


Political Prisoner Profile

AAPP CASE NO.:	0004			 <p style="color: red; font-weight: bold;">Ko Ko Gyi</p>	
NAME OF POLITICAL PRISONER:	Ko Ko Gyi				
GENDER:	Male	Ethnicity:	Burmese		
DATE OF BIRTH:	1961	Age:	47 in 2008		
RELIGION:	Buddhist				
PARENTS NAME:	U Thaung Tun				
EDUCATION:	Final year student, International Relations, University of Rangoon (1988)				
OCCUPATION:	Leader, 88 Generation Students Group				
LAST ADDRESS:	Thingangyun Township, Rangoon				
ARREST DATE:	August 21, 2007			PHOTO DATE:	April 2008
SECTION OF LAW:	Section 505 (b) , 130 (b), 17/20, 33 (a), 17/1, 24/1, 32 (b)/36, 6, 5/96 (Section 4), 228				
SENTENCING HISTORY:	Sentenced to six months in prison for contempt of court on October 29, 2008 Sentenced to 65 years in prison on November 11, 2008				
COURT HEARING:	Insein prison special court, Ma-ubin prison				
NAME OF PRISON:	Insein prison, Ma-ubin prison, Mae Sat prison, Monghsat prion				
RELEASE DATE:					
IMMEDIATE HEALTH CONCERNS:					
<p>In May 2009 it was reported by Radio Free Asia that Ko Ko Gyi was once again suffering from Hepatitis B, and that his general health condition was deteriorating. (RFA 06/05/2009)</p> <p>On November 21, 2008, <i>Mizzima</i> reported that his brother Aung Htun had recently met with the detained student leaders and said that his brother and others are suffering from various illnesses, due to their constant detention and lack of medical treatment. "They have already suffered various diseases during their previous lengthy prison terms before being arrested again last year. My elder brother's major complaint is indigestion. He is trying his best to prevent his disease from worsening. He's having only gruel in prison instead of rice," Aung Htun said. A few months earlier, his brother had already reported to the media that Ko Ko Gyi had been suffering from a weak digestive system, and had only been able to eat boiled rice and other easily digestible things like noodles for a few months. Ko Ko Gyi's liver is reportedly also weak. Ko Ko Gyi has previously also suffered from liver stones.</p> <p>In December 2007 Ko Ko Gyi was reported to be suffering from serious backache after accidentally slipping and colliding with a cement water container just as he was recovering from dengue fever. (<i>Irrawaddy</i>)</p>					
CURRENT STATUS SUMMARY:					
<p>On October 29, 2008 Ko Ko Gyi and eight other leaders of the 88 Generation Students Group, also charged, 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 in the Irrawaddy Division where their trial continued. On November 11, all were sentenced, like the 14 88 Generation Students Group leaders held in Insein prison, to 65 years in prison 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. At 3:00 am on Sunday, November 16, Ko Ko Gyi was transferred to Mae Sat prison.</p>					
CAREER BACKGROUND:					
<p>Ko Ko Gyi has earned a reputation as a gifted strategist within the pro-democracy movement. He is one of the most prominent activists, second only to the poet-activist Min Ko Naing.</p>					

In 1988, **Ko Ko Gyi** was a few months away from his graduation as a final year student of International Relations at the University of Rangoon when popular protests began. 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. Many 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. **Ko Ko Gyi**, together with fellow student leaders, led the peaceful rally on the campus of Rangoon University on March 15, 1988. On March 16, 1988 he was among the students who were beaten by the police on the main street in front of the school while they were attempting to march to the RIT.

Ko Ko Gyi was closely involved in the uprising on August 8, 1988 (known as the 8.8.88 uprising). On August 28, 1988 he became the vice-chairperson of the All Burma Federation of Student Unions (ABFSU), led by Min Ko Naing as chairperson. He was arrested on April 27, 1989 and held in detention for 44 days. Following his release, he led the ABSFU from July 1989 to December 1991, while his friend and colleague Min Ko Naing remained in detention.

Ko Ko Gyi was arrested again on December 11, 1991 for his involvement in a student protest at Rangoon University, held to honor imprisoned Daw Aung San Suu Kyi for receiving the Nobel Peace Prize. He was initially sentenced to 20 years imprisonment with hard labor, later reduced to 10 years. When he completed his prison term, the authorities continued to detain him under section 10(A) of the State Protection Act. He was eventually released in March 2005, after spending more than 13 years in prison. In an interview with *Irrawaddy* magazine following his release, he said, “We paid the price with our families, our youth and our society. But we are satisfied with that sacrifice.”

On September 6, 2005 **Ko Ko Gyi** helped found the 88 Generation Students Group, together with other prominent activists from the 1988 uprising. On September 27, 2006, he was arrested, together with Min Ko Naing, Htay Kywe, Min Zeya and Pyone Cho, by special police forces. They were arrested for their pro-democracy activities, including the “White Sunday” campaign, which began in early 2006. Every Sunday around 100 pro-democracy activists wore white clothing similar to that worn by political prisoners, and went to visit the families of political prisoners in an act of solidarity and protest. The activists were all released on 11 January 2007. On March 11, 2007 they reinitiated the White Sunday Campaign.

On August 7, 2007, **Ko Ko Gyi** wrote an article for *Democratic Voice of Burma* entitled “How are we going to carry out our ‘duties’?”. In it he criticized the National Convention process unfolding in Burma and made proposals for how to democratize it. (See http://english.dvb.no/print_news.php?id=316)

In August 2007, **Ko Ko Gyi** was deeply involved in demonstrations against the regime’s economic mismanagement, hikes in fuel and commodity prices, and the falling standard of living. On August 19, 2007, 88 Generation Students Group activists including **Ko Ko Gyi** 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. **Ko Ko Gyi** said that by deciding not to take public transport the group had made a statement about the impact high transport costs would have on the average Burmese worker. “We couldn’t pay the new bus fares for our large group so the logical solution was to walk instead . . . Most people are facing problems like this now.”

On the night of August 21-22, 2007, he and other prominent student activists were arrested for their roles in organizing the demonstrations against rising fuel and commodity prices.

88 generation students, including **Ko Ko Gyi**, who have been detained in Insein Prison, were awarded the “2008 President’s International Democracy award” from the American Federation of Teachers (with more than 1.4 million members) in the United States in October 2008.

ARREST DETAILS:

On 21 August 2007 **Ko Ko Gyi** was arrested in a late-night raid on his home, as were many other leaders and prominent members of the 88 Generation Students Group, including Min Ko Naing, Pyone Cho, Min Zeya, Mya Aye, Ko Jimmy, Ko Zay Ya, Kyaw Kyaw Htwe, Arnt Bwe Kyaw, Pannate Tun, Zaw Zaw Min, Thet Zaw and Nyan Lin Tun. *The New Light of Myanmar* said that those arrested were accused of “breaking the law guarding against acts undermining the efforts to successfully carry out peaceful transfer of State power and facilitate the proceedings of the National Convention.”

DETAILS OF IMPRISONMENT:

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**, Arnt 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, was not disclosed by the authorities.

Finally, in November, members of the 88 Generation Students Group were allowed to receive visits from their families for the first time.

In mid December, **Ko Ko Gyi** and some other 88 Generation prisoners, were moved from Insein Annex prison to Insein main prison.

On April 25, 2008, **Ko Ko Gyi**’s brother reported to the media that **Ko Ko Gyi** was being held in isolation and had been denied the right to exercise for the past month.

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 trial for more than a year, since August 21, 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 have been held inside the 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 Ko 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 are hearing the cases inside Insein prison compound.

The trial continued on October 27. Many defendants withdrew their 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, which will be held 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, Ko Ko Gyi 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 2008, **Ko Ko Gyi** and the other eight activists held at Ma-ubin were transferred back to Insein prison. On November 16, he was transferred to Mae Sat Prison in Shan state. According to a report from *Democratic Voice of Burma* (November 18, 2008) before they were taken away from the court, Min Ko Naing and **Ko Ko Gyi** spoke of their continued commitment to the pro-democracy movement and the work for national reconciliation and development. In a *Democratic Voice of Burma* report (November 17, 2008), he said: "I'm putting aside all emotional feelings regarding on our situation now....We have worked consistently to achieve national reconciliation and to transform our country into a peaceful and developed nation and we will keep doing our work with the same devotion."

Aung Thein, 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 Thaung, and Khin Htay Kywe, have also been barred from representing their clients since early November.

Prison authorities had not kept families properly informed of prison transfers. Aung Tun, **Ko Ko Gyi's** brother visited him in Monghsat Prison in Shan State. He told RFA on 17 December, "I went to Shan State to find out which prison my brother is being held in. He's been there since 9 December 2008. Finally I found out where he is being held. It's so tiring to visit him. I spent 1,000,000 kyats (US\$ 1,000) and it's so cold there".

This profile was prepared by the Assistance Association for Political Prisoners (Burma) on April 7, 2008 and updated on July 10, 2008, September 15, 2008, November 3, 2008, November 18, 2008 and 24 June 2009.