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Human Rights Council, 31st session

Agenda Item 6: Universal Periodic Review Myanmar (17 March 2016)

Joint Statement of the International Bar Association's Human Rights Institute and the International Commission of Jurists

The International Bar Association's Human Rights Institute (IBAHRI) and the International Commission of Jurists welcome Myanmar's decision to accept recommendations made at the Universal Periodic Review relating to the administration of justice and the independence of the legal profession and call on the Government of Myanmar to implement the recommendations which it has accepted 'in principle' to reform the Bar Council Act to allow for the Bar Council to become a truly independent and self-governing association.

In order to 'guarantee in law and practice that lawyers and judges can perform their professional functions without improper interference and legally form and join self-governing associations', we call for the right to join such associations to be enshrined in law, and that the right of the first Independent Lawyers' Association of Myanmar (ILAM) to register as an association be respected;

In order to 'define professional legal standards and disciplinary procedures in conformity with the Basic Principles on the Role of Lawyers', we call upon the government of Myanmar to engage in a consultation process with the legal profession and other stakeholders in relation to the revision of the Bar Council Act. The government should also commit sufficient funds to allow for the funding of the system created by the new Legal Aid Law.

We are encouraged by and support efforts by the Office of the Supreme Court of the Union to draft and implement a Code of Judicial Ethics.

Finally, we urge the Government to improve legal education and continue legal professional development including with regard to international human rights law and the UN human rights mechanisms.

We are glad to provide support in the realisation of these recommendations and will look for collaboration with the Government to that end,

Thank you Mr President.

Statement delivered by: Ms Maria-Rosa Rinne (International Commission of Jurists) on behalf of the International Bar Association.