


Political Prisoner Profile

AAPP CASE NO.:	0132			
NAME OF POLITICAL PRISONER:	Sithu Maung aka Ya Pyeit			
GENDER:	Male	Ethnicity:	Burmese	
DATE OF BIRTH:	3 June 1987	Age:	22	
RELIGION:	Islam			
PARENTS NAME:	U Peter and Daw Nu Nu Swe			
EDUCATION:	Third year student, Institute of Economics, Rangoon			
OCCUPATION:	A leader of All Burma Federation of Student Unions (ABFSU)			
LAST ADDRESS:	Hlaing Township, Rangoon			
ARREST DATE:	9 October 2007			
SECTION OF LAW:	124/a, 505/b, 295/a, 147, 145, 143			
SENTENCING HISTORY:	11 years and 6 months			
COURT HEARING:	Insein prison special court			
NAME OF PRISON:	Buthidaung prison, Arakan State			
RELEASE DATE:				
IMMEDIATE HEALTH CONCERNS:				
He suffers from hemorrhoids. His grandmother reported that he was in poor health and was hospitalized with severe stomach pains in January 2009.				
CURRENT STATUS SUMMARY:				
<p>On 5 January 2009 it was reported by RFA that All Burma Federation of Student Unions leader Sithu Maung was in poor health. "He was hospitalized as an emergency case, because he had a serious pain in his stomach," said his grandmother Daw Mar Mar Wai. The family received information from local people in the area. They have not received official notification from the authorities.</p> <p>On 2 December 2008 Sithu Maung was transferred from Sittwe prison to Buthidaung prison in Arakan State which is 730 miles from his family in Rangoon. (VOA 031208)</p> <p>On 20 August 2008 Sithu Maung's parents U Peter and Daw Nu Nu Swe were charged with Sections 353, 225 and 505 of the Penal Code and sentenced to six years imprisonment with hard labour by Hlaing Township Court held inside the Insein Prison compound. They were arrested on 19 November 2007 at their home in Hlaing Township, Rangoon, by security forces and local authorities after they failed to open a door quickly enough when intelligence officers tried to enter their home while searching for their son. (AAPP) In their defense, U Peter and Daw Nu Nu Swe testified in court that the police had knocked on their door late at night with no warrant and had not been accompanied by local officials and so they had not let them in at first because they did not know who they were. The couple, who are both in their 50's, were found guilty of three charges, including harassing officers on duty and inciting a riot in their ward. (DVB 22082008). Sithu Maung's mother, Daw Nu Nu Swe was released on 18 September 2009 as part of a general amnesty after serving one year and ten months. It was initially reported that his father U Peter was also released, but these reports were incorrect and he remains in Loikaw prison.</p> <p>On 11 March 2008 it was reported that Sithu Maung had been put in solitary confinement for staging a protest inside the prison. (DVB 110308)</p> <p>On 26 November 2008 Sithu Maung was transferred from Insein prison to Sittwe prison in Arakan State, 590 miles from his family in Rangoon.</p> <p>On 1 November 2007 it was reported from a student group member in hiding, that the families of three political prisoners, Zaw Htet Ko Ko, Ye Myint Hein and Sithu Maung, were allowed to send clothes, food and medicine but they were refused permission to visit their relatives. Burmese intelligence officials came to the home of the three families to pick up the personal supplies. (Irrawaddy 011107)</p>				

CAREER BACKGROUND:

Sithu Maung was a third year student at the Institute of Economics in Rangoon in 2007. According to friends he was a good student and received good grades. In 2006 he joined a book club with fellow students at the American Centre. The members would meet to discuss books they had read, with a focus on democracy and politics. They also met with members of the 88 Generation Student group. On 28 August 2007 they reformed the All Burma Federation of Student Unions (ABSFU). Sithu Maung was one of twenty leaders elected, along with Kyaw Ko Ko, De Nyein Lin, Lin Htet Naing aka Aung Thant Zin Oo and Honey Oo. Sithu Maung attended Min Ko Naing's birthday along with other members of the ABSFU and 88 Generation Students. His family had a close relationship with Jimmy aka Kyaw Min Yu, who is a member of the 88 Generation Students. The 88 Generation Students are a pro-democracy group, formed on 6 September 2005 by Min Ko Naing and other prominent activists. The name was taken from the 1988 uprising when the military opened fire on protestors and thousands of people were killed.

On the 8 August 2007 at a memorial for the anniversary of the 88 Student Uprising, Sithu Maung made a speech. He said, "We will not follow the ideas of others; we will follow our own beliefs. No one is telling us what to do; we are doing it for ourselves. It is said education will build up the country to be a developed country, but there are no student rights. How can we build a developed country with no student rights?" (Unofficial translation AAPP)

On 24 September 2007, after sitting an examination, Sithu Maung participated in the march with monks and other protestors down Barswe Road, during this he demanded to be allowed to form student unions and called for democracy. On 25 September 2007 they gathered at Shwedagon Pagoda. Here he held the fighting peacock flag along with Kyaw Ko Ko and Lin Htet Naing they walked around the pagoda then walked to Sule Pagoda, where Kyaw Ko Ko made a speech. The next day they marched again holding the fighting peacock flag and on this day the army fired shots at the crowd, causing them to disperse and run away. The fighting peacock flag is the flag of ABSFU and a symbol of the decades-long democratic struggle against military dictatorship in the country.

According to sources, due to the crackdown by the military and police force after these demonstrations, when many peaceful protestors were arrested, Sithu Maung and others were forced to go into hiding at different houses to avoid arrest.

Sithu Maung admitted under interrogation that he was contacted by the media on the 9 October 2007 and that he said to them "this movement may stop for a while, but already students, artists, monks and musicians have worked together. We will bow and pay respect to those who were killed for this movement. The revolution will continue." (Unofficial translation of the court documents)

ARREST DETAILS:

On 9 October 2007 at approximately 3pm Sithu Maung and Honey Oo were arrested when the safe house they were hiding in was raided by security forces. It was initially reported that Kyaw Ko Ko was also arrested but he later told how he managed to escape with the help of local residents. (DVB 161007)

DETAILS OF IMPRISONMENT:

On 27 and 28 February 2008 Sithu Maung appeared in the Western Rangoon District Court before Deputy District Judge Myint Soe. Witnesses for the prosecution were Police Lieutenant Kyaw Thar Oo, commander of the Bahan Township Police Station and Police Second Lieutenant Than Htay Aung, Bahan Police Station.

According to the police, the group were responsible for provoking people in Bahan Township of Rangoon to join the protests and upset law and order, and that they had exhorted the public to commit crimes. However, when the case came into the court the police did not present any firm evidence to support the charges or show that there was cause for the case to be one of sedition. Rather, the nature of the allegations was that the accused had engaged in arranging speeches, distributing documents and presenting information about insufficient teaching materials in universities, insufficient vehicles for transport of students to and from campuses, and that the

universities are dilapidated. According to the police all of this was done not because this is in fact the real condition of the universities, but in order to excite disaffection against the government. Furthermore, the police could not bring firm evidence to back up their allegations of any sort, not even copies of pamphlets and photographs. Among the witnesses for the prosecution were mostly police, and two civilians who were apparently coerced. (Asian Legal Resource Centre 240908)

On the 24 March 2008 the Asia Human Rights Commission released a report stating their concern that Sithu Maung and others were being tried in a closed court within prison confines, contrary to the principle of open court established under both domestic as well as international law. (Asian Human Rights Commission 240308)

On 12 August 2008, Thi Thi Soe, sister of Human Rights Defenders and Promoters (HRDP) member, Myo Thant aka John Nawtha, said her brother and his co-defendants – Zin Lin Aung, **Sithu Maung**, Thein Swe (NLD youth member), Ye Myant Hein, Ye Min Oo and Kyi Phyu (NLD youth member) – heard new charges against them during a hearing at Insein prison yesterday. Five further charges were added to their original charge of sedition. They are now charged under sections 143, 145, 147, 295(a) and 505(b) of the penal code.

Sections 143, 145 and 147, relate to unlawful assembly and rioting, carry a potential combined prison sentence of up to four and a half years, while 295(a) on offences against religion and 505(b) on inciting offences against public tranquility each carry a maximum two-year term. Along with the possible three-year sentence for sedition, this means the defendants faced a maximum 11 and a half years' imprisonment each. (DVB130808)

On 22 October 2008 All Burma Federation of Student Unions leader Sithu Maung appeared in court to face charges of unlawful association and crimes against state tranquility at Tamwe township court. Sithu Maung's lawyer Phoe Phyu said the charges were brought against him by Tamwe township's deputy police chief Than Htay Aung. "The prosecutors stated in the court hearing that activities of Sithu Maung, including his act as a leader of the ABFSU, held a threat against tranquility of the state," Phoe Phyu said. We countered that by pointing out that the ABFSU had existed in Burma and had taken part in the revolutions in our country's history since 1920," he said. "We stated that the ABFSU is not harming state tranquility and the rule of law and that it's only a group of intellectual, educated and patriotic student leaders who are highlighting people's suffering." The case was heard by Tamwe township high court judge Daw Than Than. (DVB 241008)

Sithu Maung was sentenced to 11 years and 6 months imprisonment on 17 November 2008. His case mates are Thein Swe aka Min Soe, Myo Thant aka John Nawtha, Ye Min Oo aka Kalalay, Ye Myat Hein aka Ko Ye, Kyi Phyu, and Zin Lin Aung aka Rakhine. The seven were each given six-and-a-half-year prison terms for inciting public unrest and unlawful assembly by the Insein prison special court. On the same day, the court decided that Ye Myat Hein should serve an additional three-and-a-half-year term for obstructing officials on duty. Sithu Maung was also given an additional five-year sentence by Tamwe township court under the Unlawful Association Act. (DVB 181108)

This profile was prepared by the Assistance Association for Political Prisoners (Burma) on 30 September 2009.