

# 'Vague and over-broad' laws stifling independent journalism in Myanmar – UN rights report

Describing the conviction in Myanmar of two Reuters journalists last week as a “particularly outrageous” example of judicial harassment against the media there, “vague and over-broad” laws have made it impossible for the press to do its job in the country, without fear or favour, a new United Nations report has found.

Michelle Bachelet, the UN High Commissioner for Human Rights, whose Office (OHCHR) issued the report Tuesday, underscored that the findings show the severity of dangers independent journalists face in Myanmar.

“Where [journalists are jailed for merely visiting an area controlled by an armed group](#), when their sources are jailed for providing information from conflict zones, and where a Facebook post can result in criminal defamation accusations – such an environment is hardly conducive to a democratic transition,” she said.

According to the report, [The Invisible Boundary: Criminal prosecutions of journalism in Myanmar](#), laws relating to telecommunications, official secrets, unlawful associations, electronic transactions and even obscure laws relating to imports and aircraft, have been used to try and prosecute journalists in recent years.

In one case, three journalists were arrested in June 2017 for covering an event to mark the International Day Against Drug Abuse and Illicit Trafficking in an area under the control of an armed group in northern Shan state. They were charged under the Unlawful Associations Act. The case was dropped, but not before they had spent 67 days in detention.

Together, the cases outline to journalists a clear choice between self-censorship and the risk of prosecution [...] Given the importance of journalism for the public’s right to information, the restrictions imposed on media personnel have a broader implication in society – *OHCHR report*

In another case, two Christian Baptists from Kachin state, were arrested in December 2016 under the same law, for assisting journalists who had travelled to northern Shan state to report on the conflict there. They were held incommunicado for several weeks and eventually received prison sentences of two years and three months having also been charged under an Import-Export statute, relating to their alleged use of unlicensed motorbikes, the report states.

Other cases involved the invocation of the same Law against journalists for using a drone to film the national parliament building and a Telecommunications statute was used to target a journalist for posts on the social media site, Facebook.

The report also refers to “the instrumentalization of the law and of the courts by the Government and military in what constitutes a political campaign against independent journalism,” and the “failure of the judiciary to uphold the fair trial rights of those targeted.”

In conclusion, the report also sets out a series of recommendations, including a review of all legal provisions impacting the right to freedom of expression with a view to repealing or amending those that do not comply with international human rights law.

It also calls for the immediate and unconditional release of the [two Reuters journalists](#), Kyaw Soe Oo (also known as Moe Aung) and Thet Oo Maung (also known as Wa Lone), as well as all other journalists currently in detention for the “legitimate and peaceful exercise of their right to freedom of expression”.

The two Reuters journalists were sentenced to seven years’ imprisonment under the Official Secrets Act in connection with their coverage of a massacre, by the military, of men from the minority Muslim Rohingya community in the Inn Dinn village, Rakhine state.