

9 MAY 19 P 3:00

SENATE
P. S. R. No. 1078

RECEIVED BY: 

Introduced by Senator Miriam Defensor Santiago

RESOLUTION
EXPRESSING THE SENSE OF THE SENATE TO CONDEMN THE CRIMINAL
CHARGES BROUGHT BY THE MYANMAR GOVERNMENT AGAINST AUNG
SAN SUU KYI FOR ALLEGEDLY VIOLATING HER HOUSE ARREST

WHEREAS, the Universal Declaration of Human Rights (UDHR), Article 9, provides that: "No one shall be subjected to arbitrary arrest, detention or exile";

WHEREAS, the International Covenant on Civil and Political Rights (ICCPR), Article 9, Section 1 states: "Everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention. No one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law";

WHEREAS, the Philippines, as a member of the United Nations (UN), and signatory to the UDHR and ICCPR, upholds fundamental human rights, the dignity and worth of the human person, and the equal rights of men and women;

WHEREAS, all member states of the UN have an obligation to promote and protect human rights and fundamental freedoms as stated in the UN Charter, and as elaborated in the UDHR, the ICCPR, and other applicable human rights instruments;

WHEREAS, various media reported that Myanmar authorities charged detained opposition leader Aung San Suu Kyi and her two maids with breaching the conditions of Suu Kyi's house arrest, after they caught John Yettaw, an American citizen, staying at her off-limits residence;

WHEREAS, it was reported that Yettaw swam across the lake located near Suu Kyi's residence, and stayed with her for two days before he was caught by Myanmar officials;

WHEREAS, according to Myanmar officials, Suu Kyi allegedly violated Section 22 of Myanmar's Law Safeguarding the State from the Dangers of Subversive Elements; she will be tried on 18 May 2009 at the Insein prison;

WHEREAS, it was also reported that the Philippine government, through Foreign Secretary Alberto Romulo, has expressed its outrage over what it called the "trumped-up" charges against Suu Kyi;

WHEREAS, Romulo exhorted the Myanmar government to carry out its long overdue "Roadmap for Democracy," which is its avowed program of releasing political detainees;

WHEREAS, it was reported that if Aung San Suu Kyi is convicted, she will most likely be in prison when the upcoming Myanmar elections take place;

WHEREAS, on 2 March 2005, Sen. Miriam Defensor Santiago sponsored Senate Resolution No. 191, expressing the sense of the Senate that Burma should not assume the chairmanship of ASEAN in 2006 unless there has been compliance with the principles of human rights law, particularly those which necessitate the freedom from house arrest of Aung San Suu Kyi and participation of her political party in the political process in Burma;

WHEREAS, the basis of filing the resolution was the UDHR, which is deemed to be the moral standard of the international community;

WHEREAS, the Senate adopted the resolution by a unanimous vote on 18 April 2009; *as*

WHEREAS, until now, Myanmar refuses to comply with Article 9 of the UDHR, by continuing to hold Aung San Suu Kyi under house arrest;

WHEREAS, Aung San Suu Kyi's arrest and detention are in violation of the UDHR, ICCPR, and Myanmar's "Roadmap for Democracy" program;

WHEREFORE, let it be expressed as the sense of the Senate to condemn the criminal charges brought by the Myanmar government against Aung San Suu Kyi for allegedly violating her house arrest.

Adopted,


MIRIAM DEFENSOR SANTIAGO

/mat