

AMNESTY INTERNATIONAL

PUBLIC STATEMENT

Index: ASA 16/014/2012
18 September 2012

Myanmar: Ensure that those arbitrarily detained are not forgotten

The Myanmar Government's decision on 17 September 2012 to release a further 514 prisoners, including prisoners of conscience, is a positive step towards ending arbitrary detention in the country.

Amnesty International believes that there are still individuals who are being arbitrarily detained and it is essential that they are not forgotten. We renew our call on the government to urgently set-up a mechanism - with assistance from the United Nations and participation from civil society - to review the cases of all prisoners to determine the true reason for their arrest.

Among those released on 17 September were some foreign nationals and at least 90 political prisoners, including Khin Kyi aka Zin Min Aung whom Amnesty International had recognised as a prisoner of conscience. Khin Kyi is a member of Generation Wave and was sentenced to 15 years' imprisonment in 2008 for peaceful political activities. It is likely that the number of political prisoners confirmed as released will rise over the coming days and weeks.

The presidential amnesty was granted under section 204(a) of the Constitution and section 401(1) of the Code of Criminal Procedure, a form of conditional release which allows the authorities to re-imprison individuals without warrant to serve the remainder of their sentence if the authorities believe they have not fulfilled the conditions of their release. In past and recent amnesties some prisoners have been released on condition that they do not engage in political activities. The government must ensure that all those released are allowed to exercise fully their human rights, including the rights to freedom of expression, peaceful assembly and association.

All those who had been detained solely for peaceful activities must in addition have their freedom of movement within the country and abroad guaranteed.

It is also vital that the Myanmar National Human Rights Commission initiate prompt, effective, independent, and impartial investigations into all allegations of torture or other ill-treatment made by those who have been released. Those suspected of committing torture and other human rights violations should be prosecuted in proceedings which meet international fair trial standards. Victims and survivors should be provided with reparations.