

URGENT ACTION

NEW CONVICTIONS FOR “PEACOCK GENERATION” MEMBERS

Four members of the Peacock Generation, a satirical poetry troupe in Myanmar, have been given additional jail terms after being found guilty of “online defamation”. The four are among a group of seven Peacock Generation members charged under well-known repressive laws after they staged peaceful performances criticizing the military. Six are currently in prison, now serving sentences of between one and a half and two and a half years. They are prisoners of conscience who should be immediately and unconditionally released.

TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER

President U Win Myint
President’s Office,
Office No. 18 Nay Pyi Taw
Republic of the Union of Myanmar
Fax: +95 1 652 624

Dear President U Win Myint

I am writing to express my ongoing concern about the prosecution and imprisonment of **members of the Peacock Generation**, who are being targeted solely for their peaceful, satirical performances criticizing the Myanmar military. Amnesty International considers this case to be politically motivated, and considers all those detained to be prisoners of conscience, jailed for solely exercising their human right to freedom of expression. I urge you to ensure their immediate and unconditional release.

I am dismayed to learn that, on 11 December, four members of the group were each sentenced to six months in prison after being found guilty of “online defamation” under Section 66(d) of the 2013 Telecommunications Act. These convictions come just weeks after they – along with two other group members – were sentenced to one year in prison under Section 505(a) of Myanmar’s Penal Code. Today, six members of the Peacock Generation are serving prison sentences of between one and a half and two and a half years in connection with their peaceful satirical performances. They – along with a seventh group member – are also facing a further charge of “online defamation” in a different court.

I am also deeply concerned by the ongoing use of repressive laws, including Section 505(a) of the Penal Code and Section 66(d) of the Telecommunications Act, to arrest, prosecute, and imprison peaceful activists and human rights defenders in Myanmar. These laws arbitrarily and unlawfully restrict the right to freedom of expression and have no place in a country which claims to respect and protect human rights.

I am therefore writing to urge you to:

- **Immediately and unconditionally release all jailed members of the Peacock Generation, quash their convictions, and drop further charges against them and other members who are facing imprisonment solely for the peaceful exercise of their right to freedom of expression;**
- **Ensure that, pending their release, members of the Peacock Generation are held in conditions which meet international standards, and that they have regular access to family, lawyers of their choosing, and any healthcare they require; and**
- **Repeal or amend laws that arbitrarily restrict the right to freedom of expression, including Section 505(a) of the Penal Code and 66(d) of the 2013 Telecommunications Act, to bring them into line with international human rights law and standards.**

Yours sincerely,

ADDITIONAL INFORMATION

Seven members of the Peacock Generation—Kay Khine Tun (F), Zayar Lwin (M), Paing Pyo Min (M), Paing Ye Thu (M), Zaw Lin Htut (M), Su Yadanar Myint (F), and Nyein Chan Soe (M)—were arrested in April and May 2019 after they performed *Thangyat*, a traditional performance art akin to slam poetry. They were wearing military uniforms and criticized the military, which is also known as the Tatmadaw.

Members of the group have been prosecuted under different legal provisions in different court in Yangon, Myanmar's main city, and six are currently serving prison sentences. On 30 October November 2019, five members of the group—Kay Khine Tun, Zayar Lwin, Paing Pyo Min, Paing Ye Thu, Zaw Lin Htut—had each been sentenced under Section 505(a) to one year in prison for a satirical poetry performance in Mayangon Township, Yangon, Myanmar's main city. Section 505(a) of the Penal Code, which prohibits the circulation of statements and reports with the intent to cause officers or soldiers in the Myanmar Armed Forces to mutiny or otherwise disregard or fail in their duties. On 18 November, Yangon's Botahtaung Township Court sentenced six of them – Kay Khine Tun, Zayar Lwin, Paing Pyo Min, Paing Ye Thu, Zaw Lin Htut and Su Yadanar Myint to one year in prison, also under Section 505(b). Nyein Chan Soe was acquitted of the charges and released.

In the latest convictions, four of the group - Zay Yar Lwin, Paing Phyo Min, Su Yadanar Myint, and Paing Ye Thu – were found guilty of “online defamation” under Section 66(d) of the 2013 Telecommunications Act and sentenced to six months in prison. The charge related to the posting of photos and videos online and livestreaming their performances on Facebook. All seven members of the group face a further charge of “online defamation” under Section 66(d) of the 2013 Telecommunications Act at the Botahtaung Township Court. Section 66(d) carries a maximum two-year prison sentence.

Thangyat is a century-old Myanmar traditional art form which fuses poetry, comedy, and music, and is usually performed during Myanmar's New Year water festival in April and other festive occasions. Public performances of *Thangyat* were banned in 1989 by the military and were allowed again in 2013. In March 2019, ahead of this year's water festival celebrations, authorities in Yangon required *Thangyat* lyrics to be submitted to a government panel for approval.

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 that arbitrarily restrict the right to freedom of expression, including Section 505 of the Penal Code and Section 66(d) of the 2013 Telecommunications Law.

PREFERRED LANGUAGE TO ADDRESS TARGET: English and Burmese/Myanmar
You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 29 January 2020
Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

NAME AND PREFERRED PRONOUN: Members of the Peacock Generation (they/them)

LINK TO PREVIOUS UA: <https://www.amnesty.org/en/documents/asa16/1424/2019/en/>