



**OFFICE OF THE HIGH COMMISSIONER FOR
HUMAN RIGHTS**



Situation of human rights in Myanmar

Commission on Human rights resolution 1992/58

The Commission on Human Rights,

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms as stated in the Charter of the United Nations as elaborated in the Universal Declaration of Human Rights and the International Covenants on Human Rights and other applicable human rights instruments,

Aware that, in accordance with the Charter, the United Nations promotes and encourages respect for human rights and fundamental freedoms for all, and that the Universal Declaration of Human Rights states that "the will of the people shall be the basis of the authority of government",

Noting with particular concern in this regard that the electoral process initiated in Myanmar by the general elections of 27 May 1990 has not yet reached its conclusion, that no apparent progress has been made in giving effect to the political will of the people of Myanmar, as expressed in the elections, and that the final results of the elections have not even been officially released,

Also noting that many political leaders, in particular elected representatives, remain deprived of their liberty and that Daw Aung San Suu Kyi, Nobel Peace Prize laureate, is still under house arrest and is deprived of visits from her family,

Noting with concern the seriousness of the situation of human rights in Myanmar, the existence of important restrictions on the exercise of fundamental freedoms and the imposition of oppressive measures directed, in particular, at minority groups,

Noting with deep concern the continuing exodus of Myanmar refugees to neighbouring countries, including, in recent months, of almost 80,000 Myanmar Muslim refugees to Bangladesh,

Having examined the report of the Working Group on Arbitrary Detention (E/CN.4/1992/20),

Recalling General Assembly resolution 46/132 of 17 December 1991 concerning the situation in Myanmar,

1. Deplores the fact that the Government of Myanmar, despite the assurances given at various times that it would take firm steps towards the establishment of a democratic State, has not to this day fulfilled those commitments;

2. Expresses its concern at the seriousness of the human rights situation in Myanmar and, in particular, at the fact that a number of political leaders, including Daw Aung San Suu Kyi and other leaders of the National League for Democracy, remain deprived of their liberty;

3. Decides to nominate a special rapporteur to establish direct contacts with the Government and with the people of Myanmar, including political leaders deprived of their liberty, their families and lawyers, with a view to examining the situation of human rights in Myanmar and following any progress made towards the transfer of power to a civilian government and the drafting of a new constitution, the lifting of restrictions on personal freedoms and the restoration of human rights in Myanmar, and to report to the General Assembly at its forty-seventh session and to the Commission on Human Rights at its forty-ninth session;

4. Urges the Government of Myanmar to extend its full and unreserved cooperation to the

Commission and the Special Rapporteur and, to this end, to ensure that the Special Rapporteur has free access to any person in Myanmar whom he deems it appropriate to meet in the performance of his mandate;

5. Invites the Government of Myanmar to take every appropriate measure to allow all citizens to participate freely in the political process in accordance with the principles of the Universal Declaration of Human Rights, and to accelerate the process of transition to democracy, in particular through the convening of the Parliament elected in May 1990;

6. Also invites the Government of Myanmar to lift the restraining orders placed on a number of political leaders, to release those who are detained and to ensure that political parties can function normally;

7. Requests the Government of Myanmar to ensure that all persons are afforded the minimum guarantees for a fair trial, according to due process of law and in conformity with the applicable international standards;

9. Calls upon the Government of Myanmar to create the necessary conditions that would end the exodus of Myanmar refugees to neighbouring countries as well as to facilitate their early repatriation from their countries of refuge;

10. Urges the Government of Myanmar to reopen the universities and other institutions of higher education;

11. Decides to keep the matter under review at its forty-ninth session under the agenda item entitled "Question of the violation of human rights and fundamental freedoms in any part of the world, with particular reference to colonial and other dependent countries and territories".

3 March 1992

[Adopted without a vote]