

**ASEAN: Set Benchmarks for Burma on Rights** Human Rights Watch 16 November 2011

(...) The Burmese government should provide proper accounting of all prisoners throughout the country, Human Rights Watch said. Given the lack of transparency in Burma's justice and penal system, the government's practice of moving prisoners to remote locations, and its refusal to allow access to the International Committee of the Red Cross and other independent organizations, families of all prisoners face terrible hardships. The onus is on the Burmese government to account for each prisoner, not prisoners' families, opposition parties such as the National League for Democracy, or outside organizations.

"ASEAN should tell the Burmese government to stop using political prisoners as bargaining chips to deflect international pressure," said Pearson. "ASEAN members need to ensure that all of Burma's prisoners are fully accounted for, and those held for political reasons are immediately released."

ASEAN should call on the Burmese government to repeal all laws that repress nonviolent political activity, Human Rights Watch said. The new parliament has tabled bills on forming trade unions, permitting peaceful assembly, and amending the political party registration laws, which may open the way for participation by the National League for Democracy. ASEAN should monitor recent reforms to Burma's laws to ensure that their implementation upholds basic rights.□□

ASEAN should press the Burmese government to end grave rights abuses in ethnic areas and prosecute those responsible, Human Rights Watch said. Serious abuses amounting to war crimes in Kachin, Shan, and Karen States have escalated in 2011. Since June, over 30,000 civilians have been displaced in Kachin State, fleeing Burmese army abuses such as unlawful forced labor, extrajudicial killings, and attacks on civilians, with several thousand seeking refuge in China.

Ongoing abuses in conflict areas show the culture of impunity that remains pervasive within the ranks of the Burmese military. Human Rights Watch reiterated its call for ASEAN to support the formation of a United Nations-led commission of inquiry into violations of international human rights and humanitarian law and urged ASEAN to press for Burma's cooperation with such an inquiry.

"ASEAN leaders should make it clear that an ASEAN summit in Burma is dependent on the government addressing ongoing rights violations and holding the perpetrators accountable," said Pearson. "This means creating an international commission of inquiry as a necessary step towards bringing justice to victims of war crimes in Burma."

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