



Statement: The Myanmar Junta's Reintroduction of the Death Penalty for Politically Motivated Convictions is Unacceptable

Human Rights Now (HRN), a Tokyo-based international human rights NGO,¹ strongly protests the Myanmar junta's June 3 announcement that it will carry out the execution of four prisoners, including two prominent pro-democracy activists. The last judicial execution in Myanmar occurred in 1976, under the previous military junta led by Ne Win.² Since taking over the country in February 2021, Myanmar's current military government has sentenced 114 people to death.³ The conviction of political dissidents is part of the junta's ongoing persecution of pro-democracy protesters, who have continued to organize demonstrations throughout the country opposing it. Over 2,000 civilian dissidents have been killed by the junta to-date.⁴

The junta's June 3 announcement, made by Major General Zaw Min Tun, follows the conviction of Phyo Zeya Thaw, a former lawmaker, and Kyaw Min Yu, a political activist, on anti-terrorism charges in January 2022.⁵ United Nations Secretary-General Antonio Guterres, through his spokesperson Stephane Dujarric, has called the decision to execute the political dissidents "a blatant violation" of Article 3 of the Universal Declaration of Human Rights.⁶ Two other individuals, Hla Myo Aung and Aung Thura Zaw, were convicted in April 2021 for killing a woman they claim was an informant for the military.

HRN additionally rebukes the hasty military trials the Myanmar junta used to convict these four individuals. All four defendants were tried and convicted in military tribunals that were closed to the public,⁷ and numerous international and domestic sources have concluded that corruption is a consistent feature at all levels of the court system.⁸ Phyo Zeya Thaw and Kyaw Min Yu tried to appeal their convictions, but the court denied their appeal and the junta moved swiftly to proceed with their executions. Within Myanmar, the appeals process for a death sentence typically takes years and requires review by both the courts and state leaders, making the timing of the junta's announcement months after the defendants' convictions unprecedented.⁹

Over a year after the coup in Myanmar, the junta continues to both arbitrarily arrest and kill civilians and political opposition. The reintroduction of the death penalty for arbitrary and politically motivated arrests unites these two violations and is particularly reprehensible.

We strongly call on the junta to refrain from any attempt to execute the four convicted persons, as well as those who participated in protests against junta's illegal regime. We also call on the junta to end its practice of arbitrary and politically motivated arrests and arbitrary killings of citizens, and to return to Myanmar's long-standing moratorium on the death penalty, consistent with the Secretary-General's call for an immediate end to all violence and arbitrary politically-motivated prosecutions of civilians.¹⁰ We further request the international community to continue engaging with and pressuring the junta to adhere to international standards of judicial independence and protection of civilians through appropriate measures such as sanctions.

¹ For inquiries email us at info@hrn.or.jp or visit our website at <http://hrn.or.jp/eng>.

² Grant Peck, “Myanmar says it will carry out first executions in decades”, Washington Post, 3 Jun. 2022, <https://apnews.com/article/aung-san-su-kyi-myanmar-government-and-politics-terrorism-executions-98934ceea9d3c49b7acc69661986782f>.

³ “Daily Briefing in Relation to the Military Coup”, Assistance Association for Political Prisoners, 22 Jun. 2022, <https://aappb.org/?p=21851>.

⁴ *Id.*

⁵ NP News, “Death penalty on parliamentarian-turned-terrorist to be proceeded”, <https://npnewsmm.com/news/6299e241cf95a659173f6aa0/>.

⁶ United Nations, “Daily Press Briefing by the Office of the Spokesperson for the Secretary-General”, 3 Jun. 2022, <https://www.un.org/press/en/2022/db220603.doc.htm>.

⁷ NP News, *supra*, note 5.

⁸ Frontier Myanmar, “No justice behind bars: the coup and the judiciary”, 17 Mar. 2022, <https://www.frontiermyanmar.net/en/no-justice-behind-bars-the-coup-and-the-judiciary/>; <https://theconversation.com/aung-san-su-kyi-trial-how-myanmars-judicial-system-is-stacked-against-the-deposed-leader-162901>; Anna B. Plunkett, “Aung San Suu Kyi trial: how Myanmar’s judicial system is stacked against the deposed leader”, The Conversation, 17 Jun. 2021, <https://theconversation.com/aung-san-su-kyi-trial-how-myanmars-judicial-system-is-stacked-against-the-deposed-leader-162901>; Roseanne Gerin, “Military tribunals hand down harshest sentences to young adults for opposing junta”, RFA, 28 Jun. 2022, <https://www.rfa.org/english/news/myanmar/military-tribunals-03282022185606.html>.

⁹ VOA News, “Myanmar Junta to Carry Out First Judicial Executions in Decades”, 3 Jun. 2022, <https://www.voanews.com/a/myanmar-junta-to-carry-out-first-judicial-executions-in-decades-/6601970.html>.

¹⁰ United Nations, *supra*, note 6.