

Myanmar

2026

National Child Protection Legislation

National Legislation

- Age of Child: **Under 18 years of age**

[The Child Rights Law No. 22/2019](#)

Article 3b

Child means a person who has not attained the age of 18 years.

- Age of Consent: **16 years old**

[Amendment of Myanmar Penal Code](#)

Article 375

A man is said to commit "rape" who, except in the case hereinafter excepted, has sexual intercourse with a woman under circumstances falling under any of the five following descriptions.

First. -- Against her will.

Secondly. -- Without her consent.

Thirdly. -- With her consent, when her consent has been obtained by putting her in fear of death or of hurt.

Fourthly. -- With her consent, when the man knows that he is not her husband, and that her consent is given because she believes that he is another man to whom she is or believes herself to be lawfully married.

Fifthly. -- With or without her consent, when she is under sixteen years.

Explanation. -- Penetration is sufficient to constitute the sexual intercourse necessary to the offence of rape.

Exception. -- Sexual intercourse by a man with his own wife, the wife not being under fifteen years of age, is not rape.

- Age of Marriage: **18 years of age**

[The Child Rights Law No. 22/2019](#)

Article 23

The age of marriage for both male and female shall be 18 years.

- Age of Criminal Responsibility: **10 years of age**

[The Child Rights Law No. 22/2019](#)

Article 78

- a. No actions of a child who have not attained the age of 10 years shall constitute a crime.
 - b. Nothing is an offence which is done by a child above 10 years of age and under 12, who has not attained sufficient maturity of understanding to judge of the nature and consequences of his or her conduct on that occasion.
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- **Extraterritoriality & Dual (or Double) Criminality**

Dual or Double Criminality

[Penal Code of Myanmar](#)

Article 3. Any person liable, by any law in force in the Union of Burma, to be tried for an offence committed beyond the limits of the Union of Burma shall be delth [sic. "dealt" is presumably intended] with according to the provisions of this Code **for any act committed beyond the Union of Burma** in the same manner as if such act had been committed within the Union of Burma.

4. The provisions of this Code apply also to any offence committed by (any citizen of the Union wherever he may be)

1. Explanation -- In this section the word "offence" includes every act committed outside the Union of Burma which, if committed in the Union of Burma, would be punishable under this Code.

Extraterritoriality & Extradition

[Child Rights Law](#)

Article 2

If any offence relating to the sale of children, child prostitution or child pornography is in line with the following conditions, it can only be adjudicated under this law.

- a. The offence is committed by anyone within the State,
- b. The offence is committed abroad to a child by a citizen or a holder of foreign registration card taking permanent residency in the State or a foreigner holding the permission for permanent residency in Myanmar,
- c. The offence is committed on a vessel or aircraft registered under existing legislation of the State that has the right to fly the State Flag,
- d. For cases where the person charged with committing an offence specified in the Chapter (18) is not extradited to a foreign country, such a person remains within the country.

Article 67(a)

The offences specified in this Chapter shall be considered to be included in the extraditable offences under any extradition treaty that has been made among the members of the Optional Protocol to the Convention on the Rights of the Child.

The offences specified under this chapter are: sale, prostitution and pornography of children.

Extradition Law and Act

Annex A - List of extraditable offences.

1. The following offences that are provided in the Penal Code -
 - (a) Section 302, Murder;
 - (b) Section 304, Culpable homicide not amounting to murder; Section 304-A, Causing death by negligence;
 - (c) Section 311, Thug;
 - (d) Section 326, Voluntarily causing grievous hurt by dangerous weapons or means;
 - (e) Section 341, Wrongful restraint;
 - (f) Section 342, Wrongful confinement;
 - (g) Section 363, Kidnapping;
 - (h) Section 364, Kidnapping or abducting in order to murder;
 - (i) Section 370, Buying or disposing of any person as a slave;
 - (j) Section 374, Unlawful compulsory labour;
 - (k) Section 376, Rape;
 - (l) Section 384, Extortion; Abetment of and conspiracy to the offences mentioned in sub-paragraph (a) to (j).
2. Offences provided in Anti- Human Trafficking Law.
3. Offences contained in Anti-Corruption Law.
4. Offences provided in Counter Terrorism Law.
5. Offences provided in Anti- Money Laundering Law.
6. Offences provided in Narcotic Drugs and Psychotropic Substances Law.
7. Offences which shall not be assumed as the offences of political nature specified by State Government with notification.

Penal Code

Article 3

Any person liable, by any law in force in the Union of Burma, to be tried for an offence committed beyond the limits of the Union of Burma shall be delth [sic. “dealt” is presumably intended] with according to the provisions of this Code for any act

committed beyond the Union of Burma in the same manner as if such act had been committed within the Union of Burma

Article 4

The provisions of this Code apply also to any offence committed by (any citizen of the Union wherever he may be.

[Code of Criminal Procedure](#)

Article 188

When a citizen of the Union commits an offence at any place without and beyond the limits of the Union of Myanmar, he may be dealt with in respect of such offence as if it had been committed at any place within the Union of Myanmar.

- **Mandatory reporting requirements**

[Child Rights Law 2019](#)

Article 58

- a. Anyone who believes that a child specified in Section 57 requires protection and care may inform a relevant Social Welfare Officer by providing details.
- b. Upon receiving or obtaining information in accordance with Sub Section (a), the Social Worker shall investigate whether the child is in need of care and protection as per the requirements and submit the findings together with comments to the Department of Social Welfare. Moreover, the Social Welfare Officer may instruct the child to be entrusted to Parent/Guardian, Training School, Shelter or Temporary Care Station.
- c. The Social Welfare Officer shall report the case under investigation to the Police Station concerned if it becomes clear in the course of the investigation that an offence is committed against the child.

- **[Statute of Limitation](#)**

Myanmar has no statutes of limitations for criminal offenses.

- **Obligations of Educational Institutions**

[National Education Law 2014](#)

Chapter 9 - Teachers

Article 50

Teachers:

- (a) shall be broad-minded to contribute to national and community development. They shall love, value, protect and develop democratic practices;
- (b) shall have a sense of responsibility regarding their job, love and value their occupation, and be good models for students;

- (c) to teach at the basic education level, shall have a teacher education degree, diploma, certificate or equivalent certification.

Article 51

Qualification requirements for teachers at the pre-school, basic education, technological and vocational education, higher education, and training school levels will be spelled out in separate education by-laws.

Article 52

The Ministry of Education and other relevant ministries shall work to improve teachers' qualifications and to give them international experience.

Article 53

The Ministry of Education and other relevant ministries will establish the rights and responsibilities of teachers.

[The Child Rights Law No. 22/2019](#)

Article 56

No-one shall commit physical violence, psychological violence or sexual violence that will inflict either losses or injury in any way upon the child.

Article 57

Children who have suffered, or are subjected to any of the following situations including the ones who have experienced violence as described in Section 56 shall be considered as children in need of care and protection:

- (b) A child under the care of cruel or abusive Parent and/or Guardian;
- (c) A child working under worst forms of labour;
- (d) Street child;
- (f) A child sexually exploited;
- (g) Trafficked child;
- (j) Child beggar;
- (k) A child used in production, sale and transport of narcotic drugs or psychotropic substances;

....

Article 58

- a. Anyone who believes that a child specified in Section 57 requires protection and care may inform a relevant Social Welfare Officer by providing details.
- b. Upon receiving or obtaining information in accordance with Sub Section (a), the Social Worker shall investigate whether the child is in need of care and protection as per the requirements and submit the findings together with comments to the Department of Social Welfare. Moreover, the Social Welfare Officer may instruct

the child to be entrusted to Parent/Guardian, Training School, Shelter or Temporary Care Station.

- c. The Social Welfare Officer shall report the case under investigation to the Police Station concerned if it becomes clear in the course of the investigation that an offence is committed against the child.

- **Prohibition to hold certain positions**

No legislation found.

- **Criminal Law - Defamation**

Penal Code

Article 499

Whoever, by words either spoken or intended to be read, or by signs or by visible representations, makes or publishes any imputation concerning any person, intending to harm, knowing or having reason to believe that such imputation will harm, the reputation of such person, is said, except in the cases hereinafter excepted, to defame that person.

Article 500

Whoever defames another shall be punished with simple imprisonment for a term which may extend to two years, or with fine, or with both. It can carry a maximum of two years of imprisonment and/or a fine.

- **Employment Law**

Termination of employment

“As per Section 5(a) of the Employment and Skills Development Law (2013), employers must enter into employment contracts with their employees within 30 days of appointment, as there is no requirement for a written employment contract during the training period or probation period. Afterward, the employment contract must be approved and registered with the relevant township labor office. In practice, the registration requirement is enforced for entities with five or more employees.”

<https://bnglegal.com/index.php/labor-compliance-in-myanmar-october-2021/>

“In August 2015, the Department of Labour of the Ministry of Labour issued Notification 1/2015, announcing that with effect from September 2015, all employees in Myanmar must be employed under a prescribed employment contract template.” The requirement of having a written employment contract had been in place since the enactment of the Employment and Skills Development Law (2013); the requirement

relating to a “prescribed employment contract template” was new. On 28 August 2017, a new Employment Contract Template was officially announced.

https://www.ccifrance-myanmar.org/sites/ccifrance-myanmar.org/files/resources-documents/luther_memo_employment_myanmar_-_november_2017.pdf

Pursuant to section 5 (b) Employment and Skills Development Law (2013), an employer can dismiss an employee without compensation for serious misconduct as specified in the Employment Contract. There may be instances of serious misconduct that warrant immediate dismissal of an employee.

“(15) Termination of the contract

This contract can be terminated for the following reasons:

- (a) Expiration of the contract
- (b) Closure of the factory or company
- (c) Reduction of jobs because of unexpected problems not caused by the Employer
- (d) Violation of any term in this contract either by the Employer or the Employee
- (e) Death of the Employee
- (f) The Employee has committed crimes**

***Note:** Since the Employment Contract Template is silent on the consequences of grave misconduct, it can be assumed, that an immediate, summary dismissal is permitted.”*

▪ **Cyber Security/Computer Law**

Cybersecurity Law 2025

On January 1st 2025, Myanmar enacted a new Cybersecurity Law.

Article 5

The objectives of this law are as follows:

- (a) Ensuring the safe and secure use of cyber resources, critical information infrastructure and electronic information;
- (b) protecting and safeguarding the sovereignty and stability of the state from cybersecurity threats, cyberattacks or cyber abuse using electronic technologies;
- (c) systematically developing cybersecurity services;
- (d) effectively investigating and prosecuting cybercrimes;
- (e) supporting a digital economy based on cyber resources.

Article 31

A digital platform service provider shall have adequate measures in place to identify the relevant information and cyber resource in the event that any of the following occurs on the service platform:

(...)

(d) display of pornographic pictures, pornographic videos, texts or symbols of children that are sexually explicit;

Sexual Offenses Against Children

Amendment of Myanmar Penal Code

A man is said to commit "rape" who, except in the case hereinafter excepted, has sexual intercourse with a woman under circumstances falling under any of the five following descriptions (...) (5) with or without her consent, when she is under sixteen years. According to the law in Myanmar, only female children can be victims of rape and only by a male perpetrator.

The Child Rights Law No. 22/2019

Article 56

No-one shall commit physical violence, psychological violence or sexual violence that will inflict either losses or injury in any way upon the child.

Article 57

Children who have suffered, or are subjected to any of the following situations including the ones who have experienced violence as described in Section 56 shall be considered as children in need of care and protection:

- (a) A child without any parent or guardian;
- (b) A child under the care of cruel or abusive Parent and/or Guardian;
- (c) A child working under worst forms of labour;
- (d) Street child;
- (e) A child facing trial in Court;
- (f) A child sexually exploited;
- (g) Trafficked child;
- (h) A child from divorced or separated Parents;
- (i) A child suffering from AIDS or a child of Parents suffering from AIDS;
- (j) Child beggar;
- (k) A child used in production, sale and transport of narcotic drugs or psychotropic substances;
- (l) Mentally unstable child or child infected with a contagious disease;
- (m) A child who is of so depraved of a character that is uncontrollable by his/her parent or guardian;
- (n) A child who is affected by natural disasters or armed conflicts;
- (o) Poor and disabled child;
- (p) A child categorized from time to time by the Ministry

Article 66

Whoever commits any of the following acts against children with or without the consent of the child shall be considered as criminal offender:

- (a) subjecting children to sexual exploitation, transferring body organs of a child for benefits, or subjecting children to forced labour or selling, offering, transferring or receiving a child for such practices.
- (b) prostitution, offering, acquiring, purchase or support for such purposes.
- (c) Production of child pornography or offering, selling, possession, importing or exporting pornographic contents related to children.

CHAPTER XXVII OFFENCES AND PENALTIES

Article 100

a. Whoever commits any of the following acts shall, upon conviction, be punished with imprisonment for a term of minimum one month to maximum six months or with a fine of minimum Kyat 100,000 to maximum Kyat 300,000 or with both.

- (1) Sending a child to buy alcohol or beer; selling a child alcohol or beer; urging or permitting a child to take alcohol or beer.
- (2) Allowing a child to enter a day club, night club, karaoke room or massage parlour without being accompanied by parents or relatives.
- (3) Psychological violence.
- (4) Corporal punishment.
- (5) Physical bullying.

b. Whoever commits any of the following acts shall, upon conviction, be punished with imprisonment for a term of minimum 2 months to maximum 9 months or with a fine of minimum Kyat 200,000 to maximum Kyat 400,000 or with both.

- (1) Urging, inducing or abetting a child to gamble.
- (2) Accepting as pledge any property from a child or aiding the child in taking a pledge.
- (3) Purchasing any property sold by a child with the exception of purchasing property from a child who earns a decent living by selling property.

c. Whoever commits any of the following acts shall, upon conviction, be punished with imprisonment for a term of minimum 3 months to maximum one year or with a fine of minimum Kyat 300,000 to maximum Kyat 500,000 or with both.

- (1) Inducing and abetting a child to escape from a Training School, Shelter, Temporary Care Station, parent, guardian or caretaker; harbouring, concealing or preventing the child from going back to the original place, knowing that the child has escaped.
- (2) Touching the sexual part of the child.

Article 101

a. Whoever commits any of the following acts shall, upon conviction, be punished with imprisonment for a term of minimum 4 months to maximum 1 year or with a fine of minimum Kyat 400,000 to maximum Kyat 600,000 or with both.

(1) Establishing a Shelter or Temporary Care Station without permission for establishment.

(2) Violating the provision in Sub Section (d) of Section 96.

b. Whoever commits any of the following acts shall, upon conviction, be punished with imprisonment for a term of minimum 5 months to maximum 2 years or with a fine of minimum Kyat 500,000 to maximum Kyat 1,000,000 or with both.

(1) Employing or permitting the employment of a child to work in a business that trades in alcohol or beer.

(2) Employing or permitting the employment of a child to work in places related to sexual industry such as day club, night club, karaoke room, or massage parlour.

Article 102

Whoever commits any of the following acts shall, upon conviction, be punished with imprisonment for a term of minimum 6 months to maximum 3 years or with a fine of minimum Kyat 600,000 to maximum Kyat 1,200,000 or with both.

a. Failure to prevent a child under his or her guardianship from begging.

b. Employing a child to beg.

c. making use of the child in his or her livelihood of begging.

Article 103

a. Whoever commits any of the following acts shall, upon conviction, be punished with imprisonment for a term of minimum 8 months to maximum 5 years and may also be punished with a fine of minimum Kyat 800,000 to maximum Kyat 1,600,000.

(1) Violence, abuse, exploitation or discrimination by coercion against the child with disability.

(2) Employing a child to perform work which could pose physical or psychological harm or harm on the child's dignity.

(3) Employing or permitting a child to perform work which is hazardous or harmful to health.

(4) Forced labour or forced servitude.

(5) Subjecting the child to torture, cruelty or inhumane or degrading treatment.

b. Whoever commits any of the following acts against children during armed conflict shall, upon conviction, be punished with imprisonment for a term of minimum 1 year to maximum 6 years and may also be punished with a fine of minimum Kyat 900,000 to maximum Kyat 1,800,000.

- (1) Use in logistic works such as subjecting to transport food, weapons or supplies, use as a guide or use by any other means.
- (2) Psychological violence or physical violence.

Article 105

a. Whoever commits any of the following acts shall, upon conviction, be punished with imprisonment for a term of minimum 1 year to maximum 7 years and may be punished with a fine of minimum Kyat 1,000,000 to maximum Kyat 2,000,000.

- (1) Permitting a child under his or her guardianship to live together with a person who earns a livelihood by prostitution.
- (2) Neglecting knowingly that a child under one's guardianship is earning a livelihood by prostitution.
- (3) Employing or permitting a child to work for purposes of prostitution at such an establishment as a hotel, motel, guest house, inn, beauty parlour or restaurant.
- (4) Production child pornography or offering, selling, possession, importing or exporting pornographic contents related to children.
- (5) Forced marriage or permitting a child to be subjected to forced marriage.

b. Whoever commits any of the following acts shall, upon conviction, be punished with imprisonment for a term of minimum 2 year to maximum 10 years and may also be punished with a fine of minimum Kyat 1,200,000 to maximum Kyat 1,500,000.

- (1) Employing the child to work as a prostitute.
- (2) Employing a child as a prostitute for his or her own personal benefit and livelihood.
- (3) Using, offering money or properties, persuading or offering the child for sexual abuse or exploitation.

Article 106

Whoever commits any of the following acts shall, upon conviction, be punished with imprisonment for a term of minimum 10 years to maximum 20 years and may also be punished with a fine of minimum Kyat 5,000,000 to maximum Kyat 10,000,000.

a. Selling the child.

b. Sale, purchase, illegal removal, transfer in any way or substituting knowingly the body organs of children.

Penal Code

Article 354

Whoever assaults or uses criminal force to any woman, intending to outrage or knowing it to be likely that he will thereby outrage her modesty, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.

[Anti-Trafficking in Persons Act 2005](#)

Offences and Penalties

Article 24

Whoever is guilty of trafficking in persons especially women, children and youth shall, on conviction be punished with imprisonment for a term which may extend from a minimum of 10 years to a maximum of imprisonment for life and may also be liable to a fine.

Article 25

Whoever is guilty of trafficking in persons other than women, children and youth shall, on conviction be punished with imprisonment for a term which may extend from a minimum of 5 years to a maximum of 10 years and may also be liable to a fine.

Article 26

Whoever is guilty of any of the following acts shall, on conviction be punished with imprisonment for a term which may extend from a minimum of 3 years to a maximum of 7 years and may also be liable to a fine: (a) - 14 - adopting or marrying fraudulently for the purpose of committing trafficking in persons. (b) causing obtaining unlawfully the necessary documentary evidence documents or seal for enabling a trafficked victim to depart from the country or enter into the country.

Article 27

Whoever is guilty of making use or arranging with a trafficked victim for the purpose of pornography shall, on conviction be punished with imprisonment for a term which may extend from a minimum of 5 years to a maximum of 10 years and may also be liable to a fine.

[ASEAN Convention against Trafficking in Persons, Especially Women and Children](#)

Article 1

1. The objectives of this regional legal instrument are to effectively:

- (a) Prevent and combat trafficking in persons, especially against women and children, and to ensure just and effective punishment of traffickers;
- (b) Protect and assist victims of trafficking in persons, with full respect for their human rights; and
- (c) Promote cooperation among the Parties in order to meet these objectives.

Article 2

(a) "Trafficking in persons" shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms

of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs;

- **Female Genital Mutilation (FGM)/ Female Genital Circumcision**
No legislation found.
- **Child/Early/Forced Marriage**

[The Child Rights Law No. 22/2019](#)

Article 23

The age of marriage for both male and female shall be 18 years old according to the 2019 Child Rights Law.

Article 105

(a) Whoever commits any of the following acts shall, upon conviction, be punished with imprisonment for a term of minimum 1 year to maximum 7 years and may be punished with a fine of minimum Kyat 1,000,000 to maximum Kyat 2,000,000.

- (1) Permitting a child under his or her guardianship to live together with a person who earns a livelihood by prostitution.
- (2) Neglecting knowingly that a child under one's guardianship is earning a livelihood by prostitution.
- (3) Employing or permitting a child to work for purposes of prostitution at such an establishment as a hotel, motel, guest house, inn, beauty parlour or restaurant.
- (4) Production child pornography or offering, selling, possession, importing or exporting pornographic contents related to children.
- (5) Forced marriage or permitting a child to be subjected to forced marriage.