

The court jurisdiction. this forced the press council

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The Myanmar Army filed criminal charges against The Voice Daily newspaper editor Kyaw Min Swe and satirist Kyaw Zwa Naing who goes under the pen name “ British Ko Ko Maung” It is an alarming example of the threats to press freedom and freedom of expression in the Myanmar. The lawsuit, which arose from a satirical article that goes back to the date 26 March 2017 on the country’s peace process by British Ko Ko Maung, became a cause for serious concern because of mainly three reasons: 1. The lawsuit undermines the country’s law governing the media.

The army filed the lawsuit before the mediation process is completed about their complaint under the Myanmar Press Council. According to the News Media Law of 2014, the Press Council is prohibited from mediating cases under police investigation or court jurisdiction. This forced the Press Council to abstain from acting on the complaint the Army filed earlier.

Lawsuits like the Army’s move against The Voice deteriorate the only existing official complaint mechanism for cases involving the media. 2. The army used Article 66(d) of the Telecommunications Act of 2013 in the lawsuit. As of today, there are 66 cases that involves the use of Article 66(d) of the 2013 Telecommunications Law for online defamation.

The distressing number indicates that those who use the law especially public officials have found a potent weapon to outlaw critical online speech.

There are seven cases filed against 12 journalists out of the number stated.

The use of this law against journalists threatens the entire media community as a possible five-year jail may be faced by the

journalists. 3. The Myanmar Army's response to the article reflects intolerance to critical opinion.

The article that triggered the lawsuit is satirical and does not even critically refer to the Army, or any armed group for that matter. It is titled with a humorous play from the title of an army-produced movie but the article itself generally highlights the levels of violence in Myanmar society. As a public institution, especially now that the country is led by a popularly-elected government, the military should be more open to criticism from the public and the media community rather than pushing lawsuits on press and journalists.