



EXTRA! EXTRA!

SPECIAL ISSUE

THE BURMESE JUNTA CONDEMNED AT THE 46TH SESSION OF THE UN COMMISSION ON HUMAN RIGHTS.

At the 45th Session of the UN's Human Rights Commission in Geneva in 1989, the Burmese military government was let off relatively lightly, large because of a promise to hold "free and fair" elections. At this year's Session, however, the Burmese people were pleased to learn that the ruling junta was dealt with under a special confidential procedure. This is considered to be particularly condemnatory and is reserved only for the most serious human rights violators. The country being dealt with under this procedure is, in fact, on trial. In this case, the Human Rights Commission delivered what, in UN terms, is the stringest measure that can be taken in the confidential procedure, namely to ask for the appointment of a special rapporteur (known as an "independent expert". This expert will report back to the 1991 Session of the UN's Human Rights Commission in Geneva.

People familiar with UN procedures emphasise that they have never seen a country receive such a general and quick condemnation (even countries like South Africa have taken years to attain their special status as "pariah nations"). In the confidential procedure all the 43 members of the Commission (including Pakistan and China) associated themselves with the resolution. As is clear from the documents which DAWN is proud to publish, the main cause of concern is the apparent lack of seriousness in holding "free and fair" elections, and continuing reports of severe and widespread human rights abuses, including the imprisonment of opposition leaders. These documents should also serve as a reminder to other repressive governments and business opportunists who are supporting the present regime in Rangoon. Its days are numbered - and we Burmese will remember forever who supported our struggle for democracy and who tried to sabotage it. On behalf of the Burmese people: THANK YOU, UNITED NATIONS!



Economic and Social Council

Distr.
RESTRICTED^{*/}

E/CN.4/1990/R.5
13 February 1990

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Forty-sixth session
Agenda item 12 (b)

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES, INCLUDING:

- (b) STUDY OF SITUATIONS WHICH APPEAR TO REVEAL A CONSISTENT PATTERN OF GROSS VIOLATIONS OF HUMAN RIGHTS AS PROVIDED IN COMMISSION RESOLUTION 8 (XXIII) AND ECONOMIC AND SOCIAL COUNCIL RESOLUTIONS 1235 (XLII) AND 1503 (XLVIII): REPORT OF THE WORKING GROUP ON SITUATIONS ESTABLISHED BY THE COMMISSION AT ITS FORTY-FIFTH SESSION.

France: amendment to the recommendation concerning Myanmar contained in document E/CN.4/1990/R.4

1. Insert a new preambular paragraph after the second preambular paragraph, as follows:

"Expressing the hope that all political parties and personalities will be able , in accordance with laws and with the principles of a democratic society, to participate fully in the electoral process and the elections",

2. Insert a new operative paragraph 2 after operative paragraph 1, as follows:

"2. Requests the Chairman of the Commission to appoint an independent expert to establish direct contacts with the Government of Myanmar on developments relating to the human rights situation in Myanmar and to report thereon to the Commission at its next session";

3. Renumber operative paragraphs 2 and 3 accordingly.

^{*/} All persons handling this document are requested to respect and observe its confidential nature.

MYANMAR

The Commission on Human Rights.

Having examined the material relating to the human rights situation in Myanmar brought before it under Economic and Social Council resolution 1503 (XLVIII),

Noting with appreciation the willingness of the Government of Myanmar to co-operate with the Commission by furnishing detailed replies and observations relating to the material which the Commission has before it,

Expressing the hope that all political parties and personalities will be able, in accordance with laws and with the principles of a democratic society, to participate fully in the electoral process and the elections,

Wishing to be further informed about on going developments towards full restoration of human rights and fundamental freedoms in Myanmar and, in particular, about the electoral process now in progress,

Expressing the hope that with the continued co-operation of the Government of Myanmar, the Commission will be able to conclude consideration of the matter at its forty-seventh session,

1. Decides to keep the human rights situation in Myanmar under review within the framework of Economic and Social Council resolution 1503 (XLVIII) in the light of any further observations received from the Government of Myanmar pursuant to this decision and such information as may reach the Commission under Council resolution 1503 (XLVIII);

2. Requests the chairperson of the Commission to appoint an independent expert to establish direct contact with the government of Myanmar on developments relating to the human rights situation in Myanmar and to report there on to the Commission at its next session;

3. Relies again on the demonstrated willingness of the Government of Myanmar to co-operate with the Commission;

4. Requests the Secretary-General to communicate this decision to the Government of Myanmar.

The human rights situation in Burma remains disturbing. The military authorities have, of course, undertaken to hold elections on 27 May and the preparatory process appears to be underway. Serious questions remain, however, as to the democratic character of these elections in circumstances where two of the principal leaders Mrs. Aung San Suu Kyi and U Nu are under house arrest; where a recent decision appears designed to deprive Mrs Aung San Suu Kyi of the right to contest the elections; where a third leader U Tin Oo has been sentenced to three years imprisonment; where meetings of more than four persons are banned and where it is forbidden to criticise the army and the military Government. There are, moreover, well-founded allegations of numerous cases of arbitrary imprisonment, disappearances and torture. The Twelve urge the authorities of Burma to restore the credibility of the electoral process by lifting the measures restricting political activity and to investigate seriously all abuses.

The Commission, in its duty to the Burmese people must now seek the co-operation of the authorities of Burma in every possible way which could re-establish confidence in the democratic future of that country which, if secured, will in the firm conviction of the Twelve, restore stability, respect for human rights and prosperity.

The 12 countries of the European Community (delivered by Ireland)

The Swedish Government has on several occasions expressed its deep concern over the human rights situation in Myanmar. Freedom of expression has been obliterated. Reports give a picture of porciotont oppression and indiscriminate violence and of torture practised on a routine basis. We strongly urge the Government of Myanmar to allow all opposition leaders to participate in the forthcoming election. Anything less would be detrimental to fundamental human rights. Sweden is very disturbed by continuing reports of torture and arbitrary arrests. We appeal to the Government of Myanmar to show full respect for human rights and fundamental freedoms enabling the people to exercise their legitimate right to participate in the transition to a multiparty democracy.

Sweden

CANADA WELCOMES MYANMAR'S STATED
COMMITMENT TO HOLD FREE AND FAIR ELECTIONS ON MAY 27.
HOWEVER, WE CONTINUE TO BE DISTURBED BY THE ABSENCE
OF POSITIVE MEASURES THAT WOULD CONFIRM THAT A
DEMOCRATIC PROCESS IS BEING FOLLOWED. WHILE
OPPOSITION LEADERS ARE UNDER HOUSE ARREST, TRULY
OPEN AND DEMOCRATIC ELECTIONS WILL REQUIRE THE FULL
PARTICIPATION OF ALL POLITICAL LEADERS. LIFTING OF
MARTIAL LAW WOULD SIGNAL THE GOVERNMENT'S
COMMITMENT TO AN OPEN ELECTION PROCESS. CANADA IS
CONCERNED ABOUT REPORTS BY AMNESTY INTERNATIONAL OF
ARBITRARY ARRESTS, TORTURE, AND EXTRAJUDICIAL
EXECUTIONS BY THE MYANMAR ARMY IN BORDER REGIONS.
SUCH PRACTICES, AS WELL AS EVENTS BEARING ON THE
CONDUCT OF THE ELECTION PROCESS OVER THE COURSE OF
THE NEXT FEW MONTHS, WILL HAVE A DIRECT IMPACT ON
CANADIAN RELATIONS WITH MYANMAR.

Canada

Some observers of the situation in Myanmar express the view that respect for human rights there improved in 1989 because there were no killings of unarmed demonstrators, as had occurred in 1988. That view is flawed: there were no demonstrators to shoot in 1989 because the martial law edict in effect prohibits the public gathering of more than five people. Moreover, there are credible reports that torture and summary executions of political detainees were commonplace in Myanmar in 1989. If the Myanmar Government sincerely desires to demonstrate that the May 27 elections will be free and fair, let it invite objective outside observers to monitor those elections and liberate the opposition leaders and activists to participate in the process.

United States of America

Myanmar

As regards Myanmar, my Government welcomes the willingness of the Myanmar Government to strive for the democratization and opening up of the country. However, the Government of Japan is concerned at various reports which indicate that human rights violations are being practised in that country, though we welcome the undertaking by the Myanmar authorities to organize free and fair multiparty democratic elections on May 27 this year. In this context, the Government of Japan is still of the view, as expressed on several occasions in its official statements, that it is desirable for all political leaders to be able to take part in the general elections so that the efforts of the Government of Myanmar for the democratization and opening up of the country will bear fruit and be recognized internationally.

My Government has taken every opportunity to convey that view to the Government of Myanmar. From this viewpoint, my delegation finds it disappointing that some political leaders have been declared ineligible for the forthcoming elections.

The Government of Japan urges the solidarities of Myanmar to take all measures necessary to assure the holding of free and fair general elections.

Japan

Finally, in the Asian region I would like to express our continuing concern as regards the situation in China and Myanmar. In both cases we appeal to the governments concerned to tolerate and respect the freedom of expression and the right to peaceful assembly. We welcome as a step in the right direction the lifting of the martial law in Beijing and the release of 573 persons supporting democratic reforms, and we hope these steps will be pursued further.

Norway

AUSTRALIA WELCOMES THE ANNOUNCEMENT THAT MULTI-PARTY GENERAL ELECTIONS WILL BE HELD IN MAY 1990. HOWEVER, THE CLAIM THAT THE ELECTIONS WOULD BE FREE AND FAIR INCREASINGLY LACKS CREDIBILITY GIVEN THE ACTION TAKEN BY THE MYANMAR GOVERNMENT TO SUPPRESS POLITICAL DISSENT, TO INTIMIDATE POLITICAL OPPONENTS AND TO LIMIT PARTICIPATION IN THE ELECTION.

THE AUSTRALIAN GOVERNMENT HOPES THAT THE RESTRICTIONS ON POLITICAL ACTIVITY AND DEBATE THAT ARE STILL IN FORCE WILL BE LIFTED WELL BEFORE THE ELECTION DATE. IT ALSO URGES THE AUTHORITIES TO REVIEW THE DECISION TO DISQUALIFY THE LEADER OF THE NATIONAL LEAGUE FOR DEMOCRACY, AUNG SAN SUU KYI, FROM PARTICIPATION IN THE ELECTION, AND THEREBY ALLOW THE LOCAL ELECTION COMMISSION'S RULING IN HER FAVOUR TO STAND.

THERE HAVE BEEN CONTINUING REPORTS OF HUMAN RIGHTS VIOLATIONS IN MYANMAR, INCLUDING MASS DETENTIONS WITHOUT TRIAL, THE HOLDING OF OPPOSITION POLITICAL LEADERS UNDER HOUSE DETENTION OR IN PRISON, ALLEGATIONS OF TORTURE IN CUSTODY OF OPPONENTS OF THE MYANMAR GOVERNMENT, AND OF THE USE OF FORCED LABOUR FOR MILITARY PURPOSES.