



Time for a Paris-Principles Compliant National Human Rights Commission in Myanmar

(30 September 2016, Bangkok) – The Asian NGO Network on National Human Rights Institutions (ANNI), together with its member, Burma Partnership (BP) deplores recent actions taken by the Myanmar National Human Rights Commission (MNHRC) in urging the victims in a high-profile child torture case to pursue financial settlement instead of proper legal action.¹ ANNI and BP also wish to reiterate the need to further strengthen the Commission in order to fully comply with the Paris Principles.

Resulting from ANNI and BP's joint fact-finding mission in late 2015,² one of the recommendations to the MNHRC was to robustly utilise its investigative powers. However, given that in this recent case the MNHRC did use its investigative powers and it still only suggested a mere “cash compensation”, we remain greatly concerned about the legitimacy of the MNHRC and its inability to render real justice for victims of violations and abuses.

Access to justice is a prerequisite to eventually gain respect for and protection of human rights. By completely by-passing the appropriate legal channels in the settlement of this torture case, the MNHRC not only undermines its own mandate in human rights protection but also impairs the rule of law.

We acknowledge and welcome the actions taken by the Government on this matter, including through approval by Parliamentarians in the Lower House to take disciplinary action against members of the MNHRC,³ and through the initiative of the President's Office to investigate and review the MNHRC's involvement in this case.⁴ However, we also reiterate that fundamental structural changes are still required to guarantee a Paris Principles-compliant MNHRC.

In its last accreditation of the MNHRC, the Sub-Committee on Accreditation (SCA) of the Global Alliance of National Human Rights Institutions (GANHRI) noted a significant number of issues, including on the selection and appointment process, as well as pluralism among the MNHRC Commissioners.⁵ Beyond urging for the MNHRC Commissioners to be replaced,⁶ ANNI calls on the Government of Myanmar to ensure a clear, transparent and participatory selection process

¹ The Irrawaddy, [Rangoon Family Who 'Enslaved' Girls for Years Settle Case for \\$4,000](#)

² FORUM-ASIA and Burma Partnership, [End of Mission Statement on the Impact and Effectiveness of the Myanmar National Human Rights Commission \(MNHRC\)](#)

³ Myanmar Times, [Lawmakers vote in favour of disciplining MNHRC over child maids abuse case](#)

⁴ Myanmar Times, [President's Office to investigate rights body following botched child abuse case](#)

⁵ GANHRI-SCA, [Report and Recommendations of the Session of the Sub-Committee on Accreditation \(SCA\)](#)

⁶ The Irrawaddy, [Lawmaker Calls for MNHRC Members to be Replaced](#)

of new Commissioners, as well as to amend the law that mandates the MNHRC in such a way that it enables the Commission to become fully compliant with the Paris Principles.

In its effort to make meaningful strides towards becoming a democratic country, it is critical for Myanmar to have an independent and effective National Human Rights Institution (NHRI). We remain greatly concerned about the performance of the current Commission. Therefore, we pressingly call on the Government to ensure an enabling environment so an independent MNHRC can operate effectively. It is time for both the Government and the MNHRC to address recommendations and concerns raised by SCA and civil society organisations to realise greater promotion and protection of the human rights of the people.

About the Asian NGOs Network on National Human Rights Institutions (ANNI):

The Asian NGOs Network on National Human Rights Institutions (ANNI) was established in December 2006. It is a network of Asian non-governmental organisations (NGOs) and human rights defenders that work on issues related to National Human Rights Institutions (NHRIs). ANNI has members from all over Asia. Currently it has 33 member organisations from 21 countries or territories. ANNI focuses on strengthening the work and functioning of Asian NHRIs to better promote and protect human rights as well as to advocate for improved compliance of Asian NHRIs with international standards, including the Paris Principles and General Observations of the Sub-Committee on Accreditation (SCA) of the Global Alliance of NHRIs (GANHRI).