

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

Statement 39 (3/00) (translation)

1. The Chauk township office of the General Elections Commissioner issued orders to the NLD branch office at Chauk township, Magwe Division to hand over all properties including the signboard, flag, papers and close down by 12 noon of the 31 March 2000 because it could no longer remain as such. This is an entirely illegal order.
2. U Aye, U Lun Maung, U Aung Thein Myint and Daw Win Myint are four of the NLD members of the township branch who right up to the 26 March 2000 have never by work of mouth or letter indicated their resignation from the party. They have not sent anything in writing to the Elections Commission at Chauk to this effect. In response to our queries, they have said that there has been no desire to resign for any reason whatsoever and have categorically given the assurance that they intend to perform their duties as an organising committee of the NLD. Therefore it is false to say that the above four persons have resigned. There are 8 members actively working for the NLD in the Chauk township organising committee today.
3. There are no stipulations on the above matters in the laws relating to Political Parties, or the Multiparty General Elections Law or the Political Parties Registration Law. No number has been prescribed for the dissolution of an organisation.
4. The Directive given by the authorities on the 26 March 2000 are mere Directions. Rules, Regulations, Orders and Directions made under certain specific laws, must adhere to the essence of the original law. Directions come last in importance. Directions cannot override the essence of the original law. If they contain matters that are contrary or outside the purview or deviate from the provisions of the original law, they cannot have the force of law. The original law takes precedence.
5. Moreover, the Central Commission in its Order 245 has clearly enunciated that "The Elections Commission is only concerned with the elections. Internal affairs of the party, its membership, its chairman, its president are matters to be dealt with by the party". The commission has no right to interfere in these matters.
6. Therefore we strongly condemn the Township, District, and Division Multiparty Elections Commission for ordering the Chauk NLD Organising Committee to close its office and hand over its signboard, flag and papers. Should the authorities intimidate and illegal use certain individuals to deliberately destroy the property of the NLD we give clear warning that they will be held responsible.

Central Executive Committee
National League for Democracy

Rangoon
31 March 2000

