ana galan In the Quest for Utopia 7/2



အခန်း(၁၂) ဖွဲ့စည်းပုံအခြေခံဥပဒေပြင်ဆင်ခြင်း

၄၃၃။ ဤဖွဲ့စည်းပုံအခြေခံဥပဒေပါ ပြဋ္ဌာန်းချက်တစ်ရပ်ရပ်ကိုပြင်ဆင်လိုပါက အောက်ဖော်ပြ ပါ သတ်မှတ်ထားသောနည်းလမ်းအတိုင်း ဆောင်ရွက်ရမည် -

- (က) ဖွဲ့ စည်းပုံအခြေခံဥပဒေကိုပြင်ဆင်ရန် တင်သွင်းသောအဆိုကို ဥပဒေ မူကြမ်းအဖြစ်ဖြင့် တင်သွင်းရမည်၊
- (ခ) ဖွဲ့စည်းပုံအခြေခံဥပဒေကိုပြင်ဆင်ရန် အဆိုတင်သွင်းသော ဥပဒေမူကြမ်းတွင် အခြားအဆိုများ မပါရှိစေရ။

၄၃၄။ ဖွဲ့စည်းပုံအခြေခံဥပဒေကိုပြင်ဆင်ရန် ဥပဒေမူကြမ်းကို ပြည်ထောင်စုလွှတ်တော်တွင် တင်သွင်းရမည်။

၄၃၅။ ဖွဲ့စည်းပုံအခြေခံဥပဒေကိုပြင်ဆင်ရန် ဥပဒေမူကြမ်းကို ပြည်ထောင်စုလွှတ်တော်ရှိ လွှတ်တော်ကိုယ်စားလှယ် စုစုပေါင်း၏ ၂၀ ရာခိုင်နှုန်းက တင်ပြလာလျှင် အဆိုပါပြင်ဆင်ချက် ဥပဒေမူကြမ်းကို ပြည်ထောင်စုလွှတ်တော်က လက်ခံဆွေးနွေးရမည်။

Chapter XII AMENDMENT OF THE CONSTITUTION

- 433. Any provision of this Constitution may be amended in the manner herein after provided:
 - the proposal to amend the Constitution shall be submitted in the form of a
 - b) the Bill to amend the Constitution shall not contain other proposals.
- 434. The Bill to amend the Constitution shall be submitted to the Pyidaungsu Hluttaw.
- 435. If twenty percent of the total number of the Pyidaungsu Hluttaw representatives submit the Bill to amend the Constitution, it shall be considered by the Pyidaungsu Hluttaw.
- 436. (a) If it is necessary to amend the provisions of Sections 1 to 48 in Chapter I, Sections 49 to 56 in Chapter II, Sections 59 and 60 in Chapter III, Sections 74, 109, 141 and 161 in Chapter IV, Sections 200, 201, 248 and 276 in Chapter V, Sections 293, 294, 305, 314 and 320 in Chapter VI, Sections 410 to 432 in Chapter XI and Sections 436 in Chapter XII of this Constitution, it shall be amended with the prior approval of more than seventy-five percent of all the representatives of the Pyidaungsu Hluttaw, after which in a nation-wide referendum only with the votes of more than half of those who are eligible to vote.

Newin, Page 173 (Article 436)

Arrested in 1989 for 15 years and 4 months for being part of the Communist Party.

Arrested in 2008 for 2 years and 7 months for crimes against state tranquillity and unlawful association. Both Nay Win and his daughter (Political Prisoner 4/20) were arrested in the aftermath of the May 2008 Cyclone Nargis disaster for helping to bury the people killed by the storm, despite the then-ruling military regime's efforts to block aid to affected regions. On their third night coming back to Yangon they were caught and the 6 were arrested because Phyoe Phyoe Aung, Newin's daughter, was there and she was "part of a political movement".

PAGE 173 OF THE 2008 CONSTITUTION. ARTICLE 436. This Article is the main obstacle for constitutional reform. It gives the Burmese military an effective veto over Constitutional amendments. Amending any part of the Constitution requires the support of more than seventy-five per cent of members of the Union Parliament, in which a quarter of seats are reserved for (unelected) serving military officials, and a nation-wide referendum with the votes of more than half of those who are eligible to vote.

NAME OF POLITICAL PRISONER: Newin

GENDER: Male ETHNICITY: Freethinker RELIGION: Buddhism DATE OF BIRTH: 9.7.1960 Age 54 EDUCATION: Veterinary Sciences at Yangon University, learned acupuncture between 2004 and 2008 OCCUPATION BEFORE PRISON: Veterinary OCCUPATION AFTER PRISON: Acupuncturist. (Between 2004 and 2008 he was a merchant of clothes and learned acupuncture.)

FIRST TIME IN PRISON

ARRESTED on July 1989 for 15 years and 4 months for being part of the Communist Party that Aung San founded in 1939. In 1984, Ne Win wanted to study Marxism and he contacted the Communist Party, which was illegal. Between 1984-1989 he became a pre-member of the Communist Party and he recruited future members in different universities. Before being arrested, he also participated in the Alliance of NLD, which united many parties to support NLD for the 1990's elections.

SECOND TIME IN PRISON

ARRESTED on June 2008 for 2 years and 7 months for crimes against state tranquillity and unlawful association. Both Nay Win and his daughter were arrested in the aftermath of the May 2008 Cyclone Nargis disaster for helping to bury the people killed by the storm, despite the then-ruling military regime's efforts to block aid to affected regions. Aung Kyaw San, a friend of Ne Win, a writer and poet, became the leader of a volunteer group that buried dead bodies resulting from the cyclone. Nay Win, his daughter Phyoe Phyoe Aung and three other accompanied him south of Yangon to help. On their third night coming back to Yangon they were caught and the 6 were arrested for harboring a fugitive, Phyoe Phyoe Aung, who was part of a "political movement".

OTHER: Nay Win elaborated a study on what happens to the prisoners after detention in prisons and labour camps. He estimates that in Myanmar, over 90% of the common prisoners are taken to labour camps where they are obliged to do forced labour. "It is like going to hell". From 1999 to late 2005, the International Committee of Red Cross (ICRC) had been allowed to visit regularly dozens of jails and labour camps nationwide to meet detainees and where they checked on inmates' health and treatment and provided them with soaps and medicines, and even gave money to families of political prisoners in order that the families could visit their loved ones. Thanks to the ICRC's mediation, the percentage of political prisoners that were taken to labour camps, and died there, decreased from a 3% in 1999 to only a few. However, concerning the common prisoners in labour camps, Nay Win estimates that 75% die because of the heavy work, the beatings, the little and bad food they are given, because of malaria, diarrhoea, dysentery and the lack of medicines. These prisoners do forced labour with iron chains in their feet. When the ICRC visited the Myanmar prisons, the officers had buried the chains so they did not see them. Since 2011, Myanmar is sustaining an ongoing reform process and at the beginning of 2013, ICRC resumed the visits to the detainees in Burma's prisons after a seven-year stoppage. It is expected that in 2014 ICRC delegates will visit detainees in prisons and labour camps, according to the ICRC's standard procedures, to monitor their treatment and living conditions, and provide the authorities with confidential feedback.

WISHES FOR 2015: He wants to destroy the 2008 Constitution.

HISTORY CLOSE-UP: CYCLONE NARGIS

Cyclone Nargis was a rare, eastward moving at low-latitude, strong tropical cyclone that caused the worst natural disaster in the recorded history of Myanmar; It is estimated that more than 130,000 people died or went missing and damage totalled 10 billion dollars (US\$). The cyclone made landfall in Myanmar on Friday, 2 May 2008, sending a storm surge 40 kilometres up the densely populated, rice-farming delta of the Irrawaddy Division, causing catastrophic destruction and at least 138,000 fatalities. The Labutta Township alone was reported to have 80,000 dead, with about 10,000 more deaths in Bogale. There were around 55,000 people missing and many other deaths were found in other towns and areas, although the Myanmar government's official death toll may have been underreported, and there have been allegations that government officials stopped updating the death toll after 138,000 to minimize political fallout. The World Food Programme reports that, "Some villages have been almost totally eradicated and vast rice-growing areas are wiped out." The United Nations estimates that as many as 1 million were left homeless and the World Health Organization "has received reports of malaria outbreaks in the worst-affected area." Yet in the critical days following this disaster, Burma's isolationist regime complicated recovery efforts by delaying the entry of United Nations' planes delivering medicine, food, and other supplies. The government's failure to permit entry for large-scale international relief efforts was described by the United Nations as "unprecedented."