

AMNESTY INTERNATIONAL

PUBLIC STATEMENT

Index: ASA 16/014/2014
15 July 2014

Myanmar: One year on, President's promise to release all prisoners of conscience remains unfulfilled

One year after President Thein Sein pledged to clear Myanmar's jails of prisoners of conscience – a pledge which to date remains unfulfilled – Amnesty International calls on the Myanmar authorities to immediately and unconditionally release all those who have been imprisoned simply for the peaceful exercise of their human rights.

On 15 July 2013, President Thein Sein, speaking at the independent policy institute Chatham House in London, said "I guarantee to you that by the end of this year, there will be no prisoners of conscience in Burma". However, despite a series of presidential amnesties and pardons, prisoners of conscience remained behind bars at the end of 2013; while in 2014, new prisoners of conscience – many of them human rights defenders, journalists and land rights and environmental activists – continue to be jailed.

Among the remaining prisoners of conscience who were not released at the end of 2013 are medical doctor and Muslim community leader Dr Tun Aung and Rohingya lawyer Kyaw Hla Aung.

Dr Tun Aung was imprisoned as a result of his peaceful attempts to diffuse tensions following riots which broke out between Rakhine Buddhists and Rohingya Muslims in Maungdaw, western Myanmar in June 2012. Between August and December 2012 he was convicted of inciting riots and of various other criminal offences and sentenced to 11 years in prison, a sentence which was later increased to 17 years. After a series of sentence reductions he is now facing just over a year in jail.

Kyaw Hla Aung was arrested on 15 July 2013 – the very day President Thein Sein promised there would be no more prisoners of conscience. He was arrested after spending months in hiding following the arrest of several Muslim leaders accused of orchestrating community protests against a government-led internally displaced person (IDP) registration exercise conducted in Rakhine state in April 2013. The government registration forced Rohingya people to register as "Bengali" which is viewed by many as a divisive term that imply that all Rohingya are actually migrants from Bangladesh. The protests forced the authorities to suspend the registration exercise. Kyaw Hla Aung was not present during the protests; instead, he tried to contact other Muslim leaders in an attempt to prevent the protests from becoming violent. He is currently detained in Sittwe prison, Rakhine state, where he is on trial facing multiple charges as a result of his peaceful activities.

Amnesty International is also concerned about the jailing of new prisoners of conscience in 2014. From January 2014, the organization has received reports that peaceful protesters, journalists, human rights defenders and in particular land and environmental activists continue to be arrested and charged in connection with their peaceful activities.

So far in 2014, at least 59 individuals have been charged and 17 of them imprisoned under a range of laws which restrict the rights to freedom of expression and peaceful assembly. Just last week, on 10 July, five media workers from the *Unity* news journal were sentenced to 10 years' imprisonment with hard labour after they were found guilty of violating the Official Secrets Act. They were arrested in January and February this year after *Unity* published an article about an alleged chemical weapons factory in Myanmar's Magwe region.

In another case, in May 2014, human rights defenders and members of the Movement for Democracy Current Force (MDCF), Ko Htin Kyaw, Ko Tin Maung Kyi and Ko Zaw Win were arrested for distributing leaflets criticizing the Myanmar government. They were charged under Section 505(b) of Myanmar's Penal Code which provides for the imprisonment of any person who makes, publishes or circulates information which may cause public fear or alarm, and which may incite persons to commit offences "against the State or against the public tranquillity". They are facing multiple charges under Section 505(b), and so far have each been sentenced to six months' imprisonment for their peaceful activities. In addition, Ko Htin Kyaw has also been sentenced to at least six months in prison under Article 18 of the Peaceful Assembly and Peaceful Procession Law for protesting without permission.

Amnesty International is concerned that many other activists are currently on trial or facing charges in connection with their peaceful activities, and would be considered prisoners of conscience should they be convicted and imprisoned. The organization calls on the Myanmar authorities to drop the charges against all those arrested solely for the peaceful exercise of their human rights.

Amnesty International is also concerned about a range of laws in Myanmar which violate international human rights law and standards and which restrict the rights to freedom of expression, association and peaceful assembly. These laws must be repealed or else reviewed and amended to ensure they are consistent with international human rights law and standards.

Finally, Amnesty International is also calling on Myanmar to ratify the International Covenant on Civil and Political Rights at the earliest opportunity, incorporate its provisions into domestic law, and implement them in policy and practice, as an important step towards strengthening protections for the rights to freedom of expression, association and peaceful assembly in the country.