

prayers each day, with some parents receiving money in exchange; the imposition of controls on and interference with religious activities of religious groups and communities; and, action by the government to stop the construction of a church even though a building permit had been obtained.

Sale of children, child prostitution, child pornography, Special Rapporteur on the: (E/CN.4/1997/95, paras. 39, 76)

The report refers to information from the International Labour Organization (ILO) noting that Burma is one of the countries in the Mekong region where child trafficking is rife. The report also refers to women deported to Burma facing great danger associated with the possibility of being abused again by Burmese authorities and the possibility of their being liable to further charges and sentences. On the latter point the report notes that departure from the country without permission is an illegal act carrying a fine or six-month jail term. The report states that deported women and girls are reportedly often subjected to further sexual abuse by soldiers in Burma and that prostitution is illegal and carries a maximum three years' prison term.

Torture, Special Rapporteur on: (E/CN.4/1997/7, Section III; E/CN.4/1997/7/Add.1, paras. 336-344)

The report of the Special Rapporteur (SR) cites information received indicating that: a number of persons detained for political reasons at Insein prison in Yangon were held in exceedingly small "dog cells", intended for the keeping of military dogs; some persons detained for political reasons at Insein were also subjected to torture under interrogation by Military Intelligence (MI) officers even after they had been sentenced; interrogation usually took place with the prisoner in leg irons and was accompanied by severe beatings; other forms of ill-treatment included being kept in the hot sun for prolonged periods and being forced to crawl on the ground over sharp stones; members of ethnic minorities had been forced against their will to perform portering duties for the army (*tatmadaw*) and subjected to torture or other ill-treatment while serving as porters; porters were given inadequate food and medical care and were beaten when seen not to be working with sufficient rapidity; the situation was particularly grave with respect to ethnic Karens forced to porter during army operations against the Karen National Union (KNU); Karenni villagers were subjected to torture, including beatings, rape and other ill-treatment during army operations against the Karen National Liberation Army (KNLA); and, some of the abuses were carried out by the Democratic Kayin Buddhist Army, which is reported to received logistical, tactical and other support from the *tatmadaw*.

The SR transmitted seven individual cases and reminded the government of the cases sent in 1995 to which no reply had been received. Six urgent appeals were also sent, five of which were joined by the SR on the situation of human rights in Myanmar on behalf of 31 persons, many of them members of the National League for Democracy (NLD,) as well as members of a dance troupe who were returning from a performance at an Independence Day ceremony at the compound of NLD leader Aung San Suu Kyi. Information indicated that the troupe had made jokes about the political situation in the country during their performance. The report notes that the government replied to four of the appeals concerning 24

persons and two urgent appeals concerning four persons that had been transmitted in 1995.

The government responses variously stated that: there was no ground for concern because torture and similar practices were prohibited by law and the prison authorities scrupulously followed relevant laws and stipulations; qualified doctors were always available to tend to the medical needs of detainees; arrangements were made if necessary for detainees to receive treatment in hospital; with regard to the members of the dance troupe, they had been charged with delivering lines that could jeopardize law and order and state security; no ill-treatment had taken place during detention or trial; the persons concerned had been arrested because they had been involved in the writing and distribution of literature detrimental to law and order and state security; the person concerned had been detained by the Indian army for involvement in rebel activity and handed over to the Burmese authorities; the persons concerned had been found guilty of writing false and fabricated news about Burma which could cause foreign countries to misunderstand the actual situation prevailing in the country; and, the persons concerned had not been subjected to torture or ill-treatment.

Based on the information available, the SR concurred with the conclusion of the SR on the situation of human rights in Myanmar that the practices of torture, portering and forced labour continue to occur in Burma.

Toxic wastes and products, Special Rapporteur on: (E/CN.4/1997/19, para. 47)

The report refers to the construction of pipelines through rain forest and the fact that the army has declared "free-fire zones" in which soldiers are authorized to shoot civilians. The report also cites information received indicating that indigenous peoples are forced to work on clearing forest areas to prepare them for oil and gas exploration and transportation, and that all of the victims are thought to be Karen, with some of them evicted from the location of the planned pipeline to areas where means to earn a living are scarce.

The SLORC responded to the Special Rapporteur asserting that: the route chosen for the pipeline poses the least threat to the environment and does not pass through any villages; the foreign oil companies involved in the venture are helping the people living along the route by hiring them and paying them more than local wages; no one has been forced to work on the pipeline project; the companies have built schools and health clinics and initiated agricultural projects along the route; and, there are no human rights violations associated with the pipeline project. The SLORC concluded its remarks by stating that the allegations contained in the report are unfounded and totally untrue and have been made by opponents of the government with the aim of denigrating it and the armed forces. (This information was included in a photocopy of some governments' responses to the SR's report, generally available at the 1997 Commission.)

Violence against women, Special Rapporteur on: (E/CN.4/1997/47, Section IV)

In the section dealing with trafficking in women and forced prostitution, the Special Rapporteur (SR) notes that: the recruitment of women for prostitution in many societies is often achieved with the complicity of the family, and that