



BY AIRMAIL

President U Htin Kyaw
President's Office
Office No.18
Nay Pyi Taw,
Republic of the Union of Myanmar

Amsterdam, 12 May 2017

Subject: Harassment of lawyer Robert Sann Aung

Your Excellency,

Lawyers for Lawyers is an independent, non-profit and non-political foundation that seeks to promote the proper functioning of the rule of law by pursuing freedom and independence of the legal profession.

Lawyers for Lawyers is concerned about the harassment of lawyer Robert Sann Aung.

Robert Sann Aung is a prominent human rights lawyer and a distinguished legal advocate for human rights. He represents human rights defenders and peaceful activists charged in politically motivated cases as well as victims of human rights violations and their family members.

Robert Sann Aung has been receiving regular death threats, insulting messages and phone calls since the assassination at Yangon airport of prominent lawyer U Ko Ni on 29 January 2017¹. Robert Sann Aung has also received crude and deeply offensive text messages.

In addition to receiving threatening phone calls and messages, it was reported that Robert Sann Aung was also monitored by Myanmar's security forces. According to our information, while having to transit in Mandalay for work, Robert Sann Aung been followed by a man wearing civilian clothes who claims to be from the Military Intelligence. This has now happened on four separate occasions since 19 December 2016.

Lawyers for Lawyers, as well as other organizations, fear that the threats against Robert Sann Aung relate to his legitimate work as a lawyer. In this regard, we would like to

¹ <http://www.advocatenvooradvocaten.nl/12455/myanmar-killing-of-lawyer-u-ko-ni/>



draw your attention to the UN Basic Principles on the Role of Lawyers², more in particular Articles 16 and 17, which read:

16. Governments shall ensure that lawyers (a) are able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference (...) and (c) shall not suffer, or be threatened with, prosecution or administrative, economic or other sanctions for any action taken in accordance with recognized professional duties, standards and ethics.

17. Where the security of lawyers is threatened as a result of discharging their functions, they shall be adequately safeguarded by the authorities.

In view of the above, Lawyers for Lawyers respectfully urge you to immediately:

- Take immediate action to protect and ensure the safety of Robert Sann Aung, in coordination with him and subject to his wishes;
- Immediately order an impartial, independent and effective investigation into the threats against and harassment of Robert Sann Aung and bring those responsible to justice;
- Guarantee in all circumstances that all lawyers in Myanmar are able to practice law without threat, intimidation, hindrance, harassment, improper interference or reprisals.

Thank you for your attention to this very important matter. We are confident that the government of Myanmar will give this case the attention it deserves and we will continue to monitor this case closely.

On behalf of the President of Lawyers for Lawyers, Phon van den Biesen,

Sincerely,

LAWYERS FOR LAWYERS

Adrie van de Streek

Executive Director

² The UN Basic Principles on the Role of Lawyers provide a concise description of international norms relating to the key aspects of the right to independent counsel. The Basic Principles were unanimously adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders in Havana, Cuba on 7 September 1990. Subsequently, the UN General Assembly “welcomed” the Basic Principles in their ‘Human rights in the administration of justice’ resolution, which was adopted without a vote on 18 December 1990 in both the session of the Third Committee and the plenary session of the General Assembly.



A letter concerning the same topic was sent to:

- Minister of Home Affairs Republic of the Union of Myanmar, Lt. Gen. Kyaw Swe
- Myanmar Police Chief, Pol. Maj-Gen Zaw Win

A copy of this letter was sent to:

- State Counsellor Daw Aung San Suu Kyi, Ministry of Foreign Affairs