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PERMANENT MISSION OF INDIA TO THE UN, GENEVA

HUMAN RIGHTS COUNCIL
10TH SESSION (02-27 March 2009)

**Report of the Special Rapporteur on the Situation of Human Rights
in Myanmar**
(16 March 2009)

Statement by India

Mr President,

We thank the Special Rapporteur, Mr Tomas Ojea Quintana, for his report on the situation of human rights in Myanmar, which includes his latest assessment based on the information gathered by him during his recent visit to Myanmar in February 2009.

2. Since his appointment less than a year ago in May 2008, the Special Rapporteur has been able to visit Myanmar twice; indeed, he has acknowledged both these visits as constructive. We take positive note of the cooperation extended by the Government of Myanmar to the Special Rapporteur, both by way of facilitating his visits and the access granted to him to relevant authorities and places, including to cyclone-affected areas, conflict-affected Kayin state and some prisons where he has been able to conduct interviews at random, as also hold private meetings with a few detainees to ascertain the prevailing conditions.

3. Mr President, we also take positive note of the steps taken by the Government of Myanmar *since* the visit by the Special Rapporteur. A large number of prisoners, including a few prisoners of conscience, have been released; the Supplementary Understanding between Myanmar and ILO has been renewed for another year, which we hope would help carry forward the dialogue on eradicating forced labour in the country. Also, the Government of Myanmar facilitated the visit of UNHCR last week during which it agreed to extension and upgradation of UNHCR's scale of activities in northern Rakhine state.

4. At the same time, Mr President, the Special Rapporteur, has expressed several concerns especially with regard to the four human rights markers laid down by him, pertaining to the review of national legislations, release of prisoners of conscience, the armed forces and the judiciary. Again, however, the Special Rapporteur has acknowledged the initial encouraging response of the Myanmarese authorities in these four areas while calling for more progress.

5. Mr President, as a close and friendly neighbour with whom India shares a land border of more than 1,600 kms, India has believed consistently that Myanmar's process of political reform and national reconciliation should be more inclusive, broad-based and expeditious. We continue to support the efforts of UNSG's Special Envoy Ibrahim Gambari who visited Myanmar last month and was able to meet the detained NLD leader Aung San Suu Kyi. However, we would emphasise the importance of constructive engagement with the Government of Myanmar. In this regard, we welcome the cooperative dialogue that the Special Rapporteur and the Government of Myanmar have been able to establish. This dialogue needs to be encouraged and taken forward, as it would help implementing the country's roadmap to democracy.

Thank you, Mr President.