

URGENT ACTION



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Note: Please write on behalf of these persons even though you may not have received the original UA when issued on August 22, 2007. Thanks!

29 January 2008

Further Information on UA 219/07 (22 August 2007) and follow-up (12 October 2007) – Health concern/Fear of torture or ill-treatment

MYANMAR

Min Ze Ya (m)

Paw U Tun (alias Min Ko Naing) (m)

Ko Ko Gyi (m)

Pyone Cho (alias Htay Win Aung) (m)

And at least 14 other activists and university students

Min Ze Ya, Paw U Tun, Ko Ko Gyi and seven other political activists arrested since August 2007 were charged with breaking a vaguely worded security law on 23 January, according to reliable sources. They are all held in Yangon's Insein Prison, where they risk being tortured or otherwise ill-treated. Amnesty International considers them to be prisoners of conscience, held solely for exercising their right to freedom of expression and peaceful association.

The 10 people charged on 23 January are all part of the 1988 Generation Students Group, known for their role in protests against military rule 20 years ago. They were charged with breaking Section 17/20 of Myanmar's Printers and Publishers Registration Act. There is no information on the details of the charges against the activists. However, at a press conference on 3 December 2007, the Director-General of Myanmar's Police Force Khin Yi said the 1988 Generation Students Group "was conceived on terrorism". He also repeatedly highlighted the role of Paw U Tun and Ko Ko Gyi in the group and how they had led a protest on 19 August against a sudden sharp rise in fuel prices announced by the government several days earlier.



The charges against the 10 people come despite a statement from Khin Yi at the same press conference on 3 December that protesters from the September demonstrations would not be prosecuted if they had acted peacefully. He told journalists: "Only those individuals involved in arson or the possession of illegal weapons will be brought to trial."

Paw U Tun is reportedly held in a cell with a convicted prisoner. He is only allowed to leave his cell for one hour each day. He had earlier been suffering toothaches which prevented him from eating. The authorities had delayed his access to medical treatment.

Ko Ko Kyi is in a cell with a prisoner who has been sentenced to death. According to international law, prisoners who have not yet been tried should be kept separate from convicted prisoners.

Amnesty International's mission is to undertake research and action focused on preventing and ending grave abuses of the rights to physical and mental integrity, freedom of conscience and expression, and freedom from discrimination, within the context of its work to promote all human rights.

Pyone Cho has not yet been charged with any offense but is also being held in Insein Prison. The other activists and students arrested at the time of the fuel price protests are still believed to be in detention.

BACKGROUND INFORMATION

Political activists continue to be imprisoned in Myanmar. Since 1 November 2007, there have been 96 arrests and at least 15 protesters and their supporters have been sentenced to prison terms. At least one such jailed protester was sentenced under the Printers and Publishers Registration Act which Amnesty International has had long-standing concerns about.

The authorities have for many years justified the imprisonment of hundreds of students, politicians, doctors, lawyers, housewives, farmers and others on the basis that they were seeking to cause “unrest”. Such arrests and sentences have been made possible by vaguely worded security laws, which allow excessively broad interpretation by the authorities of what constitutes a threat to security, and by legislation which criminalizes the circulation of any written information – whether or not it is published – without the permission of the official censor. Amnesty International is concerned that the 1962 Printers and Publishers Registration Act, and other similar laws, which have been used to imprison many political prisoners, subject rights and freedoms to far greater restrictions than are necessary to meet requirements of national security, public order or morality.

The 1962 Printers and Publishers Registration Act requires all books, magazines, periodicals, song lyrics and film scripts to be approved by censors prior to publication or distribution; anyone breaching it may be punished with up to seven years’ imprisonment and a fine.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible:

- calling for the release of Min Ze Ya, Paw U Tun, Ko Ko Gyi, Pyone Cho, and all those who have been charged with offenses under the Printers and Publishers Registration Act;
- stating that Amnesty International considers the 10 facing charges and at least 14 others detained in August 2007 to be prisoners of conscience, held solely for exercising their right to freedom of expression and peaceful association;
- calling on the authorities to ensure that all detainees are treated humanely, with full respect for their human rights, and that no one is subject at any time to torture or other ill-treatment;
- urging the authorities to immediately ensure that while in detention, all detainees are granted regular access to lawyers, families and all necessary medical treatment;
- urging the authorities to immediately ensure that detainees are kept separate from convicted prisoners in accordance with Art 10(2)(a) in the International Covenant on Civil and Political Rights and Standard 8 of the UN Standard Minimum Rules for the Treatment of Prisoners;
- calling on the authorities to release all those who were arrested for exercising their right to freedom of expression and assembly during the crackdown, as well as all prisoners of conscience held before the recent events;
- calling on the authorities to ensure that vaguely worded security laws are not used to prevent the peaceful expression of political opinions.

APPEALS TO:

Senior General Than Shwe
Chairman
State Peace and Development Council
c/o Ministry of Defense,
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:

Mr. Myint Lwin, Counsellor Minister
Charge D'Affaires Ad Interim
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PLEASE SEND APPEALS IMMEDIATELY.

Check with the AIUSA Urgent Action office if sending appeals after 11 March 2008.