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Human rights situations that require the Council's attention

Progress made in the implementation of follow-up action to the recommendations contained in the report entitled “A brief and independent inquiry into the involvement of the United Nations in Myanmar from 2010 to 2018” to strengthen the prevention capacity of the United Nations system

Report of the Secretary-General*

Summary

In its resolution 73/264 on the situation of human rights in Myanmar, the General Assembly noted the recommendation by the fact-finding mission on the conduct of a comprehensive, independent inquiry into the involvement of the United Nations in Myanmar since 2011 and encouraged the United Nations system to follow up on the issues raised and to ensure that all engagement with Myanmar took into account, and addressed, human rights concerns. Pursuant to General Assembly resolution 73/264 and Human Rights Council resolution 39/2, the Secretary-General appointed Gert Rosenthal in December 2018 to conduct an independent inquiry into the involvement of the United Nations in Myanmar from 2011 to 2018. Following oral presentations to the Council in 2020 and 2021 on the findings and implementation of the recommendations from Mr. Rosenthal's review, the Council, in its resolution 46/21, invited the Secretary-General to provide a written report on the progress made in the implementation of follow-up action to enable more effective work in the future and to strengthen the prevention capacity of the United Nations system.

* The present report was submitted after the deadline so as to include the most recent information.



I. Introduction

1. In its resolution 73/264 on the situation of human rights in Myanmar, the General Assembly noted the recommendation by the fact-finding mission on the conduct of a comprehensive, independent inquiry into the involvement of the United Nations in Myanmar since 2011 and encouraged the United Nations system to follow up on the issues raised and to ensure that all engagement with Myanmar took into account, and addressed, human rights concerns.¹ Pursuant to General Assembly resolution 73/264 and Human Rights Council resolution 39/2, the Secretary-General appointed Gert Rosenthal in December 2018 to conduct an independent inquiry into the involvement of the United Nations in Myanmar from 2011 to 2018.

2. Mr. Rosenthal's observations can be categorized into three areas of challenges to be addressed: (a) United Nations structures, coordination, information-sharing and decision-making; (b) interaction with the host Government; and (c) interaction with other Member States (both within United Nations bodies and bilaterally) and the wider international community, including international non-governmental organizations.

3. Following oral presentations to the Human Rights Council in 2020 and 2021 on the findings and implementation of the recommendations of Mr. Rosenthal's review, the Council, in its resolution 46/21, invited the Secretary-General to provide a written report on the progress made in the implementation of follow-up action to enable more effective work in the future and to strengthen the prevention capacity of the United Nations system.

4. After Mr. Rosenthal's review, the Secretary-General launched "The highest aspiration: a call to action for human rights", which promotes a transformative vision of human rights across the United Nations system, recognizing human rights as offering solutions and tools, and as speaking to the aspirations of every human being. In the call to action, the Secretary-General underlines that "human rights are the responsibility of each and every United Nations actor and that a culture of human rights must permeate everything we do, in the field, at the regional level and at Headquarters".² He also makes clear the link between human rights protection and conflict prevention. The present report should be read in the context of efforts under way to implement the call to action, as well as the recommendations in the report entitled "Our Common Agenda",³ launched by the Secretary-General in September 2021. The latter report contains recommendations across four broad areas, including a new social contract anchored in human rights.

5. Together, the call to action for human rights and "Our Common Agenda" provide the United Nations system with the frameworks, coherence and momentum necessary to ensure that human rights are placed at the centre of efforts in the three pillars (development, peace and security, and human rights) as envisaged in Mr. Rosenthal's review.

II. United Nations structures, coordination and decision-making

A. New generation of United Nations country teams under the leadership of empowered, independent resident coordinators

Implementation of the reinvigorated resident coordinator system

6. In his review, Mr. Rosenthal noted the opportunities and challenges posed by the advent of a new generation of United Nations country teams and of empowered resident coordinators with the "potential to improve coordination of system-wide goals in contrast to the narrower goals of each of the entities belonging to a country team".⁴ Mr. Rosenthal underlined the importance of "getting it right" in terms of "addressing and managing complex

¹ General Assembly resolution 73/264, para. 6.

² "The highest aspiration: a call to action for human rights", p. 4.

³ See [A/75/982](#).

⁴ Gert Rosenthal, "A brief and independent inquiry into the involvement of the United Nations in Myanmar from 2010 to 2018", May 2019, p. 25.

situations in the future, such as the one encountered in Myanmar by, among other aspects, fostering trans-pillar coordination”.⁵

7. The United Nations development system reform included the roll-out of the reinvigorated resident coordinator system at the global, regional and country level, supporting 162 countries and territories. As anticipated by Mr. Rosenthal in his review, the reform included significant enhancements to the capacities of United Nations country teams to conduct coordinated responses when addressing complex situations. The management and accountability framework highlights the shared responsibility of resident coordinators and country teams to ensure that the delivery of the 2030 Agenda for Sustainable Development leads to results that advance human rights as a core purpose set out in the Charter of the United Nations, as also reflected in resident coordinator job descriptions. Resident coordinators have a role as promoters and advocates for the fundamental values, standards and principles of the Charter, including respect for and protection of human rights, gender equality and the Sustainable Development Goals commitment to leave no one behind in achieving the Goals.

8. The reinvigorated resident coordinator system has helped United Nations country teams to assist Governments better in their efforts to respect and fulfil their human rights obligations and commitments. The United Nations Sustainable Development Cooperation Framework internal guidance includes key criteria to ensure human rights principles are integrated into common country analyses and to inform country programming.

9. United Nations Sustainable Development Cooperation Frameworks are nationally owned and anchored in national development priorities, the 2030 Agenda and the principles of the Charter of the United Nations. As such, they outline the United Nations development system’s contributions sought by national stakeholders to reach the Sustainable Development Goals in an integrated manner, with a commitment to leave no one behind, and fulfil human rights and other international standards and obligations.

10. The reform has transformed the way United Nations country teams respond to human rights issues on the ground, including prevention-related issues. By way of example, in Chile in 2019, in light of reports of excessive use of force by police during demonstrations, the Resident Coordinator, supported by the United Nations country team, jointly advocated with national authorities for the strict adherence to international human rights standards. With the country team’s support, the police revised internal protocols in responding to public demonstrations.

11. In the Philippines, the United Nations country team is working closely with the Government, the Commission on Human Rights of the Philippines and civil society organizations to implement a United Nations joint programme on human rights to provide, as outlined in Human Rights Council resolution 45/33, technical assistance and capacity-building in, among other areas, domestic accountability mechanisms, data gathering on alleged police violations, civil society and the Commission on Human Rights, the national mechanism for reporting and follow-up, and a rights-based approach to drug control and counter-terrorism efforts.

12. In Mexico, the Government and the United Nations country team have jointly reviewed and integrated international human rights commitments and recommendations made to the country by human rights mechanisms into the United Nations Sustainable Development Cooperation Framework, helping to ensure that the actions of the United Nations in the country contribute to both achieving the Sustainable Development Goals and implementing the country’s human rights obligations (which are themselves anchored to the 2030 Agenda).

13. In Sri Lanka, the United Nations country team introduced several risk analysis and early warning tools to help to mainstream prevention across its programming and engagement with stakeholders, including through conflict-sensitive approaches in the common country analysis and United Nations Sustainable Development Cooperation Framework. The insights from risk analysis are now being leveraged in programme design and for dialogue with a

⁵ Ibid.

wide range of national stakeholders, including the Government, opposition and minority parties, civil society and the private sector. Emerging programming also addresses new risks, such as online hate speech, through partnerships with civil society and social media platforms.

14. Programme country Governments have recognized and welcomed such changes, along with the broader shift in approach. According to a survey conducted by the Department of Economic and Social Affairs, compared with before 1 January 2019, when the new resident coordinator system was put in place, Governments have indicated that resident coordinators have displayed strengthened leadership (81 per cent), impartiality (67 per cent), coordination capacity (73 per cent) and more of a focus on common results (78 per cent). Some 78 per cent of programme country Governments see the resident coordinator as a genuine access point to the United Nations system at the country level.⁶ In terms of improving coherence across the United Nations pillars, according to the survey, 76 per cent of programme country Governments agreed that, in 2020, resident coordinators had contributed to building stronger synergies across development, humanitarian and/or peacebuilding interventions.

United Nations country team roles and responsibilities

15. There is also strong evidence that the value of the resident coordinator system – in terms of improved leadership, coordination and convening – is translating into a strengthened and more tailored contribution from United Nations country teams to the overall objective of advancing the 2030 Agenda and enhancing synergies between humanitarian, development, and peace and security related actions, underpinned by human rights. Feedback from programme country Governments in 2019 and 2020 shows that Governments overwhelmingly agree (91 per cent) that, since the launch of the reform in 2018, country teams are more relevant to their development needs and work more collaboratively (77 per cent), including in the context of the coronavirus disease (COVID-19) response efforts.

16. This recognition from programme country Governments indicates that only through a more collaborative, accountable and demand-driven United Nations presence can the kind of transformative support that helps countries to achieve the Sustainable Development Goals be ensured. The United Nations development system is now well advanced in this transition, and the call in the 2020 quadrennial comprehensive policy review of operational activities for development of the United Nations system for United Nations country teams to contribute their expertise, tools and platforms more effectively is welcomed – as agreed in the United Nations Sustainable Development Cooperation Framework and equivalent planning frameworks to advance the 2030 Agenda – as it is for all entities of the United Nations development system to assist Governments in their efforts to respect and fulfil their human rights obligations and commitments under international law, including in the context of the COVID-19 pandemic recovery.

17. Despite the considerable progress made, there is room to further enhance what the United Nations can offer on the ground, under the leadership of the resident coordinator and in support of the 2030 Agenda. In particular, in terms of improving collaboration across development, peace and humanitarian operations, underpinned by human rights, United Nations development system entities report challenges regarding the definition of “collective outcomes” and how they should be featured in current planning tools, such as United Nations Sustainable Development Cooperation Frameworks, humanitarian response plans and integrated strategic frameworks. In his report on the review of the resident coordinator system, the Secretary-General noted that that needed to be addressed and that it was essential to ensure adequate financing and address the “silo approach” of donors to funding channels for humanitarian, development and peace actions.⁷

⁶ Department of Economic and Social Affairs survey of programme country Governments, 2020.

⁷ [A/75/905](#), para. 103.

Role and responsibilities of the United Nations country team in Myanmar

18. The United Nations country team in Myanmar consists of 18 resident agencies in Myanmar, with four non-resident agencies, including the Office of the United Nations High Commissioner for Human Rights (OHCHR), functioning remotely from Bangkok. The United Nations country team includes 2,600 personnel, of which some 350 are international, with a presence in all of the country's 15 states and regions. Since the military takeover in February 2021, the country team has committed to stay and deliver with a focus on humanitarian assistance and priority development needs at the local level, and it has strived to leverage all available channels and put systems in place to ensure human rights remain a key priority in all its programmes and activities.

Translating human rights imperatives: key United Nations country team-level mechanisms and strategies

19. In 2019, Mr. Rosenthal concluded in his review that there were “systemic and structural failures” that impeded the response of the United Nations to a deteriorating situation in Myanmar. In 2020, the United Nations country team undertook a number of initiatives to ensure that United Nations activities in Myanmar effectively supported the promotion and protection of human rights, including by taking into account the recommendations from Mr. Rosenthal's review. Under the leadership of the Resident and Humanitarian Coordinator, the country team actively sought to implement Human Rights Up Front and the subsequent call to action for human rights. The human rights strategy, adopted in July 2020, sets out a common framework for engagement by the country team on human rights with various stakeholders in coordination with other relevant entities of the United Nations system.

20. The independent international fact-finding mission on Myanmar was established in March 2017 by the Human Rights Council in its resolution 34/22 to establish the facts and circumstances of the alleged human rights violations by military and security forces in Myanmar, in particular in Rakhine State. In September 2020, OHCHR delivered a report to the Council detailing its assessment of the human rights situation in the country and an assessment of the implementation of the fact-finding mission's recommendations.⁸ Another report on the situation in Myanmar was delivered in September 2021.⁹ The United Nations in Myanmar has proactively sought to ensure that the principles of a human rights-based approach, gender equality and women's empowerment, and the call to leave no one behind are systematically applied in all of its activities and programmes, as envisaged in the Sustainable Development Goals.

21. In line with the recommendations from Mr. Rosenthal's review to coherently leverage and calibrate different United Nations mandates, channels and areas of expertise for constructive engagement with Member States, the United Nations country team also took steps to leverage United Nations human rights mechanisms, including the universal periodic review.

United Nations country team monitoring and informing

22. In line with the recommendations from Mr. Rosenthal's review, the Office of the Resident and Humanitarian Coordinator, in close coordination with OHCHR and the Office of the Special Envoy of the Secretary-General on Myanmar, ensures the timely provision of information, analysis and advice on human rights and on conflict dynamics.

23. The country task force on monitoring and reporting on grave violations against children in armed conflict and the working group on the monitoring, analysis and reporting arrangements on conflict-related sexual violence convened meetings within a month of the military takeover, and continue to work within their mandates towards the protection of children and those exposed to conflict-related sexual violence, despite difficulties and access restraints due to limited travel authorizations from the authorities.

⁸ [A/HRC/45/5](#).

⁹ [A/HRC/48/67](#).

24. In accordance with Security Council resolution 1612 (2005), the monitoring and reporting mechanism on children and armed conflict has been operating in Myanmar since 2007. It informs the international community of the status of violations against children and supports holding account those who are responsible through the implementation of concrete time-bound action plans to end and prevent grave violations against children. The Country Task Force on Monitoring and Reporting oversees the documentation and verification of all six grave violations by all parties to the conflict.

Role and challenges of the United Nations Resident and Humanitarian Coordinator in Myanmar

25. A central role of the Resident and Humanitarian Coordinator has been to formulate a common position for the United Nations country team regarding engagement with the military authorities. Immediately following the takeover, the Resident and Humanitarian Coordinator brought together the United Nations country team with a view to securing the continued provision by the United Nations of life-saving humanitarian assistance, to addressing human rights issues, to supporting COVID-19 prevention and response measures and to delivering urgent development aid – despite the increasingly complicated ground realities.

26. One of the key challenges going forward will be to ensure that the United Nations continues to provide urgently needed humanitarian assistance to those in need. The Resident and Humanitarian Coordinator has adopted an approach of calibrating different components of OHCHR, leveraging different mandates and areas of expertise, both within and outside Myanmar. Further implementation of the human rights due diligence policy on United Nations support to non-United Nations security forces to guide programmatic development and implementation is critical in this regard. This system-wide approach, which encourages different parts of the United Nations system to use both private and public advocacy in a complementary manner, will continue to be critical in responding to the human rights crisis in Myanmar.

B. System-wide decisions and communication lines

Ensuring system-wide coherence with strategic decisions and fundamental human rights principles

27. Since Mr. Rosenthal's review, mechanisms within the United Nations system have been enhanced to ensure the participation of representatives in the field, allowing for principal-level guidance and coordinated support from United Nations Headquarters to senior field management in particularly complex situations and on short notice, and ensuring that issues of concern are brought to the attention of senior decision makers, as soon as needed.

28. In his call to action for human rights, launched in February 2020, the Secretary-General sets out his vision of human rights at the centre of the work of the entire United Nations system, and commits the system to make fuller use of its human rights tools and entry points. Specifically, he states that the United Nations will continue to enhance its organizational culture, building upon existing initiatives – including Human Rights Up Front and the follow-up to Mr. Rosenthal's report – which emphasize prevention, protection and human rights in its awareness, decision-making and programming at field, regional and United Nations Headquarters levels.¹⁰ In 2020, an inter-agency working group comprising 35 United Nations entities was established to implement the recommendations contained in the call to action, alongside seven thematic inter-agency task teams, each including representatives from United Nations Headquarters and the field. The working group and task teams also support the sharing of information, views and developments across the three pillars, and serve as further channels through which information and analysis originating in the field can be relayed to United Nations Headquarters, and vice versa.

29. Building on the substantial efforts made under Human Rights Up Front, the Secretary-General, in his call to action for human rights, broadens the scope of human rights to

¹⁰ "The highest aspiration", p. 6.

demonstrate both their relevance and their applicability to global contemporary challenges, such as the climate crisis, civic space, gender equality and rights in the digital sphere. A core principle of Human Rights Up Front is the embedding of human rights principles in analysis, planning and programming across the system. In his call to action, the Secretary-General sets out concrete areas of engagement for entities to develop tools and mechanisms jointly in this respect. The second phase of implementation focuses on field-level implementation, supported by a dedicated outreach effort.

30. In 2020, OHCHR, in consultation with United Nations partners, led the development of practical guidance on how to maximize the use of the universal periodic review as a central engagement tool in the country-level approach of the United Nations to human rights.¹¹ This complements the United Nations Sustainable Development Group guidance note on human rights for resident coordinators and United Nations country teams, which is aimed at providing both the resident coordinators and the country teams with the tools and resources they need to fulfil their responsibilities in promoting and protecting human rights.¹²

Improving system-wide information gathering, analysis and dissemination

31. Also at the field level, the new generation of cooperation frameworks and common country analyses have paved the way for more comprehensive and cross-pillar information sharing, analysis and programming, further enabling the adoption of a preventive posture by the United Nations.

32. In his call to action for human rights, the Secretary-General makes clear that mandate implementation and/or engagement by resident coordinators and United Nations country teams should be informed by a human rights risk and opportunity analysis, including gender specific analysis, and encourages expanded deployment of human rights advisers to resident coordinator offices, with the approval of the host Government. The number of human rights advisers increased from 34 in 2018 to 54 in 2021. They are increasingly working in coordination with peace and development advisers; where peace and development advisers are deployed alone, they should support the resident coordinators in identifying and addressing human rights risks early on.

33. Efforts to ensure greater coherence and integration of information and analysis relating to the three pillars of the United Nations system are being made by the Operations and Crisis Coordination Centre through daily reporting and the issuance of rapid alerts, as well as ad hoc crisis reporting, as necessary, which integrates human rights dimensions.

C. Member State engagement

United Nations engagement with Member States and the wider international community

34. Mr. Rosenthal's recommendations underlined the need for greater coordination in United Nations actions and greater engagement with Member States, particularly to foster more effective and rights-based prevention of crises. Regular engagement with Member States is envisaged under the second phase of implementation of the "collective action" area of focus in the call to action for human rights. Under the "rights in times of crisis" focus area, the Secretary-General expressly calls for a more strategic engagement with concerned Member States as part of prevention efforts. Either directly or through his special representatives and special envoys, the Secretary-General has consistently leveraged his good offices to prevent the eruption of conflicts or to mediate between conflict parties.

35. Under the "rights in times of crisis" focus area of the call to action for human rights, the Secretary-General also underscores the importance of strategic engagement with the Security Council, as well as the use of the full spectrum of other tools and channels, including

¹¹ OHCHR, "Maximizing the use of the universal periodic review at the country level: practical guidance".

¹² United Nations Development Group, "Guidance note on human rights for resident coordinators and UN country teams".

leverage with other regional and international actors, to raise awareness and prevent crises. In the call to action, the Secretary-General states that the United Nations will “regularly provide human rights analysis and information to the Security Council and the General Assembly on current and potential human rights and humanitarian crises”.¹³

36. Cooperation with regional organizations has long been a touchstone of the work of the United Nations, as recognized in chapter VIII of the Charter of the United Nations and numerous resolutions of the General Assembly and the Security Council. The United Nations and regional organizations have unique and complementary capacities that, when properly coordinated, can contribute decisively to the prevention and management of armed conflict.

37. In recent years, these relationships have strengthened and deepened across a wide spectrum of activities, including peacebuilding and crisis mediation, peacekeeping and humanitarian assistance. In support of this growing cooperation in the field, the Secretary-General has convened a number of high-level meetings with heads of regional organizations to ensure coordination and mutual understanding, with prevention of conflict at the forefront of such cooperation.

Intergovernmental support and collaboration

38. Prevention of conflict, peacebuilding and sustaining peace are central to the work of the United Nations, as elaborated in the Charter. The proposed New Agenda for Peace, with greater emphasis on and investment in prevention and peacebuilding, also builds on the Secretary-General’s preventive agenda to enhance the capacity of the United Nations to “help countries to avert the outbreak of crises that take a high toll in human lives and undermine the institutions and capacities needed to achieve peace and development”.¹⁴

39. Given the interconnected nature of today’s conflicts and crises, the work, discussions and outcomes of intergovernmental bodies and mechanisms across the three pillars are mutually reinforcing and complementary, enriching understanding of and informing responses to issues of global or country-specific significance. In the 2016 and 2020 resolutions of the General Assembly and Security Council on sustaining peace¹⁵ and Human Rights Council resolutions 38/18 and 45/31 on the Council’s contribution to the prevention of human rights violations, the respective bodies affirmed the centrality of the three-pillar approach and the need for greater coherence and collaboration across relevant bodies and mechanisms.

40. Additionally, as the Secretary-General’s call to action for human rights makes clear, the United Nations system continuously enhances coordination in terms of working more closely together to take early action, prevent conflict and protect rights in times of crisis. In reiterating the well-established correlation between the enjoyment of human rights and resilience to crisis, the Secretary-General, in his call to action, affirms that human rights actions are part of the collective toolbox of the United Nations system and the international community – the utilization of which ensures the effectiveness and sustainability of development and conflict prevention efforts. In his call to action, the Secretary-General highlights the clear linkage between the objectives of prevention and protection, while noting that “there is no better guarantee of prevention than for Member States to meet their human rights responsibilities”.¹⁶

41. The Human Rights Council and its mechanisms routinely consider country situations and thematic issues that cut across the work of other intergovernmental bodies, including the Third Committee, the Economic and Social Council, the Security Council and the Peacebuilding Commission. Since Mr. Rosenthal’s review, and even more so since the emergence of the COVID-19 pandemic, the Human Rights Council has significantly increased its workload and has become more agile in addressing situations of urgent concern.

¹³ “The highest aspiration”, p. 12.

¹⁴ “Meeting the prevention challenge”, *UN Chronicle*, vol. LIV, No. 3 (October 2017).

¹⁵ General Assembly resolutions 70/262 and 75/201 and Security Council resolutions 2282 (2016) and 2558 (2020).

¹⁶ “The highest aspiration”, p. 5.

42. A process of reflection on the role of human rights bodies and mechanisms in prevention is also under way. The United Nations High Commissioner for Human Rights has identified protection gaps, that, if addressed, could help to build more resilient societies and sustain development and peace.¹⁷ In its resolution 38/18, the Human Rights Council recognized its crucial role in the prevention of violations; the ensuing report contains proposals for operationalizing the Council's prevention mandate and fostering closer collaboration across the United Nations system.¹⁸ On this basis and as follow-up, the Council, in its resolution 45/31, called for the strengthening of the human rights early warning and action capacity of OHCHR and emphasized institutional collaboration among United Nations bodies and close linkages between the human rights and peace and security pillars for prevention, including through an annual briefing to the Council by the Chair of the Peacebuilding Commission.

43. In resolution 45/31, the Human Rights Council also called upon the United Nations High Commissioner for Human Rights to continue to bring information of human rights violations that pointed to a heightened risk of a human rights emergency to the attention of the Council, and recognized that that Council could also resort to formats that enhanced dialogue and cooperation with the State and region concerned, with the aim of addressing the root causes of and preventing further human rights violations and responding promptly to human rights emergencies. OHCHR is implementing the resolution to strengthen system-wide coherence and cross-pillar approaches to long-term and structural prevention, and to identify early warning signs of and manage early response to crises, as mandated by the Council.

44. In other resolutions, the Human Rights Council has underscored the interlinkages between the three pillars, including Council resolution 44/23 on the contribution of respect for all human rights and fundamental freedoms to achieving the purposes and upholding the principles of the Charter of the United Nations, and Council resolution 45/28 on promoting and protecting the human rights of women and girls in conflict and post-conflict situations on the occasion of the twentieth anniversary of Security Council resolution 1325 (2000).

45. Over the past several years, there has been greater interaction between the New York-based intergovernmental bodies across the peace and security and development pillars (the Security Council, the Economic and Social Council and the Peacebuilding Commission) and the Human Rights Council and its mechanisms in various forms. Such interaction, however, could be further enhanced.

Engagement with Myanmar as a State concerned, and Member State and intergovernmental support towards implementation of mandated activities

46. Before the onset of the COVID-19 pandemic in early 2020, the Special Envoy visited Myanmar and Bangladesh frequently, including northern Rakhine State, from where most Rohingya were expelled in 2017. She shared more than 30 observations and recommendations on a range of issues with the leadership of Myanmar (prior to the military takeover) regarding human rights, social cohesion, women and peace and security, durable solutions, citizenship, freedom of movement, accountability, humanitarian access, education, housing, and land and property rights. She also continued to help to strengthen system-wide coordination and coherence through close consultation with other United Nations entities and independent mandate holders. On the central issue of accountability, she consistently urged Myanmar to cooperate with United Nations mechanisms, such as the Independent Investigative Mechanism for Myanmar and the Special Rapporteur on the situation of human rights in Myanmar.

47. Following the military takeover, the Special Envoy engaged closely with regional organizations, including the Association of Southeast Asian Nations (ASEAN), the European Union and the Organization of Islamic Cooperation, with a view to complementing the efforts

¹⁷ See <https://www.ohchr.org/en/statements/2019/10/statement-un-high-commissioner-human-rights-michelle-bachelet-third-committee-un>.

¹⁸ [A/HRC/43/37](#).

of the United Nations to address the crisis in Myanmar, the protracted displacement of the Rohingya, and broader political and humanitarian developments.

48. Since the military takeover, the Security Council has met eight times on Myanmar, as well as held two Arria-formula meetings and issued five press statements and one statement by the President of the Security Council on the evolving situation. The Security Council has consistently called for unhindered humanitarian access, has reiterated its support for the Special Envoy and encouraged her to work in close collaboration with ASEAN, and has called for swift implementation of the ASEAN Five-Point Consensus.¹⁹ Since taking up her role in December 2021, the current Special Envoy has advocated for a Myanmar-led process that reflects the will of the people, grounded in regional unity and supported by a coordinated international strategy, including the support of the Security Council. The Informal Expert Group on Women and Peace and Security discussed the situation in Myanmar in June 2019²⁰ and convened another meeting on 3 March 2021. The Special Envoy was briefed on both meetings. The Informal Expert Group made recommendations to the Security Council in terms of securing the safety and security of women and recognized the leading role of women as peacemakers and community builders, calling for their full, equal and meaningful representation and participation in political processes and highlighting their central role in the peaceful protests following the military takeover.

49. On 18 June 2021, the General Assembly adopted resolution 75/287, in which it called for the will of the people to be respected, the state of emergency to be ended, the flow of arms into Myanmar to be prevented, all human rights to be respected and sustained democratic transition to be allowed, including through the opening of a democratically elected parliament and by bringing all national institutions under a fully inclusive civilian Government. On 16 December, the General Assembly adopted resolution 76/180 on the situation of human rights of Rohingya Muslims and other minorities in Myanmar, for the first time by consensus.

III. Observations

50. One of the main purposes of the United Nations is promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language or religion, as enshrined in the Charter of the United Nations. When crises occur, individuals and communities need to be protected. International humanitarian law, international human rights law and international refugee law must be respected.

51. Strengthening cooperation on prevention among intergovernmental bodies across the three pillars remains key for a comprehensive and holistic approach.

52. In this context, the Secretary-General welcomes the decision of the Human Rights Council, as contained in its resolution 45/31, for the Chair of the Peacebuilding Commission to brief the Council annually, in order to foster closer interaction between the two bodies.

53. Bringing the reports of the Human Rights Council that are relevant to prevention to the attention of the relevant bodies of the United Nations, as requested by the Council in its resolution 45/31, is of particular importance.

54. Field offices and United Nations Headquarters will continue to strive to further enhance cooperation, ensuring coordination mechanisms are substantive and effective in mobilizing senior-level support to resident coordinators.

55. Resident coordinators would benefit from increased resources in their leadership of United Nations country teams to respond to human rights challenges and opportunities in a coordinated way.

¹⁹ For the Five-Point Consensus, see ASEAN Secretariat, “Chairman’s statement on the ASEAN Leaders’ Meeting”, 24 April 2021.

²⁰ See [S/2019/591](#).