


Political Prisoner Profile

AAPP CASE NO.:	0034			
NAME OF POLITICAL PRISONER:	Zaw Thet Htway @ Thet Zaw			
GENDER:	Male	Ethnicity:	Burmese	
DATE OF BIRTH:		Age:	42 in 2009 (Approx)	
RELIGION:	Buddhist			
PARENTS NAME:	U Ko Lay			
EDUCATION:				
OCCUPATION:	Writer and journalist – former chief editor of First Eleven Sports Journal, chief editor of Love Journal. Former political prisoner			
LAST ADDRESS:	Bahan Township, Rangoon			
ARREST DATE:	13 June 2008	PHOTO DATE:	June 2008	
SECTION OF LAW:	505/b . 295/a, 33/a/38			
SENTENCING HISTORY:	15 years which was then increased to 19 years, afterwhich the sentence was reduced to 11 years			
COURT HEARING:	Insein prison special court			
NAME OF PRISON:	Taunggyi prison in Shan state			
RELEASE DATE:				
IMMEDIATE HEALTH CONCERNS:				
CURRENT STATUS SUMMARY:				
<p>Around the time of a visit by UN Special Rapporteur on the Human Rights Situation in Burma, Mr. Tomas Ojea Quintana, on 13 February 2009, Zaw Thet Htway, along with Tin Maung Aye ,Thant Zin Aung and Zarganar were granted reductions of their prison terms under the electronics law. "Zaw Thet Htway's eight-year prison term under the electronics act was ... revoked so he is to serve only 11 years now instead of 19 years," Ma Nyein (sister-in-law of Zarganar) told <i>Democratic Voice of Burma (DVB)</i>. Legal expert and <i>National League for Democracy (NLD)</i> spokesperson Nyan Win said he welcomed the decision to shorten the jail terms but said the sentences had been unjust in the first place."They have not reduced the sentences. They have just said the sentences should be served concurrently so it looks like the sentences have been reduced..As the sentences were extreme, it is good that they have shortened them but they have still not released the people," he said."They are doing it for political gain, not for legal reasons. If they had followed the law, there would have been no reason for them to give such heavy sentences." (DVB16022009)(DVB20022009)</p>				
CAREER BACKGROUND:				
<p>Zaw Thet Htway is a script writer as well as a journalist. He was a member of the <i>Democratic Party for a New Society (DPNS)</i> , and played an active role in the 1988 popular uprising. In 1989 he was arrested and sentenced to 3 years in Taungoo prison. Whilst in prison, he set up an "oral magazine". Together with friends in the prison, he collected poems, stories, international news excerpts and other contributions by word-of-mouth from fellow prisoners. In the evenings, whenever they could, they would gather together to share their magazine "articles" with other prisoners.</p> <p>After Zaw Thet Htway's release, he set up the First Eleven Sports Journal and worked as Chief Editor.</p>				

He was arrested again in 2003 along with 8 other activists. The group was accused of plotting a bombing campaign in Rangoon and planning to assassinate SPDC leaders, as instructed by various opposition groups based in Thailand. According to the junta, this violence was planned in order to spark a mass uprising against the government. They were also accused of passing misinformation to groups like the *All Burma Students' Democratic Front (ABSDF)* and *Free Trade Union of Burma (FTUB)*, as well as the *International Labour Organization (ILO)*. The real reason for Zaw Thet Htway's arrest was his reporting and criticism of corruption amongst Burmese sporting officials in his *First Eleven Sports Journal*.

On 28 November 2003, Zaw Thet Htway was sentenced to death for high treason together with Nai Yekha a.k.a. Nay Win, Shwe Mahn a.k.a. Zaya Oo, Zar Nai Tun a.k.a. Phyu Lay, Zaw Myo Htet a.k.a. Zaw Zaw, Myo Htway a.k.a. Chin Gakoung, Min Kyi a.k.a. Nai Min Kyi, Aung Lunn, and Aye Myint a.k.a. Myint Aye Maung by Joint District Judge (No 2) Khin Saw Nyunt in Northern Rangoon District Court. On 12 May 2004 he was given a reduced sentence by the Supreme Court and was released from Insein prison in 2005 after serving 18 months in jail.

After his release in 2005, Zaw Thet Htway set up the "Love Journal". After Cyclone Nargis struck Burma on the 2nd and 3rd of May 2008, he was banned from reporting about the crisis in his journal, so instead he chose to play a high profile role in organizing the delivery of aid directly to survivors of the cyclone in the devastated Irrawaddy delta region. Like comedian Zarganar, who was detained on 4 June 2008 for his role in organizing the delivery of aid, he also spoke to the media about his aid work in response to the crisis. On 13 May, Zaw Thet Htway told the *Democratic Voice of Burma (DVB)*, "If we are stopped [by local authorities] on our way, we will take another route to make sure the victims receive our aid." (*DVB13052008*)

ARREST DETAILS:

Zaw Thet Htway was arrested at 9:00 pm on 13 June 2008 in Minbu Township, Magwe Division by the military police. He was arrested while returning from visiting his 75 year old mother, who had suffered a stroke. He was transferred to Aung Thabyay interrogation centre in Rangoon. On 15 June 2007, his wife Ma Khaing Cho Zaw Win Thint told the *Democratic Voice of Burma (DVB)*, "About seven government officials from Bahan township and Special Information Division police officers came with ward authorities and searched our house yesterday evening. They seized his mobile phone, a PC, a couple of computer discs and some documents. I was not so worried when my husband was first arrested but it made me nervous that the authorities were searching our house. I asked the police officials in my house why my husband was arrested. But they just said it had nothing to do with his aid work and told me not to ask them questions." (*DVB16062008*)

DETAILS OF IMPRISONMENT:

At the end of July, Zaw Thet Htway appeared with Zarganar in court for the first time since they were arrested in June. The two appeared before Western Rangoon provincial court in Insein prison and were charged with violating section 505(b) of the penal code for inciting offences against the state or causing public alarm. The two men's families said they had not been informed of any court hearings. (*DVB31072008*)

Zaw Thet Htway's trial began inside the Insein Prison Compound on 7 August 2008 along with three other activists who had been closely involved in the cyclone relief efforts: Zarganar (former political prisoner and comedian), Thant Zin Aung and Khin Maung Aye.

On 21 August 2008, Zaw Thet Htway appeared before Insein Prison Special Court, under the jurisdiction

of Rangoon Western District Court. He was accused with a total of 7 charges, brought by prosecutor police major U Ye Nyunt.

On 21 November 2008, Zaw Thet Htway as well as Thant Zin Aung were both sentenced to 15 years while Zarganar was convicted on several criminal charges, including infringements of the Electronic Transactions Act (for 'disaffection towards state and government' by using the internet according to *Mizzima*) and 505 b of the Penal Code, and sentenced to 45 years in prison. At this time they also faced outstanding charges. Khin Maung Aye was also sentenced on the same day, to 29 years. The *Mizzima* report added that family members were not allowed to attend the court proceeding. The defense counsel was made up of Aung Thein, Khin Htay Kywe and Khin Maung Shein. The court fixed November 27 to hear five remaining cases against him. (*Mizzima*21112008)

On 27 November 2008, Zaw Thet Htway had four more years added to his 15-year prison term on two charges on the same day, while activist Thant Zin Aung's term was extended by three years to 13 years. (*DVB*28112008)

On 4 December 2008 Zaw Thet Htway was transferred to Taunggyi prison in Shan State. (*VOA*04122008)

Profile prepared by the Assistance Association for Political Prisoners (Burma) and updated on 26 June 2008 and 18 May 2009