

URGENT ACTION

PRISONER OF CONSCIENCE JAILED FOR SIX MONTHS

Prisoner of conscience U Gambira has been sentenced to six months in prison with hard labour by a court in Myanmar. There are concerns that his ongoing detention could seriously exacerbate his already serious mental health issues. He should be immediately and unconditionally released.

On 26 April a court in Mandalay, Myanmar's second largest city, sentenced **U Gambira**, aka Nyi Nyi Lwin, to six months in prison with hard labour after finding him guilty of immigration-related offences. The sentence came despite a recent announcement by Myanmar's new government that it would work to release all prisoners of conscience as soon as possible. Amnesty International believes the case against U Gambira is politically motivated, and that he has been targeted for his previous work as a peaceful human rights activist. U Gambira has serious mental health issues and there are concerns that his ongoing detention could have a detrimental impact on his already fragile health. According to his family, he will not appeal against the verdict. U Gambira remains in detention in Oh-Bo prison in Mandalay.

U Gambira was arrested in Mandalay on 19 January 2016, several days after entering Myanmar from Thailand, where he usually lives. He had travelled to Myanmar to apply for a passport and had crossed the border at an official crossing point without facing any problems with either Myanmar or Thai immigration officials. He was subsequently charged with entering the country illegally under Section 13(1) of Myanmar's 1947 Immigration (Emergency Provisions) Act, which carries a maximum of five years' imprisonment. The Immigration (Emergency Provisions) Act has been used in the past to charge individuals in politically motivated cases.

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

- Calling on the Myanmar authorities to immediately and unconditionally release U Gambira;
- Urging them to ensure that, pending his release, he is not tortured or otherwise ill-treated; is provided with any medical care, including medicines, which he requires; is not transferred to a remote prison; and has regular access to family members and lawyers of his choosing;
- Demanding that they immediately and unconditionally release all prisoners of conscience in Myanmar, and drop charges against all those who have been arrested solely for the peaceful exercise of their human rights;
- Urging them to take immediate steps to provide rehabilitation and relevant medical, psychological, and mental health services and treatment, as well as economic and educational support, to former prisoners of conscience and other political prisoners and their families.

PLEASE SEND APPEALS BEFORE 7 JUNE 2016 TO:

President

U Htin Kyaw

President's Office

Office No.18

Nay Pyi Taw

Republic of the Union of Myanmar

Fax: +95 1 652 624

Salutation: Your Excellency

Minister of Home Affairs

Lt. Gen. Kyaw Swe

Ministry of Home Affairs

Office No. 10

Nay Pyi Taw

Republic of the Union of Myanmar

Fax: +95 67 412 439

Email: mohamyanmar@gmail.com

Salutation: Dear Minister

And copies to:

Chairman, Myanmar National Human Rights Commission

U Win Mra

27 Pyay Road, Hlaing Township

Yangon

Republic of the Union of Myanmar

Fax: + 95 1 659 668

Email: chmyanmarnhrc@gmail.com

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@myanmarembassylondon.com, political@myanmarembassylondon.com

Please check with your section office if sending appeals after the above date. This is the second update of UA 14/16. Further information:

<https://www.amnesty.org/en/documents/ASA16/3881/2016/en/>

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ADDITIONAL INFORMATION

U Gambira was detained in 2007 for his role leading mass anti-government protests, also known as the “Saffron Revolution”, in August and September of that year. The authorities brought the protests to an end with a violent crackdown in late September 2007. U Gambira was sentenced in November 2008 to a 68-year prison sentence under several different laws. He was released in a presidential amnesty on 13 January 2012. On his release, he continued his activism and was twice detained for short periods by Myanmar police. In April 2012, U Gambira decided to disrobe and return to layman status and he later moved to Thailand to receive specialist medical treatment for post-traumatic stress disorder following his years in prison.

On 7 April 2016 Myanmar’s National League for Democracy (NLD) led government announced that it would work to release all prisoners of conscience and political prisoners as soon as possible. Since then scores of prisoners of conscience have been released, including most recently as a result of a Presidential pardon on 17 April. Amnesty International calls for the release of all remaining prisoners of conscience and others who have been arbitrarily detained in Myanmar, including U Gambira.

On 24 March 2016 Amnesty International published a report on political imprisonment in Myanmar which highlighted the worrying erosion of newly found freedoms of expression, association and peaceful assembly in the country since the start of 2014. The report found that authorities charge activists with multiple offences for the same actions or protests to lengthen their prison sentences, charge people with non-bailable offences to keep them in detention during their trial, and charge human rights defenders and other political activists many months, in some cases years, after the alleged offence took place. These tactics serve to create a climate of fear among human rights defenders and other activists in the country.

The report includes a number of recommendations to the new government aimed at ending the cycle of political arrest and detention in Myanmar. In addition to calling for the release of all prisoners of conscience, the report also urges the new administration to reform repressive laws and to provide rehabilitation to former prisoners of conscience and other political detainees. See: *New expression meets old repression: Ending the cycle of political arrests and imprisonment in Myanmar*, <https://www.amnesty.org/en/documents/asa16/3430/2016/en/>.

Name: U Gambira

Gender m/f: m

Further information on UA: 14/16 Index: ASA 16/3913/2016 Issue Date: 26 April 2016