

MCRB Joins Call to Lift Internet Shutdown and End Website Blocking that Fails the 'Three Part Test'

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On 2 April, a coalition of organisations active in promoting digital rights and freedom of expression, including through the annual Myanmar Digital Rights Forum, which MCRB co-organises, [most recently in February 2020](#), issued a statement on the recent website-blocking directives from government to telecoms operators. The Joint Statement highlights the gap between the government's action and international standards in Article 19(3) of the International Covenant on Civil and Political Rights and in particular the three part test which says that blocking:

- 1 must be clearly defined in the law;
- 2 must be for a legitimate aim;
- 3 must be necessary and proportionate to achieve that aim.

MCRB's [2015 Sector-Wide Impact Assessment \(SWIA\)](#) on the Information and Communication Technology (ICT) Sector in Myanmar drew attention to weaknesses in the 2013 Telecommunications Law concerning international human rights standards related to freedom of expression and privacy. This included Article 77, which the government has used to force telecommunications operators to block the websites.

MCRB is concerned that in recent unpublished directives to telecom operators, purportedly intended to prevent false information on COVID from being circulated, the government has taken much wider steps to censor legitimate freedom of expression, and that this action lacks transparency and accountability.

Furthermore, these directives require companies to take steps that prevent them from meeting their 'responsibility to respect human rights' outlined in the UN Guiding Principles on Business and Human Rights. The Global Network Initiative, a multistakeholder coalition of over 60 business and civil society organisations including Telenor, Ericsson, Google, Microsoft and Facebook, has incorporated UN standards for Freedom of Expression into its [own Principles](#).

In particular, these note that *'The right to freedom of expression should not be restricted by governments, except in narrowly defined circumstances based on internationally recognised laws or standards. These restrictions should be consistent with international human rights laws or standards, the rule of law and be necessary and proportionate for the relevant purpose.'*

MCRB shares the concerns of Myanmar government, health professionals, and wider society that an effective response to the COVID-19 in Myanmar is being undermined by the creation and sharing of online disinformation, both deliberately and unknowingly. We are joining others who are seeking to address this 'fake news' and to ensure that everyone in Myanmar has access to accurate information to enable them to stay healthy and limit the spread of COVID-19.

That information should be available via the internet to everyone in Myanmar, regardless of their location. MCRB therefore reiterates [its call on the government to lift the shutdown of mobile data](#) in nine townships in Rakhine State and Paletwa Township of Chin State, which at over nine months is the longest internet shutdown in the world.



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Read also

- [Joint Statement on Mobile Internet Shutdown in Myanmar](#)
- [MDRF calls for the end of the 2G digital blackout](#)
- [End The World's Longest Internet Shutdown – Now Entering Its Second Year](#)
- [Imagine Spending a Day Without Data!](#)



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