

Human Rights Watch

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

<https://www.hrw.org/news/2013/12/24/burma-free-all-remaining-political-prisoners>

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Despite Presidential Pledge, 200 Face Charges for Political Offenses

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(Bangkok) [Burmas](#) President Thein Sein should honor his pledge to release all political prisoners by the end of 2013, Human Rights Watch said today. The releases should include the more than 200 people charged this year with political offenses.

Burmas government has taken significant steps to release political prisoners over the past two years, but the job isnt finished, said [Phil Robertson](#), deputy Asia director. All those jailed for speaking out should be promptly released, including the many activists arrested in the past year.

Thein Sein issued a series of presidential amnesties since January 2012 that have resulted in the release of several hundred political prisoners. Often these amnesties have preceded visits to Burma by international dignitaries or travels by Thein Sein abroad. In November 2012, prior to a visit by US President Barack Obama, Thein Sein pledged to form a review committee to resolve remaining cases.

The review committee, chaired by U Soe Thein, a minister in the presidents office, was formed in February 2013 and includes groups of former political prisoners, and political parties, and met several times during the year.

The committees work has included visits by former political prisoners to some of Burmas estimated 44 prisons to interview prisoners about their cases. In 2013 several amnesties released over 200 prisoners, including [69 in November](#) and 41 in December. An estimated 39 prisoners from the original list developed by the review committee remain incarcerated. At a meeting on December 21, the committee agreed on the cases of the remaining 39 prisoners but did not reach agreement on the over-two-hundred activists facing charges that could be deemed to be political prisoners. On Tuesday, December 24, the committee will travel to Naypidaw to hold consultations with top-level government officials.

Human Rights Watch called on Thein Sein to restructure the mandate of the committee to address recent political cases prosecuted under old, military-era laws, the outdated Penal Code, and new legislation permitting prosecutions in violation of basic rights.

For instance, on June 11, the authorities in Pegu Region, north of Rangoon, arrested three activists Myint Myint Aye, Khin Mi Mi Khaing, and Ko Thant Zin Thet for assisting farmers in a long-running land dispute. A local court found them guilty of violating the 1988 Association Law for forming an illegal organization. Ko Thant Zin Thet was also convicted under the 2011 [Peaceful Assembly Law](#). The three have been held in Paungde prison since their arrest and remain in custody while awaiting sentencing. The media reported that they began a hunger strike after their last court appearance.

The government should repeal or revise existing legislation, such as the 1988 association law and the new peaceful assembly law, and new, proposed laws such as the [draft law on associations](#), to ensure they are in line with international human rights standards.

An estimated 156 people currently face charges or received convictions under the association and peaceful assembly laws, with 33 of them in custody awaiting sentencing. Among them are Kachin activists such as May Sabe Phuy who staged peaceful demonstrations in protest of the 2011-2013 conflict in Kachin State. An unknown number of Kachin civilians are also being detained on charges of aiding the Karen Independence Organization and its armed wing, despite the group having agreed to a tentative ceasefire with the Burmese government in March. An estimated 535 ethnic Rohingya Muslims are being detained in prisons in Arakan State in western Burma, following sectarian violence in 2012, many of whom reportedly for peaceful political activities, and violations of repressive local ordinances restricting unregistered marriage.

Foreign donors should not allow the Burmese government to get away with the game of releasing old political prisoners while arresting new ones, Robertson said. They need to press for legal and policy reforms that put an end to the unlawful arrests of the governments critics.

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