

**Mandates of the Special Rapporteur on the situation of human rights in Myanmar; the Working Group on Arbitrary Detention; the Special Rapporteur on the rights to freedom of peaceful assembly and of association; and the Special Rapporteur on the situation of human rights defenders.**

REFERENCE: UA  
MMR 8/2015:

3 August 2015

Excellency,

We have the honour to address you in our capacity as Special Rapporteur on the situation of human rights in Myanmar; Chair-Rapporteur of the Working Group on Arbitrary Detention; Special Rapporteur on the rights to freedom of peaceful assembly and of association; and Special Rapporteur on the situation of human rights defenders pursuant to Human Rights Council resolutions 28/23, 24/7, 24/5, and 25/18.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning the arrest and detention of Mr. **Zaw Zaw Latt**,

Mr. Zaw Zaw Latt is a member of the non-governmental organization Thint Myat Lo Thu Myar (Peace Seekers), whose members belong to diverse faiths, including Baha'is, Buddhists, Christian, Hindus and Muslims. Thint Myat Lo Thu Myar works for interfaith peace building and the promotion and protection of freedom of religion, and against violence between Buddhists and Muslims. Mr. Zaw Zaw Latt is also a member of the political party National League for Democracy.

According to the information received:

Mr. Zaw Zaw Latt was arrested at 8 p.m. on 14 July 2015 at a coffee shop located in Chan Aye Thar Zan Township, Mandalay, by a police officer. He is currently kept detained at Chan Aye Thar Zan police station. The police officer did not show an arrest warrant.

Mr. Zaw Zaw Latt was reportedly charged under section 17/1 of the Penal Code for having taken part in a meeting of an unlawful organization. He is facing between two and three years' imprisonment and a heavy fine.

According to the source, Mr. Zaw Zaw Latt's arrest is related to his participation in 2013 in a peaceful march to Kachin State demanding an end to the conflict between the Government and the Kachin Independence Army. During the march, he took pictures of himself with a member of a Kachin armed group and posted the pictures on his Facebook account. Many journalists as well as members of the 88 Generation students group, a pro-democracy movement, also travelled to the rebel areas and took pictures wearing uniforms and holding arms, but were never questioned or arrested.

The source further reports that the "Central Nationality and Religion Safeguarding Association" (Mabatha) has been targeting Mr. Zaw Zaw Latt and spreading rumours that he has connections with armed groups. Mr. Zaw Zaw Latt has also reportedly been portrayed as a terrorist on social media.

Serious concerns are expressed at the arrest and detention of Mr. Zaw Zaw Latt. Particularly concerns are expressed concerning his apprehension without an arrest warrant; the charges brought against him and the possibility that his arrest has been motivated for his activities in favour of an interfaith peaceful coexistence in the Republic of the Union of Myanmar, in the exercise of his right to freedom of peaceful assembly and of association.

Without expressing at this stage an opinion on the facts of the case and on whether the detention of the above mentioned person is arbitrary or not, we would like to appeal to your Excellency's Government to take all necessary measures to guarantee his right not to be deprived arbitrarily of his liberty and his right to a fair trial or to be released, in conformity with articles 9 and 10 of the Universal Declaration of Human Rights (UDHR).

Furthermore, we would like to refer to the article 20(1) of the UDHR, which guarantee the rights to freedom of peaceful assembly and of association.

We would also like to refer to the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, also known as the UN Declaration on Human Rights Defenders, in particular articles 1, 2, 5 and 6.

The full texts of the human rights instruments and standards recalled above are available on [www.ohchr.org](http://www.ohchr.org) or can be provided upon request.

In view of the urgency of the matter, we would appreciate a response on the initial steps taken by your Excellency's Government to safeguard the rights of the above-mentioned person in compliance with international instruments.

As it is our responsibility, under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention, we would be grateful for your observations on the following matters:

1. Please provide any additional information, observation or comment your Excellency's Government may have on the above mentioned allegations.
2. Please provide information concerning the legal grounds for the arrest and detention of Zaw Zaw Latt and how these measures are compatible with international norms and standards as stated, *inter alia*, in the Universal Declaration of human Rights.
3. Please provide the details, and where available the results, of any investigation which may have been carried out in relation to this case. If no inquiries have taken place, or if they have been inconclusive, please explain why.
4. Please indicate what measures have been, or will be, taken to ensure that human rights defenders are able to carry out their legitimate work in a safe and enabling environment without fear of threats or acts of intimidation and harassment of any sort.
5. Please further indicate what measures have been, or will be, taken to guarantee the exercise of the rights to freedom of peaceful assembly and of association in the Republic of the Union of Myanmar.

While awaiting a reply, we urge that all necessary interim measures be taken to halt the alleged violations and prevent their re-occurrence and in the event that the investigations support or suggest the allegations to be correct, to ensure the accountability of any person responsible of the alleged violations.

Your Excellency's Government's response will be made available in a report to be presented to the Human Rights Council for its consideration.

Please accept, Excellency, the assurances of our highest consideration.

Yanghee Lee  
Special Rapporteur on the situation of human rights in Myanmar

Seong-Phil Hong  
Chair-Rapporteur of the Working Group on Arbitrary Detention

Maina Kiai  
Special Rapporteur on the rights to freedom of peaceful assembly and  
of association

Michel Forst  
Special Rapporteur on the situation of human rights defenders