

URGENT ACTION

MEDIA WORKERS JAILED FOR TWO YEARS

Five media workers have been sentenced to two years in prison in Myanmar over the publication of a news story. They are prisoners of conscience, detained solely for peacefully exercising their right to freedom of expression.

On 16 October, media workers **Kyaw Zaw Hein, Ko Win Tin, Thura Aung, Yin Min Htun** and **Kyaw Min Khaing** from the Bi Midday Sun newspaper in Myanmar were each sentenced to two years' imprisonment by the Pabedan Township Court in Yangon, Myanmar's largest city.

The five men had been arrested between 7 and 16 July after the Bi Midday Sun published claims in an article on 7 July that opposition leader Aung San Suu Kyi and ethnic leaders had been elected in an interim government. Reporter Kyaw Zaw Hein, managing editor Ko Win Tin and Editor-in-chief Thura Aung were arrested in Yangon by Special Branch Police on 7 and 8 July. The journal's officer-in-charge Yin Min Htun and publisher Kyaw Min Khaing were arrested on 16 July by Thai authorities in the border town of Mae Sot, before being handed over to the Myanmar authorities.

All five were initially charged under Myanmar's Emergency Provisions Act, but subsequently charged under Section 505(b) of the Penal Code, which provides for up to two years' imprisonment for anyone who makes, publishes or circulates information which may cause public fear or alarm, and which may incite people to commit offences "against the State or against the public tranquility".

The five men plan to appeal against their convictions. They are all currently detained in Yangon's Insein prison.

Please write immediately in Burmese, English or your own language:

- Calling on the Myanmar authorities to release Kyaw Zaw Hein, Ko Win Tin, Thura Aung, Yin Min Htun and Kyaw Min Khaing and all other prisoners of conscience in Myanmar immediately and unconditionally, and drop charges against all those arrested for the peaceful exercise of their human rights;
- Pending their unconditional release, calling on the authorities to ensure that Kyaw Zaw Hein, Ko Win Tin, Thura Aung, Yin Min Htun and Kyaw Min Khaing are not tortured or ill-treated in detention, that they have access to lawyers of their choosing and to visits from family members, that they are not transferred to prisons far from their relatives and that their conditions of detention meet international standards;
- Urging them to take immediate steps to repeal or else amend legislation, which restricts the right to freedom of expression, in strict compliance with international human rights law and standards.

PLEASE SEND APPEALS BEFORE 28 NOVEMBER 2014 TO:

President

U Thein Sein
President's Office
Nay Pyi Taw
Republic of the Union of Myanmar

Fax: 011 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: 011 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: 011 95 1 659 668

Email: winmra@mnhrc.org.mm

Also send copies to:

Ambassador H.E. U Kyaw Myo Htut, Embassy of the Union of Myanmar
2300 S St. NW, Washington DC 20008

Fax: 1 202 332 4351 | Phone: 1 202 332 3344 or 1 202 332 4250 | Email: pyi.thayar@yahoo.com

Please let us know if you took action so that we can track our impact. Send a short email to uan@aiusa.org with "UA 213/14" in the subject line and include in the body of the email the number of letters and/or emails you sent. Thank you for taking action! Please check with the AIUSA Urgent Action Network Office if sending appeals after the above date. Please check with your section office if sending appeals after the above date. This is the first update of UA 213/14. Further information: <http://www.amnesty.org/en/library/info/ASA16/016/2014/en>

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ADDITIONAL INFORMATION

Reporter Kyaw Zaw Hein, managing editor Ko Win Tin and Editor-in-chief Thura Aung who were arrested in Yangon on 7 and 8 July were first taken for interrogation to two different places in Yangon, where they were held for two weeks without access to lawyers or their families, before being transferred to Yangon's Insein prison. Amnesty International is concerned by reports that the Myanmar authorities had earlier pressured four of the media workers into changing their lawyer by threatening them with longer prison sentences. They had previously been represented by a high profile human rights lawyer with connections to the international community.

Human rights defenders, journalists and political activists continue to be arrested in Myanmar simply for the peaceful exercise of their right to freedom of expression, a right enshrined in Article 19 of the Universal Declaration of Human Rights (UDHR). Amnesty International has expressed concern about a range of laws in Myanmar, including Section 505(b) of the Penal Code, which are used to restrict the right to freedom of expression, and has consistently called for these laws to be repealed or else brought into line with international human rights law and standards. This call has also been made by the former UN Special Rapporteur on the situation of human rights in Myanmar, Tomás Ojea Quintana, who had particularly identified Section 505(b) as one of a number of laws in the country used to jail prisoners of conscience.

Amnesty International also continues to receive reports about prison conditions in Myanmar falling below international standards. These concerns include lack of access to adequate medical treatment, clean drinking water, nutritious food, and water for bathing. The organization has called on the Myanmar authorities to ensure that conditions of detention comply with those set out in the UN Standard Minimum Rules for the Treatment of Prisoners.

Name: Kyaw Zaw Hein (m), Ko Win Tin (m), Thura Aung (m), Kyaw Min Khaing (m), Yin Min Htun (m)

Issues: Prisoners of conscience, Legal concern, Risk of ill-treatment

Further information on UA: 213/14 (22 August 2014)

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