

**Mandates of the Special Rapporteur on the situation of human rights in Myanmar and the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression**

REFERENCE:  
UA MMR 10/2020

22 July 2020

Excellency,

We have the honour to address you in our capacity as Special Rapporteur on the situation of human rights in Myanmar and Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, pursuant to Human Rights Council resolutions 40/29, 34/18.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning the threats and physical attacks against journalist Mr. **Kyaw Lin**, who may be targeted in Rakhine State in relation to his work as a journalist. Since 2017, unknown assailants attacked him on three occasions.

Kyaw Lin is a journalist based in Sittwe, Rakhine State. He has regularly reported on events in Rakhine State including the illegal drug trade, land confiscation and human rights violations and abuses.

According to information received:

On 20 December 2017, around noon, Kyaw Lin, also known as Yaung Sone, was violently attacked in downtown Sittwe. While on the back of a friend's motorbike, another motorbike with two men on it pulled up next to him. The passenger hit him on the back of the head and stabbed him in the chest with a makeshift weapon known as a "sakaber." He was immediately driven to Sittwe Hospital, where he received emergency surgery. He remained in the hospital for four days for treatment and recovery. After being discharged, Kyaw Lin did not go back to his family's house because he feared the attackers knew where he lived and that he was still in danger.

After the 20 December 2017 incident, Kyaw Lin filed a case with the police, but the perpetrators were not identified or held accountable.

In late July 2018, several armed men entered Kyaw Lin's mother-in-law's compound and inquired about his work and whereabouts. The following week, he received a phone call from an unknown person asking his location and threatening him, saying, "We will kill you if we find you." Kyaw Lin changed his phone number after this incident. In September 2018, men again entered his mother-in-

law's compound, asking for Kyaw Lin's whereabouts and whether he was still working as a journalist.

On 13 May 2020, Kyaw Lin was hospitalized in Rakhine State after two men on a motorbike fired a metal spike at him from a slingshot. He sustained a minor injury to his chest and received treatment at Sittwe Hospital in Rakhine State. On 14 May, Sittwe police visited him at the hospital to ask if he wanted to open an investigation, but Kyaw Lin declined because he did not believe the investigation would result in justice.

It is reported that these attacks and threats may be related to the work of Kyaw Lin as an investigative journalist and his writing about land confiscation and other work he has done investigating human rights violations and the drug trade in Myanmar.

Given his history of having been violently attacked and the recent uptick in threats against him, we have concerns for Kyaw Lin's safety. We are seriously concerned that he continues to be threatened despite having taken preventative measures, including moving locations, changing his phone number and email, decreasing his social media presence, rarely meeting anyone in public, and other actions, which may have a very serious adverse impact on his mental health.

In light of the above, we would like to refer to Article 19 of the Universal Declaration of human rights which guarantees the right to freedom of opinion and expression.

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 further information about the above allegations.
2. Could you please provide detailed information as to whether the attacks against Kyaw Lin have been investigated? If no investigation had taken place and had not been conclusive, please explain why.

3. What actions is your Government taking to ensure Kyaw Lin's protection and his ability to continue doing his work?
4. Encouraged by the Presidential directive on refraining from hate speech, would you also consider delivering a public message about the importance of a free press and the need to protect journalists from harm or wrongdoing?

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.

This communication and any response received from your Excellency's Government will be made public via the communications reporting [website](#) within 60 days. They will also subsequently be made available in the usual report to be presented to the Human Rights Council.

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

Thomas Andrews  
Special Rapporteur on the situation of human rights in Myanmar

David Kaye  
Special Rapporteur on the promotion and protection of the right to freedom of  
opinion and expression