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**STATEMENT BY H.E. U MAUNG WAI,  
PERMANENT REPRESENTATIVE OF MYANMAR  
ON THE ADOPTION OF MYANMAR'S UNIVERSAL PERIODIC  
REVIEW OUTCOME REPORT (2<sup>ND</sup> CYCLE)  
31<sup>ST</sup> SESSION OF THE HUMAN RIGHTS COUNCIL  
17 MARCH 2016**

**Opening Statement**

**Mr. President  
Members of the Troika  
Representatives of the civil society  
Ladies and gentlemen,**

1. On behalf of the Delegation of Myanmar, I would like to take this opportunity to thank all delegations that took part in the Second Cycle Universal Periodic Review of Myanmar on 7 November last year, at the 23<sup>rd</sup> session of the Human Rights Council UPR Working Group. We deeply appreciate their keen interest and constructive engagement shown throughout the process.
2. I would also like to thank the troika delegations of Ghana, Maldives and the United States of America, as well as members of the Secretariat for their kind assistance and facilitation during our review last November.

**Mr. President,**

3. Despite several mechanisms designated to the promotion and protection of human rights situation of Member States, Myanmar firmly believes that only the UPR mechanism equitably provides equal treatment to all Member States.
4. The large composition of our delegation both to the UPR Working Group meeting last year and at today's meeting reflects the high importance and the political will that Myanmar constantly attaches to the UPR process. Our delegation at this meeting today comprises representatives from the Office of the President, the Ministry of Foreign Affairs and the Ministry of Home Affairs.

5. During the review last November, 93 member states made a total of 281 recommendations. Out of which, 124 recommendations enjoyed the immediate support of Myanmar. We were not able to accept 69 recommendations and thus we rejected them. We brought 88 recommendations back home for further consideration.

6. In general, the recommendations that we received are essentially on accelerating political, socio-economic and administrative reform of Myanmar, and on promoting and protecting of human rights in the country. Many recommendations were made on ratifying the core international human rights instruments; strengthening the national human rights institution; advancement of women; elimination of all forms of discrimination; abolishing death penalty; strengthening religious tolerance; access to healthcare and education, and other human rights issues.

7. Myanmar has given serious consideration to all recommendations, which will largely contribute to the reinforcement of its endeavors in promoting and protecting of human rights. Indeed, many of the recommendations are already in the process of implementation.

**Mr. President,**

8. On this occasion, it is my pleasure to report on the 88 deferred recommendations. They were given very careful consideration on the basis of their merit, objective and the principle. They were also examined against the situation on the ground, taking into consideration the historic, social, cultural and traditional values of the people of Myanmar as well as the state sovereignty. We also believe that many recommendations fall within the domestic jurisdiction of the State. Some recommendations need to be sequenced in their implementation, because of capacity constraints.

9. Against this backdrop and after careful consideration, Myanmar has decided to accept 42 additional recommendations.

**Mr. President,**

10. Given the time constraint, allow me to explain briefly about our responses to the additional recommendations as follows:

- (a) We accepted recommendation No. 144.31, as the National Human Rights Commission and the Myanmar Press Council are functioning as independent entities with the objective of defending and safeguarding the rights of citizens and journalists. Of course, there is always room for improvement. And we will carry out this task as we continue implementing their objectives.
- (b) We also accepted the recommendations No. 144.73 and No. 144.74. They are related to guarantees in law and in practice that lawyers and judges can perform their professional functions without improper interference. These duties and functions are already stipulated in the Section 19(a), 354(c) and Section 3(a) of the Union Judiciary Law.
- (c) We are of the view that the new Media Law and the Printing and Publishing Enterprise Law of 2014 are serving the interests of the people. However, we also believe that they must respond to the advancement of information technology, international standards and future challenges. Therefore, we accepted the related recommendations. They are the recommendations No. 144.80 and 144.81.
- (d) Regarding the protection of human rights defenders and journalists, the State Constitution already guarantees the fundamental rights of all citizens. As such, we accepted the recommendations on creating and maintaining a safe and enabling environment for the civil society, human rights defenders and journalists. These recommendations are No. 144.82, 144.83 and 144.84. We believe that there is a merit to review relevant laws so as they respond to the present day requirements and international norms and practices.

- (e) All in all, we have accepted 42 additional recommendations. They are as follows: 144.1, 144.2, 144.3, 144.4, 144.5, 144.6, 144.7, 144.8, 144.9, 144.10, 144.11, 144.12, 144.13, 144.14, 144.15, 144.16, 144.17, 144.18, 144.19, 144.20, 144.21, 144.22, 144.23, 144.24, 144.25, 144.26, 144.27, 144.29, 144.30, 144.31, 144.55, 144.72, 144.73, 144.74, 144.75, 144.76, 144.77, 144.80, 144.81, 144.82, 144.83, 144.84.

11. We are, however, unable to accept the remaining 46 recommendations because, in our view, they are in contradiction with the State Constitution of Myanmar. They are infringing upon the national sovereignty, and also conflicting with the national legislations. However, as things are changing, and changing in the right direction in the country, a window of opportunity may arise to revisit these recommendations in the future.

12. Our written explanation to our positions on the 88 recommendations is provided in document A/HRC/31/Add.1 dated 10 March 2016.

13. To sum up, Myanmar has accepted a total of 166 recommendations out of the 281 recommendations that we received during the 2<sup>nd</sup> cycle of UPR process.

**Mr. President,**

14. While taking this opportunity, I would like to inform the Council about the preparations being made by the current government to transfer the responsibilities of State to the new government very soon. The new President has just been elected. As we all know, the present government has laid down a firm foundation for the promotion and protection of human rights in the interests of the people. There will be no turning back, and our endeavours will certainly continue to fortify in the future.

15. I wish to reiterate that, in spite of human rights challenges common to all, Myanmar is committed to address these issues in the best interests of our people, and in line with its international obligations.

**Mr. President,**

16. In concluding, on behalf of the Government of the Republic of the Union of Myanmar, my delegation would once again like to thank all the Member States that engaged with us objectively and constructively during the UPR working group session last November. I am confident that this spirit will continue to prevail again in this meeting.

17. On this note, let me conclude my opening statement. I am looking forward to listening to the views by all stakeholders in the room in a few moments.

I thank you.

