



MYANMAR

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Statement

by

His Excellency U Win Mra

Director-General of the International Organizations

and Economic Department,

Ministry of Foreign Affairs and

Representative of the Union of Myanmar

on the Report of Professor Sergio Pinheiro,

Special Rapporteur on the Situation of Human Rights in Myanmar

(Agenda Item No. 71(c): Human Rights Questions)

at the Third Committee of

the 60th Session of the United Nations General Assembly

New York
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Mr. Chairman,

May I first of all thank the Special Rapporteur Professor Pinheiro for his oral presentation and for the few objective points in his report regarding my country (A/60/221). First of all, I would like to reiterate my Government's consistent policy of co-operation with the United Nations which has been amply demonstrated by its acceptance of the visit of Professor Pinheiro to the country for six times since his appointment as Special Rapporteur on Myanmar. However, at this present point in time as the government is very much engaged in implementing the first crucial steps of the seven-step road map that will ensure a smooth transition to a modern democratic state, it is not in a position to accommodate to the Special Rapporteur's request to visit the country. In this regard, the Minister for Foreign Affairs of Myanmar has already responded to Professor Pinheiro by letter.

Mr. Chairman,

My delegation is of the view that it is important for the Special Rapporteurs to stay within their mandates and act on the basis of objectivity, non-selectivity and impartiality despite the fact that they come under tremendous pressures from various quarters to go beyond their mandates and tread into internal political affairs of countries concerned.

My delegation would here like to point out that the Special Rapporteur's mandate, as established by the CHR resolution 1992/58 was to examine the situation of human rights in Myanmar and to report to the General Assembly and the Commission on Human Rights respectively. We have dissociated from this decision and the subsequent decisions of the Commission on Human Rights. The interim report presented to the General Assembly this year is very intrusive which tempted to intrude into the internal domestic politics of the country, even prescribing ample but unwarranted advice on Myanmar's political process. In doing so, it has gone above and beyond the Special Rapporteur's mandate. We find the report completely lacking in important attributes such as objectivity, non-selectivity and impartiality.

Mr. Chairman,

The report mentions that "the transition to a full, participatory and democratic system can no longer be postponed". My delegation wishes to assure that the transition to a full, participatory and democratic system has not been postponed. It is moving forward vibrantly and with momentum and we would like nothing more than to receive some understanding, co-operation and recognition of our earnest efforts.

The importance we place on our home-grown process is reflected in our decision to voluntarily defer the privilege of ASEAN Chairmanship in 2006. The Joint Communiqué of the 38th ASEAN Ministerial Meeting held in Vientiane on 26 July 2005 stated that "the Government of Myanmar had decided to relinquish its turn to be the Chair of ASEAN in 2006 because it would want to focus its attention on the ongoing national reconciliation and democratization process". There is a pressing need to ensure that the process we have so carefully nurtured over the years does not falter and come to a halt half way through.

The report criticizes the National Convention process. In fact, the reconvening of the National Convention on 17 February 2005 was a significant step forward in implementing the seven-step road map to democracy. The Convention was attended by over one thousand

delegates representing all the national races, political parties and other interest groups. If the NLD was not included as the report mentioned, it is because they decided not to participate despite the invitation by the authorities.

How could such a process with the overwhelming participation of delegates from all strata of the society, including delegates from the 17 armed groups that have returned to the legal fold, be dubbed as a " democratic process devoid of meaning ". This assertion is very misleading and is unacceptable to my delegation.

Mr. Chairman,

Significant developments have taken place in Myanmar. The Government has made considerable achievements in implementing the National Development Programmes in keeping with the MDG goals. These Development Programmes have accelerated growth and contributed towards equitable and balanced development of the country and reduced socio-economic development gap between rural and urban areas of the country. In the past three years, Myanmar's economy registered an average growth rate of 8.5 per cent. The country has had a trade surplus and a positive current account balance for two years consecutively. The number of institutes of higher learning has increased from 32 in 1988 to 156 today and the quality of education has also risen. Those who refuse to acknowledge this are being less than objective. We cannot accept the notion that is contained in the Report with regard to the economic and social situation in Myanmar.

Mr. Chairman,

Myanmar does not pose a threat to its neighbours or to the region. On the contrary, it is contributing to regional peace and stability by building national unity at home and implementing a democratization process. Our immediate neighbours are fully aware of the complex situation we face and the efforts the Government has made so painstakingly over the years. Those who have visited Myanmar can testify to the fact that the political, economic and social conditions in Myanmar have improved considerably in the last decade.

Mr. Chairman,

Due to time constraints, it would not be possible for me to refute all the allegations in the report. The leader of Myanmar delegation to the Sixty-first session of the Commission on Human Rights already had had the occasion to respond at some length to the allegations when the report by the Special Rapporteur was presented to that session. Since our position had been made known I shall refrain here from repeating them again in detail. My delegation, however, would like to question the so-called " reliable source " of information contained in the report. These allegations are nothing new. They originate from anti-government groups who have resorted to a propaganda war to discredit the Government of Myanmar and the people, since all other attempts to destabilize that country have failed.

Reliable information concerning the country can be obtained by correspondence through Myanmar Permanent Missions in New York and Geneva during the time when mutually convenient dates for the visit of the Special Rapporteur cannot yet be arrived at. We will be obliged to respond to the queries, as we have done to the queries posed by some thematic rapporteurs. We regret that the Special Rapporteur has not done this.

The allegations regarding sexual violence against ethnic women and children and sexual slavery are baseless. It has never been the policy of the Government to allow or condone sexual violence against women regardless of whoever commits the crime. We cannot accept the assertion that there are thousands of internally displaced persons because of the armed conflict, because Myanmar is certainly not a country in armed conflict. Peace and tranquility prevails throughout the nation. Occasional clashes with small and splintered insurgent groups are mostly confined to the border areas which cannot give rise to displacement of persons to the magnitude described in the report. The description about refugees in the Myanmar-Thai border are also blown out of proportion. They are by and large illegal economic migrants. The Myanmar and Thai authorities have worked out an understanding to resolve the question of Myanmar's illegal economic migrants in Thailand. Regarding the UN agencies, the Government remains committed to continue to cooperate with them in accordance with the MoUs that the focal Ministries have signed with the UN agencies concerned. It seems to my delegation that every possible allegation which could be imagined, has been included in the report to mislead the international community into believing that Myanmar is the worst imaginable place on earth. My delegation categorically rejects them.

Mr. Chairman,

The report describes the people living in northern part of Rakhine State as " Rohingya ". My delegation takes strong exception to this characterization. Actually the people living in the northern Rakhine State were illegal migrants who through the magnanimity of the Myanmar Government had been allowed to settle there. They are known as returnees. The allegations regarding their mistreatment are not true. The Government has fully co-operated with the UNHCR to reintegrate them into the mainstream of the community. Programmes have been instituted for the returnees, such as Myanmar language training for the adults, population registration efforts, income generation assistance and the initiative to empower women and girls aiming at promotion of basic social and economic rights of the returnees.

The allegation that mosques have been destroyed are unfounded, for in Myanmar there is no discrimination based on religion. All religious groups enjoy the right to freedom of worship or belief and to establish and maintain edifices for these purposes.

Mr. Chairman,

Because of our high regard for Professor Pinheiro and our firm commitment to co-operation with the United Nations in all possible fields, we had warmly welcomed Professor Pinheiro to Myanmar for six times. For reasons given earlier in my statement, the Government cannot accommodate his request to visit Myanmar at this point in time. However, our commitment to co-operate with the United Nations remains unchanged as long as our national interest and sovereignty are not infringed upon.

Thank You.