



A NEW CHAPTER FOR HUMAN RIGHTS

A handbook on issues of transition
from the Commission on Human Rights
to the Human Rights Council



Annex 3.1

Special Rapporteur on the situation of human rights in Myanmar

Current mandate holder: Paulo Sérgio Pinheiro
Mandate started: 1992

Term of mandate holder: 2000-2006
Mandate up for renewal: 2006

Areas of focus

- Establish contact with the Government and with the people of Myanmar, including political leaders deprived of their liberty, with a view to examining the situation of human rights in the country;
- Monitor 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;
- Gather information through country visits to Myanmar and neighbouring countries, as well as consultations and discussions with representatives of the Government, the Association of South-East Asian Nations (ASEAN), United Nations agencies, civil society organisations, permanent members of the Security Council, and key local and regional actors.

Differing working methods and reporting obligations

- The Special Rapporteur also submits reports to the General Assembly.

Cooperation with the Government

- The Special Rapporteur has been unable to visit the country since November 2003;
- When missions have been undertaken in the past, the Special Rapporteur has been denied access to some persons, in particular detainees, and a number of persons wishing to provide testimony have been subjected to intimidation or harassment;
- Over the years there has been little evidence of a commitment by the Government to addressing the culture of impunity for State actors, with the vast majority of the Special Rapporteur's communications to the authorities not receiving a response.

Key developments

- Despite positive momentum in early years, the present administration is far less inclined towards democratic change;
- The National Convention reconvened in December 2005, but its procedures and principles remain fundamentally anti-democratic and participation of certain groups has been restricted;
- Ceasefire areas have become increasingly militarised, which has undermined the legitimacy and desirability of ceasefire agreements;
- In November 2005, the Government began the relocation of several ministries from the capital to a "command and control centre" currently under construction;
- Socio-economic conditions have declined markedly, which has led to an increase in poverty countrywide, and while the humanitarian situation is not yet at a point of acute crisis, it has deteriorated over the past year, affecting the population on a wide scale, particularly with regard to HIV/AIDS and food insecurity.

Country visits

Myanmar: 2001, February and October 2002, March and November 2003.

Thailand (2005)

Pending reports

Annual report (E/CN.4/2006/34).

Communications to the Government of Myanmar

Since 2003, the Special Rapporteur has written on several occasions to the Government of Myanmar to seek cooperation with regard to a country visit, but the Government has not responded positively to these requests.