



Myanmar National Human Rights Commission (MNHRC) Must Denounce the Military Coup and Uphold Fundamental Rights of Peoples

(Bangkok, 16 February 2021) — The Myanmar National Human Rights Commission (MNHRC) must uphold the principles of human rights and ensure the independent, impartial and effective exercise of its powers and functions during the current human rights situation in Myanmar, rights groups said today.

The Asian NGO Network on National Human Rights Institutions (ANNI), an initiative of the Asian Forum for Human Rights and Development (FORUM-ASIA), along with 12 organisations, urged the MNHRC to undertake investigations into serious human rights violations, including use of excessive force and lethal weapons against peaceful protestors, and other violations of fundamental freedoms that are being committed by the Myanmar military and security forces.

When the military seized power in Myanmar on 1 February, a human rights crisis has unfolded in the country, with the imposition of nation-wide curfews; internet blackouts and the proposal of a draconian cybersecurity bill.¹² The restrictions on public gatherings; arrests and arbitrary detentions, and violent crackdowns; and use of lethal weapons against peaceful protestors in mass demonstrations³ have increased. These measures have severely violated peoples' rights to privacy, access to information, protest, and freedom of expression, association and peaceful assembly and will continue to erode these fundamental rights without timely intervention. However, the MNHRC, the country's national human rights institution, has remained silent amid the rapidly escalating situation in the country.

'The MNHRC must urgently investigate all allegations of human rights violations since the coup d'état, and exercise its mandate and powers to ensure that the rights of people are respected during this critical period. It is crucial that people's fundamental rights are protected at all times, especially those belonging to vulnerable groups, and ethnic and religious minorities, and that the Myanmar military and law enforcement authorities are held to account for violations being committed under the state of emergency,' the rights groups said.

The Paris Principles,⁴ as the international minimum standard for National Human Rights Institutions (NHRIs), state that NHRIs have the responsibility to promote and protect human rights at all times.

¹ <https://www.reuters.com/article/myanmar-politics-internet-int-idUSKBN2AA2AU>

² https://www.facebook.com/FreeExpressionMyanmar/posts/3663682897078606?_tn=K-R

³ <https://edition.cnn.com/2021/02/08/asia/myanmar-coup-protests-democracy-intl-hnk/index.html>

⁴ <https://www.asiapacificforum.net/support/what-are-nhris/paris-principles/>

The General Observations on the Paris Principles⁵ also clearly specify that disruption to peace and security in no way nullifies or diminishes the relevant obligation of the NHRI. It is expected that the MNHRC conducts itself with a heightened level of vigilance and independence in the exercise of its mandate.

‘The persistent inaction of the MNHRC during previous situations of armed conflict and unrest has been gravely disturbing.’⁶ It has often shielded the military from accountability for its atrocities against vulnerable groups, especially ethnic and religious minorities. To prevent the current human rights situation in Myanmar from becoming yet another example of protecting the military, the MNHRC must effectively exercise its role as the national human rights institution to protect peoples’ rights, and to prevent further human rights violations,’ said the groups.

In accordance with the role and mandate of the Commission, the rights groups call on the MNHRC to:

- Denounce the military coup, and call on the military government to end all human rights violations, including those related to the crackdown and arbitrary detentions;
- Actively monitor, document, and release detailed and timely reports and statements to address ongoing human rights violations, and prevent any future violations;
- Call for the immediate and unconditional release of all those who are arbitrarily detained following the coup, including President U Win Myint, State Counsellor Daw Aung San Suu Kyi, other elected officials, all peaceful protesters, civil servants, activists, human rights defenders, students and workers;
- Condemn the crackdown and the arrest of peaceful protesters and human rights defenders, and prevent further arbitrary arrest; and
- Support the Civil Disobedience Movement (CDM) which is being carried out by the people of Myanmar against the illegal military regime.

Moreover, the rights groups also call on the Global Alliance of NHRIs (GANHRI), the Asia-Pacific Forum on NHRIs (APF), the United Nations Development Programme (UNDP), and the Office of the United Nations High Commissioner for Human Rights (OHCHR), who have been continuously supporting MNHRC since its establishment in 2012, to call on the MNHRC and urge the Commission to uphold democratic principles, respect the rule of law, and to promote and protect the rights of people during this period of emergency.

List of Signatories:

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

⁵ The General Observations on the Paris Principles provide guidance to NHRIs, governments, and others on the nature and content of the Paris Principles. G.O. 2.5 NHRIs during the situation of a coup d’état or a state of emergency: https://nhri.ohchr.org/EN/AboutUs/GANHRIAccreditation/General%20Observations%201/EN_GeneralObservations_Revisions_adopted_21.02.2018_vf.pdf

⁶ https://progressivevoicemyanmar.org/wp-content/uploads/2020/07/37_Session_UPR_MNHRC_FINAL_ENG.pdf

3. Asian Forum for Human Rights and Development (FORUM-ASIA)
4. Centre for Human Rights and Development (CHRD)- Mongolia
5. Indonesian Human Rights Monitor (IMPARSIAL)- Indonesia
6. Indonesian Legal Aid Foundation (YLBHI)- Indonesia
7. Institute for Policy Research and Advocacy (ELSAM)- Indonesia
8. Joint Action for NHRI and Optional Protocol in Japan (JMNOP) - Japan
9. Korean House for International Solidarity (KHIS)- South Korea
10. Law and Society Trust (LST)- Sri Lanka
11. Philippine Alliance of Human Rights Advocates (PAHRA) - The Philippines
12. Progressive Voice- Myanmar

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>

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