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Statement by Ambassador Thant Kyaw, leader of Myanmar  
delegation, during the interactive dialogue with Special  
Rapporteur on Myanmar under agenda item 4, at the 16<sup>th</sup>  
Session of Human Rights Council

(14 March 2011)

Mr. President,

Allow me to brief the significant political developments in Myanmar during 2010. I hope it will contribute to the balanced and rational view on Myanmar under the agenda item 4.

Multiparty general elections were peacefully convened on the 7<sup>th</sup> of November 2010 in Myanmar and it is now in the process of adopting multiparty democratic system.

The elections were participated by 37 political parties and 82 independent candidates that made up the total number of contestants to 3000 to run for the seats in the Pyithu Hluttaw (House of Representatives), Amyotha Hluttaw (House of Nationalities) and for the fourteen State and Region Hluttaws.

The participation of all registered political parties and individuals in the elections was conducted in the contexts of the Electoral Law which fully adheres to their right to peaceful campaigning and media.

The vote casting and vote counting in all constituencies were conducted in front of the contestants and the people. The advance voting was carried out within the context of the Electoral laws and Bylaws.

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A tribunal has been established to investigate complaints. It has received 29 complaints which are now under process.

The first-ever multi-party parliament sessions of Myanmar in 50 years were convened since 31 January 2011 during which Speakers for the House of Representatives and the House of Nationalities were elected.

In virtue of their rights, the elected representatives have been raising the issues of their concern which include interests of their own regions.

These recent parliamentary sessions have formed a number of parliament committees, particularly the Parliament Bill Committee and the Parliament Public Accounts Committee to oversee government expenditure.

With the emergence of civilian administration in its initial stage, the State Peace and Development Council government is now in the process of handing over power to the next government, approaching the final step of the political roadmap.

These positive political developments and changes vividly show the commitment of Myanmar Government, not only in fulfilling the aspirations of its people but also in responding to the wishes of the international community who want to see Myanmar as a democratic, stable and prosperous state.

Mr. President,

Despite our belief that the mandate of the Special Rapporteur is inappropriate, the Government of Myanmar has cooperated by extending invitations to the Special Rapporteur to see the true situation in Myanmar.

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Since his appointment in 2008, Mr. Quintana visited Myanmar for three times. His last visit was in 2010 February and after that, the government was unable to extend invitations due to the preparation process for the elections and the forthcoming parliamentary sessions.

However, I would like to assure at this point that the existing cooperation with the Human Rights Council will be maintained by the new government of Myanmar.

Mr. President,

The aims and principles adopted by the Human Rights Council in strengthening the promotion and protection of human rights around the globe are indeed noble and important. However, it is equally important that the Council should keep these noble principles impartial and objective in addressing the human rights situation of the countries.

The Special Rapporteur's oral presentation, as well as his report to the Council, did not reflect the true situation in Myanmar.

The Myanmar National Human Rights Body, headed by the Minister of Home Affairs as Chairman, has been formed to justify the accountability of each and every complaint forged by individuals. It goes through the investigation process by working closely with independent investigative teams. With the completion of thorough investigations and justifiable conclusions, punitive measures were taken against perpetrators, either civilian or military.

The report of the Special Rapporteur contains allegations against the voting process of 2010 elections in Myanmar. I totally disagree to these allegations, because as I mentioned earlier,

nothing was done contrary to the law in the process of the elections.

Secondly, the allegation against the government on imposing restrictions on parliamentarians was also untrue. They are completely free to raise proposals and questionnaires to the national governing bodies, in the interests of their local constituencies. I also reject the allegation concerning the discriminatory treatment of people in Northern Rakhine State and other parts of the country.

Regarding learning of ethnic languages in school, I would like to clarify that schools in ethnic areas have been given the opportunity on their own discretion to supplementary education in their own language. The use of ethnic languages in schools or work place is freely allowed.

Allegation against the government for failing to implement the education policy is also misleading. The government's efforts in implementing equitable education throughout the country should not be ignored. During the 22 years, the government has established a total of 160 universities, many of them in remote areas, hence, promoting the access of higher education to the minority races.

I would like to highlight, at this point, a noteworthy progress in Myanmar's primary education. Both the enrollment rate and completion rate in the primary education has significantly improved. In the year 2010-2011, the primary level enrollment rate surged to 98 percent and so did the completion rate which increased to the most encouraging point of 73 percent in 2008, compared to the 24 percent in 1988.

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The education expenditure was also increased to 19.77 percent in 2008-2009. In line with the Constitution to privatize the education sector, new opportunities for promoting the standard of education is expected to take place.

I strongly reject other unreliable facts contained in paragraphs 13, 14, 17, 18, 22, 23, 24, 28, 29, 30, 32, 33, 34, 36, 37, 38, 39, 41, 42, 46, 56, 57, 60, 62, 63, 64, 65, 67, 68, 70, 71, 72, 73, 74, 76, 77, 78, 94, 96, 97 and 101. I would rather not respond to them due to time constraint and instead, the comments of my delegation on this report has been circulated as an official document of this session.

Mr. President,

In conclusion, I would like to reiterate our desire to cooperate with the United Nations in the field of human rights. In this regard, we will continue to work in cooperation with the Special Rapporteur by accepting visits, providing access and relevant information.

In reciprocity, we expect that the reports of the Special Rapporteur be based on principles of independence, impartiality, objectivity and optimism.

I believe that mutual respect upon each other's jurisdiction is the most important for the fruitful cooperation between us.

I thank you, Mr. President.