



AMNESTY INTERNATIONAL PUBLIC STATEMENT

21 November 2019 ASA 16/1440/2019

MYANMAR: FEARS FOR SAFETY OF MEMBER OF PARLIAMENT ABDUCTED BY THE ARAKAN ARMY IN CHIN STATE

Amnesty International and the ASEAN Parliamentarians for Human Rights (APHR) are seriously concerned for the safety and well-being of Hawi Tin, an ethnic Chin Member of the Union Parliament of Myanmar (MP) from Chin State, who was abducted by the Arakan Army (AA), an ethnic Rakhine armed group operating primarily in the west of Myanmar.

Hawi Tin was among ten people who were abducted by AA fighters on 3 November 2019. The ten people – all civilians including five Indian nationals – were travelling by boat from Paletwa Township in Chin State, to Kyauktaw Township in neighboring Rakhine State when they were detained by the group. One of the Indian nationals died while in AA custody in circumstances which remain unclear. Eight of the surviving civilians were released the following day, along with the body of the deceased man, however Hawi Tin was kept in AA custody. The AA accuses Hawi Tin – an MP for the ruling National League for Democracy (NLD) – of providing information about the group to the Myanmar military and creating tension among ethnic Chin and Rakhine communities, a claim his family denies.

All parties to a non-international armed conflict such as the one taking place between the Myanmar military and the AA, are obligated to respect the rules of international humanitarian law, including prohibitions of “violence to life and person, in particular murder of all kinds” of civilians and persons not taking an active part in hostilities, and of arbitrary deprivation of liberty.

Amnesty International and APHR call on the AA to immediately release Hawi Tin, who is clearly a civilian, and urges the Myanmar authorities to initiate a prompt, independent and impartial investigation into the death in custody of the Indian national.

Amnesty International and APHR are concerned by the increasing number of attacks, threats, and harassment of MPs in Southeast Asia. Attacks on lawmakers have the detrimental impact of undermining people’s right to representation and of stifling freedom of expression within Parliaments.

Amnesty International and APHR are also concerned about the fate and whereabouts of 13 other Chin civilians – 11 men and two boys – who have reportedly been abducted and detained by the AA in the last year. The organizations call on the group to immediately release all civilians it is holding. The AA should also immediately inform families of anyone – civilian or combatant – who continues to be detained by the armed group and allow detainees to correspond with their families.

Both those who speak out about abuses by the AA – and those who expose violations by the Myanmar military – risk threats and other reprisals. Amnesty International and APHR are especially concerned by reports that Chin activists and civil society groups who have sought to raise the case of Hawi Tin and other missing civilians, have faced threats and intimidation. On 11 November, 43 Chin civil society and media organizations issued a joint statement demanding Hawi Tin’s immediate release. Since then, individuals associated with organizations which signed the statement – including the Chin Human Rights Organization (CHRO) – have received anonymous abusive phone calls and threatening messages.

Under international human rights law and standards the Myanmar authorities have an obligation to ensure all people have the right to freedom of expression and have an obligation to exercise due diligence in protecting individuals against abuses of their rights by non-state actors. Ensuring that MPs, civil society activists and human rights defenders are able to undertake their professional activities free from harassment, threats, and harm is an essential component of the promotion and protection of human rights in Myanmar.

BACKGROUND

There has been a significant escalation in fighting between the Myanmar military and the Arakan Army (AA) in Rakhine State, western Myanmar, 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.