


Political Prisoner Profile

AAPP CASE NO.:	0106			 <p>Ant Bwe Kyaw ©AAPP</p>
NAME OF POLITICAL PRISONER:	Ant Bwe Kyaw			
GENDER:	Male	Ethnicity:	Burmese	
DATE OF BIRTH:	November 27, 1966	Age:	42	
RELIGION:	Buddhist			
PARENTS NAME:	U Kyaw Shwe(aka)Writer Min Kyaw and Daw Tin Tin Win			
EDUCATION:	M.A. Burmese			
OCCUPATION:	Writer, 88 Generation Students Group and former political prisoner			
LAST ADDRESS:	Building No.(257), Room No.(13), 3rd floor, Ward No.(2) Yankin Tsp., Rangoon			
ARREST DATE:	August 22, 2007			
SECTION OF LAW:	Section 505 (b) , 130 (b), 17/20, 33 (a), 17/1, 24/1, 32 (b)/36, 6, 5/96 (Section 4)			
SENTENCING HISTORY:	65 years on 11 November 2008			
COURT HEARING:	Insein prison special court			
NAME OF PRISON:	Insein Annex prison, Katha prison			
RELEASE DATE:				
IMMEDIATE HEALTH CONCERNS:				
CURRENT STATUS SUMMARY:				
<p>Ant Bwe Kyaw is currently detained in Katha Prison, Sagaing Division. He was transferred there on 20 November 2008, after being detained in Insein Annex Prison since August 22, 2007. On November 11 2008 he was sentenced to 65 years detention, convicted on charges related to participation in the demonstrations which took place in August that year.</p>				
CAREER BACKGROUND:				
<p>Ant Bwe Kyaw enrolled at Rangoon University to major in Burmese. On March 13 1988 a peaceful student protest at the Rangoon Institute of Technology (RIT) was brutally crushed by the authorities, and two students were shot dead by riot police. Students from all over the country attended peaceful rallies on their school campuses to protest against the heavy-handed treatment by authorities and to demand an independent investigation into the deaths of the two students. On March 15 and 16 police responded with brutality and arrests. Ant Bwe Kyaw was arrested for the first time after he was involved as a committee member in the students' movement known as the "March affair", active from March 15 to 18 in 1988 at Rangoon University.</p> <p>After Ant Bwe Kyaw was released on July 7 1988 he joined the newly formed All Burma Students Democratic Movement Organization (Ma-Ka-Da) led by Min Zay Ya and went on to become one of the central executive committee members of the organization. He was also a central executive committee member of the All Burma Federation Student's Union Reconstruction Committee in 1989.</p> <p>When Daw Aung San Suu Kyi was awarded the Nobel Peace Prize in 1991, Ant Bwe Kyaw and his fellow students decided to hold a ceremony to honour her on their university campus against the orders of their university professors. Although the professors were sympathetic, they were threatened with arrest by military intelligence if they did not cooperate with authorities.</p> <p>Many students including Ant Bwe Kyaw were arrested for their roles in the ceremony. After an unfair trial he was sentenced to imprisonment for ten years, but was released from Tharyarwaddy prison after</p>				

eight years. After his release from prison in November 1999, **Ant Bwe Kyaw** became a writer. He also edited a Myanmar-English Dictionary.

When the 88 Generation Students Group formed in 2005, **Ant Bwe Kyaw** became a member. He has been very involved in the group's activities. In August 2007, he and other prominent activists were detained following demonstrations against the regime's economic mismanagement, hikes in fuel and commodity prices, and the falling standard of living. Following an overnight fuel price hike on August 15, 2007, the 88 Generation Students Group, along with other opposition groups staged peaceful walking protests throughout Rangoon which then spread across Burma. On August 19, 2007, the group led a march by more than 400 people from Rangoon's Kokine junction to Tamwe market in a protest against high fuel prices. The activists, who had attended a memorial service for late National League for Democracy leader U Kyi Maung in Bahan township, walked to Tamwe instead of paying for bus fares pushed higher by increased gas prices. The Burmese government had raised the price of subsidised fuel by between 100 and 500 percent, causing the cost of public transport and a number of staple commodities such as rice and cooking oil to increase dramatically.

In September 2008, a year after **Ant Bwe Kyaw's** most recent arrest, his 70 year old mother Daw Tin Tin Win was arrested at her home in Yan Kin Township, Rangoon, probably because of her connection to Nilar Thein, an 88 Generation Students Group activist who was arrested on September 10 while visiting her. Daw Tin Tin Win has been unwell and neighbours and friends were worried about her. She was interrogated and subsequently released.

ARREST DETAILS:

Ant Bwe Kyaw was arrested late on the night between the 21 and the 22 of August 2007, along with thirteen members of the 88 Generation Students Group, including Kyaw Kyaw Htwe, Min Ko Naing, Ko Ko Gyi, Mya Aye, Pyone Cho (aka) Htay Win Aung, Jimmy (aka) Kyaw Min Yu, Yin Htun, Min Zeya, Pannate Tun, Thet Zaw, Zaw Zaw Min, Nyan Lin Tun and Zay Ya, by members of the Police Special Branch. They were all taken to the Kyaikkssan Ground Detention Center in Tamwe Township of Rangoon before being transferred to Insein prison. Their mobile phones were confiscated and their houses were searched.

DETAILS OF IMPRISONMENT:

Ant Bwe Kyaw is currently detained in Katha Prison, Sagaing Division. He was transferred there on November 2008, after being detained in Insein Annex Prison since August 22, 2007.

In September 2007, the families of detained 88 Generation Students Group leaders asked the International Committee of the Red Cross in Burma for help in trying to locate the activists. Ko Ko Gyi, **Ant Bwe Kyaw**, Pannate Tun and Pyone Cho all wrote to their families, saying they were being interrogated but were in good health. Their whereabouts, however, have not been disclosed by the authorities. Finally, in November, members of the group were allowed to receive visits from their families for the first time.

In January 2008, when Daw Tin Tin Win tried to visit her son, she was denied and told to simply leave whatever she had brought for him (*DVB*, January 22, 2008)

In July 2008, Insein prison authorities undertook to remove red and black clothing, collarless shirts and Kachin or Yaw Longyis from prisoners because they were reminiscent of clothes worn during demonstrations. **Ant Bwe Kyaw's** mother was forced to take back a collarless shirt she had given to her son. (*DVB*, July 9, 2008)

The trials of 35 members of the 88 Generation Students Group started on August 27, 2008 and

continued on September 9. They, 9 females and 26 males, were brought before the Rangoon Eastern District Court, which was held inside the Insein Prison. Some had been detained in prison more than a year, since August 21, 2007, without trial. Their cases were to be heard by eight courts, Insein Township Court, Hlaing Tharya Township Court, Rangoon Eastern District Court, Rangoon Northern District Court, Thinganyun Township Court, Dawbon Township Court, South Okkalapa Township Court, and North Okkalapa Township Court. All courts were held inside the Insein Prison.

Detainees included Min Ko Naing, Ko Ko Gyi, Pyone Cho, Min Zeya, Mya Aye, Jimmy, Zay Ya, Kyaw Kyaw Htwe, **Ant Bwe Kyaw**, Pannate Tun, Zaw Zaw Min, Thet Zaw, Nyan Linn, Than Tin aka Kyee Than, Htay Kywe, Hla Myo Naung, Aung Thu, Myo Aung Naing, Thet Thet Aung, Thein Than Tun, Tin Htoo Aung, Zaw Htet Ko Ko, Chit Ko Linn, Thaw Zin Tun, Aung Gyi @ Aung Thike Soe, Saw Myo Min Hlaing, Thin Thin Aye(F), Sandar Min(F), Nwe Hnin Ye(F), Thara Phe Theint Theint Tun(F), Aye Thida(F), San San Tin(F), Lay Lay Mon(F), Hnin May Aung(F). On October 13, Mar Mar Oo (F), arrested on August 7, and Nilar Thein were added to the group of 35.

Their seven Defense Lawyers were U Aung Thein, U Khin Maung Shein, Daw Khin Htay Kywe, U Kyaw Hoe, U Myint Thaug, U Pho Phyu, and U Nyi Nyi Hlaing.

They were charged with 21 counts under the following laws:

- 1) Section 130/b of the Penal Code (committing depredation of foreign governments at peace with Burma) for open criticism of China and Russia for their use of veto power to reject the Burma resolution at the UN Security Council;
- (2) Section 4 of 'Endangering National Convention' (SPDC Law No. 5/96) for criticism of the national convention and constitution writing process;
- (3) Section 17/20 of the Printers and Publishers Registration Act for failure to obtain permission to print publicity pamphlets and for possession of printers without registration;
- (4) Section 33(a) of the Electronic Transactions Law;
- (5) Section 17 (1) of the Unlawful Association Act;
- (6) 24/1 of the Law Amending the control of money (for illegal possession of foreign currency);
- (7) 32(b)/ 36 of the Television and Video Law;
- (8) Section 6 of the Organization of Association Law for forming an organization without permission;
- (9) 505(b) of the Penal Code for denouncing the government.

At the August 27 trial, nine student leaders (Min Ko Naing, Ko Ko Gyi, Pyone Cho aka Htay Win Aung, Mya Aye, Hla Myo Naung, Nyan Lin, Aung Thu, Myo Aung Naing and Htay Kywe) as well as the other detainees demanded that they should not be handcuffed during the hearing and that their family members, public and media should be allowed to attend the hearing.

On September 9, Min Ko Naing was quoted in *Burma Digest* (October 1, 2008) as saying, "You can sentence us to a thousand years in prison for our political activities, but we will continue to defend ourselves in accordance with the law. Nobody can hide from justice."

During the September 10 hearing, they were still handcuffed, but their family members were allowed to attend. The judge heard from the prosecutor who made his cases based on documents obtained from Internet.

On October 15, 2008, all Township Courts handed over the cases to three District Courts: Rangoon Eastern District Court, Rangoon Western District Court and Rangoon Northern District Court. These three District Courts heard the cases inside Insein prison Compound.

The trial continued on October 27. Many defendants withdrew power of attorney from their lawyers, as

they believed the trial was not fair. Some refused to answer the questions of the prosecutors. Security was still tight and the defendants were concerned for their safety. On October 29, nine of the student leaders (Min Ko Naing, Ko Ko Gyi, Pyone Cho aka Htay Win Aung, Mya Aye, Hla Myo Naung, Nyan Lin, Aung Thu, Myo Aung Naing and Ko Htay Kywe) were sentenced by the Northern District Court inside Insein prison to 6 months imprisonment under section 228 of the Penal Code for contempt of court after refusing to respond when asked by the presiding judge three times whether they were guilty or not. According to attorney Aung Thein, one of three lawyers for the activists, the judge ruled that the activists had "interrupted a public servant at a judicial proceeding" by repeatedly asking for an open trial that relatives could attend. Some of the other defendants then stood up and demanded the judge to sentence them too. Security forces surrounded the court and the judge ordered them to remove all the defendants from the court and adjourned the trial.

On October 31, the nine who were convicted of contempt of court were transferred to Ma-ubin prison in the Irrawaddy Division. Their trial continued in Ma-ubin District Court, held inside the Ma-ubin prison Compound. On November 1, their families were allowed to visit them in Ma-ubin prison.

On November 11, 2008, **Ant Bwe Kyaw** was sentenced, along with 13 other activists (Zaw Zaw Min, Kyaw Min Yu aka Jimmy, Than Tin aka Kyee Than, Zay Ya aka Kalama, Kyaw Kyaw Htwe aka Marky, Pannate Tun, Thet Zaw, Thin Thin Aye aka Mie Mie, Mar Mar Oo, Nilar Thein, Sandar Min aka Shwee, Thet Thet Aung and Min Zeya), to 65 years in prison. He was convicted of 5 counts of the indictment:

- 1) One charge under Section 6 of the Organization of Association Law for forming an organization without permission; for this charge he was sentenced to 5 years.
- 2) Four charges under Section 33(a) of the Electronic Transactions Law; for each of these he was sentenced to 15 years.

On the same day, the nine activists sent to Ma-ubin prison were also convicted on the same counts. It is expected that those convicted will receive more sentences as their trials continue under the remaining 16 counts of the indictment.

Aung Thein and Khin Maung Shein, lawyers in the case, were sentenced in absentia to four months detention during the trials (on November 7th). Three other defense lawyers who were representing several dissidents, Kyaw Hoe, Myint Thaug, and Khin Htay Kywe, have also been barred from representing their clients since early November.

"I have nothing to do but pray to Lord Buddha for the safety of my son. I have to encourage myself as I have no one but myself," said Tin Tin Win, **Ant Bwe Kyaw's** mother, according to a report by Associated Press on November 11.

Profile prepared by the Assistance Association for Political Prisoners (Burma) on November 27 2008 and updated on July 2 2009