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HUMAN RIGHTS COUNCIL
Eighth session
Agenda item 4

HUMAN RIGHTS SITUATIONS THAT REQUIRE THE COUNCIL'S ATTENTION

Albania*, Australia*, Austria*, Belgium*, Bosnia and Herzegovina, Bulgaria*, Canada, Croatia*, Cyprus*, Czech Republic*, Denmark*, Estonia*, Finland*, France, Germany, Greece*, Hungary*, Iceland*, Ireland*, Italy, Latvia*, Liechtenstein*, Lithuania*, Luxembourg*, Malta*, Montenegro*, Netherlands, New Zealand*, Norway*; Panama*, Poland*, Portugal, Romania, Slovakia*, Slovenia, Spain*, Sweden*, Switzerland, The former Yugoslav Republic of Macedonia*, Turkey*, United Kingdom of Great Britain and Northern Ireland: draft resolution

8/... Situation of human rights in Myanmar

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations, the Universal Declaration of Human Rights and the International Covenants on Human Rights, and reaffirming Council resolutions S-5/1 of 2 October 2007, 6/33 of 14 December 2007 and 7/31 of 28 March 2008,

* Non-member State of the Human Rights Council.

Welcoming the report 7/3 of the Special Rapporteur on the human rights situation in Myanmar while being concerned that he was not granted a visit to the country since assuming office,

Being deeply concerned that the urgent calls contained in the above-mentioned resolutions, as well as of other United Nations bodies, including the Security Council presidential statements of 11 October and 2 May, concerning the human rights situation in Myanmar have not been met and further emphasising that, without significant progress towards meeting these calls of the international community, the human rights situation in Myanmar will continue to deteriorate,

Noting with concern the non-cooperation of the Myanmar authorities with the Council and its Special Rapporteur,

Expressing its condolences to those who suffered loss as a result of Cyclone Nargis, and welcoming the efforts of international, regional and national organizations to bring relief to the survivors of this natural disaster and noting the commitment made by the authorities of Myanmar, on 25 May, to grant unfettered access to relief workers to the affected areas,

Expressing also its deep concern over the decision of the Government of Myanmar to ignore the calls of the Council to make the country's political processes transparent, inclusive, free and fair, and to proceed with the constitutional referendum in an atmosphere of intimidation and in disregard with international standards of free and fair elections at a time of dire humanitarian need,

Being concerned about violations of human rights and international humanitarian law in the Kayin State and Bago Division resulting from the ongoing military offensive against ethnic Karen civilians,

Being most concerned by the decision, once again, to extend the house arrest of the General Secretary of the National League for Democracy, Daw Aung San Suu Kyi, on 27 May 2008, and by reports that there are as many as 2,000 other political prisoners, many held without charge and in unknown locations,

Being concerned that no efforts have been made to investigate and prosecute the perpetrators of the violent crackdown on peaceful mass demonstrations of last September and of the ensuing human rights violations, including enforced disappearances, detentions, torture and ill-treatment,

1. *Strongly condemns* the ongoing systematic violations of human rights and fundamental freedoms of the people of Myanmar;
2. *Strongly urges* the Government of Myanmar to desist from further politically motivated arrests and to release all political prisoners without delay and without conditions;
3. *Calls upon* the Government to fully implement the commitments it has made to the Secretary-General on granting immediate, full and unhindered access by relief workers to all persons in need throughout the country, to cooperate fully with all humanitarian organizations, in particular in the Irrawaddy Delta, to refrain from sending people back to areas where they cannot have access to emergency relief and to ensure that return is voluntary and occurs in safety and with dignity;
4. *Strongly urges* the Government of Myanmar to end all forms of discrimination and protect civil, political, economic, social and cultural rights, and, in particular, to comply with its human rights obligations under the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child in this regard;
5. *Condemns* the recruitment of child soldiers into both the Government armed forces, contrary to its international obligations, and non-State armed groups and calls for an absolute and immediate stop of this appalling activity;
6. *Calls for* a full investigation by an impartial and independent body into all reports of human rights violations, including enforced disappearances, arbitrary detentions, torture and ill-treatment, forced labour and forced displacement and for bringing those responsible to justice in order to end impunity for violations of human rights;

7. *Deplores* that the constitutional referendum was held in an atmosphere of intimidation and in disregard for international standards of free and fair elections, and calls on the Government of Myanmar to engage in a real process of dialogue and national reconciliation with the genuine participation of representatives of all political parties and ethnic groups who have been excluded from the political process;

8. *Expresses* its strong support for the good-offices mission and commitment of the Secretary-General, and with regard to enforced disappearances, arbitrary detentions, torture and ill-treatment, encourages the Government of Myanmar to take early steps to admit his Special Representative on Myanmar, Ibrahim Gambari, to facilitate a genuine and inclusive political process, and calls on the Government of Myanmar to ensure full cooperation with the Secretary-General, his representative and the Special Rapporteur in that regard;

9. *Strongly urges* the Government of Myanmar to receive, as soon as possible, the Special Rapporteur and to cooperate fully with him to implement the recommendations contained in his reports (A/HRC/6/14, A/HRC/8/12, A/HRC/7/18 and A/HRC/7/24) as well as Council resolutions S-5/1, 6/33 and 7/31;

10. *Requests* the Special Rapporteur to report to the next session of the Council on the fulfilment of his mandate, and in particular, on the implementation of its relevant resolutions;

11. *Decides* to remain seized of this matter.
