

Draft Sagaing constitution missing key rights

24 February 2025

The draft Sagaing Federal Unit Interim Constitution marks a significant improvement over Myanmar's military-drafted Constitution (2008) and the Federal Democracy Charter (2021). It references global human rights standards (Arts. 41.b and 30.c) and includes a historic provision requiring that the government adhere to international law (Art. 191).

As a precedent-setting document, the Sagaing Constitution could shape governance for years and lay the foundation for a future national constitution. The Sagaing Federal Unit Hluttaw's consultation request also sets a positive precedent.

The draft strengthens fundamental rights protections without the vague national security restrictions found in the 2008 Constitution. It explicitly protects marginalised groups, including women, and prohibits various forms of discrimination.

However, international legal protections for civil and political rights are missing. The draft does not abolish the death penalty, ban cruel, inhuman, or degrading treatment, or guarantee the right to vote and the right to privacy. The draft also fails to enhance fair trial safeguards, ensure judicial independence, establish judicial review, or restrict emergency powers.

Human Rights Myanmar supports the development of a robust and democratic constitution for Sagaing and offers these recommendations based on international law.

Ban death penalty and cruel treatment

The draft does not address capital punishment, leaving open the possibility that the death penalty may be retained or reintroduced. Global human rights trends favour abolition since capital punishment violates the inherent right to life. Article 16(a) should be revised in accordance with international human rights standards—including the ICCPR ([Art. 6](#); [Second Optional Protocol](#)) and drawing on examples from democratic constitutions in Mongolia ([Art. 16](#)) and Nepal ([Art. 16](#)).

(a) Life. *No person shall be subject to the death penalty, and all previous death sentences shall be commuted to an appropriate alternative sentence in accordance with the law;¹*

¹ The text in bold is in the current draft. The text in italics is the recommended change to the provision.

Cruel, inhuman, and degrading treatment

Although the draft requires protection from torture (Art. 16), it does not explicitly ban torture or extend to cover all forms of cruel, inhuman, or degrading treatment or punishment. Comprehensive bans are required under international law to prevent abuses in detention, law enforcement, and military operations. Article 16(j) should be amended in line with the ICCPR ([Art. 7](#)) and the Convention Against Torture ([Art. 1](#)), following examples in constitutions such as Japan ([Art. 36](#)) and South Korea ([Art. 12](#)).

(j) Protection from forced labour, torture, slavery, sexual abuse, or any form of cruel, inhuman, or degrading treatment or punishment, which are all prohibited.

Strengthen civil and political rights

While the draft guarantees freedom of expression, it does not fully define the right, leaving potential for misuse. Article 16(d) should be modified to explicitly prohibit censorship, propaganda for war, and incitement to violence. This recommendation is based on the ICCPR ([Arts. 19 and 20](#)) and reflects the formulations used in modern democratic constitutions such as those in Germany ([Art. 5](#)) and South Africa ([Art. 16](#)).

(d) Freedom of expression, including the freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice. Any restriction shall only be such as are provided by law and are necessary for respect of the rights or reputations of others, for the protection of national security or of public order or of public health or morals, for preventing propaganda for war, or for preventing advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence. No person shall be subject to prior restraint (censorship) on the publication or dissemination of information, opinions, or ideas;

Freedom of assembly

The draft guarantees freedom of assembly but does not comprehensively define the right, potentially leading to misuse. It is essential that law enforcement be required to facilitate peaceful assemblies rather than suppress them. Article 16(f) should be revised, incorporating language from the ICCPR ([Art. 21](#)) and drawing on models from constitutions such as those in Spain ([Art. 21](#)) and South Africa ([Art. 17](#)).

(f) Freedom of assembly and engage in non-violent demonstrations. No restrictions may be placed on the exercise of this right other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security or public safety, public order, the protection of public health or morals, or the protection of the rights and freedoms of others. Law enforcement agencies shall facilitate peaceful assemblies and shall not use excessive force against protestors;

Freedom of Association

Although the draft protects freedom of association, it lacks explicit guarantees against undue restrictions. To align with international law under the ICCPR ([Art. 22](#)) and democratic standards observed in constitutions such as Germany ([Art. 9](#)) and South Africa ([Art. 18](#)), Article 16(g) should ensure that individuals can freely form and join organisations, including trade unions, political parties, and advocacy groups.

(g) Freedom of association and participation in organisations. *No restrictions may be placed on the exercise of this right other than those which are prescribed by law and which are necessary in a democratic society in the interests of national security or public safety, public order, the protection of public health or morals, or the protection of the rights and freedoms of others. No person shall be compelled to join any association against their will;*

Add the right to vote and other missing rights

The draft does not explicitly affirm the right to vote, stand for election, and participate in public affairs, which are essential for democratic governance. Without clear provisions, political rights may be inconsistently applied, and the electoral process remains uncertain. In line with international legal standards, including the ICCPR ([Art. 25](#)), and drawing on practices in constitutions such as Germany ([Art. 38](#)) and South Africa ([Art. 19](#)), a new sub-clause should be added to Article 16.

(k) Participate in the political affairs of the Sagaing Federal Unit, including to vote in free, fair, and periodic elections based on universal and equal suffrage; to stand for public office and to be elected without discrimination; to form, join, and campaign for political parties or organisations;

Right to privacy

Although the draft prohibits searches, data breaches, and some surveillance ([Art. 19](#)), it does not guarantee the full right to privacy necessary to protect individuals' private lives and to enable control over personal data, such as health and financial information. In accordance with the ICCPR ([Art. 17](#)) and examples from constitutions like Brazil ([Art. 5](#)) and Germany ([Art. 10](#)), a new sub-clause should be introduced to Article 16.

(l) Privacy including of communications, family, home, correspondence, and personal data. No person shall be subject to unlawful surveillance, interception of communications, or arbitrary searches;

Media freedom

While the draft provides for freedom of expression, it does not explicitly safeguard media freedom. Without a specific guarantee, future governments may once again use regulatory measures to control the media. A new sub-clause should be added to Article 16, drawing on

international standards set forth in the ICCPR ([Art. 19](#)) and reflecting formulations found in democratic constitutions such as the Philippines ([Art. 3](#)) and Japan ([Art. 21](#)).

(m) Media freedom, including the freedom to publish, broadcast, and disseminate information and ideas of all kinds. No person shall be required to obtain a license to work as a journalist or to establish and operate a print or digital media outlet. All broadcasting shall be regulated by an independent commission that guarantees impartiality, diversity, and accountability;

Right to access the internet

In modern societies, access to the internet is increasingly recognised as essential for the full enjoyment of civil, political, economic, social, and cultural rights. The military's history of internet shutdowns and website blocks since the coup highlights the need for robust connectivity. Although not yet explicitly mandated under international law, adding a right to internet access—similar to Brazil's Marco Civil ([Arts. 4–7](#))—to Article 16 would affirm Sagaing's commitment to modernity.

(n) Access a universal, affordable, and secure internet without network shutdowns or arbitrary blocks.

Add fair trial protections

While the draft includes some fair trial protections ([Arts. 21–23](#)), it lacks several key safeguards to prevent arbitrary detention, unfair trials, and coercive practices. In order to fully comply with the ICCPR ([Art. 14](#)) and to reflect constitutional standards found in India ([Art. 21](#)) and Japan ([Art. 31](#)), new sub-clauses should be added to Article 21.

(c) No person shall be subjected to arbitrary arrest or detention;

(d) Every detained person has the right to be promptly informed of the charges against them in a language they understand;

(e) No person shall be held in incommunicado detention, and all detainees shall have the right to inform a family member or third party of their detention;

(f) Every person charged with a criminal offence has the right to a fair and public hearing by an independent and impartial tribunal;²

(g) Every person charged with an offence has the right to examine witnesses against them and present evidence in their defence;

(h) Every person shall be presumed innocent until proven guilty beyond a reasonable doubt;

(i) No person shall be compelled to testify against themselves or confess guilt under coercion or duress;

² Although Art. 120 requires public trials, this provision gives people the right to a public trial.

(j) No one shall be convicted of an offence for an act or omission that was not a criminal offence at the time it was committed.

Protect judicial independence

The draft requires that judges must have participated in the revolution. Although the term “revolution” may encompass various groups, this criterion risks politicising judicial appointments and undermining judicial independence. Judicial selection should be based solely on merit, legal expertise, and impartiality rather than on political affiliation. In line with the ICCPR ([Art. 14](#)) and inspired by democratic practices in India ([Art. 124](#)) and Indonesia ([Art. 24](#)), Article 124(b) should be removed and Article 124 amended accordingly.

124. Judges of the Sagaing Federal Unit shall be appointed by an independent and transparent judicial commission, chosen based on competency, independence and impartiality, and shall not be removed except through due process. Judges must meet the following criteria:

Void conflicting laws and establish judicial review

The draft lacks an explicit provision to ensure that all legislative and executive actions conform to the Constitution, leaving a large gap in the protection of constitutional rights. Judicial review is essential for empowering the courts to invalidate any law, regulation, or governmental action that contradicts the Constitution, thus upholding the supremacy of the constitutional text. A new provision should be added drawing on international human rights standards and inspired by the broad approach established in the Indian Constitution ([Art. 13](#)).

*[**new**] Every executive, legislative, and administrative action inconsistent with this Constitution shall be null and void. The courts shall have the authority to review and determine the constitutionality of all executive, legislative, and administrative actions.*

Restrict emergency powers

The draft refers to emergency powers (Art. 198.hh) but does not provide explicit safeguards against their abuse, potentially allowing for the arbitrary suspension of fundamental rights. The military’s Constitution (2008) similarly lacks proper limitations, often justifying indefinite restrictions on civil liberties and undermining the rule of law. Drawing on the ICCPR ([Art. 4](#)) and practices in the constitutions of the Philippines ([Art. 7](#)) and Thailand ([Art. 195](#)), a new article should be introduced.

*[**new**] Emergency powers restricting fundamental rights shall be subject to parliamentary approval and oversight, be necessary and proportionate, and be defined*

*clearly by law, specifying their scope, duration, and conditions for renewal. Articles 16(a), (b), (j), and 21(c) shall not be subject to derogation under any circumstances.*³

Conclusion

The draft Sagaing Federal Unit Interim Constitution represents a significant step forward from past military-drafted frameworks by referencing international law and upholding human rights.

However, to fully meet international democratic standards, key amendments are needed: abolish the death penalty, ban all forms of cruel, inhuman, or degrading treatment, guarantee essential rights such as voting and privacy, enhance fair trial safeguards, secure judicial independence, and impose strict limits on emergency powers.

Human Rights Myanmar urges stakeholders to adopt these recommendations to lay a solid foundation for a future federal constitution that fully upholds the rights and dignity of all people.

³ The right to life; Legal recognition as a person; the prohibition of slavery, forced labour, torture, cruel, inhuman, or degrading treatment or punishment; freedom from arbitrary detention.

Annex – Second draft of the Sagaing Federal Unit Interim Constitution

Sagaing Federal Unit Interim Constitution (Second Draft)

**Sagaing Federal Unit Hluttaw
1 February 2025**

(Unofficial translation of relevant provisions only - by HRM)

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Preamble

The people of the Sagaing Federal Unit, encompassing all ethnic communities, are free and equal. They aspire to live in accordance with universal principles of justice and the rule of law. With this conviction, we firmly believe in building a federal unit rooted in democratic values and contributing to the establishment of a Federal Democratic Union of Myanmar.

Amid the ongoing Spring Revolution, the people of the Sagaing Federal Unit have endured immense losses—both in property and fundamental rights. Justice and redress are essential to address these grievances.

In this pursuit, it is imperative to uphold the inherent dignity and birth rights of all ethnic communities within the Sagaing Federal Unit. The fundamental principles and legal frameworks that form the foundation for the establishment of the Sagaing Federal Unit must be enacted and implemented.

Additionally, necessary legislation must be introduced to safeguard the interests of the people while ensuring a transparent and effective system of administration and judiciary.

This Interim Constitution provides a clear legal foundation for the resolution of conflict between two parties. It is a vital step toward a smooth transition to the future.

In accordance with these objectives, on (Myanmar Year, Month, Day) 2024, under the authority of the Sagaing Federal Unit Hluttaw, the Interim Constitution of the Sagaing Federal Unit is hereby enacted.

Chapter 1: Principles

1. From the date of approval of the Interim Constitution, the Sagaing Region shall be called the Sagaing Federal Unit.
2. The Sagaing Federal Unit Interim Constitution is the supreme law of the Sagaing Federal Unit.
3. The Sagaing Federal Unit is a territorial unit of the Union, ensuring national equality and self-determination.
4. The Sagaing Federal Unit practices a multi-party democratic system based on freedom and justice.
5. The people within the Sagaing Federal Unit are the original owners of the unit's sovereignty, which extends throughout the unit.
6. The Sagaing Federal Unit operates on three pillars of sovereignty: legislative, executive, and judicial powers, which shall function independently while maintaining mutual checks and balances.
7. The unit government, self-governing regional governments, and local administrative bodies shall exercise power-sharing in accordance with this constitution.
8. The Sagaing Federal Unit adheres to a system that separates legislative, executive, and judicial powers between the union and the units.
9. The values of the Sagaing Federal Unit include democracy, equality, self-determination, collective leadership, acceptance of diversity, harmony, non-discrimination, and the protection of minority rights.
10. There shall be no discrimination within the Sagaing Federal Unit based on ethnicity, religion, race, gender, or wealth.
11. The rights of ethnic minorities within the Sagaing Federal Unit must be protected.

12. The Sagaing Federal Unit follows a secular political system, ensuring the separation of politics and religion.
13. The Sagaing Federal Unit operates a free-market economic system in alignment with the Union's economic policies.
14. The original owners of all land and natural resources within the Sagaing Federal Unit are its residents.
15. The Sagaing Federal Unit Government is committed to providing reparations and transitional justice for victims of human rights violations, in cooperation with federal unit governments.

Chapter 2: Fundamental Rights and Responsibilities

Fundamental Rights and Entitlements

16. Every resident of the Sagaing Federal Unit has the right to:
 - a. Life;
 - b. Legal recognition as a person, with human dignity respected and protected;
 - c. Equality before the law;
 - d. Freedom of expression, including the right to write, print, and access and disclose information;
 - e. Freedom of thought, belief, and religion, including the right to practice customs and traditions;
 - f. Freedom of assembly and peaceful protest;
 - g. Freedom of association and participation in organisations;
 - h. Engage in lawful trade and employment;
 - i. Access information related to them held by government agencies, administrative departments, and companies;
 - j. Protection from forced labour, torture, slavery, sexual abuse and dishonour.

Marriage Rights

17. Every resident has the right to marry according to law or custom, with all adults free to choose their partners.
18. Marriage shall not automatically change a person's religion or nationality unless by their own free will.

Right to Protection

19. No resident shall be subject to unlawful:
 - a. Body searches;
 - b. Property searches;
 - c. Property seizures;

- d. Data breaches;
- e. Email and phone surveillance.

Property Rights

20. Every resident has the right to:

- a. Own, transfer, subdivide, sell, and inherit moveable and immoveable property in accordance with the law.
- b. Receive fair compensation if property is seized by the government for public benefit.

Rights of Arrested and Detained Persons

21. Within the Sagaing Federal Unit:

- a. No person shall be detained for more than 24 hours without court approval.
- b. Arrested individuals shall be treated with human dignity.

Right to Litigation

22. Anyone charged with a crime shall have the full right to legal defence.

Judgment and Punishment

23. No person shall be subjected to punishments that degrade human dignity.

Right to Protection by the Government

24. Every resident has the right to government protection and care in accordance with the law.

Freedom of Movement

25. Every resident has the right to:

- a. Move freely within the Sagaing Federal Unit
- b. Travel abroad in accordance with federal government procedures

Right to Education

26. Within the Sagaing Federal Unit:

- a. Every resident has the right to free education
- b. Primary education is compulsory and free for children from the age of five
- c. Residents may freely choose education levels that match their age
- d. Vocational and higher education shall be accessible to all based on merit
- e. Persons with disabilities have the right to special education
- f. Students, teachers, and educational employees have the right to form unions.

Right to Health

27. Every resident has the right to:

- a. Equal access to healthcare

- b. Basic healthcare and medical treatment
- c. Health, life, and social security insurance
- d. Independently manage their family's healthcare plans

28. Poor residents have the right to apply for medical expense assistance from the unit government.

Cultural and Linguistic Rights

29. Every ethnic group has the right to:

- a. Speak, learn, develop, teach, and promote their language and literature freely
- b. Preserve, practice, and promote their cultural traditions

Children's Rights

30. Every child has the right to:

- a. Parental or guardian care and protection
- b. Community support and assistance.
- c. Protection under child rights laws in accordance with the UN Convention on the Rights of the Child.

Youth Rights

31. Young people have the right to participate in decision-making and receive psychological, social, and creative support.

Women's Rights

32. Every woman has the right to:

- a. Participate equally in development activities and various fields without discrimination
- b. Protection from violence and harassment without damage to their human dignity
- c. Equal rights in marriage, divorce, property distribution, inheritance, and children.

Rights of Persons with Disabilities

33. Every person with a disability has the right to:

- a. Special supportive care
- b. Legal protection
- c. Equal participation in political, social, economic, educational, and development activities without discrimination.

Elderly Rights

34. Every elderly person has the right to preventive care and social security benefits.

Right to Work and Labour Rights

35. Every resident aged 18 or older has the right to:

- a. Choose their employment freely
- b. Work under fair conditions, with reasonable hours, wages, leave, and social security
- c. Form trade unions and engage in collective bargaining.

Farmer Rights

36. Every farmer has the right to:

- a. Grow, sell, transport, and store crops freely
- b. Seek government protection against market instability
- c. Protection from unjust land confiscation
- d. Retain ownership of inherited agricultural land.

37. Farmers have the right to form and participate in trade unions.

38. Laws will be enacted to protect the rights of farmers.

Rights of Indigenous Minorities

39. Every resident from an indigenous minority has the right to:

- a. Participate in political, social, educational, economic, health, and development activities without discrimination
- b. Be consulted on local projects
- c. Preserve and develop traditional knowledge and skills.

Environmental Rights

40. Every resident has the right to:

- a. A healthy environment
- b. Preserve the environment
- c. Object to activities that harm the environment.

Human Rights Protection

41. Every resident has the right to:

- a. File a complaint with and seek legal protection from the Human Rights Commission
- b. Receive protection in accordance with the Universal Declaration of Human Rights

Protection Under the Constitution

42. Every resident has the right to:

- a. Seek constitutional protection from the Supreme Court of the Sagaing Federal Unit
- b. The right in subsection (a) shall not be suspended under any circumstances.

Responsibilities

43. Every resident has the duty to:

- a. Protect the Sagaing Federal Unit
- b. Respect and uphold the constitutions of both the Federation and the Sagaing Federal Unit.

Chapter 8: Judiciary

118. The judiciary of the Sagaing Federal Unit shall be an independent and fair judicial system.

119. Customary laws that do not conflict with human rights may be respected and enforced.

120. All trials shall be conducted in public, except where legal limitations apply.

121. Except for repeat offenders and those who commit serious crimes, judicial measures shall focus on behavioural correction and punishment.

122. The highest judicial authority of the Sagaing Federal Unit shall reside in the Supreme Court of the Sagaing Federal Unit.

123. Courts within the Sagaing Federal Unit shall be constituted as follows:

- a. Supreme Court of the Federal Unit;
- b. Autonomous Regional Courts;
- c. District Courts;
- d. Township Courts;
- e. Traditional Judicial Offices.

124. Judges of the Sagaing Federal Unit shall meet the following criteria:

- a. Must be a citizen of the Union of Myanmar;
- b. Must be a participant in the revolution;
- c. Must not have cooperated with the State Administration Council;
- d. Must be at least 40 years old and no more than 70 years old;
- e. Must be able to reside in the Sagaing Federal Unit;
- f. Must have a law degree and at least 10 years of experience in legal practice.

125. The Interim Court of the Sagaing Federal Unit shall be composed of a minimum of 5 and a maximum of 7 judges, appointed in consultation with the Sagaing Federal Unit Hluttaw and the Sagaing Federal Unit Interim Government.

126. The judges of the Sagaing Federal Unit shall elect 1 among themselves as the Chief Justice of the Sagaing Federal Unit and submit the list of the Chief Justice and Justices to the Sagaing Federal Unit Hluttaw for approval.

127. If the Chief Justice and Justices are unable to serve due to various reasons, replacements shall be appointed in accordance with Sections 124, 125, and 126 within 1 month.
128. The Supreme Court of the Sagaing Federal Unit shall be the highest court within the federal unit.
129. The Sagaing Federal Unit Supreme Court shall have jurisdiction over the following cases:
- a. Appeals and appeal-related cases;
 - b. Cases transferred from one court to another;
 - c. Crimes and illegal acts occurring within the Sagaing Federal Unit.
130. The Supreme Court of the Sagaing Federal Unit shall establish an independent Constitutional Court to resolve disputes related to the constitution of the unit.
131. If the Chief Justice or Judges of the Court of Justice are suspected of corruption or misconduct, an investigation commission shall be established by the federal unit Hluttaw and government.
- a. The Chief Justice and Judges of the Court of Justice shall not be exempt from prosecution if they violate the law;
 - b. The Chief Justice and Judges of the Court of Justice shall not be held liable for judicial activities, except in cases of intentional corruption or legal violations.
132. The Supreme Court of the Sagaing Federal Unit shall serve as the judicial authority of the Supreme Court of the Union, with full judicial powers except where jurisdiction is otherwise assigned. The decision of the Supreme Court of the Sagaing Federal Unit shall be final.
133. The Chief Justice of the Sagaing Federal Unit shall be responsible for establishing courts at various levels, formulating judicial principles, carrying out procedures, and issuing orders and instructions.
134. The term of office of the Chief Justice and Justices of the Supreme Court shall continue until the transfer of duties to the successors appointed under the Constitution of the Transitional Sagaing Federal Unit.
135. Indigenous peoples within the Sagaing Federal Unit shall have the right to freely practice their customs, provided they do not conflict with human rights.
136. The judgments of all courts within the Sagaing Federal Unit shall be binding on all parties concerned, including the federal unit administration and all mechanisms.
137. There shall be separate military and civil courts within the Sagaing Federal Unit. Civil and military-related offenses shall be tried in civil courts.
138. The courts established under the Interim Constitution of the Sagaing Federal Unit shall assume the judicial functions previously carried out by judicial bodies within the unit under the National Unity Government.

Chapter 15: Transitional Provisions

181. The Sagaing Federal Unit Hluttaw shall amend existing laws applicable during the transition period, including additions, cancellations, and new designs.
182. The Sagaing Federal Unit Hluttaw may form necessary committees and commissions for the transition period.
183. The Sagaing Federal Unit Hluttaw shall make arrangements for drafting and approving the Transitional Constitution.

Chapter 16: Amendment of the Constitution

184. Amendments to the Constitution of the Sagaing Federal Unit must be proposed by at least 10% of the total members of parliament and submitted to the Hluttaw in accordance with parliamentary procedures.
185. If the amendment proposal receives the support of at least 65% of the Hluttaw representatives, it shall proceed in accordance with constitutional amendment procedures.
186. Decisions made under Section 185 must be approved and announced by the Unit Hluttaw.
187. The Sagaing Federal Unit Hluttaw shall draft and enforce rules and procedures for amendments to the Interim Constitution.

Chapter 17: General Provisions

188. The Interim Constitution of the Sagaing Federal Unit shall come into force throughout the unit from the day of its promulgation by the Sagaing Federal Unit Hluttaw.
189. The Interim Constitution shall remain in effect until the Transitional Sagaing Federal Unit Constitution is approved and implemented.
190. The Sagaing Federal Unit Hluttaw and government shall enact laws and issue necessary orders and instructions for state employees who participated in non-violent civil disobedience.
191. The Sagaing Federal Unit Government shall adhere to international treaties signed by Myanmar.
192. Individuals serving in the National Unity Government at the time this Constitution comes into force may continue their service unless otherwise directed by the Sagaing Federal Unit Government.
193. The capital of the Sagaing Federal Unit shall be Monywa.
194. The official language of the Sagaing Federal Unit Government shall be Burmese.
195. The Unit Hluttaw shall enact laws regarding the flag and seal of the Sagaing Federal Unit, reflecting the will of the people.

196. Laws related to Chapter 18 provisions shall be repealed, except those not inconsistent with this Interim Constitution.

197. No legal action shall be brought against actions taken under this Interim Constitution.

Chapter 18: Legislative Powers of the Sagaing Federal Unit

198. The Sagaing Federal Unit shall have co-legislative powers with the Union Government on specific matters:

- a. Border security;
- b. Mobilisation and management of federal unit forces;
- c. Medical universities and medical related universities; training schools
- d. Birth and death registration;
- e. Management of natural disasters and epidemics;
- f. Scientific and technological research activities; academic research activities;
- g. Identifying and preserving and protecting ancient historical cultural heritage;
- h. Cultural universities;
- i. Generation and distribution of electricity and energy;
- j. Issues related to oil and natural gas production;
- k. Land management issues related to the Union;
- l. Environmental issues;
- m. Transportation and transportation related to the Union;
- n. Trade tax within the Union; business tax profit tax Excise tax Customs matters, including port tax;
- o. Border trade and tax collection; International trade of imported products and intra-union trade issues;
- p. Tax distribution;
- q. Communication issues with international financial institutions;
- r. Foreign investment matters;
- s. Bank and insurance companies;
- t. Issues related to public debt;
- u. Employee training; employee salary Awards and grants related matters;
- v. Matters related to the financial and material possessions of political officials;
- w. Union-related labour rights; Peasant rights; People with disabilities children Issues related to women's rights and elderly care;
- x. Matters related to higher education and higher vocational education;

- y. Health issues related to the Union;
- z. Medicines that cause narcotic drowsiness;
- aa. Matters related to criminal law and legal practice;
- bb. Collection of population census;
- cc. Refugee affairs and political asylum issues;
- dd. Formation of associations and unions;
- ee. Marriage, inheritance, divorce between people of different customs;
- ff. Radio, television, media and publishing issues
- gg. Matters related to political parties;
- hh. Matters of emergency;
- ii. Formation and delimitation of autonomous regions; demarcation of federal unit boundaries;
- jj. Constituency issues;
- kk. Hotel and tourism matters;
- ll. Issues related to water resources and river conservation;
- mm. Competition and Consumer Protection Matters;
- nn. Forest related issues;
- oo. Surface and underground resource mining and production;
- pp. Road communication and transportation;
- qq. Matters related to land management.

199. In case of conflict between Sagaing Federal Unit laws and Union laws, Union laws shall prevail.

200. The Sagaing Federal Unit shall have exclusive legislative authority over the following:

- a. Federal Unit Defence Force; Unit security force or unit police;
- b. Hospital; establishment and management of clinics;
- c. Management of basic public health care activities;
- d. Curriculum development;
- e. Basic education; Vocational high schools and vocational courses and schools;
- f. Education expenditure matters;
- g. Trade matters within the federal unit;
- h. Ethnic language; preserving and practicing literature and traditional cultural traditions;
- i. Ethnic traditional culture courses and schools;
- j. Judiciary;

- k. Matters related to local administration and autonomous region administration;
- l. Industry; technology intellectual property rights issues;
- m. Municipalities;
- n. Cultural matters;
- o. Agriculture, issues related to livestock and irrigation;
- p. Gambling issues;
- q. Tax and finance matters;
- r. Unit Election Commission and unit election issues;
- s. Public meetings and procedures;
- t. Urban and village projects;
- u. Fire prevention;
- v. Water and electricity issues in towns and villages;
- w. Residual powers.

201. Autonomous regions within the Sagaing Federal Unit shall have separate legislative authority on the following:

- a. Town and Village Planning;
- b. Construction and maintenance of roads and bridges;
- c. Public health;
- d. Municipal work;
- e. Fire prevention;
- f. Conservation of grazing lands;
- g. Protection and conservation of forest lands;
- h. Environmental protection in accordance with laws enacted by the Union and the Unit;
- i. Matters related to water and electricity in towns and villages;
- j. The ethnic language of the region; Preservation of literature and traditional cultural practices;
- k. Establishing and managing ethnic cultural training schools in the area;
- l. Matters of Traditional Jurisdiction.