

Myanmar

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Statement

by

**His Excellency U Wunna Maung Lwin,
Ambassador/Permanent Representative
of the Union of Myanmar**

**Under Item: Review, Rationalization and Improvement
of Mandate of the Special Rapporteur on the Situation of
Human Rights in Myanmar**

at the

Seventh Session of the Human Rights Council

Geneva, 17 March 2008

Mr. President,

The mandate of the Special Rapporteur on the situation of human rights in Myanmar was introduced in 1992 at the 48th session of the Commission on Human Rights.

Although Myanmar does not think it is appropriate to establish the mandate, the Government of Myanmar has shown its willingness to cooperate with the United Nations by extending invitations to the Special Rapporteur to see the true situation on the ground.

Since the creation of this mandate, the Government of Myanmar had invited the Special Rapporteurs for 11 times all together. The fact that Myanmar had received the Special Rapporteurs for 11 times in total testifies of Myanmar's effort and readiness to cooperate with Human Rights mechanism.

Despite such cooperation, Myanmar continues to be subjected of unjust and unwarranted criticisms. Besides, the Special Rapporteurs did not fully reflect the information furnished by the Government in their reports. Instead, the Special Rapporteurs' reports contained many unfounded allegations based on the rumors and unreliable sources. Moreover, they made unrealistic recommendations.

Mr. President,

Myanmar's genuine desire is that cooperation with the human rights forum and invitation to the Special Rapporteur to Myanmar would convince the international community to understand the real situation in Myanmar. However, it did not turn out as we expected and each and every report submitted by the Special Rapporteurs stepped into the internal affairs and the sovereignty of Myanmar and thereafter made a non exhausted list of politicized recommendations to put more pressure on Myanmar. Therefore , the objectivity and impartiality of this mandate becomes questionable.

Mr. President,

In the Commission on Human Rights, discussions of country-specific situations became convenient forum to publicly shame and attack the fellow members of the United Nations . It failed to apply the widely respected principles of non-selectivity, objectivity and impartiality. The Commission allowed itself to be obliged as a forum to humiliate certain States, especially the developing countries. Notably, these States were subjected to the injustice and double standards. Countries were selectively forced to comply with the standards many others rarely meet.

The Human Rights Council was established with a view to eliminating the double standards and politicization. The Human Rights Council introduced the Universal Periodic Review in which all member States will be reviewed on the same footing. Therefore, the Human Rights Council should not repeat the country specific mandate .

Mr. President,

As Myanmar will also be reviewed under the Universal Periodic Review, I strongly believe that we should have equal footing with other member States and it is not necessary to have a country specific mandate for Myanmar.

Let me refer to paragraph 54 of the Institution-building text of the United Nations Human Rights Council.

"The review, rationalization and improvement of mandates, as well as the creation of new ones, must be guided by the principles of universality, impartiality, objectivity and non-selectivity, constructive international dialogue and cooperation, with a view to enhancing the promotion and protection of all human rights, civil, political, economic, social and cultural rights, including right to development."

Mr. President,

Myanmar is in the process of the political transition with a view to establishing a peaceful and stable democratic country for 54 million people consisting over 100 national races. Currently, the Government has been proceeding with a momentum to hold the National Referendum for the approval of the draft State Constitution in two months time. The draft State Constitution contains about 50 articles relating to the rights of Myanmar people. These rights enshrined in the Constitution will protect and promote the fundamental rights of Myanmar people.

In the light of the important development achieved in Myanmar, the Human Rights Council should protect Myanmar from any undue pressure exerted by the powerful countries under the pretext of human rights obligations. As the UPR process will soon begin and some country specific mandates have already been terminated, the remaining country specific mandates including Myanmar should not be continued.

I thank you.