



# MYANMAR

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Statement by H.E. U Thaung Tun,  
Ambassador and Representative of the Union of Myanmar  
in the Third Committee of  
the 63<sup>rd</sup> Session of the United Nations General Assembly  
on  
Agenda Item 64(b): Human rights questions, including alternative  
approaches for improving the  
effective enjoyment of human rights and fundamental freedoms;  
and  
(c): Human rights situations and reports of special rapporteurs and  
representatives

(New York, 23 October 2008)

Mr. Chairman,

Allow me to join you in welcoming the Special Rapporteur on the situation of human rights in Myanmar, Tomas Ojea Quintana in our midst. His reputation as an independent and fair-minded expert precedes him. We look forward to working with him to achieve progress in protecting and promoting human rights.

Mr. Chairman,

I have listened carefully to the introductory statement of the Special Rapporteur. I am encouraged by Mr. Quintana's openness and candor in highlighting the fact that Myanmar is going through a unique moment in its history. In the past year, significant strides have been taken in the seven-step road map. Last May, the people of Myanmar expressed their will in the referendum and approved a new Constitution by an overwhelming majority. Subsequently, the Government expressed its determination to hold multiparty elections in 2010, the fifth step in the seven-step road map. In this regard, Mr. Quintana notes that the process has the potential to result in progressive achievement of democratic values if prepared and conducted in an atmosphere in which human rights are fully respected. Indeed, "progressive achievement of democratic values" is what we have been striving for in the past two decades. History teaches us that democracy can only thrive in an atmosphere of peace and stability. Transition to democracy is never easy and cannot be imposed from the outside. As Myanmar is home to over 100 national races, national unity is key to achieving our goal to establish a modern democratic nation.

I am heartened to note that the Special Rapporteur underscored in the Human Rights Council that in discharging his mandate, he would like to cooperate with and assist the Government of Myanmar in its efforts to promote and protect the people of Myanmar. We consider this to be positive. Ultimately, it is the people of Myanmar who hold their future in their hands and they must be allowed to fashion their own destiny.

Mr. Chairman,

The Special Rapporteur has stressed in the Human Rights Council and here in the Third Committee the need to work with Myanmar. He has also declared that he considers the principal objective of his mandate as ensuring effective ways to engage with the authorities to assist them in achieving improvements in the protection and promotion of human rights. These declarations notwithstanding, the report appears to be Janus-faced.

In the first part of the report which focuses on his activities and programme of work he does acknowledge that there have been important developments in Myanmar since the last report to the General Assembly.

Those developments include the finalization of the new Constitution in February 2008 and the adoption through a nation-wide referendum in May. He also calls attention to the fact that the next step will be the elections in 2010. Subsequently, he points out that the protection of human rights and humanitarian assistance during natural disasters represents another important development.

However, the Special Rapporteur next proceeds to pass judgement by declaring "The Government bears main responsibility for addressing the human rights challenges posed by the disaster; this includes cooperation with the international community."

Here, it bears to be repeated that the Government of Myanmar did not fail its people in meeting the challenges posed by Cyclone Nargis.

Cyclone Nargis which battered Myanmar on 2 and 3 May 2008 was the worst natural disaster in the recorded history of the country. It left devastation in its wake – 84,537 persons were killed; 19,359 injured; and 53,836 reported missing. Due to the storm surge, 450,000 homes were destroyed and 350,000 damaged.

Media reports claiming that Myanmar was slow to respond to this national emergency or that it turned down the aid and assistance offered by the international community is absolutely false. The Government of Myanmar, aware of its responsibility for addressing the humanitarian challenges posed by the disaster, responded expeditiously. Myanmar recognized the magnitude

of the challenge it faced from the very beginning. As early as 5 May, it called on the United Nations to provide emergency assistance from the Central Emergency Response Fund (CERF). On 9 May, the United Nations launched a flash appeal to the international community. Even prior to this, Myanmar opened its doors and received the entry of international assistance and aid sent by land, sea and air.

Over 2,000 medical doctors and nurses were dispatched to the affected areas. Four hospital ships were also deployed in the delta region. These national efforts were complemented by the medical teams from ASEAN countries, Bangladesh, Belgium, China, France, Hungary, India, Japan, Republic of Korea and Sri Lanka. Over 100 national and international NGOs, community-based organizations (CBOs) and the UN Specialized Agencies were actively involved in the disaster relief efforts.

The UN Secretary-General Mr. Ban Ki-moon himself visited Myanmar from 22 to 23 May, and toured cyclone-hit areas and observed first hand the relief and rehabilitation activities. Following the tour, he affirmed "The people of the country have shown extraordinary courage and resilience in trying to save their fellowmen and to rekindle the hope shattered as a result of this cruel blow. From all I have seen, the Government, with the help of the international community, has put in place a functioning relief programme".

The report of the Tripartite Core Group composed of high-level representatives of the United Nations, ASEAN and Myanmar which was established to coordinate relief efforts also confirms the systematic and expeditious manner in which Myanmar responded to the natural disaster.

Mr. Chairman,

The second part of the report focuses on substantive issues and elaborates, *inter alia*, on those related to the protection of human rights in the context of the new Constitution.

With regard to human rights in the new Constitution and the full enjoyment of fundamental freedoms, the report readily lends an ear to allegations of irregularities surrounding the holding of the referendum. Unsubstantiated charges should not be entertained.

Similarly, with regard to the protection of civilians and ethnic minorities it is regrettable that the report includes information emanating from a number of disaffected people residing outside Myanmar. These accounts should be verified before they are accepted. It is also regrettable that unfounded charges of arbitrary land confiscation throughout the country, including confiscation of thousands of acres of privately-owned farmland in *Bogalay* in circumstance where farmers had already bought farming equipment and seeds on credit from the Government has also found their way into the report.

Mr. Chairman,

Due to the constraint of time, I have limited my comments to a couple of issues. Although I have pointed out the shortcomings of the report, I wish to underscore that my purpose is not to belittle the report, but merely to remind ourselves that the pursuit of human rights, in Myanmar or elsewhere, will require collective commitment and understanding of the particular situation. The challenge before us is to ensure that there is no double standards. Politicization and selectivity must not be condoned. In this regard, we believe that the launching of the Universal Periodic Review (UPR) by the Human Rights Council is a step in the right direction.

Mr. Chairman,

To conclude, I wish to reaffirm that Myanmar is committed to cooperating constructively with the United Nations, including in efforts to promote and protect human rights.

I thank you, Mr. Chairman.