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**Statement of the Burma Lawyers' Council
Regarding the SPDC's Unlawful Support to the DKBA
(April 11, 2007)**

(1) It has come to the BLC's attention that the fighting between the Karen National Liberation Army (KNLA) and the Democratic Karen Buddhist Army (DKBA) has recently escalated, resulting in great hardship and suffering for the Karen people. The DKBA is notorious for crossing the Thai border to burn refugee camps.¹ It has also been involved in well-documented human rights abuses against civilian populations and is known for regularly using forced labor and demanding food and money from villagers.² Human Rights Watch has called the DKBA's actions a "terror campaign".³

(2) Section 15(2)(a) of the Unlawful Association Act defines an "unlawful association" as an association "which encourages or aids persons to commit acts of violence or intimidation or of which the members habitually commit such acts." The DKBA's history of violence and intimidation is well-documented. Accordingly, the DKBA is clearly an unlawful association. The SPDC has declared the Karen National Union (KNU) and other armed ethnic resistance groups to be "unlawful associations". Laws must be applied fairly, without discrimination. The SPDC cannot justify its failure to also declare the DKBA an unlawful association. Turning a blind eye to the unlawful acts of its allies and even supporting those acts, while misusing the laws to punish its political and military opponents, seriously undermines the SPDC's claim that it respects the rule of law.

(3) Section 17 (1) of the Act adds that anyone who "in any way assists the operations of any such association, shall be punished with imprisonment for a term which shall not be less than two years and more than three years and shall also be liable to fine. " According to information collected by Assistance Association for Political Prisoners (AAPP), Nanda Sit Aung and Zaw Linn Tun were sentenced into three years imprisonment by Rangoon District Court (Eastern) on February 2, 2004, on charge of Unlawful Association Act, alleging that the accused communicated and cooperated with All Burma Federation of Students' Union (ABFSU). Actually, ABFSU is merely a student union. It never commits any violent act against civilian population. However, SPDC criminalized the innocent actions of young people.

(4) Previously, a large number of civilians who communicated with the Karen National Union were also criminalized and imprisoned on charge of Unlawful Association Act. For similar actions, there should have no exception for SPDC senior military commanders and administrative officials as they are dealing with DKBA on a daily basis publicly. Assistance of SPDC to the DKBA and involving in a conspiracy with DKBA constitutes a serious crime. The SPDC's

¹ Human Rights Watch, World Report 1999, <http://www.hrw.org/worldreport99/asia/burma.html>.

² Karen Human Rights Group, *Consolidation and Control: The SPDC and the DKBA in Pa'an District* (Sep. 7, 2002), <http://www.khrg.org/khrg2002/khrg02u4.html>; see also *Karen Between a Rock and a Hard Place*.

³ Human Rights Watch, World Report 1999, <http://www.hrw.org/worldreport99/asia/burma.html>.



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violation of the law is not a mere legal technicality. Real lives are affected by the violence that the SPDC has encouraged and continues to fund. People have died. Houses have been destroyed. Livelihoods have been lost. The stability of the entire Karen region has been compromised.

(5) The Burma Lawyers' Council calls upon the SPDC to immediately cease all communication, assistance and cooperation with the DKBA. To do otherwise would be illegal and an insult to the people of Burma, who have a right to expect equal application and enforcement of the law. By encouraging the fighting between the KNLA and DKBA, the military regime is breaking the laws that it has sworn to enforce.

For more legal comments:

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