

# AMNESTY INTERNATIONAL

## PUBLIC STATEMENT

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### **Myanmar: Amnesty International calls for the urgent establishment of an international commission of inquiry as Myanmar rejects recommendations to end violations of international human rights and humanitarian law**

#### ***Human Rights Council adopts Universal Periodic Review outcome on Myanmar***

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 more than 60 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, Amnesty International is concerned that it has accepted only 74 of the 190 recommendations made to it during the review. Moreover, many of the 70 recommendations Myanmar rejected are essential to ensure a minimum level of human rights protection in the country. The organization notes that Myanmar took 46 recommendations under consideration, and notwithstanding the submission of an Addendum, it asks Myanmar to clarify which of these recommendations it supports.

Amnesty International is disappointed by Myanmar's rejection of a wide range of recommendations to improve 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 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

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<sup>1</sup> A/HRC/17/9, paragraphs 107.29 – 107.30.

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

International again calls for the urgent establishment of an international commission of inquiry to investigate crimes against humanity and possible war crimes in Myanmar.

**Background**

The UN Human Rights Council adopted the outcome of the Universal Periodic Review of Myanmar on 8 June 2011 its 17<sup>th</sup> session. Prior to the adoption of the report of the review Amnesty International delivered the oral statement above. Amnesty International also contributed to the information basis of the review through its submission on Myanmar:

<http://www.amnesty.org/en/library/asset/ASA16/008/2010/en/050e33a6-0e56-40d7-89d0-067bf3c982ad/asa160082010en.pdf>

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