



Suu Kyi's National League for Democracy must choose between expelling its leader and abandoning political principles or legally ceasing to exist.

May 7 is the deadline for Burma's main opposition party, the National League for Democracy (NLD), to finally decide whether it will continue to exist as a legal party after twenty years of unsuccessful struggle against the military dictatorship.

"We have to expel our own leader from the party or face dissolution of the party after May 7," said Nyan Win, who is both party spokesman and the lawyer representing detained party leader, Aung San Suu Kyi.

"Our party is facing a great dilemma," he said.

The regime announced the enactment of its election laws on March 8. Within 60 days from the announcement date, the NLD and other currently legal parties have to apply for registration to the election commission. If they fail to do so, they will automatically cease to exist as legal entities.

The party would also have to expel Suu Kyi if it decides to register at the election commission

because political parties are prohibited from having a prisoner as a party member, according to the election law revealed on Wednesday.

Suu Kyi is serving an 18-month term of house arrest, reduced from an original sentence of three years' hard labor for briefly sheltering an American citizen in August, 2009. With her sentence due to expire in November, Suu Kyi cannot be a member of any political party if she is not released before May 7.

“If our party registers, this would mean that we have to cancel our call for a review of the regime's Constitution and at the same time expel our leader,” Nyan Win said. “ If we don't, the party will cease to exist.”

Nyaw Win said that the party would try to convene a meeting between Suu Kyi and members of the party's Central Executive Committee. “We will approach the government to allow that to happen.”

Not only is Suu Kyi not allowed to be a member of a political party member, she is also not allowed to lead any political party if the polls are held before her release from detention, according to the party registration law.

Chapter II, Article 4 (e) of the Political Parties Registration Law specifies: “A person convicted by a court and currently serving a jail term or the person in the process of a legal pursuit against the jail term for a review of it at a court are not eligible to found a political party.”

Burma's highest court last month rejected Suu Kyi's appeal against her continued detention. Nyan Win said they will try to exhaust all legal efforts appealing against the sentence.

While the election laws are meticulously framed to exclude Suu Kyi from participating in the polls, Suu Kyi herself has yet to make her position on the election clear.

On Wednesday, the Burmese state-run newspapers carried comments by the regime's prime minister, Gen. Thein Sein, who alluded to Suu Kyi at a meeting in Shan State on Tuesday, saying: "No Burmese citizen could be a stooge or an agent of an alien nation in disguise of a Myanmar [Burmese]."

Thein Sein's remarks were carried in state-run newspapers under banner headlines on Wednesday. He made similar remarks last month that were also highlighted by the state-run newspapers.

The military-drafted 2008 Constitution already bars Suu Kyi from holding the offices of President or Vice President since its provisions state that anyone whose spouse or children are citizens of a foreign country are not eligible to hold these positions. Suu Kyi was married to a British national and her two sons living in the United Kingdom hold British citizenship.

The junta election laws have been crafted to make sure that all political prisoners, including Suu Kyi, the 88 Generation students leaders and Khun Htun Oo, the leader of Shan Nationalities League for Democracy (SNLD), which won the most seats in the 1990 election after the NLD, will be excluded from Burma's election.

Even if the NLD and SNLD decide to expel their leaders and register at the election commission before May 7 to avoid dissolution, according to the new party registration law, they face a further threat of dissolution if they decide not to participate in the election expected to be held in October.