



Part (B) Fair Trial and Judicial Issue

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Trial of Daw Aung San Su Kyi

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Burma's leader Daw Aung San Su Kyi was first put under house arrest 20 years ago. In 1990, 19 years ago, her National League for Democracy (NLD) swept the last elections winning over 87.69 % of the seats it had contested, or 392 out of 447 seats. Other ethnic parties were sympathetic to the NLD won 65 seats taking the tally to 485 out of a total of 492 constituencies. The highlight of the election was that it was held by SLORC, State Law & Order Restoration Council that is the military government at that time which had seized power in a Coup. Also it had set up its stooge party to contest the election .The result of the election was a clear repudiation of the military rule. Instead of governing the country whose people had given her party an overwhelming mandate, she had been under virtual detention for last two decades. This was done under its own law, The State Protection Law. It enables detention for a period of 5 years. But from that time on detention was extended in violation of its own law as she was considered a threat to the State.

Further extension would have been ludicrous after 4 extensions. To overcome this dilemma SPDC has to find a way out especially in the context of the forthcoming General Election which it scheduled to be held in 2010. Her freedom would upset its apple cart; something had to be done with her. Hence the trial is conducted so that the SPDC can return their picked candidates in the election. It is only in this background that the trial can be understood. Anyone will be convinced that it would end in her conviction and she would remain in the prison when the election would be held ensuring the continuation of rule by the military generals. In other words the trial is a mockery and when it goes on the forthcoming evidence will confirm the analysis made. The focus therefore now should be to drop the trial and free her.

She is being tried on charge after an American barged into the house where she was detained. She awaits the verdict of a sham trial in which she was charged with breaking the terms of her detention after " an uninvited American, a nut, swam across to her lakeside home: The American was an intruder and there was a security failure on the part of the authorities Action should be taken



against those who failed in their duties. Instead Daw Aung San Su Kyi has become the victim. Moreover there is no allegation against her that she entered into a conspiracy to induct the intruder inside her house for political motive which endangers the State. She was not harboring a rebel nor she was plotting to overthrow the State by armed force. In fact the military leaders are on trial and it will unfold how vindictive they are. An American review of Myanmar policy is under way, but the official silence on her trial hints at certain confusion. There is no doubt that the trial will become historic surpassing that of Saya San whom the British colonialists hanged for fighting for country's freedom. The trial of Dimitrov during World War II was a big international event. He was charged for masterminding in putting the German Parliament on fire by Hitler. The spirited defense against the false charge and the intervention of Soviet Russia forced the trial being dropped. People all over are watching every step of the military leaders, building pressure so that the trial is eventually dropped and Daw Aung San Su Kyi be set free.

The annual summit of the ASEAN was held in Thailand and its Prime Minister said that ASEAN will not consider expelling Myanmar over the detention of the pro; democracy leader. U.S Secretary of State on the contrary told that the regional bloc should consider kicking out the military; ruled member State if it does not free the Nobel Laureate, who is in trial in prison. She said we know there is growing concern about military cooperation between N. Korea and Burma which we take very seriously. It would be destabilizing for the region, and it would pose threat to Burma's neighbor. If the military leaders are so powerful wanting to go nuclear, then why go for Daw Aung San Su Kyi? The answer is simple, she is mightier than them. The trial has to be launched by the SPDC to keep the ASEAN leaders feel that what the military leaders are doing is in conformity with law and ASEAN leaders can be kept divided. The trial of Daw Aung San Su Kyi has become a hot issue and international pressure must nudge the generals to drop the trial, free her and enable her to carry on with her peaceful activities. The movement for: STOP the TRIAL: DROP the TRIAL will provide a turning point in the transition to democracy.

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