

URGENT ACTION

WOMAN DETAINED FOR FACEBOOK POST

A 24-year-old woman in Myanmar has been detained in connection with a Facebook post mocking the army. She is a prisoner of conscience, who must be released immediately and unconditionally.

Chaw Sandi Tun, also known as Chit Tha Mee, was arrested on 12 October in Yangon, Myanmar's largest city, for a post she shared on Facebook. The message pointed out that opposition leader Aung San Suu Kyi was wearing clothes of a colour similar to those of the army, and in particular Commander-in-Chief Senior General Min Aung Hlaing. Her comment read: "If you love her [Aung San Suu Kyi] so much, put a piece of her longyi [sarong] on your head". In Myanmar's conservative and patriarchal society, the idea of a man wearing a women's clothes on his head is traditionally deemed to be offensive.

It is still unclear precisely what law she is being held under. NGO and media reports claim that she is being investigated under Section 34(d) of Myanmar's 2004 Electronic Transactions Law, amended in 2014, which carries a fine of between five and ten million kyats (US\$3,400 – 7,800), or up to three years in prison, if she is unable or refuses to pay. However sources close to her – as well as a police official from the Maubin Township Police Station – have told Amnesty International that she is being investigated under Article 66(d) of Myanmar's 2013 Telecommunications Act, which carries a maximum three years in prison. According to credible sources, on 14 October police also began investigating her for defamation, which can be punished with up to two years' imprisonment under Article 500 of Myanmar's Penal Code.

Following her arrest, Chaw Sandi Tun was transferred to Maubin prison, in Ayeyarwady Region, where she is currently detained. According to credible sources, she has not yet had access to a lawyer. Her next court appearance will be on 27 October.

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

- Calling on the Myanmar authorities to immediately and unconditionally release Chaw Sandi Tun;
- Urging them to ensure that, pending her release, she is not tortured or otherwise ill-treated; is not transferred to a remote prison; has regular access to family members and lawyers of her choosing; and is provided with any medical care she may require;
- Calling on them to repeal or amend all laws which impose arbitrary or sweeping restrictions on the right to freedom of expression, in line with international human rights law and standards.

PLEASE SEND APPEALS BEFORE 26 NOVEMBER 2015 TO:

President

Thein Sein

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. Ko Ko

Ministry of Home Affairs

Office No. 10

Nay Pyi Taw

Republic of the Union of Myanmar

Fax: +95 67 412 439

Salutation: Your Excellency

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: chmyanmarnhrc@gmail.com

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

While Internet penetration is still very low in Myanmar, Facebook is widely used by most Internet users, including activists, government officials, and news agencies. On 14 October, Patrick Khum Jaa Lee, a peace activist, was arrested in Yangon for a Facebook post mocking the Myanmar Army. See: <https://www.amnesty.org/en/documents/ASA16/2668/2015/en/>. He is currently being detained in Hlaing Township police station in Yangon. Amnesty International is deeply concerned by these cases which may be signs of a broader crackdown on freedom of expression online.

The Myanmar authorities continue to arrest and imprison activists and human rights defenders simply for peacefully exercising their right to freedom of expression which is enshrined in Article 19 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.

Amnesty International notes that the human right to freedom of expression extends to ideas of all kinds, including those that may be considered insulting or offensive.

Last week, Amnesty International released a briefing highlighting how Myanmar's authorities have intensified repression over the past two years and in particular by clamping down on freedom of expression in the lead up to general elections scheduled for 8 November. See: <https://www.amnesty.org/en/documents/asa16/2457/2015/my/>

Section 34 (d) of the 2004 Electronic Transactions Law details the crime of "creating, modifying or altering of information or distributing of information created, modified or altered by electronic technology to be detrimental to the interest of or to lower the dignity of any organization or any person." Section 66(d) of Myanmar's 2013 Telecommunications Law states that anyone can be charged for "extorting, coercing, restraining wrongfully, defaming, disturbing, causing undue influence or threatening to any person by using any Telecommunications Network".

Name: Chaw Sandi Tun aka Chit Tha Mee

Gender m/f: f

UA: 228/15 Index: ASA 16/2669/2015 Issue Date: 15 October 2015