



ASSISTANCE  
ASSOCIATION FOR  
POLITICAL PRISONERS

# Struggle for



RESILIENCE IN THE FACE OF PRISON'S  
AFTERSHOCKS

# ACKNOWLEDGMENTS

This report is in honor of all those who have risked their lives for the pro-democracy movement in Burma.

AAPP would like to give their special thanks to the survivors who have given their first-hand testimonies for the purposes of this report and beyond.

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**ASSISTANCE ASSOCIATION FOR POLITICAL PRISONERS**

<https://aappb.org>

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# List of Abbreviations

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AAPP	Assistance Association for Political Prisoners
ASEAN	Association of Southeast Asian Nations
BGF	Border Guard Force
CAT	Convention Against Torture
CDM	Civil Disobedience Movement
FIR	First Information Report
FPP	Former Political Prisoner
FTI	First-Time Interview
FUI	Follow-Up Interview
MSA	Military Security Affairs
NLD	National League for Democracy
NUG	National Unity Government
PDF	People's Defense Force
SAC	State Administration Council
UDHR	Universal Declaration of Human Rights

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## Executive Summary

The experience of a political prisoner goes far beyond arrest, interrogation and imprisonment. Building upon previous findings shared in “The Flow of Injustice”, this report shifts its focus to the post-release struggles of former political prisoners<sup>1</sup> and their families. It examines the compounding long-term effects of arrest, detention, and imprisonment, highlighting the “Resilience in the Face of Prison’s Aftershocks.” It elaborates on the ongoing challenges FPPs face as surveillance subjects, facing the risk of re-arrest and consequent isolation from their communities, whilst battling the physical and psychological harms of their imprisonment as well as its impact on their economic and education opportunities. Often, and in the case of all but one of those interviewed for this report, these experiences result in expatriation, where they must face new challenges.

AAPP has conducted in-depth interviews with released political prisoners, capturing their personal experiences, as to how their lives have been shaped by *Sit-Tat’s*<sup>2</sup> ongoing crimes and the human rights violations perpetrated against them. The participation of political prisoners in interviews and their willingness and courage to share first-hand experiences, provide an invaluable insight into the *Sit-Tat’s*<sup>2</sup> atrocities. While the accounts in this report represent only a small sliver of total number of political prisoners arrested and detained in *Sit-Tat* prisons and detention centers since the coup, they shed light on the harrowing realities faced by released political prisoners.

The report is structured to follow the journey of political prisoners, highlighting the experiences of arrest, interrogation and imprisonment, in order to understand the severe consequences that being brought into an unjust prison and judicial system has on the immediate aftermath of their release, and their ongoing struggles to rebuild their lives in the long term. The report follows the flow of injustice, as follows:

**Arrest, Trial, and Imprisonment:** Political prisoners are subject to violent and arbitrary arrests by *Sit-Tat*. They are often exposed to systematically employed forms of torture in interrogation camps, inflicting both physical and mental harm, and sometimes extracting forced confessions. In junta-controlled courts,

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1. For the definition of political prisoner developed by AAPP see [https://aappb.org/bu/?page\\_id=21117](https://aappb.org/bu/?page_id=21117)

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they face false witnesses, predetermined judgments, and a lack of fair legal proceedings. Additionally, they endure degrading treatment and violations of basic rights during their time in prison.

**Post-release Encounters:** Former political prisoners face numerous uncertainties on their way home after release. They often face a lack of transparency as to their release date, and this uncertainty places a psychological toll on them and their families. From the moment of release, former political prisoners endure persistent surveillance by the junta, its affiliates, and informants. Political activity that happens in their respective areas, whether they are involved or not, may lead to further questioning or re-arrest, causing fear for them, their relatives and the surrounding community. The feeling of insecurity makes it hard to continue their lives within their community.

Some former political prisoners find it impossible to reconnect with their families, facing broken or strained relationships. Others are completely isolated from their communities or are met with suspicion and reluctance to engage due to the fear placed on them by the junta, in being associated with a political prisoner. Some feel that they have nowhere to go after release, lacking information on the whereabouts of their relatives and not feeling secure in their previous homes. These challenges begin immediately after release, marking their journey home with fear and insecurity.

Former political prisoners and their families frequently suffer significant financial losses as a result of their imprisonment. In one sense, this is due to past extortion demands from the *Sit-Tat*, police, and judicial and prison authorities, that can result in reduced charges against them, ease their arrest or improve conditions during imprisonment. Many face difficulties in securing a livelihood. Businesses collapse during their time in prison, and unemployment after their release leaves them and their families struggling to survive. Other post-release challenges faced by former political prisoners include the loss of property, including the illegal confiscation of their homes.

**Rebuilding Their Lives:** The feeling of insecurity endured by political prisoners and their families extends so far that it forces many to flee to liberated areas or neighboring countries. However, the lack of legal documents makes it impossible to live securely, also fearing arrest in these new places. Many are unable to work legally, lacking proper documentation, affecting their ability to

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2. Sit-Tat refers, hereinafter, to the military and its armed branches that staged the failed coup on February 1, 2021. Sit-Tat, or an armed group, is used in this report because the military no longer deserves the prestigious name of Tatmadaw, as it has abused its power and abandoned its primary duty to protect the people of Burma

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sustain their livelihoods. Released political prisoners continue to battle with the physical and psychological trauma caused by torture and ill-treatment during their imprisonment, with many facing long-term health issues that require unaffordable treatment. Many struggle to seek necessary medical treatment, with their worsening health conditions adding to their hardship. Although schools have been established for migrant children in border areas, children of former political prisoners face challenges in accessing education, often as a result of their psychological trauma. Despite encountering numerous difficulties in rebuilding their lives abroad, many remain committed to resisting the junta, firmly upholding their beliefs and meeting other political prisoners and activists to carry out their activism.

Hopes for the Future: After the *Sit-Tat* seized power in 2021, the experiences of political prisoners and their families mark one of the darkest periods in Burma's history. They endure physical and psychological suffering, violations of fundamental human rights, and the destruction of family or community life. The impunity enjoyed by those in power for their ongoing violations and crimes perpetuates further abuses.

The survivors of these human rights violations must shape the demands for future justice in the country. For the purposes of this report, AAPP requested that interviewees voice their demands. In response, survivors explained that to break the cycles of violence, it is crucial to gather compelling evidence of these crimes, document ongoing human rights violations, and establish a process for truth-telling. Many report a longing to hold perpetrators of past injustices accountable during a future transitional period. Interviews point to a need for recognition and reparations for victims, along with necessary reforms in the judicial system to establish proper rule of law to ensure justice. These are essential steps toward building a peaceful society and vital for Burma's transition and sustainable development.

This report highlights the urgent need for international actors, including the United Nations, ASEAN member states, and other global entities, to assist in securing the livelihoods, healthcare, safe shelter, and relevant education for former political prisoners and their families. It also stresses the importance of taking decisive action to end the ongoing criminal activities of the junta and to support those still imprisoned by junta. Furthermore, it calls for the immediate release of all political prisoners, including the President and State Counselor.



## **Introduction**

In Burma, opposition to the 2021 coup has been more intense and widespread than any previous pro-democracy movement. Civilians across the country have united in defiance of *Sit-Tat's* violent repression, engaging in political resistance and protest. In response, the junta has weaponized its criminal justice system for its own political agenda, detaining members of the ruling National League for Democracy (NLD), but also students, civil servants, and ordinary civilians behind its prison walls, in its bid to stifle political dissent, silence critical voices, and foster a climate of fear. The effects of imprisonment go far beyond the prison walls. Actually, the period spent in prison is only a fraction of a composite experience of harm that connects and accumulates across a broader set of experiences of capture, brutality, and subjection. The experiences following release accumulate in a series of 'symbiotic harms'<sup>3</sup> and ongoing subjugation, affecting not only former political prisoners but their families, surrounding communities, civic space and ultimately any future hope for the country, whilst it remains under junta rule.

The Assistance Association for Political Prisoners (AAPP) has continuously reported on the experiences of political prisoners since the 2021 coup, documenting arbitrary arrest, torture during interrogation, unlawful prosecution, and the dire conditions in Burma's prisons. This report, titled "Struggle for Survival", expands on the 2023 report, "The Flow of Injustice",<sup>4</sup> examining post-release encounters in greater depth, in order to show the long-lasting consequences of imprisonment on the population in Burma. It highlights former political prisoners (FPPs) and their families' ongoing struggles, post-release, as they work to rebuild their lives as surveillance subjects, whilst battling physical and psychological harms as a result of the junta's torture and repression in prison and beyond.

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3. Condry & Minson, *Conceptualizing the effects of imprisonment on families: Collateral consequences, secondary punishment, or symbiotic harms?* 2020, Available at: <https://journals.sagepub.com/doi/abs/10.1177/1362480619897078?journalCode=tcr> [Accessed: 2 December 2024].

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Political prisoners suffer both physical and psychological trauma from their experiences inside prison and their families also bear the burden of surveillance and harassment from the junta. Many former prisoners are unable to return to their previous homes, continuing to fight for survival in different locations, in hiding, in the jungle or in exile abroad. Though they may be released, the trauma inflicted on them lingers, making it difficult to recover fully. Despite these hardships, many former political prisoners interviewed by AAPP for the purposes of this report and beyond, continue to resist the junta, displaying their resilience and determination.

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## Key Recommendations

This report provides solid information and evidence of the long-term consequences of the arrest, torture in interrogation, imprisonment and release of political prisoners. With this in mind, AAPP calls on United Nations (UN) member states, intergovernmental organizations, and non-governmental organizations to take immediate action to stop the *Sit-Tat's* ongoing crimes and human rights violations. It also requests collective support to address the difficulties faced by former political prisoners. AAPP's recommendations are as follows:

- AAPP calls on UN and ASEAN<sup>5</sup> Member States to demand the immediate, unconditional release of all political prisoners, including State Counsellor Daw Aung San Suu Kyi and President U Win Myint.
- AAPP calls on international actors to promote federal democracy and the rule of law sector to every organization that resists the junta's coup, as well as intense pressure on junta to give up their unjustly seized power.

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4.AAPP, *The Flow of Injustice, 2023* Available at: <https://aappb.org/?p=25550> [Accessed: 2 December 2024].

5.ASEAN (Association of Southeast Asian Nations): A regional organization established on August 8, 1967, to promote economic growth, political stability, and cultural cooperation among its ten member states: Indonesia, Malaysia, Philippines, Singapore, Thailand, Brunei, Vietnam, Laos, Myanmar, and Cambodia.

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- AAPP calls on UN and ASEAN Member States to support livelihood, temporary shelter, adequate health care, and access to proper education, not only for former political prisoners but also for their family members, including those who are still in Burma and those who have been exiled, with acknowledgment of the ongoing sufferings of former political prisoners and their families.
- AAPP calls on international actors to provide technical and other necessary assistance to relevant organizations to collect proper information on junta committed human rights violations and other crimes to ensure accountability in a transitional period.
- AAPP calls on the international community, including the UN, ASEAN, and other key actors, to provide adequate support for transitional justice including truth-telling, recognition and compensation for survivors, and institutional reforms, including with prison and judicial systems.
- AAPP calls on UN Member States to support and invest in community-based mental health and psychosocial support for survivors of these human rights violations committed in Burma.

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# **Methodology**

From October 2022 to March 2024, AAPP conducted interviews with a total of 30 former political prisoners from Burma. For 20 of these interviewees, this was their first interview with AAPP, whilst we also conducted follow-up interviews with 10 other former political prisoners. The vast majority of the interviewees were arrested, detained, interrogated, prosecuted, and imprisoned between 2021 and 2022 in prisons across Burma (Insein, Toungoo, Myitkyinya, Thayarwady, Nyaung-U, Pakkoku, Hinthada Myingyan, Myeik, Monywa, Myaungmya, Kale Prison and Thanlyin Youth Training School). Some interviewees were not sentenced but released following trial. For accuracy, AAPP used its own verification process and procedure to cross-check the data provided by interviewees.

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Qualitative research methods were used to collect primary data. AAPP conducted both in-person and virtual semi-structured interviews based on context-sensitive interview guidelines developed according to best practices for human rights reporting and documentation. We prioritized the personal security of the interviewees, by applying a strict confidentiality policy and ensuring the omission of each interviewee's personal identity. AAPP used a consent form, explaining to each interviewee what the interview is about, where the information provided by the interviewee will be used and their right to freely and voluntarily give, withdraw or deny consent. AAPP only interviewed with prior written or oral informed consent. Interviewees were also provided the opportunity to be referred to counseling.

These interviews were corroborated along with quantitative aggregated data. All quantitative data, unless cited from external sources, is attributable to the Assistance Association for Political Prisoners – Burma (2023). AAPP securely stores collected data and intends to utilize the data obtained from interviews and other confidential sources for the purposes of transitional justice unless the data providers (e.g., the interviewees) request the data to be destroyed.

Among the 30 former political prisoners interviewed, 22 were men, and 8 were women. Ensuring adequate gender representation in the analysis of these interviews is important. According to AAPP data, women constitute approximately 20% of those arrested during the Spring Revolution.<sup>6</sup>

Among those interviewed, only 6 men and 2 women were affiliated with political parties, representing just 27% of the total, including a female parliamentarian from the Pyidaungsu Hluttaw. The remaining 22 participants, or 73%, were not affiliated with any political party. Of those without party affiliation, three former political prisoners had been actively engaged in politics prior to the 2021 coup, while the other 19 began their political involvement during the Spring Revolution, including one Buddhist monk. We have also included a variety of ages to ensure a full scope, including one minor, at the time of arrest, and two over the age of 65 years old.

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6.AAPP, *Women Behind Bars in the Spring Revolution*, p.1 Available at: <https://aappb.org/?p=29135> [Accessed: 2 December 2024].

## Limitations

Access to information on political prisoners remains an issue. Security issues associated with being interviewed, including fears of re-arrest and exposure of families who remain inside Burma which sometimes prevent former political prisoners from providing information. Nevertheless, we were able to collate a rich set of data.

With barriers to accessing information, AAPP maintains its method of prioritizing in-depth qualitative interviews to ensure a greater understanding of the complexities of political prisoner experiences within this report and future reporting. However, this means that this qualitative data does not fully represent the over 28,000 political prisoners who have been detained since the coup. It is not possible for AAPP to cover the conditions in all prisons in Burma, as well as all political prisoners who make up ethnic minorities and marginalized populations, including LGBTQI+ persons. However, much of the data collected for this report, tends to reflect the recurring patterns observed by AAPP over its years of data collection, allowing the report to highlight overall experiences of political imprisonment and release in Burma.

In reality, most released political prisoners remain in Burma, where they continue to endure surveillance, harassment, and threats of re-arrest by the junta, along with loss of livelihood, and physical and mental health challenges. But for 29 of the individuals interviewed in this report, these experiences inside the country ultimately led to their fleeing. Due to the difficulty of reaching those inside the country, this report predominantly focuses on post-release experiences that prompt FPPs to flee Burma, as well as their subsequent experiences of displacement.<sup>7</sup> This ultimately shapes their post-release experience and presents challenges that differ from those faced by individuals who remain in Burma.

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7. With the exception of one individual, all other interviewees left Burma after their release from prison.

# - Chapter 1 -

## Conditions and Experiences of Arbitrary Arrest

In 2023, AAPP reported on the ‘flows of injustice’ that come with processes of arrest to imprisonment to release of political prisoners in Burma. Whilst this report focuses on the final stage of the flow – the post-release aftershocks – understanding the experiences inside prison is critical to getting a greater understanding of the harms that are faced following release. The interviews conducted for this report reiterate the experiences faced by those featured in the report from 2023, where a prolonged period of harm, insecurity, and anxiety for the arrestees and their families begins at the moment of arrest.

### 1.1 Arbitrary Arrest

AAPP has documented that over 28000<sup>8</sup> people have been arrested since the February 1, 2021, coup in Burma. In the nearly four years since the 2021 coup, the *Sit-Tat* has arrested and/or killed three times as many of Burma’s citizen has it did in the preceding 60 years.<sup>9</sup>

Post-coup oppression in Burma sometimes takes highly structured forms, where the junta shapes and weaponizes its legal systems to justify the arrest of political activists under their own rule of law. But in other ways, this oppression can also be totally arbitrary, overriding any form of legal justification.

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8.AAPP - <https://aappb.org/> (Checked Date – 14.1.2025)

9.Burma has been under the control of a series of military-controlled regimes for much of the past 60 years, marked by authoritarian rule, human rights abuses, and suppression of political dissent, following a military coup in 1962. From the 1962 coup until 2020, nearly 7,000 to 10,000 political prisoners were arrested under various military regimes.

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Authorities frequently raid homes in search of opposition figures for instance, conducting warrantless arrests. Out of the 30 former political prisoners that AAPP interviewed, 14 were arrested while they were at their homes. The arrests were mainly carried out by the *Sit-Tat* and police forces, with one juvenile being arrested by the City Development Department, a civil authority. One interviewee also mentioned the involvement of fully armed Border Guard Force (BGF) units during his arrest, working alongside *Sit-Tat*.<sup>10</sup> These personnel arrived as a convoy of up to 50 personnel, armed with weapons, surrounding the house and coercing them to open the door. None of the interviewees confirmed that arrest warrants were presented upon arrest. Once inside, security personnel frequently conducted searches, confiscated items and arrested individuals, most often with violence.

Unnecessary and disproportionate physical violence was commonplace at the point of arrest. Sixteen of the 20 "first-time interviewed" FPPs experienced such physical violence, including punches, kicks, striking with objects..<sup>11</sup> One interviewee stated, "They burst into the apartment after ordering us to open the door. They did not show any arrest warrant or documents. They just kicked my face right away, shouting to arrest me. They kicked me to the point where one of my eyes could not open."<sup>12</sup>

Family members of political activists get caught up in the act and if an intended person cannot be found, those carrying out the arrest often threaten or arrest family members, using them as hostages. Political activists are often forced to turn themselves in, as a result. One interviewee explained "My family said I was on a trip, but they didn't believe them. [...] They said my sister, father, and mother were apprehended, and pistols were pointed at them in our family car. I could see everything from the apartment I was in. I handed myself over when I was told to do so, exchanging myself for my family."<sup>13</sup> Another interviewee explains that his father called him explaining that personnel had shown up to arrest him and despite being able to escape arrest himself, he was forced to turn himself in, in order to save his family members.<sup>14</sup>

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10.(FPP- 013- M, FTI, DIG)

11.Only the first-time interviews are included here, as the ten follow-up interviews focused on post-release experiences and did not cover the topic of violence upon arrest.

12.(FPP -020 -M, FTI, DIG)

13.(FPP- 020- M, FTI, DIG)

14.(FPP-002-M-FTI-DIG)

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It has also been observed that during home raids, not only individuals are arrested, but entire families can be detained at the same time, including children. One former prisoner recalled that after waiting in the vehicle for about an hour and a half after his arrest, he noticed his wife and 14-year-old son approaching, "I saw my wife and son carrying some items, so I initially thought they were just giving me blankets and clothes to use at the police station. But it turned out that they were also arrested."<sup>15</sup>

The violence, home raids, and absence of arrest warrants underscore a blatant disregard for laws and procedures during arrest. This is further demonstrated by the failure to file "First Information Reports" (FIR). In Burma, criminal procedures require that the arresting authorities document the details of an arrest through an FIR.<sup>16</sup> However, out of the 20 FPPs interviewed, 16 stated that the authorities failed to file an FIR within 24 hours of arrest or did not present it in court, violating a fundamental legal right. Instead, they were immediately transferred to interrogation facilities.

## 1.2 Interrogation

Current interrogation tactics resemble those used in the wake of earlier junta coups, such as in 1962, by systematically employing various forms of torture and inhumane treatment against political prisoners. Since the 2021 coup, following arrest, political prisoners have been detained and interrogated primarily in *Sit-Tat* compounds or *Sit-Tat's* special interrogation centers, with a few held in police custody. If they are subjected to interrogation, political prisoners are commonly exposed to physical or mental torture by *Sit-Tat* or police forces, regardless of the location. AAPP's 2023 report documented 14 different torture methods used during interrogation, including electric shocks, hanging the detainee upside down by ropes, forcing the detainee to drink toilet water and burning and kicking parts of the body.<sup>17</sup>

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15.(FPP- 014- M, FTI, DIG)

16.Section.154 Criminal Procedure Code, 1891.

17.AAPP, *Towards Accountability: The Urgent Need for Renewed International Attention to Sit-Tat's Crimes Against Humanity in Burma*, 2023, p-28. Available at: <https://aappb.org/?p=24334> [Accessed: 2 December 2024].



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### 1.2.1 Case Study

FPPs suffer all types of injury and suffering resulting from their treatment during interrogation. One male detainee, a member of the NLD from Bago Region, describes the various forms of torture that he had to endure from *Sit-Tat* personnel at a *Sit-Tat* base. He was arrested at his house, by approximately 50 armed personnel and was handcuffed throughout his arrest and interrogation. When arriving at the *Sit-Tat* base, he was blindfolded and “kicked into a dark room and struck [...] with a gun buttstock.” He vividly describes the way he was interrogated, stating, “I had to sit with two of my legs stretched in the front, while my hands were handcuffed behind my back. Two personnel held my legs from each side, and other personnel held my hands that were behind my back. The remaining personnel proceeded to hit me in the ribs with a gun buttstock and punched me in the head. Some used a stick, which I assumed was a bamboo stick.” He also describes that, “they poured water on my head and beat me in the head,” and that, “they rolled a metal roller on my legs,” until there was blood. As a result of this torture, he could no longer move and they had to carry him out of the room; “At that time, my rib was already broken and both of my legs were bleeding from getting rolled with the metal roller. They broke my right leg for being stubborn when I did not confess. I lost consciousness.”. What’s more, whilst unconscious, it appears that they continued to torture him as when he woke up, he realized that the tendon of his wrist was severed and, “I was struggling for my life at that time and my mind was entirely occupied with not being able to breathe properly.”

This FFP’s experience shares characteristics with many other interviewees, suggesting that torture is used by interrogators to coerce confessions, no matter whether these confessions are true or not. In the case of this political prisoner, if he did not give an answer in the way that they wanted (that he supported the People’s Defense Force (PDF)), it would result in a severe beating.

What’s more, psychological threats were used throughout the interrogation, as he was told that he would be, “sexually violated by their dog and if I did not answer properly, they would sexually violate my wife with the dog,” and “he [the interrogator] said I would be killed if I did not confess.” For four days, he was only provided with two cups of water, was not provided with food and was not provided a toilet. This failure to provide basic necessities, such as a toilet, is used against many political prisoners as a way to degrade them. By the fifth day, despite being provided with food, his hands remained handcuffed behind

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his back, leaving him to, “Eat like a dog by bending over.” He describes the experience: “Eating was difficult because they did not provide me with a spoon, so my whole face was dirty afterwards.” After the brutal interrogation, he was taken to police custody and sent to a township hospital, where doctors confirmed broken ribs, hips, and an infection in his leg, showing the gravity of his experience.

Unfortunately, this experience is not an uncommon one and experiences of interrogation are seen to be both physically arduous and psychologically harrowing across all respondents who were taken to interrogation centers. One FFP explains, “The threats I faced were more than psychological; they aimed to damage my psyche.”<sup>18</sup> The use of torture is aimed not only at extracting information but also at humiliating and inflicting long-lasting psychological trauma onto political prisoners.

In many cases, political prisoners also witness the interrogation experiences of fellow prisoners, either through discreetly being able to witness the interrogation or from sounds and screams. One political prisoner shares how he witnessed the degrading treatment of an elderly detainee in a nearby room, being able to see and hear how he screamed for his life, while being beaten, slapped and forced to lick his own excrement.<sup>19</sup>

Interviewees also note that soldiers and police consume narcotics during interrogations, which can escalate violence. FFPs share how they could notice that they were intoxicated through the smell of drugs or alcohol, and the behavioral changes during interrogation. Interviews reveal that the consumption of narcotics enabled beatings, profane remarks, and degrading treatment, one interviewee mentioning “Occasionally, an intoxicated individual entered, slapped my face, or spat on me, emitting a strong odor of alcohol.”<sup>20</sup> It also resulted in unnecessary interrogations, as one FFP explained how “They just messed with me while intoxicated.”<sup>21</sup>

Interrogations are carried out by the *Sit-Tat*. But police play an administrative and complicit role in the *Sit Tat*'s torture during interrogation. Despite receiving human rights and legal training before the coup, Burma's police force, under the control of the junta, are also complicit in coercion and torture. Police forces are accomplices in delivering victims to the interrogation center, keeping them

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18.(FPP-017-F, FTL, DIG)

19.(FPP-016-M, FTL, DIG)

20.(FPP-010-M, FTL, DIG)

21.(FPP-006-M, FTL, DIG)

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in police custody, and acting as witnesses to torture-forced confessions at subsequent trials. They ignore standard procedures and thus help sustain practices of torture with impunity.

While, Burma is not a state party to the Convention Against Torture (CAT), the prohibition of torture is customary international law<sup>22</sup> with *jus cogens* status, meaning it is a non-derogable principle of international law. The Universal Declaration of Human Rights (UDHR) states that, "no one shall be subjected to torture or cruel, inhuman or degrading treatment."<sup>23</sup> Despite this, *Sit-Tat* has continued to commit brutal acts of torture and extrajudicial killings since the 2021 coup.

### 1.2.2 Sexual Violence

Sexual violence has been reported during interrogations, either directly inflicted on detainees or used as threats against them or their families. This form of violence resembles yet another tactic that is used during interrogation to inflict severe suffering and degrade prisoners. A political prisoner from Ayeyarwady Region shared his experience:

"My clothes were removed. Afterwards, they put a taser on my genitals, saying my bloodline should end because we would continue supporting a bad future generation (of political activists). I was tased in the same spot without it being changed. The initial tasing only lasted seconds but gradually increased with each tasing. I felt like I was in hell and passed out after the fifth tasing as they alternated between tasing and taking a break."<sup>24</sup>

Sexual violence also took the form of threat, as in the above-referenced case where they threatened a political prisoner that they would be "sexually violated by their dog and if I did not answer properly, they would sexually violate my wife with the dog."

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22. Prosecutor v. Furundzija (Case No. IT-95-17/1-T, Judgment of 10 December 1998, Trial Chamber, International Criminal Tribunal for the Former Yugoslavia, Judicial Reports 1998, vol. 1, p. 466, at p. 569, paras. 153–154)

23. PILPG, The prohibition against torture and its pragmatic effects, A Global Pro Bono Law Firm, 2023, Available at: <https://www.publicinternationallawandpolicygroup.org/lawyer-justice-blog/2023/6/9/the-prohibition-against-torture-and-its-pragmatic-effects>. [Accessed: 2 December 2024]

24. (FPP-016-M, FTI, DIG)

## 1.3 Forced Confession

*Sit-Tat* often forces political activists to sign confessions, in many cases, by subjecting them to torture during interrogation. Out of the 20 first-time interviewees,<sup>25</sup> four reported being coerced into signing confession statements at police stations. One interviewee explains, “We had no knowledge about them [the bombings in nearby town] during those times, but as they hit us, they insisted that we knew about the explosions. Thus, we had to say that we knew about it because they kept hitting us regardless of what we said. We were ordered to sign a paper which stated that we set fire [to the building].”<sup>26</sup> During prosecution, testimonies of the plaintiff’s witnesses are often based on forced confessions extracted from political detainees. Forced confessions contribute to the aftershocks of imprisonment, leaving political prisoners to deal with the trauma of being forced to admit things they did not do, along with the weight of the injustice done to them.

## 1.4 Trial

The oppressive laws that are used by the junta, reflect Burma’s history of repressive state rule that stems back to the period of British Colonial rule. Following the 2021 coup, the junta enacted new laws, amended existing ones, and repealed legal provisions to suppress political activists more easily. The junta established special courts to target political prisoners, and in some areas martial law was declared, creating *Sit-Tat* tribunals.

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25. Only the first-time interviews are included here, as the ten follow-up interviews focused on post-release experiences and did not cover their experiences of interrogation and forced confession.

26. (FPP-004-M, FTI, DIG)

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In special courts set up inside prisons across the country, family members and the public are barred from attending hearings under the guise of "security reasons." Even if family members are allowed to be present, one former political prisoner mentions how he was still not allowed to speak to them before or during the hearing.<sup>27</sup> According to Article 10 of the Universal Declaration of Human Rights (UDHR), everyone is entitled to a fair and public hearing by an independent and impartial tribunal. However, political detainees in Burma have no access to fair justice. Even though the Prison Act (Section 40) grants prisoners the right to receive legal advice and meet privately with their lawyer,<sup>28</sup> interviewees state that they were denied this right, for example by the Superintendent of the prison. In many cases, this means that gestures and eye contact are the only sources of communication with legal representation. When political prisoners were able to see and converse with their lawyers, they were often closely monitored, reportedly through police security sitting close and overhearing the conversation.

Lawyers providing legal assistance to political prisoners face systematic restrictions, threats, arrests, and detention. They are charged under political incitement laws and subjected to torture and degrading treatment.<sup>28</sup> Lawyers often do not have the opportunity to prepare a genuine case and must navigate through the unjust judicial system. They serve as an opportunity for the FPPs to communicate with their family through the lawyer, receive food, or know how to answer to questions from the judge. However, some lawyers do get the chance to question the plaintiff's witnesses, but there are also lawyers who are present without engaging in any defense.

Out of the 29 prosecuted interviewees, 22 were charged under Section 505(a) of the Penal Code, an intentionally vague and overbroad provision criminalizing ill-defined conduct such as "incitement" against the military. As of December 2, 2024, AAPP notes that 7,931 individuals were detained under Section 505(a) out of 27,751 total arrests since the coup.<sup>30</sup> This section, frequently used by the State Administration Council (SAC), is part of a broader strategy to prosecute opposition members using various laws, including the Counter-Terrorism Law, Arms Act, Unlawful Associations Act, Natural Disaster Management Law, Explosives Act, and other criminal codes like high treason.

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27.(FPP-003-M, FTL, DIG)

28.AAPP. "After release I had to restart my life from the beginning", 2016, p-30, Available at: <https://aappb.org/wp-content/uploads/2016/05/Report-eng.pdf> [Accessed: 2 December 2024].

29. Human Rights Watch, Myanmar Event 2023, World Report 2024, Available at: <https://www.hrw.org/my/world-report/2024/country-chapters/myanmar> [Accessed: 2 December 2024]

30. <https://aappb.org/?p=30373> (checked date 2.12.24)

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The junta often disregards legal norms in court cases. According to the Code of Criminal Procedure (CrPc), any person arrested without a warrant under Section 61 must be detained for only the necessary time. If an investigation cannot be completed within 24 hours, the accused must be presented before a magistrate.<sup>31</sup> However, in practice, this procedure is often ignored. What's more, testimonies of the plaintiff's witnesses are often based on forced confessions extracted from political detainees during interrogations.

The junta controls every aspect of the system, with even the police blindly enforcing their orders. In fact, one interviewee describes the role of the police in doing *Sit-Tat's* bidding: "My lawyer was also able to question the plaintiff witnesses [and police], who admitted that the Military Security Affairs (MSA) ordered them to construct the case and that they actually knew nothing."<sup>32</sup>

Under Section 26 of the Evidence Act, confessions made in police custody are inadmissible unless made in the presence of a magistrate.<sup>33</sup> However, State Administration Council (SAC) courts ignore this provision and accept interrogation statements as evidence. According to interviewees, most plaintiff's witnesses are the police, and civil witnesses often have no actual knowledge of the case, providing false testimonies in court, to ensure convictions.

"During the trial, plaintiff witnesses I had never seen before summoned by the Bagan Police Station were questioned, including the Ward Administrator.[...] Both of them signed the witness paper stating that they were present when my phone was seized, during the case opening at the police station. They are involved while summoning at the court. However, they did not know me and they were not present during my arrest. They were simply included, despite having no connection to the case, and the plaintiff witnesses from Bagan Police Station read out the contents of a paper placed in front of them."<sup>34</sup>

Besides these false testimonies, the trial often does not come to the point of hearing the defendant's witnesses. Judges often move to sentencing after hearing the plaintiff's witnesses. Even when there is time for defendant's witnesses, they are mostly used for the political prisoners to summon and have contact with family members, instead of presenting a genuine opportunity to defend their case.

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31. Section 61, and 167, Criminal Procedure Code, 1898

32. (FPP-013-M, FTI, DIG)

33. The Evidence Act, India Act (No – 1/1872), 1872

34. (FPP-002-M, FTI, DIG)

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In 61 townships under martial law,<sup>35</sup> all cases are handled by junta controlled courts, leaving the accused with no access to legal advice and representation. In Special Courts, sentences under Section 505–A in Yangon, Mandalay, and Bago regions typically result in three years imprisonment, while courts in Sagaing and Ayeyarwady have imposed two-year sentences. This relative uniformity in sentencing across cases and regions suggests that judges lack discretionary power and simply deliver predetermined judgment.

Court hearings for political prisoners under the junta are not legitimate legal processes but staged performances to deceive the international community. Law enforcement bodies such as the judiciary and police are complicit in *Sit-Tat's* fraudulent activities. As a result, political prisoners have no reason to trust in the judiciary.

## 1.5 Prison Conditions

Junta-controlled prisons have been sites of brutal torture and inhumane conditions, to target political prisoners. While the prison department claims its objective is moral reform,<sup>36</sup> a closer investigation reveals widespread immorality and corruption. These prisons serve as training grounds for ongoing criminal activities, perpetuated by the prison system itself.<sup>37</sup>

After the 2021 coup, prisons became a key tool for the junta's oppression against political prisoners.<sup>38</sup> Political prisoners endure numerous human rights abuses from detention through interrogation, all the way to their release. In addition to mistreatment by prison staff, they are also victims of extortion and corrupt demands for money by convict officers appointed by the prison system.

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35.BNI, 61 Townships in Myanmar Now Under Martial Law, Published, March 06, 2024. Available at: <https://www.bnionline.net/en/news/61-townships-myanmar-now-under-martial-law> [Accessed: 2 December 2024]

36.<https://www.prisonsdepartment.gov.mm/en/prison-department/objectives-and-duties>

37.AAPP, "Prison Reform with Key Population", 2020. Available at:<https://aappb.org/wp-content/uploads/2020/08/prison-reform-with-key-population-Eng.pdf> [Accessed: 2 December 2024]

38.Himal, South Asian, Myanmar's prison system is an overt tool of repression. Available at: <https://www.himalmag.com/politics/myanmar-prison-junta-coup-political-prisoner-insein> [Accessed: 2 December 2024]

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During prison searches, staff target political prisoners, intending to cause psychological trauma, degrade their dignity, and sexually harass them. A witness described how female political prisoners were searched at Insein Prison by rotating prison staff as follows:

“We had to [endure] strip down searches upon leaving and returning from another ward, the hospital, or when taking out the trash. We had to remove our masks, hair ties, or hair clips if we were wearing them, and were subjected to searches in the anus and genitals, behind the ears, and underneath the clothing. They did not care even if someone was wearing a menstrual pad due to having a period, and they made us take them off.”<sup>39</sup>

### 1.5.1 Torture and Other Violations in Prisons

Prisons serve as the backbone of this junta’s repression. Prisons are centers of torture, extortion, and constant surveillance of political prisoners. These abuses are carried out by prison staff or convict officers, such as ward leaders and clerks. Prisoners who resist face harsh punishments, including beatings, solitary confinement, and transfers to distant prisons, causing further suffering by separating them from their families. In some cases, the prison authorities labeled prison protests as “prison riots,” to justify their use of excessive force.<sup>40</sup>

From July 2023 to September 2024, 20 mass transfers of political prisoners occurred across the country, adding to their hardship.<sup>41</sup> The main purpose of prison transfers is to increase the challenges for political prisoners, moving them far away from their homes, often without notifying their families, as well as disrupting potential subversive organizing in certain prisons. Prisoners transferred to other prisons are often subjected to brutal beatings by the prison staff at the new prison upon arrival. A political prisoner explains her relocation to Thayarwady prison, known for its cruelty to inmates, and how they were all beaten upon arrival: “Male prison staff hit the male prisoners, while female prisoners were hit by the female prison staff, with each prisoner getting three hits targeting the head. I asked why they were hitting us like this, and they said it was because we were not keeping our heads down, just as they hit the back

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39.(FPP-015-F, FTI, DIG)

40.AAPP, *The Flow of Injustice*, 2023, p. 29. Available at: <https://aappb.org/?p=25550> [Accessed: 2 December 2024].

41.Open-source data, AAPP



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of my neck with a hand and struck the body with a stick three times. There was also a tomboy prison staff member who came to hit me once and thrust the back of my head with a pointy stick.”<sup>42</sup> According to interviews with former political prisoners who have experienced this treatment, these atrocities committed by prison staff are intended to scare and oppress them in an effort to assert violent control.

### **1.5.2 Prisoners’ Rights to Visits and Communication**

The 1894 Prisons Act and Jail Manual grants all prisoners the right to receive visits from family members and friends, as well as the right to communicate with them.<sup>43</sup> However, when the COVID-19 pandemic began in Burma in 2020, visits and communication with prisoners were banned and only resumed on October 24, 2023. Despite this, lawyers are still not allowed to meet with their clients in prison.<sup>44</sup> Interviewees reported that while prisoners are permitted to write to their families once a month, this process is subject to various restrictions. Prison authorities do not inform many family members of the political prisoners’ whereabouts, such as one interviewee who, “Was unable to contact [their] family and they assumed was dead.”<sup>45</sup> Although the UN Standard Minimum Rules for the Treatment of Prisoners enshrine the right for prisoners to meet with and communicate with their families,<sup>46</sup> the *Sit-Tat* council has consistently ignored and violated these regulations.

### **1.5.3 Food and Water**

Almost all interviewees reported that the food served in prisons was unfit for consumption, stating how they were fed only to be kept alive and were not receiving nutritious food. Food was reportedly often undercooked, inedible, and foul-smelling. One former political prisoner said, “We got porridge five days a week, but truth be told, the porridge was probably just boiled rice mixed with warm water. [...] In the evening, although we were provided with sour leaves curry, it was just sour leaves boiled in warm water with some flavor enhancers and salt.”<sup>47</sup>

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42.(FPP -015 -F, FTI, DIG)

43.Section 40, The Prisons Act, 1894, Section 780 (1), 781, Jail Manual, 1984.

44.Home Affairs Ministry, 2024 Available at: [https://myanmar.gov.mm/web/guest/manual-services/-/asset\\_publisher/](https://myanmar.gov.mm/web/guest/manual-services/-/asset_publisher/) [Accessed: 2 December 2024]

45.(FPP-001-M,FTI, DIG)

46.Rule 58 (1) and (2), Nelson Mandela Rules.

47.(FPP-003-M, FTI, DIG)

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Moreover, portions were insufficient, usually only providing one small meal in the evening. This meant that those who could, depending on the prison staff and their situation, would rely on parcels sent to them by their family or buy food at the prison market. Some prisons allowed prisoners to cook their own meals with the products they bought at the market or received from family members.

While most interviewees mentioned that water purifiers existed in prisons, they did not receive an adequate supply of clean drinking water regularly. Moreover, occasional electricity shortages, meant that prisoners had to drink the water as it was.

### 1.5.4 Living and Hygiene Conditions

Prisons in Burma, particularly Insein, are severely overcrowded. Detainees are forced to sleep in extremely cramped conditions, sometimes making it impossible to sleep without body parts overlapping.

Besides insufficient space, overcrowding in prisons also puts a strain on facilities and sanitation. Despite having flush toilets in all prisons where interviewees were detained, the number is often inadequate for the inmates, with some recalling that the same toilet water had to be used to bathe, leading to poor sanitation and health problems. The lack of privacy and sanitation in these toilets causes psychological distress, especially for female prisoners, who often avoided using them for days, harming their physical health.

“There were toilets outside the cell, totaling around 10, which could be accessed when the wards were opened. But they were not convenient as they were dirty, and the wall only covered half the body when sitting on the toilet. Our entire bodies were exposed if someone looked at us from upstairs. Thus, I did not use those toilets. This led to constipation, which made me unable to use the toilet for about a week, even when I wanted to.”<sup>48</sup>

Skin diseases are common due to insufficient bathing water and poor access to clean water. Overcrowded conditions make it easy for these diseases to spread. One FPP explains how the combination of sleeping closely together, bathing together, and bathing with water that went back into a cement water tank led to a huge outbreak of itches, that spread through infection.<sup>49</sup> It illustrates how the lack of hygiene and sanitation in combination with limited personal space can worsen already dire prison conditions.

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48.(FPP-017-F, FTI, DIG)

49.(FPP-010-M, FTI, DIG)

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### 1.5.5 Healthcare and Medical Treatment

Political prisoners, tortured during interrogation, receive inadequate medical treatment in prison. While they often suffer from serious injuries that require medical attention, proper medication is lacking, and healthcare staff provide little care. The treatment in prisons often entails a one-solution-fits-all approach, providing general medication like paracetamol, regardless of the issue.

One interviewee describes the injuries sustained as a result of interrogation: “I got kicked during interrogation, which affected my uterus and caused blood to pour from my vagina, creating huge issues for me in both Insein and Thayarwady Prisons.” She was provided medicine that was unrelated to her health needs and therefore, of no help. She explains that, “There was no medical treatment provided by the prison aside from red and pink supplements that tasted sweet, and yellowish tablets called Antacid or something similar. They provided them when I was sick or coughing. They also provided Diclofenac.”<sup>50</sup> Antacid is used to relieve heartburn, whilst Diclofenac is used to reduce aches and pains but does not directly treat her injuries.

The lack of variety in medicines and inadequate care leads to death, as major health issues develop. One interviewee mentions how a political prisoner died the same night he visited the prison clinic for treatment, as a result of the inadequate care for his cholera-related complications.<sup>51</sup> As one interviewee describes, “They would only send patients to the prison hospital when it became life-threatening.”<sup>52</sup> Another interviewee describes how a fellow prisoner, was transferred to hospital, but they did not proper medical support him. “He went to the prison clinic for treatment. However, he was not given proper care, so he just tried to bear with it himself and died later that night.”<sup>53</sup> According to the Assistance Association for Political Prisoners (AAPP), at least 64 political prisoners have died<sup>54</sup> in various prisons from 2021 until now due to

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50.(FPP-015-F, FTI, DIG)

51.(FPP-007-M, FTI, DIG)

52.(FPP-014-M-FTI, DIG)

53.(FPP-007-M, FTI, DIG)

54.<https://airtable.com/appHDJLeiPsMGFJ7s/shrYUbzQe1hKXQ68x/tblswChRJGSzJWr7k> (Checked date - 15.10.2024)

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inadequate medical treatment. Due to limitations in accessing information, the actual number of deaths resulting from inadequate healthcare in prisons could be higher.

Burma's Prisons Law (1898),<sup>55</sup> the Prison Manual (1898), and international standards like the UN Standard Minimum Rules (Nelson Mandela Rules)<sup>56</sup> mandate proper healthcare. However, these laws are neglected under the *Sit-Tat* and have sadly also been neglected under previous governments, leading to structural obstacles to adequate health care and unnecessary and preventable deaths among prisoners.

## 1.6 Survival Through Extortion and Exchange Economies

The prison system has become an economy of extortion, where authorities pro-actively seek funding throughout all stages of the judicial system. Interviews reveal that some felt compelled to pay money to avoid long-term imprisonment, reduce charges, or dismiss their cases. Despite the Burma Police Force Disciplinary Law stipulating that any officer who assaults or extorts detainees will face disciplinary action,<sup>57</sup> these rules are not enforced. A woman arrested in the Yangon Region explained that her family paid a large sum of money to reduce the charges against her:

“At court, my daughter reassured me, saying that other charges had been dropped and I only needed to focus on the charge under Section 505. [...] As my family spent around 80 million Kyats, it led to severe debt with rising interest rates and the sale of our land. However, our houses were not seized.”<sup>58</sup>

Additionally, political prisoners also reported paying sums of money to police officers or prison staff. This exchange, either made by the political prisoner or their family, was intended to make life in prison a bit easier. To receive this money or be able to use it, political prisoners or their families would often need to deposit or pay an additional amount for the police officer or prison staff's

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55. Section 37 and 39, The Prisons Act, 1898.

56. Rules 24 to 35, Nelson Mandela Rules

57. Section (17), Subsection (g & h), Myanmar Police Force Disciplinary Law, 1995

58. (FPP-015-F, FTI, DIG)

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cut, for example raising the price of a bottle of water to as much as 10,000 Kyats. Having access to money and coming from a sufficiently affluent background could help secure basic rights. This could be avoiding labor, obtaining medication, or as fundamental as receiving food or drinking water.

Since the 2021 coup, political prisoners have not only endured unlawful arrests, torture, and psychological trauma but have also faced property confiscation and demands for illegal payments. For those that survive, the brutality of the human rights violations conducted inside of prisons are so extensive, that political prisoners can be left physically disabled and fundamentally traumatized for the rest of their lives.

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## - Chapter 2 -

# Post-Release Encounters

For anyone caught up in Burma's prison system, release does not result in freedom, but comes with complex consequences on the individual and family. However, the political prisoners post-release experience can be distinct in many ways to that of the 'ordinary' prisoner.

As this chapter will describe, although political prisoners are released from the physical boundaries of the prison, their release is often a conditional one, effectually hindering political activities<sup>59</sup> and further restricting inherent human rights. Upon release, political prisoners and their families remain under surveillance by intelligence agencies, are made to feel ostracized from their communities, face various losses and often have nowhere secure to stay.

## 2.1 Released But Not Totally Free

Generally, there are three given reasons for release:

- (1) Released due to closure of the case by the plaintiff
- (2) Released prior to completing their sentence and
- (3) Released after serving the complete sentence.

In the case of interviews for this report, there were also cases of release without charge, following interrogation, and escape from the prison or youth training school. However, these circumstances are extremely rare.

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59.AAPP; Chapter (6), *After Release I had to restart my life from the beginning*, 2016, P.51.

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Interviews show that release does not come with true freedom but comes with specific conditions that limit FPPs freedom or rights. When political prisoners are released, they must often sign agreements not to oppose the regime, enforcing ‘good behavior’ outside. These agreements also state that if they commit any future offense, they must serve the remainder of their previous sentence in addition to any new punishment.<sup>60</sup> One interviewee who signed papers before being released reported not being able to read its contents and not being provided with adequate information about the details of what they were signing and why they needed to sign.<sup>61</sup>

But forced signatures appear a somewhat arbitrary act by prison authorities and whether a pledge is signed or not, conditions apply that result in restrictions on all political prisoners’ lives, post-release.

Conditions for instance, are particularly significant in the case of those released on days of mass release. Early prison release or ‘amnesty’ are a common practice by the *Sit-Tat*, and days of mass release, often take place on days of significance, such as Independence Day, are arguably absent of any political good will, but rather used to deceive the international community by providing the *Sit-Tat* with superficial legitimacy. Among the 30 former political prisoners interviewed by AAPP, six were released after their cases were closed during a day of mass release. All interviewees who were released in this way, had to sign pledges upon their release making this early release a conditional one.

Both interviewees and AAPP’s documentation show that these releases are primarily made up of those charged under non-political charges whilst only a small amount of those released are political prisoners. Since the coup in 2021, there have been 15 instances where early releases were granted en masse, resulting in the release of a total of 100,551 prisoners through sentence reductions and case dismissals. Among them, only 6,160 were political prisoners.<sup>62</sup> Those released early had been sentenced under sections carrying approximately a three-year sentence, and their release generally came near the end of their full prison terms. AAPP has documented that some political prisoners are re-arrested following mass release, sometimes right at the prison gates.<sup>63</sup>

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60. Section 401, subsection 3, Criminal Procedure Code,

61. (FPP-010-F, FTI, DIG)

62. Open-Source Data, AAPP (23.10.2024)

63. AAPP, *Statement Update on November 17 Political Prisoner Releases*, 2022, Available at: <https://aappb.org/?p=23503> [Accessed 2 December 2024]

## 2.1.1 Case Closed through Extortion

As previously mentioned, extortion is used throughout the system and this includes its use to secure the closure of a case. Cases that were closed early by the plaintiff, may be a result of paying large sums of money that have consequences for the families or friends. One interviewee, remarked that expenses for family members reached the millions in Myanmar Kyat,<sup>64</sup> which had to be produced quickly to pay authorities, and that she believes her case would not have been closed if she had not paid this money along the way.<sup>65</sup>

Another interviewee explained how her husband made great sacrifices, largely financial for her release, paying money throughout her time in prison. She explains her belief that, “I was only released because my husband was essentially a slave under the junta.”<sup>66</sup> The husband spent large amounts of money on lawyers, but the lawyer had no power to release her. Yet the demand for money by police and other authorities does not guarantee release; one interviewee recalled that despite paying money, they did not release him.<sup>67</sup>

## 2.1.2 The Uncertainty Around Release

Although the Prisons Law and Jail Manual allow for sentence reductions,<sup>68</sup> political prisoners rarely benefit fully from these provisions. In many cases, the authorities do not inform the prisoners or their families in advance about the release date, but rather, prisoners face a lack of transparency about their release date. A released prisoner described this lack of transparency about his release date. He explains that he sent a letter to his family the day before his release, to collect him from the prison. But when the day he was set for release arrived, he was not released leading him to questioning his calculation of the date.

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64.MMK 1,000,000 is equivalent to USD 475.51, as of 20 November 2024. (taken from <https://wise.com/gb/currency-converter/mmk-to-usd-rate>).

65.(FPP-006-F-FUI, DIG)

66.(FPP-017-F-FTI, DIG)

67.(FPP-020-M-FTI, DIG)

68.Chapter. 12, Section 59, subsection 5, The prisons Act, 1894, and Chapter 11, Remissions and Rewards, Burma Jail Manual, 1894



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He explains, “I waited for two or three days but I was not released. Thinking it might be due to public holidays causing delays and waited more days, but to no avail.” He continued: “Surprisingly, even those who arrived at the prison after me had been released, while I remained incarcerated.” After waiting for a week, he went to ask the Ward Officer, who despite assuring that he would look into it, provided no information. In the end, he was released a full 10 days after serving his full sentence.<sup>69</sup>

## **2.2 The Way Home for Political Prisoners**

The way home for political prisoners after their release is not without challenges. For some, the uncertainty around the release date makes it difficult to coordinate the journey back home. One FPP describes how the family were not able to collect him because, “My family had anticipated my release on the date I provided, but upon its passing, they rented out the house in Dagon Myothit (East) Township and relocated to Myitkyina.”<sup>70</sup>

After release, following years of imprisonment for some, released political prisoners are left without support from authorities, any form of rehabilitation or means to generate a livelihood. Many political prisoners serving their sentences have been transferred to distant prisons making it difficult for them to return home upon their release and are forced to find their own way back to their families.

Local communities, families and friends sometimes come together to arrange the released political prisoners’ journey back. A political prisoner residing in Yangon shared the situation he encountered upon his release from Thayarwaddy Prison, as follows:

“There were groups and people providing assistance for prisoners to return to Yangon City. They asked if I was from Yangon City and arranged a light truck for me. They, the civilians, provided food and only asked for 3,000 Kyats for the travel expense from Thayarwady Prison to Yangon City.”<sup>71</sup>

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69.(FPP -010 -M, FTI, DIG)

70.(FPP -010 -M, FTI, DIG)

71.(FPP- 006- M, FTI, DIG)

## 2.2.1 Loss, Isolation, Strained Relationships and Nowhere to Stay

Imprisonment has far-reaching consequences, not only for political prisoners, but also their families, in varying and complex ways. Since the 2021 coup, family members have been targeted as hostages in ways that they have not been targeted under previous periods of *Sit-Tat* rule. As a result, the remaining family members often have to deal with numerous pressures and challenges. The ability to secure their release itself can be to the detriment of family members, as previously mentioned, paying large sums of money throughout the process, paying lawyers and potentially losing someone that they are economically dependent on. With the hardships faced as a result of their family members detention compounded by a political crisis and economic collapse, interviews have revealed that when political prisoners were released from various prisons, their family situations were often very different from before their arrest, with significant changes in economic and social conditions.

*Sit-Tat* systematically creates difficulties not only for its opponents but also for their families, as they are directly targeted by *Sit-Tat*. In the case of two political prisoners who escaped from prison, their families were threatened after their escape, facing surveillance and questioning about whether the escaped political prisoner had contacted them, threatening them to, “hand him over if he came back, or else I would be in trouble.” As a result, the family were forced to be separated as, “Both of my parents also went to different places, basically living separately.” Her elder brother was also told to evade arrest.<sup>72</sup>

The consequences of imprisonment on family members, ongoing economic collapse and loss of income, insecurity and conflict, surveillance and for some, loss of property, caused many families to flee both during and after a political prisoner’s imprisonment. As one interviewee describes, imprisonment results in a loss of contact, making it difficult to reconnect upon release: “I did not know the whereabouts of my husband and was unable to contact him. I also did not know whether he knew [about my release or not].” Due to changing circumstances, it also left him with nowhere to go: “His family members also sold the house [belonging to me and my husband] and split our belongings among themselves, leaving me with nothing.”<sup>73</sup> Because of these changing dynamics, many political prisoners cannot return home but have to move elsewhere including to liberated areas.

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72.(FPP- 007- M, FTI, DIG)

73.(FPP -001- F, FUI, DIG)

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For one political prisoner, the consequences of the 2021 coup were far reaching, facing not only arrest himself but his home confiscated, and his wife, who had participated in the Civil Disobedience Movement (CDM), arrested and killed by the Sit-Tat. He only knew about his wife's arrest and consequent death after his release.

“My wife's name was -----, and she was a nurse, who joined the Civil Disobedience Movement (CDM) beginning from February 1, 2021. She was arrested for her connections with the PDF in the jungle [the countryside where the armed organizations were located], in January 2023. I heard she was kept at Okpho Interrogation, in Okpho Township General Administration Office. [...] She was in interrogation for over 20 days, so almost a month. Afterwards, on February 16, 2023, she was taken to the jungle where she was killed. I did not know about her arrest, probably because my family chose not to inform me. I went to my parent's house after my release, because I no longer had my house. It was inappropriate for me to ask my parents about my wife, and I assumed they got into an argument with her while I was in prison. It was only when I asked my friend about it that I learned what actually happened, on the day I was released from the prison.”<sup>74</sup>

The effects of political involvement and imprisonment can create strained relationships between families, as released political prisoners continue in their determination to remain involved in the revolution. One interviewee reflected on the conflictual relationship with his family that emerged after his release where, he was caught between the desire for political agency and independence and the weight of family obligations. His father showed parental concern for his wellbeing but demonstrated through violence and imposing patriarchal authority: “My family did not agree with me joining the protests, but I stubbornly participated. My father hit me, which had never happened before.” Despite his experience in prison and the costs of participation in revolution, his desire to continue in the revolution led him to lie to his parents about his plans, at first. Later, when telling them his plans to continue in his activism, his father threatened to disown him, “But ultimately, he relented and said he would take me there if I wanted to go. In our household, all decisions were final if my father agreed.” This striking example illustrates the impact of the coup and subsequent repression on family dynamics -initially the interviewee's father's resort to violence and subsequent offer to help as a response to his son's desire to stay politically active show the deep strains the *Sit-Tat's* oppression places on familial cohesion and affection.

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74.(FPP -005 -M, FTI, DIG)

## 2.3 Community Ostracization

According to the answers of former political prisoners interviewed by AAPP, upon their release, friends, neighbors, but also some relatives were afraid to interact with FPPs. They explained that this fear stems from witnessing how *Sit-Tat* not only oppresses those who oppose it but also seeks to collectively punish their families and associates in various ways. In smaller towns, oppression and surveillance by authorities is more severe, causing the surrounding community to be more fearful of interacting with former political prisoners compared to those living in larger cities. While FPPs are often warmly greeted and encouraged immediately upon release, in the long term people are often hesitant to maintain contact. It appears that *Sit-Tat* is deliberately fostering such fear and isolation as part of its strategy.

The primary method *Sit-Tat* uses is to instill fear by making it known to the surrounding community that they are monitoring and gathering information on released political prisoners and their families. FPPs describe how they are informed directly by community members that they are being watched by *Sit-Tat* personnel, suggesting that it is not only released political prisoners who are aware of the surveillance, but it is well known throughout the community.<sup>75</sup> Instead of supporting these former prisoners' to rebuild their lives, *Sit-Tat* deliberately further isolates them from their community. This is a political strategy intended to maintain control of power through fear.

The fear of association plays a role in a released political prisoner's experience after prison, creating long-lasting fear and a fractured sense of belonging. In a country where the legacy of political imprisonment carries lasting consequences, people are reluctant to associate with a released political prisoner, fearing that their involvement-however distant-could lead to their own scrutiny, surveillance, or arrest.

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75.(FPP-001-F-FUI, DIG)

## - Chapter 3 -

# Challenges Faced After Release Within the Country

Political prisoners face significant challenges to rebuilding their post-release lives due to significantly changed family dynamics, the impact of personal losses, and the unstable situation within the country, including ongoing economic hardship and insecurity.

In addition to economic struggles, they suffer from physical and psychological trauma, often along with loss of property and isolation. Limited job opportunities and the persistent threat of re-arrest further hinders efforts to rebuild stable, self-sufficient lives, making it difficult for FPPs to regain a sense of normalcy and security. In the end, this can ultimately lead to flight out of the country.

### **3.1 Economic Hardship After Release**

Since the 2021 coup, Burma has experienced a significant decline in employment opportunities, and the country's economic sector has been deteriorating year by year. As EASTASIAFORUM states, “The coup in Burma in February has reversed or put at risk a decade of gradual economic progress.”<sup>76</sup> The nationwide unemployment rate has surged as manufacturing sectors have shut down, leaving the middle and lower classes with few opportunities for employment or business.

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76. How the coup is destroying Myanmar's economy, EASTASIAFORUM, 2021, Available at: <https://eastasiaforum.org/2021/06/23/how-the-coup-is-destroying-myanmars-economy/> [Accessed 2 December 2024]

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Restarting any form of income generation proves to be fraught with difficulties. Beyond the effects of their imprisonment, one interviewee describes how before the coup, they were working at a foreign company, “The income was moderately good, and my family could easily depend on my salary.” But the coup brought with it, economic collapse, resulting in the company suspending its operations.<sup>77</sup>

Despite the challenges that the coup produced, attempts to earn an income and rebuild their lives illustrate remarkable resilience in the face of ongoing adversity. One interviewee describes how he attempted to reopen his screenprinting business about five months after his release, teaching himself through videos on YouTube. Yet the frequent gunfire nearby and consequent lack of customers meant a loss of profit, forcing him to close down his shop.<sup>78</sup>

For released political prisoners, the economic deterioration throughout the country is exacerbated by the consequences of their arrest, making it even more difficult to find employment opportunities. Many lose their property, and even some face the tragic loss of family members they might depend on. Whilst previous jobs are terminated as a result of the coup, some lose their businesses as a direct consequence of their imprisonment.

One political prisoner reveals how he had secured a large-scale investment in a BOT (Build, Operate, and Transfer) that would have guaranteed him a constant income if the project had been completed. However, his arrest led to the project being scuttled and the FPP stated he lost his investment and had to, “start from scratch.”<sup>79</sup> An FPP from the Ayeyarwady Region explained how he borrowed money from others to start a business after his release. However, due to the reluctance of the community to interact with him, the business failed, leaving him with even more debt.

Even for those who had successful businesses, the constant fear of being re-arrested forces many to shut down their operations. Some FPP’s had to flee their homes within days of release for security reasons. One political prisoner shared how he could not resume his photography profession after release, staying only for 10 days, as he feared potential rearrest if someone reported him. Another interviewee shared:

“I also resumed my motorbike sales and purchases, which garnered more support from acquaintances both near and far, even more than before.

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77.(FPP -006 – F, FUI, DIG)

78.(FPP -011– M, FTI, DIG)

79. (FPP – 013- M, FTI, DIG)

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Consequently, my sales and purchases were more successful than they used to be. However, this did not last long because news emerged that I was going to be rearrested.”<sup>80</sup>

For those with dependents, the economic burden affects not only the released individual but also their dependents. As previously noted, one interviewee explains that prior to the coup, the family were dependent on her salary, yet following her release, she became unemployed. Yet, she still had to pay for her sons’ expenses. But with support from the family, “Fortunately, my family members took care of him to some degree. It would have been impossible for us to get back to our status quo if we had to stand on our own without our family’s support.”<sup>81</sup> For released political prisoners their broader social networks become a vital part of enduring post-release, not just for the individual but also their family members.

## **3.2 Property Seizure**

In addition to illegally confiscating personal items like mobile phones during the arrest, *Sit-Tat* also unlawfully seize the real property of some political prisoners. Out of 30 former political prisoners, five have had their homes seized. When the *Sit-Tat* seized their homes, they do it without legal basis and without the owner of the property or any witnesses around. FPP’s describe how they put locks on the property and post a vinyl notifying that no one can trespass on the property.

The impact of real property seizure can have a profound and debilitating impact on a released political prisoners’ ability to rebuild their lives after release. With no real property of their own to fall back on, and nowhere of their own to stay, many have to turn to relatives for support. After being released from prison, one interviewee shared his situation:

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80.(FPP- 017 -F, FTI, DIG)

81.(FPP-006, F, FUI, DIG)

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“There were many difficulties due to the seizure that I could not put into words. I was fortunate that I had my parents to fall back on. I could not even imagine what I would be begging for and eating if I was on my own, because there was nothing left for me after the release.”<sup>82</sup> All five of those people whose houses were seized fled to a Thai-Burma border town, and three of them fled with their families. As a result, upon their release, these FPPs not only lacked the money to start a business but also had no place to live.

### 3.3 Surveillance, Insecurity and Fear of Re-Arrest

Interviews reveal that, regardless of how former political prisoners are released, once they return to their homes, they are subjected to various forms of surveillance and intimidation by the *Sit-Tat* and its supporters. The *Sit-Tat* often extends their surveillance to the family members of released political prisoners. Interviewees reported that *Sit-Tat* authorizes local ward chairmen and administrators who are aligned with the *Sit-Tat* to monitor released political prisoners.<sup>83</sup>

Due to these circumstances, many political prisoners are unable to go back to their original homes and cannot settle in one place but have to be constantly on the move. The neighboring community often advises former political prisoners to go to other places out of fear that they may be re-arrested. This is especially true for members of parliament and NLD party members, who are subjected to even more intense surveillance and recall interrogation by the *Sit-Tat* and its supporters than others. A former member of parliament who was recently released from prison shared how people in the ward informed her sister that personnel in civilian clothes were surveilling her from the tea shop, advising her not to stay like this, risking greater trouble if she got re-arrested.

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82.(FPP -005- M, FTI, DIG)

83.(FPP- 020- M, FTI, DIG)



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For family members caught up in their loved one's imprisonment, the psychological effects of surveillance can take its toll. In one case, the head of the street came to a FPP's family home asking for his prison release certificate. Relatedly, a Police Second Lieutenant from the police station had called him, saying he had not handed over the certificate. For the family members who have never engaged in politics and never witnessed this sort of harassment, they were 'baffled'. The interviewee said that, "My parents looked visibly terrified and felt small."<sup>84</sup>

## **Case Study**

One former political prisoner from the Ayeyarwady Region and member of the NLD was released during a day of mass release. His case shows the extent to which the risk of re-arrest makes life post-release, unbearable. The events that are described following his release eventually led to his going into hiding and then fleeing the country. He had to sign a pledge during his first release and was told that he would have to serve twice his sentence if he committed another offense, making his release a conditional one. He was arrested a total of three times; facing re-arrest twice and two police questionings, following a two-year sentence in prison. He faced constant surveillance whilst at home following release, primarily by police informants and hundred household administrators and could not leave his house.

The first time, he was re-arrested was one and a half months after his release, despite not leaving his house. On February 2023, the Surveillance Team came to his home with over 20 motorbikes and policemen, handcuffing him and putting one of his legs in shackles once they arrived at the office of the Surveillance Officer. Those who were arresting him claimed that they were not aware of the reason for his re-arrest but that the orders came from powers above them. After confirming with the community that he had not left his home after his release, the authorities let him go.

But after a bomb was discovered at Hinthada Township Train Station, police came to arrest him and held him in custody for another night. He was then taken into police questioning twice again, once when a bomb was discovered at the Irrigation Office, and the second time after the assassination of one of his associates.

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84.(FPP -003 -F, FUI, DIG)

Despite the constant surveillance and multiple arrests, this former political prisoner fearlessly continued with his activism after his release, stating, ‘Since my release, I have been constantly working with people in the jungle and elsewhere, on my phone,’ and ‘Although I did not go outside in Hinthada Township, I posted vinyls. When silent strikes were carried out where no one came out on the street, I covertly went outside without anyone’s knowledge to distribute papers.’

Whilst this was happening his community isolated themselves from him, ‘It seemed as if people in the community did not want to be involved with me and my family.’ This is likely the effect of the surveillance and his association with political resistance that caused them to distance themselves out of fear.

In the end, despite his resilience, as for many released political prisoners, the surveillance and risk of re-arrest made living in Burma, impossible. His case starkly illustrates the fact that in most cases, political prisoners are not free after their release but remain fundamentally tied to the prison system through these mechanisms of surveillance, threat and ongoing police questioning and re-arrest.<sup>85</sup>

### 3.4 Relocation Under Duress

Uncertainty, insecurity and hardship pushed 29 of the 30 former political prisoners interviewed by AAPP, to flee to a Thai-Burma border town, either directly or through liberated areas, after their release. For one third of interviewees, this was within one month of their release. Among those who left within a month, three had their homes confiscated,<sup>86</sup> causing their families to separate. By the time of their release, the families of these individuals had already fled to a Thai-Burma border town. A FPP released from Myitkyina Prison explained that, during his arrest, his home was raided violently, leading his parents to flee to Thailand. Upon his release, he joined his family on the Thai-Burma border. Others, due to the surveillance they faced within the country, felt unsafe and had no other choice but to leave. An FPP from Mandalay Region, stayed in the country for only about ten days after release before fleeing to a Thai-Burma border town; “I didn't dare to linger for too long, fearing potential re-arrest if someone reported me.” For another FPP,

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85.(FPP -016 -M, FTI, DIG)

86.FPP – (FTI) 009 (F), 018 (M), 019 (M)

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“After my release [from interrogation], I did not want to leave my country to go elsewhere.” But isolation from his community ultimately pushed him out of the country: “No one dared to accept me even if I asked anyone for help to let us stay at their house or rent a house with money. I was really hurt because of it. [...] When the times were good back then, everyone loved me and acted friendly towards me. Now, I was an outcast.”<sup>87</sup>

And some, despite having the opportunity to stay with their families, left the country with their family's permission in order to continue resisting the junta.

For young FPPs, they face not only surveillance and risk of re-arrest but also the possibility of forced military conscription by the junta, which was enacted in February 2024, targeting men between ages 18-35 and women aged 18-27.<sup>88</sup>

“Things got worse when the junta announced the Military Conscription Law later on. They asked for around 30 people per ward and arrested people. Some of my acquaintances went missing consequently. With these incidents occurring, we were in worse situations. I no longer feel free, but under surveillance. I tried to live but I eventually left for----, when I could no longer do so.”<sup>89</sup>

Some FPP's resist the need to flee, yet re-arrest becomes inevitable, forcing them to flee. An elderly female former political prisoner from Yangon Region, released after her case was dismissed by the court, continued living in her house for nearly two years post-release. During this time, while under surveillance, she continued her political work by combining it with charitable and social activities. The police station repeatedly summoned and warned her, forcing her to sign a warning document. Eventually, she was issued an arrest warrant, and when she was about to be arrested, she fled to a liberated area. She left with the intention of volunteering in a refugee camp due to her medical knowledge. However, because of her age, this was not suitable for her, so she decided to continue her journey abroad.

An FPP from the Ayeyarwady region recounted that he encountered insecurity despite initially attempting to relocate within the country. “I left Hinthada Town on November -----, 2023, and hid in Yangon City because I had been under surveillance and arrested three times, making me concerned about living at home long-term. However, the instability experienced across the entire

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87.(FPP -001- M, FTI, DIG)

88. The Irrawaddy, Depleted Myanmar Military to Recruit Men Aged Over 35 for ‘Security’ Teams, <https://www.irrawaddy.com/news/burma/depleted-myanmar-military-to-recruit-men-aged-over-35-for-security-teams.html> [Accessed: 2 December 2024]

89.(FPP- 020- M, FTI, DIG)

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country made it clear that even relocating within the country would no longer be safe for me.” Ultimately, this forced him to seek to flee abroad. “Due to intensifying searches and overnight guest registration checks with the activities of clandestine groups and the People’s Defence Force around Yangon City, I contacted people in ----- [abroad] and left for there.”<sup>90</sup>

Even after their release, former political prisoners continue to endure oppression from the junta, which employs various tactics to suppress them. They live in a constant state of fear and insecurity. Driven by their resolve to resist the junta, it becomes increasingly dangerous for them to remain in their original locations. While some attempt to hide in other parts of Burma, the junta’s strict monitoring of guest lists and the ever-present threat of re-arrest make it nearly impossible to stay safe. As a result, many are forced to flee to the Thai-Burma border, or seek refuge in areas controlled by ethnic armed resistance groups.

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90.(FPP- 016-M, FTI, DIG)

## **- Chapter 4 -**

# **Challenges and Resilience in a New Country**

Following the aforementioned challenges, only one interviewee remained inside the country, while the rest have fled to a Thai-Burma border town. Interviewees face new and specific challenges that come with moving to a new country, often without legal documents and intensified by their past experiences of imprisonment which results in long-lasting consequences. All the former political prisoners were seriously tortured and ill-treated during various interrogation sessions and months or even years of poor living conditions while in prison and consequently they and their family members continue to suffer from physical and psychological trauma, as a result of their imprisonment. These physical and psychological challenges, along with the challenges of moving to a new country, become significant barriers to rebuilding their lives. These include limitations in gaining a livelihood and consequent difficulties in surviving.

### **4.1 Aftershocks of Arbitrary Arrest: Economic, Psychosocial, and Livelihood Challenges Faced by Political Prisoners**

Former political prisoners continue to face challenges whilst abroad, including feelings of insecurity. Of the former political prisoners interviewed by AAPP, among those who fled abroad, only a few entered legally with short-term permits, while the majority entered without documents. As a result of being undocumented, obtaining the right to work and legal residency is a predominant challenge for them. Under these conditions, former political prisoners who fled to the Thai-Burma border face numerous challenges in sustaining themselves, facing inadequate food and shelter, limited access to education, and insufficient healthcare services. Despite the National Unity

Government (NUG), civil society groups, and international organizations providing humanitarian support, the growing number of migrants and the prolonged crisis since the coup have made it hard to provide help to everyone arriving to the Thai-Burma border. In addition, FPPs who fled abroad feel fear of being arrested by security forces of the respective country they inhabit due to a lack of proper documents.

## 4.2 Challenges and Insecurities Staying in a Safe House

Former political prisoners who flee to neighboring countries sometimes receive some form of support, including safe houses and food rations from the NUG or civil society organizations. However, this assistance is limited in duration and once this support ends, they must struggle in various ways. A former political prisoner who was interviewed explained how he stayed in the safe house where he was granted shelter for three months, but he was asked to leave after those three months. “As of now, I am living with my acquaintances by paying my share of rent: 1,000 Bahts”<sup>91</sup>. Some rely on small amounts of support from family members inside Burma or friends in other countries. They live by sharing accommodation with others or temporarily staying in the organization's office in which they work.

For those living in safehouses, it is often the case that people who do not know each other are put together. One former political prisoner who fled with her young daughter shared her experience of staying in a safehouse. On top of the financial hardship and insecurity, they faced additional stress and anxiety due to the lack of familiarity with the people they were staying with. She stated, “The longer I lived in the safe house, the more inconvenient it was for me to stay with many people, especially with my child, who was also a girl. A little girl living in the same house among other boys was not fine.”<sup>92</sup> Families with young girls often feel uncomfortable living alongside unknown men. Such circumstances can negatively impact the sense of harmony that exists among those who have fled from Burma. As time goes on, this discomfort can heighten tensions that stem from difficult livelihood challenges and can make it increasingly difficult for them to coexist harmoniously with others.

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91.(FPP -006 -M, FTI, DIG)

92.(FPP-001,F, FUI, DIG)

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### 4.3 Living in Fear: The Adversity of Former Political Prisoners Without Documents Abroad

Whilst on the Thai-Burma border, the predominant concern for interviewees is the fear of being deported back to Burma. Those who have arrived often do not have legal residency or proficiency in the local language, making them vulnerable to arrest at any time by the authorities. Obtaining legal residency requires financial resources, which most are unable to afford. While some manage to negotiate with local authorities to stay unofficially, this arrangement is not secure, and there is no guarantee they won't be arrested. This lack of security in their ability to move around freely significantly affects their ability to find work, access health care and go about their lives.

FPPs show the mix of relief that comes with leaving Burma and resignation that comes with the challenges faced once arriving in a Thai-Burma border town. As one released political prisoner states, "Since we are living illegally, we would be arrested by local police." But interviewees saw a certain level of relief from the sense of danger that was felt in Burma. As they go on to say, "However, they would not kill or torture us."<sup>93</sup> One interviewee stated that, "One good thing about living in ----- is that Min Aung Hlaing cannot come to arrest us. I do not have to be worried about torture or afraid of being arrested at night like before."<sup>94</sup> Despite fleeing, the threat of arrest from law enforcement and the *Sit-Tat* remains, once FPPs move to the Thai-Burma border town, as they risk being arrested and deported by the authorities of the host country due to their lack of properly documented status. The Thai-Burma border town is not a place of genuine safety for former political prisoners, but rather a place where they continue to face the risk of detention and instability.

This can create psychological harm, as a former political prisoner states: "I felt dread whenever I saw people wearing camouflage outfits outside, compounded by my lack of knowledge about which uniforms belonged to which personnel" (FPP -003 -F, FUI, DIG). FPPs persistent trauma-fuelled anxiety contributes to feelings of insecurity and vulnerability regardless of being outside of Burma.

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93.(FPP -006 -F, FUI, DIG)

94.(FPP -006 -F, FUI, DIG)

## 4.4 Barriers to Education during Displacement

The consequences of imprisonment can have profound impacts on the educational opportunities of those detained and their families. Among the 30 former political prisoners interviewed, six were actively enrolled in education, prior to their arrest. Of these six individuals, only one continues in their education after their release; studying to take the General Education Development (GED) exam that is required to study internationally. Meanwhile, two students who had reached high school level and three university students before their arrest did not continue in their education, post-release. Burma's education system is not aligned with international education standards, and therefore, along with a significant financial burden, students, who gained an education in Burma, face challenges in continuing their studies at international universities. FPPs who fled Burma are often forced to prioritize their health and basic livelihood and consequently, "Do not think much about education".<sup>95</sup> What's more, some increase their engagement in political activities, becoming actively involved in political activities that oppose the junta, which in many cases, may also prevent them from pursuing further studies.

### 4.4.1 Trauma and Relocation: The Obstacles to Education of Released Political Prisoners' Children

The children of those who fled often face significant challenges in terms of education. As a result of a lack of income, some cannot continue supporting their children's education, and are forced to stop their children's schooling. Financial difficulties also come with language barriers, as one interviewee explains, "Another issue is that he cannot speak Thai to go to a Thai school in ----- . [...] We also do not have the necessary money to send him to an international school."<sup>96</sup>

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95.(FPP -018 -M, FTI, DIG)

96.(FPP -006 -F, FUI, DIG)



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Children who fled the country with their parents have experienced severe psychological impacts due to the insecurity, fear, and trauma of witnessing their family members being mistreated by *Sit-Tat*, which severely impacts their mental well-being and becomes a significant obstacle to their education. One former political prisoner shared the difficulties faced by her young child, who was about six years old. When the mother was imprisoned, the child had to live with an aunt. The mother explained how these circumstances severely affected her child's mental well-being and consequent education, explaining that her daughter was suffering from psychological issues, which makes it difficult for her to relate with others at school. In schools attended by migrant children, the student-to-teacher ratio is often imbalanced, limiting the attention each student can receive. This situation increases the children's psychological issues. "She felt neglected and cried, saying she was being left alone."<sup>97</sup> Another interviewee explained, "My son no longer wants to go to school, not because he is not interested in studying, but because he has trauma regarding the coup."<sup>98</sup> But resilience in many cases, allows individuals to overcome these difficulties, "I withdrew her from that school, and currently, she is attending Grade-1 in -----. She is making a lot of friends at that school, so her mental state has been recovering."<sup>99</sup> Former political prisoners face these educational challenges for their children, struggling to overcome these obstacles with various difficulties as they try to rebuild their lives. No matter their resilience, the ongoing unjust actions of junta against political prisoners do not just affect the individuals but has a severe impact on entire families. These barriers to education have far-reaching consequences on the future generations of former political prisoners.

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97.(FPP – 001 -F, FUI, DIG)

98.(FPP -006 -F, FUI, DIG)

99.(FPP – 001 -F, FUI, DIG)

## 4.5 Survival and Resilience during Displacement: Struggles Related to Employment Opportunities

Upon release from prison, former political prisoners face significant barriers to employment in Burma, and upon arriving abroad, these barriers continue in new ways. As undocumented migrants, it is difficult for them to obtain legal employment.

Significantly, in order to get a job, they often face challenges in the process of securing (partial) legal residency. As one interviewee explains, “This is why I am doing what I can to save money to get a legal document card, which is the priority to get a job”.<sup>100</sup> Migrant workers in host countries must be issued documentation to obtain legal work permission. Along with the financial burden that comes throughout the process of obtaining the right to work, there are several procedural steps involved in obtaining this card, and it can only be processed during the period permitted by the relevant government. As a result, FPPs who have entered the country without documents confront various challenges in obtaining it easily.

However, while they can obtain the legal document card, many FPPs sustain themselves by engaging in various income-generating activities with the support of Burmese communities and organizations they are connected to. Some also rely on the assistance of local citizens to run small-scale businesses, primarily catering to other Burmese nationals. A former female political prisoner shared how she managed to stand on her own without depending on others' support, as follows:<sup>101</sup>

“Instead of just depending on other people's free support, I decided to do something and began crocheting and making handicrafts with the skills I had. I ordered textile strings from Burma right away and started to secure a means of living and a steady income.”

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100.(FPP -010 – M, FTI, DIG)

101.(FPP -001 -F, FUI, DIG)

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A 71-year-old Buddhist monk who fled abroad after being arrested due to political reasons now faces the challenge of survival. To sustain himself, he clears and cultivates free spaces by the roadside for seasonal crops. At the same time, he also works as a daily laborer: “I joined the harvesting of paddies for two days, earning 200 baht per day. I also did things like harvesting corn, setting up trellises to grow cucumbers, and digging sand pits”.<sup>102</sup>

Whilst FPPs are resilient in rebuilding their lives abroad, such hardships come with physical and psychological issues, as a result of the brutal and arbitrary oppression by the junta when imprisoned. As will now be detailed, this creates long-term impacts on the survival and well-being of FPPs, often hindering their ability to earning a livelihood.

## **4.6 Struggling with the Health Impacts of Torture**

With the significant mental and physical harm endured during periods of arrest, many experience profound trauma, both physical and mentally, that can often last for extended periods of time, often for the rest of the FPP’s life. This section seeks to understand the profound long-term impacts of imprisonment on released political prisoners and their families.

### **4.6.1. Physical Harm**

Among the 30 former political prisoners interviewed by AAPP, all reported experiencing physical torture in various forms during their arrest and interrogation, and continue to suffer from health issues caused by the physical torture that they endured in the long term. Physical repercussions of torture frequently include chronic illness or disability, persistent headaches, memory issues, joint pain and damage, chest pain, hearing loss, general weakness, and in some cases, severe physical injuries that leave them with long-term damage to their limbs. These conditions have created significant challenges for their ability to rebuild their lives in the long term.

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102.(FPP -002 -M, FUI, DIG)

**Case Study****The Effects of Torture on a Former Political Prisoner**

A former political prisoner who escaped from detention shared his desire to return to the armed resistance forces he was part of before his arrest. However, he soon realized that his physical condition, that deteriorated as a result of his arrest, made it impossible to carry a weapon or endure the rigorous demands of armed resistance. Instead, he joined an acquaintance involved in the Civil Disobedience Movement (CDM). Emotional and cognitive struggles compounded the physical damage he suffered at the hands of junta officials. He described his mood swings, alternating between feeling "well and unwell," accompanied by episodes of random crying and laughter. His cognitive abilities had significantly declined, he lamented, "my brain no longer thinks as it used to." Once highly active with an excellent memory, he now struggles with forgetfulness, an inability to retain information, and chronic physical pain in his back, head, and eyes. He also experiences breathing difficulties caused by the severe beatings inflicted on his back and lungs.

He'd had some x-rays taken and was told that he had no fractures but that he would continue to suffer due to the long-term effects of the torture he had been subject to. He was also advised to take medication but found the cost of medication to be prohibitive; he hoped things might slowly improve. Like many of the former prisoners we interviewed he emphasized how a lack of resources exacerbated his physical and mental suffering, seriously affecting his well-being. And while acknowledging that it, "is probably because of my resilience that I am still alive," he poignantly remarked how due to his lingering injuries, "Despite not dying, I am basically a dead man with nothing good remaining in my body".

His account tragically reflects the reality for many FPPs whose physical and mental well-being and thereby their possibilities to engage in the world are severely damaged by their experiences of torture and ill-treatment.<sup>103</sup>

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103.(FPP-007,M,FTI, DIG)

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### **4.6.2. Psychological Trauma: “The Enduring Impact on the Mental Wellbeing of Former Political Prisoners and Their Families”**

Interviews reveal that psychological trauma is widespread, which also significantly affects their families. This issue poses a major barrier to the possibility of adapting optimally to life in exile for former political prisoners and their families, making it challenging for them to resume their normal lives. The psychological issues they are experiencing are primarily rooted in their past traumatic experiences, leading to persistent feelings of insecurity. They often experience severe anxiety and panic whenever they encounter any unfamiliar or unexpected situations, or experiences that remind them of their arrest and imprisonment, making it difficult for them to feel at ease in their daily lives. Even after reaching the relative safety of the Thai-Burma border, FPPs continue to suffer from psychological distress, experiencing flashbacks to the torture, surveillance and the harsh conditions they endured during their time in prison. Every day, FPPs report hearing sounds like dogs barking or motorcycles passing by, which can trigger intense anxiety and cause them to startle and react with heightened fear. These are deeply ingrained responses rooted in their past traumatic experiences. For one FPP, difficulty sleeping and being frightened by sounds have become a normal part of life, as he continues to face the trauma from his experience when he was inside prison. He states, “I felt as if I were still in prison even when sleeping at home.”<sup>104</sup> Another interviewee shared that engaging in work is the only thing that brings her some psychological relief; during periods without work, she has even experienced suicidal thoughts.<sup>105</sup>

Additionally, the announcement of the military conscription law by the junta has heightened their anxiety, particularly with concerns for the safety of their children and family members who remain in Burma. This exacerbates the already existing trauma and adds further layers of stress to their daily lives.

Psychological suffering also has a significant impact on their family members. A former political prisoner shared that during his time in prison “I completely lost contact with them. I was still in prison, but my mother thought I was included in the prison transfer and had died. My mother experienced a lot of grief because of that.”<sup>106</sup> In another case, after the coup, on March 8, 2021, the family of U Zaw Myat Lin, a teacher at the Shwe Pyi Thar Township Vocational Training School, was informed that he had passed away just one day after his

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arrest, causing significant psychological harm to his family.<sup>107</sup> Such incidents have been widespread across the country, causing the families of political detainees to live in constant fear for the lives of their loved ones from the moment of arrest until their release and beyond.

This trauma is especially pertinent for the children of political prisoners, including those who were arrested along with their parents. A mother shared the emotional challenges faced by her six-year-old child, who was arrested alongside her. She was later separated and taken to stay with other family members. The child became deeply anxious, refusing to leave her side due to the fear of losing her again.<sup>108</sup> The forced separation from the mother, without the child's consent, has caused severe psychological trauma, not only for the child, but the parent also feels blame and responsibility for causing this harm.

Additionally, another mother, a former political prisoner, described the deep trauma her son continues to endure following their family's arrest. She explained that her son not only saw his parents being taken away, but was arrested himself, leaving him with severe trauma. After he was released from police custody, he lived with his grandmother while his parents were still detained. He became terrified whenever authorities visited for inspections or checks. The mother shared that her son remains in a constant state of fear, with the traumatic memories lingering in his mind. He has become visibly anxious, especially when he sees soldiers nearby, describing how his heart races uncontrollably. The child often worries, wondering if the authorities might take him away or if he could be arrested again.<sup>109</sup> This pervasive anxiety reflects the profound and lasting impact of the traumatic experience on the child's psychological well-being.

Despite the evident need for psychological counseling among former political prisoners, most of those interviewed revealed that they have not received mental health support. The person in charge of AAPP's Mental Health Assistance Program (MHAP) shared the following recommendations and insights regarding the psychological issues faced by former political prisoners.

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104.(FPP -011 -M, FTI, DIG)

105.(FPP -004 -F, FUI, DIG)

106.(FPP- 009- M, FUI, DIG)

107.Radio Free Asia (RFA) (9.3.2021)<https://www.rfa.org/burmese/interview/nld-party-member-died-while-in-custody-03092021142005.html>

108.(FPP -001 -F, FUI, DIG)

109.(FPP -006 -F, FUI, DIG)

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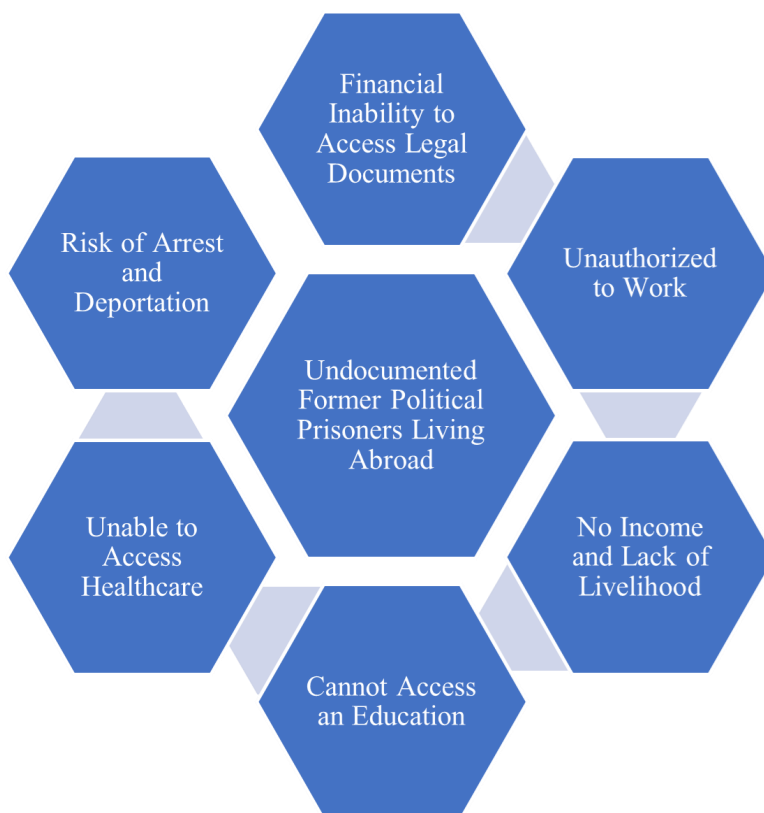
“After being released from prison, it is important to consult with mental health professionals. Upon returning to the outside world, former prisoners not only face challenges and difficulties but also experience feelings of insecurity. This is especially true after the military coup of 2021. Both former political prisoners and their family members have experienced psychological issues, as we have learned from the statements of those who received treatment and their families. Therefore, I would like to recommend that when encountering such mental health issues, they should seek advice from professionals and undergo proper treatment.” (Kyaw Soe Win, In-charge of Mental Health Assistance Program, AAPP).

Despite ongoing struggles to survive, released political prisoners show remarkable resilience and mental strength, in amongst the dire challenges faced. A female FPP who stayed in Burma faced financial struggles after her release, as her husband's business was not going well. She started cooking and selling food online that her acquaintances had ordered. Although this business helped her family, she eventually had to stop due to the physical and psychological problems that she had suffered while in prison. Despite these challenges, she did not give up on life. Through another acquaintance's support, she tries to reduce her traumatic problems: “When I asked a new acquaintance for help, she helped me connect with a counselor, which is how I am receiving mental health counseling right now.”<sup>110</sup> By prioritizing her mental health, she was able to open a rice shop at home with the help of a friend, striving to sustain her family. This story shows that they can stand to continue their lives, particularly through the support received from their community and friends.

Former political prisoners, upon release from various prisons, not only face economic, social, and educational setbacks but also continue to suffer from both physical and psychological health issues, as previously mentioned. Those who have fled abroad face the additional challenge of living as undocumented individuals, and these problems are interconnected, creating a cycle that perpetuates their difficulties. Despite these daily struggles, former political prisoners also contribute to the fight against the military dictatorship as much as they can.

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110.(FPP -012 -F, FTI, DIG)



**Diagram 1.** *The compounded harms faced whilst living abroad*

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## 4.7. Hopes of the Released

The period after the 2021 coup marks one of the darkest periods in Burma's history, as the military dictatorship and its associates have and continue to commit systematic and widespread human rights violations that constitute war crimes and crimes against humanity. These violations include arbitrary arrest, illegal confiscation of property, torture during interrogation, unfair trial, unjust punishment—including executions—and inhumane treatment in prisons. These abuses are not limited to political prisoners alone but extend to their families, devastating their social and economic situation. Beyond the destruction of livelihoods, victims endure severe physical and psychological harm, leaving long-lasting trauma on individuals and communities nationwide.



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The report has so far detailed the challenges that political prisoners face, as a consequence of their imprisonment and the human rights abuses that they have suffered. But to understand the needs and desires of survivors for the future is vital for shaping accountability, justice and national reconciliation in the future.

The immediate needs of interviewees, all but one of which fled Burma, include support for food and shelter, access to job training, and healthcare assistance. They also wish for support for political prisoners still detained in Burma. One interviewee stated, “Regarding reparations for former political prisoners and their family members, I want to see recognition for them and, primarily, [efforts] to restore their mental state to what it was before.”<sup>111</sup> Due to the junta’s lawless actions, not only the political prisoners but also their families have suffered deeply. Therefore, they called for and need mental health counseling, rehabilitation, and recognition for their hardships.

Interviewees also focused on building a just and lawful society in the future. As one interviewee stated, “I think that if the justice system of our country could be changed into something that can uphold proper rule of law, then we will be free from the problems that we have been facing.”<sup>112</sup> FPPs strongly expressed strong wishes to stop the continuation of this Junta’s lawless actions, human rights violations, and the unjust legal systems they have experienced.

Former political prisoners also called on international organizations and countries to become more involved in supporting Burma. They believe that without international participation, it is impossible to achieve the dismissal of the junta and the initiation of national reconciliation in Burma.

There is a strong desire to hold accountable those responsible for human rights violations, arbitrary arrest, and torture. One former political prisoner emphasized that it is necessary to take legal action against those who committed war crimes, regardless of their political stance. She stated that even those on the side of the resistance should not be allowed impunity if they commit such crimes.<sup>113</sup>

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111.(FPP -017 -F, FTI, DIG)

112.(FPP -003 -M, FTI, DIG)

113.(FPP- 001 -F, FUI, DIG)

## - Conclusion -

This report presents a comprehensive narrative as to the long-lasting conditions endured by former political prisoners and their families, as a result of their entanglement into a system that is weaponized for a political agenda under junta rule. In Burma, there are brutal ramifications that go far beyond the prison's walls for those that are arrested, as a result of their political activism, and the demanding of democracy, not only for an individual in the short-term, but across them and their families' lives.

Since the 2021 coup, politically active individuals have been unlawfully detained, had their real property seized, and faced physical and psychological torture, as well as poor nutrition and living conditions and lack of adequate healthcare. The findings underscore the unlawful proceedings of *Sit-Tat's* controlled courts, which deny fair trials, violate basic legal rights, and extort political prisoners and their families. After their release, individuals and their families face not only the ongoing threat of re-arrest but profound economic and social hardship. The insecurity, persistent surveillance, community isolation and livelihood challenges forces some to flee Burma and become undocumented migrants in foreign countries. This displacement disrupts attempts to regain social and economic stability and pushes many into precarious conditions.

On the Thai-Burma border, undocumented FPPs face harsh conditions due to their lack of documentation, including the risk of deportation and limited access to employment opportunities. Moreover, it complicates their access to necessary healthcare to treat enduring physical and mental problems post-release. For families, the imprisonment of their loved ones causes long-term psychological harm. The limited access to education is another obstacle for former political prisoners and their children that exacerbates the hardship that they face. This report shows how their struggle extends beyond Burma as they continue to endure the long-lasting consequences of the junta's inhumane actions after crossing the border. Despite these challenges while trying to

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rebuild their lives, former political prisoners retain a strong desire to remove the military dictatorship. This report emphasizes the aspirations of former political prisoners to reform the judicial system and rule of law in Burma. Their call for accountability includes ensuring justice for unlawful action, as well as recognition and compensation for their losses. The findings highlight the need for immediate humanitarian assistance, including healthcare and daily necessities, for both current political prisoners and former prisoners and their families. Furthermore, it underlines the need for the international community to strengthen its efforts to monitor, expose, and prevent systematic human rights violations in Burma's interrogation centers and prisons.

The Assistance Association for Political Prisoners (AAPP) firmly believes that true national reconciliation is unachievable as long as political prisoners remain behind bars. It continues to call for the unconditional release of all political prisoners, including the President and State Counsellor. But it is not just the release of political prisoners but immediate, long-term and comprehensive support to released political prisoners to ensure that they are able to rebuild their lives. AAPP systematically collects and documents evidence of past human rights violations and its efforts are vital for ensuring accountability, uncovering the truth, and providing justice for survivors and preventing recurrence in the future.

AAPP underscores that impunity for perpetrators undermines dignity, humanity, and peace, perpetuating a cycle of violence. Unveiling the truth and delivering justice during Burma's anticipated democratic future will be imperative for resolving ongoing societal conflicts. Only through these measures can we achieve sustainable peace and reconciliation. This report is evidence of the resilience of those who have suffered and a call to action for the international community to address the injustices that they continue to face.

# Struggle for Survival



ASSISTANCE ASSOCIATION FOR POLITICAL PRISONERS