



28th Regular Session of the UN Human Rights Council
Item 4: Interactive Dialogue with the UN Special Rapporteur on the Situation of Human Rights in
Burma/Myanmar, Ms. Yanghee Lee

Oral Statement Delivered by Khin Ohmar on behalf of
Asian Forum for Human Rights and Development (FORUM-ASIA)

Tuesday, 16 March 2015

Thank you, Mr. President. FORUM-ASIA, in solidarity with Equality Myanmar and Burma Partnership welcomes the Special Rapporteur's report.¹ It is timely in expressing concerns over signs of serious regression in Burma/Myanmar's reform process. Despite early positive steps in the last few years, the continuing persistence of grave human rights violations within the country and further deterioration in recent months casts doubts on the government's commitment to reforms.

We echo the Special Rapporteur's concern over the increasingly restrictive democratic space in Burma/Myanmar. We strongly condemn indiscriminate and violent attacks in Letpadan against those present at peaceful student protests including journalists and paramedics on 10th March even as this Council was in session. The attacks involved the use of both the police and civilian militia and formed a part of the government's ongoing crackdown on country-wide protests against the restrictive National Education Law.²

Besides violations of freedom of assembly and association, new media laws³ continue to impose undue restrictions on freedom of expression. The government must immediately repeal or amend all laws⁴ that place undue restrictions on these freedoms, in line with international human rights standards.⁵ All political prisoners, including those convicted under the Peaceful Assembly and Peaceful Procession Law and article 505 (b) of the Penal Code, must be released and charges against those awaiting trials must be dropped.

Existing constitutional provisions and new restrictive regulations threaten free and fair national elections in 2015. We urge the government to immediately initiate legislative reforms and Constitutional amendments that allow all the people of Burma/Myanmar to equally exercise their right to political participation by voting, forming political parties and campaigning in accordance with international electoral standards.

There is an urgent need to address discrimination and ongoing violations against ethnic and religious minorities in the country including the Rohingya:⁶ the "national race and religion protection" bills,⁷ currently before the parliament, will entrench discrimination against minorities and must be withdrawn; and hate speech must be rejected officially and condemned while all perpetrators are fully held to account.

1 A/HRC/28/72

2 FORUM-ASIA, Equality Myanmar, Burma Partnership (10 March 2015) [Burma/Myanmar: Continuing Crackdown on Student Activists and Supporters Evidence of Rapidly Shrinking Democratic Space](#).

3 New media laws include the Press Law and the Printers and Publishers Registration Law adopted in March 2014

4 These restrictive laws include the Article 18 of the Peaceful Assembly and Peaceful Procession Law, Sections 500 and 505 of the Penal Code

5 FORUM-ASIA (2013) [Burma/Myanmar: New Forms of Control and Threats to Freedoms of Expression, Assembly and Association amidst Reforms Fanfare](#), report of the International Fact-Finding Mission to Burma/Myanmar 24-30 October 2012.

6 FORUM-ASIA (17 March 2014), [Oral Statement, Item 4: Interactive Dialogue with the UN Special Rapporteur on the Situation of Human Rights in Burma/Myanmar, Mr. Tomas Ojea Quintana](#), 25th Session of the UN Human Rights Council.

7 Population Control Healthcare Bill, the Bill Relating to the Practice of Monogamy, the Bill on Religious Conversion, and the Myanmar Buddhist Women's Special Marriage Bill make up the 'national race and religion protection' package proposed to the parliament.



Lastly, we note with disappointment that the Myanmar National Human Rights Commission has failed to address chronic and gross violations in the country, particularly both in the Rakhine State and in sensitive cases involving the military.⁸ There is an urgent need for the Commission's enabling law to be amended to ensure full compliance with the Paris Principles.

Thank you, Mr. President.

8 Burma Partnership and Equality Myanmar (2014), Burma: All the president's men, in [2014 ANNI report on the performance of national human rights institutions in Asia](#), edited by FORUM-ASIA, (pages 12- 24).