

Letter submitted by Suu Kyi to the court

by Nem Davies

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New Delhi (Mizzima) – Opposition leader Daw Aung San Suu Kyi submitted a letter to the court as her statement on Tuesday, the third day after the court accepted charges against her. Her party the National League for Democracy party on Wednesday released the letter for public information.

“Daw Suu submitted it to the judge yesterday. We consulted legal counsels whether we should publicize the letter as public information. Then the Central Executive Committee (CEC) decided it should be informed to the public, so we are producing the whole document word for word,” Ohn Kyaing told Mizzima.

Below is the statement of Daw Aung San Suu Kyi read out to Mizzima’s reporter Nem Davies by Ohn Kyaing over telephone.

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27th May 2009

4th Waxing day of Nayone, 1371 BE

The full text of statement submitted by the National League for Democracy leader General Secretary Daw Aung San Suu Kyi to the court regarding the case charged against her, as per section 256 of the Criminal Procedure Code.

(a) – 1. In this aforesaid case, Police Special Branch Pol. Lt. Col. Zaw Min Aung filed case against Daw Aung San Suu Kyi under section 22 of the ‘Law safeguarding the State from the danger of those desiring subversive acts – 1975’ and Daw Khin Khin Win (daughter of U Tin Ohn), Daw Win Ma Ma (daughter of U Nyan Lin) and John William Yettaw for abetting Daw Aung San Suu Kyi in committing this crime under section 22 of aforesaid 1975 Law and section 109 of Criminal Code, at Bahan Police station on 11 May 2009.

2. Regarding the visits by Mr. John William Yettaw, I first heard of his first visit on 30 November 2008 from Daw Khin Khin Win who lives with me. I informed this incident to the authorities concerned on 4 December 2008 through Dr. Tin Myo Win who visited me on that day for regular medical checkup. The authorities didn’t ask me any question and I didn’t hear any action taken being taken on this report either. There was no warning given to me to inform the authorities concerned in such a case of intrusion into my residence. I found out about the second visit of Mr. John William Yettaw only on the morning of 4th May 2009. I asked him to leave my house. He told me that he would leave my home at night otherwise he would be arrested if he leaves during day time. And then when night fell, he requested me again to let him stay overnight on the excuse of his health condition.

3. Nowadays, many of my political colleagues and sworn friends are languishing in jail, serving long prison terms, without enjoying the protection of the law and its leniency. My political conscience does not allow me to push anyone to be arrested and being taken into custody so I let him stay at my home temporarily.

4. Who is the intruder, what were his objectives did not matter to me and I do not care. I did it in accordance with my political belief and conscience. I intended to report this incident to the authorities concerned through Dr. Tin Myo Win when he came to me on his scheduled visit on 7 May 2009. But on that day, 7 May 2009, Dr. Tin Myo Win was not allowed to visit me and only police personnel came to me instead.

5. I did in responding to the incident on 30 November 2008 to downplay this incident and to avoid giving unnecessary trouble to the security personnel deployed at my home. The authorities seemingly accepted the way I handled this case by not objecting or criticizing me for handling the case in this way. I think the authorities accepted and agreed to my act. In the examination of a recalled prosecution witness, he testified to the court that I and the authorities were jointly responsible for the security of my house. This statement is absolutely wrong.

6. I was charged with violation of the restriction and internment order made under the 'Law safeguarding the State from the danger of those who desiring subversive acts'.

a. The statements given in court by the prosecution witnesses and the internment order exhibited in court clearly proves that I did not violate the terms of the said internment order.

b. The prosecution testified in court that the internment order is the restriction and deprivation of fundamental rights of the citizen as per the provisions of the 1974 Union of Socialist Republic of Burma's Constitution. This constitution has not been in force and has collapsed since the military took over power in 1988. The interment order made under the said constitution which is no longer in force is unlawful.

7. The root cause of the case is security -- lapse of security or breach of security, but till today, no action was taken against the security personnel responsible. But they took action against me only and put me on trial. This is a biased act.

8. I hereby submit my statement stating that I did not commit the crime that I have been charged with.

9. By the resolution of the Central Legal Aid Committee constituted under the Central Executive Committee, meeting held on 26 May 2009

Central Executive Committee
National League for Democracy