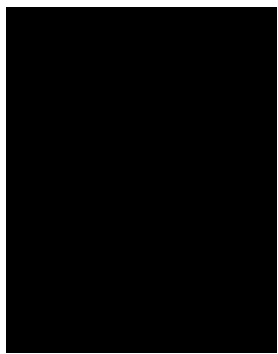


Political Prisoner Profile

AAPP CASE NO.:	0053			
NAME OF POLITICAL PRISONER:	Pannate Tun			
GENDER:	Male	Ethnicity:	Burmese	
DATE OF BIRTH:	1976	Age:	33	
RELIGION:	Buddhist			
PARENTS NAME:	U Sein Linn and Daw Nyunt Nyunt Oo			
EDUCATION:	Second Years (Mathematics) Distance Education in 1988			
OCCUPATION:	88 Generation Students group and former political prisoner			
LAST ADDRESS:	N/ Okkalapa Township, Rangoon			
ARREST DATE:	22 August 2007		PHOTO DATE:	
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:	Sentenced to 65 years in prison on 11 November 2008			
COURT HEARING:	Insein prison special court			
NAME OF PRISON:	Insein Annex prison, Bamaw prison			
RELEASE DATE:				
IMMEDIATE HEALTH CONCERNS:				
CURRENT STATUS SUMMARY:				
Pannate Tun was transferred to Bamaw prison in Kachin state on 20 November 2008.				
CAREER BACKGROUND:				
<p>Pannate Tun was a second year mathematics student by distance education when, in 1998, he was arrested for the first time under section 5/j of the Emergency Provision Act and 17/20 of the Printers and Publishers Registration Act and sentenced to 14 years imprisonment. He was released from Kale prison on 6 July 2005.</p> <p>After his release, Pannate Tun became a member of the 88 Generation Students Group, formed in 2005.</p> <p>In August 2007, Pannate Tun 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 15 August 2007, the 88 Generation Students group, along with other opposition groups, staged peaceful walking protests throughout Rangoon, which then spread across Burma. On 19 August 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 <i>National League for Democracy (NLD)</i> 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.</p>				
ARREST DETAILS:				
Pannate Tun was arrested at his home in Rangoon on 22 August 2007, as were many other leaders and prominent members of the 88 Generation Students group, including Ko Ko Gyi, Htay Win Aung aka Pyone Cho, Min Ko Naing, Mya Aye, Kyaw Min Yu aka Jimmy, Kyaw Kyaw Htwe, Arnt Bwe Kyaw, Min Zeya, Zaw Zaw Min, Thet Zaw and Nyan Lin Tun. At the time, the junta's mouthpiece <i>The New Light of Myanmar</i> 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.”

1. Prosecuting police officer Myint Aung (*du-ye`-hmue* or lieutenant major) accused Min Zeya using sections 17/20 and 21 in Dawbon Township Court Case No. 392/2008.
2. Prosecuting Police officer Zaw Min Aung (*du-ye`-hmue-gyi* or Major) accused Min Zeya using sections 17/1 and 21 in Thingangyun Township court Case No. 724/2008 and section 33 (a) in Rangoon Northern District court Case No. 90/2008.
3. Prosecuting Police officer Ye Nyunt (*du-ye`-hmue* or lieutenant major) accused Min Zeya using section 32 (b)/36 in Thingangyun Township court case No. 725/2008, section 24/1 and 21 in Thingangyun Township court case no.726/2008, and section 24/1 to 21 in Thingangyun Township court case no.727/2008.

DETAILS OF IMPRISONMENT:

In September 2007, the families of detained 88 Generation Students leaders asked the *International Committee of the Red Cross in Burma (ICRC)* for help in trying to locate the activists. In an interview with *Democratic Voice of Burma (DVB)* on 12 September 2007, Pannate Tun’s mother Daw Nyunt Nyunt Oo was quoted as saying: “The *ICRC* said they were facing difficulties with access but they also said they would do their best to try to help us...They asked us to submit a formal letter to them asking for help so we wrote to them saying that our sons had been detained since 21 August 2007 and we want the government to tell us where they are being held.” 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, were not disclosed by the authorities. Pannate Tun’s sister said local authorities had delivered a letter from him on 20 September 2007. They said they were not allowed to say where Pannate Tun was being held. “We feel a bit better after hearing from him, but we are still worried about how he is being interrogated,” his sister said. Finally, in November, members of the 88 Generation Students group were allowed to receive visits from their families for the first time.

At the beginning of November, family members were allowed to send personal items to some prisoners. Pannate Tun’s sister said that her family sent food, clothes, medicine, a toothbrush, toothpaste, teacups and plates. The authorities told them that they would be allowed to send personal items once a week.

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, Thingangyun 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, Arnt 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 27 August 2008 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* 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." (*BurmaDigest01102008*)

During the 10 September 2008 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 9 October 2008 *The Burma Lawyers' Council (BLC)* called for a lawful trial to be held in public for 21 activists, in accordance with article 10 of the Universal Declaration of Human Rights. (*RFA101008*)

On 15 October 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 27 October 2008. 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 29 October 2008, 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 31 October 2008, 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 1 November 2008, their families were allowed to visit them in Ma-ubin prison.

On 11 November 2008, Pannate Tun was sentenced, along with 13 other activists (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, Thet Zaw, Thin Thin Aye aka Mie Mie, Mar Mar Oo, Nilar Thein, Sandar Min aka Shwee, Thet Thet Aung), 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.

Upon hearing their sentences, the activists responded with defiance. Some of them shouted "Free Burma!". Family members were not allowed to attend the hearing. (*AAPP 11112008*) (*DVB121108*)

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

On 18 November 2008, Pannate Tun's father, Sein Linn, 67, was reported as saying that he fell sick after hearing of the punishment: "I got high blood pressure when I heard the news" he said. "I do not understand politics but I cannot afford to do anything apart from feeling for him." Daw Nyunt Nyunt Oo, Pannate Tun's mother, was reported as saying that her son was sentenced to 65 years under charges that ban possession of illegal videos, making speeches or statements, and taking part in demonstrations. "No family members or defence lawyers were present at the trial," she said.

On 9 November 2008, NLD lawyers U Khin Maung Shein and U Aung Thein, who were representing Min Zeya among other student activists, were each sentenced to four months' imprisonment for 'contempt of court' (*The Irrawaddy07112008*). They were charged under section 3 of the Contempt of Court Act (*US Campaign for Burma 07112008*) and (*RFA06112008*). The two lawyers had appeared in court to defend themselves on 6 November (*AAPP 07112008*).

Pannate Tun was transferred to Bamaw prison in Kachin state on 20 November 2008.

Profile prepared by the Assistance Association of Political Prisoners (Burma) on August 12, 2008 and updated on 18 November 2008 and was updated on 12 June 2009