



**ITUC INTERNATIONAL TRADE UNION CONFEDERATION CSI CONFÉDÉRATION
SYNDICALE INTERNATIONALE
CSI CONFEDERACIÓN SINDICAL INTERNACIONAL IGB INTERNATIONALER
GEWERKSCHAFTSBUND**

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Development Council
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HTUR/JS

3 December 2007

Arrest and detention and trumped up charges

Dear General Than Shwe,

The International Trade Union Confederation (ITUC), which represents more than 168 million members worldwide through its 305 affiliated organisations in 154 countries and territories, strongly protests against the arrest of **U Tin Hla** (son of U Ohn Maung) and **his whole family** and his continued detention.

On 20 September 2007, **U Tin Hla** and his family were arrested at their home by the Special Branch Police. The police accused U Tin Hla of organizing railway workers and encouraging them to join the rallies in September 2007. U Tin Hla, his wife, his son and his daughter were all taken to Mingala Taungyunt Police Station for interrogation. They had been interrogated and detained for five days, when his wife and children were released. However, U Tin Hla was taken to an unknown location for further interrogation. We understand that he is still detained and now back at Mingala Taungyunt Police Station.

At the family home, police confiscated photographs of Daw Aung San Suu Kyi, NLD party literature, electrical cords, tools, including the ones that U Tin Hla uses for his work.

The ITUC has been informed that one of the charges against him is “possession of explosive materials”, which the family believes to be the electrical cords and the tools that he uses for work. The ITUC finds it outrageous that U Tin Hla should be charged for possessing tools necessary for his work. We also recall that similar charges have been leveled for years against Burmese and international unionists, without ever being proven in open and impartial proceedings.

The ITUC wrote to you only two months ago to condemn the heavy prison sentences handed down to Thurein Aung, Kyaw Kyaw, Shwe Joe, Wai Lin, Aung Naing Tun and Nyi Nyi Zaw for "inciting hatred or contempt for the Government", and “being members of "illegal associations"”. Their only offence being to celebrate May Day 2007 and planning to discuss labour issues at the US Embassy's American Center in Rangoon. The ILO Governing Body November 2007, 300th session has particularly called on your government to review these sentences and release the six activists.



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I would like to reiterate once more that organising workers is a legitimate trade union activity and a fundamental human right of workers. Freedom of association is protected under ILO Convention 87 on Freedom of Association, a fundamental convention of the ILO, which Burma has ratified. Under the jurisprudence of the ILO it has repeatedly been emphasised that the right to freedom of assembly, freedom of opinion and expression are essential for the normal exercise of trade union rights. It is therefore against the principle of freedom of association as enshrined in ILO convention 87 to arrest workers for encouraging others to participate in peaceful protests in favour of basic civil rights, or for possessing literature and photos of a Nobel Peace Prize laureate.

I therefore urge you, General, to instruct the relevant authorities to release and drop all charges against U Tin Hla. I also urge you again to make every effort to ensure that the prison sentences against Thurein Aung, Kyaw Kyaw, Shwe Joe, Wai Lin, Aung Naing Tun and Nyi Nyi Zaw are overturned and that they be released immediately. Meanwhile, the ITUC will call on its worldwide membership to support its call for their release and will refer the matter to the competent ILO supervisory mechanisms.

Yours sincerely,

General Secretary