



AAPP and FPPS call for the release of the Graffiti Students

The Assistance Association for Political Prisoners (AAPP) and the Former Political Prisoners Society (FPPS) express great concern over the treatment of student activists Naing Ye Wai, Aung San Oo, Jit Tu and Nyan Lin Htet who are currently being held in solitary confinement in punishment cells in Obo prison as a result of the recent hunger strike they launched in response to the denial of their request for bail to attend their exams.

The four students from Yadanarpon University's All Burma Federation of Student Unions (ABFSU) were arrested on July 1 for allegedly using spray paint to write on the front of the university on June 26. The messages included "We don't want the National Education Law" and "Release students in Tharyarwaddy prison immediately"- the latter referring to the student protesters facing trial following the brutal police crackdown at Letpadan, Bago Region, in March. The students face charges of incitement, rioting, abetting, and unlawful assembly under Sections 143, 147 and 505 (b) of the Penal Code and Section 18 of the Peaceful Assembly and Peaceful Procession Law.

The students requested bail to be able to sit their exams on September 17-29 immediately after their third court hearing on August 12. The judge rejected the request on August 21 on the grounds that granting them bail would cause too much of a distraction to their fellow students as there was a risk they would start another protest. The hearing lasted for a total of ten minutes.

In response to the decision, Naing Ye Wai launched a hunger strike on the evening of August 22. According to sources inside Burma all four students have been held in solitary confinement in punishment cells since August 22.

The four students have not yet been convicted, and in accordance with the Standard Minimum Rules for the Treatment of Prisoners they are therefore "presumed to be innocent and shall be treated as such".¹ In accordance with international standards they should be allowed to attend their exams. The purpose of a prison is to be correctional, yet the court's decision to reject the students' request for bail will significantly disadvantage these students and limit their opportunities.

¹ United Nations, Standard Minimum Rules for the Treatment of Prisoners, 30 August 1955 available at <http://www.ohchr.org/EN/ProfessionalInterest/Pages/TreatmentOfPrisoners.aspx>

Punishing the students for their hunger strike by putting them in solitary confinement in punishment cells is completely unwarranted and can be seen as a deliberate attempt to deter the students from their political activism.

The arrest, detention and subsequent treatment of Naing Ye Wai, Aung San Oo, Jit Tu and Nyan Lin Htet highlights the drastic need for reform in Burma's judicial and prison system. This case is yet another example of how sections of the Peaceful Assembly and Peaceful Procession Law and the Penal Code - laws that are ostensibly set up to protect the rights of citizens - are being used to detain political activists in order to stifle freedom of expression and dissent.

AAPP and FPPS demand the immediate release of these four students from solitary confinement and punishment cells, and call for the release of all four students from prison so that they are able to sit their exams.

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