

President U Win Myint
President's Office,
Office No. 18, Nay Pyi Taw
Republic of the Union of Myanmar
Fax: +95 1 652 624

Dear President U Win Myint:

I am writing to call for the immediate and unconditional release of activists Nay Zar Tun, Khin Cho Naing and Myint Zaw, who have been imprisoned solely for exercising their rights to freedom of expression and peacefully protesting the politically motivated charges against former child soldier Aung Ko Htwe. Speaking out against injustice is not a crime, and they should have never been arrested in the first place.

Aung Ko Htwe, a former child soldier, was formally charged on 17 January 2018 in connection with a media interview he gave about being abducted and forcibly recruited into the Myanmar military. In response to this injustice, about 15 people, including his sister Nay Zar Tun, Khin Cho Naing and Myint Zaw, staged a peaceful protest outside the court building, during which they objected about the unfair charges and criticized the presiding judge.

Following the protest, authorities charged Nay Zar Tun, Khin Cho Naing and Myint Zaw with making "statements conducing to public mischief" and "provocation to cause the offence of rioting" under Sections 505(b) and 153 of the Penal Code, respectively. Khin Cho Naing and Myint Zaw, who allegedly stepped on a photocopy of the Myanmar Constitution, were also charged under Section 7 of the Union Seal Law, which criminalizes "causing destruction of the whole or any part of the Union Seal". They were found guilty and convicted of all charges on 24 December 2019 and sentenced to between 12 and 18 months in prison. They are currently detained in Insein prison in Yangon.

I am dismayed that these three activists have been imprisoned for peacefully standing up against injustice. They should have never been charged in the first place, just as Aung Ko Htwe should never have been prosecuted and imprisoned for giving a media interview. I am therefore writing to urge you to:

- Immediately and unconditionally release Nay Zar Tun, Khin Cho Naing and Myint Zaw, who have been detained solely for the peaceful exercise of their human rights to freedoms of expression and peaceful assembly;
- Repeal or amend all laws that hamper the right to freedom of expression, including Sections 505(b) and 153 of the Penal Code and Section 7 of the Union Seal Law, to bring them in line with international human rights law and standards;
- Ensure a safe and enabling environment in which it is possible to defend and promote human rights without fear of punishment, reprisal or intimidation.

Yours sincerely,