

History shows us that political prisoners have a vital role to play in national reconciliation. I spent Burma's last election in a prison cell. That was 20 years ago. As the promised 2010 election lurches forward, more than 2,100 political activists remain in prison.

They will spend the election behind bars, not only denied their right to vote, but also their right to participate in the political process, their membership in political parties revoked or their party disqualified.

In the lead up to the 1990 election, together with other student activists, I set up a group to campaign for the National League for Democracy (NLD). Just weeks before the election, I was arrested along with 21 other activists and detained in Insein Prison.

A prison sentence didn't deter our activism. We continued to campaign within the prison. We educated the common prisoners and prison guards about the election; we discussed politics with them; we talked about the future of our country and the role the NLD would play in it.

They listened to us. Many guards voted for the NLD. Like us, they believed that change was necessary, and it was coming to our country, and that we were the voice of that change. Some of them treated us well. They respected and perhaps feared the power we would wield in a new democratic Burma. We, and many of the guards, expected that we would be released soon after the election.

As we hoped, the NLD won the election in a landslide victory. But the NLD was never allowed to take power and soon after the election 65 of us were transferred to Mandalay Prison to sit out our prison terms. Not only us, but our country was deprived of its liberty.

Twenty years later has anything changed?

In 2010, almost the entire leadership of the political opposition is in prison or living in exile.

The regime, threatened by the power of the people, has enforced legislation to ensure the remaining opposition is divided and weakened. It is a familiar divide and rule tactic.

Nobel laureate and NLD leader Daw Aung San Suu Kyi spoke out on the electoral laws released this month:

"Personally, I would not even think of registering [the party] under these unjust law. I am not instructing the party or the people. They are free to make their decisions democratically."

Her principled stand is in keeping with the NLD's Shwegondaing Declaration of April 2009, which vowed that the party would take part in the elections, but only after careful study of the election laws, and only if all political prisoners were unconditionally released; the 2008 Constitution was reviewed; and a free and fair election was held under international supervision.

The electoral laws ensure none of this will happen.

Elections are important for the democratization of Burma, but not while 2,100 political prisoners remain behind bars.

The elections will not be credible if they are held without erasing the criminal records of current political prisoners, to guarantee their right to participation once released from prison.

In practice, this means their right to stand as political candidates, to vote in independently monitored free and fair elections, to join political parties and to form political parties or civil society groups if they choose to do so; the exact rights denied to them under the current Constitution and the election laws.

In the current context, the election fails to meet international standards. If these elections fail to meet these standards then the international community should refuse to recognize the results.

An important question crucial to Burma's future remains unanswered: What hope is there for national reconciliation when many political leaders are behind bars?

To add to the unresolved issues, ethnic conflicts in eastern Burma continue and massive displacement continue. Any political dissent is harshly punished with draconian prison sentences.

Burma will only move forward when a genuine, inclusive process of national reconciliation is accepted. It is urgently needed to resolve the current conflicts and make progress towards peace and democracy. As long as there are political prisoners in Burma, there will be no national reconciliation or democratic transition. These prisoners represent the struggle for human rights, self-determination, peace and justice<sup>4</sup>—the very essence of the national reconciliation process.

History shows us that political prisoners have a vital role to play in national reconciliation. Former political prisoners, such as South Africa's Nelson Mandela and the Czech Republic's Vaclav Havel, went on to lead their countries through the shaky and fraught transition from dictatorship to democracy, from incarceration to freedom.

But in Burma, the military regime continues to deny the very existence political prisoners, stating simply that there are only criminals in Burma's prisons—those who have broken the laws of the country.

The release of political prisoners is rarely unconditional—the Burmese authorities repeatedly pressured me to cooperate with them. In 1993, after I was released from prison the first time, military intelligence asked me to become an informer.

I said that I would for the sake of my people, if they agreed to my two requests: the unconditional release of all political prisoners; and for the regime to enter into a political dialogue with Suu Kyi and the NLD. They denied my requests and sent me back to prison. My demands are just as relevant today.



**30, 2010**

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Until the regime enters into a tripartite dialogue for national reconciliation with Suu Kyi and representatives from the ethnic nationality groups, there will be no peace and democracy in Burma.

Until the regime stops punishing those who dare to speak out, until it frees all political prisoners unconditionally—ordinary people will have no say or trust in any political process in Burma.

To fulfill their potential as citizens, the Burmese people must be free. They must be free to choose their leaders; to shape the laws that govern them; to speak, criticize, and debate.

They must be free to pursue the dignity that comes with self-improvement, free to build their minds and the minds of their children. In 2010, my people are still not free.

*Bo Kyi spent seven years as a political prisoner in Burma. He is co-founder of the Assistance Association for Political Prisoners (Burma) and a recipient of the 2009 Alison Des Forges Award for Extraordinary Activism from Human Rights Watch.*