

The demise of Burma's National League for Democracy as a legal entity is a victory for State violence against the country's peaceful movements for democracy.

The demise of Burma's National League for Democracy (NLD) as a legal entity marks the end of a non-violent democratic struggle consistently waged by the party over the past 22 years.

It is also a sign that state violence in Burma has won its battle over the non-violent movements for democracy.

This ironic reality is not only a great loss for the Burmese people, but also a challenge to a world that is now unequivocally manifesting its intolerance of any violence toward human society.

Over the past 20 years, the Burmese military regime has proved itself guilty of everything that any civilized society normally accepts as crimes: extra-judiciary mass killings, torture in military and police detention centers, the use of human beings to locate mines, the destruction of livelihoods and forced relocation, particularly in ethnic areas, and the use of rape as a weapon against ethnic nationalities.

Although these crimes have been well documented by international organizations, including the United Nations Human Rights Council, the regime has used its own justice system to defend its claim that they are all in accord with Burmese laws.

The international community has failed to prevent the regime's continuing state-sponsored violence against its own people, including non-violent political activists.

Three mass killings in the past 20 years were particularly shocking. The first and most brutal of these was the suppression of popular pro-democratic uprisings in 1988, in which 3,000 protesters died.

Foreign embassies in Rangoon witnessed the bloody events and one incident occurred directly in front of the US embassy building.

The second mass killing is known as the Depayin massacre, in which Aung San Suu Kyi narrowly escaped an assassination attempt when her motorcade in upper Burma was attacked by members of the pro-regime Union Solidarity and Development Association (USDA) and its militia, the Swan Arr Shin group. At least 100 of her supporters were killed in the attack.

The third mass killing was the brutal crackdown on the Buddhist monk-led demonstrations in 2007, when dozens of peaceful demonstrators died and hundreds were arrested and later imprisoned.

Unlike public demonstrations in other countries, including neighboring Thailand, the 2007 demonstrations in Burma, which became known as the “Saffron Revolution,” were peaceful and totally non-violent.

None of these violent actions by the Burmese regime has resulted in legal action against the perpetrators, either domestically or internationally.

Internationally, reactions to the state-violence in Burma are too politically motivated, leading to actions such as restrictions on the movements of the regime's senior members outside the country, arms embargoes and economic sanctions, which all have been proved to be failures.

No effort has been made to employ any international legal mechanism to punish those guilty of the extra-judiciary killings and massive human rights violations.

Instead, excusing the failure of their strategies, the western countries, particularly the US, are searching for ways of engagement with the regime while maintaining the sanctions. Again, the new approach has been ignored by the regime.

Currently, a US delegation led by Kurt Campbell, the US Assistant Secretary of State for East Asia and Pacific Affairs, is meeting the regime in Naypyidaw to discuss this new approach.

Ironically, the only recent “progress” that can be reported by the regime is the demise of Suu Kyi's NLD because of the unjust election laws.

Efforts by the UN to broker national reconciliation and the restoration of democracy in Burma have been effectively crippled.

In view of the setbacks for the non-violent movement in Burma, the US and the international community should review their policies on Burma and seek this time how legal action can be taken against the regime through international justice frameworks.