

Political Prisoner Profile

AAPP CASE NO.:	0107		
NAME OF POLITICAL PRISONER:	Nyan Lin(aka) Nyi Nyi		
GENDER:	Male	Ethnicity:	Burmese
DATE OF BIRTH:	1969	Age:	40 in 2009
RELIGION:	Buddhist		
PARENTS NAME:	U Khin Hein		
OCCUPATION:	88 Generation, Former political prisoner		
LAST ADDRESS:	North Dagon Township, Rangoon		
ARREST DATE:	22 August 2007	PHOTO DATE:	
SECTION OF LAW:	Section 505 (b) , 130 (b), 17/20, 33 (a), 17/1, 24/1, 32 (b)/36, 6, 5/96 (Section 4), 228		
SENTENCING HISTORY:	Sentenced to six months in prison for contempt of court on October 29, 2008 Sentenced to 65 years in prison on 11 November 2008		
COURT HEARING:	Insein Prison Special Court & Maubin prison		
NAME OF PRISON:	Insein, Maubin, Pa-an prison		
RELEASE DATE:			
IMMEDIATE HEALTH CONCERNS:			
CURRENT STATUS SUMMARY:			
On 21 November 2008 Nyan Lin was transferred to Pa-an prison in Karen State.			
CAREER BACKGROUND:			
<p>Nyan Lin was involved in 1988 pro-democracy movement as a member of Rangoon District Students' Union. He was a second year student at Hlaing University, majoring in Economics at the time. He was also a member of the central executive committee of the <i>All Burma Federation Students Union ABFSU</i> while it was undergoing a process of reform and protesting against the SLORC's (Burmese junta) National Convention in 1992. On 7 July 1993, while participating in a student movement at Hlaing University in Rangoon, he was beaten and arrested by military intelligence and the security guards of the University. He was sentenced to five years in Insein prison. While in prison, he demanded respect for political prisoners' rights in the prison. As a result, he was transferred to Tharyarwaddy prison.</p> <p>After his release from the prison in 1997, Nyan Lin continued to be responsible for <i>ABFSU</i>. He also tried to co-operate with organizations both inside and outside of the Burma to celebrate the 10th anniversary of 8.8.88. As a result, he was arrested again with Ma Aye Moe (member of Rangoon District Students Union) in Pekhoh, Shan State on 30 July 1998 by No(27) Military Intelligence. Although other student members escaped, Nyan Lin and another colleague, Ma Aye Moe, were sentenced to 5 years imprisonment.</p> <p>Nyan Lin is a member of the 88 Generation Students group. In August 2007, he and other prominent activists were detained following demonstrations against the regime's economic mismanagement, hikes in fuel and commodity prices, and the falling standard of living. Following an overnight fuel price hike on 15 August 2007, the 88 Generation Students group, along with other opposition groups staged peaceful walking protests throughout Rangoon, which then spread across Burma. On 19 August 2007, the group led a march by more than 400 people from Rangoon's Kokine junction to Tamwe market in a protest against high fuel prices. The activists, who had attended a memorial service for late <i>National League for Democracy NLD</i> leader U Kyi Maung in Bahan township, walked to Tamwe instead of paying for bus fares pushed higher by increased gas prices. The Burmese government had raised the price of subsidised fuel by between 100 and 500 percent, causing the cost of public transport and a</p>			

number of staple commodities such as rice and cooking oil to increase dramatically.

ARREST DETAILS:

On the 22 August 2007 around midnight, Nyan Lin was arrested in a late-night raid on his home by members of the Police Special Branch, as were 13 other prominent members of the 88 Generation Students group, including Min Ko Naing, Ko Ko Gyi, Pyone Cho, Min Zeya, Mya Aye, Ko Jimmy, Ko

They were charged with 21 counts under the following laws:

- 1) Section 130/b of the Penal Code (committing deprecation of foreign governments at peace with Burma) for open criticism of China and Russia for their use of veto power to reject the Burma resolution at the UN Security Council;
- (2) Section 4 of 'Endangering National Convention' (SPDC Law No. 5/96) for criticism of the national convention and constitution writing process;
- (3) Section 17/20 of the Printers and Publishers Registration Act for failure to obtain permission to print publicity pamphlets and for possession of printers without registration;
- (4) Section 33(a) of the Electronic Transactions Law;
- (5) Section 17 (1) of the Unlawful Association Act;
- (6) 24/1 of the Law Amending the control of money (for illegal possession of foreign currency);
- (7) 32(b)/ 36 of the Television and Video Law;
- (8) Section 6 of the Organization of Association Law for forming an organization without permission;
- (9) 505(b) of the Penal Code for denouncing the government.

At the 27 August 2008 trial, nine student leaders (Min Ko Naing, Ko Ko Gyi, Pyone Cho aka Htay Win Aung, Mya Aye, Hla Myo Naung, Nyan Lin, Aung Thu, Myo Aung Naing and Ko Htay Kywe) as well as the other detainees demanded that they should not be handcuffed during the hearing and that their family members, public and media should be allowed to attend the hearing.

On September 9, Min Ko Naing was quoted in *Burma Digest* (October 1, 2008) as saying, "You can sentence us to a thousand years in prison for our political activities, but we will continue to defend ourselves in accordance with the law. Nobody can hide from justice."

During the September 10 hearing, they were still handcuffed, but their family members were allowed to attend. The judge heard from the prosecutor who made his cases based on documents obtained from Internet.

On October 15, 2008, all Township Courts handed over the cases to three District Courts: Rangoon Eastern District Court, Rangoon Western District Court and Rangoon Northern District Court. These three District Courts are hearing the cases inside Insein prison compound.

The trial continued on October 27. Many defendants withdrew their attorney power from their lawyers, as they believed the trial was not fair. Some refused to answer the questions of the prosecutors. Security was still tight and the defendants were concerned for their safety. On October 29, the nine student leaders (Min Ko Naing, Ko Ko Gyi, Pyone Cho aka Htay Win Aung, Mya Aye, Hla Myo Naung, Nyan Lin, Aung Thu, Myo Aung Naing and Ko Htay Kywe) were sentenced by the Northern District Court inside Insein prison to 6 months imprisonment under section 228 of the Penal Code for contempt of court after refusing to respond when asked by the judge them three times whether they were guilty of not. The presiding judge at the trial ruled that the activists had "interrupted a public servant at a judicial proceeding" by repeatedly asking for an open trial that relatives could attend, said attorney Aung Thein, one of three lawyers for the activists. Some other defendants then stood up and demanded the judge to sentence them too. Security forces surrounded the court and the judge ordered them to remove all the defendants from the court and adjourned the trial. On October 31, the nine who were convicted were transferred to Ma-ubin prison in the Irrawaddy Division. Their trial continued in Ma-ubin District Court, which will be held inside the Ma-ubin prison Compound. On November 1, their families were allowed to visit them in Ma-ubin prison.

In addition to being convicted of contempt of court under Section 288 of the Penal Code on 29 October 2008, on 11 November 2008, Nyan Lin was sentenced, along with the eight other activists held at Ma-ubin, to 65 years in prison.

He was convicted of 5 counts of the indictment:

- 1) One charge under Section 6 of the Organization of Association Law for forming an organization without permission; for this charge he was sentenced to 5 years.
- 2) Four charges under Section 33(a) of the Electronic Transactions Law; for each of these he was sentenced to 15 years.

Upon hearing their sentences, the activists responded with defiance. Some of them shouted “Free Burma!”. Family members were not allowed to attend the hearing. *AAPP 1111 00 DVB1 110*
On the same day, 14 of the original group of 35 held in Insein prison (Min Zeya, Zaw Zaw Min, Kyaw Min Yu aka Jimmy, Than Tin aka Kyee Than, Zay Ya aka Kalama, Arnt Bwe Kyaw, Kyaw Kyaw Htwe aka Marky, Pannate Tun, Thet Zaw, Thin Thin Aye aka Mie Mie, Mar Mar Oo, Nilar Thein, Sandar Min aka Shwee, Thet Thet Aung) were also sentenced to 65 years on these same charges.

On 9 November 2008, NLD lawyers U Khin Maung Shein and U Aung Thein, who were representing Min Zeya among other student activists, were each sentenced to four months’ imprisonment for ‘contempt of court’ *The Irrawaddy 0 11 00* . They were charged under section 3 of the Contempt of Court Act *US Campaign for Burma 0 11 00*) and *RFA0611 00* . The two lawyers had appeared in court to defend themselves on 6 November 2008 *AAPP 0 11 00* .

On 15 November 2008, Nyan Lin and the other eight activists held at Ma-ubin were transferred back to Insein prison.

On 21 November 2008, he was transferred to Pa-an prison in Karen State.

This profile was prepared by the Assistance Association for Political Prisoners (Burma) on 2 December 2008 and was updated on 12 June 2009