

## **Letter from the Executive Board**

Distinguished Member State Representatives,

It is truly an honor for us to welcome you all to the committee of the Human Rights Council in INMUN 2022. We hope that all the delegates will learn a lot through an excellent atmosphere of simulation. Do your research intensively, make wonderful networks among you and last but not least, have fun. We hope all the delegates will learn as well as engage a lot throughout the sessions.

MUN is an excellent platform to enhance and refine your diplomatic skills. During this conference, you will have a tremendous opportunity to debate about existing glitches and enhance your knowledge concerning recent transnational controversies. Furthermore, you will acquire firsthand knowledge about the structures and specific rubrics of international associations and organizations.

Please note: The study guide is not exhaustive and merely provides an overview of the Agenda of HRC. The guide is meant to give our distinguished delegates a basic idea of the scope and mandate of the discussion. You are requested to do ample research and prepare yourself thoroughly before the conference begins.

Please, put much emphasis on getting familiar with the Rules & Procedures and Structure of MUN beforehand even though we will be having a brief workshop session. Note that we have the largest committee in the conference and with that being said, we are looking forward to a very engaging and constructive discussion amongst the delegates.

We hope together we will have a wonderful time and the best learning experience from this prominent platform. If further questions arise, please do not hesitate to contact your DAIS.

- Your Executive Board Members

## **The UNHRC:**

The Council is composed of 47 Member States elected from the UN General Assembly to staggered three-year terms, with a specified number of seats going to each major geographic

region. General Assembly Resolution 60/251 provides that Member States should be elected considering “the contribution of candidates to the promotion and protection of human rights” and

“members elected to the Council shall uphold the highest standards in the promotion and protection of human rights.” In practice, these standards are open to interpretation and the human

rights records of States seeking election to the Council have been the subject of significant controversy.

The Council’s mandate is to promote “universal respect for the protection of all human rights and

fundamental freedoms for all” and “address situations of violations of human rights, including gross and systematic violations, and make recommendations thereon.”

The Council serves as a forum for dialogue among States, with input from other stakeholders. As

a result of its discussions, the Council may issue resolutions calling on States to take specific actions or uphold certain principles, or it may create mechanisms to investigate or monitor questions of concern.

The Human Rights Council has created or renewed the mandates of various “special procedures.” The special procedures are experts appointed to monitor human rights around priority themes or in specific countries with serious human rights problems. The special procedures may be individual experts (“special rapporteurs” or “independent experts”) or working groups.

The Council also manages the Universal Periodic Review, a process through which each UN Member State’s overall human rights record is reviewed.

In addition, the Council receives complaints alleging patterns of human rights violations, which

are considered by the Working Group on Communications and may be referred to the Working

Group on Situations. The Working Group on Situations reports substantiated claims of consistent

patterns of gross violations to the Council and makes recommendations for action.

Mandate of the UNHRC:

Resolution which formed the UNHRC: General Assembly Resolution A/RES/60/251

Institution Building of the UNHRC: A/HRC/5/1

Special Procedures: Special Procedures - UNHRC

Universal Periodic Review: Universal Periodic Review

Investigation Procedures of UNHRC: Investigation Procedures

## **Mandate of UNHRC**

The Office of the High Commissioner for Human Rights (UN Human Rights) is mandated by the UN General Assembly to promote and protect the enjoyment and full realization, by all people, of all human rights. The Charter of the United Nations, the Universal Declaration of Human Rights, and international human rights laws and treaties established those rights.

UN Human Rights was created by the General Assembly in 1993 through its resolution 48/141 which also details its mandate.

### **UN Human Rights is mandated:**

**Promote and protect all human rights for all**

**Recommend that bodies of the UN system improve the promotion and protection of all human rights**

**Promote and protect the right to development**

**Provide technical assistance to States for human rights activities**

**Coordinate UN human rights education and public information programmes**

**Work actively to remove obstacles to the realization of human rights and to prevent the continuation of human rights violations**

**Engage in dialogue with Governments in order to secure respect for all human rights**

**Enhance international cooperation for the promotion and protection of all human rights**

**Coordinate human rights promotion and protection activities throughout the United Nations system**

**Rationalize, adapt, strengthen and streamline the UN human rights machinery**

### **Universal declaration of human rights**

Article 1	Right to Equality
Article 2	Freedom from Discrimination
Article 3	Right to Life, Liberty, Personal Security
Article 4	Freedom from Slavery
Article 5	Freedom from Torture and Degrading Treatment
Article 6	Right to Recognition as a Person before the Law
Article 7	Right to Equality before the Law
Article 8	Right to Remedy by Competent Tribunal
Article 9	Freedom from Arbitrary Arrest and Exile
Article 10	Right to Fair Public Hearing
Article 11	Right to be Considered Innocent until Proven Guilty
Article 12	Freedom from Interference with Privacy, Family, Home Correspondence
Article 13	Right to Free Movement in and out of the Country
Article 14	Right to Asylum in other Countries from Persecution
Article 15	Right to a Nationality and the Freedom to Change It
Article 16	Right to Marriage and Family
Article 17	Right to Own Property
Article 18	Freedom of Belief and Religion
Article 19	Freedom of Opinion and Information
Article 20	Right of Peaceful Assembly and Association
Article 21	Right to Participate in Government and in Free Elections
Article 22	Right to Social Security
Article 23	Right to Desirable Work and to Join Trade Unions
Article 24	Right to Rest and Leisure
Article 25	Right to Adequate Living Standard
Article 26	Right to Education
Article 27	Right to Participate in the Cultural Life of Community
Article 28	Right to a Social Order that Articulates this Document
Article 29	Community Duties Essential to Free and Full Development
Article 30	Freedom from State or Personal Interference in the above Rights

### **UN Charter provisions that relates to the given agenda**

It is advised from the executive board that the delegates must go through the given Charter provisions to get a better understanding and make a comprehensive legal understanding of the given agenda that will allow the delegates to deliberate, negotiate and discuss upon the given agenda more succinctly

i) Article 2

(Clause 4, Clause 6, Clause 7)

ii) Article 43

iii) Article 49

iv) Article 103

v) **Article 73**

(Clause 2, Clause 5)

### **Introduction to Agenda 1(Afghanistan)**

Human rights in Afghanistan have been restricted by the Taliban administration since the Taliban takeover of Kabul in August 2021. The government has prevented most teenage girls from returning to secondary school education, and blocked women in Afghanistan from working in most sectors outside of health and education. Women have been ordered to wear face coverings in public, and barred from traveling more than 70 kilometres (40 mi) without a close male relative. The presidential government of the Islamic Republic of Afghanistan, which previously ruled Afghanistan, from 2004 until the Taliban overthrew it in 2021, had a strong human rights framework in its constitution. A bill of rights was enshrined in chapter two of the 2004 Constitution of Afghanistan. The right to life and liberty were constitutionally protected, as were the right to a fair trial and the presumption of innocence for all persons. That gave the Islamic Republic a strong human rights framework that was guaranteed to all citizens.

In July 2022, Hibatullah Akhundzada, the Taliban's reclusive leader, lashed out at the criticism and demands of the international community on the Taliban's human rights restrictions, rejecting any negotiations or compromise on his "Islamic system" of governance.

### **Historical background of the agenda**

After a long history of invasion and war, including campaigns by Alexander the Great in 327 BCE, Genghis Khan in 1219, the British Empire in 1839, the current war is widely understood to

have its origins in the invasion by the Soviet Union in 1979, during the Cold War. Babrak Karmal, from the People's Democratic Party of Afghanistan, became Prime Minister of the Soviet-backed government. In early 1980 the Security Council was unable to pass a resolution condemning the Soviet intervention, due to a Veto by the USSR. However, opposition to the government and the Soviet occupation was widespread throughout the country, resulting in a revolution against Soviet troops by the so-called mujahideen, backed by the US, China, Iran, and coordinated by the Pakistani Intelligence Service.

The Mujahideen (those engaged in Jihad) based their resistance against the Soviet occupation on

Islamic beliefs, attracting supporters from Afghan refugee camps in Pakistan and other Muslim countries. Due to substantial external backing, the Soviets suffered heavy losses from the mujahideen insurgency, leading to the complete withdrawal of troops as provided by the “Agreements on the Settlement of the Situation Relating to Afghanistan” in April 1988. The deal was signed by the governments of Afghanistan, Pakistan, the USSR and the United States under the auspices of the United Nations.

The intervention left behind a torn and destroyed Afghanistan filled with landmines, a weak government, and well-armed resistance groups. The civil war continued and the mujahideen sought to impose their control by overthrowing Prime Minister Najibullah, who had succeeded Karmal in 1986. In 1992 his government was toppled. Strong militias sprung up, which ensued in constant infighting. By then, 6.3 million Afghans had left the country to flee the violence. In 1996, the Taliban, a well-organized Sunni movement that had fought against the Soviets, originating from the Pashtun region, took Kabul, assumed power and established their own government based on fundamentalist Islamic ideals. Their interpretation of the Sharia Law forced women to wear veils and forced them to stay in their homes, and legitimized public beheadings and lynchings. The Taliban gave sanctuary to radical Islamic terror groups like Al-Qaeda, which was headed by Osama bin Laden. After attacks on US embassies in East Africa on August 7, 1998, the Taliban refused demands by the United Nations to hand over Osama bin Laden. After the 9/11 attack, the US began its bombing campaign in Afghanistan and supported the Northern Alliance, a militia opposed to the Taliban, in retaking Kabul. The Bonn “Agreement On Provisional Arrangements In Afghanistan Pending The Re-establishment Of Permanent Government Institutions” of December 2001 paved the way for the Afghan Interim Government with Hamid Karzai as its leader. To implement the agreement, the Security Council established the United Nations Assistance Mission in Afghanistan (UNAMA). As per Annex 1 of the agreement, the International Security Assistance Force (ISAF) was deployed to Afghanistan. It was taken over by NATO in 2003, with the goal of “enabling the Afghan government to provide effective security across the country and developing new Afghan security forces to ensure Afghanistan would never again become a safe haven for terrorists.”

In 2015, after the stand-down of ISAF, the Resolute Support mission (RSM) was to date responsible for assisting and training Afghan armed forces. Elections held in 2004 and 2009 kept Interim President Hamid Karzai in power. The Taliban, although suffering setbacks, persisted and kept carrying out attacks. The international community put major emphasis on capacity building and strengthening Afghan security forces to effectively combat the Taliban by themselves. In 2014, through a power-sharing agreement, Ashraf Ghani became president while Abdullah became vice president.

After the ISAF combat mission officially came to an end in 2014, the number of foreign combat troops was reduced, making it possible for the Taliban to regain territory and strength. The NATO training mission, as well as US air support and special forces to this day, assist the Afghan government forces in fighting the Taliban.

### **Recent condition of Afghanistan**

Between January and December, some 682,031 people were displaced by fighting, adding to the 4 million already displaced by conflict and natural disasters.

The Taliban forcibly evicted thousands of people from their homes and land in Daykundi and Helmand provinces and also threatened to evict residents of Balkh, Kandahar, Kunduz and Uruzgan provinces. Evictions particularly targeted Hazara communities, as well as people

associated with the former government. In June, the Taliban ordered Tajik residents of Bagh-e Sherkat in Kunduz province to leave the town in apparent retaliation for their support of President Ghani's government. In late September, more than 740 Hazara families were forcibly evicted from their homes and land in Kindir and Tagabdar villages in Gizab district, Daykundi province.

The Taliban takeover increased the number of Afghan refugees entering neighbouring countries. After evacuations from Kabul airport were stopped, thousands of desperate Afghans sought land routes to Pakistan and Iran. Tens of thousands crossed into Pakistan before it closed its borders on 2 September to most Afghans. Only the Torkham crossing point was open to those holding gate passes. In November, the Norwegian Refugee Council reported that 4,000-5,000 Afghans were crossing the border to Iran every day.

The right of Afghans, including those at risk of reprisals, to seek asylum in third countries was compromised by Taliban-imposed restrictions on departures, including often insurmountable challenges in obtaining passports and visas. There were fears that border restrictions by neighbouring countries would force Afghans to make irregular journeys using smugglers, placing them at further risk of human rights abuses.

The Taliban forcibly dispersed peaceful protests across Afghanistan, including using gunfire, electroshock weapons and tear gas, and beat and lashed protesters with whips and cables. On 4 September, a protest in Kabul involving around 100 women demanding the inclusion of women in the new government and respect for women's rights was dispersed by Taliban special forces, reportedly with tear gas and electroshock weapons. Women protesters were beaten. On 7 September, the Taliban shot and killed Omid Sharifi, a civil society activist, and Bashir Ahmad Bayat, a schoolteacher, as they protested against the Taliban in Herat province. Eight other protesters were injured. On 8 September, the Taliban's Ministry of the Interior issued an order banning all demonstrations and gatherings "until a policy of demonstration is codified".

Despite assurances that it would respect freedom of expression, the Taliban severely curtailed media freedom. Journalists were detained and beaten and had equipment confiscated, particularly when covering protests. Media workers, particularly women, were intimidated, threatened and harassed, forcing many to go into hiding or leave the country. House-to-house searches for journalists were conducted, particularly those working for western media outlets. On 20 August, Taliban members broke into the home of a journalist working for the German media outlet Deutsche Welle. Unable to find him, they killed one of his relatives and injured another. By late October, more than 200 media outlets had closed. The Afghan Journalist Safety Committee announced that at least 12 journalists had been killed and 230 assaulted in the 12 months to November 2021.

UNAMA also highlighted specific concerns about two bodies set up by the Taliban: the Ministry of Propagation of Virtue and Prevention of Vice – in charge of moral and religious policing – and the General Directorate of Intelligence, the country's new national intelligence and security agency.

The U.N. mission noted that many of the directives issued by the ministry limit the human rights and freedoms of Afghans, in particular women and girls. Although such directives are said to be recommendatory in nature, the authorities have at times taken a harsh stance on their implementation, including carrying out physical punishments for alleged infringements of their directives, according to the report.

At the same time, officials belonging to the spy agency have stood out for their particularly severe treatment of people, including depriving some of basic liberties, with the U.N. saying it is worried about the impunity with which these violations are being carried out.

Taliban spokesperson Zabiullah Mujahid rejected the accusations leveled in the report, saying that no arbitrary killings or arrests are allowed in Afghanistan under Taliban rule. “If someone kills or arrests arbitrarily, that person will be considered a criminal and face the Sharia law,” Mujahid tweeted.

### **Status of women and sexual violence against them in Afghanistan**

**The information below is based on the Report of the Secretary-General to the Security Council (S/2021/312) issued on 30 March 2021.**

The monitoring and reporting of sexual violence in Afghanistan were hindered by chronic instability, structural gender inequality and a climate of impunity, with minimal access to services for survivors. Services were further curtailed by pandemic – related movement restrictions, and at least two multisectoral service centres ceased to function following threats from the Taliban. In 2020, the United Nations Assistance Mission in Afghanistan (UNAMA) documented 271 cases of sexual and gender-based violence, 18 of which were verified as conflict-related sexual violence, affecting nine boys, five women and four girls. Acts of conflict-related sexual violence committed against three girls were attributed to members of the Taliban. Members of the Afghan National Army, the Afghan National Police and the Afghan Local Police were also implicated. Five cases of sexual violence against boys were documented as bacha bazi, a practice involving the sexual abuse of young boys by men in positions of power. The United Nations received further information regarding nine credible allegations of conflict-related sexual violence, which could not be verified owing to concerns about the safety of survivors. Although the number of reported incidents of sexual violence, as well as recourse to services, decreased in 2020, this is likely due to COVID-19 containment measures. With respect to the implementation of the Law on Elimination of Violence against Women, specialized prosecution offices are now operational in all 34 provinces; 32 of these offices are headed by women. Afghan National Police family response units are also operational in all provinces, and women comprise approximately 40 per cent of their staff. Despite this progress, lawmakers have not yet prohibited “virginity testing”, there is a low conviction rate for cases of violence against women and girls, and impunity remains the norm. In the context of counter- terrorism, protection concerns have been raised about the Pul-e-Charkhi women’s prison in Kabul, where over 150 women, many with accompanying children, have been held in prolonged pretrial detention owing to their alleged links with Islamic State in Iraq and the Levant-Khorasan.

### **Conditions of refugees in Afghanistan**

Four decades of conflict and instability in Afghanistan have left millions of people on the brink of hunger and starvation. At least 24 million Afghans are in need of humanitarian assistance due to hunger, the collapse of the country’s economy, climate crisis, lack of development aid and freezing wintertime temperatures.

The impact of the conflict on women and children has been particularly devastating — 80 percent of newly displaced Afghans are women and children. The fundamental rights of women and girls are under threat and many children are out of school. Nearly 23 million people, or more than half of Afghanistan's population, suffer from acute hunger. UNHCR helps by facilitating voluntary repatriation for Afghan refugees from Iran, Pakistan and other countries, once it is established that their return is voluntary, safe, dignified and durable. Since 2002, UNHCR has supported the return of over 5.3 million refugees to Afghanistan. In 2021, at least 790,000 internally displaced Afghans and 1,400 refugees returned home.

Afghan returnees are provided with cash grants to help address their immediate needs, as well as basic health services like malnutrition screening and vaccinations, mine risk education, information on school enrollment and overnight transit assistance. They are also assisted with reintegration into their communities

### **Extremism and militantism Afghanistan**

Terrorism indeed overshadows every aspects of economic, social, cultural and political life. While it brings instability and disrupts peace and coexistence, it directly endangers the lives of people and brings every type of violence in the society.

We have very bad experience of the direct effect and impact of terrorism in Afghanistan since 1978. Today Afghan bring the heavy cost of terrorism. Every day Afghan including the security and defense personnel and civilians lost their lives. The official data of the Afghanistan Independent Human Rights Commission (AIHRC), as a result of military operation between the Anti-government Element (AGE) and the government army, indicates that in 2015, the total number of civilian casualties has been 9431 persons, including 3129 dead and 6302 injured. Out of 9431 persons dead or injured, there were 4642 men, 775 women, 1116 children and the gender of 2898 persons couldn't be identified. They have lost their lives as a result of suicide bombing (34.7%), land shelling (20.7%), assassination (15.6%), landmine cultivation (14.38%), missile shelling (12.98%) and air attack (1.98%). The percentage of civilian casualties by the source of attack has been 72 % by AGA, 9% by the government troops, 19 % by unidentified sources and 2% by international security forces.

Another negative affect of terrorism in the countries at armed violence is the reduction of government presence and poor rule of law. In 2015, 90 persons were abducted by AGA in Afghanistan and 22 of them killed. On 7 of November 2015, civilian travelers were dropped off of a public bus by DAISH (ISIS) men on the way from Kabul to Herat province that after a few days the beheaded bodies of 4 men, 2 women and one 9-years girl were found on the highway.

Terrorism has worsens the condition for humanitarian efforts. On 10 April 2015, ISIS men arrested 5 workers of the Save the Children (NGO) and killed them. Similarly, ICRC, Medical Sons Frontier, medical staff of NGOs, and landmine cleaners of NGOs have lost their lives as a result of assassination or roadside landmines.

Terrorism restricts the environment for the people to enjoy of their fundamental rights and freedoms. On 25 October 2015, as a result of landmine two human rights defenders of the AIHRC lost their lives and 6 staff members injured. On 19 January 2016, the staff bus of a private TV (TULO TV) in Kabul was attacked by a suicide driver of a truck (Taliban publicly took the responsibility of the attack) that 8 persons, including 3 women, killed and 30 persons injured. The Organization for Supporting Journalist in Afghanistan has recorded 679



cases of violation against journalist in Afghanistan, including 40 cases of murder, 46 cases of injury, 22 cases of beating, 29 cases of abduction, 84 cases of detaining, and 238 cases of harassment during 2002-2015. Most cases of abduction, murdering and injuring committed by Anti Government Elements and the rest of cases more or less committed by government agents because this is the indirect impact of terrorism that weakens the rule of law and encourage anarchism.

Education in Afghanistan is being threatened by terrorism (Taliban and ISIS insurgents). The number of children going to schools has increased since 2002. Presently around 9 million children attend schools all over the country. Taliban either close or burn schools. Out of 545 children schools in Helmand province, 105 of them closed by Taliban in 2015, and among 242 schools in Zabul province, 140 of them were closed by the Taliban. UN statistics shows that 25 school teachers or students were killed by Anti Government elements in Afghanistan in 2015.

### **Research links**

Note the given research links are not exhaustive.

<https://www.ohchr.org/en/press-releases/2022/09/human-rights-council-discusses-situation-human-rights-afghanistan-focus>

<https://www.amnesty.org/en/location/asia-and-the-pacific/south-asia/afghanistan/report-afghanistan/>

<https://www.ohchr.org/en/what-are-human-rights>

<https://www.unhcr.org/news/stories/2022/8/62fa24ac4/five-things-know-afghanistan.html>

### **COMMITTEE'S ORGANISATION OF WORK (Suggested sub topics)**

For Afghanistan

- status of education amid the ongoing conflict in Afghanistan
- Implications of ongoing campaigns by international instruments in Afghanistan
- status of healthcare system in Afghanistan
- status of women and violation of sexual rights in Afghanistan

### **Introduction to Agenda 2(Human Rights in Myanmar)**

The human rights situation deteriorated dramatically after a military coup in February. Security forces killed over 1,000 people and detained many thousands of others who opposed the military takeover. Widespread torture of detainees was reported. Armed conflict, including indiscriminate attacks and attacks against civilians and civilian objects by the military, forcibly displaced tens of thousands of people. Similar vast numbers remained displaced as result of past conflict or violence. People in areas affected by armed conflict lacked basic services, and in some areas the military blocked the delivery of humanitarian aid. Women and girls were subjected to sexual violence by the military. Children were

denied the right to education. Dozens of people were sentenced to death by military tribunals in their absence.

The military government violently cracked down on those who opposed its February coup, widely using rubber bullets, tear gas, water cannons, live rounds of ammunition and other lethal force against protesters. According to the NGO Assistance Association for Political Prisoners (Burma) (AAPP), as of 31 December the military government's security forces had killed at least 1,384 people, including 91 children, and arrested 11,289. Those killed included protesters and bystanders. On 10 March, after examining more than 50 video clips of the ongoing crackdown, Amnesty International concluded that the military had used lethal tactics and weapons appropriate only for battlefield use against peaceful protesters in cities and towns across the country. On 2 May, for example, there were reports of security forces throwing grenades into a crowd of protesters in northern Kachin State. Soldiers were also witnessed indiscriminately firing live ammunition in urban areas on multiple occasions. Thousands of doctors and other healthcare workers joined the protests and refused to work under the military government, although many provided medical care to injured protesters and to Covid-19 and other patients outside state hospitals. As of 31 December, at least 12 health workers had been killed, and 86 remained in detention. The military authorities also attacked trade unionists, workers and civil servants who joined protests demanding a return to democracy. Workers were intimidated and threatened into returning to work, and trade union leaders and workers were among those arrested and killed.

### **Recent condition in Myanmar**

GENEVA (15 March 2022) – The international community must take concerted, immediate measures to stem the spiral of violence in Myanmar, where the military has engaged in systematic and widespread human rights violations and abuses – some of which may amount to war crimes and crimes against humanity. The report, released for the 49th regular session of the UN Human Rights Council, said Myanmar's military and security forces have shown a flagrant disregard for human life, bombarding populated areas with airstrikes and heavy weapons and deliberately targeting civilians, many of whom have been shot in the head, burned to death, arbitrarily arrested, tortured or used as human shields.

Citing the determination of Myanmar's people in their opposition to the coup, Bachelet called on the international community to do all it can to resolve the crisis and hold perpetrators of gross violations of international human rights law accountable.

At least 1,600 people have been killed by security forces and their affiliates and more than 12,500 people have been detained. At least 440,000 others have been displaced and 14 million are in need of urgent humanitarian assistance, the delivery of which has largely been blocked by the military in new and pre-existing areas of need. The report concluded that there were reasonable grounds to believe the military, the Tatmadaw, had engaged in violence and abuse as part of a widespread and systematic attack directed against civilians – patterns of conduct that may amount to crimes against humanity. Mass killings have taken place. In July in Sagaing Region, soldiers killed 40 individuals in a series of raids; villagers found the remains of some victims with their hands and feet still tied behind their backs. In December in Kayah State, soldiers burned the bodies of up to 40 men, women and children; villagers described discovering the remains in several trucks, with bodies found in positions indicating they had tried to escape and were burnt alive.

Condition of Civilians and Refugees in Myanmar

The situation in Myanmar was characterized by growing violence and insecurity and resulted in significant forced displacement within the country and into neighbouring countries (over 30,000 refugees between 1 February 2021 and 17 January 2022). Some 430,000 people were internally displaced in Myanmar after the military takeover on 1 February, more than doubling the 2020 IDP figure of 370,000. However, some 130,000 IDPs also returned to their places of origin in 2021, leaving a total of 671,000 IDPs at the end of 2021. As a result, humanitarian needs grew exponentially and were further compounded by new waves of COVID-19 and the resultant economic impact. Humanitarian access in many parts of Myanmar was restricted by insecurity, roadblocks and challenges in obtaining access approvals. In challenging operating environment, UNHCR engaged host communities and local responders as well as partners who played a leading role in assisting displaced populations.

UNHCR reached 44,000 households (including IDPs and stateless persons) with core relief items, distributed \$2.6 million in cash assistance to 17,000 people of concern, and delivered emergency shelters to 47,000 people of concern. Meanwhile, legal assistance was vital in addressing housing, land and property concerns.

Outside Myanmar, UNHCR led efforts to protect and assist Rohingya refugees in the region, including those undertaking dangerous journeys at sea, and engaged with the Association of Southeast Asian Nations (ASEAN) and other regional actors in pursuit of solutions for Rohingya and other refugees from Myanmar, while also advocating for access to territory and protection. In Bangladesh, COVID-19 measures constrained humanitarian services in the refugee camps and UNHCR adapted its response to ensure continuity of protection and assistance. An inclusive national COVID-19 response resulted in nearly 80% of those eligible among the 890,000 Rohingya refugees receiving a vaccination. UNHCR also piloted a cash assistance programme in Cox's Bazar town for vulnerable members of the host community who were hit hardest by the pandemic. Inside the camps, UNHCR and partners addressed critical protection issues and responded to fires and the effects of natural disasters. Schooling came to a halt during the height of the pandemic. However, once the situation improved, UNHCR and partners were able to launch a project to introduce the Myanmar curriculum, training teachers in the skills required. UNHCR also expanded work with refugees and partners to reduce environmental degradation and ensure a more environmentally sustainable response. In 2021, 19,000 Rohingya refugees were relocated to Bhasan Char, an island where the Government of Bangladesh has made substantial investments to provide a temporary alternative measure for hosting refugees to alleviate overcrowded camp conditions. UNHCR, on behalf of the United Nations, signed a memorandum of understanding that provides a protection and policy framework for the island. UNHCR has also worked with the Government to ensure the voluntariness of relocations and freedom of movement.

Implementation of existing laws and orders

As Myanmar's military increasingly relies on excessive force and intimidation to quell peaceful protests against its coup, it is trying to give a veneer of legality to its actions by subverting existing protections in the legal system. This changes which violates the principle of legality and Myanmar's international obligations in no way excuse or legitimate the widespread violations of human rights now taking place in Myanmar.

Since the coup on February 1, the military junta has:

1. arbitrarily suspended sections of the Law Protecting the Privacy and Security of Citizens (2017), removing basic protections, including the right to be free from arbitrary detention and the right to be free of warrantless surveillance and search and seizure;

2. amended the Penal Code to create new offenses and expand existing offenses to target those speaking critically of the coup and the military, and those encouraging others to support the “Civil Disobedience Movement,”
3. amended the Ward and Tract Administration Law to reinstate the requirement to report overnight guests;
4. amended the Code of Criminal Procedure to make the new and revised offenses non-bailable and subject to warrantless arrest; and
5. amend the Electronic Transactions Law to prevent the free flow of information and criminalize the dissemination of information through cyberspace, including expression critical of the coup or the acts of the junta.

Under international legal standards, any restrictions on human rights must be strictly necessary to protect a legitimate interest and proportionate to the interest being protected, even in times of public emergency or for legitimate national security purposes (conditions that do not apply in Myanmar currently). The orders issued by the SAC fail to meet that standard, as they will arbitrarily interfere with the exercise of rights protected under international law, including freedom of expression, freedom of peaceful assembly, the right to liberty, and the right to privacy. Certain rights, such as the rights to bodily integrity and nondiscrimination, are not subject to restriction.

### **Condition of Children in Myanmar**

GENEVA (29 June 2022) – Time is running out to save Myanmar’s stricken generation, the UN Child Rights Committee warned today, urging the international community to take swift action to protect the country’s children. Citing alarming findings in a report by the UN Special Rapporteur on the situation of human rights in Myanmar, the Committee said 7.8 million children in the country remain out of school, 250,000 are internally displaced, and children have reportedly been abducted and recruited for armed conflicts. The Committee issued the following statement today:

“Children continue to bear the brunt of the Myanmar military’s ongoing attacks to assert control over the territory.

At least 382 children have been killed or maimed by armed groups since the February 2021 coup. In addition, over 1,400 children have reportedly been arbitrarily arrested since the coup. Children who took part or were suspected of having participated in protests, are among those detained by the military. At least 274 child political prisoners remained in the military’s custody as of 27 May this year. The military also takes children of human rights defenders hostage to pressure their parents to surrender. According to the latest report by the Special Rapporteur on the situation of human rights in Myanmar, at least 61 children are currently being held hostage by the junta. Rohingya children have been arrested and detained for alleged migration-related offences. Torture and ill-treatment, including sexual abuse, have allegedly been inflicted on these children. The number of children being abducted for recruitment purposes is on the rise, as well as children joining local defence groups and being particularly exposed to the danger of being killed or injured. They have been dispatched to participate in armed conflicts.

The economic and humanitarian crises are having devastating impacts on children and fueling all forms of violence and exploitation. The Committee is deeply concerned that the military intentionally impedes access to food, funds, medical aid, and communication to weaken the support base for armed resistance and provoke fear. Child trafficking and child labour are reportedly on the rise in Myanmar. According to UN figures, the estimated number

of internally displaced people since the coup in the country has passed 700,000, including more than 250,000 children, as of 1 June 2022.

More than half of the country's child population, about 7.8 million, remain out of school. The UN has documented 260 attacks on schools and education personnel since the coup, and 320 cases of the use of schools by armed groups between February 2021 and March 2022. It is estimated that 33,000 children will die from preventable causes in 2022 merely due to the lack of routine immunizations. In addition, 1.3 million children and more than 700,000 pregnant or breastfeeding women require nutritional support. As a result, experts warn of a looming food crisis and a dramatic increase in rates of childhood malnutrition. The rights of children in Myanmar must be respected and protected under the Convention on the Rights of the Child and its Optional Protocol on the Involvement of Children in Armed Conflict, both ratified by Myanmar, as well as under the international humanitarian law.

The Committee urges Myanmar's military to cease involving children in the hostilities, stop taking children hostage, end unlawful detention and torture and ill-treatment of children in captivity, and release all detained children immediately and unconditionally. Perpetrators of atrocity crimes against children must be held accountable before impartial and independent courts. The Committee also reiterates its call for the UN and civil society organizations to have safe and unrestricted access to deliver assistance and services to Myanmar's most vulnerable children.

### **Role of Civil Society in Myanmar**

Civil society structures in Myanmar traditionally existed at the local level within religious groups, emerging from Buddhist and Christian-led social welfare activities and focusing on poverty, health, and the daily needs of communities. Particularly in areas of weak central government control and armed conflict, civil society often filled the state's service-delivery role. There are three types of civil society organizations in Myanmar: community-based organizations, and local and international nongovernment organizations (NGOs). The community-based organizations are informal or voluntary associations formed at the village level to perform social and religious functions, including health, education, and social services. Many of them are religious-based and provide support for funerals and family or community emergencies. They do not normally have paid staff, and members are typically beneficiaries. Although there is no-government or other statistics on these groups, one estimate puts the number of community-based organizations in Myanmar at 214,000. Local NGOs typically originate from cities, townships, or population centers and maintain connections with communities. These groups are usually unregistered with the government, often have paid and skilled staff, and are increasingly connected to regional and national NGO networks, and/or with international NGOs. In ethnic areas, many local NGOs have links to ethnic armed groups. Several large NGOs are registered with government ministries and at times work with the government and development agencies to implement projects in diverse sectors, including health care, rural development, education, and agriculture. Estimates vary widely on the number of local NGOs in Myanmar. An article claimed more than 10,000 such groups, while another study conducted in 2003 by Save the Children—the first detailed look at civil society in Myanmar—estimated there were 270 local NGOs at that time. Regardless of the number, there is a vibrant and growing non government sector encompassing a range of interests and approaches throughout the country.

### **Committees organisation of work**(For Myanmar)

- statu of liberty for civilians in Myanmar
- Violation of access to information in Myanmar
- status of protesters in Myanmar
- Status of lgbtqia in Myanmar

### **Research links**

1. <https://www.adb.org/sites/default/files/publication/154554/csb-myanmar.pdf>
2. <https://news.un.org/en/story/2022/03/1114382>
3. <https://news.un.org/en/story/2022/06/1120362>
4. <https://www.ohchr.org/en/countries/myanmar>
5. <https://www.ohchr.org/en/special-procedures/sr-myanmar>