

# URGENT ACTION

## IMPRISONED FOR PEACEFULLY PROTESTING

**Community leader U Sein Than has been imprisoned in Myanmar for participating in a series of peaceful protests. He faces further charges related to the peaceful exercise of his rights to freedom of expression and peaceful assembly. U Sein Than is a prisoner of conscience who must be immediately and unconditionally released.**

On 19 and 20 August **U Sein Than** was sentenced to eight months in prison for protesting without permission, under Article 18 of the Peaceful Assembly and Peaceful Procession Law in Yangon, Myanmar's largest city. The charges stem from a series of peaceful protests in 2014 by the community that lived in Michaungkan village, Thingangyun Township, Yangon until the early 1990s when the Myanmar Army allegedly confiscated their land. The community has been protesting for the return of their land and compensation for their losses in recent years. U Sein Than was arrested on 27 July, which according to reliable sources was just one day after he met the new UN Special Rapporteur on the situation of human rights in Myanmar about the case of the Michaungkan community.

In March 2014 around 100 community members began a peaceful sit-in protest next to Maha Bandoola Garden, close to Yangon's City Hall, in response to continued failures by the Myanmar authorities to resolve their case. On 19 May U Sein Than learned that an arrest warrant had been issued against him under the Yangon Municipal Act and that he was due to stand trial before the Latha Township Court, Yangon because the sit-in protest obstructs the sidewalk. Two days later, on 21 May, he and other community members staged a peaceful protest against the charge outside the court. For this U Sein Than was charged with protesting without permission under Article 18, and on 19 August he was sentenced to four months' imprisonment by the Latha Township Court. On 20 August U Sein Than was sentenced to a further four months' imprisonment under Article 18 by the Bahan Township Court, Yangon. He had been charged after he led 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 resolve their case.

U Sein Than is currently detained in Yangon's Insein prison. He is facing two further charges under Article 18 – a second charge for the 21 May protest before the Pabedan Township Court and another before the Kyauktada Township Court for the sit-in protest – and charges under the Yangon Municipal Act at the Latha Township Court.

**Please write immediately in English or your own language:**

- Calling on the authorities to release U Sein Than immediately and unconditionally and drop all charges pending against him as a result of his 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 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 16 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.

# URGENT ACTION

## IMPRISONED FOR PEACEFULLY PROTESTING

### ADDITIONAL INFORMATION

U Sein Than is the most prominent member of the Michaungkan community, who have protested for the return of their land, allegedly confiscated by the Myanmar Army, and for compensation in recent years. The current 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.

According to reliable sources, U Sein Than was arrested just one day after he met Yanghee Lee, the new UN Special Rapporteur on the situation of human rights in Myanmar. Amnesty International is particularly concerned by reports stating that he was arrested while making his way to deliver documents about the Michaungkan case to UN representatives in Yangon. His arrest serves as a worrying reminder of the risks human rights defenders and activists face in reporting human rights violations, including to the international community.

U Sein Than has been arrested and imprisoned for his role in the Michaungkan community protests in the past. On 26 November 2013 he was sentenced to three months' imprisonment by Thingangyun Township Court and on 9 December 2013 he was sentenced to six months' imprisonment by Kyauktada Township Court, both times for protesting without permission under Article 18 of the Peaceful Assembly and Peaceful Procession Law. He was released under a presidential amnesty order on 11 December 2013.

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

Gender: m

UA: 218/14 Index: ASA 16/019/2014 Issue Date: 4 September 2014