

To:

Forum Council, Asia Pacific Forum (APF)

Maryam Abdullah Al Attiyah, Global Alliance of National Human Rights Institutions (GANHRI)
Chairperson, Chairperson of the Qatar NHRC

30 June 2022

Re: Myanmar junta participation in the Environmental Rights and Climate Change Workshop

We, the Working Group on Independent National Human Rights Institutions for Burma/Myanmar (“Working Group”), write to you, alarmed by APF’s continuing invitation of the Myanmar military junta’s Myanmar National Human Rights Commission (MNHRC) to its meetings, including its participation at APF’s meeting on 15 November 2021 and during the most recent workshop for Southeast Asian NHRIs on environmental rights and climate change in Bangkok from 21 – 23 June 2022.

APF’s continuing decision to invite the junta-controlled MNHRC is antithetical to the promotion and protection of human rights. The Working Group and the Asian NGO Network on National Human Rights Institutions (ANNI), have previously [called](#) on APF to suspend the MNHRC and the Working Group reiterates these calls once again.

APF must discontinue inviting the MNHRC to events given their explicit cooperation, collaboration and endorsements of the military junta, which has committed extreme human rights violations and atrocity crimes since their [attempt](#) to seize power through a coup d’état on 1 February, 2021. It is abundantly clear that the MNHRC is acting as a propaganda tool for the Myanmar military junta in its attempt to claim legitimacy through the MNHRC’s association with APF and GANHRI. The meetings are posted [online](#) and publicized in the military junta’s media mouthpiece in an effort to gain further international legitimacy, while the junta continues to commit grave crimes across the country.

The military junta is ruthlessly pursuing an all-out terror campaign against the people of Myanmar. As of 29 June, they have [killed](#) 2,039 people in cold blood, with the actual number is likely to be much higher. The military has arrested 14,374 people, while 11,310 currently remain in detention. 1,205 people have been sentenced in person, of them 115 were sentenced to death (including two children). The Special Rapporteur on the situation of human rights in Myanmar, Tom Andrews, has [said](#) the military junta is committing war crimes and crimes against humanity on a daily basis. Additionally, the UN High Commissioner for Human Rights, Michelle Bachelet, in her recent oral report to the Human Rights Council [said](#), “the people of Myanmar remain trapped in a cycle of poverty and displacement, human rights violations and abuses.”

All the while, the MNHRC has been deadly silent. Under the General Observation of the GANHRI Sub-Committee on Accreditation, an NHRI must [observe](#) ‘heightened level of vigilance and independence’ during a coup d’état, yet the MNHRC has failed to act and disavowed its obligation to be independent.

This should not come as a surprise to APF and GANHRI given the consistent failure of the MNHRC to call out the Myanmar military’s widespread, systematic and gross human rights violations and atrocity crimes, including the [genocide](#) of the Rohingya, and crimes against humanity and war crimes against other ethnic communities. The MNHRC is a toxic and defunct institution, which the Working Group has detailed in the [2020 ANNI Report: On the Performance of National Human Rights Institutions](#).

Both APF and GANHRI are severely harming the credibility and integrity of their organizations by allowing the MNHRC to participate in their activities, tainting their crucial mandate to uphold human rights and strengthening NHRIs. It sets a dangerous precedent, that an NHRI which shields an illegal military junta – which is nothing more than a [terrorist](#) organization that has been committing widespread and systematic atrocity crimes – will continue to be accepted by international and regional human rights bodies.

We call on both APF and GANHRI to immediately take the principled step to censure the MNHRC. APF's Forum Councillors must exercise their power under Clauses 11.5(a)-(b) and 12.1(a)-(b) of the APF [Constitution](#) to review and expel the MNHRC, as they are non-compliant with the Paris Principles. Additionally, APF should disinvite the MNHRC to all future events pending the outcome of this review, as an interim measure.

We call on the GANHRI Bureau to revoke the MNHRC's membership and strip them of their 'B' status accreditation under Article 27 of the [GANHRI Statute](#), for falling well below 'partial compliance' with the Paris Principles, pursuant to Article 24.2. More importantly, GANHRI must not recognize the MNHRC as a functional NHRI given they have grievously breached the Paris Principles, breaches that have been [mounting](#) well before the attempted coup in February 2021.

The whole world is witnessing the inhumanity of the military junta, which is committing massacres of civilians, burning down villages, triggering a dire humanitarian crisis and conducting targeted airstrikes and shelling of civilians with complete impunity. APF and GANHRI must not turn a blind eye to this; the situation Myanmar requires urgent attention and immediate responses from APF and GANHRI, institutions that are tasked with strengthening NHRIs and upholding human rights. If no action is taken, GANHRI and APF risk being complicit in the MNHRC's shielding of the Myanmar military's grave human rights violations and atrocity crimes.

We call on APF and GANHRI to uphold their mandates and commitments to protect and promote human rights by ending the MNHRC's membership, and choose to support the people of Myanmar, and their desire for genuine federal democracy and realization of human rights for all.

For any further inquiries, please contact:

- Nang Zun Moe, info@progressive-voice.org
- Ma Thinzar Shunlei Yi, thinzarshunleiyi@protonmail.com

About the Working Group:

The CSO Working Group on Myanmar National Human Rights Commission Reform (Working Group) was formed in 2019 to advocate for the Myanmar National Human Rights Commission (MNHRC) to become an independent, transparent, and effective commission that truly protects and promotes the rights of the people of Myanmar in accordance with the Paris Principles – the international standard that guides national human rights institutions. With that aim, the Working Group has consistently worked for the reform of the MNHRC since it was founded and until the Myanmar military attempted a coup d'état on 1 February 2021.

Following February 1, 2021, the Working Group reviewed its objectives, and to reflect the new mission of establishing a new national human rights institution that is in line with the Paris Principles, the Working Group was renamed, the "CSO Working Group on Independent National Human Rights Institution (Burma/Myanmar)" in March 2022. The Working Group currently consists of 20 civil society organizations from diverse backgrounds.

Email: WG_NHRI@protonmail.com / Facebook: <https://www.facebook.com/WGonNHRIBurma>