

23 March, 2016

UN Review Shows Lack of Progress Made by the Outgoing Government

By: Burma Partnership, Equality Myanmar, Free Thinkers, Karen Human Rights Group, Kachin Women's Association – Thailand, Palaung/Ta'ang Women's Organization, Pyi Gyi Khin, Shan Women's Action Network, Smile Education and Development Foundation, United Against Child Trafficking

Burma/Myanmar's response to its second cycle Universal Periodic Review (UPR) at the United Nations Human Rights Council (the Council) reflects the lack of progress made by the outgoing government and the need for key human rights challenges to be addressed, representatives who attended the Council said today.

The UPR plenary took place at the 31st Regular Session of the UN Human Rights Council on 17 March, 2016. Over 10 civil society representatives from Burma/Myanmar were in Geneva for the adoption of the recommendations made by the Council's member and observer states to the Burma/Myanmar Government.

"The new National League of Democracy (NLD) led government should set a new tone by developing a comprehensive, measurable and time-bound action plan to implement the recommendations agreed upon, while consider reviewing crucial recommendations that the outgoing administration did not accept," said Aung Myo Min from Equality Myanmar. While Burma/Myanmar Government accepted 166 recommendations out of the 281 recommendations it received from member and observer states, similar recommendations related to key human rights issues agreed upon by the Burma/Myanmar Government during its first cycle of the UPR remains unaddressed. In addition, out of 166 accepted recommendations, only 135 were fully accepted by the government.

Despite its pledges to guarantee the rights to freedom of expression, association and assembly, the Government refused to accept seven recommendations related to the release of all political prisoners. Currently, 95 political prisoners remain in jails and 418 activists and human rights defenders are awaiting trial.

"The Burma/Myanmar Government committed to protecting human rights defenders and ensuring a safe and enabling environment for civil society as they play an important role in ensuring genuine democratic reforms. Yet there is no indication that President Thein Sein will release all political prisoners including student protesters and their supporters before the end of his administration," said Nwe Zin Win from Pyi Gyi Khin. "Fresh charges have been brought against activists and human rights defenders, even going back to protests they took part in over a year ago and rights-based, independent civil society continue to face intimidation and threats by authorities," she continued.

The outgoing government showed no signs of change as they did not support recommendations to amend repressive laws that are used to intimidate and imprison activists and human rights defenders such as the Article 18 of the Peaceful Procession and Assembly Act; News Media Law and the 2014 Printing and Publishing Law.

"Entrenched impunity is institutionalized on the ground, particularly in ethnic areas where armed conflict and militarization is ongoing, grave human rights violations such as torture, forced labor, rape and sexual violence by the Burma/Myanmar Army continue with complete

impunity,” said Jeesica Nhkum from Kachin Women’s Association - Thailand. Over 120,000 people have been displaced due to the renewed fighting in Kachin State as fighting intensifies in northern Burma/Myanmar. Aid has yet to reach those in need as the Burma/Myanmar Government continues to block humanitarian aid from reaching conflict ridden areas in northern Burma/Myanmar, while over 110,000 refugees also remain in refugee camps along the Thailand-Burma/Myanmar border without sufficient aid.

“The new government must ensure an inclusive and meaningful peace process as well as greater inclusion of women, particularly from conflict affected communities. Otherwise, ethnic communities will continue to suffer the same abuses as it has in the past,” Jessica Nhkum continued. While the Burma/Myanmar Government accepted five recommendations that called on the government to combat impunity for human rights violations, it refused to accept recommendations that urged the government to end impunity of the military and government officials who commit human rights violations, including sexual violence.

It is particularly troubling that despite widespread land confiscations and forced evictions of local communities throughout the country by private companies, often with the support of the Burma/Myanmar Army or the government, the government denied the existence of legislation that allows compulsory acquisition of land by private businesses and rejected the recommendation to amend this legislation that facilitates this land-grabbing epidemic.

The government refused to accept many recommendations that urged the government to combat hate speech and to protect the rights of religious minorities. The outgoing government continued to deny its discriminatory policies and practices against religious minorities until their last days in administration – particularly against Muslim minorities – by refusing to accept 10 recommendations specifically urging them to review and repeal the recently enacted “Protection of Race and Religion Laws”.

“In the first cycle of the UPR, the Burma/Myanmar government agreed to ratify and fully implement a number of core human rights treaties, including the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment, and yet, it has not ratified them. The review shows that the outgoing government did not implement recommendations from its first UPR cycle and thus the overall human rights situation continues to deteriorate. Ratifying and implementing such treaties are essential if the government is committed to improving the human rights situation in the country,” said Khin Ohmar from Burma Partnership. “The international community must also be held accountable and transparent in their engagement with Burma/Myanmar. In particular, the UPR recommending states must ensure that their recommendations are actually implemented during this second cycle of the UPR,” she continued.

For more information, please contact:

Aung Myo Min, Equality Myanmar, +95(0)9448015306

Nwe Zin Win, Pyi Gyi Khin, +95(0)95031246

Jessica Nhkum, Kachin Women’s Organization – Thailand, +66(0)899547074

Khin Ohmar, Burma Partnership, +66(0)818840772