

URGENT ACTION

PRISONER OF CONSCIENCE FACES EXTRA CHARGES

A week before his release due date, U Gambira faces additional charges for activities dating back to 2012. He is a prisoner of conscience who should be immediately and unconditionally released.

On 28 June, prisoner of conscience **U Gambira**, also known as Nyi Nyi Lwin, was charged in Bahan Township Court in Yangon under Section 427 ('causing mischief') and Section 448 ('house trespass') of the Penal Code. He faces up to an additional three years in prison on these charges. In addition, he is due to appear on 30 June in front of Thanlyin Township Court where he could face similar charges. His lawyer has also been informed that similar charges would be brought against him in Tamwe Township court.

The charges stem from his activities in 2012 when U Gambira was released after having been imprisoned since 2007 for his leading role in mass anti-government protests, known as the Saffron Revolution. Upon his release he tried to re-open monasteries which the authorities had closed down because of the activities of their monks during the Saffron Revolution.

U Gambira was arrested earlier in 2016, on 19 January, several days after entering Myanmar from Thailand, where he had been living. As a Myanmar citizen, he had travelled to Myanmar to apply for a passport and had crossed the border at an official crossing point without facing any problems. He was sentenced in April to six months in prison with hard labour after being found guilty under Section 13(1) of Myanmar's 1947 Immigration (Emergency Provisions) Act of entering the country illegally.

He was due to be released on 1 July upon completion of his sentence. However, on 26 June he was transferred to Insein prison in Yangon to face the new charges. Amnesty International is concerned that these charges are politically motivated in that they relate to actions he took four years ago linked to the Saffron Revolution, and have been brought at this time as a means to prolong his current imprisonment. Amnesty International considers that U Gambira is a prisoner of conscience.

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

- Calling on the Myanmar authorities to immediately and unconditionally release U Gambira and ensure that he does not face new politically motivated charges; and
- Urging them to ensure that, while he is detained, he is not tortured or otherwise ill-treated; is provided with any medical care, including medicines, which he requires; and that he has regular access to family members and to a lawyer of his choice.

PLEASE SEND APPEALS BEFORE 9 AUGUST 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

Minister of Home Affairs
Lt. Gen. Kyaw Swe
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: Dear Minister

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

<https://www.amnesty.org/en/documents/asa16/3913/2016/en/>

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ADDITIONAL INFORMATION

U Gambira has serious mental health issues stemming from his previous imprisonment period and there are concerns that his ongoing detention could have a detrimental impact on his already fragile health.

U Gambira was 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 leave the monastic life 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. 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 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 human rights defenders and other political activists many months, in some cases years, after the alleged offence took place. These tactics contribute to creating 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. 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 16/4339/2016 Issue Date: 29 June 2016