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Human rights implications of the crisis in Myanmar

The Human Rights Council,

PP1: *Guided by the purposes and principles of the Charter of the United Nations, reaffirming the Universal Declaration of Human Rights, and recalling the International Covenants on Human Rights and other relevant instruments;*

PP2: *Expressing deep concern at the declaration of the state of emergency imposed in Myanmar by the military on 1 February and at the imposition of article 144 of the Code of Criminal Procedure;*

PP3: *Strongly deploring the arbitrary detention of democratically elected members of the Government, including State Counsellor Aung San Suu Kyi and President Win Myint, political leaders, officials, human rights defenders, journalists, media workers, activists, local and foreign advisers and others;*

PP4: *Expressing concern at the restrictions, harassment and attacks on civil society, journalists and media workers and faith-based actors, and restrictions on the internet, telecommunications and social media curtailing access to information, and on the rights to freedom of opinion and expression, religion or belief, association and peaceful assembly;*

PP5: *Emphasizing that States have the primary responsibility for the promotion and protection of human rights and that the Myanmar military and other security forces and authorities should respect the right to peaceful assembly, and to refrain from using any unnecessary or excessive force against the public;*

PP6: *Emphasizing the need for continued support to the democratic transition in Myanmar, and stressing the need to uphold democratic institutions and processes, refrain from violence and fully respect human rights, fundamental freedoms and the rule of law;*

PP7: *Expressing concern at the continuing reports of serious human rights violations and abuses in Myanmar, including against the Rohingya Muslims and other minorities;*

PP8: *Taking note of the ongoing processes to ensure justice and accountability in respect of alleged crimes committed against Rohingya Muslims and other minorities in Myanmar;*

PP9: *Reaffirming its strong commitment to the sovereignty, political independence, territorial integrity and unity of Myanmar;*

PP10: *Reiterating* strong support to regional organizations, in particular the Association of Southeast Asian Nations (ASEAN) for their initiatives and efforts to respond to the recent developments in Myanmar, and welcoming the ASEAN Chairman's Statement dated 1 February that recalled the purposes and the principles enshrined in the ASEAN Charter, including, the adherence to the principles of democracy, the rule of law and good governance, respect for and protection of human rights and fundamental freedoms;

PP11: *Taking note* of the United Nations Security Council Press Statement on the Situation in Myanmar of 4 February 2021,

OP1: *Strongly deplores* the removal of the democratically elected government elected by the people of Myanmar during the general election on 8 November 2020 and the suspension of mandates of members of all parliaments, and calls for the restoration of the democratically elected government;

OP2: *Calls* urgently for the immediate and unconditional release of all persons arbitrarily detained, including State Counsellor Aung San Suu Kyi and President Win Myint and others, and the lifting of the state of emergency;

OP3: *Strongly urges* the Myanmar military and other security forces and authorities to exercise utmost restraint and to refrain from any use of violence against peaceful protesters and to respect the right to peaceful assembly;

OP4: *Strongly calls* upon the Myanmar military and other security forces and authorities to take steps immediately to protect the rights to freedom of opinion and expression, religion or belief, association and peaceful assembly in accordance with international human rights law, and to ensure that members of civil society organizations and the media operate freely and without fear of violence, harassment or intimidation;

OP5: *Calls* for the immediate and permanent lifting of restrictions on the internet, telecommunication and social media; and to avoid any further violations of the rights to freedom of opinion and expression, including the freedom to seek, receive and impart information, in accordance with international human rights law;

OP6: *Calls* for safe and unimpeded humanitarian access to all people in need, including through the re-establishment of United Nations relief flights;

OP7: *Strongly encourages* the pursuance of dialogue and reconciliation in accordance with the will of the people of Myanmar, recalling the role of the UN Special Envoy on Myanmar in this regard;

OP 8: *Stresses* the need to address the root causes of the crisis in Rakhine State and to create conditions necessary for the safe, voluntary, sustainable and dignified return of displaced persons, including the Rohingya Muslims and other minorities;

OP9: *Calls* for full cooperation with and the granting of full and unrestricted access to United Nations mandate holders and human rights mechanisms, including the Special Rapporteur on the situation of human rights in Myanmar, and the Office of the High Commissioner for Human Rights;

OP10: *Requests* the Special Rapporteur on the situation of human rights in Myanmar to assess the current human rights situation and to monitor the implementation of this resolution, including by seeking an urgent visit to Myanmar, and to provide an oral update in his interactive dialogues at the forty-sixth session and to make recommendations on additional steps needed to address the current crisis;

OP11: *Requests* the United Nations High Commissioner for Human Rights to continue monitoring and assessing the overall human rights situation in Myanmar, including the concerns highlighted in this resolution, and to provide an oral update at the forty-seventh session and a comprehensive report at the forty-eighth session, to be followed by enhanced interactive dialogues;

OP12: Further requests the Secretary-General and the United Nations High Commissioner for Human Rights to provide the Special Rapporteur on the situation of human rights in Myanmar with increased assistance, resources and expertise necessary to enable them to discharge the mandate fully;

OP13: Decides to remain seized of this matter.