

Human Rights Watch

Torture, Former Combatants, Political Prisoners, Terror Suspects, & Terrorists

<https://www.hrw.org/news/2021/04/02/myanmar-hundreds-forcibly-disappeared>

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(Bangkok) [Myanmars](#) military junta has forcibly disappeared hundreds of people since the February 1, 2021 coup, Human Rights Watch said today. The authorities have taken into custody politicians, election officials, journalists, activists, and protesters and refused to confirm their location or allow access to lawyers or family members in violation of international law.

The security forces have arrested many people suspected of participation in anti-coup demonstrations or in the opposition Civil Disobedience Movement during nighttime raids on homes throughout the country. The nongovernmental organization, Assistance Association for Political Prisoners, told Human Rights Watch they could confirm the location of only a small fraction of the more than 2,500 recent detainees they have identified.

The military juntas widespread use of arbitrary arrests and enforced disappearances appears designed to strike fear in the hearts of anti-coup protesters, said [Brad Adams](#), Asia director. Concerned governments should demand the release of everyone disappeared and impose targeted economic sanctions against junta leaders to finally hold this abusive military to account.

Human Rights Watch spoke to family members, witnesses, and lawyers of 16 people feared to have been forcibly disappeared since the coup.

On February 1 at about 5:30 a.m., four uniformed soldiers and a man in civilian attire arrived at the home of Mya Aye, 55, an outspoken activist and member of the National League for Democracy (NLD), in Mingalar Taung Nyunt township, Yangon. The men showed no arrest warrant and offered no basis for his arrest to family members, which was caught on a neighbors CCTV camera and later was posted on [Twitter](#).

Later that day, two plainclothes officers came to the residence to collect his medications but refused to provide additional information. In late March, Mya Ayes family said that the authorities still had not told them where Mya Aye was being held and had not provided him access to a lawyer.

On March 6, police arrived at the funeral [in Mandalay](#) of a protester shot dead by police, causing those attending to flee in panic. A prominent activist, Nyi Nyi Kyaw, fell and the [police arrested him](#). A friend of Nyi Nyi Kyaw said that the authorities did not tell his family where he was, and that they went into hiding out of fear that they may be targeted as family members.

The family received one communication from Nyi Nyi Kyaw a short but chilling phone call to his eldest son from a blocked number four days after his disappearance in which he sounded agitated and distressed, the friend said. The call was ended before the family could ascertain his whereabouts.

On March 9, [military trucks](#) arrived around 1:30 p.m. and parked outside the office of Karmayut Media in Yangon, neighbors said. At about 3 p.m., they saw [soldiers take away](#) the media outlets co-founder, Han Thar Nyein, 40, and the editor-in-chief, Nathan Maung, 45. Their families still have not been informed of their whereabouts, a family member said.

Were so anxious about where they are, and were worried for their well-being, the family member of Han Thar Nyein said. We want to see them with our own eyes, to accept that they are okay, that they are alive. And we want this to happen quickly, not to wait in this agonizing way.

Many friends and family members of anti-coup protesters who have been arrested told Human Rights Watch they do not know exactly where the person was being held, heightening concerns about their safety and well-being.

In many cases, families have only received information informally about the location of their family member, such as when newly released detainees notify family members or lawyers that they had seen a person who had been detained. Some families believe that because a prison accepts a package for their family member, it is most likely the place where their relative is being held. However, this is conjecture and does not relieve the authorities of their obligation to provide information on a detainees whereabouts, produce a detainee in court within 48 hours, and allow access to counsel and family members.

Under international human rights law, a state commits an enforced disappearance when government authorities or their agents arrest or detain an individual followed by a refusal to acknowledge the deprivation of liberty or by concealing the fate or whereabouts of the person, placing them outside the protection of the law. Forcibly disappeared people are commonly subjected to torture or extrajudicial execution. Families must live with the uncertainty of not knowing if their loved ones are dead or alive, and worrying about their treatment in captivity.

Enforced disappearances are grave violations of international law, and when committed as part of a widespread or systematic attack on a civilian population, are [crimes against humanity](#).

Enforced disappearances are a heinous crime, not least because of the anguish and suffering caused to family and friends, Adams said. Myanmar's security forces have continually flouted any respect for human rights, but they should know that they will be held accountable for the disappearances of these individuals and for the safe return of everyone forcibly disappeared.

Examples of Enforced Disappearances

Mya Aye

Mya Aye is a vocal critic of the military and a veteran pro-democracy activist who has been arrested twice previously, in 1989 and again in 2007. He served lengthy sentences both times. His daughter said that both times, he was also forcibly disappeared for months before the family could locate him.

Mya Aye was arrested on February 1 at his home in Yangon. On February 3, family members went to the Mingalar Taung Nyunt township police station to ask where he was being detained and the charges against him. The family said that police chief, Tin Maung Swe, said police were not responsible for Mya Aye's detention and could not provide further details. On February 6, the family requested assistance from the International Committee of the Red Cross to help locate him. On February 17, the family made a submission to the United Nations Working Group on Enforced or Involuntary Disappearances.

Mya Aye's family said that in the two months since he was disappeared the authorities have not informed the family of his whereabouts and failed to respond to the family's numerous requests for an investigation into the circumstances of his arrest and disappearance. They said that he has had a quadruple bypass operation and requires daily medication. The family has sent packages that include food and medication to Yangon's Insein prison with the hope that he is there, and that the medication reaches him, but they have no way to confirm if he has received them.

Nyi Nyi Kyaw

On March 6, police arrested Nyi Nyi Kyaw in Mandalay as he attended the funeral of a protester shot dead by the police. When security forces arrived at the service, held on the corner of 62nd and 102nd streets, the funeral congregation ran in panic. Nyi Nyi Kyaw fell over as he was running and appeared to be immediately targeted for arrest by the police there, his friend said. While other civil society activists were at the funeral, only Nyi Nyi Kyaw was arrested.

In attempts to locate Nyi Nyi Kyaw, his family on March 7 took packages to two prisons in Mandalay: Obo and then Lan Dwin. Both facilities denied that he was being held there.

The family decided to go into hiding after Nyi Nyi Kyaw's son received a distressing phone call from his father on March 10, four days after his arrest. The family is unsure whose phone Nyi Nyi Kyaw was using, but he repeatedly avoided answering questions about his whereabouts or his well-being. His son told the family friend that his father seemed disoriented and asked questions about another individual involved in the civil disobedience movement who was on the run. The call was cut from Nyi Nyi Kyaw's end when his son could not answer questions about the key leaders of the anti-coup movement.

Maybe Nyi Nyi Kyaw called because he wanted to let his son know he was alive, a family friend said. His son is terrified for his father's well-being but also worried that the family is being tracked so they have gone into hiding. This makes things even more desperate for Nyi Nyi Kyaw because he's not receiving the packages from his family members that are so essential for the survival of prisoners in Myanmar jails.

Nathan Maung and Han Thar Nyein

On March 9, the authorities arrested the Karmayut Media editor-in-chief, Nathan Maung, and co-founder, Han Thar Nyein, after security forces raided their office in Yangon. Two videos posted on Facebook on March 10, recorded from a neighboring building, show at least six army vehicles parked outside the office. Soldiers can be seen leaving the office building carrying bags and equipment and placing them in the vehicles. By matching the buildings visible in the videos with satellite imagery, Human Rights Watch confirmed it to be the location of Karmayut Media in Kamayut township.

No one has been able to tell me where they are, a family member of Han Thar Nyein said. The family member said that lawyers had not had access to the pair and that the authorities had not told them where they were holding them.

On March 10, the families tried to send packages to Insein prison, but the next day prison officials told them to collect the packages as no one with those names was in the prison.

Yan Paing Hein

On March 9, the authorities arrested Yan Paing Hein, 25, together with 22 other residents from 3rd St., Lanmadaw township in Yangon, after protesters detained seven police officers who had been involved in trying to quash protests.

In a video livestreamed on Facebook on March 8 that Human Rights Watch could no longer locate but has access to an offline copy, Yan Paing Hein can be seen and heard attempting to prevent residents from beating the captive police officers. Soon after, the military arrives in a large convoy and shots can be heard. Yan Paing Hein can be seen running away. Human Rights Watch identified Yan Paing Hein in this video through interviews with family members. He later ran back to his home along with others who were not immediately arrested, a family member said.

Around 12:30 a.m., police broke down the front door of Yan Paing Heins house. Soldiers entered the house and arrested Yan Paing Hein. The soldiers also arrested 22 other young men from the neighborhood.

They pointed guns at me and my father while they were searching our home, while they were questioning my dad and while they took Yan Paing Hein, said his sister. I didnt see that my brother was beaten when they took him away, but I heard from another guy who was later released that Yan Paing Hein was beaten, that his nose was broken, and that he couldnt breathe properly because the blood was clotting in his nose.

The security forces took Yan Paing Hein to an interrogation facility in Shwe Pyi Thar township. Another man taken that night said that he saw 23 men there that night, including himself, but that when he and others were released at 5 p.m. the next day, he noticed that seven were missing, including Yan Paing Hein.

The authorities have not told the family where Yan Paing Hein is but detainees who were subsequently released told the family they saw him inside Insein prison. The family has sent four packages to the prison, none of which have been returned. Neither the family nor the lawyer have managed to have direct contact with him.

Sai Phyo Htike

On March 14, the authorities arrested Sai Phyo Htike, 23, an engineering student, on the corner of 81st and 21st streets in Mandalay. A friend of his now living abroad said that Sai Phyo Htike was riding home to Sein Pan Ward from an anti-coup protest when a group of armed men in civilian clothes ran in front of him and fired warning shots in the air. Sai Phyo Htike fell from his motorbike and was arrested in front of the No. 8 Police Station. The authorities have provided no details about why he was arrested and have repeatedly denied requests from his family and lawyer to see him.

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