

URGENT ACTION

ONE ACTIVIST RELEASED, ONE STILL BEHIND BARS

A member of the community-based organization the Movement for Democracy Current Force (MDCF), Naung Naung, was released under a presidential amnesty in Myanmar on 22 January. However the organization's leader, Htin Kyaw, remains in prison.

Naung Naung was released on 22 January as part of a presidential prisoner amnesty. There were at least 16 prisoners of conscience released as part of the amnesty. Naung Naung was sentenced on 30 October 2014 to two years and four months' imprisonment for distributing leaflets on 7 July 2014 which stated that Aung San Suu Kyi, the leader of the opposition, and ethnic leaders had been elected as an interim government. He was charged with 'incitement' under Section 505(b) of the Penal code and for protesting without authorization under Section 18 of the Peaceful Assembly and Peaceful Procession Act.

The leader of MDCF, **Htin Kyaw**, remains in Insein prison, in Yangon, Myanmar's largest city. Htin Kyaw is currently serving a total of 13 years and ten month's imprisonment for distributing leaflets in Yangon in April and May 2014 calling on the government to resign and for a series of peaceful protests. He was sentenced under Section 505(b) of the Penal Code and Section 18 of the Peaceful Assembly and Peaceful Procession Act.

Following the Myanmar elections in November, a new government will take power in April. The period before then provides an opportune moment to pressure the outgoing President to release Htin Kyaw and all other prisoners of conscience, as he is likely to be concerned about his legacy and may be considering more prisoner releases.

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

- Calling on the Myanmar authorities to release Htin Kyaw immediately and unconditionally, and all other prisoners of conscience in Myanmar;
- Urging them to ensure that, pending his unconditional release, Htin Kyaw is not tortured or otherwise ill-treated, or transferred to a remote prison, and that he has regular access to his family and a lawyer of his choosing, and is provided with any medical treatment he may require;
- Calling on them to repeal or else amend all laws which restrict the rights to freedom of expression and peaceful assembly, to comply with international human rights law and standards.

PLEASE SEND APPEALS BEFORE 9 MARCH 2016 TO:

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

Salutation: Your Excellency

Minister of Home Affairs
Lt Gen. Ko Ko
Ministry of Home Affairs
Office No. 10
Nay Pyi Taw
Republic of the Union of Myanmar
Fax: +95 67 412 439

Email: mohamyanmar@gmail.com

Salutation: Your Excellency

And copies to:

Chairman, Myanmar National Human Rights Commission

U Win Mra
27 Pyay Road, Hline 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 sixth update of UA 117/14. Further information:

<https://www.amnesty.org/en/documents/asa16/2435/2015/en/>

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ADDITIONAL INFORMATION

Human rights defenders and activists in Myanmar are being arrested and detained solely for the peaceful exercise of their rights to freedom of expression and peaceful assembly, rights enshrined in Articles 19 and 20 of the Universal Declaration of Human Rights (UDHR). A range of laws in Myanmar are used to criminalize freedoms of expression and peaceful assembly, including Section 505(b) of the country's Penal Code and Section 18 of the Peaceful Assembly and Peaceful Procession Act. The restrictions on the right to freedom of expression imposed by these two laws are phrased in an excessively broad and vague manner, potentially resulting in both an overreach, and a discriminatory application of the law.

Amnesty International continues to receive reports about poor prison conditions in Myanmar, which do not comply with those set out in the UN Standard Minimum Rules for the Treatment of Prisoners. These concerns include a lack of access to adequate medical treatment, clean drinking water, nutritious food and water for bathing.

Name: Naung Naung, Htin Kyaw
Gender m/f: both male

Further information on UA: 117/14 Index: ASA 16/3328/2016 Issue Date: 27 January 2016