

Constitutional Workshop No(6)
News Release

18th September 2004

The constitutional workshop No (6) initiated by the Burma Lawyers' Council (BLC) was held in the Thai-Burma border in 18.9.2004. The people from the following organizations attended this workshop.

Network for Democracy and Development (NDD)	1 people
Karen National Union (KNU)	1
All Kachin Students and Youth Union (AKSYU)	1
All Arakan Students and Youth Congress (AASYC)	2
Burma Media Watch (BMW)	5
Burma Lawyers' Council (BLC)	9
National Development Congress(NDC)	10
National League for Democracy(Liberated Area) NLD-LA	2

Total	32 people

U Tin Tun Aung, Member of Parliament of Yinmarbin Township Constituency No (2), presided over the workshop.

U Thein Oo, the chairperson of BLC, addressed the opening speech pointing out the brief constitutional history of Burma.

Ko Nyi Nyi Win from NDD discussed the following matter starting from the importance of the drafting process of the constitution:

- ◆ the responsible individuals for writing the constitution from other countries collect the will of the grassroots people and reflect them in the constitution. with reference to the drafting processes of the Phillipine, Thai, South Africa and United States of America.

Ko David from the AKSYU discussed as follows:

- ◆ After 1980, the State Law and Order Restoration Council(SLORC) announced that armed ethnic groups are banned as illegal organizations.
- ◆ there was no equality in determining the ethnic representatives in 1947 Constitution.
- ◆ The Burman majority were able to exploit the certain provisions of the 1947 Constitution such as they were able to dominate over the ethnic nationalities.

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The non-Burman ethnic nationalities now have worries about this same occurrence in any future constitution.

One of the participants pointed out that those who employ the Burmese Ethnocentrism are only the military dictators and not the Burman people as a whole and the Burman people are being oppressed by the military dictatorship like other ethnic nationalities.

When **Pado Saw Hla Henry**, a central committee member of KNU, discussed the ceasefire issue, he explained the following matters:

- ◆ The country's problems should be solved with negotiations and not arms.
- ◆ The current talks involve just ceasefire discussions, not long-term peace talks.
- ◆ Presently SPDC and KNU are holding ceasefire talks and plan later to settle the solution politically.
- ◆ Although both two sides have agreed to cease the fighting, the SPDC troops continue the violating of human rights.
- ◆ The drafting process of the Karen State Constitution led by KNU.

Some of the participants asked and discussed the following matters:

- ◆ Whether the intention of the SPDC for entering the ceasefire talks is either to gain the national reconciliation or to exploit KNU for political egress?
- ◆ Is there any difference between the current KNU's policies and the policies adopted by Saw Ba Oo Gyi?
- ◆ Are there any arrangements to reflect the attitude and the will of the Karen people in state constitution drafting process?

When **U San Thar Aung** from NDC discussed the equal rights and 1947 Constitution, he discussed as follows:

- ◆ As the ethnic nationalities trusted General Aung Sun completely based upon the Pin Long agreement, however since General Aun Sun's assassination they could no longer rely on any Burman. The non-Burman ethnic nationalities have been lied to since the time of Prime Minister U Nu.
- ◆ There were some interventions by the Central Government on the powers of the State authorities during Prime Minister U Nu's time in power.
- ◆ There were no equal rights in distributing the power among the Union and States. In other words, the political equity was violated.
- ◆ When the legislative power is divided in constitution, the residual power should be vested in either State or Union is important.

U Kyaw Thwin, Member of Parliament of Khayan District constituent, evaluated over all of the discussions from political point of view and **U Aung Htoo**, General Secretary of BLC, did this from academic perspective. **U Tin Htun Aung**, the president of the workshop, addressed the concluding speech and then the workshop ended.

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