

URGENT ACTION

AILING PRISONER OF CONSCIENCE REMAINS IN JAIL

Prisoner of conscience U Gambira remains in detention facing politically motivated criminal charges. There are ongoing concerns about his well-being, as he suffers from serious physical and mental health issues. He should be immediately and unconditionally released.

Despite a series of prisoner releases in Myanmar – which have seen scores of prisoners of conscience freed – former monk and human rights activist **U Gambira**, aka Nyi Nyi Lwin, remains in detention. He is facing politically motivated criminal charges which Amnesty International believes to be as a result of his work as a human rights activist, which was always peaceful. U Gambira suffers from serious physical and mental health issues, including schizophrenia for which he must take medicine three times a day. There are ongoing concerns about his access to these medicines, and to specialist medical treatment while he is in detention. Meanwhile, repeated applications for bail by his lawyers on the grounds of his poor health situation have been rejected by the presiding judge.

U Gambira was arrested in Mandalay, Myanmar's second largest city, on 19 January 2016. He has been charged with entering the country illegally under Section 13(1) of Myanmar's 1947 Immigration (Emergency Provisions) Act, which carries up to five years' imprisonment. The Immigration (Emergency Provisions) Act has been used in the past to charge individuals in politically motivated cases. U Gambira, who usually lives in Thailand, had arrived in Myanmar on 16 January 2016 in order to apply for a passport. He crossed the border between Thailand and Myanmar at an official crossing point without facing any problems with either Myanmar or Thai immigration officials.

U Gambira remains in detention in Oh-Bo prison in Mandalay. His next court hearing will take place on 26 April.

Please write immediately in English, Burmese or your own language:

- Calling on the Myanmar authorities to immediately and unconditionally release U Gambira;
- Urging them to ensure that, pending his release, he is not tortured or otherwise ill-treated; is provided with any medical care, including medicines, which he requires; is not transferred to a remote prison; and has regular access to family members and lawyers of his choosing;
- Demanding that they immediately and unconditionally release all prisoners of conscience in Myanmar, and drop charges against all those who have been arrested solely for the peaceful exercise of their human rights.

PLEASE SEND APPEALS BEFORE 1 JUNE 2016 TO:

President

U Htin Kyaw
President's Office
Office No.18
Nay Pyi Taw
Republic of the Union of Myanmar
Fax: +95 1 652 624

Salutation: Your Excellency

Attorney General

Tun Tun Oo
Union Attorney General's Office
No. 25, Nay Pyi Taw
Republic of the Union of Myanmar
Fax: +95 067 404106
E-mail: ago.h.o@mptmail.net.mm

Salutation: Dear Tun Tun Oo

And copies to:

Chairman, Myanmar National Human Rights Commission
U Win Mra
27 Pyay Road, Hlaing Township
Yangon
Republic of the Union of Myanmar
Fax: +95 1 659 668
Email: chmyanmarnhrc@gmail.com

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date. This is the first update of UA 14/16. Further information:

<https://www.amnesty.org/en/documents/asa16/3244/2016/en/>

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ADDITIONAL INFORMATION

U Gambira is a former prisoner of conscience, detained in 2007 for his role leading mass anti-government protests, also known as the “Saffron Revolution”, in August and September of that year. The authorities brought the protests to an end with a violent crackdown in late September 2007. U Gambira was sentenced in November 2008 to a 68-year prison sentence under several different laws. He was released in a presidential amnesty on 13 January 2012. On his release, he continued his activism and was twice detained for short periods by Myanmar police. In April 2012, U Gambira decided to disrobe and return to layman status and he later moved to Thailand to receive specialist medical treatment for post-traumatic stress disorder following his years in prison.

On 7 April 2016 Myanmar’s National League for Democracy (NLD) led government announced that it would work to release all prisoners of conscience and political prisoners as soon as possible. Since then scores of prisoners of conscience have been released, including most recently as a result of a Presidential pardon on 17 April. Amnesty International calls for the release of all remaining prisoners of conscience and others who have been arbitrarily detained in Myanmar, including U Gambira.

On 24 March 2016 Amnesty International published a report on political imprisonment in Myanmar which highlighted the worrying erosion of newly found freedoms of expression, association and peaceful assembly in the country since the start of 2014. The report found that authorities charge activists with multiple offences for the same actions or protests to lengthen their prison sentences, charge people with non-bailable offences to keep them in detention during their trial, and charge human rights defenders and other political activists many months, in some cases years, after the alleged offence took place. These tactics serve to create a climate of fear among human rights defenders and other activists in the country.

The report includes a number of recommendations to the new government aimed at ending the cycle of political arrest and detention in Myanmar. In addition to calling for the release of all prisoners of conscience, the report also urges the new administration to reform repressive laws and to provide rehabilitation to former prisoners of conscience and other political detainees. See *New expression meets old repression: Ending the cycle of political arrests and imprisonment in Myanmar*, <https://www.amnesty.org/en/documents/asa16/3430/2016/en/>.

Name: U Gambira

Gender m/f: m

Further information on UA: 14/16 Index: ASA 16/3881/2016 Issue Date: 20 April 2016