The NEW LIGHT OF MYANMAR

Volume XV, Number 123
4th Waxing of Wagaung 1369 ME
Friday, 17 August, 2007

Established 1914

Senior General Than Shwe felicitates Indonesian President

NAY PYI TAW, 17 Aug— On the occasion of the 62nd Anniversary of the Independence Day of the Republic of Indonesia which falls on 17 August 2007, a message of felicitations has been sent from Senior General Than Shwe, Chairman of the State Peace and Development Council of the Union of Myanmar, to His Excellency Dr Susilo Bambang Yudhoyono, President of the Republic of Indonesia.—MNA

Vice-Senior General Maung Aye sends message of felicitations to Indonesia

NAY PYI TAW, 17 Aug— On the occasion of the 62nd Anniversary of the Independence Day of the Republic of Indonesia which falls on 17 August 2007, Vice-Senior General Maung Aye, Vice-Chairman of the State Peace and Development Council of the Union of Myanmar, has sent a message of felicitations to His Excellency Mr Yusuf Kalla, Vice-President of the Republic of Indonesia.—MNA

General Thura Shwe Mann receives Political Commissar of Jinan Military Region Command of PLA

NAY PYI TAW, 16 Aug— Member of the State Peace and Development Council General Thura Shwe Mann of the Ministry of Defence received a Chinese delegation led by Political Commissar General Liu Dongdong of Jinan Military Region Command of the People’s Liberation Army of the People’s Republic of China at Bayintnaung Yeiktha, here, at 1.30 pm yesterday.

Also present at the call were Member of the State Peace and Development Council Lt-Gen Kyaw Win of the Ministry of Defence, Military Affairs, Security Chief Lt-Gen Ye Myint, Chief of Staff (Navy) Rear Admiral Nyan Tun, Chief of Staff (See page 8)

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

Friday, 17 August, 2007

**Grow more trees to make country lush and green**

Ceremonies to grow trees are being held across the nation during the rainy season. As trees are being grown every year across the nation, the respective regions are now covered with forest and trees making the whole country lush and green. This also amounts to conservation of forest.

The trees being grown in the nation include such valuable ones as teak, ironwood, gum-kino, Thitya (*Shorea abtusa*), and so on. Watershed plantations have been established in the arid zones of Central Myanmar. Furthermore, firewood plantations have been set up in rural regions.

Tamarind, neem, acacia, palm tree, etc. are being grown in arid zones with little rains while mango, coconut, durian, jack fruit, betel nut, mangoesteen, seasonal crops, etc. are being grown near and beyond the rivers where there are more rains.

Growing trees gives virtues in the very present life, and it is a good legacy for posterity.

At a time when efforts are being made for environmental conservation the entire nation is urged to engage in extended cultivation of trees for greening and beautifying their regions.

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**NLD turning a blind eye to nation-building endeavours pushing State and people under foreign subjugation**

**21 members of Gyobingauk and Thegon Township NLDs quit**

YANGON, 16 Aug — Twenty members including Daw Khin Aye San, U Nyein, U Than Aung, U Bo Kyaw, U Kan Thein, U San Win, U Aye Cho and U Win Myint Thein from Gyobingauk Township National League for Democracy of Bago Division (West) and member U Aye Cho of Thegon Township National League for Democracy of Bago Division (West) and member U Aye Cho from Gyobingauk Township to the NLD headquarters in the local authorities on 2 August.

In their resignation letters sent to Gyobingauk and Thegon Township Multi-party Democracy General Election Subcommissions, they said that NLD was committing evil acts in collusion with the State and the people by using various ways and means to prevent the children of servicemen and families at Dawei Station and presented exercise books and stationery for the children of servicemen of Coastal Region Command Headquarters and Myeik and presented exercise books and stationery for the children of servicemen on 14 August.

Next, he cordially greeted military officers, other ranks and families at the station and proceeded to Natmaw Monastic Education School in Myeik. He inspected the academic tasks at the school and fulfilled the requirements. A total of 2,619 students are pursuing education in primary and middle levels at the school.

Afterwards, Lt-Gen Maung Bo donated K3.6 million, rice, edible oil, and exercise books to Sayadaw Agga Maha Saddhamma-jotikadha Bhaddanta Nanissara.

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**Foreign Minister sends message of felicitations to Indonesia**

NAVPITAW, 17 Aug — On the occasion of the 62nd Anniversary of the Independence Day of the Republic of Indonesia which falls on 17 August 2007, U Nyan Win, Minister for Foreign Affairs of the Union of Myanmar, has sent a message of felicitations to His Excellency Dr N Hassan Wirajuda, Minister for Foreign Affairs of the Republic of Indonesia. — MNA

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**Cash donated to Natmaw Monastic Education School in Myeik.**

NAVPITAW, 16 Aug — Member of the State Peace and Development Council Lt-Gen Maung Bo of the Ministry of Defence met servicemen and families at Dawei Station and presented exercise books and stationery for the children of servicemen of Coastal Region Command Headquarters and Myeik and presented exercise books and stationery for the children of servicemen on 14 August.

Next, he cordially greeted military officers, other ranks and families at the station and proceeded to Natmaw Monastic Education School in Myeik. He inspected the academic tasks at the school and fulfilled the requirements. A total of 2,619 students are pursuing education in primary and middle levels at the school. Afterwards, Lt-Gen Maung Bo donated K3.6 million, rice, edible oil, and exercise books to Sayadaw Agga Maha Saddhamma-jotikadha Bhaddanta Nanissara.

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**NLD turning a blind eye to nation-building endeavours pushing State and people under foreign subjugation**

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**MYANMAR GAZETTE**

**NAY PYI TAW, 16 Aug — The State Peace and Development Council has appointed Superintending Engineer U Khin Maung Hse of Bridge Construction Project Special Group (7) of Public Works under the Ministry of Construction as Managing Director of the same organization on probation from the date he assumes charge of his duties.**

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**Officials speedily carry out relief work**

NAVPITAW, 16 Aug — The water level of Hlaing river rose to critical marks in Myiktaw Village of Hmawby Township on 14 August and as a result some 113 households from Myikkyo, Amaunkwe and Thayettaw villages were taken shelter in Myaungdaka model village, Hmawby Township. Officials provided necessary relief assistance to flood victims.

Another seven households each from Phayakon Village and Thanetkon Village were evacuated because the water level rose to danger marks in Aphyauk Dam in Taikkyi Township and some villages were in flood on 13 August.

Tabubha, Aphyauk, Tawkhayan, Khuhnitkyaik and Thayetchaung dams still remain around the danger level. Over 200 households from Bowle village-tract were evacuated and the village basic education high school was temporarily closed because the water level of Bowle river rose to danger marks. Some village-tracts of Htanbabin Township of Yangon Division were in flood.

Moreover, 50 households from Hleeuk, Tawlati, and Nyaungwai villages, 537 from Methamein village, 357 from Methamein village, 373 from Methamein village, and 123 from Apyinyekyaw village and patients warded at Methamein Station Hospital were also transferred to safe places and village schools were temporarily closed.

Seventy houses were in flood in Htanpinkon Village of Minbu Township of Bago Division (West) and 35 households were evacuated. A total of 290 houses were flooded in Wingatau, Kywechan, Thehaunggyi and Byuttada villages of Myeik Township of Tanintharyi Division and the flood victims were taken shelter in safe places and local authorities provided necessary assistance to them. Landslide recently occurred at Kawkaik-Meyawady road in Kayin State.

Officials speedily repaired the damaged road and it returned to normal on 10 August. A tornado hit Petkhweweylekyun Village of Myanmar Township of Ayeyawady Division at about 9 pm on 12 August and some 75 corrugated iron sheets of the village primary school were damaged. Some schools were temporarily closed due to floods in Pathein and Maungdaw Divisions.

The water level of Athtaran River rose to critical marks and some road sections were flooded in Kyaksecharaw Township of Mon State. Some school were temporarily closed starting from 14 August.

The water level around Hpa-an of Kayin State rose to 10 centimeters above the danger level due to floods of Thanlaw River on 13 August.
Mr Chairman,

We of the Delegate Group of Workers have unanimously agreed to the Work Committee Chairman’s clarifications concerning the matter at hand. The Work Committee Chairman said, “Now, the National Convention has successfully adopted the chapter-wise fundamental principles and detailed basic principles. Hence, they are the principles that should be actually based on and in use in drafting the Constitution, to prevent occurrence of disputes in the future and to have a clear meaning. We of the group present our paper as follows:

Mr Chairman,

The para (3) of the Chapter — General Provisions, which says “The State fundamental principles are the guidelines to be followed by the legislative Hluttaw in enacting laws and interpreting provisions of the State Constitution and of other laws” has already been adopted. A detailed basic principle that will protect the State against lawsuit while taking advantage of its failure to implement the task in accord with said principles when time and situation is not ripe yet.

We agree to adopt the detailed basic principles as follows:

“The State fundamental principles are the guidelines to be followed by the legislative Hluttaw in enacting laws and interpreting provisions of the State Constitution and of other laws. The application of these principles in legislation and administration shall be the care of the State but shall not be enforceable in any court or law.”

Mr Chairman,

I, in my clarifications concerning the matter for ensuring a contextual uniformity, the term “discipline-flourishing genuine multiparty democracy.” To be able to ensure a contextual uniformity, the term “discipline-flourishing genuine multiparty democracy” should be used.

We agree to use “discipline-flourishing genuine multiparty democracy” instead of genuine multiparty democracy in para 2 subpara (d), para 3 and para 28 of the Chapter “State Fundamental Principles”.

Mr Chairman,

The National Convention adopted the following State Fundamental Principles in connection with judiciary (a) the judicial power of the State is distributed among Pyidaungsu Taya Hluttaw (Supreme Court), Region Taya Hluttaw (Region High Court), State Taya Hluttaw (State High Court) and law courts of different levels including law courts of self-administered areas; (b) in the Pyidaungsu is constituted one Pyidaungsu Taya Hluttaw. Pyidaungsu Taya Hluttaw is the supreme law court of State.

(c) Pyidaungsu Taya Hluttaw has powers to issue writs. But the terms "the State shall enact necessary law for systematic formation of political parties for flourishing of genuine multiparty democracy system” and para 28 which states “a person who has served as advocate for 15 years”. It should be stated “at least 15 years”.

In this regard, the detailed basic principle 11 (c) (ii) “a person who has served as advocate for 15 years” should be amended as “a person who has served as advocate for at least 15 years”.

Mr Chairman,

The Chapter “State Fundamental Principles” that was adopted at the plenary session of the National Convention includes the subpara (d) of the para 2 which states “flourishing of genuine multiparty democracy system”; the para 3 which states, “the State practises genuine multiparty democracy system” and para 28 which states “the State shall enact necessary law for systematic formation of political parties for flourishing of genuine multiparty democracy system”. But subpara (a) of para 2 of the adopted detailed basic principle for the concept “Political Parties” states “A political party shall: (a) accept and practise discipline-flourishing genuine multiparty democracy.” To be able to ensure a contextual uniformity, the term “discipline-flourishing genuine multiparty democracy” should be used.

We agree to use “discipline-flourishing genuine multiparty democracy” instead of genuine multiparty democracy in para 2 subpara (d), para 3 and para 28 of the Chapter “State Fundamental Principles”.

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(c) Pyidaungsu Taya Hluttaw has powers to issue writs. But the terms "the State shall enact necessary law for systematic formation of political parties for flourishing of genuine multiparty democracy system” and para 28 which states “a person who has served as advocate for 15 years”. It should be stated “at least 15 years”.

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(c) Pyidaungsu Taya Hluttaw has powers to issue writs. But the terms "the State shall enact necessary law for systematic formation of political parties for flourishing of genuine multiparty democracy system” and para 28 which states “a person who has served as advocate for 15 years”. It should be stated “at least 15 years”.
The State means a body or a person that...

(para 31) should be amended as follows:

President through the Chief Minister of the Region or General of the Region or State is responsible to the State concerned, to the Pyidaungsu Attorney-General and of the State through the Chief Minister of the Region or State concerned.

In our view, the abovementioned detailed basic principle should be replaced with the word "Union territories" for the usage to be more precise.

The following detailed basic principle was adopted:

"Pyithu Hluttaw shall be formed with a maximum of 224 Hluttaw representatives, as follows:

(a) 168 Amyotha Hluttaw representatives elected in equal numbers of 12 from each region or state inclusive of Union territories, and including one representative from each self-administered division or self-administered zone

(b) 56 Tatmadaw member Amyotha Hluttaw representatives nominated by the Commander-in-Chief of Defence Services in accord with law at the rate of four representatives from each region or state inclusive of Union territories.

The word "the respective" should be added to the word "Union territories" for the usage to be more precise.

Concerning the Amyotha Hluttaw, the following detailed basic principle was adopted:

"Amyotha Hluttaw shall be formed with a maximum of 224 Hluttaw representatives, as follows:

(a) 168 Amyotha Hluttaw representatives elected in equal numbers of 12 from each region or state inclusive of Union territories, and including one representative from each self-administered division or self-administered zone

(b) 56 Tatmadaw member Amyotha Hluttaw representatives nominated by the Commander-in-Chief of Defence Services in accord with law at the rate of four representatives from each region or state inclusive of Union territories.

In forming the Amyotha Hluttaw in accord with law, the words "the respective Union territories" mean Union territories designated by this Constitution and Union territories proclaimed by Pyidaungsu Hluttaw after enacting laws concerning the matter to elect Amyotha Hluttaw representatives.

In our view, the abovementioned detailed basic principle should be replaced with the term "Nay Pyi Taw".

Mr Chairman,

Concerning the formation of Pyithu Hluttaw, the following detailed basic was adopted:

"Pyithu Hluttaw shall be formed with a maximum of 440 Hluttaw representatives as follows:

(a) 330 Hluttaw representatives elected on the basis of population

(b) Not more than 110 Tatmadaw member Hluttaw representatives nominated in accord with law by the Commander-in-Chief of the Defence Services.

Hluttaw representatives should be elected on the basis of township as well as on the basis of population. When the number of townships goes over 330, a newly formed township should be joined with one of the townships adjacent to it to designate a Pyithu Hluttaw constituency. The 330 Pyithu Hluttaw representatives will be elected one each from every such designated constituency.

We are in support of making the following additional to ensure an enduring detailed basic principle concerning the formation of Pyithu Hluttaw:

"Pyithu Hluttaw shall be formed with a maximum of 440 Hluttaw representatives as follows:

(a) Not more than 330 Hluttaw representatives elected on the basis of township as well as on the basis of population from constituencies designated in accord with law after combining a newly formed township with one of the townships adjacent to it if the total number of townships exceeds 330

(b) Not more than 110 Tatmadaw member Hluttaw representatives nominated in accord with law by the Commander-in-Chief of the Defence Services.

If the aforementioned detailed basic is adopted the usage "the Hluttaw formed with Hluttaw representatives elected on the basis of population" should be substituted with the usage "the Hluttaw formed with Hluttaw representatives elected on the basis of township as well as on the basis of population".

Mr Chairman,

Concerning the Amyotha Hluttaw, the following detailed basic principle was adopted:

"Amyotha Hluttaw shall be formed with a maximum of 224 Hluttaw representatives, as follows:

(a) 168 Amyotha Hluttaw representatives elected in equal numbers of 12 from each region or state inclusive of Union territories, and including one representative from each self-administered division or self-administered zone

(b) 56 Tatmadaw member Amyotha Hluttaw representatives nominated by the Commander-in-Chief of Defence Services in accord with law at the rate of four representatives from each region or state inclusive of Union territories.

The word "the respective" should be added to the word "Union territories" for the usage to be more precise.

In our view, the abovementioned detailed basic principle should be replaced with the word "Union territories" for the usage to be more precise.

The following detailed basic principle was adopted in connection with the designation of Union territories:

5. Designation of Union territories—

(a) Yangon City, that is the Capital of the Union, is designated as Union territory placed under direct administration of the President of the Union.

(b) Cocogyun Township which has a special situation is designated as Union territory and placed under direct administration of the President of the Union.

(c) if need arises to designate areas that have special situation in connection with national defence, security, administration and economy etc. as Union territories they may be so designated as Union territories after enacting laws.

Internationally, the city where the office of the central government is based is designated as the capital of the State. And in some countries, the capitals are placed under direct administration of the President or the Union. Now, the government of the Union of Myanmar and the offices of the central governments are based in Nay Pyi Taw. So, the capital of the State is Nay Pyi Taw. And the capital of the State, the capital of the Union. The capital of the Union, shall be designated as a Union territory placed under the direct administration of the president. The designation of Yangon and Cocogyun Township as Union territory are revoked.

As regards the designation of Union territories, the detailed basic principle:

(a) Nay Pyi Taw, that is the Capital of the Union, is designated as Union territory placed under direct administration of the President of the Union.

(b) if need arises to designate areas that have special situation in connection with national defence, security, administration and economy etc. as Union territories they may be so designated as Union territories after enacting laws should be adopted.

Mr Chairman,

The term "Capital Yangon" prescribed in the detailed basic principles on administration of Capital Yangon, a Union territory, prescribed in para 35 and the detailed basic principles on designation of the status of the Chairman and members of Yangon Council prescribed in para 36 of the detailed basic principles adopted at the plenary session held from 28 to 30 March 1996, should be replaced with the term "Nay Pyi Taw", and the term "Chairman of Yangon Council" prescribed in sub-para (c) of para 16 of detailed basic principle for Formation of Financial Commission with the term "Chairman of Nay Pyi Taw Council".

Mr Chairman,

In laying down the detailed basic principles for the sharpest of judicial power, sub-para (4) of para 16 says, "With regard to the judicial matter, Yangon Region High Court is the high court of the courts situated in Yangon City and Cocogyun Township." After designating Nay Pyi Taw as a Union territory, the designation of Yangon and Cocogyun Township as Union territories, it will need to amend the detailed basic principle, as appropriate.

Hence, sub-para 4 (a) of para 6 "With regard to the judicial matter, Yangon Region High Court is the high court of the courts situated in Yangon City and Cocogyun Township" should be amended as "With regard to the judicial matter, Mandalay Region High Court is the high court of the courts situated in Nay Pyi Taw".

Mr Chairman,

When basic principles were laid down for the chapter "State Fundamental Principles" of the 15 Chapters to be included in the State Constitution as the preamble of the State Constitution should be prescribed in the 104 basic principles as follows:

After laying down the principles to serve as base for formulating state fundamental principles, it will be carried on as follows:

— of those basic principles, relevant ones are to be taken as basic in discussing basic principles in respective chapters,

— those basic principles in respective chapters,

— those that should be mentioned in the preamble of the State Constitution should be mentioned also in that preamble, and

— principles concerning Chapter IV are to be mentioned separately in the chapter heading "The State",

— likewise, principles concerning respective chapters are to be transferred to respective chapters, when discussions are held for those respective chapters,

— principles concerning the chapter "State Fundamental principles" are to be retained in the chapter on State fundamental principles."

When detailed basic principles were laid down according to the chapter headings, the principles relevant to respective chapters were prescribed as detailed basic principles. It is assumed that of the detailed basic principles transferred to respective chapters, some principles should continue to be prescribed in the Chapter 'State Fundamental Principles'. We also consider that some of detailed basic principles have been transferred to respective chapters, and they no longer need to be mentioned in the Chapter "State Fundamental Principles". Therefore, they are not prescribed.

We unanimously agree to the Work Committee Chairman's clarification, "I would like to seek the approval of the NC in drafting the State Constitution."

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Therefore, they are not prescribed.

We unanimously agree to the Work Committee Chairman’s clarification, “I would like to seek the approval of the NC to make necessary amendments to the terms, definition and wording having any adverse effects to the aims and essence of the basic principles and detailed basic principles adopted according to the minutes of the NC in drafting the State Constitution".

MNA
The Auditor-General of the Region or State is responsible to the President through the Chief Minister of the Region or State concerned.

Daw Khin Mar Yee reads out suggestions of Delegate Group of Intellectuals and Intelligentsia.

Mr Chairman,

The term “State” is defined in the 50th para of the Chapter “Citizenship, Fundamental Rights and Duties of Citizens”. This point should be amended as “In this Chapter and Chapter 1 ‘State Fundamental Principles’, the term ‘State’ means a body or a person that exercises legislative and executive powers according to the Constitution as the context may require”.

In connection with the qualifications of the Chief Justice of the Union and Judges of the Supreme Court of the Union, paragraphs (a) and (b) “have been an advocate of a High Court of at least 20 years’ standing”. The statement was to highlight the minimum years of service in this regard. With respect to the qualifications of the Chief Justice of the High Court of Region or State, Chief Justice and judges of the High Court of the Region or State, the para 11 (c) (ii) states “a person who has served as advocate for 15 years”. The stipulation does not state the word “at least”. In drafting the Constitution, it should be stated “at least 15 years”.

The Auditor-General of the Region or State is responsible to the President through the Chief Minister of the Region or State concerned. According to the adopted detailed basic principle.

Mr Chairman,

The term “State” is defined in the 50th para of the Chapter “State Fundamental Principles”, sub-para (d) of the para 2 states “flourishing of genuine multiparty democracy system”; the para 3 states, “The State practises genuine multiparty democracy system” and para 28 which states “the State shall enact necessary law for systematic formation of multiparty democracy”. Sub-para (a) of para 2 of the adopted basic principles for the chapter “Political Parties” states “A political party shall accept and practice discipline-flourishing genuine multiparty democracy.” These points carry a word “discipline-flourishing”. The democracy Myanmar will practice in the future should be a discipline-flourishing genuine multiparty democracy system. Therefore, the term prescribed in para 2 sub-para (d), para 3 and para 28 of the Chapter “State Fundamental Principles” should be “discipline-flourishing genuine multiparty democracy”.

Mr Chairman,

The term “Pyidaungsu Taya Hluttaw” (Supreme Court of the Union) was prescribed in the sub-para (a), (b) and (c) of para 9 of the Chapter “State Fundamental Principles” should be substituted with the term “Supreme Court of the Union”.

Sub-para (g) of para 34 for the formation of the Executive states “The Okkaha of the self-administered division or self-administered zone is Minister in the region or state concerned. As such, provisions in the Constitution shall provide for appointment of Ministers in the region or state concerned, that of Hluttaw representatives elected to undertake the affairs of national races for appointment as Region or State Ministers”.

So, such persons will be automatically appointed Minister of the respective Region or State. They may meet all the qualifications of a Hluttaw representative but can be younger than 35, the minimum age limit for Region or State Minister. However, sub-para (h) of para 22 states “The President of the State may exercise relaxation of stipulation on age limit”. So, this also means the President of the State will not exercise relaxation of stipulation on age limit if he does not want to. So, in order to make comprehensive the essence of the expression and to avoid possible disputes on the State Constitution in future, sub-para (h) of para 22 should be amended as “shall exercise relaxation of stipulation on age limit”.

Mr Chairman,

At the plenary session held to adopt detailed basic principles for the formation of executive, the Work Committee explained that the expressions in sub-para (f) of para 28 and sub-para (c) of para 31 do not seem clear nor comprehensible. To ensure clear and comprehensible expressions in drafting the State Constitution, (a) “The Advocate-General of the Region or State is responsible: (1) to the President of the State through the Chief Minister of the Region or State concerned; (2) to the Pyidaungsu Attorney-General and to the Chief Minister of the Region or State concerned”, should be adopted as sub-para (f) of para 28, and (b) “The Auditor-General of the Region or State is responsible: (1) to the President through the Chief Minister of the Region or State concerned; (2) to the Pyidaungsu Auditor-General and to the Chief Minister of the Region or State concerned”, should be adopted as sub-para (f) of para 31.

We also reviewed the basic principles and detailed basic principles thoroughly to make sure that there is contextual uniformity among them, they become more specific and comprehensible, and the State Constitution can be drafted clearly and precisely. Now, I would like to present our group’s opinions.

Mr Chairman,

One hundred and four fundamental principles were laid down for the Chapter “State Fundamental Principles” to be included in the State Constitution. Based on these fundamental principles, detailed basic principles were laid down for the remaining chapters. The basic principles are to be followed by the State as guidelines in general. The State will have to carry out legislative and executive duties in accordance with these basic principles taking into consideration the prevailing situations of the nation. If there is a lawsuit filed against the government taking advantage of the fact that the government has not completed the procedures because the opportunity is not ripe yet. In order to avert such undesirable situation, there must be a detailed basic principle to protect the State. Therefore, the expression “The application of these principles shall be the care of the State but not be enforceable in any court of law” should be added to the para 3 of Chapter “General Provisions”: “The State fundamental principles are the guidelines to be followed by the legislative Hluttaw in enacting laws and interpreting provisions of the State Constitution and of other laws” and it should be adopted as a detailed basic principle.

Mr Chairman,

The term “State” is defined in the 50th para of the Chapter “Citizenship, Fundamental Rights and Duties of Citizens”. In connection with the qualifications of the Chief Justice of the Union and Judges of the Supreme Court of the Union, paragraphs (a) and (b) “have been an advocate of a High Court of at least 20 years’ standing”. The statement was to highlight the minimum years of service in this regard. With respect to the qualifications of the Chief Justice of the High Court of Region or State, Chief Justice and judges of the High Court of the Region or State, the para 11 (c) (ii) states “a person who has served as advocate for 15 years”. The stipulation does not state the word “at least”. In drafting the Constitution, it should be stated “at least 15 years”.

The term prescribed in para 2 sub-para (d), para 3 and para 28 of the Chapter “State Fundamental Principles” should be “discipline-flourishing genuine multiparty democracy”. The democracy Myanmar will practice in the future should be a discipline-flourishing genuine multiparty democracy system. Therefore, the term prescribed in para 2 sub-para (d), para 3 and para 28 of the Chapter “State Fundamental Principles” should be “discipline-flourishing genuine multiparty democracy”.

Mr Chairman,

The term “Pyidaungsu Taya Hluttaw” (Supreme Court of the Union) was prescribed in the sub-para (a), (b) and (c) of para 9 of the Chapter “State Fundamental Principles” should be substituted with the term “Supreme Court of the Union”.

Sub-para (g) of para 34 for the formation of the Executive states “The Okkaha of the self-administered division or self-administered zone is Minister in the region or state concerned. As such, provisions in the Constitution shall provide for appointment of Ministers in the region or state concerned, that of Hluttaw representatives elected to undertake the affairs of national races for appointment as Region or State Ministers”.

So, such persons will be automatically appointed Minister of the respective Region or State. They may meet all the qualifications of a Hluttaw representative but can be younger than 35, the minimum age limit for Region or State Minister. However, sub-para (h) of para 22 states “The President of the State may exercise relaxation of stipulation on age limit”. So, this also means the President of the State will not exercise relaxation of stipulation on age limit if he does not want to. So, in order to make comprehensive the essence of the expression and to avoid possible disputes on the State Constitution in future, sub-para (h) of para 22 should be amended as “shall exercise relaxation of stipulation on age limit”.

Mr Chairman,

At the plenary session held to adopt detailed basic principles for the formation of executive, the Work Committee explained that the expressions in sub-para (f) of para 28 and sub-para (c) of para 31 do not seem clear nor comprehensible. To ensure clear and comprehensible expressions in drafting the State Constitution, (a) “The Advocate-General of the Region or State is responsible: (1) to the President of the State through the Chief Minister of the Region or State concerned; (2) to the Pyidaungsu Attorney-General and to the Chief Minister of the Region or State concerned”, should be adopted as sub-para (f) of para 28, and (b) “The Auditor-General of the Region or State is responsible: (1) to the President through the Chief Minister of the Region or State concerned; (2) to the Pyidaungsu Auditor-General and to the Chief Minister of the Region or State concerned”, should be adopted as sub-para (f) of para 31.

We also reviewed the basic principles and detailed basic principles thoroughly to make sure that there is contextual uniformity among them, they become more specific and comprehensible, and the State Constitution can be drafted clearly and precisely. Now, I would like to present our group’s opinions.

Mr Chairman,

One hundred and four fundamental principles were laid down for the Chapter “State Fundamental Principles” to be included in the State Constitution. Based on these fundamental principles, detailed basic principles were laid down for the remaining chapters. The basic principles are to be followed by the State as guidelines in general. The State will have to carry out legislative and executive duties in accordance with these basic principles taking into consideration the prevailing situations of the nation. If there is a lawsuit filed against the government taking advantage of the fact that the government has not completed the procedures because the opportunity is not ripe yet. In order to avert such undesirable situation, there must be a detailed basic principle to protect the State. Therefore, the expression “The application of these principles shall be the care of the State but not be enforceable in any court of law” should be added to the para 3 of Chapter “General Provisions”: “The State fundamental principles are the guidelines to be followed by the legislative Hluttaw in enacting laws and interpreting provisions of the State Constitution and of other laws” and it should be adopted as a detailed basic principle.

Mr Chairman,

The term “State” is defined in the 50th para of the Chapter “Citizenship, Fundamental Rights and Duties of Citizens”. This point should be amended as “In this Chapter and Chapter 1 ‘State Fundamental Principles’, the term ‘State’ means a body or a person that exercises legislative and executive powers according to the Constitution as the context may require”. The statement was to highlight the minimum years of service in this regard. With respect to the qualifications of the Chief Justice of the High Court of Region or State, Chief Justice and judges of the High Court of the Region or State, the para 11 (c) (ii) states “a person who has served as advocate for 15 years”. The stipulation does not state the word “at least”. In drafting the Constitution, it should be stated “at least 15 years”.

The term prescribed in para 2 sub-para (d), para 3 and para 28 of the Chapter “State Fundamental Principles” should be “discipline-flourishing genuine multiparty democracy”. The democracy Myanmar will practice in the future should be a discipline-flourishing genuine multiparty democracy system. Therefore, the term prescribed in para 2 sub-para (d), para 3 and para 28 of the Chapter “State Fundamental Principles” should be “discipline-flourishing genuine multiparty democracy”.

Mr Chairman,

The term “Pyidaungsu Taya Hluttaw” (Supreme Court of the Union) was prescribed in the sub-para (a), (b) and (c) of para 9 of the Chapter “State Fundamental Principles” should be substituted with the term “Supreme Court of the Union”.

Sub-para (g) of para 34 for the formation of the Executive states “The Okkaha of the self-administered division or self-administered zone is Minister in the region or state concerned. As such, provisions in the Constitution applying to the Ministers of the region or state will also apply to the self-administered division Okkaha or self-administered zone Okkaha. Sub-para (c)
The State fundamental principles are the guidelines to be followed by the legislative Hluttaws in enacting laws and interpreting provisions of the State Constitution and of other laws.

YANGON, 16 Aug.—The following is the suggestions of Delegate Group of State Service Personnel on matters concerning the amendments, the additions, the repeals and the transfer out of the fundamental principles and detailed basic principles that have been adopted by National Convention.

Mr Chairman and delegates,

I wish health and happiness for all the esteemed Chairman and members of the Panel of Chairmen, the esteemed Chairman and members of the National Convention Convening Commission, the esteemed Chairman and members of the National Convention Convening Work Committee, the esteemed Chairman and members of the National Convention Convening Management Committee, and delegates.

I am U Aung Kyaw Soe, a representative of the Delegate Group of State Service Personnel of the Ministry of Finance and Revenue.

The Auditor-General of the Region or State...

(See page 7)

The following is the suggestions of Delegate Group of State Service Personnel on matters concerning the amendment, addition and repeal of the fundamental principles and detailed basic principles. We studied the Work Committee Chairman’s clarifications in all seriousness. In his clarifications, the Work Committee Chairman said, “I will now explain the matter concerning the amendment, the repeal, the transfer, the omission and the addition of the fundamental principles and detailed basic principles as necessary after assessing them to be in accord with the time and situation, for the adopted fundamental principles and detailed basic principles to be in proper contextual order, to define the adopted objectives and detailed basic principles more clearly and clearly.” The world at present is ever changing. So, we also need to make changes to always adapt ourselves to the advancing time and situation. Hence, the Work Committee Chairman’s clarifications (See page 7).

The State fundamental principles are the guidelines to be followed by the legislative Hluttaws in enacting laws and interpreting provisions of the State Constitution and of other laws.

Mr Chairman,

Regarding the designation of Union territories, it is stated that Yangon City, that is the Capital of the Union, and Cocogyun Township which has a special situation are designated as Union territories and placed under direct administration of the President of the Union, and if need arises to designate areas that have special situation in connection with national defence, security, administration and economy etc. as Union territories they may be so designated as Union territories after enacting laws”. And a detailed basic principle has also been adopted that the capital of the State is “Nay Pyi Taw”. Therefore, need arises to revoke the designation of Yangon as a Union territory, to designate the municipal area of Nay Pyi Taw, the Capital of the State, should be designated as a Union territory, and to revoke the designation of Cocogyun Township as a Union territory. In this regard, Nay Pyi Taw has been designated as the capital of the nation. So, the point should be adopted as a detailed basic principle after making an amendment.

I would like to discuss that Yangon, previous capital, has fine traditions and is an economic hub of the nation. Moreover, it has significant situations on national security and defence. So, as the Work Committee explained, Yangon no longer is the capital of the nation, but remains as a commercial city. We are in support of this point. Under an adopted detailed basic principle, Nay Pyi Taw has been designated as the capital of the nation. So, I would like to suggest that the term capital “Yangon” should be replaced with the term “Nay Pyi Taw”, and the term “Chairman of Yangon Council”, with the term “Chairman of Nay Pyi Taw Council”.

Mr Chairman,

Of the detailed basic principles for the sharing of judicial power, sub-para 4(a) of para 6 says, “With regard to the judicial matter, Yangon Region High Court is the high court of the courts situated in Yangon City and Cocogyun Township”. Now, the designation of Yangon and Cocogyun Township has been repealed, and Nay Pyi Taw has been designated as the capital. So, that expression should be amended as “With regard to the judicial matter, Mandalay Region High Court is the high court of the courts situated in Nay Pyi Taw”.

Mr Chairman, I have presented our group’s views about the basic principles and detailed basic principles that should be amended, repealed, transferred, added with suitable words, or omitted.

The State Constitution is drafted with the basic principles and detailed basic principles the National Convention has adopted. So, the expressions prescribed in the constitution are legal terms. Official language of the Union of Myanmar is Myanmar language. So, the terms, dictation and word order are to be in conformity with Myanmar language.

In conclusion, we members of the Delegate Group of Intellectuals and Intelligentsia support the point that in drafting the State Constitution in accordance with the basic principles and detailed basic principles the National Convention has adopted, necessary amendments should be made to the terms, dictation and word orders without having any adverse effects to the aims and essence of the basic principles and detailed basic principles. — MNA
The State fundamental principles are the…

(from page 6)

are realistic and objective. So we compiled our suggestions after seriously reviewing his clarifications. We submitted our collection of suggestions at the group meeting held on 8 August 2007 and unanimously approved them.

Mr Chairman,

As regards a detailed basic principle to protect the State against lawsuits, the Work Committee Chairman said, “The State will carry the legislative and executive functions in accord with the fundamental principles. In doing so, the State will implement the functions in accord with the nation’s prevailing situation and time. The running of the legislative and administrative machinery may face disturbances and obstacles if a lawsuit is filed against the State while taking advantage of its failure to implement the task in accord with said principles as time and situation is not ripe yet. In our view, it is necessary to adopt a detailed basic principle that will protect the State.”

The section 32 of the Chapter IV of the 1947 Constitution stated “The principles set forth in this Chapter are intended for the general guidance of the State. The application of these principles in legislation and administration shall be the care of the State but shall not be enforceable in any court or law.” A similar statement is also stipulated in the constitutions of some neighbouring nations.

The State will have to carry out the said functions in accord with the time and situation after objectively studying the current prevailing condition. Actually, it is necessary to adopt a detailed basic principle that will protect the State from such acts.

In our view, the expression “The application of these principles in legislation and administration shall be the care of the State but shall not be enforceable in any court or law” should be added to the said detailed basic principle para (3) of the Chapter—General Provisions, which says “The State fundamental principles are the guidelines to be followed by the legislative Hluttaw in enacting laws and interpreting provisions of the State Constitution and of other laws.”

Mr Chairman,

The National Convention adopted the detailed basic principles including the para (50) which states “In this Chapter “The State” means a body that exercises legislative and executive powers according to this Constitution,” for the Chapter “Citizenship, Fundamental Rights of the People, and Duties of Citizens.” According to the statement, it is as if that the term “State” contained in the detailed basic principle concerns only with the Chapter “Citizenship, Fundamental Rights and Duties of Citizens.”

The term “State” can be found in the Chapter I “State Fundamental Principles” for many times. In our assumption, an addition should be made to the para 50 for the detailed basic principle to cover the interpretation and definition of the term “State” of the given chapter. There may be occasions in which the legislative power and executive power are exercised by an organization or by a person. We find that the clarifications of the Work Committee Chairman ensure contextual order and clearer definition for the adopted detailed basic principles and prevent occurrence of disputes in the future.

In our view, the para (50) of the Chapter “Citizenship, Fundamental Rights and Duties of Citizens”—“In this Chapter “The State” means a body that exercises legislative and executive powers according to this Constitution.” should be amended as follows:

“In this Chapter and the Chapter on State Fundamental Principles, “The State” means a body or a person that exercises legislative and executive powers according to this Constitution.”

Mr Chairman,

In connection with the qualifications of the Chief Justice of the High Court of Region or State Chief Justice and judges of the High Court of the Region or State, the para 11 (c) (ii) states “a person who has served as advocate for 15 years”. It is like fixing the period at 15 years. In contrast, the paragraph states “the State must ensure that the Chief Justice of the Union and Judges of the Supreme Court of the Union, the para (3) (c) (iii) states “have been an advocate of a High Court of at least 20 years’ standings”. The statement was to indicate the least required period for the said matter.

In drafting the Constitution, it should be stated “at least 15 years” to ensure a harmonious context, to prevent against occurrence of disputes in the future and to express the least required period. The detailed basic principle 11 (c) (ii) “a person who has served as advocate for 15 years” should be amended as “a person who has served as advocate for at least 15 years”.

Mr Chairman,

The Chapter “State Fundamental Principles” that was adopted at the plenary session of the National Convention includes the subpara (d) of the para 2 which states “flourishing of genuine multiparty democracy system”; the para 3 which states, “the State practises genuine multiparty democracy system” and para 28 which states “the State shall enact necessary law for systematic formation of political parties for flourishing of genuine multiparty democracy system”. But subpara (a) of para 2 of the adopted detailed basic principles for the chapter “Political Parties” states “A political party shall: (a) accept and practise discipline-flourishing genuine multiparty democracy.” It emphasizes in all seriousness that the democracy Myanmar will practise in the future is a discipline-flourishing genuine multiparty democracy system. To be able to ensure a contextual uniformity, the term “discipline-flourishing genuine multiparty democracy” should be used.

We agree to use “discipline-flourishing genuine multiparty democracy” instead of genuine multiparty democracy system in para 2 subpara (d), para and para 28 of the Chapter “State Fundamental Principles”.

Mr Chairman,

The plenary session of the National Convention held on 16 September 1993 adopted the following State Fundamental Principles in connection with judiciary:

(a) the judicial power of the State is distributed among Pyidaungsu Taya Hluttaw (Supreme Court), Region Taya Hluttaw (High Court), State Taya Hluttaw (State High Court) and law courts of different levels including law courts in accord with the organized areas;

(b) in the Pyidaungsu is constituted one Pyidaungsu Taya Hluttaw, Pyidaungsu Taya Hluttaw is the supreme law court of State;

(c) Pyidaungsu Taya Hluttaw has powers to issue writs.

It should be to clearly express the difference between the term “Supreme Court of the Union” and the term “High Court” of the Region or State. The para 1 to 9 of the formation of Judiciary and parra 10 and 11 of the organ of the Judicial Power, use the term “Supreme Court of the Union. In our view, to have a uniformed context and to prevent occurrence of disputes in the future, the term “Supreme Court of the Union” should be used.

In our view, the term Pyidaungsu Taya Hluttaw in the subparas (a), (b) and (c) of para 9 of the Chapter “State Fundamental Principles” should be substituted with the term “Supreme Court of the Union”.

Mr Chairman,

According to subpara (b) of para 22, the okkatha of the self-administered division or self-administered zone or Hluttaw representative elected to undertake the affairs of national races may meet all the qualifications of a Hluttaw representative but can be younger than 35, the minimum age limit for Region or State Minister.

As regards para states “any court or law” may exercise relaxation of stipulation on age limit”, he may or may not exercise relaxation on age limit. To be able to clearly express the essence and aim of the given detailed basic principle and to prevent constitutional disputes in the future, it should be used “shall exercise relaxation of stipulation on age limit”. In this regard, the expression “may exercise relaxation of stipulation on age limit” of the subpara (h) para 22 should be substituted with the expression “shall exercise relaxation of stipulation on age limit.”

Mr Chairman,

The plenary session of the National Convention held on 29 March 1996, adopted detailed basic principles for the formation of executive. In the detailed basic principles, para 22 states as follows:

(i) the Region or State Chief Minister shall be responsible to the President of the State

(ii) the Region or State Minister shall be responsible to the Region or State Chief Minister concerned and through the Chief Minister, to the President of the State

The subpara (f) of para (28) states, “The Advocate-General of the Region or State is responsible to the President through the Chief Minister of the Region or State concerned, to the Pyidaungsu Attorney-General and to the Chief Minister of the Region or State concerned.

The subpara (e) of para 31 states, “The Auditor-General of the Region or State is responsible to the President through the Chief Minister of the Region or State concerned, to the Pyidaungsu Auditor-General and to the Chief Minister of the Region or State concerned. To have a proper contextual order and clearer meaning the expression should be in accord with their original meaning and essence.

The subpara (f) para 28 and subpara (e) para 31 should be amended as follows:

Subpara (f) of para 28 “The Advocate-General of the Region or State is

(i) responsible to the President of the State through the Chief Minister of the Region or State concerned

(ii) responsible to the Pyidaungsu Attorney-General and to the Chief Minister of the Region or State concerned

The subpara (e) of para 31 “The Auditor-General of the Region or State is

(i) responsible to the President through the Chief Minister of the Region or State concerned

(ii) responsible to the Pyidaungsu Auditor-General and to the Chief Minister of the Region or State concerned

Mr Chairman,

The plenary session of the National Convention held on 29 March 1996 adopted the following detailed basic principles:

“Pyithu Hluttaw shall be formed with a maximum of 440 Hluttaw representatives as follows:

(a) Not more than 330 Hluttaw representatives elected on the basis of population

(b) Not more than 110 Tatmadaw member Hluttaw representatives nominated in accord with law by the Commander-in-Chief of the Defence Services.”

The Pyithu Hluttaw is termed as the Hluttaw formed with Hluttaw representatives elected on the basis of population, the election of Pyithu Hluttaw representatives will have to be based on population. If the Constitution has a principle saying that election should be based on population, it will be not possible to elect one (See page 10).
General Thura Shwe Mann receives …
(from page 1)
(Air) Brig-Gen Khin Aung Myint, Vice-Chief of Armed Forces Training Maj-Gen Zaw Win, Vice Adjutant-General Maj-Gen Hla Shwe, Vice Quartermaster-General Maj-Gen Khin Maung Tun and senior military officers.
The Chinese delegation was accompanied by Chinese Military Attaché Senior Colonel Fan Lian Feng. — MNA

Lt-Gen Kyaw Win hosts dinner in honour of Political Commissar of Jinan Military Region Command and party

Lt-Gen Kyaw Win hosts a dinner in honour of Chinese delegation led by Political Commissar General Liu Dongdong of Jinan Military Region Command in Nay Pyi Taw. — MNA

Lt-Gen Kyaw Win sees off Chinese Political Commissar

Lt-Gen Kyaw Win sees off Chinese delegation led by Political Commissar General Liu Dongdong of Jinan Military Region Command in Nay Pyi Taw. — MNA

Lt-Gen Kyaw Win shakes hands with Political Commissar General Liu Dongdong at Nay Pyi Taw Airport. — MNA
YANGON, 16 Aug — At the invitation of Member of the State Peace and Development Council Lt-Gen Kyaw Win of the Ministry of Defence, a Chinese delegation led by Political Commissar General Liu Dongdong of Jinan Military Region Command of People’s Liberation Army of the People’s Republic of China arrived, here, by air on 14 August. They were welcomed at the Yangon International Airport by Chairman of Yangon Division Peace and Development Council Commander of Yangon Command Maj-Gen Hla Htay Win, senior military officers, Chinese Military Attaché to the Union of Myanmar Senior Colonel Fan Lian Feng and members.

The Chinese guests visited Shwedagon Pagoda in the evening. The Chinese General offered flowers, water, lights and joss-sticks to the Pagoda and made cash donation.

Next, they paid homage to the Jade Buddha Image at the south-west corner of the Pagoda and viewed the religious buildings. Later, they also visited Kandawgyi Natural Gardens in Bahan Township.

Short course for upgrading marine products and jetties concludes

YANGON, 16 Aug — A short course for upgrading marine products and jetties, organized by Development and Research Division of Fisheries Department of the Ministry of Livestock and Fisheries, Myanmar Man Group General Trading Company Limited and Sanpya Shwengar Company concluded at the meeting hall of the company in Kyimyindine Township on 14 August.

Present on the occasion were departmental heads, officials of Myanmar Fisheries Federation, Myanmar Marine Products Producers Association and Myanmar Sea Fish Entrepreneurs Association, managing directors, presidents of Myanmar Man Group General Trading Company Limited and Sanpya Shwengar Company, instructors of Fisheries Institute, officials of Central Fish Market of Yangon City Development Committee, fish and prawn entrepreneurs of Central Fish Market and trainees.

First, Director-General of Fisheries Department U Khin Maung Aye made a concluding speech on the occasion and adviser U Wan Maung to Myanmar Man Group General Trading Company Limited spoke words of thanks.

Next, managing director-2 U Thant Zin of Myanmar Man Group General Trading Company Limited and managing director U Aung Myo Thant of Sanpya Shwengar Company donated K 200,000 for Fisheries Institute through Director-General U Khin Maung Aye and Deputy Director-General U Khin Ko Lay. Afterwards, the Director-General presented completion certificates to the trainees. After that trainee U Kyaw Kyaw Win expressed thanks. The course was opened with the purpose of keeping fish jetties and fishing boats clean, producing wholesome marine products and providing quality fish and prawns to consumers and to generate foreign exchanges. A total of 114 trainees attended the two-day course lectured by instructors of Fisheries Institute.

After the ceremony, the Director-General and party inspected fishing related items and fishing boats at jetty No 6 of Myanmar Man Group General Trading Company Limited.

Tasks for proper flow of drains supervised in Mohnyin

YANGON, 21 July — Mohnyin Township Development Affairs Committee organized the sanitation and beautifying of the town, proper flow of drains and maintenance of roads.

On 21 July, Assistant Engineer U Zaw Myo Htwe and Executive Officer U Min Zaw of the Township DAC supervised sanitation and dredging of drains being carried out by workers along Maha Bandoola Road.

Director-General of Fisheries Department U Khin Maung Aye presents a certificate to a trainee. — MNA

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The State fundamental principles are the…

The State fundamental principles are the…

(From page 7)

representative each elected as one representative.

National races are residing in the townships of the Union of Myanmar. Population of some townships is large and some is small. National races are collectively living in almost all the townships. Hence, if the designation of the townships is made accordingly to the Pyidaungsu Hluttaw and constitution and election is based on population, we will be able to allow a large number of national races to take part in the Pyithu Hluttaw as representatives. We agree to the designation of constituencies township-wise to elect Hluttaw representatives.

More townships will have to be formed as necessary to be in conformity with the task of implementing projects such as security, management, education, health projects when the nation is achieving more agriculture and industrial development than now.

When the number of townships goes over 330, a newly formed township should be joined with one of the townships adjacent to it to designate a Pyithu Hluttaw constituency. The 330 Pyithu Hluttaw representatives will be elected one each from every such designated constituency.

We agree to make the following addition to ensure an enduring detailed basic principle concerning the formation of the Pyithu Hluttaw:

“Pyithu Hluttaw shall be formed with a maximum of 440 Hluttaw representatives as follows:

(a) Not more than 330 Hluttaw representatives elected on the basis of township as well as on the basis of population from constituencies designated in accord with the law after combining a newly formed township with one of the townships adjacent to it if the total number of townships exceeds 330
(b) Not more than 110 Tatmadaw member Hluttaw representatives nominated in accord with law by the Commander-in-Chief of the Defence Services.

If the abovementioned detailed basic is adopted the usage “the Hluttaw formed with Hluttaw representatives elected on the basis of population” should be substituted with the usage “the Hluttaw formed with Hluttaw representatives elected on the basis of township as well as on the basis of population”.

Mr Chairman,

Concerning the formation of Amyotha Hluttaw, it is stated as follows:

“Amyotha Hluttaw shall be formed with a maximum of 224 Hluttaw representatives, as follows:

(a) 168 Amyotha Hluttaw representatives elected in equal numbers of 12 from each region or state inclusive of Union territories, and including one representative from each self-administered division or self-administered zone.
(b) 56 Tatmadaw member Amyotha Hluttaw representatives nominated by the Commander-in-Chief of Defence Services in accord with law at the rate of four representatives from each Union or state inclusive of the respective Union territories.

In forming the Amyotha Hluttaw in accord with the subparas (a) and (b), the words “the respective Union territories” mean Union territories designated by this Constitution for the usage to be more precise.

(c) In forming the Amyotha Hluttaw, the Commander-in-Chief of Defence Services in accord with law at the rate of four representatives from each Union or state inclusive of the respective Union territories.

In forming the Amyotha Hluttaw in accord with the subparas (a) and (b), the words “the respective Union territories” mean Union territories designated by this Constitution.

We agree to the designation of constituencies township-wise to elect Hluttaw representatives.

Mr Chairman,

Regarding the designation of Union territories, the National Convention plenary session held on 9 April 1994 laid down detailed basic principles:

5. Designation of Union territories—

(a) “Yangon City, that is the Capital of the Union, is designated as an Union territory placed under direct administration of the President of the Union.
(b) Cocogyun Township which has a special situation is designated as an Union territory and placed under direct administration of the President of the Union.
(c) If need arises to designate areas that have special situation in connection with national defence, security, administration and economy etc. as Union territories they may be so designated as Union territories after enacting laws.”

Internationally, the city where the office of the central government is based is designated as the capital of the State. And in some countries, the capitals are placed under direct administration of the President or the Union.

Now, the government of the Union of Myanmar and the offices of the central governments are based in Nay Pyi Taw. The National Convention held on 3 August 2007 adopted the detailed basic principle, which says that Nay Pyi Taw is the capital.

The designation of Yangon as a Union territory under the direct administration of the president should be revoked. And the municipal area of Nay Pyi Taw, which has become the Capital of the State, should be designated as a Union territory placed under the direct administration of the president. The designation of Cocogyun Township as Union territories should be revoked.

In our view, the detailed basic principle:

(a) Nay Pyi Taw, that is the Capital of the Union, is designated as Union territory placed under direct administration of the President of the Union.

(b) If need arises to designate areas that have special situation in connection with national defence, security, administration and economy etc. as Union territories they may be so designated as Union territories after enacting laws” should be adopted.

Mr Chairman,

We also agree that the term “Capital Yangon” prescribed in the detailed basic principles on designation of Capital Yangon, a Union territory, in para 15, sub-para (a) of 38 should be deleted and in sub-para (b) of 15, sub-para (a) of 15, sub-para (a) of 38 should be replaced with the term “Nay Pyi Taw”, and the term “Chairman of Yangon Council” prescribed in sub-para (c) 6 of para 16 of detailed basic principle for Formation of Financial Commission with the term “Chairman of Nay Pyi Taw Council”.

Moreover, sub-para 4 (a) of 6 “With regard to the judicial matter, Yangon Region High Court is the high court of the courts situated in Yangon City and Cocogyun Township” should be amended as “With regard to the judicial matter, Mandalay Region High Court is the high court of the courts situated in Nay Pyi Taw”.

The Work Committee Chairman explained that the State Fundamental Principles and the two principles transferred to the Chapter “Head of State”, the 11 points transferred to the Chapter “General Provisions”, and the two points transferred to the Chapter “Citizenship, Fundamental Rights and Duties of Citizens” will not be stated any more in the Chapter “State Fundamental Principles”. His explanation is appropriate and is in accord with the exception of the 104 fundamental principles. We agree to his explanation.

We also agree to the Work Committee Chairman’s clarification, “The provisions on the National Convention held on 2 August 2007 adopted detailed basic principles for the Chapter “Transitory Provisions”. In this regard, para 5 says, “The existing laws are still in force until they are revoked or amended by the Pyidaungsu Hluttaw, and unless they are in contrary to the Constitution”. The two detailed basic principles are exactly the same, in word and in essence. I consider that it is more appropriate that the detailed basic principle should be prescribed in the Chapter “Transitory Provisions”. Therefore, I would say that detailed basic principle para 15, sub-para 5 in the sharing of legislative power no longer needs to be prescribed, and it will be revoked” as it is appropriate.

Mr Chairman,

Now, we have presented our suggestions in connection with the Work Committee Chairman’s clarifications. After the completion of necessary amendments, additions and repeals, the National Convention will conclude successfully. The next step is to draft the Constitution in accord with the adopted fundamental principles and detailed basic principles.

In drafting the State Constitution in accordance with the fundamental principles and detailed basic principles the National Convention has adopted, necessary amendments should be made to the terms, dictation and word orders without having any adverse effects to the aims and essence of the basic principles and detailed basic principles.

Hence, there should be an agreement, saying, “The NC shall make necessary amendments to the terms, dictation and word orders without having any adverse effects to the aims and essence of the basic principles and detailed basic principles adopted according to the minutes of the NC in drafting the State Constitution.”

As we of the group are State service personnel, we made ardent efforts to compile suggestions in view of serving the interest of the people, and we believe that the amendments, additions and repeals should be made after holding discussions and coordination for the Constitution to be free from loopholes and weaknesses.

Nay Pyi Taw, that is the Capital of the Union, is designated as Union territory placed under direct administration of the President of the Union.

MNA
The application of these principles in legislation and administration shall be the care of the State but shall not be enforceable in any court or law.

YANGON, 16 Aug — The following is the suggestion of Delegate Group of Other Invited Persons on matters concerning the amendments, the additions, the repeals and the transfer out of the fundamental principles and detailed basic principles that have been adopted by National Convention.

Esteemed chairman and members of the panel of chairman, the chairman and members of the National Convention Convening Commission, the chairman and members of the Work Committee, the chairman and members of the Management Committee, the chairmen and members of the subcommittees, and delegates, may you be blessed with physical and mental well-being.

I am National Convention delegate U Hmaing of the Delegate Group of Other Invited Persons. I am from Kayah State Special Region (1).

Today, we can be proud of the success the nation has achieved. It has been nearly 19 years our country has been in the absence of a new State Constitution. When the new State Constitution is in force, the people can enjoy the fundamental rights of freedom, equality and justice.

Colleagues, it is understood that amendments and adjustments according to the views and suggestions are keys to success in this regard.

The Delegate Group of Other Invited Persons consists of representatives from 27 groups including special regions, and personally-invited representatives.

Since 1993, we have attended the National Convention that is necessary for introducing the discipline-flourishing genuine democracy system.

So far, the National Convention has successfully amended chapter-wise headings, drafted draft fundamental principles, and detailed basic principles for 15 chapters. All members of our group took time and held discussions in various sectors in compiling our proposal paper.

As a result, several of our suggestions are adopted as detailed basic principles in some chapters.

Mr Chairman,

At the plenary session held on 6 August 2007, the Work Committee chairman explained the basic principles and detailed basic principles that should be amended, repealed, transferred, added or omitted, as appropriate so that they conform with the prevailing situations, there is contextual uniformity in them, the initial aims and essence of the principles become clearer and more comprehensible, and the State Constitution can be drafted more specifically.

We held discussions about the explanation at the meeting of our group on 7 August 2007, and coordinated at the meeting of the proposal paper-compiling group.

In that regard, the representatives presented their support for the 15 points the Work Committee chairman had explained, and another point. Then, the presentation was compiled into a proposal paper and sought the approval of all representatives at the meeting of our group on 9 August 2007.

These points are:

1. Para 3 of Chapter “General Provision”
   “The State fundamental principles are the guidelines to be followed by the legislative Hluttaw in enacting laws and interpreting provisions of the State Constitution and of other laws,” should be added with the expression:
   “The application of these principles in legislation and administration shall be the care of the State but shall not be enforceable in any court or law.”
2. In the 85th point of Chapter “Citizenship, Fundamental Rights and Duties of Citizens”
   “This Chapter, the term “State” means a body or a person that exercises legislative and executive powers according to this Constitution as the context may require” should be:
   “In this Chapter and Chapter 1 ‘State Fundamental Principles’, the term “State” means a body or a person that exercises legislative and executive powers according to this Constitution as the context may require”.
3. Regarding the qualifications set for the judges of the High Court of the Region or State in Formation of Legislature, para 11 (c) — “a person who has served as advocate for 15 years” — should be amended as “a person who has served as advocate for at least 15 years”.
4. The expression “genuine multiparty democracy system” prescribed in sub-para 4 of para (b), para (c) and para (28) should be added as “discipline-flourishing genuine multiparty democracy system”.
5. The expression “Pyidaungsu Taya Hluttaw” prescribed in sub-paras 1, 2, and 3 of para (i) in Chapter “State Fundamental Principles” should be amended as “Pyidaungsu Taya Hluttawgysoke”.
6. The expression “The President of the State may exercise relaxation of stipulation on age limit” prescribed in sub-para (h) of para 22 of Formation of Executive should be “The President of the State shall exercise relaxation of stipulation on age limit”.
7. Sub-para (c) of para 31: “The Auditor-General of the Region or State shall be responsible to the President through the Chief Minister of the Region or State concerned, to the Union Auditor-General and to the Chief Minister of the Region or State concerned”.
   In the above-mentioned detailed basic principles, the terms and expressions in connection with Region or State are clear and easy to understand. They should be used in drafting the Constitution to ensure a contextual uniformity and to have a clear definition.
   Therefore, the expressions prescribed in sub-para (f) of para 28 should be adopted as detailed basic principles.
   They are:
   “The Advocate-General of the Region or State is responsible:
   (1) to the President of the State through the Chief Minister of the Region or State concerned,
   (2) to the Union Attorney-General and to the Chief Minister of the Region or State concerned, and
   (3) to the Union Auditor-General and to the Chief Minister of the Region or State concerned”.
8. Regarding formation of Pyithu Hluttaw, the points:
   “Pyithu Hluttaw shall be formed with a maximum of 440 Hluttaw representatives as follows:
   (a) Not more than 330 Hluttaw representatives elected on the basis of population,
   (b) Not more than 110 Tatmadaw member Hluttaw representatives nominated in accord with law by the Commander-in-Chief of Defence Services should be adopted as detailed basic principles.
   In this regard, I would like to make a suggestion that the expression “Hluttaw elected on the basis of population” should be amended as “Hluttaw elected on the basis of townsships or population”.
9. Regarding Formation of Amyotha Hluttaw, the points:
   “Amyotha Hluttaw shall be formed with a maximum of 224 Hluttaw representatives, as follows:
   (a) 168 Amyotha Hluttaw representatives elected in equal numbers of 12 from each region or state inclusive of the respective Union territories, and including one representative from each self-administered division or self-administered zone,
   (b) 56 Tatmadaw member Amyotha Hluttaw representatives nominated by the Commander-in-Chief of Defence Services in accord with law at the rate of four representatives from each region or state inclusive of the respective Union territories,
   (c) In forming the Amyotha Hluttaw in accord with the sub-paras (a) and (b) the words “the respective Union territories” mean Union territories designated by this Constitution and Union territories proclaimed by Pyidaungsu Hluttaw after enacting laws concerning the matter to elect Amyotha Hluttaw representatives are inclusive in the state or division or the region or state they are included in” should be adopted as detailed basic principles.
10. Regarding the designation of Union territories, the detailed basic principles:
   5. Designation of Union territories,
      “(a) Yangon City, that is the Capital of the Union, is designated as Union territory placed under direct administration of the President of the Union,
      (b) Cocogyun Township which has a special situation is designated as Union territory and placed under direct administration of the President of the Union,
      (c) If need arises to designate areas that have special situation in connection with national defence, security, administration and economy etc. as Union territories they may be so designated as Union territories after enacting laws” were laid down. They should be amended as:
      5. Designation of Union territories,
      “(a) Nay Pyi Taw, that is the Capital of the Union, is designated as Union territory placed under direct administration of the President of the Union,
      (b) If need arises to designate areas that have special situation in connection with national defence, security, administration and economy etc. as Union territories they may be so designated as Union territories after enacting laws”.
11. If it is agreed to designate Nay Pyi Taw, the Capital of the Union, of the Union of Myanmar, as a Union territory placed under direct administration of the President, detailed basic principles to be adopted for Nay Pyi Taw should be the same, as that for Yangon Council.
   The term “Yangon” prescribed in the detailed basic principles on administration of Capital Yangon, a Union territory, prescribed in para 35 and in the detailed basic principles on designation of the status of the Chairman and members of Yangon Council prescribed in para 36 should be replaced with the term “Nay Pyi Taw”. (See page 12)
The application of these principles in legislation...

(from page 11)

12. The term “Chairman of Yangon Council” prescribed in sub-para (C)6 para 16 of detailed basic principle for Formation of Financial Commission should be replaced with the term “Chairman of Nay Pyi Taw Council”.

13. The expression prescribed in sub-para 4 (a) of para 6 “With regard to the judicial matter, Yangon Region High Court is the high court of the courts situated in Yangon City and Coc Cygym Township” should be amended as “With regard to the judicial matter, Mandalay Region High Court is the high court of the courts situated in Nay Pyi Taw”.

14. When basic principles were laid down for the chapter “State Fundamental Principles” of the 15 Chapters to be included in the State Constitution, an exception was prescribed under the 104 basic principles as follows:—

- of those basic principles, relevant ones are to be taken as basic in discussing basic principles in respective chapters,
- of those basic principles, those that should be mentioned in the preamble of the State Constitution should be mentioned also in that preamble,
- principles concerning the State are to be mentioned separately in the chapter heading “The State”,
- likewise, principles concerning respective chapters are to be transferred to respective chapters, when discussions are held for those respective chapters,
- principles concerning the chapter “State Fundamental Principles” are to be retained in the chapter on State fundamental principles”.

When detailed basic principles were laid down according to the chapter headings, the principles relevant to respective chapters were transferred as detailed basic principles. It is assumed that of the detailed basic principles transferred to respective chapters, some principles should continue to be prescribed in the Chapter “State Fundamental Principles” but some should no longer be prescribed in the chapter.

I would also like to present the basic principles that are not included in the chapter because they do not need to be prescribed as detailed basic principles. They are:

The principles transferred to the Chapter “The Head of State”—
1. The Head of State is the President of the Union.
2. The President of the Union shall be elected by the presidential electoral college.

The principles transferred to the Chapter “Citizenship, Fundamental Rights and Duties of Citizens”—
3. All persons who have either one of the following requirements are citizens of the Union of Myanmar. All persons born of parents both of whom are nationals of the Union of Myanmar. Persons who are vested with citizenship according to existing laws on the date this Constitution comes into force. Citizenship, naturalization and revocation of citizenship shall be prescribed by the law.
4. Every citizen is under a duty to uphold Non-discrimination of the Union; Non-discrimination of national solidarity; and Perpetuation of sovereignty.
5. Every citizen is under a duty to abide by the provisions of the Constitution.
6. Every citizen is under a duty to undergo military training in accord with the provisions of the law and to serve in the armed forces to defend the State.
7. The above right shall not include any economic, financial, political or other secular activities that may be associated with religious practice.
8. The freedom so guaranteed shall not prohibit the State from enacting laws for the purpose of social welfare and reform.
9. The State recognizes the special position of Buddhism as the faith professed by the great majority of the citizens of the State.
10. 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.
11. The State shall render assistance and protect as far as it can the religions recognized.
12. 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. A law may be adopted to punish such actions.
13. The State shall help national businessmen have access to technologies, investments, machinery, and raw materials.

The principles transferred to the Chapter “General Provisions”—
14. The phrases in the official language.
15. The State fundamental principles are the guidelines to be followed by the legislative Hluttaw in enacting laws and interpreting provisions of the State Constitution and of other laws.

I consider that these detailed basic principles have been transferred to respective chapters, and they no longer need to be mentioned in the Chapter “State Fundamental Principles”. Therefore, they are not prescribed.

Mr Chairman,
15. The plenary session of the National Convention held on 3 March 2005 laid down detailed basic principles for the sharing of legislative power. In this regard, para 15, sub-para 5 says, “The existing laws are still in force until they are revoked or amended by the Pyidaungsu Hluttaw, and unless they are in contrary to the Constitution”. The plenary session of the National Convention held on 2 August 2007 adopted detailed basic principles for the Chapter “Transitory Provisions”. In this regard, para 5 says, “The existing laws are still in force until they are revoked or amended by the Pyidaungsu Hluttaw, and unless they are in contrary to the Constitution”.

The two detailed basic principles are exactly the same, in word and in essence. I consider that it is more appropriate that the detailed basic principle should be prescribed in the Chapter “Transitory Provisions”. In the 1947 constitution, Section 226, para 1, which is similar to the detailed basic principle in meaning is prescribed in the Chapter “Transitory Provisions”.

Therefore, I would say detailed basic principle para 15, sub-para 5 in the sharing of legislative power no longer needs to be prescribed, and it should be revoked.

Mr Chairman,
15. If the National Convention approves and adopts the detailed basic principles I have presented, it will successfully complete the adopting of basic principles and detailed basic principles of the 15 chapters to be included in the State Constitution. When the National Convention completes successfully, it will need to implement the second step and third step of the State’s seven-step Road Map “After the successful holding of the National Convention, step by step implementation of the process necessary for the emergence of a genuine and disciplined democratic system” and “Drafting of a new constitution in accordance with basic principles and detailed basic principles laid down by the National Convention”.

In drafting the State Constitution in accordance with the basic principles and detailed basic principles the National Convention has adopted, necessary amendments should be made to the terms, dictation and word orders without having any adverse effects to the aims and essence of the basic principles and detailed basic principles.

I would like to make a suggestion that the National Convention should approve the amendments to the terms, dictation and word orders without having any adverse effects to the aims and essence of the basic principles and detailed basic principles adopted according to the minutes of the NC in drafting the State Constitution.

Esteemed Mr Chairman,

The State Constitution is as important as lifeblood for the country concerned. It can create a prosperous future of the nation in the political, economic and social affairs.

The backbone is of importance for a human body. Likewise, the State Constitution is important for a country. A human body can stand firmly only with a strong backbone. Similarly, a nation will be strong only when it has a State Constitution.

The State Constitution not only boosts the sustainable development of a nation but also guarantees a bright future of its people. The people can place their reliance on it.

Almost all countries have their State constitutions. A State Constitution must indicate the conditions and development and backwardness of the nation concerned. And it must be the one that can fulfill the wishes of the people.

The State Constitution is a necessity for a nation. Our country has practised two State constitutions. However, they are not reliable enough. They did not reflect the life of the people, nor could they improve the living conditions of the people. The 1947 constitution lasted till 1962, and 1974 constitution, to 1988. The Tatmadaw took the leadership role in protecting the motherland. So, the nation has not collapsed and stood tall with sovereignty in the world.

If there is a question “Does your country need a firm and reliable State Constitution?”, I will say “Yes”.

In accordance with the historical necessity, for emergence of an enduring State Constitution for sustainable development of the nation, the Tatmadaw government is convening the National Convention with the representatives of people from all walks of life, exerting goodwill and facing a variety of difficulties.

The delegates are away from their homes for a long period to attend the National Convention and make good suggestions through the experiences and knowledge they have gained.

Now, the points to amend, add or repeal basic principles and detailed basic principles for the chapters have been collected. So, it can be said that the basic principles for the State Constitution have been compiled.

Throughout the National Convention, the representatives of people from all strata of life, various national races, and townships have held discussions and made suggestions.

The basic principles and detailed basic principles are compiled for the State Constitution, taking lessons and avoiding the defects and loopholes and choosing suitable ones from the 1947 constitution, the 1974 constitution and the constitutions in force of many other countries.

In conclusion, I would say the people will soon enjoy the fruits of the National Convention that is nearing completion.

MNA
A D V E R T I S E M E N T S

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128 kilos of drug recovered from heroin factory in Pakistan

ISLAMABAD, 15 Aug—Pakistani authorities Monday recovered 128 kilos of drug from a heroin factory in northwestern area of Jamrud, state-run APP news agency reported. After receiving a tip-off, political authorities of Pakistan’s Khyber tribal region raided a house in Wazirdund area, the Associated Press of Pakistan (APP) wire service reported.

Different equipment including blenders, mixer were also seized in the raid, added the report.

MNA/Xinhua

China studies humble potato as way to beat drought

BEIJING, 15 Aug—Chinese farming experts are considering planting potatoes instead of rice and wheat as a way to beat crippling drought each year, state media said on Tuesday. But the government would have to provide subsidies to persuade farmers to make the switch, they said. “The potato is more drought-resistant than rice and wheat, which suits China better as 60 per cent of the country’s arable land is dry,” Qu Dongyu, a potato farming specialist with the Chinese Academy of Agriculture Sciences, was quoted by Xinhua news agency as saying.

MNA/Xinhua

Four giant panda cubs born in one day in China

CHENGDU, 15 Aug—A giant panda in captivity gave birth to two cubs on Monday, bringing the number of new-born cubs to four in just one day.

Fourteen-year-old Eryatou delivered a female cub weighing 218.5 grammes at about 7 pm at the Chengdu Giant Panda Breeding Centre, Sichuan Province, in southwest China.

The arrival of a second female cub, weighing just 98.5 grammes, at around 11 pm took breeders by surprise. Eryatou has been able to feed both cubs so far, a rare feat given that most pandas are only able to care for one cub at a time.

MNA/Reuters

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MNA/Reuters
Chelsea beat Reading, Man Utd held at Portsmouth

LONDON, 16 Aug — Chelsea hit back in the second half to beat Reading 2-1 on Wednesday but champions Manchester United stumbled to their second successive defeat when they were held 1-1 at Portsmouth and had Cristiano Ronaldo sent off.

Manchester City, with their first home goal since January 1, beat Derby County 1-0, Fulham beat Bolton Wanderers 2-1, Wigan Athletic beat Middlesbrough 1-0 and Sunderland snatched a last-minute equalizer to draw 2-2 at Birmingham City. Reading earned a point from a goalless draw at Old Trafford last Sunday but on home soil had a real go at Chelsea.

They took the lead on the half hour through Andre Bikey after goalkeeper Petr Cech had failed to gather a high ball but paid a heavy price for missing further chances. Jose Mourinho made two changes at halftime and it paid immediate dividends as Chelsea equalized through Frank Lampard in the 47th minute and took the lead with a nicely-curled effort by Didier Drogba two minutes later. — MNA/Reuters

Navas shines in Sevilla’s 2-0 win at home to AEK

SEVILLE (Spain), 16 Aug — Sevilla took a step towards a first ever place in the group phase of the Champions League with a classy 2-0 win at home to AEK Athens on Wednesday.

Young winger Jesus Navas stole the show as the Sanchez Pizjuan, setting up second-half goals for strikers Luis Fabiano and Frederic Kanoute with brilliant runs on the right to leave the UEFA Cup holders firmly in control of the third qualifying round tie.

The build-up to the game was dominated by the possible departure of Sevilla’s dynamic fullback Daniel Alves who refused to play in the match as he awaits a hoped-for move to Chelsea.

His teammates appeared unaffected by the distraction and Navas led the way with some sparkling football on the right wing. — MNA/Reuters

Exhausted Djokovic puts Moya loss down to experience

CINCINNATI, 16 Aug — An exhausted Novak Djokovic said he had simply run out of energy as he was beaten 6-4, 6-1 by former world number one Carlos Moya in the second round of the Cincinnati Masters on Wednesday.

The fourth seed, who beat Andy Roddick, Rafael Nadal and Roger Federer to win the Montreal Masters last weekend, was second-best throughout as Moya wrapped up a convincing victory. — MNA/Reuters

Voronin gives Liverpool crucial win at Toulouse

TOULOUSE (France), 16 Aug — Andriy Voronin scored his first goal in competition for Liverpool as the five-times European champions made an important step towards the Champions League group stage with a 1-0 victory at Toulouse on Wednesday. The Ukraine striker, who joined the Merseyside as a free agent from Bayer Leverkusen during the close season, struck two minutes from the interval with a clinical 25-metre drive.

The second leg will be played at Anfield in a fortnight’s time. Liverpool, who won their Premier League opener 2-1 at Aston Villa last weekend, started the game with Spain striker Fernando Torres on the bench. — MNA/Reuters

Second half goals hand Arsenal 2-0 win over Sparta Prague

PRAGUE, 16 Aug — Second half goals by Francesc Fabregas and Alexander Hleb gave Arsenal a comfortable 2-0 win over Sparta Prague in the first leg of their Champions League third qualifying round tie on Wednesday.

The Gunners were lucky to see a feisty first half end goalless after Jan Rezek’s volley from close in glanced off goalkeeper Jens Lehmann before squarely hitting the post.

Arsenal began to push forward in the second half but had few good scoring chances until Gael Clichy pounced on a sloppy pass by Pavel Horvath inside the Sparta territory.

The speedy Frenchman cut past one defender and turned a second better chance into a goal just inside the penalty area in the 72nd minute.

Fabregas then showed his pedigree at the other end in the 82nd minute, robbing Martin Abraham of a glorious chance from close in. — MNA/Reuters

Japan challenger Anri Nakagawa (L) stumbles after getting a punch from Thai referee Samson Sor Siriporn as referee Franz Mari of Switzerland looks on during the women’s WBC light-flyweight title bout in Bangkok on 15 Aug, 2007. Samson won the bout. — INTERNET

Werder strike late for 2-1 win over Dinamo Zagreb

BERLIN, 16 Aug — Werder Bremen needed a long-range blast from Daniel Jensen four minutes from time to seal a 2-1 win over Dinamo Zagreb at the Weserstadion in the first leg of their Champions League third round qualifier on Wednesday.

Bosko Balaban had given the Croatian champions a deserved lead at the end of the first half, touching in from six metres to convert Mario Mandzukic’s ball in from the right.

That acted as a spur for the Germans, who came out with a new attitude at the start of the second half.

Substitute Hugo Almeida struck the equalizer almost immediately when he raced through and scored on the rebound, after the keeper had blocked his first effort.

The visitors had plenty of chances to go ahead themselves before a thumping late effort from Danish international Jensen gave Werder a slim advantage to take to the away leg on August 29. — MNA/Reuters

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The visitors had plenty of chances to go ahead themselves before a thumping late effort from Danish international Jensen gave Werder a slim advantage to take to the away leg on August 29. — MNA/Reuters

Navas shines in Sevilla’s 2-0 win at home to AEK

SEVILLE (Spain), 16 Aug — Sevilla took a step towards a first ever place in the group phase of the Champions League with a classy 2-0 win at home to AEK Athens on Wednesday.

Young winger Jesus Navas stole the show as the Sanchez Pizjuan, setting up second-half goals for strikers Luis Fabiano and Frederic Kanoute with brilliant runs on the right to leave the UEFA Cup holders firmly in control of the third qualifying round tie.

The build-up to the game was dominated by the possible departure of Sevilla’s dynamic fullback Daniel Alves who refused to play in the match as he awaits a hoped-for move to Chelsea.

His teammates appeared unaffected by the distraction and Navas led the way with some sparkling football on the right wing. — MNA/Reuters

Exhausted Djokovic puts Moya loss down to experience

CINCINNATI, 16 Aug — An exhausted Novak Djokovic said he had simply run out of energy as he was beaten 6-4, 6-1 by former world number one Carlos Moya in the second round of the Cincinnati Masters on Wednesday.

The fourth seed, who beat Andy Roddick, Rafael Nadal and Roger Federer to win the Montreal Masters last weekend, was second-best throughout as Moya wrapped up a convincing victory. — MNA/Reuters

Voronin gives Liverpool crucial win at Toulouse

TOULOUSE (France), 16 Aug — Andriy Voronin scored his first goal in competition for Liverpool as the five-times European champions made an important step towards the Champions League group stage with a 1-0 victory at Toulouse on Wednesday. The Ukraine striker, who joined the Merseyside as a free agent from Bayer Leverkusen during the close season, struck two minutes from the interval with a clinical 25-metre drive.

The second leg will be played at Anfield in a fortnight’s time. Liverpool, who won their Premier League opener 2-1 at Aston Villa last weekend, started the game with Spain striker Fernando Torres on the bench. — MNA/Reuters

Second half goals hand Arsenal 2-0 win over Sparta Prague

PRAGUE, 16 Aug — Second half goals by Francesc Fabregas and Alexander Hleb gave Arsenal a comfortable 2-0 win over Sparta Prague in the first leg of their Champions League third qualifying round tie on Wednesday.

The Gunners were lucky to see a feisty first half end goalless after Jan Rezek’s volley from close in glanced off goalkeeper Jens Lehmann before squarely hitting the post.

Arsenal began to push forward in the second half but had few good scoring chances until Gael Clichy pounced on a sloppy pass by Pavel Horvath inside the Sparta territory.

The speedy Frenchman cut past one defender and turned a second better chance into a goal just inside the penalty area in the 72nd minute.

Fabregas then showed his pedigree at the other end in the 82nd minute, robbing Martin Abraham of a glorious chance from close in. — MNA/Reuters
“Reuters” poll shows Bush, Congress get poor grades

WASHINGTON, 16 Aug—Most US voters remain deeply unhappy with President George W Bush and Congress and give them negative marks for their handling of economic and foreign policy, according to a Reuters/Zogby poll released on Wednesday.

The poll found nearly two-thirds of Americans believe the country is on the wrong track and give Bush’s job performance a bad grade. An even bigger majority of 83 per cent say the Democratic-controlled Congress is only doing a fair or poor job.

“The American people are in a foul mood right now and there is no sign of improvement,” said pollster John Zogby. “They may be going on vacation this month, but they are coming back to the same old thing.”

The bleak assessment of Bush and Congress, similar to their ratings last month, could be a danger signal for both parties heading into the November 2008 election campaign.

“Americans could simply be in an anti-incumbent and anti-institutional mood,” Zogby said. “Right now, nobody gets good marks.”

The national survey of 1,020 likely voters, taken 9 August through 11 August, found 67 per cent ranked Bush’s performance as fair or poor, with just 32 per cent rating it as excellent or good.

That is down slightly from the 34 per cent who gave him positive marks last month, but still above his low rating of 30 per cent in March amid continued chaos in Iraq and partisan gridlock in Washington.

The dismal ratings for Congress have worsened since Democrats won power in the 2006 elections. Fifteen per cent rate the performance of Congress as excellent or good, worse than the 23 per cent who gave the Republican-led Congress positive marks in its final days last October.

Americans also have little faith in US economic and foreign policies, with 64 per cent giving economic policy negative marks and 74 per cent giving foreign policy a bad grade.

The poll showed 64 per cent of Americans think the country is on the wrong track, and only 24 per cent think it is headed in the right direction.

While a quarter of the poll’s respondents are at least somewhat uneasy about their job security, 59 per cent rank their personal financial situation as either excellent or good.

The New Light of Myanmar Friday, 17 August, 2007

WEATHER

Thursday, 16 August, 2007

Summary of observations recorded at 09:30 hours MST: During the past 24 hours, rain or thundershowers have been isolated in Chin State and Mawgyaw Division, scattered in Kayah and Kayin States, upper Sagaing, Mandalay, Bago and Yangon Divisions, fairly widespread in Shan State and Ayeyawady Division and widespread in the remaining areas with isolated heavyfall in Mandalay Division. The noteworthy amounts of rainfall recorded were: Kawkaik (5.63) inches, Mogok (5.56) inches, Patoa (2.56) inches, Kawkhombre (1.97) inches, Bkamiti (1.89) inches and Kafia (1.85) inches.

Maximum temperature on 15-8-2007 was 88°F. Minimum temperature on 16-8-2007 was 77°F. Relative humidity at 09:30 hours MST on 16-8-2007 was 89%. Total sunshine hours on 15-8-2007 was 3.6 hours approx. Rainfall on 16-8-2007 was Nil at Mawgyaw, (Nil) at Kaba-Aye and (0.12) inch at Central Yangon. Total rainfall since 1-1-2007 was (90.51) inches at Mawgyaw, (92.72) inches at Kaba-Aye and (93.15) inches at Central Yangon. Maximum wind speed at Yangon (Kaba-Aye) was (6) mph from Southeast at (16:30) hours MST on 15-8-2007.

Bay inference: Monsoon is strong in the Andaman Sea and South Bay and moderate elsewhere in the Bay of Bengal.

Forecast valid until evening of 17-8-2007: Rain or thundershowers will be widespread in Mon, Kayin States and Tanintharyi Division, fairly widespread in Kchn and Rakhine States, upper Sagaing, Yangon and Ayeyawady Divisions, scattered in Shan and Chin States, Mandalay, lower Sagaing and Bago Divisions and isolated in the remaining areas. Degree of certainty is (80%).

State of the sea: Squalls with moderate to rough seas are likely at times off and along Deltaic, Gulf of Mottama, Mon-Tanintharyi Coasts. Surface wind speed in squalls may reach (35) to (40) mph. Seas will be moderate elsewhere in Myanmar waters.

Outlook for subsequent two days: Likelihood of decrease of rain in eastern Myanmar areas.

Forecast for Nay Pyi Taw and neighbouring areas for 17-8-2007: Isolated rain or thundershowers. Degree of certainty is (80%).

Forecast for Yangon and neighbouring areas for 17-8-2007: One or two rain or thundershowers. Degree of certainty is (80%).

Forecast for Mandalay and neighbouring areas for 17-8-2007: Isolated rain or thundershowers. Degree of certainty is (80%).

*Published by the News and Periodicals Enterprise, Ministry of Information, Union of Myanmar. Edited and printed at The New Light of Myanmar Press, No 42/30 Strand Road at 43rd Street, Yangon. Cable Newslight, PO Box No 43. Telephones: Editors 392308, Manager 392226, Circulation 392304, Advertisement 392223, Accounts 392224, Administration 392225, Production/Press 392369.

The Viking warship replica, Havhingsten of Glendalough (the Sea Stallion of Glendalough), makes its way from Dublin Bay into Dublin Port, Ireland on 14 Aug, 2007. —XINHUA

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Prime Minister sends message of felicitations to Indonesia

NAY PYI TAW, 17 Aug—On the occasion of the 62nd Anniversary of the Independence Day of the Republic of Indonesia which falls on 17 August 2007, General Soe Win, Prime Minister of the Union of Myanmar, has sent a message of felicitations to His Excellency Dr Susilo Bambang Yudhoyono, President of the Republic of Indonesia. —MNA

Political Commissar of Jinan Military Region Command of PRC arrives Nay Pyi Taw.

Lt-Gen Kyaw Win welcomes Political Commissar of Jinan Military Region Command of PRC


Also present at the airport to welcome the Chinese delegation were Commander of Nay Pyi Taw Command Maj-Gen Wai Lwin and senior military officers. — MNA

Lt-Gen Kyaw Win of the Ministry of Defence welcomes Political Commissar General Liu Dongdong of Jinan Military Region Command of People’s Liberation Army of the People’s Republic of China at Nay Pyi Taw Airport. — MNA

Lt-Gen Kyaw Win of the Ministry of Defence receives Chinese military delegation

NAY PYI TAW, 16 Aug — Member of the State Peace and Development Council Lt-Gen Kyaw Win of the Ministry of Defence received a goodwill delegation led by Political Commissar General Liu Dongdong of Jinan Military Region Command of the People’s Liberation Army of the People’s Republic of China at Shwenandaw Hotel here yesterday.

Also present at the call were Commander of Nay Pyi Taw Command Maj-Gen Wai Lwin, Chief of Staff (Navy) Rear Admiral Nyan Tun, Chief of Staff (Air) Brig-Gen Khin Aung Myint, Deputy Chief of Armed Forces Training Maj-Gen Zaw Win, Vice Adjutant-General Maj-Gen Hla Shwe, Vice Quartermaster-General Maj-Gen Khin Maung Tun and Military Attaché of the People’s Republic of China to Myanmar Senior Colonel Fan Lian Feng.

Lt-Gen Kyaw Win of the Ministry Defence receives Political Commissar General Liu Dongdong in Nay Pyi Taw. — MNA