

Burma Action Group (SA) Review on Tabayin Killings 10 March 2004

After nearly a year since the *Tabayin Killings*¹ of 30 May 2003, evidences are mounting that the Burmese military authorities are the main planners and facilitators of the attack. For many years, the Burmese military junta has been known to oppress non-violent political opponents and to ruthlessly attack on armed ethnic minority rebels. In recent years, especially after the release of charismatic leader Daw Aung San Suu Kyi in 2001, the international community had hoped that the military junta would take measured step towards the democratic transition. Unfortunately, the Tabayin Killings of 30 May 2003 has dashed this hope. The cunning military junta, while trying to project itself a softer image to the international community, found to have used every available opportunity to crush democracy movement and eliminate Burmese democracy activists.

A spoke-person of military government on 31 May 2003 claimed the attack took place night before was between the local people and the NLD entourage²:

“... .. (NLD motorcade) left for Dipaiyin(Tabayin) only at 7.30 in the evening in 9 motorcars and 40 motorcycles as escort. About two miles away from the entrance to Dipaiyin they met about 5000 people waiting to protest their visit. When the vehicles in Daw Suu Kyi’s convoy tried to forcefully push through the crowd, a fracas broke out between the two groups. The fight went on from about 8 p.m. till nearly 11 p.m. and there was a lot of confusion and disorder. In the turmoil one car was said to have driven off course and into a tree trunk at the roadside. One of the car in which the anti-Suu Kyi demonstrators had come was burnt and destroyed by NLD members.”

After examining witness reports and corroborating evidences, the truth has emerged.³ On the night of 30 May 2003, the NLD motorcade was attacked at two places. The first one is near the *Kyi Village* where the attackers who trailing the NLD motorcade had charged at the local villagers as well as the members of NLD⁴. There was also a crowd of 5000 waiting to attack the NLD motorcade in front of the Government Irrigation Department compound which is about 10 minutes drive from the *Kyi Village*. The roadblock was set up in front of the compound with powerful searchlights were shown on the roadblock. The witness reports and all available evidences are indicating that:⁵

1. The 5000 people who had been waiting at the second place of attack were not the local villagers. The total number of inhabitant of three surrounding village cannot exceed 1,000. Authorities from 8 townships within Sagaing Division recruited these people and transported to the place of attack. The prisoners from Mandalay prison were also transported to the site. Witnesses saw coaches and trucks that had transported these attackers.

¹ The military government-affiliated groups attack on the NLD members who were touring central Burma. The attack took place near the town of Tabayin (Depayin or Dipeyin).

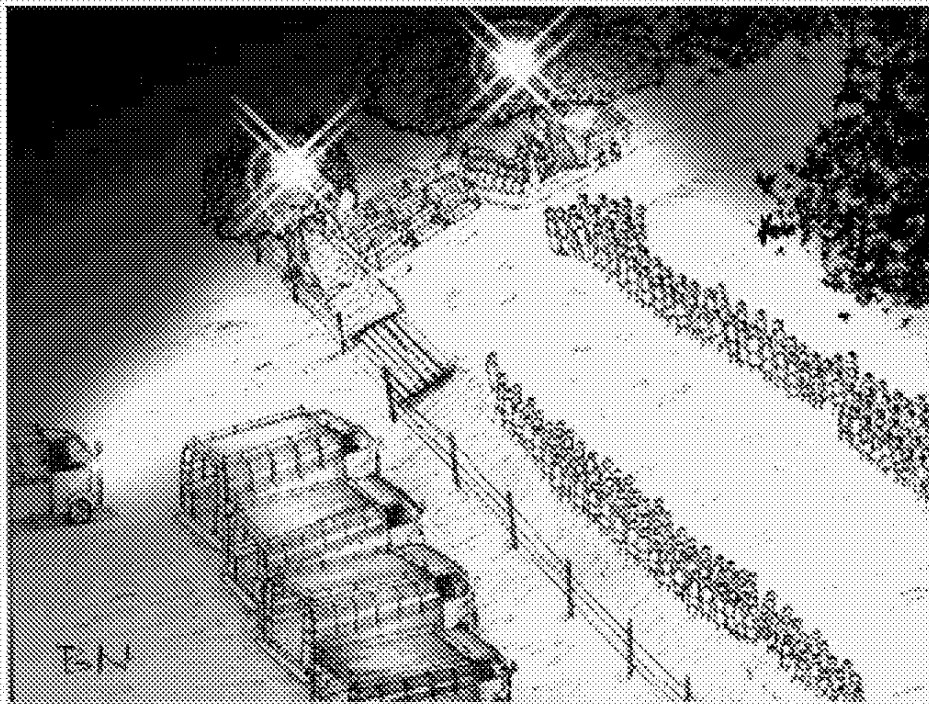
² First preliminary report by Ad Hoc Commission on Depayin Massacre, 4 July 2003, Page 37.(English Language version).

³ In July 2003, exile activists set up a group with the aim to establish the truth about Tabayin Killings. The group, “Ad Hoc Commission on Depayin Massacre”, has published two reports that include sworn statement by the attack victims.

⁴ Daw Nyunt Nyunt’s testimony in video transcript (translation by Burma Action Group SA).

⁵ The most comprehensive analysis and conclusions are to be found in the December 2003 report by Ad Hoc Commission on Depayin Massacre (in Burmese Language).

2. Witnesses confirmed the police and military were present inside the Irrigation Department compound and they were commanding the attack.
3. The attack by waiting crowd and the threat of collision by two Dyna Trucks had forced the 3 cars from the motorcade break through the roadblock. Daw Aung San Suu Kyi was on one of the escaped cars. Gunshots were fired at the wheels of these cars. One car veered off the road and then hit the tree as a result of blown tyre. Daw Win Mya Mya, a passenger on that car, was seriously injured.
4. The NLD members were not engaged in suggested violent clash. It was a one sided brutal attack on the NLD members. The members of NLD neither set fire on the said truck. Witnesses saw the attackers had set fire on their own truck, and then accused the NLD.



An illustration of the attacking crowd and barricade position (Page 99, Second preliminary report of Ad Hoc Commission on Depayin Massacre, December 2003.)

Non-violent resistance of NLD

On reviewing witness accounts, one can certainly ruled out the possibility of a violent confrontation between protesting group and NLD convoy. Since the beginning of Daw Aung San Suu Kyi's tours to northern Burma on early May 2003, the NLD organizers had noticed increasing violent provocations by government-affiliated groups. As a result, the members of NLD were instructed not to respond to any provocation, even with an aggressive look. This message of non-violence has been well adapted by the participating NLD members.

On the event of a likelihood of violent attack, the NLD organizers consciously avoid such an engagement. For example, witness *Wunna Maung* stated in his testimony: ⁶

"... In giving protection, we did not mean to use violence against a suspect as our leader did not like it and our party rules also banned the use of violence. For that reason we had

⁶ Testimony by Wunna Maung, First preliminary report by Ad Hoc Commission on Tabayin Massacre, 4 July 2004.

to find a way to prevent danger in advance as soon as there were signs of it, in conformity with the laws laid down by the military regime in power.”

On the night of 30 May 2003, Daw Aung San Suu Kyi's car was under attack near the roadblock, the NLD youth members simply tied their hand and shielded Daw Suu and her car from the attack. That wasn't a violent confrontation.

The help by general public

The support of general public had helped the NLD's non-violent resistance to the provocations by government-affiliated groups. The Burmese public in upper Burma was generally aware that the NLD entourage was under constant threat by the government-affiliated groups. The general public, therefore, consciously or unconsciously came out to greet Daw Aung San Suu Kyi and the NLD. This had helped the NLD overcoming several instances of potential violent attacks. For example, the witnesses had reported of an incident at the *Yeposar village* near Myinmu Town. In a place where there had been no signs of a road repair was underway, a truck load of rocks were piled-up by the roadside. While attacking crowd was waiting at a specific bend of the road, these rocks were spread out into 10-15 piles making ready for a 'rock-throwing protest'. Roadblock was setup on other direction therefore no passerby may come to the NLD's aid. Then again, the people from Chaung-U and Monywa came out in force to welcome the NLD entourage. The attackers therefore had no chance of throwing rocks at NLD.

The role of Buddhist monks

Rich in heritage, the Mandalay and Sagaing Divisions can be considered as Burma's political and cultural heartland. The influence of Buddhist monks in the central Burma is therefore very strong. Historically, the Buddhist monks were at the forefront in the struggle for independence. In current struggle for democracy, several respected monks have sought to made intervention. Whilst this cannot be said as an institutionally held position, the Buddhist monks in Burma, reflecting the sentiments of general population, are no doubt sympathetic to NLD and its political causes.

In present context of the NLD was under a serious threat of attack by government-affiliated groups, the Buddhist monks in the local area intervened. This, of course, must not be interpreted as the Buddhist monks were politically supporting the NLD. The Buddhist monk's intervention in this case was as a matter of humanity. The Buddhist monks were making sure that there would be no violence and bloodshed within their sphere of influence. Daw Aung San Suu Kyi, herself a devout Buddhist, therefore visited local monasteries and paid respect to the Buddhist monks. Local monasteries, no doubt, will grant protection in return. On the morning of 30 May 2003, Daw Suu did pay a visit to *Zawtika monastery* in Monywa. However, Daw Suu did not get to see the monk in charge because he was already "invited" to northern military headquarters.

There were several other indicators that the authorities had created an environment where the touring NLD members will be deprived of protection by: ⁷

- 1. Reducing the number of people who may accompany the entourage;**
- 2. Reducing the number of local Buddhist monks who may otherwise sought to intervene from violence and bloodshed occurring.**

⁷ The local Buddhist monks from Monywa who accompanied NLD tour were stopped at Army Northwest command headquarters. Testimony by U Khin Zaw, Page 27, First report by Ad Hoc Commission on Depayin Massacre, 4 July 2003.

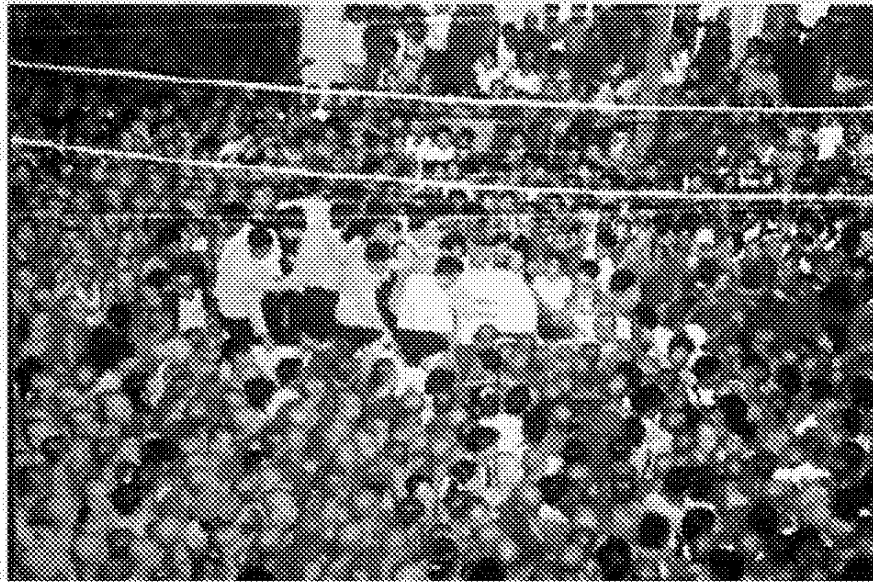
The attack on 30 May 2003 was therefore being planned beforehand and orchestrated from within the high level of government.

Human Rights, Justice and Peace building

Throughout the NLD tour on May 2003, there were several instances of authorities failing to intervene when the government-affiliated group members making violent provocation on NLD members. This government authorities practice to “overlook” any act of criminal provocation on NLD members is in a clear violation of Human Rights principles. On the one hand, any government officials facilitating the attack must be charged with criminal offence. The importance to deliver justice in this case was pointed out by the “Ad Hoc Commission on Depayin Massacre” as:

“Taking actions on Depayin (Tabayin) massacre is not a question of politics but the issue of seeking justice for the victims and prevention of repeated crimes in future. The release of Daw Aung San Suu Kyi, NLD members and other people who were detained by the junta should be welcomed. Nevertheless, it should not be the final resolution in dealing with the Depayin massacre. It cannot be a trade-off.”

It indeed is important that justice *must be done and also seen to be done* in the case of Tabayin Killings. Seeking for justice is important not simply for the sake of victims. This is also about preventing repeat of such a crime and to build confidence where the struggle for democracy in Burma can progress without resorting to violence.



Security for Daw Aung San Suu Kyi at a public rally, surrounded by NLD youths (wearing white shirts center) and encircled by Buddhist monks (red/brown robes)