

URGENT ACTION

FURTHER JAIL TERMS FOR PEACEFUL ACTIVIST

Activist Ko Htin Kyaw has received two further prison sentences for his peaceful political activities in Myanmar and is facing further charges related to the peaceful exercise of his rights to freedom of expression and peaceful assembly. He is a prisoner of conscience who must be immediately and unconditionally released.

On 3 September, **Ko Htin Kyaw**, the leader of the community-based organization Movement for Democracy Current Force (MDCF) was sentenced to a further one year and four months in prison by the North Okkalapa Township Court in Yangon, Myanmar's largest city. He was sentenced under two different charges relating to his delivering a speech, distributing leaflets and holding a candlelight protest on 18 April calling on the government to resign. He was sentenced to one year in prison under Section 505(b) of Myanmar's Penal Code, which provides for imprisonment for anyone making, publishing or circulating information which may cause public fear or alarm, and which may incite people to commit offences "against the State or against the public tranquility", and a further four months' imprisonment for protesting without permission under Article 18 of the Peaceful Assembly and Peaceful Procession Law.

Ko Htin Kyaw has now been convicted and sentenced on a total of nine different counts of violating Section 505(b) of the Penal Code and three different counts of protesting without permission under Article 18 of the Peaceful Assembly and Peaceful Procession Law. He is currently serving nine years and four months in Insein prison, Yangon. He is also facing further charges in connection with his peaceful activism under Section 505(b) of the Penal Code at the Shwepyitha Township Court and Kyauktada Township Court in Yangon.

Amnesty International is concerned that Ko Htin Kyaw is being targeted by the Myanmar authorities in an attempt to silence him and his organization.

Please write immediately in English or your own language:

- Calling on the Myanmar authorities to release Ko Htin Kyaw immediately and unconditionally, and drop all charges pending against him for his peaceful exercise of his human rights;
- Urging them to ensure that he is not tortured or ill-treated, or transferred to remote prisons, but that he has regular access to his family and lawyer of his choosing, and is provided with any medical treatment he may require;
- 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 17 OCTOBER 2014 TO:

President

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

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

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

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 third update of UA 117/14. Further information:

<http://www.amnesty.org/en/library/info/ASA16/017/2014/en>

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ADDITIONAL INFORMATION

Ko Htin Kyaw was arrested on 5 May 2014 in South Okkalapa Township in Yangon while delivering a speech and distributing leaflets criticizing the Myanmar government. He was charged under multiple counts of Section 505(b) of the Penal Code and Article 18 of the Peaceful Assembly and Peaceful Procession Law. The charges related to his delivering speeches and distributing leaflets between April and May 2014 calling on the government to resign, and for leading peaceful protests against alleged land confiscations. Ko Htin Kyaw has been arrested and imprisoned for his peaceful activism many times in the past.

Human rights defenders and activists in Myanmar are being arrested and detained solely for the peaceful exercise of their rights to freedom of expression and peaceful assembly, rights enshrined in Articles 19 and 20 of the Universal Declaration of Human Rights (UDHR). A range of laws in Myanmar are used to criminalize peaceful expression and assembly, including Section 505(b) of the country's Penal Code and Article 18 of the Peaceful Assembly and Peaceful Procession Law. The restrictions on the right to freedom of expression imposed by these two laws are phrased in an excessively broad and vague manner, potentially resulting in both an overreach, and a discriminatory application, of the law. They must be repealed or else amended to bring them into line with international human rights law and standards.

Name: Ko Htin Kyaw

Gender m/f: m

Further information on UA: 117/14 Index: ASA 16/020/2014 Issue Date: 5 September 2014