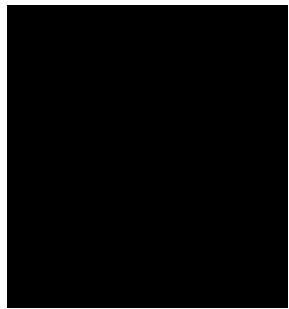


Political Prisoner Profile

AAPP CASE NO.:	0150			
NAME OF POLITICAL PRISONER:	Thant Zaw (a.k.a. Than Zaw)			
GENDER:	Male	ETHNICITY:	Burmese	
DATE OF BIRTH:	±1967-1969	AGE:	±40-42 in 2009	
RELIGION:	Buddhist			
PARENTS NAME:	U Myint Sein			
EDUCATION:				
OCCUPATION:	National League for Democracy (NLD) - Youth Member			
LAST ADDRESS:	Tanyin Township, Rangoon Division			
ARREST DATE:	13 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 1993 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:	Thayet Prison, Magwe Division			
RELEASE DATE:				
IMMEDIATE HEALTH CONCERNS:				
Below is a list of Thant Zaw's health concerns that have been reported:				
<ul style="list-style-type: none"> On 14 January 2005 Thant Zaw's mother, Daw Sein Sein, visited him at Thayet Prison. She told DVB that his health was deteriorating, saying, "The beatings he received before are causing his body to ache and swell...The pains of those beatings are rising up again and again. His health is not good. His eyes are not good. I gave him glasses but he is still unable to use them well." His mother was 70 years old at the time and was reported to be "very worried that she will die before her son is released." (DVB 15Jan2005) In a 21 March 2006 report by United Nations Special Rapporteur Manfred Nowak, he noted that Thant Zaw "suffers from eye problems and general bad health." On 18 August 2006 Thant Zaw was reported to be suffering from "swollen gut" disease. His family members insisted that the "life-threatening condition could only be repelled by having an urgent operation." (DVB 18Aug2006) (AAPP Editorial Note: The term "swollen gut" refers to chronic/ulcerative colitis which is an inflammation of the large intestine / colon that causes severe pain and can be life-threatening if not treated properly.) Thant Zaw is known to have suffered from appendicitis. (AAPP) 				
CURRENT STATUS SUMMARY:				
<p>Thant Zaw is a man in his early 40s 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 Thayet Prison, which is approximately 547 kilometers (340 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"> Thant Zaw was originally held in several interrogation centers for approximately one week. On 17 July 1989 Thant Zaw was taken to Insein Prison in Rangoon Division, where he was held for over one year. On 26 September 1990 Thant Zaw was transferred to Thayet Prison in Magwe Division. He was accused of participating in and demanding rights during a prison strike the prior day, 25 September 1990. He was beaten brutally by the prison staff, then transferred to Thayet Prison the next day. 				

(Letter from Thant Zaw 31Jul1995)

CAREER BACKGROUND:

Thant Zaw 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.

Thant Zaw was arrested on 13 July 1989 at around 4:00 in the early morning. The Military Intelligence (MI) personnel destroyed the front gate of Thant Zaw's home compound, demanding that the front door of the house be opened to check the home's visitor list. The MI personnel arrested Thant Zaw and thoroughly searched his house and compound.

Once the authorities arrested Thant Zaw, they made an unexpected stop to arrest 18-year-old Moe Kyaw Thu. Thant Zaw had only met Moe Kyaw Thu once before and said he was not a participant in any political movements.

Both Thant Zaw and Moe Kyaw Thu were masked and taken from Tanyin to Rangoon by ferry. They were put in a small room in an unknown location. Thant Zaw was handcuffed and tied with wire over his whole body. He was asked, "You bombed [Tanyin] petroleum factory, didn't you? Don't lie to us. Where did you get that bomb?" He denied any connections to the explosion. (AAPP Editorial Note: On 7 July 1989 a bomb exploded at the Tanyin petroleum factory, and several NLD members were arrested for their assumed involvement.)

Over the next several days, Thant Zaw was severely tortured to be coerced into a confession. 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.

Even though the MI personnel could not find any evidence against Thant Zaw, and Thant Zaw provided strong alibis to prove he was not involved with the Tanyin petroleum factory bombing, including times, places, and witnesses of his actual whereabouts on that day, the torture continued.

The interrogators brought Nyi Nyi Oo in front of Thant Zaw. Nyi Nyi Oo was a 22-year-old fellow NLD Youth member who worked closely with Thant Zaw on party movements. Nyi Nyi Oo had also been arrested and tortured, and he caved into a confession. Nyi Nyi Oo encouraged Thant Zaw to confess in order to stop the torture; however, Thant Zaw refused to confess to a crime they did not commit.

Thant Zaw gave evidence to the 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.

Next the MI brought Moe Kyaw Thu before Thant Zaw. Moe Kyaw Thu, who was not involved in political movements of any kind, was tortured into a confession and asked Thant Zaw to confess also. Thant Zaw admonished Moe Kyaw Thu for admitting to something they did not do.

After three days of non-stop torture, deprivation of food, water, and sleep, Thant Zaw was beaten by at least ten MI personnel at the same time. Thant Zaw realized that if he did not confess, the other people who had

been arrested with him would also continue to be tortured.

During the next set of beatings, Thant Zaw said, “I will tell you what you want.” The MI stopped beating him. He told the MI that Moe Thiha, who lived in Kyauktada Township in Rangoon, gave him the bomb and asked him to cause an explosion within the petroleum factory. The MI at once went to the address to arrest Moe Thiha, but could not find him as Moe Thiha had fled to the Thai-Burma border. (Thant Zaw had known this before he told that name to the MI.) The MI came back and said, “What you said is right but he wasn’t there. He hasn’t come back since he fled from Burma.”

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. That same day Thant Zaw was taken into a room with a judge, two female “witnesses,” military personnel, and a video camera and two cassette recorders into which he was asked to make his confession. When Thant Zaw said that he only wanted to confess the truth at a court in front of people, the judge called for a break. Thant Zaw was covered with a blanket and taken by the intelligence personnel to another room where they swore, kicked, and punched him repeatedly. Hours passed, and Thant Zaw came to know that Nyi Nyi Oo and Moe Kyaw Thu had already confessed to the judge. The longer he refused to confess, the more severe his torture became. Eventually, he was taken back to the courtroom and forced to confess 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 Thant Zaw and his two co-defendants, Nyi Nyi Oo 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.

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 (days before the sentencing); however, Thant Zaw 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. Thant Zaw’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.

Thant Zaw 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.