

URGENT ACTION

TWO ACTIVISTS RELEASED, OTHERS STILL DETAINED

Tin Maung Kyi and Zaw Win, members of the community-based organization the Movement for Democracy Current Force (MDCF), have both been released in Myanmar, but other group members remain in detention.

Tin Maung Kyi was released on 30 July as part of a presidential amnesty, with only one month of his sentence remaining to be served. There were at least 11 prisoners of conscience released as part of the amnesty. **Zaw Win** was released before the amnesty on 26 June as his sentence had been reduced.

Tin Maung Kyi and Zaw Win are members of the community-based organization the MDCF. They were both sentenced in July 2014 to one and half years' imprisonment for distributing leaflets in May 2014 in Yangon – Myanmar's largest city – calling on the government to resign. They were each sentenced for three counts under Section 505(b) of Myanmar's Penal Code, which provides for imprisonment for any person who makes, publishes or circulates information which may cause public fear or alarm, and which may incite persons to commit offences "against the State or against the public tranquillity".

The leader of MDCF, **Htin Kyaw** and another member **Naung Naung**, remain in Insein prison, in Yangon, Myanmar's largest city. Htin Kyaw is currently serving a total of 13 years and four month's imprisonment under Section 505(b) of the Penal Code and Article 18 of the Peaceful Assembly and Peaceful Procession Law for distributing leaflets in Yangon calling on the government to resign and for a series of peaceful protests in April and May 2014. Naung Naung was sentenced to two years and four months' imprisonment for distributing leaflets which falsely stated that Aung San Suu Kyi and ethnic leaders had been elected as an interim government in July 2014.

Than Than Maw, Htin Kyaw's wife, is still on trial facing charges under Article 18 of the Peaceful Assembly and Peaceful Procession Law for protesting without authorization in front of Yangon's City Hall, where she was calling on the authorities to investigate corruption cases that had been raised by Htin Kyaw. She is not currently detained.

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

- Calling on Myanmar authorities to release Htin Kyaw and Naung Naung immediately and unconditionally, and all other prisoners of conscience, and drop the charges against Than Than Maw and all those arrested for the peaceful exercise of their human rights;
- Urging them to ensure that pending their release, Htin Kyaw and Naung Naung are not tortured or otherwise ill-treated, or transferred to remote prisons, but that they have regular access to their families and lawyers of their choosing, and are provided with any medical treatment that they require; and
- 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 23 OCTOBER 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

Attorney General

Dr. Tun Shin
Office of the Attorney General Office
No. 25, Nay Pyi Taw
Republic of the Union of Myanmar

Salutation: Dear Dr. Tun Shin

And copies to:

Chairman, Myanmar 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@mnhrc.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 fifth update of UA 117/14. Further information:

<https://www.amnesty.org/en/documents/asa16/029/2014/en/>

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INTERNATIONAL**



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ADDITIONAL INFORMATION

At least one other member of MDCF is also detained for his peaceful political activities. On 23 April a court in Mandalay, Myanmar's second largest city, sentenced Thein Aung Myint, to six months in prison. He was found guilty of protesting without permission under Article 18 of the Peaceful Assembly and Peaceful Procession Law, a law commonly used to arrest and imprison peaceful political activists. He was charged after organizing a peaceful protest calling for an investigation into the death in military custody of journalist Aung Kyaw Naing (aka Par Gyi). Thein Aung Myint was also previously sentenced in March to six months' imprisonment for peacefully protesting against electricity price rises. He is currently detained in Mandalay's Oh Bo prison and is a prisoner of conscience, who must be unconditionally and immediately released.

Amnesty International is concerned that Htin Kyaw and the MDCF are being targeted in an attempt to silence the organization.

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 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 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: Tin Maung Kyi (m), Zaw Win (m), Htin Kyaw (m), Naung Naung (m) and Than Than Maw (f)

Gender: both

Further information on UA: 117/14 Index: ASA 16/2435/2015 Issue Date: 11 September 2015