junta has only acknowledged a few custodial deaths but attributes them to illness or heart failure. However, human rights activists, witnesses, and sources close to the victims said that the physical evidence available indicates that many died from torture or other mistreatment, including poor detention conditions and a lack of access to adequate medical care.

Human Rights Watch documented the six deaths between May and July, remotely interviewing 10 witnesses and others familiar with the cases, reviewing 40 photographs and 5 videos posted to social media platforms, and obtaining independent medical analysis of the visual evidence by an emergency physician with expertise in torture.

The six men were all political activists or vocal opponents of the military junta in Yangon, Mandalay, and Sagaing Regions. Khin Maung Latt, 58, Zaw Myat Lynn, 46, and Than Tun Oo, 48, were NLD members apparently arrested for their political affiliation. Khet Thi, 43, Tin Maung Myint, 52, and Kyaw Swe Nyein, 55, joined or led protest movements after the coup. Five died within 24 hours of being arrested and interrogated, while Kyaw Swe Nyein, died two months after his arrest.

Myanmar police and soldiers arrested five of the six victims during night raids; they arrested the sixth, Than Tun Oo, in Mandalay during the day. In all but one of the cases, the arrests were carried out during joint military-police operations. A [law](#) enacted in March formally brought the police under junta control, requiring police officers to comply with all military orders, including taking part in military operations.

Photographs of five of the victims show physical marks on their bodies or heads that indicate torture. There are no photographs of Than Tun Oo's body since junta authorities said he was cremated soon after he died.

Dr. Rohini Haar, an emergency physician whom Human Rights Watch consulted, analyzed images of the bodies: “Having reviewed photographs and videos of the five victims after their deaths, it is clear from the physical marks on the bodies and faces that these men suffered immensely, and that torture occurred.... There are so many signs of abuse and torture that it is hard to pinpoint exactly what killed these individuals.”

None of the men’s families received official medical certificates, cause of death, or autopsy reports, despite evidence that autopsies were conducted on four of the six bodies. The junta should issue medical certificates for all death-in-custody cases and provide autopsy reports to families if autopsies were performed.

Four of the victims’ families said they felt pressured by officials to have the bodies cremated immediately, presumably to hide evidence of wrongdoing. Two families said they buried their loved ones quickly out of fear the authorities would confiscate the body.

The UN special rapporteur on Myanmar [said](#) in October 2021 that he had received credible reports of “over 8,000 arbitrarily detained with many tortured, including dozens who were tortured to death.” At the UN Human Rights Council in March, former UN High Commissioner for Human Rights Michelle Bachelet [said](#) she had received credible reports that at least 21 percent of deaths by the security forces had occurred while victims were in custody.

Human Rights Watch has found that the junta’s widespread and systematic abuses since the coup amount to crimes against humanity, which include murder, torture, and wrongful imprisonment.

The [UN Minnesota Protocol](#) on the Investigation of Potentially Unlawful Death (2016) sets out that all death-in-custody cases should be subjected to “[prompt, impartial, and effective investigations into the circumstances and causes](#)” of the death. In addition, “family members should be informed immediately and thereafter a notification of death posted in an easily accessible way. To the extent possible, family members should also be consulted prior to an autopsy. They should be entitled to have a representative present during the autopsy ... [H]uman remains should be returned to family members, allowing them to dispose of the deceased according to their beliefs.”

The UN, regional bodies, and governments – including the European Union, United States, United Kingdom, and Association of Southeast Asian Nations (ASEAN) – should specifically raise concerns about deaths in custody and press the junta to end them, Human Rights Watch said. They should strengthen targeted sanctions against military-owned businesses, the military and the State Administration Council (SAC) junta leadership under Sr. Gen. Min Aung Hlaing.

The UN Security Council should urgently take measures against the junta, including by referring the situation in the country to the International Criminal Court and passing a resolution to impose a global arms embargo.

“The deaths of people in custody are among the hidden atrocities that junta security forces are committing every day,” Maung said. “Concerned governments should be ensuring global condemnation of these horrific abuses.”

For detailed accounts of the deaths in custody, please see below.

Deaths in Custody

The following case histories are based on remote interviews with family members of the victims and witnesses and other sources of information. In all but one of the cases, witnesses said they were afraid to be named due to fear of reprisals from the Myanmar military or police.

Kyaw Swe Nyein, Nyaung-U town, Mandalay Region

Plainclothes policemen and a military intelligence unit arrested Kyaw Swe Nyein, 55, at his home in Mandalay Region on January 30, 2022, after he joined protests in Nyaung-U, Mandalay Region.

The authorities accused Kyaw Swe Nyein of spreading “fake news” and sharing a Facebook post supporting anti-coup protests. A closed court in March sentenced him to six months in prison for incitement under section 505A of the penal code. This section, amended by the junta shortly after the coup, makes it a criminal offense to make comments that “cause fear” and spread “false news,” and is punishable by up to three years in prison.

On March 9, Kyaw Swe Nyein sounded well when he spoke to his family on a mobile phone borrowed from one of the prison guards at Nyaung-U prison. However, he told a family member that he had been badly beaten at the Myingyan interrogation center, where he was held for the first 10 days. He told his family that he had experienced some dizziness as a result. On March 11, prison

authorities informed Kyaw Swe Nyein's wife that he had died that evening after complaining of dizziness. Doctors at Nyaung-U hospital, where his body was taken, told relatives that he had died of heart failure.

The family did not receive a death certificate or an autopsy report, even though authorities conducted an autopsy. A family member said a police official told the family to sign a blank document acknowledging they were informed of Kyaw Swe Nyein's death.

A family member said:

I was so distressed. I just signed the document, but I don't know what it was, and I don't have a copy.... If he died from natural causes, then I could forgive myself [that he died in prison] but now, it's the unknown that is unsettling. Of course, it's very difficult for us to accept his death with so few answers but we can't do anything about it now.

After reviewing images of Kyaw Swe Nyein at his funeral, Dr. Haar said a photograph showed evidence of trauma to the head from bruising around the eyes and ears.

Than Tun Oo, Mandalay town, Mandalay Region

On September 26, 2021, at about 3:30 p.m., soldiers and police arrested Than Tun Oo, 48, a former political prisoner and activist, at his home in Mandalay and took him to the No. [7 Area](#) Police Station. Neighbors and family members watched as security forces beat him with his hands tied behind his back and then [shot him](#) in the legs, supposedly for being slow to respond to orders. A witness said:

There were around 50 to 100 soldiers and police with army trucks and private cars. Some soldiers were from the LID [Light Infantry Division] 33 command and there were police from the local station here in Mandalay.... They told [Than Tun Oo] to kneel but he weighed 400 pounds, so they shot him in his leg to make him kneel.

The witness said the next day, September 27, police and military officials told Than Tun Oo's family that he had died in the police station from heart failure. The authorities did not give the family a medical certificate, a witness said, but security forces made family members sign a document acknowledging they had been informed of Than Tun Oo's death.

The family said Than Tun Oo was in good health prior to his arrest. When the family demanded his body, junta authorities said they had cremated the body immediately because Than Tun Oo had tested positive for Covid-19 while in custody.

A family member said:

Everyone has dreams, so did [Than Tun Oo]. He was interested in art and loved writing. Many people liked him. I could endure the pain of loss if he died while fighting against the [junta]. But he died during interrogation where they have the power to do whatever they wanted. It is painful to accept that he died in this way.

Khet Thi, Shwebo city, Sagaing Region

Khet Thi, 43, a popular poet known for his sharp political wit, took on a leadership role opposing the military coup. He organized protests and spoke at rallies to encourage dissent against the military. His poetry became part of his resistance to military rule. "They shoot in the head, but they don't know that revolution is in the heart," he wrote.

On May 8, 2021, about 40 soldiers and police arrested Khet Thi at his home in the city of Shwebo, Sagaing Region, and accused him of leading a plan to lay landmines targeting the security forces. Junta authorities also arrested Khet Thi's wife, Chaw Suu, and her brother-in-law, Aye Pyo, for allegedly helping to plan the attack.

A witness said that police handcuffed all three, then took them in a police vehicle to Myo Ma, the main police station in Shwebo, where they were separated into male and female cellblocks for interrogation.

After hours of interrogation overnight, Chaw Suu and her brother-in-law were released on the morning of May 9. A police officer informed Chaw Suu that her husband had been taken to Monywa General Hospital, almost 90 kilometers from Myo Ma police station. Sources familiar with the case said that Chaw Suu thought her husband was ill and asked the head of the police station to take her to the hospital so she could care for him. The officer in charge then told her that Khet Thi was dead.

On May 9, at about 2 p.m., junta officials at Monywa hospital told Khet Thi's family that he had died of a heart attack. However, family members deny that he had any heart problems, and say he was in good health apart from poor eyesight. A source said hospital staff pressured the family to have the body cremated at the hospital the same day. Fearing junta officials would force them to immediately cremate Khet Thi, the family took his body to prepare for burial the next day.

Junta officials failed to provide the family a medical certificate or autopsy report, and there was no investigation into his death.

A family member said:

We rushed back to another township with his body because we were afraid that they would take the body back.... When we went to prepare the body, his head moved slightly and that's when blood came out of his head. They had performed an autopsy on his head and there was a wound but there were also two bruises on the right side of his face and black marks on his nose. He had square shaped burn marks on his thighs. We didn't check his back because we were afraid the sutures from the autopsy might burst open.

Khet Thi was buried on May 10, 2021, less than 48 hours after his arrest.

Dr. Haar, the emergency physician, said that images of Khet Thi taken after his death showed likely head trauma.

Zaw Myat Lynn, Shwe Pyi Thar township, Yangon

Zaw Myat Lynn, 46, was a former NLD member who ran a vocational education school named after Aung San Suu Kyi in Yangon's Shwe Pyi Thar township. He and his family lived with the students.

On March 9, 2021, at about 1 p.m., police and soldiers arrived at the school, appearing to target Zaw Myat Lynn for arrest due to pro-democracy posts on his Facebook account. He ran and jumped over a fence but was surrounded by police and soldiers who took him into a military vehicle.

A teacher said:

I heard from students around 2 a.m. on March 9, 2021. [They told me] about 40 police and soldiers were at the Suu Vocational School. Some students were arrested first when military forces came in from the front door. Zaw Myat Lynn jumped over the fence and cleared it, but the building was surrounded, and he was arrested. Neighbors from next door also told me they heard Zaw Myat Lynn say, "Don't shoot, I'll surrender and come with you." He didn't get any injury from jumping over that fence.

Zaw Myat Lynn's family was told the next day to come and identify his corpse.

Dr. Haar, who reviewed 12 photographs and 2 videos of Zaw Myat Lynn's body, said visible injuries suggested scalding liquid was poured onto his face.

After examining similar photographs, *The Guardian* newspaper concluded that the nature of Zaw Myat Lynn's injuries were consistent with torture: "It appears that boiling water or a chemical solution had been poured into his mouth. The tongue was melted, his teeth missing. Facial skin was peeling off. The body had been wrapped up to conceal further traumatic injuries."

A source close to the family said that junta officials told Zaw Myat Lynn's family that he had died from heart failure. The officials failed to provide the family with a medical certificate or autopsy report.

Tin Maung Myint, Yin Mar Bin township, Sagaing Region

On April 4, 2021, soldiers arrested Tin Maung Myint, 52, during a raid on his village in Yin Mar Bin township, Sagaing Region. He was a farmer and village leader who had joined the opposition to the junta. Witnesses said that soldiers arrested Tin Maung Myint around 4 a.m. along with seven others who were keeping watch on the military column that was preparing to raid their village.

Tin Maung Myint's body, along with that of another villager who was arrested with him, turned up the next day about 2 p.m. at the Monywa General Hospital, bearing marks of torture. A witness who viewed the body said:

I saw bruises and swollen marks all over his and the other victim's face. They were in pretty bad shape. We only checked their faces, not their whole bodies. It was unsettling to get close to their bodies. I didn't want to look that closely, so I don't know about marks on their bodies, but their faces were so black and blue.

One photograph posted on social media of Tin Maung Myint's body shows numerous wounds. Dr. Haar, who reviewed the photograph, said she observed massive trauma consistent with skin tears and avulsions – or forcible tearing – on his shoulders that looked like burns. Bruises are visible on the face, as is a deep gash on the forehead. She said it was unclear which injury was the cause of death.

Junta authorities failed to provide a death certificate to the family or explain how Tin Maung Myint had died. Hospital staff who found the bodies told the families the men were already dead when they were discovered dumped at the hospital.

Khin Maung Latt, Pabedan township, Yangon

On March 6, 2021, [soldiers and police](#) arrived at the home of Khin Maung Latt, 58, a ward chairman and NLD member, in Pabedan township, Yangon. Witnesses said that after forcibly entering his home, security forces beat and kicked Khin Maung Latt in front of his family, then took him away at gunpoint. His family was notified the next morning that he had died of heart failure, and they retrieved his body at 8 a.m.

A friend of Khin Maung Latt's who attended his funeral on March 7 said that his legs looked broken, his white funeral shroud was covered in blood, and that his face appeared blue and swollen. The friend said:

When I arrived at Ye Way cemetery, Khin Maung Latt's body was already being prepared in the morgue, in the Muslim tradition. But we'd instructed our contacts who washed the body to take photos as soon as they'd stripped him. The water ran with blood and his body was marked as if he was badly beaten.... There was blood coming out of his ears and bruises all over his body; his legs looked damaged, broken. The person washing the body had put gauze in the ear and up his nose, but it was still dripping.... The white cloth was no longer white, it was stained red and rust-colored.

He said that the authorities appeared to have carried out an autopsy:

They said he died from a heart attack, but they had performed an autopsy on his body and on his head. The head was cut open, as if they'd taken one side and pulled it back like a flap. But why did they do this? There was no explanation given.... You could see the stitches on his head and on his body and the stitches were still oozing. No matter how we washed the stitches, they kept oozing and his blood was still warm. There were blue and brown marks around his eyes and his body, marks everywhere.

A member of the Muslim community who [helped](#) to prepare Khin Maung Latt's body for a Muslim burial said there were deep wounds on his back and hands consistent with torture.

Dr. Haar, who reviewed nine photographs and one video of Khin Maung Latt's body, observed unskilled, haphazard suturing of the autopsy wounds on the head and chest: "The sutures are very unusual and not in line with medical best practice. By even conducting the autopsy under such unusual circumstances, may also suggest medical complicity to the acts of torture that clearly occurred to the individual."

Khin Maung Latt's body was cremated at the Ye Way cemetery on March 7, less than 24 hours after his arrest. The friend said officials failed to provide the family with a medical certificate or autopsy report.

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activists in custody



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