

## Political Prisoner Profile

<b>AAPP CASE:</b>	Nay Myo Zin			
<b>NAME OF POLITICAL PRISONER:</b>	Nay Myo Zin			
<b>GENDER:</b>	Male	<b>Ethnicity:</b>		
<b>DATE OF BIRTH:</b>	10.6.1975	<b>Age:</b>	39	
<b>RELIGION:</b>				
<b>PARENTS NAME:</b>	U Ngwe Zin, Daw Thi			
<b>EDUCATION:</b>				
<b>OCCUPATION:</b>	Myanmar Social Development Network			
<b>LAST ADDRESS:</b>	South Dagon Township, Rangoon			
<b>ARREST DATE:</b>	<b>2014 : 30 December</b> <b>2014: 18 January</b>		<b>PHOTO DATE:</b>	
<b>SECTION OF LAW:</b>	<b>December 30, 2014:</b> Article 353, Article 505 (b) <b>April 1 2014:</b> Section 18 of the Peaceful Assembly and Peaceful Procession Act (for holding a protest without permission) <b>May 7 2013:</b> Article 401 (1) of the Code of Criminal Procedure <b>May 2 2013:</b> Section 500 of the Code of Criminal Procedure <b>April 11 2011:</b> Section 33(a) Electronic Transaction Act			
<b>SENTENCING HISTORY:</b>	<b>2014:</b> December 30: was arrested and charged under Article 353 and 505 (b). A court hearing for Daw Naw Ohn Hla, Nay Myo Zin, Sein Htay and Tin Htut Paing was held on January 13, 2015, (Tuesday), but postponed on the grounds that not all defendants were present. "The hearing was reappointed for 20 January, 2015, as only four of the seven defendants in this case had been detained to date," April 1: he was sentenced to three months under Section 18 by Western Rangoon District Court <b>2013:</b> May 7: Sentenced to serve 6 years of his previous 10-year sentence under Criminal Procedure Code 401(1) Act at Ma-U-Bin Prison in Irrawaddy Division <b>2011:</b> August 26: Sentenced to 10 years imprisonment under the Electronic Transaction Act by Insein Prison Court.			
<b>COURT HEARING:</b>	<b>13 January 2015:</b> First court hearing at Dagon Tsp court (for the arrest on December 30, 2014) <b>1 April 2014:</b> Western Rangoon District Court			
<b>NAME OF PRISON:</b>	Insein Prison			
<b>RELEASE DATE:</b>	<b>2014:</b> June 24			
<b>IMMEDIATE HEALTH CONCERNS:</b>				
Nay Myo Zin suffers from severe back pain stemming from mistreatment.				

**CURRENT STATUS SUMMARY:**

Nay Myo Zin is currently incarcerated in Insein central prison, Rangoon under Article 353 of the Penal Code for committing assault or criminal force to deter a public servant from the discharge of his duties, and Article 505 (b) of the same code- a broadly defined charge punishing those who spread or make statements that can “alarm the public” or incite offenses against the state for the demonstration outside the Chinese Embassy in Dagon Tsp, on December 29, 2014, against the killing of 56-year-old Khin Win at the site of the controversial Letpadaung copper mine last week from December 30, 2014.

A court hearing for Daw Naw Ohn Hla, Nay Myo Zin, Sein Htay and Tin Htut Paing was held on January 13, 2015, (Tuesday), but postponed on the grounds that not all defendants were present. “The hearing was reappointed for 20 January, 2015, as only four of the seven defendants in this case had been detained to date,” according to defense lawyer Robert San Aung.

<http://www.irrawaddy.org/burma/three-activists-arrested-anti-mine-protest-rangoon.html>

<http://www.dvb.no/news/latpadaung-activists-court-hearing-postponed-burma-myanmar/47304>

**CAREER BACKGROUND:**

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.

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 [30 August 2011 - IFEX](#) . 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.

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.

[8 May 2013 - Irrawaddy](#)

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 month sentence.

[25 June 2014 - DVB](#)

Nay Myo Zin was released from Insein prison on June 24, 2014 after serving his three months sentence.

[25 June 2014 - DVB](#)

**ARREST DETAILS:**

**2014:**

On December 30, 2014, (Tuesday) Police in Rangoon arrested at least three protestors including Nay Myo Zin who led a demonstration outside the Chinese Embassy in Dagon Tsp, the previous day against the killing of 56-year-old Khin Win at the site of the controversial Letpadaung copper mine last week. Firstly, Nay Myo Zin colleagues were denied to meet her in detention. Then, three activists including Nay Myo Zin were sent to Insein prison and they were charged under Article 353 of the Penal Code for committing assault or criminal force to deter a public servant from the discharge of his duties, and Article 505 (b) of the same code- a broadly defined charge punishing those who spread or make statements that can “alarm the public” or incite offenses against the state.

<http://www.irrawaddy.org/burma/three-activists-arrested-anti-mine-protest-rangoon.html>

<http://www.dvb.no/news/latpadaung-activists-court-hearing-postponed-burma-myanmar/47304>

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.

[2 April 2014 - DVB](#)

**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:**

2014 : Police in Rangoon arrested at least three protestors including Nay Myo Zin on December 30, 2014, (Tuesday) who led a demonstration outside the Chinese Embassy in Dagon Tsp, the previous day against the killing of 56-year-old Khin Win at the site of the controversial Letpadaung copper mine last week. Then Nay Myo Zin was sent to Insein prison on the same day. He is currently awaiting trial in the prison.

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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, and most recently spent 3 months imprisoned in Insein again.

**\*Profile prepared by the Assistance Association for Political Prisoners (Burma) on October 20, 2014. Updated again on January 21, 2015.\***