

လွတ်လပ်သော နိုင်ငံအဆင့် လူ့အခွင့်အရေးဌာနဆိုင်ရာ
အရပ်ဘက်လူထုအဖွဲ့အစည်းများ အလုပ်အဖွဲ့ (မြန်မာ)

CSO Working Group on Independent National
Human Rights Institution (Burma/Myanmar)

To:

Forum Council, Asia Pacific Forum (APF)

APF Governance Committee, Asia Pacific Forum (APF)

18 September 2023

Re: Invitation to junta-controlled Myanmar National Human Rights Commission to the 28th APF Annual General Meeting and Biennial Conference

We, the CSO Working Group on Independent National Human Rights Institution for Burma/Myanmar (Working Group), write to express our rejection of the APF inviting the Myanmar military junta-controlled Myanmar National Human Rights Commission (MNHRC) to the 28th APF Annual General Meeting and Biennial Conference, which will take place in India on 20 - 21 September 2023. We strongly urge that the APF disinvite the MNHRC from its upcoming 28th APF Annual General Meeting and Biennial Conference pending the outcome of the Special Review of the MNHRC by the GANHRI-SCA.

Despite our repeated calls for the Asia Pacific Forum (APF) and the Southeast Asia National Human Rights Institutions Forum (SEANF) not to engage or cooperate with the junta-controlled MNHRC based on its ongoing complicity in the junta's atrocity crimes across Myanmar, and to suspend or remove them from the regional network of national human rights institutions, we are alarmed to learn that APF is once again engaging with representatives of the MNHRC. During the March 2023 annual meeting, the Global Alliance of National Human Rights Institutions' Sub-Committee on Accreditation (GANHRI-SCA) decided to [initiate a Special Review](#) of the Myanmar military junta's national human rights commission in its upcoming October session, citing concerns with respect to its compliance with the Paris Principles that guide NHRIs. We strongly call on APF to disinvite the MNHRC from its upcoming 28th APF Annual General Meeting and Biennial Conference as well as all upcoming events.

While the people of Myanmar have been bravely defending their human rights, democracy, and freedom amid immense suffering and enduring the targeted brutality of the military, decisions by APF to continuously platform the junta-controlled MNHRC emboldens the junta to commit further crimes against the Myanmar people. By inviting the MNHRC, which is a proxy and propaganda mouthpiece of the military junta to the regional human rights platform, APF breaches its obligation to promote and protect human rights of the people in the region.

The MNHRC has been deadly silent on the military junta's campaign of widespread and systematic atrocity crimes against the people of Myanmar. On the contrary, it has actively [praised](#) the military junta by [describing](#) their actions as "humanitarian" or describing the military junta's peace talks as a "gigantic and forward-looking step in the right direction" despite their ongoing aerial attacks that are killing

innocent children, women and the elderly. The MNHRC has become a tool of the Myanmar military junta, actively shielding and defending its horrific atrocity crimes and grave breaches of international human rights and humanitarian law. Throughout the past 31 months since the junta's illegal coup attempt, the MNHRC has only served as a propaganda platform and source of legitimacy for the military junta as regional bodies like APF continue to invite and provide recognition.

The Working Group has previously written to APF in [2021](#) and [2022](#), together with the Asian NGO Network on National Human Rights Institutions (ANNI) and 56 regional partners, calling for the suspension or removal of the MNHRC. The MNHRC is irreparable and is complicit in the junta's crimes. Engaging and supporting an institution that is shielding the junta's crimes does not help to promote and protect human rights in Myanmar. It is in fact breaching the principles and values of human rights, which are supposed to be protected and promoted by APF. Therefore, it is severely damaging the reputation and credibility of APF. APF must take the principled step by [exercising its 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.

As we are writing to you, over 4,000 people have been [killed](#), more than 24,000 people [arrested](#), nearly 20,000 people are still under [detention](#), and at least 150 people have been [sentenced](#) to death by the military junta since its attempted coup in February 2021. The military junta continues to conduct airstrikes, targeting civilians and public buildings such as schools, hospitals, monasteries, and churches. More than 1.6 million people have been [displaced](#) due to military offensives and deliberate attacks by the illegal military since 2021.¹ Since its illegal attempted coup, the military junta has [carried out](#) more than 1,400 airstrikes across the country and have [burned](#) down more than 70,000 houses. These crimes amount to war crimes and crimes against humanity under international human rights and humanitarian law. This criminal junta will not stop its heinous crimes against the people until they are held accountable for the crimes they have committed.

We have repeatedly reported the MNHRC's complicity in the junta's crimes in previous [statements](#) and [letters](#) including in our most recent [report](#), *Accessory to the Junta's Crimes*. In March of this year, the Working Group, together with ANNI, conveyed civil society concerns with regard to the MNHRC's participation and its continued membership in APF to APF, as well as to various UN Offices and Missions in Geneva.

While we wait in anticipation of GANHRI-SCA's decision of the Special Review of the MNHRC, given the concerns [expressed](#) by GANHRI, coupled with the overwhelming evidence of the MNHRC's non-compliance with the Paris Principles that has been provided by civil society, we look to APF to initiate the suspension or removal of the MNHRC from its membership as a matter of urgency. As an interim measure, APF must disinvite the MNHRC from its upcoming 28th APF Annual General Meeting and Biennial Conference pending the outcome of this review by GANHRI-SCA.

We [reiterate](#) our call to APF to uphold their mandate and commitments to protect and promote human rights by ending the MNHRC's membership and cutting all ties with the institution. APF must choose a

¹ This number by the United Nations Office for the Coordination of Humanitarian Affairs (OCHA) is a likely under-estimation. The actual numbers reported by local responders with direct access to communities indicate a far higher estimate than that reported by OCHA.

principled stance in line with its mandate to support the Myanmar people in their struggle for democracy and human rights.

For any further inquiries, please contact:

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About the Working Group:

The CSO Working on Independent National Human Rights Institution (Burma/Myanmar) advocates for the establishment of a new NHRI – tentatively named the Union Human Rights Commission – to replace the illegitimate MNHRC which has aligned itself with the illegal military junta. The Working Group was previously known as ‘CSO Working Group on MNHRC Reform;’ currently, it consists of 20 Myanmar Civil Society Organizations. From its founding in 2019 until the attempted coup in February 2021, the Working Group consistently advocated for an effective MNHRC that demonstrated a commitment to the international standards set forth in the Paris Principles.

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