



COMMITTEE REPRESENTING PYIDAUNGSU HLUTTAW

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Testimony by U Aung Kyi Nyunt, the Chairman of CRPH and the Head of Myanmar Delegation at the 164th Session of the Committee on Human Rights of Parliamentarians

28 November 2021

Mr. President and Honourable Members of the Committee on the Human Rights of Parliamentarians,

Mingalarbar!

It is a great honour for me to have the privilege to present testimony and our report on the human rights violations situation of parliamentarians in Myanmar.

Firstly, on behalf of the Committee Representing Pyidaungsu Hluttaw and all legitimately elected Parliamentarians in Myanmar, I would like to take this opportunity to thank leaders of the IPU and the Committee on the Human Rights of Parliamentarian for your continuous support in the struggle of Burmese Parliamentarians in restoring democracy, human rights and rule of law in Myanmar/Burma since 1990. I also thank the IPU for its strong condemnation of the February 1st military coup in Myanmar and other means of support.

Mr. President,

I am sure you are aware that the brutal behavior of the State Administrative Council (SAC) falsely accused that voting fraud was found in the 2020 election and against the results of the votes from the citizens, illegally seized the state power from the civilian government on 1st February 2021. This accusation entirely neglects the Electoral Laws and Rules. It not only violates the 2008 Constitution, which was drafted by this very military, also Article 21 (3) of the Universal Declaration of Human Rights (UDHR), which

states “the will of the people shall be the basis of the authority government”.

The 2020 general election was recognized as a free and fair election by the local and international observers. However, the desire and hopes of the citizens were destroyed by the SAC using the arm power due to the announcement of the invalidation of the 2020 general election’s results.

However, we, the elected parliamentarians, had formed the Committee Representing Pyidaungsu Hluttaw (CRPH) with the mandate from the people. The CRPH went on to form the National Unity Consultative Council (NUCC) which approved the Federal Democracy Charter, abolished the 2008 constitution, and constituted the National Unity Government (NUG). We continue to perform the parliamentary functions of legislation, oversight and relations with international parliamentary bodies; doing so for most MPs in such dangerous situations facing unlawful arrest and even murder.

Mr. President and Committee Members,

In Myanmar, all the people are facing the most serious human rights violations such as threats, torture, illegal arrests, arbitrary detentions and imprisonment, confiscation and destruction of private properties.

The SAC has been trying to destroy the offices of the NLD party, the party that won the majority votes from the people, with bombing attacks, burning down, trespassing and appropriating the properties which are legally registered. While the SAC and the military are committing those atrocities against the NLD party, they are simultaneously meeting with political parties which are their proxy counterparts trying to deceive the world pretending that they are engaging with other political parties.

There is a total of (121) arrested parliamentarians including President U Win Myint and State Counsellor Daw Aung San Suu Kyi. Tragically one MP passed away in prison following an illegal arrest by the brutal SAC.

The Members of the Committee Representing Pyidaungsu Hluttaw who are doing their utmost to serve the people along with other MPs are being accused of being terrorist organisations and terrorists and are struggling with illegal arrests and imprisonment. Moreover, our families, friends and relatives are forced to flee due to targeted threats with our properties extra-legally seized and in some cases destroyed by the SAC.

Mr. President,

The obvious example that happened was on 6 March 2021, the military forces in their campaign of terror tried to arrest Pyithu Hluttaw Representative U Si Thu Maung who is with us in this meeting today. When they did not find him, his Election Campaign Manager U Khin Maung Latt was arrested instead and cruelly the military informed his family to come and retrieve his dead body the day after his arrest. It was clear that he had been physically and mentally tortured under interrogation. This is one of the inhumane incidents among many. On the 7th March, the day after this tragedy, the military forces raided U Si Thu Maung's house and destroyed and appropriated the valuable property in his house and his father was also violently arrested.

In addition to these violent incidents, MP U Nyunt Shwe from the Bago Regional Parliament was unlawfully detained by the military force on 9 February and died on 16 August after being infected with the COVID-19 prison due to the lack of medical treatment. It was an extremely 1 2 situation to not even have the right to access basic health care as a human being, also as a Member of Parliament. Similarly, Daw Tin Tin Yee, a Pyithu Hluttaw Representative from Tanintharyi Region, died due to the inability to receive necessary treatment while she was evading arbitrary detention by the military, as so many MPs are forced to do.

The Universal Declaration of Human Rights, Article 3 stated that "Everyone has the right to life, liberty and security of person" but the cited incidents, a few among many, clearly indicate that all these rights have been violated in Myanmar. In addition, the judiciary bodies such as courts, police and legal offices, including the Attorney General's are ignoring the laws and procedures because they are under the full control of the military junta.

For example, information is cut off after the detentions, meetings with the families are not allowed, failure to provide public hearing and even the lawyers who are helping them are facing the sentence of Article 505(A) and are restricted from doing media interviews. Such violence, human rights violations, including systematic torture, are widespread to the parliamentarians from all levels and areas.

Mr. President,

Myanmar Parliament has committed its efforts to enhance democracy and developments with the support of international communities including notably the Inter-Parliamentary Union (IPU) since 2012. But now all the MPs who were elected from the free and fair election are facing violations against the rights of the MPs and even the basic rights of a human being. While even MPs are facing insecurity and violations of basic rights, no doubt, the ordinary people must be facing more serious violations against human rights by the military campaign of terror.

Although the 2020 general election was actively voted by the citizens with a strong desire for democracy, the peaceful protestors against the dictatorship were handled by the SAC with violence and armed powers and the right to peaceful assembly was lost under the threats carried out.

In this year, we can see that democracy is being threatened not only in Myanmar but also in some countries in many ways and the value and norms of democracy are under threat. This is a threat to regional and world peace and clearly point out the needs to be effectively solved by the global community.

Mr. President and Members of the Committee,

IPU is the only platform to meet the global parliamentarians who are working for the desire and expectation of their citizens and an organization to implement the development of the political and legal framework in order to promote democracy, citizen rights, human rights, equal rights and sustainable development.

Here, I would like to draw your attention to our request to help the Members of the CRPH to better exercise their mandate and, by all means, to stop all kinds of threats and human rights violations to parliamentarians in Myanmar.

In this special meeting, on behalf of the Committee Represent Pyidaungsu Hluttaw (CRPH), I would like to restate that we will continue working together with all stakeholders to eliminate military dictatorship and establish a federal democratic state in the future.

In conclusion, I wish to appeal the Inter-Parliamentary Union and its member parliaments, and the internal communities as well as follows:

- Strongly condemn the brutal crackdown on peaceful demonstrations and call for the immediate cessation of brutalities.
- Call on the Myanmar military junta for the immediate and unconditional release of all Parliamentarians, including Aung San Suu Kyi, and the restoration of the state power of the legitimate government by respecting the 2020 election results.
- IPU and the member parliaments to recognize the “Committee Representing the Pyidaungsu Hluttaw (CRPH)”.
- To urge your respective governments to recognize and engage with the civilian government, the National Unity Government (NUG) formed by the legitimate CRPH.
- Cooperate with the NUG and the CRPH for the humanitarians and other necessary assistance
- Continue exerting political, diplomatic and economic sanctions on the brutal SAC
- Support for the credential of Ambassador U Kyaw Moe Tun as the Permanent Representative of Myanmar to the United Nations by all means
- Present this report to the 143rd IPU Assembly and Human Rights Commission Session and adopt an IPU resolution on Myanmar at the 143rd IPU Assembly.

I have the honour to urgently call you to cooperate with us for the restoration of democracy and the end of military dictatorship in Myanmar.

Thank you.

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