

National League for Democracy
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(Unofficial Translation)

Regarding democracy, our national leader, architect of independence and father of the military (Tatmataw) General Aung San said the following in the Preliminary Preparation Conference of the Anti-Fascist People's Freedom League (AFPFL) on 19 May 1947.

“Democracy can be achieved with a government elected by the people and works for the benefit of the people. The opposite could not be called a democracy, it would be a sham. The content of a state constitution based on democracy should empower the people to be the real authority of the country, by giving administrative power, power of the Government, from the bottom to the top, to the representatives elected by the people.”

The National League for Democracy was formed on 27 September 1988, according to the Political Parties Registration Act. We adopted the following principles at our inception.

- (1) To establish a real democratic government that will guarantee the fundamental human rights according to the wishes of the people; and
- (2) To prevent the reemergence of authoritarian and dictatorial politics that oppresses the people.

We found the following from our review of the state constitution (draft), which will be put to a vote in the upcoming referendum.

- (1) In “State Fundamental Principles” it states “for the military (Tatmadaw) to be able to participate in the national political leadership role of the State”
- (2) In “Qualifications of the President and Vice-President”, it states that “The President shall be well acquainted with military affairs”
- (3) In Legislative affairs, military officials nominated by the Commander-in-Chief occupy 25% of seats in the Parliaments at Union level and State and Region levels.
- (4) Members of Parliament who are appointed Union Ministers and Deputy Ministers are required to resign from their elected representative status. However, military officials, who are appointed by the Commander-in-Chief to be Ministers and Deputy Ministers for Defense, Home Affairs and Border Area Affairs, are not required to resign or retire from their military positions.
- (5) It also states that the “President shall obtain a list of nomination of suitable military (Tatmadaw) members from the Commander-in-Chief of Defense Services for ministries of defense, security/ home affairs and border affairs.”
- (6) It also states that the President “shall coordinate with the Commander-in-Chief of Defense Services concerning a member of military (Tatmadaw), Union Minister or Deputy Minister who is to resign or to be removed from office”

(7) Military officials nominated by the Commander-in-Chief are included in all administrative levels, Union, States and Regions, Self-Administered Division and Self-Administered Zones.

(8) The National Defense and Security Council will consist of 11 persons with the Commander-in-Chief controlling a majority vote of six, through his vote and his five appointees on the Council: a Vice-President, Deputy Commander-in-Chief, Minister for Defense, Minister for Home Affairs, and Minister for Border Area Affairs.

(9) This constitution authorizes the military to administer all military affairs itself freely, without oversight.

(10) It also states that all armed forces in the country should be under the supervision of the military (Tatmadaw).

(11) It also authorizes the Commander-in-Chief to hold all sovereign powers in a state of emergency.

(12) It makes it impossible to amend the constitution by saying that the constitution can only be amended by over 75% of total votes of all Members of Parliament and a majority vote in a referendum.

All the facts mentioned above indicate that this constitution was written without meeting the fundamental principle of democracy that “State sovereign power should ascend from the people”. Therefore, the NLD has consistently submitted our position papers, criticizing these undemocratic principles, to the National Convention, which we attended between 1993 and 1995.

Moreover, according to paragraph (20) of the statement 1/90 issued by the ruling authority, the elected representatives from the 1990 elections are solely responsible to write the state constitution. However, this state constitution (draft) was not actually written by the Peoples' Representatives elected by the people.

The State Constitution is the life of the country as it is the most fundamental and highest law of a nation. Therefore, it should guarantee the equal rights to all the people, including ethnic nationalities. Hence, this upcoming referendum will have a very important impact on the benefits of the people now and in the future. We urge the people to seriously consider for themselves and their future generations and vote in the referendum with the clear determination of achieving democracy and human rights. Going to the polling stations and casting their votes is utilizing their rights effectively.

According to the decision made by the Central Executive Committee in the meetings on 20 March 2008 and 24 March 2008

Central Executive Committee
National League for Democracy

Rangoon
April 2 2008