



Inter-Parliamentary Union
For democracy. For everyone.

Myanmar

Decision adopted unanimously by the IPU Governing Council at its 215th session (Tashkent, 9 April 2025)



Prison officials stand outside Insein prison in Yangon on 12 February 2022 | STRINGER/AFP

Parliamentarians who were arbitrarily detained:

MMR-267 - Win Myint	MMR-320 - U Mann Nyunt Thein
MMR-268 - Aung San Suu Kyi (Ms)	MMR-321 - Khin Myat Thu
MMR-269 - Henry Van Thio	MMR-323 - Hung Naing
MMR-270 - Mann Win Khaing Than	MMR-324 - Shwe Pon (Ms.)
MMR-272 - Tun Hein	MMR-325 - Wai Lin Aung
MMR-274 - Than Zin Maung	MMR-326 - Pyae Phyo
MMR-275 - Dr. Win Myat Aye	MMR-327 - Mr. Lin Oo
MMR-276 - Aung Myint	MMR-328 - Kyaw Lin
MMR-277 - Ye Khaung Nyunt	MMR-329 - Tin Htwe
MMR-278 - Dr. Myo Aung	MMR-330 - Aung Myint Shain
MMR-280 - Win Mya (Ms.)	MMR-331 - Pital Aung
MMR-281 - Kyaw Min Hlaing	MMR-332 - Ohn Win
MMR-285 - Mya Thein	MMR-333 - Ma Lay (Ms.)
MMR-286 - Tint Soe	MMR-334 - Win
MMR-287 - Kyaw Thaung	MMR-335 - Hla Than
MMR-309 - Aung Kyaw Oo	MMR-336 - Tun Wai
MMR-310 - Naung Na Jatan	MMR-337 - Win Myint Aung
MMR-311 - Myint Oo	MMR-338 - Aung Lin
MMR-312 - Nan Mol Kham (Ms.)	MMR-339 - Aung Min Tun
MMR-313 - Thant Zin Tun	MMR-340 - Khin Sain Hlaing (Ms.)
MMR-314 - Maung Swe	MMR-341 - Aung Sein
MMR-315 - Thein Tun	MMR-342 - Hla Moe
MMR-316 - Than Htut	MMR-348 - U Win Naing
MMR-317 - Aung Oo	MMR-349 - Hla Win
MMR-318 - Ba Myo Thein	MMR-343 - Htay Min Thein
MMR-319 - Soe Win (a) Soe Lay	MMR-350 - Aung Soe Min

Parliamentarians who were subjected to threats and intimidation:

MMR-283 - Okka Min	MMR-302 - Myat Thida Htun (Ms.)
MMR-291 - Htun Myint	MMR-303 - Saw Shar Phaung Awar
MMR-292 - Naing Htoo Aung	MMR-304 - Robert Nyal Yal
MMR-293 - Dr. Wai Phyo Aung	MMR-305 - Lamin Tun (aka Aphyo)
MMR-298 - Nay Myo	MMR-306 - Aung Kyi Nyunt
MMR-299 - Zaw Min Thein	MMR-307 - Lama Naw Aung
MMR-300 - Win Naing	MMR-308 - Sithu Maung
MMR-301 - Zay Latt	

Parliamentarians who died while avoiding arrest:

MMR-345 - Tin Ye (Ms.)
MMR-346 - Htike Zaw
MMR-347 - Myint Win
MMR-348 - Saw Tin Win
MMR-349 - Thein Shwe
MMR-354 - Myint U
MMR-352 - Aung Tin Linn
MMR-353 - Eit Kha
MMR-355 - Hla Tun Aung (aka) Mg Mg
MMR-356 - Kaywal Aung (Ms.)
MMR-357 - Saw Ngwe Saw

Parliamentarians who were arbitrarily stripped of their nationality:

MMR-289 - Phyu Thin (Ms.)
MMR-290 - Ye Mon (aka Tin Thit)
MMR-294 - Zin Mar Aung (Ms.)
MMR-295 - Lwin Ko Latt

Alleged human rights violations

- ✓ Murder
- ✓ Enforced disappearance
- ✓ Torture, ill-treatment and other acts of violence
- ✓ Threats, acts of intimidation
- ✓ Arbitrary arrest and detention
- ✓ Inhumane conditions of detention
- ✓ Lack of fair trial proceedings
- ✓ Violation of freedom of opinion and expression
- ✓ Violation of freedom of assembly and association
- ✓ Violation of freedom of movement
- ✓ Arbitrary invalidation of the election of a parliamentarian
- ✓ Abusive revocation or suspension of the parliamentary mandate
- ✓ Failure to respect parliamentary immunity
- ✓ Other acts obstructing the exercise of the parliamentary mandate
- ✓ Other violations: unlawful revocation of citizenship
- ✓ Other violations: right to health

A. Summary of the case¹

After refusing to recognize the results of the November 2020 parliamentary elections, the military declared a state of emergency and proceeded to seize power by force on 1 February 2021, the day

¹ For the purposes of this decision, the term "opposition" relates to members of parliament from political groups or parties whose decision-making power is limited and who are opposed to the ruling power.

Case MMR-COLL-03

Myanmar: Parliament affiliated to the IPU

Victims: 82 parliamentarians from the opposition (71 male and 11 female)

Qualified complainant(s): Section I.(1)(a) of the Committee Procedure (Annex I)

Submission of complaint: March 2021

Recent IPU decision: October 2023

Recent IPU Mission(s): - - -

Recent Committee hearing: Hearing with the United Nations Special Rapporteur on the situation of human rights in Myanmar (March 2022)

Recent follow-up:

- *Note verbale* from the Permanent Mission of the Republic of the Union of Myanmar to the United Nations Office and other international organizations in Geneva: February 2025
- Communication from the complainant: February 2025
- *Note verbale* to the Permanent Mission of the Republic of the Union of Myanmar to the United Nations Office and other international organizations in Geneva: January 2025
- Communication to the complainant: December 2024

that the new parliament was due to take office. The Speaker of the *Pyidaungsu Hluttaw*, State Counsellor Aung San Suu Kyi and six other parliamentarians were placed under house arrest on the day of the coup, while 20 other members of parliament were arbitrarily arrested shortly thereafter; 18 parliamentarians remain in arbitrary detention. The state of emergency was extended on 1 February 2023, effectively nullifying the promise to hold elections by August 2023. However, the military authorities later changed course and declared that elections would be held by January 2026.

Although at first the military allowed largely peaceful protests to take place, the situation in Myanmar took a devastating turn for the worse in March 2021 when the military sought to quell the protests with live automatic fire, artillery and air strikes, leading to a full-scale civil war. The United Nations (UN) Special Rapporteur on the situation of human rights in Myanmar has recognized the widespread and systematic nature of the extrajudicial killings, enforced disappearances and other violations carried out by the military (known as the “*Tatmadaw*”) and declared that their scale reached the threshold of crimes against humanity. According to the Assistance Association for Political Prisoners (AAPP), as of 18 March 2025, some 6,410 people have been killed and 28,879 have been arbitrarily arrested, while 22,094 remain in detention. In April 2023, the IPU received reports from a released prisoner who witnessed detained parliamentarians being held in overcrowded prisons, where they are facing mistreatment and torture, with little or no access to medical care. The complainant has also reported that 10 elected parliamentarians have died while avoiding arrest.

On 4 February 2021, 70 elected members of parliament met in Naypyidaw and took an oath of office pledging to abide by the mandate granted to them by the people. The next day, 300 members of parliament met online and established the Committee Representing the *Pyidaungsu Hluttaw* (CRPH). The CRPH is considered as a terrorist organization by the military-appointed State Administration Council. On 31 March 2021, the CRPH appointed a National Unity Government (NUG), which they see as the legitimate interim government. In addition, their relatives have reportedly been subjected to harassment by the military, with the father of Mr. Sithu Maung allegedly being tortured to death. Former Speaker and Prime Minister of the NUG, Mr. Mann Win Khaing Than, was charged with high treason, while other members of parliament face criminal charges for inciting civil disobedience and other charges carrying heavy penalties. On 16 November 2021, Ms. Aung San Suu Kyi and 15 other officials were charged with election fraud during the 2020 elections, and on 5 December 2021 she was found guilty and convicted to four years in prison, which was followed by another conviction on three charges. Altogether, she was sentenced to 27 years in prison. United Nations Security Council resolution 2669 (2022) urged the military to release her and fellow arbitrarily detained prisoners immediately. The complainant has confirmed that the military have released 23 members of parliament since the coup. According to the complainant, CRPH members have been forced into hiding, fearing reprisals because of their political activities, and four of them have been arbitrarily stripped of their nationality.

On 24 April 2021, the Association of Southeast Asian Nations (ASEAN) held a leaders’ meeting, inviting a representative from the military authorities of Myanmar to attend. This led to the adoption of a five-point consensus on Myanmar, calling for the immediate cessation of violence and the nomination of a special envoy to visit the country to meet with all parties concerned. As the military authorities showed no willingness to implement the five-point consensus, they have been excluded from ASEAN meetings as of October 2021. Most observers agree that the five-point consensus failed.

At a hearing with the IPU Committee on the Human Rights of Parliamentarians in March 2022, the UN Special Rapporteur called for more concerted pressure on the military authorities by the entire international community. He also renewed his call to halt the flow of arms towards the military, which had reportedly received air fuel and weapons that were used in strikes against civilians from a limited number of countries well after the coup d’état, as described in one of his reports.² Meanwhile, the IPU Secretariat has received correspondence from the military authorities accusing the CRPH of choosing the path of confrontation and fostering terrorism and disorder, which has allegedly claimed over 1,000 lives. They also indicated a commitment to implementing the five-point consensus and the possibility of resuming dialogue, provided that trust and confidence-building measures are taken first. The military authorities also reported that Mr. Henry Van Thio was not subjected to any legal action, which was confirmed by the complainant. The latter also confirmed that the situations faced by Mr. Naung Na Jatan and seven others did not fall under the mandate of the IPU Committee.

2 Report by the UN Special Rapporteur on the situation of human rights in Myanmar – *Enabling Atrocities: UN Member States’ Arms Transfers to the Myanmar Military*. Available at: <https://reliefweb.int/sites/reliefweb.int/files/resources/Myanmar.pdf>.

In July 2022, the complainant communicated that the situation of detained members of parliament had deteriorated further, as the military authorities had banned all visits and communication with detained members of parliament, who have reportedly been transported to secret locations. The whereabouts of some of them has been hidden, prompting fears that they may be victims of enforced disappearance. This move followed the news that the *Tatmadaw* had executed four activists – including former parliamentarian Phyo Zayar Thaw – which provoked consternation among prisoners; some have reportedly gone on hunger strike. After the first executions in three decades, the *Tatmadaw* claimed that more would follow.

In January 2025, the complainant shared that in the preceding months a few parliamentarians had been released or freed by NUG-affiliated forces, which had made significant gains in the civil war. According to reports, as of 2025 the military's control extends to only 21 per cent of the territory, although they retain control over 275 of the country's 350 townships, most of which have been surrounded or fought over by NUG-affiliated forces. It is in this context that General Min Aung Hlaing declared that elections would be held by January 2026, which was immediately rejected by the opposition as a sham.

B. Decision

The Governing Council of the Inter-Parliamentary Union

1. *Notes* that the current case also includes a new complaint regarding the situation of Mr. Aung Soe Min, Mr. U Win Naing, Mr. Hla Win and Mr. Htay Min Thein, who were all detained by the military authorities in recent months, but also the situations of Mr. Myint U, Mr. Aung Tin Linn, Mr. Eit Kha, Mr. Hla Tun Aung, Ms. Kaywal Aung and Mr. Saw Ngwe Saw, who reportedly died while avoiding arrest; *notes* that the complaint is admissible, considering that: (i) it was submitted in due form by a qualified complainant under section I.(1)(a) of the Procedure for the examination and treatment of complaints (Annex I) of the revised Rules and Practices of the Committee on the Human Rights of Parliamentarians; (ii) it concerns incumbent members of parliament at the time of the initial allegations; and (iii) it concerns allegations of murder, enforced disappearance, torture, ill-treatment and other acts of violence, arbitrary arrest and detention, inhumane conditions of detention, lack of fair trial proceedings, violation of freedom of opinion and expression, violation of freedom of assembly and association, failure to respect parliamentary immunity and violations of the right to health, allegations that fall under the Committee's mandate; *takes note* of the confirmation by the complainant that the situation of Mr. Henry Van Thio (MMR-269), Mr. Naung Na Jatan (MMR-310) and Mr. Hung Naing (MMR-323) did not fall under the mandate of the IPU Committee, which corresponds to information received from the military authorities in the past; and *decides*, therefore, to close the examination of their case in line with paragraph 25 of Annex I to the revised Rules and Practices of the Committee on the Human Rights of Parliamentarians;
2. *Is dismayed* to learn that six additional national parliamentarians have lost their lives as they attempted to avoid arbitrary arrest; *is appalled* by eye-witness reports that 18 parliamentarians are being held incommunicado in prisons where they reportedly face ill-treatment, torture and gender-based violence, and that they are being held in inhumane detention conditions with limited access to medical care or legal counsel; *is dismayed* by reports that their situation has deteriorated even further following a ban on all communications and visits enforced by the military authorities after the execution of four men by hanging on 23 July 2022, including former parliamentarian Mr. Phyo Zayar Thaw; and *is appalled* by official declarations that following these first executions in 30 years, more executions would follow, indicating that the lives of detained parliamentarians are threatened;
3. *Demands*, once again, that the military authorities release the parliamentarians without delay, as required under UN Security Council resolution 2669 (2022), in light of the serious reports of ill-treatment and poor prison conditions and in the absence of any concrete evidence showing that the parliamentarians have done anything other than merely exercise their basic human rights; *urges* the military authorities, once again, for as long as the parliamentarians' release fails to materialize, to provide specific information on each detained parliamentarian, including on their location, state of health and access to humane and safe detention conditions, family visits and confidential meetings with their lawyers, as well as on the trial of each detained parliamentarian; also *urges* the military authorities, once again, to allow the International

Committee of the Red Cross (ICRC) access to visit parliamentarians in detention; and *demands* that the military authorities cease and desist from any attempts to arrest parliamentarians on political grounds and thus expose them to the risk of death;

4. *Reiterates its belief* that the release of all detained parliamentarians is an essential step towards ending violence and building the trust that would allow for de-escalation and a return to dialogue, as prescribed by the five-point consensus brokered by ASEAN; *calls on* the military authorities to protect the lives and respect the rights of all members of parliament elected in November 2020 and hence to allow them to associate, assemble, express their views, receive and impart information and move about without fear of reprisals; *urges* the military authorities to refrain from taking physical or legal action against the 20 members of the CRPH, and any other person elected in November 2020, in connection with their parliamentary activities; *wishes* to receive, as a matter of urgency, specific information on these points from the military authorities; and *urges* the military authorities also to honour their commitment by: implementing in earnest the five-point consensus brokered by ASEAN, and UN Security Council resolution 2669 (2022); immediately ceasing the use of lethal force against non-combatants and employing genuine restraint against those exercising their human rights; allowing the free flow of aid to reach populations affected by war, the 2025 earthquake or other natural disasters; and abiding by the international principles of human rights and international humanitarian law;
5. *Considers* that the silence of the military authorities gives serious weight to reports of the widespread use of torture, rape, enforced disappearance and extrajudicial killings against political prisoners, including elected legislators; and *stresses* that the widespread and systematic practice of enforced disappearance, imprisonment and torture constitutes a crime against humanity; and *believes* that the international community can and must do more to put an end to these crimes and ensure that the current conflict comes to an end as soon as possible;
6. *Calls on* all IPU Member Parliaments to urge their relevant national authorities to exercise their jurisdiction by prosecuting any person responsible for crimes against humanity in Myanmar, in keeping with the principle of universal jurisdiction; *renews its call on* all IPU Member Parliaments and observers, in particular in Asia, to press for respect for human rights and democratic principles in Myanmar and to show solidarity with the members of parliament who were elected in 2020, including members of the CRPH; *welcomes* the actions taken thus far and *calls on* IPU Member Parliaments to do more, including by raising the case publicly; *hopes* to be able to rely on the assistance of all relevant regional and international organizations, including ASEAN, to ensure that justice is done in this case; and *calls on* all IPU Member Parliaments and observers to support the International Parliamentarians Alliance for Myanmar and the UN Special Rapporteur on the situation of human rights in Myanmar to that end;
7. *Requests* the Secretary General to convey this decision to the military authorities, the complainant and any third party likely to be in a position to supply relevant information; and *also requests* the Secretary General to explore all other possibilities for effectively addressing the concerns and requests for information raised in this decision;
8. *Requests* the Committee to continue examining this case and to report back to it in due course.