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Dear Union Attorney General U Tun Tun Oo,

I am writing to express my concern about the charges against filmmaker Min Htin Ko Ko Gyi, his health concerns in detention, and an increase in politically-motivated charges stifling freedom of expression in Myanmar.

It is worrying to learn that Min Htin Ko Ko Gyi has been formally charged for Facebook posts critical of the 2008 military-drafted Constitution and the military's role in politics. On 18 July, the Insein Township Court formally charged him under Section 505(a) of Myanmar's Penal Code, which provides up to two years in prison for anyone who makes "statements conducing to public mischief." He has also been accused of "online defamation" under Section 66(d) of the 2013 Telecommunications Act, a complaint which remains pending. Detained in Yangon's Insein prison since his arrest on 12 April 2019, he is, in the view of Amnesty International, a prisoner of conscience, held solely for peacefully exercising his right to freedom of expression.

I am particularly concerned about Min Htin Ko Ko Gyi's health in detention. He has liver cancer and underwent a major operation earlier this year. I appreciate that he was recently allowed to leave the prison for a post-operation medical check-up at a government hospital; however, he requires regular check-ups and medication which are not provided nor are they available at the prison. Without regular monitoring and access to the medication he needs, his health may deteriorate further. As a state party to the International Covenant on Economic, Social and Cultural Rights, Myanmar has the obligation to uphold his right to health.

Finally, I want to express my alarm regarding the recent surge in politically-motivated arrests and detentions in Myanmar, carried out via a range of laws that allow peaceful political activists and human rights defenders to be arrested, detained, and prosecuted. These laws contradict international human rights law and standards and are detrimental to freedom of expression in Myanmar.

I am therefore writing to urge you 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 to the specialized medical treatment he requires by granting Min Htin Ko Ko Gyi bail on humanitarian grounds or allowing him to be transferred to a specialized institution or civil hospital;
- 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 into line with international human rights laws and standards.

Yours sincerely,