

THE CONSTITUTION

OF

THE FEDERAL
UNION

OF

THE REPUBLIC

OF

BURMA

THE CONSTITUTION OF THE FEDERAL UNION OF THE REPUBLIC OF BURMA¹

Draft Constitution of the Federal Constitution Drafting and Coordinating Committee

CHAPTER – 1. FORM OF FEDERAL UNION

Article 1 **The Name of the Federal Union of the Republic Burma** - The Federal Union of the Republic of Burma is an independent and sovereign democratic country. It shall be know as the Federal Union of the Republic of Burma.

Article 2 **The Political Powers of the Member States** - The Federal Union of Burma shall be based on the equal political powers of self-determination of its Member States as specified by this constitution. Each State constitutes a discrete sovereign authority within the constitutional structure of the Federal Union of Burma.

Article 3 **The Sovereign Authority of the Federal Union of Burma** - The sovereign authority of the Federal Union of Burma rests in the hands of its citizens.

Article 4 **Representative Government** - The sovereign authority of the Federal Union of Burma shall be exercised through the people’s representatives elected by free, fair and regular elections, with universal suffrage, as specified by this constitution.

Article 5 **The Division of Power** - (A) The sovereign authority of the Federal Union of the Republic of Burma shall be exercised through the three pillars of the government of the Federal Union of the Republic of Burma, namely the legislative power, the executive power, and the judicial power. These three powers shall be exercised by separate branches in a system of checks and balances. (B) The legislative dimension of the sovereign authority of the Federal Union of Burma shall be exercised by the Federal Assembly, the executive dimension by the Federal Government, and the judicial dimension by the Federal Supreme Court together with inferior courts as specified by this constitution.

Article 6 **The Federal Division of Powers** - The Federal Union of the Republic of Burma and the Member States of the Federal Union of the Republic of Burma shall exercise the powers distributed to them by this Constitution.

Article 7 **Secularism and Prohibition of Establishment** - (A) The Federal Union of the Republic of Burma shall be a secular state. (B) No religion shall be established by the government of the Federal Union of the Republic of Burma.

Article 8 **The Legal Territory of the Federal Union of Burma** - The legal territory of the Federal Union of Burma, composed of water, land, and air, shall come into existence on the day of the ratification of this constitution. The territory of the Federal Union of Burma shall not be altered without the agreement of the Member States of the Federal Union of Burma.

¹ The Ethnic Nationalities Council, the Draft Constitution of the Federal Union of the Republic of Burma (2007).

Article 9 The Political System – (A) The political system of the Federal Union of Burma shall be a multi-party democracy. (B) In accordance with democratic principles political parties may be established. (C) The Assembly of the Federal Union of Burma shall prescribe regulations of political parties by law.

Article 10 The Supreme Law - This constitution shall be the supreme law within the territory of the Federal Union of Burma

CHAPTER 2. BILL OF RIGHTS, GUARANTEES AND DUTIES

Article 11 Basic Rights - Every person living in the Federal Union of Burma: (A) shall have the right to life; (B) shall be equal before the law irrespective of native birthplace, religion, color, race, class, age, gender, or sexual orientation. (B) shall have freedom of thought and belief; (C) shall be recognized as a human being and shall have the right to respect and protection for his or her human dignity.

Article 12 Right to Be an Independent Person - No person living in the Federal Union of Burma: (A) shall be enslaved; (B) shall be subjected to forced labor; (C) shall be subjected to torture, sexual mistreatment, or cruel, inhumane, and degrading treatment that violates human dignity.

Article 13 Irrevocable Rights - The rights contained in Articles 11 and 12 shall not be suspended or revoked under any circumstances.

Article 14 Individual Rights - Every person living in the Federal Union of Burma, in accordance with laws enacted by the Federal Assembly, shall have: (A) the right to freedom of expression and publication, the right of access to information, and the right to disseminate information; (B) the right to worship and practice religion; (C) the right to assemble and peacefully demonstrate; (D) the right to seek political asylum. (E) The Federal Assembly may enact laws to restrict the exercise of the rights defined in this article insofar as the exercise of those rights contravenes democratic principles, endangers public health, or injures public morality.

Article 15 Privacy Rights - Any person living in the Federal Union of Burma shall be secure from: (A) disturbance of his or her own premises; intrusion on his or her personal correspondence; interference with his or her personal freedom; and injury to his or her reputation and standing in the community. (B) illegal search and seizure of the person, home, or property.

Article 16 Gender Equality Right - Gender equality shall be guaranteed in family, political, economic, social and all other aspects of life.

Article 17 The Right to Become a Citizen - Every person living within the Federal Union of Burma shall have the right to apply for citizenship as prescribed by this constitution.

CIVIL AND POLITICAL RIGHTS

Article 19 Freedom of Movement - Every citizen of the Federal Union of Burma shall have the freedom to travel anywhere in the Federal Union of Burma.

Article 19 Freedom to Travel Abroad - Every citizen of the Federal Union of Burma shall have the right to leave and return to the Federal Union of Burma.

Article 20 The Right to Marry - Every person who has attained the age of legal majority shall have the right to marry in accordance with his or her free will, without discrimination based on race, religion, or social status.

Article 21 Political Rights - Every citizen at the age of majority shall have the right: (A) to participate in the conduct of political affairs, directly or indirectly through freely elected representatives; (B) to vote and to be elected in elections that shall be conducted by free, fair, direct, and secret voting in order to guarantee the expression of the free will of the voters.

Article 22 Freedom of Association - Every citizen of the Federal Union of Burma: (A) shall have the right freely to form, join, and participate in organizations, associations, and labor unions in accordance with the law. (B) shall not be forced to participate in any organization, association, or union.

Article 23 Arrest and Detention - (A) No person within the Federal Union of Burma shall be arrested, detained, or held as a suspect on the basis of mere suspicion. (B) Every person arrested, detained or imprisoned shall be treated with respect for his or her human rights and human dignity. (C) Any person arrested without a warrant shall not be detained more than twenty-four hours. In order to detain a person for more than twenty-four hours, the arrested person must be brought before a competent court and the court must issue a detention order. The court shall issue such a detention order only if it finds that there are sufficient grounds to detain the person in accordance with the existing laws.

Article 24 Criminal Charges - (A) Every person charged with a criminal offense shall have the right: (1) to be informed without unreasonable delay of the charge and alleged specific offense; (2) to be tried within a reasonable time; (3) not to be compelled to confess to the offense; (4) to offer a full legal defense to the charge; (5) to be provided with an attorney for his or her defense; (6) to be tried in a language that he or she understands; if it is not possible to conduct the proceedings in that language, then he or she will have the right to seek an interpreter. (B) The public shall be allowed to attend every court hearing.

Article 25 Trial Procedure and Penalty - (A) No person shall be tried for an offense except under the laws existing at the time of the offense. (B) No penalty degrading to human dignity shall be imposed. (C) A person acquitted of an offense shall not be retried for the same offense. (D) No person shall be punished more than once for the same offense. (E) No person shall be punished for action that was not a violation of criminal law at the time that it was committed.

ECONOMIC, SOCIAL AND CULTURAL RIGHTS AND DUTIES

Article 26 Property Rights - (A) Every citizen of the Federal Union of Burma shall have the right to own, transfer, dispose, trade, sell, devise and inherit lawfully acquired property. (B) The rights in subsection (A) shall be revoked or restricted only for the benefit of the public at large in accordance with law. In revoking these private rights for public interests, proper and adequate compensation must be awarded in accordance with law.

Article 27 The Right to Work - Every citizen shall have the right to work and the freedom to choose his or her occupation free of discrimination based on birthplace, religion, class or social status, gender, color, race or ethnicity, or age.

Article 28 The Right to Pursue a Living - (A) Every citizen of the Federal Union of Burma shall have the right freely to pursue a living and to establish business associations. (B) The Federal Union of Burma may regulate the right specified in subsection (A) above, in the interest of economic policy, planning, national security, the public interest, and public health.

Article 29 The Right to Intellectual Property - Every citizen of the Federal Union of Burma shall enjoy the freedom to engage in creative work and to establish the right to intellectual property in accordance with the law.

Article 30 The Right to Own Locality Inheritants - Local cultural groups shall have the right to use, manage, and pass on their inherited traditional knowledge.

Article 31 The Right to Immigrate - Every citizen of the Federal Union of Burma shall have the right to immigrate to, reside in, and work in any Member State in accordance with state law. Comment: The group discussed the interaction of this provision with the powers given to the states to control property ownership and state citizenship in suggested new Article 47(A).

Article 32 Rights to Education - Every citizen of the Federal Union of Burma shall: (A) have the right freely to pursue an education; (B) have the right freely to choose his or her desired subject, course of vocational training, and higher education; (C) be provided a mandatory free basic education.

Article 33 The Right to Establish Academic Institutions - The right to establish private schools, universities, colleges, science and vocational training institutions, and higher academic institutions shall be guaranteed.

Article 34 The Rights to Health – (A) Every citizen has the right to receive basic health services and protection free of charge. (B) The federal government shall provide health, accident, and life insurance and an adequate social welfare scheme. (C) Every female citizen of the Federal Union of the Republic of Burma shall be the primary decisionmaker concerning her own reproductive matters, if her health is affected or she has reason to believe that her health is affected.

Article 35 Cultural Rights - Every citizen shall have the right to develop and promote his or her cultures, customs, and traditions.

Article 37 Womens' Rights - To ensure gender equality, at least 30 percent of the seats in every legislative body of the Federal Union of the Republic of Burma shall be reserved for women.

Article 38 The Rights of Children - (A) Every child shall have the right to protection and care in his or her status as a minor, and shall be entitled to assistance and care from the society as a whole. (B) Children shall not be separated from their families without the consent of their parents or guardians, except: (1) in cases where the parents or guardians have neglected their responsibilities or where the children need to be removed in order to be protected, and (2) where separation is conducted only in accordance with the law. (C) The Assembly of the Federal Union of Burma shall prescribe the minimum age of employment for children.

Article 39 Workers' Rights - The Federal Assembly shall make law to: (A) enable workers to live a dignified life; (B) mandate decent working conditions; (C) prescribe appropriate working hours; (D) provide for guaranteed leaves for every worker.

Article 40 Farmers' Rights - Every farmer shall have the right to: (A) grow, sell, and produce crops free of government direction; (B) pay taxes by currency; (C) freely form a farmer's union.

Article 41 Environmental Rights - (A) The citizens of the Federal Union of the Republic of Burma shall have the right to be free from severe environmental degradation and to live in a healthful environment in harmony with nature. (B) The government of the Federal Union of the Republic of Burma shall protect the practices of minority native peoples that contribute to the conservation of the environment within their territories and shall prohibit the overproduction and exploitation of natural resources causing harm to the environment in those territories.

Article 42 Human Rights Commission - Any person whose human rights are violated shall have the right to protection by the Human Rights Commission.

Article 43 The Protection of Constitutional Rights - (A) Every person shall have the right to apply to the Supreme Court for the protection of his or her constitutional rights if necessary. (B) The power of the Supreme Court to enforce constitutional rights, conferred in paragraph (a) above, shall not under any circumstances be suspended.

Article 44 Protection by the Federal Union of Burma - Every citizen shall be entitled to petition the government of the Federal Union of Burma for protection inside or outside the country.

Article 45 International Human Rights Covenants - International covenants on human rights ratified by the Federal Union of Burma shall be directly applicable by the courts.

Article 46 Duties - Every citizen of the Federal Union shall have duties: (A) to protect the Federal Union and (B) to maintain and protect the Constitution of the Republic of the Federal Union of Burma.

CHAPTER – 3. MEMBER STATES OF THE FEDERAL UNION

Article 47 Member States of the Federal Union of Burma - (A) The Member States of the Federal Union of Burma shall have full rights to self-determination in accordance with this constitution. (B) The Federal Union of Burma shall be composed of two sorts of Member States: ethnic national states and ethnic nationalities states.

Article 48 A List of the Member States of the Federal Union of Burma - (A) The Member National States of the Federal Union of Burma are: (1) Kachin State; (2) Karen State; (3) Karenni State; (4) Chin State; (5) Mon State; (6) Bama State; (7) Arakan State; (8) Shan State; (9); (10)
(B) The Member Nationalities States of the Federal Union of Burma are: (1) Tanintari State (2) Irrawaddy State

Article 49 The Constitutions of the Member States - The Member States of the Federal Union of Burma shall have the right to draft and enact their respective state constitutions in accordance with this constitution.

Article 50 The Powers of the Member States - The Member States of the Federal Union of Burma shall have the right to exercise legislative power, executive power, and judicial power in accordance with this constitution.

Article 51 The Residual Powers of the Member States - The Member States of the Federal Union of Burma shall have all powers except those exclusively delegated to the government of the Federal Union of Burma and those prohibited to the states by this constitution.

Article 52 The Rights of Minority Ethnic Nationalities within Member States - (A) The rights of all minority ethnic nationalities within each Member State of the Federal Union of Burma shall be fully prescribed and guaranteed. (B) In order to protect the rights of minority ethnic nationalities within each Member State of the Federal Union of Burma, the Member State constitutions shall, when necessary, create autonomous regions, national territories, and special nationalities regions. (C) If 50,000 residents of a state petition the legislature of that state for the creation of an Autonomous Region, or if 5,000 residents of a state petition the legislature of that state to create a Special Union Territory, the legislature of that state shall decide whether or not to grant the petition by majority vote.

Article 53 The Armed Forces of the Member States - (A) The Member States of the Federal Union of Burma may establish State police forces, whose membership shall not exceed (0.2) % of the population of that state. (B) In accordance with law prescribed by the Assembly of the Federal Union of Burma, every Member State of the Federal Union of Burma may establish State Militaries, whose membership shall not exceed (0.1) of the population of that state.

Article 54 Formation of New States - New states of the Federal Union of Burma may be established in accordance with Article 47 (A) within an existing state; or (B) by combining adjacent territory in two or more states.

Article 55 The Process for the Formation of New States - New Member States of the Federal Union of Burma may be formed only if: (A) A group of people with a distinct political identity holds a referendum to form a new state composed of the territory in which that group resides, and thirty percent of those voting in the referendum vote to approve the creation of the new state; and then (B) The proposal to create a new state is forwarded to the Assemblies of any existing States whose current territories would form part of the new state and all of those Assemblies approve the proposal by a majority vote; and then (C) The proposal is forwarded to the Federal Chamber of Nationalities which, in coordination with the State Assemblies in subsection (B), forms a Commission to investigate whether a new state should be formed in the proposed area; and then (D) The commission recommends that a new state should be created in the proposed area; and then (E) A referendum is held in the area that would form the proposed new state and sixty percent of those voting in the referendum vote for the proposal to create a new state; and then (F) A bill to establish the new state is introduced into the Chamber of Nationalities and the Chamber approves the bill by a majority vote; and then (G) The bill is forwarded to the Chamber of the People's Representatives and that Chamber approves the bill by a majority vote; and then (H) The bill is forwarded to the State Assemblies of the States from whose territories the new state shall be formed and the State Assemblies approve the bill by a majority vote; and then (I) The bill shall be forwarded to the Federal President for signature and promulgation. If the

Federal President fails to sign and promulgate it within seven days, he shall be deemed to have signed and promulgated it by the end of the seventh day.

Article 56 **Legislation concerning the Formation of New States** - The Assembly of the Federal Union of Burma shall make law implementing Articles 52 and 53 of this constitution.

Article 57 **Powers Prohibited to the Member States** - The Member States of the Federal Union of Burma shall not have the power to establish military alliances with a foreign country, to conclude military agreements or treaties, or to establish currencies for the state by printing money or minting coins.

CHAPTER – 4. ASSEMBLY OF FEDERAL UNION

Article 58 **The Assembly of the Federal Union of Burma** - The Assembly of the Federal Union of Burma shall consist of the Chamber of Nationalities and the Chamber of the People's Representatives.

Article 59 **The Powers of the Assembly of the Federal Union of Burma** - All Federal legislative powers granted by this constitution shall be vested in the Assembly of Federal Union of Burma.

Article 60 **The Regular Session of the Assembly of the Federal Union of Burma** - (A) The regular session of the Assembly of the Federal Union of Burma shall be held at least once every year. (B) The Assembly of the Federal Union of Burma shall provide public notice not less than sixty days prior to convening a regular session. (C) The Federal President shall convene the regular session of the Assembly of the Federal Union of Burma. (D) The Federal President shall address the state of the Federal Union of Burma at every regular session of the Assembly of the Federal Union of Burma.

Article 61 **Emergency or Special Sessions of the Assembly of the Federal Union of Burma** - (A) The Assembly of the Federal Union of Burma may convene a special session or an emergency session concerning the following subject matters: (1) Amendment and ratification of the Constitution; (2) Proclaiming, approving, or terminating a declaration of national emergency; (3) Declaring war and/or termination of a war against another state; (4) Affirming the election of the President of the Federal Union of the Republic of Burma or the appointment of the Justices of the Federal Supreme Court.

Article 62 **A Quorum for the Meetings of the Assembly of the Federal Union of Burma** - A meeting of the Assembly of the Federal Union of Burma may be called to order only if a quorum is present. A quorum shall consist of not less than half the members of the Chamber of Nationalities and not less than half the members of the Chamber of the People's Representatives.

Article 63 **Voting Procedure** - Decisions in the sessions of the Assembly of the Federal Union Burma shall be established by majority vote of the members of each Chamber attending the session.

Article 64 **The Speaker of the Assembly of the Federal Union of Burma** - The Chairperson of the Chamber of Nationalities and the Chairperson of the Chamber of the People's Representatives shall

take turns to preside as Speaker over the Joint meetings of the two Chambers, sitting as the Assembly of the Federal Union of Burma. When the Chairperson of either Chamber is unavailable to server as Speaker, the Vice Chairperson of that Chamber may serve instead.

Article 65 Prohibition on Simultaneous Membership in Both Chambers - A member of one Chamber may not simultaneously serve in the other Chamber.

Article 66 Exemptions and Privileges - (A) No member of the Assembly of the Federal Union of Burma shall be questioned, punished or brought to trial for the following acts performed in any meeting of the Assembly of the Federal Union of Burma: (1) any speech or debate; (2) the distribution of any written materials; or (3) any vote. (B) During a session of the Assembly of the Federal Union of Burma, no member of the Assembly shall be arrested except during the commission of the crime itself, and no member shall be arrested or punished for any crime without the approval of the Assembly of the Federal Union of Burma.

Article 67 Compensation and Benefits - Members of the Assembly of the Federal Union of Burma shall receive compensation and benefits for their services to be determined by law. Any decision to raise the compensation or benefits shall take effect only after an intervening legislative election for the Chamber of the People's Representatives.

Article 68 International Covenants and Treaties - The Assembly of the Federal Union of Burma shall have the power to ratify or reject international covenants and treaties signed and submitted to the Assembly by the Government of the Federal Union of Burma.

Article 69 The Bylaws and Procedures of the Assembly of the Federal Union of Burma - The Assembly of the Federal Union of Burma shall prescribe the bylaws and procedures for joint meetings of the two Chambers sitting as the Assembly of the Federal Union of Burma.

CHAMBER OF NATIONALITIES

Article 70 The Composition of the Chamber of Nationalities - (A) The Chamber of Nationalities of the Federal Union of Burma shall be composed of an equal number of representatives from each Member State. (B) The Member States of the Federal Union of Burma shall each send six representatives to the Chamber of Nationalities of the Federal Union of Burma.

Article 71 Electing Members of the Chamber of Nationalities - (A) Members of the Chamber of Nationalities shall be directly elected, in free and fair elections, with secret ballots, by the people of their respective states who are eligible to vote. (B) In order to be a candidate for membership in the Chamber of Nationalities, a citizen must: (1) have attained the age of twenty-five on election day; and (2) have been a citizen of the Federal Union of Burma for at least ten years; and (3) be a resident of the State from which he or she is seeking election. (C) The Legislature of each Member State shall prescribe the time, place, and manner of holding elections for the members of the Chamber of Nationalities from that State.

Article 72 The Chairperson and Vice-chairperson of the Chamber of Nationalities - The members of the Chamber of Nationalities shall elect the Chairperson and Vice-chairperson of the Chamber from among their number. The Chairperson and Vice-chairperson may not be from the same state.

Article 73 The Term of Members of the Chamber of Nationalities - The term of each member of the Chamber of Nationalities shall be four years. The election of the members shall be staggered so that half of the Chamber shall be elected every two years.

Article 74 The Regular Session of the Chamber of Nationalities - (A) The first session of the Chamber of Nationalities must be convened not less than sixty days after the date of each election. (B) The Chamber of Nationalities shall convene a regular session not less than once every year. (C) The Chairperson of the Chamber of Nationalities shall convene the regular session of the Chamber of Nationalities. (D) The Chamber of Nationalities shall provide public notice not less than thirty days prior to convening a regular session.

Article 75 Special or Emergency Sessions of the Chamber of Nationalities - (A) The Chairperson of the Chamber of Nationalities shall convene a special or emergency session of the Chamber when: (1) all of the members of the Chamber of Nationalities from at least two Member States so request; or (2) one quarter of all of the members of the Chamber of Nationalities so requests; or (3) the Federal Prime Minister so requests. (B) The Chamber of Nationalities shall provide public notice not less than fifteen days prior to convening a special or emergency session.

Article 76 A Quorum for the Meetings of the Chamber of Nationalities - (A) A meeting of the Chamber of Nationalities may be called to order only if a quorum is present. A quorum shall consist of not less than half of the members of the Chamber of Nationalities. (B) A vote shall be taken by the Chamber of Nationalities only if a quorum for voting is present. A quorum for voting shall consist of not less than two-thirds of the members of the Chamber of Nationalities. (C) Decisions of the Chamber of Nationalities shall be established by majority vote.

Article 77 The Powers of the Chairperson of the Chamber of Nationalities - The Chairperson of the Chamber of Nationalities shall have power to enforce the rules of its proceedings and to supervise the conduct of the members. No-one may enter the compound of the Chamber of Nationalities to conduct a search or to arrest any person without the permission of the Chairperson.

Article 78 The Committees of the Chamber of Nationalities - Committees of the Chamber of Nationalities, including the Foreign Affairs Committee and the Defense Affairs Committee, shall consist of sitting members of the Chamber of Nationalities.

Article 79 The Bylaws and Procedures of the Chamber of Nationalities - The Chamber of Nationalities shall prescribe its own bylaws and procedures.

CHAMBER OF PEOPLE'S REPRESENTATIVES

Article 80 The Composition of the Chamber of the People's Representatives - The Chamber of the People's Representatives shall consist of members elected by citizens through elections based on the principle of population proportionality, in the sense that the proportion between the number of voters in each district and the number of members from that district shall be approximately the same for every district.

Article 81 Electing Members of the Chamber of the People's Representatives - (A) Members of the Chamber of the People's Representatives shall be directly elected in free and fair elections, with

secret ballots, by the people who are eligible to vote. (B) The number of representatives and the boundaries of their constituencies shall be prescribed by law by the Assembly of the Federal Union of Burma.

Article 82 Qualification of the Representatives - In order to be a candidate for membership in the Chamber of the People's Representatives, a citizen must: (1) have attained the age of twenty five years on election day; (2) be a lawful citizen of the Federal Union of the Republic of Burma and have resided continuously for 10 years in the Federal Union of the Republic of Burma at any time; (3) renounce citizenship in any country other than the Federal Union of the Republic of Burma.

Article 83 The Chairperson and Vice-chairperson of the Chamber of the People's Representatives - The members of the Chamber of the People's Representatives shall elect the Chairperson and Vice-chairperson of the Chamber from among their number.

Article 84 The Term of the Members of the Chamber of the People's Representatives - (A) The term of each member of the Chamber of the People's Representatives is four years. The term begins on the first day after the member is elected that the Chamber of the People's Representatives convenes. (B) The term for the members is the same as the term for the Chamber of the People's Representatives.

Article 85: Holding Elections for the Chamber of the People's Representatives - General elections for members of the Chamber of the People's Representatives for the next term shall be held not less than sixty days prior to the end of the current term.

Article 86 The Regular Session of the Chamber of the People's Representatives - (A) The President of the Federal Union of Burma shall call the first session of the Chamber of the People's Representatives to convene not less than sixty days after the general elections. (B) The Chamber of the People's Representatives shall convene a regular session not less than once every year. (C) The Chairperson of the Chamber of the People's Representatives shall convene the regular sessions of the Chamber. (D) The Chamber of the People's Representatives shall provide public notice not less than thirty days prior to convening a regular session.

Article 87 Special or Emergency Sessions of the Chamber of the People's Representatives - (A) The Chairperson of the Chamber of the People's Representatives shall convene a special or emergency session when: (1) The Federal President so instructs; or (2) The Federal Prime Minister so requests; or (3) one fourth of the members of the Chamber of the People's Representatives so requests. (B) The Chamber of the People's Representatives shall provide public notice not less than fifteen days prior to convening a special or emergency session.

Article 88 A Quorum for the Meetings of the Chamber of the People's Representatives - (A) A meeting of the Chamber of the People's Representatives may be called to order only if a quorum is present. A quorum shall consist of more than thirty percent of all the members of the Chamber of the People's Representatives. (B) A vote shall be taken by the Chamber of the People's Representatives only if a quorum for voting is present. A quorum for voting shall consist of half of all the members of the Chamber of the People's Representatives. (C) Decisions of the Chamber of People's Representatives shall be established by majority vote.

Article 89 Dissolving the Chamber of the People's Representatives - (A) The Federal President, on the recommendation of the Federal Prime Minister, shall dissolve the Chamber of the People's Representatives. (B) The Federal President shall reject the recommendation of the Federal Prime Minister to dissolve the Chamber of the People's Representatives only when: (1) the Chamber of the People's Representatives has passed a no confidence motion against the Government by a majority vote and (2) the Federal Prime Minister has recommended the dissolution of the Chamber of the People's Representatives solely for the reason of the no confidence vote. (C) In such a situation, the Federal President shall also immediately order the Chamber of the People's Representatives to choose a new Federal Prime Minister. The Chamber of the People's Representatives shall submit the name of the new Prime Minister within fifteen days. If it fails to do so, the Federal President shall dissolve the Chamber of the People's Representatives. (D) New elections shall be held no later than sixty days after any dissolution of the Chamber of the People's Representatives. (E) In order to attend to the governance of the Union, the Federal President shall form an interim Government for the transitional period after the dissolution of the Chamber of the People's Representatives and until new elections are held and a new Government is formed.

Article 90 The Powers of the Chairperson of the Chamber of the People's Representatives – The Chairperson of the Chamber of the People's Representatives shall have the power to enforce the rules of its proceedings and to supervise the conduct of the members. No-one shall enter the compound of the Chamber of the People's Representatives to conduct a search or to arrest any person without the permission of the Chairperson.

Article 91 The Investigative Commission - An Investigative Commission shall be established if requested by one fourth of the members of the Chamber of the People's Representatives. The composition, regulations, and mandates of the Investigative Commission shall be in accordance with law prescribed by the Assembly of the Federal Union of Burma.

Article 92 The Bylaws and Procedures of the Chamber of the People's Representatives - The Chamber of the People's Representatives shall prescribe its own bylaws and procedures.

CHAPTER – 5. FEDERAL LEGISLATION

Article 93 The Introduction of Bills - (A) The Government of the Federal Union of Burma or any member of either Chamber may introduce bills. (B) Revenue bills may be introduced only in the Chamber of the People's Representatives. (C) Bills related to natural resources may be introduced only in the Chamber of Nationalities.

Article 94 The Passing of Bills - Except for revenue bills, in order to become a law, a bill must: (1) receive over fifty percent of the members' votes in the Chamber in which it originates and (2) be transferred to the other Chamber and receive over fifty percent of the members' votes in the second Chamber as well.

Article 95 The Passing of Revenue Bills - In order to become a law, a revenue bill must: (1) receive over fifty percent of the members' votes in the Chamber of the People's Representatives and (2) be subsequently transferred to the Chamber of Nationalities and receive over fifty percent of the members' votes in that Chamber within twenty-one days from the date of its reception in the Chamber of Nationalities.

Article 96 The Budget - If the Assembly of the Federal Union of Burma fails to approve the Budget for the coming fiscal year by the end of the current fiscal year, then the Budget for the coming fiscal year shall be deemed to be the same as the Budget for the current fiscal year.

Article 97 Joint Committees - (A) If a bill passed by one Chamber cannot be passed in whole or in part by the other Chamber, either one of the Chambers or the Government of the Federal Union of Burma may request the formation of a Joint Committee in order to negotiate on the bill. (B) A Joint Committee shall consist of an equal number of members from each Chamber. (C) A Joint Committee shall dissolve automatically upon completion of its duties. (D) When a Joint Committee fails to reach agreement on a bill, the bill shall: (1) be called a Dead Bill; and (2) not become law in that session; and (3) be subject to Article 90. (E) If the Joint Committee agrees to any amendment of or change in a bill, the bill shall be returned to the Chamber where the bill originated. If that Chamber passes the bill as amended or changed, then it shall be transferred to the other Chamber and, if the other Chamber passes the bill as amended or changed, then the bill shall become law. (F) If a bill is circulated in accordance with subsection (E) and fails to pass either Chamber in accordance with the rules and procedures set out in Article 86, then the bill shall: (1) be called a Dead Bill; and (2) not become law in that session; and (3) be subject to Article 90.

Article 98 A Dead Bill - Neither Chamber shall reintroduce a Dead Bill within two years from the day it became a Dead Bill.

Article 99 The Promulgation of Laws - Every bill passed by the Assembly of the Federal Union of Burma must be signed and promulgated by the President of the Federal Union of Burma within seven days. If the Federal President fails to sign and promulgate it within seven days, he shall be deemed to have signed and promulgated it by the end of the seventh day.

Article 100 The Exclusive Legislative Powers of the Assembly of the Federal Union of Burma - The Assembly of the Federal Union of Burma shall have exclusive legislative powers over the following subjects: (1) Foreign Affairs; (2) Defense of the Federal Union of Burma; (3) Postal Services and Telecommunications, except Regional Radio and Television Broadcasting; (4) Printing Currency, Minting Coins, and the Distribution of Money; (5) Fixing Weights and Measures; (6) The Annual Budget of the Federal Union of Burma; (7) Federal Highways, Railways, Airways, and Waterways; (8) Standards for Post-Graduate Education; (9) International Trade Regulations; (10) Relationship to International Monetary Organizations; (11) Citizenship, Naturalization, and Immigration; (12) Federal Police Forces; (13) National Emergencies; (14) The National Census; (15) Producing, Exporting, Selling, and Importing weaponry and munitions; (16) Practices and Procedures for Electing Members of the Chamber of the People's Representatives; (17) Copyright, Intellectual Property Rights, Patents, and Trademarks; (18) Marriage, Divorce, and Inheritance Laws for People with Different Traditions and Customs; (19) Export Taxes; (20) Customs and Import Taxes and (22) Regulation of the Federal Bank.

Article 101 The Concurrent Legislative Powers - The Assembly of the Federal Union of Burma and the respective Assemblies of the Member States shall have concurrent legislative power over the following subjects: (1) Sales taxes within the Federal Union, Business taxes, Income taxes, Taxes on Addictive Products, and Port taxes; (2) Environmental Protection; (3) Dangerous and Harmful Drugs; (4) Birth and Death Registration; (5) Those aspects of the Federal Union's Energy or Development Plans that fall within the Territory of the Respective Member States; (6) Surface and Subterranean Exploration and Marketing of Natural Resources within the Territory of the Respective

Member States; (7) Foreign Direct Investment by Private Corporations or by Foreign Governments in the Respective Member States; (8) Regional Radio and Television Broadcasting; (9) Banking and Insurance; (10) Transferring Real Property; (11) Regulation of Universities and Vocational and Other Educational Institutions; (12) Regulation of Interstate Rivers and Waterways, Domestic Sea Transportation and Shores; (13) Refugee Affairs and Political Asylum; (14) Criminal Law and Civil Procedure; (15) Civil Service Training Centers.

Article 102 The Jurisdiction of the Constitutional Court - The Constitutional Court shall have jurisdiction to hear any case concerning a conflict between the Federal Union of Burma and any Member State or States concerning the exercise of any concurrent legislative power subject to Article (93). The decision of the Constitutional Court in such a case shall be final and binding.

Article 103 Legislation by the Assembly of the Federal Union of Burma on Subjects of Concurrent Legislative Power - When and if a Member State enacts a law injurious to the interests of other States or citizens of other States, or to the interests of the Federal Union of Burma within an area of concurrent legislative power, the Assembly of the Federal Union of Burma shall make law to address such harms. In such circumstances, the federal law shall be supreme over the state law.

Article 104 Obtaining Concurrent Agreement - Neither the Assembly of the Federal Union of Burma nor the Assembly of any Member State may enact laws about the exploration and marketing of natural resources, foreign direct investments, or energy production unless the law is approved by both the Federal Assembly and the Assembly of the State in which the resources, investments, or production are located.

Article 105 The Legislative Powers of States - The legislative powers not delegated exclusively or concurrently to the Assembly of the Federal Union of Burma by this constitution are reserved to the States.

Article 106 Supremacy of Federal Law - If the Federal Union of Burma enacts a law within its constitutional competence and a Member State enacts a law within its constitutional competence and the two laws conflict, the law of the Federal Union of Burma shall prevail.

CHAPTER – 6. FEDERAL PRESIDENT

Article 107 The Head of State - The President of the Federal Union of Burma shall be the Head of State.

Article 108 The Qualifications for the President and Vice President - (A) A candidate seeking election as the President or Vice President of the Federal Union of Burma must: (1) be a citizen of the Federal Union of Burma; (2) have been born of parents both of whom were citizens of the Federal Union; (3) have resided continuously in the Federal Union for over ten years; and (4) have attained the age of 35 years on the date of his or her registration as a candidate for the President or Vice President. (B) The Federal President or Vice President may not hold a position of remuneration in any Federal or State Government or be a member of any Federal or State Assembly. If the person elected as President or Vice President holds such a position, he or she shall be deemed to have resigned from that position once elected as President or Vice President.

Article 109 Election Procedures - (A) The Federal Assembly shall elect the President and the Vice President of the Federal Union of Burma from among candidates nominated by the State Legislative Assemblies. (B) A person from one State having been elected as the Federal President, no person from that state shall be eligible to be the Federal President until three subsequent terms have elapsed from the end of the President's term. No such restriction shall apply to the Vice Presidency. (C) The Federal Assembly shall prescribe the practices and procedures for election of the Federal President and Vice President by law.

Article 110 The Term of Office of the Federal President - The term of office of the Federal President shall be five years from the date of entering into office.

Article 111 The Duties and Powers of the Federal President - (A) The Federal President shall be the Commander-in-Chief of the Defense Forces of the Federal Union of Burma. (B) The Federal President, in consultation with and with approval by the Government of the Federal Union of Burma, shall have the power to declare war against foreign countries and to enter into agreements on the cessation of war. (C) To implement subsection (B) of this Article, the Federal President must obtain approval of the Assembly of the Federal Union of Burma for such a declaration or agreement. If the Assembly is not in session, the Federal President shall convene a special or emergency session for this purpose. (D) The Federal President shall have power to grant pardons. (E) The Federal President shall install the Federal Prime Minister chosen by the Federal Assembly. (F) The Federal President shall install the Ministers of the Federal Government chosen by the Federal Prime Minister. (G) The Federal President shall receive the resignation of any Federal Minister or shall suspend him or her from his or her duties pursuant to the recommendation of the Prime Minister. (H) The Federal President shall convene the Federal Assembly pursuant to the recommendation of the Prime Minister or dissolve it in accordance with Article 81 of this constitution. (I) The Federal President shall sign and promulgate as law all bills approved by the Federal Assembly, or deemed to have been approved by the Federal Assembly in accordance with Article 88. (J) The Federal President shall address issues of importance to the Federal Union of Burma by correspondence or speech to the Federal Assembly. (K) The Federal President shall address issues of importance to the Federal Union of Burma by speech to the people of the Federal Union of Burma at any time. (L) The Federal President shall perform the duties explicitly granted by this Article. The Federal President may perform additional duties after consultation with the Federal Government unless his or her performance of those duties is prohibited by the constitution. (M) The Federal President may declare and revoke states of emergency.

Article 112 Impeachment of the Federal President or Vice President - (A) The Federal President may be impeached only if the President: (1) commits high treason; (2) violates this Constitution; or (3) commits gross misconduct. (B) A motion to impeach the President in accordance with subsection (A) may be moved by either Chamber of the Federal Assembly. If at least one third of the members of the Chamber vote for the motion, then the impeachment inquiry shall be conducted. (C) After a motion to impeach the Federal President has been passed by one Chamber, the impeachment inquiry shall be conducted by the other Chamber. (D) If two thirds of the members of the Chamber conducting the inquiry confirm the finding that the President is not qualified to retain his or her position under subsection (A), then the motion shall be considered by the Federal Assembly as a whole. (E) If the majority of the members of the Federal Assembly confirm that the President is not qualified to retain his or her position under subsection (A), then the Federal President shall be removed from office. (F) The Federal President shall have the right to present a full defense, including the right to the assistance of counsel throughout the impeachment process. (G) The impeachment process in this Article shall also apply to the Vice President.

Article 113 Vacancy and Replacement - If the Federal President dies during his or her term of office or becomes unable continuously to perform his or her duties or is removed from office according to Article 104 of this constitution, the vacancy shall be filled as follows: (A) The Vice President shall perform the duties of the Federal President until the expiration of the regular term of the Federal President. (B) The Speaker of the Chamber of Nationalities shall perform the duties of the Vice President. (C) If a further vacancy occurs during the regular term of the President, new elections shall take place according to Article 101 of this constitution.

Article 114 Immunities - The Federal President shall be immune from criminal or civil suit for acts undertaken within the scope of his or her presidential duties.

Article 115 Prohibition of Secondary Occupation - Neither the President nor the Vice President of the Federal Union of Burma shall receive any remuneration other than the compensation and benefits of their offices, nor shall they participate in the management of any enterprise carried out for profit, during their term of office.

CHAPTER – 7. FEDERAL GOVERNMENT

Article 116 The Composition of the Government - (A) The Government of the Federal Union of Burma shall be comprised of Ministers led by the Prime Minister. (B) The Ministers of the Federal Government shall be chosen from among the members of the Chamber of the People's Representatives. (D) The Federal Government shall represent the Chamber of the People's Representatives by group.

Article 117 Term of Office - The term of the Federal Government shall not exceed the term of the members of the Chamber of the People's Representatives from among whom the Ministers were selected.

Article 118 The Federal Prime Minister - (A) The Federal President shall install as Federal Prime Minister the person chosen by the members of the Chamber of the People's Representatives according to subsection (B) of this Article. (B) The Federal Prime Minister shall be chosen by majority vote of the members of the Chamber of the People's Representatives from among their number. (C) If no candidate secures majority support within fourteen days, the candidate who has secured the most votes shall be elected as Federal Prime Minister. (D) The Federal President shall install or remove the Deputy Federal Prime Minister and other Federal Ministers upon the decision of the Federal Prime Minister. (E) No person may serve as Federal Prime Minister for more than two terms. (F) Upon request of the Federal President, the Federal Prime Minister shall remain in office until a successor has been appointed.

Article 119 The Deputy Federal Prime Minister

The Deputy Federal Prime Minister shall perform the duties of the Federal Prime Minister when: (A) the Federal Prime Minister is incapable of performing his or her duties; or (B) the Federal Prime Minister delegates such duties to the Deputy Federal Prime Minister.

Article 120 Replacement - When the office of Federal Prime Minister becomes vacant, replacement shall take place as provided in Article 110 of this constitution.

Article 121 A Motion of No Confidence - (A) A motion of no confidence against the Government or an individual Minister may not be made prior to eighteen months after the formation of the Government. (B) If a majority of the members of the Chamber of the People's Representatives votes no confidence in the Government or an individual Minister, then the Government or that individual Minister shall resign from office. (C) If the entire Federal Government resigns by reason of a vote of no confidence, the Federal President shall install a new Federal Prime Minister in accordance with Article 110 of this constitution.

Article 122 Resignation - (A) Whenever the Prime Minister resigns from office, the other Federal Ministers shall also be deemed to have resigned from their respective offices. (B) A Minister of the Government shall be empowered to resign by submitting his or her resignation to the Federal Prime Minister, who shall then submit it to the Federal President.

Article 123 The Duties of the Government - (A) The Federal Prime Minister shall represent and act for the Federal Government. (B) The Federal Government shall annually prepare and submit proposals for the federal budget to the Chamber of the People's Representatives. (C) In a situation where the Federal Union of Burma is being attacked by a country

Article 124 Ministries

- (1) Ministry of External Affairs
- (2) Ministry of Defense
- (3) Ministry of Finance and Planning;
- (4) Ministry of Home Affairs
- (5) Ministry of Health
- (6) Ministry of Agriculture and Forestry;
- (7) Ministry of Commerce and Trade
- (8) Ministry of Transportation
- (9) Ministry of Labor
- (10) Ministry of Energy
- (11) Ministry of Education
- (12) Ministry of Justice
- (13) Ministry of Communication
- (14) Ministry of Environmental Conservation
- (15) Ministry of Gender Equality
- (16) Ministry of Science and Technology
- (17) Ministry of Welfare
- (18) Ministry of Hotel and Tourism
- (19) Ministry of Public Information; and
- (20) Ministry of Mining.

Article 125 The Federal Attorney General - (A) The Prime Minister shall nominate a Federal Attorney General to advise and represent the Federal Government in all legal matters. The Federal President shall install the Federal Attorney General upon confirmation of the nomination by the Federal Assembly. (B) The Federal Attorney General shall have the right to attend sessions of the Federal Assembly but not to participate in its proceedings.

Article 126 Prohibition of Secondary Occupation - Neither a member of the federal government nor the Federal Attorney General shall receive any remuneration other than the compensation and benefits of his or her office, nor shall he or she participate in the management of any enterprise carried out for profit or hold any other governmental office, during his or her term as a member of the federal government or as Attorney General.

CHAPTER – 8. FEDERAL JUDICIARY

Article 127 The Judicial Power - The judicial power of the Federal Union of Burma shall be vested in the courts. The Assembly of the Federal Union of Burma may pass administrative regulations to establish and organize the courts of the Federal Union of Burma. Such administrative regulations shall not interfere with judicial independence in the disposition of cases.

Article 128 The Constitutional Court - (A) A Constitutional Court shall be established in order to resolve constitutional disputes. (B) The Constitutional Court shall be composed of the nine Justices of the Supreme Court of the Federal Union of Burma along with the Chairpersons and Vice Chairpersons of both the Chamber of Nationalities and the Chamber of the People’s Representatives.

Article 129 The Location of the Supreme Court of the Federal Union of Burma - The office of the Supreme Court of the Federal Union of Burma shall be located in the national capitol of the Federal Union of Burma. The Supreme Court of the Federal Union of Burma may also sit in Federal Courthouses elsewhere in the Union and, when necessary, may also sit in other places.

Article 129 - (A) The Federal courts shall be composed of the Federal Supreme Court, the Federal Constitutional Courts, and subordinate federal courts. (B) The Federal Assembly shall prescribe the rules and procedures for the establishment of the lower federal courts. (C) The Federal Assembly shall establish not less than one lower federal court for each state, and not less than one additional federal court for each one million persons.”

Article 130 The Composition of the Supreme Court of the Federal Union of Burma - (A) The Supreme Court of the Federal Union of Burma shall be composed of nine Justices. (B) The President of the Federal Union of Burma shall install the Justices nominated by the Federal Prime Minister with the consent of the Federal Assembly. (C) No sitting member of the Assembly of the Federal Union of Burma shall be nominated to be a Justice of the Federal Supreme Court. (D) The Justices of the Supreme Court shall elect a Chief Justice from among their number. The President of the Federal Union of Burma shall install the Chief Justice.

Article 131 The Location of the Supreme Court of the Federal Union of Burma - The office of the Supreme Court of the Federal Union of Burma shall be located in the national capitol of the Federal Union of Burma. The Supreme Court of the Federal Union of Burma may also sit in Federal Courthouses elsewhere in the Union and, when necessary, may also sit in other places.

Article 132 The Qualifications of the Justices - The Justices of the Supreme Court of the Federal Union of Burma shall be citizens of the Federal Union of Burma and have at least ten years experience as a lawyer, judge, or law professor.

Article 133 The Appointment of Judges - There shall be no discrimination on the ground of ethnicity, religion, color, or sex in the appointment of Judges.

Article 134 The Independence of the Judiciary - The judges shall independently judge cases with fidelity to the law.

Article 135 Prohibition of Second Occupation - No Federal judge shall receive any remuneration other than the compensation and benefits of his or her office, nor shall he or she participate in the management of any enterprise carried out for profit or hold any other governmental office, during his or her term as a judge.

Article 136 Salary - The Judges shall receive salary determine by the Federal Assembly.

Article 137 Compensation and Benefits - All judges shall receive compensation and benefits prescribed by the Assembly of the Federal Union of Burma.

Article 138 Investigation - If the Attorney General of Burma believes that grounds exist to investigate whether a judge has violated Article 128 (B) or (C), upon the request of the Attorney General, an inquiry commission shall be formed consisting of an equal number of members from each Chamber of the Federal Assembly. The finding of such inquiry commission shall be submitted to the Assembly of the Federal Union of Burma.

Article 139 Immunity - Federal judges shall be immune from criminal or civil suit for acts undertaken within the scope of their judicial duties, except for knowing and intentional violations of the law. (A) Federal judges shall be immune from criminal or civil suits for acts undertaken within the scope of their judicial duties except: (1) for knowing and intentional violations of the law and (2) when they have first been removed from office. (B) No judge shall be prosecuted, sued, or otherwise punished for the content, reasoning, or conclusion of a judicial opinion.

Article 140 The Powers and Jurisdiction of Federal Supreme Court - (A) The Supreme Court of the Federal Union of Burma shall have jurisdiction over the following controversies: (1) A conflict between or among the States, except conflicts concerning constitutional matters; (2) a crime committed by a citizen or citizens of one state against a citizen or citizens of another state; (3) A case being transferred from one State High Court to another State High Court; (4) A conflict between two State High Courts regarding jurisdiction over a controversy; (5) A contract dispute between foreign corporations and: (a) domestic companies; (b) State governments; or (c) the Federal Government; (6) Bankruptcies; (B) The Supreme Court of the Federal Union of Burma shall have power to issue; (1) writ of prohibition (2) writ of habeas corpus (3) writ of certiorari (4) writ of mandamus (5) writ of quo warranto; (C) The Assembly of the Federal Union of Burma shall prescribe the exclusive jurisdiction of the Federal Supreme Court by law.

CHAPTER – 9. CITIZENSHIP

Article 141 The Rights of Citizens - A citizen of the Federal Union of Burma shall be a citizen of the Member State wherein he or she resides and shall enjoy the rights and immunities of the citizens of that Member State.

Article 142 The Rights of Citizens of the States - When a citizen of the Federal Union of Burma moves from one Member State to another, he or she shall be entitled to become a citizen of the new State of his or her residence and to vote and run for office in accordance with the law of that State.

Article 143 Natural Citizenship - (A) A citizen of any Member State of the Federal Union of Burma shall be a citizen of the Federal Union of Burma. (B) Every person, both of whose parents are citizens of the Federal Union of Burma shall be a citizen of the Federal Union of Burma. (C) Every person who is a citizen at the commencement of this constitution shall be a citizen of the Federal Union of Burma.

Article 144 Naturalization - Every person whose citizenship was suspended before the commencement of this Constitution shall be given citizenship if he or she applies for it.

Article 145 Naturalization of Aliens - (A) Every person born in the Federal Union of Burma before January 4, 1948 and residing continuously in the Federal Union of Burma shall have the right to become a citizen of the Federal Union of Burma. (B) The Assembly of the Federal Union of Burma shall make law concerning the naturalization of aliens.

Article 146 Dual Citizenship - Any citizen of the Federal Union of Burma may become a citizen of another country. The adoption of citizenship in another country shall not cause the suspension or revocation of his or her citizenship in the Federal Union of Burma. Every citizen shall be allowed to retain dual citizenship. Every citizen shall also have the right to renounce his or her Burmese citizenship.”

Article 147 The Right to Vote as a Citizen - (A) If a citizen moves to a new state, he may vote in elections there only if the new state allows it. If the new state refuses him the right to vote, then he has the right to vote in elections in his old state. (B) Any citizen of the Federal Union of Burma who migrates to a foreign country from a State of the Federal Union of Burma may vote in any election for federal office in the State and district in which he or she was last resident.

Article 148 The Rights to Vote and Be Elected as a State Citizen - No person may be a citizen of more than one state. If the state in which he or she holds primary legal residence has granted him citizenship, then he shall be considered a citizen only of that state. If the state of his or her primary legal residence has not granted him citizenship, then he shall be considered a citizen of the state in which he held citizenship, if any, prior to moving to his current residence.

Article 149 State Citizenship - The Member States of the Federal Union of Burma shall prescribe laws concerning state citizenship.

Article 150 Citizens Abroad - The Assembly of the Federal Union of Burma shall make laws to prescribe the rights and duties of citizens who are living abroad.

Article 150 Federal Rights of Citizens Abroad - The Assembly of the Federal Union of Burma shall make laws to prescribe the federal rights and duties of citizens who are living abroad.

CHAPTER – 10. FEDERAL DEFENSE AND SECURITY SERVICES

Article 151 The Basic Principles for the Armed Forces of the Federal Union of Burma - (A) The Armed Forces of the Federal Union of Burma shall protect and provide security for its citizens. (B) The Armed Forces of the Federal Union shall uphold the peace and try to avoid war insofar as possible. (C) The members of the Armed Forces of the Federal Union of Burma shall respect and be faithful to

this constitution. (D) No member of the Armed Forces of the Federal Union of Burma shall be a member of any political party or owe political allegiance to any person. (E) The members of the Armed Forces of the Federal Union of Burma shall be drawn from all of the Member States of the Federal Union of Burma in proportion to the population of each State.

Article 152 The Responsibilities of the Armed Forces - The Assembly of the Federal Union of Burma shall have power to assign responsibilities to the Armed Forces of the Federal Union of Burma for the defense and security of the Union.

Article 153 Federal Defense Policy - The Assembly of the Federal Union of the Republic of Burma shall prescribe general defense policy.

Article 154 The Military Forces - (A) In order to protect the Federal Union of Burma, the Military of the Federal Union shall be established, and the Federal President shall be the Commander in Chief of the Military. (B) The Federal Prime Minister shall formulate the defense policies of the Federal Government of the Federal Union of Burma. (C) The daily operation of the Military of the Federal Union of Burma shall be under the supervision of the Federal Defense Minister. (D) No person shall be appointed to be Federal Defense Minister who is on active duty in the Armed Forces of the Federal Union of Burma. The Federal Defense Minister shall be a civilian.

Article 155 The Composition of the Military - (A) The Military of the Federal Union of Burma shall be composed of the Army, the Navy, and the Air Force. (B) The Assembly of the Federal Union of Burma shall prescribe the organization of the Military of the Federal Union of Burma by law.

Article 156 Civilian Control and Administration - The Military of the Federal Union of Burma shall be permanently under civilian control and administration.

Article 157 Control of the Armed Forces in a State of Emergency - In a state of emergency, the Federal President shall: (A) exercise the power of Commander in Chief and supervise and control the Military, and (B) have the power to muster, organize, and assign missions to the Armed Forces, in consultation with the Federal Government.

Article 158 Military Academies - Separate military academies shall be established for each branch of the Military: Army, Navy, and Air Force. Students attending such academies shall be drawn from all of the Member States of the Federal Union of Burma in proportion to the population of each State.

Article 159 Civic Education in Military Training - All military training shall include education in: (A) the principles and practices of democracy and human rights; and (B) the Constitution of the Federal Union of Burma, including the concept of civilian control and administration of the Military.

Article 160 The Law of Military Service - The Assembly of the Federal Union of the Republic of Burma shall have the power to require mandatory military service of its citizens and every citizen so called shall have a duty to serve.

Article 161 The Policies of the Military - The Military of the Federal Union of Burma shall faithfully implement all defense policies formed by the Government of the Federal Union of Burma in accordance with law prescribed by the Assembly of the Federal Union of Burma.

Article 162 The Federal Intelligence Force - (A) The Assembly of the Federal Union of Burma shall establish the Federal Intelligence Force by law for the security of the Federal Union of Burma. (B) The Federal Intelligence Force shall be under civilian control and administration.

Article 163 The National Security Council - The Assembly of the Federal Union of Burma shall establish a National Security Council by law.

CHAPTER – 11. STATE OF EMERGENCY

Article 164 A State of Emergency - A state of emergency may be proclaimed only under the following circumstances: (A) External aggression or sufficient threat of future external aggression; (B) Internal unrest that threatens, injures, or destroys the peace, security, or sovereignty of the people; (C) Natural disaster resulting in mass destruction and/or death, or the impending threat of the same.

Article 165 The Proclamation of a State of Emergency - (A) The Federal President shall declare a state of emergency for the entire territory or part(s) of the Federal Union of Burma upon request by the Federal Government. (B) If the proclamation of the state of emergency occurs after the Assembly of the Federal Union of the Republic of Burma has been dissolved, the Federal President shall convene an emergency session of the Chamber of Nationalities to request approval. (C) If the proclamation of the state of emergency occurs after the Assembly of Federal Union has been dissolved, the Federal President shall convene (???) or emergency session of the Chamber of Nationalities get approval.

Article 166 The Duration of a State of Emergency - (A) The duration of a state of emergency shall not exceed three months from the date of the proclamation of a state of emergency. (B) The duration of a state of emergency may be extended for subsequent periods not exceeding three months if the Chamber of the People's Representatives so agrees by majority vote. (C) The duration of a state of emergency may be extended for subsequent periods not exceeding six months if the Assembly of the Federal Union of Burma so agrees by a majority vote of each Chamber.

Article 167 Powers and Duties of the Federal President and the Federal Government in a State of Emergency - (A) When the Federal President proclaims a state of emergency under Article 155 (A), he or she shall: (1) Exercise the power of Commander in Chief and command the Federal Military; and (2) Have the right to muster, organize, and assign missions to the Armed Forces in consultation with the Federal Government.

(B) When the Federal President proclaims a state of emergency under Article 155(B) or (C), the Federal Government shall: (1) Have the power to call upon and command the state governments to deploy the Member States' Armed Forces to respond to the emergency; (2) Have power to deploy the Military Forces of the Federal Union of Burma only in a limited way and only when the State Armed Forces are demonstrably unable to respond to the emergency; and (3) Report all of its activities to both Chambers of the Assembly of the Federal Union of Burma at the most proximate session.

Article 168 Judicial Review during a State of Emergency - During a state of emergency, the Constitutional Court may review for its constitutionality: (A) the proclamation of a state of emergency and the reasons therefore; (B) extensions of the duration of a state of emergency; and (C) any laws, regulations, or other activities by any State or Federal authority undertaken by reason of a state of emergency.

Article 169 The Judiciary During a State of Emergency - During a state of emergency, the Judicial power shall remain in the courts established pursuant to this constitution, shall not be altered or diminished, and shall be exercised by the judges who were appointed under the existing laws.

Article 170 Irrevocable Rights - During a state of emergency, no law, regulation, or activity by the Member States or the Federal Union of Burma shall encroach upon the human dignity or right to life of any citizen, and slavery shall always be prohibited.

Article 171 Legislation during a State of Emergency - During a state of emergency, the Federal Assembly may impose restrictions on persons or properties, except those that would violate the Irrevocable Rights under Article 161.

Article 172 The Termination of a State of Emergency - (A) A state of emergency shall terminate when:(1) its stipulated duration expires without renewal; or (2) the Federal President chooses to end it before the stipulated duration expires. (B) The President shall notify the Federal Union of Burma of the termination of a state of emergency on or before the date that it is terminated by publication in the Government Gazette.

CHAPTER – 12. GENERAL PROVISION

Article 173 The Flag of the Federal Union of Burma - The flag of the Federal Union of Burma shall be . . .

Article 174 The Seal of the Federal Union of Burma - The seal of the Federal Union of Burma shall be . . .

Article 175 The Seals of the Federal Offices - The seals of the following federal offices shall be . . .

Article 176 The National Anthem - The National Anthem of the Federal Union of Burma shall be . . .

Article 177 The Capitol of the Federal Union of Burma - The Capitol of the Federal union of Burma shall be Maha Rangoon. The Assembly of the Federal Union shall prescribe by law for the capital of the Union.

178 Official Language

179 Taking Oath

180 Commission

Article 180 Commissions - (A) The Assembly of the Federal Union of Burma shall establish the following commissions: (1) The Human Rights Commission; (2) The Commission for Gender Equality; (3) The Commission for Investigating Corruption; (4) The Civil Service Commission; (5) The Election Commission; (6) The Environmental Protection Commission. (B) The Federal Assembly shall make law to prescribe the responsibilities of the aforementioned commissions. (C) The Federal Assembly shall have the power to create additional commissions.

Article 181 The Human Rights Commission - (A) The Chamber of Nationalities shall nominate seven individuals to be the members of the Human Rights Commission. If and when the Federal Assembly accepts and confirms each nomination, the Federal President shall install each individual and assign him or her responsibilities as a member of the Human Rights Commission. (B) The Human Rights Commission shall independently investigate allegations of human rights violations, either on its own initiative or in response to allegations. (C) The Human Rights Commission shall report its activities and findings to the Federal Assembly. (D) The Federal Assembly shall make law to prescribe the responsibilities of the Human Rights Commission.

Article 182 The Election Commission - The Chamber of Nationalities shall nominate seven individuals to be the members of the Election Commission. If and when the Federal Assembly accepts and confirms each nomination, the Federal President shall install each individual and assign him or her responsibilities as a member of the Election Commission.

Article 183 International Treaties - (A) The Government of the Federal Union of the Republic of Burma may sign treaties but before they go into force, the Government must bring them before the Legislative Assembly. (B) With the exception of technical and management matters, the Legislative Assembly may decide to ratify or reject the international agreements brought before it. With respect to agreements on technical and management matters, the Government of the Union of Burma must make a full and complete reporting to the Legislative Assembly of any such agreement, but the Government may enforce such agreements without legislative ratification. (C) Except as provided in subsection (b) above, no international agreement shall become part of federal law unless and until it has been ratified by a majority vote of each chamber of the Legislative Assembly. (D) In the absence of legislative authorization, the Government of the Union of the Republic of Burma may take action in the field of international affairs to address a genuine and pressing emergency, but (1) no such action may violate any existing law and (2) the Government shall report such action to the legislature at the earliest possible opportunity. The legislature may then take action on the emergency, and the Government shall be obliged to follow the prescriptions of such legislative action.

Article 184 Conducting the Census - (A) The Chamber of Nationalities shall form a Commission for the Census and prescribe its responsibilities. (B) The national census must be conducted not less often than once every ten years.

Article 185 Property Disclosure - (A) Politicians must publicly disclose all property and assets of all types in which they hold any interest. (B) The Federal Assembly and the State Assemblies shall make law to enforce Article 174 (A).

Article 186 The Auditor General - (A) The Federal President shall install the Auditor General nominated to him by the Federal Prime Minister and confirmed by the Federal Assembly. (B) The Auditor General shall independently audit all federal accounts. (C) The Auditor General shall report his or her findings to the Federal Government and the Federal Assembly.

Article 187 The Bank of the Federal Union of Burma - (A) The Federal Assembly shall make law to establish an independent Federal Bank in order to administer federal financial matters. (B) The Federal Bank shall be responsible for the stability of the value of the national currency. (C) The Federal Bank shall produce a uniform national currency, both paper and coin.

Article 188 The Expression of Public Opinion - Any citizen may submit his or her opinion or advice, individual or collective, to any government authority or legislative chamber in a signed writing.

Article 189 Reserved Territories (Native Title) - (A) Territories traditionally belonging to a particular minority group in a Member State of the Federal Union of Burma may be reserved for that group. (B) Decisions to reserve such territories shall be made by law by the State Assemblies.

Article 190 Extradition - A Member State may request extradition of a person accused of committing a crime within the State who has fled to another State and been arrested there. The State receiving the request shall extradite the person accused. The State seeking extradition may not force the other State to extradite.

CHAPTER – 13. TRANSITIONAL PROVISIONS

Article 191 The Existing Laws - The existing laws, regulations, government orders, legal procedures, and case law shall continue in force until repealed or amended by the Federal Assembly except insofar as they are inconsistent with this constitution.

Article 192 The Existing Courts - The courts existing at the date of the commencement of this constitution shall continue to exercise their existing jurisdiction until new courts are established in accordance with this constitution.

Article 193 The Civil Service - All persons who are in the civil service at the commencement of this constitution shall continue in service until the government of the Federal Union of Burma makes contrary provision, except insofar as their continuation would be inconsistent with this constitution.

Article 194 International Agreements and Conventions - International agreements and conventions to which Burma became a party before the commencement of this constitution shall be reviewed by the Government of the Federal Union of Burma. If the Government decides to continue as a party to the agreement or convention, it shall present the agreement or convention to the Assembly of the Federal Union of Burma for ratification. Burma will honor all those treaties and conventions that international law requires it to honor

Article 195 The Census - A census shall be performed during the transition period. In order to perform the census before the Chamber of Nationalities convenes its first session, a provisional census commission shall be established.

Article 196 The Formation of States – (A) In accordance with the Chapter 3, Article 46 of this constitution, in order to form a Federal Union with National State, Nationalities States, all the ethnic nationalities – free wills – (B) In order to reveal the true feeling of the ethnic nationalities, enquiry commission shall be formed and given duties. (C) According the findings of the inquiry committee, if the majority of the peoples in that territory have a will/desire, it shall be prescribe in the constitution

Article 197 Transitional Justice and Remediation - During the transition period, a commission shall be formed to investigate and identify losses suffered by persons before the commencement of this constitution as a result of actions by any authority in the former regime. Retranslation: (A) During the transition period, a Transitional Justice and Reconciliation Commission shall be formed to investigate and indemnify losses suffered by persons before the commencement of this constitution as a result of

actions by any authority in the former regime. (B) The Federal Assembly shall prescribe the organization of the Commission, the time period for its work, and its responsibilities and powers. (C) The Commission shall be formed of equal numbers of men and women. (D) The Federal Assembly shall take steps to heal the loss and suffering.

CHAPTER – 14. AMENDMENT OF CONSTITUTION

Article 198 The Power to Amend the Constitution - (A) The Federal Assembly may amend the Constitution by: (1) specific amendments that change the requirements of the Constitution; or (2) specific amendments that add to but do not change the requirements of the Constitution. (B) With respect to the matters described in subsection (C) following, the Constitution may be amended only by a national referendum. (C) With respect to the following matters, the Constitution may be amended only by a national referendum: (1) The name of the Federal Union of Burma, as specified in Article 1. (2) The political power of the Member States, as specified in Article 2. (3) The distribution of the sovereign power of the Federal Union of Burma, as specified in Article 6. (4) The legal territory of the Federal Union of Burma, as specified in Article 7. (5) The requirement of a multi-party democratic system, as specified in Article 9. (6) The creation of new Member States in the Federal Union of Burma, as specified in Articles 47. (7) The organization of the Assembly of the Federal Union of Burma, as specified in Article 58. (8) The organization of the Government of the Federal Union of Burma, as specified in Article 116(A).

Article 199 Procedures for Amending the Constitution - The Constitution may be amended through the following procedures: (A) Proposals to amend the Constitution may be initiated by: (1) any Member State through its representatives in the Chamber of Nationalities; or (2) any citizen through his or her representative in the Chamber of the People's Representatives. (B) Upon approval of the proposed amendment by a majority of the members of the Chamber in which it is introduced, the proposal shall be forwarded to the Member States of the Federal Union of Burma, the Government of the Federal Union of Burma, and the other Chamber of the Federal Assembly for comment. (C) The Federal Government, the Member States, and the non-originating Chamber may submit comments to the originating Chamber within forty-five days. The originating Chamber may accept or reject such comments by a majority vote. (D) After the comment period, for matters specified in Article 188 (A), the proposed amendment shall become part of the Constitution when: (1) two-thirds of the members of each of the Chambers of the Federal Assembly vote for the proposal; and (2) two-thirds of the total number of Member States approve the proposal [by a two-thirds vote of each State Assembly OR by a majority vote of each State Assembly]. (E) After the comment period, for matters specified in Article 188 (C), the proposed amendment shall become part of the Constitution when: (1) two-thirds of the members of each Chamber of the Federal Assembly vote for the proposal; and (2) a majority of the citizens voting in a national referendum vote for it. (F) If a proposal is approved in accordance with the procedure prescribed in subsections (D) and (E) above, then the Federal President shall promulgate the amendment in accordance with Article 91.