

5 May 2021

Tan Sri Othman Bin Hashim
Chairman
Suruhanjaya Hak Asasi Manusia Malaysia (SUHAKAM)
11th Floor, Menara TH Perdana
Jalan Sultan Ismail, 50250,
Wilayah Persekutuan Kuala Lumpur

Subject: SEANF Must Suspend MNHRC until NUG Reconstitutes a New Human Rights Commission

Dear Tan Sri Othman Bin Hashim,

We, the CSO Working Group on MNHRC Reform, the Asian NGO Network for National Human Rights Institution (ANNI), and 13 regional civil society organizations urge you with the utmost importance to suspend the Myanmar National Human Rights Commission (MNHRC) from membership of the South East Asia National Human Rights Institutions Forum (SEANF).

The MNHRC, in its current form, is a partner of the unlawful military junta, and as such is not a legitimate representative of Myanmar but a body complicit in the military junta's atrocity crimes. We are extremely disappointed in SEANF for allowing MNHRC to attend its recent Technical Working Group meeting. Until the legitimate government of Myanmar – the National Unity Government – reconstitutes the MNHRC, SEANF must end all engagement with, and support to, the junta and its stooge, the MNHRC.

Since the attempted coup by the Myanmar military on 1 February, at least 769 people have been [murdered](#) by junta forces, 3,677 arrested for exercising their right to oppose the military, and airstrikes, torture, sexual violence and other acts of brutality that, [according](#) to the Special Rapporteur on the situation of human rights in Myanmar, likely amount to crimes against humanity. Despite this, the MNHRC has remained completely silent. It has not given any public comment or statement condemning the unlawful use of violence against peaceful protesters by the military.

According to the General Observations of the Global Alliance of National Human Rights Institutions (GANHRI) Sub-Committee on Accreditation (SCA), which are to guide NHRIs in their compliance with the international standards for NHRIs – the Paris Principles, an NHRI in a time of emergency or coup, must “continue to conduct itself with a heightened level of vigilance and independence in the exercise of its mandate.”

The MNHRC has utterly failed to follow this guidance. Furthermore, the MNRHC has even suspended their own staff for joining the Civil Disobedience Movement.

The MNHRC was already facing a legitimacy crisis, but its complicity in the attempted coup, and military violence renders it a dangerous arm of the military junta. Quite simply, it is not a national human rights institution. Its silence makes them complicit in the crimes being committed by the military junta that is waging war on its own people.

Thus, on 11 March, 2021, the CSO Working Group on MNHRC Reform, as well as 56 local and regional CSOs and networks, [called](#) for the suspension of the MNHRC from all regional and global platforms of national human rights institutions, including SEANF.

We therefore now express our extreme disappointment that on the 20-22 April, 2021, SUHAKAM, the national human rights institution of Malaysia and current Chair of SEANF, [hosted](#) a three-day Technical Working Group Meeting with members of SEANF, including the MNHRC, to discuss “major developments and challenges in the region.”

The MNHRC should not have been a participant in such a meeting. The [mandate](#) of SEANF is “for the effective promotion, protection and fulfilment of human rights of the peoples of South East Asia region.” The presence of the MNHRC, an ally of the military junta is an explicit insult to that mandate and weakens the regional NHRI’s commitment to promote and protect human rights. It diminishes the SEANF as a forum and harms the reputation of the individual NHRIs who were also present in that meeting.

Despite recent engagement by ASEAN with the military junta head, Senior General Min Aung Hlaing, and rounds of self-congratulations over supposed progress made by ASEAN in its five-point consensus agreement, the junta has continued to kill and arrest innocent people as well as [launch](#) airstrikes in ethnic areas.

Engagement with the junta and any of its allies, such as the MNHRC, results in just one outcome – approval of a violent, illegal military regime that is committing heinous crimes.

We thus call on SEANF to:

- Immediately suspend the MNHRC from membership
- Readmit the MNHRC only when the NUG has reconstituted a reformed MNHRC

For more information, please contact:

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- ANNI Secretariat, FORUM-ASIA, anni@forum-asia.org

About the CSO Working Group on MNHRC Reform:

The CSO Working Group on MNHRC Reform consists of 22 diverse Myanmar civil society organizations that works to advocate for the reform of the MNHRC so it is an effective, independent, and transparent NHRI that promotes and protects the rights of all people of Myanmar in line with the Paris Principles – the international standards for NHRIs. reformmnhrc@gmail.com

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 and human rights defenders working on issues related to National Human Rights Institutions (NHRIs). ANNI has members that are national organisations from all over Asia. ANNI currently has 33 member organisations from 21 countries or territories. The work of ANNI members focuses on strengthening the work and functioning of Asian NHRIs to better promote and protect human rights as well as to advocate for the 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). The Asian Forum for Human Rights and Development (FORUM-ASIA) has served as the Secretariat of ANNI since its establishment in 2006. <http://l.forum-asia.org/ANNI>

Signed by:

1. Ain o Salish Kendra (ASK)- Bangladesh
2. All India Network of NGOs and Individuals Working with National and State Human Rights Institutions (AiNNI)- India
3. Asian NGOs Network on National Human Rights Institutions (ANNI)
4. Bytes for All (B4A)- Pakistan
5. Asian Forum for Human Rights and Development (FORUM-ASIA)
6. Centre for Human Rights and Development (CHRD)- Mongolia
7. Indonesian Human Rights Monitor (IMPARSIAL)- Indonesia
8. Joint Action for NaHRC and OP- Japan
9. Korean House for International Solidarity (KHIS)- South Korea
10. Law and Society Trust (LST)- Sri Lanka
11. Maldivian Democracy Network (MDN)- The Maldives
12. Philippine Alliance of Human Rights Advocates (PAHRA) - The Philippines
13. Taiwan Association for Human Rights (TAHR)- Taiwan
14. The CSO Working Group on MNHRC Reform
15. Timor-Leste National Alliance for International Tribunal (ANTI)- Timor-Leste