

URGENT ACTION

MYANMAR ACTIVISTS IMPRISONED FOR PROTESTING

Six human rights activists have been sentenced to four years and four months' imprisonment in Myanmar solely for participating in a peaceful demonstration against the shooting to death of a protester. They must be immediately and unconditionally released.

On 15 May, human rights activists **Naw Ohn Hla, San San Win** (aka Lay Lay), **Sein Htwe, Nay Myo Zin, Tin Htut Paing**, and **Than Swe**, were sentenced to a total of four years and four months' imprisonment by Dagon Township Court in Yangon, Myanmar's largest city. They were sentenced for participating in a peaceful protest on 30 December 2014 which called on the Myanmar authorities to carry out an investigation into the death of **Khin Win**. She was shot dead on 22 December 2014 when police opened fire on her and other protesters demonstrating against land being taken over for the Letpadaung copper mine project in Sagaing region, central Myanmar.

The six activists were sentenced under a number of articles of the Penal Code, including "rioting" and for protesting without permission under the Peaceful Assembly and Peaceful Procession Law. Amnesty International considers these charges to be politically motivated and without foundation. The six activists are currently detained in Insein prison in Yangon.

Nay Myo Zin and Naw Ohn Hla are also facing additional charges for the same protest in four other township courts in Yangon, and could be sentenced to a further two years in prison if found guilty.

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

- Calling on the Myanmar authorities to immediately and unconditionally release Naw Ohn Hla, San San Win, Sein Htwe, Nay Myo Zin, Tin Htut Paing and Than Swe;
- Urging them to ensure that, pending their release, they are not tortured or otherwise ill-treated; are not transferred to remote prisons; have regular access to family members and lawyers of their choosing; and are provided with any medical care which they may require;
- Calling on them to conduct a thorough, impartial and effective investigation into the killing of Khin Win and other allegations that police used excessive force against the Letpadaung protesters and bring those responsible for human rights violations to justice in trials which meet international standards of fairness, without recourse to the death penalty.

PLEASE SEND APPEALS BEFORE 30 JUNE 2015 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
Salutation: Dear Chairman

Chairman, Prisoners of Conscience Affairs Committee

Br. Gen. Kyaw Kyaw Tun
Ministry of Home Affairs
Office No. 10
Nay Pyi Taw
Republic of the Union of Myanmar
Salutation: Dear General

And copies to:

President:
Thein Sein
President's Office
Nay Pyi Taw
Republic of the Union of Myanmar
Fax: +95 1 652 624
Salutation: Your Excellency

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 2/15. Further information:

<https://www.amnesty.org/en/documents/asa16/001/2015/en/>

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ADDITIONAL INFORMATION

Local communities and activists continue to oppose the development of the new Letpadaung copper mine because of concerns about environmental damage, risk of forced evictions and negative impacts on the communities' rights to housing, food, and work amongst other rights. The Myanmar authorities have responded to such opposition by using excessive force against peaceful protesters on several occasions and by resorting to arbitrary arrest and detention – both Naw Ohn Hla and Tin Htut Paing have in the past been arrested and detained for their peaceful demonstrations against the Letpadaung copper mine. In November 2012 police used white phosphorus against peaceful protesters, in an attack which left people with lifelong injuries. To date no one has been held to account for the attack.

Amnesty International has undertaken a detailed investigation into the Monywa mining project, of which the Letpadaung copper mine forms part. The investigation found a range of human rights abuses and illegal conduct linked to the project. Thousands of people have been forcibly evicted to make way for the project, and thousands more remain at risk of losing their homes and livelihoods due to ongoing development at the Letpadaung mine (See UA: <https://www.amnesty.org/en/documents/asa16/1563/2015/en/>). Amnesty International is also concerned that Myanmar still lacks adequate safeguards to protect people from corporate human rights abuses. For further details, see Amnesty International, *Open for business? Corporate crime and abuses at Myanmar copper mine: briefing*, available at: <https://www.amnesty.org/en/documents/asa16/0003/2015/en/>.

The Myanmar authorities continue to arrest and imprison activists and human rights defenders simply for peacefully exercising their rights to freedom of expression and peaceful assembly, rights which are enshrined in Articles 19 and 20 of the Universal Declaration of Human Rights (UDHR). Amnesty International is concerned about a number of laws in Myanmar which restrict the rights to freedom of expression and peaceful assembly, including the Peaceful Assembly and Peaceful Procession Law, which has been used to arrest and imprison scores of peaceful activists and human rights defenders since it was enacted in 2012.

The six activists were sentenced to four months' imprisonment for protesting without permission under Article 18 of the Peaceful Assembly and Peaceful Procession Law, two years 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" (Section 505(b) of the Penal Code); one year for assaulting or preventing a public servant from the discharge of his duty (Section 353); and one year for "rioting" (Section 147).

Amnesty International continues to receive reports about poor prison conditions in Myanmar, which do not comply with international standards such as 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: Naw Ohn Hla (f), Sein Htwe (f), San San Win (f), Nay Myo Zin (m), Tin Htut Paing (m), Than Swe (m) and Khin Win (f)
Gender m/f: both

Further information on UA: 2/15 Index: ASA 16/1682/2015 Issue Date: 19 May 2015