

**Myanmar National Human Rights Commission's Report of activities for a (3) year period
(5-9-2011 to 24-9-2014)**

	Contents	Page
1.	The establishment of the Commission -----	1
2.	Activities of the Commission -----	1
3.	Establishment of the Commission's Office -----	1
4.	Formation of the Commission's Office -----	1
Functions of the Administrative and Finance Division		
5.	Administration -----	2
6.	Staff matters -----	2
7.	Grant Money -----	2
Human Rights Policy and Legal Division's activities		
8.	Mandate -----	2
9.	Policy Implementation -----	3
10.	Legal Division activities -----	3
	➤ Translation of UDHR into Myanmar language -----	3
	➤ Advice offered on Human Rights matters, Conventions -----	3
	➤ The submission of Standard Operating procedures (S.O.P) to the Union Government Office -----	4
	➤ Drafting of Myanmar National Human Rights Commission Law -----	4
Human Rights Protection Division's Activities		
11.	Duties and Powers -----	6
12.	Complaint Handling -----	7
	➤ Complaint Handling in 2011 -----	8
	➤ Complaint Handling in 2012 -----	9
	➤ The Complaint Handling in 2013 -----	9
	➤ The Complaint Handling in 2014 -----	9
	➤ The Complaint Handling during the period 30 September 2011 to 24 September 2014 -----	10

Contents		Page
13.	The types of cases received by the Commission -----	10
14.	Replies received -----	12
15.	Types of complaints put on record -----	12
16.	Field investigation trips -----	12
17.	Inspection of Prisons -----	15
18.	Open letters to the President -----	16
19.	Political prisoners -----	17
20.	Activities in a gist -----	17
21.	The open letters and statements that were published by the commission on HR protection matters -----	18
 International Relations Division 		
22.	Duties and Functions -----	18
23.	Implementation of its functions -----	18
24.	Membership in the Regional Human Rights Institutions	
	➤ Cooperation with South East Asia National Human Rights Institutions Forum (SEANF) -----	19
	➤ Cooperation with Asia-Pacific Forum (APF) -----	19
	➤ Studies on activities carried out by International Human Rights Institutions -----	19
	➤ Press Releases -----	21
 Human rights Promotion and Education Division 		
25.	Roles and responsibilities -----	21
26.	Activities of the Promotion and Education Division -----	22
27.	Conclusion -----	30

**Myanmar National Human Rights Commission's Report of activities for a (3) year period
(5-9-2011 to 24-9-2014)**

The establishment of the Commission

1. The Union Government of the Republic of the Union of Myanmar established the Myanmar National Human Rights Commission on 5 September 2011 under Ordinance No.(34/2001) comprising of a Chairperson, a Vice Chairperson, a Secretary and Members totaling 15 persons in all, together with the mandate to promote and protect the rights of the citizens as enshrined in the constitution.

Activities of the Commission

2. With the approval of the cabinet, the MNHRC first temporarily established its office at the Office of the President's advisors, situate at No. (51), Chindwin Road in Kamayut Township on 12 September 2011. The Commission's office started functioning with a staff of 22 persons seconded from the President's Office, the Office of the Union Government and Ministry of Home Affairs, from 26 September 2011.

Establishment of the Commission's Office

3. The Commission shifted from its temporary office to the present location No. (27), Pyay Road, Hlaing Township (former office of Myanmar Language Commission) on 20 October 2011. The 15 members were housed in the Main Building which also consists of a meeting room, computer rooms and a guest room. The 5 Divisions of the Commission's office were allocated the ground floor of the adjoining (2)storey building, the upper floor being occupied by MDRI. On the morning of 3 November 2011 at 05:30 hrs, an alms offering ceremony was held at the office to 5 monks including the Chairman or the SanghaNayaka Committee to officiate the opening of the office.

Formation of the Commission's Office

4. The Commission's Office was formed with 5 Divisions as follows;
- (a) Administration and Finance Division
 - (b) Policy and Legal Division
 - (c) Human Rights Protection Division

- (d) International Relations Division
- (e) Promotion and Education Division

Functions of the Administrative and Finance Division

Administration

5. The (5) members Executive Committee was formed headed by the Chairman and members. The EC held (30) meetings after its formation on 5 September 2011.
6. (30) Plenary meetings and (4) Special meetings were also held during the (3) year period, with the Chairperson presiding over the meetings.

Staff matters

7. The Cabinet meeting No (4/2011) held on 26 January 2012 permitted the appointment of (60) officers and (107) other ranks as staff of the Commission for a total of (167) staff members. During the (3) year period, the Commission was able to recruit (8) officers and (27) other ranks for a total of (35) staff members. (10) staff members of the seconded staff from the President's Office, the Office of the Union Government and Ministry of Home Affairs, served up to 24 September 2014.

Grant Money

8. MNHRC submitted a budget of 926,237,002 kyats for the period starting from September 2011 to September 2014 to the President's Office. 833,549,618 kyats were utilized for expenses incurred in administrative matters and promotion and protection activities. The balance of 92,687,404 kyats was reimbursed back to the President's Office.

Human Rights Policy and Legal Division's Activities

Mandate

9. When the Union Government established the Myanmar National Human Rights Commission under Ordinance No (34/2011) dated 5 September 2011, the Policy and Legal Division was vested with the following mandate:-

- (a) To assess whether the rights stipulated in the Conventions to which Myanmar is a party to is fully realized and to offer suggestions and advice on the reports to be submitted to the treaty bodies.
- (b) To offer suggestions and advice to the Government on whether or not to accede to the Conventions to which Myanmar is not yet a party to.

Policy Implementation

10. The Human Rights Policy and Legal Division made studies of international human rights norms, international laws relating to human rights and local laws in order to help draft the Myanmar National Human Rights Commission Law which is vital for the Commission.

11. Policy division carried out continuous studies of the Orders, Directives, Statements by Union Government, draft laws submitted to the PyidaungsuHluttaw(combined Houses of the Parliament) and laws approved by the Parliament, that relates to Human Rights, with a view to discuss or draw references when necessary when these matters are brought up for discussions regarding complaint letters or at Commission meetings.

Legal Division activities

Translation of UDHR into Myanmar language

12. The Policy and Legal division contributed its share of obligations when UDHR was being translated into the local language. (130,000) copies were printed with the assistance of Raoul Wallenberg Institute.

Advice offered on Human Rights matters, Conventions

13. The MNHRC was approached by the Social Welfare Department to offer suggestions and comments on the appropriate usage of language with regards to the Myanmar translation of Convention on Elimination of All Forms of Discrimination Against Women. The Division went through the draft and made comments and suggestions.

14. By being a State party to the International Covenant on Economic, Social and Cultural Rights, it will bring forth the concrete stand of Myanmar to foster the promotion of human rights, thus raising the image of the country. The articles contained in the Covenant is already

covered by the provisions of the 2008 Constitution of the Union of Myanmar. The Commission therefore made recommendations to the President's Office and the Ministry of Foreign Affairs that Myanmar should make haste to change its status from being a non-state party to a state party to the Covenant.

15. Upon being asked to comment on Myanmar's stand on the Abolition of the Death Penalty by the Ministry of Foreign Affairs, the Commission made its comments on 3 March 2014 citing the report that was submitted to the United Nations on 2011 in which it mentioned that for very serious crimes, the existing legislation has mandated the death penalty, but that it has not been practised in Myanmar since 1988.

The submission of Standard Operating procedures (S.O.P) to the Union Government Office

16. MNHRC drafted the Standard Operating Procedure of the Commission and made consultations with concerned officials from the President's Office and Attorney General's Office. The Union Government, in accordance with section 9 of the Ordinance concerning the establishment of the Commission dispatched the S.O.P on 10 February 2012 under Order No (9/2012) to the Commission.

Drafting of Myanmar National Human Rights Commission Law

17. The Myanmar National Human Rights Commission drafted the law as follows;
- (a) According to the instructions of the President of 8 March 2012, the Commission formed a drafting team and drew the initial draft. Advice was also sought from the expert of Asia Pacific Forum (APF). In addition, the Commission invited Professor Brian Burdekin one of the original drafters of the Paris Principles from the Raoul Wallenberg Institute, Ms. Heike Alefson, from the regional office of the Office of the High Commissioner for Human Rights (OHCHR), representative from the CSOs and NGOs for discussions and comments.
 - (b) The first draft of the MNHRC Law was submitted to the President's Office on 30 May 2012 and the draft was sent back to the Commission on 13 July

2012 with comments by President's Legal Advisory Group and the Attorney General's Office.

- (c) On 15 October 2012, the draft was discussed by the tripartite group consisting of the Commission's members, the President's Legal Advisory Group and Attorney General's Office.
- (d) The second draft of the Commission's Law was again submitted for revision and comments to the President's Office, President's Legal Advisory Group and Attorney General's Office.
- (e) Advice and comments on the law were also sought from the NGO group during a meeting with them on 30 October 2012.
- (f) The third draft of the Law was submitted to the President's Office, the President's Legal Advisory Group and Union Government's Office on 9 January 2013.
- (g) To be more in line with International Standards, the Commission invited legal experts from International bodies, representatives from Home Ministry, Attorney General's Office, President's Legal Advisory Group and Chief Justice's Office to a meeting to discuss the third draft. The meeting was held from 1 February to 2 February 2013 at the Commission's Office.
- (h) The fourth draft of the Commission's Law was again submitted to the President's Office on 26 April 2013. The President was briefed on 29 May 2013 on the law and his advice was sought. The draft law was again amended in line with the President's advice and submitted to the President on 31 May 2013.
- (i) On 7 July 2013, the draft law was made public by the AmyothaHluttaw for the general public to give their comments.
- (j) With regards to the Commission's Law, the Commission was asked by invitations to attend the AmyothaHluttaw session once, PyithuHluttaw

session (3) times and the PyidaungsuHluttaw twice, for a total of (6) times to observe and assist in the deliberations.

- (k) The Myanmar National Human Rights Commission law was enacted as PyidaungsuHluttaw Law No (21/2014) on 28 March 2014.

18. The English translation of the MNHRC Law was submitted to the President's Office on 7 April 2014.

19. MNHRC put up a letter to the President's Office requesting publication of the Law, both, English and Myanmar versions in the daily newspapers for the perusal of the public. The Myanmar version appeared on 5 April 2014 and the English version on 21 June 2014 respectively.

20. The draft MNHRC Bye-Law was submitted to the President's Office on 27 June 2014. The Commission received a letter from the Attorney General's Office dated 25 July 2014 advising the Commission to draft a rule of procedures in place of Bye-Law. The Commission is in the process of drafting the rule of procedures.

Human Rights Protection Division's Activities

Duties and Powers

21. The Myanmar National Human Rights Commission was established on 5-9-2011 under Ordinance No 34/2011 and the Duties and Powers of the Commission were spelled out. With regard to the protection of human rights, the following duties and powers were vested on the Commission:-

- (a) To receive communications of violations of human rights as enshrined in the Constitution, to investigate and convey the findings to the relevant government departments and bodies for necessary action.
- (b) Upon receipt of information with respect to violations of human rights, to verify the allegations and forward the findings to the relevant government departments and bodies for actions.

- (c) MNHRC can, in the course of its duties is empowered to summon and question all concerned persons, and examine the documents with the exception of highly classified documents. The Commission can ask for submission of all documents related to the violations.

22. The Commission drew up a rules of procedure in relation to complaint handling and investigation. Complaint Handling meetings must have a quorum of (4) Commission members but it is open-ended and all (15) members can attend.

Complaint Handling

23. The duties and powers of the Commission is not solely confined to a particular set of violations of human rights but also encompasses the violations of the fundamental rights and human rights of the citizens as enshrined in the Constitution. On 6-10-2011, the Commission made an announcement to notify the public through the state owned newspapers on how complaints may be lodged with the Commission and on the type of complaints which the Commission is competent to handle and the requirements for a complaint to be admissible. Arrangements for accepting a complaint are made, based on the principle of easy and expeditious access to the Commission.

24. Not only a direct victim of violations but any person or a group of persons or a body with direct or reliable knowledge of the violation can send a complaint to the Commission. A complaint received at the Commission by post or by fax or through personal delivery is systematically registered by Human Rights Protection Division and submitted to the daily meeting of assigned Commission members for consideration.

25. If the subject matter of the complaint under investigation by the Commission is brought before a court, the Commission ceases its ongoing investigations. Nevertheless, the Commission can address such complaints if there are violations of fundamental and human rights or breach of due process of law.

26. The Commission has classified the complaints that have been considered according to the following categories:-

- (a) Complaints forwarded to the Union Government Ministries, Regional and State level Governments for necessary action through the channels of Union Government's Office.
- (b) Complaints addressed to individuals.
- (c) Complaints addressed to complainants or victims together with the necessary advice on options of redress.
- (d) Complaints that were copies of the letters sent to Ministries and Heads of the Departments which do not necessitate immediate action but can be held in pending.
- (e) Complaints directed to other departments with copy to the Commission is put on hold.
- (f) Complaints that are anonymous letters, or outside the purview of the Commission's mandate or which are inadmissible as complaint letters are put on record.
- (g) Complaint letters in need of necessary supporting documents.

Complaint Handling in 2011

27. From 30 September 2011 to 31 December 2011, the Human Rights Protection Division of MNHRC met (44) times to look into the complaint letters received during that period.

- | | | | | |
|-------|---|-------|------|------------|
| (a) | Number of complaints received | ----- | 1037 | complaints |
| (b) | The number of complaints that have been Considered up to
31 December 2011Can be summed up as follows:- | ----- | 655 | complaints |
| (i) | Complaints concerned with the Union
Ministries, Region or State governments | ----- | 71 | cases |
| (ii) | Complaints against individuals or private
entities | ----- | 334 | cases |
| (iii) | Complaints placed on record | ----- | 250 | cases |
| (iv) | Pending cases | ----- | 382 | cases |

Complaint Handling in 2012

28. The Human Rights Protection Division received a total of 2866 complaints from 1 January 2012 to 31 December 2012 and together with 382 pending cases, the number of complaints came up to 3248 complaints. The complaint handling team met 184 times and was able to consider the complaints as follows:-

(a)	Number of complaints	-----	3248	cases
(b)	Complaints forwarded to the Office of the Union Government	-----	932	cases
(c)	Complaint against individuals	-----	182	cases
(d)	Complaints put on record	-----	2134	cases
(e)	Pending cases	-----	None	

The Complaint Handling in 2013

29. The Human Rights Protection Division received a total of 1990 complaints from 1 January 2013 to 31 December 2013. The Complaint Handling team met 149 times during the period and the breakdown of the complaint handling is as follows:-

(a)	Number of complaints	-----	1990	cases
(b)	Complaints forwarded to Office of the Union Government	----	501	cases
(c)	Complaint against individuals	-----	267	cases
(d)	Complaints put on record	-----	790	cases
(e)	Pending cases	-----	432	cases

The Complaint Handling in 2014

30. The Complaint Handling team handled a total of (1747) cases for the period starting 1 January 2014 to 24 September 2014. The total includes the cases received during that period plus the pending cases. The Complaint Handling team met (140) times and the breakdown of the cases considered are as follows:-

(a)	Number of complaints	-----	1747	cases
(b)	Complaints forwarded to Office of the Union Government and Region and State Governments	-----	544	cases

(c)	Complaint against individuals	-----	149	cases
(d)	Complaints put on record	-----	866	cases
(e)	Pending cases	-----	88	cases

The Complaint Handling during the period 30 September 2011 to 24 September 2014

31. The Complaint Handling team received (7208) complaints for the above-mentioned period. The Complaint Handling team met (517) times and the breakdown of the cases considered are as follows:-

(a)	Complaints forwarded to Office of the Union Government and Region and State Governments	-----	2048	cases
(c)	Complaint against individuals	-----	932	cases
(d)	Complaints put on record	-----	4040	cases
(e)	Pending cases	-----	188	cases

The types of cases received by the Commission

32. The types of cases received by the Commission are as follows:-

- (a) **Cases involving land disputes:-**
- (i) complaints involving disputes over various types of land such as paddy fields, pasture land, garden land, virgin land and alluvial land.
 - (ii) heritage lands and lands confiscated by Tatmadaw and private companies.
 - (iii) complaints against township and district level government authorities, township development authorities, land records office and police officials for unlawful dealings and coercion.
- (b) **Complaints on abuse of workers' rights**
- (i) compensation cases involving accidents at workplace resulting in loss of limbs.
 - (ii) complaints by lawyers on having their lawyer license revoked by the authorities.
 - (iii) complaints by Seamen on the abuse of their rights.

- (iv) complaints on forced labour and forced abduction.
 - (v) complaints relating to child soldiers, trafficking of persons and forced sentry duties.
 - (vi) disputes over dismissal and termination of employee, severance pay and overtime work at private companies.
 - (vii) grievances about pension rights and reemployment.
 - (viii) dismissal from work at Government departments without Preliminary Enquiry and Departmental Enquiry.
 - (ix) other infringements of workers' rights.
- (c) **Complaints relating to ownership**
- (i) complaints by shop owners establishing shops in cooperative and municipal owned buildings.
 - (ii) complaints made by shop owners setting up shops in General Administration Department (G.A.D) and Government departments owned buildings, the environs of pagodas and Hindu temples.
 - (iii) landlord and tenant disputes.
 - (iv) confiscation of lands by Government and private enterprises.
- (d) **Complaints relating to women**
- (i) complaints relating to violence against women.
 - (ii) nuptial problems not related to Human Rights.
 - (iii) Post marital violence.
- (e) **others;-** for injuries sustained
- (i) non- payment of compensation due to traffic accident involving cars and motor cycles.
 - (ii) Maltreatment of students at schools.
 - (iii) Appeal for the release of prisoners of conscience.
 - (iv) Disputes among fishermen over matters concerning fish breeding in lakes.
 - (v) Misdeeds by both judges and attorneys or breach of due process of law.

- (vi) Complaints against agricultural banks for nonpayment of loans.
- (vii) Other demands.
- (viii) Letters of appreciation.

Replies received

33. Replies received from the Union Government and concerned ministries are as follows:-

(a)	Replies received in 2011	-----	21	cases
(b)	Replies received in 2012	-----	178	cases
(c)	Replies received in 2013	-----	318	cases
(d)	Replies received from (1-1-2014) to (21-9-2014)	-----	125	cases
	Total number of Replies:	-----	643	cases

34. In 2012 the total number of withdrawals of complaints by complainants number (7) cases.

Types of complaints put on record

35. The types of complaints put on records;
- (a) Anonymous Letters
 - (b) Complaints that does not confirm with the requirements.
 - (c) Complaints that does not meet the time-frame.
 - (d) Letters that support the work done by the commission.

Field investigation trips

36. In 2011, a team from the commission led by the member secretary of the commission U SittMyaing and comprising of members U KhwaHtiYoe, U LaphaiZauGoone and Dr.NyanZaw visited Kachin State on 8 Dec 2011 to determine the situation at first hand on the relief and humanitarian aspects of the persons displaced due to armed conflict.

37. Field Visits in 2012

- (a) The Deputy Director U Saw Naing and Staff Officer U Ye Min Myat visited Kanbe Village in Twante Township on 5 October 2012 to investigate

complaints by U Zaw Win on human trafficking, forced labour and partial payment of wages, occurring in the township.

- (b) On 24 October 2012, Human Rights Officer U ZawLwinHtoo and U KyawSoeOo, Deputy Staff Officer visited the Institute of Dental Medicine in Thingangyun Township and also the Township Police Office to follow-up and investigate the death of Third year Dental Student MaungZinWaiPhyo due to a car accident.
- (c) On 14 November 2012, Human Rights Officer U ZawLwinHtoo and U KyawSoeOo, Deputy Staff Officer visited Kawhmu Township to investigate and ascertain the actual incident on a complaint by one U KyawHtay alleging the confiscation of 250 baskets of paddy sown by him.
- (d) The Commission Member secretary, U Sit Myaing together with members U KhwaHtiYoe and Daw San San visited Dagon(East) Township on 30 March 2012, to address the grievances resulting from annulment of permission already granted to Government employees by Department of Mechanized Farming . The team submitted a report to the office of the Union Government to reconsider the action by Department of Mechanized Farming.
- (e) From the 27 of June 2012 to 1st July 2012, a team headed by U Sit Myaing and comprising Dr.NyanZaw and U KhwaHtiYoe as Members visited Sittwe, Maungdaw, Buthidaung and Yathetaung Township in Rakhine State to carry out Human Rights promotion and protection activities.
- (f) On 22 July 2012, a team headed by Secretary Member U Sit Myaing and consisting of Members U LahpaiZauGoone and U KhinMaung Lay visited the relief camps in Myitkyinar and Waingmaw Township and met and spoke words of encouragement to the displaced persons. The team also investigated the complaints received from Waingmaw and Tarlawgyi townships.
- (g) A total of 571 villagers from (11) villages attested their signatures to the complaint letter regarding the copper mine project in Kyaineetaung and

Letpadaungtaung in Sarlignyitownship of Sagaing Region operated by the Myanmar Economic Holdings and Wan Bao Company of Peoples' Republic of China. The complaints Handling Committee decided to investigate the complaint and Commission Secretary U Sit Myaing, Members U LahpaiZauGoone, U KhwaHtiYoe and Daw San San accompanied by (2) staff members made an on-site investigation on the 8 of November 2012.

- (h) On 14 December 2012, Commission Secretary U Sit Myaing, Members U LahpaiZauGoone and Daw San San and a Staff Member visited Chin State to look into alleged Human Rights violations committed on the Chin Nationals and other minority nationals. The investigation was conducted at the behest of a request by the Ministry of Foreign Affairs. The team visited Haka Township, Falam Township and Lonsome village in Teetaing Township, also Kalay Township in Sagaing Region and met with Department Officials, Religious Leaders, Organizations and villagers to investigate into the allegations.
- (i) On 14 December 2012, Commissioner Members U KhwaHtiYoe and Dr. NyanZaw accompanied by a Staff Member visited Dagon Satellite Township (East) to investigate the case involving the death of U MyoMyintSwe who died while in detention.

38. Trips made in 2013

- (a) On 1 March 2013, a team consisting of Commission Members U HlaMyint, U KhwaHtiYoe and Dr. NyanZaw made an onsite investigation trip to SalayKwin Village, Bago Township in Bago Region to look into the allegations of bulldozing of the paddy fields of (9) villagers without any prior notifications by Yan Si Kyan Germent Factory. The bulldozing was carried out to create entry access to the factory.
- (b) On 7 February 2013, Deputy Director U Saw Naing and U ZawLwinHtoo, Human Rights Officer of MNHRC office visited KhineShwe War and MyaSabai roads in No.(3) Ward of Mayaungone Township, Yangon to

investigate the allegations by U AungKoKo plus (10) that Great Nine Company, acted in their own interest, to the detriment of the interest of the populace living in the wards.

39. Trips made in 2014

- (a) On 30 January 2014, Commissioner Secretary U Sit Myaing, accompanied by Members U HlaMyint, U KhwaHtiYoe and Dr. NyanZaw visited Maungdaw Township in Rakhine State to conduct on the ground investigation into the Ducheeratan Village incident.
- (b) On 30 April 2014, a team consisting of Secretary U Sit Myaing , Members U KhwaHtiYoe and Dr.NyanZaw accompanied by (2)Staff Members visited Kyaukphyar Village, Thabeikyin Township, PyinOoLwin District, Mandalay Region to look into the complaints made by the villagers against the officers of No(3) Tatmadaw Training school. The team also give a talk on human rights to the villagers.
- (c) On 3 July2014, Commissioner Member Dr. NyanZaw visited AukkyinNganTay Ward of Mawlamying Township, Mon State to look into the unlawful confiscation of paddy lands by (525) Supply and Transport Regiment.
- (d) On 7 July 2014, Commission MembersDr.NyanZaw accompanied by a Staff Member visited Myittar Charity Home in Mayangyaung village Hlegu Township, Yangon Region to investigate charges of misappropriation of funds, mistreatment of elderly leprosy patients using abusive and foul language and a near rape case, all of which was covered up without reporting to authorities concerned.

Inspection of Prisons

40. Visits in 2011

- (a) From 8 to 10December 2011, a team led by Secretary U Sit Myaing and consisting of Members Dr. NyanZaw, U KhwaHtiYoe and U Lahpai Zau Goone inspected the Myitkyinar Prison in Kachin State.

- (b) A team headed by Chair of the Commission U Win Mra and consisting of Vice Chair, U Kyaw Tint Swe, Secretary U Sit Myaing, Members U Than Swe, U HlaMyint, U LahpaiZauGoone, U KhinMaung Lay and Daw San San visited Insein Prison on 27 December 2011.

41. **Visits in 2013**

- (a) On 3 April 2013, Secretary U Sit Myaing accompanied by Dr. NyanZaw and a Staff Member visited Mandalay and Meikhtilar Township and Htone Bo village in Patheingyi Township in Mandalay Region to inspect at first hand the existing conditions in Mandalay Prison, Htonebo Prison quarry and the resettlement camps in Meikhtilar Township.
- (b) From 20 to 23 September 2013, a team consisting of Secretary U Sit Myaing, Members Dr. NyanZaw, U KhwaHtiYoe and a Staff Member visited Kawthaung Prison in Kawthaung TownshipTanintharyi Region to investigate the disturbances and shooting incident at Kawthaung Prison.
- (c) A team consisting of Secretary U Sit Myaing and comprising of Members Dr. NyanZaw, U KhwaHtiYoe and (2) Staff Members made an inspection trip to the Mawlamyaing Prison in Mawlamyaing Township, Mon State from 26 September to 27 September, 2013.
- (d) From 5 to 10, September 2013, a team consisting of Secretary U Sit Myaing, Members Daw San San, Dr. NyanZaw and a Staff Member visited Sittwe, Ponnarkyun, Kyauktaw, Mrauk-Oo and Thandwe Township in Rakhine State and conducted awareness talks on human rights topics. The team also visited the Sittwe Prison and the village where communal strife recently occurred and made inquires. Theyalso visited the resettlement camps near Sittwe Township.

Open letters to the President

- 42. On 10 October 2011, Myanmar National Human Rights Commission wrote an open letter to the President, petitioning for consideration to release the prisoners. In the letter

mention was made of --- “the expectation of the Secretary General of the United Nation and a number of countries is the release of what they referred to as “Prisoners of Conscience”. The Commission recognizes and appreciates the position of the Government that these are prisoners who have been sentenced to imprisonment for contravening the existing laws. The release of those prisoners, convicted for breach of the existing laws, who do not pose a threat to the stability of state and public tranquility in the interest of national races will enable them to participate in whatever way they can in the nation-building tasks. The Commission concluded its open letter by stating that for these reasons Myanmar National Human Rights Commission humbly requests the President, as a reflection of his magnanimity, to grant amnesty to those prisoners and release them from the prisons.

43. Myanmar National Human Rights Commission also wrote an open letter to the President on 10 November 2011. This letter mentioned that the Commission was greatly heartened by the release of (6359) prisoners by the Presidential Pardon. Myanmar National Human Rights Commission will again like to make an appeal for the release of the remaining prisoners who no longer pose a threat to the stability and tranquility of the nation and to the interest of the people. For prisoners whose pardon cannot be considered in the interest of Peace and tranquility of the nation, the Commission would like to make an appeal for them to be transferred from remote prisons to prisons where the family can have easy access to them.

Political prisoners

44. The Commission put forward appeals in the form of open letters to the President to grant pardon to prisoners who do not pose a threat to the Nation and who can contribute to Nation Building, including prisoners of conscience. To consider the cases of the remaining political prisoners, the Union Government formed a Political Prisoner scrutiny Committee and the secretary of the Myanmar National Human Rights Commission was included as a Member.

Activities in a gist

45. During the period under consideration, the activities carried out were-

- (a) (7208) complaints were examined and necessary actions were carried out.
- (b) (16) field visits were made on the complaints.
- (c) The commission inspected (6) Prisons and (4) detention centers.

- (d) Statements were made on matters regarding the protection aspect of human rights for the consumption of the public.

The open letters and statements that were published by the commission on HR protection matters

Sr.No	Description	No
1)	Statements regarding visit to Kachin State	4
2)	Statements regarding visit to Rakhine State	3
3)	Open Letters to the President	2
4)	Statement on the visit to Insein Prison and HlayHlaw Inn Camp	1
5)	Statements on the Complaint Receiving procedure	2
6)	Statement of MNHRC regarding Child soldier and Forced recruitment of child soldiers	1
7)	Statement of Gratitude regarding the Amnesty Order of the President	2

International Relations Division

Duties and Functions

46. The Union Government of the Republic of Union of Myanmar established the Myanmar National Human Rights Commission on 5 September 2011 under Ordinance No (34/2011) with the mandate to Protect and promote the Human Rights of the citizens of the Union of Myanmar.

The mandate also spelled out that in carrying out its functions the commission can liaise and cooperate with UN bodies concerned with human rights matters and also other international bodies.

Implementation of its functions

47. Under the close supervision of (3) commissioners of MNHRC, the International Relations Divisions, consisting of (3) officers and (2) staff members, carried out the activities related to Human Rights bodies under United Nation, liaise and cooperate with UN bodies, undertake travel arrangements of the Chair and members of the Commission for visits

overseas related to Human Rights matters. It also arranged for overseas travel of the Commission staff.

Courtesy calls on the Chair by foreign diplomats and representatives of UN agencies, international organizations are handled by the IR staff who also take notes write reports.

Membership in the Regional Human Rights Institutions

Cooperation with South East Asia National Human Rights Institutions Forum (SEANF)

48. To effectively carry out the functions of the Commission and to be a part of the Region's Commission Forum, and to draw upon the best practice of the Regional bodies compatible with the activities of the Commission, MNHRC undertook a study visit to Indonesia, Philippines and Thailand. At the 9th Annual meeting of SEANF held in Chiang Mai, Thailand from (12-14) September 2012, Myanmar National Human Rights Commission was accepted as the 6th Member of SEANF.

Cooperation with Asia-Pacific Forum (APF)

49. After SEANF the Commission's efforts were then directed towards becoming a member of Asia-Pacific Forum (APF), a forum consisting of Human rights institutions in the Asia-Pacific region. At the working group meeting of Asia-Pacific forum held in Amman, Jordan from (4-7) November 2012, Myanmar was accepted as an associate member of the Forum.

50. Since becoming a member of both Forums, the commission has been assiduously participating in the meetings of the Forum. A strategic Plan outlining (5) objectives was drawn up with the assistance of APF for (2014-2016) calendar year for systematically carrying out the Protection and Promotion activities of MNHRC.

Studies on activities carried out by International Human Rights Institutions

51. During the (3) year period, MNHRC made the following visits to Regional and International HR institutions to study how they are carrying out their activities.

- (a) In 2011, MNHRC visited the Philippines National Human Rights Commission from (20-24) November:

- (b) MNHRC paid a visit to the Thailand National Human Rights Commission and the National Human Rights Commission of Malaysia from (12-17) February 2012.
- (c) From (18-24) March 2012, MNHRC visited the Indonesian National Human Rights Commission.
- (d) MNHRC visited the Indian National Human Rights Commission from 22 May to 24 May 2012.
- (e) MNHRC also visited the Danish National Human Rights Institute, German National Human Rights Institute and the European Human Rights Court in Strasbourg, Paris. The visit took place from the 17th February to 24th February 2013.
- (f) Visits were also made to the Australian Human Rights Commission and the New Zealand Human Rights Commission from 2 to 8 April 2013.
- (g) In 2014 from 14-20 September, MNHRC visited the Mongolian Human Rights Commission and the Human Rights Study Group of the Peoples Republic of China.

52. MNHRC in its endeavours to promote and protect Human Rights and to cooperate and exchange experiences attended workshops and meetings held by International Organizations. In 2011 MNHRC participated (5) times, in 2012 (28) times, in 2013 (34) times and in 2014 up to 24 September (18) times for a total of (85) times. The staff of the Commission also attended trainings both locally and overseas to study the promotion and protection aspects of Human Rights.

53. With the funding of Swedish International Development Agency (Sida) and with cooperation of Raoul Wallenberg Institute of Human Rights and Humanitarian Law (RWI) the Commission carried out the promotion and protection of human rights, as well as skill development of the staff through a systematic plan of action. From 2011 to 2014, the commission was able to conduct with RWI's assistance a total of (10) trainings and workshops.

54. MNHRC in an effort to foster international relations met with expatriate representatives, foreign and local embassies, NGOs and INGOs, foreign journalists and exchanged views. From 2011 to 2014 September MNHRC met a total of (187) local and foreign representatives.

Press Releases

55. International Relations Division has the responsibility to inform the public and interested person oversea about the important undertakings by the Commission through Press Releases.

From 2011 to 2014 September the following (7) press releases were issued by IR Division.

Sr.No	Description	No of Press Release
1)	Press release commemorating International Human Rights Day	(3)
2)	Press release on being accepted as a member of SEANF	(1)
3)	Press release on being accepted as an alternate Member of APF	(1)
4)	Press release on the achievements by MNHRC	(1)
5)	Congratulatory press release on Myanmar assuming Chairmanship of ASEAN for 2014	(1)

Human rights Promotion and Education Division

Roles and responsibilities

56. As per the mandate of the commission which was established under Ordinance (N0 34/2011) of the office of the Government, the Human Rights Promotion and Education Division has the responsibility to promote Human Rights awareness and educate the public on Human Rights.

The Promotion and Education Division carries out its functions under the supervision of (3) Commissioners and the office staff consists of one Deputy Director, one Assistant

Director, one assistant Liberian, two deputy Human Rights Officers and one Junior Staff Member.

Activities of the Promotion and Education Division

57. The promotion and education division carried the following activities during the 3 years period with the aim of strengthening awareness raising of human rights of the citizens and respect for basic freedom. It was also the aim of the Commission to let every citizens apply human rights in the daily affairs.

(a) Activities carried out during the year 2011

- (1) The meeting on promoting child rights and human rights education was held at IBC meeting room on 11th of November 2011. Representatives from UNICEF, Basic Education Department, Save the Children and Information Officer from the Radio and Television Department took part in the discussions.
- (2) On 14th November 2011, the MNHRC and the Office of the High Commissioner of Human Rights jointly held a workshop on human rights subject for the Government Officials at Sedona Hotel, Mindon Hall. It was the very first workshop that was conducted by the Commission since its inception on the 5 September 2011. It was attended by 32 personnel from the various line ministries and Commissioners from the MNHRC.

(b) Activities carried out during the year 2012

- (1) The Myanmar National Human Rights Commission and UNICEF (Myanmar) held a Workshop on Awareness Raising of Child Rights and Human Rights at Traders Hotel in Yangon from the 16th to 18th January 2012. A total of 75 participants from the Ministry of Social Welfare, the Attorney General Office, UNICEF, World Vision, Save the Children (Myanmar) and the Myanmar Red Cross attended the workshop.

- (2) The Myanmar National Human Rights Commission in cooperation with Raoul Wallenberg Institute (Sweden) held a Human Rights Training Workshop for the Officials of the Government of the Republic of the Union of Myanmar from the 15th to 17th March at Inya Lake Hotel in Yangon. Professor Brian Burdekin from the Raoul Wallenberg Institute acted as the resource person at the training workshop. A total of 27 participants from the Government Ministries including the Ministry of Home Affairs, Defense and Foreign Affairs attended the training workshop.
- (3) The Myanmar National Human Rights Commission in cooperation with the Office of the High Commissioner for Human Rights held a Seminar on Good Practices in achieving compliance with the Paris Principles on National Human Rights Institution from the 30th to 31st August 2012 at Chatrium Hotel in Yangon. 22 Representatives from the concerned Ministries and Civil Society Organizations took part in the seminar.
- (4) On the 20th of November 2012, the Myanmar National Human Rights Commission in cooperation with UNICEF, Save the Children, Ministry of Social Welfare and other stakeholders held a seminar to commemorate Convention on the Rights of the Child Day. The Chief Minister of Yangon Region, the Chair of the MNHRC and the Resident Representative of UNICEF spoke on the occasion. In addition to the Chief Minister, the ceremony was attended by the Mayor of Yangon Region, 8 Ministers from Yangon Regional Government, Commissioners from the MNHRC, Ambassadors from ASEAN countries, UNICEF Resident Representative, UN Organizations, UMFCCI, students and parents from the Primary and Middle schools and schools for the children with disabilities numbering 300 in all attended the ceremony. Short plays and cultural dances were performed by the disabled children and all

children attending the CRC Day Ceremony were presented with gifts and food.

(c) **Activities carried out during the year 2013**

- (1) A training workshop on Business and Human Rights was held in Inya Lake Hotel, Yangon from 28th to 29th January 2013. The training workshop was the effort of a joint cooperation between MNHRC and RWI (Sweden). Professor Brian Burdekin was the resource person and the participants included representatives from Myanmar Economic Holding Ltd., Myanmar Women Entrepreneurs Association, UMFCCL and all line ministries concerned. A total of 45 participants attended this two day training workshop.
- (2) Human Rights training for the staff of Myanmar National Human Rights Commission sponsored by RWI was held at the Function Room of the Commission from 11th to 15th March 2013. Resource persons such as Professor Brian Burdekin, Professor Mariam Estrada and Peter Hoskings took part in the training workshop. A total of 27 staff members attended this week long training.
- (3) Website training for MNHRC staff was also held at the Function Room of the Commission from 4th to 5th April 2013. Web designer from the Lund University took part in the discussions on design aspects of a website for the Myanmar National Human Rights Commission, and it was attended by 6 staff members who will be assigned to attend to the website.
- (4) The Myanmar National Human Rights Commission and Raoul Wallenberg Institute (Sweden) co-sponsored a Training workshop on International Covenant on Economic, Social and Cultural Rights at the Chatrium Hotel, Yangon from 27th to 28th May 2013. The training workshop was attended by 33 participants including the Presidential

Advisers, Government Officials from all concerned ministries and the Commissioners and staffs of MNHRC.

- (5) A Regional Training of Trainers Workshop on Human Rights sponsored by Asia Pacific Forum (APF) and coordinated by MNHRC was held at Hotel Yangon from 3rd to 7th May 2013. It was attended by (31) potential trainers from the Human Rights Commissions in the region namely, Sri Lanka, Thailand, Indonesia, Nepal, Maldives, Malaysia, Myanmar, Australia, New Zealand, Bangladesh, Timor Leste and India. Professor Chris Sidoti and two other trainers from APF conducted a week long very intensive trainer training course.
- (6) The Myanmar National Human Rights Commission in cooperation with the Office of the High Commissioner for Human Rights (OHCHR) held a Seminar on Universal Periodic Review (UPR) for officials of all the government departments that took part in the first cycle of UPR for Myanmar. The seminar was held at the Mount Pleasant Hotel in Nay Pyi Taw from 13th to 14th May 2013 and it was attended by 31 participants including the members of the Amyotha and PyithuHluttaw, UN organizations, CSOs and government officials and Commissioners and staff from MNHRC.
- (7) A Training Workshop on International Covenant on Civil and Political Rights was held at the Summit Park View Hotel, Yangon from 19th to 20th September 2013. The training workshop was the joint effort between the Myanmar National Human Rights Commission and Raoul Wallenberg Institute of Sweden. It was attended by 30 participants from concerned Ministries and Commissioners from MNHRC.
- (8) Training on Human Rights and the Role of the Media was held at Chatrium Hotel, Yangon from 21st to 22nd October 2013. Raoul

Wallenberg Institute co-sponsored the training course and it was attended by 20 participants including Commissioners and staffs of MNHRC and Officials from Ministry of Information. Professor Brian Burdekin and information official from the Australian Commission, also two media specialists from BBC participated in the training course.

(d) **Activities carried out during the year 2014**

- (1) The Myanmar National Human Rights Commission in cooperation with Mahidol University of Thailand held a Training Workshop on Capacity Building for MNHRC Officers and Academia at Hotel Yangon from 13th to 17th January 2014. Professor Sripaphras from Mahidol University and Mr. Ray Paolo Santiago of Ateneo Human Rights Center from Philippines took part in the discussions. A total of 31 participants including staff members of Myanmar National Human Rights Commission and Lecturers from Law Department and International Relations Department of the Mandalay and Yangon University participated in the workshop.
- (2) RWI in cooperation with MNHRC held Training Workshop on the Prohibition and Prevention of Torture and Ill – Treatment at Emerald Palace Hotel, Nay Pyi Taw from 18th to 20th March 2014. The training workshop was attended by 30 participants including senior level officials from the Military and Police Department, also officials from Attorney General's Office and other related ministries. Professor Mariam Estrada took a leading role in the discussions.
- (3) MNHRC organized a workshop on Disability Inclusive Development at the Function Room of the Commission from 3rd to 4th April 2014. Participants from disable organizations took part in the two day workshop. The workshop was attended by 27 participants.

- (4) MNHRC in cooperation with RWI (Sweden) held a workshop on Human Rights and the Roles and Functions of NHRIs at the Function Room of the Commission from 23rd April to 2nd May 2014. Professor Brain Burdekin, Professor Mariam Estrada and Peter Hoskings imparted the roles and functions of NHRIs to the staff of MNHRC. The lectures were interspersed with group discussions and case studies. A total of 26 staff members attended this workshop.
- (5) RWI the main partner of MNHRC, was instrumental in organizing the Introductory Training Workshop on National Inquiries on the Rights of Persons with Disabilities held at Inya Lake Hotel, Yangon from 14th to 16th July 2014. Professor Brain Burdekin and Professor Graham Innes, himself, a person with vision impairment and former commissioner of the Australian Human Rights Commission led the discussions on National Inquiries. 27 participants from the Disable Organizations, Ministry of Social Welfare and Commissioners and staffs of MNHRC took part in the workshop. The highlight of the workshop was the role play that was conducted in the latter part of the last day of the workshop.
- (6) As part of the training workshop on Human Rights for government officials, a team headed by 3 Commissioners and staffs held a training workshop in Mawlamyine Township for government officials of Mon State. (50) State, District and townships level officials of government department in Mon State attended the three day training course. The training course was held from 28th to 30th July 2014.
- (7) A similar training workshop for government officials from Kayah State was held in Loikkaw, the capital city of Kayah state from 18th to 20th August 2014. (50) State, District and township level officials from Kayah state attended this training course.

- (8) A Training Workshop on the International Convention on the Elimination of all forms of Racial Discrimination (ICERD) jointly organized by Myanmar National Human Rights Commission and Raoul Wallenberg Institute (Sweden) was held from 26th to 27th August at Amara Hotel in Nay Pyi Taw. The workshop was attended by the Commissioners and staff of MNHRC and responsible personals from the related ministries.

**Summary of the Training Workshop and Human Rights Talks that was conducted by
MNHRC**

Year		2011	2012	2013	2014	Total	Remarks
Workshop		2	3	8	8	21	-
HR Talks	Venue: MNHRC Office	-	2	6	1	9	No. of participants (7500)
	Other Townships			19	19	38	
Total				25	20	47	

58. The basic concept of human rights, the Universal Declaration of Human Rights, the formation of Myanmar National Human Rights Commission and it's activities are the main subjects that was imparted in the human rights training workshops.

59. With the intension of dissemination of human rights related knowledge to state level government personals serving in the various departments, human rights workshops were held in Mon and Kayah State. In the workshop, the Chair of the commission, the Vice Chair of the Commission and commissioners deliberated on the following (11) subjects:

- (a) History of human rights and concepts of human rights
- (b) The Universal Declaration of Human Rights
- (c) The (9) core human rights conventions
- (d) Comparison between the Convention on the Rights of the Child (CRC), the Child Law and relevant provisions in the State Constitution.

- (e) Convention on the Elimination of all forms of Discrimination Against Women (CEDAW)
- (f) Convention on the Rights of People with Disabilities (CRPD)
- (g) United Nations Human Rights Mechanisms
- (h) National Human Rights Institutions (NHRIs) and Paris Principle
- (i) Myanmar National Human Rights Commission
- (j) Complaint handling procedures
- (k) The Myanmar National Human Rights Commission Law

60. Other human rights promotion and educational activities apart from the human rights talks, workshops and trainings are as follows:-

- (a) Lectures on human rights subject were given as listed below:-
 - (i) Central Public Services University ----- 1 time
 - (ii) National Defense College ----- 3 times
 - (iii) Ministry of Home Affairs ----- 4 times
(Skill Training Centre of General Administration Department)
 - (iv) Ministry of Foreign Affairs ----- 5 times

Moreover, MNHRC also took part in the discussions at the National Level Disable Youth Leaders training course held by the Myanmar Independent Living Initiative (MILI).

- (b) MNHRC established an Electronic-Library on 18 September 2013 at the Library room of the Commission. There are 949 books in Myanmar language and 545 books in English language for a total of 1494 books and 500 e-books.
- (c) MNHRC also launched its website with the address of www.mnhrc.org.mm on 18 September 2013 with the intention of informing the public on a timely basis with information on all statements released, training courses and human rights promotion and educational workshops conducted by the Commission.

- (d) The Commission also translated the Universal Declaration of Human Rights (UDHR) from the English language to the Myanmar language and printed versions of the translation of UDHR was launched with a ceremony on the 18 of June 2014 for perusal by the public. The translation of UDHR was distributed to all Ministries, the two Houses of Parliament, State and Regional Level Governments and to all the schools through the Ministry of Education. The translation was also distributed to the UN organizations, the INGOs, NGOs and CSOs. It was also distributed free of charge to all participants attending the training courses and workshops held by MNHRC. 46000 copies of the UDHR translation have been distributed so far.

Conclusion

61. This Annual Report covers the activities carried out by the Myanmar National Human Rights Commission that was formed by the ordinance of the Union Government from the period 5th September 2011 to 5th September 2014.

Myanmar National Human Rights Commission

Dated - March 2015

Yangon