

URGENT ACTION

ILL-HEALTH CONCERNS FOR DETAINED JOURNALIST

Detained journalist Lu Maw Naing is in ill-health in a Myanmar prison. He and four others are on trial in connection with their journalistic activities, and are facing lengthy prison sentences. Amnesty International considers them to be prisoners of conscience.

Information has recently been received indicating that **Lu Maw Naing** is unwell in Pakokku prison, Magwe Division, where he has been detained since his arrest on 31 January. According to reliable sources, he is suffering from back and stomach pain and there are concerns he has yet to receive adequate medical treatment. A reporter for Myanmar newspaper *Unity*, Lu Maw Naing was arrested without a warrant by Special Branch police in Pauk Township, in Magwe Division's Pakokku District, and taken to Pakokku prison.

On 1 February three other *Unity* reporters – **Yarzar Oo**, **Paing Thet Kyaw** and **Sithu Soe** – and the newspaper's chief executive officer (CEO) **Tint San** were also arrested without a warrant at their office in Yangon, Myanmar. They were initially taken to Yangon's Insein prison, but were later transferred to Pakokku prison.

The five men were arrested after *Unity* published an article on 25 January about an alleged secret chemical weapons factory in Pauk Township. The article reported that the factory was built in 2009 on land confiscated from farmers and that former army chief Than Shwe had visited it that same year. The government has denied the allegations and the authorities reportedly seized copies of *Unity* across the country.

The four journalists and *Unity* CEO are facing charges under Article 3(1) A/9 of Myanmar's Official Secrets Act 1923, which carries a 14-year prison sentence in cases involving military installations. They have been charged with "disclosing State secrets, trespassing on the restricted area of the factory, taking photographs and the act of abetting". The trial began on 17 March and is continuing at the Pakokku District Court on 8 April.

Please write immediately in English or your own language urging the authorities to:

- Immediately and unconditionally release Lu Maw Naing, Yarzar Oo, Paing Thet Kyaw, Sithu Soe and Tint San and drop all charges against them;
- Pending their unconditional release, ensure that Lu Maw Naing receives the medical treatment he requires, and that all five men are kept in conditions which meet international standards and are granted access to lawyers of their choosing and to family members;
- Take immediate steps to repeal or else amend legislation which is used to criminalize human rights defenders and journalists and to curtail the right to freedom of expression;
- Ensure that journalists are able to carry out their legitimate work without fear of arrest or other reprisals.

PLEASE SEND APPEALS BEFORE 20 MAY 2014 TO:

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

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

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.

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

The arrest, detention and charges brought against Lu Maw Naing, Yarzar Oo, Paing Thet Kyaw, Sithu Soe and Tint San are a reminder of the harassment faced by human rights defenders in Myanmar.

Despite a series of reforms in the country, Amnesty International continues to receive reports of intimidation, arrests and detention of human rights defenders, including journalists, who are peacefully carrying out their legitimate work. Media serves as an important source of information on a range of issues important to people in Myanmar. Journalists and other media workers must be able to operate throughout the country and carry out sensitive investigations without fear of reprisal or arrest.

A number of vaguely worded laws continue to be used to arrest and imprison human rights defenders in Myanmar. In his most recent report to the UN Human Rights Council, the Special Rapporteur on the situation of human rights in Myanmar, Tomás Ojea Quintana, expressed concerns about Myanmar's Official Secrets Act. In the report, he identified the Official Secrets Act as among a host of laws which do not comply with international standards, and reiterated calls on the Myanmar government to review and amend these laws within a clear timeframe.

Following the arrest of Lu Maw Naing, his home was searched on 2 February and his wife Lwin Lwin Myint was detained for 24 hours the following day. According to state media she was released after it was decided that there was not enough evidence to charge her. Another member of *Unity* staff – Aung Win Tun – was also detained for questioning for 11 hours on 5 February.

Amnesty International continues to receive reports about poor prison conditions in Myanmar, including a lack of access to adequate medical treatment. Other concerns raised include lack of access to clean drinking water, nutritious food, and water for bathing.

Name: Lu Maw Naing, Yarzar Oo, Paing Thet Kyaw, Sithu Soe and Tint San
Gender m/f: All m

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