

^{၅၈} တိုင်းဒေသကြီးလွှတ်တော် သို့မဟုတ် ပြည်နယ်လွှတ်တော်

တိုင်းဒေသကြီးလွှတ်တော် သို့မဟုတ် ပြည်နယ်လွှတ်တော် ဖွဲ့စည်းခြင်း

၁၆၁။ တိုင်းဒေသကြီး သို့မဟုတ် ပြည်နယ်လွှတ်တော်ကို အောက်ပါအတိုင်းဖွဲ့ စည်းရမည် -

- (က) တိုင်းဒေသကြီး သို့မဟုတ် ပြည်နယ်များတွင် မြို့နယ်တစ်မြို့နယ်လျှင် နှစ်ဦးကျစီ ရွေးကောက်တင်မြှောက်သည့် တိုင်းဒေသကြီး သို့မဟုတ် ပြည်နယ်လွှတ်တော် ကိုယ်စားလှယ်များ၊
- (ခ) တိုင်းဒေသကြီးများတွင် ထိုတိုင်းဒေသကြီး ရရှိပြီးသော သို့မဟုတ် ထိုတိုင်းဒေသကြီးအတွင်း ကိုယ်ပိုင်အုပ်ချုပ်ခွင့် ရစီရင်စု ရရှိပြီးသော တိုင်းရင်းသားလူမျိုးများမှအပ ကျန်တိုင်းရင်းသားလူမျိုးများအနက် လျော်ကန် သင့်မြတ်သော လူဦးရေဖြစ်သည့် နိုင်ငံတော်ရှိ လူဦးရေစုစုပေါင်း၏ သုညဒသမတစ်ရာခိုင်နှုန်းနှင့် အထက်ရှိကြောင်း သက်ဆိုင်ရာက သတ်မှတ် သော တိုင်းရင်းသားလူမျိုးအသီးသီးက လူမျိုးတစ်မျိုးလျှင် တစ်ဦးကျစီ ရွေးကောက်တင်မြှောက်သည့် တိုင်းဒေသကြီးလွှတ်တော် ကိုယ်စားလှယ်များ၊
- (ဂ) ပြည်နယ်များတွင် ထိုပြည်နယ်ရရှိပြီးသော သို့မဟုတ် ထိုပြည်နယ်အတွင်း ကိုယ်ပိုင်အုပ်ချုပ်ခွင့်ရ စီရင်စုရရှိပြီးသော တိုင်းရင်းသားလူမျိုးများမှအပ ကျန်တိုင်းရင်းသားလူမျိုးများအနက်လျော်ကန်သင့်မြတ်သော လူဦးရေဖြစ်သည့် နိုင်ငံတော်ရှိ လူဦးရေ စုစုပေါင်း၏ သညဒေသမတစ်ရာခိုင်နှုန်းနှင့် အထက်ရှိ ကြောင်း သက်ဆိုင်ရာက သတ်မှတ်သော တိုင်းရင်းသားလူမျိုးအသီးသီးက လူမျိုးတစ်မျိုးလျှင် တစ်ဦးကျစီ ရွေးကောက်တင်မြှောက်သည့် ပြည်နယ် လွှတ်တော်ကိုယ်စားလှယ်များ၊
- (ယ) ပုဒ်မခွဲ (က) နှင့် (ခ) သို့မဟုတ် ပုဒ်မခွဲ (က) နှင့် (ဂ) တို့အရ နွေးကောက် တင်မြှောက်သည့် လွှတ်တော်ကိုယ်စားလှယ်စုစုပေါင်း၏ သုံးပုံတစ်ပုံနှင့် ညီမျှသော တပ်မတော်ကာကွယ်ရေးဦးစီးချပ်က ဥပဒေနှင့်အညီ အမည်စာရင်း တင်သွင်းသည့် တပ်မတော်သားတိုင်းဒေသကြီး သို့မဟုတ် ပြည်နယ် လွှတ်တော်ကိုယ်စားလှယ်များ။

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Region Hluttaw or State Hluttaw

Formation of the Region Hluttaw or the State Hluttaw

- $161. \quad \text{The Region or State Hluttaw shall be formed with the following persons:} \\$
 - (a) representatives of the Region or State Hluttaw, two of each are elected from each township in the Regions or the States;
 - (b) representatives of the Region Hluttaw, each is elected from each national race determined by the authorities concerned as having a population which constitutes 0.1 percent and above of the population of the Union, of the remaining national races other than those who have already obtained the respective Region or a Self-Administered Area in that Region;
 - (c) representatives of the State Hluttaw, each is elected from each national race determined by the authorities concerned as having a population which constitutes 0.1 percent and above of the population of the Union, of the remaining national races other than those who have already obtained respective State or a Self-Administered Area in that State;
 - (d) representatives of the Region or State Hluttaw who are the Defence Services personnel nominated by the Commander-in-Chief of the Defence Services in accord with the law for an equal number of one-third of the total number of Hluttaw representatives elected under Sub-Sections (a) and (b) or (a) and (c).

D Nyein Lynn, Page 58 (Article 161)

Arrested in 2007 for 4 years and 3 months for helping reforming and reorganizing the outlawed All Burma Federation of Students Union (ABFSU) and his role in leading the non-violent Saffron Revolution in 2007. The charges included disrupting the stability of the state and causing public alarm. Although he was sentenced to 15 years and 6 months, he was released in January 2012 under a presidential conditional amnesty. Both his father (Political Prisoner 6/20) and grandfather, a National League for Democracy (NLD) MP who died in prison on August 1988, were actively involved in the 1988 uprising. He was again arrested in 2013 for 20 days for demonstrating in Yangon.

PAGE 58 OF THE 2008 CONSTITUTION. ARTICLE 161(b) (AS ARTICLES 74, 109(b) AND 141(b). These Articles ensure a large military presence in Myanmar's legislative bodies. The military representatives will occupy one fourth of Members of Parliament in all legislative bodies, which violates the principle of separation of powers and is contrary to a democracy in which the people are free to choose their own representatives.

NAME OF POLITICAL PRISONER: D Nyein Lynn

GENDER: Male ETHNICITY: Burmese RELIGION: Buddhism DATE OF BIRTH: 27.8.1988 Age 27 EDUCATION: Graduated, he is now going to study Geology in West Yangon University OCCUPATION BEFORE PRISON: Student OCCUPATION AFTER PRISON: Vice-Chairman of the Federation of Student Union Organising Committee (FSUOC) since 1st June 2012. The FSUOC is working on student's rights and for establishing students' unions in every university and school. Just Graduated and going to study Geology in West Yangon University

FIRST TIME IN PRISON

ARRESTED on October 2007 for 4 years and 3 months for helping reforming and reorganizing the outlawed All Burma Federation of Students Union (ABFSU) and his role in leading the non-violent Saffron Revolution in 2007. Both D Nyein Lin's father and grandfather, a National League for Democracy (NLD) MP who died in prison on August 1988, were actively involved in the 1988 uprising.

Together with his friends, in 2006 D Nyein Lin joined a book club at the American Centre. The members would meet to discuss books they had read, with focus on democracy and politics. They also met with members of the 88 Generation Student group. On August 2007, 4 students re-founded the All Burma Federation of Student Unions (ABSFU). After the re-foundation, De Nyein Lin was one of the twenty leaders elected. On 24 and 25 September 2007, De Nyein Lin participated in the march with monks and other protestors. Here leaders of the ABSFU marched holding the fighting peacock flag, flag of ABFSU and a symbol of the decades-long democratic struggle against military dictatorship in the country. On this day the army fired shots at the crowd, causing them to disperse and run away.

Due to repression by the military and police force after these demonstrations, when many peaceful protestors were arrested, De Nyein Lin and others were forced to go into hiding at different houses to avoid arrest. D Nyein Lin managed to evade arrest for one month and he was finally caught and charged, without bringing him to court. The charges included disrupting the stability of the state and causing public alarm. Although he was sentenced to 15 years and 6 months, he was released in January 2012 under a presidential conditional amnesty.

"Because of high fuel prices, there weren't enough school buses to provide the university students' transportation, and that only inspired students to participate in the revolution. Travel costs were unaffordable with our pocket money".

SECOND TIME IN PRISON

ARRESTED on November 2013 for 20 days for demonstrating in Yangon.

OTHER: Tortures employed at prisons to political prisoners include: Deprived from sleep for 3 days; Deprived from sleep at nights; Covered their heads with bags; Beaten after the 3 days of not sleeping; Forced to crawl over stones; Put inside a plastic bag with 2 or 3 holes and hanged from the roof; Given rice mixed with stones; Given to drink only a sip of water a day; Buried in sand up to their heads, heating the surrounding ground.

WISHES FOR 2015: D Nyein Lynn wants free and fair elections.

HISTORY CLOSE-UP: NLD REPRESENTATIVE DIE BEHIND BARS

National League for Democracy (NLD) representative U Saw Win, who was elected to parliament in the 1990 election, died on August 7 1998 from unknown reasons in Thayawaddy Prison, 200 kilometres north of Yangon. U Saw Win (a.k.a. U Kyaw Zaw Lin) was from Htilin Township in Chin State and was 61 years old. He was arrested in 1991 for allegedly failing to transport logs in time while working on the construction of the Yangon-Thanlyin Bridge. He was given eleven years imprisonment.

U Saw Win's body was cremated in secret by military authorities two days after his death on August 9, without the knowledge or presence of his family.

U Saw Win was the third NLD Member of Parliament to die in prison. U Tin Maung Win (Yangon Division) died in 1991 and U Hla Than (Yangon Division) died in 1996. U Saw Win's death also came six months after the death in prison of Yangon NLD Organising Committee member U Thein Tin.

U Saw Win's son, Sa Lai Yaw Aung (a.k.a. Aung Aung Min), a Central Committee member of the ABSDF, said his father worked tirelessly for democracy and human rights in Burma.

The Election Commission dismissed U Saw Win as a Member of Parliament on 12 December 1991. The military regime twice promised to release U Saw Win from prison, once in 1992 and again in 1995, but they failed to do so. U Saw Win graduated in Science from Yangon University and in 1965 began working as a newspaper journalist. He later became an Assistant Editor at the Botahtaung newspaper and also worked for a government-publishing house.