

FAST FACTS

United Nations
Development Programme



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Democratic Governance Programme in Myanmar (2013-2017) and Human Rights

UNDP promotes democratic governance, rule of law and human rights in Myanmar, a country in the midst of a profound democratic transition.

Myanmar's history has been characterised by isolation and authoritarian military rule, and this trajectory has had significant negative implications for the respect for and protection of human rights, especially in ethnic minority or border areas, and where there is ongoing conflict.

Rights violations have included unlawful killings; torture and sexual violence; arbitrary arrests and detention; forced labour and recruitment into the military (and ethnic armed organisations); and land seizure and forced displacement.

Whilst Myanmar has ratified several international human rights instruments and there has been progress, for example in the release of political prisoners and expansion of political freedoms, the UN Special Rapporteur on Human Rights continues to raise concerns about the situation.

UNDP supports the improvement of human rights in Myanmar through a human rights based approach and by directly promoting certain rights, such as access to justice.

UNDP promotes core principles which are fundamental to achieving human rights and sustainable development, as the basis of a rights based approach: participation, transparency and accountability and inclusion. Achieving these will help government and society resolve the country's multi-faceted challenges, and ensure the fulfilment of human rights.

Through its work with all three branches of government- the executive, the parliaments, and the courts- at the Union and State/Region level, and with other stakeholders like civil society and universities, UNDP increases awareness of human rights, and the capacity to fulfil them.

Participation: Improving people's awareness and capacity to engage with all three branches of government in decision making; making legislative development processes more participatory.

Accountability: Enhancing capacity of people to hold government to account, through improved access to information, and by increasing ethics and integrity in justice sector and in the civil service.

Equality and Inclusion: Addressing the inclusion and representation of vulnerable and excluded groups in development debates and decision making, ensuring disaggregated data is available, and encouraging the prioritization of equality within policies and strategies.

Leadership for Change Enhancing leadership capacity of men and women for promoting equality, participation, accountability, and the achievement of human rights.

Promoting access to justice as a fundamental human right. Through our rule of law work, we provide legal assistance to people who are victims of sexual and gender based violence, and provide technical advice on legislation to improve access to justice.



iWomen app user, Ayerawaddy, 2016 (Photo: UNDP/Pedro Ramirez)

Participation

The state has had limited experience of, and exposure to, consultative or participatory processes, and would need to overcome a legacy of top down decision making to improve the space for public participation in policy and law making. To support this, UNDP helps Parliaments to make law making more consultative, and helps people better understand how to engage with their MPs and with the government to ensure their voices are heard. UNDP also supports institutions to talk to and work more effectively with communities.

- **Increasing awareness of how to engage with the state:** UNDP will help provide better public information about the Parliaments and the courts, their roles, and how to access them.
- **Making legislative development processes more participatory:** UNDP works with the Union Attorney General's Office, and with the Parliaments, to improve processes for developing laws, emphasizing the need for consultations with and feedback (2015 Handbook on Legislative Drafting).
- **Improving dialogue skills for police, government staff, and civil society:** UNDP provides trainings on how to effectively manage a dialogue to resolve issues.

Transparency and Accountability

Myanmar fares poorly in international measures of corruption and accountability. A recent survey of civil servants indicates that bribery and unethical practices are common, and institutional mechanisms for prevention and redress are weak; research shows the courts to be among the least trusted of all state institutions, with many disputes dealt with through alternative informal mechanisms. UNDP enhances accountability by improving people's access to information, strengthening the ability of Parliaments to conduct oversight, and strengthening ethics and integrity measures in the justice sector and the civil service, to better ensure that public officials can hold themselves and be held to, a higher standard.

- **Improving oversight:** UNDP works with Parliamentary committees and committee staff at Union and State Region level to strengthen their oversight role, including how they consider evidence in decision making and how to hold hearings. This better enables the Parliaments to hold the executive to account.
- **Improved access to data, policies and laws:** UNDP supports the government to better collect and share data on poverty, the economy, and development progress (such as for the Sustainable Development Goals). UNDP has worked with the Union Parliaments to establish and strengthen ICT services and create a digital document repository: when complete, this can improve public access to existing laws.
- **Promoting ethics and integrity in the civil service and the courts:** In 2015, UNDP carried out a perception survey of civil servants on ethics and integrity, meritocracy and equal opportunities, and this will feed into civil service reform measures. UNDP and the International Court of Justice (ICJ) supported the Myanmar Supreme Court to develop a draft code of judicial ethics in line with international standards, and will continue to support implementation. UNDP has trained more than 200 senior civil servants in anti-corruption and ethics.

Equality and Inclusion

Whilst women hold rights to participation in politics and enjoy high rates of literacy, gender inequalities persist in legislation, access to economic opportunities, political representation and in the private sphere through sexual and gender based violence. Myanmar also faces challenges in ensuring the full participation of members of ethnic and religious minorities in public life, and the safeguarding of their rights. By promoting inclusion, and the principle of equality, including gender equality, UNDP helps set a stronger foundation for democratic governance and human rights by ensuring that all people can have their voices heard, and that an understanding of the needs of the poorest and most vulnerable can inform decision making. UNDP promotes equality and inclusion by:

- **Carrying out research:** UNDP carries out research on various issues, such as how people access justice, how civil servants perceive equal opportunities in the civil service, with recommendations to improve equal access to services and more effective inclusion in decision making. Findings include that, whilst there is

no gender pay gap in the civil service, female civil servants feel they are less likely to be promoted than their male counterparts, and that discrimination based on place of residence (sometimes a proxy for ethnicity or religion) does take place.

- **Increasing civil servants and judges understanding of equality** by providing trainings to senior and executive level officials, and holding state-level round tables between justice officials and community members.

Leadership for Change

UNDP enhances the ability of public officials to promote equality, participation, accountability, and the achievement of human rights, and incorporate these objectives into reform agendas and strategies- for example, the Union Attorney General's Office Strategic Plan supported by UNDP includes human rights. UNDP has also supported Myanmar's participation in the Universal Periodic Review of human rights.

Promoting access to justice as a fundamental human right

Formal justice institutions are viewed with mistrust, and people have limited awareness of the court system and of their rights; until recently, provisions for legal aid only existed in death penalty cases, and prosecutors had had limited exposure to fair trials principles. Many people therefore choose to go through alternative channels for dispute resolution. Through our rule of law work, we promote improved access to justice for all, but especially the most vulnerable, through a number of means.

- **Increasing awareness of the law and of human rights:** UNDP promotes women's legal awareness through a dedicated app, iWomen, run by the national rural women's network Mae Doe Kabar, and through Rule of Law Centres in 4 region/state capitals. UNDP enables the next generation of lawyers to promote access to justice, through clinical legal education programming in 18 universities across Myanmar.
- **Women's access to justice in cases of sexual and gender based violence:** UNDP supports an organization that provides legal assistance to women who are victims of sexual and gender based violence, and collects data on cases to improve policies.
- **Technical advice on laws to enhance human rights:** these have included the Prevention of Violence Against Women law, the Legal Aid law, and the Child law, which can improve human rights.

Our Partners

Government partners: Ministry of Planning/Finance; Ministry of Education; Ministry of Health; Union Civil Service Board; Ministry of Home Affairs; Office of the Union Attorney General; Office of the Supreme Court of the Union; Constitutional Tribunal; and Parliaments. Other partners: Inter-Parliamentary Union, IDLO, BABSEA CLE, civil society and Universities. UNDP's democratic governance programme is supported by the governments of Finland, Sweden and the United Kingdom. Former donors include the governments of Australia, Denmark, Japan and Korea.

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