

The Mon Forum

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News

Referendum campaigns speed up in Mon State

IMNA,
Fri 25 April 2008

The Burmese military junta, as well as activists in Mon State, have stepped up campaigns for "Yes" and "No" votes in the run up to the referendum, scheduled for May 10th.

The Mon State Peace and Development Council sent a truck with a music band and ballot boxes to campaign in Southern Mon state, backed with security guards.

"The truck carrying letters saying vote "Yes" also carried ballot boxes. The truck travelled around Mudon Township and villages and headed for Thanpyuzayart. There were many military intelligence officials following the truck. Along the road they also picked up security men," an eyewitness said.

According to Moulmein residents, this is the first time that they have been such a campaign. The truck travelled around Moulmein and through Ye Township.

The Thanpyuzayart Township Peace and Development Council (TPDC) has also removed thousands of fliers written in Burmese which said: "If you don't want to live under military rule, vote No."



Photo: Mon Malaysia

Activists encouraging a "No" vote in front of the Burmese embassy in Malaysia

Current Draft Constitution Does Not Move to National Reconciliation

In May, the SPDC will hold the "People's Referendum," to give approve its draft Constitution, which gives ultimate power to the armed forces. The Burmese Army will absolutely control the State powers – legislative, administrative and judicial.

Even if the Constitution is confirmed by manipulation of the SPDC, and without international monitoring, democracy will not be alive in Burma. Over a thousand of political prisoners will remain in prisons and Daw Aung San Suu Kyi will be kept under house arrest.

Many pro-democracy political parties including ethnic political parties will not be allowed to register and compete in a general election, scheduled for 2010.

The Constitution does not guarantee 'equal racial rights' and 'self-rule' practiced by ethnic nationalities. Ethnic people will have to continue to fight for the equal racial rights and fight for their autonomous regions and states.

"The regime likes to say, on billboards around the country, that it is everyone's duty to vote "Yes," for "Democracy cannot be achieved by anarchism or violence, but by Constitution." The SPDC is correct - a constitution is vital to building democracy. Just not this constitution.

The fliers were distributed last night. The TPDC immediately held a meeting with members after finding them on the road. The fliers were one inch in width and about eight inches long. The word "Vote No" was in red color.

"I found the fliers at about midnight when we went to a festival in Hongsar Htaw temple. But we did not see them when we returned home at three a.m.," a youth in Thanpyuzayart said.

According to a Mon activist, "Vote No" campaigns have been launched in Moulmein, Paung, Pa-an, Kawkareik, Mudon, Ye and Chaunzone Townships.

"Depending on the situation we will distribute our fliers. But sometimes we have to avoid it for security reasons," the Mon activist said and added that they started the campaign in these towns over two days ago.

The junta's Maj-Gen Ohn Myint led the government's campaign as he traveled through Mon state. The Maj-General told people "If you love democracy, vote 'Yes,'" and, "If you want to continue living under military rule, vote 'No.'"

According to a Mudon resident, people are confused about how to vote and they are worried that if they vote 'No,' they will be in trouble with local authorities because they have to write their name and ID number on the ballot paper.

Two village headmen in Ye township told villagers at a meeting that they would not take any responsibility for how the military might respond if they they voted "No."

Illegal rice imports boom at Three Pagodas Pass

Lawi Weng, HURFOM



Rice being distributed at a Mon refugee camp on the Thai-Burma border

Thai traders are illegally importing tens of thousands of bags of rice from Burma, raising fears of price increases for Burmese people, says a local source in Three Pagodas Pass, on the Thai-Burmese border.

Starting in the first week of April, Burmese rice was being bought by Thai traders at a rate of three hundred sacks a day, report Burmese rice traders in the town.

Local observers said that with the increased flow of Burmese rice to Thailand, concerns were growing over the possibility of a severe increase in the price of rice on the Burmese side of Three Pagodas Pass.

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Opinion & Analysis

Civil society best hope for dignity of Burmese people

The Mon Forum



Mon civil society group working in the community

It is clear that the Burmese regime wants to cling to power. It is just as clear that the Burmese people want dignity.

General Than Shwe likes to say that if the army has great strength, the country will be strong as well. This belief is brandished everywhere, stamped on banners swung in front of battalions across the country.

Contrary to the beliefs of the regime, the Burmese people understand that the country will be truly strong only when the strength comes from the people.

These two ideas represent radically different ways forward for the country. One, the way of continued military repression. The other, positive change and democracy.

The fundamental question, then, is how to achieve positive change towards democracy. The New Mon State Party (NMSP) believes that the current talks between the regime and the National League for Democracy will not bring lasting reform.

The regime will soon drop the NLD and begin working with ethnic groups, forcing Daw Aung San Suu Kyi out of the political arena again. Instead of dealing with a strong and unified NLD, the regime will work to divide ethnic groups and maintain power by taking refuge behind a political process bogged down in ethnic politics of its own creation.

Recently, the NMSP held a meeting on the Thai-Burma border to discuss whether the organization's decade old ceasefire with the regime should continue. They concluded that it should.

In spite of the knowledge that the regime opposes political change, the NMSP understands that returning to the jungles to fight will

permanently disenfranchise it and leave it without political space when change does occur.

According to a source within the NMSP, the party believes the best path to political change lies in promoting the growth of civil society at the grassroots level, which it hopes will spread outward as people are mobilized and encouraged to become more involved in their communities.

Many people believe that visits by UN Secretary General Ban Ki-moon and others can help the country. But, as well-known, and imprisoned, politician Ko Min Ko Naing says, we do not have to wait for others to come burn our houses. We can burn them ourselves. High officers in the NMSP seem to like this idea, which they see as a call for the Burmese people to help themselves rather than wait for outside forces like the United Nations.

The regime is running the country like men gorging themselves on a dead elephant, says one senior NMSP official. Officers of the regime spread corruption everywhere, exploiting the country and destroying its people. But when the meat of the elephant is all gone and the country has been destroyed, the regime will destroy itself.

Not much more meat remains on the elephant. Burmese people have been suffering from the regime's repression since it grabbed power in the 1962 coup and the oppression of the ensuing decades has flayed the people's dignity. The September protests were not an attempt to topple the regime but were instead, according to one analyst, simply a demand that people's dignity be restored.

Civil society needs to grow, gathering strength so that the September protests do not become a distant memory. Only then can the people, and the country, truly be strong.

Opinion & Analysis

Referendum; Crisis Continues?

Lawi Weng:

April 17, 2008

Burma and Thailand are different in the way they hold their referendums. When Thailand held its last referendum, the Thai government allowed the people to read the proposed new constitution for three months before asking for their vote. Burma has not followed suit, instead only recently allowing some political organizations in Rangoon to review the Draft Constitution.

Some Burmese people who want to read the Constitution report that, when they attempted to buy it at a market in Rangoon, they were unable to find it. This obfuscation is nothing new, and the SPDC has attempted for many decades to blind the people, discouraging and clouding knowledge of its political movements.

Recently, for instance, local sources in Mon State report that the junta is compiling new family lists. Every household must pay ten thousand kyat to obtain a new copy, which must be kept in the home. Similarly, the junta is stamping house numbers in front of every house, this time at a cost of five hundred kyat per household. Perhaps there are reasonable explanations for these new policies and prices, but they, like the referendum and countless other measures, have never been explained to anyone in their communities.

Burma is one of the poorest countries in the world. The country suffers from widespread corruption amongs Burmese officers who routinely abuse their power. People must constantly think about how to survive, a daily struggle which spares little time for political thought. Some Burmese political analysts warn that this is not an accident, and believe that it is deliberate junta policy to make people's lives so filled with trouble they are slaves to the economy, unable to involve themselves with politics.

Most recently, a man who arrived on the Thai-Burma border from Kalawthut village, Mudon Township, said that every day four to six trucks filled with Mon people leave for work to Thailand. According to this source, the people were not interested in the new constitution and referendum. They wanted a better life and thought their best chances lay in other countries.

Teenagers who are able to work tend to leave Burma to seek out a better life, and earn money in neighboring countries. Millions of Burmese people have migrated to other countries where they work illegally, receiving low pay and working hard under bad conditions.

Still, the National League for Democracy (NLD) is urging people to vote "no" against the junta's referendum. In some places, Burmese activists are using spray paint to write, "no for vote" on walls in order to encourage the people. In other places, people are distributing pamphlets declaring, "vote no."

The Burmese junta may believe that this vote will turn out favorably. The regime felt the same in 1990, only to lose and then refuse to hand over power to the victorious NLD. The political crisis has continued to worsen and grow more unstable since 1990, until last September when monks and civilians protested across the country.

Burma's political competition seems to be shaping up similarly to that of Zimbabwe in Africa; opposition groups believe that they will win in the referendum, so too does the ruling regime. Each group uses campaign tools throughout the country in different ways.

Recently Zimbabwe's President [Robert Mugabe](#) lost the election in his country and wanted to hold a second. The country's political situation was complicated, and many people including those in the international community, became worried that political conflict would quickly erupt. Some political observers in Zimbabwe even urged the international community to get involved.

The Burmese junta's ideas may be similar to Mugabe's. Some Burmese political analysts said Zimbabwe's situation will be used as an example for Burma. The junta will cancel its referendum or a subsequent election, scheduled for 2010, if it loses. Or, like in 1990, it may refuse to recognize the true outcome of the popular vote.

Most recently, the SPDC began a field campaign urging people to vote "Yes." It did not allow people to photograph the events, nor did it document the campaigns with photographs. In the campaign, SPDC officials talked about the constitution and encouraged people to vote "Yes." Officials did not, however, allow people to ask questions or give feedback. They simply told the people: vote "yes" to improve the country's political situation, or face another fifteen years of political crisis in Burma. Typically, it provided no explanation to support these claims. Hopefully they will not prove true.

Report

Burma's Constitutions: Downgrading from Democracy to Dictatorship

A. The 1947 and 1974 Constitutions and Demands for Democracy

Burma has had two national constitutions since independence, known as the 1947 and 1974 Constitutions. Now, a third is scheduled to be voted on in a national referendum, scheduled for May 10th.

The first constitution was drawn up in 1947 in order to obtain freedom from Britain. But before it was drafted, the British colonial government allowed nationwide elections to be held and representatives were chosen for a "Constitution Drafting Assembly." The elected representatives were chosen by the people and included many non-Burman leaders, who gave favor both to democratic rights and the rights of Burma's many ethnic minorities. The resulting document guaranteed the rights of non-Burman ethnic nationalities and provided for a multi-party democratic political system.

In order to guarantee fundamental democratic rights, the 1947 Constitution included:

- The Rights to Citizenship
- The Rights of Equality
- The Rights of Freedom
- The Rights Relating to Religions
- The Cultural and Educational Rights
- The Economic Rights
- The Rights in Relationship in Criminal Laws

In order to guarantee the right to self-determination or self-rule of non-Burman ethnic nationalities, Chapter IX of the 1947 Constitution also guaranteed the formation of:

- The Shan State Council and the Government of Shan State
- The Kachin State Council and the Government of Kachin State
- The Recognition of Karen State and the Formation of Karen Affairs Council
- The Karenni State and the Government of Karenni State
- Special Division of Chin and the Chin Affairs Council

The 1947 Constitution was, however, far from perfect; it created a very powerful central government and delayed the creation of new states like Mon State and Arakan State even though both groups had long histories of self-rule. In response, in 1948 Mon groups began what would become an almost five decade long armed struggle for self-rule. Other groups took similar actions, and the newly independent country soon found itself mired in civil war.

In 1958, after political conflict among Burman leaders in the ruling party, the central government offered General Ne Win, Chief of Staff of the Burmese Army, control of the country for one year as head of a "Caretaker Government." An election was held in 1961 and a democratic government under U Nu was formed. In late 1961 and early 1962, as ethnic nationalities advocated for more control of their territories, Gen. Ne Win claimed that a Federal system in Burma was destined for disintegration and seized power from U Nu.

Democratic and ethnic leaders were soon arrested and jailed, and Gen. Ne Win ruled the country, without a constitution, for the next decade. In 1974, lawyers and constitutional experts handpicked by Gen. Ne Win and the Burmese Army drew up a constitution. The new document abolished any last vestiges of a democratic

system or self-rule by ethnic nationalities. Instead, it legalized permanent single-party rule by the Burmese Socialist Programme Party (BSPP).

Gen. Ne Win's regime, operating as the "Revolutionary Council," then arranged a National Referendum, pressuring people to vote in support of the Constitution before declaring it confirmed with over ninety percent of the vote.

While the 1974 Constitution did divide Burma into seven ethnic states and seven Divisions where ethnic Burman people held the majority, it gave absolute power to the BSPP as below:

- It adopted as state policy the Burmese Way to Socialism, and officially formed the Burmese Socialist Programme Party.
- It vested all sovereign power of the State – legislative, executive and judicial – in the *Pyithu Hluttaw* (People's Assembly), in which all members were to be elected from the BSPP.
- It created only a central government – all state governments and the Ethnic Affairs Councils of the 1947 Constitution were abolished.
- It limited freedom of speech, expression and publication in deference to the "Interests of Working People in Socialism."
- It declared Burmese the common and official language
- It allowed nominal participation in political, social, class and mass organizations, but limited them by law.

After seeing the 1974 Constitution confirmed, Burmese Army military leaders traded in their military uniforms for civilian dress, acting as the political leadership of the country's single-party system. All elected members were appointed from Rangoon, and "elections" were only conducted for show, in which the people could elect one appointed representative with a "yes" or "no" vote. Members appointed by the BSPP were always elected.

The economic and social conditions of the country deteriorated severely under BSPP rule and, in 1987, Burma was declared a "Least Developed Country."

B. The people's genuine desire for democracy in Burma

The Burmese Army, first under the name the State Law and Order Restoration Council (SLORC) and then as the State Peace and Development Council (SPDC), has maintained power by bloodily suppressing opposition. In spite, and because, of this the people have shown genuine desire for change on the following notable occasions:

- **1988, pro-democracy uprisings:** across the country, people demanded abolishment of single party rule, a multi-party political system based on liberal democracy, formation of an interim government, peaceful transfer of power and unity and peace in the whole country. Military leaders refused and thousands of pro-democracy students, monks, government servants and civilians fled from the country to escape from the subsequent killings, arrests and detentions.

- **1990, General Elections:** the NLD, lead by Daw Aung San Suu Kyi, daughter of revolutionary hero Aung San, shocked the regime and won eighty-five percent of the vote. Most of the remaining votes went to the political parties of non-Burman ethnic groups in the ethnic regions. The SPDC, however, failed to transfer power to the winners of the elections.



Participants in the 1990 elections

- **1998, Formation of the CRPP:** elected MPs from the NLD and non-Burman political parties formed the **Committee for Representing People Parliament (CRPP)**. Unfortunately, SPDC authorities arrested many of the group's members, including Daw Aung San Suu Kyi.
- **2002-2003, Public support for the NLD prior to Depeyin Massacre:** After Daw Aung San Suu Kyi was released from detention in May 2002, she was allowed to move throughout the country. Wherever she and NLD leaders traveled, thousands of people from villages, towns and cities turned out to welcome her and listen to her speeches. The support shown her by the people signaled the people's hunger for democracy, but within a year the SPDC would issue its own counter-signal. On May 30th, members of the SPDC sponsored Union Solidarity and Development Association attacked a NLD motorcade near the village of Depeyin, in Northern Burma. Daw Aung San Suu Kyi narrowly escaped, but other NLD supporters were severely beaten and at least seventy are reported to have been killed.
- **September 2007, Saffron Revolution:** Thousands of Buddhist monks and civilians demonstrated peacefully in September 2007. Riot police, soldiers and government supported civilian thugs responded brutally. An estimated one hundred people were killed while hundreds more were beaten, arrested, detained and even tortured.

Observing events over the years, from 1988 to 2007, makes clear that people in Burma – monks, students, public servants, farmers and others – wish for democracy and peace. Unfortunately, it does not appear that this will be granted by the Draft Constitution.

C. Analysis of the Draft Constitution

Background of the Drafting Process

After refusing to transfer political power to those elected in 1990, the SLORC reframed the election. Rather than immediately take democratic office, those elected were to help draft a new constitution, only after the completion of which would a multi-party system be implemented. The people and winning parties were disappointed, but attempted to engage the SLORC in the drafting process.

In 1993, SLORC called a National Convention made up of handpicked supporters and some representatives of the political parties victorious in the 1990 elections. The first session of National Convention was held in January 1993 but, of 702 delegates, only 99 were representatives of the NLD or ethnic political parties. The remaining 603 delegates were sympathetic to, and controlled by, the military regime.

During the National Convention, regime supporters pushed for the military to occupy the central, dominant role in national politics. Representatives of the NLD and ethnic political parties felt this to be undemocratic and argued fervently against including such principles in the constitution. Over the next fifteen years, the drafting process was marked by conflicts between regime supports and representatives elected in 1990.

In 1996, political deadlock reached such a point that the SPDC halted the process, resuming it only in 2004 as the first of a seven-point "Road Map to Democracy." This time without inviting and consulting the representatives elected in 1990, the SPDC again held the National Convention.



Ethnic representatives at the National Convention

While the National League for Democracy did not participate, leaders of ethnic ceasefire groups were invited as special delegates. The National Convention was still overwhelmingly made up of members sympathetic to the regime, however, and in 2005 the United States State Department slammed the process as a sham.

The Draft Constitution is undemocratic

The regime does not appear to have changed its principles on the leading role of the military in national politics, and the Constitution's 15 Chapters and 457 Articles seem designed to cement its dominant position.

Military dominance in lawmaking and barriers to Constitutional Amendment

Article 109, in the Formation of People's Assembly, describes:

The People's Assembly shall be composed of a maximum 440 representatives (or members) as follow:

- (a) No more than 330 elected representatives elected on the basis of population, and
- (b) No more than 110 military personnel, nominated and submitted as representatives, pursuant to law, by Chief of Staff of the Defense Force.

Article 141, in the Formation of National Assembly, describes:

The National Assembly shall be formed with a maximum number of 224 members as follows:

- (a) A total of 168 elected representatives, elected on the basis of 12 per Region (or Division), including the Union Territories, and 12 per State, among whom shall be one representative from each autonomous Division or Province.
- (b) A total of 56 military personnel, whom Chief of Staff of the Defense Force has nominated and submitted as representatives, pursuant to law, on the basis of four per region, including Union Territories, four per State.

These two articles guarantee that military leaders will control twenty-five percent of both legislative bodies. These military officers will be appointed by the Chief of Staff of Defense Force, and will not have to run for election, or even remove their military uniforms, to be involved in parliament. This means that any policies disapproved of by the military will be sure to face opposition from a quarter of lawmakers – a substantially favorable handicap for the regime, who must then only “convince” another twenty-five percent of the Assembly, half as many representatives as the opposition must recruit to pass or oppose a given policy.

The impact of the guaranteed military representation becomes especially clear when understood in terms of amendments to the constitution. While amendments must only be sponsored by twenty percent of lawmakers, over seventy-five percent must approve an amendment before it can be submitted to the public for a national referendum. The guaranteed military quarter of the vote, then, means that amending the constitution is functionally subject to an up or down vote of military approval. Perhaps even more frightening, the Irrawaddy reports that while early copies of the Constitution made public by the regime state that “more than half of all eligible voters” must approve an amendment, a copy that leaked in early April contains four fewer words, requiring support from “all eligible voters.”

Lack of Rights for Ethnic Nationalities

Although the current Constitution is comprised of two assemblies, which is similar to many federal countries, it does not guarantee equality for ethnic nationalities within those assemblies. Moreover, the Constitution continuously proposes chauvinism in order to support political and racial power for the majority Burman people and members of the Burman-dominated Burmese Army.



Public copy of the SPDC Draft Constitution

Ethnic nationalities from the Seven Ethnic States will be given 37.5% of seats in the National Assembly, 37.5% will be given to majority Burman people from the Seven Burman Regions and the remaining 25% will be controlled by the military. In the People's Assembly, of which 75% is made up of representatives elected from the political parties, majority Burmans can be expected to get even more seats.

In addition to setting up a system likely to be dominated by ethnic Burmans, the Constitution does not

guarantee “equal racial rights,” and contains no provisions for the protection of minority rights. Although the Constitution provides for State Assemblies in each ethnic state, military commanders will control 33% of representatives. The Chief Minister of the state or region will also be nominated and appointed by the President of the central government, and chosen from among the state or regional assemblies. This means that although ethnic people may elect their representatives, the leaders of winning parties will not necessarily be able to hold high office in their state or region.

The president, who will often be of the military, or will in the very least have to work carefully to avoid conflict with the Defense Forces, will likely appoint persons close to the military. This means that while State Assemblies may be operating, they will be doing so dominated by the military.

While the Constitution does allow for the creation of Six Union Territories for the Naga ethnic tribe, Da-nuu people, Pa-oh people, Palaung people, Koka people and Wa people, these groups will have no right to elect their own leaders to the National Assembly. Only the president of the central government will select their leaders to join in the National Assembly.

The Constitution also does not guarantee or encourage the maintenance or preservation of non-Burman ethnic nationalities’ cultural rights – language, literature, traditions, customs, etc. Chapter 8, Article 354 (D) describes:

“Ethnic nationalities by one to another, or within in the community of an ethnic group, without attention to discriminate other regions, they can practice to develop their languages, literatures, cultures, religions and customs.”

This provision reads very similarly to the 1974 Constitution, which in similar words seemed to permit ethnic nationalities’ cultural rights while, in reality, the Central government never encouraged ethnic people’s undertake their own programs to preserve and maintain their languages and cultures. The BSPP government, and the current SPDC, did, and does, not allow ethnic languages to be taught in schools or used in government offices.

Worse, like the 1974 Constitution, the Draft Constitution defines Burmese as the “ONLY official language,” which will seriously affect ethnic people’s rights to use their language in public, government offices and ceremonies. This is a key point of the regime’s systematic Burmanisation policy, designed to assimilate ethnic identities into a single “Myanmar National Character.”

Legalized coups and broad authority to crack down on demonstrations

According to this Draft Constitution, the Central government has less power than **the National Defense and Security Council (NDSC)**. The role of this Council is very similar to both the Revolutionary Council, led by Gen. Ne Win after the 1962 coup, and the current SPDC, led by Gen. Than Shwe.

In Chapter 5, Article 201 described the formation of NDSC as below:

By the authority of Constitution and laws, in order to carry on duties, **the National Defense and Security Council** under the leadership of State President will be formed with the following persons:

1. President
2. Vice President
3. Vice President
4. Chairman of People’s Assembly
5. Chairman of National’s Assembly
6. Chief of Staff of the Defense Force
7. Deputy Chief of Staff of the Defense Force
8. Minister, Ministry of Defense
9. Minister, Ministry of Foreign Affairs
10. Minister, Ministry of Home Affairs
11. Minister, Border Affairs

Among the eleven members of NDSC, at least six members are guaranteed to be from Burmese Army or Defense Forces, meaning that the military will always hold the majority when deciding emergency issues. One of the Vice Presidents, as well as the Chief of Staff, Deputy Chief of Staff, Minister of Ministry of

Defense, Minister of Home Affairs, and Minister of Border Affairs are all military men and can be expected to place the interests of the Burmese Army first.

It is especially frightening that the military can be expected to dominate the NDSC, given the breadth of its authority. The NDSC has the right to:

- suppress any demonstrations or strikes against the government or Armed Force, if it believes these activities threaten the security of the state.
- approve attempts by the President to declare ‘amnesty’ for individuals or groups
- encourage the Union Assembly via the President to propose bills and make laws to support and strengthen the armed forces, in the cases of purchase of military supplies and equipments, etc.
- transfer power to the Chief of Staff of the Defense Force if the NDSC determines there to be a “state of emergency.” If there is an emergency situation the NDSC believes threatens the security of the State, the NDSC has the special authority to take over President’s power and control the whole State administration and Union Assembly’s legislative power.
- use force or violence to suppress rebellion, insurgency, demonstration, etc until the law and order has been restored and a situation is no longer classified as a “state of emergency.”

In other words, a coup by the NDSC or Chief of Staff is legal whenever the NDSC or Chief of Staff feels there to be an emergency in cities or in the border areas.

Restriction against Civil and Political Rights

In Chapter 8, the Constitution mentions the basic rights and responsibilities of citizens. Article 354, describes:

Every citizen, **without disturbing the State security**, rule of laws, peace and development of the communities, and other laws can practice freely for the following rights:

- Rights of freedom of belief, expressing the opinion and freedom of expression and publication
- Freedom of demonstration in peaceful way without arms
- Freedom of assembly, association, and organization
- Ethnic nationalities by one to another, or within in the community of an ethnic group, without attention to discriminate other regions, they can practice to develop their languages, literatures, cultures, religions and customs

Notably, every freedom is contingent upon not “disturbing the State security, rule of laws, peace and development.” The authorities will then, still, have the right to restrict every freedom whenever they deem it necessary. And, given the SPDC track record, it is reasonable to assume that pro-democracy demonstrators will be classified as risks to security. [DOES CONSTITUTION DEFINE THE ISHT IN THIS CLASUE?]

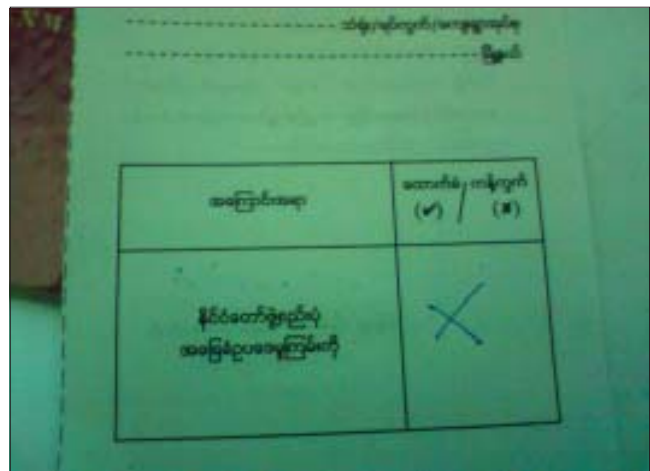
D. Undemocratic preparation for the referendum

Just as the Constitution drafting process, and the document itself, are undemocratic, so to have been the preparations for the referendum. The public was not permitted to read the constitution until late March, when a draft leaked. And an official public copy was not made available until the first week of April, barely one month before the scheduled vote and hardly sufficient time for reasoned deliberation.

Opposition to the referendum has also be outlawed, and those who “disturb the smooth procedure of the referendum” face jail sentences and heavy fines. Opposing the referendum also risks violence and harassment at the hands of organizations like the USDA, who are reported to have been assaulting people across the country.

While criticism and “Vote No” campaigns are harrassed and effectively outlawed, the regime has stepped up its efforts to ensure the populace votes “Yes.” State television is running nearly constant advertisements, and billboards across the country encourage “Yes” votes, proclaiming it to be the “national duty of the entire people today.” The regime is also resorting to threats – civil servants and teachers face losing their jobs, students their eligibility for school and farmers their land if they vote “No.” All government employees are reported to have been instructed to vote early, in the presence of military officials who will verify that they provide an affirmative vote. While ballots in Rangoon and other places easily accessed by outside observers will be anonymous, the voting process in rural areas and places classified as “brown” or “black,” rebel-controlled or contested zones will be in patent violation of the voter’s right to privacy; every voter will be required to sign his or her name next to his or her vote, virtually ensuring that voters in these areas will vot “no,” for fear of reprisals.

The regime also seems to be attempting to disenfranchise demographics from which it can expect to receive large percentages of “No” votes. Monks, who have traditionally played a vanguard role in politics and spearheaded the Saffron protests, will not be allowed to vote. Prisoners will also not be allowed to vote, which is unsurprising given that almost two thousand people are incarcerated for political reasons. Anyone who has illegally worked in neighbouring countries is also prohibited from voting, perhaps because those who have worked abroad have been exposed to information outside regime control and because the very act of leaving for work registers a serious level of discontent with conditions in Burma.



A ballot with a “No” vote, cast at the Burmese embassy in Singapore

SPDC tactics seemed designed to stifle debate and discussion about the merits of the Constitution so that an uninformed populace can more easily be manipulated. Many Mon villagers, for instance, report that they have not yet decided how they will vote and have not read or seen a copy of the Constitution.

E. Conclusion

A nationwide referendum on a draft constitution is scheduled for May. It was not drafted democratically, and will not foster democracy. It entrenches military power and sets up a political system in which the military can assume full control in almost any circumstance. It provides little autonomy for ethnic nationalities, and paves the way for the continuance of the SPDC’s Burmanisation policies. And, in spite of its many flaws, it provides virtually no realistic recourse for modifications other than those that suit the military government.

It is unlikely that the Constitution will lead to national reconciliation. It is more likely that political conflict in Burma will increase. The regime still detains hundreds of political prisoners, including Daw Aung San Suu Kyi, 88 Generation Student leaders and ethnic leaders. The pro-democracy opposition will continuously fight for democratic rights, as well as other economic and social rights. At the same time, since the Constitution does not guarantee the rights of ethnic nationalities, many non-Burman people will continue their struggle for self-rule and equal rights.

News

Cease-fire groups required to provide security for the referendum

Lawi Weng, HURFOM, 28 April

Ethnic cease-fire groups have been asked to provide security during the national referendum on a Draft Constitution, reports a New Mon State Party (NMSP) official.

The cease-fire groups, including representatives of the NMSP, the Democratic Karen Buddhist Army (DKBA) and the Karen Peace Front (KPF) were invited to a meeting last week with officers of the SPDC Referendum Commission in Three Pagoda Pass, on the Thai-Burma border.

The commission officers informed the party officials that they would be providing security during the voting process, and that polling boxes would be sent to "liberated areas," which SPDC officials cannot access without permission from cease-fire groups. It remains unclear, however, whether SPDC officials expect to actually escort the polling boxes into liberated areas.

Some within the ceasefire groups are less than excited about helping the regime with the referendum. "This is their job. It isn't ours. Why should be responsible

for their polling security?" said an official within the NMSP, who wished to remain anonymous.

Although the NMSP has announced its opposition to the referendum and the draft constitution, party officials say they will allow polling boxes to be brought into liberated areas. The party and other cease-fire groups seem to have little choice, and one official who attended the meeting reports that the SPDC would brook no refusal.

While polling boxes may be available in liberated areas, party officials made sure to caution that they will not guarantee people actually vote. Many Mon people are not keen about voting or going to the polling stations. According to a café owner in Wai Zin, near Ye township, in Southern Burma, Mon State, many people in his area will not be going to polling stations. "And if we have to go, we will vote not," the man reported.

"People are not interested in the referendum," said an NMSP colonel. "They do not know anything about the constitution – they only know that their daily lives are a struggle and they are working to survive."



Classes canceled to make room for polling stations

IMNA, Thu 24 Apr 2008

Government schools in townships will be converted to polling stations for the referendum. Orders have been issued to conduct mobile classes in Mon summer schools held in government school precincts, according to the Mon Literature and Culture Committee (MLCC) in Southern Burma.

According to the MLCC, local authorities in Ye township, Southern Mon State, ordered the MLCC not to teach students Mon summer school classes in government schools because they will be converted into polling stations.

An IMNA source said "last year, the MLCC taught students in its summer schools in about ten schools in Ye Township without being prohibited by local authorities. But now they are not allowing teaching at these schools."

The MLCC said that they began holding summer school classes in five monasteries after local authorities prohibited teaching at schools.

The summer schools opened in the monasteries today, but the number of students has decreased because some monasteries are far from the homes of students, said the source.

According to a government school administrator in Mon State, the polling stations in could be in some primary schools. Education department staff members in the township were forcibly made to sign a pledge to cooperate with the referendum commission.

An IMNA source said local authorities will announce the list of voters in their offices before the poll day. Residents will have to check off their names at local authorities' offices.

News

Water festivities marked by referendum campaigns

Thu 17 Apr 2008

IMNA

Referendum campaigns launched by both military government authorities and Vote “NO” activists were wide spread in Mon State during Songkaran, the New Year water festival.

In Moulmein, the capital of Mon state, local SPDC authorities and supporters put big signs encouraging “Yes” votes on Songkaran stages and backgrounds. But activists and opposition groups sprayed colored paint on roads encouraging “No” votes.

Both sides launched campaigns in places where the general public travels and can notice during the water festival.

“After activists sprayed pain, local military officers cleared the spray. But the campaign to give supporting votes were displayed all the five days on the stages,” a local observer in Moulmein told IMNA.

However, the campaign against the Constitution also took place further south in Mon state, in places like Mudon and Thanpyuzayart Townships.

The main road connecting Moulmein to Ye roads was regularly sprayed with “No” and “X” symbols.

But military government authorities plan to force local people to give supporting votes and is starting to hold meetings with local villages’ headmen.

“As higher ranking authorities order us, we have to tell villagers to vote ‘Yes,’ and we have to drive villagers who vote ‘No’ from the village. We are also ordered to take lists of the people who vote ‘No,’” explained a village headman who joined the meeting at Mudon township arranged by Commission for Holding Referendum.

According to activist sources, the campaign to vote “No” will still continue in Mon state. Many papers covered with “X” marks were attached to trees fliers are continuously being distributed to the public.

News from page 2

The world’s largest exporter of rice, Thailand, is unaccustomed to importing such quantities. Many consumers in Burma are worried that the new trend will stretch their budgets. Prices have already increased from seven hundred baht for a sixty-kilogram sack in March to eight-hundred and twenty baht in April.

Thai and Burmese border personnel have made an unofficial rice trade agreement allowing the transport of rice from Burma to Thailand. This agreement allows traders to bypass usual trade routes; although the Thai-Burmese border at Three Pagodas Pass has officially been closed for more than a year, the rice trade has continued via a new unofficial crossing, said a rice bag carrier.

According to a Burmese border guard who wished to remain anonymous, to pass through the new crossing a tax bribe of five baht per sack of rice must be paid to the Burmese border guards.

Officially, the Burmese junta does not allow rice to be traded at the border, except where an understanding has been made between commercial traders in the border town, where limited stocks are permitted to

be imported for the town only, said a trader at Three Pagodas Pass.

There are several major commercial rice traders at Three Pagodas Pass. According to local buyers, some traders currently have rice stores estimated at up to three-thousand kilograms, or three metric tonnes, stored in sixty kilogram sacks. These stores are not, however, available for purchase; with the secret agreement in place, these stores are intended for future sales in Thailand.

Depending on the demand from Thailand and the extent of the rice shortage crisis, rice from the Burmese side of the border will continue to be transported illegally, said a trade observer from the border town.

At this stage it is not known whether this style of illegal rice trade is continuing the length of the Thai-Burmese border, or if it is confined to the Three Pagodas Pass area.

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News

MNDF says Junta desperate to have Constitution approved

Mon 21 Apr 2008
IMNA

The Burmese military junta is desperate for its draft constitution to be approved at any cost, even though people by and large do not want to accept it, says a leader of the Mon National Democratic Front (MNDF).

“The military government plans are to have the draft constitution approved at any cost. Except for campaigning among people to cast the ‘No’ vote we don’t have any other way to fight back,” said Nai Ngwe Thein, the Vice-chairman of the MNDF.

“I can’t say what we should do. But we have to wait until the result of the referendum is announced,” he added.

The military government owns MRTV and almost everyday reports on how to vote for the upcoming referendum.

A group of Mon politicians from Mon state said that the voting process will not use secret ballots and people will not dare not to vote the way they want to.

Meanwhile, the Burmese junta has ordered each government staff to sign a pledge to vote “Yes.” and told them to cooperate with the Referendum Holding Commission in campaigning for the “Yes” vote.

Mon state military regime authorities have also ordered local people and rural people to vote “Yes” and said that it would take action against people who do not come to vote or who vote “No”.

However, activists in Mon State and opposition groups are distributing fliers that say “Vote No” and are explaining to people the reason for casting the “No” vote.

Some fliers say voting “Yes” would mean wanting the junta to rule the country with the support of the people.

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Referendum Commission threatens to delay elections if Constitution rejected

Wed 09 Apr 2008
IMNA

As the referendum draws near, the Burmese military regime is stepping up its aggressive campaign. The referendum commission in Mon State has told residents that they would have to wait a decade for general elections if they cast a “No” vote. The declaration was made yesterday in Mudon Township, even as opposition parties and activists were campaigning among the people to reject the Draft Constitution.

The five member commission encouraged the people to cast “Yes” vote after explaining how to vote in May 2008 at Kyaik Roa village.

A member of the commission said, “If you do not vote ‘Yes,’ you have to wait ten more years to get this chance again,” a participant from the village told IMNA.

The military regime sent the commission to Mon State in the beginning of last month. Meanwhile, the country’s largest opposition party, the National League for Democracy (NLD), has asked the people to cast a “No” vote.

Even as the junta is telling people to cast the “Yes” vote, Mon activists are distributing a pamphlet about the draft constitution that states that the junta is seeking to perpetuate its rule in the country and there will be precious little rights for the Mon people. It is encouraging people to cast a “No” vote.

According to Mon activists who are urging people to vote “No”, the pamphlet was distributed in a majority of Mon villages in Southern Moulmein, the capital of Mon State.

The pamphlet also asks the Mon community not to support the “Nai Aung Naing” group, which split from the New Mon State Party and surrendered to the junta. The pamphlet also says that the Nai Aung Naing group is betraying the nation.

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Information on HURFOM and Invitation for Feedbacks from Readers

Dear Readers,

The Human Rights Foundation of Monland (HURFOM) was founded in 1995 by a group of young Mon people. The main objectives of HURFOM are:

- monitoring the human rights situations in Mon territory and other areas Southern Burma,
- protecting and promoting internationally recognized human rights in Burma

In order to implement these objectives, HURFOM produces the monthly "Mon Forum" newsletter. If publication is delayed it is because we are waiting to confirm information, and it comes with our heartfelt apologies.

We encourage you to write to us if you have feedback or if you know someone who you think would like to receive the newsletter. Please email or mail a name and address to:

HURFOM, P. O. Box 2237, General Post Office
Bangkok 10501, THAILAND
E-mail: [hurformcontact@yahoo.com](mailto:hurfomcontact@yahoo.com)
Website: <http://www.rehmonnya.org>

With regards,

Director
Human Rights Foundation of Monland

News

Government groups organizing villagers in Mon State to vote "Yes"

April 23, 2008
HURFOM

On the 18th of April, the Referendum Commission of Mon State appointed retired government staff, including teachers and professors, to observe and organize people during the upcoming referendum.

On the same day, members of the Township Election Committee visited many villages in Mudon Township, including Naing Hlon, Lat Thet, Thor Kuu, Tha Kon Taing, Paing Ka Mar, Nyaung Konn, Kamawet, Ka Lot Toh, Kon Hlar, Yaung Daung and Hnee Pa Daw and called the villagers to a meeting. Meetings were held in either the office of the Township Peace and Development Council or Government Schools.

In the meetings the officials instructed villagers to bring their identity cards to polling stations, and provide a copy of their signature together with their identity card numbers.

Villagers were then shown how to vote 'Yes' and place their vote card into the correct box. Members of the Union Solidarity and Development Association (USDA) aided in the meetings.

One villager present at the meetings said, "It seems the authorities are threatening us with these demonstrations. It is not a normal activity to ask for our ID numbers and our signatures. It is the same as forcing us to vote 'YES'."

An anonymous monk told HURFOM, "Many civilians who live in Thanbyuzayat and Mudon Township are educated and they don't understand the current situation. But they are afraid of the government. Therefore, it might lead to a situation where people have to do as the authorities order. If there is no unity among our civilians, the lives of our people worsens each day."

Some Acronyms in This Issue

- SPDC - State Peace and Development Council,
- IB - Infantry Battalion (*of the Burmese Army*),
- LIB - Light Infantry Battalion (*of the Burmese Army*),
- ILO - International Labour Organization
- USDA - Union Solidarity and Development Association
- NMSP - New Mon State Party

News

Hungry and Weak; Burmese Migrants Deported

April 10, 2008
Lawi Weng, HURFOM

More than one hundred Burmese migrants arrested in Sanghklaburi, Thailand yesterday have been deported to the Thai-Burma border at Three Pagodas Pass, according to an eyewitness who visited the Sanghklaburi jail.

The Burmese migrants captured in Sanghklaburi were kept in jail overnight.

“The jail was crowded with people. There was no free space. They could not sleep, but just lay on the concrete floor. There was no food either. This was why the police released them earlier than planned,” said an anonymous source.

“Many people were happy because they were released from jail and knew they would return to Burma soon. Outside the jail, they said goodbye and gestured to the police guards while being loaded into the trucks that would deport them from Sanghklaburi,” he added

Most people were from Karen State, in Kyaik Mayaw township. They were Mon people who were unemployed and looking for work in Thailand.

The migrants were arrested during the night, following a raid by Thai army border guards, who were tipped off about where the migrants were living in the forest. All migrants arrested, including some women and children, had been hiding approximately one kilometer from Three Pagodas Pass.

“The migrants ran out of food four nights ago, and were very weak. Several of the women could not stand on the trucks, so police had to bring a second smaller truck to transport them,” said a witness.

The deported people were delivered to Burmese authorities on the Thai-Burma border at Three Pagodas Pass.

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Burmese migrant workers, arrested in Thailand

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