

## Myanmar

### Imprisoned Human Rights Defenders

Sentenced to 21 years' imprisonment for writing a letter



**U Aung Myint**, poet and journalist, c. private



**U Aye Kyu**, poet and newspaper editor, c. private



**U Naing Naing**, Member of Parliament elect. c. private



**U Tun Myint**, private English teacher, c.

**U Aung Myint** a poet and journalist; **U Aye Kyu**, a former newspaper editor and poet; **U Soe Han** (not pictured), 78, a former high court advocate; **U Naing Naing**, 60, an elected Member of Parliament, and **U Tun Myint**, a teacher have been imprisoned since September 14 2000. They are serving prison sentences of 21 years imprisonment, solely for speaking out about the arrest of fellow political party members and restrictions on the National League for Democracy (NLD). They are all senior officials of the NLD, the main opposition party in Myanmar, which won a majority of seats in the 1990 elections, and to whom ruling authorities have not transferred power. Three of them have previously served prison terms related to their peaceful political activities. **U Soe Han**, **U Tun Myint** and **U Saw Naing Naing** are reportedly suffering from serious health problems. Amnesty International considers all five men to be prisoners of conscience, and is calling for their immediate and unconditional release.

Their situation is not unique. Many other human rights defenders are among the at least 1,350 political prisoners in Myanmar. Attempts by members of political parties to engage in political activities have during the last 15 years led to arrests and incommunicado detention. Anyone attempting to protest these restrictions on peaceful political activities have themselves been variously subjected to harassment, intimidation, arrest and long prison sentences. Three years after the detention of these five men, circumstances remain in the same in Myanmar. Daw Aung San Suu Kyi and members of the party's Central Executive Committee are being detained, without charge, after a violent and premeditated attack on 30 May 2003 on party members trying to travel on party business outside the capital of Yangon. In subsequent months many who have called for their release and a lifting of restrictions on the political party have also been sentenced in unfair trials under legislation that allows authorities to penalize peaceful dissent. After successive crackdowns on political activities in recent years many political activists are imprisoned, serving prison sentences of between seven years and life imprisonment.

U Soe Han and the four other men were alleged to have participated in the writing of a statement that was to be sent to authorities. The statement protested the September 2000 *de facto* house arrest of Daw Aung San Suu Kyi, leader of the NLD, who with other NLD members had been forcibly prevented from travelling on party business. The statement also called for the release of other political party members who had also been placed under house arrest and for the reopening of party offices. It was broadcast on a US based radio station that broadcasts news to Myanmar and other countries. Members of the group were arrested two days later,

denied access to family members and were sentenced on 14 December 2000. Amnesty International is further concerned that they were sentenced in an unfair trial, during which they had no legal representation, under legislation that has been used to imprison thousands of political prisoners on account of their peaceful dissent.

.Authorities sentenced the five men to a total of 21 years' imprisonment. They were given 14 years' imprisonment for breaking two sections of a press law which requires people to obtain official approval of anything that is written or distributed in the country<sup>1</sup> -- in most cases before it is distributed. They were given a further sentence of seven years' imprisonment under security legislation that allows authorities to penalize any act perceived by authorities to be a threat to the stability or security in the country.<sup>2</sup> The law's vague wording has allowed authorities to use it extensively to criminalize many forms of dissent, from peaceful demonstrations, to speaking to foreign journalists or even telling jokes. Amnesty International is concerned that both laws circumscribe rights and freedoms more than is needed to preserve security, and is calling on authorities to review them to bring them into line with international standards.

**U Aung Myint**, who is also known as "**Phyapon**" (the name of a town in southern Myanmar) **Ni Loan Oo** is a poet and newspaper journalist, who headed the NLD headquarters information unit, and was a local political party representative. He was imprisoned on account of his political activities between 1997 and 1999.

**U Aye Kyu**, also known as "**Monywa**" (the name of a town in northern Myanmar) **Aung Shin** is the former editor of a banned literary journal, who worked at the NLD headquarters information department.

**U Soe Han**, aged 78, is a lawyer and former chief court advocate, who was involved in the NLD's organizing committee for Yangon Division, where the country's capital is located. He is also chair of the party's legal advisory body. He served part of a three month sentence handed down in June 2000. He was reportedly widowed in 2000 and is in a poor state of health. He was reported in early 2003 to be in need of surgery on his urinary tract.

**U Naing Naing**, also known as **Saw Naing Naing**, NLD Member of Parliament elect, and former government employee, was elected in 1990 as a Member of Parliament for the NLD in Pazundaung township, to the south of Yangon. After authorities refused to transfer power to the NLD, a group of Members of Parliament, allegedly including U Naing Naing, met to discuss the formation of a parallel government until the time that power was transferred. As a result he was imprisoned between 1990 and 1999. Authorities forced him on two occasions to sleep in military dog cells, and deprived him of food and water for extended periods. On the first occasion, he was among prisoners who were being interrogated about how information on the ill-treatment of prisoners had been gathered within the prison. On the second occasion, he was being punished for making a memorial for a political prisoners who had died in custody and who had also been held in a prison dog cell at the same time as U Saw Naing Naing. He is reportedly suffering from a hernia and heart disease. The United Nations Working Group on Arbitrary Detention has found that U Saw Naing Naing is being arbitrarily detained for his peaceful exercise of the right to freedom of opinion and expression, and has called on authorities to take steps to remedy this.

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<sup>1</sup> 1962 Printers and Publishers Registration Law, sections 17 and 20,

<sup>2</sup> The 1950 Emergency Provisions Act, Section 5j. The United Nations Working Group on Arbitrary Detention has stated that in the majority of sentences of political prisoners *A section 5 [j] .. Emergency Provisions Act is invoked against them because they have contested the political regime in power, without resorting to violence.*@

**U Tun Myint**, a writer and private English teacher, was in charge of the NLD headquarters 'information section and chief administrator at headquarters. He was reported in early 2003 to require surgery for serious sight problems.

**PLEASE WRITE**

- expressing concern at the detention of U Soe Han, U Aung Myint, U Tun Myint, U Aye Kyu and U Saw Naing Naing, and of other persons detained solely for their peaceful exercise of the right to freedom of expression, assembly and association
- calling on authorities to immediately and unconditionally release them and all other prisoners of conscience
- urging that pending their release they are provided with appropriate medical care, and are held in conditions that match international standards, including by having access to reading and writing materials and contact with the outside world;
- urging authorities to review the 1962 Press and Publication Law and the 1950 Emergency Provisions Act under which they were sentenced and to revoke or amend them to make them conform to international standards;
- urging authorities not to penalize anyone for their peaceful expression of the rights to freedom of assembly, association and expression.

**To:**

Senior General Than Shwe  
Chairman  
State Peace and Development Council  
Ministry of Defence  
Dagon Post Office  
Yangon, Union of Myanmar  
Faxes: + 95 1 652 624  
Salutation: Dear General

General Khin Nyunt  
Prime Minister  
State Peace and Development Council  
c/o Directorate of Defence Services  
Intelligence  
Ministry of Defence, Signal Pagoda road  
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Salutation: Dear Prime Minister

***If you are interested in joining AI's campaign for human rights in Myanmar, please contact the AI section in your country. For more information, see our web-site at [www.amnesty.org](http://www.amnesty.org)***

*Please send copies of your letters to the Myanmar embassy in your country.*