


Political Prisoner Profile

AAPP CASE NO.:	0058			
NAME OF POLITICAL PRISONER:	U Zaw Min (a.k.a. Boung Boung)			
GENDER:	Male	Ethnicity:	Burmese Muslim	
DATE OF BIRTH:	1969	Age:	40 in 2009	
RELIGION:	Islam			
PARENTS NAME:	U Tin Shwe			
EDUCATION:	Third-year University Student			
OCCUPATION:	88 Generation Students Group; Former Political Prisoner			
LAST ADDRESS:	Tanyin Township, Rangoon Division			
ARREST DATE:	16 December 2007		PHOTO DATE: Aug 2008	
SECTION OF LAW:	Penal Code Section 505(b) and Electronic Transactions Law Section 33(a)			
SENTENCING HISTORY:	12 years (2 years on 30 October 2008 and 10 more years on 5 March 2009)			
COURT HEARING:	Insein Prison Special Court			
NAME OF PRISON:	Kyaukpyu Prison, Arakan State.			
RELEASE DATE:				
IMMEDIATE HEALTH CONCERNS:				
CURRENT STATUS SUMMARY:				
<p>U Zaw Min (a.k.a. Boung Boung) was originally incarcerated at Insein Prison in Rangoon. On 5 March 2009 he was transferred to Thayet Prison in Magwe Division. On 14 May 2009 he was again transferred, this time to Kyaukpyu Prison in Arakan State where he is currently imprisoned. Kyaukpyu Prison is approximately 724 kilometers (450 miles) from his family in Rangoon.</p> <p>U Zaw Min's father, U Tin Shwe, passed away in either July or August 2008 while U Zaw Min was detained in Insein Prison.</p>				
CAREER BACKGROUND:				
<p>U Zaw Min (a.k.a. Boung Boung) was a third-year university student, student activist, and member of the All Burma Federation of Student Unions (ABFSU) during the "1988 Uprising." (US Campaign for Burma 20/12/2007) The 1988 Uprising 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 18 September 1988, when the State Law and Order Restoration Council (SLORC) ordered a stop; the military opened fire on protestors and thousands were killed.</p> <p>U Zaw Min was arrested on 2 August 1991 for allegedly having connections with the All Burma Students' Democratic Front (ABSDF) underground unit and sentenced to 12 years in prison. On 28 March 1996 another 7 years was added to his sentence for allegedly 1) collaborating with 21 other political prisoners in attempting to smuggle out a letter to the United Nations Secretary-General that described the harsh prison conditions, 2) cooperating with fellow prisoners in publishing the annual <i>Diamond Jubilee</i> political magazine, and 3) working with fellow prisoners to produce a weekly news bulletin that was distributed to other inmates. He was released on 3 January 2007 from Thayet Prison in Magwe Division as part of a general amnesty when the regime released 2,831 prisoners (but only ±50 political prisoners) to commemorate the 59th anniversary of Burma's independence from Britain. (Sources: ABSDF's <i>Pleading Not Guilty In Insein</i>, Feb 1997; AAPP's <i>The Unknown Story of the Twenty Four</i>; and Irrawaddy 04/01/2007)</p> <p>After his release, U Zaw Min became a leading member of the 88 Generation Students group. The 88 Generation Students are a pro-democracy group, formed on 6 September 2005 by Min Ko Naing and other prominent activists. The group's name was based on the students who led 1988 Uprising.</p> <p>In August and September 2007 the 88 Generation Students led protests in what became known as "The Saffron Revolution." The Saffron Revolution, named after the color of the monks' robes who also led many of the</p>				

peaceful marches, was a multi-day series of 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, causing fuel prices to skyrocket between 100% and 500% overnight. This led to an increase in the prices of all transportation and general commodities. Beginning on 26 September 2007, the military used force with a violent crackdown on the protestors and the monks to end the demonstrations.

Due to U Zaw Min's participation in the Saffron Revolution, he was arrested on 22 August 2007, together with other leaders of the 88 Generation Students group; however, he was released on 1 November 2007. AAPP was informed that while held in detention, U Zaw Min was tortured both physically and psychologically during interrogations.

Just over a month after his release, U Zaw Min was arrested again. (See "Arrest Details" below.)

ARREST DETAILS:

On 16 December 2007 U Zaw Min (a.k.a. Boung Boung) was arrested from his hiding place in Rangoon, accused of being linked to activists who filmed the Saffron Revolution protests and provided information to exiled media sources about human rights abuses and arbitrary torture under the Burmese regime. (Irrawaddy 20/12/2007)

U Zaw Min was held in the custody of military intelligence where he is believed to have been tortured. (Asian Human Rights Commission, 08/10/2008)

DETAILS OF IMPRISONMENT:

- Court Location: Insein Prison Special Court
- Judge: Deputy Judge Daw Than Htay from Sanchaung Township Court (Ta-2043), Special Power
- Prosecutor: Police Major Ye Nyunt from the Special Branch (LA-58188)
- Case No.: 2008 Criminal Case No. 112
- Defense Lawyer(s): U Aung Thein, U Khin Maung Shein and U Myint Thuang
- Witnesses for U Zaw Min's case:
 1. Police Major Ye Nyunt (LA-58188, Special Branch)
 2. Police Sub lieutenant (one star) Thet Naing (LA-114384, Operations Special Branch)
 3. Police Captain Kyaw Soe (LA-59054, Myanmar Police Department)
 4. Sub Lieutenant (one star) Myint Aye (LA-127086, Domestic Affairs / Myanmar Police Department)
 5. Sub Lieutenant (one star) Kyaw Than (LA-128907, Myanmar Police Department)
- **Sentence: On 30 October 2008, the judge sentenced U Zaw Min (a.k.a. Boung Boung) to two (2) years of imprisonment under Penal Code, Section 505(b) for statements conducing to public mischief.**

During the trial, the police brought no evidence to match the elements of the charge against U Zaw Min. They alleged that they had arrested him in possession of a memory stick with photographs on it, but they could not produce the memory stick in court. Nor could they produce documents or evidence in court to show that he had produced any false news. (Asian Human Rights Commission, 08/10/2008)

Also during the trial, Prosecuting Police Major Ye Nyunt presented a confession to the court obtained from U Zaw Min while he was held in custody, probably coerced through the use of torture, and read it to the court in order to "refresh his memory." This violates the Evidence Act Sections 26 and 159 not only because confessions obtained in while the accused is in custody are not allowed in court but also because material brought to refresh the memory of a witness must be that which the witness wrote him or herself. (Asian Human Rights Commission, 08/10/2008)

On 5 March 2009, an additional 10 years in prison was added to U Zaw Min's sentence. He was sentenced at Insein Prison Special Court and accused of violating Electronic Transactions Law No. 5/2004, Section 33(a) for using electronic transactions for acts detrimental to the security of the State. (Democratic Voice of Burma 06/03/2009)

*** This profile was prepared by the Assistance Association for Political Prisoners (Burma) 6 November 2009.***