

What countries are saying about Myanmar at the UN Human Rights Council - Summary of Findings

1. Background

As the crisis in Myanmar worsens since the coup in February 2021, it is becoming increasingly crucial for the international community to act decisively to protect human rights, particularly of the peoples of Myanmar. For stakeholders to better advocate for effective and decisive actions, it is useful to monitor relevant UN spaces and understand political discussions behind their action or inaction. With the UN Security Council being paralysed by politics among its permanent members, eyes are on the Human Rights Council (HRC), where discussions among its Member States have been taking place since its 29th Special Session immediately after the coup, and Myanmar has been on the agenda at every Regular Session since then.

The Centre for Civil and Political Rights therefore aims to help stakeholders identify strategic advocacy targets by providing overview and analysis of what countries are saying about Myanmar at the HRC, and by doing so, making relevant discussions and decisions of the HRC more accessible and easier to follow.

2. Methodology

Since there are a large number of statements presented by countries at the HRC using different languages and styles, a dedicated inductive method was developed to analyse them. In short, categories were assigned to different degrees of condemnations and concerns as well as silence expressed in country statements, and a sum of all statements for each country was computed for mapping their tendency and overall trends. Key issues raised were identified inductively and coded, while the sum of their frequency shows how much focus was given to the issues since the 29th Special Session. In terms of calls for actions, countries' calls were recorded and summed up to show the trends and focus. Categories for actions and actors called upon were also identified inductively and coded; their frequency shows which actions are more often called for, which are not, and whom are the calls addressed to.

It should be noted that the collection and analysis focused on database only country statements presented at the HRC's 29th Special Session on Myanmar along with the Interactive Dialogues (ID) and Panel Discussions (PD) focusing on Myanmar during the 46th - 51st HRC Regular Sessions, which are uploaded to the HRC Extranet since then. Statements presented and uploaded in languages other than English were translated into English using a translation tool. The statements of Myanmar itself are not included in the analysis. Statements by regional blocs or groups of countries are not included in the visualisation either, as we focus on individual countries to highlight their behaviour. For more information on the methodology, please see [here](#).

3. Key Findings

General Overview

Through the analysis of statements presented by countries at the HRC sessions since the military coup in February 2021, some general tendencies could be observed as reflected below:

- The Russian Federation, China and Venezuela adamantly support and legitimise the military coup by twisting concepts related to human rights such as self-determination, and undermining the legitimacy of the United Nations. The Russian Federation particularly stated that the situation in Myanmar is politicised and should not be considered a human rights issue.¹ While China mentioned that the Special Rapporteur on Myanmar has political vested interest in the name of the United Nations whereby also twisting facts around the situation in the country,² Venezuela stated that the Human Rights Council efforts are ineffective and violate the rights of self-determination of the peoples of Myanmar, disrespecting universal principles of sovereignty and non-interference in internal affairs of a nation state.³
- Belarus has been consistently pushing back on the creation of a country specific mandate for Myanmar, stating that there has never been a good example from the country specific mandates in contributing to progressive changes at the national level.⁴
- Australia, the United Kingdom and United States are slamming the military junta for its extrajudicial killings, limitation of freedom of expression and assembly, calling for its accountability in response to the human rights violations and oppression towards the peoples of Myanmar. For instance, the United Kingdom committed to continue to apply sanctions and push Myanmar to cooperate with

¹ 46th Regular Session, Interactive Dialogue with the Special Rapporteur on the Situation of Human Rights in Myanmar, March 2021.

² 49th Regular Session, Interactive Dialogue with the Special Rapporteur on the Situation of Human Rights in Myanmar, March 2022.

³ 49th Regular Session, Interactive Dialogue with the Special Rapporteur on the Situation of Human Rights in Myanmar, March 2022.

⁴ 50th Regular Session, Interactive Dialogue with the Special Rapporteur on the Situation of Human Rights in Myanmar, June 2022.

Independent Investigative Mechanism and other international justice mechanisms to hold the military junta accountable for its human rights violations.⁵

- Members of the Organisation of Islamic Cooperation (OIC) are strong in pointing out the persecutions and human rights violations against the Rohingya while remaining silent on other issues including freedom of expression and assembly, arbitrary arrest and detention and violence against civilians by the military.
- ASEAN countries have mostly appeared hesitant to condemn, or even express concerns over, human rights violations committed by the Myanmar military, referring to sovereignty of Myanmar while sticking to the call upon Myanmar to respect and implement the ASEAN Five-Point Consensus. Most of ASEAN countries' statements are rather focusing on what they have done especially in providing humanitarian assistance while being silent in calling out the military for its accountability and human rights obligations.
- In general, countries tend to lump some of the vulnerable groups together such as “women and children” and more importantly “the Rohingyas and other ethnic minorities”, even at times when clear distinction and differentiation are required to address different situations and needs of these groups.

Condemnations and Concerns

- The United Kingdom had the highest degree of expressing condemnations and concerns. Over seven sessions of the HRC observed, the UK delivered 13 statements in total and 12 among them expressing specific condemnations and concerns, explicitly calling out the military for their illegitimate takeover, atrocities and other human rights violations. Following the UK, Australia delivered 13 statements with 8 of them containing specific condemnations and concerns, and Turkey presenting 10 statements, of which also 8 containing specific condemnations and concerns. France delivered 14 statements, of which 5 with specific condemnations and concerns.
- In Asia, Republic of Korea had the highest degree with 7 statements, of which 4 containing specific condemnations and concerns, followed by Malaysia with 13 statements containing 2 specific condemnations and concerns.
- Among African countries, Sierra Leone, Mauritania and Malawi are the most vocal in expressing concerns and condemning the junta for excessive force towards civilians, arbitrary detentions and in particular the systematic persecution of the Rohingyas. Sierra Leone is also particularly vocal in supporting the action taken by Gambia in bringing Myanmar to the International Court of Justice for its atrocities against the Rohingyas.⁶

⁵ 48th Regular Session, Interactive Dialogue with the Independent Investigative Mechanism for Myanmar, September 2021.

⁶ 46th Regular Session, Interactive Dialogue with the Special Rapporteur on the Situation of Human Rights in Myanmar, March 2021.

- Many countries in Africa, Central Asia, Central and Latin America and the Pacific remain silent about Myanmar at the HRC.
- The Russian Federation along with Belarus and Venezuela are not only absent in expressing concerns and condemnations in general, but also actively legitimising the acts of the Myanmar military and the coup, mocking the mandates of the UN bodies/experts and questioning the validity of their findings and reports. Other countries that appear to be also supporting or defending the military are China and Iran.

Issues raised

- The most common issue raised at the HRC is “violence and extrajudicial killings”. Out of 339 country statements examined, 170 addressed the issue. While Australia and the United Kingdom made the most interventions addressing the issue (10 out of 13), the Czech Republic is consistent so far with 7 out of 7 interventions mentioning violence and extrajudicial killings.
- The second most raised issue was the situation of Rohingyas, with members of the Organisations of Islamic Cooperation (OIC) making exactly half of them through a total of 58 interventions (of total 116 statements addressing the issue).
- Condemnations and concerns on the military coup are raised in 113 statements with France being at the front row in addressing the issue, while it has been completely silent on Rohingyas. Countries showing similar tendencies and being silent on Rohingyas are the United States and Japan.
- Arbitrary arrest and detention was addressed in 78 interventions, a little less than the humanitarian situation with a total of 88 country interventions. While being active in addressing humanitarian issues and the Five-Point Consensus, since February 2021, ASEAN members are consistently silent on other human rights issues such as arbitrary arrest and detention, military coup, state of emergency, freedom of expression and assembly as well as the impunity/accountability of the military junta.
- Luxembourg preserves its consistency in addressing impunity and accountability with 6 out of 9 of its interventions flagging the issue among the total mentions of 73. However, the country has been silent on freedom of expression and assembly.
- The freedom of expression and assembly in Myanmar was raised less at the HRC as compared to other issues presented above, with only 54 mentions out of 339 interventions. Liechtenstein was most consistent in addressing this particular issue through 4 out of 6 its interventions.
- Issues related to women and children along with ASEAN are making the three bottom in the list with 41 mentions each, followed by State of Emergency with only 11 mentions throughout the entire sessions observed where 7 out of the 11

interventions were presented during the Special Session immediately after the military coup.

Calls for Action

- Globally, the highest number of calls for action came from France amounting to 58 calls so far, followed by Australia (54) and the United States (41). Among Western European countries, France is followed by the United Kingdom (36) and Germany (33). Among Asian countries, Malaysia has the most frequent calls for action (45), followed by Japan (30) and Republic of Korea (25). Many Eastern European countries have not been particularly active in calling for actions, with the exception of Bulgaria (28), Czech (25) and Romania (25). Most Latin American, African and Pacific Island countries have stayed relatively silent, with Sierra Leone (27) and Libya (16) being the only exceptions; the rest in these regions have each issued less than 10 calls, and many have not made any at all, which can be seen in the map identified with black colour. Most of these countries have not been participating in the discussions of the HRC on Myanmar.
- Among all the military-supporting countries (Russia, China, Belarus, and Venezuela)⁷, there have been only two calls that included actions for the protection of human rights and resolution of the situation in statements made by Russia calling for the renunciation of violence and the repatriation of Rohingyas⁸. All the rest of these countries' statements did not include any other calls for action.

Which actions?

- Out of the 481 calls for actions recorded, the actions most frequently called upon were for the military to stop persecution including arbitrary detention (169), and to stop using violence (168). Australia made the most calls for these two actions (24), followed by France (18) and Japan (18), tailed by the United States (15) and the United Kingdom (12).
- While Australia and France have been vocal in calling out the military junta to stop persecution, violence and arbitrary detention, they have been completely silent on calling for imposition of sanctions. The exact same trends could be observed with the United Kingdom, Japan, Germany and Canada.
- A specific call to stop the imposition of the death penalty / execution was mentioned 8 times in total, each by Bulgaria, Czech Republic, Spain, Italy, Romania, Switzerland, Austria and Japan.

⁷ According to the UN Special Rapporteur on the situation of Human Rights in Myanmar, Tom Andrews' report in February 2022, China, Russia, and Serbia have been the top three arms suppliers to the Myanmar military. See the report here: <https://www.ohchr.org/sites/default/files/2022-02/CRP-31012022.docx>

⁸ 48th Regular Session, Interactive Dialogue with the High Commissioner for Human Rights, September 2021

- Actions least called for so far were: supporting the National Unity Government (NUG) (2 times in total, by the Czech Republic and France each⁹), imposing sanctions on the military (2 times in total, by Luxembourg and the United States each), and taking other economic measures (6 times in total, by Luxembourg (2), Namibia, Bangladesh, Germany and Marshall Islands). Out of the 6 calls for other economic measures, 4 were issued during the 51st Regular Session, when the military's economic interest was brought onto the agenda after the fact-finding mission on Myanmar's report in September 2019¹⁰. There has been no mention so far of the National Union Consultative Council (NUCC).
- The Philippines has argued against sanctions once, citing their negative human rights mentioned by the Special Rapporteur on unilateral coercive measures.¹¹ Other countries have stayed silent on this matter.
- The call for actions to impose arms embargo has only been mentioned 19 times at the HRC by the US (4), Canada (4), Australia (3), Germany (2), Luxembourg (2), Romania (1), the United Kingdom (1) and Belgium (1). Singapore is the only ASEAN country that has called for this action, and it did so once.¹²
- Luxembourg is the only country that has called for all three actions: arms embargo, sanctions on the military, and other economic measures.¹³
- Countries in the Organisations of Islamic Cooperation (OIC) have kept their focus on Rohingya in their calls for action, with 9 calls from Bangladesh, 8 from Malaysia, 7 from Turkey, and 6 each from Mauritania, Maldives, and Libya.
- In terms of humanitarian assistance, countries have been calling more for the military junta to unblock access (68) than for the international community to increase provision (17). Within the ASEAN region, Malaysia has been the most vocal with 5 times calling for the junta to unblock access for humanitarian assistance to Myanmar.
- The majority of ASEAN countries' calls for actions have only been about ASEAN's engagements on the matter (24), general calls for peace, human rights,

⁹ US: 50th Regular Session, Interactive Dialogue with the Special Rapporteur on the Situation of Human Rights in Myanmar, June 2022; Luxembourg: 49th Regular Session, Interactive Dialogue with the Special Rapporteur on the Situation of Human Rights in Myanmar, March 2022

¹⁰ 51st Regular Session, Interactive dialogue on the report of OHCHR on the progress made and remaining challenges with regard to the recommendations of the independent international fact-finding mission on Myanmar in its conference room paper on the economic interests of the military, September 2022

¹¹ 48th Regular Session, Interactive Dialogue with the Special Rapporteur on the Situation of Human Rights in Myanmar, September 2021

¹² 51st Regular Session, Interactive dialogue on the report of OHCHR on the progress made and remaining challenges with regard to the recommendations of the independent international fact-finding mission on Myanmar in its conference room paper on the economic interests of the military, September 2022

¹³ 29th Special Session, February 2021; 49th Regular Session, Interactive Dialogue with the High Commissioner for Human Rights, March 2022; 49th Regular Session, Interactive Dialogue with the Special Rapporteur on the Situation of Human Rights in Myanmar, March 2022; 51st Regular Session, Interactive dialogue on the report of OHCHR on the progress made and remaining challenges with regard to the recommendations of the independent international fact-finding mission on Myanmar in its conference room paper on the economic interests of the military, September 2022

democracy, and rule of law (25), the cessation of violence (25) and ending persecution (14).

- Calls for actions recorded under the ‘ASEAN’ category are ones where countries called for the implementation of ASEAN’s Five-Point Consensus or expressed support for their engagement. In total, 41 calls were recorded under this category.

Actions by Whom?

- 231 (48%) out of the 481 calls for actions recorded did not specify whom they were addressing.
- 179 (37%) of all calls clearly identified the Myanmar military as the actor responsible.
- 29 (6%) of all the calls for actions were addressed to the United Nations as a whole. Calls addressed to the Special Rapporteur on Myanmar, the Independent Investigation Mechanism for Myanmar, and the Secretary General’s Special Envoy on Myanmar, vary depending on the agenda item. In total, they have been called upon 5 times, 3 times, and once respectively.
- 26 calls (5%) were made towards UN Member States; these mostly covered actions that can only be done by State governments, such as arms embargo (19), taking other economic measures (6), and imposing sanctions on the military (2).
- There have been only three calls (0.6%) on corporations: one for them to conduct human rights due diligence (by Germany)¹⁴, one to divest and sever ties with business linked to the military (by Marshal Islands)¹⁵, and another for them to be held accountable for their complicity in crimes in Myanmar (by Namibia)¹⁶.
- ASEAN as the actor called upon is counted when countries specifically state that the institution should take certain actions, such as cooperating with the United Nations and the international community. A total of 4 such calls were made towards ASEAN.

Trends over time

In general, trends of countries’ focus over time have shown fluctuation towards some specific issues. These trends are largely shaped through the focus of the discussion at the Human Rights Council, changes and emerging issues at regional and international levels, or the national political situation in Myanmar. For instance, after the establishment of the ASEAN Five Point Consensus in April 2021, reference to ASEAN peaked with 14 statements at the 47th Regular Session in July 2021. After the 49th Regular Session in

¹⁴ 51st Regular Session, Interactive Dialogue with the Special Rapporteur on the Situation of Human Rights in Myanmar, September 2022.

¹⁵ 47th Regular Session, Interactive Dialogue with the Special Rapporteur on the Situation of Human Rights in Myanmar, July 2021.

¹⁶ 48th Regular Session, Interactive Dialogue with the Independent Investigative Mechanism for Myanmar, September 2021.

March 2022, however, the level of vocal support has fallen to less than 10 concerns expressed and less than 10 calls for actions per session.

Meanwhile, the number of concerns over the impunity enjoyed by the military has been fluctuating around 10 per session, while the number of calls for actions to hold the junta accountable have been floating around 20 per session. Both issues reached the most mention by countries so far in the latest session (51st Regular Session) in September 2022, with 22 times of interventions expressing concerns, and 23 calls for actions. In terms of violence and extrajudicial killings, one of the most covered theme in country statements, there have been more than 20 expressions of condemnations or concern in each session since the 46th Regular Session in March 2021, while the number of calls to stop violence have been gradually falling from 32 in the 29th Special Session in February 2021 to 17 in the 51st Regular Session in September 2022.

The bullet points below aim to reflect more specific trends covering expression of condemnations and concerns, issues raised and actions called for by countries throughout the observed sessions.

- The degree¹⁷ of condemnations **and concerns** by countries are generally decreasing with the highest at the 29th Special Session in February 2021 condemning mainly the military takeover and the violence against civilians. So far, the least degree of condemnation and concerns were expressed at the 49th Regular Session in March 2022, despite 54 interventions made. While only 38 interventions were made, the degree rose back up at the 50th Regular Session in June 2022, likely due to the military announcing execution of four Myanmar political activists. However, during the 49th Regular Session, countries showed a significant concern focusing on the humanitarian situation in Myanmar.
- **Issues raised** by countries showed an increase for several thematic issues. For instance, condemnations and concerns expressed over the human rights of women and children kept increasing from only once during the 29th Special Session in February 2021 to 13 times in the 51st Regular Session in September 2022. Focus on Rohingyas has been increasing steadily from only 11 mentions during the 29th Special Session to 22 mentions during the 51st Regular Session. For some other thematic issues, countries have shown a gradual silence throughout the sessions observed. The issues include the military's seizure of power through the coup (37 to 13)¹⁸, the national state of emergency (7 to 0), arbitrary arrest and detention (31 to 4), the threats to Myanmar peoples' freedom of expression, assembly, and association (23 to 0).

¹⁷ For more information how the degree of condemnations and concerns is measured, please see [methodology paper](#) as well as the tab on "Scoring Methodology" of the visualisation product.

¹⁸ All the numbers in the brackets denote the number of times the issues were addressed by country statements in the 29th Special Session in February 2021 and the 51st Regular Session in September 2022 respectively.

- **Actions called for** by countries have shown that the 49th Regular Session in March 2022 was a peak point for calls for the military to unblock access to humanitarian assistance and for arms embargo. Calls for action to stop the death penalty started from the 50th Regular Session in June 2022 after plans of executing four political activists were announced by the military, and rose again in the 51st Regular Session after the executions were carried out. Calls were decreasing for the military to recognise and reinstate the lawfully elected civilian government (30 to 7), stop persecuting those who were arbitrarily detained and release political prisoners (41 to 13), ensure peoples' access to information (16 to 0), respect peace, rule of law, democracy and human rights (39 to 15).

4. Conclusion

For human rights defenders working on the issues of Myanmar, looking at just one statement from one country presented at the HRC would not give much information and be a sufficient basis for campaign and advocacy. However, as presented in this summary of findings and shown in the tableau visualisation, systematic and comprehensive analysis of interventions by different countries over several sessions of the HRC provides unique data, from which useful information and trends can be extracted to support advocacy and campaign work at national, regional and international levels.

The findings also provide crucial guidance for various stakeholders to 1) Understand different countries' behaviour at the HRC on Myanmar, 2) Assess whether the discussion at the HRC is properly reflecting the situation on the ground, and 3) Identify possible advocacy targets and focuses, in order for the HRC to take more effective and decisive actions. While condemnations and concerns are expressed by countries from different corners of the world, it is highly regrettable that a certain number of countries still remain silent. Likewise, there is still an obvious disparity among countries when calling for actions. Coordination and cooperation must be strengthened among UN Member States, UN Special Procedures, civil society and other actors in order for the HRC as well as the global community to take decisive actions and bring meaningful change to the situation in Myanmar.