

URGENT ACTION

MYANMAR ACTIVIST ARBITRARILY DETAINED

74-year-old human rights defender Kyaw Hla Aung has been arbitrarily detained in Myanmar since 15 July. He is in poor health and may not be receiving the medical treatment he requires. He is on trial, facing charges related to his peaceful activities.

Kyaw Hla Aung has been in arbitrary detention in Sittwe Police Station No. 1 in Myanmar's Rakhine state since 15 July 2013. He suffers from hypertension (high blood pressure) and gastric problems and requires regular treatment with medicine. There is concern that he may not have access to appropriate medical treatment or a lawyer of his choosing and that the conditions of detention fail to meet international human rights standards.

Kyaw Hla Aung had been in hiding and in fear of arrest after the Myanmar authorities arrested several Muslim leaders following community protests against a government-led population registration exercise conducted in Rakhine state in April 2013. Tensions arose when members of the Rohingya community refused to identify themselves as "Bengali", which is viewed by many as a divisive term used to deny recognition to the Rohingya community in Myanmar and imply that all Rohingya are actually migrants from Bangladesh. Protests forced the authorities to suspend the registration exercise. Kyaw Hla Aung was not present during the protests. Instead, he tried to contact other Muslim leaders in an attempt to stop the protests from becoming violent. He has likely been targeted as he is an influential Rohingya human rights defender with connections to the international community.

On 15 July 2013, a police officer and two plainclothes officials took Kyaw Hla Aung from his temporary shelter in Sittwe and brought him to the Sittwe police station for questioning. The police did not inform him of the charges against him at the time. He was reportedly brought before the Sittwe District Court on 31 July 2013, and has been charged under Articles 148 (rioting, armed with a deadly weapon), 150 (hiring or conniving at hiring of persons to join an unlawful assembly), and 333 (voluntarily causing grievous hurt to a public servant to deter him from his duty) of the Myanmar Penal Code. Court sessions are reportedly due to continue on 14 August 2013. He remains detained in the Sittwe police station. According to credible sources, he has not been seen by a doctor in detention, and the authorities are not providing him the medicines he requires. He does not have access to clean drinking water or water for bathing, and family members have not been allowed to visit him in detention.

Please write immediately in English or your own language, urging the authorities to:

- Immediately and unconditionally release Kyaw Hla Aung and drop all charges against him;
- Ensure that Kyaw Hla Aung is not tortured or otherwise ill-treated in detention, and that he has access to medical treatment, lawyers of his choosing and visits from family members; and
- Ensure that prison conditions, conditions in detention facilities, and the treatment of prisoners meet standards provided for in the UN Standard Minimum Rules on the Treatment of Prisoners.

PLEASE SEND APPEALS BEFORE 17 SEPTEMBER 2013 TO:

Attorney General

Dr. Tun Shin
Office of the Attorney General Office
No. 25, Nay Pyi Taw
Republic of the Union of Myanmar
Fax: +9567 404 146
Salutation: Dear Dr. Tun Shin

Director General, Myanmar Police Force

Brig-General Zaw Win
Ministry of Home Affairs
Office No. 10, Nay Pyi Taw
Republic of the Union of Myanmar
Fax: +951 549 663 / 549 208
Salutation: Dear Director General

And copies to:

Minister for Home Affairs

Lt. Gen. Ko Ko
Ministry of Home Affairs
Office No. 10
Nay Pyi Taw
Republic of the Union of Myanmar
Fax: +9567 412 439

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Please check with your section office if sending appeals after the above date.

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

Kyaw Hla Aung is a prominent Rohingya lawyer and former staff of a humanitarian non-governmental organization. He has spent more than 16 years in prison in Myanmar due to his involvement in peaceful activities, and continues to be monitored and harassed by the authorities. Most recently, he was arbitrarily arrested and detained in June 2012 along with several Rohingya aid workers following violence between Buddhist and Muslim communities in Rakhine state. He was later released in August 2012.

Peaceful activists and human rights defenders continue to face arbitrary arrest, detention and harassment in Myanmar. Amnesty International highlighted recent arrests in a public statement on 4 July 2013 (see: <http://www.amnesty.org/en/library/asset/ASA16/002/2013/en/db943ba1-a638-443a-8189-1be22fc70cfe/asa160022013en.html>).

Under Article 2 of the UN Declaration on Human Rights Defenders, each state has a duty to create the conditions necessary to defend human rights within their jurisdictions. However, human rights defenders in Myanmar continue to be arrested, detained and imprisoned simply for their involvement in peaceful activities. Human rights defenders in Myanmar also face intimidation and harassment. Amnesty International calls on the Government of Myanmar to ensure an environment in which it is possible to defend human rights without fear of reprisal or intimidation.

Prisoners of conscience and other detainees in Myanmar are at risk of torture and other ill-treatment and many are held in poor conditions which do not meet the UN Standard Minimum Rules for the Treatment of Prisoners. Article 24 of the UN Standard Minimum Rules for the Treatment of Prisoners states that a medical officer should see and examine all prisoners as soon as possible after their admission, and Article 25 states that the medical officer should daily see all sick prisoners. Further, Article 20 states that all prisoners should be provided with "food of nutritional value adequate to health and strength" and that "drinking water should be available to every prisoner when he needs it". In addition, Article 15 states that prisoners should "be provided with water and with such toilet articles as are necessary for health and cleanliness".

The Rohingya have faced discrimination for decades in Myanmar. They are not recognized as an official ethnic group and continue to be denied equal access to citizenship rights. Their rights to study, work, travel, marry, practise their religion, and receive health services are restricted to various degrees.

Name: Kyaw Hla Aung
Gender m/f: M

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