National League for Democracy  
No: (97/b) West Shwegondine Road  
Bahan, Rangoon

STATEMENT 87 (10/98)

Contents of the letter dated 14 October 1998 from the Chairman of the National League for Democracy to the Chairman of the State Peace and Development Council are reproduced below for information.

(f) Subject- Violations of law

1. The State Law and Order Restoration Council (now the State Peace and Development Council) which proclaimed that it would "restore law and order and peace and tranquillity to the country" has been and is violating Section 503 of the Penal Code which provides that "A person is guilty of criminal intimidation if he threatens to cause harm to the body or the character or property of another person or harm to the body, character of property of any other person in whom that person has an interest in order that the person so threatened perform or act as directed, or perform an act forbidden by law to avoid the threat against him from being carried out".

2. Instances of such violations are (a) The parliamentarians-elect of the NLD and other political parties, members of the NLD organising committees, and other ordinary members have been illegally arrested and imprisoned. But the facts have been distorted by the military strategic department for international consumption and they have published that "a great number of NLD members have been invited to the government guest house to give their views as to how parliament can be convened without a constitution and to present them with the government's position on the matter". Please refer to our Statement 71(9/98) dated 23 September 1998.

(b) The truth is that this is a manoeuvre with criminal intent and by use of criminal intimidation to abrogate the authority given voluntarily and freely by the NLD members and parliamentarians-elect to the Central Executive Committee to represent them and to act on their behalf. Our information is that those individuals of the NLD who have refused to be intimidated are now being dispatched to the Insein jail.

3. Signatures, statements or letters from some NLD members (invitees) indicating that they revoke their power of attorney, or that they resign from their positions as parliamentarians-elect, or that they will not be attending the
parliament that will be convened by the NLD have been obtained under duress by the authorities and if these are published or if reference is made to them in any publication, they will be tainted and the military intelligence service that is acting on behalf of the government will be held liable to prosecution for criminal intimidation which is punishable by 2 years imprisonment, or with fine or with both under the existing law.

4. Since the 27 May 1998, NLD parliamentarians-elect and members have been forced to sign bonds restricting their movements under 1961 Habitual Criminal Offenders Act Section 5(1). This is an outright affront to their reputation and insult to their esteemed positions in society. But it has cast a greater slur on the reputation of the authorities who have exceeded the limits of their jurisdiction in the enforcement of their illegal activities.

5. Those who have resisted the authorities by refusing to sign documents presented to them have had to face illegal action under the 1950 Emergency Provisions Law Section 5(a). Because they will not act as directed by the authorities, they now face imprisonment.

6. As mentioned above, it is clear that the authorities have contravened the provisions of the Penal Code. Obtaining consent through "criminal intimidation", "force", "duress", "illegal use of authorities", "false representation", "representation", "mistake" are ingredients that cause consent to be void. We wish to inform you that consent given without the free will of the person is no consent at all. Moreover, using every devise to make parliamentarians resign from their positions is illegal. Only when parliament is convened, a parliamentarian can present his letter of resignation to the Speaker of House and his resignation has to be approved by the House." END

The Central Executive Committee
National League for Democracy
Rangoon
15 October 1998