


Political Prisoner Profile

AAPP CASE:	Nay Myo Zin			
NAME OF POLITICAL PRISONER:	Nay Myo Zin			
GENDER:	Male	Ethnicity:		
DATE OF BIRTH:	June 6, 1975	Age:	40	
RELIGION:				
PARENTS NAME:	U Ngwe Zin, Daw Thi			
EDUCATION:				
OCCUPATION:	Myanmar Social Development Network			
LAST ADDRESS:	South Dagon Township, Rangoon			
ARREST DATE:	2014: December 30		PHOTO DATE:	
SECTION OF LAW:	<p>2015: May 26: Section 18 of the Peaceful Assembly and Peaceful Procession Act (for staging a solo protest)</p> <p>2014: December 30: Article 353 and Article 505(B) of the Penal Code. April 1: Section 18 of the Peaceful Assembly and Peaceful Procession Act (for holding a protest without permission)</p> <p>2013: May 7: Article 401 (1) of the Code of Criminal Procedure May 2: Section 500 of the Code of Criminal Procedure</p> <p>2011: April 11: Section 33(a) Electronic Transaction Act</p>			
SENTENCING HISTORY:	<p>2015: October 12: Acquitted by Kyauktada Township Court: According to the judge, his accuse of having staged a solo protest in Mahabandoola Park in December 2014 when reading out load the Declaration Of Independence while showing a picture of General Aung San, was not a violation of Section 18 and there was no proof of Nay Myo Zin staging a protest. (12 Oct 15 – Eleven/Burmese) September 18: Sentenced to four months imprisonment under Section 18 of the Peaceful Assembly and Peaceful Procession Act, to be served in conjunction with his current sentence. (September 18 2015 - RFA) July 10: Sentenced to 4 months imprisonment under Section 18 of the Peaceful Assembly and Peaceful Procession Act, to be served in conjunction with his current sentence. (August 10 2015 - RFA/ Burmese) May 15: Sentenced to 4 years and 4 months under sections 147, 353 and 505 (b) of the Penal Code, and Section 18 of the Peaceful Assembly and Peaceful Procession Act. Sentenced to 1 year under Section 353; 2 years under Section 505 (b); 1 year under Section 147; and 4 months under Section 18. (May 15 2015 - RFA/Burmese) (May 15 2015 - Irrawaddy/Burmese)</p> <p>2014: December 30: Charged under Articles 353 and 505(B) of the Penal Code. April 1: Sentenced to three months under Section 18 by Western Rangoon District Court</p> <p>2013: May 7: Sentenced to serve 6 years of his previous 10-year sentence under Criminal</p>			

	<p>Procedure Code 401(1) Act at Ma-U-Bin Prison in Irrawaddy Division</p> <p>2011: August 26: Sentenced to 10 years imprisonment under the Electronic Transcation Act by Insein Prison Court.</p>
COURT HEARING:	<p>2014: April 1: Western Rangoon District Court</p>
NAME OF PRISON:	Insein Prison
RELEASE DATE:	
IMMEDIATE HEALTH CONCERNS:	
<p>Nay Myo Zin suffers from severe back pain stemming from mistreatment.</p>	
CURRENT STATUS SUMMARY:	
<p>Nay Myo Zin is currently incarcerated in Insein Prison, having been sentenced to four years and four months imprisonment on May 15, 2015. On July 10 and September 18, he was sentenced to four months additional jail time, totalling his sentence to five years imprisonment.</p>	
CAREER BACKGROUND:	
<p>Former army captain Nay Myo Zin became the first political dissident detained and convicted by the Thein Sein government. Nay Myo Zin was from Intake 39 of the Defense Services Academy (DSA). He served as a lieutenant in the Tatmadaw from 1994 to 2005. In 1998, he became a platoon leader in Infantry Battalion (19) in Swar Township in Pegu Division. In 2003, he served as second in command of the No. 262 Military Provost Unit (Military Police) in Taung-gyi in Shan State. In 2005, at the age of 36, he was forced to retire because he became involved in the political movement.</p> <p>After he retired from the armed forces, he started to run an Internet café in Rangoon. Since 2009, he became involved in the NLD's movement. He was working as a volunteer for a blood donor program in the youth wing's Blood Donation Network group when he was arrested on April 2, 2011. On August 26, Nay Myo Zin was sentenced to 10 years imprisonment under Section 33/A of the Electronics Act for writing articles online criticizing the military. He was accused of communicating with Voice of America and an exiled political group. He was sentenced by a special court within Insein Prison. On January 13, 2012, he was released under presidential amnesty. Nay Myo Zin established Myanmar Social Development Network immediately after being released from Insein Prison.</p> <p>In late January 2013, Ko Nay Myo Zin was again arrested for participating in a farmers protest earlier that month. On May 2, he was given the option of either paying a 20,000 kyat fine or serving a three month prison sentence. Nay Myo Zin refused to pay the fine. However, farmers had collected the 20,000 kyat and were set to pay it on May 7. On May 7, as he was set to be released, the ministry of Home Affairs ordered Nay Myo Zin to serve 6 of the 9 remaining years on his 10 year sentence from 2012. The verdict was delivered that same night, and he was therefore unable to prepare a defence or solicit legal counsel. He was incarcerated in Ma-U-Bin Prison. Nay Myo Zin was the first former political prisoner to be re-incarcerated to serve an old prison sentence after being released in the presidential amnesty in 2012. Due to the fact that he was granted amnesty under Article 401(1), which is only a conditional release, he was liable for re-imprisonment under his old sentence. On May 17, Nay Myo Zin was once again released on presidential amnesty.</p> <p>On January 17, 2014, he was involved in another farmer protest, resulting in his arrest on January 18. On April 4, 2014, he was sentenced to three months imprisonment under Section 18 of the Peaceful Assembly and Peaceful Procession Act by Western Rangoon District Court. He was released on June 24, 2014, after serving his three months sentence.</p> <p>In December 2014 he read out loudly the Declaration of Independence to children in Mahabandoola Park while showing a picture of General Aung San. He had been accused of staging a solo protest and taken to court on May</p>	

26, 2015. On October 12 Nay Myo Zin had been acquitted by the Kyauktada Township court, but remains in prison for his sentence facing for the China-backed copper mine protest.

He was arrested again on December 30, 2014 for staging a protest against a China-backed copper mine and has been charged under Articles 353 and 505(B) of the Penal Code for interfering with public servants in the discharge of their duties and inciting offenses against the state. He is currently detained in Insein Prison, awaiting for trial.

ARREST DETAILS:

2015:

On October 12 Nay Myo Zin had been acquitted by Kyauktada Township court. Nay Myo Zin was charged under Section 18 of the Peaceful Assembly and Peaceful Procession Act for staging a solo protest in Mahabandoola Park, where he read parts of the Declaration of Independence while showing a picture of General Aung San. The judge said that this was not a violation of Section 18 and there was no proof of Nay Myo Zin staging a protest. Because of another sentence for his involvement in the Letpadaung mining protests in 2014 he is currently still serving a five year sentence of imprisonment.

2014:

On December 30, Nay Myo Zin was staging a protest against a China-backed copper mine in Rangoon when the police arrested and charged him, along with three other activists. There protest was following the clashes that took place on December 29 between about 100 activists and the police, and after the killing by police rifles on December 22, of a woman who joined the protests.

On January 17, Nay Myo Zin was involved in a protest at Maha Bandoola Park with hundreds of farmers from over 30 townships. The protest called for the release of jailed activists, constitutional reform, and the establishment of a farmers union.

On January 18, he was charged for protesting without authorization under Section 18 of the Peaceful Assembly and Peaceful Procession Act, by Kyauktada Township Police. (AAPP was unable to verify this information)

2013:

On January 13, 2013, Nay Myo Zin participated in a rally held by a farmers union demanding the return of their confiscated lands and the restoration of farmers' rights. Later that month, he was arrested along with three other farmers and charged under Section 18 of the Peaceful Assembly and Peaceful Procession Act, as well as under Section 500 of the Code of Criminal Procedure for defaming a police officer

2012:

January: Nay Myo Zin was briefly arrested in late January for having personal items such as a key chain associated with General Aung San.

September 21: [He was arrested for his involvement in Mass movement on International peace day.](#)

2011:

April 2: Nay Myo Zin was arrested on his way from his home to Sanpya Hospital in Thingangyun Township.

2010:

January 24: [He was arrested under the Unlawful Association Act for his involvement in NLD.](#)

DETAILS OF IMPRISONMENT:

Nay Myo Zin has been in and out of prison a number of times over the past few years. He spent almost 6 months in Insein Prison in 2011 and early 2012, was imprisoned again in 2013, this time in Ma-U-Bin Prison. He is currently held incarcerated in Insein Prison, serving a five year sentence.

***Profile prepared by the Assistance Association for Political Prisoners (Burma) on**

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