

URGENT ACTION

TWO YEARS IN PRISON FOR ‘INSULTING RELIGION’

Writer Htin Lin Oo has been sentenced to two years in prison for “insulting religion” after he made a speech criticising the use of Buddhism to promote discriminatory and extremist views. He is a prisoner of conscience who must be immediately and unconditionally released.

On 2 June 2015, writer **Htin Lin Oo** was sentenced by the Chaung-U Township Court to two years in prison with hard labour for “insulting religion” under Section 295(a) of Myanmar’s Penal Code. He was acquitted of the charge of “wounding religious feelings” under Section 298 of the Penal Code. Htin Lin Oo was the information officer of the National League for Democracy (NLD), Myanmar’s main opposition party, until he was removed from this position shortly after the criminal charges were filed against him.

Htin Lin Oo was convicted and sentenced for a speech he gave on 23 October 2014 at a literary event in Chaung-U Township, Sagaing Region, in which he criticized the use of Buddhism to promote discrimination and prejudice. The speech, which lasted about two hours, was heard by approximately 500 people. Soon after the event, a 10-minute edited video of the speech appeared on social media, causing outrage among extremist Buddhist nationalist groups.

Htin Lin Oo is currently imprisoned in Monywa prison in Sagaing Region. He will appeal the verdict.

Please write immediately in English, Burmese or your own language:

- Urging the authorities to release Htin Lin Oo immediately and unconditionally and quash his conviction;
- Urging them to ensure that, pending his release, Htin Lin Oo is not tortured or otherwise ill-treated; that he is not transferred to a remote prison; that he has regular access to family members and lawyers of his choosing; and is provided with any medical treatment which he may require;
- Calling on the authorities to repeal or else review and amend all laws which arbitrarily restrict the right to freedom of expression, in order to bring them in line with international human rights law and standards;
- Urging them to take concrete action to address the growing use of religious advocacy to incite discrimination, hostility and violence against non-Buddhists.

PLEASE SEND APPEALS BEFORE 14 JULY 2015 TO:

Chairman, Myanmar National Human

Rights Commission

U Win Mra

27 Pyay Road, Hline Township, Yangon

Republic of the Union of Myanmar

Fax: +95 1 659 668

Email: chmyanmarnhrc@gmail.com

Salutation: Dear Chairman

Minister of Religious Affairs

Soe Win

Ministry of Religious Affairs

Nay Pyi Taw

Republic of the Union of Myanmar

Salutation: Dear Minister

And copies to:

President

Thein Sein

President Office

Nay Pyi Taw

Fax: +95 1 652 624

Republic of the Union of Myanmar

Salutation: Your Excellency

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date. This is the first update of UA 16/15. Further information:

<https://www.amnesty.org/en/documents/ASA16/0005/2015/en/>

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ADDITIONAL INFORMATION

Htin Lin Oo is a writer and former information officer for Myanmar’s main opposition party, the National League for Democracy (NLD). On 4 December 2014, Htin Lin Oo was charged by the Chaung-U Township Court after a complaint was filed against him by Township officials. He was charged with “insulting religion” under Section 295(a) of Myanmar’s Penal Code and with “wounding religious feelings” under Section 298 of the Penal Code. Htin Lin Oo was arrested and detained at his first court hearing on 17 December after being denied bail. Further requests for bail were rejected.

The right to freedom of expression is enshrined in Article 19 of the Universal Declaration of Human Rights (UDHR). While international human rights law and standards permit certain restrictions to the right to freedom of expression, these restrictions are clearly defined and limited in scope: they must be provided by law; be limited to certain specified purposes such as national security, public order or respect of the rights or reputation of others, and necessary and proportionate to the achievement of one of those permissible purposes.

The prosecution and conviction of Htin Lin Oo do not meet the narrow human rights criteria for restricting the right to freedom of expression, and therefore Myanmar is clearly violating this right. The case against Htin Lin Oo threatens to create an environment in which any discussions related to religion would be inhibited and comes amid growing religious tensions in the country.

National and international non-governmental organizations have raised concerns about extremist Buddhist nationalist groups using inflammatory language to incite hostility, violence, and discrimination against non-Buddhists. However, the authorities have yet to take concrete action to address this.

Amnesty International also continues to receive reports about poor prison conditions in Myanmar which fall below international standards. These include lack of access to adequate medical treatment, clean drinking water, nutritious food, and water for bathing. The organization calls on the Myanmar authorities to ensure that conditions of detention comply with those set out in the UN Standard Minimum Rules for the Treatment of Prisoners and other international standards.

Name: Htin Lin Oo

Gender m/f: m

Further information on UA: 16/15 Index: ASA 16/1778/2015 Issue Date: 2 June 2015