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Home Office

# Country Information and Guidance

## Burma: Prison conditions

Version 1.0

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# Preface

This document provides country of origin information (COI) and guidance to Home Office decision makers on handling particular types of protection and human rights claims. This includes whether claims are likely to justify the granting of asylum, humanitarian protection or discretionary leave and whether – in the event of a claim being refused – it is likely to be certifiable as ‘clearly unfounded’ under s94 of the Nationality, Immigration and Asylum Act 2002.

Decision makers must consider claims on an individual basis, taking into account the case specific facts and all relevant evidence, including: the guidance contained within this document; the available COI; any applicable caselaw; and the Home Office casework guidance in relation to relevant policies.

## Country Information

The COI within this document has been compiled from a wide range of external information sources (usually) published in English. Consideration has been given to the relevance, reliability, accuracy, objectivity, currency, transparency and traceability of the information and wherever possible attempts have been made to corroborate the information used across independent sources, to ensure accuracy. All sources cited have been referenced in footnotes. It has been researched and presented with reference to the [Common EU \[European Union\] Guidelines for Processing Country of Origin Information \(COI\)](#), dated April 2008, and the [European Asylum Support Office’s research guidelines, Country of Origin Information report methodology](#), dated July 2012.

## Feedback

Our goal is to continuously improve the guidance and information we provide. Therefore, if you would like to comment on this document, please [e-mail us](#).

## Independent Advisory Group on Country Information

The Independent Advisory Group on Country Information (IAGCI) was set up in March 2009 by the Independent Chief Inspector of Borders and Immigration to make recommendations to him about the content of the Home Office’s COI material. The IAGCI welcomes feedback on the Home Office’s COI material. It is not the function of the IAGCI to endorse any Home Office material, procedures or policy.

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Information about the IAGCI’s work and a list of the COI documents which have been reviewed by the IAGCI can be found on the Independent Chief Inspector’s website at <http://icinspector.independent.gov.uk/country-information-reviews/>

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# Guidance

Updated 15 September 2015

## 1. Introduction

### 1.1 Basis of Claim

- 1.1.1 Fear of being imprisoned on return to Burma and that prison conditions are so poor that there is a real risk of torture or inhuman or degrading treatment or punishment.

## 2. Consideration of Issues

### 2.1 Is the person's account credible?

- 2.1.1 For guidance on assessing credibility, see sections 4 and 5 of the [Asylum Instruction on Assessing Credibility and Refugee Status](#).
- 2.1.2 Decision makers must also ensure that each asylum application has been checked to establish if there has been a previous UK visa or other application for leave. Asylum applications matched to visas should be investigated prior to the asylum interview. (See [Asylum Instruction on Visa Matches, Asylum Claims from UK Visa Applicants](#)).
- 2.1.3 Decision makers should also consider the need to conduct language analysis testing. (See [Asylum Instruction on Language Analysis](#)).

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### 2.2 Is the person reasonably likely to be imprisoned on return?

- 2.2.1 Decision makers must establish the likelihood that the person will be imprisoned on return, including if necessary whether the alleged offence constitutes an offence under Burmese law, and, if so, is one which is likely to be punishable by a term of imprisonment (see Burma's [Penal Code](#) for prescribed penalties for criminal offences).
- 2.2.2 If so, decision makers must also consider whether the law is discriminatory or being disproportionately applied for Convention reasons, in which case the person may be entitled to a grant of asylum.
- 2.2.3 The country guidance [TS \(Political opponents –risk\) Burma CG \[2013\] UKUT 00281 \(IAC\)](#) (March 2013), found that the more a person maintains an active political profile in Burma, post-return, the greater the risk of significant monitoring, carrying with it a real risk of detention (paragraph 83 (viii)).
- 2.2.4 Improvements have been made in regard to assembly, expression and media freedoms, and opposition parties can operate comparatively freely although restrictions remain in a number of areas in the political sphere (see the [Country Information and Guidance on Burma: Opposition to the government](#) for further information on the laws used to suppress freedom of assembly, association and expression).

## 2.3 Are prison conditions so severe that prisoners suffer treatment contrary to Article 3 ECHR?

2.3.1 The country guidance [TS \(Political opponents –risk\) Burma CG \[2013\] UKUT 00281 \(IAC\)](#) (March 2013), found that in general detention in Burma, even for a short period, carries with it a real risk of serious ill-treatment, contrary to Article 3 of the ECHR (paragraphs 83(i)).

2.3.2 However, since the promulgation of [TS](#) in 2013, there is evidence of some improvements in some Burmese prisons where prisoners basic needs including food and clothing are being met. However, the evidence suggests that conditions remain very poor with prisoners forced to pay bribes or rely on families for basic necessities. Prisoners frequently suffered from serious health problems as a result of the unhygienic conditions in detention.

2.3.3 Overcrowding is reportedly a problem in many prisons and labour camps. However, whilst prison conditions continue to be harsh, compared with previous years, prisoners' basic needs, including food and clothing, are more frequently met. Water and sanitation facilities have been upgraded in four prisons, but prisoners still did not always have access to drinking water. Prison conditions in Rakhine state are considered to be particularly poor with prisoners subject to torture and abuse by Rakhine State prison and security officials. There continue to be allegations of torture in some prisons and places of detention and a lack of accountability for the police and military personnel accused of torture.

2.3.4 Access to medical care is inadequate, especially for political prisoners, but this is also the case for the general population at large. Labour camp conditions have similarly improved in general, but conditions in some of the camps continue to be harsh and potentially life threatening (See [Prison overview](#) ).

2.3.5 Prison monitoring by the International Committee of the Red Cross (ICRC) recommenced in 2013 after an eight-year suspension. In 2014, 33 inspections took place. However, the reports are strictly confidential and only shared with the prison authorities. The Myanmar National Human Rights Commission (MNHRC) undertook inspections of prisons and detention centres, which included interviewing detainees, and then made recommendations to the authorities, although there were some doubts by human rights groups as to the independence and effectiveness of the MNHRC. (See [Oversight/review/monitoring](#) ).

2.3.6 Decision makers must consider each case on its facts taking into account recent country information. For the factors to be considered and further guidance, see Section 3.4 of the [Asylum Instruction on Humanitarian Protection](#).

## 2.4 If refused, is the claim likely to be certifiable as 'clearly unfounded'?

2.4.1 Where a claim falls to be refused, it is unlikely to be certifiable as 'clearly unfounded' under section 94 of the Nationality, Immigration and Asylum Act 2002.

2.4.2 For further guidance on certification, see the [Asylum Instruction on Non-Suspensive Appeals: Certification Under Section 94 of the NIA Act 2002](#).

### **3. Policy summary**

- 3.1.1 **There is evidence of some improvements in some Burmese prisons compared with previous years with prisoners' basic needs, including food and clothing, are more frequently met. However, conditions remain very poor with prisoners forced to pay bribes or rely on families for basic necessities. Prison conditions in Rakhine state are considered to be particularly poor. There continue to be allegations of torture in some prisons and places of detention.**
- 3.1.2 **Although prison conditions in Burma are extremely poor, in general they are not so systematically inhuman and life-threatening as to meet the high threshold of Article 3. Dependant on the particular circumstances of the person concerned, prison conditions may reach the Article 3 ECHR threshold in individual cases. Each case needs to be considered on its facts.**

# Country Information

Updated 15 September 2015

## 4. Penal code

- 4.1.1 Burma's Penal Code<sup>1</sup> dates back to British colonial times (1861) and many of its provisions are frequently used to suppress freedom of expression.<sup>2</sup> (See the Country Information and Guidance on Burma: Opposition to the government for further information on the laws used to suppress freedom of assembly, association and expression).

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## 5. Death penalty

- 5.1.1 On 2 January 2014, President Thein Sein commuted all death sentences to terms of imprisonment. No death penalties have been carried out since 1989.<sup>3</sup> However, Amnesty International noted that 'provisions allowing for the imposition of the death penalty remained part of the legal framework, and at least one new death sentence was imposed during the year.'<sup>4</sup>

## 6. Prison overview

### 6.1 Number of prisons and prisoners

- 6.1.1 The US Department of State (USSD) reported in its Human Rights report for 2014 that:

'The Correctional Department operated an estimated 43 prisons and approximately 50 labor camps, renamed "agriculture and livestock breeding career training centers" and "manufacturing centers," according to a statement made by the Ministry of Home Affairs to parliament on October 13. More than 10,000 inmates were serving their sentences in 46 of these centers across the country, where prisoners could opt to serve their sentence in "hard labor".

'A human rights group and prominent international NGO estimated there were 60,000 prisoners, approximately 50,000 men and 10,000 women, held in separate facilities. The number of juvenile detainees was estimated to be a few hundred. Overcrowding was reportedly a problem in many prisons and labor camps. Pretrial detainees were held together with convicted prisoners,

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<sup>1</sup> The Penal Code, 1861, available at: [http://www.burmalibrary.org/docs6/MYANMAR\\_PENAL\\_CODE-corr.1.pdf](http://www.burmalibrary.org/docs6/MYANMAR_PENAL_CODE-corr.1.pdf), date accessed 12 June 2015.

<sup>2</sup> ARTICLE 19, 'Joint submission to the Universal Periodic Review of Myanmar by ARTICLE 19, Myanmar Journalists' Association (MJA), Myanmar Journalists' Network (MJN), and Myanmar Journalists' Union (MJU) For consideration at the 23rd session of the Working Group in October/November 2015', 23 March 2015, available at: <http://www.refworld.org/docid/552b820a4.html>, date accessed 2 June 2015.

<sup>3</sup> United Nations News Centre, UN rights office praises Myanmar for commuting all death sentences, 10 January 2014, <http://www.un.org/apps/news/story.asp?NewsID=46904#.VXqkAPmMPPMo>, date accessed 12 June 2015.

<sup>4</sup> Amnesty International, Report 2014/15, 25 February 2015, <https://www.amnesty.org/en/countries/asia-and-the-pacific/myanmar/report-myanmar/>, date accessed 12 June 2015.



and political prisoners were occasionally held together with common criminals. Juvenile detainees under the age of 16 were detained in nine correctional centers operated by the Ministry of Social Welfare.’<sup>5</sup>

6.1.2 The Assistance Association for Political Prisoners (Burma) noted that there are 109 political prisoners as of 13 September 2015.<sup>6</sup>

6.1.3 Human Rights Watch noted in their 2015 annual report, covering events in 2014, that:

‘There were at least 27 political prisoners in Burma at time of writing, according to former prisoner groups. Some 200 other people face charges for what appears to be efforts to exercise their rights to freedom of assembly and expression. The joint government and civil society political prisoner review committee, formed in early 2013 to resolve remaining cases, broke down in 2014 due to disputes between the committee chair, President's Office Minister Soe Thane, and former prisoners. Soe Thane reportedly threatened members of the committee with loss of citizenship if they continued their criticism of the government. A presidential amnesty in October released 3,000 prisoners, only about a dozen of whom were political prisoners, including a number of ethnic Rohingya prisoners.’<sup>7</sup>

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## 6.2 Conditions of prisons and treatment of prisoners

6.2.1 Amnesty International noted in July 2015 that ‘Amnesty International also continues to receive reports about poor prison conditions in Myanmar which fall below international standards. These include lack of access to adequate medical treatment, clean drinking water, nutritious food, and water for bathing.’<sup>8</sup>

6.2.2 In February 2015, a team from Myanmar National Human Rights Commission (MNHRC) – see [Oversight/review/monitoring](#) – inspected Insein Central Prison in Yangon (Rangoon). Insein’s capacity was cited as 5,000 but the team recorded the number of detainees as 7,876. The team recommended that 27 inmates should be brought to the attention of the Political Prisoners Scrutiny Committee (see the [Country Information and Guidance on Burma: Opposition to the government](#), for further information on political prisoners). The prison hospital was severely overcrowded and some cells were found to be unclean and mosquito-infested.<sup>9</sup>

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<sup>5</sup> US Department of State, Country Report on Human Rights Practices 2014, Burma, 26 June 2015, <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2014&dclid=236428>, Section 1c, date accessed 26 June 2015.

<sup>6</sup> The Assistance Association for Political Prisoners (Burma), 109 political prisoners list in prison, <http://aappb.org/wp-content/uploads/2015/02/109-political-prisoners-list-in-prison-last-Updated-on-13-Sep-2015-TK.pdf>, date accessed 28 November 2015

<sup>7</sup> Human Rights Watch, World Report 2015: Burma,

<sup>8</sup> Amnesty International, Urgent Action: Two years for ‘insulting religion’, 2 June 2015, <https://www.amnesty.org/download/.../ASA1617782015ENGLISH.pdf>, date accessed 28 September 2015

<sup>9</sup> MNHRC, The Press Statement regarding the visit to Insein Central Prison by the Myanmar National Human Rights Commission Statement No. (3/ 2015), 3 March 2015, <http://www.mnhrc.org.mm/en/unofficial-translation-the-press-statement-regarding-the-visit-to-insein-central-prison-by-the-myanmar-national-human-rights-commission-statement-no-3-2015/>, date

- 6.2.3 The Myanmar Times reported in September 2014 on improvements made in Insein Prison, stating that ‘Prisoners can access reading material, facilities are being upgraded and regular inspections have reduced incidence of torture. Insein has become the first prison to offer formal education opportunities, with two students recently passing their matriculation exams.’ However, corruption remained a problem with prisoners paying bribes to guards in exchange for more favourable conditions. ‘Virtually everything in prison, from taking a shower to going to the meditation centre, requires a bribe. For small favours, guards are normally paid in coffee mix packets. Prisoners who have the means can be transferred to more comfortable accommodation in the prison hospital, or be allowed to use a phone or even drink alcohol in their cell.... U Tun Kyi [a former prison warden] said that for those without money, life behind bars can be extremely difficult, regardless of their offence. “Some inmates are from rural areas and they’re not allowed to have family visits. Those who don’t have money to bribe guards were beaten,” U Tun Kyi said.’<sup>10</sup>
- 6.2.4 The Assistance Association for Political Prisoners (Burma) noted that: ‘The political prisoners continue to be forced to rely on their families and ICRC for medicine. When the medicine is given, the prison authorities keep the medicine and do not distribute it properly and systematically. Moreover, receiving medical treatment is very rare. As a result, the health condition of the political prisoners generally deteriorates and some have died while in custody’<sup>11</sup>
- 6.2.5 Following inspections by the International Committee of the Red Cross (ICRC) in 2013, water and sanitation facilities were upgraded in four prisons<sup>12</sup> (see also [Oversight/review/monitoring](#)). According the USSD report for 2014, ‘Prison conditions continued to be harsh. While labor camp conditions improved in general, conditions in some of the camps continued to be harsh and potentially life threatening... According to the Ministry [of Home Affairs], between April 2011 and August 2014, 120 persons died in 46 of the centers [labour camps], reportedly from “weather, diet, lifestyle, and accidents”’.<sup>13</sup>
- 6.2.6 The UN Special Rapporteur cited his continuing concerns of torture in some prisons and places of detention in his 2013<sup>14</sup> and 2014<sup>15</sup> reports. In the 2014

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accessed 12 June 2015.

<sup>10</sup> Myanmar Times, Behind the walls of Insein, 1 September 2014, <http://www.mmmtimes.com/index.php/home-page/142-in-depth/11549-behind-the-walls-of-insein-2.html>, date accessed 12 June 2014.

<sup>11</sup> The Assistance Association for Political Prisoners (Burma), Burma’s Confidence Building and Political Prisoners, October 2014, <http://aappb.org/wp-content/uploads/2014/10/Confidence-Building-and-Political-Prisoners.pdf>, date accessed 28 September 2015

<sup>12</sup> ICRC, Annual Report 2013 - Myanmar, 14 May 2014, available at:

<http://www.refworld.org/docid/5374af8d0.html>, date accessed 12 June 2015

<sup>13</sup> US Department of State, Country Report on Human Rights Practices 2014, Burma, 26 June 2015, <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2014&dldid=236428>, Section 1c, date accessed 26 June 2015.

<sup>14</sup> UN Human Rights Council, Report of the Special Rapporteur on the situation of human rights in Myanmar, 6 March 2013, A/HRC/22/58, available at: <http://www.refworld.org/docid/513f10a37e.html>, paragraph 11, date accessed 12 June 2015.

<sup>15</sup> UN Human Rights Council, Report of the Special Rapporteur on the situation of human rights in

report, he noted that: 'The Special Rapporteur remains concerned about the ongoing practice of torture in places of detention in Myanmar and the absence of accountability... Currently, prompt, effective and impartial investigations into allegations of torture against police and military personnel do not take place in Myanmar... Furthermore, military and police personnel who are found to be responsible for committing acts of torture are not being transparently held to account through the criminal justice system and punished in a manner commensurate with the gravity of the offence.' He received allegations from Kachin and northern Shan States that 'the military are arbitrarily detaining and torturing, during interrogation, young men suspected of belonging to ethnic armed groups'. He also noted 'some positive steps towards tackling the practice of torture including, as reported by the Minister of Home Affairs, the use of closed-circuit television (CCTV) cameras in all city police stations.'<sup>16</sup>

#### 6.2.7 The USSD 2014 Report added:

'Compared with previous years, prisoners' basic needs, including food and clothing, were met, although medical supplies were inadequate and of poor quality. Bedding often was inadequate, sometimes consisting of a single mat, wooden platform, or laminated plastic sheet on a concrete floor. Prisoners did not always have access to potable water. In many cases family members supplemented prisoners' official rations with medicine and basic necessities. Inmates reportedly paid wardens for basic necessities, including clean water, prison uniforms, plates, cups, and utensils.

'Detainees were unable to access adequate medical care, but in many respects, this was also true of the general population. Prisoners suffered from health problems including malaria, heart disease, high blood pressure, tuberculosis, skin diseases, and stomach problems, resulting from unhygienic conditions and spoiled food. The prevalence of HIV/AIDS and other sexually transmitted infections in prisons reportedly remained high. Former prisoners also complained of poorly maintained physical structures that provided no protection from the elements and were infested with rodents, snakes, and mold. There were reports of custodial deaths.'<sup>17</sup>

#### 6.2.8 Civil Rights Defenders noted in its 2015 report that:

'Myanmar is not a signatory to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. There are domestic laws prohibiting torture. Cases of torture are reported, particularly in detention facilities and in prisons. Detainees have also been reported to have suffered harsh interrogation techniques such as beatings, and food and sleep deprivation. Former political prisoners have also died upon release from prison, due to illnesses and disabilities they contracted while in

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Myanmar, 2 April 2014, A/HRC/25/64, available at: <http://www.refworld.org/docid/532068854.html>, paragraph 8, date accessed 12 June 2015

<sup>16</sup> UN Human Rights Council, Report of the Special Rapporteur on the situation of human rights in Myanmar, 2 April 2014, A/HRC/25/64, available at: <http://www.refworld.org/docid/532068854.html>, paragraphs 8 and 10, date accessed 12 June 2015

<sup>17</sup> US Department of State, Country Report on Human Rights Practices 2014, Burma, 26 June 2015, <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2014&dliid=236428>, Section 1c, date accessed 26 June 2015.

custody.... The conditions in Myanmar's prisons have improved but are still very poor. The use of torture has declined, but in prisons, and particularly in labour camps, conditions continues to be harsh and life threatening. Food, water and medical supplies are scarce and prisoners are forced to pay bribes for basic necessities or rely on family members to bring supplies. Medical and psychological assistance for prisoners is generally lacking. As a result from unhygienic conditions, prisoners are suffering from health problems including malaria, tuberculosis, skin diseases, and stomach problems.<sup>18</sup>

- 6.2.9 The Assistance Association for Political Prisoners – AAPP (Burma) reported that healthcare in Burma's prisons was inadequate, and that political prisoners were rarely provided with sufficient treatment when they required it.<sup>19</sup> (See the [Country Information and Guidance on Burma: Opposition to the government](#), for further information on political prisoners).
- 6.2.10 A team from MNHRC visited the prisons and detention centres in Sittwe and Buthidaung townships in Rakhine State from 2-6 April 2015. The team found overcrowding in both Sittwe and Buthidaung prisons, and a shortage of security and medical personnel. Poor sanitation was identified in Buthidaung prison, and in the detention centres of Sittwe and Buthidaung police stations, along with general unclean and unhygienic conditions.<sup>20</sup>
- 6.2.11 The USSD 2014 report stated that 'Prison conditions in Rakhine State were reportedly among the worst, with reports of hundreds of Rohingya arbitrarily detained in prison and nonprison facilities, denied due process, and subject to torture and abuse by Rakhine State prison and security officials.'<sup>21</sup>
- 6.2.12 On 7 May 2015 the MNHRC team visited Maing-Sat Prison in Shan State. The prison was found to be in excess of its prisoner capacity, cells were prone to become rain-drenched, and there were no toilets or washing facilities in the cells for long-term female prisoners. The prison's dispensary has no bed for the inpatients and although the prison is a "C" category type prison, prisoners who have been sentenced to prison terms for more than 10 years are detained in this prison. Positive aspects included generally clean living conditions, accessible clean water, and television sets were provided in both male and female sleeping quarters.<sup>22</sup>

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<sup>18</sup> Civil Rights Defenders, Human Rights in Myanmar, 13 November 2014, <http://www.civilrightsdefenders.org/country-reports/human-rights-in-myanmar/>, date accessed 28 September 2015

<sup>19</sup> AAPP, AAPP calls for adequate healthcare for political prisoners in Burma, 11 June 2015, <http://aappb.org/wp-content/uploads/2015/06/AAPPs-statement-for-PPs-health-Eng-Final.pdf>, date accessed 12 June 2015.

<sup>20</sup> MNHRC, Myanmar National Human Rights Commission Statement on the visit by the Myanmar National Human Rights Commission team to the prisons and detention centres in Sittwe and Buthidaung townships in Rakhine State Statement No (5/2015), 30 April 2015, <http://www.mnhrc.org.mm/en/myanmar-national-human-rights-commission-statement-on-the-visit-by-the-myanmar-national-human-rights-commission-team-to-the-prisons-and-detention-centres-in-sittwe-and-buthidaung-townships-in-rakhi/>, date accessed 12 June 2015.

<sup>21</sup> US Department of State, Country Report on Human Rights Practices 2014, Burma, 26 June 2015, <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2014&dliid=236428>, Section 1c, date accessed 26 June 2015.

<sup>22</sup> MNHRC, Statement by the Myanmar National Human Rights Commission with regards to the visit to Maing-Sat prison in Shan State (Statement No.7/2015), 20 May 2015,

## 7. Oversight, review and monitoring

### 7.1 Methods

7.1.1 The Myanmar National Human Rights Commission (MNHRC), formed by the government in September 2011, undertook inspections of prisons and detention centres, which included interviewing detainees, and then made recommendations to the authorities.<sup>23</sup>

7.1.2 According to Amnesty International 'The MNHRC remained largely ineffective in responding to complaints of human rights violations... Most members were government-affiliated and the selection and appointment process lacked transparency, casting further doubts on the independence and effectiveness of the Commission.'<sup>24</sup>

7.1.3 Whilst the International Committee of the Red Cross (ICRC) was allowed to resume prison visits after an eight-year suspension<sup>25</sup>, the Myanmar Times reported that, in respect of Insein, 'the government has ignored requests from former political prisoner groups to conduct visits at the prison to assess conditions and verify reports of political prisoners.'<sup>26</sup> The ICRC reported that it inspected 17 prisons and labour camps in 2013, although its reports were strictly confidential and only shared with the prison authorities.<sup>27</sup> In 2014 nearly 333 individual detainees were visited at 33 places of detention.<sup>28</sup>

7.1.4 The ICRC Annual Report 2014 reported:

'ICRC delegates visited detainees to monitor their treatment and living conditions. Prison authorities strove to improve detention conditions and basic services, guided by the ICRC or by using information acquired during courses/study tours. The construction/rehabilitation of water, sanitation and other facilities and the provision of cleaning materials helped reduce detainees' health risks. Inmates eased the monotony of their incarceration with recreational/educational materials and restored/maintained contact with their relatives through the Movement's family-links network. Travel expenses were covered for some detainees going home after their release; others who could not return home because of security issues used ICRC material

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<http://www.mnhrc.org.mm/en/statement-by-the-myanmar-national-human-rights-commission-with-regards-to-the-visit-to-maing-sat-prison-in-shan-state-statement-no-72015/>, date accessed 12 June 2015.

<sup>23</sup> Myanmar National Human Rights Commission (MNHRC), <http://www.mnhrc.org.mm/en/about/>, date accessed 12 June 2015.

<sup>24</sup> Amnesty International, Report 2014/15, 25 February 2015, <https://www.amnesty.org/en/countries/asia-and-the-pacific/myanmar/report-myanmar/>, date accessed 12 June 2015.

<sup>25</sup> ICRC, Annual Report 2013 - Myanmar, 14 May 2014, available at: <http://www.refworld.org/docid/5374af8d0.html>, date accessed 12 June 2015

<sup>26</sup> Myanmar Times, Behind the walls of Insein, 1 September 2014, <http://www.mmtimes.com/index.php/home-page/142-in-depth/11549-behind-the-walls-of-insein-2.html>, date accessed 12 June 2014.

<sup>27</sup> ICRC, Annual Report 2013 - Myanmar, 14 May 2014, available at: <http://www.refworld.org/docid/5374af8d0.html>, date accessed 12 June 2015

<sup>28</sup> ICRC, Annual Report 2014 - Myanmar, 9 June 2015, available at: <http://www.refworld.org/docid/558131a816.html>, date accessed 26 June 2015.

assistance to cover their needs. In the armed group-controlled area of Kachin state, the ICRC continued to visit people detained in relation to the conflict; it also gained access to people held at a police station, a drug rehabilitation centre and a civilian prison.<sup>29</sup>

- 7.1.5 The Special Rapporteur was informed by Burma's Chief Justice that district and high court judges were using their powers under the new Judiciary Act to conduct prison inspections, and sending recommendations to the government.<sup>30</sup>

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<sup>29</sup> ICRC, Annual Report 2014 - Myanmar, 9 June 2015, available at: <http://www.refworld.org/docid/558131a816.html>, date accessed 26 June 2015.

<sup>30</sup> UN Human Rights Council, Report of the Special Rapporteur on the situation of human rights in Myanmar, 2 April 2014, A/HRC/25/64, available at: <http://www.refworld.org/docid/532068854.html>, paragraph 10, date accessed 12 June 2015

# Version Control and Contacts

## Contacts

If you have any questions about the guidance and your line manager or senior caseworker cannot help you or you think that the guidance has factual errors then email [the Country Policy and Information Team](#).

If you notice any formatting errors in this guidance (broken links, spelling mistakes and so on) or have any comments about the layout or navigability of the guidance then you can email [the Guidance, Rules and Forms Team](#).

## Clearance

Below is information on when this version of the guidance was cleared:

- version **1.0**
- valid from **30 November 2015**
- this version approved by **Sally Weston, Head of Legal Strategy Team, International and Immigration Policy Directorate**
- approved on: **29 November 2015**

## Changes from last version of this guidance

First version in new template.

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