


Political Prisoner Profile

AAPP CASE NO.:	0118			
NAME OF POLITICAL PRISONER:	Daw Win Mya Mya			
GENDER:	Female	Ethnicity:	Burmese Muslim	
DATE OF BIRTH:	1950	Age:	59 in 2009	
RELIGION:	Islam			
PARENTS NAME:	U San Tun			
ORGANIZATION:	National League for Democracy (NLD), Mandalay Division Organizer			
OCCUPATION:	Merchant			
LAST ADDRESS:	Chan Aye Thar Za Township. Mandalay			
ARREST DATE:	28 September 2007		PHOTO DATE:	
SECTION OF LAW:	Sections 153(a) and 505(b)			
SENTENCING HISTORY:	12 years imprisonment on 24 October 2008; Reduced to 8 years on 3 April 2009			
COURT HEARING:	Aungmyaythasan Township Court (Mandalay)			
NAME OF PRISON:	Putao Prison in Kachin State			
RELEASE DATE:				
IMMEDIATE HEALTH CONCERNS:				
<p>Daw Win Mya Mya suffers from low blood pressure and diabetes. She endures a nerve disease which is reported to have been caused by the 2003 Depayin Massacre. Daw Win Mya Mya also has difficulty sitting and standing. Her nerve and joint pain requires regular medication and massage treatment.</p> <p>Although originally held in Mandalay Prison, in March 2009 she was transferred twice in one week, amid reports that she was in declining health (Democratic Voice of Burma 30/03/2009). Ultimately she was relocated to Putao Prison, the coldest prison in the far north of Myanmar, nearly 400 miles away from her family in Mandalay.</p>				
CURRENT STATUS SUMMARY:				
<p>Daw Win Mya Mya was sentenced to 12 years imprisonment under sections 153/A (Promoting enmity between classes) and 505/B (Statements conducting to public mischief) of the Penal Code. She is currently being held in Putao prison Mandalay. According to Radio Free Asia, in April 2009 Daw Win Mya Mya's 12-year sentence was reduced to an 8-year sentence (RFA 03/04/2009).</p>				
CAREER BACKGROUND:				
<p>Daw Win Mya Mya is an organizing member of National League for Democracy (NLD) in Mandalay Division. Since 1988, she has been supporting social welfare and assisting political prisoners in Mandalay Prison and the political prisoners' families.</p> <p>On 30 May 2003, Daw Win Mya Mya was traveling in a government-approved motorcade with Daw Aung San Su Kyi and about 200 other NLD members in Depayin, when a militia group attacked them, resulting in around 70 deaths and hundreds of injuries. In an interview Daw Win Mya Mya stated, "Our car got away from the first attackers but at the second place of attack we could not escape. They used sticks and stones on us so furiously that finally our car just smashed into a tree. That was how both my hands were injured. According to the bone specialists my right elbow broke in two and was crushed, and my left wrist was fractured." Daw Win Mya Mya still suffers from continued nerve damage as a result of the incident. She was detained for seven months in Shwebo Prison following the 2003 Depayin Massacre. (Burma Today News 17/01/2004)</p> <p>Her family business has been severely hampered by the authorities, who tried to intimidate the customers against coming to her fabric shop. Her family's shop in Zay Cho Market in Mandalay was also closed</p>				

down by the authority for having the NLD's flag.

In September 2007 Daw Win Mya Mya was involved in the Saffron Revolution. The Saffron Revolution is the name given to a multi-day series of marches and demonstrations held throughout Burma to protest the military regime's economic mismanagement and the falling standard of living. In August 2007 the regime removed fuel subsidies overnight, causing fuel prices to increase between 100% and 500%. This led to an increase in the prices of all commodities. The name comes from the color of the monks' robes, who led many of the peaceful marches in late-September 2007.

ARREST DETAILS:

Daw Win Mya Mya was arrested from her house on 28 September 2007 due to her participation in the Saffron Revolution in September 2007; however, she was released shortly after in October 2007.

On 24 November 2007 Daw Win Mya Mya was arrested again, both for her involvement in the Saffron Revolution and for allegedly attending three meetings in 2006 and 2007 with U.S. Embassy Official (Asian Human Rights Commission 01/11/2008).

DETAILS OF IMPRISONMENT:

- Location: Aung Myay Thar Zan Township Special Court
- Judge: Daw Bay Be (B.A – Law – L.L.A), Joint Township Judge (Special Power)
- Prosecutor: Police Sub lieutenant Thiek Nyunt LA-118371 from Special Branch
- Case No.: 608, 609, and 610.
- Lawyer for the Prosecution: U Than Hlaing
- Defense Lawyers: U Myint Thwin, U Myo Swe, and U Shwe Hla
- Witnesses for Daw Win Mya Mya's case:
 1. LA-118371 Police Sub lieutenant Thiek Nyunt from Police Special Branch
 2. LA-127312 Police lieutenant(one star) Bo Aye
- On 24 October 2008, the judge ruled and applied sentences to the NLD members as follows:
 1. Daw Win Mya Mya and U Kan Tun were sentenced to 4 years imprisonment and labor (2 years under Penal Code Section 153(a) and 2 years under Penal Code Section 505(b)).
 2. Daw Win Mya Mya, U Kan Tun, and U Than Lwin were sentenced to 4 years imprisonment and labor (2 years under Penal Code Section 153(a) and 2 years under Penal Code Section 505(b)).
 3. Daw Win Mya Mya, U Kan Tun, and U Than Lwin were sentenced to 2 years imprisonment and labor under Penal Code Section 505(b).
 4. Daw Win Mya Mya, U Kan Tun, U Than Lwin, Min Thu (aka Ko Oo), and Tin Ko Ko were sentenced to 2 years imprisonment and labor under Penal Code Section 505(b).

Daw Win Mya Mya and five fellow NLD leaders who had also been imprisoned between September to November 2007 were not formally charged until August 2008, nearly one year after being arrested. (Mezzima 20/10/2008)

During the trial, the prosecution testified in court that the NLD leaders were arrested in 2008, rather than in 2007. It became the responsibility of defense lawyer U Myint Thwin to produce evidence, including exhibits of prison interviews and family visits, to prove the NLD leaders were, in fact, arrested in 2007. (Mezzima 20/10/2008 and Radio Free Asia 27/10/2008)

Daw Win Mya Mya's defense lawyer "Myint Thwin complained that the court used a recording of Win Mya Mya's voice from a year ago that should have been inadmissible under Burmese criminal law, and that the court combined four [separate] charges against Win Mya Mya to reach a 12-year sentence." (Radio Free Asia 27/10/2008)

Following the trial, defense lawyer U Myint Thwin attempted to appeal the sentencing. On 5 November 2008 the judge at the Mandalay District Court summarily rejected the appeal on the same day it was

submitted (Democratic Voice of Burma 06/11/2008). Then, on 2 December 2008 the Mandalay Divisional Court summarily rejected the appeal, also on the same day it was submitted (DVB 03/12/2008). Subsequently, On 29 January 2009, U Myint Thwin yet another appeal to the Central Court (DVB 30/01/2009).

According to Radio Free Asia, in April 2009 Daw Win Mya Mya's 12-year sentence was reduced to an 8-year sentence (RFA 03/04/2009).

***This profile was prepared by the Assistance Association for Political Prisoners (Burma) on 13 October 2009.**