

URGENT ACTION

ROHINGYA COMMUNITY LEADERS IMPRISONED

Four Rohingya men have been imprisoned for their role in community protests in Myanmar's Rakhine State in 2013. They are prisoners of conscience who must be immediately and unconditionally released.

On 3 March 2015, the Rakhine State Divisional Court sentenced **Ba Thar, Kyaw Myint** and his son **Hla Myint** to eight years' imprisonment for "rioting" (Section 147 of the Penal Code), "causing voluntary grievous hurt to a public servant in the discharge of his duty" (Section 333), and "banditry" (Section 395). The court also sentenced **Kyaw Khin** to five years' imprisonment under Sections 147 and 333 of the Penal Code. They are all serving their sentences in Sittwe prison, Rakhine State.

The four men were first arrested in April 2013 following a community protest against the government-led population registration exercise, which did not allow members of the community to identify as Rohingya. Protests forced the authorities to suspend the registration exercise. According to reliable information, the four men did not use violence. Amnesty International believes that they are being targeted solely because they are influential Rohingya community leaders calling for the recognition of the Rohingya identity.

All four were charged in April 2013 with various offences under the Penal Code. In 2014, the Sittwe District Court acquitted Ba Thar of all charges, while Kyaw Myint, Hla Myint and Kyaw Khin were sentenced to between one year and one year and six months' imprisonment. Kyaw Khin was released shortly after because he had completed most of his sentence while detained before and during the trial, and Kyaw Myint and Hla Myint were released as a result of a Presidential prisoner amnesty in October 2014. However, the Rakhine State Law Officer appealed the Sittwe District Court verdict, seeking longer sentences. On appeal, Ba Thar has now been convicted and sentenced while Kyaw Myint, Hla Myint and Kyaw Khin have had their sentences increased. They are appealing to the Nay Pyi Taw Supreme Court.

Please write immediately in English, Burmese or your own language:

- Calling on the Myanmar authorities to immediately and unconditionally release Ba Thar, Kyaw Myint, Hla Myint and Kyaw Khin;
- Urging them to ensure that, pending their release, they are not tortured or otherwise ill-treated; they are not transferred to remote prisons; they have regular access to family members and lawyers of their choosing; and are provided with any medical care which they may require;
- Calling on them to end discrimination in law and practice against religious and ethnic minorities, and ensure the Rohingya have access to citizenship rights based on objective criteria including equality and non-discrimination.

PLEASE SEND APPEALS BEFORE 8 MAY 2015 TO:

President
Thein Sein
President's Office
Nay Pyi Taw
Republic of the Union of Myanmar
Fax: +95 1 652 624

Salutation: Your Excellency

Rakhine State Chief Minister
Major Gen. Maung Maung Ohn
Rakhine State Ministry
Sittwe
Republic of the Union of Myanmar
Salutation: Dear Minister

And copies to:

Chairman, Myanmar National Human Rights Commission
U Win Mra
27 Pyay Road, Hline Township
Yangon
Republic of the Union of Myanmar
Fax: +95 1 659 668
Email: winmra@mnhr.org.mm

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

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

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

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INTERNATIONAL**



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ADDITIONAL INFORMATION

Ba Thar, Kyaw Myint, Hla Myint, and Kyaw Khin were first arrested in April 2013 following community protests against a government-led population registration exercise conducted in Rakhine state. 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, a prominent lawyer and former staff member of a humanitarian non-governmental organization, was also arrested in connection with the April 2013 community protests. He had not been present during the protests, but instead had tried to contact other Muslim leaders in an attempt to stop the protests from becoming violent. He was detained in July 2013 and charged with various “offences” under the Penal Code. In September 2014 he was sentenced to one year and six months in prison for his alleged participation in the community protests. He was released on 7 October 2014 as part of a prisoner amnesty announced by the President’s Office.

The Rohingya have faced discrimination in Myanmar for generations. 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: Ba Thar, Kyaw Myint, Hla Myint, and Kyaw Khin

Gender m/f: all m

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