



General Assembly

Distr.
GENERAL

A/46/72
25 January 1991
ENGLISH
ORIGINAL: ENGLISH/SPANISH

GENERAL ASSEMBLY
Forty-sixth session
ENHANCING THE EFFECTIVENESS OF
THE PRINCIPLE OF PERIODIC AND
GENUINE ELECTIONS

Letter dated 24 January 1991 from the Permanent Representative of
Panama to the United Nations addressed to the Secretary-General

I have the honour to enclose the text of the note sent by this Mission on 12 December 1990 to the Group of Latin American and Caribbean States (see annex).

The note reflects our great concern at the situation with respect to the violation of human rights in Myanmar and at the refusal of the Burmese authorities to recognize the will of the people.

I should be grateful if you would arrange for the text of this letter and its annex to be circulated as a document of the forty-sixth session of the General Assembly under the item entitled "Enhancing the effectiveness of the principle of periodic and genuine elections".

(Signed) César PEREIRA BURGOS
Ambassador
Permanent Representative

ANNEX

Letter dated 12 December 1990 from the Permanent Representative
of Panama to the United Nations addressed to the Permanent
Representative of Chile to the United Nations, Chairman of the
Group of Latin American and Caribbean States

I have the honour to transmit to you, in your capacity as Chairman of the Group of Latin American and Caribbean States (GRULAC) for the month of December, a letter from the All-Burma (Myanmar) Federation of Student Unions, Rangoon University, which poignantly illustrates the situation with regard to the violation of human rights in Myanmar and the breakdown of the entire electoral system as a result of such violations.

The Mission of Panama feels that our Governments should be apprised of this situation since it represents the negation of the principle of solidarity among the members of the international community.

(Signed) César PEREIRA BURGOS
Ambassador
Permanent Representative

APPENDIX

Letter dated 10 December 1990 from the Representative-at-large
of the All-Burma Federation of Student Unions addressed to the
Secretary-General

Ref: Chapter 1, Article 2, paragraph 7, of the Charter of the United Nations stipulates that the United Nations has no responsibility of any kind whatsoever to look into the affairs of Member States to see that no human rights are violated within their borders. The SLORC military régime of Myanmar, taking advantage of this stipulation, has not only set an unprecedented new world record in human rights violations against its 42 million citizens, but also has refused to honour the mandate of voters delivered to the opposition, National League for Democracy Party in the election held on 27 May 1990. Article 2 of the Charter has virtually plugged the ears of the United Nations from hearing and responding to the urgent agonizing cries of the oppressed people of Myanmar.

The people of Myanmar note with profound sadness and frustration the absence in the Charter, of any provision to prevent the abuse and violation of the inalienable right of the citizens of a country to liberate themselves from the tyrannical rule of a self-installed unpopular government like the military régime of Myanmar (euphemistically called State Law and Order Restoration Council - SLORC), which rules the country, not by constitution but by fiat, employing the military, secret police and paid informers.

Apparently the Charter of the United Nations is not concerned with the violation of human rights of the citizens of a Member State by its rulers regardless of the magnitude of the seriousness of the violation.

We may fairly assume, from the stipulations of Article 2, paragraph 7, of the Charter that no matter how brutal the violations the United Nations can conveniently ignore or even condone them.

We strongly urge you, Sir, to take necessary steps to amend the Charter of the United Nations to include provision for the protection of human rights of the citizens of a Member State. Any State where moral decency and social justice prevail will have no reason to be apprehensive about such an amendment. Failing a move in this direction the United Nations forfeits any justification for preaching human rights without even daring a comment on the wrong doings of a Member State such as Myanmar, where the military usurpers butchered thousands of its citizens whose only guilt was to remind them to transfer power to leaders who won a landslide victory in the election supervised by the SLORC régime itself.

Sir, you will remember the self-righteous protest made by the known protégé of Generals Ne Win and Saw Maung, the Ambassador of Myanmar against draft resolution A/C.3/45/L.58. He said: "The Draft Resolution ... constituted a flagrant attempt to interfere in the internal affairs of a Member State in contravention of the principles set forth in Article 2 of the Charter, and never before in the history of this Organization had the Assembly adopted a resolution of that nature."

/...

Please, Sir, may we remind the Ambassador Mr. Kyaw Min that neither ever before in the history of this Organization had a régime, after butchering thousands of its citizens, peacefully demonstrating for a change to democratic civilian rule, come to the United Nations and from the forum of the General Assembly of the forty-third session made a solemn declaration to the world community that it would allow a multi-party free and fair election and would abide by the result of that election; and when its party and a party it supported lost the election, had not only disregarded its obligation but also, has been incarcerating the leaders of the winning party and systematically infiltrating and eliminating all opposition.

Sir, we also regret to note that draft resolution A/C.3/45/L.58 introduced by Sweden and co-sponsored by 20 other countries was put off till the convening of the forty-sixth session of the General Assembly, at the behest of the Japanese delegate, in order for the Human Rights Commission to be able to study the situation in depth. Yet we must remember that in this interval the SLORC will have eliminated any surviving opposition beside having spilled more of the innocent blood of our fellow citizens. All this while the international community will have watched with impotence imposed on it by Article 2 of its own Charter. By then also, the international community will have watched with dismay, the unfolding of this insidious drama.

By then the National League for Democracy will have been either disintegrated or completely infiltrated and replaced with all SLORC members and will have become a civilian puppet government in the name of National League for Democracy, which is precisely what the SLORC is doing right now. We fervently hope that the international community will take serious note of the goings on in Myanmar and react in accordance with the guiding light of their collective conscience.

In closing, Sir, we wish to thank, from the bottom of our hearts, those countries which introduced and co-sponsored the draft resolution supporting our just cause. We also wish to thank the United States Ambassador, H. E. Mr. Thomas R. Pickering, for having spoken for the rights of the people of Myanmar and the party they elected to form a popular government.

We also wish to remember with profound regret those countries which, placing economic interests above human rights, trade with an supply war matériel, including jet fighters to the SLORC régime.

We particularly wish to appeal to Yugoslavia, Singapore and our powerful northern neighbour, China. The People's Republic would recall the ugly incident of 1967, fomented by the present régime - then known as BSPP - when many ethnic Chinese were murdered in Rangoon under the supervision of this régime. That was done in order to divert the attention of the masses from the rapidly deteriorating economy and the scarcity of the staple food - rice. This incorrigible character must not be lost sight of in the dealings of the People's Republic with the SLORC régime.
