

## Two more defence lawyers prosecuted

by Phanida

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Chiang Mai – The Hlaing Township court came down heavily and prosecuted advocates Aung Thein and Khin Maung Shein on October 30. They were representing NLD party members facing trial.

The Hlaing Township court judge Daw Aye Myaing prosecuted them for contempt of court after the two lawyers withdrew criminal power granted by their political prisoner clients to represent them in court.

"We learnt that the two lawyers were prosecuted under section 3 of the 'Contempt of Court Act' by the Supreme Court in Rangoon', NLD spokesman U Nyan Win said.

"The prison authorities didn't let them enter the prison where their cases are being heard. They were prosecuted by the Supreme Court and Hlaing Township Court on contempt of court charges. Summons was served to them" an advocate said on condition of anonymity.

The court fixed the hearing for November 6.

The judge of Sanchaung Township Court threatened U Khin Maung Shein on 30 October, while he was representing his clients at the court, by saying that he could be prosecuted and imprisoned with disruption of judicial proceedings and warned him to take care. After which he was prosecuted.

Similarly young lawyer Ko Nyi Nyi Htwe was summoned to face trial on October 17 and the hearing was fixed for October 30 by the North District Court. But he was arrested on October 29 before the trial date. The North District Court Judge U Thaug Nyunt sentenced Ko Nyi Nyi Htwe to six months in prison under section 228 of the Penal Code and declared Ko Saw Kyaw Kyaw Min as an absconder, after which he issued an arrest warrant against him.

Exiled based 'Myanmar Youth Lawyers Law Firm' and 'International Federation of Human Rights (FIDH) and 'World Organization against Torture' OMCT released a statement yesterday calling for immediate release of Ko Nyi Nyi Htwe and demanded guarantee of his physical and psychological well being by the junta.

The statement also demanded an end to all acts of harassment - including at the judicial level - against Mr. Nyi Nyi Htwe and Mr. Saw Kyaw Kyaw Min as well as against all human rights defenders in Burma, in accordance with the Universal Declaration of Human Rights (UDHR) and other related international instruments in guaranteeing the human rights and fundamental rights which are in force in Burma.

The Observatory, a FIDH and OMCT venture, is dedicated to the protection of Human Rights Defenders and advocacy group for UDHR, Civil Rights and Political Rights conventions, Economic Social and Cultural Rights conventions.

Furthermore this group is acting at an advisor level in the UN, UNESCO and EU and also acting as observer in Africa Human Right and Citizen Right Commission.

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The lawyer Pho Phyu said that sentencing lawyer Nyi Nyi Htwe and his clients -- political prisoners Yan Naing Tun, Aung Min Naing a.k.a. Meethway (charcoal) and Myo Kyaw Zin without hearing the complaint submitted by them is violation of section 482 of Criminal Procedure Code (CrPC).

"Lawyers in Burma do not enjoy freedom during judicial proceedings. Their rights to submitting the complaint arguing in court on behalf of their clients are being deprived. Section 8 of '1880 Lawyers' Act' is being violated. And also the judicial proceedings are not in accordance with the internationally accepted norm of 1990 Legal Counsels", he said.