

WGIP 87/SEA. MMR/1

Madam Chairperson,

Please allow me, first of all, to tell you how happy my delegation is to see you presiding over the proceedings of this August body of the Working Group on Indigenous Populations. May I convey to you on behalf of my delegation the warmest congratulations on your re-election for the third consecutive term) as the Chairperson/Rapporteur of this Working Group.

Madam Chairperson,

One individual from the ranks of NGOs made a statement in this Working Group yesterday on the principle of self determination of the indigenous peoples with special reference to the right of self-determination of indigenous nationalities in Burma. With your permission, Madam Chairperson, my delegation wishes to lay bare before this Working Group facts concerning the fundamental rights and freedoms of citizens in Burma.

For the first time in history, Karens have a state of their own in the independent Burma and they accordingly enjoy both in law and practice all the fundamental rights including the right to exercise local autonomy under central leadership in the independent Burma, as provided for in the present state constitution. In fact, not only Karens, but all the national groups and all citizens in Burma fully enjoy both in law and practice the fundamental rights and freedoms, as provided for in the state constitution.

Those fundamental rights and freedoms are enshrined in both the old constitution of 1947, which was drawn up before Burma's attainment of independence and the new state constitution of 1974.

As a matter of fact, the present state constitution is the most eloquent testimony of the full enjoyment of the fundamental rights and freedoms by all citizens in Burma regardless of race, religion or sex. The way the new state constitution was drawn up and approved by the people of Burma is also unique and interesting. It is truly a constitution of the people by the people for the people. For more than two years the whole cross-section of the people throughout the length and breadths of the country were actively engaged in the making of the aforementioned constitution. The Constitution Drafting Commission issued a statement on 25 September 1971, inviting the general public to offer suggestions for a new constitution. Numerous suggestions from the people from all walks of life were consequently received. Those suggestions were duly considered and duly taken into account in the drafting of the new constitution. In order to ensure the broadest possible participation by the general public in the making of the new constitution, fifteen sub-commissions toured the states and divisions and sought the suggestions from the people from all walks of life. Necessary and appropriate revision and redrafting of ^{the constitution} were carried out in the light of ^s suggestion from the general public. A total of three drafts - the First, the Second and the Third Drafts of the Constitution - went through this process. The final draft constitution was adopted in a referendum ^{held} in December 1973, with the positive vote of the overwhelming majority of 90.19 per cent of the voters. The draft constitution was promulgated on 3 January 1974.

Madam Chairperson,

The Karen leaders representing
of Karen people in the Karen State
 took an active part in the whole process of drafting
 both the old and the new constitution, from the beginning to the
 end. In the case of ^{the} new constitution, which was approved and
 adopted by the nation-wide referendum, Karen people from all
 walks of life voted for its approval and adoption overwhelmingly.

Regarding the principle of self-determination, I wish to
refer to the observation made by the Special Rapporteur
 Mr. Martinez Cobo in his report on indigenous populations. He
 observed that the right of self-determination may be expressed
 in various forms of autonomy within a state, without necessarily
 including a right to separation *from*

Madam Chairperson,

I should like to draw your ^{kind} attention to the fact that
 this fundamental right is fully enshrined in Article 28 of the
 new State Constitution. I quote: "local autonomy under ^{the} central
 leadership is the system of the State." End of quote. Other
 fundamental rights and freedom of citizens are enshrined in
 various articles of the constitution. The constitutional rights
 of all national groups, such as the prohibition of exploitation
 of one national race by another, equal opportunity for all
 citizens regardless of race, religion or sex, the exercise of
 local autonomy under the central leadership, the constitution of

various states where various national groups live, the rights of every citizen to freely use one's language and literature and to freely practice one's customs, culture and traditions, are fully guaranteed in various provisions of the present Constitution. I shall not go into details. Suffice it to mention, among others, Articles 2, 8, 22, 28, 31, 152, 155 and 164 of the Constitution.

At the outset of my statement, I said that the national groups and citizens in Burma enjoy fundamental rights and freedoms not only in law but also in practice. In the implementation of the new constitution, general elections were held: 1974, 1978, 1981 and 1985. As a result of those elections Karen people are represented at various levels of state organs and administrative bodies from the lowest village or ward level up to that of the Council of State. The People's Councils at the village/ward, township and state levels in the Karen State are now principally composed of Karen members.

Madam Chairperson,

To dwell briefly in the historical perspective, all the national groups in Burma have lived together in peace and harmony through weal and woe throughout our history. Historically and traditionally, the internal relations between the national groups have been one of political, economic and social interaction, resting on a pattern of mutual accommodation.

The interaction of the various indigenous groups, moving towards integration, assimilation and national synthesis, constitutes a continuing theme in recorded Burmese history. It is this continuous thread of Burmese history, the political and social dynamics of the process, that has helped mold the Burmese nation. As a result, Burma was a strong and unified country under three famous and long reigning dynasties (Pagan, Toungoo and Konbaung Dynasties) from 107 A.D. to 1885. This nation building synthesis reached its highest stage during the last reigning Konbaung dynasty.

^{The} Colonial rule changed the situation. After three Anglo-Burmese wars ⁱⁿ (1824, 1852, 1885), Burma was totally annexed by the British in 1885, thereby destroying Burmese monarchy, who held the allegiance of the indigenous groups. Many Burmese institutions underwent a process of erosion. Colonial rule introduced forces which arrested the interaction of the indigenous people, thus freezing the process of integration, assimilation and national synthesis. Instead, the divide-and rule policies of the colonialists caused misunderstanding among the different indigenous groups. ~~Missionaries also played a part in the alienating process.~~

^{the} Under colonial rule, the main part of Burma was administered as one unit. The indigenous national groups (Kachin, Shan, Chin and some Karens) were administered separately from the main unit, thereby allowing no new modern relationship to evolve between the various indigenous ^{people} of Burma.

Madam Chairperson,

National unity was forged again at the Panglong Conference in the Southern Shan State of Burma on 12 February 1947, through

the genius and personal leadership of General Aung San, the architect of Burma's independence. The Panglong Conference brought together the leaders of the various national groups of Burma. They signed the Panglong Agreement which was an expression of the will of all the national groups of Burma to remain united ^{as} ~~in~~ one entity, through weal and woe, and to fight together for the freedom they had so long striven for. Its political significance can be gauged from the fact that in less than a year, Burma regained her independence on 4 January 1948. Since then, Burma has regained the path of interaction among the indigenous national groups. Internal relationships between the various ^{nat.} groups are in the process of evolution towards the growth of a more mature relationship, in contrast to the enforced administrative separatism that existed under ^{the} colonial rule. The ~~main~~ leadership of all the national groups are today unitedly engaged in the overall political, social and economic processes, shaping the destiny of Burma.

Madam Chairperson,

^{Time}
This does not permit me to dwell at greater length on various aspects of this question.

Madam Chairperson,

One individual from the Karen National Union could only be no other than ^{one of the} Karen or other elements who are engaged in such nefarious terrorist acts as bombing of public places,

indiscriminate killing of innocent people en masse and the destruction of bridges, rails and roads in addition to smuggling and trafficking in narcotic drugs as a means of their livelihood. These elements are defying the law of the land by engaging in all kinds of criminal and terrorist acts. They represent no one but themselves.

The statement of the aforementioned individual was ^(K-1) manifestly politically-motivated.

Madam Chairperson,

I fully trust that the distinguished members of the Working Group know best how to distinguish the chaff from the grain. For different statements made and different views expressed in this Working Group have different intents. Most of the statements made and ^{the} ~~the~~ ^{views} ~~of~~ ^{expression} in the Working Group might ^{well} deserve serious consideration. However, the statement made by the aforementioned individual yesterday on the present agenda item was totally devoid of credibility. As it was manifestly politically-motivated and ^{made} ~~was~~ made with the malicious intent to tarnish the image of and to undermine the national unity, integrity and sovereignty of the Socialist Republic of the Union of Burma.

Thank you, Madam Chairperson.