



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 December 2012

Dear Sirs and Madam,

I have the honour to refer to your joint urgent appeal dated 29 November 2012 in connection with the case of Dr. Tun Aung.

I would like to forward to you the following information that we have received from the Ministry of Home Affairs of the Republic of the Union of Myanmar:

- Dr. Tun Aung was arrested on 5 July 2012 and detained at Sittwe Prison. He was convicted of various charges, including the possession of Bangladesh currency (Foreign Exchange Regulation Act, Section 24 (1)), the possession of a mobile phone SIM card from Bangladesh (Wireless Telegraph Act, Section 6 (1)), the possession of harmful data on his computer, the falsification of national registration certificate (Penal Code, sections 153 (a), 505 (c) / 148), instigation and incitement to cause racial discord (Emergency Provisions Act, Section 5 (e)), et cetera.
- He is undergoing an eleven-year imprisonment.
- He is 64 years old. Even before his imprisonment in Sittwe Prison, he suffered from a pituitary tumour and underwent a surgery. During his imprisonment, under the arrangement made by the prison authorities, he enjoys access to necessary medications including those provided by his own family.

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2

- On 5 December 2012, he received a medical examination conducted by Dr. Kyi Kyi Thar, Medical Superintendent of the Health Department in Sittwe. He was found in good health.
- Again on 7 December 2012, he had a medical appointment with the Specialist Physician Dr. Maung Maung Than. It was confirmed that he was in good health.
- Dr. Tun Aung has not put up to the prison authorities any request whatsoever, neither to receive medical treatment from specialist physicians nor any other hospitals outside of the prison.
- He is now in good health. Under the arrangement made by the prison authorities, he enjoys access to proper medical care and attention.
- While he was under detention in Sittwe Prison, his family members, his chosen defence lawyer and the prosecution lawyer were not able to visit him in the prison due to the local security situation at that time. He has never been denied the right to appoint a lawyer of his choice.
- The prison authorities will make arrangements for his family members and his lawyers to visit him in the prison upon receipt of any requests in that regard.

Please accept, Sirs and Madam, the assurances of our highest consideration.


(Maung Wai)

Ambassador/Permanent Representative

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3

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. Anand Grover

Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health

Ms. Gabriela Knaul

Special Rapporteur on the independence of judges and lawyers

Mr. Juan E. Mendez

Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment