

URGENT ACTION

FURTHER SENTENCES FOR PROTESTOR IN MYANMAR

Community leader U Sein Than has received four further sentences for participating in a series of peaceful protests in Myanmar. He now faces two years' imprisonment merely for the peaceful exercise of his rights to freedom of expression and peaceful assembly. His daughter and four others are also facing charges of protesting without permission.

On 9 September **U Sein Than** was sentenced to four months' imprisonment under Yangon's Municipal Act. He had already been sentenced to four months' imprisonment on 29 August under Article 18 of the Peaceful Assembly and Peaceful Procession Law for staging a peaceful sit-in protest, which currently ongoing, next to Maha Bandoola Garden, close to Yangon's City Hall. The protest was in response to failures by the Myanmar authorities to resolve his community's land dispute – the community from Michaungkan, Yangon, allege that the Myanmar military confiscated their land in the early 1990s and have been protesting for its return. The Article 18 charge relates to protesting without permission, and although Amnesty International has been unable to confirm the specific charge he faced under the Yangon Municipal Act, the organization understands that it relates to obstructing the sidewalk.

U Sein Than was also given two additional four-month prison sentences on 25 August and 10 September for protesting without permission against his arrest warrant outside Latha Township Court in Yangon on 21 May 2014, along with other Michaungkan community members. He has now been convicted and sentenced to a total of two years' imprisonment under five counts of violating Article 18 and one count of violating Yangon's Municipal Act.

On 11 August, **Nae Nway Than**, U Sein Than's daughter, and four others were indicted under Article 18 of the Peaceful Assembly and Peaceful Procession Law by Pabedan Township Court for protesting at the court without permission. However, she claims that they were not protesting but just attending her father's hearing.

Please write immediately in English or your own language:

- Calling on the authorities to release U Sein Than immediately and unconditionally, as he is a prisoner of conscience, jailed solely for the peaceful exercise of his rights to freedom of expression and peaceful assembly;
- Urging them to ensure that, pending his unconditional release, U Sein Than is not tortured or otherwise ill-treated, that he is granted access to lawyers of his choosing and to family members, and that he is held in conditions which meet international standards;
- Calling on them to drop charges against Nae Nway Than and four others under the Peaceful Assembly and Peaceful Procession Law;
- Calling on them to repeal or else amend all laws which restrict the rights to freedom of expression and peaceful assembly, to comply with international human rights law and standards.

PLEASE SEND APPEALS BEFORE 30 OCTOBER 2014 TO:

President
U 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
Fax: +95 67 412 439
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 218/14. Further information:

<http://amnesty.org/en/library/info/ASA16/019/2014/en>

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ADDITIONAL INFORMATION

U Sein Than was already sentenced to eight months' imprisonment on 19 and 20 August for protesting without permission, under Article 18 of the Peaceful Assembly and Peaceful Procession Law in relation to the 21 May protest and for leading a separate peaceful protest in April 2014 outside the home of opposition leader Aung San Suu Kyi, calling on her to help the Michaungkan community. U Sein Than was arrested on 31 July and is currently detained in Insein prison, Yangon.

U Sein Than is the most prominent member of the Michaungkan community. The sit-in protest by Maha Bandoola Garden follows a similar protest which began in November 2013 at the Myasaryan Pagoda in Yangon. That protest came to an end on 11 December, 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.

The Myanmar authorities continue to arrest and imprison activists and human rights defenders simply for peacefully exercising their rights to freedom of expression and peaceful assembly, rights which are enshrined in Articles 19 and 20 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, including the Peaceful Assembly and Peaceful Procession Law, which has been used to arrest and imprison scores of peaceful activists and human rights defenders since it was enacted in 2012. Following national and international pressure, the law was amended by Parliament, with the President signing the amendments in to law on 24 June 2014. However, the amended law still does not comply with international human rights law and standards and leaves human rights defenders and political activists at continued risk of arrest and imprisonment simply for the peaceful exercise of their human rights.

Amnesty International continues to receive reports about poor prison conditions in Myanmar which do not comply with 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.

Name: U Sein Than (m) and Nae Nway Than (f)

Gender: both

Further information on UA: 218/14 Index: ASA 16/021/2014 Issue Date: 18 September 2014