



United Nations OHCHR, Universal Periodic Review of Myanmar – Third cycle
25 January 2021

Background documentation:

- [National report](#) submitted by Myanmar.
- [Other reports and information](#) on the website of OHCHR related to the Universal Periodic Review of Myanmar, including the UN compilation report and the report submitted by civil society.

Members of Troika: Philippines, Russian Federation, Mauritania. Last Review: 6 November 2015.

H.E. Mr. Tun Tun Oo, Union Attorney General's Office of Myanmar, Head of Delegation – Presentation of the national report:

166 out of 281 recommendations received at the **Second cycle** were **accepted**. The National League for Democracy won the 2015 general election and the new government was formed. The **Myanmar Human Rights Commission** was established in line with the Paris Principles.

Four sessions of the **Union Peace Conference** took place from August 2016 to August 2020. The decisions and agreements of the conference became Part 3 of the **Union Accord**.

The new **Myanmar Investment Law** and **Myanmar Companies Law** were enacted in 2016 and 2017. The new **Child Rights Law** was enacted in July 2019 in line with the UNCRC and its protocols.

Myanmar ratified the **International Covenant on Economic, Social and Cultural Rights** in 2017 and the **Optional Protocol** to the Convention on the Rights of the Child on the involvement of children in armed conflict in 2019. Myanmar is preparing to sign the **International Covenant on Civil and Political Rights**.

The democratically elected Government is striving for the emergence of a federal democratic union in Myanmar through **development of democratic norms and standards**, strengthening of democratic institutions and rule of law, justice, towards achievement of sustainable peace. It is achieving positive results despite severe challenges. **Complaints on any violations of human rights** by military personnel may be dispatched in person or in writing to the commander concerned without restrictions. In addition, complaints of human rights violations can be sent to the President's Office, Hluttaw Committees, the National Human Rights Commission and through the media. All those who are found guilty of human rights violations are **convicted** in accordance with the relevant laws.

Recommendations from States

106 States took the floor to issue recommendations to Myanmar, including on the following topics:

Accountability, Fundamental Freedoms, Safe Return:

- ❖ **Investigate** international crimes and violations of international law, acts of violence, discrimination, torture and ill-treatment by members of the military and ethnic armed organizations against ethnic and religious minority groups, **hold security forces accountable** for gross human rights violations, ensure accountability and **redress for victims**: *Argentina, Albania, Australia, Botswana, Canada, Costa Rica, Chile, Croatia, Czech Republic, Georgia, Greece, Ecuador, Egypt, Kazakhstan, Libya, Liechtenstein, Lithuania, Netherlands, Saudi Arabia, South Africa, Sweden, Turkey, Ukraine, United States*. Hold the military to account for the use of **sexual and gender-based violence**; ensure health-care and psychosocial services for survivors: *Croatia, Liechtenstein, Luxembourg, Marshall Islands, Sweden*.
- ❖ Ensure **freedom of expression, association and peaceful assembly** for all, online and offline; amend all laws that restrict freedom of expression, including freedom of the press, and association:



Botswana, Canada, Czech Republic, Ghana, Estonia, Finland, France, Italy, Netherlands, New Zealand, Sweden.

- ❖ Ensure a safe, respectful and enabling environment for **civil society, human rights defenders and journalists**: *Greece, Latvia, Norway, Netherlands, Uruguay*. Immediately **release all detained or imprisoned** for the peaceful exercise of their rights: *Australia, Czech Republic, France, Malta*.
- ❖ Cease hostilities, **protect civilians**, and **comply with international humanitarian law**: *Canada*. Allow unrestricted access for **humanitarian actors**: *Afghanistan, Ecuador, France, Norway*
- ❖ Create conditions for **voluntary, safe, dignified and sustainable return** of all refugees: *Afghanistan, Australia, Bahrain, Bangladesh, Belgium, Bulgaria, France, Georgia, Italy, Libya, Mauritania, Mexico, Saudi Arabia, Turkey, Venezuela*. Develop a comprehensive strategy **to address the needs of repatriated refugees and IDPs**: *Cyprus*.

Rights of people belonging to vulnerable groups:

- ❖ **Strengthen policies and institutions to promote and protect the rights of all ethnic and religious minorities**: *Argentina, Brazil, Costa Rica, Ecuador, France, Iraq, Latvia, Libya, Malaysia, New Zealand, Portugal, Republic of Korea, Romania, Sudan, Togo, Viet Nam*. Guarantee **protection of religious sites**: *Cote d'Ivoire, Iraq*. Accord the **Rohingya community** their rights to equality, nationality, access to adequate healthcare and education; **end government discrimination** against Rohingya: *Argentina, France, Lesotho, New Zealand, Pakistan, Portugal, Qatar, Saudi Arabia, United States*.
- ❖ **Women's rights**: Ensure that the bill on **Prevention of Violence Against Women** is in line with international standards, with clear definitions of gender-based violence, and pass it promptly: *Albania, Brunei Darussalam, Cyprus, Kazakhstan, Norway, Singapore, Spain*. **Ensure women's participation in decision making processes**: *Ethiopia, Thailand*. **Implement** the National Strategic Plan for the Advancement of Women 2013–2022: *Angola, Finland*. Operationalize the **Women Peace and Security agenda**: *Germany*. Continue with its efforts for progressive realisation of **gender equality**: *Bahrain, India*. Enact legislation that guarantees **protection from all forms of discrimination** and violence against women: *Finland, France, Georgia, Sierra Leone, Sweden*.
- ❖ **Children's rights**: Implement the Myanmar Programme on the Elimination of **Child Labour**: *Brunei*. Develop rules and procedures for implementation of the **Child Rights Law**: *Bulgaria, Cuba, Laos*. Raise the **minimum age of criminal responsibility**: *Lithuania*. Adopt a new **inclusive national plan of action** for children: *Romania*. End recruitment and use of **child soldiers** and involvement of **children in armed conflicts**: *Switzerland, United States*.
- ❖ **Rights of people with disabilities**: *Finland, Cameroon*.
- ❖ **LGBTIQ people's rights**: *Australia, Chile, Iceland*.

Cooperation with human rights mechanisms

- ❖ **Accede to the Rome Statute of the ICC**: *Austria, Cyprus, Greece, Latvia, Spain*. **Extend a standing invitation to Special Procedures**: *Cyprus*. **Cooperate fully with and grant full unfettered access to the UN human rights mechanisms**: *Austria, Bangladesh, Costa Rica, Cote d'Ivoire, Croatia, Czech Republic, Ecuador, France, Germany, Greece, Iceland, Italy, Jordan, Latvia, Lesotho, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Mexico, North Macedonia, Portugal, Serbia, Sierra Leone, Slovakia, Slovenia, South Africa, Turkey, Ukraine*. **Facilitate the establishment of an OHCHR Regional Office in Myanmar**: *France, Latvia, Luxembourg, Mexico, Czech Republic, South Africa, Uruguay*. Implement the recommendations of the **Advisory Commission on Rakhine**: *Bangladesh,*



Luxembourg, United Kingdom. Ensure full compliance with the **International Court of Justice's provisional measures order**: *Canada, Jordan, Luxembourg.*

- ❖ **Ratify the International Covenant on Civil and Political Rights**: *Austria, Albania, Algeria, Estonia, France, Germany, Honduras, Indonesia, Latvia, Lebanon, Lesotho, Nepal, Pakistan, Philippines, Republic of Korea, Sierra Leone, Slovenia, Spain, Sri Lanka, Timor-Leste, Turkey, Ukraine.* **Ratify the Convention on the Elimination of all Forms of Racial Discrimination**: *Algeria, Austria, Estonia, Germany, Greece, Honduras, Indonesia, Italy, Iraq, Latvia, Lithuania, Pakistan, Portugal, Republic of Korea, Sierra Leone, South Africa, Turkey, Ukraine.* **Ratify the Convention on Migrant Workers**: *Panama, Sierra Leone.* **Ratify the Convention Against Torture**: *Austria, Denmark, Fiji, Estonia, France, Germany, Greece, Latvia, Lesotho, Lithuania, Pakistan, Portugal, Sierra Leone, Slovenia, South Africa, Switzerland, Turkey.* **Ratify the OPCAT**: *Albania, Germany, Greece, Indonesia, Italy.* **Ratify the Convention on Enforced Disappearances**: *Argentina, Austria, Germany, Greece, Japan.* Ratify all remaining international human rights treaties: *Canada, Costa Rica, Paraguay.* **Ratify the 2014 ILO Protocol to the Forced Labour Convention**: *United Kingdom.* **Ratify the ILO Indigenous and Tribal Peoples Convention No. 169**: *Honduras, Panama.*

Other recommendations:

- ❖ **National legislation**: Amend or repeal the **1982 Citizenship Law**: *Austria, Belgium, Canada, Czech Republic, Ireland, Marshall Islands, Mexico, New Zealand, Saudi Arabia, Spain, Switzerland, Sudan, Turkey, United Kingdom, Uruguay.* Bring the **Telecommunications Law** in line with international human rights standards: *Belgium, Germany, USA.* **Anti-discrimination legislation**: *Afghanistan, Belgium, Cote d'Ivoire, Jordan, Iran, Montenegro, New Zealand, Panama, Philippines, Sierra Leone*
- ❖ **Statelessness / Right to Nationality**: Ensure that Rohingya children are registered at birth and provided with birth certificates: *Afghanistan, Fiji, Montenegro.* Delink citizenship and respect for human rights from race, ethnicity and religion: *Lithuania, Norway, Slovakia.*
- ❖ **Death penalty**: Abolish the **death penalty**; ratify the Second Optional Protocol to the ICCPR: *Chile, Fiji, France, Iceland, Italy, Kazakhstan, Latvia, Lithuania, Luxembourg, New Zealand, Portugal, Romania, Sierra Leone, Slovenia, Ukraine.* Prohibit **torture and extrajudicial killings**: *Luxembourg.*
- ❖ **Health**: Strengthens efforts to **improve access to health care**: *Brunei Darussalam, Cambodia, Cameroon, China, Democratic People's Republic of Korea, Iran, Kazakhstan, Nicaragua, Sri Lanka.* Improve **understanding of leprosy** among the healthcare community: *Japan*
- ❖ **Education**: provide **equal access to education for all**: *Algeria, Cambodia, Cameroon, China, Croatia, Cuba, Democratic People's Republic of Korea, Denmark, India, Iran, Kazakhstan, Laos, Malaysia, Nicaragua, Singapore*
- ❖ **Ensure constructive cooperation in restoring peace at national and regional level**: *China, Democratic People's Republic of Korea, Venezuela*
- ❖ **Promote a culture of tolerance, diversity, pluralism and peaceful coexistence**: *Brazil, Turkey.*
- ❖ Continue the on-going **Democratization Process**: *Laos, Timor-Leste.*
- ❖ **Hold elections** in the areas where voting was cancelled: *Turkey.*
- ❖ **Hate speech**: *Austria, Bahrain, Ethiopia, Lebanon, Malta, New Zealand, (in particular to counter hate speech targeting Muslims), Oman, Republic of Korea, Turkey, Qatar.*
- ❖ **Poverty reduction**: *Belarus, China, Paraguay.* **Business and human rights**: *Romania, South Africa.*
- ❖ **National Human Rights Commission (NHRI)**: *India, Nepal, Norway, Republic of Korea, Togo*
- ❖ **Human trafficking**: *Bahrain, Belarus, Indonesia, Nicaragua, Paraguay, Philippines, Sri Lanka, Sudan, Qatar.* **Sustainable Development Goals (SDGs)**: *Iran, China, Cuba, Venezuela*