

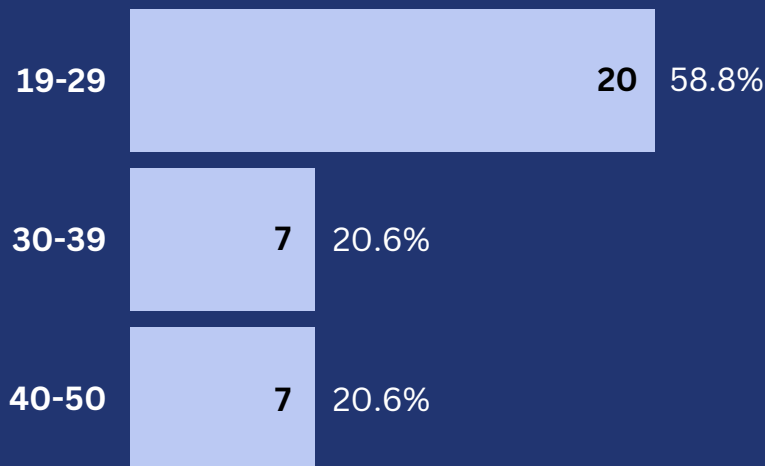


# SENTENCED TO DEATH BY THE JUNTA

Until July 2022, the most recent death penalty executions in Burma occurred between 1986-1987, when three Karen resistance members were executed following their conviction for their alleged involvement in the bombing of a railway in Taungoo, Bago Region. On July 23-24, 2022, the junta carried out death sentences for **four pro-democracy supporters** (pictured above, left to right: **Kyaw Min Yu (aka Ko Jimmy)**, 53; **Phyo Zeyar Thaw**, 41; **Hla Myo Aung**, 42; and **Aung Thura Zaw**, 27). These four death sentences are not included in the figures below.

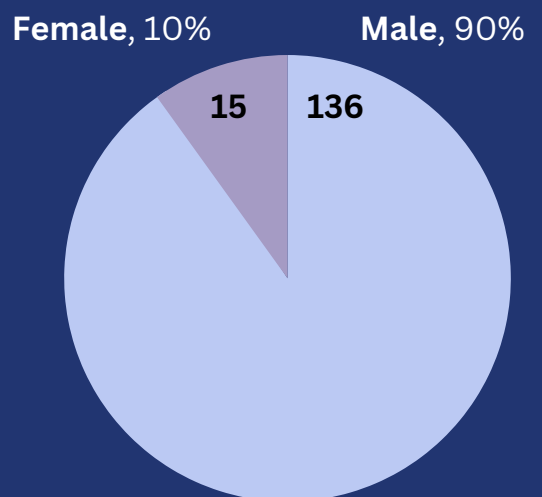
As of April 6, 2023, the junta has sentenced **151 other individuals to death**, according to AAPP's documentation.\* Approximately 90 percent of those sentenced to death are male. As of April 6, 2023, the ages of 117 individuals sentenced to death have not been verified by AAPP. Notably, of the 34 pro-democracy supporters whose ages are known, **58.8 percent are individuals under 30 years old**, showing the junta's targeted use of the death penalty against youth actively opposing the military coup and supporting the pro-democracy movement in Burma.

## DEATH SENTENCES BY AGE GROUP



These percentages were calculated based on the 34 individuals whose ages are known. This chart excludes the 117 individuals whose ages have not been verified.

## DEATH SENTENCES BY GENDER



\*The figures in this report reflect AAPP's documentation between February 1, 2021, and April 6, 2023. The data regarding political prisoners facing death sentences is publicly available on AAPP's [Still Detained Airtable](#). The data regarding death sentences *in absentia* is available upon request. For information about AAPP's data collection and verification process, see AAPP, [Towards Accountability: The Urgent Need for Renewed International Attention to Sit-Tat's Crimes Against Humanity in Burma](#), 11-12 (2023).

# DEATH PENALTY BY DETENTION LOCATION

February 1, 2021 – April 6, 2023

As of April 6, 2023, the junta has sentenced **151 pro-democracy supporters** to death, including **42 in absentia** and **109 in detention**. These numbers exclude the four individuals whom the junta extrajudicially executed in July 2022. Of the 109 death row political prisoners, 75.2 percent are detained at Insein Prison in Yangon Region. However, the locations of **four political prisoners** sentenced to death remain unknown. Below is a selection of AAPP's documentation of political prisoners who have been sentenced to death since the junta's failed coup, including the number of death row political prisoners being held at each prison.

In October 2022, **Hnin Maung**, 36, and **Kyaw Thet**, 30, were sentenced to death under Counter-Terrorism Law Section 54. They were both arrested on January 29, 2022, when police from the Pin Ta Le Area Police Station started shooting at their motorbike. Before their arrests, both were residing in Wundin Township, Mandalay Region.

On December 30, 2022, a special court inside Hinthada Prison sentenced **Kaung Khant Kyaw**, 25, to death under Penal Code Section 302. He was previously sentenced in August 2022 to five years in prison under Counter-Terrorism Law Section 50(j). As a primary school teacher in Ayeyarwady Region, Kaung Khant Kyaw had taken part in the Civil Disobedience Movement and he was arrested in October 2021 on suspicion of being involved in the death of junta informant Win Nyunt Aung from Thabyay Kone Village.

On June 21, 2021, a military court sentenced **Hla Hla Naing (aka Ma Naing)** and **Kyaw Kyaw Naing (aka Kyaw Naing)** to death under Penal Code Section 302. In September 2021, they were both transferred from Insein Prison to Patheingyi Prison. They were arrested in March 2021. Before their arrests, they were both residing in North Okkalapa Township, Yangon Region.

On December 23, 2021, a military court sentenced **Chit Ko Ko (aka Nagar)** to death under Section 54 of the Counter-Terrorism Law. He is now detained at Obo Prison. He was accused of attacking junta troops with two others in Dagon Seikkan Township, Yangon Region. The two others with whom he was accused are **Myo Zin Aung (aka Ko Myo)** and **Nay Thway**; they were also sentenced to death and are now detained at Insein Prison.

In June 2022, the junta sentenced **Joe Zat, Maung Nyein, and Maung Khone** to death under Penal Code Section 302. Before being arrested in 2021, all three were residing in Pekon Township, Shan State. Maung Nyein was arrested for allegedly being connected to the murder of four junta soldiers.

On November 30, 2022, a martial court inside Insein Prison sentenced four young men to death under Penal Code Section 302. The four men are **Min Htet Thar; Wai Yan Zin, 22; Thu Htoo Aung; and Phyo**. They were accused of being involved in the death of Khin Maung Than, a ward administrator for Dagon Myothit (North), who was shot dead on May 24, 2022. The four were arrested on June 10, 2022.



# DEATH SENTENCES BY SECTION OF LAW

Since its failed coup, the junta has issued **159 death sentences**, weaponizing the death penalty against **151 pro-democracy supporters**; these figures exclude the four political prisoners sentenced to death and then executed in July 2022. Of these 159 death sentences, the junta has issued **63.5 percent under sections of the Penal Code**. Of the 151 individuals sentenced to death, one political prisoner was sentenced under the Defence Services Act. Importantly, AAPP has documented the cases of **five political prisoners who have received more than one death sentence**. Nonetheless, because the junta and its kangaroo courts lack any transparency, there are **16 political prisoners** on death row for whom the law under which they were sentenced to death remains unknown.

## Death Sentences under the Penal Code

**Section 302, 81**

**Section 396, 20**

- **Section 302** allows the death penalty for individuals convicted of committing murder, including, e.g., premeditated murder. Under Section 302, the junta has issued 81 death sentences against 76 individuals, including 55 in detention and 21 *in absentia*. Five individuals in detention were sentenced to death twice under this section; three of those five received a third death sentence under Counter-Terrorism Law Section 54, described below. As of April 6, 2023, 73 political prisoners are on trial for Section 302 charges.
- **Section 396** allows the death penalty for individuals convicted of committing murder during an armed robbery, or "dacoity," by a group of five or more people. The junta has sentenced 20 individuals to death under this section, including three in detention and 17 *in absentia*. As of April 6, 2023, AAPP had not documented any political prisoners currently on trial for Section 396 charges.

## Death Sentences under the Counter-Terrorism Law

**Section 49, 1**

**Section 54, 38**

**Unknown Section, 2**

- **Section 49** allows the death penalty for individuals convicted of committing certain acts of terrorism. The junta has sentenced one person to death *in absentia* under this section. As of April 6, 2023, 33 political prisoners are on trial for Section 49 charges.
- **Section 54** allows the death penalty for individuals convicted of causing the death of or severe pain to another when committing an offense under Section 49, 50, or 51 of the Counter-Terrorism Law. The junta has sentenced 38 individuals to death under this section: three *in absentia* and 35 in detention—including the three who each also received two death sentences under Penal Code Section 302, described above. As of April 6, 2023, 31 political prisoners are on trial for Section 54 charges.

On November 30, 2022, the Insein Prison Court sentenced seven students from Dagon University to death under Penal Code Section 302. All of the students were arrested on April 21, 2022, after being involved in activities opposing the military coup. News of their sentencing was leaked from inside the prison. Pictured below, the students are—left to right—**Khant Zin Win, 19; Zaw Linn Naing, 19; Thura Maung Maung, 21; Thiha Htet Zaw, 23; Thet Paing Oo, 21; Hein Htet, 22; and Khant Linn Maung Maung, 19.**



Photos/Dagon University Students' Union