National League for Democracy
No: (97/B), West Shwegondine
Bahan Township, Rangoon

Statement 106 (11/98)

Contents of letter dated 12 November 1998 from the Chairman of the National League for Democracy to the Chairman of the State Peace and Development Council relating to "illegal closing down of NLD township branches" are herewith published and distributed.

(BEGINNING) "1. The National League for Democracy is a legally constituted and registered national political party that is operating legitimately under the provisions of law promulgated by the State Law and Order Restoration Council (presently the State Peace and Development Council). The League includes all the organising bodies of the Central, States, Divisions, Townships, Wards and the groups designated by the Central Body for specific projects.

2. The legitimately constituted bodies in the townships are now being destroyed and obliterated by the military intelligence units through the use of force and illegal tactics such as:-
(a) The sovereign power which resides in the people according to democratic principles has been through free and fair elections transferred and vested in their elected representatives who are members of the NLD. However, the military intelligence units are presently illegally arresting and holding in their custody those elected representatives who have not in any way violated any provision of law. Most of these elected parliamentarians have the added responsibility of action as either chairman or secretary of the organising committees in the townships. They are unable to fulfil their obligations and duties as such because they have been illegally held in detention and the blame must be placed squarely on the military intelligence personnel.
(b) Almost all of the members of the organising committees in the States, Divisions, Townships, wards and villages have been taken into custody illegally for no reason. Therefore no legitimate activities can be carried out in the townships. The blame for this lies with the military intelligence units.
(c) In some cases, military intelligence personnel have released some members of organising committees and through intimidation, torture, mental and physical persecution forced the closure of the branches have been voluntarily closed down. The publications relating to these closures are identical in form and matter except for the particulars regarding the address, department and population which is proof of their dishonesty and mala fide conduct.

3. The above mentioned activities of the authorities is totally illegal and a contradiction to the "rule of law" which is being publicly proclaimed. It is conduct that never should be practised."
4. The State Law and Order Restoration Council (now the State Peace and Development Council) promulgated the Political Parties Registration Law on 27-9-89 and it is incumbent that the provision of this law be adhered to by the law makers themselves otherwise what merit is there. All, monks and laymen alike must respect the law. Law makers should not be law breakers.

5. Section 3 of the said law clearly states that registration will be void if there is a contravention of the rules made under the provisions of this law. The National League for Democracy has not contravened any of the rules and to this date holds the position of a legally constituted political party operating for democracy and human rights. Moreover, the people voted resoundingly for NLD candidates in the multiparty elections in 1990 which makes the NLD the people's party.

6. The destruction of the branches of the NLD in the present manner by military intelligence units is extremely ultra vires (beyond legal authority or right). Defenceless members of township organising committees are bullied and coerced into closing down the branches. It is unjust, autocratic and the most abusive use of power.

7. Apart from closing down these branches, the properties belonging to the NLD such as signboard, seals, books and papers have been confiscated and deposited with the branch organisation under the multiparty elections commission. They have no right to take over the said properties. With regard to this issue, the NLD will be taking legal appropriate action. Branches of the NLD do not have the authority to close down on their own volition. These closure and extinguishment is not recognised or acceptable to the central body. It is altogether repudiated. Repeat-altogether repudiated. Therefore, as far as we are concerned they still exit legally.

8. Despite the tribulations and obstacles that are being put in the path of attaining this honourable goal of democracy and human rights for the country, the NLD persistently strives on. We strongly object and denounce the military intelligence units that are forcefully destroying the branches of the organisation. We urge you to immediately stop the said activities of those persons in authority.

9. The illegal activities of the Military Intelligence causing unjustifiable closures of branches by force, intimidation and unlawful pressures are publicised in the state-controlled press, journals radio and TV. We urge you to give us equal time and space to express our point of view by publishing this letter.

10. The activities of the authorities amounts to inscribing a very dark blotch in the pages of our national political history which their
children and our children will witness in relation to the development of democracy and our national political affairs " (END)

Today, at this stage, all those who are poor and powerless are suffering at the hands of those who have usurped power and are clinging to it. They are being lied to and deceived, persecuted and used as hostages. They suffer in silence. They can not retaliate.

We declare that the responsibility to abolish all that is happening today lies heavily on us, the National League for Democracy.

Central Executive Committee
National League for Democracy

Rangoon
13 November 1998.