

URGENT ACTION

FURTHER PRISON SENTENCES FOR “PEACOCK GENERATION”

Six members of the Peacock Generation, a satirical poetry troupe in Myanmar, have been sentenced to one year in prison for a performance criticizing the military. A seventh group member was acquitted of the charge and released. Five of this group of seven are already serving prison sentences for a similar, separate performance. All seven members are facing further charges – and possible prison sentences – for their peaceful activities, including for livestreaming their performances. The six detainees are prisoners of conscience who should be immediately and unconditionally released.

TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER

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 express my concern regarding the new convictions and ongoing prosecution against **members of the Peacock Generation**, a Thangyat, or satirical poetry troupe, for their peaceful performances of the time-honoured traditional art form. Amnesty International considers them to be prisoners of conscience, jailed for solely expressing their human right to freedom of expression, and I urge you to ensure their immediate and unconditional release.

On 18 November 2019, six members of the troupe – Kay Khine Tun, Paing Pyo Min, Paing Ye Thu, Su Yadanar Myint, Zayar Lwin, and Zaw Lin Htut – were convicted and sentenced to one year in prison under Section 505(a) of Myanmar's Penal Code. A seventh person, Nyein Chan Soe, was acquitted of the charge and released. Five of the seven members had earlier been sentenced to one year in prison under Section 505(a) by a different court on 30 October 2019 for a similar performance in another township in Yangon. All seven members had been detained in Insein prison since their arrests in April and May 2019.

I am also worried that all seven performers are still facing further charges – and potential jail terms – in connection with their peaceful activities. They are accused of “online defamation” under Section 66(d) of the 2013 Telecommunications Act for sharing photos and videos and livestreaming their performance on Facebook. Four of them are facing “online defamation” charges in at least two different courts.

It is of grave concern to me that Myanmar authorities have yet to abolish or amend repressive laws and instead continue targeting peaceful critics, activists, and human rights defenders through arbitrary arrest and prosecutions.

I am therefore writing to urge you to:

- Immediately and unconditionally release all jailed members of the Peacock Generation, quash their convictions, and drop further charges against them and other members who are facing imprisonment solely for the peaceful exercise of their right to freedom of expression;
- Ensure that, pending their release, members of the Peacock Generation are held in conditions which meet international standards, and that they have regular access to family, lawyers of their choosing, and any healthcare they require;
- Repeal or amend laws that arbitrarily restrict the right to freedom of expression, including Section 505(a) of the Penal Code and 66(d) of the 2013 Telecommunications Act, to bring them into line with international human rights law and standards.

Yours sincerely,

ADDITIONAL INFORMATION

Seven members of the Peacock Generation—Kay Khine Tun (F), Zayar Lwin (M), Paing Pyo Min (M), Paing Ye Thu (M), Zaw Lin Htut (M), Su Yadanar Myint (F), and Nyein Chan Soe (M)—were arrested in April and May 2019 after they performed Thangyat, a traditional performance art akin to slam poetry. They were wearing military uniforms and criticized the military, which is also known as the Tatmadaw.

On 18 November, Yangon's Botahtaung Township Court sentenced six of them to one year in prison each for charges under Section 505(a) of the Penal Code, which prohibits the circulation of statements and reports with the intent to cause officers or soldiers in the Myanmar Armed Forces to mutiny or otherwise disregard or fail in their duties. The provision carries up to two years in prison. Nyein Chan Soe was acquitted of the charges and released. Earlier, on 30 October November 2019, five members of the group—Kay Khine Tun, Zayar Lwin, Paing Pyo Min, Paing Ye Thu, Zaw Lin Htut—had each been sentenced under Section 505(a) to one year in prison for a satirical poetry performance in a different township of Yangon.

In addition, all seven still face charges of “online defamation” under Section 66(d) of the 2013 Telecommunications Act for posting photos and videos online and livestreaming their performances on Facebook. They have each been charged under Section 66(d) by the Botahtaung Township Court, while four members of the group—Zay Yar Lwin, Paing Phyo Min, Su Yadanar Myint and Paing Ye Thu—are also facing Section 66(d) charges at the Mayangon Township Court. Section 66(d) carries a maximum two-year prison sentence.

Thangyat is a century-old Myanmar traditional art form which fuses poetry, comedy, and music, and is usually performed during Myanmar's New Year water festival in April and other festive occasions. Public performances of Thangyat were banned in 1989 by the military and were allowed again in 2013. In March 2019, ahead of this year's water festival celebrations, authorities in Yangon required Thangyat lyrics to be submitted to a government panel for approval.

PREFERRED LANGUAGE TO ADDRESS TARGET: English and Burmese/Myanmar
You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 3 January 2020
Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

NAME AND PREFERRED PRONOUN: Members of the Peacock Generation (they/them)

LINK TO PREVIOUS UA: <https://www.amnesty.org/en/documents/asa16/1340/2019/en/>