

Union Attorney General, U Tun Tun Oo
Union Attorney General Office No. 25
Nay Pyi Taw
Republic of the Union of Myanmar
Fax: + 95 67 404106
Email: ago.h.o@mptmail.net.mm

Dear Attorney General U Tun Tun Oo,

I am writing to express my concern about the detention of filmmaker Min Htin Ko Ko Gyi, who was arrested on 12 April and faces charges in connection with a series of social media posts in which he expressed critical views of the military-drafted 2008 Constitution and the role of the military in politics. He is charged with making “statements conducing to public mischief” under Section 505(a) of Myanmar’s Penal Code and has also been accused of “online defamation” under Section 66(d) of the 2013 Telecommunications Act. If formally charged and convicted of both counts, he faces up to four years in prison. Amnesty International considers him to be a prisoner of conscience, detained solely for the peaceful exercise of his right to freedom of expression.

I am especially concerned about Min Htin Ko Ko Gyi’s health while in detention. He has liver cancer and underwent a major operation earlier this year. He requires ongoing specialized medical treatment, which is not available in Insein prison, where he is currently being held. I am concerned that his health will continue to deteriorate without access to the treatment he needs. Myanmar has an obligation to uphold Min Htin Ko Ko Gyi’s right to health, and international human rights standards specify that prisoners who require specialized treatment or surgery should be transferred to specialized institutions or to civil hospitals.

More generally, I am worried about a recent surge in the number of politically motivated arrests and detentions in Myanmar. These arrests are made possible by a range of laws which have for years been used to arrest, detain, and prosecute peaceful political activists and human rights defenders. These laws are contrary to international human rights law and standards and have no place in any country committed to freedom of expression.

I am therefore writing to urge you, a matter of urgency, to:

- Immediately and unconditionally release Min Htin Ko Ko Gyi and drop all charges against him;
- Pending his unconditional release, ensure that he has full and regular access the specialized medical treatment he requires by granting Min Htin Ko Ko Gyi bail on humanitarian grounds;
- Review and repeal or amend laws that restrict the right to freedom of expression, including Section 505(a) of the Penal Code and 66(d) of the 2013 Telecommunications Act, to bring them in line with international human rights laws and standards.

Your sincerely,