

# PEN CANADA

for FREEDOM of EXPRESSION



The prominent journalist, writer and Central Executive Committee member of the National League for Democracy (NLD) was arrested on July 4, 1989, during a nation-wide crackdown by the authorities on the opposition. **Win Tin** is the only senior member of the NLD arrested in June and July 1989 to remain in detention.

Win Tin, now aged 76, worked closely with Daw Aung San Suu Kyi. After his arrest in July 1989, he was publicly accused of guiding and influencing her. He was also accused of being a "leftist" politician who urged the NLD to adopt a civil disobedience campaign against martial law, quoting the works of philosopher Henry David Thoreau and the example of Mahatma Gandhi. Despite the

political allegations against him, he was formally charged with a criminal offence and sentenced to three years' hard labour in October 1989. He was accused of having offered hospitality to an NLD member whose companion had allegedly undergone a criminal abortion - on these grounds he was accused of sheltering a criminal under Article 216 of the Criminal Code. It is believed that this accusation was politically motivated and intended to justify his detention.

In June 1992, just a few months before completion of his three-year sentence, Win Tin was sentenced to an additional 10 years' imprisonment under Section 5(j) of the 1950 Emergency Provisions Act. This vaguely-worded security legislation is frequently used to sentence political detainees to long terms of imprisonment. Win Tin's third prison sentence was imposed on March 28, 1996, bringing the total years of incarceration to 20. In mid-November 1995, he had been one of a group of men detained in Insein Prison who were interrogated under suspicion of smuggling a letter to the United Nations Special Rapporteur on Myanmar about ill-treatment and poor conditions in the prison, and of producing written materials, including magazines, which were considered to be detrimental to the state. They were also accused of hiding three radio sets and other materials such as pens and international magazines.

On July 6, 2005, the State Peace and Development Council announced the release of several prisoners, many of whom were political prisoners. Win Tin was believed to be among those to be released. According to U Soe Myint, an elected MP released from Insein prison, where U Win Tin is detained, the authorities told Win Tin of his imminent release and took him through the standard procedures prior to release. He was told that he and nine other prisoners would need to meet with the Minister of Home Affairs prior to their release. However, while waiting for this meeting, U Win Tin was asked to come to the prison office, only to be then taken back to his cell. No explanation was given for this decision.

This was not the first time that U Win Tin has undergone such an ordeal. In November 2004, the SPDC also released several political prisoners. At the time, Foreign Minister Kyaw Thu stated, "Win Tin is already on the list" of those to be released. However, U Win Tin was not released and no explanation was given.

Since the start of 2006, he has no longer been able to receive visits from the International Committee of the Red Cross (ICRC). Win Tin is entitled to a twice-monthly visit from a relative for 20 to 25 minutes. They are allowed to bring him medication, food and magazines, but a censorship bureau within the prison checks all documents brought in to him.

According to recent information, Win Tin currently needs treatment for high blood pressure and inflammation of the prostate. Even though he is checked twice a month by a prison doctor, he is dependent on the help of his relatives who regularly bring him medication and food. His health has seriously deteriorated after 16 years in prison and he has suffered two heart attacks.

**PEN Canada considers writer Win Tin to be detained in violation of Article 19 of the Universal Declaration of Human Rights. We call for his immediate and unconditional release. PEN Canada urges the authorities of Myanmar to ensure that Win Tin be granted access to proper medical care while in detention.**

Please send appeals to:

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