

**Human Rights Watch Statement
13 March 2008**

Item 4 Myanmar

In the aftermath of last year's violent crackdown on peaceful protests the situation of human rights in Burma remains dire. The government has failed to act on any of the recommendations contained in the last report of the Special Rapporteur. It has ignored the Council's demands to allow him access to further investigate the events. No one has been held accountable for the killing of peaceful protestors. No one besides the government knows what happened to thousands of monks rounded up in Rangoon. Many monasteries in Rangoon are now almost empty. But the country's jails are full. An estimated 1,800 political prisoners remain in detention, including hundreds detained in the crackdown. Arrests of activists continue, including leaders of the 88 Generation Students, many of whom were recently sentenced to lengthy prison terms. Burma's prisons are the site of routine torture and inhumane conditions.

The government is staging a sham referendum on a draft constitution for May. It hopes that this will distract attention from the crackdown and that the international community will accept the referendum as a sign of "progress." Yet the draft constitution is in reality little more than a device to retain military control of government. It bans the participation in government of Aung San Suu Kyi. Delegates at the national convention who opposed the SPDC's plans were arrested, threatened, beaten, kicked out, and held incommunicado. The country's largest opposition party, Suu Kyi's National League for Democracy, walked out many years ago in protest against this farce of a process.

The referendum should be the opportunity to shine a spotlight on the state of basic rights in Burma. The media is censored and controlled by the government. Critics of the government, such as labor activist Ma Su Su Nway who was arrested in November while trying to see Professor Pinheiro, are jailed. She is still in jail despite serious concerns over her health. Those who try to exercise their right to freedom of association are arrested. Monks and other religious figures are banned from voting. The SPDC has expressly outlawed public criticism of the constitutional process under its draconian Law 5/96 of 1996, which has been used to jail scores of opposition figures.

Human rights abuses continue in ethnic areas, especially in northern Karen state, where over 40,000 civilians have been displaced in a brutal military offensive since 2006. Over half a million persons remain internally displaced in eastern Burma, while hundreds of

thousands of Burmese live as refugees in Thailand, China, India, Bangladesh and Malaysia. Forced labor remains common in rural areas and conflict zones. Last year the ICRC took the rare step of publicly rebuking the government over repeated violations of international humanitarian law by the army.

In recent days Burma's government has snubbed Special Advisor Gambari, making ridiculous accusations of bias. Mr. Gambari has acted on behalf of the Security Council and in close consultation with Burma's friends and neighbors. This lack of cooperation with the UN and the wider international community is consistent with how the government has treated Professor Pinheiro, who for years has patiently waited for the government to offer any sign, no matter how slight, of progress on human rights. It has completely failed to do so. It is the responsibility of this Council to make sure his successor is not treated in the same way and, more importantly, that the long suffering people of Burma start to see the realization of their fundamental rights.