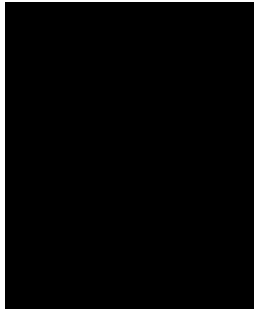


Political Prisoner Profile

AAPP CASE NO.:	0149			
NAME OF POLITICAL PRISONER:	Nyi Nyi Oo			
GENDER:	Male	ETHNICITY:	Burmese	
DATE OF BIRTH:	±1967	AGE:	±42 in 2009	
RELIGION:	Budhist			
PARENTS NAME:	U Tin Nyunt			
EDUCATION:				
OCCUPATION:	National League for Democracy (NLD) Youth Member			
LAST ADDRESS:	Tanyin Township, Rangoon Division			
ARREST DATE:	Between 9 to 12 July 1989		PHOTO DATE:	
SECTION OF LAW:	Penal Code Sections 122(1) and 302(1)(b)			
SENTENCING HISTORY:	30 Years Total (Death penalty on 27 July 1989 plus 20-year life imprisonment on 5 September 1989. In a 1993 general amnesty the sentences were reduced to a 20-year life imprisonment plus 10-year imprisonment.)			
COURT HEARING:	Military Tribunal at Insein Prison's Compound			
NAME OF PRISON:	Taungoo Prison, Pegu Division			
RELEASE DATE:				
IMMEDIATE HEALTH CONCERNS:				
<p>Below is a list of Nyi Nyi Oo's health concerns that have been reported:</p> <ul style="list-style-type: none"> • On 18 August 2006 Nyi Nyi Oo was reported "to be suffering acute high blood pressure, and his condition has been worsened by being forced to sleep on the concrete floor." (DVB 18Aug2006) • On 1 March 2007 Nyi Nyi Oo's sister Ma Za Za reported to DVB that Nyi Nyi Oo had suffered a stroke in January 2007 and although he was "officially being treated in the prison's hospital wing, he was not receiving adequate medical attention." Ma Za Za said that she "filed an official request with the prison to have her brother treated at a private hospital but that the request was denied." She said, "The left half of his body is paralysed. He has been bedridden since January 15. His mouth is a bit twisted and he has high blood pressure. He is quite thin and his body is infested with sores." She stated that he was being ignored in the hospital wing, without treatment. • On 27 August 2007 DVB reported that Nyi Nyi Oo was seriously ill and was "forced from a prison hospital back into solitary confinement." Nyi Nyi Oo's sister Ma Zar Zar Myint told DVB her brother said in a recent letter that he was sure he was going to die, stating, "My blood pressure has been up and down and I am taking medication every day. It is very uncomfortable here and the food has been very poor...Please, I'm begging you to visit me and bring me some food." • Nyi Nyi Oo is known to have suffered from continued paralysis as a result of his stroke in January 2007 and the subsequent inadequate treatment he received. 				
CURRENT STATUS SUMMARY:				
<p>Nyi Nyi Oo is a 42-year-old man who is now serving a 30-year prison sentence after being wrongfully convicted of bombing a petroleum factory, and he was not even release when another man confessed to the bombing. (See "Arrest Details" and "Details of Imprisonment" below.) He is currently incarcerated at Taungoo Prison, which is approximately 281 kilometers (175 miles) away from his family in Tanyin Township, Rangoon Division. Transferring political prisoners to distant prisons is one of the tactics used by the regime to further punish prisoners and increase the burden on their families and friends who provide necessary medicines, food, and other support.</p> <p>Prison Transfer History:</p> <ul style="list-style-type: none"> • Nyi Nyi Oo was originally held in several interrogation centers for approximately one week. • On 17 July 1989 Nyi Nyi Oo was taken to Insein Prison in Rangoon Division. • At a date unknown to AAPP, Nyi Nyi Oo was transferred to Taungoo Prison in Pegu Division. 				

CAREER BACKGROUND:

Nyi Nyi Oo is a National League for Democracy (NLD) Youth member for Tanyin Township, Rangoon Division. The NLD is 1991 Nobel Peace Prize winner Daw Aung San Suu Kyi's pro-democracy political party that won the 1990 multi-party elections by a landslide victory; however, the results were not acknowledged by the ruling military regime, and the party was prohibited from forming the government.

ARREST DETAILS:

Note: Unless stated otherwise, the information in this section is from a reliable AAPP source.

Following a bomb explosion at the Tanyin petroleum factory on 7 July 1989, several NLD members were arrested for their assumed involvement. **At the age of 22, Nyi Nyi Oo was arrested sometime between 9 to 12 July 1989.** Also arrested on 13 July 1989 were Moe Kyaw Thu and fellow NLD Youth member Thant Zaw.

At an interrogation center, Nyi Nyi Oo was brutally tortured into confessing he was connected with the Tanyin petroleum factory explosion, although he actually had no involvement. Nyi Nyi Oo presumably received the same treatment as his fellow NLD Youth member Thant Zaw who described that while blindfolded, he was punched in the face, beaten with wire, beaten with a baton in the head and genitals, denied of food and water for at least three days, and forced to stand on his toes in a squatting position with very sharp needles placed under the arches of his feet.

Since Nyi Nyi Oo had already been coerced into a false confession, Nyi Nyi Oo was used on at least two occasions to encourage Thant Zaw (also under interrogation) to also make a false confession in order to stop their torture. Similarly, Moe Kyaw Thu was tortured and used to get Thant Zaw to make a false confession even though Thant Zaw knew that Moe Kyaw Thu was not a participant in any political movements of any kind.

Thant Zaw gave evidence to the Military Intelligence (MI) showing that since two days before the explosion he had been working in the Rangoon NLD divisional headquarters for the memorial pamphlet of the 7 July ceremony. He also showed evidence that Nyi Nyi Oo was with him, stated that people near the headquarters saw them, and that activists and politicians from other political parties who attended the ceremony noticed them. Despite this, he was tortured again and again.

Thant Zaw partially gave into the interrogators by making a confession that a man named Moe Thiha gave him the bomb asked him to cause an explosion within the petroleum factory. Thant Zaw knew that Moe Thiha had fled to the Thai-Burma border, but the MI believed his story after they raided his vacated home in Rangoon.

Shortly after the Burmese regime broadcast Thant Zaw's explanation, *the Karen National Union (KNU) leader, General Mya, announced and explained to the regime and to the international community, that the KNU were responsible for the bombing and that the explosion had nothing to do with NLD youth members.* Rather than release the wrongfully accused, the regime continued prosecuting the NLD members based on their forced confessions.

On 17 July 1989, Thant Zaw, Nyi Nyi Oo, and Moe Kyaw Thu were taken from the interrogation center to Insein Prison. Each man was separately taken into a room with a judge, "witnesses," military personnel, and a video camera and two cassette recorders into which each was asked to make his confession – an untrue story that they had taught him at the Aung Thabyay interrogation center.

DETAILS OF IMPRISONMENT:

Note: Unless stated otherwise, the information in this section is from a reliable AAPP source.

On 27 July 1989 Nyi Nyi Oo and his two co-defendants, Thant Zaw and Moe Kyaw Thu, were handcuffed

and taken to a military tribunal hearing at Insein Prison's compound court under the charge of Air Force Lt. Col. Aung Nyunt. All three men were accused of and charged with bombing the Tanyin petroleum factory on 7 July 1989.

Nyi Nyi Oo's co-defendant Thant Zaw stated in court that that he knew nothing about the explosion and that the charges were merely a tactic to denounce the NLD party. He firmly explained his whereabouts on 7 July 1989 and the day after and spent two hours explaining to the court that he did not commit the explosion, that the intelligence personnel tortured him brutally, and that finally he was forced to admit to the false story taught by the intelligence. Lt. Col. Aung Nyunt called for a break, and the three men were taken back to Insein Prison by car and kicked and punched on the car bonnet. The men were taken back into court later that day.

That afternoon, on 27 July 1989, despite all three men proclaiming their innocence, Lt. Col. Aung Nyunt declared that Thant Zaw, Nyi Nyi Oo, and Moe Kyaw Thu were guilty, and **all three men were sentenced to death under the following law:**

1. Penal Code, Section 302(1)(b) – Murder with premeditation (*punishable by death*)

On 5 September 1989, Thant Zaw and Nyi Nyi Oo's hands were tied together and they were taken from Insein Prison's death row, put in iron-shackles, and blindfolded. They were brought once again to Military Tribunal (1) where they had first been sentenced to death. The two men were tried concurrently with 14 other activists, including their previous co-defendant Moe Kyaw Thu, as follows:

1. Aung Aung DPNS, Kawhmu
2. Aung Kyaw San NLD member, Hpaku Village, Tanyin
3. Aung Naing NLD-Youth member, Tanyin
4. Aung Than NLD-Youth member, Tanyin
5. Htay Lwin NLD member, Hpaku Village, Tanyin
6. Htwe Maung NLD member, Hpaku Village, Tanyin
7. Moe Kyaw Thu NLD-Youth member, Tanyin
8. Moe Thet DPNS, Kawhmu
9. Nay Lin Soe Yin NLD-Youth member, Tanyin
- 10. Nyi Nyi Oo NLD-Youth in charge, Tanyin**
11. Ohn Win NLD-Youth member, Tanyin
12. San Aung NLD-Youth member, Tanyin
13. Thant Zaw NLD-Youth member, Tanyin
14. Thet Khaing ABFSU member, Thuwana
15. Dr. Tun Thu NLD member, Hpaku Village, Tanyin
16. Zaw Tun Thet NLD-Youth member, Tanyin

All 16 activists were accused of participating in anti-regime underground movements. On 5 September 1989, **all 16 activists were charged and sentenced to a 20-year life imprisonment under the following law:**

1. Penal Code, Section 122(1) – High Treason within the Union of Burma (*punishable by death or transportation for life*)

It must be noted that in August 1989 the Military Intelligence “arrested a bomb expert from the KNU [Karen National Union] named Ko Ko Naing, and he confessed to the [Tanyin] explosion. Under interrogation, he took full responsibility for the factory explosion and explicitly stated that the NLD members and student activists did not take part in the incident.” (Irrawaddy 22Dec2003) Ko Ko Naing's guilt for bombing the Tanyin petroleum factory was announced at a formal press conference on 1 September 1989; however, Nyi Nyi Oo and his co-defendants were still not released. (AAPP 20May2005)

In 1993, as a part of the State Law and Order Restoration Council's (SLORC) general amnesty, many prisoners (mostly criminal prisoners, *not* political prisoners) were released and prison sentence terms were reduced under Decree 1/93. Nyi Nyi Oo's sentence was reduced from a death penalty to a 20-year

imprisonment, and his 20-year life sentence was reduced to a 10-year imprisonment, thus his sentence was reduced to a total of 30 years imprisonment.

Nyi Nyi Oo now faces a total of 30 years in prison for crimes he did not commit.

This profile was prepared by the Assistance Association for Political Prisoners (Burma) on 14 December 2009.