



# General Assembly

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## Human Rights Council

Forty-seventh session

21 June–9 July 2021

Agenda items 3 and 4

**Promotion and protection of all human rights, civil,  
political, economic, social and cultural rights,  
including the right to development**

**Human rights situations that require the Council's attention**

### **Written statement\* submitted by Centre pour les Droits Civils et Politiques - Centre CCPR, a non-governmental organization in special consultative status**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[31 May 2021]

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\* Issued as received, in the language(s) of submission only.



## **Myanmar: call for immediate action to stop grave violation of human rights by the military**

It has been more than four months since the illegitimate seizure of the power by the Myanmar military (Tatmadaw) through a coup on 1 February 2021 and the situation on the ground is deteriorating day by day. More than 800 persons are killed, including children as young as 6 and medical staff, and thousands of persons arbitrarily detained by the military junta just because they were calling for the restoration of civilian government, exercising their right of peaceful assembly and expressing their opposition against the military rule that has been blatantly ignoring the rule of law and committing grave violation of fundamental human rights of the peoples of Myanmar. Police and soldiers are using live ammunitions and indiscriminately shooting civilians with intention to kill or severely injure.

According to the Assistance Association for Political Prisoners (AAPP), as of 30 May 2021, 840 people have been killed by the junta and 4409 are detained.

Furthermore, we are highly alerted by a series of arbitrary and illegitimate amendments of laws pushed by the Tatmadaw junta since the coup that increasingly undermines the rule of law, democratic principles and safeguard for the protection of the rights, liberties, privacy and security of people in Myanmar, including:

- Imposition of night time curfew accompanied by unlawful raids and arbitrary arrests of civilians;
- Shutdown of the internet;
- Drafting of the Cyber Security Law severely violating the freedom of expression, right to information and right to privacy;
- Amendment of the Electronic Transaction Law severely endangering the protection of the right of privacy;
- Amendment of the Penal Code oppressing various civil and political rights;
- Suspension of the articles 5, 7 and 8 of the Protection of the Citizens for the Person Freedom and Personal Security Law 2017, on 13 February 2020, allowing the “authority” to arrest detain people more than 24 hours and to search private property without a court order; to seize and destruct possessions and property, intercept private messages, demand personal telephonic and electronic communications data from telecoms providers without order of the President or Union Government;
- Revision of the Village and Ward Administration Law, on 13 February 2021, allowing arrests and search of anyone without eyewitnesses or administrative officers; and
- Reinstatement of the provisions from the 2012 Ward or Village Tract Administration Law requiring citizens to report overnight guests to the authorities; and

It is also alarming that, despite the report of the Independent International Fact-Finding Mission on Myanmar on the economic interests of the Myanmar military submitted to the 42nd session of the Human Rights Council (A/HRC/42/CRP.3) and repeated calls from national and international civil society as well as UN bodies, there are still many foreign and international entities, including State owned companies, continue to engage in a business relationship, even trading arms and military technology, with the Tatmadaw including enterprises owned or controlled by them or its members, thereby generating revenues for the military and contributing to their acts of repression against its own people in Myanmar, grave violation of human rights and crimes. Decisive and targeted actions must be taken now by all business actors operating, having supply chain or investing in Myanmar, governments of their home States as well as international financial and development agencies to cut ties with the Tatmadaw, to prevent further atrocity and to protect rights and livelihood of workers and affected communities on the ground. A global

arms embargo on Myanmar must be imposed immediately to prevent further escalation of violence and offensives of the military.

At the same time, lives of the millions of people in Myanmar are exposed to the higher risk of Covid-19 infections and fatality, as national efforts to combat against the pandemic including vaccination programme have been thrown into disarray by the military coup and its oppression and offensive since then.

While welcoming the resolution adopted by consensus by the Human Rights Council at its 29th Special Session on 12th February 2021 (A/HRC/RES/S-29/1) and at its 46th session on 24th March 2021 (A/HRC/RES/46/21), we regret that some countries appear to be neglecting their responsibility as the member of the Council to protect and promote human rights by blocking decisive actions of the UN bodies, claiming it as “internal affairs” and allowing the unlawful conduct of the Tatmadaw to continue.

Anyone wishing to “respect” the sovereignty of Myanmar and its internal affairs must recognise that the sovereignty of Myanmar lies with the people in the country, their duly elected representatives in the Union Parliament and the civil government. Tremendous efforts were made in the last ten years by the people of Myanmar, whereby democratic institutions and process have been slowly but steadily forged. Steps have been also taken towards ratification of the International Covenant on Civil and Political Rights (ICCPR), which would ensure more comprehensive protection of human rights and fundamental freedoms including those of expression and peaceful assembly. All these must be upheld and further enhanced against the military rule.

We strongly urge all the countries around the world, the United Nations and its bodies especially the Security Council and the Human Rights Council, international finance and development agencies, regional bodies in particular Association of Southeast Asian Nations (ASEAN) and business entities to take the strongest possible action in a unanimous manner against the Tatmadaw and all necessary measures to support the people of Myanmar in their struggle to realise sustainable democracy and the rule of law. In particular, the Tatmadaw must:

- Immediately stop arbitrary arrest and detention of people;
- Immediately and unconditionally release all persons detained since 1 February;
- Accept and respect the results of the November 2020 election, and immediately and peacefully reinstate the civilian government;
- Immediately halt the offensives in ethnic States and areas, in particular in Kachin, Kayin, Kayah, Rakhine, Shan, and Chin States;
- Refrain from using violence against peaceful protestors;
- Immediately abandon the draft Cyber Security Law;
- Repeal suspension and revision of laws, imposed since 1 February 2021, reinstate proper legal provisions protecting the rights, privacy and security of citizens;
- Lift restrictions on the internet and other communication channels;
- Allow operation of CSOs and HRDs as well as other aid providers;
- Guarantee access of regional and international aid agencies and operations to those in need, especially to internally displaced persons and areas affected by the offensives of the Tatmadaw;
- Take all necessary measures, in cooperation with all relevant stakeholders, to protect lives of the people from Covid-19 pandemic;
- Constructively engage and cooperate with UN HR Mechanisms including the Human Rights Council and its Special Procedures, in particular the Special Rapporteur on the situation of human rights in Myanmar, and the Special Envoy of the Secretary-General on Myanmar;
- Refrain from intervening in the governance and legislation of the country; and

- Enhance the process for ICCPR ratification.

For this purpose, the Human Rights Council must adopt strongest possible resolutions, call for decisive actions from all relevant parties and, in cooperation with other UN mechanisms and bodies, including the Security Council, monitor and enforce those actions, in particular to:

- Enforce global arms embargo on the Tatmadaw;
- Impose targeted and strengthened sanctions against all Tatmadaw leaders, their affiliates including conglomerates and business;
- Call upon foreign, international and regional businesses, including those owned by other States, to immediately halt their engagements with the Tatmadaw owned conglomerates, their subsidiaries and affiliated companies; and
- Carry out independent investigation, including through the work of the Independent Investigative Mechanism for Myanmar established by the Human Rights Council resolution 39/2, into the violation of human rights and humanitarian law committed by the Tatmadaw and its allies since the coup and ensure accountability for those violations.

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Equality Myanmar, ICCPR Action Group, NGO(s) without consultative status, also share the views expressed in this statement.