



**Permanent Mission of the Republic of the Union of Myanmar to  
the United Nations Office and other International Organizations**

47 avenue Blanc, 1202 Geneva, Switzerland

Tel. (+41-22) 906-9870, 906-9871/ Fax. (+41-22) 732-8919

E-mail: mission@myanmargeneva.org

No. 556/ 3-27/ 91

7 November 2019

Dear Sirs and Madams,

With reference to the letter AL MMR 9/2019 dated 26 September 2019, I wish to convey the following information from the authorities concerned in Myanmar:-

- In section 3 and section 4 of the Law for Protection of Personal Privacy and Personal Security of Citizens, it is provided that “every citizen has the right to enjoy fully personal privacy and personal security of citizens as set forth in the Constitution”, and “the ministry concerned and persons in charge shall protect not to deprive of personal privacy and personal security of citizens”.
- In section 8 of the Law for Protection of Personal Privacy and Personal Security of Citizens, it is provided that “no one, without any permit, permission or warrant in accordance with existing laws or without any permission of the President or the Union Government, shall demand and pass any personal information on telephone and electronic communications data from telecommunication operators”. This provision does not infringe the right of personal privacy and personal security of citizens.
- Article 12 of the Universal Declaration of Human Rights states that “no one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks”. It is, therefore, important to note “without any permit, permission or warrant in accordance with existing laws or without any permission of

the President or the Union Government” contained in section 8 of the Law for Protection of Personal Privacy and Personal Security of Citizens is provided for the protection against arbitrary interference.

- The penalties for holding assembly or procession without notification in accordance with the provision of section 4 of the Law relating to Peaceful Assembly and Peaceful Procession, 2016 are provided in the section 19 of the said law.
- The provision of section 4 protects state security, the prevalence of law and order, tranquility, and prevents disturbance, danger, damage, injury and obstruction to the public by the persons who enjoy and exercise the right to peaceful assembly and peaceful procession.
- In articles 19, 20 and 27 of the Universal Declaration of Human Rights, it is stated that “everyone has the right to freedom of opinion without disturbance and the right to freedom of peaceful assembly and association, and “everyone has the right freely to participate in the cultural life of the community and freely to enjoy”. Nevertheless, it can assume that everyone has the right to freedom of action, settlement and safety only if his or her action does not disturb other’s liberty and safety. Therefore, the provision of section 19 of the Peaceful Assembly and Peaceful Procession Law is the provision to take action against a person for the interference of freedom and safety of another person if that person’s action becomes the interference of liberty and safety of another person.
- Therefore, the provision of sub-section (d) of section 8 of the Law for the Protection of Personal Privacy and personal Security of Citizens and section 19 of the Peaceful Assembly and Peaceful Procession Law are provided in accordance with articles 19, 20 and 27 of the Universal Declaration of Human Rights.

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



(Kyaw Moe Tun)

Ambassador / Permanent Representative

Special Rapporteur on the situation of human rights in Myanmar

Vice-Chair of the Working Group on Arbitrary Detention

Special Rapporteur in the field of cultural rights

Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression

Special Rapporteur on the rights to freedom of peaceful assembly and of association

Special Rapporteur on the situation of human rights defenders

Special Rapporteur on minority issues