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QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS
IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL AND
OTHER DEPENDENT COUNTRIES AND TERRITORIES

Summary or arbitrary executions

Report by the Special Rapporteur, Mr. S. Amos Wako pursuant
to Economic and Social Council resolution 1987/60

Addendum

1. In his report on summary or arbitrary executions (E/CN.4/1988/22), Chapter I, paragraph 19, the Special Rapporteur mentioned the Governments from which he had received replies to his letters transmitting allegations of summary or arbitrary executions concerning those Governments. Subsequent to the completion of the report, on 11 February 1988, a reply was received from the Permanent Representative of Burma to the United Nations Office at Geneva and is reproduced in the annex to this document.

2. In Chapter II of the report, the Special Rapporteur described the allegations concerning Burma which had been transmitted to the Government during the past year as follows:

"67. On 4 December 1987, a letter was addressed to the Government of Burma transmitting information alleging that over the past two years

several unarmed villagers had been killed by security forces in Karen and Kachin States in the context of an armed conflict between government forces and rebels, and that in many cases victims had been tortured before being killed. Four of the incidents alleged to have occurred in Karen State in 1986 and 16 alleged to have occurred in Kachin State in 1987 were described by way of example.

"68. The Special Rapporteur, referring to article 6, paragraph 1 of the International Covenant on Civil and Political Rights, requested information on the allegations."

Annex

LETTER DATED 11 FEBRUARY 1988 FROM THE PERMANENT REPRESENTATIVE
OF BURMA TO THE UNITED NATIONS OFFICE AT GENEVA ADDRESSED TO THE
SPECIAL RAPPORTEUR OF THE COMMISSION ON HUMAN RIGHTS ON SUMMARY
OR ARBITRARY EXECUTIONS

I have the honour to refer to your letter dated 4 December 1987, transmitted through the Permanent Mission of Burma in New York, requesting information on the allegations of summary or arbitrary executions in frontier areas of Burma.

In this connection, I have the further honour to inform you that the allegations of summary or arbitrary executions in frontier areas of Burma, contained in the annex to the aforementioned letter, are totally unfounded and that the authorities of the Socialist Republic of the Union of Burma, therefore, categorically reject those groundless allegations.

The alleged malpractices are effectively prohibited by law as well as by tradition and customs in present-day Burma, whose tolerance and compassion are the hallmark of its culture. It is therefore entirely inconceivable that summary or arbitrary executions have taken place in Burma, where the fundamental rights and freedom of citizens are fully protected by constitutional guarantees and safeguards. No execution could take place in Burma without proper judicial process and comprehensive appeals procedure.

Hence, the authorities of the Socialist Republic of the Union of Burma do not have any other alternative but to conclude that the allegations are simply based on false and malicious reports by renegade elements belonging to certain insurgent groups. These unlawful elements are trying to exploit the prestigious forums of the United Nations organs and some non-governmental organizations in their desperate attempt to win international attention by deception.

I wish to draw your attention to the fact that it is indeed the Karen and Kachin insurgents who are engaged in unscrupulous terrorist acts, such as bombing of public places, indiscriminate killings of innocent people en masse and the destruction of bridges, railways and roads, in addition to smuggling and trafficking in narcotic drugs, on which they rely as a source of income.

As such, innocent nationals in Karen and Kachin States, who could no longer tolerate the excesses committed by their insurgents held public mass demonstrations in protest against those insurgents and condemned their unscrupulous acts in 1987 and previous years. (Relevant press cuttings are enclosed herewith for your further information.) */

The alleged excesses by the personnel of the Burmese Army in frontier areas during 1986-1987 contained in the aforementioned annex, could have stemmed only from the malicious defamation campaign launched by the insurgent groups and their agents. The personnel of the Burmese Army, commonly referred to in Burmese as "Tatmadaw", are highly disciplined, the Tatmadaw authorities

*/ Available for consultation in the Secretariat files.

always see to it that Tatmadaw members conduct themselves well, observe the prescribed code of conduct and respect the cultural traditions and customs of the local people. Moreover, apart from their duty of national defence, members of Tatmadaw are even engaged in economic life and activities of the people by helping the peasants and workers on their farms and production lines. Members of Tatmadaw, cultivating and harvesting paddy, dredging drains, volunteering their labour on development projects are common sights in Burma today.

In this connection, I should also like to draw your attention to the fact that the authorities of the Socialist Republic of the Union of Burma very recently took ambassadors and military attachés from foreign diplomatic missions and journalists from foreign news agencies in Rangoon on study tours of Karen State and Kachin State in November 1987 and January 1988, respectively. These study tours were arranged in order to dispel all the doubts that might have been aroused by the propaganda campaign by insurgent groups and the false reports by some foreign journalists. These study tours provide eloquent testimony of the full enjoyment of fundamental rights and freedoms by all nationals and citizens living in the Karen and Kachin States as well as in the rest of Burma. (Press cuttings on those study tours are enclosed herewith for your information.) */

May I also take this opportunity to add that a more prompt reply on this matter could have been made by the Permanent Mission of Burma at Geneva, if the aforementioned letter of the Special Rapporteur had been channelled through this Mission, as it should have been I should like to request that communications of this nature, relating to the question of human rights, kindly be channelled through this Mission in future.

In this connection I should also like to request that the essential points of this reply kindly be mentioned and reflected in your presentation of the report on summary and arbitrary executions to the Commission on Human Rights.

(Signed) TIN TUN
 Ambassador
 Permanent Representative