



ARTICLE 19

(<https://www.article19.org>).

Myanmar: Human Rights Council must hold the line on freedom of expression, rights violations

The UN Human Rights Council must press the Myanmar government to end attacks on freedom of expression and prioritise reforms to the country's legal and policy framework, ARTICLE 19 said in a [briefing for Human Rights Council member states \(https://www.article19.org/resources/myanmar-un-hrc-must-maintain-scrutiny-on-free-expression-situation-2/\)](https://www.article19.org/resources/myanmar-un-hrc-must-maintain-scrutiny-on-free-expression-situation-2/).

Despite previous recommendations from the Human Rights Council, the government has made no progress in tackling human rights concerns and has continued to stifle expression and severely restrict civic space. The Human Rights Council must strengthen its calls to the Myanmar government to end the judicial harassment of government critics, ensure justice for attacks against journalists, human rights defenders, and others, halt government contributions to misinformation and discriminatory rhetoric concerning the Rohingya and other ethnic minorities, and reform or repeal a raft of repressive laws to ensure compliance with international human rights standards.

"Over the past year, the Myanmar government has repeatedly demonstrated its contempt for human rights and its willingness to go to extraordinary lengths to silence its critics," said Matthew Bugher, ARTICLE 19's Head of Asia Programme. "The Human Rights Council should condemn the Myanmar government's continued attacks on expression in

This website uses cookies to improve your experience. We'll assume you're ok with this, but you can opt out at any time. [Privacy and Cookie Policy \(https://www.article19.org/privacy-policy/\)](#)

calling on authorities to take the type of bold and immediate actions needed to restore rights protections in the country."

[Privacy and Cookie Policy \(https://www.article19.org/privacy-policy/\)](https://www.article19.org/privacy-policy/)



Recent years, Myanmar authorities have arrested, prosecuted

imprisoned journalists, human rights defenders, peaceful

protesters exposing human rights violations or speaking out against government policies. Reuters reporters Wa Lone and Kyaw Soe Oo (<https://www.article19.org>).

(<https://www.article19.org/resources/myanmar-yangon-court-upholds-conviction-of-reuters-journalists/>), former child soldier Aung Ko Htwe

(<https://www.amnesty.org/en/documents/asa16/8802/2018/en/>),

and Kachin activists Zau Jat, Lum Zawng, and Nang Pu

(<https://www.hrw.org/news/2018/12/08/myanmar-quash-conviction-kachin-activists>), are among many who have been

convicted under the Official Secrets Act, Penal Code and other

repressive legislation in the past year, while others continue to face

lengthy trials because of their exercise of the right to freedom of

expression. Authorities have used the Unlawful Associations Act to

prosecute journalists and others who contact ethnic armed

organisations and section 66(d) of the Telecommunications Law to

target critics expressing their opinions online.

Impunity for attacks on journalists, human rights defenders and

activists remains a major concern. Despite the February 2019

conviction of two individuals for the murder of prominent lawyer U

Ko Ni, the investigation into his killing was deeply flawed and the

trial was beset by procedural irregularities

(<https://www.icj.org/myanmar-icj-marks-2nd-year-anniversary-of-the-killing-of-lawyer-u-ko-ni/>). No progress has been made in

ensuring justice for the killings of journalists Ko Par Gyi in 2014 and

Soe Moe Tun in 2016, and rights activist Naw Chit Pandaing in 2016.

Myanmar authorities have frequently applied the vague and broad

restrictions contained in the 2012 Peaceful Assembly and Peaceful

Procession Act and the Penal Code to restrict the right to peaceful

assembly. These restrictive provisions have been used to prevent

peaceful assemblies from being organised, and authorities have

sought to suppress protests through the use of mass arrests and

the disproportionate and unlawful use of force against protesters,

including at a protest in Loikaw in February 2019

(<https://www.article19.org/resources/myanmar-end-crackdown-on-protesters-in-kayah-state/>). Proposed amendments to the

Peaceful Assembly and Peaceful Procession Act that were passed by

Privacy and Cookie Policy (<https://www.article19.org/privacy-policy/>)



Upper House in 2018 are due to be considered by Parliament in

March 2018. If passed, they would further limit the exercise of the

right to assembly.

ARTICLE 19

Following a campaign of violence against Rohingya Muslims in Rakhine State that included international crimes perpetrated by state security forces, the government has continued to disseminate misinformation, stoke anti-Rohingya sentiment, and suppress independent reporting on the crisis. Restrictions on the access of journalists and rights monitors to conflict areas, most notably in northern Rakhine State, continue to severely hamper independent reporting and impede long term and sustainable solutions to the grave challenges facing the country.

Despite calls from the Human Rights Council to combat hate speech by implementing measures outlined in Human Rights Council Resolution 16/18 and the Rabat Plan of Action, the Myanmar government has continued to directly contravene (<https://www.article19.org/resources/myanmar-failure-to-condemn-atrocity-crimes-and-hate-speech-fanning-flames-of-crisis-in-rakhine/>), the guidance contained in these documents. Instead of implementing positive policy measures to address “hate speech” and intolerance, government officials have themselves contributed to divisive narratives and spread discriminatory messages. While the Myanmar government has yet to release the current draft of a proposed “Anti-Hate Speech Bill”, the military-controlled Ministry of Home Affairs is reportedly chairing a committee tasked with developing the proposed legislation. Previous drafts of the bill (<https://www.article19.org/wp-content/uploads/2017/09/170907-Myanmar-Hate-Speech-Law-Analysis-August-2017.pdf>), analysed by ARTICLE 19 relied primarily on censorship and criminal penalties to combat “hate speech”, neglecting the range of policy initiatives that should form the foundation of any effort toward promoting tolerance and inclusion. If new legislation takes the approach of these previous efforts it will likely close space for inter-communal dialogue, increase tensions within and between groups, and further stifle the free expression of ethnic and religious minorities.

The report of the UN Special Rapporteur on the situation of human rights in Myanmar, Yanghee Lee, which she will present to the Human Rights Council next week, paints a bleak picture of developments in the country, highlighting attacks on civic space

This website uses cookies to improve your experience. We'll assume you're ok with this, but you can opt-out if you wish. [Cookie settings](#)

ACCEPT

Privacy and Cookie Policy (<https://www.article19.org/privacy-policy/>)



condemning “institutionalised hate speech.” She will call for
ent action by the Myanmar government and international
community to address the deterioration of rights and prevent the
transition to democracy being “stymied.”
(<https://www.article19.org>).

“Aung San Suu Kyi’s government seems to be settling into a
pattern of persecution and abuse that is all too familiar to the
people of Myanmar,” said Matthew Bugher. “The Human
Rights Council should echo the Special Rapporteur’s strong
condemnation of the government’s human rights abuses, and
should not in any way accommodate its brutal and
persecutory policies.”

For more information contact
asia@article19.org
[.\(mailto:asia@article19.org\).](mailto:asia@article19.org)

This website uses cookies to improve your experience. We'll assume you're ok with this, but you
can opt-out if you wish. [Cookie settings](#) [ACCEPT](#)

[Privacy and Cookie Policy \(https://www.article19.org/privacy-policy/\)](https://www.article19.org/privacy-policy/)