

PUBLIC

AI Index: ASA 16/005/2008

21 February 2008

UA 45/08 **Fear of Torture or ill treatment/ Health**

MYANMAR **Thet Zin (m), 41-year-old, journalist**
Sein Win Maung (also known as Ko Soe) (m), journalist

Thet Zin and Sein Win Maung, both journalists working for the weekly journal 'Myanmar Nation', were arrested on 15 February 2008. It is believed they are being held in Yangon's Insein Prison. Amnesty International is gravely concerned for their safety as they are at risk of torture and ill-treatment. Thet Zin has heart and lung-related diseases.

About eight policemen and intelligence officials conducted a four-hour search of the 'Myanmar Nation' office in Yangon on the evening of 15 February 2008. Thet Zin and Sein Win Maung, respectively the chief editor and the office manager at the publication, were arrested at the end of the raid. The police confiscated a copy of what is believed to be a report on the violent crackdown on peaceful protesters in September 2007 written by the UN Special Rapporteur on the Situation of Human Rights in Myanmar. They also seized the two men's mobile phones, hand-written poems by Sein Win Maung, a book on federalism by a veteran leader of the Shan ethnic group, and some video CDs containing images of the September protests.

Thet Zin and Sein Win Maung were detained in Thingangyun township police station on the outskirts of Yangon after their arrests. They are believed to have been moved to Insein Prison on 19 February. Thet Zin was able to meet his wife on 18 February in the police station and he reportedly told her he would face a possible 10-year sentence, although he did not know what he had been charged with. On the same day, six officers from Thingangyun police station returned to the 'Myanmar Nation' office in a three-hour search and seized data from Thet Zin's computer. The office has since been shut down by the police.

Thet Zin, a long-time political activist and a father of two, founded the 'Myanmar Nation' in 2006. The journal is understood to be published with clearance from the official censorship board. He was arrested in March 1988 for his active involvement in the student protests of Rangoon University, which culminated in the violent suppression of the pro-democracy uprising of 8 August 1988. He was tortured in detention.

Following his release from prison in July 1988, he resumed his political activities and led public demonstrations in his own township in Yangon throughout August and September 1988. During 1988 and 1989, he was an active member of the All Burma Federation Students Union and a leading organiser of a student-led political party. He was detained and interrogated by the military intelligence on a number of occasions in the 1990s. Thet Zin's family is also politically active, and has faced frequent harassment from the authorities.

Thet Zin has previously worked as a reporter and an editor for other weekly journals. He has written poems and short stories in Burmese magazines under the pen name of Maung Zin.

BACKGROUND INFORMATION

The Myanmar authorities have intensified their persecution of political activists in the aftermath of the violent crackdown on mass peaceful protests last September. Since 1 November 2007, more than 100 political activists in different parts of the country, including in ethnic minority states, have been arrested. Further, at least 16 have been sentenced to prison terms, with the heaviest reportedly being life imprisonment.

On 19 February, UN Special Advisor Ibrahim Gambari was quoted as saying that the Myanmar authorities had to create "an atmosphere conducive to credible elections", in response to the government's recent announcement that they would hold a referendum on a new constitution in May and multi-party elections in 2010.

However, the authorities have in the past few months increased pressure on the media as well as individuals who are exercising their right to freedom of expression in disseminating information over the internet.

In early February, popular blogger and internet cafe owner Nay Phone Latt was charged under section 5 (J) of the 1950 Emergency Provision Act. This vaguely-worded security law has been used to imprison journalists and writers over the years.

Further, among those recently arrested are people who have attempted to send evidence of the crackdown to the international community, which clearly shows that the government is determined to silence individuals who would hold them to account. The authorities are also said to have been investigating connections between journalists inside Myanmar and overseas media organizations run by exiles.

The media is strictly state-controlled in Myanmar. All newspapers and other printed media must be submitted to the "Press Scrutiny Board" before publication or distribution; authors, editors, publishers and distributors may be imprisoned for up to seven years for contravening the regulations. All publications, including novels, broadcasts and videos are subject to government censorship. The internet is also highly censored. Connections were cut throughout Myanmar during the crackdown last September, and the authorities repeated the tactic when a small group demonstrated on its one-month anniversary.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English or your own language:

- calling for the immediate release of Thet Zin and Sein Win Maung;
- calling on the authorities to ensure that they are treated humanely, with full respect for their human rights, and that they are not subject at any time to torture or other ill-treatment;
- urging the authorities to immediately ensure that while in detention, they are granted regular access to lawyers, families and all necessary medical treatment;
- calling on the authorities to release all those who were arrested for exercising their right to freedom of expression and assembly during the crackdown on peaceful protesters last September, as well as all prisoners of conscience held before the events;
- calling on the authorities to ensure that journalists and those who peacefully exercise their right to the freedom to expression can carry out their activities safely without harassment, intimidation or arbitrary detention, in line with Article 19 of the International Covenant on Civil and Political Rights.

APPEALS TO:

Senior General Than Shwe
Chairman
State Peace and Development Council
c/o Ministry of Defence, Naypyitaw, Union of Myanmar

Salutation: Dear General

Nyan Win
Minister of Foreign Affairs
Ministry of Foreign Affairs
Naypyitaw, Union of Myanmar

Salutation: Dear Minister

COPIES TO: diplomatic representatives of Myanmar accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 3April 2008.