

# 11. Freedom of Assembly and Association

## 11.1 Background

SLORC issued Order 2/88 on the day it assumed power which prohibits freedom of assembly and association. It states: (a) no one, without proper authorization, is permitted to travel on the street between 20.00 and 04.00; (b) gathering, walking, marching in processions, chanting slogans, delivering speeches, agitating, and creating disturbances on the streets by a group of five or more people is banned regardless of whether the act is with the intention of creating disturbance or of committing a crime or not; (c) no one is permitted to open strike centers regardless of whether or not the intent is to cause disturbances or commit a crime; (d) no one is permitted to block roads or to demonstrate en masse; (e) no one is to interfere with or to obstruct people carrying out security duties.

Section (e) of this Order was repealed in April 1992, when General Than Shwe came to power. But the other sections remain in place. While this law has not often been enforced, there are many other laws which have. The most frequently used law is the 1907 (1957) Unlawful Association Act which allows for the detention of up to three years of anyone who is a member of or assists in any way an unlawful association.

SLORC Order 1/91, promulgated on April 30, 1991, requires that the conduct of public service personnel remain clear of party politics. This order prohibits public service personnel engaging in any party politics or providing financial assistance to or supporting by other means any political party, as well as also prohibiting their dependents or persons under their guardianship from taking a direct part in activities that are aimed at opposing the government, and they must not be party to any labor association, organization, union, and other like bodies not formed in accordance with the rules occasionally prescribed by the government.

## 11.2 Pressure on the National League for Democracy and the CRPP

On May 27, 1990 a national election called by the State Law and Order Restoration Council (SLORC) was held to constitute a new Parliament (Pyithu Hluttaw). In this election, the National League for Democracy (NLD) won 392 of the 485 seats (about 81% of total seats). Yet despite the fact that MPs had been elected and were ready to convene the Pyithu Hluttaw, SLORC refused to transfer power as it had pledged before the election. Instead, SLORC ruled in Declaration 1/90 that the duties of the elected representatives were merely to draft a State Constitution and convene a "National Convention," which would lay down the fundamental principles of a new democratic Constitution. Under severe pressure from SLORC, the National League of Democracy participated in the Convention's work but withdrew in November 1995, severing whatever link there may have been between the convention and the popular will as expressed in the 1990 elections.

Since 1990, the military regime has not only systematically impeded the functioning

of the National League for Democracy, in particular, but eliminated from the political process the MPs elected in 1990. They have done this by first invalidating election results, then dismissing the MP elects from Parliament and banning them from future elections, by forcing them to resign and finally by arresting, detaining and sentencing them on the basis of laws. Some of the numerous laws the MP elects have been imprisoned under include the Emergency Provision Act, State Protection Act, Official Secrets Act, Printers and Publishers Registration Act, and the Unlawful Associations Act.

As a result of such measures, out of the 392 NLD MPs-elect, over 160 have been deprived of their status as MPs-elect. On May 27, 1998 the NLD leadership demanded that the ruling State Peace and Development Council convene the Parliament elected in 1990 within three months. In view of the impossibility of doing this, a Committee was constituted on September 16, 1998, "to act for and on behalf of the 1990 Multiparty General Elections People's Parliament". Thus the CRPP (Committee Representing the People's Parliament) was formed, composed of 10 MP-elects belonging to different political parties and regions. The CRPP was authorized by more than 50% of the elected MPs to act on the behalf of the People's Parliament until actual parliament is convened, and was initially endorsed by 4 ethnic political parties. Other ethnic political parties later voiced their support, and the CRPP also has gained support from several Burmese groups in exile, and numerous International bodies.

As a result of the NLD demand to convene Parliament and the establishment of the CRPP, the SPDC increased its pressure on the NLD and its party members, and began to crackdown on the Members of Parliament. They called in NLD MPs-elect outside Rangoon demanding that they sign a declaration not to leave their hometowns in the foreseeable future. In fact, restraining orders were issued against all NLD MPs-elect, who were required to stay within the confines of their respective municipalities for a year. Those who refused have either been arrested or are subject to judicial prosecution. Since September 1998, approximately 150 MPs-elect have been arrested and are still in detention. According to the SPDC, these MPs-elect have merely been "called in temporarily at guest houses for the purpose of exchanging views on the consequences of the actions of the party (the NLD) for the peace and stability of the State". Sixty-three NLD MPs-elect and 321 party members who agreed not to participate in such "illegal activities", were returned to their homes after over 800 MPs and party members were detained in September 1998. In addition to the illegal arrests of the elected members of parliament, NLD organising committee members at all levels (State, Division, Township, Ward, Village), ordinary members, and members of working groups formed by the central executive committee have also been arrested.

A number of NLD working committees throughout the country were demolished by the authorities, numerous offices forcibly shut down, and the SPDC has forced hundreds of people, some of whom are not even NLD members, to sign documents of resignations from the party. Some were forced to resign from their positions and from the party by threats, intimidation and illegal forceful pressure from members of the military intelligence units. Ethnic political parties who had voiced support for the CRPP were also increasingly oppressed, and many such groups were forced to revoke their support. In addition, the SPDC introduced a new strategy in the fall of 1998 of forcing people to attend "no-confidence" rallies, intended to show a public loss of trust in the NLD and its MPs elect.

The SPDC campaign to crush the NLD has been repeatedly condemned by the

International community. In a statement to the U.N. Commission on Human Rights in Geneva, Special Rapporteur Rajssoomer Lallah condemned the crackdown. The Commission adopted a unanimous resolution in April 1999 deploring “the escalation in the persecution of the democratic opposition...and the continued harassment, arrest and detention of the National League for Democracy and other democratic group activists.” On October 16, 1999 the Inter-Parliamentary Union adopted a similar resolution. In addition, the IPU rated Burma as one of the world’s worst countries for Members of Parliament.

This military backlash against the NLD, the CRPP and its members and supporters is further notable by the fact that it indicates that the junta sees the CRPP as a significant threat, and a constant reminder of their own illegitimacy. Also, by suppressing the MP’s elect, and organizing no-confidence motions against them, the SPDC inadvertently lends them their legitimacy as elected Members of Parliament. Previously the junta has refused to acknowledge that the MP’s elected in 1990 were in fact elected MP’s for the people.

### **NLD lawsuit against SPDC oppression**

Due to the criminal activities conducted by the government against members of the party, the NLD was driven to take action under the law. Therefore, on December 31, 1998, the Chairman of the NLD lodged a criminal complaint against the Director General of the Military Intelligence Services under Section 4(a) of the Judiciary Law and the Criminal Procedure Code. The complaint was filed to the Chief Justice of the Union of Burma for adjudication by the proper court. When this legal action went unheeded, on September 30, 1999, the NLD proceeded to file ‘Abuse of Power’ lawsuits against government officials for the illegal harassment and intimidation of the NLD and its members. Lieutenant-General Khin Nyunt, the powerful director-general of the National Bureau of Intelligence and one of the top leaders of the SPDC; Home Minister Colonel

Tin Hlaing; Information Minister Major-General Kyi Aung; Election Commission Chairman Ba Htay and some twenty-five other officials were named as defendants. This was the first time that the Burmese courts heard a case submitted by the NLD. On October 29, 1999, Supreme Court judge Tin Aung Aye declared the case invalid and dismissed it due to lack of evidence. The court rejected the NLD’s claim that NLD activities had been “continuously disrupted, prevented and destroyed” and that hundreds of its members had been illegally detained. The NLD then submitted an appeal to the Supreme Court in Rangoon concerning the dismissed case. On February 22, 2000 the court appointed a date to hear the case. Yet again, the case was dismissed.

### **Harassment of Daw Aung San Suu Kyi picture!**

In 1999 the military regime continued to restrict and monitor the activities of Aung San Suu Kyi, who had been released from house arrest in 1995. During her house arrest, she had led the NLD to victory in the 1990 elections, and was honored in 1991 with the Nobel Peace Prize. Military Intelligence personnel continued to follow and monitor her movement, and as usual attempted to prohibit her from having regular media contact from abroad.

In January the military's mouthpiece newspaper, 'The New Light of Myanmar,' accused her of treason and threatened that she could be sentenced to death because of her "crimes." She was said to have broken the law by divulging state secrets to other nations, by contact with outlawed rebel groups, and by openly calling for the destruction of the state.

In March 1999, Micheal Aris, the British husband of Aung San Suu Kyi was denied a visa by Burma's military regime, despite the fact that Japan, Malaysia, Thailand, Singapore, the United Nations and the Sultan of Brunei had made appeals to the Myanmar government to grant Aris a visa. Micheal Aris, a noted scholar of Tibetan Studies at Oxford University, had requested the visa to visit his wife of 27 years, as he was gravely ill, suffering from prostrate cancer, and was not expected to live long. The regime, which is eager to see Suu Kyi leave the country, had refused to issue Aris a visa for the past three years. The regime urged Aung San Suu Kyi to go to London, where Aris was, stating that the well person should visit the sick person, and that Burma didn't have adequate facilities to deal with her husband's illness. Suu Kyi refused to leave Burma, as she knew that if she did, she would not have been allowed back in.

Sources close to Aung San Suu Kyi reported how in the weeks leading to her husband's death the regime further antagonized her by cutting phone calls between her and her dying husband.

On March 27, 1999, Micheal Aris, aged 52, died in a London hospital. The authorities again attempted to push Aung San Suu Kyi out of the country to attend the funeral service, but she rejected their offer. Her 2 sons were later allowed to visit her in Burma, however.

### **11.3 Forceful Removal of NLD signboards**

There were several reported instances where NLD offices were ordered to take down their signboards, or where the SPDC officials came and forcefully took them down.

In January 1999, the NLD Organizing Committee's signboard was forcibly removed from their office location in Gwa Township, Arakan State. It was torn down by Township Police Station Officer U Maung Maung Lay and his group under instruction from his superiors. On September 19 1999, NLD members U Myint Thein and U Tin Maung Win were summoned to the Commission's Township office in Mawlaik, Sagaing Division. They were ordered by the police, a judicial officer, the MI, and the officer in charge of the army unit to remove the NLD signboard, shut down their office, and hand in all papers, flags and seals. The NLD members were adamant and refused to comply reiterating that if the authorities used force to shut down the office it would be totally without their consent and illegal. Later that day, members of the defunct Township Election Commission assisted by the police and MI forcefully removed and took away the NLD branch signboard.

The destruction of NLD signboards in Monywa Township, Monywa district:

December 21 1999 - Monywa district, Yin-ma-bin Township (NLD signboard)

December 26 1999 - Monywa Township, Le-te Quarter of Myoma Ward (NLD signboard)

December 27 1999 - Monywa Township, Hle-dan Quarters of Myoma Ward (NLD signboard)

January 3 2000 - Monywa Township NLD signboard was ruined at 12:38 midnight by a gang who threw acid on it and fled on motorcycles. This was witnessed by the owner of the house where the NLD committee office is based.

Before a visit of SPDC Chairman General Than Shwe to Kawthaung town,

Tenasserim Division, the NLD office in town was told to remove its signboard. However, the NLD leaders in town refused to remove the signboard. On January 15, 2000, Police Captain Htun Lin ordered the policemen to take off the signboard from the office. A group of policemen intruded into the compound of the NLD office and secretly removed the NLD office signboard without informing the NLD members.

#### **11.4 Illegal seizure of NLD documents**

In the beginning of January 1999, the Magwe Division, Yenangyaung Township Multiparty Elections Commission repeatedly demanded that the NLD organising committee produce important NLD documents within 6 days, which the NLD committee refused. The documents they desired included the daily list of persons visiting the office, office documents, and files and account books. Therefore, on January 11, 1999 Military Intelligence Service Corporal Thein Hteik and his companion forced U Tint Lwin (executive member of the NLD Township organising committee) to accompany them at 5 PM, which was after office hours, and compelled him to open the office. When they demanded that he open the tin trunk in which official papers were kept U Tint Lwin explained that he did not have the key with him. Corporal Thein Hteik threatened to break the lock and U Tint Lwin returned home. The corporal proceeded to a neighbouring house and fetched a crow bar, hammer, and chisel; then broke the lock, removed all the papers and locked the box with a new lock which he had brought with him.

On March 23 1999, when NLD member Daw Than Than Htay, was about to have an emergency operation in Thingangyun Sanpya (Model) Hospital, Deputy Police Superintendent Thounng Naing, and one constable entered Daw Than Than Htay's room. They demanded that the doctors and nurses present give them the patients file, which contained her address and other personal information in addition to her medical record. When the doctors refused in line with their ethical code as doctors, the deputy forcibly seized the document and copied down information. The men ignored the doctors request for their ID, and said Daw Than Than Htay was a political criminal.

#### **11.5 Arrest of NLD MP's and supporters**

The arrest of NLD MP's elect, NLD party members, and NLD supporters continued throughout 1999, and indeed increased after the call to convene parliament and the formation of the CRPP in September of 1998. Many of the party members who refused to sign letters of resignation were subsequently arrested. Other party members were arrested for various other reasons and "crimes." Ordinary citizens who refused to join in the "no confidence" rallies against the NLD members were also often subjected to arrest. U Kyaw San, an NLD organizing committee member for Prome Township was arrested for the distribution of an NLD statement in January 1999. Then in February 1999, 8 members, including women, of the same committee in Prome Township who had been arrested in 1998 for holding a monthly NLD meeting were each sentenced to 5 years imprisonment.

Between July and September 1999, SPDC arrested and detained hundreds of local NLD leaders and former student leaders throughout the country. In Pegu and Mandalay alone, the SPDC reportedly detained as many as 100 persons. These arrests were intended

to prevent public demonstrations in connection with the anniversary of the August 1988 pro-democracy uprising or on the numerologically significant date of September 9, (9.9.99) on which some pro-democracy groups in exile had called for a nationwide general strike to commemorate the 1988 uprising. Three sisters were reportedly arrested for wearing yellow t-shirts with pictures of Daw Aung San Suu Kyi on the front.

The IPU recognized in October 1999, and again in April 2000 that since September 1998, more than a hundred MPs elect have been arrested and forty were still in detention. The IPU, and the International Committee of the Red Cross also acknowledged the continuing existence of the military “guesthouses” where many elected MP’s and NLD members have been held. For more information on these arrests, please refer to the chapter on Arbitrary Detention.

## **11.6 Harassment due to NLD association**

On December 2 1999, MI forced the Thrizeya Reception Hall in Dala Township, Rangoon Division, to cancel the wedding reception plans of the son of a Sergeant stationed at Dala Township Police Force and the daughter of an NLD member. The MI had contacted the parents because they heard that Daw Aung San Suu Kyi was planning to attend the wedding reception. They told the parents to tell Daw Suu not to come, and then proceeded to cancel the wedding reception and revoke the wedding invitations.

## **11.7 Pressure to Resign**

In addition to arbitrary arrest, NLD members, and those associated with the NLD have been subjected to systematic, often blatant harassment in order to discourage them from participating in the activities of the NLD. In 1999 this harassment intensified as the SPDC stepped up its scheme to invalidate the NLD. Through various persuasive measures, threats, intimidation’s, and orders, the SPDC, through the Military Intelligence, accompanied by members of the Multi party Elections Commission, civil officials and/or members of the USDA has coerced hundreds of party members to resign. These resignations are announced publicly en-masse, on a regular (daily or weekly) basis in the State-run media, usually stating that “xxx number of NLD members voluntarily resigned because they no longer wished to participate in party politics.” As early as February 1999, the military-run media had reported that over 10,000 NLD members had resigned from the party since October 1998. However, these reports are often fabricated and distorted for the purposes of the military’s propaganda, which has become the SPDC’s strongest weapon against the NLD. People who have not participated in the NLD for years, or are not even NLD members are occasionally conscripted to sign such letters of resignation. The SPDC uses various tactics to persuade people to resign. Job security, their children’s education, and imprisonment are common threats.

## **Some examples of forced resignation**

In January 1999, in an attempt to get the NLD organizing committee in the towns of Yenangyaun and Chauk, Chauk Township, Mandalay Division to resign, the authorities illegally resurrected the defunct Township Elections Commission. They issued orders through this

commission demanding documents such as incoming and outgoing letters, attendance registers, all other files and account books. From January 29-31 1999, NLD members of Mindon Township, Magwe division, were ordered to come without fail to the office of the local MI. The MI group, including Srgt. Shwe Hla Maung, Lance Corporal Win Toe, and a corporal, told them that the NLD would soon be an illegal organization, and then forced them to sign a prepared letter of resignation. The members who refused to sign were detained within the military unit and further pressured through threats to their personal business or livelihood. The printing license of a member who made his living from a small printing machine was withdrawn, and false charges were laid against a member who was a trader for his living.

In February 1999, NLD members in De-pae-yin Township, Sagaing division were forced to resign their membership from the party. They were threatened that if they refused their children would be removed from schools.

On February 20 and 21 1999, 3 USDA members from Insein Township, Rangoon Division went round with a list of over twenty residents of Phauk-kan ward and forced them to sign letters of resignations from the NLD. The people were not members of the NLD, but the USDA members coerced them into signing by telling them that they had been accused of collaborating with the NLD in terrorist acts, but if they signed, they would have no trouble. In November 1999, Daw Khin Hnin Kyi, the Youth Wing organizer of the NLD Township Organizing Committee of Kalewa town in Sagaing Division was pressured and illegally coerced to resign from her position. This resulted in the break-up of her marriage, because the pressure applied was that her husband would lose his job if she did not resign. She did not resign, and in the end of November she and her husband filed for divorce so that his job would not be lost.

## **11.8 No-Confidence and Anti-NLD Motions and Rallies**

Another disturbing recent trend is the public “no-confidence” rallies, which aim to destroy the validity of the CRPP, the NLD, and the NLD elected and party members. These types of public gatherings are not new. In 1996, the military organized “spontaneous” people’s rallies to counter the popular house-front assemblies then held by Aung San Suu Kyi. In 1998-99, it was the NLD’s stated intention to reconvene parliament, the Hluttaw, that led to the public denunciations of the NLD. In both cases, “voluntary resignations” of NLD members followed en masse, and continue to the present.

However, the latest rallies are not mere reruns. Previously, great effort was made to refer to the opposition party and its leader obliquely, as if catastrophe might befall the state were it to identify Suu Kyi or the NLD by name. By contrast, rallies are now dominated by explicit personal attacks on individual members of the NLD. Secondly, as a corollary, the military is emphasizing its own relative legitimacy. Thus, resolutions from the 1998 rallies inform viewers that state stability, peace and economic progress are “already achieved” and now must be “safeguarded”. While the process of legitimization is not new, it appears to be playing a more significant role in state propaganda than in the past.

From October 1998 to January 1999 alone, anti-NLD rallies were staged in 19 towns across the nation. Legal sources have stated that this latest move of the regime is not permitted under any legislation in Burma. Such motions, protests and rallies continue to be frequent to date. In October 1999, the State Peace and Development Council (SPDC)

organized mass rally meetings known as “expressions of the people’s desire” over the whole country. Hundreds of thousands of people were forced to come to these rally meetings by local authorities. Most of the people were from the Union Solidarity and Development Association (USDA), a government sponsored organization which has proposed the banning of the NLD because it is an “unlawful association” as well as the deportation of Aung San Suu Kyi. The people have rarely said “no” to the rallies, because to do so would mean dismissal from their jobs and imprisonment for their sympathies for the NLD.

In November 1999, at a meeting of the Coastal Military Command in Mergui (southern Burma), Maj Myint Oo, chief of Unit 19 of the junta’s Military Intelligence Service (MIS) said, “We must respect the people’s desires expressed at the ‘people’s rallies’” all over the country. The people request that the government ban the NLD as an unlawful association and to deport ‘Mrs. Trouble’. Therefore, we want to ask all NLD members to please resign before the 18th of this month. After the deadline, we must take action against ‘enemies of the state’, who have not resigned from the NLD.”

### **‘No-Confidence’ for U Than Tun, NLD and CRPP Secretary**

In December 1998, during three rallies, the military authorities forced more than 50,000 people in Taungtha, Mandalay Division to sign documents expressing a lack of confidence in U Than Tun, the NLD MP elected to Parliament from Taungtha-2 Constituency. The papers were then handed over to the Township Election Commission.

More than a month later, on January 22, 1999 military authorities, citing a report from the Election Commission, announced that U Than Tun was no longer supported by the people. The declaration did not mention whether U Than Tun remains an MP. U Than Tun, 77, is a member of the CRPP formed and led by the NLD in its effort to convene Parliament. He is also the chief organiser of the NLD for Upper Burma, head of the party’s workers committee, and was a prominent labour activist and Parliamentarian during Prime Minister U Nu’s Government in 1958. U Than Tun won 47.79% of the votes cast in the electorate in the 1990 election. However the military announcement stated that his election win has been rejected by 89.78% of the electorate. Local people are confused over the announcement, particularly the inconsistent statistics. They believe that U Than Tun is being targeted in this manner because of his role within the NLD and the Committee Representing the People’s Parliament (CRPP). Later state-run Burmese newspapers denounced U Than Tun for remaining as an MP “despite withdrawal of support from the people”. The papers called for his resignation from Parliament.

### **‘Loss of Confidence’ in U Hla Pe, NLD MP elect and CRPP member**

On February 7, 1999 Zaw Oo from Mah-mhwe-gyun village tract, Moulmeingyun Township, Irawaddy Division approached every house in the village tract, and produced papers for the villagers to sign. Without showing them the contents of the paper, he explained the signature ensured them to continue in peaceful cultivation. However, when a member of one household checked the paper, he found that it was related to a loss of confidence and denial of support for U Hla Pe. Then on February 8, the Chairman of the Kyaik-Pe village administration, along with civil servants and the secretary of the local USDA took the names

of all the town's residents and forced them to sign a paper declaring that they did not support U Hla Pe. The same thing was done in Byangi village.

### **'No-Confidence' for U Bo Zan and U Ngwe Htoon, NLD MPs elect**

In the 1990 Multiparty General Elections, U Bo Zan and U Ngwe Htoon were overwhelmingly voted for by their respective constituents in Kyaukpadaung Township, Mandalay Division. On February 15, 1999, in contravention of the provisions stipulated in the Political Parties Registration Law and the People's Parliament Elections Law, certain groups in authority orchestrated a "no-confidence" demonstration. The meeting was announced over loudspeakers, ordering all people over 18 to attend the meeting, and teachers were told their duties would be relinquished if they failed to attend. A kyats 50 penalty was installed for default. Signatures of all members of a household (over 18 years) were taken to prove attendance and to signify opposition and no confidence. Of the 150 who did not attend, 35 did not make their payments and were subsequently apprehended and threatened that they would be associated with the NLD and imprisoned. The group delinquent in their payments, consisting of mostly poor elders, widows, and orphans were forced to walk 3 miles in order to pay their fines.

### **'No-Confidence' for U Paw Khin, NLD MP elect**

In February 1999, a no-confidence rally was held in Myingyin Township, Mandalay Division, where U Paw Khin had been elected in 1990 to the people's parliament. The people were forced to attend the rally, and shout slogans of no support, or face a 400 kyat fine, as well as other possible implications. Other NLD MPs elect have faced the same strategy of the SPDC to undermine their legitimacy as people's representatives in parliament. In January 1999, over 10,000 people were reportedly forced to attend a rally to denounce U Lwin, an MP elect and CRPP member from Thwonga Township. In February 1999, U Lun Tin, an MP and CRPP member from Mon State was targeted, and in March 1999, U Maung Maung Win of Myin-Gyan Township, Mandalay Division was declared to have "lost confidence". This trend has continued at an alarming pace. In the middle of October 1999, Daw Htay Aung, who was in charge at the Natmauk Auditor's office in Natmauk Township, received a transfer order because she had refused to sign the no-confidence petition against her husband. Her husband, U Aung Myint Thein, parliamentarian elect of Constituency 2 Natmauk Township, Magwe division, has been incarcerated at the 88<sup>th</sup> Light Infantry Division based at Magwe since July 13 1998. She was transferred to Saigaing division.

## **11.9 Measures to restrict NLD gatherings**

Since late 1996, the SPDC has prohibited regular weekend gatherings in front of Daw Aung San Suu Kyi's residence at which she and NLD vice-chairmen U Tin Oo and U Kyi Maung responded to letters from the public and delivered speeches.

Existing political parties are required to request formal permission from the SPDC to hold internal meetings of their members; however, the SPDC permitted several public gatherings of NLD members and supporters on various holidays. Those meetings continued

through the year's end, although SPDC security forces were present. While the SPDC allowed celebrations to take place in Daw Aung San Suu Kyi's compound, police or riot police restricted the size of the gatherings, and their suspension of restrictions was sporadic. NLD members and their sympathizers were prevented from attending the gatherings. They are methodically arrested whether on their way to such meetings or after attending the gatherings. The SPDC enhanced the existing barriers that blocked access to her residence during 1998, and severely restricted her freedom to leave her compound or to receive visitors.

### **Independence Day**

On the 51<sup>st</sup> Anniversary of Burma's Independence from Britain, the SPDC held a rally during which Senior General Than Shwe attacked the NLD, and referred to the "people's desire" to disband the party, citing the recent government organized rallies against the NLD. Aung San Suu Kyi and the NLD were able to hold a low-key ceremony at the party headquarters.

### **Union Day Celebrations**

Union Day, which marks the 52nd anniversary of the historic Treaty of Panglong, signed by General Aung San and leaders of several ethnic groups in a pact of mutual agreement, was celebrated by the junta through another attack on the NLD and Aung San Suu Kyi. Aung San Suu Kyi handed out rice to hundreds of poor at the National League for Democracy office, but refrained from making an address to avoid provoking the authorities.

### **Martyrs Day**

The military put road blocks around the National League for Democracy (NLD) party headquarters on Monday to vet attendance at a ceremony to mark the 1947 assassination of party leader Aung San Suu Kyi's father. Security personnel allowed a mere 400 people with invitations to attend the ceremony in the capital marking the 52nd anniversary of the death of Aung San, Burma's national hero and founding father. No incidents were reported.

### **Anniversary of the founding of the NLD**

In late September 1999, military police again blockaded roads leading to the NLD party headquarters which was making preparation for the party's 11<sup>th</sup> anniversary of its founding, in an attempt to prevent people from gathering there.

### **11.10 Guest-Lists and Restrictions on Public gatherings enforced**

In 1999 the Order 2/88 law which prohibits such things as gathering, walking, marching in processions, chanting slogans, and creating disturbances on the streets of more than 5 people was enforced, especially during the months of August and September 1999, when the junta feared that mass uprisings might take place. During this time curfews were imposed

in many towns and cities across Burma, with threats of severe repercussions if broken. As orders released at this time also prohibited the gathering of more than five peoples in the streets or in coffee shops or other public places, the authorities closed down several movie and other show theatres, and many coffee/teashops were temporarily closed.

The authorities also ordered people to inform them if they had any guests, and give them information about their guests' name, identity card, and background. They were threatened that if they failed to report their guests to the nearest section/ ward leaders, those in their house and the four nearest houses would be punished. The usual threatened punishment was 15 years in prison.

Also around the time of the planned '9999' uprising, people were prohibited from wearing anything with a yellow colour, the symbol of the planned 9-9-99 pro-democracy movement, which would associate them with such activities. Three women were reportedly arrested for wearing yellow T-shirts with pictures of Aung San Suu Kyi on them.

### **11.11 Prohibition of Free and Independent Trade Unions**

Burma ratified the Freedom of Association and Protection of the Right to Organize Convention, 1948 (No. 87) in 1955 and is bound as an ILO member to apply the principles of freedom of association. However, the Government of Myanmar has been criticized for not bringing its laws into compliance with the Convention No. 87, refusing to recognize independent trade unions, and harassing workers who attempt to organize.

Several Burmese laws relate to freedom of association and union organizing, but each is inconsistent with international standards and ignored in practice. The ruling regime does not recognize any independent labor unions in Burma. The Burmese government actively suppresses attempts by workers to organize, and workers who try to form or join such unions are liable to be harassed, arrested, and tortured. They are also under constant surveillance by the police and the military intelligence agency. Workers are, however, compelled to join a state-run union, the Union Solidarity and Development Association.

The ILO Committee of Experts has criticized the lack of freedom of association in Burma for over 40 years. This criticism increased after the 1962 military coup and intensified further after the GOB's suppression of the pro-democracy movement in 1988. Similarly, the ILO's Conference Committee on the Application of Standards has regularly denounced Burma's violation of Convention No. 87. In 1995, the Conference Committee highlighted the Government's failure to implement this core convention in a special paragraph, and it has continued to do so in each of its reports in subsequent years, including 1999.