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Appeal from the Burma Lawyers' Council to Police Officers inside Burma for a Neutral, Independent and Collaborative Police Force

1. A neutral, independent and collaborative police force is necessary for a peaceful, safe and just society. Citizens rely on police to enforce the laws fairly and humanely. They reasonably expect the police to treat all criminal suspects equally, without discrimination. Under no circumstances should the police ever be the lackey of a political party or the government, on one hand arresting political opposition leaders for flimsy “crimes” while on the other hand releasing political allies without investigation. The police must be vested with the authority and independence to take action against any person who breaks the law, regardless of that person’s identity whether a lawyer, farmer, or government official. In democratic countries, there are established procedural safeguards to ensure that the police force is a neutral body that treats everyone the same.

2. Burma Police Manual, Article 1056, provides that the police are obligated to build a cordial and cooperative relationship with the citizenry. They must work together with the people to create a secure society. It is clear that under this Article, the police must not presume that they are somehow superior to ordinary people. Their relationship is not one of master and servant, or shepherd and sheep. Unfortunately, the current situation in Burma is not consistent with Article 1056. Rather than the collaboration called for in the Manual, many police officers impose their view of law enforcement upon the citizens without receiving any community input. This results in unsafe communities where the police have an adversary relationship with the community members.

3. Burma Police Manual, Article 1060, provides that police officers cannot have other jobs. Accordingly, any breach of this provision constitutes a criminal offence, punishable three months imprisonment or fine, not more than the amount of three months salaries, or both. This Article seeks to ensure the independence and neutrality of the police force by requiring officers to serve only one master. The current chief of the Burma police, Major General Khin Yi, is violating Article 1060. In addition to his police post, he is also a Major General in the army. He must either resign as chief of police or resign from the army. Other countries, even military governments such as Thailand’s, respect the independence of the police. After the recent coup in Thailand, no military official took over the top police position.

4. Burma Police Manual, Article 1142, Chapter 48, Part 1, states that all police must wear their police uniforms while on duty (with exceptions made for positions such as undercover detectives). Major General Khin Yi violates this provision of the Manual as well. He always wears his military uniform, even when he is serving the police force.

Anyone who sees him knows that he is under the thumb of the SPDC. He wholly lacks the neutrality and independence so important for a police officer, and even worse, the police chief. This master-servant relationship between the SPDC and the Burma police force undermines both the dignity of the profession and the trust that the people have for the police. Understandably, the people of Burma cannot trust a police force that is simply a pawn for the government.

5. The current unlawful interference and influence of the military over the police force is not acceptable. The BLC respectfully calls upon the police officials in Burma to uphold the dignity of the profession, comply with all provisions of the Burma Police Manual, collaborate with the citizenry, and fight for the autonomy, impartiality and neutrality of the police force. All military officers should withdraw immediately from the police force, particularly those in leadership positions.

Burma Lawyers' Council

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