

Freedom of Expression and new government in Myanmar

Oral Statement

Item 6: UPR Outcomes for Myanmar

17 March 2016

Delivered by Andrew Smith, ARTICLE 19

ARTICLE 19 welcomes Myanmar's engagement in the Universal Periodic Review process.

We share the concerns of many member states that Myanmar has not yet ratified the main international human rights treaties, particularly the International Covenant on Civil and Political Rights, and urge the new government to correct this through ratification at the earliest opportunity.

We continue to be alarmed at arrests and arbitrary detention of protesters, human rights defenders, Internet users, and journalists, for which there is pervasive impunity that must be addressed.

We are disappointed that Myanmar has not supported many of the recommendations by member states to reform existing and newly-adopted laws that illegitimately restrict the right to freedom of expression, including media freedom. We urge the new government to initiate reforms to its legal framework, in particular the Penal Code, to bring it into compliance with international standards, as recommended by the UN Special Rapporteur on the situation of human rights in Myanmar, Yanghee Lee.

At the same time, the government must do much more to address advocacy of national, racial and religious hatred that constitutes incitement to discrimination, hostility or violence ("incitement"), including by speaking out against such rhetoric at the highest levels. In this regard, we reiterate Yanghee Lee's recommendation for the government to be guided by the UN's Rabat Plan of Action to address incitement, including through positive measures to ensure that minority voices can be heard.

Women in Myanmar face particular obstacles in exercising their rights to freedom of expression and public participation, including through state and societal forms of violence and discrimination. The State must enact legislation to address all forms of violence against women. While the National Action Plan on women is an important step forward, we urge the new government to ensure its full implementation, including by providing necessary resources.

To support this ambitious reform agenda, it is of utmost importance that Myanmar reform its National Human Rights Commission to bring it into conformity with the Paris Principles.

Thank you.