



# General Assembly

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## Human Rights Council

### Fifth special session

#### Summary record of the 1st meeting

Held at the Palais des Nations, Geneva, on Tuesday, 2 October 2007, at 11 a.m.

*President:* Mr. Costea..... (Romania)

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Request of the Permanent Representative of Slovenia, on behalf of Bosnia and Herzegovina, Canada, France, Germany, Guatemala, Italy, Japan, Mexico, Netherlands, Peru, Republic of Korea, Romania, Slovenia, Switzerland, Ukraine, the United Kingdom of Great Britain and Northern Ireland and Uruguay, to convene a special session of the Council entitled “The human rights situation in Myanmar”

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*The meeting was called to order at 11 a.m.*

**Request of the Permanent Representative of Slovenia, on behalf of Bosnia and Herzegovina, Canada, France, Germany, Guatemala, Italy, Japan, Mexico, Netherlands, Peru, Republic of Korea, Romania, Slovenia, Switzerland, Ukraine, the United Kingdom of Great Britain and Northern Ireland and Uruguay, to convene a special session of the Council entitled “The human rights situation in Myanmar”**  
(A/HRC/S-5/1; A/HRC/S-5/L.1; A/HRC/S-5/NGO/1-10)

1. **The President** declared open the fifth special session of the Human Rights Council, which had been convened pursuant to General Assembly resolution 60/251 at the request of the Permanent Representative of Slovenia, on behalf of Bosnia and Herzegovina, Canada, France, Germany, Guatemala, Italy, Japan, Mexico, Netherlands, Peru, Republic of Korea, Romania, Slovenia, Switzerland, Ukraine, the United Kingdom of Great Britain and Northern Ireland and Uruguay.
2. **Louise Arbour** (United Nations High Commissioner for Human Rights) commended the Council’s decision to convene the current special session. The peaceful protests in recent weeks and the shocking response by the authorities were only the most recent manifestations of the repression of fundamental rights and freedoms that had taken place in Myanmar for nearly 20 years. She paid tribute to the many monks and students and thousands of ordinary citizens who had been claiming their fundamental rights peacefully. The international community owed them solidarity and effective, concerted action. The Myanmar authorities should no longer expect that their self-imposed isolation would shield them from accountability. Through modern media and information technology, the world had had unprecedented access to information about the events on the streets of Yangon. The deafening silence that had been resonating in recent days from the streets that the protesters had not abandoned voluntarily had only heightened international concerns for the safety and well-being of the protesting monks, the hundreds of people arrested in the course of the demonstrations and those wounded and removed from the streets to unknown locations. The Government of Myanmar must give full account of its actions during and after the protests, including by providing precise and verifiable information on the number of people killed and injured and on the whereabouts and conditions of those arrested. Myanmar should give humanitarian organizations full access to detainees and facilitate international monitoring of its activities, particularly in light of recent allegations of night-time raids and a general climate of intimidation.
3. Myanmar’s regional neighbours were uniquely positioned to exercise their individual and collective influence for the protection of human rights in the country. In that context, she welcomed the statement of the foreign ministers of the Association of Southeast Asian Nations (ASEAN) urging Myanmar to desist from the use of violence and to seek a political solution. At the 2005 World Summit, world leaders had agreed that the international community had a responsibility to protect civilians against serious international crimes. The exercise of such responsibility required that preventive, reactive and rebuilding measures were put in place to avert and confront crises and to prepare the ground for justice, the rule of law and for respect for human rights to take hold.
4. When the situation in Myanmar had first been considered by the United Nations Security Council at its 5610th meeting in January 2007, several Members had expressed the view that the Human Rights Council was the proper forum to deal with the human rights concerns at the time. There was no doubt about the need for the Council to act in the face of the present situation. It was of utmost importance that the situation in Myanmar was clarified and monitored. While seeking to prevent the outbreak of further overt violence and abuse, efforts needed to be made to reach those in need of international protection, including those whose fate was unknown. Together with political initiatives already under

way, the Council should use means commensurate to the occasion to impress on the Government of Myanmar the urgent need to implement its international human rights obligations and to account publicly for past and ongoing violations.

5. **Mr. Pinheiro** (Special Rapporteur on the situation of human rights in Myanmar) said that he was shocked and saddened by the growing number of reported deaths and serious injuries suffered by protesters and bystanders in Yangon, Mandalay and other major cities in Myanmar. He strongly condemned the use of deadly force by the security forces and called on the Government of Myanmar to desist from such brutal measures and to cooperate in the efforts of the international community designed to prevent a further deterioration of the human rights situation. The recent media blackout and cutting of Internet access illustrated the intolerable and oppressive means used by the authorities. He urged the Council to assess the current situation and request from the Government of Myanmar investigations and detailed information on the number of people killed and injured. He extended his solidarity to the Government of Japan with regard to the journalist killed in Myanmar.

6. The Council had the right and the duty to ask how many people had been injured in the protests; how many protesters or bystanders had been hospitalized and how many protesters, including monks, had died. The authorities should indicate whether forensic exams had been performed, whether the families had been granted access to the corpses and where the bodies had been buried. The Council should also enquire how many security agents had been injured or killed in the operations.

7. Together with other special procedures mandate holders, he had publicly denounced the brutal crackdown in Myanmar, expressing deep concern over the fate of thousands of peaceful demonstrators who had been arrested since the beginning of the protests on 19 August 2007. He called for the immediate and unconditional release of the detainees and political prisoners, including the General Secretary of the National League for Democracy (NLD) Aung San Suu Kyi. The Government should provide the Council with a full account for its actions during and after the protests, particularly on the number and identity of the persons detained, their whereabouts, and the conditions of detention. It should further indicate whether any leaders of political parties had been detained, whether the leader of NLD was in prison or under house arrest, and whether any monasteries had been occupied by the security forces.

8. He applauded the courageous role played at the risk of their lives by women and men, student leaders, monks and the society at large in these peaceful protests. The Myanmar authorities should be proud of the country's vibrant civil society and engage without hesitation in a constructive and transparent dialogue with all parties so as to lay down a road map towards a healthy and empowered democratic society.

9. There was an urgent need to improve coordination among Member States to find ways to contribute to the process of transition to democracy in Myanmar. A strategic dialogue should be established with the Government in order to facilitate reconciliation between the army and the people of Myanmar. States in the region, in particular, should assist Myanmar in upholding the principles of democracy and rule of law. He was encouraged by the solidarity of the international community and the expressions of deep concern by key international and regional actors, in line with the relevant statement issued by ASEAN.

10. Although he had not been granted access to Myanmar since November 2003, he had continued to follow the events in the country closely, and to fulfil his mandate to the best of his abilities based on objective information collected from a variety of independent and reliable sources, maintaining a positive dialogue with the permanent missions of Myanmar abroad. He stood ready to conduct a mission to assess the current situation in situ and to

report back to the President of the Council should members so decide. The Government of Myanmar could certainly benefit from a more active cooperation with his mandate. His obligation to make public human rights violations did not preclude a constructive and continuous dialogue with the Government. Rather, the combination of those two elements of his mandate could contribute to a new dynamic for improving the human rights situation in the country.

11. His report to the General Assembly (A/62/223) enumerated the human rights concerns and included comments provided by the Permanent Mission of Myanmar to the United Nations Office at Geneva. The concerns enumerated in the document illustrated the numerous obstacles facing the democratic process. There would be no progress in Myanmar's political transition unless ordinary people were free to express their views and discontent, peacefully and in public. The starting point for national reconciliation required meaningful and inclusive dialogue between the Government, political representatives and all ethnic groups. International actors, including through Human Rights Council mechanisms, should contribute to that process.

12. **Mr. Nyunt Swe** (Observer for Myanmar) gave a brief overview of Myanmar's complex post-independence history, which had been marked by internal conflict. He also highlighted the present authorities' achievements towards national reconciliation. His Government attached great importance to drafting a constitution that met the requirements flowing from the country's multi-ethnic makeup, as reflected in the convening of the National Convention with the participation of all ethnic nationalities and political parties. Unfortunately, with the withdrawal of NLP 1995, the National Convention had been forced to adjourn. As part of the implementation of the seven-step road map to democracy adopted in 2003, the National Convention had been reconvened and successfully concluded in September 2007 with the adoption of basic principles underpinning the new constitution. The constitution, once drafted, would be submitted to a popular referendum followed by free and fair elections, as provided in the road map.

13. However, certain internal and external forces did not wish to see the conclusion of the National Convention and had used the increase in fuel prices for political purposes, initiating protests in several cities and persuading Buddhist monks to participate. The protests did not simply reflect specific grievances. They were set against the background of a complex domestic situation and heavy political pressure from certain Western countries. The protests took place at a time when the Government had made tangible progress in the implementation of the road map and seemed to aim at provoking an escalation of the situation in order to justify outside intervention. His Government had evidence that the protests had received financial and other support from domestic and foreign anti-Government elements, who took advantage of the fact that, given Myanmar's strong Buddhist culture, it was extremely difficult for the Government to deal with monk-led protests should they spiral out of control. Initially, the Government had refrained from intervening in the hope that the protests would end peacefully. Unfortunately, international media had blown the situation out of proportion, including by inflating the number of monk protesters and violent incidents, in order to divert attention from more important world events. Certain Western countries had seized the opportunity to attack Myanmar using international forums such as the United Nations General Assembly, the United Nations Security Council and the Human Rights Council. As a result, the protests had gradually become more violent, defiant and provocative. Although his Government had exercised utmost restraint in dealing with the protests, while preventing them from spiralling out of control, international media and certain Western countries had depicted the Government's action as repressive and violent, thus inciting more violence. As the protests had gradually turned into large-scale rallies, the Government had done its utmost to normalize the situation.

14. People all over Myanmar had convened rallies to celebrate the successful conclusion of the National Convention. His Government was fully aware of its responsibility to lead the nation towards disciplined democracy. Progress had already been made and the process could be completed expeditiously if no obstacles were placed in its way. The international community could assist Myanmar, including by refraining from action that could escalate the present situation. Cooperation with the United Nations had been and would remain a cornerstone of Myanmar's foreign policy. The Special Envoy of the Secretary-General for Myanmar had been well received during his recent visit and had met with top government officials and representatives of international organizations in Myanmar.

15. **Ms. Basilio** (Philippines) said that the primary goal of the Council should be to help and encourage all States to build an enabling environment for the promotion and protection of human rights, in constructive cooperation with the international community and civil society. A consensual and cooperative approach when dealing with country situations could lead to practical and resource-oriented outcomes. Her country's own experience of peaceful transition to democracy lent even greater urgency to the Philippine President's recent call on the Government of Myanmar to take steps towards positive change, to nurture the gains made and to keep to the path of democracy. Her Government was gravely concerned by the sad pictures that had emerged from Myanmar. They cast a shadow on ASEAN and the region as a whole, which had made great strides towards building a community of caring and sharing nations. As a partner in ASEAN, the Philippines called on Myanmar to avoid isolation by fully engaging with the international community and progress towards democracy without further delay. National reconciliation in Myanmar would bring stability to the country and the region. The Philippines wished to see a peaceful transition and lasting solution in Myanmar through inclusive dialogue involving all parties concerned, facilitated by the release of all political detainees who could contribute to the process of national healing and renewal, including NLD leader Daw Aung Sang Suu Kyi.

16. The Government of Myanmar should respect human rights and freedoms, exercise utmost restraint, avoid the use of excessive force against protesters and prevent further fatalities. It should provide reliable information on those killed, injured and detained and take positive action in order to dispel the cloud of uncertainty shrouding the recent events.

17. The Philippines supported efforts toward reconciliation in Myanmar and had patiently and persistently advised Myanmar to make faster and more meaningful progress. In order to resolve its problems, Myanmar should harness internal political will and resources and, at the same time, engage constructively with the international community, thus sending a clear message about the premium placed on democracy and peace and the nurturing of a tolerant and inclusive society, as was the tradition in South-East Asia.

18. Her delegation welcomed positive developments such as the Myanmar Government's full cooperation with the Special Envoy of the Secretary-General for Myanmar during his recent visit; the letter sent by the ASEAN Chair on 29 September 2007 expressing ASEAN countries' grave concern at the situation in Myanmar; and reports that the incidence of violence in Myanmar had decreased.

19. The solution to the current crisis ultimately rested with the people of Myanmar, who should seize the opportunity to return to normality. The Philippines stood ready to support the Government and people of Myanmar at the present critical juncture. The Council should take account of the many daunting challenges facing Myanmar and assist the Government in bringing human rights to its people.

20. **Mr. Esteves** (Observer for Portugal), speaking on behalf of the European Union, the candidate countries Turkey, Croatia and the former Yugoslav Republic of Macedonia, the countries of the Stabilization and Association Process and potential candidates Albania, Bosnia and Herzegovina, Montenegro and Serbia, as well as Ukraine, the Republic of

Moldova, Armenia and Georgia which aligned themselves with the statement, said that the Council could not remain silent in the face of shocking events such as those taking place in Myanmar. The prompt cross-regional support for holding the current special session was a good indication of the Council's resolve to fulfil its mandate by addressing urgent human rights situations. It must decide on concrete and operational measures to alleviate the dire human rights situation in Myanmar and enhance the protection of those who wished to express their opinion peacefully. He extended his solidarity and admiration to the demonstrating monks, nuns and ordinary citizens of Myanmar, assuring them of the international community's concern. The European Union had been deeply shocked by the use of force against peaceful demonstrators; the arbitrary arrests and the killings of protesters and a Japanese journalist. It was deeply regrettable that the Government of Myanmar had failed to heed earlier calls by States and international organizations to exercise restraint. The European Union strongly condemned the violence, urging the Government of Myanmar to desist from using violence and to engage with all elements of Myanmar society in an open and inclusive dialogue towards genuine national reconciliation, democratization and the establishment of the rule of law. The authorities of Myanmar should end the widespread and systematic violations, including extrajudicial killings, sexual abuse, torture and forced labour practices; end impunity and investigate and punish those responsible for human rights violations; lift all restraints on peaceful political activity of all persons; allow unhindered access to information for all people of Myanmar; release without delay all political prisoners, including those arrested and detained as a result of the recent repression of peaceful protests; facilitate unhindered access for independent observers to all places of detention and ensure that conditions of detention met international standards; and cooperate fully with all United Nations mechanisms.

21. The European Union was concerned about the effect of the recent dramatic events in Myanmar on neighbouring countries and therefore strongly supported a discussion of the current situation within the United Nations Security Council. He took note of the recent visit to Myanmar of the Special Envoy of the Secretary-General and encouraged the Government of Myanmar to cooperate also with other human rights mechanisms. His delegation welcomed the ASEAN foreign ministers' clear and unequivocal call for restraint by the regime and a genuine political dialogue, particularly in light of the important role of neighbouring States in the present context. Genuine peace, stability and development in Myanmar could only be achieved through an all-inclusive political process and respect for fundamental rights and freedoms. The European Union would continue to work constructively with all parties to encourage positive developments in Myanmar, including by promoting decisive action by the Council.

22. **Mr. Shoukry** (Egypt), speaking on behalf of the African Group, said that the Group was firmly committed to the purposes and principles of the United Nations Charter and the principles underlying international human rights instruments. It was therefore gravely concerned by the recent events in Myanmar and the human and material losses that had ensued. The Council should seek to engage constructively with the Government of Myanmar, steering away from any unhelpful politicization or unnecessary confrontation. The African Group welcomed the stated readiness of the Government of Myanmar to address the current problems and expedite the return to normality. It was incumbent on the international community, particularly the Council, to assist the Government of Myanmar in addressing the challenges at hand and in promoting national reconciliation through an inclusive process. The African Group looked to the concerned regional groups for guidance on the situation in Myanmar and action required. The Group was encouraged by the Myanmar Government's willingness to cooperate with the United Nations, as evidenced by the assistance extended to the Special Envoy of the Secretary-General for Myanmar during his recent productive visit.

23. The credibility of the Council rested on its ability to address serious human rights situations in an impartial, non-selective and non-discriminatory manner, without politicization or double standards. The Council must strive to implement all its resolutions, especially those issued at special sessions, in order to establish and reinforce its credibility and legitimacy.

24. **Mr. Khan** (Pakistan), speaking on behalf of the Organization of the Islamic Conference (OIC), said that the Council's response to the serious situation in Myanmar should be consistent with the meaning of constructive engagement for the promotion and protection of human rights, namely by refraining from naming and shaming and punitive sanctions and inviting the Government and people of Myanmar to engage with the international community. The Council must strive to identify non-violent solutions to the current crisis in Myanmar; avoid any step that would imperil the integrity of the country; de-escalate rhetorical hostility against the Government of Myanmar; call for greater respect for the human rights and aspirations of the people of Myanmar; and take steps to alleviate their suffering. The Council's action should be forward-looking, encouraging the Government of Myanmar to engage fully with the Special Envoy of the Secretary-General. His delegation welcomed the Government's categorical assurances to engage with the international community in addressing the issues at hand. He echoed the advice by the United Nations Security Council for the Government of Myanmar to show restraint in responding to the demonstrations. At the same time, the international community should use its economic leverage to assist Myanmar in preventing isolation. The Government of the country should seek reconciliation with all parties. The Council should adopt a unified stance, striking a fine balance between providing a clear response to the situation and constructive engagement, with rights-holders at the centre.

25. The Council must be consistent in its response to urgent human rights situations, thus ensuring that special sessions did not become a tool for castigating weak and vulnerable countries while condoning impunity in the case of influential members of the international community. Urging the Council to promote human rights worldwide in a non-selective manner, he recalled that more civilian lives had been lost in Palestine over the course of 24 hours in early October 2007 as a result of Israeli military action than in the whole of Myanmar. Those events had nevertheless not received the same degree of attention.

26. **Mr. Latona** (Mauritius) said that his delegation was gravely concerned by the repression and killing of innocent demonstrators, including Buddhist monks in Myanmar, in their just quest for democracy and justice. He condemned the severe restrictions imposed by the military junta on the fundamental freedoms of the people of Myanmar. Reiterating the statement of the Prime Minister of Mauritius addressed to the sixty-second session of the United Nations General Assembly on 28 September 2007, he expressed admiration for the Buddhist monks, the leader of the NLD and the people of Myanmar in their legitimate fight for democracy, despite the brutal repression. The international community had the duty to stand by them and impose stringent sanctions on the military junta, which had proven again and again that it was impervious to common sense and humanity. The Myanmar authorities must be sent a clear message that the free world would not tolerate the killing of people who were demanding freedom and justice. He called on the authorities of Myanmar to exercise restraint and engage in constructive cooperation with the United Nations with a view to establishing a broad and open national reconciliation process.

27. **Mr. Fujisaki** (Japan) said that it was deeply regrettable that the Government of Myanmar, despite calls to desist from the use of repressive force, had responded to peaceful demonstrations with violence that had resulted in numerous casualties, including one Japanese citizen. He called on the Government to investigate the incidents and bring the perpetrators to justice; to refrain from the use of force; and release those detained in the

course of the recent peaceful demonstrations without delay. Reiterating Japan's call for the release of all political prisoners, including the General Secretary of NLD, Aung San Suu Kyi, he urged Myanmar to promote democratization, taking into account the concerns of the protesters, and engage in national dialogue to achieve national reconciliation in order to facilitate a lasting solution to the issues at hand. His delegation took note of the visit of the Special Envoy of the Secretary-General for Myanmar and urged the Government to continue cooperation with the United Nations, including by granting the Special Rapporteur on the situation of human rights in Myanmar permission to visit the country. His delegation hoped that the Council would adopt the draft resolution before it by consensus, thus speaking in one voice to the people and Government of Myanmar and the rest of the world. The people of Myanmar looked to the Council for support and must not be deceived. His delegation had been disappointed with the statement made by the representative of Myanmar to the Council during the current meeting and urged the Myanmar Government to heed the calls of the international community.

28. **Ms. Hsu King Bee** (Malaysia) said that the bonds of friendship between the people of Malaysia and Myanmar dated back to the early days of post-independence and her delegation appreciated the numerous challenges facing Myanmar in its path towards nation-building. In that spirit, Malaysia and other ASEAN partners had long been encouraging Myanmar to take account of the aspirations of its people and move towards reconciliation and democracy. Therefore, Malaysia had been following the unfortunate situation unfolding in Myanmar with deep regret, dismay and concern.

29. At the current critical juncture, deliberate steps were urgently required to avoid further deterioration of the crisis. The situation called for the exercise of utmost restraint. Any form of provocation and counterproductive actions undermining efforts to defuse tensions should be avoided. It was crucial for the Government of Myanmar to engage all parties in a genuine dialogue to resolve the issue peacefully, and to release all political prisoners. National reconciliation was the key to peace, stability and well-being in Myanmar. The prevailing situation clearly illustrated the need for speedy and tangible action in that direction, including through the Government's full cooperation with the Special Envoy of the Secretary-General. The developments in that regard were encouraging.

30. The Council should adopt a forward-looking, constructive, consensus-based, impartial and non-selective approach, which would generate meaningful improvements to the people of Myanmar and help them assume their rightful role in the community of nations.

31. **Mr. Mtesa** (Zambia) said that his delegation was deeply concerned over the situation unfolding in Myanmar, which needed to be halted immediately before more innocent lives were lost. The holding of the current special session was timely and necessary to address the situation. He called on the Myanmar military regime to ensure the promotion and protection of the human rights and freedoms of its people and guarantee the restoration of democracy, including the undisturbed functioning of the opposition. He deplored that the leader of NLD, Daw Aung Sang Suu Kyi, whom the people of Myanmar had freely elected in 1990, had spent her life in prison or under house arrest since. Zambia called for her immediate release so she could contribute to the process of democratization in Myanmar. The failure to do so would continue to exacerbate the civil strife in the country. He commended the United Nations Secretary-General for acting swiftly to address the situation in Myanmar and expressed hope that the visit of the Special Envoy of the Secretary-General to Myanmar would help facilitate the needed change.

32. **Mr. Logar** (Slovenia) said that the recent developments in Myanmar had lent urgency to efforts made to address the challenges facing the country. His delegation commended the visit of the Special Envoy of the Secretary-General to Myanmar. An urgent



mission of the Special Rapporteur on the situation of human rights in Myanmar would also be of paramount importance. The mandate of the Special Rapporteur was a key element in the fight against gross and systematic human rights violations in Myanmar. He invited the Special Rapporteur to offer his views on the outcome of the work of the National Convention as regarded national reconciliation, given his earlier criticisms that the absence of participation of the democratic opposition and ethnic minority groups at the National Convention did not allow it to truly reflect the people's will. He enquired in which way, according to the Special Rapporteur, the international community could contribute to the promotion of national reconciliation and democratization in Myanmar. He also asked what role the Council and the Office of the United Nations High Commissioner for Human Rights could play in facilitating cooperation between the Special Rapporteur and the Government of Myanmar, particularly with regard to an urgent country visit. It would also be useful to learn of the Special Rapporteur's views on the way in which the Council, and the United Nations at large, could improve the technical assistance provided in the field of human rights and step up cooperation with Myanmar.

33. **Mr. Florêncio** (Brazil) said that Brazil was deeply concerned over the human rights situation in Myanmar. The results of the current special session would be crucial to strengthening cooperation between the new Council and Myanmar aimed at identifying a constructive, balanced and result-oriented solution to the human rights situation in that country. Brazil welcomed the openness of the Government of Myanmar to the visit of the Special Envoy of the Secretary-General. Full cooperation with the Special Envoy was essential. An assessment by the Special Rapporteur on the situation of human rights in Myanmar of the current country situation, and continued cooperation of the Government with the Office of the United Nations High Commissioner for Human Rights were also vital. Using the draft resolution submitted by the European Union as a basis for its deliberations, the Council should work towards the adoption of an effective text that would balance the call for restraint in the use of violence and with the need for the involvement of local government in the national reconciliation process. The presence of those two elements was essential for a consensus solution.

34. **Mr. Mattei** (France) said that, in the light of the tragic developments in Myanmar, the Council could not stand by and watch. It had the duty to convey a message of hope and support to the thousands of citizens of Myanmar who had challenged the military regime at their own personal risk. France was deeply shocked by the brutal repression, including the killing of peaceful demonstrators and a Japanese journalist. Freedom of expression and press freedom were inalienable rights at the very heart of democracy; their negation by the Myanmar military junta must move the international community to action. The unacceptable cutting of Internet connections was part of the junta's efforts to curtail freedom of expression and hide the abuses committed. The Myanmar authorities and the international community must take immediate concrete and operational measures to end the dramatic human rights violations in Myanmar. Renewing France's call for the reinforcement of European Union sanctions, he urged Myanmar to respect human rights, refrain from arbitrary arrest, ensure the right to freedom of expression, and abstain from extrajudicial executions. In the framework of its obligation to cooperate with United Nations mechanisms, the Government should grant the Special Rapporteur on the situation of human rights permission to visit the country and ensure his full, free and unhindered access to all persons, including political prisoners.

35. France had repeatedly condemned the brutal repression of the protests and the indiscriminate use of force against monks and peaceful civilians. All persons detained for having exercised their right to freedom of expression and assembly should be released immediately. France also reiterated its call for the release of Daw Aung Sang Suu Kyi.

36. His Government fully supported the mission of the Special Envoy of the Secretary-General for Myanmar. Myanmar must urgently embark on a genuine process of reform and reconciliation, in cooperation with representatives of the political opposition and minority groups. Endorsing the call by ASEAN countries for the Government of Myanmar to exercise restraint, he said that the countries of the region, including China, could play an important role in improving the situation. His delegation fully supported the draft resolution before the Council and called for its adoption.

37. **Mr. Thorne** (United Kingdom of Great Britain and Northern Ireland) said that his Government was appalled by the recent events in Myanmar. The regime had failed in its attempt to conceal the violent repression of its own people and the world had witnessed the beating and arrest of monks and opposition leaders, guns being turned on peaceful demonstrators and civilians being killed on the streets. There was broad concern that the loss of lives might be far greater than the Government had admitted. Reports of further large-scale arrests, beatings and killings continued to be received while the current special session was ongoing. The world had strongly and clearly condemned the actions of the regime, which should heed the calls of the international community to end the violence and engage in national reconciliation.

38. The most recent events in Myanmar were a product of a deeper tragedy in a country where the State had systematically abused its citizens' fundamental human rights for over four decades. The Special Rapporteur on the situation of human rights in Myanmar had documented manifold abuses, including forced labour, arbitrary killings, the use of child soldiers and rape as a weapon of war, unlawful detention and displacement, which affected minority communities disproportionately. Restrictions to the right to freedom of speech and peaceful assembly were also commonplace. The Government of Myanmar had deprived its people of their basic human rights and driven them deeper into poverty, while the leaders had enriched themselves on the country's natural resources. Expressing concern over reports that access for humanitarian assistance had been hampered, he said that such assistance should not fall hostage to politics.

39. He called on the Government of Myanmar to end the widespread abuses of human rights; stop the use of violence; and cooperate fully with the Special Envoy of the Secretary-General for Myanmar with a view to establishing a process of genuine reconciliation, with the leader of NLD playing a central role. All those who exerted influence over the regime must press for relevant action.

40. His delegation welcomed and supported the statement made by ASEAN. Myanmar's neighbours, who were uniquely placed to help shape the country's future, were right to be actively involved. The attention awarded to the situation in Myanmar by the Office of the United Nations High Commissioner for Human Rights was also praiseworthy and an early visit to Myanmar by the Special Rapporteur could further the process of national reconciliation. He urged Myanmar to grant immediate access to the Special Rapporteur and other relevant special procedures.

41. As the world was watching Myanmar, Myanmar was watching the world. While the authorities were eager to establish whether the international community had the courage of its convictions, the people of Myanmar were looking to the Council for hope and support at a time of dark desperation. The Council must respond and succeed and would only do so through united action from across the United Nations membership.

42. **Mr. Grinius** (Canada) encouraged the Council to adopt the draft resolution before it by consensus. Canada was gravely concerned by the deteriorating human rights situation in Myanmar, including: the recent use of deadly force against monks and other peaceful protesters; the continued detention of political prisoners; the repression of the democratic opposition; the threats against human rights defenders; and systemic and unaddressed

impunity. The Myanmar military authorities should urgently engage in genuine dialogue with the democratic opposition, respect the human rights and fundamental freedoms of peaceful protesters and release all political prisoners.

43. Commending the Special Rapporteur on the situation of human rights in Myanmar for his important work, he made special reference to the need for meaningful and inclusive national dialogue highlighted in the Special Rapporteur's latest report. An early visit of the Special Rapporteur to Myanmar was of crucial importance. At the same time, the international community must maintain pressure on the Government to respect human rights. His delegation was encouraged by Member States' broad support for the convening of the current special session and hoped that definitive action would ensue. Canada also supported the visit of the Special Envoy of the Secretary-General to Myanmar. He reminded the Council that history was never on the side of military dictatorships.

44. **Mr. Vasilev** (Russian Federation) expressed grave concern at the confrontation between the Government and demonstrators in Myanmar, which could have negative consequences for internal peace, stability and the process of nation-building. He renewed his Government's call for the authorities to exercise restraint and do their utmost to return to normality. The country's problems could only be resolved through peaceful dialogue and democratic changes based on the road map. The decision concerning the course, nature and rate of implementation of the road map, taking into account country-specific considerations, fell to the Government of Myanmar, without outside interference.

45. He welcomed the efforts of the United Nations Secretary-General to diffuse tensions, including by sending his Special Envoy. The current situation in Myanmar, despite its complexity, did not represent a direct threat to international or regional peace and security and should not serve as a pretext for outside interference. Neither did the humanitarian situation in the country warrant international emergency measures. The international community should use all political and diplomatic means at its disposal to encourage the Government of Myanmar to persevere in the implementation of its programme for democratic change and thus improve the human rights situation.

46. **Mr. Rahman** (Bangladesh) said that his delegation was gravely concerned by the events unfolding in Myanmar. All parties must desist from action that would lead to a further deterioration of the situation. His delegation hoped that the negotiations taking place in the context of the visit of the United Nations Secretary-General's Special Envoy for Myanmar would help restore the calm, and that other initiatives of the Secretary-General would help facilitate a sustainable resolution of the issues involved. As a friendly neighbour, Bangladesh looked forward to a peaceful, stable and prosperous Myanmar and would continue to contribute to that goal constructively and in every possible way.

47. **Mr. Schweppe** (Germany) said that his delegation was deeply concerned by the recent developments in Myanmar and firmly condemned the violent suppression of peaceful protest. He reminded Myanmar of its obligation to respect freedom of speech and assembly as fundamental human rights. The Government must end the violence against peaceful demonstrators; engage with the different components of the Myanmar society in an open dialogue towards genuine national reconciliation, democratization and the establishment of the rule of law; and immediately release all political prisoners. His delegation had been disappointed with Myanmar's address to the Council and called for the Government's full cooperation with the United Nations Secretary-General's Special Envoy. Regional facilitators should use their clout in order to prevent further bloodshed and help facilitate the implementation of the road map to democracy, including by setting specific dates for further progress. The Council must take concrete action to address the human rights violations committed in Myanmar.

48. **Ms. Arhire** (Romania) reminded the Council that the bloody outcome of peaceful demonstrations in December 1989 in Romania had been a result of the then Government's incapacity to heed the aspirations of its people. Subsequent to the events, the country had undergone a lengthy and arduous process of rebuilding the inner fabric of trust between the people and the State. Her delegation therefore shared international concerns about the repression exercised by the State of Myanmar against its own citizens. Measures such as the killing of peaceful protesters, including a Japanese journalist, must be firmly condemned. She extended sympathy to the families of the victims and urged the Government of Myanmar to respect the fundamental rights to life and freedom of expression, end impunity and release all political prisoners. The authorities should immediately cease the violence and embark on an open dialogue with all political forces and civil society in order to identify the most appropriate solutions for a peaceful settlement and the country's democratic development. Her delegation welcomed the efforts of Myanmar's regional neighbours and the United Nations Secretary-General to defuse tensions, especially the deployment of the Special Envoy of the Secretary-General for Myanmar.

49. The time had come for the Council to rise to its role as an early warning instrument in the field of human rights and to engage in action to prevent further deterioration of the human rights situation in Myanmar. The Council and the authorities of Myanmar must engage in an open and intensive dialogue to identify solutions to the present crisis.

50. Her delegation was also deeply concerned about the continued suffering caused by the food crisis in Myanmar. The authorities should ensure full humanitarian access; facilitate an early visit by the Special Rapporteur on the situation of human rights in Myanmar; and respond constructively to the instructions of the international community regarding a peaceful settlement of the crisis. The Office of the United Nations High Commissioner for Human Rights should seek the most appropriate means of assistance to Myanmar. The Council must act in solidarity with the victims of repression and work towards a peaceful settlement of the crisis based on respect for human rights and fundamental freedoms and a process towards democratization.

51. **Mr. Singh** (India) said that, as a close and friendly neighbour, his Government was monitoring the situation in Myanmar closely. India's External Affairs Minister had communicated his country's concerns about the current situation to his Myanmar counterpart and had expressed the hope that peace, stability and prosperity could be established at an early date. The Minister had further conveyed India's wish that the process of national reconciliation and political reform initiated by the Government of Myanmar would be broad based, inclusive and expeditious. He had suggested that an investigation should be conducted into the recent incidents and expressed the view that the release of NLD leader Daw Aung San Suu Kyi could have a positive impact on the democratization process. In the context of India's continued engagement with those issues, the Foreign Secretary had also met with the Special Envoy of the Secretary-General in July 2007. His delegation would work together with like-minded countries towards a forward-looking, non-condemnatory and constructive outcome.

52. **Mr. Fernandez Palacios** (Cuba) said that his Government had followed the recent events in Myanmar closely and with grave concern. He called on all parties to exercise restraint, respect the right to life and opt for dialogue and negotiation. The international community must steer away from the path of sanctions and confrontation, stay clear of inflammatory language and address the situation in an objective, unprejudiced and impartial manner. Cuba was concerned by outside efforts to destabilize Myanmar, using human rights as a pretext.

53. A comprehensive solution to the situation in Myanmar also required a long-term development and cooperation strategy that would help overcome structural poverty and improve the living conditions of the people. Sanctions had thus far only served to deepen

poverty. His delegation welcomed the decision of the Government of Myanmar to receive the Special Envoy of the Secretary-General and hoped his visit would contribute to resolving the issues at stake based on respect for international law, human rights and the sovereignty and territorial integrity of Myanmar. The present special session should be guided by a spirit of constructive dialogue, cooperation and consensus, thus strengthening the Council's action.

54. **Mr. Ponce Vivanco** (Peru) said that the report of the Special Rapporteur on the situation of human rights in Myanmar showed that the violent repression of the protests was based on a State policy of systematic and repeated human rights violations since 1991. It also revealed that little progress had been made in recent years.

55. All available information confirmed the excessive use of force against peaceful protesters and the ill-treatment and arbitrary detention of thousands of innocent civilians whose civil and political rights were denied. In order to facilitate an assessment of conditions of detention, the Special Rapporteur must be granted unhindered access to all places of detention. The Council must send a clear message and adopt urgent measures to address the current crisis. It must consider the situation on the basis of the information provided in the report of the Special Rapporteur, focussing on the protection of victims and potential victims of human rights violations, irrespective of any political or economic considerations.

56. The root problems underlying the crisis, namely the complete lack of freedom and the reign of a dictatorship that had remained in power by violating the human rights of the people of Myanmar, must be addressed. In order to remedy the notorious democratic deficit, genuine dialogue between all political forces in Myanmar was crucial. The visit by the Special Envoy of the Secretary-General could provide an opportunity to give the United Nations constructive engagement with Myanmar a proper framework.

57. His delegation hoped that the Council would adopt a resolution that was commensurate with the gravity of the situation and would further human rights protection, prosperity and democratization in Myanmar.

58. **Mr. Li Baodong** (China) called on all parties in Myanmar to exercise restraint and address the situation in such a way as to prevent further escalation. He encouraged the Government of Myanmar to commit to improving the welfare of the population, safeguarding national harmony, addressing social contradictions and returning to normality at an early date. As a developing country, Myanmar faced a multitude of challenges and the international community should step up development assistance to help overcome poverty.

59. China had always respected the sovereignty and territorial integrity of Myanmar and supported the mediation efforts of the United Nations Secretary-General and his Special Envoy. He welcomed the readiness of the authorities of Myanmar to cooperate with the Special Envoy, whose visit would hopefully help gain an objective insight into the situation of Myanmar. The Council should play a constructive role in defusing tensions and promoting national reconciliation. His country would continue to work with the international community to achieve that objective.

60. **Mr. Lee Sung-joo** (Republic of Korea) said that it was high time for the Council to act on its mandate as the highest body for the promotion and protection of human rights. His Government had consistently supported efforts towards national reconciliation and democratization in Myanmar through the faithful implementation of the road map. In that context, the creation by the Government of Myanmar of an enabling environment for the participation of all political parties and minority groups in the process of national reconciliation and democratization was paramount. However, the repressive measures imposed by the Government of Myanmar during the recent protests pushed the goal of national reconciliation further out of reach.

61. The fundamental right of the people of Myanmar to freedom of expression and association, including peaceful protest, must be protected. National reconciliation required inclusive and meaningful dialogue with and between political representatives. The arrest or detention of political opposition leaders, sustained and severe restriction of fundamental freedoms and violence did not serve that goal.

62. His delegation welcomed the visit of the Special Envoy of the Secretary-General to Myanmar and urged the Government to engage constructively in efforts to facilitate a solution to the current situation. The visit of the Special Envoy, so he hoped, might help revitalize the process of national reconciliation and democratization. Myanmar's regional neighbours had an important role to play and should step up their support for reconciliation and democratization. ASEAN's recent call for restraint and genuine dialogue was commendable in that regard.

63. The current crisis and the loss of civilian lives in the course of the protests were cause for deep concern. The Government of Myanmar should exercise restraint in order to prevent any further aggravation of the situation and release all political prisoners without delay, thus facilitating progress towards reconciliation, democratization and development.

64. **Mr. Caracciolo di Vietri** (Italy) said that Italy was deeply concerned by the recent tragic developments in Myanmar and fully supported the people's right to peaceful demonstration. The authorities of Myanmar must put an immediate end to their brutal repression of the protests; release all political prisoners and those detained in the course of the protests; and bring all perpetrators of present and past human rights violations to justice. Myanmar's failure to heed the appeals of the international community was deeply unsatisfactory.

65. His delegation was encouraged by the positive role played by ASEAN countries in trying to create the conditions for national reconciliation and political reform. The visit of the Special Envoy of the Secretary-General for Myanmar was also encouraging and would be crucial in providing the Council with information about the situation on the ground. He urged the Government of Myanmar to do its utmost to contribute to the success of the mission.

66. Urgent action was required to facilitate a genuine free and fair political process that could lead to reconciliation. To that end, the Government of Myanmar should promote meaningful and inclusive dialogue with opposition groups in order to launch a genuine process of democratic reform.

67. **Mr. Wibisono** (Indonesia) said that his delegation was deeply disturbed by the reports of growing civil tensions in Myanmar and the casualties reported. The Government of Myanmar should exercise utmost restraint and refrain from any action that could exacerbate the situation further. The Council must engage constructively with the authorities in Myanmar in order to identify a peaceful solution to the current crisis. The Government should take urgent measures to de-escalate the situation and foster a climate conducive to dialogue. In the meantime, all parties should forego violence and provocative action that could undermine efforts towards a peaceful resolution. The recent events illustrated the urgent need for real progress in the democratization process in Myanmar. In that context, his delegation welcomed the readiness of the Government to facilitate the visit of the Special Envoy of the Secretary-General for Myanmar. That positive gesture should be complemented by efforts to engage all parties in an open and frank dialogue to achieve national reconciliation, thus expediting the implementation of the road map towards democratization, which had been devised by the people of Myanmar themselves. As a member of the ASEAN community, Indonesia would do its utmost to support a successful transition to democracy in Myanmar.

68. **Mr. de Alba** (Mexico) reiterated Mexico's call on the Government of Myanmar to engage in open and genuine dialogue with all parties in order to overcome the current crisis and lay the foundation for national reconciliation and full transition to democracy. Mexico rejected the use of violence as a form of conflict resolution and firmly supported respect for human rights, the physical integrity of persons and freedom of expression and opinion. He echoed calls on the Government of Myanmar to cooperate in the efforts of the international community designed to prevent further deterioration of the human rights situation. Given the special role of Myanmar's regional neighbours, his delegation welcomed the relevant statement issued by ASEAN. The cooperation between the Government of Myanmar and the Special Envoy of the Secretary-General for Myanmar was also commendable.

69. His delegation looked forward to an outcome of the present special session that would reflect the grave concern of the international community and its condemnation of the violence and, at the same time, identify realistic possible solutions. He called on the Government of Myanmar to cooperate fully with the Council and its mechanisms. The Council's deliberations should be participatory in nature and aim at practical results. For the Council's work to be effective, it must be based on cooperation and dialogue, which did not preclude sending a clear and firm message concerning the obligation of all States to respect human rights unconditionally and under any circumstance. In order to support efforts towards a peaceful resolution of the situation, the Government of Myanmar should be offered and accept support from the Office of the United Nations High Commissioner for Human Rights. The Myanmar Government should also do its utmost to prevent further casualties and ensure the effective protection of the human rights of its people, including those detained. The violence must end immediately and steps should be taken to ensure the protection of civil, political, economic, social and cultural rights. Full humanitarian access must also be guaranteed.

70. **Ms. Navarro Llanos** (Bolivia) recalled her own country's bitter experiences of grave human rights violations, both under military rule and in times of democracy when in October 2003 the Government at the time had violently repressed popular protests, causing the death of more than 60 civilians. United Nations support for democratic, anti-dictatorship processes in the 1960s and 1970s, or support for the fight against impunity in the face of grave human rights violations in 2003, would have been a valuable contribution to the defence of human rights in Bolivia. Therefore, her delegation welcomed the convocation of the present special session aimed at encouraging the Government of Myanmar to respect human rights and to cooperate with the competent international institutions. Such cooperation was crucial to end abuses such as the excessive use of force, summary executions and arbitrary detention, among others.

71. Bolivia denounced all human rights violations anywhere in the world. In the present case, the abuses were closely linked to the violation of social and economic rights. Therefore, the following sentence should be added to the draft resolution before the Council: "*Requests also the Special Rapporteur on the situation of human rights in Myanmar to report back on the link between the violations of economic and social rights in Myanmar that have led to other violations of human rights.*"

72. In Bolivia's experience, the violation of civil and political rights was often preceded by violations of economic, social or cultural rights, including in the case of Myanmar. Examples were the "water wars" (*guerras del agua*) in Cochabamba and the "gas wars" (*guerras del gas*) in La Paz and El Alto in 2003, both of which had gone hand in hand with the violation of civil and political rights, including the right to life. Her delegation therefore supported the adoption of the draft resolution, with the aforementioned amendment, and hoped that the Council would adopt the resolution by consensus. She called on the Government of Myanmar to engage actively with the Special Rapporteur as part of efforts

to facilitate dialogue and improve the human rights situation in Myanmar. The release of Nobel Peace Prize winner Daw Aung San Suu Kyi would also be a gesture of goodwill.

73. **Ms. Mtshali** (South Africa) reminded the Council of its commitment to the promotion and protection of human rights based on constructive international dialogue and cooperation aimed at strengthening the capacity of Member States to comply with their human rights obligations. All United Nations Member States had the duty to implement their international human rights obligations.

74. The recent violence and excessive use of force by the authorities in Myanmar were deeply regrettable. The Government must respect the people's right to peaceful protest and refrain from any action that could exacerbate the situation further. In that context, her delegation welcomed the decision of the Government to receive the Special Envoy of the Secretary-General for Myanmar and encouraged the authorities to facilitate an expeditious fulfilment of his mission. Only an inclusive and peaceful political solution based on dialogue between the Government and all political actors could provide long-term remedy to the challenges facing Myanmar. She urged the Government of Myanmar to do its utmost to identify a lasting solution. The release of Daw Aung Sang Suu Kyi could contribute significantly to the democratization process.

*The meeting rose at 1.30 p.m.*