

# Reporters Without Borders

<http://www.rsf.org/burma-four-journalists-now-only-facing-05-08-2014,46762.html>

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Asia - Burma

Reduced charges

## Four journalists now "only" facing two-year sentences on reduced charges

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Court drops charges against Bi Mon Te Nay journalists under draconian Emergency Act

A court in the southern Rangoon suburb of Padeban announced yesterday that the five *Bi Mon Te Nay* journalists still being held will no longer face charges under the draconian Emergency Act that carry a possible 14-year sentence, but will still be tried on lesser penal code charges.

Has the Burmese justice system begun to realize the extent of its recent excesses? Editors **Win Tin** and **Thura Aung** and assistant editors **Yin Min Htun** and **Kyaw Min Khine** and journalist **Kyaw Zaw Hein**, will now "only" face possible two-year sentences for misreporting on the weekly's cover [on 7 July](#) that Aung San Suu Kyi was forming an interim government.

Charges against a third assistant editor, **Ye Ming Aung**, were dropped and the judge ordered her release.

"*This decision by the Padeban court shows how weak the prosecution's case against Bi Mon Te Nay's staff is,*" said Benjamin Ismaïl, the head of the Reporters Without Borders Asia-Pacific desk.

"*Ye Ming Aung is the second person to have their charges withdrawn for lack of evidence and the court has recognized the disproportionate nature of the proceedings by dropping charges under the Emergency Act. It should now go one step further towards protecting freedom of information by dropping all charges against the others and asking the Press Council to handle the case.*"

The five remaining *Bi Mon Te Nay* staff members in detention are to be tried under article 505 (b) of the penal code, which covers defamation.

This article says: "Whoever makes, publishes or circulates any statement, rumour or report with intent to cause, or which is likely to cause, fear or alarm to the public or to any section of the public whereby any person may be induced to commit an offence against the state or against the public tranquility shall be punished with imprisonment which may extend to two years, or with fine, or with both."

The detained *Bi Mon Te Nay* staff members [already appeared in court for a preliminary hearing on 22 July](#). Their arrest in early July came just days before [five Unity Weekly journalists received ten-year jail terms](#) on 10 July on charges of violating state secrets.

In response to the outcry about the crackdown on the media, President Thein Sein met with members of the Press Council on 1 August and [assured them that he would mediate](#) in the event of any problem.

Burma is ranked 145th out of 180 countries in the 2014 Reporters Without Borders [press freedom index](#).

Photo: [DVB](#)

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