

URGENT ACTION

RAKHINE JOURNALIST REMAINS IN HIDING

Aung Marm Oo, an ethnic Rakhine Editor-in-chief of a news agency based in Rakhine State, has been in hiding for more than a year after charges were filed against him for violating the Unlawful Associations Act. His news agency, Development Media Group (DMG), has been reporting on violations during the ongoing armed conflict between the Myanmar military and the Arakan Army, an ethnic Rakhine armed group. If convicted under this repressive law, often used to target ethnic minorities in Myanmar, he faces up to five years in prison.

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

U Tun Tun Oo

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

I am writing to urge you to immediately drop the politically motivated charges filed against **Aung Marm Oo**. As he is the Editor-in-Chief and Executive Director of Development Media Group (DMG) based in Rakhine State, it is believed that he is being targeted due to the news agency's reporting on violations during the ongoing armed conflict between the Myanmar military and the Arakan Army in Rakhine and Chin States. The right to freedom of expression and media freedom must be fully and effectively respected, protected and promoted, and media workers should be allowed to carry out their work without any intimidation, harassment, threats of arrest, or prosecution.

It is concerning to learn that, more than a year after Special Branch police filed charges under Section 17(2) of the Unlawful Associations Act, the authorities have yet to provide information in writing to his family or to Development Media Group about why Aung Marm Oo has been charged. No explanation has been provided about why the authorities searched his house; questioned his family members; and interrogated his colleagues about his whereabouts and DMG's reporting on the situation in Rakhine State.

As I am sure you are aware, under international human rights law and standards, all people charged with criminal offences have the right to be promptly informed in detail about the nature and cause of the charges against them. 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.

I am also alarmed by the ongoing crackdown on independent media and peaceful activists in Myanmar. At least three media workers from other media outlets have been accused of violating counter-terrorism laws in the last two months, and DMG is facing difficulties in renewing its media and publishing licences, which prevents them from legally operating and carrying out their work. These prosecutions are made possible by a range of broadly worded laws which allow authorities to arrest, detain, and prosecute journalists, human rights defenders, and peaceful activists.

I am therefore writing to request that you, as a matter of urgency:

- **Drop all charges against Aung Marm Oo and other media workers facing imprisonment for simply doing their journalistic work;**
- **Review and repeal, or amend laws that restrict the right to freedom of expression, association and peaceful assembly, including the Unlawful Associations Act, to bring them in line with international human rights standards;**
- **Ensure a safe environment for all media workers, human rights defenders, activists, and others to carry out their work and exercise their human rights without any reprisals.**

Your sincerely,

ADDITIONAL INFORMATION

Aung Marm Oo (aka Aung Min Oo aka Oo Ba Khin) is the Executive Director and Editor-in-Chief of Development Media Group (DMG), a media agency founded in 2012 that reports on news and current affairs, with a focus on 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.

On 1 May 2019, Aung Marm Oo was charged with Section 17(2) of the Unlawful Associations Act, which provides for 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. To date Aung Marm Oo is unclear about what the charges specifically relate to, as the authorities have not sent to his family or DMG an official letter detailing the reasons. Aung Marm Oo believes they are linked to DMG's reporting. He has been in hiding for more than a year now, fearing arrest and detention.

Under international human rights law and standards, 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 human rights 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.

Amnesty International and others have documented serious violations by the Myanmar military in Rakhine and Chin States, including war crimes, as well as abuses by the Arakan Army. Fighting between the two forces is ongoing, with continuing reports of violations. The government still has internet restrictions in eight townships in the two states where armed-conflict continues. As fighting between the two forces escalates with reports of new violations, the authorities are targeting news agencies and journalists reporting on the conflict. At least three media workers have been accused of violating counter-terrorism laws after airing interviews or seeking comment from with Khine Thu Kha, a spokesperson of the AA, which was declared an unlawful association on 23 March 2020.

One of the three media workers is Nay Myo Lin, editor of Voice of Myanmar, a news outlet based in Mandalay, Myanmar's second largest city. He was detained for more than a week and charged under Sections 50(a) and 52(a) of the Counter Terrorism Law for publishing an interview with the Arakan Army spokesperson. Though he has been released after the court dropped the case, he could face life imprisonment if convicted. Hline Thit Zin Wai (aka Tha Lun Zaung Htet), editor and founder of Yangon-based Khit Thit Media, a news outlet that often reports on human rights and the situation in Rakhine State, is another media worker facing charges. He was also accused of violating the Counter Terrorism Law but has not been arrested yet. The third media worker is Mrat Kyaw, editor of Narinjara, a media outlet based in the Rakhine State capital of Sittwe. Counter-terrorism charges were filed against him in relation to a story that sought comment from the same AA spokesperson. He is now in hiding.

The crackdown on media freedom has been extended more widely amidst the COVID-19 outbreak as the authorities blocked independent media websites. In March 2020, the authorities issued three directives to block a total of 2,147 websites, including ethnic media, under Section 77 of the Telecommunications Law, which grants the government broad and arbitrary powers to suspend telecommunications networks.

PREFERRED LANGUAGE TO ADDRESS TARGET: English and Burmese/Myanmar. You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 18 June 2020

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)

LINK TO PREVIOUS UA: <https://www.amnesty.org/en/documents/asa16/0580/2019/en/>

ADDITIONAL TARGETS

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