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UN Human Rights Council  
 Seventeenth session, 30 May – 17 June 2011

Item 6:  
 Consideration of UPR reports

MYANMAR

Mr. President,

Amnesty International estimates that there are more than 2,200 political prisoners in Myanmar held under vague laws frequently used by the government to criminalize peaceful political dissent. Some have been detained since the 1990s and others have more recently been sentenced to <sup>up to 104 years</sup> ~~more than 20~~ years' imprisonment. Many are held in inhumane conditions with inadequate food, sanitation or access to medical treatment. Amnesty International believes that the vast majority are prisoners of conscience held merely for peacefully exercising their rights to free expression, assembly, and association.

Given Myanmar's poor human rights record, we are concerned that it has accepted only 74 of the 190 recommendations made during the review. <sup>Many of</sup> ~~Among~~ the 70 recommendations Myanmar rejected ~~are many which~~ are essential to ensure a minimum level of human rights protection in the country. We note that Myanmar took 46 recommendations under consideration, and notwithstanding the submission of an Addendum, we would ask Myanmar to clarify which of these recommendations enjoy its support.

Mr. President,

We are disappointed by Myanmar's rejection of a wide range of recommendations to <sup>improve</sup> ~~address~~ the grave situation of human rights, including to "immediately halt all violations of international human rights and humanitarian law by the security forces", and to investigate and punish such violations.<sup>1</sup> Since 1988, Amnesty International has

<sup>1</sup> Para 107.29 – 107.30.

documented crimes against humanity by the security forces against ethnic minority civilians in eastern Myanmar, and continues to receive credible reports of such crimes. In a recent statement, the Special Rapporteur on the situation of human rights in Myanmar refers to evidence that the armed forces continue to commit serious and systematic abuses in eastern Myanmar with impunity.<sup>2</sup>

Impunity for human rights violations and crimes against humanity prevails in Myanmar and investigation and prosecution of these is obstructed by Article 445 of the 2008 Constitution, which stipulates that "no proceeding" may be instituted against officials of the military governments since 1988 "in respect of any act done in the execution of their respective duties". In light of this obstacle to justice, Amnesty International again calls for the urgent establishment of an international commission of inquiry to investigate crimes against humanity and possible war crimes in Myanmar.

Thank you, Mr. President.

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<sup>2</sup> *Statement of the Special Rapporteur on the situation of human rights in Myanmar*, OHCHR, 23 May 2011.