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Burma continues to make significant progress on human rights following the historic elections of 2015 and the transition to a new, more civilian, democratic and accountable government. While the government has shown early willingness to address areas of concern, it has inherited enormous challenges. In assessing Burma's human rights performance it is also important to acknowledge that those responsible for rights violations are not necessarily under the direct control of the civilian authorities.

There are continuing concerns relating to civil and political rights. The new government has released numerous political prisoners since taking office and taken active steps to repeal old repressive legislation, but they do not directly control the security forces or the application of the law by the judiciary. Conflict-related human rights violations by the military continue in northern Shan and Kachin States, but the government is prioritising efforts to resolve the long-running conflict. The situation in Rakhine State remains volatile, but the government has formed a committee to address the situation and has re-started citizen verification efforts.

The transition itself was a major step forward for democracy in Burma and the new administration offers the best opportunity in decades to address some of the most serious human rights concerns. Burma's new parliament was inaugurated on 1 February and President U Htin Kyaw was elected on 15 March. The new government took office on 1 April and ministers were chosen over the following weeks. Barred from becoming President, Aung San Suu Kyi took the roles of Minister of Foreign Affairs, Minister of the Presidency and State Counsellor. Although ethnic MPs are not well represented in parliament, they occupy 3 out of the 4 Speaker and Deputy Speaker positions. More than half of new ministers are from political parties other than the ruling National League for Democracy (NLD). More than 100 MPs are former political prisoners. Women's representation in parliament is now the highest in the country's history, but remains low with women comprising 14.5 per cent of MPs in the Union parliament and 12.5 per cent in state and regional assemblies. Many Muslim candidates were excluded from standing and there are no Muslim MPs. The UK is providing funding to strengthen the Burmese parliament, has seconded 2 clerks from the UK House of Commons, and is providing English language support for new MPs.

One of the most encouraging developments under the new government was the release of 235 political prisoners in April and a further 77 in May, continuing the releases made by the former government in 2015. This is a welcome early sign of the new government's commitment to tackling the problem of political prisoners. Activists remain at risk however, because the legal and institutional loopholes under which politically motivated arrests are made remain in place. The Assistance Association for Political Prisoners in Burma (AAPPB) assess that, as of May 2016, 67 political prisoners remain behind bars, with a further 189 awaiting trial, of whom 47 are in detention. Addressing this issue will require systemic reform of the police and judiciary, as well as the legal framework under which such arrests and charges are made.

The new government has also made a commitment to reform repressive legislation. Many of Burma's existing laws do not comply with international standards and are open to abuse by police and local officials, with no oversight from central government. A new Legal Affairs and Special Cases Assessment Commission has been established, and around 140 laws have been identified as priority cases for repeal or reform. Early steps by the new parliament included revoking the 1975 State Protection Act, which gave the authorities powers to detain political activists under emergency provisions. Amendments to the "Household Inspection and Guest Registration Law" and "Peaceful Assembly and Procession Law" are underway and welcome, although concerns remain that they may still not comply with international standards.

Burma's peace process is at an important juncture. Despite the signing of a Nationwide Ceasefire Agreement (NCA) in October 2015, violent clashes continued during the first half of 2016. More than 96,000 people remain displaced in Kachin and northern Shan States as a result of ongoing conflict. There have also been new outbreaks of fighting and further displacement in Rakhine State. International organisations have limited access to conflict-affected areas and there are serious concerns about the targeting of civilians, forced displacement, forced labour, summary executions, arbitrary arrest and detention, torture and ill treatment, use of child soldiers and sexual violence. The government has proposed holding a "21st Century Panglong Conference" during the second half of 2016, which is expected to launch political dialogue in the peace process. Progress with the peace process to date has been constrained by the fact that eight armed ethnic groups have not yet signed the NCA, but the government has indicated its willingness to reach out to some of these groups through the Panglong process. Aung San Suu Kyi is expected to lead the process, supported by the government's new Chief Negotiator, Dr Tin Myo Win. The government has also established a Ministry of Ethnic Affairs and transformed the Myanmar Peace Centre into the National Reconciliation and Peace Centre. The UK continued to support the peace process both bilaterally and in conjunction with other governments through the Peace Support Fund and the Joint Peace Fund.

The situation in Rakhine State continued to be of serious concern and some 120,000 mainly Rohingya people remain displaced in around 39 squalid "temporary" camps. On 28 March, the outgoing government lifted the Presidential State of Emergency order in Rakhine, but this was largely cosmetic and the curfew prohibiting assembly and movement during the night remains in place in northern Rakhine. The new government has stated that addressing the situation in Rakhine State is "one of the highest priorities on its agenda" and formed the "Central Committee on the Implementation of Peace, Stability and Development of Rakhine State" at the end of May 2016. The committee's stated objectives are to "bring peace, stability and development to all people in Rakhine State". However, the ethnic Rakhine Arakan National Party (ANP) – one of the few successful ethnic political parties in the November elections – reacted against the appointment of the NLD's U Nyi Pu as Chief Minister of the State. The government began a pilot citizen verification scheme in Kyaukpadaung, Myebon and Ponnagyun townships on 7 June to issue ID cards to those who had their previous white cards cancelled last year, using a new ID card that did not specify ethnicity or religion. So far take-up has been low, in a few cases because individuals refused cards that did not identify them as "Rohingya". Use of the term "Rohingya" remains controversial. Aung San Suu Kyi has sought to de-escalate the situation by avoiding either "Rohingya" or "Bengali" and instead using "Muslims in Rakhine", which the ANP has categorically rejected.

The UN Human Rights Council (HRC) considered the situation in Burma in late March and adopted a resolution extending the mandate of the UN Special Rapporteur, Yanghee Lee, for a further year. The Special Rapporteur presented a report to the HRC, which identified priority human rights concerns and recommendations for the new government. The Special Rapporteur made her third visit to Burma in this role in June, which included visits to Rakhine, Shan and Kachin States. Ms. Lee will present a report from this visit to the UN General Assembly in September. In late June, the UN High Commissioner for Human Rights presented his report on the "Situation of Rohingya Muslims and other minorities in Burma" to the HRC in Geneva. The report described an extremely concerning pattern of human rights violations and abuses, and set out a series of recommendations to the authorities in Burma on addressing them.