


Political Prisoner Profile

AAPP CASE:	MDCF Case 1			
NAME OF POLITICAL PRISONER:	Ko Htin Kyaw			
GENDER:	Male	Ethnicity:		Burman
DATE OF BIRTH:	1963	Age:		52
RELIGION:	Buddhist			
PARENTS NAME:	U Hlaing			
EDUCATION:	ETEC (Mech)			
OCCUPATION:	Leader of the Movement for Democracy Current Force (MDCF), Leader of the Myanmar Development Committee (MDC)			
LAST ADDRESS:	Rangoon			
ARREST DATE:	2014: May 5 2013: May 23 August 2 December 11 2007: August 25 April 22 March 22 March 8		PHOTO DATE: June 4 2014	
SECTION OF LAW:	2014: <i>May 5:</i> Section 505(b) of the Penal Code (statements conducive to mischief) and Section 18 of the Peaceful Assembly and Peaceful Procession Act (all charges stemming from this arrest are under these sections of law) <i>December 17:</i> Sections 18 & 19 of the Peaceful Assembly and Peaceful Procession Act) 2013 <i>August 2:</i> Section 505(b) of the Penal Code and Section 18 of the Peaceful Assembly and Peaceful Procession Act (all charges stemming from this arrest are under these sections of law) <i>December 11:</i> Detained under Section 18 of the Peaceful Assembly and Peaceful Procession Act 2012 <i>December 17:</i> Indicted under Section 18 of the Peaceful Assembly and Peaceful Procession Act 2008 <i>November 17:</i> Section 505(b), 124 (misprision of treason), and 143 (participation in an unlawful assembly) of the Penal Code			
SENTENCING HISTORY:	2014 <i>June 4:</i> 3 months, Section 18, Kyautada District Court <i>June 23:</i> 6 months, Section 505(b), South Okkalapa Township Court <i>July 9:</i> 3 months, Section 18, Bahan Township Court <i>July 21:</i> 1 year, Section 505(b), East Dagon Myo Thit Township Court; 1 year, Section 505(b), North Dagon Myo Thit Township Court <i>August 1:</i> 1 year, Section 505(b), Southern Dagon Myo Thit Township Court <i>August 5:</i> 1 year, Section 505(b), Thingangyun Township Court <i>August 11:</i> 1 year, Section 505(b), Mayangone Township Court <i>August 15:</i> 1 year, Section 505(b), Hlaingthaya Township Court			

	<p><i>August 19</i>: 1 year, Section 505(b), Dagon Seik Kan Township Court <i>September 3</i>: 1 year, Section 505(b), North Okkalapa Township Court; 4 months, Section 18, North Okkalapa Township Court <i>September 11</i>: 2 years, Section 505(b), Shwe Pyi Thar Township Court 2013 <i>October 21</i>: Section 18; Kyauktada Township Court; 6 months imprisonment <i>November 15</i>: Section 18; Tamwe Township Court; 6 months imprisonment <i>November 19</i>: Section 18; Kyauktada Township Court; 3 months imprisonment <i>November 19</i>: Section 18; Pabedan Township Court; 6 months imprisonment 2008 <i>November 17</i>: Sentenced to 12 years and 6 months imprisonment under Section 505(b), 124 and 143 of the Penal Code</p>
COURT HEARING:	<p>2014: <i>June 4</i>: Kyautada District Court; <i>June 23</i>: South Okkalapa Township Court; <i>July 9</i>: Bahan Township Court; <i>July 21</i>: East Dagon Myo Thit Township Court and North Dagon Myo Thit Township Court; <i>August 1</i>: Southern Dagon Myo Thit Township Court; <i>August 5</i>: Thingangyun Township Court; <i>August 11</i>: Mayangone Township Court; <i>August 15</i>: Hlaingthaya Township Court; <i>August 19</i>: Dagon Seik Kan Township Court; <i>September 3</i>: North Okkalapa Township Court; <i>September 11</i>: Shwe Pyi Thar Township Court; 2013 <i>October 21</i>: Kyauktada Township Court; <i>November 15</i>: Tamwe Township Court; <i>November 19</i>: Kyauktada Township Court; <i>November 19</i>: Pabedan Township Court 2008 <i>November 17</i></p>
NAME OF PRISON:	2014 : Insein Prison
RELEASE DATE:	<p>2014: Remains incarcerated 2013 May 30 December 11 (presidential amnesty) December 31 (presidential amnesty) 2012 January 13 (presidential amnesty) 2007 July 27 March 23 March 9</p>
IMMEDIATE HEALTH CONCERNS:	
<p>Ko Htin Kyaw began a hunger strike on August 5, 2013, 3 days after he was taken to Insein Prison. His health deteriorated as a result (RFA August 9, 2013). After visiting him on October 18, 2014, his wife said that his health has again deteriorated due to his going on hunger strike.</p>	
CURRENT STATUS SUMMARY:	

Since May 2014, Ko Htin Kyaw has been sentenced to a total of eleven years and four months imprisonment with hard labor under Section 505(b) of the Penal Code and Section 18 of the Peaceful Assembly and Peaceful Procession Act: Three months on June 4 by Kyautada District Court (Section 18); six months on June 23 by South Okkalapa Township Court (505(b)); three months on July 9 by Bahan Township Court (18); two years on July 21 by East Dagon Myo Thit and North Dagon Myo Thit Township Courts (505(b)); one year on August 1 by Southern Dagon Myo Thit Township Court (505(b)); one year on August 5 by Thingangyun Township Court (505(b)); one year on August 11 by Mayangone Township Court (505(b)); one year on August 15 by Hlaingthaya Township Court(505(b)); one year on August 19 by Dagon Seik Kan Township Court(505(b)); one year on September 3 by North Okkalapa Township Court (505(b)); four months on September 3 by North Okkalapa Township Court (18); and two years on September 11 by Shwe Pyi Thar Township Court(505(b)). As of writing, he still faces charges at Kyauktada Township Court, and remains incarcerated in Insein Prison.

His next court hearing is on October 20, 2014. His wife was also indicted on October 16 under Section 18 at Kyauktada Township for protests against his captivity. On December 17, 2014 Ko Htin Kyaw was charged under sections 18 and 19 of the Peaceful Assembly and Peaceful Procession Act.

CAREER BACKGROUND:

Ko Htin Kyaw is an activist, the leader of the Movement for Democracy Current Force (MDCF) and the leader of the Myanmar Development Committee (MDC). MDCF is a community-based organization, working to promote development and democracy in Burma. It also advocates on behalf of Burmese people seeking to redress land claim issues ([Fidh, August 8, 2013](#)). He was previously an NLD youth member, but was forced to resign due to pressures from his former employer. He returned to political activism in 2003 when he quit his job. In 2006, Ko Htin Kyaw and his colleagues formed the MDC. Since then, Htin Kyaw has been in and out of prison a number of times:

- In the first half of 2007, he was arrested, detained, and released several times for his political activities, which involved carrying out demonstrations and press conferences calling for improvement in health care, education, and denouncing deteriorating socio-economic situation in Burma.
- He was arrested again on August 25, 2007 and sentenced to 12 years and 6 months in Insein Prison under Section 505(b), 124, and 143 of the Penal Code on November 17, 2008. He was released under amnesty on January 13, 2012. ([Altsean-Burma](#))
- On December 15, 2012, Htin Kyaw staged a solo protest, marching along Sule Pagoda Road from Theingyi Market to City Hall. His demonstration called on the government to resolve issues faced by monks since the crackdown on the Letpadaung protest. On the morning of December 17, he was consequently indicted under Section 18. ([RFA December 17, 2013](#))
- He was also detained in Insein Prison from May 23, 2013 till May 30, 2013 for refusing to accept bail on a defamation case stemming from a remark they made about a land confiscation at a press conference in February 2013. ([RFA March 30, 2013](#))
- In July of 2013, Htin Kyaw led anti-land grab protests that led to him being arrested and charged under Section 505(b) of the Penal Code and Section 18 of the Peaceful Assembly and Peaceful Procession Act on August 2. He was charged 9 times by a number of Township Courts, including: North Okkalapa Township Court, Dagon Township Court, Thingangyun Township Court, Pa-Bel-Dann Township Court, Tamwe Township Court, and Mingala Taung Nyunt Township Court. Htin Kyaw was sentenced to a total of 33 months imprisonment through October and November of 2013. On December 11 2013, he was released under presidential amnesty, only to be rearrested and detained on the same day under Section 18. He was finally released on December 31st 2013 as a part of another presidential amnesty ([amnesty.org.uk - May 12, 2014](#)).
- Most recently, he was arrested on May 5, 2014, by South Okkalapa's Police Station commander and Township Director. Between April and May of 2013, Ko Htin Kyaw delivered speeches, distributed leaflets, and held a candle light vigil in Rangoon, canvassing a number of townships in the city. The demonstrations denounced the current government, called for its resignation, and protested ongoing land grabbing. He has been sentenced to a total of 11 years and four months imprisonment in relation to these political actions.

ARREST DETAILS:

2007

March 8 – March 9; March 22 – March 23; April 22 - June 27: Arrested, detained, and released without having been charged for his political activity

August 25:

The Military Affairs Security Forces arrested Ko Htin Kyaw around 1pm on August 25, 2013 when he attempted to join a protest outside the Theingyay market. He had been warning the government that the protests over the fuel price hikes would increase. Six plain-clothed men lugged away Ko Htin Kyaw as he protested the arrest and threw him into a truck ([Asia Human Rights Commission August 27, 2007](#)).

2013

May 23 - May 30: Detained in Insein Prison for refusing to accept bail on a defamation case stemming from a remark made at a press conference in February 2013.

August 2:

On July 30, 2013, Ko Htin Kyaw staged a peaceful protest outside the North Okkalapa Court to denounce land seizures by U Eaik Lin, a businessman. The land belonged to three community members, U Lu Aye, Ma Sein Htwe and Ko Myint Naing, who also took part in the protest ([Fidh August 8, 2013](#)). On August 2, 2013, three days after the demonstration, the four protesters were summoned to the police station of North Okkalapa Township, Yangon. They were arrested and charged under Section 505 (b) of the Penal Code and Section 18 of the Peaceful Assembly and Peaceful Procession Act, and immediately sent to court. The court sanctioned the arrest and they were taken to Insein Prison. They were not given any opportunity to contact a lawyer and were refused bail. ([Frontline Defenders August 9, 2013](#))

December 11: Arrested the same day as he was granted amnesty, and held under Section 18 until December 31.

2014:

May 5: He was arrested by South Okkalapa's Police Station Commander and Township Director while delivering a speech at Nanduan Market in South Okkalapa Township.

DETAILS OF IMPRISONMENT:**2007/2008:**

Ko Htin Kyaw was arrested on August 25, 2007 and detained in Insein prison. He was forbidden visitation rights for an entire month without a valid reason. The details of his case were undisclosed. In March, 2008, he was placed in solitary confinement in the dog kennels after shouting out political slogans against SPDC leaders and the Junta's constitutional referendum.

([DVB January 16, 2008](#)), ([DVB January 29, 2008](#))

2013:

When he first appeared at the Thingangkuun Township Court on August 9, 2013, Htin Kyaw looked weak from 4 days of hunger strike ([RFA August 9, 2013](#)). It is reported that Ko Htin Kyaw has been sent to different courts from Insein Prison nearly every day, since a number of charges have been filed against him.

2014:

After his arrest on May 5, it is reported that he was held without bail in Insein Prison. He has been held in solitary confinement in the prison dog cell due to the fact that he went on hunger strike on October 2. His wife was also barred from visiting him as punishment for his hunger strike. She was finally able to visit him on October 18.

2015:

In April, Ko Htin Kyaw's wife said he staged a protest in prison for his transfer from the cell to a special block, which he suspected was the order from the Ministry of Home Affairs. He had refused to shave and leave his cell. He eventually left the cell for having a bath and receiving family visits.

***Profile prepared by the Assistance Association for Political Prisoners (Burma) on April 23, 2015*.**