

URGENT ACTION

RAKHINE JOURNALIST IN HIDING, FACING CHARGES

News editor Aung Marm Oo is in hiding after being accused of violating Myanmar's Unlawful Associations Act, a notorious repressive law which has often been used to target ethnic minorities in Myanmar. He is the Editor-in-Chief of Development Media Group (DMG), a Rakhine State-based news agency which has been reporting on violations during the conflict between the Myanmar military and the Arakan Army. The charge carries a maximum five-year prison sentence.

TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER

Union Attorney General, U Tun Tun Oo
Union Attorney General Office No. 25
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Republic of the Union of Myanmar
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Dear Attorney General U Tun Tun Oo,

*I am writing to express my concern about charges filed against **Aung Marm Oo**, the Editor-in Chief of the Rakhine State-based Development Media Group (DMG) news agency. We believe the case against him is politically-motivated and unfounded, and stems from his organization's role in reporting on military abuses against civilians during conflict with the Arakan Army in Rakhine State. The charges should be dropped, and Aung Marm Oo allowed to continue his peaceful journalistic work without the threat of arrest, prosecution or intimidation.*

Aung Marm Oo is currently in hiding fearing politically-motivated arrest and detention after learning from media reports that police have opened a case against him under Section 17(2) of the Unlawful Associations Act. The provision provides up to five years in prison for any person who manages, promotes, or assists an unlawful association. Amnesty International and others have long expressed concerns about the Unlawful Associations Act, which has often been used against civilians from ethnic minorities in conflict areas. Other journalists and media workers reporting on the conflict in Rakhine State have also faced criminal charges, threats, and intimidation in connection with their work.

More generally, I am worried about ongoing politically-motivated arrests and detentions in Myanmar. These arrests are made possible by a range of laws which allow authorities to arrest, detain, and prosecute journalists, human rights defenders, and peaceful activists. These laws are contrary to international human rights law and standards and have no place in any country committed to freedom of expression.

I am therefore writing to urge you, a matter of urgency, to:

- ***Drop all charges against Aung Marm Oo and ensure he and other media workers in Myanmar are able to carry out their work without intimidation, harassment, or the threat of arrest and prosecution;***
- ***Review and repeal or amend laws that restrict the right to freedom of expression, including the Unlawful Associations Act, to bring them in line with international human rights law and standards.***

Your sincerely,

ADDITIONAL INFORMATION

Aung Marm Oo (aka Aung Min Oo aka Oo Ba Khin) is the founder and Editor-in-Chief of Development Media Group (DMG), a media agency founded in 2012 which reports on news and current affairs, in particular in Rakhine State, in western Myanmar. Since the start of 2019, when fighting escalated between the Myanmar military and the Arakan Army (AA), an ethnic Rakhine armed group, DMG has regularly reported on human rights violations and abuses, in particular by the Myanmar military.

In early May, Aung Marm Oo learned that he is facing criminal charges under Section 17(2) of Myanmar's Unlawful Associations Act, which provides up to five years' imprisonment for any person who manages, assists or promotes an unlawful association. The Unlawful Associations Act is a vaguely-worded law which has long been used by the Myanmar authorities to arrest and detain ethnic minority civilians in conflict-affected areas. The complaint against him was filed on 1 May 2019, however Aung Marm Oo was only made aware of the charge after it was reported by another media outlet; to date he is unclear what specifically the charges relate to, however believes they are linked to DMG's reporting.

On 5 and 6 May 2019, police officers in Sittwe, the capital of Rakhine State, interrogated two journalists from DMG, asking questions about Aung Marm Oo, his whereabouts, and DMG's reporting on the situation in Rakhine State. Officers from Myanmar's Special Branch have also searched his home and questioned members of his family. He has been in hiding since early May, fearing arrest and detention. On 8 May 2019, he wrote to the Myanmar Press Council to request their assistance in resolving the situation, however has yet to receive a reply.

Under international human rights law, all people charged with criminal offences have the right to be promptly informed in detail of the nature and cause of the charges against them. Information about charges should be provided in writing, and if provided orally, should be confirmed in writing. By not informing Aung Marm Oo of the criminal charges against him, the Myanmar authorities are not only denying him this right, they are also jeopardizing his right to adequate time and facilities to prepare a defence, which is also protected under international law and is a crucial safeguard against unfair trials. The right to freedom of expression includes the right to seek, receive and impart information and ideas through any media and regardless of frontiers. Critical reporting on human rights violations by the military must not be restricted and under no circumstances criminalized.

There has been a significant escalation in fighting between the Myanmar military and the AA since January 2019. Amnesty International has documented serious violations of international humanitarian and human rights law by the Myanmar military, including unlawful attacks which have killed and injured civilians, arbitrary arrests, torture and other ill-treatment, extrajudicial executions, enforced disappearances, and forced labour. Some of these violations amount to war crimes. Amnesty International has also documented abuses by the AA, including abductions and arbitrary deprivation of liberty. See the report "*No one can protect us: War crimes and abuses in Myanmar's Rakhine State*": <https://www.amnesty.org/en/documents/asa16/0417/2019/en/>

The Myanmar authorities have effectively barred international journalists and investigators from conflict areas of Rakhine State, and as the conflict has intensified, have also become increasingly intolerant of reporting on military violations. The Myanmar security forces have fallen back on tried and tested tactics designed to stifle press freedom, filing at least three criminal complaints in recent months against individuals working for media organizations covering the conflict. In early April, DMG was among several Myanmar news outlets to receive anonymous threatening letters, including death threats, warning them about reporting on the situation in Rakhine State. Amnesty International is not aware of anyone being held to account for the threats. Amnesty International is also concerned by reports that DMG is experiencing delays in renewing its media license, as well as the publishing license for the bi-weekly Development News Journal. Without these licences the organization will no longer be able to operate legally and may be forced to close down.

PREFERRED LANGUAGE TO ADDRESS TARGET: English or Burmese/Myanmar

You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 5 August 2019

Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

NAME AND PREFERRED PRONOUN: Aung Marm Oo (He, Him, His)