

THE OBSERVATORY - PRESS RELEASE

BURMA: Drop charges against Mandalay farmers and land rights defenders

Paris-Geneva-Bangkok, August 8, 2017 - *Burmese authorities should immediately drop all charges filed against 11 farmers and two land rights defenders over a protest against land confiscation in Mandalay Region, the Observatory (FIDH and OMCT) said today.*

“Instead of prosecuting dispossessed farmers, Burmese authorities should concentrate their efforts on addressing their legitimate grievances. It’s crucial that the government adopts a humane approach in the resolution of land disputes”, said ALTSEAN-Burma Coordinator and FIDH Secretary-General Debbie Stothard.

On 23 October 2016, police arrested 11 farmers and activists **Toe Gyi** and **Myo Win**, leaders of the Mandalay-based Farmers Network Interest of Farmers and Labor (FNI-FL), for their involvement in a plow protest (a form of protest where farmers continue to till disputed land to signify their claim to ownership over it) on 8 October 2016 in Pyinsar Village, Pyin Oo Lwin Township, Mandalay Region. The military began confiscating land in the area without compensation in 1998 and then sold large tracts of it to private companies and business executives with ties to the then ruling military junta for a coffee plantation project.

The arrest of the 13 stemmed from charges filed against them by two private companies – Cooperative Bank and Ar-rav Gyan Pharmaceutical – and local businessman Kyu Zin, who claim ownership of the land. The complainants alleged that the plow protest had caused them to sustain financial losses.

The 13 were charged on 24 October 2016 under Articles 114 (abetment), 353 (assault of a public servant), 392 (robbery), 427 (mischief), 447 (trespass), and 506 (intimidation) of the Criminal Code. After spending four months in detention, they were granted bail on 23 February 2017. On 1 June 2017, Pyin Oo Lwin Township Court revoked their bail and issued arrest warrants.

Over the past two years, local farmers have held protests and set up makeshift tents on land plots in Pyin Oo Lwin Township to claim their ownership of the land. In another case, on the night of 28 July 2017, police raided a sit-in protest on 62nd Street in central Mandalay and arrested eight protest leaders and three farmers. They were charged under Articles 19 and 20 of the Peaceful Gathering and Demonstration Law, before being released on bail the next day. Since June 2017, hundreds of farmers in Mandalay Region have protested and called on the authorities to drop charges against farmers, release those who have been arrested, and return confiscated farmland to its original owners. Nearly 500 villagers in central Mandalay Region are currently being prosecuted in cases related to land confiscation.

The Observatory urges the Burmese authorities to ensure farmers can fully exercise their right to freedom of peaceful assembly in line with international standards. The two organizations also call on the government to ratify the International Covenant on Economic, Social and Cultural Rights (ICESCR) as a matter of priority. Burma signed the ICESCR on 16 July 2015.

“Authorities must immediately stop the criminalization of farmers and land rights defenders and the denial of their right to freedom of peaceful assembly. The government must implement a new approach that recognizes its duty to protect human rights and adjudicate land disputes in a fair and responsible manner”, said OMCT Secretary General Gerald Staberock.



The Observatory
for the Protection
of Human Rights Defenders

The Observatory for the Protection of Human Rights Defenders (the Observatory) was created in 1997 by FIDH and the World Organisation Against Torture (OMCT). The objective of this programme is to prevent or remedy situations of repression against human rights defenders. FIDH and OMCT are both members of ProtectDefenders.eu, the European Union Human Rights Defenders Mechanism implemented by international civil society.

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The logo for FIDH (International Federation for Human Rights) features the lowercase letters 'fidh' in a white, sans-serif font, centered within a dark purple rectangular background.

fidh

The logo for OMCT (World Organisation Against Torture) features the acronym 'OMCT' in a bold, black, sans-serif font. Below it, the text 'SOS-Torture Network' is written in a smaller, red, sans-serif font.

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