



Part A: Referendum Issues

(A.1)

Statement protesting the unlawful issuance by the SPDC of temporary national registration cards for voting in the referendum

1. Casting a vote is a special right of a citizen. This right is clearly prescribed in Article 25 of the International Covenant on Civil and Political Rights. Government authorities have no right to permit unknown persons living inside Burma to vote. Under the 1974 National Referendum laws, only citizens of Burma could vote.

2. The rule restricting the right to vote to citizens was prescribed in Section 10, Chapter 2 of the 1947 Constitution. Similarly, Section 155 of the 1974 Constitution also provided that only citizens could vote. In Burma, citizenship is determined pursuant to the currently effective 1982 Burma Citizenship Act. A person who becomes a citizen according to this Act has the right to vote. All persons entitled to citizenship in accordance with the Burma Citizenship Act can enroll in the voting list. But issuing a temporary national registration card to unknown persons so that they can vote, without any legal support, is ignoring the law. Section 11(a) of the Referendum Law for the Approval of the Draft Constitution of the Republic of the Union of Myanmar, 2008, provides:

Every citizen, associate citizen, naturalized citizen and temporary certificate holder who has completed the age of eighteen years on the day of referendum shall have the right to vote at the referendum.

3. The Burma Lawyers' Council demands that the 2008 National Referendum Law be revised accordingly and the SPDC immediately stops making arrangements to issue temporary National Registration cards to those who may support the Constitution.

Date: 4 April 2008

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