



Press Release: Muslims jailed for three months for street prayers

1 May 2018, London, U.K. -- Authorities have sentenced seven Muslim men to three months in jail for organising prayers in the street in Tharkayta Township, in Yangon. The events in question took place nearly one year ago and the sentence was based on the Ward and village Tract Administration Law, which prohibits unauthorized public gatherings, though legal authorities have argued there is a clear exemption for religious events.

The Tharkayta Township court ruled against the seven men on April 30th, 2018 following a trial against the men for organising a street prayer event on Ahnawmar 13 Street in Ward Number 1 in Tharkayta Township. The men were praying in the street following the sealing off of two Islamic schools on Ahnawmar 11 and 12 Streets in Tharkayta on April 28th of 2017, following protests and pressure from Buddhist ultra-nationalists groups. The schools were closed following complaints that Muslims were using them to host prayers.

After the closure of the schools, Muslims living inside of the ward requested formal permission to use the schools to host prayers for a month, to accommodate local Muslims during the holy month of Ramadan. These requests were rejected by the head of the District General Administration. Following this denial, a group of 50 Muslims gathered on 31st march to break their fasts and hold a group prayer. The following day the ward administrator filed a suit against the organiser of the event, Ko Moe Zaw, claiming he breached section 21 of the Ward and village Tract Administration Law. He was charged under section 26 of the law. Two other trustees of the 12th Street Mosque were also charged. Then on July 15th of last year, an additional six people who participated in the prayers event were charged under section 26 of the law.

Tharkayta Township is home to 50,000 Muslims, and has 8 Madrassahs in it. Two have been sealed shut by authorities since last year and the six that reopened are only allowed to be used as schools for children. Muslims in this area are denied a proper place to pray or worship freely and are prohibited from building any new religious buildings, a fundamental human right.

Burma Human Rights Network's Executive Director, Kyaw Win said, "This case and the events which led to it all demonstrate a societal and systemic bias against Muslims and minorities inside of Burma. These men were denied a place to worship by the authorities intentionally trying to prohibit their religious freedoms. When some men took it upon themselves to continue practicing their religion outside in the rain because they were not permitted a place to worship, they were punished for this as well. It is hard to imagine any intention the authorities might have other than to make religious freedom nearly impossible for Muslims."

Among those who were jailed were Mufti Soe Moe Oo son of the Chair of trustees of the 12 Street mosque. Seven people who were jailed are (1) Ko Moe Zaw (a.k.a) Nur Sharin, (2) Mufti Soe Moe Oo, (3) U Tin Myo Aung, (4) Haji U Soe Myint, (5) U Aung San Linn, (6) U Ismail and (7) Ayyub Bhai (a.k.a) San Win.

Section 26 of the Ward and Village Tract Administration Law states that those who breach section 21 of the law can be punished jail term not exceeding six months or Kyat 50 000 fine or both.

Section 21 of the Ward and village Tract Administration Law states that people in the ward who want to organize ceremonies, entertainment events, exhibitions and events held according to tradition must seek prior permission from the ward administration authorities.

Religious events is not included in the list of activities mentioned in the section 21 of the law, however, section 24 (b) of the law states that the ward and village administration must protect the rights of the people in the ward to organise religious events. Advocate U Ohn Maung, who represented the seven people, argued in the court that conducting prayer events was similar to holding a religious event as mentioned in the section 24 (b) of the law.

Burma Human Rights Networks calls upon Burmese authorities to immediately free those men who've been imprisoned unjustly and to review any policies, which have been used to persecute religious minorities in the country. The international community must view these events as early warning of oppression against minorities, which will continue to deteriorate, and possibly unfold into violence or state oppression as has been seen elsewhere in the country. Early detection and action is the greatest and most effective way to address these issues and offers an opportunity for all parties to work proactively before it is too late.

Notes for Editors

Background on current situation:

Religious tensions in Myanmar have increased drastically over the past decade, where anti-Muslim sentiment has spread dramatically along with the rise of Buddhist Ultra-Nationalism. The events in Tharkyata occurred in concert with escalating tensions in Rakhine State, where the Burmese military led a campaign against the ethnic Rohingya, an oppressed Muslim minority most Burmese consider foreign. Much of the animosity directed towards Burmese Muslims has been connected to the state anti Muslim persecution policy, which include the situation in Rakhine State. Previously, anti-Muslim riots targeted Burmese Muslims throughout the country in 2013. In 2012 similar riots took place in Rakhine State, directed at the Rohingya.

Background on the Burma Human Rights Network (BHRN)

Burma Human Rights Network (BHRN) works for human rights, minority rights and religious freedom in Burma. BHRN has played a crucial role advocating for human rights and religious freedom with politicians and world leaders.

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