


Political Prisoner Profile

AAPP CASE NO.:	0056			 <p style="text-align: center;">Than Lwin</p>
NAME OF POLITICAL PRISONER:	Than Lwin			
GENDER:	Male	Ethnicity:	Burmese	
DATE OF BIRTH:	1938	Age:	70 in 2008	
RELIGION:	Buddhist			
PARENTS NAME:	U San Htway			
EDUCATION:	Bachelor of Science majoring in Agriculture			
OCCUPATION:	Member of Parliament for Madaya Constituency			
LAST ADDRESS:	Madayar Township, Mandalay division			
ARREST DATE:	1 October 2007			
SECTION OF LAW:	Section 505/b, 153/a,			
SENTENCING HISTORY:	8 years			
COURT HEARING:	Mandalay prison special court			
NAME OF PRISON:	Loikaw			
RELEASE DATE:				
IMMEDIATE HEALTH CONCERNS:				
<p>Than Lwin is now blind in his left eye and losing the sight in his right, due to the prison authorities refusing to allow him to receive treatment for injuries he sustained in a severe assault. Than Lwin's medical conditions in prison have further deteriorated to the point that he is very weak and is unable to eat well due to his of his old age and the harsh prison conditions.</p>				
CURRENT STATUS SUMMARY:				
<p>On 28 March 2009 Than Lwin was transferred from Mandalay prison to Loikaw Prison in Karenni State. (Irrawaddy 31032009)</p> <p>On 5 March 2008 Than Lwin's wife, Daw Khin Thi, reported that he was now blind in his left eye. He had been taken to Mandalay prison on 23 February for surgery on his left eye which was severely damaged in an assault in June 2007. Doctors said all the nerves in his eye had been destroyed due to the growth of cataracts and that it was about two months too late to treat his eye. She said they had requested permission for treatment from the prison authorities and military leaders a long time earlier. He was sent back to prison on 29 February 2008. (DVB 05032008) He had required on going treatment at the time of his arrest, but this was denied by prison authorities, until a special request for treatment was sent by the Asian Human Rights Commission (AHRC) on 12 February 2008.</p>				
CAREER BACKGROUND:				
<p>Than Lwin worked as a primary school teacher for ten years, he then spent six months as a secondary school teacher. After this he worked as a civil servant for six years. He was imprisoned after a fire broke out while he was on duty as an agriculture officer and his department subsequently lost money.</p> <p>He participated in the 1988 uprising against the military regime. This was a series of pro-democracy marches and demonstrations started by students in Rangoon on 8 August 1988. The protests spread throughout the country. Hundreds of thousands of people including monks, young children, university students, housewives, and doctors demonstrated against the regime. The uprising ended on September 18, after a bloody military coup by the State Law and Order Restoration Council (SLORC). Thousands of deaths have been attributed to the military during this uprising.</p> <p>Than Lwin, is vice-chairman of the NLD's Mandalay Division and was the successful candidate for</p>				

Madaya Township in the 1990 election winning 69.63% of the votes. (NCGUB 270506)

On 15 June 2007 Than Lwin, 70 years old, was the victim of an unprovoked assault as he returned home from Alo Daw Pyait pagoda in Madaya Township, where he had been at a prayer meeting for the release of NLD leader Daw Aung San Suu Kyi from house arrest. He was punched in the face with a knuckle-duster by an unknown assailant who fled into a Union Solidarity and Development Association (USDA) office after the attack. The USDA is a social and political organization formed by the junta. Police officers who came to the USDA office were refused access, and they did not demand it. This is in spite the fact that the law of criminal procedure gives police the right to enter any premises where an alleged criminal is believed to be hiding. Than Lwin reported the attack with the Madaya police, but his attacker was never apprehended. (DVB 161008)

Than Lwin was hospitalized after the attack, his nose was broken and his left eye was severely damaged, requiring surgery. It was reported that USDA members had ventured into an operating theatre in Mandalay hospital to harass Than Lwin as he underwent surgery. His son and daughter said that members of the special police and USDA were also standing watch outside his hospital room. (DVB 250607)

On 24 July 2007 four of Thin Lwin's family members and five other Mandalay NLD members appeared at a Mandalay court to defend themselves against a lawsuit filed by the Maddaya USDA secretary U Kyaw Min who accused the group of 'intimidation'. He alleged they threatened to beat up USDA members and burn down the USDA office if Than Lwin's assailant was not handed over. Than Lwin said that this was impossible since their only contact with the pro-government organisation over the incident had been in the presence of a number of police officers. (DVB 260707) The nine were convicted and sentenced to up to seven years. After appeal three were released and five had their sentences reduced to one year. His relative Nyo Gyi, who is also 70 years old, was released in an amnesty after serving one year and four months. (DVB 260209)

On 30 August 2007 Than Lwin participated in a peaceful protest in Mandalay with twelve other elected MP's to show support for the detained leaders of the 88 Generation Students group. They marched from the NLD headquarters through the streets calling on the military to work to reduce commodity and fuel prices and for Burmese citizens to express their dissatisfaction with the government. (DVB 300807) On 15 October 2007 the Burmese government had raised the price of subsidised fuel by between 100 and 500 percent without any warning, causing the cost of public transport and a number of staple commodities such as rice and cooking oil to increase dramatically. Than Lwin also participated in the monk led protests in September 2007, which have been dubbed the Saffron Revolution. (DVB 061108)

ARREST DETAILS:

Around midnight on 1 October 2007 around 25 police and local officials led by Police Superintendent Khin Maung Thein and township chairman U Khin Maung Soe took Than Lwin from his house in connection with the recent protests. When asked if he was under arrest and should take soap and other items for a stay in detention the officials reportedly said that they would just talk with him and bring him back later, but they did not. (AHRC 171007)

DETAILS OF IMPRISONMENT:

Than Lwin and the five other National League for Democracy members appeared in Mandalay prison special court on 22 August 2008.

He was charged under:

- (1)Section 505 (B) of the Penal Code for denouncing the government's pride
- (2)Section 153 (A) of the Penal Code for promoting enmity between classes of people in the Union

(3)Section 295 (A) of the Penal Code for insulting religion

On 24 October 2008 Than Lwin was sentenced to eight years imprisonment under section 505 (B) and section 153 (A). The others were sentenced to terms of imprisonment as follows:

- Daw Win Mya Mya and Kan Tun – twelve years
- Min Thu – thirteen years
- Win Shwe – eleven years
- Tin Ko Ko – two years

On 3 December 2008 the Mandalay divisional court summarily rejected an appeal against their sentences. On 5 November 2008 the Mandalay district court had also instantly rejected the appeal. Their lawyer Myint Thwin said the group will continue to take its appeal to the higher level courts. (DVB 031208)

Profile prepared by the Assistance Association for Political Prisoners (Burma) on 8 October 2008, and updated on the 1 October 2009