



# MYANMAR

Statement by

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Permanent Representative of Myanmar

at

the Interactive Dialogue with the Special Rapporteur on the

Situation of Human Rights in Myanmar

Agenda Item 4

At the 19<sup>th</sup> Session of Human Rights Council

Geneva, 12 March 2012

Final

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Madame President,

My delegation listened carefully to the oral presentation made by Professor Quintana.

Before responding to Professor Quintana's report and his oral presentation, I would, first of all, like to touch upon the current political landscape of my country and the direction where it is leading. We can better understand them from the most reliable sources none other than our Head of State's speech which was made on the 1<sup>st</sup> of this month in commemoration of the first anniversary of the government's inauguration. The following are the salient points of the President's speech:

#### Peoples' Desire

- Since its assumption of State duties, the Government has made efforts to fulfil the two main aspirations of the entire people. Their first aspiration is to live in peace and stability. Keeping this aspiration to the fore, the Government gives priority to a political process for national reconsolidation and everlasting peace. The all-inclusive political process is being implemented to ensure that all the stakeholders have a role to play in it. This process is now making tangible progress.
- It is heartening to see that all the internal political forces are working with eagerness to get elected as people's representatives to practise democracy within the constitutional framework.
- The Government has granted four amnesties during its first year with the aim of providing an all-inclusive opportunity in the national reconsolidation and nation-building tasks.
- Myanmar expatriates living abroad are now joining hands in these tasks in response to the Government's invitation. We now witness with pleasure the eager participation and assistance of overseas Myanmarers from various parts of the world.
- The need to find a common ground and build the nation through harmonious efforts by both the new and old generations has direct relevance for the future of the nation.
- The second aspiration of the people is to develop a strong economy expeditiously. Macro-economic reform measures such as the relaxation of procedures on export/import licenses and the exemption of export related taxes are being carried out.

### Realization of Everlasting Peace

- The Government has adopted three steps to realize an everlasting peace. The first step is to hold a dialogue at regional level to achieve a ceasefire agreement. (I am pleased to inform that, to date, ceasefire agreements have been signed with nine ethnic armed groups.)
- The second step is to continue dialogue at the Union level for participation in the political process. In the third step, agreement will be signed at the Parliament comprising all main political players including the government.

### Sense of Oneness

- All the dignitaries including the President, two vice-presidents, leaders of the Armed Forces, union government ministers, state/region chief ministers and those responsible for legislative and judicial pillars have a sense of oneness to serve the best interests of the nation and its people. The government is not divided into a hard-line camp and a soft-line camp.

### Restructuring of Administrative Mechanism

- The restructuring of the administrative mechanism down to ward/village level calls for firm rules and laws that can remove the thorns of successive eras.

### Universal Health Insurance System

- For the health care of the needy people, the Government is planning to adopt a universal health insurance system in collaboration with private organizations.

### Increased Spending on Health and Education

- The Government is striving to reduce the poverty rate of the country from 26% at present to 16% in 2015 and to graduate Myanmar from the list of least-developed countries. The Government will increase the spending on the health sector by fourfold and that of the education sector by twofold in the coming fiscal year.

### Civil Society Organizations

- The consolidation of Civil Society Organizations is one of the most important prerequisites of the democratic transition and nation-building endeavours. It is very heartening to see the emergence of CSOs in the country.
- The systematic and successful emergence of foundations and organizations is a pride for the Myanmar society.

### Emergence of Mass Organizations

- Plans are underway for the emergence of Workers Unions and farmers' unions to protect rights of farmers and workers. (In this connection, I would like to inform this meeting that the Labour Organizations Law has entered into force with effect from Friday, 9 March 2012, legalizing the formation of Workers Unions throughout the country.)
- Plans are also underway to form a National Press Council to ensure the accountability and freedom of press.

### Rule of Law

- With the prevalence of the rule of law in our society, human rights, liberty and democracy will be automatically enhanced.
- The Parliament makes laws. The Government rules the country in accord with these laws and the functions of the judicial pillar is strictly guided by these laws.

Madame President,

Let me now turn to the Professor Quintana's report and his oral statement.

### No Backtracking

In the summary of the report, Professor Quintana concludes that the recent wave of reforms has had a positive impact on Myanmar's human rights situations. He also observes that "There is, however, a risk of backtracking on the progress achieved thus far." My delegation has very strong reservations to his observation. As stated by our leadership time and again at the highest political level, Myanmar is committed to the irreversibility of its current democratization and reform process. The reforms have not come out of the blue; they have come as a result of the well-planned seven-step political roadmap that we first launched in 2004. Since then we have taken the sequential steps leading

up to the current step of realizing a democratic State. There will be no turning back. There should be no misgivings about the genuine commitment of our leadership to the democratization and reform process.

### Response to Special Rapporteur's Report

Madame President,

In the interests of time, I do not intend to make a paragraph by paragraph response to Professor Quintana's report. I would instead respond selectively to some of them in the following manner:

It is regrettable to see the allegations, unsubstantiated information and irrelevant recommendations in paragraphs 21, 22, 31, 48, 59, 60, 70, 71, 90 (a) and 92. They lack credibility and objectivity.

My delegation rejects the improper language and connotations in paragraph 73. They do not reflect the situation on the ground.

In connection with paragraph 74 of the report, I would like to explain the policy and practice that we follow in the country. We pursue a zero-tolerance policy against serious human rights violations and take punitive actions against perpetrators. Citizens can lodge complaints either with the President's Office directly or with the relevant parliamentary committees if they feel their rights are violated.

As an alternative complaint mechanism, citizens can also file their complaints with the National Human Rights Commission, which is an independent entity. Since its formation last September, the Commission has so far received a total of 1,250 complaints. Out of that number, findings on 283 cases were transmitted to the relevant Government ministries for redress while 967 cases are still being examined. These national remedial measures are neither complete nor exhaustive.

The Myanmar National Human Rights Commission is now taking steps leading towards the attainment of the NHRIs "A" status accreditation from the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC).

### Necessity to Lift Sanctions

Madame President,

It is regrettable that the Special Rapporteur, in his report, does not make any reference, whatsoever, to the economic sanctions which are imposed on Myanmar by several countries. These sanctions are seriously affecting the livelihoods of the grassroots people. The sanctions constitute a violation of our peoples' basic human rights. Lifting of the sanctions will certainly facilitate foreign investments, creating more job opportunities and income generating for the people, eventually leading to the full enjoyment of the human rights of the Myanmar people. Therefore, I would like to call upon the Special Rapporteur to duly recognize these realities.

My delegation would like to call for an early lifting of the economic sanctions imposed on Myanmar. In this connection, we align ourselves with the ASEAN joint statement which will follow in a few moments.

### Time to Reassess

Madame President,

In our view, country-specific resolutions in the Human Rights Council do not create a conducive climate for meaningful cooperation and interaction in the interests of human rights. We firmly believe that the UPR process is the most dependable and uncontroversial monitoring mechanism to address human rights situations of all countries. In this spirit, Myanmar constructively participated in the UPR review last year.

With Myanmar moving ahead with its genuine reforms and making tangible progress in the democratization process, my delegation very strongly believes that the Human Rights Council should now reconsider and reassess the continued placement of Myanmar under its agenda.

I thank you, Madame President.