Statement for the Fourth Session of the Human Rights Council

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Palais des Nations, Geneva

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Special Rapporteur on the situation of human rights in Myanmar
Mr. President,

The critical human rights situation in the country calls for an increased attention by the HRC. As my six-year mandate is now ending, I believe it is of utmost importance to keep the situation of human rights in Myanmar high on your agenda.

In the past two years, the reform process proposed in the “seven-point road map for national reconciliation and democratic transition” has been strictly limited and delineated. The quality of the work of the National Convention has been adversely affected by this evolution whereas I take note of progress made towards the drafting of a new constitution.

On May 2006, the house arrest of the General Secretary of the National League for Democracy (NLD), Daw Aung Sang Suu Kyi was further prolonged by 12 months in spite of various international appeals. On February 2007, the house arrest of Tin Oo, the Vice-Chairman of the NLD was extended for one year.

As of 16 December 2006, the number of political prisoners was estimated at 1,201.

I welcome the Government’s decision last January to grant amnesty to 2,831 prisoners and the release of 52 political prisoners the same month, including five prominent political leaders. I want to acknowledge the information provided to me on this matter by the government. I however regret the arrest of 79 political activists for the year 2006. None of them have been released last January. I am also deeply concerned by the 73 political prisoners with alarming health conditions who are still detained.

The stability of Myanmar is not well served by the arrest and detention of several political leaders or by the severe and sustained restrictions on fundamental freedoms. As Nelson Mandela eloquently says, “Only free men can negotiate; prisoners cannot enter into contracts. Your freedom and mine cannot be separated”.

Mr. President,

The capacity of law enforcement institutions and the independence and impartiality of the judiciary have been hampered by sustained practices of impunity. The criminalization of the exercise of fundamental freedoms by political opponents, human rights defenders and victims of human rights abuses is a matter of grave concern.

Mr. President,

I however welcome some progress against the widespread practices of forced labour. I took note with great satisfaction of the conclusion between ILO and the Government of Myanmar of an Understanding designed to provide a mechanism to enable victims of forced labour to seek redress.

I would like also to thank the Myanmar Ministry of Health that provided comments on my report. I especially take note of efforts made to combat HIV/AIDS and Tuberculosis infection and the rapid and effective action taken by the Government to address the outbreak of avian influenza.

I also note with satisfaction that the Government of Myanmar has now decided to prepare its second and third reports to the CEDAW as I have recommended.

Mr. President and members of the Human Rights Council,
I am very worried by the increased militarization in ethnic areas of Eastern Myanmar and by its effects on human rights, especially of civilians who have been targeted during the attacks. I received testimonies from villagers who recently fled from Toungoo District and Eastern Bago Division. These villagers, who had already been forcibly displaced at several occasions, provided information that verifies serious allegations of human rights abuses during 2006. These include summary executions, sexual abuses, destruction of villages and food supplies, forced labor and various forms of extortions. As the result of the increase of military operations, the number of communities in needs, such as villagers facing food shortage, internally displaced villagers and refugees have significantly increased.

I would like to stress the importance of providing these groups at risk with immediate humanitarian assistance. I also want to reiterate that the humanitarian assistance should not be made hostage of politics.

I urge the Government of Myanmar to authorize access to the affected areas by the UN and associated personnel, as well as personnel of humanitarian organizations and guarantee their safety, security and freedom of movement.

I express my great dissatisfaction about the drastic restrictions imposed on the ICRC, which has resulted in the closing of two of their offices in Myanmar, in spite of the sustained effort of that organization to engage in a constructive dialogue with the Government of Myanmar.

Mr. President,

I think there is an urgent necessity to better coordinate the different approaches among member states to find ways to contribute to the process of transition towards democracy and to promote the improvement of standards of living of the population in Myanmar.

I would like to call on the Human Rights Council to consider ways and means of initiating an effective collaboration with Myanmar.

Thank you.