

11. Freedom of Assembly and Association

11.1. Mounting Pressure on Pro-democracy Opposition

During 1997, restrictions on basic rights of assembly and association has intensified. The authorities have restricted unauthorized outdoor assemblies of more than five people. Legal political parties are required to request permission from the authorities to hold internal meetings with their members.

The weekend public gatherings in front of Daw Aung San Suu Kyi's house have been banned since September 1996. The authorities permitted several public gatherings of NLD members and supporter on various occasions with little or much interference. While the authorities allowed the celebrations to take place in Daw Aung San Suu Kyi's compound, police or riot police restricted the size of the gatherings. NLD members and their sympathizers were prevented from attending the gatherings. They are methodically arrested either on their way to such meetings or after attending the gatherings. The NLD held four celebratory gatherings during 1997.

11.1.1. Independence Day Celebration

On January 4, Burmese Independence Day, some 1,000 party members and guests marked the forty-ninth anniversary of Burma's independence at Daw Aung San Suu Kyi's residence. The authorities made no disturbance or harassment to the participants.

11.1.2. Union Day Celebration

However, the SLORC/SPDC permitted the party to hold a ceremony on February 12, 1997, to commemorate the 50th anniversary of Union Day, when the Panglong Agreement was signed by ethnic minorities. Scores of NLD members who had either attempted to make their way to Rangoon to attend the ceremony at Daw Aung San Suu Kyi's compound, or those who had actually attended the event were arrested by the authorities. At least half the guests were prevented from attending the celebration. Some of these people were detained for a short time, for example, a performance group of Pa-O from Thaton township, Mon State were intercepted and detained on their way to the celebration. They were temporarily detained in

Thaton MI compound and released after the Union Day. However, others received prison sentences of up to two years. In the days that followed, thirteen NLD members who had played a prominent role in the celebration were arrested, including Dr. Than Nyein, an NLD organizer. He was released later but his medical license was revoked.

11.1.3. May 27 Election Victory Celebration and NLD Party Conference

On May 21, 1997, the NLD announced that some 50 senior members of their party had been arrested in the run-up to a party meeting on May 27 to celebrate their election victory. Members of parliament-elect and other party members were detained as they made their way from their homes around the country to Rangoon. Other party leaders from outside Rangoon were warned not to attempt to travel to the meeting, although they were apparently not arrested if they complied with the demand. Two hundred MP-elect and 100 party organizers had been invited to the meeting, some of whom managed to arrive at the compound of Daw Aung San Suu Kyi before being arrested. On May 22, 1997, the SLORC/SPDC made a public statement about the arrest, saying: “it is a very obvious political movement by the NLD to create unnecessary problems in the country and also by forcing the government to take strong measures against them so that the anti-government propaganda can be played in their favor.” The next day the SLORC/SPDC denied that arrests had been made.

The meeting took place as scheduled on May 27, although only 10 NLD executive committee members were allowed into Daw Aung San Suu Kyi’s compound. Other NLD members, diplomats and journalists who were invited to the opening ceremony were turned away by a large group of security forces in the area. The authorities also blocked the entrances to the NLD headquarters in Rangoon as well as the homes of senior NLD leaders U Tin Oo and U Kyi Maung. SLORC/SPDC officials claimed that the NLD had not sought permission from them to hold the meeting and was deliberately provoking the arrests. The NLD issued a statement repeating its call for dialogue with the SLORC/SPDC. NLD sources said that in total 316 people, including 50 MPs elect, were detained in advance of the meeting. By June 6, all of those who had been detained were released.

11.1.4. September 27 Ninth Anniversary of NLD Founding and Party Conference

On September 12, 1997, the NLD announced that they would be holding a large party congress on 27-28 September to mark the ninth anniversary of its founding.

The NLD formally applied to the authorities for permission to hold the meeting, which was granted by the Rangoon Division PDC Chairman. The Chairman told the NLD that only 300 participants could attend and that the meeting must be conducted in a “peaceful and orderly manner.” In spite of widespread fear that the SLORC/SPDC would arrest NLD members who attempted to attend the meeting, as they had done on three previous occasions, no arrests were known to have taken place. However, on September 28, some 30 NLD members in the vicinity of Daw Aung San Suu Kyi’s compound, the meeting’s venue, were forced by the 12-shield-carrying riot police, to walk down an industrial road of University Avenue, and were loaded onto a commandeered truck. The 30 detained delegates, including elderly men and three elected MPs, asked authorities to allow one member into the congress to report what was happening, but this was denied. They were driven an hour outside the capital and dropped off at the roadside in groups of two or three to find their own way back. One group of people was dropped at Hlawga, outside Rangoon, second group was at Yeway cemetery, and the third group was at Ywathagyi, Thingangyun township. Several hundred other NLD members were turned away by Military Intelligence personnel and riot police from the gates of the compound. According to sources, there was also a large presence of Union Solidarity Development Association (USDA- a SLORC/SPDC –organized group) members. Nevertheless over 700 people attended the meeting, which Daw Aung San Suu Kyi hailed as the most successful in the NLD’s history. She also thanked the SLORC/SPDC for allowing the meeting to take place. However, this good sign was only temporary, as authorities blocked subsequent meetings.

11.2. Freedom of Association

On September 30, 1988, the SLORC/SPDC issued an Order NO. 6/88 that prohibits the freedom of peaceful assembly, the right to organize and the formation of associations and organizations. Its law, Chapter, dealing with “Associations or organizations that are not allowed to be formed” said: “. . . . The following associations and organizations shall not be allowed to be formed or if they are already formed, they will not be allowed to operate or continue to exist. (A) Associations or organizations that are not allowed to register under the 1988 Political Parties Registration Law or associations or organizations that can be registered, but have had their registration revoked by the Commission for Holding Multi-party General Elections. (B) Associations or organizations that attempt, incite, encourage or assist in undermining the prevalence of law and order, local peace and security, and smooth and secure the operation of transport and communications. (C) Associations or organizations that attempt, incite, encourage or assist in undermining or stopping the operation of state administrative machinery. (D) Association or organizations

composed of members of the state administration machinery -- for example, members of defense operations, such as members of the People's Defense Forces and the People's Police Force, public service organizations, state boards and corporations, or personnel earning a monthly salary from the state, and who accept the influence of a political organization or has contact with a political organizations."

Overview of the Current Situation of Burma's MPs				
Situation of the Members of Parliament (MPs)	National League for Democracy (NLD)	Other Opposition Parties & Independents	National Unity Party (NUP)*	Total
MPs Dismissed by the Election Commission	66	0	0	66
MPs forced to resign from Parliament	46	0	0	46
MPs whose party has been banned	0	48	0	48
MPs whose election win has been overturned	0	3	0	3
MPs in exile	11	9	0	20
MPs currently under detention	42	0	0	42
MPs who have died	16	4	0	20

* SLORC - backed party

Source: ABSDF

11.2.1. Pressure on Daw Aung San Suu Kyi

Access to the compound of Daw Aung San Suu Kyi continues to be extremely limited. Military barricades set up in late 1996 on the road leading to her residence were remained until May 1997. Those few who are allowed to enter are made to register with Military Intelligence personnel at the gate. Army checkpoints remain in place near her residence, which is also the unofficial headquarters of the NLD, and at times of high tension, the barricades reappear. For most of the year, Daw Aung San Suu Kyi is under virtual house arrest, having to ask for permission to leave her home in order to meet local and international media. Her phone line is frequently cut.

11.2.2. Pressure on the NLD

Although the SLORC/SPDC recognizes the main opposition political party, National League for Democracy (NLD), as a legal entity, the political activities of the NLD remain severely restricted. The authorities have continued to harass, defame and detain the members and leadership of the NLD through various means under the assumption that the NLD opposes the objectives of peace, law and order, and reconciliation. Newspapers are used as a way to crush the NLD. The SLORC/SPDC prevents the party from conducting normal day-to-day political activities. The authorities have closed many party offices throughout the country with no apparent legal justification. The authorities have refused to recognize the legal political status of key NLD party leaders, such as its General Secretary Daw Aung San Suu Kyi and the two party co-chairmen, and it severely constrains their activities through security measures and threats.

NLD members, elected members of parliament and supporters have faced harassment and arrest from late 1996 throughout 1997. The authorities in some areas have also continued to force NLD members and elected representatives to constantly report their whereabouts and to seek permission to travel out of town. All had reportedly received threats that if they did not resign, their family members would suffer reprisals ranging from arrest to permanent dismissal from public sector jobs.

The SLORC/SPDC authorities have also forced some NLD representatives to resign as members of parliament by using threats and other types of coercion. In some cases, the authorities have told NLD representatives that they would gradually stamp out the NLD. These coercive attempts to force resignations of NLD representatives have continued unabated. Over twenty NLD MPs were forced to resign their seats. The authorities put many restrictions on the NLD members and their family members in education, medical care, and the religious sector, too. NLD members are banned from becoming monks and from buying railway, airplane and bus tickets. When NLD members failed to go to unpaid labor in their community, they were detained for breaching 1950 Emergency Protection Act, article 5 (j). NLD members who are medical doctors also face the threat of having their medical license revoked. People are threatened not to buy from the shops owned by NLD members. The authorities have still not issued political clearance certification to the NLD for its publications as it has done with other political organizations. They also have not renewed the registration of the NLD printing machine.

U Aung Shwe, the Chairman the NLD has sent letters detailing tactics including fabrication of evidence, forced resignations, loss of livelihood, imprisonment, the inciting of mob violence, and forced portage and execution, all of which have been

used by the SLORC/SPDC to systematically destroy the NLD as an opposition voice.

11.2.2.1. Forced Resignation of the NLD MPs

The SLORC/SPDC has repeatedly summoned elected representatives and members of the NLD to court where they are threatened or detained. If the authorities have sufficient evidence to charge them with a criminal offence, they are charged under Section 5(j) of the 1950 Emergency Provision Acts. This type of action is aimed at forcing elected NLD representatives to resign from Parliament, and NLD members to resign from the party.

The SLORC/SPDC is also plotting to destroy the NLD by undermining its grassroots membership and support. These include plotting to destroy branch offices, keeping members of township committees and elected members of parliament in detention, and treating ordinary members with contempt.

- The following NLD MPs have resigned since the beginning of 1997: U Aung Tin, from Shadaw, and U Boe Thin, from Loikaw, Kayah State on January 13; U Thaung Ye from Danubyu, Irrawaddy Division on January 21; U Maw Ni from Yesagy, Magwe Division on February 11; Daw Sein Tin from Shwegu, Kachin State on February 23; Dr. Thaung Tin from Wundwin, Mandalay on February 25; U Saw Htun Lwin from Hlaingbwe, Karen State on March 5; U Pu Htwe from Bhamo, Kachin State, on March 17; U Tin Ohn from Padaung, Pegu on March 21; U Kyaw Win from Htigyang, Sagaing Division, on May 8; and U Than Kywe from Hlaingthaya, Rangoon Division resigned on June 18, 1997.
- The 19 persons from Myitkyina township, Kachin State were also forced to resign from the NLD party membership on December 12, 1997. They are U Sai San Tun, U Tin Hla, U Lar Lay, U Win Maung, U Maung Maung Than, Ma Khin Nhaung, U Sein Tun, U Tin Win, U Kywe, U Hla Win, U Aye Maung, U Zaw Lun Aung, Ma Htay Win, U Maung Maung, U Ba Myin, U Than Win, U Myo Myint Than, U Tun Sein and U Ye Myint. "They give too much harassment to our members, particularly among the ethnic groups, and they are forced to resign," said the official, a close associate of Daw Aung San Suu Kyi regarding the forced resignation. The members have faced persecution from the authorities, the official said, adding their families had also suffered, being denied schooling and health care because they were relatives of party members.
- On February 6, 1997, at 12 noon, Major Tint Lwin Oo, rear Commander of

Infantry 56, and Captain Myint Htun forced Shwegu township NLD organizing Committee Chairman U Yee, Vice-chairman U Htun Win, General Secretary U Mya Thein and members U Thein Zaw and U Tin Tun to accompany them to their base in Bamaw. They told the NLD officials that they were acting under orders from their superiors. The chairman of the Shwegu township LORC, U Zarli Phong Naing, his secretary and Police chief U Kyaw Nyein followed the officers to the base. At the base the Commander of Infantry 56, Lt-Col. Ko Ko, met each of the NLD members individually and forced them to resign from the party. He used various threats to intimidate the members into resigning.

In one of the threat he said, “You must resign from the NLD, otherwise your life may be in danger.” He also told them, “Don’t get involved in politics now. We’ll allow any political party to carry out their work after the Convention is resumed and its resolutions are approved.” He was referring to the Nation Convention and the approval of the Constitution. The Lt-Col. continued to threaten the NLD members in a rude manner, telling them that their families would not be allowed to seek medical treatment from government hospitals and their children would be barred from school if they did not resign from the party.

He told them, “You are our prey. We are making noises because we don’t want to waste our time hiding in wait. All we’ve got to do is shoot. You’ll only get one chance to decide, not two. You must realize that the army is ruling the country. You must do what you are told to do. We are determined to weed out any obstacles.”

In addition to this death-threat, he reportedly told the members that all NLD branches would be destroyed in March 1997. Township Committee member U Tin Tun asked Lt-Col. Ko Ko if he was going to disband the party. The Lt-Col. did not deny having made such a threat, but did not answer further.

On February 9, 1997, Colonel Nyunt Hlaing arrived in Shwegu and told the same thing to the Township Organizing Committee. He told the NLD members, “Time is running out for you, resign now. It is dangerous if you do not resign now. We must do what our superiors order us to do. We are determined to weed out any obstacles. Politicians don’t love the country as much as we in the military do.”

The chairman of the Shwegu Organizing Committee replied, “The NLD is still a legal political party in accordance with Order 4/88. We also won the election, and as long as the party exists, we as members will support it. We have never created any disturbances.”

The members of the Organizing Committee who were taken to Bamaw eventually resigned from the NLD against their will due to tremendous pressure from the authorities. They signed prepared forms, acknowledging their resignation from the party.

- Another NLD official, U Inchedwelar, resigned from the NLD after receiving threats from Major Tin Oo Lwin and the chairman of the Shwegu Township LORC. They told him, “You are a Kachin and also a Christian. It won’t do you any good to be an official of the NLD, you have nothing to gain from being a member.” They also told him to resign from the party, threatening that if he chose not to, he would be considered an enemy.
- Other NLD members from Shwegu township who have resigned due to intense pressure from the authorities include Daw San Yee, Ma Than Than Aye and Daw Sein Tin, who was an elected representative of the party. (*Source: Inside*)

MPs Forced to resign from Parliament (all NLD)			
Name	State/ Division	Date of Resignation	Remarks
U Than Tun	Sagaing	28.2.1992	
U Hla Saw Oo	Mandalay	7.6.1996	
U Yu Gan	Rangoon	7.6.1996	
U Chit Khin	Shan	7.6.1996	
Dr. Aung Bo	Sagaing	7.6.1996	
Dr. Sit Tin	Irrawaddy	9.6.1996	
U Seinn Maung	Mandalay	11.6.1996	
U Han Tha Myint	Sagaing	11.6.1996	
U Tint Lwin	Mandalay	12.6.1996	
U Tint Lwin	Pegu	13.6.1996	
U Ne Oo	Rangoon	13.6.1996	
U Myo Myint	Mandalay	16.6.1996	
Dr. Aung Khin	Sagaing	21.6.1996	
U Soe Maung	Pegu	24.6.1996	
Dr. Kyin Thein	Mon	1.7.1996	
U Sai Aung Than	Shan	1.7.1996	
U Than Maung	Mon	5.7.1996	

U Khin Maung Than	Magwe	9.7.1996	
U Kyee Maung	Sagaing	18.7.1996	
U Chit Khaing	Sagaing	27.8.1996	
Dr. U Hlaing	Shan	13.9.1996	
U Ngin Thang	Chin	30.9.1996	
Dr. Zaw Win	Sagaing	30.9.1996	
U Tha Soe	Irrawaddy	28.10.1996	
Dr. Sein Myint	Irrawaddy	4.11.1996	
U Saw Oo Reh	Kayah	28.11.1996	Under detention
U Win Kyaing	Irrawaddy	12.12.1996	
U Aung Tin	Kayah	13.1.1997	
U Boe Thin	Kayah	13.1.1997	
U Thaung Yi	Irrawaddy	21.1.1997	
U Maw Ni	Magwe	11.2.1997	
Daw Sein Tin	Kachin	22.2.1997	
Dr. Thaung Tin	Mandalay	25.2.1997	
U Saw Tun Lwin	Karen	5.3.1997	
U Pu Htwe	Kachin	17.3.1997	
U Tin Ohn	Pegu	21.3.1997	
U Kyaw Win	Sagaing	8.5.1997	
U Than Kywe	Rangoon	18.6.1997	
U Nay Win	Arakan	24.7.1997	
U Tin Gyi	Arakan	5.8.1997	
U Maung Maung Myint	Mandalay	14.8.1997	
U Ba Nyein	Sagaing	20.8.1997	
U Tun Yi	Arakan	22.8.1997	
Dr. Khin Maung Swe	Sagaing	25.8.1997	
U Thein Zan	Magwe	7.1.1998	Under detention
U Aung Htoo	Magwe	15.2.1998	

Source: ABSDF

MPs Dismissed from Parliament by the Election Commission (all NLD)			
Name	State/ Division	Dismissal Date	Remarks
U Hla Pe	Mandalay	26.12.1990	Died in Thailand, former NCGUB Minister
U Bo Hla Tint	Mandalay	26.12.1990	NCGUB Minister
U Thein Oo	Mandalay	26.12.1990	NCGUB Minister
U Tun Oo	Pegu	26.12.1990	Former NCGUB Minister
U Than Kywe	Pegu	26.12.1990	Former NCGUB Minister, returned to Burma
U Win Ko	Sagaing	26.12.1990	Died in China, former NCGUB Minister
U Khin Maung Thein	Sagaing	18.1.1991	
U Maung Maung Aye	Mandalay	21.2.1991	NCGUB Minister
U Than Sein	Sagaing	21.2.1991	Works for NCGUB
Dr. Tint Swe	Sagaing	21.2.1991	NCGUB Minister
U Myint Maung	Irrawaddy	30.4.1991	Former NCGUB Minister, returned to Burma
U Hla Oo	Pegu	30.4.1991	Former NCGUB Minister
Dr. Maung Maung Kyaw	Rangoon	14.8.1991	
U David Hla Myint	Irrawaddy	16.8.1991	
U Mahn Myaing Aye	Karen	25.11.1991	
Daw San May (aka Shwe Ku May Hinn	Rangoon	25.11.1991	
U Ohn Kyaing	Mandalay	2.12.1991	Under detention
U Kyaw Min	Irrawaddy	10.12.1991	Under detention
U Mya Win	Irrawaddy	10.12.1991	Under detention
U Saw Win (aka U Kyaw Zaw Lin)	Magwe	10.12.1991	Under detention
U Soe Thein (aka Maung Wuntha)	Pegu	10.12.1991	Under detention
U Kyi Maung	Rangoon	10.12.1991	

U Maung Maung Latt	Rangoon	10.12.1991	
U Hla Than	Rangoon	10.12.1991	Under detention
U Bo Maung	Sagaing	10.12.1991	
U Myo Aung	Tenessarim	10.12.1991	
U Chit Tin	Magwe	18.12.1991	
Daw Khin San Hlaing	Sagaing	18.12.1991	
U Kyaw Thwin	Rangoon	18.12.1991	
U Khin Maung Swe	Rangoon	18.12.1991	Under detention
U Tin Htut	Irrawaddy	20.12.1991	In Australia
U Win Hlaing	Mandalay	20.12.1991	
U Chan Aye(aka Maung Susan)	Mon	20.12.1991	
U Soe Nyunt	Rangoon	20.12.1991	
Dr. Soe Lin	Mandalay	23.12.1991	
U Sein Hla Oo	Rangoon	23.12.1991	Under detention
Daw San San	Rangoon	23.12.1991	Under detention
Daw San San Win	Rangoon	23.12.1991	
U Saw Hlaing	Sagaing	23.12.1991	
U Saw Victor Clyde	Karen	25.12.1991	
Dr. Zaw Myint	Irrawaddy	27.12.1991	Under detention
Dr. Zaw Myint Maung	Mandalay	27.12.1991	Under detention
U Tin Aung Aung	Mandalay	27.12.1991	Under detention
U Ba Bwa	Mandalay	30.12.1991	
U Tun Aung	Pegu	30.12.1991	
U Ye Htut	Pegu	30.12.1991	
U Naing Naing	Rangoon	30.12.1991	Under detention
U Hla Tun	Rangoon	2.1.1992	Under detention
U Tha Saing	Rangoon	2.1.1992	
U Myint Kyi	Sagaing	2.1.1992	Under detention
Dr. Myint Naing	Sagaing	2.1.1992	Under detention
U Aung San Myint	Magwe	6.1.1992	
Daw Ohn Kyi	Mandalay	6.1.1992	
U Thein Tun	Pegu	6.1.1992	
U Thaung Myint	Sagaing	6.1.1992	
U Maung Maung Myint	Mandalay	8.1.1992	
U Aung Kyi Nyunt	Mon	8.1.1992	
U Saw Chit Than	Karen	9.1.1992	
U Khin Maung Kyi	Magwe	9.1.1992	
U Tin Aye	Mandalay	9.4.1992	
U Khin Maung Tun	Rangoon	9.4.1992	
U Hla Pe	Tenessarim	9.4.1992	

U Maung Maung	Irrawaddy	11.4.1992	
U Khin Maung Win	Pegu	11.4.1992	
Col. Thiha Thuya Soe Thein (Rtd)	Sagaing	11.4.1992	
U Ohn Maung	Shan	11.4.1992	

Source: ABSDF

11.2.2.2. Harassment of NLD members

On January 26, 1997, officials from the Danubyu township LORC arrived at “Tawwin” guest house where U Hla Pe, a Central Executive Committee member and Chairman of the Irrawaddy Division NLD, and U Zeya, Chairman of Myaungmya township NLD Organizing Committee, were staying. The authorities searched the NLD officials and treated them rudely, as if they were their enemies. The LORC officials confiscated official NLD documents and recorded them in their list of “evidence”, and also took the NLD officials’ national identification cards. On the next day, the two NLD officials were summoned to Danubyu township LORC and were accused of plotting to create unrest. They were questioned in a rude manner. The NLD officials replied politely that they, as officials of a legal political party, had come to town to see members of the Wakema township NLD Organizing Committee who were to appear in court the following day. The Township chairman threatened the NLD officials in a very rude manner and then told them to return to their guesthouse. The chairman told them that they would be called in again for questioning if the need arose. U Hla Pe and U Zeya were summoned again at 5:00pm by the authorities. They told the NLD officials that the members of Wakema township Organizing Committees would not appear in court. He ordered them to return to Rangoon that evening. The LORC chairman had even arranged for their trip back to Rangoon. The NLD officials were forced to sign a document in which they agreed to return to Rangoon, and the confiscated materials and ID cards were returned only after they had signed the paper. The authorities then turned up at the ferry and waited to see if the NLD members actually left on the boat for Rangoon. (*Source: Inside*)

11.2.2.3. Torture of the NLD leaders

Kyin Swan Khan alias Par Khan, Chairman of the NLD Tamu branch, Sagaing Division, was tortured by Military Intelligence and lost his eyesight after both eyes were injured. Kyi Swan Khan and five NLD members were arrested on December 18, 1996. They were accused of holding a party meeting without the knowledge of the Township LORC and possessing anti-government literature. Kyi Swan Khan was tortured while he was being detained at the Tamu police station. (*Source: Inside*)

11.2.2.4. Arrest and attempt to use NLD members as porters in Frontline

Pegu Division

The NLD held a ceremony commemorating Union Day on February 12, 1997, as a symbol of national unity. Representatives from all nationalities along with members of the NLD were scheduled to attend the celebration at Daw Aung San Suu Kyi's house.

On February 11, 1997, 65 representatives traveled to Rangoon to participate in the celebration. There were 23 representatives from Prome township, nine from Shwedaung and Nattalin, seven from Oakpho, four from Latpadan, three from Zeegone, two from Paungte and one from Gybingyauk, Thonensee and Paukkaung townships. However, in the Tharawaddy district, the authorities detained those travelling by bus near the village of Nga Lay Phyu and those travelling by train at Tharawaddy train station. All the representatives were sent to an Army battalion located near the village of Pa Shwe Kyaw. The authorities questioned them all night and the following day, which was Union Day. Among those detained were elected representatives of the NLD and members of Township Organizing Committees.

At midnight on February 13, the army unit drove 47 of the detainees to Pegu, leaving 18 male and female members at the base. In Pegu, the authorities left five elected members of parliament and a member of a Township Organizing Committee at an army base there. They then took the remaining 41 detainees to a jail located at the headquarters of Infantry Regiment 60 in Kuaukkyi on the eastern side of the Sittaung River.

When the detained NLD members were forced into the jail, the guard shouted, "The buffaloes have arrived", "buffalo" meaning a laborer or porter.

The room the NLD members were forced into was too small for 41 people. Consequently, one member asked a young officer to move some of them from the cell. The prisoners felt slightly less uncomfortable when some of them were moved to different cells. However, the army only gave the NLD members smelly rice of the lowest quality and rotten fish paste to eat. The prisoners were held until February 16, when they were questioned and released.

Before they were released an officer arrived and delivered a speech on behalf of the Pegu Division Military Commander. He said, "Our commander is very patriotic. We intended to send you to the frontline in the Pyakawpu area but we were releasing

you now because we don't want any political repercussions. If you try to attend any NLD function to commemorate anything we'll kill you or send you to the Pyakawpu area as porters, which would be a severe punishment."

Some NLD members asked the young officer where Pyakawpu was located. He replied that it was the frontline of a battle zone and that whoever was sent there as a porter would have their limbs blown off and be forced to live as an invalid, if they were not killed in the fighting.

At about 9:00pm, the detained NLD members were taken back to Penwegone by car. They arrived there at 11:00pm and the army released them, ordering them to return to their homes at their own expense. It is believed that the army is intending to use members of the NLD as porters. (*Source: Inside*)

Taungoo District, Pegu Division

On the night of February 21, 1997, all the members of the Taungoo township Organizing Committee were arrested in their homes. Other NLD members reported that military officers, police and Military Intelligence Service (MIS) personnel carried out the raids. One of the detainees was U Aung Soe Myint, an elected representative of the NLD. The authorities also detained Daw Kyin Sein, Daw Phwa Sein, Daw Htay Htay Win and Daw Khin Than, all of whom were women. They were released on the next day. U Aung Soe Myint managed to get away by jumping from the car. All males including U Myat Thu, chairman of the Taungoo township NLD Organizing Committee, U Saw Tun Nwe, Vice-chairman of Taungoo NLD Organizing Committee, U Maung Maung, Vice-chairman of the Taungoo NLD Organizing Committee, U Tin Maung Win, Joint-secretary, township Organizing Committee, U Myint Thein, Finance Director, U Thet Tun, U Kyaw Win, U Tin Thaug, U Kyaw Myint, U Tun Tin, U Tin Soe, U Pe Win and U Kyaw Kyaw Win, U Tin Win Ko, U Tin Myint Htwe, U Kyaw Kyaw Lwin, U Min Thu and Ko Moe Makha. were taken by army vehicles to Thandaung. Similarly, eleven people from Oaktwin township including U Maung Maung San and U Ko Lay from Yedashe township in Pegu division, were also taken away. It is thought that these people have been taken away to act as porters in the latest military action against the KNU. U Saw Htun Nwe, a 75-year-old Karen national died of fatigue as a result of his age. His dead body was found on the roadside later. Later it was learnt that U Min Thu, U Maung Maung San and U Ko Lay also died during portage. (*Source: Inside*)

11.2.2.5. Singling out and Revoking medical license for being a NLD member

Kyauktan township, Rangoon Division

At about 7:00pm on February 21, 1997, police from Thaketa township detained Dr. Than Nyein, an elected representative of the NLD from Kyauktan Constituency-1. Dr. Than Nyein has been charged with violating Article 9(1) C of the 1972 Burma Health Act.

On January 20, 1997, Dr. Than Nyein, Vice-Chairman of the Rangoon Division Organizing Committee and leader of the Kyauktan Township Organizing Committee, paid a registration fee of 200 *kyats* to open a private clinic as required by government regulations. His clinic was at 38 Zeya Mingla Road, Thaketa township and he was opening it to earn money to support his family.

On February 16, the Thaketa township police chief and town health authorities went to his clinic when he was out and placed a lock on his cupboard where he stored his medicines. The same officials returned to his clinic the following day with about 15 people while Dr. Than Nyein was not there. They opened the clinic with duplicated keys and confiscated his medicines and medical equipment. At 7:00pm on February 21, the authorities arrested Dr. Than Nyein at his home and held him at Thaketa police station. That morning a meeting had been held at the office of the Township LORC in Thanlyin regarding the registration of private clinics. The Thanlyin District Medical Chief told all the prospective operators of new clinics that the decision to allow them to open their clinics had not been given to doctors to open the clinics yet, even though they had all paid their registration fees.

Because the doctors had already opened their clinics without official permission, it is clear that they were operating illegally. It is also clear that Dr. Than Nyein was singled out and wrongfully charged by the authorities while the other doctors were left alone. (*Source: Inside*)

Mingla Taungnyunt township, Rangoon Division

On February 21, 1997, Dr. Than Aung, elected representative of the NLD from Mingla Taungnyunt township, Rangoon Division, was arrested at his home by the authorities. He was charged with violating Article 304(a) for allegedly causing the death of a patient. Dr. Than Aung is a medical doctor and a professional who knows his practice well.

At about 7:00pm on February 17, 1997, he treated a seriously ill patient who was suffering from tuberculosis and asthma. He gave the patient Cardamide, a “life-saving medicine” as it is locally known, and told his family to take him to the hospital’s emergency unit. When the patient suffered another attack and returned to the clinic, Dr. Than Aung again instructed the family to take him to the hospital.

The following day the patient was taken to Rangoon General Hospital, but unfortunately, the hospital was not accepting any patients that day. The patient was then taken to the new Rangoon General Hospital, known locally as the Japanese Hospital. However, the taxi which was taking him had a flat tyre and at approximately 9:00 p.m. the patient died, never having reached the hospital.

The local LORC and USDA officials informed the local military unit of the incident and the police arrested Dr. Than Aung for causing the death of the man. He was pursued because he is an elected representative of the NLD. (*Source: Inside*)

11.2.2.6. Forced Removal of NLD party Signboard

The NLD signboard has been a matter of contention since the founding of the Party in 1988. When NLD offices, with their distinctive signboards, spread across the country after the party was registered in September 1988, a SLORC/SPDC regulation was promulgated forbidding village party offices from erecting signboards. After a discussion between leaders of the NLD and the Multi-party Elections Committee in January 1989, it was agreed that signboards could be retained in village offices where they had already been erected or where applications were already been made to the relevant authorities to establish an office and erect a signboard. In spite of this agreement, SLORC/SPDC authorities have continued to harass the NLD over the signboards, as it is seen as a strong symbol of public support for the party and of defiance in the face of intense persecution. A concerted effort was made by local authorities to remove all NLD signboards from their offices.

Lashio, Shan State

The NLD sign which had been temporarily taken down from the previous NLD office on Kyar Nyo Road in Quarter-3, Lashio, Shan State, was reinstalled at the new NLD office at U Sai Myint Maung’s house, (U Sai Myint Maung is one of the elected representatives of the NLD from Lashio). This was done after the monthly meeting of the Lashio township NLD Organizing Committee.

On February 20, 1997, NLD officials told the town authorities that they were constructing a sin, and informed the branches of the Shan State Election Commission

and the Lashio Township Election commission. Having done this, the NLD installed the sign for the Shan State Organizing Committee at 5:00 a.m., on February 22, 1997. However, the sign was destroyed later that same day. The NLD members told the party leadership the following details regarding the matter.

U Ba Aye, chairman of the Quarter LORC arrived at the house of U Sai Myint Maung at 10:00am and demanded that the NLD sign be dismantled. He told the NLD officials that the sign had been installed without informing the Quarter LORC. He went on to say that he did not want to see the sign, and nor did the people in the quarter, and that the sign should be dismantled until higher authorities permitted its installation. Finally, he made it clear that he would not be responsible if people in the area did something to the sign. He came to the NLD office a total of four times and on each occasion he was accompanied by the members of the Quarter LORC.

U Sai Myint Maung replied to U Ba Aye that in accordance with instructions the from NLD headquarters, U Sai Myint Maung had informed the authorities about the reinstallation of the NLD sign at his house, which was to be used as the new NLD office. He also read the letter to the LORC officials out loud.

He then asked U Ba Aye if he had the power to give him permission to reinstall the sign. U Sai Myint Maung wanted to know who had the authority to give him permission. When the LORC chairman could not grant permission to reinstall the sign, U Sai Myint Maung asked him to get in touch with higher authorities who would be able to do so.

He told the LORC official that he wanted to see proof that he was not allowed to install the sign. He asked the LORC official to read him a letter of authorization stating that he could not reinstall the sign, and said that he would comply with such an order if it existed. He then stated that he would even go and see the LORC chairman to discuss the matter.

The LORC chairman told U Sai Myint Maung that he had no authority over the matter, and that he did not know who had the necessary authority. He told them that the sign had to be taken down right away and reinstalled only when his superiors permitted it.

U Ba Aye returned to the NLD office at 11:15am with 15 other people. Yelling and screaming, they destroyed the sign by hurling rocks at it. Then they brought bamboo poles from near the Quarter LORC's office and took down what remained of the sign. Although the NLD officials phoned the local MIS unit, the special branch and the police about the destruction of the sign, no authorities came to help. (*Source: Inside*)

11.2.2.7. Verbal and physical abuses to the NLD members

Kyaunggone, Irrawaddy Division

The Kyaunggone Township Organizing Committee of the NLD held a meeting on February 15, 1997. Chairmen from the NLD Village Organizing Committee also attended the meeting. While it was in process, at about 2:30pm, a member of the MIS officer named Ko Win Myint shouted, “Mother fuckers” and hit U San Shein, one of the chairmen of the Village Organizing Committee. When Dr. Hla Win, an elected representative of the NLD, tried to intervene, MIS officer Win Myint shouted at him, “Shut the fuck up” and punched him in the face. The other officers then kicked and beat him after he fell to the floor.

The police and MIS officers then repeatedly beat other elected representatives U Saw Lwin, U Mahn Tin Win, Chairman of the Township Organizing Committee, U Wa Tote, and U Thein Han and U Myint Aung, Chairman of the Village Organizing Committee. Subsequently, two elected representatives of the NLD were handcuffed and taken to the Kyaunggon police station along with 14 other NLD officials.

At approximately 10:00 a.m. on February 17, ten NLD officials were released after signing papers, while the police continued to detain the remaining six officials. These detainees were the two elected representatives and U Mahn Tin Win, U San Shein, U Wa Toke and U Thein Han. (*Source: Inside*)

11.2.2.8. Extra-judicial arrest of NLD MP

Pantanaw, Irrawaddy Division

On February 19, 1997, Dr. Tin Min Htut, an elected representative of the NLD from Pantanaw, was arrested. The Pantanaw Township LORC summoned officials from all departments of the town and asked them if Dr. Tin Min Htut had violated any law. The Township LORC asked them if he had regularly paid his bills for water, electricity, sanitation, radio, post and telegram, and his taxes for his cassette player, land and income. When the LORC could not find fault with him the town’s police chief ordered a search of Dr. Tin Min Htut’s house. He ordered his men to find anything that could incriminate the NLD representative. The police could not find any substantial evidence of wrongdoing. However, they found two Singaporean coins in a small toy cup Dr. Tin Min Htut’s son was playing with. Dr. Tin Min Htut was then arrested for illegal possession of a foreign currency. Although he was detained for over one month and later released, this arrest is a clear case of illegal entrapment by the authorities. (*Source: Inside*)

11.2.2.9. Harassment on the Daw Aung San Suu Kyi's meetings with NLD youth

As the NLD Central Executive Committee assigned the task of organizing the Youth Affairs Wing of the NLD to Daw Aung San Suu Kyi, she has arranged to organize the meetings with the NLD Youth wings in townships in Rangoon since late 1997.

Her first meeting was on October 21, 1997, with the NLD Youth in Thaketa township, Rangoon Division. She traveled to Thaketa in order to meet the NLD youth members. The authorities did not prevent her from holding the meeting at Thaketa, but the following planned meetings were prevented. Many NLD members who helped arrange the meetings were detained. The meeting on October 28, 1997 in Mayangon NLD township was blocked with barricades and armed police. Similarly on November 5, 1997, Daw Aung San Suu Kyi was barred from leaving her Rangoon residence to attend a planned party meeting in Tamwe township NLD office. About 50 NLD members in the office were also arrested.

Meeting with Myayangon NLD members

On the morning of October 28, the NLD attempted to hold a meeting at its Mayangone township office on the outskirts of Rangoon. However, the security forces set up barricades and blocked Daw Aung San Suu Kyi's supporters from meeting with her. This meeting had been planned in order to reorganize the Mayangon township's NLD youth wing.

On the morning, before NLD leaders including the Chairman, Deputy Chairmen and General Secretary together with the responsible persons arrived at the Mayangon NLD office, they were prevented from proceeding by the authorities. The group then dispersed into smaller groups. The first group comprising the Chairman, Deputy Chairman U Tin Oo, the General Secretary, and Youth members were at the corner of Kaba-aye road and Gandama road, half a kilometer from the office. The second group, comprising U Kyi Maung, Deputy Chairman, U Soe Myint, Chairman of Rangoon Division, Dr. Than Nyunt, Deputy Chairman, Dr. May Win Myint, member of Central Women's Affairs, and members of the Youth Wing were harshly reprimanded and made to board vehicles that were standing by and driven to Shweta-kaw in Hlaing township, which is a burial ground. The group then returned to their respective homes having made their own arrangements. The third group comprised members of the youth wing from Mayangon NLD who had arrived at the office prior to the blockade. This group was forced on to buses arranged by the authorities and driven to the following destinations: the roadside of Rangoon-Nyaungdon motor road in Htantabin township, Kyunkalay village in Hlegu township and Pale Myothit,

Kantala village in Mingladon township. Without any protest or demonstration, these people peacefully returned to their homes making their own arrangements.

On the night of October 28, Daw May Win Myint, NLD Divisional Organizer and also a Member of Parliament elect from Mayangone township, was arrested by Military Intelligence officers after they had taken documents from her. Also at 10pm, Khin Maung Myint, NLD Central Youth member and Secretary of Latha township, was arrested by a combined force of Military Intelligence and other security personnel. Daw San San, the NLD Seikkan township MP elect and Divisional Vice-chairperson and NLD womens' leader, was arrested at midnight after document were taken from her. At the same time, Win Win Htay, a member of the Rangoon NLD Youth Division, was arrested after security forces seized documents from her. U Soe Myint, the Chairman of the Taketa township NLD, was arrested at 1am on October 29. One and half hours later, Dr. Than Nyein, an MP-elect from Kyauktan township, was arrested after a combined group of Military Intelligence and other security forces confiscated documents from his home. U Win Thaug, Chairman of the Mayangon NLD, was arrested sometime later in the evening of October 28 or in the early hours of October 29. U Mya Thaug, who is the landlord of the Mayangon NLD office, was also arrested at around the same time.

No information is given to the relatives or the head office about the whereabouts or health of these people who were arrested. The SLORC/SPDC authorities gave no information to the NLD as to why these persons were arrested or where and when they would be sent up to trial. Their family members along with the lawyers were denied admission to the court. Six of them except Khin Maung Myint and Daw San San. Khin Maung Myint was sentenced to seven years of both Section 5 (J) and Section 16 (A) of the 1986 Gambling Act. The authorities did not inform the relatives or their lawyers of the sentence they had passed. It was later learnt that Daw San San was being detained under Section 10(a) of the Law to safeguard the country from people who intend to disrupt and destroy it. (*Source: Inside*)

Meeting with Tamwe township NLD members

Daw Aung San Suu Kyi planned to hold a meeting with the NLD youth wing in Tamwe township in Rangoon Division on November 5, 1997. However, she was barred from leaving her Rangoon residence to attend a planned party meeting. Armed security forces were deployed around and riot police and plain-clothes military intelligence were manning entries to the NLD's office in Tamwe township. About 50 members of Tamwe township NLD Women Branch and Youth Wing who were present at the NLD office were arrested. They were temporarily detained and released later.

11.2.3. No Free and Independent Trade Unions

Since 1962 when General Ne Win staged a coup, all democratic rights including freedom of association were denied. Unions were no longer considered legal entities. All independent labor unions were replaced with government-controlled worker associations.

Workers do not have the right to organize and bargain collectively to set wages and benefits. The SLORC/SPDC's Central Arbitration Board, which theoretically provides a means for settling major labor disputes, continues to exist on paper but in practice is dormant. The regime unilaterally set wages in the public sector. In the private sector, market forces set wages. The regime put pressure to joint ventures not to pay salaries more than those employed by ministries or other high-level government employees. The minimum wage is insufficient to provide a decent standard of living for a worker and family. In particular, the low level of remuneration of public employment fosters widespread corruption.

In 1955, Burma freely ratified ILO Convention No.87 concerning Freedom of Association and Protection of the Right to Organize. However, workers in Burma do not enjoy the right to join organizations outside SLORC/SPDC's existing structure. Furthermore, no Burmese organizations are permitted to join international federations or to affiliate with international organizations without SLORC/SPDC's permission. The free trade unions are not allowed to function in the country, and workers identified with the exile Free Trade Unions of Burma were under constant surveillance by the police and the Military Intelligence in permanent fear of arrest and torture.

The situation in Burma was examined by the ILO committee the Application of Standards at the eighty-fifth session of the ILO Conference held in July 1997 at Geneva. Regarding the application by Burma of ILO Convention No.87, the Committee took note of the statement of the Burmese authority representative indicating the SLORC/SPDC's commitment to harmonize law and practice with the Convention in promoting and protecting the legitimate rights of all workers. In March 1997, the Governing Body of the ILO decided to refer the complaint to a Commission of Inquiry chaired by Sir William Douglas (Barbados). The Commission's mandate is to consider whether, and to what extent, the alleged violations exist or existed and to make any recommendations it deems appropriate. The Commission held its first meeting in June 1997 to establish its rules of procedure.

11.2.4. SLORC/SPDC-run NGOs in Burma

Founded in 1949, Burma's oldest non-governmental organization (NGO), the

Myanmar Medical Association (MMA), began as a professional association. It currently boasts over 6,000 members, with 50 branches at the township or state/divisional levels. Consisting of physicians from both the public and private sectors, the MMA was pulled into the government's orbit when senior BSPP officials in the Ministry of Health took up key leadership posts in its governing hierarchy. Today, many health workers feel that the MMA has yet to reestablish its independence under the present PSDC authorities.

The other NGOs, the Myanmar Red Cross (MRC) and the Myanmar Maternal and Child Welfare Association (MMCWA) have closer links with the government and Ministry of Health. With over 180,000 volunteer members, the MRC is supported by public donations and government funds and is supposed to have branches in each of the country's 319 townships. The independence of MRC is in question when SLORC/SPDC Secretary-2 Gen. Tin Oo Gen. Tin U spoke of the aim of Red Cross to carry out relief tasks for the victims of natural disasters, and noted that one of the seven future tasks of Red Cross is to train the members to be ready to discharge duties as auxiliary forces for maintenance of peace and tranquillity of the nation in addition to their primary duty of providing health care services, at the first aid kits donation ceremony on October 27, 1997.

Similarly, critics often question the MMCWA's NGO status given its intimate association with the SLORC/SPDC. Its joint General-Secretary (a doctor) is the wife of the SLORC/SPDC Secretary-1, Lt-Gen. Khin Nyunt; the President is the wife of Col. Pe Thein, the former health minister; and the Vice-President is the sister of the late Dr. Maung Maung, a leading BSPP functionary and, originally, one of the Ne Win's chosen successors as party chairman.



This "People's Forum" where Burmese people briefly enjoyed their freedom of opinion and expression, has now been banned. (Photo by N. Dunlop)