

URGENT ACTION

PRISON SENTENCES FOR PEACEFUL PROTESTERS

Fourteen members of the Michaungkan community in Myanmar have been sentenced to six months in prison for taking part in peaceful protests and are currently detained. They are prisoners of conscience who must be immediately and unconditionally released.

The **Michaungkan community** claim that the Myanmar military confiscated their land in the early 1990s, and are calling for its return and for compensation. The community had been staging a peaceful sit-in protest next to Maha Bandoola Gardens in Myanmar's largest city, Yangon, since March 2014. On 12 December 2014, some members of the community moved the sit-in protest closer to Yangon City Hall. The 14 community members were arrested on 23 December when police disbanded the City Hall protest site.

On 18 February, the Kyauktada Township Court in Yangon sentenced 14 members of the Michaungkan community each to a total of six months' imprisonment for participating in a series of peaceful protests. They were each sentenced to five months in prison for the December sit-in protest near Yangon City Hall – one month for protesting without permission under Article 18 of the Peaceful Assembly and Peaceful Procession Law, three months for "unlawful assembly" under Article 143 of Myanmar's Penal Code and one month for obstruction under Article 341 of the Penal Code. They were each sentenced to one additional month in prison for protesting without permission under Article 18 of the Peaceful Procession and Peaceful Assembly Law for their previous peaceful sit-in protest next to Maha Bandoola Gardens.

All 14 are currently detained in Yangon's Insein prison. They are planning to appeal against their convictions.

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

- Calling on the Myanmar authorities to immediately and unconditionally release the 14 members of the Michaungkan community;
- 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 repeal or else amend all laws which impose arbitrary or sweeping restrictions on the rights to freedom of expression and peaceful assembly, in line with international human rights law and standards.

PLEASE SEND APPEALS BEFORE 2 APRIL 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:

<http://www.amnesty.org/en/library/info/ASA16/002/2015/en>

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ADDITIONAL INFORMATION

The Michaungkan community lived in Michaungkan, Thingangyun Township, Yangon, until the early 1990s when the Myanmar Army allegedly confiscated their land. They have been protesting for the return of their land and compensation for their losses in recent years.

Those sentenced and imprisoned by the Kyauktada Township Court are: **Daw Khin Mar Kyu** (53), **Daw Aung May Kyi** (36), **Daw Nwet Nwet Khine** (45), **Daw Mya Kyi** (50), **Daw Win Kyi** (68), **Ma Yin Yin Win** (34), **Daw Aye Mi aka Daw Mie Mie** (58), **Daw Khin Khin Win** (63), **Daw Su Su Hlaing** (42), **Daw Kyin Hla** (64), and **Daw Tin Htay** (63), all female; and **Ko Zaw Zaw Aung** (33), **U Zaw Win** (44), and **Ko Than Htay** (41), all male.

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 obstruction (See Urgent Action: <http://www.amnesty.org/en/library/info/ASA16/021/2014/en>). U Sein Than's daughter and four others were also charged with protesting without permission outside one of U Sein Than's court hearings. In addition to the fact that criminally punishing people for peacefully protesting is contrary to international human rights law and standards, she claims that they were not protesting but just attending her father's hearing.

On 18 December 2014, political activist Ko Wai Lu was also arrested while he was offering support and encouragement to protesters from the Michaungkan community and subsequently charged under Section 505 (b) of Myanmar's Penal Code (See Urgent Action: <http://www.amnesty.org/en/library/info/ASA16/002/2015/en>).

The protest outside Yangon City Hall in December 2014 and the sit-in protest next to Maha Bandoola Garden which started in March 2014 followed a similar protest which began in November 2013 at the Myasaryan Pagoda in Yangon. That protest came to an end on 11 December 2013, when villagers agreed to leave the protest site for a period of three months after the Parliamentary Farmland Investigation Commission decided to investigate their case. The Commission failed to resolve the dispute, prompting the resumption of the sit-in protest in March 2014.

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.

Names: Daw Khin Mar Kyu (f), Daw Aung May Kyi (f), Daw Nwet Nwet Khine (f), Daw Mya Kyi (f), Daw Win Kyi (f), Ma Yin Yin Win (f), Daw Aye Mi aka Daw Mie Mie (f), Daw Khin Khin Win (f), Daw Su Su Hlaing (f), Daw Kyin Hla (f), Daw Tin Htay (f), Ko Zaw Zaw Aung (m), U Zaw Win (m), Ko Than Htay (m).

Gender m/f: Both

Further information on UA: 5/15 Index: ASA 16/012/2015 Issue Date: 19 February 2015