

- ♦ all laws rendering violations of human rights legitimate be repealed and the laws be brought into conformity with international standards regarding the rights relating to protection of physical integrity — including the right to life, protection against disappearance, prohibition of torture and ill treatment, humane conditions for all persons under detention and minimum standards of judicial guarantees;
- ♦ particular attention be given to conditions in the country's prisons and all the necessary steps taken to allow international humanitarian organizations to have access to and to communicate freely and confidentially with prisoners;
- ♦ urgent steps be taken to facilitate and guarantee the enjoyment of the freedoms of opinion, expression and association, in particular by decriminalizing the expression of opposition views and by relinquishing government controls over the media and literary and artistic works;
- ♦ restrictions relating to the entry and exit of citizens into and out of the country, as well as their movement within the country, be abolished;
- ♦ all discriminatory policies which interfere with the free and equal enjoyment of property cease and adequate compensation be paid to those who have been arbitrarily or unjustly deprived of their property;
- ♦ the government fulfil its obligations under ILO Convention No. 87 concerning Freedom of Association and Protection of the Right to Organize and guarantee by law the right of trade unions to exist and operate freely; the government comply with its obligations under ILO Convention No. 29, prohibiting the practice of forced labour and urgently take appropriate measures to repeal the offending legal provisions under the Village Act and the Towns Act to halt the practice of forced labour;
- ♦ urgent steps be taken to put an end to the enforced displacement of persons and to create appropriate conditions to prevent the flow of refugees to neighbouring states; in those cases where the relocation of villagers becomes necessary that: (a) they be carried out in circumstances which conform with international norms; (b) proper consultations take place with the villagers, including the payment of appropriate compensation, reviewable by independent courts; and (c) measures be put in place to ensure that food, housing facilities, proper medical care and social amenities, including appropriate arrangements for the education of children, are provided in adequate measure in the interest of the displaced persons;
- ♦ the SPDC conduct a high-level inquiry, with broad terms of reference, into the great number of allegations of summary or arbitrary executions and other grave human rights violations, particularly in areas where ethnic minorities live or to which they are being forcibly displaced, specifically to gauge the extent of the violations and to propose remedial measures;
- ♦ in order to promote repatriation of Muslims and other minorities, the government create the necessary conditions of respect for their human rights, including by ensuring in law and practice their safe return and resettlement in their villages of origin;
- ♦ the laws relating to citizenship be revised in order to ensure that they have no unfavourable incidence on the exercise of civil and political rights and are consistent with generally accepted norms, in particular through the removal of all discriminatory features based on ethnicity, legal status and the adverse impact on the right of children to have a nationality; measures be adopted to ensure that citizenship can be obtained without burdensome and unrealistic administrative procedures and requirements;
- ♦ military and law enforcement personnel, including prison guards, be thoroughly trained and informed as to their responsibility to treat all persons in full accordance with international human rights norms and humanitarian law and, further, that such standards be incorporated in law, including the new constitution to be drafted;
- ♦ the government subject all officials committing human rights abuses and violations to strict disciplinary control and punishment and put an end to the culture of impunity that prevails at present in the public and military sectors;
- ♦ the government consider accession to the International Covenants on Human Rights, the Convention against Torture and the two Protocols Additional to the Geneva Conventions of 1949 and, in the meantime, ensure that the principles set out in these instruments are applied; and
- ♦ the government take early steps to amend all existing laws, orders or decrees in order to ensure that its international obligations with regard to the rights of women are effectively implemented, including by the adoption of administrative and other measures as well as the allocation of sufficient funds to necessary programmes; and, in the drafting of a new constitution, take steps to ensure that the rights of women with regard to equality and non-discrimination are guaranteed by the enactment of basic provisions.

Response of the government

The government prepared a memorandum on the situation of human rights in Burma (E/CN.4/1998/150) which was circulated as an official document at the 1998 session of the Commission. The subjects covered in the memorandum included: the emergence of a "new and enduring" constitution; developments in the national reconsolidation process; efforts to combat drugs and drug trafficking; developments in relations with political parties; participation in regional affairs; and cooperation with the United Nations.