

URGENT ACTION

THREE MEDIA WORKERS DETAINED AND CHARGED

Three journalists have been detained and are facing up to three years in prison simply for peacefully carrying out their work in conflict-affected northern Shan State in Myanmar. They are prisoners of conscience who must be immediately and unconditionally released.

On 28 June 2017, **Lawi Weng** (aka Thein Zaw) (39), senior reporter with *The Irrawaddy* newspaper, **Aye Nai** (53) and **Pyae Phone Aung** (24), reporters for the *Democratic Voice of Burma* (DVB), were charged under Section 17(1) of the 1908 Unlawful Association Act for being in contact with the Ta'ang National Liberation Army (TNLA), an ethnic armed group operating in northern Myanmar. They face up to three years' imprisonment if found guilty of the charges.

The three men were arrested on 26 June along with four other people at a military checkpoint in Payargyi village Namhsan Township, northern Shan State. They had been to an area controlled by the TNLA to report on a drug burning ceremony to mark International Day against Drug Abuse and Illicit Trafficking. Amnesty International has not been able to verify the identity of the four other persons, however local media report that one of the four – a driver – has now been released without charge.

The whereabouts of the journalists were unknown for almost three days before they were transferred to Hsipaw prison, in northern Shan State, where they are currently detained. There are health concerns as Lawi Weng needs to take routine medicine for existing heart problems and was previously treated for kidney failure. Aye Nai also suffers from health problems.

Their next hearing is expected to take place on 11 July 2017 at the Hsipaw Township Court.

Please write immediately in English, Burmese or your own language urging the Myanmar authorities to:

- Immediately and unconditionally release Lawi Weng, Aye Nai and Pyae Phone Aung and all other prisoners of conscience in Myanmar, as they have been detained solely for the peaceful exercise of their right to freedom of expression;
- Ensure that, pending their release, Lawi Weng, Aye Nai and Pyae Phone Aung are provided with adequate medical care; have effective and regular access to their family and a lawyer of their choice without delay; and are protected from torture and other ill-treatment while in detention; and
- Repeal or amend all laws – including the 1908 Unlawful Association Act – which impose arbitrary or sweeping restrictions on the human right to freedom of association, in line with international human rights law and standards.

PLEASE SEND APPEALS BEFORE 11 AUGUST 2017 TO:

Commander-in-Chief of the Myanmar

Armed Forces

Senior General Min Aung Hlaing

Ministry of Defense, Office 24

Nay Pyi Taw

Republic of the Union of Myanmar

Fax: +95 (0) 67404299

Salutation: Dear Senior General

Union Attorney General

U Tun Tun Oo

Union Attorney General Office No. 25

Nay Pyi Taw,

Republic of the Union of Myanmar

Fax: + 95 (0) 067 404106

Email: ago.h.o@mptmail.net.mm

Salutation: Attorney General

And copies to:

State Counsellor

Daw Aung San Suu Kyi

Ministry of Foreign Affairs, Office No. 9

Nay Pyi Taw

Republic of the Union of Myanmar

Fax: + 95 (0) 67 412 396

Salutation: Your Excellency

Also send copies to diplomatic representatives accredited to your country. HIS EXCELLENCY KYAW ZWAR MINN, Embassy of the Republic of the Union of Myanmar, 19A Charles Street, London W1J 5DX, General Office 020 7148 0740 / 020 7499 4340, Ambassador's Office 020 7148 0749, ambassadoroffice@myanmarembassy london.com, political@myanmarembassy london.com, generalenquiries@myanmarembassy london.com, salutation: Your Excellency **Please check with your section office if sending appeals after the above date.**

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

The Myanmar authorities continue to arrest and imprison individuals solely for the peaceful exercise of their right to freedom of expression. The right to freedom of expression is enshrined in Article 19 of the Universal Declaration of Human Rights (UDHR). In 2015, Amnesty International interviewed reporter Lawi Weng about freedom of the press in Myanmar. His testimony can be read in the report "*Caught between state censorship and self-censorship: Prosecution and intimidation of media workers in Myanmar*" (Index: ASA 16/1743/2015); <https://www.amnesty.org/en/documents/asa16/1743/2015/en/>

The Unlawful Associations Act has long been used by Myanmar authorities to arbitrarily arrest and detain people in Myanmar, in particular people in ethnic and religious minority areas. It grants authorities sweeping powers to arrest people considered to be part of an "unlawful association" – though it does not clearly define what an unlawful association is. Under Article 17(1) of the Act, "[w]hoever is a member of an unlawful association, or takes part in meetings of any such association, or contributes or receives or solicits any contribution for the purpose of any such association or in any way assists the operations of any such association, shall be punished with imprisonment for a term which shall not be less than two years and more than three years and shall also be liable to fine." The fact that anyone in any way associated with an unlawful organization may be punished with imprisonment has allowed the authorities to use Article 17 for political ends.

The three journalists were travelling in conflict-affected northern Shan State in northern Myanmar. In a report released on 14 June 2017, Amnesty International documented how in Kachin and northern Shan States Myanmar's Armed Forces have carried out torture, enforced disappearances, extrajudicial executions, indiscriminate shelling of civilian villages, and put punitive restrictions on movement and humanitarian access. Amnesty International also documented human rights abuses carried out by ethnic armed groups operating in the area, including the TNLA, such as abductions, forced recruitment and forced taxation of civilians. See "*All the Civilian Suffer: Conflict, Displacement and Abuse in Northern Myanmar*" (Index: ASA 16/6429/2017, <https://www.amnesty.org/en/documents/asa16/6429/2017/en/>)

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