

Federal Democracy Charter
Part – II
Interim Constitutional Arrangements
2021

This Charter was declared on 31 March 2021. This Charter was ratified by the First People's Assembly which was convened on 27-29 January 2022.

Table of Content

Preamble

Chapter 1 Objective of the Interim Constitutional Arrangement

Chapter 2 People's Assembly

Chapter 3 National Unity Consultative Council (NUCC)

Chapter 4 Roles and Responsibilities of the Interim National Unity
Government

Chapter 5 Interim Legislature

Chapter 6 Interim Administration

Chapter 7 Interim Judiciary

Chapter 8 Administration, Legislation and Judiciary of the States/Federal
Units

Chapter 9 Arrangements for the Transitional Period

Chapter 10 Amendment and Addition to the Charter

Chapter 11 General Provisions

Chapter 12 Pledge to Build the Federal Democratic Union

Preamble

The strong desire of all the people including ethnic nationalities living in the Union is for the emergence of a federal democratic union that fully guarantees the rights of democracy, equity and self-determination and that is based on freedom, justice, and equality.

The Federal Democratic Union's "Part One of the Federal Democracy Charter" has already stipulated the standard of values and respect for the inherent rights and human dignity of ethnic nationalities as well as the basic principles, guiding principles and the political roadmap or the implementation process in building the Union.

Respective forces which will be building the Federal Democratic Union through their collective strength have already pledged their commitment to that effort.

The "Interim Constitutional Arrangements" are validated and ratified as "Part Two of the Federal Democracy Charter" so that goals and objectives stipulated in "Part One of the Federal Democracy Charter" can be realized and various phases of the political roadmap are implemented step by step when building the Federal Democratic Union. The term of the "Interim Constitutional Arrangements" shall end on the day the Transitional Constitution is enacted and comes into force.

Chapter (1)

Objective of the Interim Constitutional Arrangement

1. To carry out missions aimed at the elimination of all kinds of dictatorship, including military dictatorship, and to undertake any necessary task for the emergence of the Transitional Constitution;
2. To convene a People's Assembly with forces that share the common goals of eliminating all kinds of dictatorships, including military dictatorship, and of building the Federal Democratic Union;
3. To form the National Unity Consultative Council (NUCC) to play a leading role in implementing the goals and objectives specified in Part One of the Federal Democracy Charter as well as the steps of the political roadmap;
4. To enable the Committee Representing Pyidaungsu Hluttaw to constitute the Interim National Unity Government and stipulate the latter's structure, roles and responsibilities in coordination with and agreement of the NUCC;
5. To institute bodies needed for the federal democracy revolutionary period and to specify their structures, roles and responsibilities; and
6. To enable the NUCC to develop preparatory arrangements for the transitional period

Chapter (2)

People's Assembly

Objective

7. For the sake of eliminating all types of dictatorship, including military dictatorship, and building the Federal Democratic Union, the People's Assembly shall be convened to enable all federal democratic forces to work together in consulting, deliberating and ratifying the basic principles, policies, strategies and transitional arrangements concerning political, social, economic, security issues and elimination of dictatorship.

Structure and Process for Convening the Assembly

8. The NUCC shall lead the convening of the People's Assembly. It shall develop the Terms of Reference for the successful convening of the People's Assembly.
9. The following entities which agree with the Federal Democracy Charter, shall participate in the People's Assembly:
 - a. Elected members of parliament, including the CRPH;
 - b. Political parties;
 - c. Unions; women's groups; Civil Society Organizations, including those working on affairs of youth and minorities; civil disobedience movement groups fighting against dictatorship, including civil servants; and strike groups;
 - d. The Ethnic Resistance Organizations; and
 - e. Interim State/Federal unit representative and Ethnic-based organizations/councils.
10. The members of the People's Assembly are the official representatives of their respective organizations and thus shall stand by the resolutions of the assembly and cooperate in implementing them.

Roles and Responsibilities

11. The People's Assembly shall:
 - a. Provide guidance in building the Federal Democratic Union based on the principles of freedom, equality, justice and self-determination; and share collective responsibilities among the member organizations;
 - b. Undertake deliberations and ratification of basic principles, policies, and strategies relating to political, economic, social, and security affairs; and the elimination of dictatorship;
 - c. Deliberate on and ratify the Federal Democracy Charter agreed and submitted by the NUCC (temporary);
 - d. Form the NUCC with representation of all forces participating in the People's Assembly;
 - e. Approve the formation of the National Unity Government (NUG);
 - f. Review and ratify the policies of the NUCC and NUG; specify the key tasks and areas; and evaluate the outcome of their performances;
 - g. Approve the committees, councils, and commissions formed by NUCC;
 - h. Deliberate and approve the transitional arrangements and implementation plan;
 - i. Ratify the Transitional Constitution; and
 - j. Approve the Federal Democratic Constitution drafting process, initiated by the NUCC.
12. Convening of the Assembly
 - a. The People's Assembly shall be convened once every six months.
 - b. An emergency session of the Assembly shall be convened as necessary.
 - c. The meeting quorum is 60% of the delegates. The NUCC shall decide the validity of the assembly in times of unexpected situations in regular sessions of the Assembly and in emergency sessions of the Assembly.
13. The decision making of the Assembly

a. The Assembly shall decide by Sufficient Consensus of more than 65%.

Chapter (3)
National Unity Consultative Council (NUCC)

Objectives

14. The objectives of the NUCC are:
 - a. To play a leading role in implementing the goals and objectives of the Federal Democracy Charter and the Political Roadmap;
 - b. In implementing the policies and strategies stipulated by the People's Assembly, to coordinate and give policy guidance based on the principles of collective leadership during the interval between each People's Assembly session; and
 - c. To unify all forces which share the common goals of eliminating the military dictatorship and building the Federal Democratic Union and to coordinate and bring all the forces together to participate in the implementation of the strategic tasks in accordance with the Federal Democracy Charter.

Composition

15. The NUCC shall be composed of representatives from the following entities:
 - a. Elected members of parliament, including the CRPH;
 - b. Political parties;
 - c. Unions; women's groups; Civil Society Organizations, including those working on affairs of youth and minorities; civil disobedience movement groups fighting against dictatorship, including civil servants; and strike groups;
 - d. The Ethnic Resistance Organizations; and
 - e. Interim State/Federal unit/Ethnic representative groups/committees.
16. The Presidium and Technical Secretariat are to be formed within the NUCC with an appropriate number of members.

Roles and Responsibilities

17. The Roles and Responsibilities of the NUCC are:
 - a. To lead the drafting of the Federal Democracy Charter, which shall be ratified by People's Assembly;
 - b. To mobilize, organize and coordinate so that all forces that share the common goals of eliminating dictatorship and building the Federal Democratic Union shall practically participate in the efforts;
 - c. To be accountable to the People's Assembly in deliberating and deciding on policies in the period between People's Assembly sessions;
 - d. To develop the strategy for the elimination of all kinds of dictatorship, including military dictatorship, and building the Federal Democratic Union;
 - e. To provide policy guidance, oversight and coordination for the implementation of strategies stipulated by the Federal Democracy Charter in the context that the 2008 Constitution has been abrogated;
 - f. To deliberate on transitional arrangements and submit them to the People's Assembly for approval;
 - g. To lead the drafting of the Transitional Constitution and to submit it to the People's Assembly for ratification;
 - h. To lead the implementation of the Federal Democratic Constitution drafting process approved by the People's Assembly;
 - i. To be accountable to the People's Assembly;
 - j. To invite relevant ministers of the National Unity Government to the Council's meetings, depending on the subject of discussion; and
 - k. To form technical support teams as necessary for the effectiveness and success of its missions.

Committees and Commissions

18. To facilitate sectoral coordination for the purpose of building the Federal Democratic Union, NUCC member organizations and NUG representatives shall form the bodies needed. In doing so, the NUCC and the NUG shall nominate sectoral experts with whom Joint Coordination Committees, Commissions and Working Groups shall be formed and given assignments as necessary.
19. Committees, Commissions and Working Groups formed by the NUCC shall prepare their TORs and work plans clearly and precisely, which shall be approved by the NUCC. The committees and commissions can form their technical support teams with the approval of the NUCC.

Chapter (4)

Roles and Responsibilities of the Interim National Unity Government

20. The Interim National Unity Government shall implement the political objectives, goals and political roadmap as specified in this Federal Democracy Charter.
21. In the implementation of the action plans stipulated by the NUCC, the Interim National Unity Government shall work in cooperation with allied political parties, Ethnic Resistance Organizations, and Civil Society Organizations.
22. In order to end military dictatorship and to build federal democracy, the Interim National Unity Government shall develop and implement policies and strategies in accordance with the strategic goals specified by the NUCC.
 - a. In accordance with the goals and objectives of the Charter and the Political Roadmap, ministries under the Interim National Unity Government shall develop policies and strategic programs for implementation.
 - b. With the purpose of eliminating all kinds of dictatorship including military dictatorship, the Interim National Unity Government shall employ political, economic, social, foreign affairs, diplomatic, security, defense and all other means available.
23. Political Affairs
 - a. The Interim National Unity Government shall work in coordination with National Unity Consultative Council in order to weaken the terrorist military coup group's administrative and bureaucratic mechanisms and to strengthen the Interim National Unity Government's capabilities in the implementation of its tasks.
 - b. It shall work to build the Federal Democratic Union in accordance with the policy guidance of the National Unity Consultative Council.
 - c. It shall work to amend and abolish the oppressive laws, draft the bills

- protecting basic human rights in order to provide the people with security and rule of law, and enact them into laws in line with Chapter (5) Interim legislature.
- d. It shall extend all necessary assistance and carry out organizational mobilization and coordination tasks through collective leadership to ensure that non-violent mass movements, including the Civil Disobedience Movement, continue unabated.
 - e. It shall work in collaboration with the people as well as internal and external organizations which support federal democratic activities with the aim of waning or weakening the economic and financial sources which are contributing to the perpetration of terrorist acts by the military coup clique.
 - f. It shall fulfill the economic and financial needs necessary to expeditiously carry out the strategic actions for accomplishing the political goals of the Interim National Unity Government in collaboration with the people and local and international individuals supporting Myanmar's federal democratic movement.
 - g. It shall work to deny the military clique any representation at international fora and meetings in collaboration with all organizations and groups that support Myanmar's federal democratic movement.

24. Foreign Affairs

- a. The Interim National Unity Government shall work to gain the recognition, support and cooperation from governments internationally in building of the Federal Democratic Union.
- b. In accordance with its foreign policy, the Interim National Unity Government shall seek official recognition from the international community in collaboration with international governments and organizations, including the United Nations.
- c. In accordance with international laws, the Interim National Unity Government shall sign international conventions and treaties which will

- protect the Union and its people.
- d. In implementing its strategic plans, the Interim National Unity Government shall collaborate with friendly countries that support the federal democracy movement.
 - e. The Interim National Unity Government shall apply diplomatic means to increase the efficacy of sanctions imposed on the military coup clique by the international community and also to file criminal charges against the clique in international courts of justice.

25. Economic Affairs

- a. The Interim National Unity Government shall work in collaboration with responsible, accountable and transparent national and international organizations that observe international norms so as to weaken and undermine the economic and financial resources which are enabling the military coup group to commit acts of terrorism.
- b. The Interim National Unity Government shall endeavor to boost money circulation, to meet cash requirements and to improve the basic economy of the people.
- c. The Interim National Unity Government shall develop programs to shield the people and lessen the impact of the economic burden arising from acts committed by the military coup group.
- d. The Interim National Unity Government shall commence drafting the economic policy relevant to the period of building the Federal Democratic Union.

26. Social Affairs

- a. The Interim National Unity Government shall facilitate the applications for Myanmar citizenship by the people of various ethnic nationalities in exile living overseas because of economic, social, or military oppression under the dictatorship or because of their participation in the efforts to eliminate dictatorship in different eras. In addition, it shall undertake arrangements for their permanent residency in Myanmar.

- b. The Interim National Unity Government shall work in collaboration with the United Nations and international aid organizations to provide support to the displaced people and those who are experiencing socioeconomic and livelihood difficulties due to the violence and brutality practiced by the military coup clique.
- c. The Interim National Unity Government shall do its best to support the basic living needs of the common people.
- d. The Interim National Unity Government shall seek technical support of scholars and-experts who are living overseas.

27. Security and Defense

- a. The Interim National Unity Government, in coordination with National Unity Consultative Council, shall develop national-level defense arrangements to provide security and protection to the people, and defend the union
- b. The Interim National Unity Government shall immediately develop people's protection measures to ensure that people are secure and rule of law prevails.
- c. The Interim National Unity Government shall recognize the role of and coordinate with the respective Ethnic Resistance Organizations based in the state concerned when it carries out security and defense arrangements to protect the people of that state.

Chapter (5)

Interim Legislature

Legislature of the Federal Union

28. The legislative power of the Federal Democratic Union for the interim period is vested with the Union-level members of parliament elected in the 2020 multi-party general elections who are not cooperating with the terrorist military coup clique.
29. The Committee Representing Pyidaungsu Hluttaw shall be formed with Union-level members of parliament elected in the 2020 multi-party general election who accept the Federal Democracy Charter and agree to cooperate in its implementation and who do not cooperate with military coup clique.
30. The Committee Representing Pyidaungsu Hluttaw, when it performs the interim legislative tasks of the union shall enact laws to implement policies and strategies stipulated by the National Unity Consultative Council in accordance with the goals, objectives, and roadmap specified in the Federal Democracy Charter.
31. The Committee Representing Pyidaungsu Hluttaw shall hold policy deliberations and reach agreement with the National Unity Consultative Council before amending, repealing, and promulgating laws and when working on legislative matters in accordance with the Federal Democracy Charter and the strategic framework stipulated by the NUCC.
32. The Committee Representing Pyidaungsu Hluttaw may convene the Pyidaungsu Hluttaw to initiate legislative processes for the implementation of the political roadmap and strategic plan.
33. The oppressive laws shall be amended or abrogated, and laws to protect fundamental human rights shall be enacted.

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Chapter (6)

Interim Administration

The Administration of the Federal Union

34. The Interim National Unity Government shall be formed in order to implement the interim administration.
35. The Committee Representing Pyidaungsu Hluttaw shall form the Interim National Unity Government in coordination and agreement with the NUCC.
36. The President and the Vice-Presidents are the Heads of State representing the Union.
37. The Prime Minister is the Head of the Interim National Unity Government.
38. The Prime Minister and the Interim National Unity Government shall be accountable to the National Unity Consultative Council and the People's Assembly.
39. The Interim National Unity Government shall be formed with the following positions:
- a. President;
 - b. State Counsellor;
 - c. Vice-President (1);
 - d. Vice-President (2);
 - e. Prime Minister of the Union;
 - f. Union Ministers and Deputy Ministers;
 - g. Attorney-General of the Union; and
 - h. Auditor-General of the Union.
40. The State Counsellor shall advise the Interim National Unity Government in accordance with the strategy set up to implement the roadmap and political goals of the Federal Democracy Charter.

41. The tenure of the State Counsellor shall be the same as that of the Interim National Unity Government.
42. The Prime Minister of the Union, in consultation with the National Unity Consultative Council, shall assign and empower a certain authoritative organization, or an individual, or a number of individuals with responsibilities to develop and implement the objectives of the Federal Democracy Charter and the policies and strategic plan of the Interim National Unity Government.
43. The Interim National Unity Government, in coordination with National Unity Consultative Council, shall prepare and stipulate the Union-level Interim Administrative Action Plan.
44. Ministers concerned shall facilitate the formation of sectoral committees and commissions comprising members of parliament, Ethnic Resistance Organizations, political parties, CSO representatives and other suitable individuals to implement the policies and strategic plan of the Interim National Unity Government in accordance with the policies of the National Unity Consultative Council ratified by the People's Assembly.
45. Vice-President (1) shall serve as Acting President in the event that the President cannot perform his presidential duties. Vice-President (2) shall officiate as Acting President if the Vice-President (1) is unable to assume the responsibilities of the President.

Chapter (7)

Interim Judiciary

46. The judicial system in effect in the territories of the Federal Union under the existing Ethnic Resistance Organizations shall be deemed legitimate during the interim period.
47. The judicial power of the federal union during the interim period is vested with the civilian courts recognized by the "National Unity Government" and with the judicial system established by Ethnic Resistance Organizations at different levels within their territories. The said civilian courts and the judicial system shall have the right to exercise the judicial power and the judicial system shall be independent and fair.
48. When a need arises to settle disputes over judicial matters within the States and Federal Units, the National Unity Consultative Council shall form the judicial coordination joint committee with judicial authority representatives from the States/Federal Units concerned.
49. The judges of the federal states and federal units of the federal union shall adjudicate independently and be accountable only to the laws. The customary laws that do not conflict with human rights shall be recognized and practiced.
50. The interim judges shall be exempted from being prosecuted for their judicial decisions, except in the case of violations of laws because of premeditation or corruption.
51. Any decree or decision of the courts shall have binding authority over all persons concerned and administrative mechanisms of the interim period.

Chapter (8)

Administration, Legislation and Judiciary of the States/Federal Units

52. In accordance with the principle of self-determination in the context of building the federal union enshrined in the Charter, the administrative, legislative and judicial mechanisms of the respective States/Federal Units shall be established as necessary.
53. The legislative, administrative, and judicial matters between the Union and the States/Federal Units shall be coordinated at the National Unity Consultative Council.

Chapter (9)
Arrangements for the Transitional Period

54. The NUCC shall form the working committee for drafting the Transitional Constitution during the interim period.
55. The Transitional Constitution shall be initially approved by the National Unity Consultative Council and then submitted to and enacted by the People's Assembly.
56. The Transitional National Unity Government (TNUG) shall be formed extensively with various forces by the National Unity Consultative Council in accordance with the Transitional Constitution once the interim period is over.
57. Consecutively, the Interim National Unity Government shall hand over power to the Transitional National Unity Government in accordance with the Transitional Constitution.
58. The NUCC shall declare that the Federal Democracy Charter Part Two is repealed once the steps mentioned in articles 56 and 57 are completed.

Chapter (10)
Amendment and Addition to the Charter

59. Should the Interim Constitutional Arrangements need to be amended because of developing political conditions, such amendments and additions shall be done in accordance with the procedures of the National Unity Consultative Council and submitted to the People's Assembly for approval.

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Chapter (11)
General Provisions

60. The term of this Federal Democracy Charter Part Two shall end on the day the Transitional Constitution comes into force.
61. The laws, orders, directives and decrees promulgated by the military coup clique since February 1, 2021 shall be declared null and void.
62. The laws, orders, directives and manuals promulgated by the Committee Representing Pyidaungsu Hluttaw before the enactment of this Federal Democracy Charter shall remain valid provided they do not conflict with this Charter. The Committee Representing Pyidaungsu Hluttaw shall amend and repeal those laws, orders, directives and manuals that are incompatible with this Charter through policy deliberations and agreement in accordance with the strategic framework stipulated by the National Unity Consultative Council.
63. Due to the changing political situations, while implementing the goals and strategic plan of this Charter, if it is necessary to make additions to the strategic plan, the NUCC shall mandate the relevant working group to draft and ratify it at the People's Assembly.
64. Each and every member organization of the National Unity Consultative Council shall be accountable to the Council.

Chapter (12)

Pledge to Build the Federal Democratic Union

We ratify the federal vision, values, goals, objectives and the roadmap stipulated in the Federal Democracy Charter Part One and the provisions of the Federal Democracy Charter Part Two under which the undertakings of the National Unity Consultative Council, the Interim National Unity Government, and the legislative and judicial works during the interim period shall be carried out in accordance with the principles of collective leadership and accountability.

All the member organizations which ratify this Charter make the pledge to uphold the interests of the people and the federal union in implementing political, economic, social, foreign, defence and security matters.