***Investigate Alleged Human Rights Violations in Rakhine State, Hold Perpetrators Accountable***

(YANGON, February 28, 2017)— Myanmar authorities should immediately and unconditionally release human rights defender Khaing Myo Htun and investigate allegations of human rights violations by Myanmar Army soldiers against ethnic Rakhine civilians, said Fortify Rights today. Khaing Myo Htun faces up to two years in prison, fines, or both on charges of sedition and incitement for his involvement in publishing research alleging Myanmar Army soldiers committed human rights violations against Rakhine civilians.

“It’s a travesty that Myanmar authorities have arbitrarily detained Khaing Myo Htun for more than seven months,” said Matthew Smith, chief executive officer of Fortify Rights. “The military is using the courts to target and silence yet another human rights defender. Khaing Myo Htun must be released immediately.”

Judge Chit Myat denied Khaing Myo Htun’s bail application at a hearing on Monday in Sittwe District Court. This was Khaing Myo Htun’s second request for bail.

On May 5, Myanmar Army Lieutenant-Colonel Tin Naing Tun accused Khaing Myo Htun of sedition and incitement for publishing a statement on behalf of the Arakan Liberation Party (ALP) on April 24, 2016 alleging that the Myanmar Army used civilian forced labor and committed international crimes against civilians in Rakhine State. On July 25, 2016, Sittwe police arrested Khaing Myo Htun in Baukthisu Ward, Sittwe Township, Rakhine State for allegedly violating Sections 505 (b) and (c) of the Myanmar Penal Code.

At the time of his arrest, Khaing Myo Htun was the deputy information officer for the ALP—the political wing of the Arakan Liberation Army, which signed a ceasefire agreement with the Myanmar authorities in 2012.

Overshadowed by [gross and systematic human rights violations](http://fortifyrights.us10.list-manage.com/track/click?u=f15b18127e37f74088063b773&id=d6c3dae8cf&e=c1c9bfddc2" \t "_blank) against Rohingya Muslims in Rakhine State, deadly armed conflict between the Myanmar Army and the Arakan Army—another ethnic Rakhine armed group—has been ongoing in Rakhine State since April 2015. More than 1,100 civilians, mostly Rakhine Buddhists in Buthidaung, Rathedaung, and Kyauktaw townships in Rakhine State, were displaced since April 2015.

Since his detention in July 2016, Khaing Myo Htun’s trial has been repeatedly delayed. The plaintiff and other prosecution witnesses failed to appear at court, and former presiding Judge  Kyaw Zan Thar prematurely walked out of court hearings without explanation.

Sections 505 (b) and (c) of the Myanmar Penal Code prohibit “any statement, rumor or report . . . with intent to cause, or which is likely to cause, fear or alarm to the public…” and “with intent to incite, or which is likely to incite, any class or community of persons to commit any offence against any other class or community…” Violations of Section 505 are punishable by up to two years in prison, a fine, or both. Myanmar authorities have long used the broad and vague provisions in the law to silence human rights defenders.

The continued detention of Khaing Myo Htun is a violation of international law, said Fortify Rights.

Arrest and detention are unlawful when individuals are arrested or detained for engaging in activity that is protected under international law, such as exercising the right to freedom of expression. Khaing Myo Htun was exercising his right to freedom of expression by speaking on behalf of the ALP about alleged human rights violations committed by Myanmar Army soldiers against civilians in Rakhine State.

In March 2016, Fortify Rights investigated allegations of forced labor by the Myanmar Army in Kyauktaw Township, Rakhine State. Fortify Rights and partners documented [seven cases of forced labor](http://fortifyrights.us10.list-manage.com/track/click?u=f15b18127e37f74088063b773&id=fc2569479e&e=c1c9bfddc2" \t "_blank) by the Myanmar Army in December 2015 and January 2016. Myanmar Army soldiers forced ethnic-Rakhine civilians to dig graves and carry supplies under the threat of death during fighting with the Arakan Army in Rakhine State.

“Myanmar army soldiers must be held accountable for human rights violations they’ve committed,” said Matthew Smith. “Human rights defenders like Khaing Myo Htun are essential to ending impunity, and we believe that’s why the military is targeting him.”

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