

To,

State Counsellor Daw Aung San Suu Kyi

Your Excellency,

3rd Aug 2017

We, the undersigned, strongly urge the Myanmar government to ensure that Muslims living in Burma are afforded their fundamental human rights to practice their religion freely. The Burma government must not appease the ultra-nationalists who are utilizing hate speech, intimidation, and violence to promote fear in Muslim communities across the country, and divide and distract the people. It is extremely alarming to see how anti-Muslim sentiment has spread beyond Rakhine State, where the Rohingya Muslim minority has been harshly persecuted and isolated, even to major cities like Yangon.

Our most serious concerns relate to Muslims living in Tharkayta Township in Rangoon (Yangon), as well as Dagon, East Yangon, Thiri Mingalar block in Meikhtila, and several other locations where anti-Muslim incidents have been under reported. Recently in Tharkayta Township, authorities shut down two Islamic schools after protests by ultra-nationalist mobs. Following the closing of the schools, Muslims in the township had to nowhere to conduct prayers, and so they started to pray in the streets during the beginning of the holy month of Ramadan.

On June 2, authorities arrested three men for organizing Ramadan prayers held in the street outside one of the schools in which a crowd of 50 to 100 people participated. The right to practice religion freely is a fundamental human right, but these incidents show Muslims in Tharkayta, have been denied this right by both vigilante mobs and local authorities. Their act should be seen as a sign of commitment to their faith, rather than any sort of defiance, but according to Channel News Asia, local authorities issued a statement saying that the locals praying in public “threatened stability and rule of law” despite the prayers taking place peacefully, without incident.

Authorities have demanded the two men who led the outdoor prayers to sign an undertaking saying they will not host prayers outside the schools again in the future. However, authorities have taken legal action against Ko Moe Zaw, another man involved in organizing the prayers, alleging that his actions breached section 21 of the penal code which states that: “Any residence of Ward and Village organising any entertainment party, competition, show or traditional festivals required authorities approval and must abide by restrictions.”. Per section 26 of the same law, if found guilty of violations article 21, he could face a sentence of up to six months in prison, a 50,000 Kyat fine, or both. However, according to a legal expert in the country whose name is being withheld for his safety, article 24 (b) states that authorities must protect the right to freedom of religion for residences, arguing that section 21 is not valid in this case as the accused are protected by article 24(b).

The arrests of the three men for praying on the street in Yangon was the culmination of a series of anti-Muslim incidents that occurred in the area in late April and early May. On April 21, a group of Buddhist ultra-nationalists disrupted a Muslim prayer session at an Islamic school in Tharkayta Township, complaining that the schools were holding prayers in defiance from township orders not to do so. The following week, on April 28, some of the same groups protested again in front of two Islamic schools in the area, and successfully pressured police to shutter the schools. Those two schools remain shut today, depriving hundreds of Muslim children of their right to education.

On May 29, authorities ordered Muslim leaders from Tharkayta township to come to a meeting, and the officials present informed those assembled that private residences could not be used for religious purposes as they had been previously.

On June, 5 Myanmar Muslim religious organizations sent a letter to the Ministry of Religious Affairs, raising serious concerns about their difficulties to find another place for the Muslim community to conduct religious worship in Tharkayta and Dagon South Townships.

A Sunni Jumma Mosque and Islamic school located at Lay Dauk Kan Block, that has operated for 75 years in Dagon East in Yangon for 75 years, now has also been blocked for religious use following complaints to the Ministry of Religious Affairs. The rationale for the closure is apparently that the Ministry did not issue permission for the Muslim community to access the premises for religious purposes. Complainants then informed local officials of this fact, and local officials reacted by banning the use of these premises because the mosque did not have permission from Ministry of Religious Affairs.

At this time, there are approximately 1200 Muslim households living Thiri Mingalar ward in Mekhtila city, comprising a total of about 4000 persons. However, there are only two mosques in the city and both have been sealed by the authorities. The result it is now impossible for Muslims living in the area to exercise their right to freedom of worship and prayer during Ramadan or other times impossible for the Muslims living there. On May 1, Muslim leaders from the affected community sent a letter to State Counsellor and Foreign Minister Daw Aung San Suu Kyi regarding their plight, and requesting her assistance. On June 3, the Muslim leaders sent another, similar letter to the authorities. To date, they have received no response to either letter.

We are disappointed that the Burma government has not permitted the construction of any new mosque in the country since 1962. In fact, because several mosques have been shut down and the government refuses to permit them to re-open, the actual number of mosques in the country is less than in 1962.

These instances are all part of a greater pattern of targeted oppression against Muslims by state and non-state actors in Burma that clearly violate article 18 of the United Nations' Universal Declaration of Human Rights. We call on friends of Burma in the international community, including aid donors to the Burma government, to pressure the Burmese Government to ensure that all people in the country have the freedom to practice their religion peacefully without fear of organized intimidation or administrative obstruction. In pursuing a more democratic future, we believe that Burma must ensure that all people are represented and all laws are applied equitably, while ensuring equal rights universally.

Recommendations:

To the Government of Burma:

Ensure that police and local government forces will not act pre-emptively to satisfy arbitrary or unlawful demands by extremist nationalist groups. Order local authorities to maintain the rule of law rather than appease the ultra-nationalist groups at the expense of respecting the rights of religious minorities.

Reopen all closed mosques and religious schools and allow them operate freely in accordance with the United Nations Declaration of Human Rights.

Immediately permit the construction and renovation of non-Buddhist religious buildings, and ensure that future decisions are both impartial and non-discriminatory, regardless the religious faith calling for permission.

Drop the charges against Ko Moe Zaw, and revoke the signed undertakings signed by the other two organizers of the street prayers during Ramadan in Yangon.

Invite the UN Special Rapporteur on Religion or Belief to conduct an official visit to Burma, and fully cooperate with him to ensure he has access to all religious communities.

Undersigned by:

ALTSEAN-Burma
Arakan Rohingya National Organisation ARNO
Burma Campaign UK
Burma Human Rights Network BHRN
Burma Task Force
Burmese Muslim Association BMA
Burmese Rohingya Organisation UK
Chin Human Rights Organization
Christian Solidarity Worldwide CSW
Free Burma Campaign (South Africa)
Geutanyoe Foundation
Humaniti Malaysia
International Campaign for the Rohingya
Jewish Alliance of Concern Over Burma (JACOB)
Majlis Perundingan Pertubuhan Islam Malaysia (MAPIM)
Malaysian Humanitarian Aid and Relief (MAHAR)
Odhikar
Progressive Voice (Myanmar)
Restless Beings
Stefanus Alliance International