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Myanmar: All prisoners of conscience must be released by year's end

Time is running out for Myanmar's President Thein Sein to deliver on his promise to release all prisoners of conscience in the country before the end of the year.

With just under two weeks to go, and despite a series of amnesties for political prisoners, many prisoners of conscience are believed to remain behind bars and scores of other activists are facing charges for their peaceful activities, calling in to question the government's commitment to human rights reforms in the country.

Among those currently imprisoned is Dr Tun Aung, a community leader and medical doctor who is serving 17 years in jail for his peaceful activities when trying to halt communal violence in Maungdaw, western Myanmar in June 2012. Human rights organizations and international observers – including the UN Special Rapporteur on the situation of human rights in Myanmar – have consistently called for his release; however it appears unlikely he will be included in any further release this year.

Amnesty International is also concerned that many former prisoners of conscience continue to be at risk of re-arrest if they engage in peaceful political activities as a condition of their release. All releases must be granted without conditions.

It remains unclear what will happen to scores of human rights activists, defenders, farmers and others who have been arrested in recent months, many of them charged under legislation which does not comply with international standards and severely curtails the rights to freedom of expression, association and peaceful assembly.

They include Myint Myint Aye (f), Khin Mi Mi Khaing (f) and Thant Zin Thet (m), three human rights defenders who were arrested on 11 June 2013 in Nattalin township, West Bago Division. The arrests came after they travelled to Bago Region to demonstrate solidarity with villagers protesting land confiscations that occurred nearly two decades ago. All three have been charged under Section 6 of the 1988 Law Relating to Forming Organizations which carries a maximum sentence of five years' imprisonment, and Thant Zin Thet has also been charged under Section 18 of the Peaceful Assembly and Procession Law, which carries a maximum sentence of one year in prison and a fine of 30,000 kyat [USD30]. Over six months later, the three remain in detention under trial and have reportedly been on hunger strike since 13 December 2013.

Amnesty International calls on the President of Myanmar to immediately and unconditionally release them and all other prisoners of conscience in the country. The organization further calls on the Myanmar authorities to drop the charges against all those arrested solely for their peaceful activism or for exercising their rights to freedom of expression, association and peaceful assembly. They should also immediately repeal or amend all legislation which criminalizes, or is used to criminalize, the rights to freedom of expression, association and peaceful assembly, and ensure that all legislation is consistent with international human rights law.

The Myanmar authorities must take immediate steps to provide relevant support and rehabilitation to former prisoners of conscience. Many suffered long periods of imprisonment, often in solitary confinement, which has taken a toll on them and their families. The

Committee for Scrutinizing Remaining Prisoners of Conscience, established in February 2013, should have its mandate extended to allow it to facilitate such support and assistance beyond 2013.

Amnesty International is also concerned that many former prisoners of conscience and detainees in Myanmar were subjected to various forms of torture and other ill-treatment. The organization reiterates its longstanding calls to the Myanmar authorities to investigate all allegations of torture and ill-treatment, and bring those responsible to justice, including those with command responsibility, in trials that meet international standards of fairness. Victims and their families should be granted reparations.

Furthermore, the Myanmar authorities must ratify the International Covenant on Civil and Political Rights and the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, incorporate their provisions into domestic law and implement them in policy and practice.