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## **Myanmar: Summary of the Right to a Public Trial**

The Centre for Law and Democracy (CLD) has today published a briefing note, in English and Burmese, on the right to a public trial in response to media reports on closed judicial proceedings in Myanmar's prisons. The military regime running Myanmar has reportedly established courts inside various prisons, including Insein Prison, to try certain cases deemed by the regime to be politically sensitive. While publicly available information is limited, in addition to the public being prevented from witnessing these cases, legal counsel have reportedly faced barriers representing their clients, including difficulties obtaining sufficient information on the proceedings and being subjected to threats and intimidation.

*"The right to a public trial allows for scrutiny of judicial proceedings and supports public confidence in the administration of justice", said Toby Mendel, Executive Director, CLD. "The closure of criminal trials to the public should be ordered only in highly exceptional circumstances, based on strong justification, which does not appear to be the case with most of the secret trials in Myanmar.*

The briefing note sets out the limited circumstances in which criminal trials may be closed to the public including, in the context of national security, to protect the identity of witnesses who may be at risk or to protect the confidentiality of highly sensitive national security information, while noting that in both cases alternative measures for protecting these interests should be considered. It also indicates that where criminal trials are held in unconventional venues, such as prisons, authorities should make appropriate arrangements to facilitate public access to them.

The briefing note is available in [English](#) and [Burmese](#).

***For further information, please contact:***

Raphael Vagliano

Legal Officer

Centre for Law and Democracy

Email: [raphael@law-democracy.org](mailto:raphael@law-democracy.org)

Phone: (+1) 514-506-0948

[www.law-democracy.org](http://www.law-democracy.org)

twitter: @law\_democracy