


# Political Prisoner Profile

<b>AAPP CASE NO.:</b>	0014			
<b>NAME OF POLITICAL PRISONER:</b>	Hla Myo Naung			
<b>GENDER:</b>	Male	<b>Ethnicity:</b>	Burmese	
<b>DATE OF BIRTH:</b>	1967	<b>Age:</b>	39	
<b>RELIGION:</b>	Buddhist			
<b>PARENTS NAME:</b>	U Sein Maung			
<b>EDUCATION:</b>	Final year law student, University of Rangoon			
<b>OCCUPATION:</b>	Leader, 88 Generation Students Group, member of ABFSU			
<b>LAST ADDRESS:</b>	Rangoon			
<b>ARREST DATE:</b>	October 10, 2007			
<b>SECTION OF LAW:</b>	Section 505 (b) , 130 (b), 17/20, 33 (a), 17/1, 24/1, 32 (b)/36, 6, 5/96 (Section 4), 228			
<b>SENTENCING HISTORY:</b>	Sentenced to six months in prison for contempt of court on October 29, 2008 Sentenced to 65 years in prison on November 11, 2008			
<b>COURT HEARING:</b>	Insein prison special court, Ma-ubin prison			
<b>NAME OF PRISON:</b>	Insein prison, Ma-ubin prison, Myitkyina prison			
<b>RELEASE DATE:</b>				
<b>IMMEDIATE HEALTH CONCERNS:</b>				
<p><b>Hla Myo Naung</b> is already blind in one eye, and he is now experiencing similar symptoms in his good eye to those he experienced before he lost the sight in his good eye, and is at serious risk of going totally blind. As of June 2009, the condition of his eye was seriously deteriorating. (AAPP chronology) He urgently needs specialist treatment, but since 15 November 2008 he has been transferred to Myitkyina Prison which is over 900 miles from Rangoon and has no prison doctor at all present in the facility. According to a report by Ashin Mettacare, <b>Hla Myo Naung</b> had received no appropriate medical care before being transferred to Kachin state. (161108 OpEd News) According to his wife, "The people there don't know much. Even in Rangoon there are only two eye specialists who can treat this kind of ailment. There are no proper medical instruments there either. They just looked at his eye and prescribed eye drops." (AAPP, 300509 and RFA 180309)</p> <p>This medical condition is extremely serious, and is what led to his arrest on October 10, 2007 when he emerged from hiding to be treated in a Rangoon clinic. According to his doctor, he was suffering from a ruptured cornea and required urgent surgery to save his sight. An unsuccessful operation appears to have been carried out in detention on October 11. Then, on October 12, 2007 his wife Aye Mar was informed by Rangoon Division police personnel that he had had an eye operation at Kanthayar Hospital in Kandawgyi, Rangoon, and that his nervous system was now damaged as a result of the operation. She was not allowed to visit him. Reports indicate that follow-up treatment was denied to <b>Hla Myo Naung</b>.</p> <p>On January 30, 2008, the wife of fellow political prisoner Win Maw confirmed that she had seen <b>Hla Myo Naung</b> in the Insein prison clinic while on a visit there.</p> <p>Reports from family members of other activists detained with <b>Hla Myo Naung</b> confirm that he is at serious risk of going blind due to lack of treatment in detention for his eye condition. "<b>Hla Myo Naung</b> is going to completely lose his vision. He had already gone blind in one eye due to a lack of treatment and now his other eye is getting worse and worse," said Aung Aung Tun, brother of 88 Generation Student leader Ko Ko Kyi. (250408 DVB)</p>				
<b>CURRENT STATUS SUMMARY:</b>				
<b>Hla Myo Naung</b> is currently detained in Myitkyina Prison, Kachin State. This remote location is putting				

his health at severe risk. There are currently at least 26 political prisoners detained in this facility, one of the most remote in Burma. 13 of them have been unable to receive visits from family members, due to the prohibitive costs and distances involved. A round trip from Rangoon to Myitkyina costs approximately 48,000 kyats (\$48) per person, and this in many cases exceeds a family's monthly income. (AAPP Silent Killing Fields Report)

On October 29, 2008 **Hla Myo Naung** and eight other leaders of the 88 Generation Students Group 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 they demanded that their families be allowed to attend their court hearing and refused to answer the Judge's request for a plea of guilty or not guilty.

On October 31, they were transferred to Ma-ubin Prison, Irrawaddy Division, where their trial continued. Just like the fourteen 88 Generation Students Group leaders held in Insein prison, on November 11 the nine were sentenced to 65 years detention after being convicted of charges related to participation in demonstrations during August 2007. On November 15, the group of nine was transferred back to Insein prison. On November 16, **Hla Myo Naung** was transferred to Myitkyina prison in Kachin state.

#### **CAREER BACKGROUND:**

**Hla Myo Naung**, aged 39, played a leading role in the 1988 pro-democracy uprising and spent five years in prison during the early 1990s.

In October 2006, **Hla Myo Naung** helped lead the 88 Generation Students Group Campaign known as "White Expression Campaign" which urged people to wear white clothing for one week as a peaceful demonstration of their support for five prominent student leaders who had been arrested at the end of September, including Min Ko Naing, Ko Ko Gyi, Pyone Cho, Min Zeya and Htay Kywe. "White Expression is just a move to demonstrate people's desire. We are not trying to create public unrest," he told *The Irrawaddy*. The group also started a Signature Campaign which, according to Hla Myo Naing, was a success despite difficulties in communicating with people in remote areas. He reported that more than 120,000 signatures had been collected, though exact numbers were difficult to determine due to transportation problems in conveying the petitions to Rangoon from rural regions. (091006 Irrawaddy)

**Hla Myo Naung** participated in the demonstrations against the regime's economic mismanagement, hikes in fuel and commodity prices, and the falling standard of living in August 2007. He went into hiding after 13 of his fellow activists were arrested on August 21, 2007 following a peaceful march 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 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.

After the August arrests, **Hla Myo Naung** became the main spokesperson for the 88 Generation Students Group. In early September his mobile phone and those of other activists who are in hiding, such as Htun Myint Aung, and Toe Kyaw Hlaing, were cut off. Before his arrest, he was quoted in a *Democratic Voice of Burma* report as saying that there would continue to be unrest for as long as people continued to experience difficulties in their daily lives: "Consider the root cause of this disease. Consider the ways to prevent this disease from recurring...I believe that we need to send a message to

the ruling government openly and clearly.”

In October 2008 the 88 Generation Students who are detained in Insein prison, including **Hla Myo Naung**, were awarded the “2008 President’s International Democracy Award” from the American Federation of Teachers (with more than 1.4 million members) in the U.S.

**Hla Myo Naung** and his wife, Aye Mar, have a 10-year-old son. (Source: Terres des Hommes, Hilfe für Kinder in Not)

#### **ARREST DETAILS:**

**Hla Myo Naung** was arrested by military and police intelligence officers along with Tharaphee, a colleague from the ‘88 Generation Student Group, when he came out of hiding on October 10 2007 to seek medical treatment for deteriorating eyesight. Following his arrest his house was raided and all books and papers found were removed. He had allegedly been on the list of persons sought by the authorities since the arrest of other members of the 88 Generation Students Group on August 21, 2007. Photographs of a number of members of the organization, including **Hla Myo Naung**, were reportedly pasted around townships in Rangoon, and according to witnesses township authorities had ordered police to search for and arrest those persons. (Source: Front Line Defenders)

On the same day that **Hla Myo Naung** was arrested, 42-year-old fellow activist Win Shwe died during interrogation. An NLD member in Kyaukpadaung Township in Mandalay Division, Win Shwe had been arrested on September 26. Hla Myo Naung is from the same township.

#### **DETAILS OF IMPRISONMENT:**

**Hla Myo Naung** is currently detained in MytKyina Prison, Kachin State.

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. Finally, in November, members of the group were allowed to receive visits from their families for the first time.

The trials of the 35 members of the 88 Generation Students Group, led by Min Ko Naing, started on August 27, 2008 and continued on September 9. They, 9 females and 26 males, were brought before Rangoon Eastern District Court which was held inside Insein prison. Most had been detained in prison without any trial for more than a year, since August 21<sup>st</sup> 2007. Their cases were 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 were held inside Insein prison.

The accused included Min Ko Naing, Ko Ko Gyi, Pyone Cho, Min Zeya, Mya Aye, Jimmy, Zay Ya, Kyaw Kyaw Htwe, Arnt Bwe Kyaw, Pannate Tun, Zaw Zaw Min, Thet Zaw, Nyan Lin, 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 August 7, Mar Mar Oo (F) was arrested and on September 10, Nilar Thein (F) was arrested. On October 13, they were added to this group.

Their seven Defense Lawyers are 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. 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 September 9 Min Ko Naing was quoted in the *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."

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 the attorney power 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 the 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 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 judge three times whether they were guilty or not. The presiding judge at the trial ruled that the activists had "interrupted a public servant at a judicial proceeding" by repeatedly asking for an open trial that relatives could attend, said attorney Aung Thein, one of three lawyers for the activists. Some 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 were transferred to Ma-ubin prison in the Irrawaddy Division. Their trial continued in Ma-ubin District Court, inside the Ma-ubin prison Compound. On November 1, their families were allowed to visit them in Ma-ubin prison.

In addition to being convicted of contempt of court under Section 288 of the Penal Code on October 29, on November 11, Hla Myo Naung was sentenced, along with the eight other activists held at Ma-ubin, 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, 14 of the original group of 35 held in Insein prison (Min Zeya, Zaw Zaw Min, Kyaw Min Yu aka Jimmy, Than Tin aka Kyee Than, Zay Ya aka Kalama, Arnt Bwe Kyaw, 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) were also sentenced to 65 years on these same charges. It is expected that those convicted will receive more sentences as their trials continue under the remaining 16 counts of the indictment.

On November 15, **Hla Myo Naung** and the other eight activists held at Ma-ubin were transferred back to Insein prison. Then, on November 16, he was transferred to Myitkyina prison in Kachin state, located 900 miles (1,440 km) north of Rangoon.

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

**\*This profile was prepared by the Assistance Association for Political Prisoners (Burma) on 2 April 2008, added facts on 15 September 2008 and updated on December 2, 2008 and July 1 2009\***