

Political Prisoner Profile

AAPP CASE NO.: 0021



(*DPNS*). She was first arrested on 7 March 1989. At the time she was distributing flyers about the forthcoming annual ceremony commemorating activist Phone Maw's death on 13 March 1988. He was one of the first student activists killed during the 1988 uprisings. Mie Mie was released after a 3 month period in detention. She went on to work on behalf of the *National League for Democracy (NLD)* during its election campaign.

In 1990, Mie Mie passed her matriculation exams and married *NLD* youth member Hla Moe. In 1996, while she was at Dagon University, she was involved in a student demonstration and was arrested again. This time she was sentenced to seven years.

After her release from Tharyarwaddy Prison in 2003, Mie Mie became closely involved with the new generation of student pro-democracy movements and emerged as a leader of the 88 Generation Students group, formed in 2005.

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. 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 *NLD* 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 fuels 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. Mie Mie led the march on 22 August 2007 after many prominent student leaders were arrested on the previous day. After that, she went into hiding but was still working clandestinely until her arrest on 13 October 2007.

Shortly before her arrest, Mie Mie expressed her concerns about detained activists to *Radio Free Asia*: The detainees "have no extra clean clothes to change while in detention so they have no choice but to continue to wear dirty, smelly clothes for days. I have learned that food given to pregnant women and nuns is barely enough for them to survive... Many young women have been picked up on the streets by the authorities without the knowledge of their families. At police stations or detention centers, the authorities do not differentiate between political detainees and ordinary criminals... The police abuse their power and there are incidents in which young women detainees are harassed or sexually abused by them. I have witnessed some of the abuses myself. I am therefore really concerned about the safety of the young women detainees." (*RFA17102007*)

Mie Mie has two children, a 16-year-old daughter and a 12-year-old son. She holds a bachelor degree in Zoology.

ARREST DETAILS:

Mie Mie was hiding at a rubber plantation when she was arrested together with student leaders Htay Kywe, Aung Thu, Zaw Htet Ko Ko and Hein Htet on 13 October 2007. They were arrested in an overnight raid on the plantation. The rubber plantation owner and workers were also arrested. According to a local source, the police chief Brigadier General Khin Yee paid arresting officer lieutenant Hla Moe Aung a reward of 2,500,000 kyat for the capture of the activists.

Mie Mie's husband Hla Moe was also arrested on 22 February 2008. The reason for his arrest is unknown. He was released a few days later on 26 February 2008.

DETAILS OF IMPRISONMENT:

After her arrest, Mie Mie was held at Insein prison court along with 7 other women activists, including

Sandar Min, Novel Aye also known as Hnin May Aung, Thet Thet Aung, and Nwe Hnin Ye also known as Noe Noe. It is said Mie Mie was allowed to see her family.

On 17 October 2007, Nilar Thein who spent nine years in Thayawaddy prison, some of them with Mie Mie, told *Radio Free Asia (RFA)*: “I am very sad because my friend Mie Mie was arrested like this. I am especially concerned for her because I read the military authorities’ vengeful writings in the newspapers about [her]. She was arrested under these circumstances, so I’m especially concerned for her health and safety. At the Thayawaddy prison, under the prison chief, Win Myint, prisoners sentenced for rape were kept next to the women’s building. Prison staff and these prisoners would come and peep at us while we took our baths. We were in prison, defenseless, and without any security. When we reported this to the prison chief, we were reprimanded,” she said. (RFA17102007)

The trials of the 35 members of the 88 Generation Students group, including Mie Mie, started on 27 August 2008 and continued on 9 September 2008. They, 9 women and 26 men, 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 21 August 2007, without trial. All courts were held inside the Insein Prison. Their seven defense lawyers were U Aung Thein, U Khin Maung Shein, Daw Khin Htay Kywe, U Kyaw Hoe, U Myint Thaug, U Pho Phyu, and U Nyi Nyi Hlaing.

Mie Mie was charged with the following:

1. One charge under Section 4 ('Endangering National Convention') of the Law Protecting the Peaceful and Systematic Transfer of State Responsibility (SPDC Law No. 5/96) for criticism of the national convention and constitution writing process. This charge carries maximum 20 year imprisonment.
2. Two charges under Section 17/20 of the Printers and Publishers Registration Law for failure to obtain permission to print publicity pamphlets.
3. One charge under Section 6 of the Unlawful Association Act for organizing an organization without permission
4. Three charges under Section 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. During the 10 September 2008 hearing, they were still handcuffed, but their family members were allowed to attend. The judge heard from the prosecutor who reportedly made his cases based on documents obtained from internet. (BurmaDigest01102008)

On 9 October 2008 *The Burma Lawyers’ Council* called for lawful trials to be held in public for activists, in accordance with article 10 of the Universal Declaration of Human Rights. (RFA101008)

On 15 October 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.

On 24 October 2008, Min Ko Naing and other members of the 88 Generation Student group renewed their call for the right of their families to attend court hearings to be respected. Min Ko Naing, Ko Ko Kyi, Hla Myo Naung, Pyone Cho, Jimmy, Htay Kywe, Myo Aung Naing demanded that an earlier court ruling by a judge in Rangoon northern district court - that family members should be allowed to attend

court hearings - should not be overruled by Insein Special Prison Court. In response the activists were reportedly accused of being in contempt of court and charged under statue 228. (*RFA24102008*)

On 27 October 2008, 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 29 October 2008 nine of the students 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. Mie Mie and 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. (*AAPP29102008*).

On 11 November 2008, Mie Mie, was sentenced, along with 13 other activists to 65 years imprisonment with hard labour during a closed door hearing in Insein prison special court . Upon hearing their sentences, the activists responded with defiance. Mie Mie shouted: "We will never be frightened." Others shouted: "Free Burma!". Family members were not allowed to attend the hearing. (*AAPP 11112008*) (*DVB121108*)

Mie Mie 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 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 9 November 2008, NLD lawyers U Khin Maung Shein and U Aung Thein, who were representing Mie Mie among other student activists, were each sentenced to four months' imprisonment for 'contempt of court' (*The Irrawaddy07112008*). They were charged under section 3 of the Contempt of Court Act (*US Campaign for Burma 07112008*) and (*RFA06112008*). The two lawyers had appeared in court to defend themselves on 6 November (*AAPP 07112008*).

On 20 November 2008, Mie Mie was transferred to Bassein prison, Irrawaddy division.

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