

On International Day of Peace CSOs Urge Myanmar to Uphold its Human Rights Obligations Ahead of the Universal Periodic Review, Calls for Ceasefire

[Yangon - 21 September 2020] On the International Day of Peace, 30 Myanmar civil society organizations (CSO) called on the Myanmar government to uphold its human rights obligations and work towards building a culture of peace by implementing the commitments it made during the previous two cycles of the Universal Periodic Review (UPR). Despite promises made by the Myanmar government to improve the human rights situation in the country, the ethnic nationalities and religious minorities in Myanmar have experienced some of the worst persecution and conflict it has seen in decades as Myanmar has failed to undertake meaningful reforms.

In November 2015, the UN Human Rights Council and its member states reviewed Myanmar's human rights record, two days before the general election that secured the National League for Democracy's position in government. During the review, Myanmar made commitments to improve the situation of human rights, including by ensuring the safe and voluntary return of displaced persons and holding perpetrators of torture and ill-treatment to account. The government also committed to increasing efforts to counter hate-speech and incitement to violence. Despite the 136 commitments made by Myanmar to improve the situation of human rights, the government has made little progress and in some areas the situation has significantly deteriorated.

"Myanmar's unwillingness to address rampant rights abuses in situations of armed conflict, to hold perpetrators of human rights violations to account and end impunity goes to show the little regard it has for the most marginalized and disenfranchised communities in Myanmar" says Naw Blooming Night Zan from the Karen Refugee Committee. "Instead of more rhetoric on reform, UN member countries must use this review process to take stock of the deteriorating human rights situation and push Myanmar to work towards tangible human rights improvements."

The UPR is a unique mechanism of the Human Rights Council under which all UN Member States undergo a periodic review of their human rights records in Geneva, Switzerland every five years.

In July, 30 CSOs made three separate joint submissions to the UN Human Rights Council for Myanmar's third review under the UPR mechanism. The submissions highlight how Myanmar has failed to undertake meaningful reforms to ensure the protection of ethnic nationalities and religious minorities over the past five years.

One joint submission, submitted to the UN by 14 ethnic community-based organizations (CBOs) and CSOs that work closely with displaced ethnic communities on the situation of internally displaced persons (IDPs) and refugees, highlights the deterioration of the situation of displaced person within the past five years, as armed conflict related displacement increased exponentially.

"We are seeing some of the most deplorable living conditions for refugees and IDPs observed in decades, made far worse by armed conflict that continues unabated amid COVID," said Moon Nay Li from Kachin Women's Association Thailand. "It is high time Myanmar to heed the calls for a global-ceasefire and work towards a genuine peace process."

Another submission made by 10 CSO raises the right of minorities to enjoy their full citizenship rights under the 1982 Citizenship Law. The law remains as one of the main tools of exclusion, oppression and discrimination against religious and ethnic minorities, particularly the Rohingya. As a result, the Rohingya

and other religious and ethnic minorities have experienced the loss of their fundamental human rights such as the right to freedom of movement, education and health.

“The Citizenship Law requires urgent review and amendments so that it complies with the fundamental principle of equality in international human rights law,” said Moe Htet Nay of Nyan Lynn Thit Analytica. “The law violates civil and political as well as the economic, social and cultural rights of Myanmar’s ethnic and religious minorities and this review process is an opportunity for UN members to push the government to comply with its international obligations.”

Such discriminatory laws lie at the root of ongoing hate speech perpetrated against ethnic and religious minorities. CSOs, activists and human rights defenders that work to promote their rights have also been deeply impacted by hate speech in recent years and this has contributed to closing democratic and civil society space.

“Impunity for hate speech has remained unchallenged, while legitimate expressions critical of the government and the military by HRDs, activists and CSOs have come under increasing attack.” Moe Thway from Generation Wave said. “There are driving forces and narratives that underlie the persecution of ethnic and religious minorities and the entrenchment of hate speech within society, government structures and the education system. This review is an opportunity to address these root causes of hate speech and discrimination.”

The CSOs called for an end to the decades-long armed conflict, human rights violations, discrimination, systemic oppression and marginalization of ethnic nationalities and religious minorities in their respective joint submissions. Myanmar’s third review of the human rights situation in the country will take place on 25 January, 2020 in Geneva, Switzerland.

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Editor’s note:

In total, Myanmar has received 489 recommendations by the UN Member States in the past two cycles of the Universal Periodic Review, out of which it has supported 213 and noted 276 recommendations. The first review took place in January 2011 and the second review took place in November 2015.

The joint submissions to the 37th Session of the Working Group were submitted in July 2020. The joint submissions and the factsheets reflecting key issues from the joint submissions can be viewed in the links below.

- **Refugees and Internally Displaced Persons:** Joint submission <https://bit.ly/2FYuxq8> ; Factsheet <https://bit.ly/33Jo4hv>
- **Hate Speech and Shrinking Democratic and Civil Society Space:** Joint submission <https://bit.ly/3mCj1YT> ; Factsheet <https://bit.ly/33K0cKz>
- **The 1982 Citizenship Law and Right to Citizenship of Minorities and Freedom of Movement:** Joint submission <https://bit.ly/3kzdlrn> ; Factsheet <https://bit.ly/32P1pRP>