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Human Rights Council Working Group on the Universal Periodic Review Thirty-seventh session 18–29 January 2021

# Summary of Stakeholders' submissions on Myanmar\*

Report of the Office of the United Nations High Commissioner for Human Rights

# I. Background

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the periodicity of the universal periodic review. It is a summary of 64 stakeholders' submissions<sup>1</sup> to the universal periodic review, presented in a summarized manner owing to word-limit constraints.

# II. Information provided by stakeholders

# A. Scope of international obligations<sup>2</sup> and cooperation with international human rights mechanisms and bodies<sup>3</sup>

2. JS1, ACDD, ECLJ and HRF recommended that Myanmar ratify the ICCPR, CAT, ICERD, and ICRMW.<sup>4</sup>

3. AI, HRW, ICJ, JS1 and JS9 highlighted that Myanmar had denied access to the UN Special Rapporteur on the situation of human rights in Myanmar since December 2017. It had also refused to cooperate with other UN mandates and international accountability mechanisms such as the Fact-Finding Mission on Myanmar, the Independent Investigative Mechanism on Myanmar (IIMM) and the International Criminal Court (ICC).<sup>5</sup> HRW also noted that Myanmar left unfulfilled the pledge by former President Thein Sein to establish a permanent OHCHR country office.<sup>6</sup>

4. JS5 recommended that Myanmar fully cooperate and remove any restrictions on access of international experts and accountability mechanisms to the country, including the IIMM, the Special Rapporteur on the situation of human rights in Myanmar and the ICC; provide UN agencies, including the Special Rapporteur on the situation of human rights in Myanmar and OHCHR with unfettered and sustained access to the country, including to Rakhine, Chin, Kachin and Shan states; and permit OHCHR to establish a country office, and issue open invitations to all special procedures mandate holders.<sup>7</sup>

<sup>\*</sup> The present document was not edited before being sent to United Nations translation services.





# **B.** National human rights framework<sup>8</sup>

5. JS28 noted that the Constitution did not include sexual orientation and gender identity as prohibited grounds for discrimination and there were no other laws which prohibited discrimination against lesbian, gay, bisexual, transsexual and intersex (LGBTI) persons.<sup>9</sup> JS28 highlighted that Myanmar law expressly discriminated against LGBTI persons. Consensual same-sex conduct had been criminalized under the Penal Code.<sup>10</sup>

6. AI expressed concern that the Myanmar National Human Rights Commission (MNHRC), which was reconstituted with new members in January 2020 following a process which lacked transparency, had been characterized by inaction and a lack of independence, and remained ineffective to deal with allegations of human rights violations.<sup>11</sup> ICJ expressed similar concerns highlighting that the MNHRC had not initiated any substantive or credible investigation into allegations disclosing credible evidence of widespread and systematic human rights violations perpetrated in recent years by soldiers largely against persons of ethnic minorities.<sup>12</sup> JS20 made recommendations in this regard.<sup>13</sup> On the other hand, the MNHRC highlighted that Myanmar had provided it with adequate funding to enable it to effectively discharge its functions. In addition, Myanmar was implementing the recommendations made by the MNHRC on complaints and findings of on-site inspections to the fullest possible extent.<sup>14</sup>

7. CCPR-Centre recommended that Myanmar establish a National Mechanism for Reporting and Follow-up to effectively fulfil its reporting obligations to treaty bodies.<sup>15</sup>

# C. Implementation of international human rights obligations, taking into account applicable international humanitarian law

# 1. Cross-cutting issues

## Equality and non-discrimination<sup>16</sup>

8. AI, Arakan Rohingya National Organisation (ARNO) and BHRN stressed that the discriminatory 1982 Citizenship Law denied citizenship to individuals on racial and ethnic grounds. The discriminatory and arbitrary way in which the Law had been applied had been central to the persecution of the Rohingya community.<sup>17</sup>

9. BHRN highlighted discriminatory practices experienced by Muslims and other minorities during the passport application process: Muslims with citizenship documents designating them as Bengali, Chinese, Indian, or Pakistani facing significantly longer processing times than other applicants. Applicants registered as Bengali were singled out for additional scrutiny and harassment, including investigations carried out by a special branch to verify their identity, address, and family history during intimidating and humiliating appointments and home visits.<sup>18</sup> JS17 and JS9 expressed similar concerns.<sup>19</sup>

10. JS14 stated that lesbian, gay, bisexual, transgender, queer (LGBTQ) people faced discrimination in the workplace or healthcare service.<sup>20</sup>

## Development, the environment, and business and human rights<sup>21</sup>

11. JS9 noted that while the Anti-Corruption Commission (ACC) had made significant efforts pursuing high profile cases and extending its mandate to private transactions, government inaction on corruption had affected people's daily lives. There was a general lack of transparency regarding the Corruption Prevention Units. Government officials involved in corruption cases were still able to avoid legal consequences.<sup>22</sup>

12. JS2 stated that investment and infrastructure projects, many of which conducted through joint ventures between state or privately-owned Myanmar companies and foreign businesses, had often resulted in violations of economic, social, and cultural rights of local communities. Such violations were directly linked to environmental degradation and pollution caused by: the failure to engage in meaningful and adequate consultation with affected communities during the design and implementation stages of the projects; violations of relevant domestic laws and lack of compliance with international human rights

standards; insufficient compensation measures and lack of effective redress mechanisms at the domestic level; and use of repressive laws to silence and punish human rights defenders, including land and environmental rights defenders and community members.<sup>23</sup> JS3 and KHRG expressed similar concerns.<sup>24</sup>

13. JAI stated that rising sea levels and increases in temperature caused by climate change posed a severe threat to habitability and the peoples' right to self-determination in Myanmar.<sup>25</sup>

# Human rights and counter-terrorism<sup>26</sup>

14. HRF expressed concern that in the name of targeting terrorist activities, the Counter-Terrorism Law had been used in practice to crackdown on journalists.<sup>27</sup> JS1 and AASYC expressed similar concerns.<sup>28</sup>

# 2. Civil and political rights

## Right to life, liberty and security of person<sup>29</sup>

15. AI and JS8 noted that the death penalty remained part of the legislative framework and courts continued to impose death sentences. In 2016, Parliament repealed the Emergency Provisions Act that provided for the death penalty. However, it remained in place for other offences, including murder.<sup>30</sup> UPR BCU recommended adopting an official moratorium on the death penalty.<sup>31</sup>

16. JS8 highlighted that people in detention were subjected to torture and other forms of ill-treatment.<sup>32</sup> CSW expressed similar concerns.<sup>33</sup> JS9 expressed concern that torture was endemic in prisons, detention and interrogation centres, and was systemically used against political prisoners in both police and military custody.<sup>34</sup>

17. AAPP(B) noted that since the mass expulsion of Rohingya into a neighbouring country in 2017, cases of torture and death at the hands of Myanmar's military and security forces had been reported primarily in areas where clashes between ethnic armed groups had occurred. Military abuses, including arbitrary arrest, torture, extrajudicial killings, and enforced disappearances overwhelmingly targeted minority ethnic groups.<sup>35</sup>

18. JS9 stated that LGBTI persons were subjected to unrestrained policing, arbitrary arrests and detention under the Penal Code and the 1949 Suppression of Prostitution Act. Detained LGBTI persons had been physically and sexually assaulted while in police custody.<sup>36</sup> ILAM highlighted that arrests without grounds were not uncommon, particularly against ethnic and religious minorities.<sup>37</sup>

19. AAPP(B) highlighted that health conditions had worsened in prisons because of the over-representation of society's most vulnerable and marginalized groups. Prisons lacked proper health provisions and were plagued by illnesses like malaria, tuberculosis or dysentery.<sup>38</sup>

# Administration of justice, including impunity, and the rule of law<sup>39</sup>

20. ICJ and JS9 noted that the judiciary lacked independence and judges were not accustomed to holding the Government accountable. The executive branch, particularly the military and the police, continued to wield undue influence on the judiciary.<sup>40</sup>

21. AI expressed deep concern that the 2008 Constitution perpetuated a culture of impunity for military violations as it established military control over military judicial processes. Myanmar security forces continued to enjoy widespread impunity.<sup>41</sup> JS5 and ICJ noted structural barriers that impeded accountability for perpetrators and precluded justice for victims of human rights abuses.<sup>42</sup> HRW highlighted that Myanmar's recent courtmartial conviction of three military personnel for crimes against ethnic Rohingya reflected ongoing government efforts to evade meaningful accountability, scapegoating a few soldiers rather than seriously investigating the military leadership who oversaw the atrocity crimes.<sup>43</sup> AP expressed similar concerns.<sup>44</sup>

22. KHRG stated that pre-ceasefire human rights violations perpetrated by security forces, including widespread killings, torture, sexual violence against women and forced labour, remained unpunished.<sup>45</sup>

23. ASProject highlighted that access to survivor-centred, medical, mental health and psychosocial support, protection and livelihood responses for survivors of conflict-related sexual violence was very low, including for male survivors.<sup>46</sup>

24. JS10 highlighted that Myanmar had not consistently upheld the necessary guarantees for the proper functioning of the legal profession to fulfil the requirements set out in the UN Basic Principles on the Role of Lawyers. Some lawyers working on sensitive cases had been subjected to or threatened with prosecution.<sup>47</sup>

25. JS10 expressed concern that the Myanmar Bar Council was not yet completely independent while welcoming the establishment of the Independent Lawyers' Association of Myanmar.<sup>48</sup>

Fundamental freedoms and the right to participate in public and political life<sup>49</sup>

26. JS6 stated that despite a constitutional guarantee, the Government routinely failed to protect freedom of religion or belief and the rights of religious minorities.<sup>50</sup> JS4 highlighted Section 295A of the Penal Code, which authorities had invoked to target religious minorities and had used twice during the COVID19 pandemic.<sup>51</sup>

27. ADF International, ECLJ, JS9 and CSW noted that in 2015, Parliament passed a series of "Race and Religion Protection" laws, focusing, *inter alia*, on religious conversion and population control. The Religious Conversion Law severely restricted one's ability to change one's religion. Under this law, in order to convert, a citizen of Myanmar had to obtain permission from a registration board, engage in religious study for 90 days and issue a certificate of conversion with the board.<sup>52</sup> JS5 expressed similar concerns.<sup>53</sup>

28. AI, HRW, JS3 and JS4 expressed concern that a number of vaguely worded laws continued being used to arrest, prosecute, detain, and imprison human rights defenders, political activists, and others peacefully exercising their rights.<sup>54</sup> JS23 recommended amending or repealing laws that restrict freedom of expression to be consistent with human rights standards.<sup>55</sup> AI, FEM, HRF and JS22 expressed similar concerns.<sup>56</sup>

29. JS3, HRF and AAPP(B) noted that artists had been targeted. In April and May 2019, police arrested seven members of the Peacock Generation 'Thangyat' poetry troupe for allegedly criticising the military in a satirical performance that was livestreamed on Facebook.<sup>57</sup>

30. JS1 and JS4 expressed concern that the National Records and Archives Law adopted in December 2019 perpetuated a system where all information belongs to the government's secret property and any public access to that information would be regarded as a security threat.<sup>58</sup> JS4, HRW and HRF highlighted that the Official Secrets Act prohibited access to or possession of a broad range of government information, even when there was no proof of intent to harm the state or a risk of harm from the access.<sup>59</sup>

31. JS1 and JS4 highlighted that internet shutdowns had been deployed by the Government as a tool to hinder access to information, which is vital in the context of the COVID-19 pandemic.<sup>60</sup> HRW and JS3 expressed similar concerns.<sup>61</sup>

32. JS5 highlighted that the information blockade made it difficult for the international community to monitor the situation in Rakhine State, where the Rohingya, Rakhine and other ethnic communities were at an ongoing risk of atrocities.<sup>62</sup>

33. JS3 highlighted that the Myanmar Press Council, a regulatory body for the print media, lacked independence, and complaints continued to be directed to police.<sup>63</sup> Through the Printing and Publication Enterprise Law of 2014, the Government imposed harsh governmental regulations on published media, which was a form of state censorship.<sup>64</sup>

34. JS3, KHRG and HRF noted that the right to peaceful assembly had been restricted in practice and policy and the police had used excessive and disproportionate force to disperse peaceful protests. In2016, the Government amended the Peaceful Assembly and Peaceful

Procession Law to remove the requirement for police permission to hold demonstrations replacing it with a notification regime. However, authorities still treated notifications as permission requests and the criminal sanctions for failing to give notice or to comply with the broad restrictions regarding gatherings were left unchanged.<sup>65</sup>

35. JS1 and JS3 expressed concern that NGOs continued to face unwarranted restriction, particularly under the 2014 Association Registration Law. Under this law, authorities had excessive discretion to deny registration to an NGO on vague and unspecified grounds.<sup>66</sup> JS3 stated that human rights defenders and journalists had become the target of online hate campaigns, and human rights activists had been killed, in some cases with impunity.<sup>67</sup> JS3 highlighted the use of the Unlawful Associations Act to stifle news coverage of armed conflicts. Foreign media had been barred from visiting northern Rakhine State to report on the conflict while local journalists, who had gained independent access, faced various restrictions and risks. The prosecution of the Reuters journalists sent a particularly chilling message to others covering Rakhine State, and contributed to increasingly prevalent self-censorship.<sup>68</sup>

36. JS7 expressed concern about restrictions on the right to participate in public affairs, which undermined the principle of universal suffrage and the equality of the vote.<sup>69</sup> Specifically, NU CIHR stated that the Government restricted Muslims' right to participate in government, highlighting that in the 2015 parliamentary elections, election authorities deemed Muslim candidates ineligible to run just days before the elections.<sup>70</sup>

## Prohibition of all forms of slavery<sup>71</sup>

37. JS9 expressed concern that human trafficking remained rampant in Myanmar. Traffickers took advantage of the poverty and instability of the country, and coerced vulnerable women, men and children into forced labour and sexual exploitation and slavery. Most of those trafficked into forced slavery worked in the fishing industry. They worked long hours, performing physically intensive tasks under dangerous working conditions.<sup>72</sup>

38. ECPAT International stated that Myanmar was considered a source country for both women and children trafficked for sexual purposes. Factors heightening children's vulnerability to trafficking included poverty, school dropouts and economic migration.<sup>73</sup> It also noted that the national law did not distinguish between child and adult victims of trafficking.<sup>74</sup>

39. Congregation of Our Lady of Charity of the Good Shepherd (CLGCS) highlighted that law enforcement against the perpetrators of human trafficking was very weak noting that very few percentages of the cases had been brought to justice.<sup>75</sup>

40. HRW stated that in Kachin and northern Shan States bordering China, long-standing armed conflicts between the Government and ethnic armed groups had facilitated human trafficking. Traffickers used job opportunities as enticements to trap and sell women and girls as "brides" into a life of sexual slavery. Survivors who sought justice rarely received it and traffickers remained free often continuing their trafficking activities.<sup>76</sup>

# Right to privacy77

41. JS1 stated that telecom companies were obliged to provide data about their users without any proper safeguards. Users' rights were not protected by judicial oversight of Government data requests.<sup>78</sup> It also noted that the 2017 Digital Government programme replaced paper-based national registration cards with digital IDs. Biometric data were collected for these digital IDs. Given that Myanmar did not have a law regulating the protection of personal data, JS1 expressed concern that highly sensitive biometric data was at risk for misuse.<sup>79</sup>

42. JS1 and JS3 expressed concern that 2017 Privacy Law focused on creating a duplicative criminalization of conduct similar to defamation, and that it had increasingly been used to punish those critical of public officials.<sup>80</sup>

# 3. Economic, social and cultural rights

#### Right to work and to just and favourable conditions of work<sup>81</sup>

43. HRW highlighted that the frequency of worker unrest and strikes around Yangon's industrial zones had increased significantly since 2019 and the looming crisis in the industrial zones had further deepened during the Covid-19 pandemic. Myanmar's labour laws and associated dispute resolution systems were failing to protect worker rights. Violations of freedom of association, the right to collectively bargain and other labour rights were widespread.<sup>82</sup> In this regard, Global Unions recommended that Myanmar engage fully with local trade unions in the ongoing reform of national labour laws with the aim of full ratification and effective implementation of international labour standards.<sup>83</sup>

44. KHRG stated that most of the workforce in rural Southeast Myanmar was engaged in informal labour thus not being able to benefit from the legal framework on workers' rights.<sup>84</sup>

## Right to an adequate standard of living<sup>85</sup>

45. JS13 highlighted that barriers to enjoying housing, land and property rights had become even further entrenched since the last review, especially for ethnic minorities.<sup>86</sup>

# Right to health<sup>87</sup>

46. JS11 stated that health facilities were chronically underfunded and understaffed in indigenous areas, particularly in remote areas. In some cases, armed conflict had exacerbated the situation.<sup>88</sup> KHRG expressed similar concerns.<sup>89</sup>

47. PGK recommended that the Government enact supplementary laws and policies to reduce the financial burden of healthcare costs and earmark the additional financial resources to health sector.<sup>90</sup>

48. Alliance Myanmar highlighted that stigma and discrimination remained high in terms of social and structural barriers that hindered people living with HIV/AIDS from having access to HIV and other health care services.<sup>91</sup> JS26 recommended that Myanmar engage in concrete legal reform targeting provisions that enable discrimination, and implement comprehensive rights-based training programmes aimed at civil servants, including medical personnel and the police, who interact with these marginalized communities.<sup>92</sup>

49. JS24 noted that people affected by leprosy were not receiving treatment fast enough. It recommended that Myanmar improve leprosy knowledge within the healthcare community so that people affected by leprosy can receive early identification and intervention as appropriate to treat leprosy and prevent the subsequent disabilities.<sup>93</sup>

50. IED stated that in general, the Government authorities were not providing adequate COVID-19 treatments to the areas of the ethnic nationalities, which had a highly negative impact on the right to health.<sup>94</sup> JS28 also expressed concern that the COVID-19 pandemic exacerbated the existing barriers against justice and equality and posed detrimental impacts on the human rights situations of LGBTI persons, including the right to health.<sup>95</sup>

# Right to education<sup>96</sup>

51. KHRG stated that school facilities in several villages could not accommodate all the local children or were in urgent need of repairs. Although access to primary education was free, parents often had to pay for school materials, textbooks and tutoring fees making it difficult for families facing livelihood difficulties to support their children's education.<sup>97</sup>

52. JS11 noted chronic underfunding of government schools in remote indigenous areas, which resulted in a lack of schools and suitably-qualified teachers.<sup>98</sup> JS16 recommended that Myanmar adopt all necessary measures to facilitate access for teachers to schools in remote and rural areas, by providing adequate roads and public transportation.<sup>99</sup>

## 4. Rights of specific persons or groups

#### Women<sup>100</sup>

53. JS7 highlighted that despite a Constitutional provision for gender equality, there was a lack of substantive equality and there was no clear prohibition on indirect discrimination.<sup>101</sup>

54. JS5 highlighted that gender-based discrimination was entrenched throughout existing laws in Myanmar, particularly under the Penal Code. Deficiencies in Myanmar's outdated laws presented substantial obstacles to addressing violence against women. It also emphasized that the Prevention of Violence against Women Law failed to adequately identify, define, prohibit and punish crimes in order to prevent violence against all women.<sup>102</sup> GEN expressed similar concerns recommending among others that Myanmar expand the scope of the Law to cover violence in all contexts, including conflict settings.<sup>103</sup>

55. ECPAT International stated that the Law Amending the Suppression of Prostitution Act had been repeatedly identified as the source of stigma, discrimination and marginalisation of prostitutes at the national level, which often led to violence and abuse by the authorities, making it impossible for women to rely on due process or justice.<sup>104</sup>

56. JS9 highlighted that despite the launching of the 10-year National Strategic Plan for the Advancement of Women, there was no data on the endemic levels of violence against women or gender-responsive budget allocations.<sup>105</sup>

57. KHRG stated that survivors of sexual violence usually did not receive support from the Government to grapple with trauma, and mental health services were rarely available in rural areas. Girl victims also tended to drop out of school, which further increased their marginalization. Cases of sexual violence in Southeast Myanmar tended to be dealt with by village authorities who often attempted to settle by offering compensation or marriage.<sup>106</sup>

58. JS9 expressed concern about women's low level of political participation and representation highlighting that despite the establishment of the Women Peace and Security Technical Working Group, women rights had not been prioritized.<sup>107</sup>

59. JS25 emphasized that conflict and increased militarization had negatively impacted women leaving them displaced, vulnerable to trafficking, subject to loss of land and economic insecurity, and without adequate health and other services. The Government had not provided humanitarian or other assistance during their cycle of displacement and had failed to provide adequate social services and economic security to rural women.<sup>108</sup>

#### Children<sup>109</sup>

60. JS18 highlighted that child rape cases of sexual violence increased by up to nearly 2,000 in 2016 and 2017, and child victims of sexual violence could hardly seek justice due to a corrupt judiciary system.<sup>110</sup>

61. Global Initiative to End All Corporal Punishment of Children (GIEACPC) recommended that legislation be enacted to explicitly prohibit all corporal punishment in all settings, including the home and repeal all provisions defending the use of corporal punishment in childrearing.<sup>111</sup>

#### Persons with disabilities<sup>112</sup>

62. JS9 expressed concern that little progress had been made since the last UPR and most people with disabilities were still struggling for basic needs, including food, shelter, clothing and health-care. It also expressed concern that many persons with disabilities were not given vital health information by the Government pertaining to the COVID-19 pandemic. It further stressed that most public service for people with disabilities was limited: current infrastructure limited their mobility and access to public services and transport. Most people with disabilities lacked access to formal education. They were also less likely to be employed as the majority continued to face discrimination and exploitation at the hands of employers and business owners. There were no targeted vocational or training programmes limiting them to low-skill jobs.<sup>113</sup>

#### *Minorities and indigenous peoples*<sup>114</sup>

63. JS3 stated that the Rohingya people had faced decades of repression and the denial of their human rights. They were not regarded as an official ethnic group under Myanmar's discriminatory 1982 Citizenship Law, the enactment and application of which had effectively rendered them stateless. As a result, their rights to study, work, travel, marry, practise their religion and access health services were severely restricted. More than 740,000 Rohingya people had fled to a neighbouring country since August 2017 when the Myanmar security forces allegedly launched a widespread and systematic assault on hundreds of Rohingya villages.<sup>115</sup> AI and JS6 expressed similar concerns, in particular on the 2016 National Verification Card scheme.<sup>116</sup>

64. JS3 noted that since 2016, the authorities, both military and civilian, had denied access or imposed restrictions on access for humanitarian civil society organizations providing aid to Rakhine State, including shelter, food and protection, predominantly to Rohingya people. These restrictions to humanitarian access had also been imposed on other minority groups in Kachin and Shan States.<sup>117</sup>

65. ADF, CSW and JS6 stated that a network of Buddhist nationalist monks known as Ma Ba Tha had been able to successfully incite hatred and violence against the Rohingya through its influence on government and military institutions.<sup>118</sup> In this regard, JS4 stated that the response of the Government to the proliferation of hate speech, discrimination and incitement to violence had been halting at best and at times had directly contributed to the problem. While officials had made broad statements supporting tolerance and harmony, authorities had at times actively participated in campaigns to deliberately spread disinformation concerning the Rohingya.<sup>119</sup> JS6 noted the use of digital media to spread such disinformation.<sup>120</sup>

66. AI and JS5 highlighted that domestic attempts to investigate atrocities against the Rohingya had been deeply flawed. A government-established Independent Commission of Enquiry into violations from August 2017 lacked credibility and failed to meet basic standards of independence and impartiality, while an earlier investigation examining violations from October 2016 was similarly inadequate.<sup>121</sup> ICJ noted similar concerns highlighting that the findings of these inquiries had not led to prosecutions in courts.<sup>122</sup>

67. BHRN documented a sharp rise in the number of villages across Myanmar that had declared "no-go-zones" for Muslims. There were at least two dozen such villages across the country where locals, with permission from the relevant local authorities, erected signboards warning Muslims not to enter.<sup>123</sup> CSW similar concerns.<sup>124</sup>

68. CSW noted that violations of the right to freedom of religion or belief and other human rights continued to be perpetrated against the majority Christian Kachin people in several states in northern Myanmar, particularly in Kachin and northern Shan States, including killing, arbitrary detention, torture, targeted religious persecution, sexual violence and humanitarian aid blockage, which had restricted access to clean water, healthcare, proper hygiene and sanitation, and other basic necessities.<sup>125</sup> CSW stated that violations against the Karen, Karenni, Chin and Naga people had continued.<sup>126</sup> ADF and JS6 also documented numerous cases of discrimination against Christian Chins in Chin State .<sup>127</sup>

69. JS11 highlighted that the lack of formal legal recognition of indigenous peoples in Myanmar negatively impacted on their rights to representation, consultation and participation in decision-making processes. Indigenous Peoples were poorly represented within Ministries and high-level civil service positions. As a result, many laws, policies and practices undermined indigenous customary practices and were not in line with relevant international standards. In addition, a series of new laws that had direct impacts on indigenous peoples such as the 2018 Forest Law and 2018 Conservation of Biodiversity and Protected Area Law did not mention Indigenous Peoples (htanay-taing-yin-tha).<sup>128</sup>

70. JS11 stated that the prevailing models of mega-development projects such as deepsea ports, hydro-power dams, and roads fuel grievances of indigenous communities regarding land rights and their autonomy over the use of traditional land, and resulted in social and environmental injustices.<sup>129</sup> 71. JS11 also expressed concern that indigenous and environmental human rights defenders were struggling to protect their land, environment and natural resources. They were criminalized, harassed or killed for their work to prevent land grabbing and negative environmental impacts.<sup>130</sup>

72. JS9 and JS11 highlighted that the 2018 Vacant, Fallow and Virgin Land Management Law displaced and criminalized people who failed to meet the 6-month deadline to register their land. Land grabbing continued at an alarming rate: more than 200,000 acres in the Irrawaddy Region alone had been seized for industrial and hotel zone projects, railroad projects, mineral extraction, departmental offices and cantonment expansion. Other large tracts had been confiscated in the extension of Myanmar's Permanent Forest Estate, the establishment of which was done without the free, prior and informed consent from local communities.<sup>131</sup> JS11 noted similar concerns.<sup>132</sup>

73. JS2 stated that the Salon, also known as 'Moken', 'Sea Gypsy' or 'Sea Nomads' were indigenous people in the Myeik archipelago in Myanmar's Tanintharyi region who needed safe access to the sea for their survival and livelihood. Their livelihoods had been impacted by the pearl farms operated by a private enterprise. The Salon community members from the Langan Islands demanded unrestricted access to the ocean surrounding the islands, on which they relied for their livelihood because the increase in the area for pearl farms had resulted in the shrinking of the area of survival and livelihood for the Salon.<sup>133</sup>

## Internally displaced persons<sup>134</sup>

74. AI noted that civilians were often displaced multiple times affecting their livelihoods and short- and long-term food security. The authorities, both civilian and military, had imposed severe restrictions on humanitarian access, in particular in non-government-controlled areas. Older people were specifically impacted by conflict and displacement, particularly with regard to their rights to healthcare and livelihoods.<sup>135</sup>

75. KHRG noted that refugees in a neighbouring country had returned to Myanmar as part of voluntary UNHCR repatriation processes in 2019. Although they were given land, they were not provided with land titles, and some agricultural lands were contaminated with landmine and unexploded ordnance (UXO). Civilians continued to experience conflict-related displacement, due to sporadic fighting between armed actors.<sup>136</sup> JS6 expressed similar concerns about internal displacements in Kachin State.<sup>137</sup>

76. ARSPH highlighted that thousands of Rohingya lived in internally displaced camps in central Rakhine, where they had been held in prison-like conditions for nearly eight years.<sup>138</sup>

## Stateless persons<sup>139</sup>

77. ADF International and CSW highlighted that the 1982 Citizenship Law remained in effect, prohibiting the Rohingya from obtaining citizenship thus effectively rendering them a stateless group.<sup>140</sup> JS5 also highlighted that the Rohingya's lack of citizenship was one of the main obstacles to their safe existence in, or return to, Myanmar.<sup>141</sup> BHRN expressed similar concerns.<sup>142</sup>

# 5. Specific regions or territories

78. AI highlighted that the years since Myanmar's last UPR had seen serious escalations of fighting in Rakhine, Shan, and Kachin States. The military had committed serious violations there such as indiscriminate attacks, killing or injuring civilians, extra-judicial executions, enforced disappearances, arbitrary arrests and detention, torture and other ill-treatment, in particular of ethnic minority men and boys, forced labour, and looting and confiscation of property. Many of these violations constitute war crimes. Ethnic armed groups also committed abuses against civilians amounting to war crimes, including abductions, killings, arbitrary deprivation of liberty, forced and child recruitment, including forced guiding and portering, and extortion.<sup>143</sup> In this regard, ND-Burma recommended that Myanmar immediately put to an effective halt to military operations throughout the country and withdraw all troops from ethnic areas so that civilians' lives can be protected, and

inclusive political negotiations can begin towards a new federal constitution that can grant equality and justice for all ethnic people of Myanmar.<sup>144</sup> WPNA and JS21 made similar recommendations.<sup>145</sup>

79. AI also highlighted that from August 2017, the Myanmar security forces waged a devastating campaign of killings, rape, and torture, burning hundreds of Rohingya villages to the ground, ostensibly in response to attacks by the armed Rohingya group the Arakan Rohingya Salvation Army (ARSA). Hundreds of thousands of Rohingya were forced to flee to a neighbouring country.<sup>146</sup> AAPP(B), HRW, JS6 and JS27 expressed similar concerns.<sup>147</sup>

80. ADF and ECLJ highlighted that the conflict between the Myanmar Army and the Kachin Independence Army (KIA) had continued since June 2011 in Kachin and northern Shan States with around 100,000 civilians internally displaced as a result. Attacks targeting ethnic and religious minorities had increased recently. The KIA engaged in rampant restrictions of religious freedom, including forced labour and not allowing churches to be constructed. Sexual violence was routinely used by the armed forces as a weapon of armed conflict.<sup>148</sup>

81. ADF also noted that the Karen people had been the target of attacks by governmentallied military forces as a result of the Karen National Union's longstanding claims for independence. Karen Christians had suffered the burning of their villages and churches, which showed the attacks were a part of a coordinated plan to oppress. Karen Christians were forced to porter for the Army and faced torture and murder at the hands of the military.<sup>149</sup> KHRG raised similar concerns.<sup>150</sup>

82. ECLJ stated that one particularly common form of attack by the Myanmar Army was to use remote detonated landmines, which injured or killed both civilians and ethnic armed organization members.<sup>151</sup> CHRO, KHRG and ICBL-CMC expressed similar concerns about the use of UXO contamination.<sup>152</sup>

83. ECLJ also noted that during the COVID-19 pandemic crisis affecting Myanmar, the Myanmar Army had continued its attacks on civilians. Since 16 March 2020, recent clashes between the Myanmar Army and the Arakan Army in Chin State had displaced 61,000 people. In May 2020, the Myanmar Army burned down four COVID-19 public health screening points and drove families out of three villages in Karen State.<sup>153</sup> ALTSEAN-Burma also highlighted that in May 2020 in Kayin State, the *Tatmadaw* destroyed COVID-19 prevention sites and fired at civilians. In June 2020, the *Tatmadaw* destroyed a COVID-19 prevention site in Kachin State, despite its stated ceasefire there.<sup>154</sup>

84. HRW expressed concern that the Government barred rights monitors and journalists from conflict areas and denied access to UN and international humanitarian agencies seeking to provide food, medicine, and other essential aid.<sup>155</sup>

# Notes

<sup>1</sup> The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: www.ohchr.org. (One asterisk denotes a national human rights institution with "A" status). *Civil society* 

| Individual submissions: |  |
|-------------------------|--|
| AAPP(B)                 |  |

| AAPP(B)           | Assistance Association for Political Prisoners (Burma), |
|-------------------|---|
|                   | Yangon (Myanmar);                                       |
| AASYC             | All Arakan Students' and Youths' Congress, Mae Sot      |
|                   | (Thailand);   |
| ACDD              | Action Committee for Democracy Development, Yangon      |
|                   | (Myanmar);  |
| ADF International | ADF International, Geneva (Switzerland);                |
| AI                | Amnesty International, London (United Kingdom);         |
| Alliance          | Alliance Myanmar, Hlaing (Myanmar);                     |
| ALTSEAN-Burma     | ALTSEAN-Burma, Bangkok (Thailand);                      |
| AP                | The Arakan Project, Bangkok (Thailand);                 |
|                   |   |

| ARSPH                | Arakan Rohingya Society for Peace and Human Rights, Cox's  |
|----------------------|--|
|                      | Bazar (Bangladesh);  |
| ASProject            | All Survivors Project Foundation, Vaduz (Liechtenstein);   |
| BHRN                 | Burma Human Rights Network, London (United Kingdom);   |
| CCPR-Centre          | Centre for Civil and Political Rights, Geneva (Switzerland);   |
| CHRO                 | Chin Human Rights Organization, Yangon (Myanmar);  |
| CLCGS                | Congregation of Our Lady of Charity of the Good Shepherd,<br>Geneva (Switzerland);                           |
| CSW                  | Christian Solidarity Worldwide, New Malden (United   |
|                      | Kingdom);  |
| ECLJ                 | European Centre for Law and Justice, Strasbourg (France);  |
| ECPAT International  | ECPAT International, Bangkok (Thailand);   |
| FEM                  | Free Expression Myanmar, Yangon (Myanmar);   |
| GEN<br>Clabel Unione | Gender Equality Network, Yangon (Myanmar);   |
| Global Unions        | International Transport Workers' Federation, London (United Kingdom);  |
| HRF                  | Human Rights Foundation, New York (United States of  |
|                      | America);  |
| HRW                  | Human Rights Watch, New York (United States of America);   |
| ICBL-CMC             | International Campaign to Ban Landmines - Cluster Munition   |
|                      | Coalition, Geneva (Switzerland);   |
| ICJ                  | International Commission of Jurists, Geneva (Switzerland);   |
| IED                  | International Educational Development, Inc. San Francisco  |
|                      | (United States of America);  |
| ILAM                 | Independent Lawyers' Association of Myanmar, Yangon  |
|                      | (Myanmar);   |
| JAI                  | Just Atonement Inc. New York (United States of America);   |
| JUBILEE              | JUBILEE, Fairfax, Virginia (United States of America);   |
| KHRG                 | Karen Human Rights Group, Mae Sot (Thailand);  |
| ND-Burma             | Network for Human Rights Documentation-Burma, Yangon (Myanmar);  |
| NU CIHR              | Northwestern University Pritzker School of Law Center for  |
|                      | International Human Rights, Chicago (United States of America);  |
| OVDD                 | Organization for Defending Victim of Violence, Tehran  |
| 0122                 | (Islamic Republic of Iran);  |
| PGK                  | Pyi Gyi Khin (Myanmar Health CSOs Network), Yangon   |
| 1 OK                 | (Myanmar);   |
| UPR BCU              | Birmingham City University Centre for Human Rights,  |
| CIRDOO               | Birmingham (United Kingdom);   |
| WPNA                 | Women Peace Network- Arakan, Yangon (Myanmar).   |
| Joint submissions:   |  |
| JS1                  | Joint submission 1 submitted by: Access NOW, New York  |
|                      | (United States of America) and Free Expression Myanmar,  |
|                      | Yangon (Myanmar);  |
| JS2                  | Joint submission 2 submitted by: FIDH-International  |
|                      | Federation for Human Rights, Paris (France), Myanmar   |
|                      | Alliance for Transparency and Accountability (MATA),   |
|                      | Yangon (Myanmar);  |
| JS3                  | Joint submission 3 submitted by: CIVICUS: World Alliance   |
|                      | for Citizen Participation, Johannesburg (South Africa), Free   |
|                      | Expression Myanmar, Yangon (Myanmar), Asia Democracy   |
|                      | Network, Seoul (Republic of Korea);  |
| JS4                  | Joint submission 4 submitted by: ARTICLE 19, London (United Kingdom), Arakan Journalists Association, Athan, |
|                      | Centre for Law and Democracy, Free Expression Myanmar,   |
|                      | Generation Wave, Kachin State Youth Assembly, Karen  |
|                      | Human Rights Group, Karenni National Youth Organization,   |
|                      | Myanmar Centre for Responsible Business, Myanmar ICT for   |
|                      | Development Organization, Myanmar Journalist Network,  |
|                      | Myanmar Media Lawyers' Network, Progressive Voice,   |
|                      | Yangon (Myanmar);  |
|                      |  |

| JS5  | Joint submission 5 submitted by: Global Justice Center        |
|------|---|
|      | (GJC), New York (United States of America), Global Center     |
|      | for the Responsibility to Protect, New York (United States of |
|      | America);   |
| JS6  | Joint submission 6 submitted by: Minority Rights Group        |
|      | International (MRG), London (United Kingdom), Smile           |
|      | Education and Development Foundation (Myanmar);               |
| JS7  | Joint submission 7 submitted by: CCPR-Centre, Geneva          |
|      | (Switzerland), New Myanmar Foundation (NMF), Foundation       |
|      | for Education and Development (FED), Khao Lak (Thailand),     |
|      | The Carter Center (TCC), Atlanta (United States of America),  |
|      | Democracy Reporting International (DRI), Berlin (Germany);    |
| JS8  | Joint submission 8 submitted by: Advocates for Human          |
| 300  | Rights, Minneapolis (United States of America), World         |
|      | Coalition Against the Death Penalty, Anti-Death Penalty Asia  |
|      | Network (ADPAN);  |
| JS9  | Joint submission 9 submitted by: Burma/Myanmar UPR            |
| 307  | Forum (Myanmar);  |
| JS10 | Joint submission 10 submitted by: Lawyers for Lawyers,        |
| 3310 | Amsterdam (Netherlands) and Lawyers' Rights Watch             |
|      |   |
| 1011 | Canada, Vancouver (Canada);                                   |
| JS11 | Joint submission 11 submitted by: UPR Working Committee       |
|      | for the Coalition of Indigenous Peoples in Burma/Myanmar      |
| 1910 | (CIPUM) (Myanmar);  |
| JS12 | Joint submission 12 submitted by: Burma Human Rights          |
|      | Network, London (United Kingdom) and the Common Good          |
| 1010 | Foundation, California (United States of America);            |
| JS13 | Joint submission 13 submitted by: Coalition of INGOs for      |
| 1014 | UPR-Myanmar, Yangon (Myanmar);                                |
| JS14 | Joint submission 14 submitted by: LGBT Rights Network of      |
|      | Myanmar, Yangon (Myanmar);                                    |
| JS15 | Joint submission 15 submitted by: International Federation    |
|      | of Library Associations and Institutions, The Hague           |
|      | (Netherlands);  |
| JS16 | Joint submission 16 submitted by: Istituto Internazionale     |
|      | Maria Ausiliatrice, Veyrier (Switzerland) and International   |
|      | Volunteerism Organization for Women, Education, Geneva        |
|      | (Switzerland);  |
| JS17 | Joint submission 17 submitted by: Institute on Statelessness  |
|      | and Inclusion, Eindhoven (Netherlands);                       |
| JS18 | Joint submission 18 submitted by: Myanmar Child Rights        |
|      | Coalition, Yangon (Myanmar);                                  |
| JS19 | Joint submission 19 submitted by: Myanmar Cultural            |
|      | Research Society, Progressive Voice, Generation Wave, Nyan    |
|      | Lynn Thit Analytical, Olive Organization, Pace on Peaceful    |
|      | Pluralism, Synergy – Social Harmony Organization, Burma       |
|      | Monitor, Women's Peace Network, Justice Base;                 |
| JS20 | Joint submission 20 submitted by: CSO Working Group on        |
|      | MNHRC Reform, Yangon (Myanmar);                               |
| JS21 | Joint submission 21 submitted by: Human Rights                |
|      | Foundation of Monland; Karen Student Network Group;           |
|      | Karen Human Rights Group; Karen Refugee Committee;            |
|      | Karen Women's Organization; Karenni Refugee Committee;        |
|      | Karenni Legal and Human Rights Center; Karenni Education      |
|      | Department; Karenni National Women's Organization;            |
|      | Karenni Social Welfare and Development Center; Kachin         |
|      | Women's Association Thailand; Koung Jor Shan Refugee          |
|      | Camp; Progressive Voice; and Ta'ang Women's Organization;     |
| JS22 | Joint submission 22 submitted by: Action Committee for        |
|      | Democracy Development; Athan – Freedom of Expression          |
|      | Activist Organization; Burma Monitor (Research and            |
|      | Monitoring); Generation Wave; Karen Human Rights Group;       |
|      |   |

|  | Kachin Women's Association Thailand; Mandalay                   |
|--|---|
|  | Community Center; Myanmar Cultural Research Society;            |
|  | Myanmar People Alliance (Shan State); Olive Organization;       |
|  | Progressive Voice; Pon Yate; Reliable Organization; Synergy     |
|  | - Social Harmony Organization; Thint Myat Lo Thu Myar           |
|  | (Peace Seekers and Multiculturalist Movement); and Ta'ang       |
|  | Women's Organization; - NB: in the registration database, it is |
|  | registered as an individual submission by PV Myanmar on         |
|  | webpage number 7;   |
| 1922                                   |   |
| JS23                                   | Joint submission 23 submitted by: RW Welfare Society and        |
|  | Rohingya Youth Association Kutupalong Refugee Camp -            |
|  | Ukhia, Cox's Bazar (Bangladesh);                                |
| JS24                                   | Joint submission 24 submitted by: Leprosy Mission               |
|  | Myanmar, International Federation of Anti-Leprosy               |
|  | Associations (ILEP), Myanmar Association of Persons             |
|  | Affected by Leprosy (MAPAL);                                    |
| JS25                                   | Joint submission 24 submitted by: Burmese Women's               |
| 0.20                                   | Union, Kachin Women's Association Thailand, Karen               |
|  | Women's Organization, Karenni National Women's                  |
|  | •   |
|  | Organization, Kayan Women's Organization, Kuki Women's          |
|  | Human Rights Organization, Lahu Women's Organization,           |
|  | Pa-O Women's Union, Rakhaing Women's Union, Shan                |
|  | Women's Action Network, Ta'ang Women's Organization,            |
|  | Tavoy Women's Union and Women for Justice;                      |
| JS26                                   | Joint submission 26 submitted by: Asia Catalyst, Youth          |
|  | Empowerment Team (YET), Myanmar Positive Groups                 |
|  | (MPG), Myanmar Positive Women Network (MPWN), Aye               |
|  | Myanmar Association (AMA), Rights Health Action                 |
|  | Myanmar (RHAM), TRY;  |
| JS27                                   | Joint submission 27 submitted by: British Rohingya              |
| 3627                                   | Community UK (UK), Burmese Rohingya Association Japan           |
|  |   |
|  | (Japan), Burmese Rohingya Community Australia (Australia),      |
|  | Burmese Rohingya Community in Denmark (Denmark),                |
|  | Burmese Rohingya Organisation UK (UK), Canadian                 |
|  | Rohingya Development Initiative (Canada), Elom                  |
|  | Empowerment (Malaysia), Rohingya American Society               |
|  | (USA), Rohingya Culture Centre Chicago (USA), Rohingya          |
|  | Human Rights Initiative (India), Rohingya Human Rights          |
|  | Network (Canada), Rohingya Society Malaysia (Malaysia),         |
|  | Rohingya Women Development Network (USA), Rohingya              |
|  | Women Welfare Society (Bangladesh);                             |
| JS28                                   | Joint submission 28 submitted by: Civil Authorize Negotiate     |
| J528                                   |   |
|  | Organization (C.A.N-Myanmar), Coalition of LGBTI                |
|  | organizations under Electoral Sector for the Democratic         |
|  | Transitioning of the Republic of the Union of Myanmar           |
|  | (CLOES-DTRUM).  |
| National human rights institution:     |   |
| MNHRC                                  | Myanmar National Human Rights Commission, Yangon                |
|  | (Myanmar)*.   |
| The following abbreviations are used i | n UPR documents:  |
| ICERD                                  | International Convention on the Elimination of All Forms of     |
| TOLIND                                 | Racial Discrimination;  |
| ICESCR                                 | International Covenant on Economic, Social and Cultural         |
| ICESCK                                 |   |
|  | Rights;   |
| OP-ICESCR                              | Optional Protocol to ICESCR;                                    |
| ICCPR                                  | International Covenant on Civil and Political Rights;           |
| ICCPR-OP 1                             | Optional Protocol to ICCPR;                                     |
| ICCPR-OP 2                             | Second Optional Protocol to ICCPR, aiming at the abolition of   |
|  | the death penalty;  |
| CEDAW                                  | Convention on the Elimination of All Forms of Discrimination    |
|  | against Women;  |
| OP-CEDAW                               | Optional Protocol to CEDAW;                                     |
|  | A ··· 7   |

|     | CAT       | Convention against Torture and Other Cruel, Inhuman or                                      |
|-----|-----------|---|
|     |           | Degrading Treatment or Punishment;  |
|     | OP-CAT    | Optional Protocol to CAT;   |
|     | CRC       | Convention on the Rights of the Child;  |
|     | OP-CRC-AC | Optional Protocol to CRC on the involvement of children in armed conflict;                  |
|     | OP-CRC-SC | Optional Protocol to CRC on the sale of children, child prostitution and child pornography; |
|     | OP-CRC-IC | Optional Protocol to CRC on a communications procedure;                                     |
|     | ICRMW     | International Convention on the Protection of the Rights of All                             |
|     |           | Migrant Workers and Members of Their Families;  |
|     | CRPD      | Convention on the Rights of Persons with Disabilities;                                      |
|     | OP-CRPD   | Optional Protocol to CRPD;  |
|     | ICPPED    | International Convention for the Protection of All Persons from Enforced Disappearance.     |
| th. |           | A/IIDC/21/12 = = = = 142.1 142.14 142.50 142.50 142.0                                       |

<sup>3</sup> For the relevant recommendations, see A/HRC/31/13, paras. 143.1–143.14, 143.50–143.52, 143.9–144.27, 144.31–144.45, 144.62, 145.1–145.6 and 145.9.

- <sup>4</sup> JS1, para. 3; ACDD, para. 21; ECLJ para. 9; and HRF, p. 3.
- <sup>5</sup> AI, para, 3; JS1, para. 8; HRW, para. 1; ICJ, paras. 25-26; JS9, paras. 7-8.
- <sup>6</sup> HRW, para. 1.
- <sup>7</sup> JS5, pp. 5-6.
- <sup>8</sup> For the relevant recommendations, see A/HRC/31/13, paras. 143.16–143.21, 143.25–143.49, 143.84, 143.85, 144.29–144.31 and 145.7.
- <sup>9</sup> JS28, para. 1.3.
- <sup>10</sup> JS28, para. 1.2.
- <sup>11</sup> AI, para. 16.
- <sup>12</sup> ICJ, paras. 6-14. See also AASYC, para. 5.
- <sup>13</sup> JS20, p. 9.
- <sup>14</sup> MNHRC, para. 3.
- <sup>15</sup> CCPR-Centre, paras. 1-3 and 6.
- <sup>16</sup> For the relevant recommendations, see A/HRC/31/13, paras. 143.23, 143.24, 143.60–143.63, 144.52–144.53, 144.86, 145.1, 145.12–145.21, 145.29 and 145.30.
- <sup>17</sup> AI, para. 7; ARNO, paras. 9-14; and BHRN, paras. 3-4.
- <sup>18</sup> BHRN, paras. 7-8 and 11.
- <sup>19</sup> JS17, paras 34-39; and JS19, para. 7.
- <sup>20</sup> JS14, p. 9.
- <sup>21</sup> For the relevant recommendations, see A/HRC/31/13, paras. 143.123, 143.124 and 144.88.
- <sup>22</sup> JS9, para. 59.
- <sup>23</sup> JS2, paras. 1-3.
- <sup>24</sup> JS3, para. 5.9 and KHRG, paras. 23-26.
- <sup>25</sup> JAI, para. 1.
- <sup>26</sup> For relevant recommendations see A/HRC/31/13, paras. 144.82 and 144.8.
- <sup>27</sup> HRF, p. 8.
- $^{28}\,$  JS1, para. 19 and AASYC, para. 8.
- <sup>29</sup> For relevant recommendations see A/HRC/31/13, paras.143.26. 143.64, 144.56–144.61, 144.63, 144.64, 145.22, 145.23, and 144.55.
- <sup>30</sup> AI, para. 15 and JS8, paras. 24-28.
- <sup>31</sup> UPR BCU, p. 4.
- <sup>32</sup> JS8, para. 1.
- <sup>33</sup> CSW, paras. 29-30.
- <sup>34</sup> JS9, paras. 53-56.
- <sup>35</sup> AAPP(B), p. 5.
- <sup>36</sup> JS9, para. 37.
- <sup>37</sup> ILAM, paras. 15-18.
- <sup>38</sup> AAPP(B), p. 4.
- <sup>39</sup> For relevant recommendations see A/HRC/31/13, paras. 143.65, 143.77–143.82, 143.84–143.86, 144.65–144.71, 144.73–144.76, 145.28, and 143.80–143.82.
- $^{\rm 40}\,$  ICJ, paras. 15-18 and JS9, para. 57.
- <sup>41</sup> AI, para. 5.
- <sup>42</sup> JS5, p. 3 and ICJ, para. 4.
- <sup>43</sup> HRW, para. 7.
- <sup>44</sup> AP, para. 10.

- 45 KHRG, para. 12.
- <sup>46</sup> ASProject, p. 4.
- <sup>47</sup> JS10, paras. 9 and 12.
- <sup>48</sup> JS10, paras. 14-15.
- <sup>49</sup> For relevant recommendations see A/HRC/31/13, paras. 143.100–143.103, 143.88–143.97, 143.98– 143.103, 144.79, 144.80–144.84 and 145.31–145.40, and 145.64.
- <sup>50</sup> JS6, paras. 19-20.
- <sup>51</sup> JS4, para. 11. See also OVDD, paras.13-16 and 18.
- <sup>52</sup> ADF International, paras. 14-17; ECLJ, para. 8; JS9, paras. 18-20; and CSW, para. 11.
- <sup>53</sup> JS5, p. 8.
- <sup>54</sup> AI, para. 6; HRW, para. 12; JS3, para. 1.6; and JS4, paras. 3-13.
- <sup>55</sup> JS23, para. 36.
- <sup>56</sup> AI, para. 13; FEM, paras, 10-12; HRF, pp. 5-6; and JS22, paras. 29-30.
- <sup>57</sup> JS3, para. 4.10; HRF, p. 9; and AAPP(B) p. 8.
- <sup>58</sup> JS1, para. 14 and JS4 para. 66.
- <sup>59</sup> JS4, para. 13; HRW, paras. 17-8; and HRF, p. 7.
- <sup>60</sup> JS1, paras. 23-25 and JS4 paras. 59-60.
- <sup>61</sup> HRW, para. 24 and JS3, para 4.9.
- <sup>62</sup> JS5, p. 6.
- <sup>63</sup> JS3, para. 3.10 and 3.13.
- <sup>64</sup> JS3, para. 4.3. See also HRF, p. 3 and JS4, para. 33.
- <sup>65</sup> JS3, para 5.1-5.6; KHRG, para. 13; and HRF, p. 6. See also JS4, para. 41 and JUBILEE, paras. 48-50.
- <sup>66</sup> JS1, para. 33 and JS3, para. 2.3-2.7.
- <sup>67</sup> JS3, para. 3.10 and 3.13.
- <sup>68</sup> JS3, para. 4.6-4.8.
- <sup>69</sup> JS7, pp. 1-2, and 4. See also ACDD submission.
- <sup>70</sup> NU CIHR, para. 15.
- <sup>71</sup> For relevant recommendations see A/HRC/31/13, paras. 143.74–143.76.
- <sup>72</sup> JS9, paras. 38-43.
- <sup>73</sup> ECPAT International, paras. 9 and 11.
- <sup>74</sup> ECPAT International, para. 23 and JUBILEE paras. 28-31.
- <sup>75</sup> CLGCS, para 6. See also JS15, paras. 11-12.
- <sup>76</sup> HRW, paras. 21-22.
- <sup>77</sup> For relevant recommendations see A/HRC/31/13, para. 144.78.
- <sup>78</sup> JS1, paras. 35-41.
- <sup>79</sup> JS1, paras. 4-46.
- <sup>80</sup> JS1, para. 13 and JS3, paras. 4-11.
- <sup>81</sup> For relevant recommendations see A/HRC/31/13, paras. 143.9 and 143.5.
- <sup>82</sup> HRW, para. 25.
- 83 Global Unions, p. 6.
- <sup>84</sup> KHRG, para. 15.
- <sup>85</sup> For relevant recommendations, see A/HRC/31/13, paras. 143.22, 143.37, 143.35–143.37, 143.87, 143.104, and 143.109.
- 86 JS13, para. 65.
- <sup>87</sup> For relevant recommendations see A/HRC/31/13, paras. 143.105–143.112.
- <sup>88</sup> JS11, para. 47.
- 89 KHRG, para. 17.
- <sup>90</sup> PGK, p. 5.
- <sup>91</sup> Alliance, paras. 1 and 13-23.
- 92 JS26, para. 6.
- <sup>93</sup> JS24, p. 3.
- <sup>94</sup> IED, para. 10.
- 95 JS28, para. 1.6.
- <sup>96</sup> For relevant recommendations see A/HRC/31/13, paras. 143.113–143.117.
- <sup>97</sup> KHRG, paras. 18-19.
- <sup>98</sup> JS11, paras. 49-54.
- <sup>99</sup> JS16, para. 19 (a).
- <sup>100</sup> For relevant recommendations see A/HRC/31/13, paras. 143.109, 143.53–59, 143.66–143.71, 144.30, 144.46, 144.72, and 145.24.
- <sup>101</sup> JS7, p. 6.
- <sup>102</sup> JS5, p. 10.
- <sup>103</sup> GEN, paras. 5 and 21-33.

- <sup>104</sup> ECPAT International, para. 17.
- <sup>105</sup> JS9, para. 33.
- <sup>106</sup> KHRG, paras. 10-11.
- <sup>107</sup> JS9, para. 35.
- <sup>108</sup> JS25, p. 4.
- <sup>109</sup> For relevant recommendations see A/HRC/31/13, paras. 143.109, 143.15, 143.25, 143.72–143.73, 143.83, 144.54, 144.77 and 145.25.
- <sup>110</sup> JS18, paras. 38-43.
- <sup>111</sup> GIEACPC, p. 2.
- <sup>112</sup> For relevant recommendations see A/HRC/31/13, para. 143.25.
- <sup>113</sup> JS9, paras. 61-62.
- <sup>114</sup> For relevant recommendations see A/HRC/31/13, paras. 143.118, 143.25, 143.27, 143.78, 144.28, 144.30, 144.47–144.51, 144.85, 145.10, 145.11, 145.26, 145.27, 145.41–145.53, 145.64, 145.67, 145.8, and 144.85.
- <sup>115</sup> JS3, para. 2.9.
- <sup>116</sup> AI, para. 11 and JS6, para. 8.
- <sup>117</sup> JS3, para. 2.10.
- <sup>118</sup> ADF, para. 28; CSW, para. 15; and JS6, para. 18.
- <sup>119</sup> JS4, paras. 52-53.
- <sup>120</sup> JS6, paras 17-18.
- <sup>121</sup> AI, para, 17 and JS5, p. 3.
- <sup>122</sup> ICJ, paras. 19-24.
- <sup>123</sup> BHRN, para. 12.
- <sup>124</sup> CSW, paras. 34-49.
- <sup>125</sup> CSW, paras. 50-59.
- <sup>126</sup> CSW, para. 60.
- <sup>127</sup> ADF, paras. 34-35 and JS6, para. 12.
- <sup>128</sup> JS11, paras. 7 and 11.
- <sup>129</sup> JS11, para. 29.
- <sup>130</sup> JS11, para. 41.
- <sup>131</sup> JS9, paras. 44-49 and JS11, paras. 25-27.
- <sup>132</sup> JS11, paras. 15-17 and 22.
- <sup>133</sup> JS2, paras. 5-11. See also JS12 submission.
- <sup>134</sup> For relevant recommendations see A/HRC/31/13, paras. 143.120–143.122, 144.30, 145.68 and 145.69.
- <sup>135</sup> AI, para. 12.
- <sup>136</sup> KHRG, paras. 20-22.
- <sup>137</sup> JS6, paras. 10-11.
- <sup>138</sup> ARSPH, p. 1.
- <sup>139</sup> For relevant recommendations see A/HRC/31/13, paras. 143.119, 144.52, 144.53, 144.55, 144.86, 144.87 and 145.54–145.66.
- <sup>140</sup> ADF International, paras. 11-13 and CSW, para. 22.
- <sup>141</sup> JS5, p. 8.
- <sup>142</sup> BHRN, paras. 21, 23 and 24.
- <sup>143</sup> AI, para. 8. See also AASYC, paras. 24-26.
- <sup>144</sup> ND-Burma, p. 7.
- <sup>145</sup> WPNA, para. 7 and JS21, pp. 10-11.
- <sup>146</sup> AI, para. 10.
- <sup>147</sup> AAPP(B), p. 2; HRW, para. 4; JS6, para. 6; and JS27, para. 7.
- <sup>148</sup> ADF, paras. 31-33 and ECLJ, para. 16.
- <sup>149</sup> ADF, paras. 37-40.
- <sup>150</sup> KHRG, paras. 2-7.
- <sup>151</sup> ECLJ, para. 18.
- <sup>152</sup> CHRO, paras 18-19; KHRG, para. 8; and ICBL-CMC, p. 2.
- <sup>153</sup> ECLJ, para 21.
- <sup>154</sup> ALTSEAN-Burma, para. 10.
- <sup>155</sup> HRW, para. 24.