

Myanmar: Reinvigorate the Myanmar National Human Rights Commission to be an Independent and Effective Institution for the Better Promotion and Protection of Human Rights

[Yangon – 9 December 2019] The Myanmar National Human Rights Commission (MNHRC) is hampered by two interlinked issues, the lack of human rights mindset of the commissioners and structural issues at the heart of the MNHRC Law, contributing to an institution that is beholden to the Myanmar military said 20 civil society organizations in a new report released today. The report calls for the reform of the MNHRC so that it can better protect and promote human rights for all people in Myanmar. It is being released the day before Human Rights Day.

Titled ***“Myanmar: A Little Less Conversation, A Little More Action Please”***, the report offers analysis on the performance of the MNHRC in the context of protection of human rights defenders and shrinking civil society space in Myanmar.

“While human rights violations are on the rise, particularly in ethnic areas where civil war is ongoing, the MNHRC remains unable and/or unwilling to address human rights violations, especially those committed by the Myanmar military,” stated Ko Bo Bo of Generation Wave. “The term of the current commissioners has already expired. It is high time that the President acts now to reinvigorate the commission by replacing them with experienced and principled human rights figures through a transparent and participatory selection process,” stated Ko Aung Zaw Oo of Association for Human Rights Defenders and Promoters. The term of the current commissioners of the MNHRC ended in September 2019, yet there have been no formal announcements made in regard to the selection of new commissioners.

The report offers a brief overview of several human rights cases covering the period of 2018 with key events from the first few months of 2019. It highlights the increasing threats, killings, arrests, arbitrary detention and torture of civilians by the Myanmar military, while pointing to the rising number of political prisoners under the National League for Democracy government. The report highlights two emblematic cases – the trial of the two Reuters journalists and the youth peace movement demonstrations in May 2018 that resulted in at least 47 arrests – where the MNHRC has failed to act and publicly defend journalists, human rights defenders and activists in the face of the Myanmar military and its security forces. The report also discusses the case filed against members of the Peacock Generation who have recently been sentenced to jail with hard labor for their satirical performance.

"In order for the MNHRC to effectively handle human rights issues, the current commissioners must first be replaced with people who genuinely respect and exercise human rights. Secondly, the law must be amended in order to expand its mandate," stated Maung Saungkha of Athan. “As the rule of law fails us time and time again, we are in desperate need of an institution that not only promotes but protects the human rights of all people in Myanmar,” said The The Aung of Future Light Center.

The report analyzes the MNHRC’s performance in protecting and promoting human rights in Myanmar and finds that while the MNHRC has made some improvements – such as cooperating with certain civil society organizations and making prison inspections – it has largely focused on promotion of human rights. One of the main obstacles facing the MNHRC in fulfilling its protection mandate is the background and current mindset of its commissioners as they remain close the previous military regime.

“How can we have Commissioners that can effectively promote and protect human rights when the MNHRC is comprised of people who lack understanding in fundamental human rights, and have either formerly served in or have close ties to the military, which negatively impacts their reputation,” said Ma Suu Chit of The Seagull. In addition, Rin Fujimatsu of Progressive Voice stated, “More than ever, human rights defenders, activists, victims and survivors need an ally rather than a commission that acts to window-dress grave crimes.”

The 20 civil society organizations who authored the report strongly recommend the Myanmar government to propose amendments on reform of the MNHRC Law in order for the body to increase its independence and effectiveness. The organizations further recommend that the President appoint commissioners through a transparent process following due process, with a requirement to make public all members of the Selection Board.

For more information, please contact:

- Aung Zaw Oo, Association of Human Rights Defenders and Promoters, +95 (0) 94 210 39493, 2012hrdpnetworks@gmail.com
- Bo Bo, Generation Wave, +95 (0) 94 210 87992, bobo@generationwave.org
- Maung Saungkha, Athan - Freedom of Expression Activist Organization, +95 (0) 97 739 37273, saungkhasithu@gmail.com
- Suu Chit, The Seagull: Human Rights, Peace & Development, +95 (0) 97 847 5565, suuchit.theseagull@gmail.com
- Rin Fujimatsu, Progressive Voice, +95 (0) 97 683 25285, rin@progressive-voice.org

Editor's note:

This report is the Myanmar chapter of the 2019 ANNI report on the Performance and Establishment of National Human Rights Institutions. The full ANNI report can be found here: <https://www.forum-asia.org/?p=29979&nhri=1>

The authors of this report are:

- Action Committee for Democracy Development
- Association of Human Rights Defenders and Promoters
- Athan – Freedom of Expression Activist Organization
- Burma Monitor (Research and Monitoring)
- 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