

violations of the right to life and physical integrity; called on the government to ensure respect for the rights to freedom of opinion, expression, thought, association, peaceful assembly and the right to fair trial; called on the government on an urgent basis to improve conditions of detention; called on the government to consider becoming a party to the International Covenants on civil, cultural, economic, political and social rights; called on all other parties to the conflict to respect obligations under international humanitarian law; called on the government to fulfil obligations under relevant ILO Conventions; and, called on the government to end impunity for perpetrators of human rights violations, including members of the military.

THEMATIC REPORTS

Mechanisms of the Commission on Human Rights

Extrajudicial, summary or arbitrary execution, Special Rapporteur on: (E/CN.4/1997/60, paras. 16, 17, 18, 19, 32, 38, 67; E/CN.4/1997/60/Add.1, paras. 349–355)

The report of the Special Rapporteur (SR) cites information indicating that: the Burmese security forces continued to kill unarmed civilians during counter-insurgency operations against ethnic minority armed opposition groups; Kayin (Karen) civilians continued to be especially affected by these operations; Kayin civilians fleeing from troops as they approached villages were shot dead in what appeared to be a de facto shoot-to-kill policy against anyone who runs from the Burmese armed forces; others were killed because the armed forces suspected them of supporting the Karen National Union (KNU); and villagers seemed to be killed at random in an effort to terrorize villagers into severing their alleged connection with KNU soldiers.

The SR transmitted cases to the government related to persons killed by members of the armed forces and by members of the Democratic Karen Buddhist Army (DKBA). The SR expressed concern about the persistent reports of violations of the right to life of Kayin civilians by members of the Burmese armed forces and the DKBA and once more urged the government to investigate the allegations, to bring those responsible to justice, to provide compensation to the victims or their families and to take necessary measures to prevent the recurrence of such incidents.

The report also notes the death in detention of James Leander (Leo) Nichols, who had served as honorary consul for Norway and had represented Denmark, Finland and Switzerland. The SR notes information received indicating that, during his detention, he had been denied his medication and that he had been deprived of sleep during long interrogations prior to his death. In response to the Nichols case, the government responded that death had been from natural causes, cardiac disease, and that during his detention he had been well looked after and given full and proper medical attention. The SR expressed regret that the authorities had not agreed that an independent autopsy be conducted.

Freedom of opinion and expression, Special Rapporteur on: (E/CN.4/1997/31, Section III)

The report notes that the Special Rapporteur (SR) conveyed his deep concern to the government regarding the alleged arrest of 190 people, possibly more, related to

activities of the National League for Democracy (NLD). The information received indicated the arrests were accompanied by threats in the state-controlled media against Aung San Suu Kyi and other pro-democracy leaders and new measures were being applied to deny the international press access to Burma. In response, the government provided the SR with a report entitled "Events Pertaining to the Recent Activities of the National League for Democracy (NLD)" and several news cuttings from the newspaper *The New Light of Myanmar*. The report notes that the material provided by the government indicated that, as the conference and mass rally planned by the NLD in May 1996 were considered by authorities as a potential disruption to peace and stability, some delegates were called in for questioning as a preventive measure. The material also referred to the efforts of the NLD to achieve a transfer of power since the 1990 elections. According to the government, this included the writing of a temporary constitution. In addition, the government claimed that some NLD members went underground to organize an armed movement and form a parallel government, which had forced the government to adopt such preventive measures as the restriction and detention of persons. The material provided also indicated that most of the detainees were released, and that after the lifting of restrictions placed on Aung San Suu Kyi, the position and attitude of the NLD changed; and internal as well as foreign pressure ultimately led to the departure of NLD delegates from the National Convention. The government also noted that Aung San Suu Kyi and her associates had been stepping up criticism of the current government while issuing frequent press releases to that effect. And finally, the government asserted that it had been forced to undertake what it perceived to be the best possible action for all the people of the country, due to the threat of a breakdown of peace and stability in the country and in order to prevent a repeat of the unrest of 1988. Those who had been called in for questioning were not arrested or put into prisons or detention centres, but rather lodged at guest houses and given good treatment. The authorities sent home the delegates called in for questioning on 31 May 1996.

The SR took note of the information but referred to the report submitted by the SR on the situation of human rights in Myanmar, in which he had found the right to freedom of expression to be seriously restricted by several combined laws which cannot be reconciled with article 19 of the Universal Declaration of Human Rights and also affected freedom of information through any of the media. The SR noted the government's reference to a threat of a breakdown of peace and stability as a reason to undertake measures for all the people of the country, and stated his intention to seek further information on the nature of that threat to peace and security, and on the proportionality of the measures taken by the government to counter such threats.

Religious intolerance, Special Rapporteur: (A/52/477, paras. 25, 28, 30, 33, 34, 38)

The Special Rapporteur's interim report to the General Assembly notes that communications were sent to the government related to: violations of religious freedom against Christians; information received indicating that the army has tried to convert Christians in Chin state to Buddhism and that children in one monastery were forced to repeat Buddhist