


Political Prisoner Profile

AAPP CASE NO.:	0146			
NAME OF POLITICAL PRISONER:	Pyae Phyo Hlaing (a.k.a. Ah Thay Lay)			
GENDER:	Male	Ethnicity:		
DATE OF BIRTH:	±1981	Age:	28 in 2009	
RELIGION:				
PARENTS NAME:	U Chit Hlaing			
EDUCATION:	Second-Year Psychology Student at Bassein University			
OCCUPATION:	Student			
LAST ADDRESS:	Bogale Township, Irrawaddy Division			
ARREST DATE:	11 September 2007			
SECTION OF LAW:	Penal Code Section 505(b); Unlawful Association Act of 1908, Section 17(1); Printers and Publishers Registration Law, Sections 17 and 20; and Law Amending the Myanmar Immigration (Emergency Provisions) Act of 1947, Law No. 2/90, Section 13(1)			
SENTENCING HISTORY:	24 years on 11 November 2008			
COURT HEARING:	Sanchaung Township Court within the Insein Prison compound			
NAME OF PRISON:	Sittwe Prison, Arakan State			
RELEASE DATE:				
IMMEDIATE HEALTH CONCERNS:				
<p>Below is a list of Pyae Phyo Hlaing's health concerns that have been reported, in reverse chronological order:</p> <ul style="list-style-type: none"> On 3 May 2009 Burmese news source Yoma3 reported that "Pyae Phyo Hlaing is suffering from tuberculosis." They further stated, "On 5 May [2009] he was moved to Buthidaung hospital for medical treatment. His health deteriorated, so he was transferred to Sittwe hospital on 10 May [2009]." On 4 April 2009 sources informed Assistance Association for Political Prisoners that Pyae Phyo Hlaing could not eat because of severe stomach pain. There was no doctor at Buthidaung Prison where he was incarcerated at the time. 				
CURRENT STATUS SUMMARY:				
<p>Pyae Phyo Hlaing (a.k.a. Ah Thay Lay) is a 28-year-old man who is now serving a 24-year sentence at Sittwe Prison for his involvement in the 2007 Saffron Revolution protests against the military regime. <i>(See details below.)</i></p> <p>Prison Transfer History:</p> <ul style="list-style-type: none"> Pyae Phyo Hlaing was originally held at Insein Prison in Rangoon Division for over one year. On 20 November 2008, one week after receiving a 24-year prison sentence, Pyae Phyo Hlaing was transferred to Buthidaung Prison in northern Arakan State. At Buthidaung Prison cells are known to always be wet and damp, and political prisoners are not allowed to exercise, and they suffer discrimination and oppression at the hands of prison authorities. On 13 May 2009 Pyae Phyo Hlaing was transferred to Sittwe Prison in Arakan State after treating his medical conditions at nearby Sittwe Hospital. (Yoma3 18May2009) <p>Sittwe Prison in Arakan State is approximately 550 kilometers (342 miles) away from his family in Bogale Township of Rangoon Division. Transferring political prisoners to distant prisons is one of the tactics used by the regime to further punish prisoners and increase the burden on their families and friends who provide necessary medicines, food, and other support.</p> <p>On 14 December 2008, Radio Free Asia reported that Pyae Phyo Hlaing, while incarcerated at Buthidaung Prison, "has been given solidarity confinement and isn't allowed to leave his cell, reported his mother Daw Mhwe Mhwe. 'It's a long and difficult journey by car and boat. <i>It takes 6 days to reach my son,</i>' she said."</p>				

CAREER BACKGROUND:

Pyae Phyto Hlaing (a.k.a. Ah Thay Lay), son of U Chit Hlaing, is from Bogale Township in Rangoon Division. He was a 26-year-old, second-year psychology student at Bassein University at the time of his arrest on 11 September 2007.

According to a report from Burma's military government, Pyae Phyto Hlaing was connected with a group called the Forum for Democracy in Burma (FDB). The regime stated that FDB was formed on 26 February 2004 in Maesot, Thailand, when exiled activists got together to form an anti-government coalition for the purpose of creating unrest in Burma by infiltrating government institutions (e.g., military, police force, USDA, fire brigade, etc), planting informers to extract information, and organizing protests. The FDB was said to have coordinated workers, farmers, monks, ethnic groups, students, and other pro-democracy activists to conduct 3- to 5-day trainings on political defiance, community organization, human rights, leadership, and underground movements at an office in Maesot, Thailand. The military report stated that Pyae Phyto Hlaing attended the FDB trainings across the border in Mae Sot, Thailand, along with 27 others he had recruited. Further, it was stated in the regime's report that Pyae Phyto Hlaing tried to form a student union and that he wrote and distributed anti-government papers demanding reduction of fuel prices and soliciting the participation of the public. (Permanent Mission of the Union of Myanmar to the United Nations and Other International Organizations in Geneva, Switzerland, 03Dec2007)

ARREST DETAILS:

Pyae Phyto Hlaing (a.k.a. Ah Thay Lay) was arrested on 11 September 2007 as a result of his participation in what became known as the Saffron Revolution.* He was arrested along with 18 other activists; ten of the 19 activists were eventually released, while Pyae Phyto Hlaing was charged in conjunction with the remaining eight activists. (Democratic Voice of Burma 08Oct2008)

** The Saffron Revolution was named after the color of the monks' robes who led many of the peaceful marches in August and September of 2007. It was a multi-day series of demonstrations that spread throughout Burma to protest the military regime's economic mismanagement and the falling standard of living. In August 2007 the regime abruptly removed fuel subsidies, causing fuel prices to skyrocket between 100% and 500% overnight. This consequently led to a dramatic increase in the prices of transportation and general commodities. Throughout the protests activists were arrested, and beginning on 26 September 2007 the military used force with a violent crackdown on the protestors and the monks to end the demonstrations.*

DETAILS OF IMPRISONMENT:

- Court Location: Sanchaung Township Court within the Insein Prison compound
- Judge: Win Myint, Township Judge (Special power)
- Prosecutor: Police Lieutenant Major Myo Thant
- Defense Lawyers: U Aung Thein and U Khin Maung Shein

ORIGINAL TRIAL: Beginning on 19 March 2008 Pyae Phyto Hlaing (a.k.a. Ah Thay Lay) was tried at Sanchaung Township Court concurrently with eight other activists who were all being detained at Insein Prison. They were being charged with "illegal border crossing, attending training given by subversive organisations, defaming the state, and violations of the printing act." (DVB 08Oct2008) According to AAPP's *The Future in the Dark* (Sept 2008), the nine co-defendants were as follows:

- Aung Myo Paing (a.k.a. Ahyoe): Male, son of U Thein Aung, second year physics student. Lives in Tamwe Township, Rangoon, was arrested on 15 September 2007.
- Myat Lin Htut (a.k.a. Pyaung Gyi): Male, 28-year old, son of U Than Way, student from Bassein (Patheingyi) University. Lives in Bogale Township, Irrawaddy, was arrested on 17 September 2007.
- Nay Lin Aung (a.k.a. Lin Lin): Male, 28-year old, son of U Aung Than, second year psychology student. Lives in Pantanaw Township, Irrawaddy Division, was arrested on 15 September 2007.
- Phyto Maung Maung Soe (a.k.a. Phyto Gyi): Male, 28-year old, son of U Khin Soe, final year law student. Lives in Sanchaung Township, Rangoon, was arrested at Aung Mingala Bus Station on 11 September 2007.
- Pyae Phyto Aung (a.k.a. Hnan Muu): Male, 21-year old, son of U Thauk Han, graduated from Government Technological College. Lives in Bassein Township, Irrawaddy, was arrested on 15

September 2007.

- **Pyae Phyo Hlaing (a.k.a. Ah Thay Lay):** Male, 27-year old, son of U Chit Hlaing, second year psychology student. Lives in Sanchaung Township, Rangoon, was arrested on 11 September 2007.
- **Thein Zaw:** Male, son of U Zaw Win, student and NLD member. Lives in Bogale Township, Irrawaddy, was arrested on 11 September 2007.
- **Thiha Aung (a.k.a. Aung Aung):** Male, 25-year old, son of U Cho Oo, second year business management student. Lives in Bogale Township, Irrawaddy, was arrested on 13 September 2007.
- **Thiha Thet Zin:** Male, 30-year old, son of U Tin Hla. Lives in Bogale Township, Irrawaddy Division, was arrested on 11 September 2007.

On 8 October 2008 Democratic Voice of Burma reported that the group of nine co-defendants decided not to enter a defense during their trial and also dismissed their two defense lawyers in protest at the unfairness of their legal proceedings. Defense lawyer Khin Maung Shein said, "Their demands are to be allowed to see their family members and for their family to be permitted to attend their court hearings, to receive a fair trial, and for the authorities not to interfere with the judicial process."

On 11 November 2008 the nine activists received prison sentences ranging from eight years to 24 years under the following laws:

1. Law Amending the Myanmar Immigration (Emergency Provisions) Act of 1947, Law No. 2/90, Section 13(1) – Crossing an international border without permission (*5 years + labor*)
 - 9 Men Convicted: Aung Myo Paing, Myat Lin Htut, Nay Lin Aung, Phyo Maung Maung Soe, Pyae Phyo Aung, **Py e P yo ng**, Thein Zaw, Thiha Aung, and Thiha Thet Zin
2. Unlawful Association Act of 1908, Section 17(1) – For participating in an unlawful association (*3 Years + labor*)
 - 9 Men Convicted: Aung Myo Paing, Myat Lin Htut, Nay Lin Aung, Phyo Maung Maung Soe, Pyae Phyo Aung, **Py e P yo ng**, Thein Zaw, Thiha Aung, and Thiha Thet Zin
3. Penal Code, Section 505(b) – Statements conducing to public mischief (*2 years + labor*)
 - 6 Men Convicted: Aung Myo Paing, Myat Lin Htut, Phyo Maung Maung Soe, Pyae Phyo Aung, **Py e P yo ng**, and Thiha Aung
4. 1962 Printers and Publishers Registration Law, as amended in 1989 by Law No. 16/89, Section 17 – For engaging in a printing enterprise or a publishing business before obtaining a registration certificate from the Central Registration Board (*7 Years + labor*)
 - 2 Men Convicted: Nay Lin Aung and **Py e P yo ng**
5. 1962 Printers and Publishers Registration Law, as amended in 1989 by Law No. 16/89, Section 20 – For not complying with any portion of instructions of the Printers and Publishers Registration Law (*7 Years + labor*)
 - 2 Men Convicted: Nay Lin Aung and **Py e P yo ng**

SUBSEQUENT TRIAL: One week after the initial sentencing, two of Pyae Phyo Hlaing's co-defendants, Thiha Thet Zin and Thein Zaw, were taken back to court on additional charges of crossing an international border without permission; Thiha Thet Zin was charged with two counts, and Thein Zaw was charged with one count of violating the law. **On 18 November 2008 Thiha Thet Zin was sentenced to 10 additional years in prison (5 years for each charge) and Thein Zaw received 5 additional years under the following law:**

1. Law Amending the Myanmar Immigration (Emergency Provisions) Act of 1947, Law No. 2/90, Section 13(1) – Crossing an international border without permission (*5 years + labor*)

In total, the lengthy prison sentences received by the nine co-defendants were as follows:

- **24 Years: Pyae Phyo Hlaing**
- 22 Years: Nay Lin Aung
- 18 Years: Thiha Thet Zin
- 13 Years: Thein Zaw
- 10 Years: Myat Lin Htut, Pyae Phyo Aung, Aung Myo Paing, Phyo Maung Maung Soe, and Thiha Aung

This profile was prepared by the Assistance Association for Political Prisoners (Burma) on 20 November 2009 and updated on 3 December 2009.