



ASIAN LEGAL RESOURCE CENTRE

email: alrc@alrc.net
web: www.alrc.net
phone: (+852) 2698 6339
fax: (+852) 2698 6367

An NGO with general consultative status
with the Economic and Social Council of the
United Nations.

Unit 701A, Westley Square
48 Hoi Yuen Road
Kwun Tong, KLN
HONG KONG

Oral statement delivered by the Asian Legal Resource Centre during the 19th session of the Human Rights Council

Item 4 - Interactive Dialogue with the Special Rapporteur on the situation of human rights in Myanmar

Speaker: Mr. Norman Voss

Check Against Delivery

Thank you Mr. President,

The ALRC would like to warmly welcome the Special Rapporteur's report and work. While much attention is focussed on political developments in Myanmar, the ALRC is gravely concerned by the lack of progress in establishing institutions that are capable of protecting human rights and providing redress. Myanmar's defective institutions, including the police, prosecution and judiciary, continue to handle cases, conduct trials and operate in violation of rights just as they did under the military government.

Phyo Wai Aung, who was falsely accused of a bombing in 2010, continues to be held and tried behind closed doors in Insein central prison, with the approval of the Supreme Court, despite numerous miscarriages of justice, including the recent arbitrary pressing of contempt charges against him and his lawyers. As seen in the case of revocation for political reasons of the licences of 32 lawyers in late 2011, judicial powers are being abused to prevent lawyers from effectively defending their clients.

U Gambira, a monk who led the 2007 protests against the military, and suffered brutal torture before being released during the January 2012 amnesty, has since been repeatedly re-arrested for questioning by the Special Branch police, which continues to target and harass persons as in the past.

Myanmar also faces new challenges, notably as former military personnel move into new roles in other sectors including industry, carrying with them their previous authority. The convergence of the military, government agents and business is an enormously dangerous development, as can be seen in the increasingly grave problem of land-grabbing.

It is universally acknowledged that Myanmar's entire system is plagued by corruption. Some 70 per cent of court cases are currently decided in part or whole by the payment of money. As economic boom increases the money within the system, the effect of corruption will only grow. While the legislature may pass a law to act against judges accused of corruption, what steps does the Special Rapporteur think are required to address this issue systemically, at all levels? Furthermore, what priority institutional reforms does the Special Rapporteur recommend the government of Myanmar must take in order to break with the past systems of human rights abuse?

Thank you.