



## Burma

15 November 2010

### Aung San Suu Kyi freed, but Burma taken hostage by the generals

**The International Federation for Human Rights (FIDH), the Alternative ASEAN Network on Burma (ALTSEAN-Burma), and the Burma Lawyers' Council are pleased to see Daw Aung San Suu Kyi regain her freedom on 13 November after spending 15 of the last 21 years in detention in Burma.**

FIDH, ALTSEAN-Burma and BLC assert that Daw Aung San Suu Kyi's detention was arbitrary and unlawful, as is the detention of all other political prisoners in Burma. The organisations therefore demand their immediate and unconditional release and the full restoration of their civil and political rights. Their release will be a crucial first step towards genuine national reconciliation. FIDH, ALTSEAN-Burma and BLC further demand that the prior convictions of these political prisoners be overturned and that redress be provided to them and their families for the physical and psychological suffering resulting from the deprivation of their fundamental rights.

While Daw Aung San Suu Kyi's release is technically unconditional, it remains to be seen whether she will be able to fully exercise her fundamental rights and freedoms, including her right to participate in political activities. It is to be remembered that the junta considerably restricted her freedom of movement following her previous releases from detention.

Suu Kyi's release came six days after the 7 November general elections which violated internationally accepted standards. Not satisfied with the pro-military provisions of the 2008 Constitution and the repressive election laws and decrees, the Burmese junta perpetrated blatant electoral frauds by intimidating and manipulating voters to ensure a landslide victory for their proxy parties.

The oppressive and exclusive elections and the provisions of the 2008 Constitution have placed Burma in grave danger of a serious intensification of its long-running internal conflicts. Such an increase in violence will almost certainly be accompanied by a spike in serious international crimes. The post-election clash between Burmese troops and a splinter group of the Democratic Karen Buddhist Army (DKBA), which drove as many as 20,000 people across the border to Thailand, as well as military clashes in Shan State is a sign that the general elections and their results are aggravating the root causes of conflict in Burma. This is why the international community must renew its efforts to work with Daw Aung San Suu Kyi to ensure that the peoples of Burma are free.

"While Suu Kyi is freed, her country has effectively been taken hostage by the SPDC generals who designed the fraudulent 7 November elections to extend their illegitimate hold on power," said Souhayr Belhassen, FIDH President. "The message from the international community must be unequivocal and steadfast at this critical juncture: the SPDC and the next military-dominated regime must cease all human rights abuses, hold perpetrators to account, and commit to a process of inclusive and transparent dialogue with all stakeholders in order to enable a

genuine transition to democracy and national reconciliation."

"The release of Daw Aung San Suu Kyi should be unconditional and she must be allowed to contribute meaningfully to the process of national reconciliation and the democratic transition of Burma. This must include a fundamental review of the 2008 Constitution, which entirely fails to guarantee peace and stability to civilians," said U Thein Oo, Chairman of BLC.

"The international community should not be complacent now that Daw Aung San Suu Kyi is free. The regime stole an election last week, 2,200 people continue to be arbitrarily detained as political prisoners, ethnic nationality communities continue to be threatened by serious international crimes and escalating conflict. The entire country remains hostage to impunity. Burma needs concrete action now," insisted Debbie Stothard, Altsean-Burma Coordinator, and FIDH Deputy Secretary-General.

### **Background information on Aung San Suu Kyi's detention**

Suu Kyi was first placed under house arrest on 20 July 1989 by the military regime, known then as the State Law and Order Restoration Council (SLORC) and now as the State Peace and Development Council (SPDC). She was not released until July 1995. In September 2000, following her attempt to travel to Mandalay by train with other National League for Democracy (NLD) leaders, she was placed under house arrest again and released in May 2002. Barely a year later in May 2003, Suu Kyi and a convoy of her supporters and NLD colleagues were brutally attacked in Depayin by a pro-government mob, resulting in at least 50 deaths. She was detained following the massacre under the 1975 State Protection Law and had her detention extended annually until May 2009.

In March 2009, the UN Working Group on Arbitrary Detention publicly stated that the Suu Kyi's detention is illegal under SPDC law. Before her detention was due to expire in May 2009, an American man swam uninvited to Suu Kyi's lakeside residence, an incident used by the SPDC to put Suu Kyi on trial for violating the terms of her house arrest. She was transferred to the notorious Insein prison where she was convicted by a court in a sham trial on 11 August 2009 and sentenced to three years in prison and hard labour. Senior General Than Shwe commuted her sentence to 18 months under house arrest.

<http://www.fidh.org/Aung-San-Suu-Kyi-freed-but-Burma-taken-hostage-by>