**Intervention on Rule of Law and Legal Reform, Peaceful Assembly and Peaceful Procession, Anti-Corruption, Land Rights and Four Laws**

**at the 37th session of the UPR Working Group of Myanmar**

**(25 January 2021)**

**Madame President,**

1. I am Dr. Thida Oo, Permanent Secretary from the Union Attorney General’s Office.

**Rule of Law and Legal Reform**

2. Over the past five years, the Government has made an all-out effort to improve prevalence of rule of law, stamp out corruption and strengthen civil and democratic institutions and reliable judicial system. With this genuine intention and implementation, we have managed to improve justice sector coordination; build public trust; raise justice knowledge and justice sector planning. These are four main goals under the theme of “Justice for People” in 2019.

3. The government has undertaken major legislative and institutional reforms to create a more equitable and harmonious society for the people residing in the country.In addition to the enactment of the Legal Aid Law (2016), we are coordinating with Justice Centers supported by the EU in providing legal advice and legal services to the poor who have been accused of crime. The National Case Management Program (NCMP) is established to improve the court performance and timely disposal of the cases.

4. To ensure proper functioning of the legal profession in line with the international standards, Myanmar has amended, repealed and promulgated a total of 185 laws since 2016 to date. The Law Amending the Bar Council Act is one of the major legal reform processes. Furthermore, Myanmar continues to develop and update its legal framework and investment by introducing new laws.

**Peaceful Assembly and Peaceful Procession**

5. Peaceful assembly and protests are legal in Myanmar. The police have been taking necessary protective and safeguarding measures to prevent disturbance, annoyance, assault, coercion or obstruction, and to keep those who are holding peaceful assemblies or processions safe from danger in accordance with the 2016 Peaceful Assembly and Peaceful Procession Law, international human rights standards and policing methods. The Myanmar Police Force has been trained for crowd management in collaboration with the EU and a standardized procedure has been developed accordingly. There was no report of police cracking down on demonstration in 2020.

**Anti-corruption**

6. Significant progress has been achieved in anti-corruption efforts. Since 2016 to date, 196 cases including the cases of a State Chief Minister and a Deputy Minister were prosecuted. 8.9 billion kyats were returned to the State budget and 3.2 billion kyats and 4 million US$ were confiscated. As a result, Myanmar is ranked at the top among 17 countries in Asia regarding the anti-corruption.

**Land Rights**

7. According to the Law for Land Acquisition, Resettlement and Rehabilitation (2019), the authority issues notification in advance before land acquisition and the landowner may submit objection for such notification. If the owner agrees to transfer, the authority will have to give compensation to the landowner.

8. Moreover, according to the principles of the Central Committee for Scrutinizing Confiscated Farmlands and Other Lands, chaired by Vice President U Henry Van Thio, all people residing in Myanmar have the rights to land use policy in which confiscated land is not related to being citizenship or not. In the case where one cannot show the evidence of ownership of the land he/she belongs, the principle is that the return of land or compensation is to be conferred upon the recommendation of neighbouring landowners, witnesses and the township administrators.The amendment to the Vacant, Fallow and Virgin (VFV) Land Management Law was aimed to create job opportunities for the locals and landless citizens and to address the issues related to the land rights.

9. In addition, the Working Committee under the National Land Use Council has been working on drafting the National Land Law. Since 2016, land dispute cases of 3291 farmers were solved, a total of 5467 acres were re-transferred to the farmers and a total of 10 billion kyats were compensated to them.

**Accountability**

10. We have formed the Independent Commission of Enquiry (ICOE) in July 2018 to investigate the allegations of human rights violations after the terrorist attacks in Rakhine State. Based on the findings of the ICOE final report, the President’s Office formed the Criminal Investigation and Prosecution Body (CIPB) to conduct investigations of allegations against perpetrators. The CIPB has submitted its first report on 1st May 2020 and the second on 1st November 2020 to the President’s Office. A complaint mechanism has also been set up and a total of 110 criminal cases out of 139 have been filed against those who committed killing, arson attacks and destruction of property, including border guard police and civilians. The military has also conducted court-martial proceeding to punish the perpetrators and will also continue to investigate the remaining cases mentioned in the ICOE report.

11. While rejecting any illegitimate mandate of the outside mechanisms, we remain resolute in our commitments to hold accountable to its fullest extent that is rendered by our own judicial system and existing laws, in order to achieve our ultimate goal of sustainable peace and harmony among all the communities in the nation.

12. I thank you.