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BLC Statement on Depayin Massacre

1. The Depayin Massacre took place in Burma on May 30, 2003. Despite that it has already been six years, the perpetrators have not yet been taken into legal action effectively. As a result, the Rule of Law does not prevail and a genuine national reconciliation has not yet come into existence. Given that the perpetrators enjoy impunity, they have continued committing the heinous crimes repeatedly.

2. Daw Aung San Suu Kyi was a victim of crime at Depayin Massacre. Then, she was detained at the scene of crime arbitrarily, instead of treating her properly, as a victim. To be worse, without committing any crime, she is being tried at the court. As such, it is evident that her physical liberty is severely deprived. The action of the SPDC military regime in Burma causes commission of international crime provided for in the Rome Statute of the International Criminal Court, article 7 Crimes Against Humanity, sub-article 1(e) which states that a crime against humanity is imprisonment or other severe deprivation of physical liberty in violation of fundamental rules of international law.

3. It can be argued on whether arbitrary detention of Daw Aung San Suu Kyi alone may or may not constitute a Crime against Humanity. However, it should be noteworthy that arbitrary detention of Daw Aung San Suu Kyi took place while civilians were being massacred at Depayin, as part of a widespread or systematic attack which is pursuant to policy of the ruling regime. Imprisonment or severe deprivation of physical liberty occurred not only for Daw Aung San Suu Kyi but also for a number of political prisoners. It constitutes the Crime against Humanity.

4. In spite of the fact that it has already been six years, the heinous crime issue centering on Depayin Massacre should not be fading out. Repeated crimes can be prevented only when the perpetrators who massacred civilians at Depayin can be taken into legal action by the ICC. Only after that, the Rule of Law will be restored; a genuine national reconciliation will be achieved; and, people will enjoy peace, stability and development.

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