



Permanent Mission of the Republic of the Union of Myanmar
to the United Nations Office and other International
Organizations in Geneva
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26 July 2013

Dear Sirs,


I would like to refer to your letter of 30 May 2013, with regard to the detention of Myint Oo aka Ottama, son of U Bo Kay.

I have received the following information from the authorities about the aforementioned matter:

- Myint Oo aka Ottama publicly preached and disseminated the Moe Pyar Doctrine, in Aung Pan, Ka Law Township in Shan State. He was sued by Dr. Tun Myint from Aung Pan under Section 295(A) of the Penal Code for his activities in outraging the religious feelings of Buddhist devotees.
- Myint Oo aka Ottama was sentenced to 2 years' imprisonment by Ka Law Township Court on 3 October 2012 under Section 295(A) of the Penal Code for publishing a book in which he used the scurrilous term by mentioning the teachings of Theravada Buddhism as an evil doctrine.
- Section 295(A) of the Penal Code say: "Whoever, with deliberate and malicious intention of outraging the religious feelings of any class of [persons residing in the Union] by words, either spoken or written, or by visible representations, insults or attempts to insult the religion or the religious beliefs of that class, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both."
- The said prisoner has been fully enjoying eligible rights in accordance with the Prison Law. In addition, Attorney U Kyaw Soe was allowed to have the power of attorney so that the prisoner could appeal to the Taung Gyi District Court and the Shan State Court. These courts have rejected his appeal and Attorney U Aung Thein was allowed to have the power of attorney to file an appeal to the Supreme Court.
- The prisoner has been receiving parcels every two weeks from U Myat Ko Ko, who lives in Aung Pan. He has also been receiving visits by his daughter Ma Kay Zin Oo, his younger brother U Win Aung and his younger sister Ma Cho Cho Swe.
- His prison term has been reduced for 75 days, requiring him to serve the remaining of eight months prison sentence.

- In accordance with Article 18 of the Universal Declaration of Human Rights and the State Constitution of the Republic of the Union Myanmar, every citizen has the right to freedom of conscience. Followers of various religions in the country enjoy their right to the freedom of religion.

Please accept, Sirs, the assurances of my highest consideration.



26/7/2013.

(Maung Wai)

Ambassador and Permanent Representative

Mr. Tomas Ojea Quintana
Special Rapporteur on the situation of human rights in Myanmar

Mr. El Hadji Malick Sow
Chair-Rapporteur of the Working Group on Arbitrary Detention

Mr. Frank La Rue
Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression

Mr. Heiner Bielefeldt
Special Rapporteur on freedom of religion or belief