

## URGENT APPEAL - THE OBSERVATORY

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**MMR 004 / 0713 / OBS 067**

Arbitrary detention /  
Judicial harassment

**Burma/Myanmar**

July 30, 2013

The Observatory for the Protection of Human Rights Defenders, a joint programme of the International Federation for Human Rights (FIDH) and the World Organisation Against Torture (OMCT), requests your urgent intervention in the following situation in **Burma/Myanmar**.

### **Brief description of the situation:**

The Observatory has been informed by reliable sources about the arbitrary detention of – and judicial harassment against – Mr. **Kyaw Hla Aung**, age 74, a community leader defending the rights of the Rohingyas in Arakan/Rakhine state.

Mr. Kyaw Hla Aung was arrested on July 15, 2013 by police officers at his place of residence in Thet Kae Pyin, Sittwe. He has since then been arbitrarily detained without charges at Sittwe Police Station No. 1 and denied access to his family and lawyers.

According to the information received, on July 31, 2013, Mr. Kyaw Hla Aung is due to appear before the Sittwe District Court on accusations that he incited protests on April 26, 2013 against a government-led exercise to collect population data.

On April 26, 2013, the local government of Arakan/Rakhine state undertook a survey of Muslim internally displaced persons (IDPs) and others currently living in Sittwe in order to provide the authorities with population data. The authorities required all Rohingyas to be recorded as “Bengalis”, a term that is both divisive and derogatory.

A few members of the community contested being called “Bengali”. Some children and youth protested, and some violence ensued. Mr. Kyaw Hla Aung was at home at the time and later intervened by telephone with the Rohingya community leaders to quench the violence.

Nevertheless, the April 26-related events have since been used as a pretext to falsely accuse Mr. Kyaw Hla Aung.

The Observatory condemns the arbitrary detention of – and judicial harassment against – Mr. Kyaw Hla Aung, which seem aimed at sanctioning his peaceful human rights activities. Mr. Kyaw Hla Aung was also arbitrarily imprisoned from 1986-1988 and from 1990-1997.

### **Actions requested:**

Please write to the authorities of Burma, urging them to:

- i. Guarantee in all circumstances the physical and psychological integrity of Mr. Kyaw Hla Aung, as well as of all human rights defenders in Burma/Myanmar;
- ii. Release Mr. Kyaw Hla Aung immediately and unconditionally since his detention is arbitrary as it seems to only aim at sanctioning his human rights activities;
- iii. Put an end to acts of any acts of harassment, including judicial harassment, against him as well as against all human rights defenders in Burma/Myanmar;

- iv. Comply with all the provisions of the United Nations Declaration on Human Rights Defenders, in particular with its:
- Article 1, which provides that “everyone has the right, individually and in association with others, to promote and to strive for the protection and realization of human rights and fundamental freedoms at the national and international levels”;
  - Article 6(a), which foresees that “everyone has the right, individually and in association with others, to participate in peaceful activities against violations of human rights and fundamental freedoms”;
  - Article 12.2, which provides that “the State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others, against any violence, threats, retaliation, *de facto* or *de jure* adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the present Declaration”;

#### Addresses:

- U Thein Sein, President of Myanmar, President Office, Office No.18, Naypyitaw, MYANMAR; Fax: + 95 1 652 624
- U Hla Min, Minister for Home Affairs, Ministry of Home Affairs, Office No. 10, Naypyitaw, MYANMAR; Fax: +95 67 412 439
- U Win Mra, Chairman of the Myanmar National Human Rights Commission, 27 Pyay Road, Hline Township, Yangon, Republic of the Union of Myanmar; Fax: +95-1-659668
- Dr. Tun Shin, Attorney General, Office of the Attorney General, Office No. 25, Naypyitaw, MYANMAR; Fax: +95 67 404 146/ 106
- U Tun Tun Oo, Chief Justice, Office of the Supreme Court, Office No. 24, Naypyitaw, MYANMAR; Fax: + 95 67 404 059
- U Kyaw Kyaw Htun, Director General, Myanmar Police Force, Ministry of Home Affairs, Office No. 10, Naypyitaw, MYANMAR; Fax: +951 549 663 / 549 208
- H.E. Mr. Maung Wai, Ambassador Extraordinary and Plenipotentiary, Permanent Representative to the United Nations in Geneva, Avenue Blanc 47, 1202 Geneva, Switzerland. Fax: +41 22 732 89 19, +41 22 732 73 77, Email: [mission@myanmargeneva.org](mailto:mission@myanmargeneva.org)
- Embassy of Myanmar in Brussels, Boulevard Général Wahis 9, 1030 Brussels, Belgium, Fax: +32 (0)32 2 705 50 48, Email: [mebrussels@skynet.be](mailto:mebrussels@skynet.be)

Please also write to the diplomatic representations of Burma in your respective countries.

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Paris-Geneva, July 30, 2013

Kindly inform us of any action undertaken quoting the code of this appeal in your reply.

The Observatory, a FIDH and OMCT venture, is dedicated to the protection of Human Rights Defenders and aims to offer them concrete support in their time of need.

To contact the Observatory, call the emergency line:

- E-mail: [Appeals@fidh-omct.org](mailto:Appeals@fidh-omct.org)
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