

## **Civil Society Organizations Call for the Selection Process of New Commissioners for the MNHRC to be Transparent**

10 December 2019

Today the CSO Working Group on MNHRC Reform urged the President to urgently reinvigorate the Myanmar National Human Rights Commission (MNHRC) by replacing the commissioners whose term has ended and provide for a transparent selection process in selecting the new commissioners. The five-year term of the seven out of ten commissioners of the MNHRC, who were selected with the promulgation of the MNHRC Enabling Law (MNHRC Law) in 2014, ended in September 2019.

According to the MNHRC Law, the Selection Board adopts procedures for nominating prospective commissioners and submits a list of thirty nominees to the President in accordance with the MNHRC Law. In consultation with the Lower and Upper House Speakers, the President selects and appoints suitable members of the Commission, including the Chairperson and Vice-Chairperson. Currently, the Selection Board has submitted the list of 30 potential candidates for the position of new commissioners to the President, however this list has yet to be made publicly available.

The Sub-Committee on Accreditation of the Global Alliance of National Human Rights Institutions (GANHRI-SCA) emphasizes the requirement for “a clear, transparent and participatory selection process that promotes merit-based selection, ensures pluralism and promotes the independence of, and public confidence in, the senior leadership of a national human rights institution.”

Thus far, the procedures of the selection process adopted by the Selection Board have not been transparent – the public has not been informed about the selection process and civil society has not been adequately consulted in the process. Urgent action to make public the list of candidates is vital as the opportunity for public scrutiny and engagement upon selecting the commissioners will not only encourage the process to be more transparent, but also promote pluralism, which the current commission is lacking. Furthermore, the selection process should include open, broad and fair consultations with civil society throughout the application, screening, selection and appointment process.

Given its track record and the background of the current commissioners, including those who have served the former military dictatorship, the MNHRC suffers from a public confidence deficit with the trust between the MNHRC and civil society remaining low. The current change of the commissioners is an opportunity to reinvigorate its members with those who have the expertise, experience, and mindset to tackle pressing human rights protection issues and work with human rights defenders and rights activists.

As for the government and Parliament, in order to further build the confidence in the MNHRC, the selection of new members must also go hand-in-hand with reforms to the MNHRC Law so as to improve the selection process.

While the MNHRC Law stipulates that two members of the Selection Board should be from Parliament, it must be amended to ensure that the two representatives are selected by the Parliament itself rather than the President. The law should further stipulate that the representatives be elected Members of Parliament, and not a military-appointed MP. Lastly, the stipulation that the NGO representative be from a registered NGO is too restrictive as it should include a wide range of civil society including journalists, individuals and academics. Therefore, rather than a registered NGO, the MNHRC Law should be amended to “independent members of civil society”.

The issues discussed above are vital in the selection process of new MNHRC commissioners. Therefore, we strongly urge the Myanmar government and the Parliament to utilize this selection process as an opportunity to reinvigorate the MNHRC so that it can truly protect the human rights of all people of Myanmar.

Signed by the member organizations of the CSO Working Group on MNHRC Reform:

- Action Committee for Democracy Development
- Assistance Association for Political Prisoners
- Association of Human Rights Defenders and Promoters
- Athan – Freedom of Expression Activist Organization
- Burma Monitor (Research and Monitoring)
- Equality Myanmar
- Future Light Center
- Generation Wave
- Genuine People’s Servants
- Human Rights Educator’s Network
- Human Rights Foundation of Monland
- Kachin Women’s Association Thailand
- Karen Human Rights Group
- Karenni Human Rights Group
- Loka Ahlinn (Social Development Network)
- Metta Campaign – Mandalay
- Myanmar People Alliance (Shan State)
- Progressive Voice
- Synergy (Social Harmony Organization)
- Ta’ang Women’s Organization
- The Seagull:Human Rights, Peace & Development
- Yangon Watch

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**Editor’s Note:** The CSO Working Group on MNHRC Reform was formed in 2019 and advocates for reform of the MNHRC so it is an effective, independent, and transparent national human rights institution that promotes and protects the rights of all people of Myanmar in line with the Paris Principles.