

URGENT ACTION

JAIL SENTENCE FOR SUPPORTING PEACEFUL PROTEST

Political activist Ko Wai Lu has received a one-year prison sentence for providing support to peaceful protesters who were calling on the authorities to resolve their land dispute in Myanmar. His detention is arbitrary and he should be released immediately.

On 8 April, **Ko Wai Lu**, a prominent political activist, was sentenced to one-year in prison by the Kyauktada Township Court in Yangon. He was sentenced under Section 505(b) of Myanmar's Penal Code – a law commonly used to arrest and detain political activists – which provides for up to two years' imprisonment for publishing or circulating information which may cause public fear or alarm and may incite persons to commit offences "against the State or against the public tranquillity". He is currently detained in Insein prison, Yangon.

Ko Wai Lu was arrested on 18 December 2014 while he was offering support, encouragement and reportedly providing water to peaceful protesters from the Michaungkan community. The community had been staging a peaceful sit-in protest near Yangon's City Hall in response to the Myanmar authorities' failure to resolve their land dispute.

Other individuals involved or associated with the Michaungkan community protests have been targeted by the Myanmar authorities in the past. In September 2014, Michaungkan community leader U Sein Than was sentenced to two years' imprisonment for protesting without permission and obstructing the sidewalk; and in February 2015, 14 members of the community were sentenced to six months' imprisonment for participating in a series of peaceful protests.

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

- Calling on the Myanmar authorities to immediately release Ko Wai Lu and all members of the Michaungkan community detained solely for the peaceful exercise of their rights to freedom of expression and peaceful assembly;
- Urging them to ensure that, pending his release, Ko Wai Lu is not tortured or otherwise ill-treated; that he is not transferred to a remote prison; that he has regular access to family members and lawyers of his choosing; and is provided with any medical treatment which he may require;
- Calling on them to repeal or else amend all laws which unlawfully restrict the rights to freedom of expression and peaceful assembly, to comply with international human rights law and standards.

PLEASE SEND APPEALS BEFORE 21 MAY 2015 TO:

President

Thein Sein
President's Office
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

Salutation: Dear Minister

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: winmra@mnhr.org.mm

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 5/15. Further information:

<https://www.amnesty.org/en/documents/ASA16/002/2015/en/>

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ADDITIONAL INFORMATION

Ko Wai Lu is a well-known activist in Myanmar who has been arrested and detained multiple times in the past for his involvement in peaceful political activities. His arrest in December 2014 came less than a month after he was released from prison, having been sentenced in August 2014 to four months in detention for protesting without permission against a rise in electricity prices in Mandalay.

Amnesty International is concerned that the Myanmar authorities are targeting individuals involved or associated with the Michaungkan community protests. In September 2014, Michaungkan community leader U Sein Than was sentenced to two years' imprisonment for protesting without permission and obstructing the sidewalk (See Urgent Action: <http://www.amnesty.org/en/library/info/ASA16/021/2014/en>). In February 2015, 14 members of the community were sentenced to six months' imprisonment for participating in a series of peaceful protests. (See Urgent Action: <https://www.amnesty.org/en/documents/asa16/0012/2015/en/>) The Michaungkan community claims that the Myanmar military confiscated their land in the early 1990s, and is calling for its return and for compensation.

Human rights defenders and activists in Myanmar continue to be 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 peaceful expression and assembly, including Section 505(b) of the country's Penal Code and Article 18 of the Peaceful Assembly and Peaceful Procession Law. 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 an overreach, arbitrary and 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: Ko Wai Lu
Gender m/f: m

Further information on UA: 5/15 Index: ASA 16/1418/2015 Issue Date: 9 April 2015