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## 2. &Sfwif&ifom;acjfaqmifsm;. Eli fhwmyeuef\_owif/ qub0 ar;jrefcsuf -- t m&ft u0t /19 Zee0&W 2007

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&S&f&tr&f&om; 'D&U&a&p&D&t z&E&y&f 0Dc&X&E&f&O&D& et w&f&a&;r&S&p&f&f&ne&E&v&G&w&E& m t uft u&at O&u&K  
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t o&f&f&t O&f&f&uae w&;r&#va&; t w&U&D&f&O&ef&qmi&E&U&ay;z&E&v&U&w&E&f&ch&y&w, ?

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aem&U&w&C&E&f&y&g&v&f 2 t csu&f&t ae&E&u 'D&t r&aw&E&f&n j&y&P&f&q&f&E&Oya' aw&G&t & t a&;, r, f&q&f&E&f  
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u&h f&w&u&ajm&xm;wlt w&u&f' Dt r&fn , ck&Eñfi hawmyletuer t ae&ep&q&ly&f&C&O&f&B&/ p&qk;jci f [ m  
r&fn;, G&f&w, f&v&usaemlv&u t ae&e&t "U&x&mu&fy&v&vmjz&py&gv, f

[ kvluh&ci&As;w&h&lt m&S&v&et c&f&ht a&;a&um&f&S&f&uae ajm&q&k;wlt cs&u&h&w&f&fn O&D&e&x&e&f&O&D&w&u&h  
w&m;p& & i&v&h&e&mr&fn jyp& qñ&musi &XOya' e&e&n&D&f&v&h&jym&xm;y&gv, ? bma-umi&f&t&f&v&h&jym  
Eñ&w&mv&ci&As&x&i&h&wlt cs&u&h&w&u&h&vm&uf&rs;& & i&h&jym&jy&gv;m;ci&As?

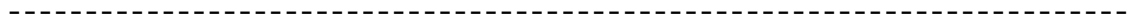
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p&e&h&us&h&u&S&h&jz&pw, f' kv&D ae&mu& v&m;±&jz&py&v& w&w&D ae&mu& aw&mi&f&u&D&e&py&gv, f' &ayr&h  
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xm;w&vmjz&pw, fqlv&mu&v&usaemlv&ajm&cs&i&f&gv, f

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o&h&xm;w, v&h&ajm&w&v&m;ci&As t f&Dt w&u&f&tr&fn b, M&lt u&h&ou&h&mu&f&aw& & h&fn;v&ci&As

tJ&f&fn&sp&k;wlt r\_4\_r\_t p&v&h&fn wib&G&f&w&bu&oc&ht axmu&f&t xm;tcsuft v&u&f  
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w&m;ou&h&u&ae&jy&D&aw&mh&ou&h&oc&ht jz&pw&u&ck&h&jz&w&wlt w&u&f&usaemlv&u t raw&fn E&S&S&f  
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cl&sm;ul&vnf t o d o p p a q ; c h y d a e u f ( 7 - 10 - 2005) &uae@ t j y d o y a v s m u f / c s u f u m ; e m u m  
t j c m ; t r r s m ; E S h w j y l i v n f t r e f e s w e l l e f t w u f t r u l t e f q l l m ( 2 - 11 - 2005) &uae@  
p h i f n e v o E S h y l w v w m ; c h ( 7 ) O d w l t a y : j y p r q l l m O y a ' y l r 1 2 2 ( C ) u l t a z u a b = u m i f j z i j y p r \_  
q l l m O y a ' y l r 1 2 2 ( 1 ) t & c l & r s w o u l w u l e j y p f % f s m ; c s r s v c l y g n ? y l w v w m ; c h t j z p f p y p f  
c l & o p o b m O d u j y p r q l l m u s i x h O y a ' y l r 3 3 7 t & t p l & o u a o ( a z : a u m i ) t j z p t o h y l y d  
u s i x h O y a ' y l r 3 3 8 t & t r r s v s v a y ; c l y g n ?

Oya' jyxme fcsu fsm;ES hu l u h j c i f r & b l w & m ; & h r s v f n ; p h i q l l z w t b n h t c s u f s m ;

1? p h i f n e v o b n f ( S N L D ) y g w d t w o f a & ; r s ; j z p j y d 2 0 0 4 c E p f a t m u i w l b m v w o f ( s s a ) O u l k  
O d v G f a r m i f s ( s s a ) E S h e t z w i i f c r f a & ; & o n h ( 1 5 ) E p a j r m u f t c r i t e m ; o l e z w v u m ; c l o j z i h  
( S N L D ) O u l k O d c e x e f O D E S h i t w l o b a y i g r e , f p e a u s m a u s & n / ( s s a ) X m e c y t o l v u a b m u c h  
j c i i j z p b n ? t q l y g t c r i t e m ; r n a ' o q l l m w l l f r s ; . c o j y l c s u & d l w & m ; O i z i v u m ; r t &  
o h ; a & m u t c j i j z p y g n ? t q l y g t c r i t e m ; r n a ' o q l l m p p l v l l f r s ; . c o j y l c s u & d l w & m ; O i f  
z l v u m ; r t & o h ; a & m u & m w o l v n f / E l l i h w m t o p h a z u z s u y l e u e r u d ; v e & e f w p l w & m w l u l v e f  
a j m q l l y k v l y t c j i f r & y g

t r w l w & m ; v l l w d & h s ; u l c i a x ; u w l l c s u f t & x u l q l m w o f ( 4 - 11 - 2004 ) & u a e @ E S h ( 5 - 11 -  
2004 ) & u a e @ v l l y k v l y t b n h ( s s a ) j i i f c r f a & ; , j c i f / ( 1 5 ) E p a j r m u f t c r i t e m ; o l e p h i f n e v o f r s  
O d c e x e f O D E S h i t w o b n ; a & m u t h = u m i f / t c r i t e m ; Y q & m j r i b e f r s & s f j y n e , l y n m & s f s m ; t w l l y i f  
c h u m i p z e f p w i a q a E f c h = u m i f E S h , i f t p n i t a o ; r s w l w r t p d t p o f 5 ( C ) w o f d t z h a q a E g  
t u j y l c s u f s m ; v l e j z p a = u m i f / n h w r # v a t m i v h = u m i f / n h w r # v a t m i a q a E g j y d a u m i f r e l w h  
t u d & h i t u h m % l v c h z : a q m i b e j z p a = u m i f / t a j c t a e E S i r u l u h b l / t e d p y q l u l e a w m l w e  
z e s i l v h u m f r w l u a u m f w j z p z p l a u m f & s j z p z p l j z p a j r m u a t m i y o h y o f i f v i f a q a E f a y ; & e v l  
o n f [ l a j y m a = u m i f / x j y i p h i f n e v o f . a e t r q l l c e f t w o f i & d u l l y l l o l u e l y s w m z l l t w o f r s  
O d c e x e f O b a j y m = u m ; r n h ( 5 8 ) E p a j r m u f j y n a x m i p a e e e e f E S h t e m \* v j r e r m E l l i h w m p m w r l /  
t y g t O i p m w r l ( 7 ) r s u l l o r f q n f & r c l y g n ?

( 4 - 11 - 2004 ) & u a e @ p n i t a o ; r s w l w r t p d t p o f 5 ( C ) O d p h i f n e v o E S h a q a E f c s u l w o f O d c e f d f  
a q a E f w d p h u l u l e a w m l w l t a v ; t e u f x m ; p o f p m ; o i l w , m u l e a w m l x y j y d a x m u c h  
a j m v l y g w , l n h w r # w & e l l t y l y g w , l n h w a t m i a q a E g j y d a u m i f r e l w h t = u d m % & l w l t z e  
t = u d m % l v c h z : a q m i f i n y g r s l q u o p m l i , f s m ; a e m u b q l o r l l f a = u m i f E S h a e m u c h f s m ; u l s f v i f  
w i j y j y d ' p m w r l E S h y w b o u f y d & s f j y n l y n m & s f s m ; / t w l l y i c h t z e p n f & e f u l e a w m l t a e E S h z o n f  
t y a = u m i f / r j z p r a e z o n f & e v l h = u m i f a j m = u m ; c h = u m i f a y : a y g u a = u m i f / a y : a y g u y g n f [ l q l m ; y g  
o n f , i f a q a E f c s u f w i f y c s u f z w f u m ; c s u f s m ; o n f E l l i h w m t p l & u l l o p h a z u z s u e f u p n j c i f /  
y l e u e l v h q m l p n f & h i c i f w p l w & m r a w & E l l y g j y p r q l l m O y a ' y l r 1 2 2 ( 1 ) j y x m e f c s u l u d ; v e f  
v s u f & h = u m i f u l l w & m ; v l e u f s w i f y E l l j c i f r & y g

t r w o f p h i f n e v o l u j y p r q l l m O y a ' y l r 1 2 2 ( C ) u l l u d ; v e f c i f r & h = u m i f c h k u l q l t s u f  
u l v n f x n l o l f p o f p m ; & e v l t y l y g n ? p e s u l w i f x m ; a o m y l r ( 5 ) r s t w l u j y p r ( 5 ) r t m ; v l u l  
p m r s u E n 2 7 r s u E n x u l q l m ; j c i i j z p y g n ? E l l i h w m t o p h a z u z s u y l e u e r E S h y w b o u l



, if tyll f u l a u m u E y w i f y & v s i f E l l i h & ; E s f y w b u u w i l l / & s f t r d o m ; q l v s i f z , f & , t s k u a & ; E s h w l q y l w r s m ; E s h t & l u c & y g o n ? t r e p i p p l w d i f & s f w l l f & i f o m ; r s m ; Y , i f p w l ' g w r s r & a u m i f / u l e a w m f a u m i f p h o d y g o n ? , i f t c s u r s m ; u l l i r e r m j y n b l v x E s h j r e r m E l l i h & ; a v m u r s v r s m ; u l l & s f j y v l E l l i h & ; y g w u l l z p n f & e p o f p m ; c l y g o n ? v v i v y a & ; j y l c e f s 1 9 8 8 c e p i x & s f j y n e , f w o s f v w w o f t a u m i f t r d r a a u m i h t z e t p n f t r d r u v u e u u l l f a w m l v s a e o j z i h & s f j y n e , f r n r z p r w w u l y j y n b l v x r n t w d l u a & m u a e u y g o n ? E l l i h & ; u p p s m ; u l l v u e u f u l l e n t j z i h r a j z & s f b l E l l i h & ; e n f j z i h a j z & s f l & a u m i f / u l e a w m l v l y g w d e j y o v b n l q E l v n f & y g o n ? x e t j y i f & s f j y n b r s m ; v l v m ; o n h w e f w i n d a o m j y n e , f r s m ; z p n f x m ; o n h j y n a x m i p p e p f u h z : a q m i v j c i f v n t y g y g o n ? x p o l u w n t u j y n a x m i p r s k u r n h t u l t p n f & n & g t s u f v l o r & y g

(SNLD) (SSA) (SSNA) t z e 3 z e n i r E l l i h v j r n (6-6-1996) & u a e v l f a w e q h q a E f y l v l y l c l y g o n ? (ssJAC) u l z p n f & e q h z w c l y g o n ? z p n f & o n h t a u m i f & i f o n f (3) z p v l . p n f & h a & e , h j r o n f w c E s h w c d u p y a e l v n f a u m i f / & s f j y n e , f t w o f t z e t p n f r s m ; p p n r & e l v l t y b j z i v n f a u m i f / z p n f c j c i f j z p l y g o n ? , i f t p n f t a o ; w o f u l e a w m l v l y E l l i h o n h v y l i e f r s m ; t j z p f p m a y o i f u m ; a & ; E s h p d y h ; a & ; v l y l i e f r s m ; j z p o n h p l u l y d a r g l a & ; t j c m ; p d y h a & ; v l y l i e f l l v l y l & e q h z w c l y g o n ?

u l e a w m l v l y g w d t & y g w a [ h u m r w E s h v s w a w m l u l p m ; v s f r s m ; p l a y g i f q h z w & e j z p l y g o n ? u l e a w m l t a e j z i h E l l i h w m f t p l & E s h t q u i t o g & e l u k p m ; a o m l v n r & e l y g t r d o m ; n d v m c h s c r s v o n h t a j c c h l 1 0 4 c s u f t m ; j y e l v n a q a E f c h & r & E s h n d v m c h l y x h v y e n f r s m ; u l l j y l y i E l l i c g & r & w l z p l y g o n ?

(SNLD) t a e j z i h t r d o m ; n d v m c l u s i f y a & ; r l u l v o v u t c l y g o n ? r q e f u s i y g t r d o m ; n d v m c b n f a w e q h q a E f a & ; a e & m w c j z p o n f [ u l e a w m l w l t a v ; t e u t h l x m ; y g o n ? o h o m f q h z w t s u t s y h e n f r s m ; / a q e n f y l a q e n f e n f r s m ; r h o b m 0 u s e l v l t y l y g o n ? u e a w m l w l e y g w p w i z p n f o n h 1 9 8 9 c e p i u w n t u p l l i v m o n r w & y l y g o n ? 4 i f r n t r d o m ; j y e l v n i o i f r w a & ; r j z p l y g o n ? , c j z p a y : v u & b n h E l l i h & ; o a b m x m ; r w i n d r s m ; / u l y j m ; j c m ; e m ; r r s m ; o n f t j c m ; E l l i f j c m ; o m ; r s m ; E s h j z p a e j c i f r [ k w b l w a j r w n f a e w a & w n f a o m u f n d t u l b m ; t c s i f c s i f j z p a e o n h u p b m j z p l y d u l l i t c s i f c s i f u p b m j z p l l u e a w m l w l v p o D E s h v p o D t y d w l l j y w p l l r j z p E l l i y g w p a e [ k w l w p a e j y e l v n i v u i w l t w l w u l v l y u & r n j z p l y g o n ? o l z p l l u e a w m l w l e w p o D E s h v p o D t y d w l l f e l w l j y e l v n a p p y l l r a t m i f r a q m i & l u r a p & e f t w l u f t x l o w d k m ; & y g n ?

u e a w m l w l e h u n b n h ' d l u a & p E l l i h w m l w n a q m u & m w l f o a b m x m ; u l v f r s m ; u l v n f c g j y & r n j z p l y g o n ? 1 9 9 5 c e p i u n d v m c l v u a & m u f y d r S a u s m c l l f x l u v m c b n h (SNLD) t j z p r d l u e a w m l w l e a & m u l v l y g w z u i w l v n f u e a w m l w l e a b m x m ; E s h t v e l u h j c m ; a o m t a j c c h l r s m ; c r s v l x m ; y d j y e l v n f a q a E f c h & r & y g a v m a v m q , n d v m c l b e r o h ; b l [ k h z w m l u l y g o n ? u e a w m l w l e n d v m c l u l p m ; v s f r s m ; u l l a v m a v m q , l v l a p v s w a y ; E l l i r n f [ k w l y g a u m i f p m j z i h t a u m i f j y e f u m ; c l y g o n ? n d v m c l b e r a & m u l v l y g w d r s m ; w o f (SNLD) w p t k v n f r [ k w l y g (NLD) E s h & s f j y n l u l u e p d l u a u l v p l y g w l v n f y g i f y g o n ?

w u a & m u l v m o n h { n b n f r s m ; e n f o h ; l (15) E p j y n h t x o f t r s w l t c r f t e m ; u l l r u s i f y E l l i f a w m h a u m i f o b u l l z u a j y m y g o n ? w l l i r s ; u l l p m ; v s f r s m ; v n f 4 i f w l t v l y f r s m ; a e l r v m a & m u E l l i f a u m i f a j y m y g o n ? o l z p l l & s f j y n l y n m & s f t w l l y i c h a u m i p a q a E f y l u l a & m u l v l e f a & m u t l u l

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t z&sm;vn&fsm;jym;a=umif/ , if t z&sm; t m;pp&nf&eft w&uf t )u&h&y;&e&h&um&f&w&w&y&v&h&=umif  
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ule&awm&w&h&q&fa&E&f&cs&uf&h& t wll yit&humi pD&t ae&zi&h&i&f&cr&fa&; t z&sm;/ ygw&sm;ult )u&h&y; rn&jz&p&ll  
x&lt&t z&u&h&h&pn&f&mw&f&i&f&cr&fa&;&x&m;orm; ygw&h&pn&x&m;orm;v&h&Ory&e&v&h&=umif yD&f&cl&v&#&f  
r&f&t z&h&t&pn&f&rn&jy&e&vn&f&t )u&h&y;&rn&jz&p&ll t "y&g; f&E&h&h&=umif z&pn&f&v&#&f&vn&f&peplw&uz&pn&f  
o&h&=umif n&n&h& w&! w&v&#&v&w&jz&p&h&=umif w&m;O&f&z&p&e&v&h&=umif aq&fa&E&f&h&on&f&[ k  
ule&awm&f&sv&f&ygn?

w&m;v&lyou&h&o wyf&q& f&S; 'k&v&d &f&S;v&f&ri&u (24-11-2004)&u&h&e&v&f&Eh&fi&h&wm&f&t )u&D t u&x&h  
t )u&h&y&kw&iv&j&ypm pmw&r&f&wap&mi&w&it&h&ygn? (ssa) ES h(ssNA) w&h&u&w&if&ygn? (ssa) Ou&x  
O&v&G&armi ES h(ssA) ppO&D&f&cyf O&D&f&f&w&v&u&f&sw&a&; x&h&x&m;on&f&pm&jz&p&lygn? pmy&gt a=umif t &m  
rsm;w&f&, ae&f&erm&Eh&fi&h&; t cu&f&t cu&h&u&h&h&aj&z&S&f&eft w&uf E&h&fi&h&wm&f&t )u&h&y;a&um&f&w&w&v&f  
z&pn&f&o&h&=umif E&h&fi&h&wm&f&t )u&D t u&x&h&w&if&y&x&m;on&h&t )u&h&y&kw&iv&j&ypm&jz&p&lygn? , if&pm&u&h  
w&ll&f&S; t m; t &ij&yoygn? w&ll&f&S; u t x&u&v&ju&D&sm; u&h&ze&f&qu&f&y&D t a=umif =um; ygn? w&ll&f&S; u  
O&D&u&h&z&w&h&t m; , if&pm&u&h&t j&ref&kw&iv&j&y&e&f&v&ju&D&sm; u&aj&y&ma=umif/ o&h&om&f&t )u&h&y&f&pm&w&f&t cs&uf (1)u&h  
x&n&e&f&t )u&h&y&f&aj&y&mv&u&h&Y aemif t m; v&h&o&ab&mw&bn&h&t aj&cc&D&ya' w&v&f&ay&ay&qu&v&m on&f&t cg  
E&h&fi&h&v&G&f&w&ck&vn&fa&om wy&f&aw&f&om&&r&n&q&bn&f&u&h&v&u&h&=umif az&m&f&y&g&e&f&t )u&h&y&k&ygn?  
(ssa) ES h(ssNA) w&h&t&pn&f&t aO&x&h&f&y&D , if&f&pm&y&ll&f&t m;x&n&h&f&f&az&m&f&y&e&f&o&ab&mw&bn&h&t \_&&h&ygn?

t j&ref&kw&iv&j&y&ay;&e&f&z&p&ll (SNLD) t ae&zi&h&u&e&f&u&e&f&h&=umif aj&y&mc&lygn? , if&pm&ES h&y&w&bu&f&ll  
(SNLD) o&h&w&ll&ay; y&h&em&v&f&w&f& (2) -u&h&t&e&f&ay&sm&u&q&h&oj&zi&f&r&&e&f&g& u&e&awm&f&S t a&; -u&D on&f&pm&jz&p&ll  
t w&if&awm&f&q&h&bj&zi&h&v&m; &g&r&S&u&e&f&y&dw&m zav&my&D p&f&ES h&y&ay; ygn? x&h&pm&u&h&u&e&awm&f&u&e&f&y&dw&m x&h&v&f  
o&h&f&q&n&f&x&m;v&u&lygn? p&mt m; zav&my&D p&f&ES h&y&ay; y&h&e&f&ij&z&p&ll r&e&f&v&u&f&sw&x&h&on&h&v&u&f&sv&f&sm;  
ry&g&f&g& x&h&pm&t &E&h&fi&h&wm&z&u&f&S t v&e&w&e&z&h&om o&ab&mw&bn&h&ts&u&w&ck&&e&f&ij&z&p&lygn? z&pn&f&y&h  
t aj&cc&D&ya' a&; q&f&D&on&f&t cg (ssa) ES h(ssNA) w&h&S&v&u&e&u&h&t j&y&D t y&ll&p&e&v&sv&rn&jz&p&a=umif  
o&ab&mw&bn&h&t ma&m&u&f&ygn?

(ssa) ES h(ssNA) j&f&cr&fa&; t z&sm; t ae&zi&h&E&h&fi&h&wm&f&t u&h&v&u&e&u&ES h&e&f&e&f&u&e&f&e&f&t a=umif  
r&h&=umif/ u&h&z&f&ya&e&on&h&ab&mjz&p&lygn? o&h&z&p&ll u&e&awm&f&t ay; p&f&ps&km;aom v&u&e&u&h&f  
j&f&cr&fa&; t z&sm; ES h&y&g&f&f& E&h&fi&h&wm&f&t m%&m&t m;x&h&u&e&f&O&D&wn&bn&f&q&bn&f&t cs&ub&n&f&r&e&f&u&e&f  
a=umif ay; v&G&e&ygn?

x&h&h&t a&; -u&D on&h&E&h&fi&h&wm&f&t -u&D t u&x&h&w&if&ygn&f&mr&h&u&h&w&y&f&g f&S; 'k&f&S; O&D&pe&f&az t ae&zi&h  
ro&E&h&f&p&m t a=umif r&e&f&g&, if. t p&pc&ts&u&f&sm; w&f&x&h&t cs&u&h&u&q&km;j&ci&f&r&e&f&g&, if&u&h&pn&f  
u&e&awm&f&h&u&mi&f&wm&v&f&bn&f&sm; u&h&x&e&f&e&f&sm; on&h&ab&mw&bn&h&t ma&m&u&e&ygn?

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u&e&awm&f&t h&f&w&f&aq&fa&E&f&on&f&t a=umif u&h&u&q&km; ygn? O&f&ri&h&e&f&on&f&(UNA) ES h(UNLD)  
w&h&w&e&h&q&fa&E&f&ci&f&u&h&aq&mi&u&h&u&bi&h&=umif v&ma&m&u&h&aq&fa&E&f&mw&f&u&e&awm&f&S j&y&=um; &m&Y  
(UNLD) ES h&aq&fa&E&f&er&jz&p&E&h&=umif/ u&e&awm&f&h&(UNA) r&S&O&E&h&x&e&f&e&f&a&em&u&w&f&f&e&f&yn&f&p&ly&g&v&D  
&f&f&D O&D&e&f&e&f&O&D. a&em&u&w&f&(ssa) &h&=umif aj&y&=um; o&h; on&f&[ k&u&f&h&ygn?

uleawmUll wllf&rfulufe, bjrwmOecl' &tlybumaZ, st m; ajymiyaomt csurfm; jzplygon?  
uleawmbajmonit "yg, f(UNLD) onit zDif(4) ODES fzDnfxm; aomt zDzpfyD (UNA) onf  
aemutht zDifrm; pñ&bnit zDzplygon? ODEll xEfoef aemuwGf&om refynbplygwD Odcéf  
x&fOaemuwGf&om (ssa)wDnfoDc&f&e(ODES hEll xEfoef wlt m; EIl fi h&; t&xmutjci f jzpfyD  
ppa&; ES h&xmutjci f r&yg ppa&; ES lywboulygu , ifwle ppzuqll &macg faqmifrm;. Obaqmif\_uh  
omclj lnzplygonf ppa&; t&aumaxmubemutjkyxm; jci f qbnif rñvKorr&uelyg Ojri hof ES h  
uleawmbaqaEfc surfm; ull uleawmwlt(2) Odt jyi f uleawmbajmijaoma=umihowifwyz&S' &tlyf  
aumaz, somv#blygon? aumaz, s. t p&ictsuft &'&rs; Obyrihu t p&ictpmulzwil  
oubaocjci f jzplygon? (SSJAC) upD p&baum(15) EplynuDp (UNA) upPt m; vhuil' &tlyf  
aumaz, saumifpño&lyD (SNLD) ES lywboull vnf ulrfOiblvOjzplygon?

1996cEpl(SSJAC) uEh v; wGfzDnfpOlu cla=umicHOsufv#OSuzDnfcjci f r [ kwyg zsubrtf  
c&aom wllf&ifom; EIl fi h&; ygwDrm;/ acg faqmifrm; pñfxm; aom t pkt z&t m; trnfvcljci f  
t vlu&wqlygu &snvsm; aernjzpll t m; vES h&om trnemr wclur&rac: xm; jci f jzplygonf  
(UNA) t z&t pñf. pñfxm; jci f. &n&G tsurfm ukvor\*~tax&x&hvmclhScrsSwfxm; onh jrefrm  
EIl fi h&ll &m qhzwtsuwclzpnht rñom; jyelvnbifrw&; t wcluf EIl fi h&wmft pD&ES h' rñua&pD  
t ift m; prsm; awclh q&Efa&; qbnif rñt & ukvor\*~tax&x&Gt wGfa&; r&csylf t m; wmo&ay; clon?  
t wGfa&; r&csylf Swqih&mZmvDt p&ar; vft m; jrefrm EIl fi h& xlowvref jzpc&et y&pvsvcllygon?  
4if. wmo&erñ t pkt z&(3) z&Syk' &vfrsm; ES h&w@ (3) yGclh&awclh q&Efa&; jzpjarmu&t mif  
aqmi &G&ay; z&zpnf, clwnf uppnfxm; &elva=umif t u jlyk; jci f jzpll , ift u jlyksuft &  
zsubrtfxm; aom wllf&ifom; ygwDacg faqmifrm; ull(UNA) t jzppñfcjci f jzpnf

(SNLD) onfv&m; Oilygwjzpll Oya' abmift wGf&EIl fi h&; orm; rsm; ull pñfcjci f &omif jzpfygon?  
x&Dpnfxm; aom vnf t c&eft awmfumonh ae@vllfwkwpñfwnfoabmxm; EIl fi h&;  
&n&G tsurfm; EIl jci f r&ao; yg x&D&rs; wEIl &ef u&tpm; onit aeji hit u&rfu&baqaEfa&uaomf  
vnf tqirajydyg aemuqht rsm;. oabmxm; uppnfll pplwrfwclzpa t mi uleawmht m;  
wmo&ay; ojzihuleawmf(UNA) t zDifrm;. oabmxm; rsm; ull pñfcjci f om jzplygon? x&Dpnf  
csurfm; ull a&maxGll EIl fi h&; pplwrf r&urfwapmi uluul wll jlyk; jci f jzplygon? uleawmbabmjiz hit rñf  
ullt em\* wjrefrm EIl fi h&wmf [ ll pmwrf trn&ay; clygon? (29-1-2005) &u&ae@vllfx&h&urfwlyk; jci f jzpll  
clygon? pppwñf jzwfci f rjy&ao; yg (Print Out) wapmi f&kwil (UNA) t wGfa&; r&; t zDifrm; pppf  
aq&Efa&wnf jzwrñ jzplygon? x&hemu&v&f&Efa&maom pmwrf ull(UNA) Oul&rm; t z&ES h&pp&aq&G  
a&Efa&wnf jzwrñ jzplygon? pmwrf ull(UNA) rsm; t wGfa&; r&; rsm; t z&zi h&aemuqht qipppf aq&Efa&  
wnf jzwrñ jzplyD &&v&maom oabmxm; &yfwnf csurfm; ull(UNA) rDg t jzpfvulul&xm; &&ejzpl  
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(9-2-2005) &u&ae@vll uleawmht m; x&ef o&f rlygon? rx&ef o&f rlygon? c&eft xduleawmf.  
t em\* wjrefrm EIl fi h&wm EIl fi h&; pplwrf ull(Print Out) W=urrs jyk; jci f jzplygon? rñbnlyk' &vfrsnf rjyo  
clyg uleawmwlt m; x&ef o&f rlyD aemuyl jzplyay: vmrñ hEIl fi h&; q&e&si f rsm; ES hywboull uleawmf  
wlt m; yg Oilywboulnf [ kpy&psufum; o&aygon? x&lt csurfm; r&euf&er r&yg uleawmwlt m; x&ef  
o&f rlyxm; jyd uwu, ae@vll jyi yES h&wOqubG t&G r&Elyg r&om; pES h&vnt t quif o&G r&clyg  
uleawmht aeji h&owif pmzw&jci f om &lygon? owif pm&S f vif ylygon h&owif pmrsm; ull uleawmf  
wlt m; ay; zwcljci f r&yg o&zpll uleawmht m; x&ef o&f rlyD aemuyl jzplyay: vmaom upD rsm; ull

uleawmivwvdyg ywbuji fvnfr&yg xlvrm;aqmi&utsuonvni uleawmivwvdf  
wmOef&yg

t xulygw&ch clwvifjxlvqtsurfm;ulvni w&ch&taejzihit av;xm;xnbif  
pOfpm;&elvt ylgon? Eilfi hwmft pl&t ay: r&elueygoni [ pypfygu yelue&eft uht pn&=&umif  
xi&ni;jri bmonhoubaoc&surfm;ulw&mpit z&tpnfrst cilt rmwifjy&elwmOe&bn?

cl&onivw&ch clwvifjysurfm;ulvni tav;xm;oloyobion? w&ch&sm;on&stjyni  
t wvifichami p&bnf&epDofujyD aq&E&wvififu, jzi hEilfi hwmft pl&t ay: ophazgu&suyleuef  
&elwv&w&u&pnjci/ &nfr&stjicfr&yg&ovsul, ifyl rjzih ta&; It jypay;xm;jcifrni w&mp&ia&;  
tm%mulvtyonxubausmiv&pn t ollykx;a=umifaw&lygon?

2? &stjynlynm&stfsm;t wvifichami pD oabmxm;xkvfyetsulyg az;jycsurfm;onivw&chjzpbol  
pifne&v&rsa&om;jcifr [ kvf&stjynft wvifichami pDul(SNLD)ygwv&suruxjy&bnf  
xm;jcifr vnfr&yg xlvfiw&ch&stf&onqnf&rbn&pm&cupmwrf 13 c&stjywbouil vni Eilfi hwmft  
t pl&ubphazgu&suyleuef&el [ hom ta=umif t&mrsm;ry&bnf jyiyleuef&elupn  
pDofrw&v&nfr ydi yd pm&cupmwrf trsvpOf 2 jzpbom (31-12-2004) ae&stjy pmonf' kvD Alvt&stjy  
u&D o&stjy pof Oul tr&stom;nlv&mc&stjyfa&aumf&stjy&stjy rll y&stjy vifpnay;y&stjy om pnf&stjy&stjy;  
O&stjy pmutv; vuf&stjy zih&stjy om;a&ompmjzpa=umif/ trsvpOf (13) ygpmwrf q&stjy #lvni/ (16-3-61)  
&up&stjy zih&stjy jynft pl&jyefum;a&O&stjy D&stjy merS( w&stjy Oi) xkv&stjy onhjn&stjy xmi p&stjy r&stjy Eilfi hwmft t yf  
c&stjy yf&stjy ajccDya' jyi q&stjy ia&stjy q&stjy ia&stjy u&stjy ul&stjy h&stjy umf wD (&stjy jyn&stjy, ). q&stjy z&stjy w&stjy suf [ hom ac&stjy jf pOlyg  
pm t yf w&stjy ty p&stjy onivw&stjy p&stjy Eilfi hwmft yeluef [ krnb&stjy sm; , lq&stjy Eilfi hwmft ta=umif rsm;r&stjy h&stjy oma=umif h  
jypfy&stjy r 122 (1) t & w&stjy mp&stjy fne&stjy v&stjy ft ay: jypf %p&stjy i&stjy xm;jcifrni Oya' ES hrn&stjy D&stjy v&stjy ni; aeygon?

3? , clt rw&stjy v&stjy (SNLD)ygwv&stjy pOfomD&stjy onivjy p&stjy q&stjy &stjy musix&stjy Oya' y&stjy r 164 t & ajzmi&stjy tsufay; c&stjy yD  
jypf&stjy q&stjy &stjy musix&stjy Oya' y&stjy r 337 t & az: aumif t pl&ou&stjy baot jzpy&stjy kvly&stjy c&stjy yD w&stjy v&stjy you&stjy baot  
trsvf(2) tjzpbou&stjy xlvq&stjy t ygon? trwvifou&stjy baoc&stjy ht jzpvut&stjy km; onihou&stjy baoc&stjy (i)  
jzpb&stjy omf pOfomD. ajzmi&stjy tsuf&stjy onihou&stjy baoc&stjy Oya' ygy&stjy Xme&stjy tsuf&stjy v&stjy y&stjy onihajzmi&stjy tsuf&stjy y&stjy Xme&stjy tsuf&stjy sm; ES h  
a&stjy omv&stjy nfaumif ajzmi&stjy tsuf. w&stjy z&stjy ES h&stjy omv&stjy nfaumif u&stjy ulh&stjy jcifr&stjy yg r&stjy ul&stjy v&stjy jypf&stjy u&stjy v&stjy  
a=umif ajzmi&stjy q&stjy D&stjy e&stjy jcifr&stjy &stjy w&stjy mp&stjy fne&stjy v&stjy ft ay: tjypv&stjy son&stjy babmjzpb&stjy onf w&stjy ul&stjy ajzmi&stjy tsuf  
rajrmulyg &stjy stjynlynm&stjy stfsm;t wvifichami pD t pnf taO; (' ) (w) t u&stjy df vm;&stjy d ES h&stjy w&stjy mif&stjy ul&stjy r&stjy  
w&stjy q&stjy ulv&stjy usif y&stjy mw&stjy v&stjy vni (SNLD)ygwD Oul O&stjy c&stjy e&stjy x&stjy e&stjy fOD. w&stjy mO&stjy eay; csuft &stjy w&stjy u&stjy a&stjy mu&stjy t&stjy bnf  
[ xlvq&stjy t&stjy bn? pOfomD ES h&stjy ft w&stjy w&stjy u&stjy a&stjy mu&stjy a&stjy om (SNLD)A [ h&stjy umf wD if p&stjy f&stjy v&stjy a&stjy t&stjy mif&stjy ul&stjy r&stjy w&stjy  
oabmq&stjy E&stjy jzih&stjy w&stjy u&stjy a&stjy mu&stjy t&stjy umif jzpb&stjy onivw&stjy xlvq&stjy tsuf t xift &stjy aw&stjy Eilfi hwmft ygon? pOfomD.  
Oya' ES hrn&stjy onihajzmi&stjy tsuf t ay: t ajc&stjy h w&stjy mp&stjy fne&stjy v&stjy ES h&stjy yf w&stjy v&stjy w&stjy ch&stjy sm; t ay: jypf %c&stjy s&stjy v&stjy  
xm;jcifrni Oya' t & v&stjy e&stjy pn&stjy v&stjy ni; aeygon?

4? pifne&stjy v&stjy onivx&stjy r t u&stjy f(ssa) jif&stjy f&stjy c&stjy fa&stjy &stjy , bnh(15) Ep&stjy ajrmuft cr&stjy t em; o&stjy h&stjy ni;  
a&stjy mu&stjy f&stjy w&stjy c&stjy yD &stjy elue&stjy b&stjy y&stjy ev&stjy n&stjy a&stjy mu&stjy v&stjy maom t c&stjy jre&stjy r&stjy mEilfi hwmft yf S(SNLD) Oul O&stjy c&stjy e&stjy x&stjy e&stjy fOD ES h  
pifne&stjy v&stjy w&stjy h&stjy c&stjy ; , ar;jre&stjy c&stjy yD aemif t c&stjy sm; w&stjy v&stjy frw&stjy u&stjy a&stjy mu&stjy e&stjy r&stjy ni=um; ojzih' kvD t u&stjy df ES h  
w&stjy w&stjy t u&stjy ft pnf taO; rsm; o&stjy h&stjy v&stjy a&stjy mu&stjy f&stjy j&stjy rjy&stjy ob&stjy m&stjy c&stjy t ygon? xlv&stjy w&stjy u&stjy a&stjy mu&stjy t&stjy bnf  
t pnf taO; rsm; w&stjy v&stjy f&stjy t jcm; o&stjy rsm;. aqmi&stjy &stjy utsuf jyl&stjy tsuf&stjy sm; t w&stjy ul&stjy jypf&stjy w&stjy v&stjy mO&stjy e&stjy bn&stjy onih&stjy babmjzih  
ta&; , b&stjy jci/ &stjy stjynlynm&stjy stfsm;t wvifichami pD oabmxm;xkvfy&stjy e&stjy us&stjy m&stjy csurfm; w&stjy v&stjy  
pifne&stjy v&stjy ft ae&stjy jzih&stjy y&stjy di&stjy aqmi&stjy &stjy u&stjy a=umif t axmuft xm;r&stjy b&stjy jci/ pifne&stjy v&stjy pmwrf jyp&stjy k&stjy xm;aom  
(UNA). aq&stjy E&stjy ft a=umif t&stjy mrsm; ul&stjy ul&stjy jyl&stjy ob&stjy u&stjy e&stjy y&stjy dw&stjy Y p&stjy aqmi&stjy jyp&stjy k&stjy (UNA) t w&stjy ul&stjy Eilfi h&stjy a&stjy

vrf t jzpf t omyEli & rrbabm jzif t em\* wjref mEli fi hwmf t rni wvixm; cygn? & naz ypbzi bdf  
qnf ol& t & m& & rfuif , ifpmwrf uil(Print out)xkwcbnfrst y rnlw0Dwa, ulu#o&ap  
& eblom taxmuft xm;w&m;vku rSrwi jyeEli yd pfl inelw0 jylponirSwi wrtjzpl nr&om;  
xm;csuif homv&m;& h jzmit surfn t jyp& a=umif 0e b; c; i; r [ kw b] Eli fi hwmf ueryl rjzif t a&; l  
t jypay; xm; jicifrn w&m; r#vr& uefr& y?

5? t r wv0ft rpwi fay: aygu& ma' oonf& f jyn n m& s f r m; t w l i f i c h u m i p z p n f a &;  
(ssa) Xme c y r f n p e b a u m a u s & h j z p l i & f j y n e , f t w l f u m ; e m p p a q ; & r n j z p y g v u i f e l u e l w i l /  
t i f p e l A [ t t u o f a x m i e , h j r Y p p a q ; j c i f r n j y X m e f O y a ' y g j y X m e f c s u r f m ; u l l q e f u s i l p p a q ;  
p & i j c i j z p y g n ? , i f o p p a q ; c b n f i t w l u f w & m ; c h r m ; u j y e a c : o u h o O D b o i l u j y e a c :  
p p a q ; v h = u m i f ( 6 - 6 - 2 0 0 5 ) & u h e v l f a v m u f x m ; c h m ( 9 - 6 - 2 0 0 5 ) & u h e v l f o u h o O D b o i f  
r n r i v a e x l l & m a ' o w l f a e x l l j c i f r & h w m a = u m i f & - , - u E s h & b w i f w y z e v l e w i f y c s u l l c h u  
t v l f w u l u c t b n f & h a c : p m x k v & e y i f t c e l v h v m u f r & E l i h a = u m i f x i & h ; j r i f o m y g v u E s h  
j y e a c : o u h o / p p a q ; c h j z p b n h w & m ; c h t c h t a &; u l t a v ; x m ; j c i f r & h o m a = u m i h w & m ; c h w l f  
O y a ' u a y ; t y x m ; o n f t c h t a &; w & y f q h c h y g n ?

6? p l l i n e l w 0 E s h y l w l v & m ; c h r m ; t a y : w & m ; p l t z e t p n f u j y p r q l l & m O y a ' y l f r 1 2 2 ( 1 ) t &  
v n f a u m i f / j y p r q l l & m O y a ' y l f r 1 2 4 ( u ) t & v n f a u m i f / w u r f w n f / w j y l l f w n f p e l j y d w & m ; c h  
p l l i n e l w 0 f x h S o l f q n f & r b n h o u a o c h t p m & l u p m w r f r m ; u l l y l f r 1 2 2 ( 1 ) t & p e l h o m j y p r = u d r \_  
t r s w f 2 3 3 S 2 0 0 5 w l b o u a o c h t j z p f t o h y k o u b l e y l f r 1 2 4 ( u ) t & p e l h o m j y p r = u d r \_ t r s w f  
2 3 4 S 2 0 0 5 w l f w n f o u a o c h t j z p f t o h y k x m ; y g n ? t r w c E s h w c b a b m c s i f w h l v s u & h = u m i f  
a w & o n f t j y i f z r f q p p a q ; r w c k w n f r S a y : a y g u l v m a o m t a = u m i f t & m r m ; u l l j y p r \_ E s h y l t j z p f  
t a &; , j y d o l j c m ; j y p f % f r m ; c s r s v x m ; j c i f r n t a = u m i f j c i f & m t & j z p a p / O y a ' a = u m i f t & j z p a p v e b n  
r y i r n ; , G i f v s u & y g n ?

7? p l l i n e l w 0 E s h y w b o u l l j y p r = u d r \_ t r s w f 2 3 3 S 2 \*\* 5 E l i f i h w m f o p h a z g u z s u l e u e r t w l u f  
w o u l w u l e j y p f % / j y p r \_ t r s w f 2 3 4 S 2 \*\* 5 E l i f i h w m f t = u n f t n l y s u a p r \_ t w l u f w o u l w u l e f  
j y p f % / j y p r \_ t r s w f 2 3 5 S 2 \*\* 5 t a j c c O y a ' u m u G h a ; y l f r 4 t & a x m i f % f E p f ( 2 0 ) j y p r \_ t r s w f  
2 3 6 S 2 \*\* 5 t o i l t z p n f r o f O y a ' y l f r 6 t & a x m i f % f ( 5 ) E p f j y p r = u d r \_ t r s w f 2 3 9 S 2 \*\* 6  
' k v d t r \_ E l i f i h w m f t = u n f t n l y s u a p r \_ t & a x m i f % f w o u l w u l e f p o n l w l u o l j c m ; a p u s c h  
a p & e f c h u t r e l e s v x m ; y g n ? p l l i n e l w 0 f u s c & r n h a x m i f % f p p l a y g i f r n 8 5 E p j z p l l v l o m ;  
w o D t a e j i h v h e l e v l a t m i c s r s v x m ; o n j y p f % j z p o n f i t w l u f 2 0 0 0 j y n E s h w & m ; p & i h a ; q l l & m  
t a j c c h w l f j y X m e f x m ; o n h j y X m e f c s u r f m ; u l l q e f u s i f s u l u G j y k q h z w x m ; o n l u h w & y g n ?

8? r l v & o n f p l l i n e l w 0 f t a y : j y p r q l l & m O y a ' y l f r 1 2 1 ( C ) j y X m e f c s u r f m ; u l l h a z g u a = u m i f  
j z i h i f O y a ' y l f r 1 2 1 ( 1 ) t & j y p f % c s r s v c h = u m i f q h z w c s u r f n O y a ' E s h r n l v f r n ; a e y g n ?  
j y p r q l l & m O y a ' 1 2 1 ( C ) . j y X m e f c s u r f n z p n t l y c s y l t a j c c O y a ' j z i f w n a x m i c e f t y a o m  
j y n a x m i p j r e f m E l i f i h w m f . v y l i e f t z e u h o m v n f a u m i f / j y n a x m i p k t z o i f v y l i e f t z e u l  
a o m v n f a u m i f / v u e u E s h j z p a p / t j c m ; e n j i z i j z p a p / j z l z u & e f t m ; x k w l v # f o l v n f r [ k w f  
j z l z u & e f t j c m ; e n j i z i j y i q i v # f o l e [ k w f x b l t m ; x k w l r w l y p i a q m i & u l v # f o l v n f r [ k w f  
x b l t m ; x k w l E s h y w b u l v # f o l v n f r [ k w f x b l t m ; x k w l r j y l e j z p a p / x b l t m ; x k w l r w l y p i  
a q m i & u l v e j z p a p / x b l t m ; x k w l E s h y w b o u & e j z p a p / j y n a x m i p j r e f m E l i f i h t w l f y  
a o m v n f a u m i f / t y a o m v n f a u m i f v l w o D o u l l a q m l v # f o l v n f r [ k w f w o D o E s h  
y l a y g i f u p n l v # f x l b o n E l i f i h w m f o p h a z g u i z s u l e u e r = u d u l u s ; v e l o n ? [ h z ; j y x m ; y g n ?

, i fyxme fcsuft & qw # f z p n f t l y c s y l t a j c c O y a ' j z i h w n a x m i c e t y f x m ; a o m j y n f  
a x m i p r e f m E l l i h a w m f . v l y i e f t z (The organs of the Union or of its Constituent units  
established by the constitution ) [ b w r s w t s u b a o m a u m i h E l l i h a w m j i r D y j y m ; r w n a q m u a &  
t z e / , c k E l l i h a w m a t ; c r f o m , m a & ; E s z z h a & ; a u m i p d o n z p n f t l y c s y l t a j c c O y a ' t &  
w n a x m i c e t y f x m ; a o m v l y i e f t z ( t p l & ) r [ k v a u m i f x i & n j r i o m y g o n ? , c i w y f r a w m f  
u m u G b & ; O p p c s y f A l l c s y f s ; u p a m a r m i h a j y m u m ; a o m E l l i h a w m r e e e f a u m u E w t s u r s m ; Y  
r m & \$ b a v m w y f r a w m f t p l j z p l t a j c c k m ; a o m O y a ' r & a u m i f / w l l j y n f t m % m u l l w y f r a w m u l l  
a u s a x m u a e m u t k m ; j y d t l y c s y h a e o m p l l y j z p o n i [ k w & m ; O i r e e e f r s m ; w b a j y m u m ; c l y g o n ?  
o l z p y d , i f O y a ' j y X m e f c s u f t & q w s i f p l l n e v e E s h y t w l v & m ; c l s m ; r n j y p r q l l & m O y a ' y k r 121  
(u) u l z g u z s u l u s ; v e b o n i [ k s w i , E l l r n f [ k v y g t p l l v l y i e f t z o n z p n f t l y c s y l t  
t a j c c O y a ' t & w n a x m i x m ; a o m t p l j z p r n i [ k O y a ' w & y f u t w d t v i f z i k q l  
w m ; j r p b x m ; v # f (Barred by law ) , i f y k r j z i h w & m ; c l s m ; u l t j y p a y ; p l i q l z w f x m ; j c i f o n f  
O y a ' t & r n ; , G f a e y g o n ?

r l v c b p i t s u l v o f E l l i h a w m o p h a z g u z s u l e u e r r n t j c m ; j y p r r s m ; E s f r w b l y l a y g i f u p n o n h  
t q i l v o l y i j y p r a j r m u b o j z i h y l a y g i f u p n o n h t w l l t x a j r m u b o n j z p a p / r a j r m u b o n j z p a p /  
y l a y g i f u p n f w l y p o i b w l e o n j y p r y k r 121 (1) u l u s ; v e x m ; o n i [ k a z j y o l o y f  
x m ; y g o n ? , i f o l q l v s i f , c k t r w l i r n b o l w l o n i t " u o p h a z g u z s u l e u e b o r s m ; j z p a u m i f E s h  
r n b l w l o n y l a y g i f u p n o r s m ; j z p a u m i f u l v & m ; p l t z e t p n f t a e j z i h t x i f t & n ; o u a o  
w i f y e l w m o e b a y o n ? , c k t r w l x b l v & m ; v l z u r e l l v k i & n ; p h o u a o w i j y E l l j c i f r & y g l  
& s f j y n l y n m & s r s m ; t w l l y i t a u m i p z o n i a & ; u p l t r s m ; a & s v l t j y l o a b m a q m i o n r e e e f a j y m  
u m ; j c i f / a q f a E f c i f / w l l f & i f o m ; t r s m ; p k o a b m x m ; r s m ; u l r s w r f w i f x m ; j c i f u p l y r s m ; u l l  
E l l i h a w m o p h a z g u z s u l e u e b o n i [ k s w i , b l o y l c l l a w m f s j y p l % p l i c j i f r n p l l n e v e v o f  
E s h y t w l v & m ; c l s m ; t z l e v e p h e p e m v s u & y g o n ?

-----  
& r s ; a t m i f r i b e f w & m ; v l  
E s h  
p l l ! e l v o f w & m ; c h

j y p r q l l & m O y a ' y k r 124 (u) t & p l l t \_

**t r j z p f t a u m i f t & m t u o f c s y f**

t r j z p p o f t u o f c s y f h j r e f m E l l i h a w i f w y z e s & r s & r s ; a t m i f r i b e f u & s f w l f & i f o m ; r s m ;  
' r l u a & p d t z e s y f t w l f a & ; r s ; j z p o l o p l l ! e l v o f t a y ; j y p r q l l & m O y a ' y k r 124 (u) t &  
t a & ; , h a y ; y g e f e l e u e l w l f w & m ; & h o u s i x k O y a ' y k r 200 t & O d w l u a v # u f x m ; w & m ; p l l m r S a y ;  
a y g u l v m o n i t r j z p l y o n ?

w l l u m ; c s u f t r s w i 157 / w l f u d r l l j y n l v r f / (5) & y l u l r & r f u e l j r k e , h e x l l b l p l l n e v o b o n i  
, i f . a e t r y 1987 c e p l w o f y e l y p u l v v k o , l l Z v y e d t r n j z i h y l y v l y i e f u l l v l y u l l c h u m i f /  
1996 c e p l w o f u e f y l w m o , i , l l u e f y l w m p m & l u j c i f r s m ; v l y u l l c h u m i f / p l l n e v o b o n i  
& s f w l f & i f o m ; ' r l u a & p d t z e s y f . o a b m x m ; x l w f y e t s u r s m ; / w l l f & i f o m ; v r s t p l l i h a & ; y g v d

oabmxm;xkvyetsurms;/ t y p f t c y & y p l u m j i d f c r f a & ; & , l x m ; o n h ( s s a ) E s h ( s s n a ) t z e s  
(24-11-2004)&u p f y g E h f i h w m f i d f c r f o m , m a & ; E s f z p z h a & ; a u m i p d o u k x b l e v y f r a y ; y l x m ; a o m  
t w f z o b a y ; p m r s m ; / ( 5 8 ) E p b a j r m u f y n a x m i p l a e a t c r f t e m ; w o f i & s f w i l f i f o m ; r s m ; ' r l u a & p d t z e s y f  
O u k O d c e f x e f o b a j y m = u m ; r n f r e e e f r s m ; / p n f v h n h w a o m w i l f i f o m ; v r d p r s m ; r [ m r d v f r s m ;  
t z e t e m \* w f r e r m E h f i h w m f a c j i p d p m w r f r s m ; u l l p l i n e f v f i . a e t t & l u e f y l w m v o p m p & l u e f y  
x m ; o n l u b r i q n f & r d h = u m i f a z ; j y x m ; o n f

c h h o n i w & m ; v l f s ; a t m i f r i b e f u l l ( 5 - 5 - 2 0 0 5 ) a e v o f p w i p p a q ; c j y d w & m ; v j y o u a o r s m ; u l l  
q u i v u p p a q ; l ( 2 3 - 5 - 2 0 0 5 ) & u a e v o f p p a q ; r j y d q h o j z i h w & m ; c j z p o l p l i n e f v f t a y :  
a e t t u e f y l w m t w o f r s p n f v h n h w a o m w i l f i f o m ; r s m ; t z e s y f . ( 2 9 - 1 - 2 0 0 5 ) a e p y g t e m \* w f  
j r e r m E h f i h w m p m w r f u l l u l l f w i l l u e f y c l m t e m \* w f r e r m E h f i h w m p m w r f w o f a z ; j y  
x m ; c s u r s m ; o n f E h f i h w m f t p l & u l l r e f x m ; a t m i f r a v ; p m ; a t m i f y l c i f / j y l e f t m ; x k v j c i f /  
a r w l l y s u b a t m i v l h q m j c i f / v l h q m e f t m ; x k v j c i f / j y l o n f t w l u i j y p q l l & m O y a ' y l f r 1 2 4 ( u ) t &  
( 6 - 6 - 2 0 0 5 ) a e v o f p e s u w i c l y o n f

w & m ; c j z p o l p l i n e f v f u t j y p r & h = u m i f j i f q l y d u l l f w i l l b o u a o t j z p f t p p t k l u q l l  
w & m ; c j y o u a o r s m ; u l l q u i v u p p a q ; j y d t j y d o y a v s u i v t s u l l ( 8 - 9 - 2 0 0 5 ) & u a e v o f u m ;  
e m j y d t j c m ; t r r s m ; E s h w j y l f w n f t r e l e s v & e t e f i q l l y o n f ( 2 - 1 0 - 2 0 0 5 ) & u a e v o f i w & m ; c h  
E s f y l w l w & m ; c l r s m ; t a y : j y p r q l l & m O y a ' y l f r 1 2 4 ( u ) t & w o u l w u e f j y p f % l u c h p & e f  
t r e l e s v t l y o n f

**Oya' t & a o m v n f a u m i f / t a = u m i f j c i f & m t & a o m v n f a u m i f c l h r s v f f n ; p h o k o y f r s m ;**

p l i n e f v f o n f & s f t r d o m ; ' r l u a & p d t z e s y f ( S N L D ) y g w l w o f w z u f t w o f a & ; r f ; ( 1 ) t j z p f  
a q m i & l u v s u b j z p l l p l i n e f v f i . a e t t f t m ; ( 1 0 - 2 - 2 0 0 5 ) & u a e v o f i & b w i f w y z e s  
' & j t y p l E h E s h t z e n f o u a o r s m ; E s h t w D i a & m u & f n a z & m t , c l w & m ; v l u l l y l l f t o h y l a o m  
u e f y l w m t w o f r s t e m \* w f r e r m E h f i h w m p m w r f u b r i q n f & r j y d t q l y p m w r f o n f u e f y l w m  
t w o f Y o m & h e a o p m w r f j z p l l t r s m ; j y n b r s m ; o h j z e f a o e f y i y w o f t q i b o i k l w x m ; j y l a o m  
p m & l u p m w r f r [ k w o n f t m ; a v s m p h , i f p m E s f y w b o u l l r n b o w p l w O d u r # a w f r i f  
o & k m ; j c i f r & y g y v s u f E h f i h w m f t p l & u l l r e f x m ; a t m i f a o m v n f a u m i f / r a v ; p m ; a t m i f a o m f  
v n f a u m i f / j z p a p o n f q h o m t c s u r f n o u a o t x i f t & f n ; r & b n b m r u v l w v y a o m o u f  
a o w p l w O d u l y i f w i f y p p a q ; E h j c i f r & h o m p y p e s u w i z i o m p l k m ; o n l y l f r t w i l f  
t j y p a y ; x m ; j c i f r n O y a ' t & a o m v n f a u m i f / t a = u m i f j c i f & m t & a o m v n f a u m i f v e p h r s y i f  
r n ; , f v s u b o n f

t r w o f w & m ; v l f s ; a t m i f r i b e f u o d w l u f a v s u i v h E s h p b r f c s u f t & a z : x k w o n f q l l & m w o f  
p n f v h n h w a o m w i l f i f o m ; v r d p r s m ; r [ m r d v f t z e t e m \* w f r e r m E h f i h w m f a c j i p o f  
y p m w r f r s m ; u l l , i f a e t t & l u e f y l w m v o p m p & l u e f y c h = u m i f / h h h h h h z s u b o f j y d E h f i h & ; y g w l r s m ; r s  
t v l y f t m ; o n l v r s m ; E s h 2 0 0 4 c e p E D i o b m v E s h Z i o b m v r s m ; t w o f r & r f u l e f j r k e , f ( 5 ) & y l u l f  
t r s w f 1 5 7 j y n i v r f & e t t f ( 7 - u d f \* - u d f ) c e f a w e q l l , i f w l o n f w i l f i f o m ; r s m ; . y i v h h v m c h  
y g v r e f r l u a & p d & f a u m u f s v u & l u s i f y q l t r d o m ; n d v m c h t p & b n f w l E s f y w b o u l l  
t c s u f t v u r s m ; u l l a q f a E g r r s m ; j y k v y c h = u m i f / x b l e q f a E g & m w o f y k l w l w O d c s i f p d r s  
r d w l e k u n f e m ; v n & m t w i l f a j y m q l l q f a E g r r s m ; u l l v l u v l r s v o m ; c h = u m i f / h h h h h h h h

hhhhhhhhp|fne&v|onft qlyq&aEfcu&sm;t m;/ , if. ae t rft w0 f&su| jyl uef ylw m w0 f  
x n b0 f r s w r f w i x m ; j y / p l | f n e & v | o w n f u w m o e t h u e f y l w m p m p & u l u c y g o n ? 2005 c E p f  
Z e b 0 & v w 0 f t q l y q a E f c u r s m ; t m ; p m w r f w a p m i f t j z p f p m p & u l u c y g o n ( 2 9 - 1 - 2 0 0 5 )  
& u a e v 0 f y l p o c y g o n ? p m w r f t m ; p m p j y a e m u f , i f . o a b m j z i h t e m \* w j r e f r m E l l i h a w m f [ k  
a c g j p 0 f w y c y g o n ?

t q l y p m w r f u l u e f y l w m t w 0 f r s & n a z b & t & m & l u o u a o r s m ; a & s v 0 f ( P r i n t o u t ) x k w i , & & b n f s  
v j y d r n b l w 0 d w a , m u f u r # z w & o & a - u m i f / v u D , h a w & a - u m i f / r a y : a y g u l y g E l l i h a & ; p p l w r f  
u b h j y m q l t s u r s m ; a q a E f c u r s m ; u l l r n w 0 d w n f u j y l p x m ; j c i f j z p o n h t w l u f j y p r y k f r 1 2 4 ( u )  
t & E l l i h a w m f t p l & t m ; a r w l y s u a t m i f r e f x m ; a t m i f r a v ; p m ; a t m i f t m ; x k w j c i f o l e [ k w i  
v h a q m & e f t m ; x k w o n f q h o m t a x m u f t x m ; w p l w & m a y : a y g u j c i f r & a - u m i f x i & n ;  
j r i b o m y g w l u f j y p r y k f r 1 2 4 ( u ) t & t a & ; , l j y p f % c s r s v x m ; j c i f r n O y a ' E s i r n h w y g  
t r w l w 0 y k f r 1 2 4 ( u ) u l u ; v e f c i f r & a - u m i f / t , b l w & m ; v l l x l u q l t p p c t s u r s m ; u l u n h  
r n q l w # i p l | f n e & v | o n f & s f w l l f i f o m ; r s m ; ' D l u a & p l t z e s y f t w 0 f a & ; r s ; w m o e b x r f a q m i f  
a e o j z p l l , i f y g w d r n r s w y l w i f t r s v f 4 5 j z i h v & m ; O i & y i w n f v s u & j y d E l l i h a w m f S E l l i h a & ; E s h y w f  
o u a o m p m & l u p m w r f / p m t l y p m a p m i f w l u k l w a 0 c 0 j y l e f t w l u f r s v i w i f t r s v f e - o - 0 3 5  
j z i t 0 j y l c s u b a y ; x m ; o n h t a v s m u f E l l i h a & ; E s j y w b o u a o m a u s n m c s u r s m ; u l l k w a 0 c h - u m i f / 1 9 9 6 -  
9 7 a e m u l y l f w 0 l u k o r \* : t w 0 f a & ; r s ; c s y u , i f . u l l p m ; v s f & m Z m v d t p a r ; u l l e f  
u e a p v s c h - u m i f / & m Z m v d t p a r ; v f E s h a w e q h q a E f u o n f r n 7 - u r f 8 - u r f a w e q h m & m Z m v l u  
w l l f i f o m ; v h d p k s m ; r s m ; o n f t r s m ; t j y m ; j z p a e l t m ; v h w a j y ; n a t m i f w o a b m w n f & a t m i p k  
x m ; z h v l u w e f v h - u m i f a j y m c y g o n ? x h v l u w e f c s u l l u e h a w m l w y g w l u t a u m i f t x n a z : o n h  
t a e j z i h v r d a y g i p l l w l l f i f o m ; y g w d r s m ; r s a c g f a q m i f r s m ; u l l p o n f j y a w e q h q a E f c y g o n ?  
w l l f i f o m ; E l l i h a & ; y g w d r s m ; r s v u t e l l b o n b a b m x m ; w c l & a t m i f  
a q a E f c h u o n ? , i f o h q a E f w l l y i a o m l v n f a q a E f y f r n t a j z & a f r & a o ; y g  
u k o r \* u l l p m ; v s f s v n f / w l l f i f o m ; y g w d r s m ; . w c k w n f a o m o a b m x m ; & a & a ; t w l u f  
t j r e a q m i & l u e l w e f t m ; a y ; c y g o n ? ( S N L D ) y g w d t w 0 f a & ; r s ; u e h a w m E s h w l l f i f o m ; y g w d r s m ; r s  
t w 0 f a & ; r s ; r s m ; n e d f a q a E f u o n ? a q a E f c u r s m ; u l l t a c s m & & b n h t c g y x r 0 d q h  
t w 0 f a & ; r s ; r s m ; t z e x l w i j y p p l w n f j z w r n j z p l y g o n ? x h b t w n f y k S o m w l l f i f o m ;  
v r s t y g w d r s m ; t m ; v h . o a b m x m ; t j z p u l l l w g l u s i b o r n j z p l y g o n ?  
hhhhhhhhwa, m u l w r d o a b m x m ; t r d r d j z p a e l a u m u E y j y d u e h a w m f S w m o e t h p l a y g i o a b m  
x m ; u p m - u r f j y l p c b n f r n 2 0 0 4 c E p f Z m l l v c e f e p w i j y p l 2 0 0 5 c E p f Z e b 0 & v 2 9 & u a e v 0 f  
p m - u r f t q i j y l p c y g o n ? j y e l v n p o p j c i f r j y l & a o ; y g j y e l v n p o p & m Y j z n p o j c i f / r v l t y b o n f  
r s m ; u j y i q i j c i f / E w y l , j c i f / r u l u E p b o u b o n f r s m ; u l l v n f a u m i f E l l i h a w m E s h u b j c m ; b g & m  
x c l u a p r n h t o h t E l l t , l t q r s m ; u l l E y l y , f r n j z p l y g o n ? p m - u r f & l u f y a e m u l y l f w - u r f w c g r s  
j y e l v n p o p l w n f j z w r v l O r j y k v l y c l e y g

2005 c E p a z a z : 0 & v 9 & u a e v 0 f u e h a w m i t m ; o w i f w y z e s e f o r t c y g o n ? u e h a w m p m w r f  
w i f y d o n h e E s h t x e f o r t c l o n h e e n 1 0 & u t e f o m = u m ; u m v & b j z i h u e h a w m b a ; x m ; a o m  
p m - u r f u l l j y e l v n f w n f j z w r f r j c i f r s m ; r j y k v l y & a o ; y g p m - u r f u l l w n f j z w r j y l j y n p l y g u  
w l l f i f o m ; v r s t p l y g w d r s m ; r s t w 0 f a & ; r s ; r s m ; E s h 0 u l l r s m ; x h v i j y & r n j z p l y g o n ? O u l l  
E s h t w 0 f a & ; r s ; r s m ; u p p p j y d r s m & & b n h o a b m x m ; u l l E l l i h a & ; a q a E f y f r s m ; w 0 f w l l f i f o m ; E l l i h  
a & ; y g w d r s m ; t m ; v h . w c k w n f a o m o a b m x m ; t j z p u l l p o t o l y k r n j z p l y g o n ?

hhhhhhhhp n f v h n h w a o m w l l f i f o m ; v r s t p k s m ; r [ m r w l t z e 2005 c E p f Z e b 0 & v 2 9 & u p l y g  
p m r s u E n ( 8 ) r s u E n y g o n h t e m \* w j r e f r m E l l i h a w m p m w r f w a p m i b o n f u e h a w m p w l u l j z i h a c g j p 0 f



ullt =urf&uEg/xm; jci f omjzpjy jye v n l w n j z w j y i q i j c i f v k O r j y k v y & a o ; y f o u b a o c k c ) y g  
(Print out) x k v x m ; a o m p m & u p m w r f r s m ; o n f E l l i h w m f t p l & u l l e f x m ; a t m i f a o m l v n f a u m i f /  
a r w l l y s u b t m i f a o m l v n f a u m i f / v l h q m f t m ; x k v j c i f r s m ; v k O r & y g

w&m; c j z p o l p l i n e t v o f . c k h c s y / w i f y c s u r s m ; o n f E l l i h & ; p p l w r f w p a p m i f u l l t e m \* w f  
j r e r m E l l i h w m f [ l r t b m o m t r n a y ; x m ; j y d w l l f & i f o m ; v r d p k E l l i h & ; a c g i f a q m i f r s m ; /  
E l l i h & ; y g v l r s m ; r S a c g i f a q m i f r s m ; a q f a E g w l l y i & m Y a j m q u o n h p u m ; r s m ; u l l s v l o m ; j y d r t w o d  
w n f o m o b n u l l y l l u e l y s w m w l p m p & u E g x m ; a o m p m w r f j z p & m t q l y g m w r f o n f i j y i y  
o h & m u & f i f v n f r & l j z e a o v l h q m & e f & n & g t s u & b n f [ l a o m t a x m u f t x m ; w p l w & m r & l  
y g o l v s u p e s u l y g l r j z i h w & m ; c h t a y : = u d a v ; a o m w o u l w u e f ' % c s r s v x m ; j c i f o n i j y p f % f  
r h i j y i f x e l e f a o m j z p o n f i t j y i f t v m ; w l y l r 1 2 4 ( u ) j z i h t v m ; w j y p f % f r s m ; j z p a o m t r \_ t r s v f  
2 3 4 § 2 0 0 5 w l v n f t r e f e r s v x m ; o n f t w l u w & m ; c j z p o l t m ; t a = u m i f u p p w & y l w n f t a y :  
j y p f % f 2 = u r t p & i & m a m u b o n f t j y i f c k h a w m b o n i j y p f q l l & m O y a ' y l r 7 1 E S h 1 9 7 3 c E s f  
p u m ; & y r s m ; t e u f t " y g , z o l q h & ; O y a ' y l r 2 2 y g j y X m e f c s u r s m ; u l l u e m a q m i & u f j c i f r & y l  
r s u l u g j y l q h z w x m ; j c i f r h O y a ' t & v e p h r s i f r h ; , G f a e y g o n ?

w&m; c j z p o l p l i n e t v o f t a y : w & m ; p l t z e t p n f r s j y p f q l l & m O y a ' y l r 1 2 4 ( u ) j z i h w & m ; p a l n f  
q l v s i f , i f O y a ' y j y X m e f c s u r s m ; E S i n h w & e l l t y l y g o n f , i f O y a ' w l f i j n a x m i p k t w l u b l [ k v f  
j y n a x m i p k t z o i f r s m ; t w l u f O y a ' t & w n a x m i x m ; a o m t p l & ( Government established by law )  
[ l a z ; j y x m ; & m , i f o l t p l & u l l e f x m ; a t m i f r a v ; p m ; a t m i f y k v # f o l v n f r [ k v f x l b l t m ;  
x l w v # f o l v n f r [ k v f a r w l l y s u b t m i f v l h q m l v # f v l h q m & e f t m ; x k v f s o m v # f a i g % f E S h  
w o u l w u e f j y p f % f z p a p / w u e f a t m u a v m a o m j y p f % f z p a p / a i g % E S h a x m i f %  
( 3 ) E s j z p a p / a i g % b u b u j z p a p c s r s v & r n f [ l a z ; j y x m ; y g o n ?

E l l i h w m f i t O y i j y m ; r w n a q m u a & ; t z e , a e @ E l l i h w m a t ; c s r f o m , m a & ; E S h z e k a & ;  
a u m i p b n v l t y c s u f t & a y : a y g u l v m a o m w y r a w m f t p l & w & y l o m j z p l l O y a ' t & w n a x m i f  
x m ; o n f t p l & r [ k v a = u m i f w y r a w m f u m u g h a & ; O p o c s y f A l l v t s y r f s ; u d a p m a r m i f . a j y m = u m ; a o m  
E l l i h w m f r e f e f r s m ; a u m u E y c s u f t & x i & n ; y g o n ? r m & \$ l a v m w y r a w m f t p l & t j z p f t a j c c h  
x m ; a o m O y a ' r h a = u m i f / w l l f j y n f t m % m u l l w y r a w m u l l u s m a x m u a h e m u t x m ; j y d w l l f j y n f  
t l y c s y a e a o m t p l & y z p o n i f k w & m ; O i h a j y m = u m ; c b n f r e f e f r s m ; v n f & y g o n ? x l a = u m i h  
O y a ' t & w n a x m i x m ; a o m t p l & r [ k v o n f t w l u f w & m ; p l & e r l v u y i f y s u f y , j y l z p f y g o n ?  
x l a = u m i f t q l y g l r j z i j y p f % p l i x m ; j c i f r h v n f r h ; , G f v s u & y g o n f

t x u l y j y X m e f O y a ' . & S f v i f c s u 2 w l v n f r l e f x m ; a t m i f r a v ; p m ; a t m i f a r w l l y s u f  
a t m i f z p a p & e l v l h q m j c i f / v l h q m & e f t m ; x k v j c i f r & y g o l t p l & . a q m i & u r \_ t p d t p O l u O y a '  
j z i n h o m e n t j z i h a j m i f v j y l y i a p & e f & n & g f s u f x h q m i & u r u l b a b m r u s a = u m i f x k v a z :  
a j y m j c i f r h T y l r t & j y p f r a j r m u a = u m i f a z ; j y x m ; o n f u l l v n f a w & y g o n ?

, i f O y a ' . & S f v i f c s u f 3 w l f x l b l e f x m ; a t m i f r a v ; p m ; a t m i f a r w l l y s u b t m i f  
j z p a p & e l v l h q m j c i f / v l h q m & e f u p n f t m ; x k v j c i f r & y l t p l & . p l i f t l y c s y a & ; q l l & m a q m i & u r \_  
o l l [ k v f t j c m ; a q m i & u r u l o a b m r u s a = u m i f x k v a z ; j c i f o n f T y l r t & j y p f r a j r m u f [ k  
j y X m e f x m ; o n f t w l u f w & m ; c j z p o l p l i n e t v o b n f j y X m e f c s u f y O y a ' t w l l t p l & u l l  
r l e f x m ; a t m i f r a v ; p m ; a t m i f a r w l l y s u b t m i f v l h q m f t m ; x k v r w p l w & m & a = u m i f w & m ; v l b u f s  
c l l v p h o u a o x E l l i j c i f r & b n f t j y i f a j y m i f v j y l y i a p & e f & n & g f l a q m i & u r u l l

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rsm; u xnboifrpOfpm; jci frn Oya' ES frnbvfrn; aeygon?

t rwy:aygutsuft & w&m; cblifnefvul t a=umifjci f&mwckwnfrSay:ayguvsu&om  
up&yfrsm; ullykfrwjcifpDjcm; l tjri blypf %fsm; ulcrsvixm; onluw&rnjzpb  
pifnefvwDwnfuyifElifawmft p&ult =unhlysuapontjyprqll &MOya' ykfr 124 (u)jzih2  
r\_pqllk; onluw&onfcm; avspbn jyklyfr/suulur/w&yfonjyprwckcsi fDajrmubonh  
tjyifpayif, MsiVnf t jcm; jyprajrmu&om jyklyfr\_t rtrud; v&olt m; / pp&aq; aomw&m; &Mu  
jyprwck w&ufay; Eliaomjypr %ft w&ufylyjyif x&omjypr %ultray; & [ klypr\_qll &MOya' ykfr 71  
w&it wdt vijyXme f x m; ygon?

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t &jzppap/Oya' t &jzppap vfrn; aeonhit jyif 1973 c&E f pum; &yfrsm; teuft "yq z& qbnh  
Oya' ykfr 22 jyXme fcsufsm; ulw&uemaqmi &ufjci fr&=umifaw&ygon? ykfr 22 w&f jyklyfr\_  
olvnfr [ kwfysuulur\_w&lonfOya' E&f&yf o [ kwfE&f yx uylom Oya' rsm; t &jyprajrmuf  
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**t rjzpt a=umif t & m t uOfcy?**

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=um; c&om t rjzpb n? & s f w&lf & i f om; ' r u a & p t z& e s y r s o p c e x e f o D ES h t ayg i t y g w e n f 7-2-  
2005 & u b e f awmi f u r e c h n l v r f & t u p i t u p a t & M Y & s f j y n l y n m & s f r s m; t w i l y i c h  
aumip&usif y y v y c l m / & s f j y n e, r s q u b p a u s m i f o m; v l i, f r s m; . o a b m x m; a u s n m c s u f  
p m w r f / & s f j y n l y n m & s f r s m; t w i l y i c h a u m i p D o a b m x m; a u s n m c s u p m w r f ES h 58 E p a j r m u f  
& s f j y n e, h e @ t x r f t r s v f o a b m x m; x k w f y e a u s n m c s u f s m; u l l j z e f a o a p c h = u m i f o & & o n f  
[ q l b n ? , i f a u s n m c s u f s m; Y z u f &, f u l a z a q m i b o n h o a b m o u b & m u f y f / E l i f a w m f  
w n j i f a & / & y & n a t ; c s r f o m, m a & ; ES h v w & m ; O y a ' p l r k a & ; w l u l x c l u f y s u f y m ; a p & e v l e q m j c i f /  
a j m q l c i f / a & ; o m ; j z e f a o j c i f / t r & o m ; j y e v n p n i v n n h v a & ; u l l x c l u f y s u f y m ; a p & e f  
v l e q m a j m q l a & ; o m ; j z e f a o j c i f w l u l c e x e f o D ES h t ayg i t y g v p r S a q m i & u t b o n h t w l u f 1996  
c & E f E l i f a w m f u l w n j i f a t ; c s r f p n p e p w u s v a j y m i f E l i f a & ; ES h t r & o m ; n & v m c l y f i e f a t m i j r i p n

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w&m;v&ll&wd &h&S;u&dc&ia&X; ty&gt&O&i&w&m;v&ly&ou&a&orm;u&pp&a&q;cl&y&a&em&uf&6-6-05 ae&v&f  
w&m;cl&f&m; tay: w&m;p&cl&w&iv&f&on&y&kr t&w&ll&f&ps&u&w&it&cl&y&on&? t&q&ly&ps&u&f &S&f&j&y&n&f&n&m&S&f&r&m;  
t&w&ll&f&ic&ha&um&ip&dt&pn&f&t&a&0;rm;w&f&aq&fa&E&g&cs&u&f&m;7-2-05 &u&ae&v&f&j&y&kr&v&f&on&h, if&a&um&ip&dt  
ww&d t&u&f&t&pn&f&t&a&0;w&f&j&ze&f&0&cl&on&b&ab&m&x&m;x&w&f&y&e&cs&u&f&m; a&u&mi&h 1996 c&E&f&O&ya' y&kr  
4 t&j&y&pf %&x&ll&ub&ic&ha&um&ip&dt&pn&f&t&a&0;w&m;cl&f&m;u t&j&y&pf&h&u&mi&f&ij&i&f&q&ly&j&y&e&ac&ou&a&orm;  
u&pp&a&q;v&h&u&mi&f&av&sm&u&x&m;cl&y&on&f

j&y&e&ac&ou&a&orm; t&e&uf&O&dc&e&pl&ht&m; 9-6-05 &u&ae&v&f&pp&a&q;j&y&kr j&y&e&ac&ou&a&o O&D&bo&if&E&S&h  
Zi&t&mi&f&w&on&r&va&ex&ll&ma' ow&f&ae&x&ll&j&ci&f&r&h&u&mi&f/ ou&q&ll&e& &, u&E&S&how&it&w&y&e&v&h&u  
pm&j&i&w&iv&f&y&mc&ll&u&v&u&cl&y&kr w&m;cl&f&m;. a&h&ers&m;u&ll&a&oc&mp&h&S&f&j&y&on&f[ kr&sw&iv&rf&w&it&cl&y&on&f  
, if&a&em&uf&w&m;cl&f&m;t&m; E&S&h&w&m;cl&y&ou&a&orm;u&pp&a&q;j&y&a&em&uf&18-10-05 &u&ae&v&f  
t&j&y&kr&oy&av&sm&u&f&cs&u&f&u&um;em&um 2-11-05 &u&ae&v&f&w&m;cl&f&m; tay: p&cl&e&km;on&h&O&ya' y&kr 4  
t& ax&mi&f %&f&E&f&20 u&sc&h&p&e&f t&o&lo&ly&pf %&e&S&w&cl&y&on&f y&kr w&f&w&m;cl&f& j&z&pf&w&m;cl&f&z&pf&ol  
p&O&f&om&O&D&t&m;/ t&pk&ou&a&o az:a&um&if&t&z&pf&t&ol&ly&kr j&y&kr&q&ll&e& us&i&f&O&ya' y&kr 338 t& tr&rs  
v&f&v&ay;cl&y&on&f

**Oya' E&S&f&r&n&ly&v&f&h; p&h&w&m; &ll&ua&um&uf, l&q&ll&z&w&f&cs&u&f&m;**

t&rw&f&w&m;cl&f&z&pf&ol&pl&f&n&e&v&f. x&u&f&q&ll&cs&u&w&f&S&f&j&y&n&f&n&m&S&f&r&m; t&w&ll&f&ic&ha&um&ip&dt  
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a w b y e f y D a w m h v v b j r m u a t m i v h u m v w & m ; & h u a e j y D a w m h q h z w a y ; E h f , i v e k i v m ; c i A s

u s a e m i v h t a e e l a w m h a r h i v i y g w , f b m j z p i v b q v l e & i f ' v h w & m ; & h c s y u a e j y D a w m h a e m u b q h  
t x l t , b h a w f i n v u c h u m ; e m c i v o m " u a w g & y g w , f u s a e m i v h e c p s x m ; w i t r a w g t m ; v h r f i  
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' g u a w m h a t t y f c f t m p l t z e t w l v h t c i h t a & ; t w l u f a q m i & u b e w h a e m b 0 u a & e  
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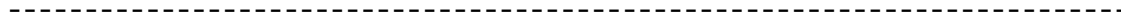
a [ m i f a u m i f t a j c p l u f t m & s v t c o f i t a & ; t z e u v l c e x e f 0 D t y g t O i f & f a c g f a q m i f a w l u  
a x m i f t E p f ( 1 0 0 ) a u s m f t x d c r s v x m ; w m [ m O y a ' e b r n l w h t w l u f ' U p p t a y : = u m ; O i f a q m i & l u f  
a y ; z e u l v o r \* - v y i e f t z e x h p m a & ; a w m i f q l x m ; y g w, ?

t r j z p p O i t a o ; p w u l l u k o r \* - v y i e f t z e x h y c w l t y w l u a y ; y e l y d w h a e m u f a e m u x y f  
v l t y c s u f a w l u a w m i f q l m w l t w l u f ' U a e @ x y r h y ; y e l a u m i f t m & s v t c o f i t a & ; t z e u  
a = u n m c s u f x k v j y e f x m ; y g w, ?

a & e ) u D 0 D a t m i b e f u a w m h c e x e f 0 D w e u p u l t c k v H O H f 0 e f a q m i f & l u f a e w l t w l u f  
O r f o m r a = u m i f a j y m j y g w, ?

"' q u a w m h a u m i f w l m y ? t r e l w & m ; u H O H f 0 e f y D a w m h o l w l o l w l e m o l w l e H H l w u m j y i f u a e  
O H f 0 e f a z m f x k v l w , l q l / a z m f x k v a y g u s e m i w h j y n i w f i u v l E H b l a z m f x k v l w m a y g h e m f ' g a y r h  
a z m f x k v l w h z m f x k v e n f / a j y m j y m e n f v r f a u m i f a w l u a w m h w c s i f r s w r h a y g o l w l u a w m h  
International Stand w c k t a e e h a j y m r , / u s e m i w l u j y n i w f i u S t a n d w c k t a e e h a j y m w m u l ? ' g a y r h  
' U H O H f 0 e f y D i w , l q l w m h u s e m i w l u t r o n j z p w l o a w G v w & m v w a = u m i f t w l u f q l  
u s e m i u O r f o m a u s e y & r h a y g ' g u n H E l E d f a q m i & l u f w h o a b m j z p & i f y h u m i f w m a y g ' y g y ?"

c&X&f0D pH ! e l v o l e b A l v c s y a q x i f t y g t O i f & f a c g f a q m i f ( 8 ) 0 D u H E H H w m f e l u e f \_ t y D i f  
y l f r a y g f r s m ; p h e b a x m i f t E p f ( 8 0 ) u a e ( 1 0 6 ) E p f t x d t o b o d c s r s v x m ; y g w, ? t J H e m u f  
y l w m t l c E W b l o D a w m i p w h a 0 ; v h c g l z m ; t u O f a x m i f a w G D y h a q m i f x m ; w m j z p l y g w, ?





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## 7. jynbōē pīwīl ES hīwōuīl

jynbōē pīwīl f t i f w m e u b w i f p m a p m i f u l l t m & S / ē t c ō h t a & ; a u m f & S f u j r e f m E l l i h t w ō f w & m ;  
Oya' p h r l a & ; E s h i v ē t c ō h t a & ; q ū l & m u p & y f r m ; u l b & E l l h a p & e f w i f y x m ; j c i f j z p ō n ? w & m ; Oya'  
p h r l r r & b n j r e f m E l l i h t a j c t a e u l t a o ; p l y a v h m E l l j c i f r & a o ; y g p p f t p h & . t l y c s y r a t m u l w ō f  
v ē t c ō h t a & ; c s t a z q u i r r m ; E s h i w b o u b n h o w i f t c s u f t v u i r m ; & E l l & e f w m ; j r p l u e f o w t s u r m ;  
& a e o n ? E l l i h a & ; t u o f o r m ; r m ; / r h y a ' o E s h t v s f a 0 ; u h o n h a e & m r m ; w ō h e x l l f u o n h o m r e f  
jynbōē v x k w ē t a y : v u l w q l y p m t m % m y l l f w k u v ē t c ō h t a & ; c s t a z q u i r r m ; u l l v l y a q m i f v s u f  
& b n ? & j a ' o q ū l & m t m % m y l l f E s h v & m ; & h w k u o m r e f j y n b o w ē t a y : Oya' r l y l u s i f r m ; u l l i q ū l f u l  
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j r e f m E l l i h t w ō f v u l y z p l y s u b e o n h t a j c t a e E s h t a = u m i f t & m r m ; p h u l l w l u & l u w i f y a q ō a E ō  
a j m q l r m ; r & a o ; y g O y r m t m ; j z i h & l u & l u E s u h s f y e f j c i f c b o l t a e j z i f r n i u b l y e v n f w & m ;  
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w & y u b l z p i w n & a e o v m ; p o n i w l u j y n b o ē p i w i l u o k o y w i f y o ū ; r n j z p ō n ?

T o w i f p m a p m i b n j r e f m E l l i E s h t m & a ' o t w ō f j z p l y ū ; c l o n h v ē t c ō h t a & ; c s t a z q u i r r m ; E s h  
w & m ; Oya' p h r l a & ; q ū l & m u p & y f r m ; u l l u s , l u s , j y e j y e l a v h m o & E l l h a p & e f w i f y x m ; j c i f j z p ō n ?  
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a y : y l l y g o n ? x l t w j y n b o ē p i w i l b o w i f p m a p m i f t m ; x y q i h r w l l u t , l l r n E s h e p y o r m ;  
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y x r t u r f x k w a 0 o n j y n b o ē p i w i l b o w i f p m a p m i b n f t m & S / ē t c ō h t a & ; a u m f & S E s h q u i  
o ō b n b r m ; x l a y : y l z e f a 0 o ū ; r n j z p l y g o n / t u , l l r n d t a e j z i f p m a p m i f t m ; y l l f v u c h  
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(<http://www.ahrchk.net/phplist/lists/?p=subscribe&id=16>) o i f . t i f w m e u f v l y p m u l l & l u x n h y l  
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2? x l e m u f t l a r ; v j z i h j y n b o ē p i w i l f t , f l w m o p m j z i h t a = u m i f = u m ; y g -- [burma@ahrchk.net](mailto:burma@ahrchk.net)

r n w l t a e j z i b i f a y ; x m ; o n h t i f w m e u p m y l v l y p m t w l l f y l a y ; & r n l v l y p m t w n j z p l y g u p m a p m i f  
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## **8. APPEAL AGAINST UNLAWFUL IMPRISONMENT OF EIGHT MEN ON CHARGES OF TREASON**

-- AHRC Urgent Appeals desk

From: [UA-017-2007](#), 18 January 2007

**The Asian Human Rights Commission (AHRC) has received detailed documentation on the appeal against conviction for treason of eight men in Burma. The accused, including Hkun Htun Oo, the chairperson of the Shan Nationalities League for Democracy, a registered political party, have lodged special appeals in the Supreme Court against life imprisonment on the ground that they formed an illegal organisation. Meanwhile, they have all been illegally sentenced for other offences for the same offence and ordered to serve the terms consecutively.**

### **CASE DETAILS:**

Nine persons were accused of treason because they established a new umbrella group called the Shan State Advisory Expert Group with the objective of working to end decades of civil war in northeastern Shan State (bordering China, Laos and Thailand). The military government accused the new body of being a terrorist organisation that allegedly produced subversive documents.

Hkun Htun Oo had been well known for some years for his efforts to broker such an agreement between the government and its armed opponents. He had chaired meetings between the two sides, and it was in one such meeting in November 2004 that the new council was set up. After two further meetings, he and his colleagues were prosecuted for treason in February 2005. One of the defendants was made to appear as a witness for the state. The others pleaded not guilty.

The trial was begun by the Northern Rangoon District Court in June 2005, with proceedings being held on the grounds of the Insein Central Prison (where the accused were detained). The accused obtained legal assistance from lawyers of the National League for Democracy. Only six of the 18 witnesses for the defence could be examined as the others had absconded or were otherwise not contactable. Two witnesses that had appeared for the prosecution also could not be recalled for cross examination. Nonetheless, on November 2 of the same year the accused were sentenced to life in prison; the defendant who appeared as a state witness was freed.

Hkun Htun Oo was then sent to Putao Prison in Kachin State, while others were sent to different jails around the country. On 2 May 2006 one of the men, Myint Than, reportedly died in Sandoway Prison in Arakan State, western Burma.

There were many problems in the case that invalidate the conviction. The main ones being:

- 1. The charge was of treasonous action against a constitutionally-appointed state.** Since 1990 Burma has been ruled by a military regime without a constitution. However, the Penal Code section used to prosecute the accused, sn. 121(d), states that the accused must have tried to "overthrow the organs of the Union or of its constituent units established by the Constitution". As the government and its organs were not established by any constitution, the men could not be prosecuted under this section.
- 2. Lack of authority of the court.** The case was heard in by a tribunal outside the area of legal jurisdiction for the case, which should have been where the alleged offences occurred in Shan State. Also, the trial was conducted apparently without authorisation on the prison grounds, not on the premises of a court.
- 3. Non-reappearance of prosecution witnesses.** The defence had the right to cross-examine all witnesses who appeared for the prosecution, but two key witnesses could not be recalled.
- 4. Photocopies used as evidence.** Throughout the trial photocopies of original documents were used instead of the actual documents themselves, in violation of the law on evidence.

Additionally, the nine accused have been sentenced under a raft of other offences, namely inciting hatred towards the state, subversion and forming an illegal organisation, with the intention of adding to the penalty already imposed against the accused. Without presentation of further evidence or additional inquiry they have been sentenced to the maximum term in each case:

inciting hatred, life sentence; subversion, 20 years; and forming an illegal organisation, five years. One of the accused was sentenced for inciting hatred twice. The tribunal ordered that prison sentences be served consecutively, so Hkun Htun Oo was given 93 years. Others received 75 years or more. Some of the accused were also charged under laws for printing and publication, protection of public property and import-export of goods.

These convictions are all invalid as they were based upon the one set of identical and flawed information, allegations and court testimonies. Both the law and precedent make plain that it is not possible to slice up a single illegal act (in this case the alleged forming of an organisation) into different parts and punish an accused more than once for wrongdoing, even where it constitutes an offence under more than one law.

#### **ADDITIONAL COMMENTS:**

The AHRC has reported on many cases in the past that speak to the un-rule of law in Burma, including the jailing of two men on spurious charges for carrying a petition calling for the release of five political prisoners ([UA-358-2006](#)). The five were released in January ([UP-004-2007](#)) but the two remain in jail ([UP-219-2006](#)).

The case also bears a resemblance to the sentencing to death for treason of nine persons, including a sports magazine editor, in November 2003 ([FA-005-2004](#)). The accused in that case were later released in January 2005 after their sentences had been commuted.

For Burmese-language documentation and commentary on this appeal, see Pyithu Hittaing, [vol. 1, no. 9](#) on the AHRC Burma homepage: <http://burma.ahrchk.net>

#### **SUGGESTED ACTION:**

Please write to the Attorney General and Chief Justice of the Supreme Court to demand that the convicted men obtain their legal rights, either by way of the cases being reviewed and the accused released, or by upholding their appeals against the convictions.

Please note that for the purpose of the letter, the country should be referred to by its official title of Myanmar, rather than Burma, and Rangoon, Yangon.

Sample letter:

Dear \_\_\_\_\_,

#### **MYANMAR: Special appeal against conviction for treason of nine persons & serious breaches of law**

##### **Details of convicted persons:**

1. Hkun Htun Oo, 63, Chairperson, Shan Nationalities League for Democracy (SNLD)
2. Sai Nyunt Lwin, 52, General Secretary, SNLD
3. Maj. Gen. Hso Ten, 69, President, Shan State Peace Council
4. Myint Than (a.k.a. Eh Phyu), 59, SNLD (deceased)
5. Nyi Nyi Moe, 36, SNLD
6. Sai Myo Win Htun (a.k.a. Eh Lun), 42, SNLD
7. Htun Nyo (a.k.a. Eh Nyo), 57
8. Sai Hla Aung, 61
9. Sao Tha Ut, 45 (freed after appearing as a witness for the state under Criminal Procedure Code sn. 337)

**Complainant:** Police Lt-Col. Khin Htay (No. La/57970), Special Branch, Myanmar Police Force

**Conviction:** High treason, Penal Code sn. 122(1), Felony No. 233/2005, registered under Supreme Court Order No. 37/2005, before Assistant Divisional Judges U Mya Thein & U Khin Maung Kyi; appeal pending before Special Appellate Bench of Supreme Court

I am writing to you to express my serious concerns about the illegal conviction and imprisonment of Hkun Htun Oo and eight others for treason because they established the Shan State Advisory

Expert Group during a meeting in November 2004 between the government of Myanmar and armed groups aimed at obtaining a ceasefire.

The accused were tried and sentenced under a tribunal established through the Northern Yangon District Court in June 2005, with proceedings being held on the grounds of the Insein Central Prison. Only six of the 18 witnesses for the defence could be examined as the others had absconded or were otherwise not contactable. Two witnesses that had appeared for the prosecution also could not be recalled for cross examination. Nonetheless, on November 2 of the same year the accused were sentenced to life in prison; Sao Tha Ut, who appeared as a state witness, was freed.

According to the information I have been given, on 2 May 2006 Myint Than died in Thantwe Prison.

From what I understand, there were many problems in the case that invalidate the conviction. The main ones were:

**1. The charge was of treasonous action against a constitutionally-appointed state.** Since 1990 Myanmar has been without a constitution. However, the Penal Code section used to prosecute the accused, sn. 121(d), states that the accused must have tried to "overthrow the organs of the Union or of its constituent units established by the Constitution". As the government and its organs were not established by any constitution, the men could not be prosecuted under this section.

**2. Lack of authority of the court.** The case was heard by a tribunal outside the area of legal jurisdiction for the case, which should have been where the alleged offences occurred in Shan State, in violation of Criminal Procedure Code (CrPC) sections 177, 178 & 526, which require authorisation of the national president or chief justice to transfer a case outside of the area of usual jurisdiction. Also, the trial was conducted apparently without authorisation by a two-judge tribunal on the prison grounds, not on the premises of a court as required by Supreme Court Directive Nos 7/56 & 3/69.

**3. Non-reappearance of prosecution witnesses.** The defence had the right to cross-examine all witnesses who appeared for the prosecution (CrPC sn. 256), but two key witnesses, U Ba Thin (a.k.a. U Aung Myat) and Zin Aung, could not be recalled, despite the fact that they were needed for proper examination of the case and the court did not follow the procedure for non-recall as laid down in Supreme Court Directive No. 3/66.

**4. Photocopies used as evidence.** Throughout the trial photocopies of original documents were used instead of the actual documents themselves, in violation of the law on evidence (see Court Manual, sn. 614) (also in Felony Nos 234, 235, 236 & 237/2005, below).

Additionally, I am informed that the accused have been convicted under a raft of other offences, namely inciting hatred towards the state (Felony Nos 234 & 239/2005, Penal Code sn. 124A), subversion (Felony No. 235/2005, Anti-Subversion Law, No. 5/96, sn. 4), and forming an illegal organisation (Felony No. 236/2005, Organisation Law, No. 6/88, sn. 6). Sai Nyunt Lwin was sentenced for inciting hatred twice. All convictions were secured without presentation of further evidence or additional inquiry, and the tribunal ordered that the sentences be served consecutively. Additionally, Myint Than, Nyi Nyi Moe, Sai Myo Win Htun, Htun Nyo and Sai Hla Aung have been charged under sns 17 & 20 of the 1962 Printers and Publishers Registration Law; Hso Ten has been charged under sn. 3 of the Public Property Protection Act 1947, and under sn. 5(3) of the Control of Imports and Exports (Temporary) Act 1947 (Felony No. 254/2005).

These convictions all appear invalid as they were based upon the one set of identical and flawed information, allegations and court testimonies. Both the law (Penal Code sn. 71, CrPC sn. 403) and precedent make plain that it is not possible to slice up a single illegal act (in this case the alleged forming of an organisation) into different parts and punish an accused more than once for wrongdoing, even where it constitutes an offence under more than one law. Furthermore, to do so amounts to a flagrant violation of the principles established in the 2000 Judiciary Law and the fundamental legal principle of no double jeopardy (and as per sn. 22 of the 1973 Interpretation of Expressions Law).

I find it shameful that the court system in Myanmar can be so blatantly misused and perverted for the purpose of patently political objectives. I urge that the case against the accused be thoroughly reviewed and they be released from detention by way of acceptance of their special appeal or review and revision of the case.

I also request that details be given of the reported death in custody of Myint Than, and where wrongdoing is suspected that the responsible state officers be held responsible in accordance with the law.

In this respect I remind you of the comments of the UN Special Rapporteur on Myanmar, Professor Paulo Sergio Pinheiro, to the Human Rights Council on 27 September 2006, in which he said that

"The capacity of law enforcement institutions and the independence and impartiality of the judiciary have been hampered by sustained practices of impunity. I am also very concerned by the continued misuse of the legal system, which denies the rule of law and represents a major obstacle for securing the effective and meaningful exercise of fundamental freedoms by citizens. Grave human rights violations are indulged not only with impunity but authorized by the sanction of laws. In that respect, I consider especially as a matter of grave concern the criminalization of the exercise of fundamental freedoms by political opponents, human rights defenders and victims of human rights abuses."

These views about your legal system are widely held abroad. The fact is that your courts and laws will continue to lack all credibility until you demonstrate a commitment to the basic principles of the rule of law, not merely the artifices of the law. I again urge you to do so with regards to these nine accused.

Yours sincerely

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**PLEASE SEND YOUR LETTERS TO:**

1. U Aung Toe  
Chief Justice  
Office of the Supreme Court  
101 Pansodan Street  
Kyauktada Township  
Yangon  
MYANMAR  
Tel: +951 372 249 / 253 066

2. U Aye Maung  
Attorney General  
Office of the Attorney General  
101 Pansodan Street  
Kyauktada Township  
Yangon  
MYANMAR  
Fax: + 95 1 371 028/ 282 449 / 282 990

**PLEASE SEND COPIES TO:**

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Thank you.

Urgent Appeals Programme  
Asian Human Rights Commission (AHRC) ([ahrchk@ahrchk.org](mailto:ahrchk@ahrchk.org))

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**UPDATES:** [UP-008-2007](#); [UP-016-2007](#)

**The Asian Human Rights Commission (AHRC) has received further detailed documentation on the cases against one of the eight men appealing their conviction for treason in Burma ([UA-017-2007](#)). The accused, Sai Nyunt Lwin, was the general secretary of the Shan Nationalities League for Democracy, a registered political party. However, he was sentenced to 85 years for treason, sedition and other offences. The legal process to convict him and the others involved in the case was highly flawed, as discussed further in this update.?**

**CASE DETAILS:**

As described in the appeal issued by the AHRC last week, nine persons in Burma were accused of treason because they established a new umbrella group called the Shan State Advisory Expert Group with the objective of working to end decades of civil war in northeastern Shan State (bordering China, Laos and Thailand). The military government accused the new body of being a terrorist organisation that allegedly produced subversive documents. The accused were sentenced to treason by a tribunal without legal jurisdiction, on inapplicable charges, without proper evidence or the right to cross-examine witnesses that had appeared for the prosecution. The penalties were all wrongly compounded, so that the minimum sentence given was 75 years in jail.

Among the persons convicted were the leadership of the Shan Nationalities League for Democracy, including Sai Nyunt Lwin. In addition to the charges against the other accused, Nyunt Lwin was convicted of sedition on the same grounds and evidence twice over, and also on the charge of subversion under a special security law. The preliminary hearings opened in May 2005 and the trial began the following month. The court found the accused guilty in October. He was sentenced to 85 years in jail in total.

The two charges of sedition relate to information found on Nyunt Lwin's computer on the setting up of a federal state in Burma, rather than the current unitary arrangement. However, the judgment was flawed because the charge of sedition requires action to aggravate the public against the government, whereas none of the material found on the computer had been publicised.

The charge of subversion relates to a meeting that the accused says he did not attend. The claim of non-attendance was not countered by the prosecution and nor was evidence shown to suggest that he was there. However, the state said that other colleagues of the accused were at the meeting and acted on his behalf. But this is not enough to convict a person of subversion.

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**The Asian Human Rights Commission (AHRC) has received information that the appeal of eight men over their wrongful and illegal conviction for treason in Burma has been postponed to February 22. Meanwhile, one of the defendants is reported to be sick in prison. In this update we also bring you further information on the illegal aspects of the conviction of one of the accused.**

#### **CASE DETAILS:**

The eight accused, who had been involved in the Shan State Advisory Expert Group working for the end to civil conflict in the northeast of Burma--including Hkun Htun Oo and Sai Nyunt Lwin of the Shan National League for Democracy (a registered political party)--are appealing their convictions by a tribunal without legal jurisdiction, on inapplicable charges, without proper evidence or the right to cross-examine witnesses that had appeared for the prosecution ([UA-017-2007](#); [UP-008-2007](#)). The Supreme Court is now due to hear their special appeal on February 22, rather than February 8 as originally scheduled.

Meanwhile, it has been reported that a number of the accused are seriously ill. Among them, U Htun Nyo (57), who is housed at Buthihtaung Prison in Arakan State (western Burma) is said to be in the worst condition. According to an interview with a colleague broadcast on the Voice of America Burmese service on February 3, his left arm has gone numb and he is feeling pain in his chest. A doctor who checked him said he is suffering heart disease and that he had been taking the wrong medicine, which was brought from outside as there is nothing in the jail.

Among the others, Hkun Htun Oo (63), who is in Putao Prison, Kachin State (northern Burma) is also suffering from haemorrhoids, gout, dysentery, fever, breathing difficulty and possibly urinary infection and cataracts, according to family members who have visited. Also, Nyi Nyi Moe (36) has haemorrhoids, Sai Hla Aung (61) has an ear infection, Sai Nyunt Lwin (52) has blood pressure problems and Sai Myo Win Htun (42) is suffering from some minor ailments and weakness.

One of the men, U Myint Than, is already reported to have died in custody on 2 May 2006. The detainees have been kept in jail now for two years, since 9 February 2005. They have reportedly all been denied permission to get medical treatment outside the prisons where they are being held, despite requests from their families. Each has been held in a different facility from the others.

It is common for detainees in prisons in Burma to contract illnesses while in detention and due to inadequate medical attention many older prisoners or those with prior conditions die as a result. In December 2005 the International Committee of the Red Cross was ordered to halt its visits to prisons in Burma, and in November 2006 it was forced to close its field offices "effectively making it impossible for the organization to carry out most of its assistance and protection work" (see ICRC press release [here](#)).

#### **FURTHER DETAILS ON CASE OF U HSO TEN:**

In addition to the details of the case that the AHRC reported in the original appeal and previous update, it has obtained further detailed information on the wrongful conviction of U Hso Ten, president of the Shan State Peace Council and chairman of the Shan State Army, which had entered a ceasefire with the government in 1989. Hso Ten was convicted for a period of over 100 years, including on allegations of being involved in the illegal timber business on the border of China. However, close scrutiny of the court records of his conviction on this count, as in other charges, reveals many flaws, including a lack of evidence and denial of the right to present defence witnesses (by giving them insufficient time to reach the courthouse). Also, there were many procedural errors in the arrest and conviction, including that the charges related to a licenced business, that the accused had already been in jail for five months before an order was issued for his arrest on these charges, and that exactly the same proceedings and testimonies were used to convict him under two separate charges.

**9. U.N. GROUP TO EXAMINE CASE OF SEVEN DETAINEES**  
**-- AHRC Press Release, 1 March 2007, [AHRC-PL-009-2007](#)**

The Asian Human Rights Commission (AHRC) on Thursday sent a detailed report on the illegal and arbitrary detention of seven persons in Burma to a United Nations specialist group.

The Hong Kong-based regional organisation submitted the 22-page document to the UN Working Group on Arbitrary Detention on the case of Hkun Htun Oo and six others who were convicted of treason in 2005.

"We have issued a number of appeals on the case detailing the many legal and procedural flaws during the arrest, trial and conviction of the original nine accused," Kim Soo A, urgent appeals coordinator of the AHRC, said.

"They were arrested without warrants, denied access to lawyers, tried at a special tribunal without jurisdiction under inapplicable laws on multiple charges concerning the same alleged offences, and given insufficient opportunities to present witnesses or cross-examine those for the prosecution," she said.

"The working group contacted us and asked that we submit further documentation on the seven men still in detention, which we have done today," Kim said.

"We look forward to its intervention," she added.

Of the two other accused, one died in custody during 2005 while the other appeared as a state witness and was released.

The seven still in prison were sentenced to between 75 and 106 years for their supposed roles in forming an anti-government organisation, which they claim was a body aimed at bringing peace to northeastern Shan state, which borders China, Laos and Thailand.

The region has been plagued by years of civil conflict and remains home to one armed group still at war with the government, alongside numerous ceasefire groups and militias.

Three of the seven are members of the Shan National League for Democracy, a registered political party that was chaired by Hkun Htun Oo.

In its 2006 country report, the AHRC referred to Burma's courts and law-enforcement agencies as a "system of injustice", and said that its judges share responsibility with its generals for "the demoralised state the country is in today".

The report is available on line, at: <http://material.ahrchk.net/hrreport/2006/Burma2006.pdf>

**10. BURMA: DEGRADED & COMPROMISED JUDICIARY & A SYSTEM OF INJUSTICE**  
**-- AHRC Human Rights Report 2006 (Part II)**



In September, the UN Special Rapporteur on human rights in Myanmar (Burma) reported to the new UN Human Rights Council on the country that

“The capacity of law enforcement institutions and the independence and impartiality of the judiciary have been hampered by sustained practices of impunity. I am also very concerned by the continued misuse of the legal system, which denies the rule of law and represents a major obstacle for securing the effective and meaningful exercise of fundamental freedoms by citizens.

“Grave human rights violations are indulged not only with impunity but authorized by the sanction of laws. In that respect, I consider especially as a matter of grave concern the criminalization of the exercise of fundamental freedoms by political opponents, human rights defenders and victims of human rights abuses.”

Apart from the cases of violent crime documented by the AHRC that speak to the degraded and complicit nature of the judicial system in Burma, there are numerous other persons who have attempted to complain or assert basic economic or civil rights and have instead found themselves on the receiving end of sanctions.

Among them, one of the most celebrated is Ma Su Su Nwe, who was the first person to succeed in a complaint that government officers had forced her and fellow villagers to labour on a government project without pay. She was subsequently herself charged and jailed for defamation. Predictably, her appeals for release--including to the Supreme Court--were rejected. However, she was freed on “health grounds” in June after strong interventions by the International Labour Organisation (ILO), which threatened legal action against the government and its removal from the world body if she and a number of other prisoners jailed for complaining about forced labour were not released. She has since continued to struggle to defend human rights, and in September was rightly given the 2006 John Humphrey Freedom Award, named after the Canadian drafter of the Universal Declaration of Human Rights.



*Ma Su Su Nwe (Source: PDC)*



*U Aye Myint*

Another person released after the same heavy intervention of the ILO was human rights lawyer U Aye Myint. The lawyer was released in July after the ILO had given until the end of the month before proceeding with international legal action against the government. His appeal was pending in the Supreme Court at the time of his release. Aye Myint had served 11 months of a seven year sentence for helping a group of farmers to lodge a complaint with the ILO in June 2005 over unfair allocation of pastureland for their cattle. Upon his release, he said that he would continue to take up rights-related cases, but his legal capacity to appear in court remained clouded as his licence to practice law had been revoked.

However, there are many other lesser-known cases that speak to the same level of bravery and determination by villagers and local persons who have suffered needlessly as a result of making

legitimate complaints about arbitrary and illegal state actions. They include the following.

1. U Tin Nyein has been imprisoned throughout 2006 for having complained that local authorities negligently destroyed his crops in August 2005. He was jailed through the familiar tactic of a counter-complaint from the concerned authorities, to the effect that they had been defamed. A petition against that complaint from Tin Nyein was thrown out of the Bogalay Sub-township Court without a hearing. In a second petition to the divisional court a lawyer successfully argued that the case against Tin Nyein was procedurally invalid; however, instead of ordering his release, that court instructed the township authorities to devise a new case under different provisions: an instruction without any legal validity. Notwithstanding, Tin Nyein was convicted on the grounds of causing a breach of the peace and upsetting public tranquility. Again, the conviction under these provisions was without any basis whatsoever in domestic law. The fact that Tin Nyein had seven other farmers back his claims that his land was damaged and that the authorities never contested this argument, did not make an impression upon the judge.

**[NB: In January 2007 U Tin Nyein won his appeal and was released by the Supreme Court: see [UP-018-2007](#)]**



*U Tin Nyein*  
(Source: Yoma 3)

2. U Aye Min and U Win Nyunt also remain imprisoned for having made a complaint in 2005 about illegal money collections by the village authorities, which was validated by the township administrative authorities but overturned by the district administrative authorities. They too were convicted for defamation. The fact both that they were supported in their allegations by affidavits from some 28 other farmers and that local officials spoke in their defence was apparently irrelevant to the judge.



*U Tin Kyi*  
(Source: Yoma 3)

3. Farmer U Tin Kyi was sentenced to four months' jail in August for having allegedly resisted efforts to turn land neighbouring his property into a plantation under a government scheme. Sixty-five-year-old Tin Kyi, of Kyaung Gone in the western delta region, had supposedly threatened and abused a group of workers on the site. He was sued by the council chairman and found guilty despite the admission by the chairman in court that the allegation was mere hearsay and there was no evidence against the farmer. The trial was completed and verdict read within the same day, suggesting that the judgment was prepared in advance. The land is reportedly being taken over by the son of a senior military officer, and further charges are being prepared against Tin Kyi and other farmers in the area.

4. Ko Win Ko and Phyo Zaw Latt were arrested at a train station in October after they were found in possession of signatures for a nationwide petition calling for the release of five former student leaders arrested and kept incommunicado since September. The campaign was launched by colleagues of the arrested persons, and reportedly had attracted over half a million signatures from around the country: the two men had collected around 400 signatures from villagers in their area. None of the arrest, detention or trial procedures used against them were legal under either domestic or international law. The two were falsely charged and imprisoned for 14 years: Ko Win Ko for allegedly having an illegal lottery stub in his possession; and later both he and Phyo Zaw Latt on ordinary criminal offences of deceit and forgery, after Phyo Zaw Latt had already been released on a good behaviour bond. The date of Ko Win Ko's hearing was changed suddenly, apparently in order to deny him



*Phyo Zaw Latt*  
(Source: Yoma 3)



an opportunity to be represented by a lawyer. The two were moved to at least five different places of detention in the first month, apparently also to deny them access to lawyers and family members. Phyo Zaw Latt's 58-year-old mother died from grief after hearing of her son's incarceration.

Unfortunately, none of these persons are able to be visited in prison by the International Committee of the Red Cross as the group has been blocked from visiting prisoners since December 2005. In October the government also ordered five of its field offices to close, apparently without explanation.

While it is widely accepted that Burma's courts are subject to the dictates of its armed forces in cases freighted with political importance, what has not yet been studied properly is the extent of their compliance in virtually all cases where a private citizen stands against a state agent, of whatever rank, in whatever matter, and the consequences of this. Tin Nyein was first sued by a lowly member of the local waterworks team. When his case failed, it was taken up by the neighbourhood police chief. In the same township, in December 2005 U Aye Win and U Win Nyunt were jailed for reporting extortion by junior administrators. Although the local authorities disciplined the accused, a higher office ordered that the villagers be prosecuted, again for giving false information. Last August, U Aung Pe was handed three years jail by a court ostensibly for giving "illegal tuition", due to grudges held against him by local officials. His subsequent appeals have been thrown out without hearing. All of these cases, among many others, speak to the disgraceful condition of Burma's judiciary.



*Ko Win Ko  
(Source: Yoma 3)*

The effective and independent functioning of Burma's courts has been steadily eroded for decades. The assumption of power by General Ne Win in 1962 inevitably ended the possibility of the courts operating impartially. In 1974 they were dealt a death blow, when the new constitution literally merged the country's judicial and legislative arms. Under its article 95, the senior-most judges were chosen from among the members of parliament. They in turn appointed other judges down through the hierarchy: most were handpicked from the socialist party. The first and foremost principle upon which they worked was "to protect and safeguard the Socialist system". Their powers and duties were dictated by the government, and at each level they were answerable to local councils, just as the entire system was ultimately answerable to the executive, itself answerable to Ne Win.

The regime that brought in the 1974 constitution--together with the constitution itself--is long gone, but its mutilated legal system remains. In fact, Burma's judiciary is today a far more degraded creature than it was a decade or two ago. Like other state agencies, the courts and law offices are staffed by persons who at best are untalented and disinterested, and at worst incompetent and ignorant. Constant meddling and interference from authorities, coupled with rampant corruption, have ruined judicial institutions and personnel. To win a private dispute is a matter of paying enough money. To win a dispute with the state is all but impossible.

However, the government of Burma seeks to maintain the pretence of legality, which can mislead observers into thinking that a partly-functioning system still exists. Detained political opponents and parties have cases constructed against them. Bizarre stories of complicated conspiracies are told in press conferences to incredulous but obliging journalists as a means to justify their detention.

In a speech during April, a retired UK lord of appeal, Lord Steyn, offered pertinent examples of how authoritarian governments consistently seek to maintain a veneer of legality:

"In Nazi Germany defendants sentenced to periods of imprisonment before the Second World War were left alone during the terms of their sentences. Only when their sentences expired did the Gestapo wait for them at the gates of the prisons and transport them to the death camps. So even in Nazi Germany an impoverished concept of legality played some role...

"In the apartheid era millions of black people in South Africa were subjected to institutionalised tyranny and cruelty in the richest and most developed country in Africa. What is not always

sufficiently appreciated is that by and large the Nationalist Government achieved its oppressive purposes by a scrupulous observance of legality. If the judges applied the oppressive laws, the Nationalist Government attained all it set out to do. That is, however, not the whole picture. In the 1980s during successive emergencies, under Chief Justice Rabie, almost every case before the highest court was heard by a so called 'emergency team' which in the result decided nearly every case in favour of the government. Safe hands were the motto. In the result the highest court determinedly recast South African jurisprudence so as to grant the greatest possible latitude to the executive to act outside conventional legal controls.

"Another example is Chile. Following the coup d'etat in September 1973, thousands were arrested, tortured and murdered on the orders of General Pinochet. The civilised and constitutionally based legal system of that country had not been formally altered. It was not necessary to do so. The police state created by General Pinochet intimidated and compromised the judiciary and deprived citizens and residents of all meaningful redress to law...

"Here I pause to summarise why I regard these examples of some of the great tyrannies of the twentieth century as containing important lessons. They demonstrate that majority rule by itself, and legality on its own, are insufficient to guarantee a civil and just society. Even totalitarian states mostly act according to the laws of their countries. They demonstrate the dangers of uncontrolled executive power. They also show how it is impossible to maintain true judicial independence in the contaminated moral environment of an authoritarian state."

Steyn's insightful comments are equally applicable to Burma, as they are to Cambodia, Singapore and other jurisdictions in Asia. In each of these too, safe hands is the motto. And the demoralising effect on society of courts willing to do the bidding of these authoritarian governments is far worse than that caused by other institutions. The police or military may breed resentment and spread fear when they assault an innocent person, but it comes as little surprise that police and soldiers are violent. The courts and related institutions exist to monitor and punish their excesses and abuses. They are essential weapons in the struggle against brutality and oppression. If the courts instead serve as tools for the agents of brutality and oppression, then this has a terrible draining effect on national spirit. Over a prolonged period--in Burma's case, some four decades--the effects may be all but irreversible. They feed into and deepen the contaminated environment to which Steyn rightly refers.

The government in Burma routinely iterates its intentions to build a modern and developed state, but without functioning courts where persons with legitimate grievances can bring complaints, this is an absurd notion. It is a commercial impossibility, as investors will not commit to a place where the courts are the playthings of executive councils, which are in turn the playthings of military officers. It is also, most importantly, a psychological impossibility, as the lack of positive thinking among people in Burma is directly linked to its debased courts. If a farmer cannot make a complaint that his crops are awash because of incompetent local officials without risking jail, irrespective of other factors, how can any progress be expected? Who will wish to repeat his experiences? Where else can they turn? What else can be done? When even natural disasters--such as the cyclone that ripped through the country's central coastline at the end of April--can be denied or diminished, how can a society properly address anything other than the most trivial and juvenile concerns? How can its courts do any more?

Burma's judges are as culpable as its generals for the demoralised state of the country today. But while no one looks to the latter for relief, even in their perverted and reduced form, the former are still sought out by persons with some hope for redress. Rarely do they give any cause for hope. Yet rarely too are they the subject of sustained criticism or sanction by persons and institutions concerned with human rights in Burma.

## **Conclusion**

While it is attractive to describe and reduce the situation in Burma in terms of some romantic notions about democracy advocates versus military autocrats, the day-to-day lives of most people in the country are not touched either by political activists or army personnel. For most people, the state in Burma exists in the form of petty bureaucrats (at the lowest level, ten-household heads), police, teachers and others who depend upon the state apparatus for their livelihoods. As this state apparatus offers them little directly, they use its institutions and their positions in it for their own purposes. In fact, this is a description not only of localised state institutions in Burma but of

the bureaucracies and law enforcement agencies in most countries throughout Asia. Whether or not there exists the appearance of a functional democracy or otherwise, at the local level most continue to operate according to historical systems of patronage and authority. It is therefore necessary to understand and critique the obstacles to human rights and the rule of law in Burma in these terms.

It is also necessary to pay special attention to the judiciary. It is easy to sum-up the judiciary in Burma by saying that it is not independent; it is under state control. This is not enough. It does not get us any closer to an understanding of what is going on in that judiciary. Compromised or not, the judiciary occupies a special place in any system of government as, in principle, a defender of rights. Despite the decrepit condition of the courts in Burma, still there are victims and lawyers arguing human rights cases before them; there are still persons with some hope of a favourable decision in such cases. These demand our continued attention and scrutiny.

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## **11. ABOUT PYITHU HITTAING**

The Pyithu Hittaing e-newsletter is being launched by the Asian Human Rights Commission (AHRC) to open serious discussion on the links between rule of law issues and human rights in Burma. While Burma has been described as under the "un-rule of law", this has not been explored in any detail. Much of the talk about human rights in Burma is restricted to references to its military regime, political prisoners, and the worst cases of abuse that persistently occur at the hands of troops operating in remote areas of the country. It is not gone deeply into the experiences of most ordinary people in the country who are daily obliged to deal with powerful local police, administrators and courts.

There are many things that are obvious to most people in Burma that have not yet been discussed directly. For instance, how is it that people who are beaten up by the police are the ones to be prosecuted? How can judges convict persons under ordinary criminal laws on grounds that have nothing to do with those laws? What are the effects on society when all attempts to lodge a complaint of abuse through the courts are unsuccessful? What happens when an administration system is staffed for generations with incompetents, and its foundations eroded by militarisation and patronage?

Each edition of Pyithu Hittaing will concentrate on and explore one or two relevant cases and incorporate some wider analysis on human rights and the rule of law in both Burma and Asia. It will do this in a straightforward way. Readers are especially encouraged to write non-technical articles on practical problems of the rule of law and human rights for Pyithu Hittaing. You may also send copies of the e-newsletter to others.

This first edition of Pyithu Hittaing is being sent to the entire AHRC mailing list. Subsequently it will go only to the Burma mailing list. If you wish to receive it but are not on the mailing list, you can

1. Go to the AHRC subscription page (<http://www.ahrchk.net/phplist/lists/?p=subscribe&id=16>), enter your email and put a tick in the box next to Country List - Burma.
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