Daw Aung San Suu Kyi under siege

The house arrest break-down

<table>
<thead>
<tr>
<th>Date</th>
<th>Events</th>
<th>Remarks</th>
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<tbody>
<tr>
<td>20th Jul’ 1989 to 10th Jul’ 1995</td>
<td>-</td>
<td>6th years</td>
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<tr>
<td>Debarred from Election</td>
<td>(9th Jan’1993)</td>
<td></td>
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<tr>
<td>(8th Jan’1996)</td>
<td>1st National Convention</td>
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<td>30th M ay 2003</td>
<td>Depayin</td>
<td></td>
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<tr>
<td>27th November 2004</td>
<td>L A O’s A S E A N</td>
<td>Extension 1 year</td>
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Total: 9 years
Inpolitics: 15 years

All the above detentions demonstrate a pattern in Junta’s handling of Daw Aung San Suu Kyi. On the eve of all important events which shaped Burma’s political history for the past decade, she had been put under house arrest. Not only was she denied any role, she was totally cut off from the main stream of events. According to Junta, she is a “danger”, but it does speak of the magnitude of her potentiality. One person alone can change the fate of Junta! Fine, keep her under detention life long and the Junta hopes to be in power life long. Junta has released the legendary figure M in Ko Naing. What is the logic then to keep Daw Aung San Suu Kyi in detention?

The issue of Daw Aung San Suu Kyi under house arrest is not simply a legal or humanitarian issue. It is fundamentally an issue which contradicts Burmese culture and values. A lady, who has become an icon of democracy, is not only harassed and humiliated but dubbed as “dangerous”. The supposed law State Protection Law – Section 10 under which she has been put under house arrest states that “government may order up to 5 years detention or house arrest without charge or trial if authorities believe he/ she will do, or is doing an act which endangers the peace of most citizens are the security and sovereignty of the State”

There are two ingredients for action;  
1) endangering peace and law & order  
2) endangering security & sovereignty

When on 30th M ay 2003, she was put under house arrest. The excuse was the
violent clash in Depayin. The Junta did not hold any public enquiry nor did it allow UN representatives to come for an investigation. The grounds for detention were hopelessly untenable. Assuming there was sufficient material, those materials were obviously enough only to give one year, which the Junta did. During her detention from May up to 29/11 when 1 year was extended, Junta must have fresh materials to implicate her, that she was “dangerous”. Being incommunicado, for a year how could there be fresh evidence? Ridiculous, the cat came out of the bag when Prime Minister Thaksin, stated “Gen Than Shwe told me that there is trouble every time she is released. Burma wants to arrange things and set things in order before freeing her”.

Dictators Beware

Gen. Pinochet faces hundreds of charges from families of people killed during his regime, which began with a military coup in 1973. They claim he ordered the torture, kidnapping and assassination of dissidents. In an earlier human rights case, Gen. Pinochet’s defense lawyers successfully prevented him from being tried when the Supreme Court ruled his mild dementia made him mentally incompetent. The Operation Condor case passed a key hurdle in August when the Supreme Court upheld a lower court decision to strip Gen. Pinochet of immunity from prosecution, which is granted to former presidents in Chile. The homicide and kidnapping charges field relate to nine disappearances and one death that occurred in the 1970s as part of “Operation Condor”, an intelligence-sharing network of South American dictators who helped each other hunt down dissidents.

Gen. Pinochet’s immunity has been removed in two other human rights cases, and still holds in all other cases against him. But he has yet to be tried because so far his mental health defense has prevailed at the Supreme Court level. The Chilean judge formally charged General Augusto Pinochet with homicide and kidnapping in one of many pending cases related to human rights abuses committed during his 72-years rule, and ordered house arrest for the former dictator. He is also being investigated by the Chilean courts for possible tax evasion or corruption after revelations this year that he had millions of dollars stashed in secret offshore bank accounts. The Government of President Ricardo Lagos released a report of tortures committed during the dictatorship. And a month ago, Chile’s armed forces for the first time took responsibility for dictatorship-era abuses.

Thai follows path of Burma’s Junta: 
Commission raps Thailand (Human Rights abuse in Thailand)

The Thai government has refused a request from the United Nations’ special rapporteur on extrajudicial killings to participate in the Tak Bai investigation.
At least 85 protesters died at the hands of police and military in Tak Bai, 78 of them of suffocation after they were piled into trucks for transport to an army camp. More than 30 Muslims were killed when security forces stormed the historic Krue Se mosque where they had taken shelter.

The AHRC also said more cases of torture in Thai police stations and other facilities have also been exposed over the years, citing a recent case in Ayutthaya province where police resorted to electrocution, suffocation and beating over a minor criminal allegation. The rights group pointed out that Thailand had yet to ratify the UN Convention Against Torture and bring it into domestic law.

The Nation (Newspaper)
11/12/2004

Lesson for Burma in prosecutions of High Society drug rings: Ex- ‘Tatler’ editor jailed for drugs

A British journalist addicted to crystal methamphetamine or “ice” was jailed for two years here (Singapore) yesterday after admitting three drug consumption and possession charges. Nigel Simmonds, 40, former editor of high-society magazine Singapore Tatler, was the first person to be jailed out of 14 charges following a police sting in October that busted an elite cocaine and party-drug ring. Simmonds, who has lived in Singapore for 13 years and previously worked for the South China Morning Post newspaper in Hong Kong, faced more than 10 years in prison but Subordinate Court judge FG Remedios handed down the minimum sentence.

The relatively short sentence followed a plea by Simmonds’ lawyers that his Japanese wife and four-month-old daughter would have to leave the country with no source of income if he were jailed. They also said Simmonds’ career as a journalist was in tatters since he lost his job at Tatler. The case made headlines in Singapore and Britain.

“All that he had worked for in the last 13 years has been destroyed. Our client was in a position of international repute and fame, being a magazine editor of some note,” the mitigation pleas said. Simmonds pleaded guilty to one charge of possessing 0.48 grams of ice, as well as two separate charges of consuming ice and cocaine. Local media described the police operation as the busting of a high-society drug ring, with a French chef, a Sri Lankan artist and a Tunisian marketing manager among those charged. Simmonds’ lawyers said he was not a partygoer but rather a secretive ice addict who hid his drug-taking even from his wife.

“He is genuinely contrite and remorseful,” his lawyer Shashi Nathan told the
court yesterday.

**If Burma is to intensify fight against Corruption it must not stop with Khin Nyunt & NIB:**
Legislature, parties top graft poll in Indonesia, second to police in RP

As if to confirm public indignation towards corrupt politicians, a report from an international corruption watchdog in Jakarta this week said that Indonesia’s House of Representatives and political parties were among the worst corrupt institutions in the country. In its corruption barometer report for 2004 issued on Wednesday, Transparency International Indonesia (TI Indonesia) said that the House and political parties ranked first and second in the corruption index, followed by the customs and excise office, the judiciary, the police and the tax office.

In measuring the corruption index, TI Indonesia interviewed more than 1,200 people in Jakarta, Surabaya and Medan between July and September. The survey claimed that the immigration office was perceived by Indonesians as being the least corrupt government agency. Other institutions that have low level of corruption are non-governmental organizations. The Indonesian Military (TNI) was placed in the middle ranks, just above educational institutions.

TI Indonesia’s studies were parallel with the results of similar surveys conducted in 62 countries around world. TI Indonesia secretary-general Emmy Hafild said that corruption in the two institutions was manifested in several ways, including bribery by companies of House members who planned to scrutinize them on their dubious activities. Also House members acted as brokers to help private companies get government contracts and received financial inducements when conducting “fit and proper tests” for public officers. In its recommendations, TI Indonesia said that to prevent political parties and the House from becoming the new hallmarks of corruption in the country, greater accountability was required from both institutions. In the Philippines, meanwhile, the Philippine National Police is perceived as the most corrupt institution in the country, said TI. The national police got a score of 4.2 on a scale of 1.0 (not at all corrupt) to 5.0 (extremely corrupt).

Tied in second place were political parties and the legislature, each with a score of 4.1. Church groups were rated as the least corrupt at 2.1. In third place was the customs service with 3.9, followed by tax revenue agencies with 3.8; registry and permit services with 3.6 and the military with 3.4.

The Jakarta Post,
Philippine Daily Inquirer,
Asia News Network
New democratic Constitution; Key Lessons for Burma
Rebuilding Afghanistan

International Community must help on the road towards independent democracy

However, with resolute leadership and the help of the international community there is reason to be confident that he can succeed, as he put it in his speech, in “opening a new chapter in our history”.

Under Karzai’s interim leadership the country has already made solid gains. Afghans adopted a new constitution viewed by many observers as the most progressive in the region and held their first democratic vote, despite repeated attacks. Three million Afghan refugees displaced by more than two decades of fighting have returned home, and women and girls are back in school or in the workforce, from which they were barred under the previous, fundamental Taleban regime. The economy is also rapidly gaining strength and stability.

Yet much of this progress could be undermined if Karzai cannot spread and reinforce Kabul’s control over the entire country. The key to doing this will be the selection of a competent Cabinet that are able to deliver basic services, such as security, water supply, power and roads. This cabinet, which Karzai is expected to name in the first quarter of next year, must also be representative of the ethnic, cultural and geographical diversity of the country so that it can advance national reconciliation.

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11/12/2004