


# Political Prisoner Profile

<b>AAPP CASE NO.:</b>	0029			 <p>Sanda Min (a) Shwee</p>
<b>NAME OF POLITICAL PRISONER:</b>	Sandar Min @ Shwee			
<b>GENDER:</b>	Female	<b>Ethnicity:</b>	Burmese	
<b>DATE OF BIRTH:</b>	November 5, 1968	<b>Age:</b>	40	
<b>RELIGION:</b>	Buddhist			
<b>PARENTS NAME:</b>	U Win Myint and Daw Nu Nu Khin			
<b>EDUCATION:</b>	B.S.C (Chemistry) in Rangoon University			
<b>OCCUPATION:</b>	Operation manager of the La Pyi Won Children Development Family which is a non-governmental organization, Former P.P.			
<b>LAST ADDRESS:</b>	No. 150, Dhammazedi Road, Bahan Township, Rangoon			
<b>ARREST DATE:</b>	August 23, 2007		<b>PHOTO DATE:</b>	
<b>SECTION OF LAW:</b>	Section 505 (b) , 130 (b), 17/20, 33 (a), 17/1, 24/1, 32 (b)/36, 6, 5/96 (Section 4)			
<b>SENTENCING HISTORY:</b>	Sentenced to 65 years in prison on November 11, 2008			
<b>COURT HEARING:</b>	Insein prison special court			
<b>NAME OF PRISON:</b>	Insein prison, Myaungmya prison			
<b>RELEASE DATE:</b>				
<b>IMMEDIATE HEALTH CONCERNS:</b>				
<b>CURRENT STATUS SUMMARY:</b>				
<p>On November 11 2008 <b>Sandar Min</b> was sentenced to 65 years in prison on charges related to participation in the demonstrations of August 2007. <b>Sandar Min</b> had already been detained since August 23 2007. She was transferred to Myaungmya prison in Irrawaddy division on November 20, 2008.</p>				
<b>CAREER BACKGROUND:</b>				
<p><b>Sandar Min</b> was born on November 5 1968 in Rangoon. Her father is U Win Myint and her mother Daw Nu Nu Kyin. She started attending Rangoon University in 1985, majoring in chemistry. During the 1988 pro-democracy uprising <b>Sandar Min</b> was in her third year of college, and she participated in the Students' Union and Rights Movement. She was one of the founders as well as a leader of the organization known as Thon-yaung-chee, or Tri-Colors, which is the security wing of the National League for Democracy which provided security for Daw Aung San Suu Kyi.</p> <p>On July 19 1989 <b>Sandar Min</b> was arrested and sentenced to three years in prison under section 5 of the Emergency Provisions Act for peaceful protest against the Military Regime. She was released in 1992. Her father passed away in 1991 while she was in prison. After her release, she continued her education and successfully obtained a Bachelor of Science in Chemistry in 1994.</p> <p>In 1996 <b>Sandar Min</b> was falsely accused of involvement in a terrorist attack on the Swedaw Pagoda and was once again arrested. She was released after being interrogated for one month. After this incident she was employed as a general manager by A&amp;T Bakery and Confectionary. At the same time, she continued to educate herself by taking classes and received diplomas in various fields including Business Law, Applied Psychology, English, Business Management and Baking Technology.</p> <p>In 2003 she became the operations manager at the La Pyi Won Children Development Family, a non-governmental organization. At the time of her participation, the La Pyi Won was not yet registered as a legal nonprofit organization with the Ministry of Social Welfare, Relief and Resettlement. Presently, it is running as legal nonprofit organization in Burma.</p>				

In August 2007, **Sandar Min** 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 August 15, 2007, the 88 Generation Students Group, along with other opposition groups staged peaceful walking protests throughout Rangoon, which then spread across Burma. On August 19, 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 National League for Democracy 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 number of staple commodities such as rice and cooking oil to increase dramatically.

#### **ARREST DETAILS:**

**Sandar Min** was arrested around midnight on the night between the 23 and the 24<sup>th</sup> of August 2007. She was taken away from her house in Bahan Township because of her involvement in the 88 Generation Students group demonstrations that month.

#### **DETAILS OF IMPRISONMENT:**

**Sandar Min** is currently detained in Myaungmya prison, Irrawaddy division. She was transferred there on November 20, 2008.

In September 2007, the families of detained 88 Generation Students Group leaders asked the International Committee of the Red Cross in Burma for help in trying to locate the activists. Finally, in November, members of the group were allowed to receive visits from their families for the first time.

The trials of 35 members of the 88 Generation Students Group started on August 27, 2008 and continued on September 9. They, 9 females and 26 males, were brought before the Rangoon Eastern District Court, which was held inside the Insein Prison. Some had been detained in prison more than a year, since August 21, 2007, without trial. Their cases were to be heard by eight courts, Insein Township Court, Hlaing Tharya Township Court, Rangoon Eastern District Court, Rangoon Northern District Court, Thinganyun Township Court, Dawbon Township Court, South Okkalapa Township Court, and North Okkalapa Township Court. All courts were held inside the Insein Prison.

Detainees included Min Ko Naing, Ko Ko Gyi, Pyone Cho, Min Zeya, Mya Aye, Jimmy, Zay Ya, Kyaw Kyaw Htwe, Arnt Bwe Kyaw, Pannate Tun, Zaw Zaw Min, Thet Zaw, Nyan Linn, Than Tin aka Kyee Than, Htay Kywe, Hla Myo Naung, Aung Thu, Myo Aung Naing, Thet Thet Aung, Thein Than Tun, Tin Htoo Aung, Zaw Htet Ko Ko, Chit Ko Linn, Thaw Zin Tun, Aung Gyi @ Aung Thike Soe, Saw Myo Min Hlaing, Thin Thin Aye(F), Sandar Min(F), Nwe Hnin Ye(F), Thara Phe Theint Theint Tun(F), Aye Thida(F), San San Tin(F), Lay Lay Mon(F), Hnin May Aung(F). On October 13, Mar Mar Oo (F), arrested on August 7, and Nilar Thein were added to the group of 35.

Their seven Defense Lawyers were U Aung Thein, U Khin Maung Shein, Daw Khin Htay Kywe, U Kyaw Hoe, U Myint Thaung, U Pho Phyu, and U Nyi Nyi Hlaing.

They were charged with 21 counts under the following laws:

- 1) Section 130/b of the Penal Code (committing depredation 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 August 27 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 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. 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 September 9, Min Ko Naing was quoted in the *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."

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 heard the cases inside Insein prison Compound.

The trial continued on October 27. Many defendants withdrew power of attorney 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, nine of the 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 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 presiding judge three times whether they were guilty or not. According to attorney Aung Thein, one of three lawyers for the activists, the judge ruled that the activists had "interrupted a public servant at a judicial proceeding" by repeatedly asking for an open trial that relatives could attend. Some of the 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 of contempt of court were transferred to Ma-ubin prison in the Irrawaddy Division. Their trial continued in Ma-ubin District Court, held inside the Ma-ubin prison Compound. On November 1, their families were allowed to visit them in Ma-ubin prison.

On November 11, 2008, **Sandar Min** was sentenced along with 13 other activists (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, Thet Thet Aung) to 65 years in prison. She was convicted on 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 she was sentenced to 5 years.

2) Four charges under Section 33(a) of the Electronic Transactions Law; for each of these she was sentenced to 15 years.

On the same day, the nine activists sent to Ma-ubin prison were also convicted on the same counts.

It is expected that those convicted will receive more sentences as their trials continue under the remaining 16 counts of the indictment.

Aung Thein and Khin Maung Shein, lawyers in the case, were sentenced in absentia to four months detention during the trials (on November 7<sup>th</sup>). Three other defense lawyers, who were representing several dissidents, Kyaw Hoe, Myint Thaug, and Khin Htay Kywe, have also been barred from representing their clients since early November.

**\*This profile was prepared by the Assistance Association for Political Prisoners (Burma) on April 21, 2008 and updated on November 21 2008 and on July 2 2009.\***