

Press Release

1. Mr. Tomas Ojea Quintana, the United Nations Special Rapporteur on the situation of human rights in Myanmar visited Myanmar from 13th to 19th February 2014. The Government of Myanmar has facilitated all places he would like to visit including Yangon, Sittwe, Myitkyina, Sagaing and Nay Pyi Taw and meetings with respective officials he asked for.

2. Before his departure from Myanmar, Mr. Quintana made a press statement at Yangon International Airport on 19th February 2014 at 18:15 hrs. Since most of the elements in his press statement did not reflect the true situation of Myanmar, the Government of Myanmar categorically rejects his statement and allegations contained therein.

3. The responses of the Republic of the Union of Myanmar to these allegations are as follows:

(a) His allegation:

“If the recently established Investigation Commission formed by the President regarding Ducheeratan incident fails to carry out an investigation that meets international standards, he will urge the UN Human Rights Council to establish a credible investigation to uncover the truth of what happened there and to hold anyone responsible for human rights violations to account”.

Response:

It is a pessimistic prejudgment to ask the UN Human Rights Council to get involved in the investigation if the recently-established Investigation Commission formed by the President of the Republic of the Union of Myanmar concerning Ducheeratan incident fails to carry out an investigation that meets international standards even before the Commission has reported its finding on the incident;

- It is not necessary to involve international organizations in the investigation process since the investigation commission formed by the President is independent, and it comprises of 10 members who are from well-respected personnel in the community and religious elders among others. The Commission will present its report directly to the President on 28th February 2014.
- It is obvious that Mr. Quintana has blatantly interfered in the internal affairs of a country by issuing a prejudiced statement, amounting to meddling with the decision-making process of a sovereign State with his call for the involvement of UN Human Rights Council in the international affairs of the country.

- The Special Rapporteur should provide detailed facts to the Government of Myanmar if he may have any. It is counter-productive and may have negative impact on the harmony and solidarity already achieved among the communities by his pessimistic statement based on any unverified information.

(b) His allegation:

“Muslim communities remain segregated from Buddhist communities and their freedom of movement restricted.”

Response:

- It is known that sufficient amount of time is required to build trust and confidence between the two communities and they should not be compelled to live side-by-side immediately.
- The Government, together with religious and community leaders, has encouraged and facilitated interfaith dialogues and community dialogues in Rakhine State since June 2012.
- It is crucial for non-Rakhine community to accept the population verification process—an initial step for resettlement and access to livelihoods, freedom of movement and citizenship among others.
- It will help the international community to better understand the situation there if the Special Rapporteur may wish to highlight these underlying difficulties.

(c) His allegation:

“Humanitarian organizations providing life-saving assistance were being increasingly threatened.”

Response:

- The Government and local authorities in Rakhine State are trying their utmost to facilitate the humanitarian agencies working there to provide necessary assistance to the needed ones.
- On the other hand, it is imperative for the humanitarian agencies to conduct their aid activities in a transparent and fair manner. In recent months, several protests were staged against certain humanitarian agencies in Sittway, Mrauk-U, Pauk Taw, Maung Taw and Bu Thee Taung. The local populace who has staged protests against humanitarian agencies are questioning their impartiality and calling upon their activities to be transparent. It is perceived by the local community that certain agencies working in Rakhine State have been stirring up disruption of the stability there.

- (d) Mr. Quintana demands for release of so-called prisoners of conscience, Dr. Tun Aung, Kyaw Hla Aung and 3 INGO workers.
- It is, in fact, the three locally-recruited INGO workers, who are not expatriate staff, were arrested and detained under Section 436 of the Penal Code for their involvement in arson attacks on Bo Hmuu Village and Waitharli Village in connection with the communal violence that occurred in Rakhine State in June 2012. They had been employed as driver, security staff and food distributor.
 - Tun Aung was charged under Sections 153 (a)/505(c) of the Penal Code and under several charges including Section 6 (1), the falsification of national registration certificate and was sentenced accordingly in 2012.
 - Kyaw Hla Aung was charged under Section 148/333/150 of the Penal Code for his involvement in inciting a violent attack on the civil service personnel who were conducting the population verification work in Thetkaipyin village in Sittway in April 2013.

(e) **His allegation:**

“The offence of the Tatmadaw and human rights violations in Kachin State”

Response:

- It is simply unfitting that the UN Special Rapporteur makes allegations based on unverified information against the military operation and human rights violations of the Tatmataw in Kachin State.
- The Government has been exerting utmost efforts to promote the situation of human rights all over Myanmar since its assumption of the responsibility of the State. The Government is also working for the signing of international treaties on human rights.

Ministry of Foreign Affairs
Nay Pyi Taw
Dated, 27th February 2014