

JOHN McCAIN
ARIZONA

COMMITTEE ON ARMED SERVICES
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COMMITTEE ON INDIAN AFFAIRS

United States Senate

January 20, 2010

Secretary Hillary Rodham Clinton
United States Department of State
2201 C Street NW
Washington, DC 20520

241 RUSSELL SENATE OFFICE BUILDING
WASHINGTON, DC 20510-0303
(202) 224-2235

5353 NORTH 16TH STREET
SUITE 105
PHOENIX, AZ 85016
(602) 952-2410

122 NORTH CORTEZ STREET
SUITE 108
PRESCOTT, AZ 86301
(928) 445-0833

4703 SOUTH LAKESHORE DRIVE
SUITE 1
TEMPE, AZ 85282
(480) 897-6289

407 WEST CONGRESS STREET
SUITE 103
TUCSON, AZ 85701
(520) 670-6334

TELEPHONE FOR HEARING IMPAIRED
(602) 952-0170

Dear Secretary Clinton:

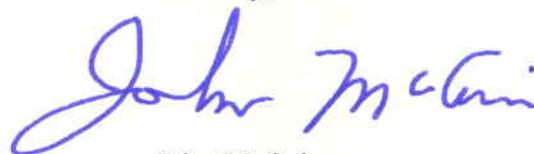
I am writing to express my extreme concern regarding the ongoing trial in Burma of Nyi Nyi Aung (Kyaw Zaw Lwin), an American citizen and non-violent democracy activist. With an estimated 2,100 political prisoners filling Burma's prisons, I am worried that, without your swift action, it is merely a foregone conclusion that Nyi Nyi will be convicted and jailed on sham charges intended to intimidate the peaceful protests of brave democracy advocates across the region.

Nyi Nyi Aung was arrested on September 3, 2009 upon his arrival at Rangoon's Mingaladon Airport. After initially charging Nyi Nyi with violating the State Protection Law and Emergency Provisions Act, the Burmese junta dropped the charges and replaced them with allegations of forgery, improper currency possession, and failure to renounce Burmese citizenship. Given the suspicious circumstances surrounding his arrest, these charges appear dubious and seem to be merely a pretext for halting Nyi Nyi's non-violent protests against the junta.

In addition, his detainment and criminal trial have been riddled with flagrant violations not only of basic human decency, but also of legally binding treaties of which Burma is a signatory. Nyi Nyi was held after his arrest for days without food, medical treatment, sleep, and consular access. He has been beaten, tortured, and placed in a solitary confinement unit built solely for military dogs. While the prosecution has called sixteen witnesses, Nyi Nyi was not permitted to call more than two.

This blatantly inhumane treatment of an American citizen in Burma gravely alarms me. Therefore, I call upon you to utilize every diplomatic tool available to ensure that Nyi Nyi is immediately released and allowed to return home peacefully to the United States.

Sincerely,



John McCain
United States Senator