

INDIG

Recognizing the Inherent Dignity of All Peoples
Realizing the Human Rights of Indigenous Peoples on the Planet

INDIG is pleased to participate in the UN Human Rights Council Working Group on the Universal Periodic Review. It is in this historic process that the human rights of indigenous peoples is being part of the global dialogue in this new body.

We are pleased to participate and look forward to further creative collaboration to ensure the effective promotion and protection of the human rights of indigenous peoples on the planet.

Burma: Restoring Dignity Through Recognizing Basic Rights for All

1.

Issue: The creation of the ASEAN Intergovernmental Commission on Human Rights is a significant development in the Asia region. We applaud the participation of Myanmar in this regional mechanism for promotion of human Rights. We encourage the government to fully live up to its obligations under article 5.4 of the TOR to organize a national selection process to nominate a representative with responsibility to act impartially according to article 5.7. Please share the steps Myanmar has undertaken in the current position and potential changes.

Question: In the selection of the current representative how did the government realize the intent of article 5.4? Are there any steps to ensure a better process to allow for more transparency and inclusivity.

Recommendation: The governments of Thailand and Indonesia selected two outstanding representatives of independent individuals. We encourage Myanmar to follow a similar pattern and to receive nominations from civil society for this important post in the ASEAN Intergovernmental Commission on Human Rights.

2.

Issue: The situation of violence against women and rape as a weapon is widely documented by various NGOs. The Myanmar military use of sexual violence in the conflict in the Shan state illustrates a pattern of gross human rights violations. The systematic and widespread scale to commit rape against Shan women is a tool of terror and torture.

Question:: Will the Myanmar government allow for an independent investigation and creation of an independent judicial and conflict resolution national mechanism?

Recommendation: Myanmar should fulfill its obligations under the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women through national legislation along with signing and ratifying the Option Protocol to CEDAW and Optional Protocols to the CRC. Also, the creation of a national tribunal focusing on violence against women to document the actual violations committed and demand full prosecution of those found guilty of violence against women.

3.

Issue: The role of transnational corporations in Myanmar has created many adverse conditions impacting indigenous communities. We believe the Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprise visits should be able to visit Myanmar to review the situation on the ground. There are also a handful of special rapporteurs that should be allowed to visit to provide comprehensive reports on the interconnected and interdependent human rights.

Question: Will Myanmar issue an open standing invitation to the special procedures of the UN Human Rights Council from the Special Rapporteur on the Situation of Human Rights in Myanmar along with the Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprises.

Recommendation: The Myanmar government immediately issue a standing invitation to the UN Human Rights Council special procedures. Myanmar allow for a joint visit of various mandate holders to visit Myanmar to complete visits to the regions of the state to complete a thorough study with valuable recommendations to realize human rights realization

Thank you for your consideration on these important issues on Indigenous Rights.