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Four political objectives

- * Stability of the State, community peace and tranquillity, prevalence of law and order
- * National reconsolidation
- * Emergence of a new enduring State Constitution
- * Building of a new modern developed nation in accord with the new State Constitution

Four economic objectives

- * Development of agriculture as the base and all-round development of other sectors of the economy as well
- * Proper evolution of the market-oriented economic system
- * Development of the economy inviting participation in terms of technical know-how and investments from sources inside the country and abroad
- * The initiative to shape the national economy must be kept in the hands of the State and the national peoples

Four social objectives

- * Uplift of the morale and morality of the entire nation
- * Uplift of national prestige and integrity and preservation and safeguarding of cultural heritage and national character
- * Uplift of dynamism of patriotic spirit
- * Uplift of health, fitness and education standards of the entire nation

Vice-Senior General Maung Aye sends message of condolences to UAE

YANGON, 10 Jan— Vice-Senior General Maung Aye, Vice-Chairman of the State Peace and Development Council of the Union of Myanmar, has sent a message of condolences to His Highness Sheikh Mohammed Bin Rashid Al-Maktoum, Vice-President and Prime Minister of the United Arab Emirates, for the passing away of the late Vice-President and Prime Minister of the United Arab Emirates, His Highness Sheikh Maktoum Bin Rashed Al-Maktoum, who died on 4 January, 2006.—MNA

Detailed basic principles for the Chapter Citizenship, Fundamental Rights and Duties of Citizens, the role of the Tatmadaw to be included in the State Constitution clarified

Plenary session of National Convention continues at Nyaunghnapin Camp

YANGON, 10 Jan — The Plenary Session of the National Convention continued at Pyidaungsu Hall of Nyaunghnapin Camp in Hmawby Township, Yangon Division, at 9 am today.

It was attended by Chairman of the National Convention Convening Commission Secretary-1 of the State Peace and Development Council Lt-Gen Thein Sein and Commission members, Chairman of

the National Convention Convening Work Committee Chief Justice U Aung Toe and Work Committee members, Chairman of the National Convention Convening Management Committee Auditor-General Maj-Gen Lun Maung and Management Committee members, chairmen and officials of the respective sub-committees, delegates of National Unity Party, Union Pa-O National Organization, Mro (or) Khami

National Solidarity Organization, Lahu National Development Party, Union Kayin League, Kokang Democracy and Unity Party, and Wa National Development Party, representatives-elect of National Unity Party and Mro (or) Khami National Solidarity Organization, independent representatives-elect, delegates of national races from Kachin, Kayah, (See page 8)



The Plenary Session of the National Convention in progress at Pyidaungsu Hall of Nyaunghnapin Camp .—MNA

Emergence of the State Constitution is the duty of all citizens of Myanmar Naing-Ngan.

PERSPECTIVES

Wednesday, 11 January, 2006

Work for national education promotion and regional development

In the world today, the development of science and technologies are so rapid and great that it is dominant in almost every field. In striving for the progress and prosperity of the nation and the people at such a time like this, constant development of human resources is necessary in addition to peace and stability and national unity. Skills and qualifications of people are also resources of a nation. The more we can combine human resources and natural resources, the greater the development of the nation will be.

Therefore, new generation youths are being nurtured and trained in order that they can cope with the challenges of globalization and knowledge age and become intellectuals and intelligentsia. Education infrastructures are being built to enable all citizens to enjoy equal opportunities in education and refresher courses are being conducted for teachers to enable them to be well-versed in their respective branches of study and to widen their horizons.

The opening of the special refresher course No. 58 for basic education teachers was held at the Central Institute of Civil Service (Phaunggyi) in Hlegu Township on 9 October and it was attended by Chairman of Myanmar Education Committee Secretary-1 of the State Peace and Development Council Lt-Gen Thein Sein. In his address on the occasion, the Secretary-1 said that teachers were required to make rural people literate and enable rural youths to pursue higher education, to lend themselves to regional development tasks and at the same time to strive for the development of their schools and local community.

The future of a nation is in the hands of youths and the future of youths is in the hands of teachers. Therefore, teachers should educate youths so that their qualifications become higher and they abide by the law of the nation and they can serve the interests of the nation with patriotic spirit and Union Spirit.

Education is the driving force for the progress of the nation and the people as national solidarity and Union Spirit are the lifeblood of the Union. Therefore, we would like to call on teachers to work for national education promotion and national solidarity while actively taking part in regional development work.

Educative talks given

YANGON, 10 Jan— Information Committee of Myanmar Women's Affairs Federation and No-2 Basic Education High School, Sangyaung organized educative talks at the school this morning.

First, Head of the Information Department Daw Kyi Kyi Win extended greetings. Next, member of Intellectuals and Intelligentsia group of MWAFF Dr Ma Tin Win gave talk.

Afterwards, Headmistress Daw Khin Lay Myint spoke words of thanks and presented gift to Dr Ma Tin Win.

MNA

People's Desire

- * Oppose those relying on external elements, acting as stooges, holding negative views
- * Oppose those trying to jeopardize stability of the State and progress of the nation
- * Oppose foreign nations interfering in internal affairs of the State
- * Crush all internal and external destructive elements as the common enemy

Malaysian Prime Minister felicitates Prime Minister General Soe Win

YANGON, 10 Jan — *The following is a message of felicitations from Mr Abdullah Ahmad Badawi, Prime Minister of Malaysia, sent to Prime Minister General Soe Win, on the occasion of the 58th Anniversary Independence Day of the Union of Myanmar.*
Excellency,

On behalf of the Government and the people of Malaysia, and on my own behalf, I would like to convey to Your Excellency, the Government and the people of the Union of Myanmar, my warm greetings and best wishes on this auspicious occasion of your country's Independence Day.

I hope that the cooperation and friendly ties between Malaysia and Myanmar would continue to expand in the years ahead for our mutual benefit.

Please accept, Excellency, the assurances of my highest consideration.

MNA

Myanmar Gazette

YANGON, 10 Jan — The State Peace and Development Council has transferred Managing Director U Than Shwe of the Myanma Paper and Chemicals Enterprise under the Ministry of Industry-1 as Managing Director of Myanmar Pharmaceuticals and Consumer Goods Industries under the same ministry on probation from the date he assumes charge of his duties.

The State Peace and Development Council has appointed the following persons as heads of service organizations shown against each on probation from the date they assume charge of their duties.

Name	Appointment
(a) U Nyunt Aung Factories Manager Paper and Pulp Factory (Thabaung) Myanma Paper and Chemicals Enterprise Ministry of Industry-1	Managing Director Myanma Paper and Chemicals Enterprise Ministry of Industry-1
(b) U Ohn Kyaw Deputy Director-General Planning Department Planning Department Ministry of National Planning and Economic Development	Director General Planning Department Ministry of National Planning and Economic Development

Meetings of National Convention delegate groups held

YANGON, 10 Jan — Meetings of National Convention delegate groups took place at designated halls of Nyaungghnapp Camp in Hmawby Township this afternoon.

The meeting of the delegate group of political parties was held at the meeting hall-1. U Tun Yin Law of National Unity Party presided over the meeting together with U Philip Sam (a) U Saw Philip of Wa National Development Party. Deputy Director U Khin Maung Phyu of the work group-3 of the National Convention Convening Work Committee acted as master of ceremonies and Assistant Director U Khin Sein as co-MC. U Tun Yin Law made an opening speech.

Next, the compilation of proposals of the seven political parties regarding the basic principles on fundamental rights and responsibilities of the citizens the role of the Tatmadaw and the date of the submission of the proposals were discussed. Later, the meeting chairman gave concluding remarks.

The meeting of the delegate group of representatives-elect was held at the meeting hall-2. U Yaw Aye Hla of Lahu National Development Party presided over the meeting together with U Maung Gyi of the Union Pa-O National Organization and U San Tha Aung of Mro or Khami National Solidarity Organization. Deputy Director U Maung Maung Phyu Tint of the work group-4 of the National Convention Conven-

ing Work Committee acted as master of ceremonies and Assistant Director Daw Mi Mi Shein as co-MC.

Alternate Chairman U Yaw Aye Hla of Lahu National Development Party delivered an opening address.

The delegates from elected delegate group discussed compiling of papers and setting of date regarding detailed basic principles fundamental rights and responsibilities of the citizens as and the role of the Tatmadaw that should be laid down. The meeting ended with the concluding remarks by the chairman.

The meeting of national races delegate group was held at the Pyidaungsu Hall this afternoon.

U Mya Sein of Mandalay Division acted as alternate chairman and U Maung Hla (a) U Hla Myint of Taninthay Division and Duwa Zok Dong of Shan State (North) as members of the Panel of Chairmen.

Deputy Director of Work Committee Group-5 U Than Tun acted as master of ceremonies and Assistant Director U Tin Maung Oo as joint master of ceremonies. Chairman U Mya Sein spoke at the meeting.

The delegates from national races delegate group discussed compiling of papers regarding detailed basic principles fundamental rights and responsibilities of the citizens and the role of the Tatmadaw that should be laid down.

The meeting ended with the concluding remarks by the chairman. — MNA



U Mya Sein of Mandalay Division speaks at the meeting. — MNA

Congress arm rejects Bush eavesdropping case

WASHINGTON, 9 Jan — A report by a research arm of Congress on Friday concluded the administration's justification for eavesdropping authorized by President George W Bush conflicts with existing law, the *Washington Post* reported on Saturday.

The Congressional Research Services report, the first non-partisan findings on the programme to date, rejects key assertions made by Bush and Attorney General Alberto R Gonzales about the president's authority to order the eavesdropping into telephone calls and e-mails, the paper wrote.

The 44-page CRS report said that Bush likely cannot claim the broad presidential powers he has relied upon as authority to order the secret monitoring of phone calls made by US citizens since the fall of 2001.

A 1978 law, the Foreign Intelligence Surveillance Act, forbids

domestic spying on US citizens without the approval of a special court. In the wake of the 11 September attacks, Bush secretly authorized the National Security Agency to intercept communications without court ap-

proval.

Critics of the administration warn that civil liberties could be jeopardized by government eavesdropping practices that avoid judicial oversight.

MNA/Reuters



French soldiers walk outside the fortified French Embassy in Baghdad on 8 Jan, 2006.—INTERNET

French hostage released in Iraq

BAGHDAD, 9 Jan — A French hostage kidnapped in Baghdad last month was released on Saturday, an Interior Ministry source said on Sunday.

"The kidnapers of Bernard Planche released him at about 2:00 pm (1100 GMT) near a US checkpoint in Abu Ghraib area in western Baghdad," the source told *Xinhua* on condition of anonymity.

The source said he is not sure whether the kidnappers, who drove a vehicle, released Planche after they saw the checkpoint and fled or they bought him premeditatedly near the checkpoint to release him.

Planche, 52, was kidnapped by a group of militants calling

themselves the Battalion of the Lookout for Iraq on 5 December from his home in Baghdad's western Mansur District.

About two hundred foreigners have been kidnapped in Iraq since the US-led invasion of the country in March 2003. Dozens of the hostages were killed.

MNA/Xinhua

Quake felt in western coast of Turkey

ANKARA, 9 Jan — An earthquake measuring 6.4 on the Richter Scale jolted Greece on Sunday, and was also felt in the western coast of Turkey, semi-official *Anatolia* news agency reported on Sunday. The undersea quake rattled Greece at 1:34 pm (1134 GMT) with epicentre located between the islands of Kythira and Crete about 215 kilometres south of Athens, according to the Athens National Observatory. The quake was felt in western Turkish cities of Mugla and Izmir as well as southern city of Antalya. The Egyptian capital of Cairo was also affected by the tremor.

MNA/Xinhua

Four cyclists killed in car collision in Wales

LONDON, 9 Jan — Four people, including one child, were killed on Sunday after a car collided with a group of cyclists on a road in north Wales.

Police said three men and a boy had died in the accident involving a Toyota Corolla car while another eight had been injured.

Three of those had minor injuries, four had serious but not life-threatening injuries, and the condition of the eighth is unknown. The driver of the car is among those who have been taken to hospital, police said.—MNA/Reuters

Two killed in suicide car bomb attack in Baghdad

BAGHDAD, 9 Jan — A suicide car bomb struck a convoy of security officials in southern Baghdad on Sunday, killing two of them and wounding five others, an Interior Ministry source told *Xinhua*.

"A suicide bomber rammed his explosive-laden vehicle into a convoy carrying employees of the Iraqi national security adviser's office and blew it up near the Um al-Tuboul mosque," the source said on condition of anonymity. —MNA/Xinhua

Six die in two accidents on icy Hungarian roads

BUDAPEST, 9 Jan — Six people died and 15 were injured in two separate accidents on icy roads in Hungary on Saturday morning, a spokesman for the emergency services said. The most serious accident involved a local bus travelling from Fule to Szekesfehervar which slid off the road and hit an electricity pylon, killing three people and injuring 15, some seriously. Feher County emergency services said. Fule is 90 kilometres (60 miles) southwest of the capital Budapest.—MNA/Reuters

2,201 US soldiers killed in Iraq

WASHINGTON, 9 Jan — As of Monday, 9 January, 2006, at least 2,201 members of the US military have died since the beginning of the Iraq war in March 2003, according to an *Associated Press* count. At least 1,740 died as a result of hostile action, according to the military's numbers. The figures include five military civilians.

The British military has reported 98 deaths; Italy, 27; Ukraine, 18; Poland, 17; Bulgaria, 13; Spain, 11; Slovakia, three; Denmark, El Salvador, Estonia, Netherlands, Thailand, two each; Hungary, Kazakhstan, Latvia one death each.

Since 1 May, 2003, when President Bush declared that major combat operations in Iraq had ended, 2,062 US military members have died, according to *AP's* count. That includes at least 1,631 deaths resulting from hostile action, according to the military's numbers.

Internet

Five US soldiers killed in Iraq

BAGHDAD, 9 Jan — Five US soldiers were killed separately in Iraq during the past 24 hours, the US military said on Sunday.

Two US Marines were killed in two roadside bomb attacks in western Baghdad on Saturday, the US military said in a statement.

Earlier on Sunday, three US soldiers were killed by small arms fire in separate incidents in Fallujah, some 50 kilometres west of Baghdad, the military said in another statement.

The death toll of US military personnel in Iraq has risen to 2,196 so far since the US-led invasion in March 2003. —MNA/Xinhua



Indonesian landslide victims carry relief in the town of Jember, in East Java Province, Indonesia, on 8 Jan 2006. — INTERNET

Mining sector witnesses sustained progress

Increased output of mineral resources in the time of the Tatmadaw Government

Extended mining blocks and thriving gems market

The wealth of mineral resources contributes to the development the national economy. In the time of the Tatmadaw Government, as peace and tranquillity prevail in the border areas and market economy is being practiced, production of mineral resource has

Increasing number of mining blocks and gems production

Sr	Subject	1988	2005	Progress
1.	Gems block	8	635	627
2.	Production of gems (carat in thousand)	126	61232	61106
3.	Jade blocks	3	1202	1199
4.	Production of jade (kilo in thousand)	130	14436	14306
5.	Pearl camp	2	9	7
6.	Production of pearl (Momme)	8488	124207	115719



Local and foreign gem merchants observe jade at 2005-mid-year Myanmar Gem Emporium.

been increasing year by year.

Since 1988, groups of national races that returned to the legal fold have been extracting mineral resources in cooperation with the Government. The Government has

always encouraged the growth of the gems market.

Hence, the production rate of mineral resources has gone up.

In an attempt to boost the gems sales, Myanmar gems

emporium, attracting local and foreign merchants, is held yearly.

The table shows an increase in mining blocks and gems in the time of the Tatmadaw Government.

Indian, Bangladesh border guards hold talks

DHAKA, 9 Jan— Illegal intrusions by each other's nationals, transborder crime, smuggling of firearms, and construction of illegal structures along the border figured in the three day meeting between Indian and Bangladeshi border guards ended on Saturday.

The Deputy Director General level meeting between Bangladesh Rifles (BDR) and Border Security Force at the BDR sector headquarters in north-eastern Sylhet District discussed firing on each other's nationals by border guards, pre-vention of trans-

border crime and illegal intrusion of nationals, official sources said here.

Smuggling of firearms, ammunition, drugs and other contrabands, construction of illegal structures within 150 yards of the border and transportation of bamboo

and other forest resources through common river routes were also discussed in the meeting, the sources said. Both sides at the conference agreed to cooperate actively with each other in reducing border tension and all kinds of border crimes.—MNA/PTI



Deputy Leader Daw Htoo Htoo Aung of social and cultural group of Myanmar Women's Affairs Federation presents K 100,000 to Chairman of Tamil Araneri Kazhagam U Kyaw Win (a) G Kalai Chelvan. H

Orphanage blaze kills 13 children in Tajikistan

DUSHANBE, 9 Jan— A fire at an orphanage in Dushanbe, the capital of ex-Soviet Tajikistan, killed 13 children on Sunday, fire officials said.

Only the scorched walls of the building remained. It had mainly housed disabled children, many of whom could not move by themselves.

"Thirteen children died. Thankfully another 79 children were evacuated, one of them is now in hospital," Nusr-attullo Faizulloev, the Central Asian state's Health Minister, told reporters.

He denied earlier official reports that 60 children had been injured. "They have suffered seriously psychologically," he added. There was no word on what had caused the fire.

Witnesses said it had taken a long time for help to come, although the orphanage is in the city centre.

"The firemen arrived

practically an hour after they were called. A lot of people called as soon as they saw the fire. It was very strong. We tried our

best to put it out," said a young man, black with soot, who did not want to give his name.

MNA/Reuters

Bolivians tie knot in mass wedding in stadium

LAPAZ (Bolivia), 9 Jan— Nearly 200 Bolivian couples aged from 18 to 77 got hitched in a mass wedding in a sports stadium, taking advantage of the free ceremony, organizers said on Sunday.

Some of the couples opted for white bridal gowns and tuxedos at Saturday's civil ceremony in the capital La Paz while others said "I do" wearing traditional Indian dress.

Many of the 189 newlywed couples, who packed the floor of the stadium as their guests clapped from the stands, had not been able to afford to get married previously and wanted to formalize their legal status.

Catalina Paz, who has lived with her partner Florencio Gonzales for 37 years, told the daily La Razon they had finally decided to get married because their children wanted them to. "Our grandchildren will definitely be watching us from the stands," she was quoted as saying. The couples lined up to say their vows in front of a civil registry officer. — MNA/Reuters

The State shall, by law, protect the privacy and security of the home, property, correspondence and other communications of citizens subject to the provisions of this Constitution

YANGON, 10 Jan—*The following is a translation of clarifications concerning the detailed basic principles for the Chapter Citizenship, Fundamental Rights and Duties of Citizens to be included in the State Constitution made by National Convention Convening Work Committee Chairman U Aung Toe at the plenary session of the National Convention this morning.*

I would like to present the findings of the National Convention Convening Work Committee regarding the detailed basic principles for the Chapter Citizenship, Fundamental Rights and Duties of Citizens to be included in the State Constitution.

In drafting the State Constitution for our nation, it is required to prescribe the Chapter Citizenship, Fundamental Rights and Duties of Citizens. Only then, will a person understand, when studying the Constitution, the requirements to be citizenship, what the fundamental rights entrusted to the nationals according to the Constitution are, and what duties they have to carry out in the interests of the State are.

A glance at the constitutions of world nations, it is found that many of them draw a chapter Citizenship, Fundamental Rights and Duties of Citizens. The 1947 Constitution of our nation includes a chapter Fundamental rights that prescribes the fundamental rights for the citizens. And the 1974 Constitution includes a chapter Fundamental Rights and Duties of Citizens.

Generally, the fundamental rights that should be prescribed in the Constitution are requirements to be citizenship, the equality before the law, the freedom of expression, the freedom of publication, the right to organize, the right to settle and reside in any part of the Union, the right to acquire property, the right of privacy and security of premises, the right of being free from forced labour, the right to profess and practice any religion of one's belief, the right to develop the arts, education, literature and other branches of culture, the right to elect and to be elected to the Hluttaws, the right to freely operate any business activity permitted by the State, the right to be put under arrest, investigated and tried only in accordance with prescribed laws in criminal cases, the right to enforce remedies for loss & damages and so forth. The citizens, in enjoying these rights, shall not harm Our Three Main National Causes namely Non-disintegration of the Union, Non-disintegration of national solidarity, and Perpetuation of sovereignty that they should always uphold for perpetual existence of the State.

Moreover, since the time immemorial, all the national races have been living in our Union keeping eggs and nest intact. The national races, while in search of greener pasture, have settled in the regions of the Union in amity and harmony. Now, smooth transport has helped further cement amicable relations among the national ethnic groups in various regions across the Union. Some characteristics of the customs and traditions of the national races are similar in essence, and some are different from one another. They have their own arts they cherish, and some national tribes have own literature.

The people need to take great care in enjoying the fundamental rights according to the Constitution in order not to harm the unity among the national races, and the culture, customs, traditions, arts and literature of a national race cannot be adversely affected by another national race.

It cannot be said that the fundamental rights come into force by mere inserting and adopting them by the Constitution. It is required to make the fundamental rights meaningful by means that the people realize and enjoy them correctly, enforcing constitutional remedies in accord with the law if they are deprived of their fundamental rights bestowed by the Constitution. If the citizens, instead of that, choose violent means, they will lose the fundamental rights. Therefore, to enjoy the fundamental rights bestowed by the Constitution the citizens need to exercise in a justified and fair manner.

I would like to present the findings of the Work Committee regarding being citizenship, a fundamental right. The National Convention has laid down a principle for this point as follows —

“All persons born of parents both of whom are

nationals are citizens of the nation. Persons who are vested with citizenship according to the existing laws on the date this Constitution comes into force are also citizens. Citizenship, naturalization and revocation of citizenship shall be as prescribed by law.”

It is presumed that this principle the National Convention has laid down is appropriate for citizenship, naturalization and revocation of citizenship. A similar principle is prescribed in the 1974 Constitution. So, regarding citizenship, discussions are to be held and suggestions to be made so as to assess the point that the detailed basic principle the National Convention has laid down:

“(1) All persons who have either one of following requirement are citizens of the Union of Myanmar —

- (a) All persons born of parents both of whom are nationals of the Union of Myanmar
- (b) Persons who are vested with citizenship according to existing laws on the date this Constitution comes into force”

(2) Citizenship, naturalization and revocation of citizenship shall be prescribed by the law should be adopted in the Chapter Citizenship, Fundamental Rights and Duties of Citizens or not.

Now, I would like to present the findings of the Work Committee regarding the right of equality and the right of freedom to be included in the fundamental rights of the citizens. Regarding the right of equality and the right of freedom, the National Convention has laid down a basic principles as follows:

Every citizen shall enjoy the rights of equality, rights of liberty, and rights of justice etc. as prescribed in the State Constitution.

The rights of equality, the rights of liberty, and the rights of justice are the noblest and worthiest of worldly values. In other words, such values are democratic rights the people should enjoy in building a democratic nation. Of them, we all have upheld the value Equality before the law in all seriousness. All the citizens in the State shall be equal before the law and shall have equal protection of law.

Moreover, all citizens are equal before the law irrespective of race, birth, religion, official position, culture, sex and wealth. Expectant women, mothers, and children shall enjoy those rights prescribed by law. No citizens, racial, religious and sexual, shall be discriminated against in regard to government employment. However, only men shall, in the interests of the State, be appointed to the positions that are naturally suitable for men only.

So, regarding ensuring equality among citizen, discussions are to be held and suggestions to be made so as to assess the point that the detailed basic principle:

“1. The State shall enable any citizen to enjoy equal rights before the law and shall equally provide legal protection

2. The State shall not discriminate against or in favour of any citizen based on race, birth, religion, official position, status, culture, sex and wealth.

3. Citizens shall enjoy equal rights in the following spheres—

- (a) public employment
- (b) occupation
- (c) trade
- (d) business
- (e) technical know-how and vocation
- (f) science and technology

4. Women shall be entitled to the same rights and salaries as that received by men in respect of similar work

5. Mothers, children and expectant women shall enjoy rights as prescribed by law

6. The State shall, in appointing or assigning duties, not discriminate against or in favour of any citizens with qualifications set for positions or duties based on race, birth, region, and sex.

However, nothing in this section shall prevent

National
Convention
Convening
Work
Committee
Chairman
U Aung
Toe.
MNA



appointment of men to the positions that are naturally suitable for men only” should be adopted or not.

Our nation is going to exercise genuine multi-party democracy system through a new enduring Constitution. In the process, it is found that among the democratic practices are freedom of speech, press, assembly, procession, association, settlement in the State, property ownership and security of premises, etc. In view of the provisions of the constitutions of many nations, it is found that they prescribe the provisions that are in conformity with prevailing situations after taking into consideration the national security, prevalence of law and order, community peace and tranquillity apart from the historical, political, economic and social aspects of respective nations. Similarly, the provisions on the fundamental rights in the 1947 Constitution and the 1974 Constitution were prescribed as they were in conformity with the prevailing situations at respective times. In addition, our nation should not let itself lose sight of the invaluable knowledge that some nations that hastily transformed themselves into democratic ones without necessary good foundations for democratic practices are having their peace & tranquillity affected and encountering hardships.

So, regarding the rights, discussions are to be held and suggestions to be made so as to assess the point that the detailed basic principle—

“1. Nothing shall, except in accord with existing laws, be detrimental to the lives and personal freedom of any citizens

2. There shall be liberty in the exercise of the following rights subject to the laws enacted for State security, prevalence of law and order, community peace and tranquillity or public order and morality—

(a) The right of the citizens to express freely their convictions and opinions

(b) The right of the citizens to assemble peacefully without arms and the right of procession

(c) The right of the citizens to form associations and unions

(d) The right of the citizens to develop their language, literature, culture they cherish, religion they profess, and customs without prejudice to the relations between one national race and another, or among national races and to other faiths

3. Every citizen shall have the right to settle and reside in any place within the Union according to the law

4. The Union shall, according to the law, protect every citizen's belongings and movable & immovable property lawfully earned and acquired

5. The State shall, by law, protect the privacy and security of the home, property, correspondence and other communications of citizens subject to the provisions of this Constitution” should be adopted or not.—MNA

The State also recognize Islam, Christianity, Hinduism and Animism as some religions existing in the Union on the date of the coming into force of the State Constitution



Secretary
of
National
Convention
Convening
Work
Committee
U Thaug
Nyunt.
MNA

YANGON, 10 Jan—*The following is a translation of presentation on clarifications of National Convention Convening Work Committee Chairman concerning the detailed basic principles for the Chapter Citizenship, Fundamental Rights and Duties of Citizens to be included in the State Constitution by Secretary of National Convention Convening Work Committee U Thaug Nyunt at the plenary session of the National Convention this morning.*

In practising democracy, man is of most fundamental factor. It opposes enslaving of human and trafficking in persons that were common in ancient times of the world. The constitutions of many nations oppose forced labour, except hard labour for those who are sentenced to prison terms under law, and the State's assigning duties in accord with the law in the interests of the State and the people. In the 1947 Constitution of our nation were some provisions that prohibited such unjust matters.

So, regarding enslaving of man and forced labour, discussions are to be held and suggestions to be made so as to assess the point that the detailed basic principle—

- “1. The State prohibits enslaving of man and trafficking in persons
2. The State prohibits any forms of forced labour except hard labour as a punishment for crime whereof the party shall have been duly convicted and duties assigned by the State in accord with the law in the interests of the State and the people”

should be adopted or not.

Buddhism is the faith professed by the great majority of the citizens of the nation. There are also citizens in the nation who profess Islam, Christianity, Hinduism and Animism. So, the citizens in the State should have the right to freely profess any faiths of their choice. In this regard, there should be a principle that ensures the exercise of this right shall not, in the interests of the State and the people, associate with politics, social affairs and other secular affairs, abuse of religion for political purpose, and any act which is intended or likely to promote feelings of enmity, conflicts and disagreements between racial or religious communities or sects.

The detailed basic principles the National Convention has laid down, regarding religious faiths, are:

- “1. Every citizen is equally entitled to freedom of conscience and the right to freely profess and practise religion subject to public order, morality or health and to the other provisions of the State Constitution
2. The above right shall not include any economic, financial, political or other secular activities that may be associated with religious practice
3. The freedom so guaranteed shall not debar the State from enacting laws for the purpose of social welfare and reform;
4. The State recognize the special position of Buddhism as the faith professed by the great

majority of the citizens of the State

5. The State also recognize Islam, Christianity, Hinduism and Animism as some religions existing in the Union on the date of the coming into force of the State Constitution
6. The State shall help and protect as much as it can the religions it recognizes
7. The abuse of religion for political purposes is forbidden; and any act which is intended or is likely to promote feelings of hatred, enmity or discord between racial or religious communities or sects is contrary to the State Constitution and may be made punishable by law.”

The right of religious freedom should cover not only the citizens but also foreign registration citizens. The 1947 Constitution bestowed the right of religious freedom covering all people including the citizens.

So, regarding the right of religious freedom, with reference to the basic principles the National Convention has laid down, discussions are to be held and suggestions to be made so as to assess the point that the detailed basic principle—

- “1. Any person is equally entitled to freedom of conscience and the right to freely profess and practise religion subject to public order, morality or health and to the other provisions of the State Constitution
2. The above right shall not include any economic, financial, political or other secular activities that may be associated with religious practice
3. The freedom so guaranteed shall not debar the State from enacting laws for the purpose of social welfare and reform
4. The State recognize the special position of Buddhism as the faith professed by the great majority of the citizens of the State
5. The State also recognize Islam, Christianity, Hinduism and Animism as some religions existing in the Union on the date of the coming into force of the State Constitution
6. The State shall help and protect as much as it can the religions it recognizes
7. The abuse of religion for political purposes is forbidden; and any act which is intended or is likely to promote feelings of hatred, enmity or discord between racial or religious communities or sects is contrary to the State Constitution and may be made punishable by law.”

should be adopted or not.

More than one hundred national races live in our nation. Some customs, culture and arts of the national races are similar and some are not. The majority of the national races use Myanmar language and literature, and some national races have own languages and literature. So, national races should have the right to freely develop own literature, culture and traditions.

Regarding the education, every citizen should be given education in accord with the education policies. High literacy rate plays an important role in building a modern developed nation. It is a unforgettable lesson taken from the nation's history that in the colonial days, some national peasant farmers who did not enjoy the right to pursue education lost their farmland unjustly due to deception of unscrupulous persons. So, it is required to enact a law that every citizen shall be given basic education as compulsory. And every citizen should have the right to pursue science and to carry out innovation in literature and arts. However, a national race, in enjoying this right, will have to avoid any particular action in this respect which might adversely affect the literature, culture and arts of other national races. The State shall, in the education aspect, encourage and provide assistance for citizens outstanding in education irrespective of race, religion, and sex.

So, regarding the right on education, discussions

are to be held and suggestions to be made so as to assess the point that the detailed basic principle—

- “1. Every citizen shall, in accord with the law, have the right to freely develop literature, culture, arts, customs and traditions they love. In the process, they shall avoid any act which is to the detriment of national solidarity. Any particular action in this respect which might adversely affect the interests of one or several other national races shall be taken only after consulting with and obtaining the consent of those affected
2. Every citizen, in accord with the education policy laid down by the State shall,
- (a) have the right to education
- (b) be given basic education prescribed by the law as compulsory
- (c) have the right to innovate and express conscience for the development of science, literature and arts, and freely do research on culture
3. The State shall encourage and provide, based on qualifications, assistance for citizens outstanding in the education, irrespective of race, religion, and sex.”

should be adopted or not.

I would like to present the findings of the Work Committee regarding the detailed basic principles for the rights to elect and to be elected.

Now, the number of the population of our nation has touched more than 50 million and it is growing day after day. The State will exercise the multi-party democracy system after the approving of the State Constitution. Now, all necessary foundations are being built to achieve this goal. In a democratic nation, the State's sovereignty resides in the people. However, practically all the people cannot assemble, discuss and decide matters on sovereignty in a single place. So, Hluttaws at different levels have to be formed in accord with the provisions of the Constitution to carry out such matters. After the terms of Hluttaws have been fixed, the people will have to elect Hluttaw members representing the people to carry out functions. The people also have the right to be elected in accord with the law. The people shall be given the right to revoke, in accord with the law, the duties of a representative they have elected if he is not dutiful.

So, regarding the rights to elect and to be elected, discussions are to be held and suggestions to be made so as to assess the point that the detailed basic principle—

- “1. Subject to this Constitution and relevant laws, every citizen shall have the right to elect and to be elected to the Pyithu Hluttaw, the Amyotha Hluttaw, the Region or State Hluttaw;
2. Respective electorate shall have the right to revoke the duties of a Hluttaw member in accord with the law”

should be adopted or not.

A basic principle has been adopted to designate the market-oriented economic system as a national basic principle. National economic development plays a major role in the drive for proper evolution of the market-oriented economic system. With the national economic development, the nation will enjoy all-round development. To ensure national economic development, citizens shall have the right to freely do businesses in accord with the law, and the State shall help them have access to technologies, investments, machinery, and raw materials. Moreover, the State shall give guarantee to the citizens in doing businesses without prejudice to the law, the citizens should be guaranteed privacy of property, rights to use assets and to innovate.

So, regarding the rights to do businesses, discussions are to be held and suggestions to be made so as to assess the point that the detailed basic principle —

(See page 7)

Harming and jeopardizing of the fundamental rights bestowed by the Constitution is indeed violation of the provisions of the criminal law



Member of
National
Convention
Convening
Commission
Deputy
Minister
for
Information
U Thein
Sein.
MNA

YANGON, 10 Jan— *The following is a translation of presentation on clarifications of National Convention Convening Work Committee Chairman concerning the detailed basic principles for the Chapter Citizenship, Fundamental Rights and Duties of Citizens to be included in the State Constitution by member of National Convention Convening Commission Deputy Minister for Information U Thein Sein at the plenary session of the National Convention this morning.*

Generally, the harming and jeopardizing of the fundamental rights bestowed by the Constitution is indeed violation of the provisions of the criminal law, so action shall be taken against such a violator in accord with the law. In this regard, there should be an authoritative body to enable an affected person to receive effective and prompt protection as well as to remedy his deprivations in such a matter that the harming of a fundamental right for which taking action under a criminal law is not sufficient. It is found that many of the nations that exercise democratic system vested power in the Supreme Court to issue writs to handle such a case.

According to the 1947 Constitution of our nation, the power to issue writs was vested in the Supreme Court. When the Supreme Court found out that a fundamental right was harmed, it issued a writ to revoke or amend the wrong judgment of the court concerned. Among the detailed basic principles on judiciary the National Convention has laid down for State principles are

- In the State is constituted one Supreme Court of the Union
- The Supreme Court of the Union is the supreme law court of the State
- The Supreme Court of the Union is vested with the power to issue writs.

The National Convention has laid down a detailed basic principle that in the State is constituted one Supreme Court of the Union. But, vesting the Supreme Court of the Union with the power to issue writs should not affect the power of other courts to issue orders that is likely to be the power vested according to an existing law to issue writs. The power to issue writs shall not be suspended unless, in times of war, invasion, rebellion, insurrection or grave emergency, the public safety may so require. In carrying out our tasks, some citizens may have to deal with foreign countries. Such citizens, at home or abroad, should have the right to seek protection of the State.

If there are, of the rights prescribed in this chapter, some rights that need to be restricted or revoked, they should be done so only after the enacting of a necessary law for members who are discharging national defence duties, or duties for prevalence of law and order and State security to be able to discharge their duties effectively with discipline. The 1947 Constitution carried some provisions on similar matters.

So, regarding the rights to enforce remedies according to the Constitution, discussions are to be held

- In the State is constituted one Supreme Court of the Union
- The Supreme Court of the Union is the supreme law court of the State
- The Supreme Court of the Union is vested with the power to issue writs.

and suggestions to be made so as to assess the point that the detailed basic principle—

“1. The right to move the Supreme Court of the Union by appropriate proceedings for the enforcement of any of the rights conferred by this Chapter is hereby guaranteed

2. The Supreme Court of the Union shall have the power to issue the following writs as appropriate in a matter to enforce the rights bestowed by this Constitution;

- (a) Writs of Habeas Corpus
- (b) Writs of Mandamus
- (c) Writs of Prohibition
- (d) Writs of Quo Warranto
- (e) Writs of Certiorari

The vesting of the Supreme Court of the Union with the power to issue writs should not affect the power of other courts to issue orders that is likely to be the power vested according to an existing law to issue orders

3. In times of the following situations, the power to issue writs shall not be suspended unless the public safety may so require. In carrying out our tasks, some citizens may have to deal with foreign countries. Such citizens, at home or abroad, should have the right to seek protection of the State.

- (a) in time of war,
- (b) in time of invasion,
- (c) in time of rebellion;

4. Every citizen, at home or abroad, dealing with foreign countries shall have the right to seek protection of the State;

5. Except the following situations, the right to enforce remedies prescribed by law shall not be suspended regarding the deprivation of citizens—

- (a) in time of invasion,
- (b) in time of rebellion,
- (c) in time of insurrection or grave emergency,

6. If there are, of the rights prescribed in this chapter, some rights that need to be restricted or revoked, they should be done so only after the enacting of a necessary law for members who are discharging national defence duties, or duties for prevalence of law and order and State security to be able to discharge their duties effectively with discipline”

should be adopted or not.—MNA

Every citizen shall have the right to freely do business in accord with the law for the national economic development

(from page 6)

“1. Every citizen shall have the right to freely do business in accord with the law for the national economic development

2. The State shall help national businessmen have access to technologies, investments, machinery, and raw materials

3. In doing businesses without prejudice to the law, every citizen should be guaranteed the rights of privacy of property, using assets, innovation, and copyright by the State”

should be adopted or not.

I have presented matters to adopt the detailed basic principles for the citizens to enjoy equality before the law and equal legal protection as well as the matter that nothing shall, except in accord with existing laws, be detrimental to the lives and personal freedom of any citizens. And citizens should also enjoy the rights in relation to criminal law. An accused should be convicted of crime in accord with the law at the time of the commission of the offense, nor shall he be subjected to a

penalty greater than that applicable. Except the matter for which a next higher court revokes a judgment and orders to rehear the case regarding the judgment in which the court concerned convicted or acquitted an accused of the crime, any cases shall not be reheard. An accused shall have the right to make an argument against the charge. Security of the State, prevalence of law and order, and community peace and tranquillity are major requirements for the State and people. Therefore, no citizen shall, except matters on preventive measures, be placed in custody for more than 24 hours without the sanction of a competent judicial organ.

One of the detailed basic principles laid down says, There shall be no right to hold a citizen in detention for more than 24 hours without the permission of a law court. Not just the citizens but foreign registration citizens should have that detailed basic principle.

So, regarding the rights in relation to criminal law, discussions are to be held and suggestions to be made so as to assess the point that the detailed basic principle—

“1. An accused should be convicted of crime in accord with the law at the time of the

commission of the offense, nor shall he be subjected to a penalty greater than that applicable

2. Except the matter for which a next higher court revokes a judgment and orders to rehear the case regarding the judgment in which the court concerned convicted or acquitted an accused of the crime, any cases shall not be reheard

3. An accused shall have the right to make an argument against the charge

4. No citizen shall, except matters on precautionary measures taken for security of the State, prevalence of law and order, and community peace and tranquillity in accord with the law in the interests of the people, or the matters permitted according to an existing law, be placed in custody for more than 24 hours without the sanction of a competent judicial organ”

should be adopted or not.

King of Cambodia sends message of felicitations to Senior General Than Shwe

YANGON, 10 Jan — *The following is a message of felicitations from Norodom Sihamoni, King of Cambodia, sent to Senior General Than Shwe, Chairman of the State Peace and Development Council of the Union of Myanmar, on the occasion of the 58th Anniversary Independence Day of the Union of Myanmar.*

Your Excellency Mr Chairman,

On the auspicious celebration of the 58th Anniversary of the Independence Day of the Union of Myanmar, I have the honour to present to Your

Excellency, on behalf of the Cambodian People and on my own behalf, my warmest congratulations and best wishes for Your good health and happiness, as well as for the peace, progress and well-being of the valiant People of the Union of Myanmar.

I am convinced that the ties of traditional friendship uniting our two brotherly Peoples and the fruitful cooperation existing between our two Countries will continue to strengthen and develop.

Please accept, Your Excellency Mr Chairman, the assurances of my highest consideration.—MNA

Plenary Session of National Convention continues at...

(from page 1)

Kayin, Chin, Mon, Rakhine, Shan State (South), Shan State(North), and Shan

the Multi-party Democracy General Election Commission Office, the Office of Civil Service Selection and Training



Secretary-1 Lt-Gen Thein Sein signs the attendance book. — MNA

State (East), Sagaing, Taninthayi, Bago, Magway, Mandalay, Yangon and Ayeyawady Divisions, delegates of peasants from Kachin, Kayah, Kayin, Chin, Mon, Rakhine, Shan State (South), Shan State(North), and Shan State (East), Sagaing, Taninthayi, Bago, Magway, Mandalay, Yangon and Ayeyawady Divisions, delegates of intellectuals and intelligentsia and delegates of workers from Kachin, Kayah, Kayin, Chin, Mon, Rakhine, Shan State (South), Shan State(North), and Shan State (East), Sagaing, Taninthayi, Bago, Magway, Mandalay, Yangon and Ayeyawady Divisions, delegates of State service personnel from the State Peace and Development Council Office, the President's Office, the Pyithu Hluttaw Office, the Government Office, the Supreme Court, the Attorney-General's Office, the Auditor-General's Office,

Board, the Yangon City Development Committee, the Mandalay City Development Committee, and ministries concerned, other invited delegates, delegates of national race groups that have returned to the legal fold and exchanged arms for peace.

Before the Plenary Session of the National Convention at 7.30 am, Chairman of the NCCC

Secretary-1 Lt-Gen Thein Sein and Commission members, NCC Work Committee Chairman Chief Justice U Aung Toe and Work Committee members, NCC Management Committee Chairman Auditor-General Maj-Gen Lun Maung and Management Committee members, chairmen of sub-committees, officials, delegates of political parties, representatives-elect, delegates of national races, delegates of peasants, delegates of workers, delegates of intellectuals and intelligentsia, delegates of State service personnel, and other invited delegates signed in

the attendance books at the Pyidaungsu Hall and recreation hall for the delegates.

Secretary-1 Lt-Gen Thein Sein presided over the Plenary Session of the National Convention and Secretary of the National Convention Convening Commission Minister for Information Brig-Gen Kyaw Hsan acted as master of ceremonies.

The Master of Ceremonies announced the validity of the meeting as 1,064 delegates out of 1,079 were present, accounting for 98.61 per cent.

First, National Convention Convening Work Committee Chair-



Minister Brig-Gen Kyaw Hsan acts as master of ceremonies at the National Convention Plenary Session. — MNA



Secretary-1 Lt-Gen Thein Sein presides over the National Convention Plenary Session.

MNA

man U Aung Toe Clarified matters on the detailed basic principles for the Chapter Citizenship, Fundamental Rights and Duties of Citizens to be included in the State Constitution.

(The clarification is reported separately.)

Next, National Convention Convening Work Committee Secretary U Thaug Nyunt presented clarifications made by the Chairman of NCCWC on the detailed basic principles for the Chapter Citizenship, Fundamental Rights and Duties of Citizens to be included in the State Constitution.

(The presentation is reported separately.)

Afterwards, National Convention Convening Commission Member Deputy Minister for Information U Thein Sein presented clarifications made by the Chairman of NCCWC on the detailed basic principles for the Chapter Citizenship, Fundamental Rights and Duties of Citizens to be included in the State Con-

stitution.

(The presentation is reported separately.)

Later, National Convention Convening Commission Member Deputy Attorney-General Dr Tun Shin presented clarifications made by the Chairman of NCCWC on the detailed basic principles for the Chapter Citizenship, Fundamental Rights and Duties of Citizens to be included in the State Constitution and the plenary session took a break.

(The presentation is reported separately.)

When the plenary session resumed, Vice-Chairman of the National Convention Convening Work Committee Attorney-General U Aye Maung presented clarifications made by the Chairman of NCCWC on detailed basic principles concerning with the role of the Tatmadaw to be included in the State Constitution and the plenary session adjourned at 11.15 am.

(The presentation is reported separately.)

MNA



Those attending the National Convention in Pyidaungsu Hall of Nyaungnabin Camp. — MNA

Country needs to have strong and modern...

(from page 16)
 reserve Executive Daw Pa Pa Win of Bago Township USDA acted as co-master of ceremonies.

Next, Assistant Director (Retd) of No 1 Basic Education Department U Soe Kyi made a speech. He said that now is the time when efforts are being made for the emergence of a peaceful, modern and developed nation the entire national people long

tional race leaders of states and divisions, intellectuals and intelligentsia, State service personnel are holding discussions at the National Convention for the emergence of an enduring State constitution in conformity with Myanmar character and customs and Myanmar way of life.

The National Convention held from 1993 to 1996 has been able to adopt 104 basic principles

constitution would emerge and so would a discipline-flourishing democratic nation.

Despite difficulties, the government has laid down and is implementing the seven-point Road Map with the aim of serving the interest of the entire national people. The National Convention, the first and most important step of the Road Map was reconvened on 17 May 2004.

In the course of Myanmar history, the government had to face a string of perpetration of internal and external destructive elements who undermined national unity and Union Spirit with every intention of losing independence.

Encountering a series of hindrance and difficulties, the Tatmadaw has been making all-out efforts together with the people for the nation to keep abreast of the international community. As



Members of panel of chairmen at the mass meeting to support the National Convention in Bago Division (East). — MNA



No 1 Basic Education Department Assistant Director (Retd) U Soe Kyi delivers a speech. MNA

ment is striving for development of education and health sectors.

The government has been able to carry out the

can travel from one place to another with peace of mind and border trade is meeting with success all the more.

with Union Spirit for the success of the National Convention that guarantees the emergence of peaceful modern devel-

The role of the Tatmadaw is very important in order to ward off threats and dangers from inside and outside the nation. The National Convention has laid down principles regarding the building of a strong and modern Tatmadaw to defend the nation.



for. The government on 9 January 1993 held discussions with representatives of political parties and independent representatives and representatives of parties concerned to be able to convene the National Convention.

Delegates representing people from all walks of life including those from political parties, na-

for the framing of the State constitution. However, due to perpetration of internal and external destructive elements in collusion with neo-colonialists, the National Convention had to be adjourned in 1996. If the then National Convention could be held without any hindrances and obstacles, it is sure that the State

a result, the nation has been on the right path of development. The government in cooperation with non-government organizations is making efforts day in, day out for the emergence of basic infrastructures such as education, health, economic and social sectors. In cooperation with WHO, UNDP and UNICEF, the govern-

national development tasks thanks to prevalence of peace and tranquillity. In the time of the Tatmadaw government, altogether 17 armed groups had returned to the legal fold due to efforts of the government for national reconsolidation.

With prevalence of peace and tranquillity throughout the nation, one

The ongoing National Convention needs good foundations for perpetuation of sovereignty and flourishing of genuine democracy. Delegates to the National Convention are discussions matters on participation of the people in the election and ensuring full security of the people.

All are to do their bit

oped discipline-flourishing democratic nation in consonance with the prevailing conditions of the nation. The entire national people are to be convinced of the fact that the success of the seven-point Road Map will bring about the national interest to the most possible degree.

In conclusion, he urged the entire national people to ward off the destructive elements who are advocating democracy and human rights through the might of national people in building a peaceful modern and developed nation. Therefore, an enduring State constitution is imperative for the emergence of a peaceful modern developed and discipline-flourishing democratic nation and perpetuation of sovereignty. With this end in view, all the

(See page 10)



Those attending the mass meeting to support the National Convention in Bago Division (East). — MNA



Executive Dr Maung Maung Myint of Bago Township USDA — MNA

Country needs to have strong...

(from page 9)

national people are to actively take part in successful realization of the seven-point Road Map with Union Spirit.

Executive of Bago Township USDA Dr Maung Maung Myint said geographical conditions, traditions, culture, history and desires are different from one country to another. Every country draws a constitution in conformity with their characters, geographical conditions and the desires of the majority of the people.

The government is trying for the emergence of an enduring constitution upholding Our Three Main National Causes. The future of the State depends on that constitution. At the National Convention, the delegates discussed detailed basic principles on sharing of power on executive and judicial sectors, connection among the Hluttaws and the role of the Tatmadaw.

Infrastructures are needed for the flourishing of democracy. Society must be free from anarchy and terrorism. He compared the crime rates of Myanmar and that of a western democratic nation. He also reported that there is prevalence of law and order and security of the people in Myanmar. Over 100 delegates from peace groups and those from political parties and all walks of life are actively participating in the discussions and compiling proposal papers.

Political Road Map comprising seven points announced by the government in 2003 is the process leading to democratic path. On completion of the processes of the National Convention the enduring

constitution will come into existence. If there is a constitution, tasks for development of socio-economic life can be done. Therefore the seven-point Road Map is a soul. So he seconded the motion for the people to participate in respective roles for suc-



Member of Bago Division WAO Daw Ei Ei Aung Thein. — MNA

cess of the National Convention.

Daw Ei Ei Aung Thein, Bago Division Women's Affairs Organization tabled a motion in support of the National Convention. She said the State started on 9 January 1993 the National Convention that can guarantee the perpetual existence of the Union. It laid down 104 basic principles to draw a constitution. The NC convened from 25 November 1995 to 30 March 1996 adopted detailed basic principles on legislative, executive and judicial affairs to be included in the State constitution. The first session of the NC held in 2004 focused on power-sharing between the Central Government and the state/ region. Again detailed basic principles regarding unanimous approval of legislation and executive and judicial matters at the National Convention held from 17 February to 31 March in 2005 were laid down. Myanmar is taking preventive measures against women trafficking and violence against women by giving educative talks in border areas, collecting research papers, broadcasting educative features, taking punitive action against human traffickers, opening reception camps for those who returned from the other country and sending them to their homes and conducting vocational training courses. With sound advice of the National Convention delegates, measures are being taken for the transition into multi-party political system and market-oriented system and for so-

cial and administrative system to be consistent with the country's political system. In conclusion, she said, the National Convention representing the State and the people will give birth to a constitution through which a peaceful, modern and developed nation will be built to fulfil the wishes of the people. That is why all the people are required to guard against those who are trying to disrupt the National Convention with negative views and to strive for the perpetuation of the future State by doing their bit in respective



Chairman of DaikU Township WVO Capt Than Lin Tun — MNA

roles. She said she fully seconded the motion calling for the public to participate in their respective roles for the success of the National Convention which is working to draw the State constitution.

Capt Than Lin Tun (Retd), Chairman of DaikU Township War



Chairman of Bago Township WJA Advocate U Sein Hlaing. — MNA

Veterans Organization, tabled a motion in support of the National Convention. He said State development tasks are being carried out by the government in cooperation with domestic non-governmental organizations. In addition, it is cooperating with neighbouring and regional countries, internal organizations as well as those of ASEAN, BIMSTEC and GMS. It has been known to all that the today's Tatmadaw government is upholding Our Three Main National Causes — non-disintegration of the Union, non-

disintegration of national solidarity and perpetuation of sovereignty. For a nation, its defence and security is imperative. If its powers of defence and security are weak, it would be annexed by colonialists. Only when the State is secure, will its people and property be secure. This is why the country needs to have a strong and modern Tatmadaw to ensure its defence and security. The role of the Tatmadaw is very important in order to ward off threats and dangers from inside and outside the nation. The National Convention has laid down principles regarding the building of a strong and modern Tatmadaw to defend the nation.

He said the State constitution can be successfully drawn only when the National Convention has completed successfully. And then, the State will



Joint-Secretary of Bago Township MCWA Dr Khin Mar Win. — MNA

become modern and developed.

In conclusion, all the people, realizing the goodwill of the State and its correct policy, are to strive their utmost for the emergence of a peaceful, modern and developed discipline-flourishing democratic nation and for the perpetuity of the Union.

Then, Dr Khin Mar Win, Joint-Secretary of Bago Township Maternal and Child Welfare Association, seconded the motion hailing the National Convention. She said that the press conference of the Information Committee declared in 1990 that it was necessary to draw a new constitution.

The National Convention was held six times from 1993 to 1996 and 104 basic principles were approved. According to these basic principles, the new constitution will fully protect and look after the welfare of mothers, children, orphans, children of fallen soldiers, old and

infirm people and disabled persons.

Nowadays, some developed nations are trying to influence developing nations with the use of media as a weapon or by taking military action for various reasons or through spiritual colonialism. Our country is now making good strides in the political, economic and social sectors. The government has laid down the seven-point Road Map and is now implementing the very first and the most important stage — the holding of the National Convention.

In conclusion, she said that the entire national people fully realize the importance of the National Convention and are eagerly waiting for its success and for the emergence of a constitution that can meet their wishes. Therefore, she seconded the motion calling for the active participation of the people for the success of the National Convention.

Next, Specialist Dr Dw Yi Yi of Myanmar Medical Association (Bago Division) said after taking up State duties, the Tatmadaw government made efforts for development of every sector with



Specialist Dr Yi Yi of MMA of Bago Division. — MNA

unity and nationalistic spirit. As a result, progress has been made in economic, social, education, health and transport sectors.

She said it is important to build infrastructures in changing from old system

to new one smoothly. At a time when the government is building the infrastructures, it faces political pressure, economic sanctions and accusations. However, it strove for development based on its own strength. People can now enjoy fruitful results.

At the National Convention delegates representing all walks of life are discussing detailed basic principles of the historic constitution. Leaving their personal affairs, they are participating in efforts for writing an enduring constitution, the basic foundation for future State. She seconded the motion for the people to participate in respective roles for success of the National Convention.

Afterwards, Member of Bago Township Practitioners' Association Daw San San Myint discussed that a country is an area of land that has its own population, government, territory and sovereignty. Myanmar has these four facts.

Foreign countries should not participate in drafting the constitution of a country and such behaviour is totally unacceptable. It would be most suitable only if the citizen themselves draw the constitution of their country.

At the National Convention, delegates representing the national races are discussing the detailed basic principles to be included in the constitution.

(See page 14)



Traditional medicine entrepreneur Daw San Myint. — MNA



Bago Township USDA executive Daw Moe Moe Khaing and Daw Pa Pa Win act as masters of ceremonies. — MNA

Every citizen is responsible to abide by the provisions of the Constitution



Member of
National
Convention
Convening
Commission
Deputy
Attorney-
General Dr
Tun Shin.

MNA

YANGON, 10 Jan—*The following is a translation of presentation on clarifications of National Convention Convening Work Committee Chairman concerning the detailed basic principles for the Chapter Citizenship, Fundamental Rights and Duties of Citizens to be included in the State Constitution by member of National Convention Convening Commission Deputy Attorney-General Dr Tun Shin at the plenary session of the National Convention this morning.*

Every citizen should enjoy the fundamental rights bestowed by the Constitution and dutifully carry out tasks that associate with the fundamental rights. The most crucial task among those every citizen has to carry out is to uphold Our Three Main National Causes for ensuring perpetual existence of the State. Besides that, every citizen has to carry out bounden duties to safeguard independence, sovereignty, and territory of the State; to enhance unity among national races; to make efforts to ensure community peace and tranquillity; to build a modern developed nation; and to undergo military training in accord with the provisions of the law to be able to discharge national defence duties if necessary.

Moreover, citizens are to pay taxes to be levied according to the law.

So, regarding the duties of citizens, discussions are to be held and suggestions to be made so as to assess the point that the detailed basic principle— See page

“1. Every citizen is responsible to uphold:

- (a) Non-disintegration of the Union
- (b) Non-disintegration of national solidarity
- (c) Perpetuation of sovereignty

2. Every citizen is responsible to abide by the provisions of the Constitution

3. Every citizen is responsible to safeguard independence, sovereignty, territory of the Union of Myanmar

4. Every citizen, equipped with Union Spirit, is responsible to enhance unity among national races and to ensure community peace and stability

5. Every citizen is responsible to build a modern developed nation

6. Every citizen is responsible to undergo military training in accord with the provisions of the law and to serve in the armed forces to defend the State

7. Every citizen is responsible to pay taxes to be levied according to the law.”

should be adopted or not.

In the provisions for the Chapter Fundamental Rights in the constitutions of some nations, the word The State is stipulated together with its definition. The word The State is defined in the provision Fundamental Rights stipulated in Sector (2) of the 1947 Constitution. So, in adopting the detailed basic principles for the Chapter Citizenship, Fundamental Rights and Duties of Citizens, the National Convention should adopt the definition of the word The State as a detailed basic principle to specify what bodies are meant for the word The State.

So, regarding the word The State, discussions are to be held and suggestions to be made so as to assess the point that the detailed basic principle—

The word The State stipulated in this Chapter means a body that exercises legislative and executive powers according to this Constitution, should be adopted or not.

Based on the findings and reviews I have discussed, I would like to present the detailed basic principles as a whole regarding the Chapter Citizenship, Fundamental Rights and Duties of Citizens of the Constitution.

“1. All persons who have either one of the following requirements are citizens of the Union of Myanmar—

(a) All persons born of parents both of whom are nationals of the Union of Myanmar

(b) Persons who are vested with citizenship according to existing laws on the date this Constitution comes into force

2. Citizenship, naturalization and revocation of citizenship shall be prescribed by the law

3. The State shall enable any citizen to enjoy equal rights before the law and shall equally provide legal protection

4. The State shall not discriminate against or be in favour of any citizen based on race, birth, religion, official position, status, culture, sex and wealth.

5. Citizens shall enjoy equal rights in the following spheres—

- (a) civil service
- (b) occupation
- (c) trade
- (d) business
- (e) technical know-how and vocation
- (f) exploration of science & technology

6. Women shall be entitled to the same rights and salaries as that received by men in respect of similar work

7. Mothers, children and expectant women shall enjoy rights as prescribed by law

8. The State shall, in appointing or assigning duties, not discriminate against or in favour of any citizens with qualifications set for posts or duties based on race, birth, region, and sex

However, nothing in this section shall prevent appointment of men to the positions that are naturally suitable for men only

9. Nothing shall, except in accord with existing laws, be detrimental to the lives and personal freedom of any citizens

10. There shall be liberty in the exercise of the following rights subject to the laws enacted for State security, prevalence of law and order, community peace and tranquillity or public order and morality—

- (a) The right of the citizens to express freely their convictions and opinions
- (b) The right of the citizens to assemble peacefully without arms
- (c) The right of the citizens to form associations and unions
- (d) The right of the citizens to develop their language, literature, culture they cherish, religion they profess, and customs without prejudice to the relations between one national race and another, or among national races and to other faiths

11. Every citizen shall have the right to settle and reside in any place within the State according to the law

12. The State shall, according to the law, protect every citizen's belongings and property lawfully earned and acquired

13. The State shall, by law, protect the premises and security of the home, property, correspondence and other communications of citizens subject to the provisions of this Constitution

14. The State prohibits enslaving of man and trafficking in persons

15. The State prohibits any form of forced labour except hard labour as a punishment for crime duly convicted and duties assigned thereupon by the State in accord with the law for public interests

16. Any person is equally entitled to freedom of conscience and the right to freely profess and practice religion subject to public order, morality or health and to the other provisions of the State Constitution

17. The above right shall not include any economic, financial, political or other secular activities that may be associated with religious practice

18. The freedom so guaranteed shall not prohibit the State from enacting laws for the purpose of social welfare and reform

19. The State recognizes the special position of Buddhism as the faith professed by the great majority of the citizens of the State

20. The State also recognizes Christianity, Islam, Hinduism and Animism as religions existing in the Union on the date of the coming into force of the State Constitution

21. The State shall render assistance and protect as it possibly can the religions it recognizes

22. The abuse of religion for political purposes is forbidden; and any act which is intended or is likely to promote feelings of hatred, enmity or discord between racial or religious communities or sects which is contrary to the State Constitution. A law may be adopted to punish such actions.

23. Every citizen shall, in accord with the law, have the right to freely develop literature, culture, arts, customs and traditions they cherish. In the process, they shall avoid any act which is to the detriment of national solidarity. Any particular action in this respect which might adversely affect the interests of one or several other national races shall be taken only after consultation and amicable settlement with those affected

24. Every citizen, in accord with the education policy laid down by the Union, shall —

- (a) have the right to education
- (b) be given basic education prescribed by the law as compulsory
- (c) have the right to innovate and express conscience for the development of science, literature and arts, and freely conduct research on culture

25. The State shall encourage and provide, based on qualifications, assistance for citizens outstanding in the education, irrespective of race, religion, and sex

26. Subject to this Constitution and relevant laws, every citizen shall have the right to elect and to be elected to the Pyithu Hluttaw, the Amyotha Hluttaw, the Region or State Hluttaw;

27. Respective electorate shall have the right to recall a Hluttaw member in accord with the law.

28. Every citizen shall have the right to freely operate any business activity in accord with the law for the national economic development.

(See page 12)

The Tatmadaw has the right to administer for participation of the entire people in the State security and defence. The people's militia strategy shall be formed with Tatmadaw's leadership



Vice-Chairman of the National Convention Convening Work Committee Attorney-General U Aye Maung.
MNA

YANGON, 10 Jan—*The following is a translation of presentation on clarifications of National Convention Convening Work Committee Chairman concerning the detailed basic principles for the Chapter the Role of the Tatmadaw by Vice-Chairman of the National Convention Convening Work Committee Attorney-General U Aye Maung at the plenary session of the National Convention this morning.*

I will now explain the detailed basic principles concerning the role of the Tatmadaw that should be included in the Constitution as a chapter.

The plenary session of the National Convention has already laid down the following principles in

connection with the Tatmadaw on 16 September, 1993:

- (a) the Tatmadaw is strong, modern and must be the sole existing Tatmadaw.
- (b) the Tatmadaw has the right to independently administer all affairs concerning the forces.
- (c) the Defence Services Commander-in-Chief is the Supreme Commander of all armed forces.
- (d) the Tatmadaw has the right to administer for participation of the entire people in the State security and defence.
- (e) the Tatmadaw is mainly responsible for safeguarding non-disintegration of the Union, non-disintegration of national solidarity and perpetuation of sovereignty;
- (f) the Tatmadaw is mainly responsible for safeguarding the State Constitution.

The plenary session has already adopted to form the basic principles as basis to discuss the chapter concerned and to move the basic principles to other sectors when the discussions are on the principles of those sectors. Hence, my clarification will be based on basic principles laid down by the National Convention concerning the role of the Tatmadaw. Moreover, the basic principles that should be transferred to the Tatmadaw chapter will also be presented.

If there is a state, there must be an institution to defend it. And the institution is no other than the armed forces "the Tatmadaw". As the Tatmadaw's duty is the national defence, the security and perpetuation of the state can be guaranteed only if the Tatmadaw is strong.

We have already witnessed the Tatmadaw's role

in ensuring Our Three Main National Causes throughout Myanmar history, with the national aim of serving the interest of the nation and the people to the most possible degree. The Tatmadaw has been discharging the national duty for the safety of the lives and property of the people, and for the nation to stand tall with dignity in the world perpetually as a peaceful and prosperous state. The Tatmadaw must be strong to carry out the task dutifully.

The First Myanmar Empire of King Anawrahta of Bagan dynasty, the Second Myanmar Empire of King Bayintnaung Kyaw Htin Nawrahta of Toungoo dynasty and the Third Myanmar Empire of King Alaungphaya U Aung Zeya of Konbounng dynasty bear witness to the progress and unity a powerful Tatmadaw can bring during times when the defence might was strong. On the other hand, Myanmar suffered from the loss of her independence and sovereignty after disintegration during the years 1824, 1852 and 1885 when Tatmadaw was weak.

In his address delivered at the 60th Anniversary of the Armed Forces Day held on 27 March 2005, Commander-in-Chief of the Defence Services Senior General Than Shwe gave guidance on the development of the State defence power, saying, "To be able to totally safeguard our country that is enjoying progress, we will have to raise our defence might by building a stronger and qualified modern Tatmadaw while inheriting the fine traditions of the brilliant soldiers of the Tatmadaw founded by our Great Kings Anawrahta, Bayintnaung and Alaungphaya U Aung Zeya."

(See page 13)

Every citizen, at home or abroad, dealing with foreign countries shall have the right to seek protection of the State

(from page 11)

- 29. The State shall help national businessmen have access to technologies, investments, machinery, and raw materials
- 30. In operating businesses without prejudice to the law, every citizen is guaranteed the rights of property ownership, using assets, initiation, and copyright by the Union.
- 31. Subject to provisions of this Constitution or existing laws, the State guarantees the right of ownership of property, using of assets and initiation and copyright in operating business activities. Moreover, he shall not be subject to a penalty greater than that is applicable.
- 32. Any person convicted or acquitted by a competent court for an offence he shall not be retried unless a superior court annuls a judgement and orders to retry the case.
- 33. An accused shall have the right of defence in accordance with law.
- 34. No citizen shall, except matters on precautionary measures taken in accordance with law for the security of the State or prevalence of law & order or the peace & tranquillity and interests of the people or matters permitted under an existing law, be held in custody for more than 24 hours without the remand of a competent magistrate.
- 35. The right to apply to the Supreme Court of the Union through appropriate proceedings for the obtainment of the rights guaranteed under this chapter.
- 36. In order to bestow the rights granted under

this chapter the Supreme Court shall have the power to issue the following writs as appropriate.

- (a) Writs of Habeas Corpus
- (b) Writs of Mandamus
- (c) Writs of Prohibition
- (d) Writs of Quo Warranto
- (e) Writs of Certiorari

The right to issue writs by the Supreme Court of the Union shall not affect the right to issue orders which are in the nature of writs by other courts invested to them under existing laws.

- 37. At the time of occurrence of the following situations, the power to issue writs under paragraph 36 shall not be suspended unless the public safety may so require.
 - (a) in time of war,
 - (b) in time of invasion,
 - (c) in time of rebellion.
- 38. Every citizen, at home or abroad, dealing with foreign countries shall have the right to seek protection of the State;
- 39. Except in the following situations, the grievances of the citizens legally entitled under law shall not be refused —
 - (a) in time of invasion,
 - (b) in time of rebellion,
 - (c) in time of emergency.

40. If some of the rights prescribed in this chapter that concern members of the defence forces or the forces charged with the maintenance of public order so as to ensure fulfilment of their duties and the maintenance of discipline

are needed to be restricted or abrogated, they shall be done so only through enactment of necessary law.

- 41. Every citizen is responsible to uphold:
 - (a) Non-disintegration of the Union
 - (b) Non-disintegration of national solidarity
 - (c) Perpetuation of sovereignty
- 42. Every citizen is responsible to abide by the provisions of the Constitution
- 43. Every citizen is responsible to safeguard independence, sovereignty, territorial integrity of the Union of Myanmar
- 44. Every citizen, charged with Union Spirit, is responsible to enhance unity among national races and to ensure community peace and stability
- 45. Every citizen is responsible to build a modern developed nation
- 46. Every citizen is responsible to undergo military training in accord with the provisions of the law and to serve in the armed forces to defend the State
- 47. Every citizen is responsible to pay taxes to be levied according to the law.
- 48. In this Chapter "The State" means a body that exercises legislative and executive powers according to this Constitution.

In conclusion, I would like to urge the delegates to hold discussions and submit proposals to decide whether the detailed basic principles I have presented shall be adopted or not regarding the Chapter "Citizenship, Fundamental Rights and Duties of Citizens" of the Constitution.

MNA

The Tatmadaw is strong, modern and must be the sole existing brilliant and patriotic Tatmadaw

(from page 12)

A study shows that a country's scope of international relations is measured by her economic and military power. What we have already witnessed today is the military buildup in most of the nations including our neighbours that are strengthening the power of their own sole armed forces in addition to equipping their armed forces with sophisticated weapons.

Myanmar's history of multiparty system saw the formation of Pyusaw Htee troops in October 1955, the groups which instead of protecting the people were torturing them like utter gunmen misusing the firearms for themselves. Later, the Pyusaw Htee troops began to act like pocket armies of the organizations that founded them. There occurred violent acts of the Pyusaw Htee troops before the election held in 1956. As they became more terrible when the AFPFL split into two factions, they were dissolved on 1 September 1956. History tells us that an armed organization if not formed systematically according to the law will harm the public even though the original aim of their formation is to serve the people's interest. Thus, historical experiences stand witness to the fact that there must be only a single armed forces in the nation.

In this regard, according to my clarification in connection with the existence of a sole Tatmadaw that is strong, modern and qualified, I hereby in reference to the basic principle "the Tatmadaw is strong, modern and must be the sole existing Tatmadaw" already laid down by the National Convention would like to suggest whether the detailed basic principle "**The Tatmadaw is strong, modern and must be the sole existing brilliant and patriotic Tatmadaw**" should be laid down.

A nation's life rests on its own constitution. Because the constitution is the main stem of her law. All in all, the constitution is a law, and the writing of that law is based on the basic principles safeguarding "Our Three Main National Causes" — non-disintegration of the Union; non-disintegration of national solidarity; and perpetuation of sovereignty — which serves the interest of the nation and people. Thus, jeopardizing the constitution means endangering the sovereignty and security of the State. In other words, it is the most dangerous threat to the national security and sovereignty. The only institution that can effectively and swiftly ward off the threat is none other than the Tatmadaw.

Hence, whether the basic principle "**The Tatmadaw is mainly responsible for safeguarding the State Constitution**" should be shifted as a detailed basic principle to the sector of the role of the Tatmadaw.

Myanmar is a Union where various national races have been living in weal or woe throughout history. The nationalities are of the same family, with true patriotism as their foundation of amity.

In accordance with the saying, which goes, "Unity ensures prosperity and strength", unity is strength and lack of unity deteriorates strength and leads to destruction.

The Union of Myanmar standing tall as sovereign nation in the world faced three aggressive wars of the colonialists in the 19th Century and fell under unjust subjugation.

With strong patriotism, the national brethren launched armed struggles against the colonialist enslavement. Both the struggles to regain independence and the struggles to safeguard independence involved a large number of Tatmadaw members, who are sons and daughters of the nationalities, as well as service personnel and people daringly taking part in the battles with the sacrificing spirit.

The present era sees some nations lost or facing encroachment on sovereignty resulting from the disintegration of the national unity.

Hence, concerning the duty to defend and safeguard Our Three Main National Causes, the delegates should discuss whether the basic principle "**The Tatmadaw is mainly responsible for safeguarding non-disintegration of the Union, non-disintegration of national solidarity and perpetuation of sovereignty**"

should be moved to the chapter of the role of the Tatmadaw as a detailed basic principle.

The nation regained independence on 4 January 1948 thanks to the struggles and efforts made by the people all over the nation, with Tatmadaw serving as the main pillar of the armed resistance.

But the Tatmadaw had to take the national political leading role and safeguarded the nation in 1948 and 1949 during which the Union faced the danger of disintegration and losing sovereignty again due to multi-coloured insurgency that broke out resulting from the loss of national unity soon after regaining of independence.

The Tatmadaw drove out the over 12,000 Kuomintang troops who invaded the nation in 1953, and liberated the Kuomintang-occupied territories. And when the nation was going to fall apart after the AFPFL split into two factions in 1958, it is also the Tatmadaw that restored the nation as the Caretaker Government. In 1962, the Tatmadaw had to take over the State duties because of a grave situation arising from some loopholes of the 1947 Constitution in 1961 was driving the Union to disintegration.

In 1988, the Tatmadaw had to discharge the historic duty of assuming the State responsibilities because of the unavoidable circumstances caused by anarchy that reigned the country and made public lives and property at risk without any security and the vulnerability of the nation's sovereignty to alien encroachment.

Based on my above presentations, concerning the task of guarding the nation against internal and external dangers, I would like to suggest the delegates to discuss whether the detailed basic principle "**The Tatmadaw shall lead in safeguarding the Union of Myanmar against all internal and external dangers. The Tatmadaw is the core armed forces for national defence**" should be laid down.

All along the anti-colonialist struggles and the national liberation struggles, the national people, with their unyielding spirit and the love for the motherland, strove to regain the lost independence and sovereignty. In this regard, the entire nation has the duty to protect and safeguard independence and sovereignty regained with sacrifices made by all the national people. And it is the noble and honourable duty. In addition to carrying out its main task of ensuring State security and defence, the Tatmadaw should play the pivotal role in administering for the systematic participation of all the national people in the task.

The Article 171 of the 1974 Constitution said "Every citizen in accordance with law — (a) undergo military training; (b) undertake military service for the defence of the State". The already-laid-down basic principles in connection with citizens and citizens' fundamental rights and responsibilities said, "every citizen shall have the duty to learn military science as prescribed by law" and "every citizen shall be responsible to undergo military service as prescribed by law"

Hence, in connection with the participation of the people in State security and defence, I would like to give a suggestion that whether the detailed basic principle "**The Tatmadaw has the right to administer for participation of the entire people in the State security and defence. The people's militia strategy shall be formed with Tatmadaw's leadership**" should be laid down.

The Tatmadaw will have to ward off and overcome all dangers that may jeopardize Our Three Main National Causes. Defence strength is required to overcome all such obstacles and to serve the national interest. And the strength comes from the well-trained Army, Navy and Air Force. Apart from the Army, Navy and Air Force troops, members of the organizations permitted by the State to hold arms in accord with the situation of their duties are also included in forming the strength. All the armed personnel should be responsible to the Commander-in-Chief of the Defence Services (the Tatmadaw). Only then, they all will be able to work under single command.

Concerning the command of the armed forces, I

would like to suggest the delegates to discuss whether the detailed basic principle "**All the armed forces in the Union shall be under the command of the Tatmadaw**" should be laid down.

Concerning the role of the Commander-in-Chief of Defence Services I would like to suggest the delegates to consider whether the basic principle "**The Defence Services Commander-in-Chief is the Supreme Commander of all armed forces**" laid down by the National Convention to be moved to the chapter of the role of the Tatmadaw as a detailed basic principle.

As the Commander-in-Chief is the main person responsible for State security and defence, he has to command all the armed forces formed according to the law. As he is the person discharging the State security and defence duty, designation of his official position should be in conformity with the importance of his duty.

Hence, delegates should suggest whether the detailed basic principle "**As a reference in designating the official position of the Commander-in-Chief, the Commander-in-Chief is designate as Vice-President level**" should be laid down.

Now, I will explain the National Convention Convening Work Committee's study on the Commander-in-Chief of Defence Service. The Defence Services Commander-in-Chief is the Supreme Commander of all armed forces of the nation. He is mainly responsible for the State security and defence. As the work situation of the Commander-in-Chief is significant and important for the nation, I have presented to designate him as the role of the Vice-President.

In accordance with the basic principles laid down by the National Convention, the Commander-in-Chief will have to present the list of Tatmadaw personnel nominated for the respective hluttaws as members and the list of suitable persons for appointments at for defence and security institutions and Home Affairs Ministry and Border Affairs Ministry.

The National Convention has already laid down the basic principle "The President is the Executive Head of State". The duty to appoint the Commander-in-Chief of Defence Services should be vested in the President. In entrusting the President with the duty to do so, it will be more appropriate if the appointment is made after seeking the proposal and approval of the National Defence and Security Council rather than by the President alone.

Hence, concerning the appointment of the Commander-in-Chief of Defence Services, the delegates should consider whether the detailed basic principle "**The President shall appoint the Commander-in-Chief of Defence Services with the proposal and recommendation of the National Defence and Security Council**" should be laid down.

As the Tatmadaw has been able to preserve and follow its 12 noble traditions, and run its staff, adjutant and quartermaster affairs through proper channels and links and has been also a disciplined institution endowed with 10 strengths, it has been standing with eternal unity that cannot be divided by any one.

Every commander has trained the troops under his command to be fully equipped with the 12 traditions and has striven to further enhance the fine traditions of the Tatmadaw.

Obedience serves as a system to control the entire Tatmadaw. Obedience has been an essential requirement since the formation of the Tatmadaw. Because of the Tatmadaw members total obedience to the commands, the Tatmadaw was able to regain independence and continue to safeguard the independence. The nature of military duty to safeguard independence and sovereignty is a 24-hour service that requires launching of operations and missions and accomplishing them according to schedule or in time. The Tatmadaw will be able to dutifully perform its task only if it has the right to administer all affairs concerning the forces.

Mostly, State security and defence task involves secrets that need urgent action and swift accomplishment.

(See page 14)

All the armed forces in the nation shall be under the command of the Tatmadaw

(from page 13)

Thus, the delegates should ponder over my suggestion to discuss whether to move the basic principle **“The Tatmadaw has the right to independently administer all affairs concerning the forces”** as a detailed basic principle to the chapter of the role of the Tatmadaw.

As the Tatmadaw is the armed forces, civil rules and regulations are not adequate to enforcing the discipline in it. The discipline enforcement is carried out with a special law containing provisions for extraordinary conditions. Discipline is the backbone of the Tatmadaw. Discipline enforcement and current military requirements are the significant condition of armed forces.

In this regard, the Military Acts exclusively for soldiers are enacted in global countries.

In our country military courts have been formed according to the Defence Services Act promulgated in 1959.

We have found that the articles 98 and 99 of the 1974 Constitution said, “Justice shall be administered collectively by each judicial organ. Military justice for members of the People’s Defence Services may be administered according to law by a collective organ or by a single judge.”

Thus, delegates should consider whether the detailed basic principle **“Military justice for members of the Tatmadaw may be administered according to law by a collective organ or by a judge”** should be laid down.

The Commander-in-Chief of the Defence Services will have to issue orders and directive as may be necessary for further enforcing discipline. The Commander-in-Chief is the person who knows the requirements for discipline enforcement and current military affairs totally.

He is the man who commands the soldiers according to the law.

Hence, in connection with the final decision for military justice, the delegates should suggest whether the detailed basic principle **“The decision of the Commander-in-Chief of the Defence Services is final and conclusive in military justice”** should be laid down.

Mr Chairman,

As the Tatmadaw members are the soldiers who have already taken the four oaths they are serving the interest of the nation and people at the risk of their lives. The State has the duty to take care of the families of the Tatmadaw members who have been disabled or who fall in the battles.

Here, I would like to suggest the delegates to discuss whether the detailed basic principle **“A Law shall be enacted to provide assistance and care for families of the disabled or fallen Tatmadaw members”** should be laid down.

The section 94 of the 1947 Constitution and the article 76 of the 1974 Constitution stated the participation of the Tatmadaw in all emergency times affecting public lives and State security and during the occurrence of natural disasters.

The constitutions of the world nations state that the task of defending the territorial boundary of the nation is the duty of the armed forces; that if help is asked by local authorities, the Tatmadaw provides assistance to organizations existing in accord with the Constitution, ensures security, restores the rule of law and peace and stability, and renders relief assistance to a disaster-hit area.

The constitutions also state that if necessary, the Tatmadaw can offer the said services on own volition; that as the soldiers are born of the people, it has the duty to ensure public security and serve the public interest.

Thus, concerning the disasters affecting the nation and the people, delegates should discuss whether the detailed basic principle **“The Tatmadaw shall render assistance to the people upon occurrence of a calamity in the Union that affects the nation and the people”** should be laid down.

Now I will present a collection of the points based on my study and analysis that in my view should be laid down as detailed basic principles as follows:

1. **The Tatmadaw is strong, modern and must be the sole existing brilliant and patriotic Tatmadaw**
2. **The Tatmadaw is mainly responsible for safeguarding the State Constitution**
3. **The Tatmadaw is mainly responsible for safeguarding non-disintegration of the Union, non-disintegration of national**

solidarity and perpetuation of sovereignty

4. **The Tatmadaw must play a leading role in safeguarding the Union of Myanmar against all internal and external dangers. The Tatmadaw is the core armed forces for national defence**
5. **The Tatmadaw has the right to administer for participation of the entire people in the State security and defence. The people’s militia strategy shall be formed with Tatmadaw’s leadership**
6. **All the armed forces in the nation shall be under the command of the Tatmadaw**
7. **The Defence Services Commander-in-Chief is the Supreme Commander of all armed forces**
8. **As a reference in designating the official position of the Commander-in-Chief, the Commander-in-Chief is designated as the Vice-President level**
9. **The President shall appoint the Commander-in-Chief of Defence Services with the proposal and approval of the National Defence Council**
10. **The Tatmadaw has the right to independently administer all affairs concerning the forces**
11. **Military justice for members of the Tatmadaw may be administered according to law by a collective organ or by a judge**
12. **The decision of the Commander-in-Chief of the Defence Services is final in military justice**
13. **An Act shall be promulgated to provide assistance and care for families of the disabled or fallen Tatmadaw members**
14. **The Tatmadaw must render assistance to the people in case of the occurrence of a calamity in the nation that affects the nation and the people**

In conclusion, I would like to request the delegates to make discussions and suggestions on matters concerning the role of the Tatmadaw for adopting detailed basic principles to formulate the Constitution.

MNA

Country needs to have strong and modern...

(from page 10)

Foreign interference in the internal affairs of the country and instigation can cause conflicts in the country.

The constitution will not be enduring if it is drawn by some parties that try to get power by foul means or through a short cut. some country that have not enduring constitution experienced the conflicts and foreign interference.

The National Convention is a noble task for emergence of the enduring State Constitution and reflects the desire of the people.

Hence, we all will guard against the destructive acts that hinder the

emergence of the constitution and economic growth of the State, she concluded.

Afterwards, Chairman of Bago Township Writers and Journalists Association U Sein Hlaing discussed that the constitutions drawn in 1947 and 1974 were abolished and so, it is our national duty to formulate the new constitution.

Over 1,000 delegates including 99 post-graduate and 514 graduates are participating in drafting the constitution and 104 detailed basic principles have been laid down.

According the constitution which is being formulated at the National

Convention, there will be seven regions and seven states in the Union, and self-administered division and self-administered zones shall not be allowed to secede from the Union. It is the pride of the nation.

The emergence of the State Constitution is of paramount importance and it is the destructive act that hinders the emergence of the constitution. Hence, we all support the success of the National Convention.

Afterwards, the meeting chairman sought the approval from the mass meeting. Later, the meeting ended with chanting of the slogans.

MNA

Cash donation ceremony held

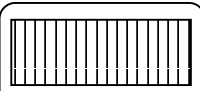
YANGON, 10 Jan— Daewoo International Corp (Myanmar Exp) made cash donations to the funds of Myanmar Business Coalition on AIDS (MBCA) this morning at Traders Hotel, here. Present on the occasion were President of MBCA Mr Martin Pun

and members of the Board of Directors, Managing Director Mr Su-yeong Yang of Daewoo International Corp (Myanmar Exp), Managing Director U San Lwin of Myanmar Oil and Gas Enterprise and officials, First Secretary Mr Hong, Sung-wook of

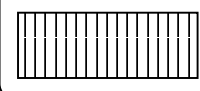
the embassy of the Republic of Korea, Deputy Director Dr Min Thwe of Health Department and guests.

First, Mr Martin Pun extended greetings. Next, Mr Su-yeong Yang donated K 5 million to the funds of MBCA through Mr Martin Pun. — H





Mr Su-yeong Yang
donated K 5000,000
to Mr Martin Pun
H



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Wu Shu Tin
 M.A., H.G.P., D.B.L.
 for KONAMI
 CORPORATION
 P. O. Box 60, Yangon.
 Dated: 11 January 2006

CLAIMS DAY NOTICE

MV BANGSAOTONG VOY NO (91)

Consignees of cargo carried on MV BANGSAOTONG VOY NO (91) are hereby notified that the vessel will be arriving on 10.1.2006 and cargo will be discharged into the premises of S.P.W where it will lie at the consignee's risk and expenses and subject to the byelaws and conditions of the Port of Yangon.

Damaged cargo will be surveyed daily from 8 am to 11:20 am and 12 noon to 4 pm up to Claims Day now declared as the third day after final discharge of cargo from the vessel.

No claims against this vessel will be admitted after the Claims Day.

SHIPPING AGENCY DEPARTMENT
MYANMA PORT AUTHORITY
AGENT FOR: M/S WONGSAMUT OCEAN
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Bolivian President-elect arrives in Beijing

BEIJING, 9 Jan— Bolivian president-elect Juan Evo Morales Ayma arrived in Beijing on Sunday morning, kicking off a two-day visit to China.

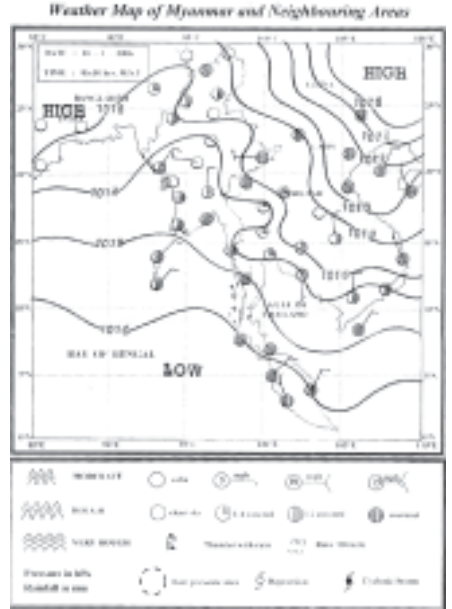
During his stay in Beijing, he is expected to meet Chinese President Hu Jintao.

Morales is here at the invitation of the Chinese Government.

He won the presidential election of Bolivia with 53.7 per cent of the vote on 18, December 2005 and will

take office on 22 January this year.

MNA/Xinhua



WEATHER

Tuesday, 10 January, 2006

Summary of observations recorded at 09:30 hours MST: During the past 24 hours, weather has been generally fair in the whole country. Night temperatures were (5°C) below normal in Kachin State, (3°C) to (4°C) above normal in Shan and Kayah States, Sagaing, Bago and Yangon Divisions, and about normal in the remaining areas. The significant night temperatures were Putao (2°C) and Haka (4°C).

Maximum temperature on 9-1-2006 was 90°F. Minimum temperature on 10-1-2006 was 62°F. Relative humidity at 09:30 hrs MST on 10-1-2006 was (92%). Total sunshine hours on 9-1-2006 was (7.3) hours approx.

Rainfalls on 10-1-2006 were nil at Mingaladon, Kaba-Aye and central Yangon. Total rainfalls since 1-1-2006 were nil at Mingaladon, Kaba-Aye and central Yangon. Maximum wind speed at Yangon (Kaba-Aye) was (6) mph from Southeast at (10:10) hours MST on 9-1-2006.

Bay inference: Weather is partly cloudy in the South Bay and generally fair elsewhere in the Bay of Bengal.

Forecast valid until evening of 11-1-2006: Possibility of isolated light rain in Taninthayi Division, weather will be partly cloudy in Rakhine, Chin, Mon and Kayah States, Yangon, Ayeyawady and Bago Divisions and generally fair elsewhere in the remaining areas, Degree of certainty is (40%).

State of the sea: Seas will be slight to moderate in Myanmar waters.

Outlook for subsequent two days: Weather will be generally fair in the whole country.

Forecast for Yangon and neighbouring area for 11-1-2006: Partly cloudy.

Forecast for Mandalay and neighbouring area for 11-1-2006: Fair weather.



Wednesday, 11 January
Tune in today

- 8.30 am** Brief news
- 8.35 am** Music:
-Love is all around
- 8.40 am** Perspectives
- 8.45 am** Music:
-Base of love
- 8.50 am** National news & Slogan
- 9:00 am** Music:
-Close to you
- 9:05 am** International news
- 9:10 am** Music
-Please don't talk to Jessica
- 1:30 pm** News & Slogan
- 1:40 pm** Lunch time music
-Love is a many splendoured thing
-Moddy River
- 21.00 pm** Variations on a tune"
Do I love you
- 21.15 pm** Article & Music
- 21.25 pm** Music at your request
Love one & leave one
-Say what you want
- 21.45 pm** New & Slogan
- 22.00 pm** PEL



Wednesday, 11 January
View on today

- 7:00 am**
1. ကျေးဇူးရှင်မင်းကွန်းဆရာတော် ဘုရားကြီး နိုင်ငံတော်သံဃာမဟာနာယကအဖွဲ့အကျိုးတော်ဆောင်ရွက်၊ အဘိဓမ္မာလာရဋ္ဌဂုဏ် အဘိဓမ္မာလာရဋ္ဌဓာတ်က၊ တိပိဋကဓရ၊ ဓမ္မဘဏ္ဍာဂါရိက၊ ဆရာတော်ဘဒ္ဒန္တဝိစိတ္တသာရာ ဘိဝံသ၏ ဝရီတံတရားတော်
- 7:25 am**
2. To be healthy exercise
- 7:30 am**
3. Morning news
- 7:40 am**
4. Nice and sweet song
- 7:50 am**
5. အတီးပြိုင်ပွဲ
- 8:00 am**
6. မြန်မာ့ပြည်ထောင်စု ယဉ်ကျေးမှုအက

- 8:10 am**
7. အရေးပြိုင်ပွဲ
- 8:20 am**
8. ဂမုန်းကျလှောင်တံခွန်
- 8:30 am**
9. International news
- 8:45 am**
10. Let's Go
- 4:00 pm**
1. Martial song
- 4:15 pm**
2. Song to uphold National Spirit
- 4:30 pm**
3. Musical programme
- 4:45 pm**
4. အစေးသင်တန်းအဖွဲ့အစည်းရပ်ခြင်းသံကြား သင်ခန်းစာ ခုတ်ယူနှစ် (သတ္တဗေဒအကျုပြု) (သတ္တဗေဒ)
- 5:00 pm**
5. Song of national races
- 5:15 pm**
6. လက်ဆွဲကမ်းအဖွဲ့
- 5:20 pm**
7. Classical song
- 5:30 pm**
8. မြန်မာ့ရိုးရာလက်ရာပွဲ
- 6:00 pm**
9. Evening news
- 6:30 pm**
10. Weather report
- 6:35 pm**
11. သုတေသနပြုစာတမ်းရှင်
- 7:05 pm**
12. Strong and healthy Myanmar
- 7:15 pm**
13. Musical programme
- 7:30 pm**
14. အနာဂတ်နိုင်ငံတော်၏ ဥပဒေ ပြုမှု အသွင်သဏ္ဍာန်နှင့် အနှစ်သာရ (အပိုင်း-၄)
- 8:00 pm**
15. News
- 16. International news**
- 17. Weather report**
- 18. ၂၀၀၅ ခုနှစ် တေရုသမအကြိမ် (သုကြိမ်) ပြန်စာရိုးရာ ယဉ်ကျေးမှု အဆိုအက၊ အရေးအတီးပြိုင်ပွဲ(ရုပ်သံ) "စမ်းကုသမာတိတော်ကြီး" တတိယနေ့(မှန်ပြည်နယ်)**
- 19. The next day's programme**

59th Anniversary Union Day objectives

- For all national races to safeguard the national policy — non-disintegration of the Union, non-disintegration of national solidarity and perpetuation of sovereignty.
- To keep the Union spirit ever alive and dynamic among the national people.
- For all national people to defend and safeguard the Union for its perpetual existence.
- To prevent, through national solidarity, the danger of internal and external destructive elements undermining peace and stability of the State and national development.
- For all national races to make concerted efforts for successful implementation of the seven-point future policy programme of the State.

Prime Minister sends message of condolences to UAE

YANGON, 10 Jan— General Soe Win, Prime Minister of the Union of Myanmar, has sent a message of condolences to His Highness Sheikh Mohammed Bin Rashid Al-Maktoum, Vice-President and Prime Minister of the United Arab Emirates, for the passing away of the late Vice-President and Prime Minister of the United Arab Emirates, His Highness Sheikh Maktoum Bin Rashed Al-Maktoum, who died on 4 January, 2006.
MNA

Country needs to have strong and modern Tatmadaw to ensure its defence and security

The role of the Tatmadaw is very important in order to ward off threats and dangers from inside and outside the nation



Those attending the mass meeting in Bago Division (East) to support the National Convention chanting slogans. —MNA

Delegates representing people from all walks of life including those from political parties, national race leaders of states and divisions, intellectuals and intelligentsia, State service personnel are holding discussions at the National Convention for the emergence of an enduring State constitution in conformity with Myanmar character and customs and Myanmar way of life.



YANGON, 10 Jan — A mass meeting in support of the National Convention took place at Bago Division sports grounds in Bago yesterday morning.

It was attended by secretaries of Bago Division (East) Union Solidarity and Development Association, District and Township USDAs, executives and members, members of women affairs committee, maternal and child welfare associations, war veterans organizations, writers and journalists associations, fire brigades and red cross, social organizations, entrepreneurs of Bago Division (East), farmers and workers, departmental personnel, townselders and local people numbering over 16,000.

Assistant Director (Retd) of No 1 Basic Education Department U Soe Kyi presided over the meeting together with members of Panel of Chairmen townselder representative Dr Kyaw Sein Win, Deputy Director (Retd) of Bago Division Development Affairs Committee U Thein Win, Chairman of Mazin Industrial Cooperatives U Tun Yay, member of the Shwemawdaw Pagoda Board of Trustees U Ngwe Shein, national race representative U Saw Shwe Done and Advocate U Zaw Win.

Executive of Bago Township USDA Daw Moe Moe Khine acted as master of ceremonies and
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INSIDE

The future of a nation is in the hands of youths and the future of youths is in the hands of teachers. Therefore, teachers should educate youths so that their qualifications become higher and they abide by the law of the nation and they can serve the interests of the nation with patriotic spirit and Union Spirit.