



ANNUAL REPORT

2015

Myanmar National Human Rights Commission

@ Copyright Myanmar National Human Rights Commission (MNHRC)

The copyright of this report belongs to the MNHRC. All or any part of this report may be reproduced provided acknowledgement of source is made or with the Commission's permission. The MNHRC assumes no responsibility, warranty and liability, expressed or implied by the reproduction of this publication done without Commission's permission. Notification of such use is required. All rights reserved.

Published in Myanmar by

Myanmar National Human Rights Commission (MNHRC)

No. 27, 6^{1/2}Miles, Pyay Road,

Hlaing Township,

Yangon Region

Tel : 95-1654681, Ext: 801,836

Fax : 95-1654670

www.mnhrc.org.mm

Chairperson's Foreword

This is the Annual Report of the activities of the Myanmar National Human Rights Commission (MNHRC) for 2015 produced in compliance with section 22 (L) of the Commission Law which was submitted to the President of the Republic of the Union of Myanmar and to the speaker of the Pyidaungsu Hluttaw on 10 June 2016.

The Chairperson of the MNHRC appeared before the Pyidaungsu Hluttaw on 25-7-2016 to present the report. On 28-7-2016 the Pyidaungsu Hluttaw put on record the report of the Commission after deliberations by the members of the Pyidaungsu Hluttaw.

A report containing the response to the queries, comments and recommendations on the Annual Report made by the Parliamentarians were submitted by the Commission to the speaker of the Pyidaungsu Hluttaw on 19-9-2016.

The Annual Report for 2015 contains the activities of the five divisions of the Commission namely, activities of the Human Rights Policy and Legal Division; activities of the Human Rights Promotion and Education Division; activities of the Human Rights Protection Division; activities of the International Relations Division; and the activities of the Administrative and Finance Division. Some salient features are mentioned in the foreword.

During 2015, the Commission continued to engage vigorously on promotional activities. It conducted human rights trainings in the seven regions of the country and in Nay Pyi Taw Council. Grass root level training workshops were conducted in 40 townships, participated by NGOs and CSOs. Workshops were also held in co-operation with the organizations concerned on the UN Security Council Resolution 1325 on Women, Peace and Security and related resolutions. Capacity building workshops on Gender and Security for Senior Officials and a workshop on the National Inquiry for Disabled Persons were also held.

Human Rights talks were conducted at the Union Level Ministries and Union Level organizations. Human Rights lecturers were also given at training courses by the Central Institutes of Civil Service both in Lower and Upper Myanmar.

The UDHR had been earlier translated from English into Myanmar language and widely distributed. The MNHRC continues to distribute them as widely as possible whenever workshops, training sessions on human rights are held for government officials, people in the communities and at the grass root levels. During 2015, it was further translated into additional three ethnic languages, namely Kachin, Mon and Shan languages.

One noteworthy feature of the promotional activities was the extension of the human rights education to the secondary and high school students. This was done on the occasion of the commemorative event of the International Human Rights Day. To commemorate the International Human Rights Day, the MNHRC held a commemorative event on 8 December 2015. The highlight of the event was the essay competition on the subject of Human Rights for the Basic Education High School Level students and the Middle School Level students and prizes that were awarded to the winners of the competition.

In the area of protection, various types of complaints continued to flow in during 2015 numbering up to a total of 1287 complaints received from within the country. The complaints essentially fall into 21 categories. The most number of complaints were in the category of land disputes. The Commission sent investigation teams to inquire into some of the complaints on land issues that required on site examination.

Another area of active engagement was the prison visits. In compliance with Section 43, 44 and 45 of the Law, the Commission conducted inspection of prisons, labour camps, detention centers and places of confinement and the findings with the necessary recommendations were transmitted to the Ministry concerned for necessary action.

In order to systematize and streamline the complaint handling system, the manual on investigation of complaints and installation of data based computerized system on complaint handling were being drafted with the facilitation of the RWI.

During 2015, MNHRC took over the Chairmanship of the 6-member Sub-regional National Human Rights Institutions called SEANF from the Malaysian Human Rights Commission (SUHAKAM), at the end of the 12th Annual Meeting of SEANF in Putrajaya, Malaysia, in September 2015.

In the process of drafting of the National Report by the Government on the Universal Periodic Review on the situation of human rights, the MNHRC provided its assistance to the government in its independent capacity. The Commission also submitted its own report with comments and recommendations on the activities of the government.

The Commission actively participated in the workshops and training programmes on human rights held in the region which helped promote the widening of knowledge and experience and sharing of good practices on promotion and protection of human rights.

During the period under reporting, the Commission, in accordance with Section 70 of the Law, started to draft the procedures of the MNHRC as well as the financial procedures, which the Commission was able to approve and issue notifications on the respective procedures in early 2016, after necessary consultations and co-ordination with the government departments concerned had been completed.

During 2015, the Commission also coordinated with the Ministry of Finance for the budget of the Commission for 2016-2017 Fiscal Year to be submitted and claimed directly from the Parliament through the Ministry of Finance which would allow the Commission to operate financial matters more independently. Up to 2015-2016 Fiscal Year, the expenditure was allocated to the Commission quarterly through the President's Office.

For the welfare of the staff members, the Commission was able to provide to them social security benefits beginning May 2015 in accordance with the Social Security Scheme. The Commission also successfully coordinated with the government department concerned to introduce pension scheme for the staff members which was later approved and put into implementation in 2016-2017 budget year.

The Chairperson would like to heartily thank the fellow Commissioners and also to the staff members for their co-operation, hard work and commitment which had contributed towards the success of many of the Commission's endeavors.

Thank You.

Win Mra
Chairperson
Myanmar National Human Rights Commission

Myanmar National Human Rights Commission

Annual Report for 2015

Contents		Page
Introduction:-	-----	1
1. Formation of the Commission and divisions under it	-----	1
2. Formation of the commission	-----	1
3. Establishment of Divisions	-----	2
Activities of the Human Rights Policy and Legal Division		
4. Formation	-----	2
➤ Functions and Duties	-----	2
5. Procedures of the Myanmar National Human Rights Commission	-----	2
6. Comments and Recommendations Submitted in Response to References Received	-----	3
7. Attending seminars on Legal Matters	-----	5
8. Other Activities on Policy and Legal Matters	-----	6
9. Recommendations concerning Policy and Legal Matters	-----	6
Activities of the Human Rights Promotion and Educational Division		
10. Formation	-----	7
➤ Functions	-----	2
11. Grass root level workshops	-----	9
12. Human Rights Talks	-----	12
13. Trainings Conducted in Cooperation with International Organizations	-----	14
14. Workshops Conducted in Cooperation with International Organizations	-----	14
15. Human Rights Talks Conducted at the Union Level Ministries and Union Level Organizations	-----	15
16. Human Rights Related Subjects impacted to High Ranking Officers	-----	16
17. Human Rights lectures given at trainings conducted by Central Institutes of Civil Service	-----	16
18. Educational Talks and Lectures given during the period of 2015	-----	17
19. The production and screening of Human Rights Educational documentary film	-----	17
20. Translation and publication of UDHR into three ethnic languages	-----	17
21. Press Conference	-----	17
22. International Human Rights Day Ceremony	-----	18
23. Establishment of a Resource Centre	-----	18
24. Establishment of the Commission's Website	-----	18
25. Recommendations of the Promotion and Education Division	-----	18

Contents

Page

Activities of the Human Rights Protection Division

26.	Formation -----	19
27.	Action taken concerning complaints -----	19
28.	Field Investigations -----	21
29.	Conciliation -----	23
30.	The Inspection of Prisons, Labour Camps, Detention Centers and Places of Confinement ----	25
31.	Meeting Local and International Organizations -----	26
32.	Relations with Thai National Human Rights Commission -----	27
33.	Drafting the manual on the investigation of complaints -----	27
34.	Installation of data based computerized system -----	27
35.	Recommendations for the Protection of Human Rights -----	28

Activities of the International Relations Division

36.	Formation -----	29
37.	Taking part in the Universal Periodic Review on the situation of human rights (UPR) -----	29
38.	Cooperation with Southeast Asia National Human Rights Institutions Forum (SEANF) -----	29
39.	Cooperation with Asia Pacific Forum (APF) of National Human Rights Institutions -----	31
40.	Communication with ICC -----	31
41.	Cooperation with Raoul Wallenberg Institute (RWI) -----	31
42.	Cooperation with National Human Rights Commission of Mongolia (NHRCM) -----	32
43.	Meeting with Local and International Organization -----	32
44.	Members' Attendance of International Seminars and Workshops -----	35
45.	Staffs' Attendance of International Seminars, Workshops and training -----	37
46.	Recommendation on International Relations -----	37

Activities of the Administrative and Finance Division

47.	Formation -----	38
48.	Administration Matters -----	38
49.	Staff Matters -----	39
50.	Financial Matters -----	40
51.	Setting up procedures -----	41
52.	Submission and Claiming of Supporting Fund of the Commission for 2016-2017 Fiscal Year --	41
53.	Pension Scheme for the Commission Staff -----	42
54.	Social Security System for the Staff -----	42
55.	Suggestions of Administration and Finance Division -----	43

	The Statements of the Myanmar National Human Rights Commission -----	44
--	---	-----------

	Conclusion -----	45
--	-------------------------	-----------

Myanmar National Human Rights Commission
Annual Report for 2015

Introduction:-

1. The Myanmar National Human Rights Commission Law was promulgated as law No. 21/2014 of the Pyidaungsu Hluttaw on 28 March 2014. The law was promulgated with the aim to promote and protect the fundamental rights of the citizens as enshrined in the Constitution of the Republic of the Union of Myanmar.

Formation of the Commission and divisions under it

Formation of the commission

2. In line with section 4 and section 9 of Pyidaungsu Hluttaw law No. 21/ 2014 promulgated on 28 March 2014, the Myanmar National Human Rights Commission comprising of the following (11) persons was formed under Order No.23/2014 of the Office of the President of Republic of the Union of Myanmar-

- | | | |
|-----|---|---------------|
| (a) | U Win Mra
Ambassador (Rtd) | Chairman |
| (b) | U Sit Myaing
Director General (Rtd)
Department of Social Welfare | Vice Chairman |
| (c) | U Zaw Win
Director General (Rtd)
Prison Department | Member |
| (d) | U Yu Lwin Aung
Chairman (Rtd)
Social Security Board
Ministry of Labour, Employment and Social Security | Member |
| (e) | U Nyunt Swe
Deputy Director General (Rtd)
Ministry of Foreign Affairs | Member |
| (f) | Dr. Myint Kyi
Pro-Rector (Admin) (Rtd)
International Theravada Buddhist Missionary University | Member |
| (g) | Dr. Nyan Zaw
State Medical Superintendent (Rtd) | Member |
| (h) | Dr. Daw Than Nwe
Professor/ Dean (Rtd)
Department of Law | Member |

- | | | |
|-----|---|--------|
| (i) | Daw Mya Mya
Deputy General Manager (Rtd)
Ministry of Information | Member |
| (j) | U Khin Maung Lay
Director (Rtd)
Department of Labour | Member |
| (k) | U Soe Phone Myint
Staff Officer (Rtd)
Union Attorney General's Office | Member |

Establishment of Divisions

3. The Commission's Office was formed with the following 5 Divisions and has been carrying out their respective functions;

- (a) Human Rights Policy and Legal Division
- (b) Human Rights Promotion and Education Division
- (c) Human Rights Protection Division
- (d) International Relations Division
- (e) Administration and Finance Division

Activities of the Human Rights Policy and Legal Division

Formation

Functions and Duties

4. By decision 8/ 2014 of the Plenary Meeting of the Myanmar National Human Rights Commission (MNHRC) , held on 7 October 2014, the under-mentioned members of the Commission were assigned duties to supervise and carry out policy and legal matters:-

- | | | |
|-----|-------------------|--------|
| (a) | Dr. Daw Than Nwe | Member |
| (b) | U Soe Phone Myint | Member |

5. (1) Deputy Director, (1) Assistant Director, (1) Human Rights Officer, (1)Senior Clerical Staff Member and (1)Junior Clerical Staff Member, in total five persons, have been assigned duties at the Human Rights Policy and Legal Division.

Procedures of the Myanmar National Human Rights Commission

6. In accordance with Section 70 of the Myanmar National Human Rights Commission Law, the procedures of the Myanmar National Human Rights Commission Law were drafted in coordination with the Union Attorney General's Office.¹

¹ The procedures relating to the Myanmar National Human Rights Commission Law have been issued by notification No. 3/2016 on 1-3-2016

Comments and Recommendations Submitted in Response to References Received

7. The Commission submitted its comments and recommendations concerning Myanmar Buddhist Women Special Marriage Law (bill), the Religious Conversion Law (bill), the Monogamy Law (bill) and the Population Control Healthcare Law (bill) on 22-1-2015 to the Union Government, the Bill Committee of the Pyithu Hluttaw, the Bill Committee of the Amyotha Hluttaw and on 29-1-2015, to the Chairman of the Amyotha Hluttaw and the Chairman of the Pyithu Hluttaw.

8. A request for a recommendation on the Child Rights Law (draft) was received from the Ministry of Social Welfare, Relief and Resettlement, and the Commission submitted its recommendations to the Ministry on 18-2-2015. It was recommended that:

- the law should be entitled “the Law on the Rights of Child”;
- the principle, ‘First Call for Children’ and “best interests of children” should be restated in the new law as prescribed in the Section 27 of the Child Law (1993) which provided that “Persons having responsibility in respect of the affairs of children shall have as their objective the best interests of children under the principle “First Call for Children” regarding protection and care of every child by the community”;
- legal provisions on guardianship and care and provisions relating to maintenance should be discussed with the Supreme Court of the Union;
- With regards to the juvenile justice system, the provision was just and proper as it was in conformity with the basic principles of the Convention on the Rights of the Child.

9. The Commission submitted its opinion, on 29-4-2015, on the Older Persons Law (6th Draft), based on the points discussed at the second discussion session held on the said Law by the Ministry of Social Welfare, Relief and Resettlement. The Commission opined that the phrase, “ ...in accordance with Myanmar Tradition to be in conformity with Myanmar Cultural Environment ...” should be deleted as it amounts to discrimination against older persons of other faith; the word “observe” should be inserted in the phrase, “with regard to religion, freedom to believe in worship”; and that it was necessary to take into consideration the human rights principles enshrined in the Universal Declaration of Human Rights.

10. With regard to the Child Rights Law (6th Draft), the Commission submitted its supplementary recommendation to the Ministry of Social Welfare, Relief and Resettlement on 25-5-2015. It was recommended that the following text be included “With a view to enjoying the full effects of the provisions of this Law, awareness raising trainings, seminars and talks should be held, as appropriate, in cooperation with government organizations, UN organizations, international organizations, non-governmental organizations and Civil Society organizations”; with regard to the term “Social Welfare Officer”, the suitable officer level should be specified or included in detail in the rules. It was also recommended that the word “literature” be added after the word “language”.

11. Upon request of the Ministry of Foreign Affairs on 24-3-2015, with regards to the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict, the Commission sent its comments that Myanmar should ratify the said Optional Protocol.

12. Upon request of the Anti-Corruption Commission, the Commission submitted its comments on the United Nations Convention Against Corruption (UNCAC) on 29-4-2015. In its comments, it was stated that in respect of the UNCAC, the provisions of the Myanmar Anti-Corruption Law (2013) are administered by the Anti-Corruption Commission which is to carry out investigations, bring cases to court for adjudicating the crimes concerning corruption, and to give judgment on the cases, that the Myanmar National Human Rights Commission is vested with the mandate only to scrutinize complaints on violations of human rights but does not have any mandate to investigate complaints on corruption; that the provisions of the UNCAC, in addition to dealing with matters on anti-corruption, also has procedures on protecting the witnesses, experts and victims of corruption; the informers with regard to investigation and litigation are not similar to the procedures on human rights; that the laws which administer the Anti-Corruption Commission and the Myanmar National Human Rights Commission are not similar.

13. The Commission sent its recommendations on amendments to be made to the Constitution of the Republic of the Union of Myanmar (2008), to the President, on 2-6-2015. It was recommended that the expression "the older persons" should be substituted with the expression "the aged"; that the expression "the disabled" should be substituted with the expression "differently abled"; that in addition to the original terms, "race, birth, religion, official position, status, culture, sex and wealth" should be added to the terms "colour, language, political or other opinion; that the expression "Everyone shall pay mutual respect to the human dignity and human rights," should be added; that the expression, "No one shall be subjected to torture or cruel, inhuman or degrading treatment or punishment," should be mentioned as a separate Section; to mention under a separate Section in Chapter (8) of the Constitution; the word "With a view to promoting and protecting human rights, a law should be enacted for the establishment of a Human Right Commission" which will strengthen and enrich the establishment of the Commission.

14. Upon request by the Ministry of Social Welfare, Relief and Resettlement, the Myanmar National Human Rights Commission submitted its recommendations on the Anti-Violence against Women Law (Draft). In its recommendations, Myanmar National Human Rights Commission stated that the definition of "rape" differed from that in Section 375 of the Penal Code with regard to the characteristics required to commit "rape"; that relating to the definition of sexual material, a review should be made to ascertain whether it is controversial or not with Section 292, 293 and 294 of the Penal Code; with regard to the Provisions on litigation in local codes, it should be ascertained whether they are in conflict or not with the Provisions contained in the Constitution of the Republic of the Union of Myanmar(2008), and for the sake of standardization and legality, they should be amended through reviews and discussions held with the Ministry of Defence, the Ministry of Home Affairs, the Supreme Court of the Union and the Union Attorney General's Office.

15. On 7-12-2015, the Commission submitted its reply to the Office of the Union Government and to the Union Attorney General's Office in response to the following question raised by a Pyithu Hluttaw representative from Northern Dagon Myothit, Daw Tin New Oo: "In keeping with Section 347 of the Constitution which states that the Union shall guarantee any person to enjoy equal rights before the law and shall equally provide legal protection, the possibility of adopting separate Laws in extension of Section 347". In its reply, the Commission stated that the rights included in Article 7 and 8 of the Universal Declaration of

Human Rights are recognized in the Constitution and that the matter of adopting separate laws in Constitution of Section 347 must be carefully considered from various aspects.

Attending seminars on Legal Matters

16. Upon invitation of the Myanmar Centre for Responsible Business (MCRB) Commissioner Dr. Daw Than Nwe, and Daw Nann Thida Lwin, Assistant Director, attended the “Multi-Stakeholder Workshop on Strategic Community Investment in the Extractive Industries”, held in Yangon on January from 27 to 28-1-2015.

17. The following seminars and workshops were attended by Assistant Director Daw Nann Thida Lwin: Upon invitation by the Ministry of Social Welfare, Relief and Resettlement, “the Workshop on Co-ordination and Discussions for Recommendations Regarding the Older Persons Law (Draft)” held at Nay Pyi Taw on 29-30 January 2015 and “the Second Review Meeting on the Older Person Law (Draft)”, held in Nay Pyi Taw on 31-3-2015. “The Co-ordination Meeting on Myanmar becoming a state party to the International Covenant on Economic, Social and Cultural Rights”, held in Nay Pyi Taw on 16-2-2015, upon invitation by the Ministry of Foreign Affairs.

18. Daw Phyo Thiri Win, Human Rights Officer of the office of the Commission attended the following meetings:

Upon invitation by the Ministry of Social Welfare, Relief and Resettlement, the meeting on “the Working Committee for Review of the Child Rights Law (Draft)”, held in Nay Pyi Taw on 8-9 April 2015.

Upon invitation by the UNICEF, the meeting on “National Child Law Consultation”, held jointly by the Ministry of Social Welfare, Relief and Resettlement and UNICEF, in Nay Pyi Taw on 4-5 April 2015.

19. The following meetings were attended by Assistant Director, Daw Nann Thida Lwin:

Upon invitation by the Ministry of Foreign Affairs, “the Awareness raising Workshop on the International Covenant on Civil and Political Rights”, held in Nay Pyi Taw on 16-17 March 2015 and “the Co-ordination Meeting on Signing Optional Protocol to the Convention on the Rights of the Child on the involvement of Children in Armed Conflict” held on 27-5-2015.

20. At the invitation of the Ministry of Social Welfare, Relief and Resettlement, Commissioner Dr. Daw Than Nwe and the Assistant director of the office of the Commission, Daw Nann Thida Lwin attended “the Co-ordination Meeting of the Working Committee for Anti-Violence Against Women Law (Draft)”, held in Nay Pyi Taw on 7-6-2015.

21. Upon invitation by the Friedrich Naumann Foundation, Myanmar Office, Commissioner Dr. Daw Than Nwe and Assistant Director, Daw Phyo Thiri Win attended “the Workshop on Drafting and Reviewing Laws” held in Yangon on 6-7 August 2015.

22. Commissioner Dr Daw Than Nwe participated in discussions at the meeting on “Drafting Educational programmes on Human Rights”, held jointly by Raoul Wallenberg Institute (RWI) and the Department of Law, University of Mandalay, on 6-10-2015.

23. Commissioners Dr Daw Than Nwe and U Soe Phone Myint participated in discussion at the “Workshop on reflection of Experience of Asian Countries on administration, in consistence with Justice,

Democracy and the Constitution”, held by the Australia-Myanmar Constitutional Democracy Project Group, on 24-25 November 2015, at the Micasa Hotel, Yangon.

Other Activities on Policy and Legal Matters

24. Commissioner U Soe Phone Myint met with Dr. Daniel Aguire (International Legal Advisor, Myanmar), International Commission of Jurists (ICJ) on 19-5-2015 and discussed with him concerning the workshops, discussion sessions, and activities for the promotion and protection of Human Rights convened by the Myanmar National Human Rights Commission in the states and regions.

25. In reviewing the National Human Rights Law of the Indonesia National Human Rights Commission (Komnas HAM), the Myanmar National Human Rights Commission replied to the questions posed by Komnas HAM in order to learn the State level practices of the South East Asia National Human Rights Forum (SEANF).

26. Upon invitation by the Legal Clinic Myanmar, Commissioner Dr Daw Than Nwe, lectured at the “workshop for the discussion on Justice and Elimination of Torture” held on 31-8-2015 in Sittwe, Rakhine State.

27. The Danish Institute for Human Rights and the Myanmar National Human Rights Commission jointly held a “Blended Learning Programme on Business and Human Rights for MNHRC (Online) from 24-8-2015 to 20-9-2015. The course was attended by three Commissioners, 24 staff members of the Commission Office and 4 staff members from the Myanmar Centre for Responsible Business (MCRB). In addition, the aforementioned staff members also attended the ‘face to face course held at the office of the Commission from 7-10-2015 to 9-10-2015.

Recommendations concerning Policy and Legal Matters

28. On 29-1-2014, Myanmar National Human Rights Commission recommended to the President of the Republic of the Union of Myanmar that Myanmar should become a State Party to the International Covenant on Economic, Social and Cultural Rights (ICESCR). Subsequent to this, Myanmar signed the ICESCR on 16-7-2015 and the Commission has recommended that it should proceed with the ratification.

29. Upon receiving a request from the Ministry of Foreign Affairs concerning Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict, the Commission responded on 24-3-2015 that Myanmar should ratify the protocol. Myanmar signed the aforesaid protocol on 28-9-2015.

30. The Ministry of Social Welfare, Relief and Resettlement is drafting the Child Rights Law, Myanmar National Human Rights Commission recommended that enacting process of the aforesaid law should be speedily carried out.

31. The Myanmar National Human Rights Commission recommended that a draft law on the Prevention of Violence against Women which is being drafted by the Ministry of Social Welfare, Relief and Resettlement be enacted speedily.

Activities of the Human Rights Promotion and Educational Division

Formation

Function

32. At the Plenary meeting (8/2014) held on 7 October 2014, the Commission assigned the following members of the Commission to supervise and carry out the Human Rights promotion and educational activities.

- | | | |
|-----|------------------|--------|
| (a) | U Yu Lwin Aung | Member |
| (b) | U Khin Maung Lay | Member |

33. Human Rights Promotion and Education Division has assigned (1) Director, (1) Deputy Director, (1) Assistant Director, (1) Librarian, (1) Human Rights Officer, (2) Deputy Human Rights Officers, (3) Senior Staff Members and (2) Junior staff Members totaling (12) persons to carry out its activities. The activities of Human Rights Promotion and Education Division can be listed as follows;

- (a) Workshops for Government Department officials;
- (b) Grass root level workshops;
- (c) Human Rights talks;
- (d) Seminars and workshops in coordination with International agencies;
- (e) Human Rights talks to Union level Ministries and Agencies;
- (f) Human Rights lectures imparted to upper level officials;
- (g) Human Rights lectures conducted at Central Institute of Civil Service;
- (h) Producing and screening of human rights Educational Telecast;
- (i) Translation of UDHR into (3) National Ethnic languages;
- (j) Holding of a Press conference;
- (k) Ceremony to celebrate Human Rights day;
- (l) Establishment of a Resource center.

34. Workshops for Government Officials

- (a) Objective of the course:-

By Conducting Human Rights awareness workshops for officials at the Region, State and Nay Pyi Taw Council, the officials at the Regional, State, District and Township levels will fully understand human rights matters and endeavor to carry out their activities based on human rights approaches.

- (b) Duration:- The workshop is a full time (2) day course and the intake per workshop is up to (50) candidates.
- (c) Assistance:- RWI provides financial support.
- (d) Subjects covered at Regional, State and Nay Pyi Taw Council level workshops are based on the following topics:
 - (1) Brief history and concepts of human rights

- (2) Universal Declaration of Human Rights
- (3) Comparison of articles contained in UDHR and the Constitution
- (4) 9 Core human rights conventions
- (5) Comparison of articles in CRC and the Myanmar Child Law (1993)
- (6) Convention on the Elimination of All Forms of Discrimination Against Women
- (7) Convention on the Rights of Persons with Disabilities
- (8) NHRIs and Paris Principles
- (9) Myanmar National Human Rights Commission
- (10) Complaint Procedures
- (11) Myanmar National Human Rights Commission Law

(e) Training Conducted

The human rights workshops for government officials were held in the 7 States in 2014 and in 2015 trainings were conducted in 7 Regions and in the Nay Pyi Taw Council. The trainings in 2015 were as follows:

(1) **Pathein Township, Ayerwadday Region**

The workshop on Human Rights for Government Officials was held from 27 to 28 May 2015 in Pathein Township. Vice Chairman U Sit Myaing, Commissioners Daw Mya Mya and U Khin Maung Lay, conducted the workshop attended by 40 officials of Regional, District and Township Level officials

(2) **Mandalay Region**

The workshop on Human Rights for Government Officials for Mandalay Region was held from 9 to 10 June 2015 in Mandalay Township and it was attended by 39 Regional, District and Township level officials. The workshop was supervised and conducted by Vice Chairman U Sit Myaing and Commissioners Dr. Myint Kyi and U Khin Maung Lay.

(3) **Magway Region**

The workshop on Human Rights for Government Officials for Magway Region was held from 22 to 23 July 2015 in Magway Township and it was attended by 39 Regional, Districts and Township levels officials. Vice Chairman of the Commission led the discussion and Commissioners U Zaw Win and Dr. Nyan Zaw also took part in conducting the workshop.

(4) **Nay Pyi Taw Council**

The workshop on Human Rights for Government Officials for Nay Pyi Taw Council was held from 11 to 12 August 2015 in Nay Pyi Taw and it was attended by 41 Regional, District and Township level officials. Vice Chairman U Sit Myaing and Commissioners U Yu Lwin Aung and Dr. Myint Kyi undertook lectures and discussions at the workshop.

(5) Yangon Region

The workshop on Human Rights for Government Officials for Yangon Region was held from 1 to 2 September 2015 in Yangon Township and it was attended by 40 Regional, District and Township level officials. The workshop was conducted by Vice Chairman U Sit Myaing, Commissioners U Khin Maung Lay and U Soe Phone Myint.

(6) Bago Region

The workshop on Human Rights for Government Officials for Bago Region was held from 22 to 23 September 2015 in Bago Township and it was attended by 38 Regional, Districts and Township level officials. Vice Chairman U Sit Myaing was joined in the discussion and the lecture by Commissioner U Zaw Win.

(7) Tanintharyi Region

The workshop on Human Rights for Government Officials for Tanintharyi Region was held from 29 to 30 October 2015 in Dawei Township and it was attended by 42 Regional, District and Township level officials. The Chairman U Win Mra led the discussion assisted by Commissioners U Nyunt Swe and U Soe Phone Myint.

(8) Sagaing Region

The workshop on Human Rights for Government Officials for Sagaing Region was held from 23 to 24 November 2015 in Monywa Township and it was attended by 49 Regional, District and Township level officials. Vice Chairman U Sit Myaing, Commissioners Daw Mya Mya and U Khin Maung Lay took part in the two-day workshop.

35. Grass root level workshops**(a) Objective**

The Objective of this grass root level training workshop is to raise awareness of human rights among the populace and members of the civil society organizations with the aim of disseminating human rights knowledge and thereby to learn to respect human rights.

(b) Duration of Workshop

This workshop is a full time one day workshop and the number of trainees for each workshop varies from 50 to 60 participants.

(c) Subjects discussed at that workshop

- (1) Human Rights Definition and Concepts
- (2) Universal Declaration of Human Rights
- (3) Human Rights and Responsibilities
- (4) Myanmar National Human Rights Commission
- (5) Complaint Mechanism

(d) Training Conducted

The grass root level training workshop was conducted in 40 townships and it was participated by the NGOs and CSOs of those townships -

(1) Southern Yangon District

The workshop was held on 17 March 2015 in Thanlyin Township and it was participated by 67 persons from all works of life. Vice Chairman U Sit Myaing and Commissioner U Khin Maung Lay took part in the discussions.

(2) Eastern Yangon District

The workshop was held on 24 March 2015 in Dagon Myothit (South) Township and it was participated by 50 NGOs and CSOs of the township. Commissioner U Khin Maung Lay conducted the workshop.

(3) Nay Pyi Taw Council

The workshop was held on 3 May 2015 in Pyinmana Township and it was participated by 60 persons belonging to the NGOs and CSOs of the township. Vice Chairman U Sit Myaing, Commissioners U Yu Lwin Aung and U Khin Maung Lay led the discussions.

(4) Nay Pyi Taw Council, Lewei Township

The workshop was held on 4 May 2015 in Lewei Township and it was participated by 50 persons belonging to the NGOs and CSOs of the township. Vice Chairman U Sit Myaing, Commissioners U Yu Lwin Aung and U Khin Maung Lay led the discussions.

(5) Chan Aye Thar San Township, Mandalay Region

The workshop was held on 11 June 2015 in Chan Aye Thar San Township and it was participated by 50 persons belonging to the NGOs and CSOs of the township. Vice Chairman U Sit Myaing, Commissioners Dr. Myint Kyi and U Khin Maung Lay took part in the discussions.

(6) Chan Mya Thar Si Township, Mandalay Region

The workshop was held on 12 June 2015 in Chan Mya Thar Si Township and it was participated by 50 persons belonging to the NGOs and CSOs of the township.

Vice Chairman U Sit Myaing, Commissioners Dr. Myint Kyi and U Khin Maung Lay took part in the discussions.

(7) Western Yangon District

The workshop was held on 26 June 2015 in Township Hall of Ahlone Township and it was participated by 42 persons belonging to the NGOs and CSOs of the township. Vice Chairman U Sit Myaing, Commissioners U Khin Maung Lay and U Soe Phone Myint took part in the discussions.

(8) Hlaing Tharyar Township, Northern Yangon District

The workshop was held on 29 June 2015 in Thaug-Gyi Monastery in Hlaing Tharyar Township and it was participated by 45 persons belonging to the NGOs and CSOs of the township. Vice Chairman U Sit Myaing, Commissioners U Zaw Win and U Khin Maung Lay took part in the discussions.

(9) Myaung Mya Township, Ayeyawaddy Region

The workshop was held on 10 December 2015 in Mya Shwe War Hall of Myaung Mya Township and it was participated by 54 persons belonging to the NGOs and CSOs of the township. Vice Chairman U Sit Myaing, Commissioner U Yu Lwin Aung took part in the discussions.

(10) Hinthada Township, Ayeyawaddy Region

The workshop was held on 11 December 2015 in Hinthada Town Hall of Hinthada Township and it was participated by 52 persons belonging to the NGOs and CSOs of the township. Vice Chairman U Sit Myaing, Commissioner U Yu Lwin Aung took part in the discussions.

(11) Kyaik Hto Township, Mon State

The workshop was held on 22 December 2015 in the Town Hall of Kyaik Hto Township and it was participated by 50 persons belonging to the NGOs and CSOs of the township. Commissioners Dr. Myint Kyi, U Khin Maung Lay and U Soe Phone Myint took part in the discussions.

(12) Tha Htone Township, Mon State

The workshop was held on 23 December 2015 in the Hoke-Kyan Chinese Monastery of Tha Htone Township and it was participated by 48 persons belonging to the NGOs and CSOs of the township. Commissioners Dr. Myint Kyi, U Khin Maung Lay and U Soe Phone Myint took part in the discussions.

(13) Pyay Township, Bago Region

The workshop was held on 29 December 2015 in the Mingalar Garden Hotel Reception Hall of Pyay Township and it was participated by 43 persons belonging to the NGOs and CSOs of the township. Vice Chairman U Sit Myaing, Commissioner U Yu Lwin Aung took part in the discussions.

(14) Tharyawaddy Township, Bago Region

The workshop was held on 30 December 2015 in the Meeting Hall of Ceramics Factory in Tharyawaddy Township and it was participated by 33 persons belonging to the NGOs and CSOs of the township. Vice Chairman U Sit Myaing, Commissioner U Yu Lwin Aung took part in the discussions.

36. Human Rights Talks

(a) Objective

To raise awareness on human rights knowledge and perception and to respect human rights, talks were held to government officials, civil service organizations, political parties and the public at large.

(b) Duration of the Talk

The human rights talk is a half-day event and depending on the size of the township, participants vary between a minimum of one hundred to a maximum of three hundred.

(c) Subjects discussed at the Talks

- (1) Definition of Human Rights and perceptions
- (2) Universal Declaration of Human Rights
- (3) Human Rights and Responsibilities
- (4) Myanmar National Human Rights Commission
- (5) Complaints mechanism

(d) Townships in which Human Rights Talks were held

Human Rights Talks were held at 15 townships in 4 Regions and 1 State as follows:-

- (1) On 23 March 2015, Human Rights Talk was held in Pyay township Town Hall, Bago Region and it was attended by 245 participants from the township. Vice Chairman U Sit Myaing, Commissioners Dr. Myint Kyi and Daw Mya Mya took part in the Talk.
- (2) On the morning of 24 March 2015, Human Rights Talk was held in Aung Lan township Town Hall, Magwe Region and it was attended by 106 participants from the township. Vice Chairman U Sit Myaing, Commissioners Dr. Myint Kyi and Daw Mya Mya took part in the Talk.
- (3) On the afternoon of 24 March 2015, Human Rights Talk was held in the Assembly Hall of Thayet township, District General Administration Department, Magwe Region and it was attended by 150 participants from the township. Vice Chairman U Sit Myaing, Commissioners Dr. Myint Kyi and Daw Mya Mya took part in the Talks.
- (4) On 7th April 2015, Human Rights Talk was held in the Assembly Hall of Pauk Township, District General Administration Department, Magwe Region and it was attended by 114 participants from the township. Vice Chairman U Sit Myaing and Commissioner U Khin Maung Lay took part in the Talks.
- (5) On 8 April 2015, Human Rights Talks was held in the Assembly Hall of Mindat Township, High School, Chin State and it was attended by 102 participants from the township. Vice Chairman U Sit Myaing and Commissioner U Khin Maung Lay took part in the Talk.

- (6) On 9 April 2015, Human Rights Talk was held in the Assembly Hall of U Pho Hlaing Hall of Saw Township, Magway Region and it was attended by 216 participants from the township. Vice Chairman U Sit Myaing and Commissioner U Khin Maung Lay took part in the Talk.
- (7) On 18 May 2015, Human Rights Talk was held in the Town Hall of Dawei Township, in Tanintharyi Region and it was attended by 297 participants from the township. Commissioners U Yu Lwin Aung and Dr. Nyan Zaw took part in the Talk.
- (8) On the afternoon of 20 May 2015, Human Rights Talks were held at Pearl Yadanar Hall of Myeik Township, in Tanintharyi Region and it was attended by 202 participants from the township. Commissioners U Yu Lwin Aung and Dr. Nyan Zaw took part in the Talk.
- (9) On the morning of 7 July 2015, Human Rights Talk was held in the Assembly Hall of Myingyan Township High School, Mandalay Region and it was attended by 216 participants from the township. Commissioners U Yu Lwin Aung, U Khin Maung Lay and U Soe Phone Myint took part in the Talk.
- (10) In the afternoon of 7 July 2015, Human Rights Talk was held in the Assembly Hall of Taung Thar Township General Administration Departments, Mandalay Region and it was attended by 120 participants from the township. Commissioners U Yu Lwin Aung , U Khin Maung Lay and U Soe Phone Myint took part in the Talk.
- (11) On 8 July 2015, Human Rights Talk was held in the Assembly Hall of Kyauk Padaung Township, Mandalay Region and it was attended by 121 participants from the township. Commissioners U Yu Lwin Aung, U Khin Maung Lay and U Soe Phone Myint took part in the Talk.
- (12) On 16 September 2015, Human Rights Talk was held at Shin Saw Pu Hall of Thanlyin Township, South Yangon District, Yangon Region and it was attended by 209 participants from the township. Commissioners U Khin Maung Lay and Daw Mya Mya took part in the Talk.
- (13) On 17 September 2015, Human Rights Talk was held in Town Hall of Ahlon Township, Western Yangon District, Yangon Region and it was attended by 212 participants from the township. Commissioners U Zaw Win and U Khin Maung Lay took part in the Talk.
- (14) On 18 September 2015, Human Rights Talk was held at No (2) Basic Education High School Assembly Hall of Mingalardon Township, Northern Yangon District, Yangon Region and it was attended by 238 participants from the township. Commissioners U Yu Lwin Aung and Dr. Nyan Zaw took part in the Talk.
- (15) On 19 September 2015, Human Rights Talk was held at No (2) Basic Education High School Assembly Hall of Dagon Myothit (South) Township, East Yangon District, Yangon Region and it was attended by 237 participants from the township. Vice Chairman, U Sit Myaing and Commissioner Dr. Daw Than Nwe took part in the Talk.

37. **Trainings Conducted in Cooperation with International Organizations**

(a) **Objective**

To improve the knowledge, perception and the way of thinking of the officers and staff members of the office of the Commission with regard to human rights.

(b) **Duration of the Course**

The Course duration is two weeks.

(c) **Funding Source**

RWI provided the funding for the training Course.

(d) **Resource Persons**

Since the training is an in-house training for the Staff of the MNHRC, the Chairman, Vice chairman and Commissioners took turns as Resource Persons.

(1) Training Course No. (1)- from 9-1-2015 to 30-1-2015 (16 days)

(2) Training Course No. (2)- from 23-2-2015 to 11-3-2015 (13 days)

38. **Workshops Conducted in Cooperation with International Organizations**

(a) A workshop on the Law (draft) to Prevent Violence Against Women was held on 19 to 20 March 2015 at Inya Lake Hotel. The workshop was held in collaboration with RWI and it was attended by the Chairman and 5 members of the Commission, representatives from the Supreme Court of the Union, Union Attorney General's Office, and representatives from (10) Ministries including the Ministry of Defense, Ministry of Home Affairs, Ministry of Foreign Affairs, Ministry of Immigration and Population, Ministry of Education, Ministry of Health and Ministry of Social Welfare, Relief and Resettlement. Representatives from the Myanmar Women's Affairs Federation, Myanmar Maternity and Child Welfare Association, NGOs and CSOs, totaling 28 participants also attended the workshop.

(b) On April 27-28 2015, the workshop on UN Security Council Resolution 1325 on Women, Peace and Security and Related Resolutions was held at Amara Hotel, Nay Pyi Taw with the cooperation of the MNHRC and UN Women. U Aung Min, the Vice Chair of Union Peace Implementation Working Committee, the Union Minister for Social Welfare, Relief and Resettlement, Members of the Myanmar National Human Rights Commission representatives from Pyithu Hluttaw, Amyotha Hluttaw, Commander in Chiefs Office (Army), the Office of the Chief of Military Security Affairs, General Administration Department, the Central Body for Suppression of Trafficking in Persons, Ministry of Livestocks and Fisheries and Rural Development, Ministry of Labour, Employment and Social Security, Department of Social Welfare, Myanmar Peace Center, the Committee for ethnic affairs, conflict resolution and peace process of Amyotha Hluttaw, the Supreme Court of the Union, the Union Attorney General's Office and University of Yangon, totaling 45 persons attended the workshop. At the conclusion of the workshop, the MNHRC and UN Women issued an outcome statement on "Senior Officials Workshop on UN Security Council Resolution 1325 on Women, Peace and Security and Related Resolutions".

- (c) On 23-24 September 2015, the MNHRC and UN Women collaborated to hold a workshop on Implementing UN Security Council Resolution 1325 on Women, Peace and Security and Related Resolutions, at Amara Hotel, Nay Pyi Taw and it was attended by U Aung Min, the Vice Chairman of Union Peace Implementation Working Committee who delivered the opening address, representatives from Myanmar National Human Rights Commission, Ministry of Defense, Office of the Judge Advocate General, the Office of the Chief of Military Security Affairs, Ministry of Home Affairs, General Administration Department, Ministry of Foreign Affairs, Ministry of Livestocks and Fisheries and Rural Development, Ministry of Health, Ministry of Education, Ministry of National Planning and Economic Development, Ministry of Labour, Employment and Social Security, Department of Social Welfare, Myanmar Peace Center, the Committee for ethnic affairs, conflict resolution and peace process of Amyotha Hulttaw, the Supreme Court of the Union and the Union Attorney General's Office, totaling 47 persons attended the workshop. At the conclusion of the workshop, the MNHRC and UN Women issued an outcome statement on "Upper Officials Workshop on Implementing UN Security Council Resolution 1325 on Women, Peace and Security and Related Resolutions".
- (d) On 15-16 December 2015, MNHRC and UN Women jointly held a workshop on Gender and Security for Upper Officials at Amara Hotel, Nay Pyi Taw. The workshop was attended by Chief of Police Zaw Win, Members of the Myanmar National Human Rights Commission, Department of Social Welfare, Forces and Departments under the Ministry of Home Affairs including Myanmar Police Force, General Administration Department, Bureau of Special Investigation, Prison Department and Fire Services Department, a total of 64 participants attended the workshop. At the conclusion of the workshop, the MNHRC together with UN Women issued an outcome statement on "National Workshop on Gender and Security for Upper Officials".
- (e) From 13-17 July 2015, the MNHRC in cooperation with Sweden based RWI held a Training Workshop on National Inquiry for Disabled Persons. The training workshop was held at Summit Parkview Hotel, Yangon and it was attended by Commissioners and staff of Myanmar National Human Rights Commission, CSOs and NGOs of disabled organizations. A total number of 50 participants attended this week-long training workshop.

Human Rights Talks Conducted at the Union Level Ministries and Union Level Organizations

39. With the aim of awareness raising on Human Rights knowledge for the Officers and Staff of the Union Level Ministries and Union Level Organizations in Nay Pyi Taw and also to instill Human Rights approach in carrying out their duties and have better understanding when cooperating with Human Rights Commission, the Myanmar National Human Rights Commission initiated the Human Rights Talks. Starting from 7 September up to 23 October, MNHRC was able to hold talks at 11 Union Level Organizations and 31 Union Level Ministries. The talks were participated by about 200 Officers and Staff at each Ministry but the talks conducted at Ministry of Defense was attended by 200 Officers including High Ranking Officers of Brigadier General and Colonel Levels and also by 300 non-commissioned Officers and other ranks, for a total of more than 500 participants.

Human Rights Related Subjects impacted to High Ranking Officers

40. In February of 2015, Chairperson, U Win Mra and Vice Chairman, U Sit Myaing gave lectures on Human Rights related subjects at the High Level Officers Training Special Orientation Course No(1) attended by 50 High Level Officers slated for permanent secretary posts at the Ministry of President's Office No.4 in Nay Pyi Taw. Again in March of 2015, Vice Chairman U Sit Myaing took part and gave lectures on Human Rights at the Orientation Training Course No (1) for Region and State Level Officers conducted at the Union Civil Service Board. The Training Course was attended by 85 State and Division Level Officers. Commissioners Dr. Daw Than Nwe also attended the Special Orientation Course No (2) and gave lectures on Human Rights Subjects to 85 High Ranking Officers. The Chairman of Myanmar National Human Rights Commission gave lectures on human rights subjects at the High Level Officers Orientation Course No (1) which was attended by 80 high level trainees.

41. On 22 June 2015, Commission Chairman U Win Mra gave human rights related lessons to 80 army officers of Colonel rank who will be given high-profile assignments after completing the training course. The Training Course No (14) was conducted at the National Defense College.

Human Rights lectures given at trainings conducted by Central Institutes of Civil Service

42. As a means of propagating human rights knowledge, Myanmar National Human Rights Commission discussed with Union Civil Service Board (UCSB) for permission to give lectures at the training courses conducted under UCSB. UCSB agreed to the proposal and under the agreement, the training courses conducted at the Central Institute of Civil Service (Phaunggyi) and the Central Institute of Civil Service (Zeebingyi) would be made accessible for lectures by Myanmar National Human Rights Commission. A total of 15580 trainees have attended the training courses.

Sr.	Course	Phaunggyi	Zeebingyi	Total
1.	Administrative Training for Head of Departments	-	1	1
2.	High Level Officers Course	2	-	2
3.	Mid-Level Officers Course	2	3	5
4.	Basic Training for Officers	2	2	4
5.	Basic Training for Lower Officers	1	-	1
6.	Basic Training Pre-Officers Course	1	1	2
7.	Basic Training Clerical Staff	1	-	1
8.	Special Orientation Course for University/College Teachers	1	1	2
9.	Basic Level Teachers Special Orientation Course	4	4	8
10.	Special Orientation Course for Police Officers	1	-	1
	Total	15	12	27

Educational Talks and Lectures given during the period of 2015

Sr.	Subject	Numbers	Trainees
1.	Training Workshop for Government Officials	8	329
2.	Grass root level Training Course	14	694
3.	Human Rights Talks	11	1889
4.	Human Rights Promotional Talks at Union Level Ministries and Union Level Organizations	39	8367
5.	Trainings conducted at the Central Institute of Civil Services, Phaunggyi (Lower Myanmar)	15	8148
6.	Trainings conducted at the Central Institute of Civil Services, Zeebingyi (Upper Myanmar)	12	7432
7.	Trainings for Head of Departments	4	340
8.	National Defense College	1	80
	Total	104	27279

The production and screening of Human Rights Educational documentary film

43. With RWI funding the Commission was able to produce a short documentary film on concept of human rights and on the theme based on UDHR article 26 entitled “Everyone has the right to education”. This documentary was televised by Myanmar Radio and Television, Myawaddy Television, Shwe Thanlwin Media Group and Forever Media Group from August 2015 for public consumption.

Translation and publication of UDHR into three ethnic languages

44. The translated version of UDHR from the English to Myanmar language was further translated into ethnic languages such as Kachin, Mon and Shan. The translation for Kachin language was done by Kachin Cultural and Traditional Central Committee. The translation for Mon language was done by the Mon Cultural and Literature Committee and the translation of Shan language was done by the Shan Cultural and Literature Group. The launching ceremony was held on 7 of August 2015 and was attended by representatives from the respective committees and media.² Efforts are being made for translation of the UDHR into the remaining ethnic languages.

Press Conference

45. On 9 December 2015, the Myanmar National Human Rights Commission held a press conference to inform the public of its activities at its office premises on No. 27, Pyay Road, Yangon. The press conference was attended by reporters from 27 media groups. U Zaw Win explained about the activities of the Human Rights Protection Division while U Yu Lwin Aung explained about the promotional activities carried out by the Commission. Chairman, U Win Mra and Commissioners replied to the questions raised by the media.

² The second launching of translation of UDHR (Kachin, Mon, Shan languages) was held on 1st April 2016.

International Human Rights Day Ceremony

46. To commemorate the International Human Rights Day which falls on the 10 of December, Myanmar National Human Rights Commission held a ceremony on 8 December 2015 at Panda Hotel in Yangon. The Ceremony was attended by the Chief Minister of Yangon Region Government who also delivered the opening address. At the ceremony prizes were awarded to the winners of the essay competition on human rights and consolation prizes were also awarded to (10) Basic Education High School level students and (10) Basic Education Middle School level students of Yangon Region.

Establishment of a Resource Centre

47. A resource center was established in the Office of MNHRC for the staff to have access to Human Rights Literature and also for ready reference in carrying out their work. Raoul Wallenberg Institute (RWI) donated books and materials on Human Rights, literature for reference, encyclopedias, law books and journals. Local purchases were also made. Up to December of 2015, the center has some 1187 books in Myanmar, 645 books in English, totaling 1832 books. Of these 790 books have been converted into electronic books. The Library is accessible to all those who wish to study human rights subjects and facilities are available.

Establishment of the Commission's Website

48. The Commission has also launched a website where the populace can have access to information on a first hand basis with respect to the trainings, workshops and Human Rights talks being conducted by the Commission and also to the statements issued by the Commission. The address of the website is www.mnhrc.org.mm.

Recommendations of the Promotion and Education Division

49. As an independent State Level Organization, the Myanmar National Human Rights Commission needs to establish smooth facilitation and access with Government Departments for administrative matters regarding human rights, also to establish mutual understanding and exchange of views and recommendations with legislative bodies such as Hluttaw. In view of that the Commission would like to recommend that contact persons need to be assigned at all Union Level Ministries, Region and State Level governments, Office of the Pyidaungsu Hluttaw, Office of the Amyotha Hluttaw, Office of the Pyithu Hluttaw and Union level organizations and Judiciary bodies.

50. In order for the officers and staff serving under the Union Level Ministries to understand about Human Rights and to apply them in practice, the Commission would like to recommend that either Human Rights subjects be incorporated in cooperation with the MNHRC in the orientation courses conducted by Ministries or a separate training course for human rights subjects be arranged by the ministries concerned. Likewise, the Commission would like to recommend that in all the trainings for officers and non-commissioned officers conducted rank-wise, and in trainings for all ranks for personnel of the Police Force, human rights subjects should be imparted.

51. With a view to foster the good habits of respecting human rights and understanding human rights, Human Rights subjects have been included in the curriculum of Basic Education and hence, teachers must pay heed to seriously teach the subjects. In this respect, responsible persons from the MNHRC should be invited to train the teachers in teaching human rights subjects. It is to be recommended that the Commission should also be consulted about teaching of human rights subjects to university level students.

Activities of the Human Rights Protection Division

Formation

52. On 7 October 2014, the Myanmar National Human Rights Commission held a Plenary meeting (8/2014) and assigned the following members of the Commission to supervise the work concerning the protection of human rights;

- | | | |
|-----|-------------|--------|
| (a) | U Zaw Win | Member |
| (b) | Dr. NyanZaw | Member |
| (c) | DawMyaMya | Member |

53. A total of (12) staff members were also assigned to the Human Rights Protection Division as follows;

- | | | |
|-----|------------------------------|-------------|
| (a) | Deputy Director | (1) |
| (b) | Assistant Director | (1) |
| (c) | Human Rights Officer | (3) |
| (d) | Deputy Human Rights Officer | (1) |
| (e) | Senior Clerical Staff Member | (3) |
| (f) | Junior Clerical Staff Member | (3) |
| | Total | (12) |

Action taken concerning complaints

54. During 2015, actions were taken on the following complaints;

- (a) Actions taken on complaints received from within the country:

In 2015, a total of 1287 complaints were received. The inquiry team held (98) meetings and the following actions were taken:

- | | | |
|-----|---|-----|
| (1) | Forwarding the findings to the departments concerned for further actions - 230 complaints | |
| | - Investigation completed | 131 |
| | - Investigation still in process | 17 |
| | - Replies still pending from the respective departments | 82 |
| (2) | informing the complainants | |
| | - requesting for supporting documents | 118 |
| | - making necessary recommendations | 125 |
| | - complaints not within the Commission's mandate | 5 |
| | - informing the complainants of the replies from the departments concerned | 1 |

(3)	Putting on record in-admissable complaints	208
	- complaints not directed to the Commission	131
	- complaints directly addressed to the departments concerned	82
	- in consistent with the complaint format	25
	- under trial in court (or) already decided by a court	21
	- awaiting copy of Citizenship Scrutiny Card	3
(4)	Complaint withdrawn by the complainants of their own free will	6
(5)	Complaints under field investigation	8
(6)	Conciliation	10
(7)	Complaints still under investigation	314
(b)	Action taken on complaints received from abroad during 2015:	

During 2015, total of 2598 complaints were received including 628 complaints from Amnesty International, other international organizations and individuals. The complaints concern actions taken against U Thein Aung Myint, Daw Khet Khet Tin, Saw HlaAung, U Kyaw Myo Tun, Naw Ohn Hla, Daw Sein Htwe, U Nay MyoZin, U Tin Htut Paing, Daw San San Win, U Thant Zin, U Htin Lin Oo, U HtinKyaw, U Lu Maw Naing, U Ya Zar Oo, U SithuSoe, U Paing Thet Kyaw, U Tint San, Daw Myat Nu Khine, Daw Chaw Sandi Tun and U Patrick KhunJa Li and others under the Peaceful Assembly and Peaceful Procession Law and the Penal Code. The complaints contain request for the above persons to be released, to have access to lawyers, to receive medical treatment, to be allowed family visits, not to be transferred to other prisons, not to be tortured, etc. The inquiry team held meetings (15) times to enquire into the complaints and actions were taken as follows;

(1)	Forward the findings with recommendations to the department concerned for necessary actions and replies	607
(2)	Informed the complainants on necessary actions taken	312
(3)	Putting on record those complaints not admissible	859
(4)	Complaints pending inquiry	820

55. During 2015, 1287 complaints that were received from within the country were classified into (21) categories. The most complaints were about land disputes. Over (100) land disputes complaints were from Yangon Region, Mandalay Region, Ayeyarwaddy Region, and Bago Region. Chin State had the least complaints and there were no complaints from Kayah State. (Annexure A)

56. During 2015, a total of 350 replies were received from respective government departments concerned. Most of the above replies concerned land disputes, court decisions, police personnel, ward/village administrators and service personnel. The most number of complaints were from Yangon Region, Mandalay Region, Ayeyarwaddy Region and Nay Pyi Taw Council. (Annexure B)

57. Of the above, 170 replies were received for complaints sent before 2015 and 180 replies were received for complaints sent during 2015. (Annexure C) Out of 180 replies, 86 replies were received within 30 days and up to the end of 2015, 119 replies were still pending. (Annexure D)

Field Investigations

58. During 2015, the following field investigations were conducted;

- (a) Commissioner Dr. Nyan Zaw and two staff members conducted a field investigation trip to Yo Go village, Mawlamyine township (previous Mudon Township), Mon State from 22-4-2015 to 25-4-2015 to investigate the complaint by Major Tint Swe (Rtd.) concerning land belonging to his ancestors which was requisitioned by the Ministry of Agriculture and Irrigation. The inquiry team recommended the complainant to resort to judicial process and submit a claim in court with supporting documents.
- (b) A complaint was received from U Thaung Myint of Hlegu township requesting the return of his farmland requisitioned by the Directorate of Prisons. On 10-6-2015, Commissioner Dr Nyan Zaw and three staff members visited Hlegu to investigate the complaint. The inquiry team recommended the complainant to resort to judicial process and filed his claim in the court.
- (c) A complaint from U Thein Soe and (24) others of Shwepyithar township requesting an inquiry into the activities of Yangon City Development Committee and to avoid unnecessary sufferings to families from 224 houses. Assistant Director Dr Zayar Soe and two staff members visited Shwepyithar township, Yangon Region on 24-6-2015 to investigate the complaint. The findings of the inquiry team were sent to the Yangon City Development Committee for necessary action. The Yangon City Development Committee sent a reply mentioning that complainants had illegally trespassed and built houses on the land planned for making a sport ground and actions had been taken against them. The complainants had complained against this action. They were informed of the reply by the Yangon City Development Committee.
- (d) A complaint was received from U Thaung Sein and (5) others to investigate the requisition of land by U Aye Ngwe, Director, Thanintharyi Region Planning Department (previously Secretary of Peace and Development Council of Daik U Township). On 7-7-2015, Commissioners U Zaw Win, Dr. Nyan Zaw and three staff members travelled to Kadokgyi village, Daik U township, Bago Region to investigate the complaint. According to the findings, the complainants had made a false complaint, the respondent possessed complete documents of ownership and due taxes paid, and also that the complaint by the complainants had already been dismissed by the township land management committee and the case was pending in the court. Accordingly the complaint had been put on record.
- (e) Acting on news from the internet, Commissioner Dr. Nyan Zaw and two staff members visited Laydaungkan model ward, Dagon Myothit (South), Yangon Region to investigate the complaint of house owner, Daw Aye Aye Win torturing her underage housemaid Ma Than

Than Ei on 10-8-2015. The findings were sent to the Ministry of Immigration and Population Union Attorney General's Office, Yangon Region Police Commander's Office, Ministry of Social Welfare, Relief and Resettlement, Eastern Yangon District Women's Affairs Organization. The Ministry of Immigration and Population registered Ma Than Than Ei under the household register of her aunt and issued a Citizenship Scrutiny Card to Ma Than Than Ei. Regional Law Officer from Yangon Region also gave advice for the offender to be charged under the relevant sections. The Ministry of Social Welfare, Relief and Resettlement replied with an offer to accept and care for Ma Than Than Ei at the Women's Vocational Training School after the completion of her case. The offenders had been charged under sections 307, 325 of the Penal Code at the Dagon Myothit (North) court.

- (f) On 10-3-2015, a clash took place in Letpadan township, Bago Region between demonstrators, demonstrating for amendment of National Education Law and Myanmar Police Force. On 11-8-2015, Commissioners U Zaw Win, Dr. Nyan Zaw, Daw Mya Mya and three staff members visited the scene of the incident to investigate the incident. The Myanmar National Human Rights Commission issued a news release No (12/2015) with recommendations to take actions against police personnel who failed to follow the established procedures in riot suppression and offenders who broke the law.
- (g) A complaint was made by U Khin Hla and Daw Kyin that U Kin Wee (a) U Tin Win had evicted them without paying any compensation and requested intervention for the loss of labourrights. On 18-8-2015, Commissioner Dr. Nyan Zaw and two staff members travelled to Phaunggyi West village, Hlegu township, Yangon Region to investigate the complaint. According to the findings both parties should settle the complaint in court. The complainants were informed accordingly.
- (h) A complaint was made by Ma Aye Aye Hmwe from Thingangyun township, Yangon Region, that house owner, Daw Nilar Myint had tortured her housemaid. On 2-10-2015, Deputy Director, U Thura Kyaw and an office staff travelled to the scene to investigate the complaint. A request was made to Yangon Region Government to take actions against the offender for torture. A reply was received from Yangon Region Government that protection will be provided in accordance with the law.
- (i) A complaint was made by U Htay Win and (2) others on the requisition of agricultural land by the Union Government. On 15-12-2015, Deputy Director U Thura Kyaw and two staff members travelled to Ward (54) formerly Thein Chaung Shan Village, Dagon Myothit (South) township, Yangon Region to investigate the complaint. Since the case was under trial in court under the Civil Procedure Code case no. 319/2015, the complainants were advised to abide by the decision of the court.
- (j) A complaint was made by U Tun Tun Oo that although he had already paid for goods purchased on credit from store owner U Thet Wai, the latter had collaborated with police personnel from Htantabin police station and treated him unfairly. Human Rights Officer U Ye

Naung Lwin and two staff members travelled to Htantabin from 16-12-2015 to 17-12-2015 to investigate the complaint. As the case had already been decided in court under a civil case and the complainant had appealed against the decision in a higher court, the complainant was advised to abide by the decision of the court.

Conciliation

59. In order for the respondent to hear the grievances of the complainant and provide remedial action, meetings and conciliation between both parties were held at the Commission office as follows;

- (a) U Kyaw Thein from Yangon was sentenced to life imprisonment under the Public Property Protection Act by Thandwe District Court concerning the sale of illicit timber. He was also sentenced to one year imprisonment for breach of trust by the Pazuntaung Township Court. While he was in prison, he submitted complaints (14) times to the Commission concerning YCDC's failure to take effective action with regard to land grant. U Kyaw Thein got his release from prison in 2001 on amnesty. On 30-3-2015, Commissioners U Zaw Win, Dr. Nyan Zaw, Daw Mya Mya and three staff members met with U Kyaw Thein. He was informed that his complaints had been investigated and from 18-1-2012 up to the present, the findings had been sent to Ministries and Departments concerned. He was also informed of the replies received from Ministries and Departments concerned and decisions of the Court.
- (b) U Hla Han from North Dagon Township, Toegyaungkalay village filed a complaint that (5.11) acres of his land had been requisitioned without any compensation by the Ministry of Sports. On 12-5-2015 Commissioners U Zaw Win, Dr. Nyan Zaw, Daw Mya Mya and three staff members met U Hla Han. After investigation, it was found that the land would be used as a sports complex and construction of a sports stadium and related buildings. It was also found that U Hla Han did not possess any evidence of ownership of the land and the Ministry of Construction did not pay any compensation when the land was requisitioned.
- (c) A letter of complaint from U Khin Maung Lwin and other from No. (10) Ward, Tamhu Township and U Naing Tun Oo of Saizinkone village, Thabeikyin Township requested the Commission to prevent Ooredoo (Myanmar) from erecting telephone communication towers near their houses as they pose a danger to the neighbourhood. On 17-9-2015, Commissioners U Zaw Win, Dr. Nyan Zaw, Daw Mya Mya and two staff members met with the Manager of Ooredoo (Myanmar) Daw Thiri Kyar Nyo and other and were informed that the construction of the towers were the responsibility of Myanmar Tower Co.,Ltd. On 16-11-2015, the Commission met with Ms.Anais Chevallier and U Pan Kul for discussion, and informed the Ministries and Departments concerned of the findings. It was learned that the erection of the towers had been completed and only machinery and equipment remained to be installed. The matter had been settled between Myanmar Tower Co.,Ltd and the complainants.
- (d) A complaint had been received from U Htain Lin and another person that Myanmar Apex Bank had constructed a septic tank close to a tube well in their compound and requested

relocation of the septic tank. On 28-9-2015, Commissioners U Zaw Win, Dr. Nyan Zaw, Daw Mya Mya and two staff members met with U Han Htoo and two others, and also lawyers from Myanmar Apex Bank. It was found that Thaton Township Court had issued a court order for the relocation of the septic tank and payment of five thousand kyats fine, although Myanmar Shaesaung Bank had paid the fine, it has not relocated the septic tank. The case is still under judicial proceedings.

- (e) A complaint had been received from U Sein Maung and two others from Thanlyin Township requesting the Commission's intervention to recover the balance of unpaid labour charges from Ayeyawon Printing Press. On 12-10-2015, Commissioners Dr. Nyan Zaw, Daw Mya Mya and two staff members met with the complainants and respondent U Win Htay and two others for discussion. The Commission learnt that on 26-10-2015, kyats five lakhs had been paid to the complainants and further payment will be made on the balance.
- (f) A complaint had been received from U Aye Kyaw, Managing Director of Padamyar Myay travel agency that he had been blacklisted. On 13-10-2015, Commissioners U Zaw Win, Daw Mya Mya and four staff members met with the complainant and Professor U Khin Sein Maung and six others from Myanmar Travel Association to discuss with them. It was learned that U Aye Kyaw had been blacklisted for speaking against the law and the Ministry of Hotel and Tourism will consider relaxing the blacklist on the merits of each case.
- (g) A complaint had been received from U Ohn Kyaw of Pazuntaung Township requesting the return of his shop which was nationalised in 1964. On 6-11-2015, Commissioners U Zaw Win, Dr. Nyan Zaw, Daw Mya Mya and two staff members met with the complainant and after discussion, the complaint was kept on record as the complainant could not produce supporting documents.
- (h) A complaint was received from Daw Shwe Lay of Sanchaung Township, against U Myo Zaw Latt for not recovering the full amount of money entrusted to him for home decoration business. On 17-11-2015, Commissioners Dr. Nyan Zaw, Daw Mya Mya and three staff members met both the complainant and respondent to discuss with them. It was later learnt that on 14-3-2016, kyat thirty lakhs had been paid to the complainant and the remaining balance would be paid in monthly installments.
- (i) The Commission received a complaint from U Kyaw Thein Nge and other of YwaNgan Township requesting compensation for land confiscated by Shwe Than Lwin Co.,Ltd. On 9-12-2015, Commissioners U Zaw Win, Daw Mya Mya and two staff members met with the General Manager of Shwe Than Lwin Co.,Ltd. U Ko Ko Aung and others and learned that compensation will be paid after confirmation of ownership by the Land Record Department.
- (j) The Commission received a complaint from Daw Khin Aye of Sanchaung Township who was evicted from her house by U Win who claimed the ownership of the house by falsifying documents. On 11-12-2015, Commissioners Dr. Nyan Zaw, Daw Mya Mya and three staff members met with complainant DawKhin Aye and Daw May Sanda Yamone Aye for

discussion and learned that a charge has been filed in court. The Commission advised the complainant to wait and accept the decision of the Court.

- (k) The Commission received a complaint from Daw Naw Ju Na of Labutta Township that Dr.Than Win Tin had committed sexual misconduct against one Nant Hpaw Hilar. Commissioners U Zaw Win, Dr. Nyan Zaw, Daw Mya Mya and two staff members met with Dr.Than Win Tin on 22-12-2015. The Commission also met Nant Rhoda Win (Dr.Than Win Tin's wife) and Nant Hpaw Hilar on 13-1-2016 and after discussions, found that it was a false complaint and that the complainant by the name of Daw Naw Ju Na did not exist.

The Inspection of Prisons, Labour Camps, Detention Centers and Places of Confinement

60. During 2015, Commission members conducted inspection of prisons, labour camps, detention centers and places of confinement and the findings with the necessary recommendations were sent to the Ministries concerned. The Commission also issued press releases and posting on Commission's website for public information -

- (a) On 4-2-2014, Vice Chairman U Sit Myaing, Commissioners Dr. Nyan Zaw, Daw Mya Mya and two staff members inspected Nget Aw San Youth Training School, Kawhmu Township and forwarded (11) recommendations to Ministry of Social Welfare, Relief, and Resettlement.
- (b) On 17-2-2-15 and 18-2-2015, Commissioners U Zaw Win, U Yu Lwin Aung, Dr. Nyan Zaw, Dr. Daw Than Nwe and four staff members inspected Insein Central Prison and forwarded (13) recommendations to Ministry of Home Affairs.
- (c) From 2-4-2015 to 6-4-2015, Commissioners U Zaw Win, Dr. Nyan Zaw, Daw Mya Mya and two staff members inspected prisons and police detention centers in Sittwe, Buthidaung, Rakhine State and forwarded (18) recommendations to the Ministry of Home Affairs.
- (d) From 6-5-2015 to 9-5-2015, Commissioners U Zaw Win, Dr. Daw Than Nwe and a staff member inspected Maingsat Township prisons in Shan State and forwarded (12) recommendations to the Ministry of Home Affairs.
- (e) From 8-6-2015 to 12-6-2015, Commissioners U Zaw Win, U Nyunt Swe, Daw Mya Mya and two staff members inspected Mandalayprison and labour camps in Mandalay Region, and prisons and labour camps in Naungcho, Hsipaw, Lashio Townships of Shan State and forwarded (16) recommendations to the Ministry of Home Affairs.
- (f) From 13-7-2015 to 14-7-2015, Commissioners U Zaw Win, Dr. Nyan Zaw, Daw Mya Mya and two staff members inspected Tharrawaddy prison in Bago Region and forwarded (6) recommendations to the Ministry of Home Affairs.
- (g) From 6-10-2015 to 10-10-2015, Commissioners U Zaw Win, Dr. Nyan Zaw, Daw Mya Mya and two staff members inspected prisons and police detention centers in Kawthong, Myeik in Thanintharyi Region and forwarded (20) recommendations to the Ministry of Home Affairs.

- (h) From 17-12-2015 to 18-12-2015, Commissioners U Zaw Win, Dr. Nyan Zaw and a staff member inspected Myingyan prison for inspection after receiving complaints by University students Ko Soe Hlaing, Ko Sithu Myat that during their hunger strike from 6-11-2015 to 9-11-2015 they were beaten and did not receive any drinking water. On inspection the Commission found no signs of injury and no eye witnesses. They found that drinking water was supplied. The Commission forwarded recommendations to the Ministry of Home Affairs for the prisoners to be treated according to instructions regarding hunger strike prisoners and to avoid actions which violate human dignity and the transfer of prisoners within or outside the prisons.

Meeting Local and International Organizations

61. During 2015, the following discussions were held at the office of the Commission with local and international organizations;

- (a) On 23-6-2015, Commissioners U Zaw Win and Daw Mya Mya received two members of Chin Human Rights Organization (CHOR) and held discussions regarding the requests made by (CHOR) to provide food rations for 300 Chin nationals who are victims of human rights violations; to search for Chin national Lein Man who has been missing; and prevent the forced repatriation of Chin villagers by the Government.
- (b) On 30-6-2015, Commissioners U Zaw Win, Dr. Daw Than Nwe, Daw Mya Mya and U Soe Phone Myint received two members of the International Commission of Jurists (ICJ) and held discussions on the Commission's work regarding Business and Human Rights, rights of prisoners, reform of prisons and procedures for receiving complaints sent to the Commission.
- (c) On 1-7-2015, Chairman U Win Mra, Commissioners U Zaw Win, Dr. Nyan Zaw, Daw Mya Mya and U Soe Phone Myint received (7) members of Karen Human Rights Group (KHRG) and gave replies regarding the report for the years 2002 to 2015 written by (KHRG), discussing and making recommendations for the development of Karen State, and discussing ways and means to solve the requisition of land.
- (d) On 3-9-2015, Commissioners U Zaw Win, Dr. Nyan Zaw and Daw Mya Mya received the group from Myanmar International Television and replied to their queries regarding receiving and handling of complaints and human rights activities.
- (e) On 5-10-2015, Commissioners U Zaw Win, U Nyunt Swe, Dr. Nyan Zaw and U Soe Phone Myint received U Tate Naing Secretary of the Assistance Association for Political Prisoners (Burma) and (7) members and held discussion on the draft of Prisons Act. The Commission's recommendations were forwarded to Pyithu Hluttaw and Amyothar Hluttaw.
- (f) On 23-12-2015, Commissioners U Zaw Win, Dr. Nyan Zaw, Dr. Daw Than Nwe, Daw Mya Mya and (6) staff members received Dr. Kyaw Thu of National Network for Education Reform, Mr. Roger Normand of Justice Trust, Ko Aung Paing of All Myanmar Student Federation, and U Tun Oo and Daw Khin Khin Yu of Letpadan Justice Committee and held discussion on their

request for sufficient health care for the student demonstrators and their supporters in Tharrawaddy prison, for their earliest release from prison, and for the Commission to issue press release of a positive nature about the prisoners. This meeting went through discussion on granting medical assistance for student demonstrators and civilians from Thayawady prison, granting amnesty for them and assistance from Commission by publishing positive statements.

Relations with Thai National Human Rights Commission

62. On 28-12-2015, the Myanmar National Human Rights Commission sent a request letter to the Thai National Human Rights Commission requesting its support to enable Myanmar citizens Maung Zaw Lin and Maung Win Zaw Tun who were sentenced to death in connection with the murder of two British nationals on Koh Tao island, Thailand to be accorded human rights to which they are entitled; to have a fair trial; to have protection under the law without discrimination and the right to life during their appeal.

63. On 27-10-2015, the Myanmar National Human Rights Commission sent a letter to the Thai National Human Rights Commission with a request for assistance in the trial of Maung Myo Zin, age 15 years and Kyaw Ye Aung, age 16 years who were arrested by Thai police on suspicion of murdering an 18 year old Thai girl student on 28-9-2015 in Ranong, Southern Thailand. The request was made to the Thai National Human Rights Commission for assistance for the two suspects to be treated in accordance with human rights standard during their detention, to grant them leniency in the Court's decision as they are under 18 years of age and entitled to the Convention on the Rights of the Child under International Agreements.

Drafting the manual on the investigation of complaints

64. The drafting of the manual was carried out as follows;

- (a) From 3-3-2015 to 11-3-2015, the Chairman and (9) Commissioners and 7 staff members from the Human Rights Protection Division met Professor Mr. Peter Hosking from Raoul Wallenberg Institute and held discussions on drafting the manual on the investigation of complaints.
- (b) From 1-12-2015 to 3-12-2015, the Chairman and (9) Commissioners and 12 staff members from the Human Rights Protection Division and three staff members from the Human Rights Policy and Legal Division met Professor Mr. Peter Hosking from Raoul Wallenberg Institute and held discussions on drafting the manual on the investigation of complaints.

Installation of data based computerized system

65. The following actions were taken;

- (a) On 14-7-2015, three staff members from the Human Rights Protection Division and two staff from Myanmar Computer Company (MCC) held discussions on the allocation of budget for the installation of data based computerized system required by the Human Rights Protection Division.

- (b) On 16-11-2015, Commissioners U Zaw Win, Dr. Nyan Zaw, Daw Mya Mya and (12) staff members from the Human Rights Protection Division met with U Aung Soe Lin, General Manager and two office staff from Myanmar Computer Company (MCC) and held discussions on the installation of data based computerized system required by the Human Rights Protection Division.

Recommendations for the Protection of Human Rights

66. To construct extension of dormitories in jails which are overcrowded. To appoint security and health personnel against post vacancies in accordance with organization chart. To provide sufficient medical care at the prison hospitals. The Ministries concerned should fulfill the above requirements.

67. Although deportation orders have been issued to prisoners who are foreigners, they are still held in detention under Immigration Laws and should be handed over to their respective countries and be allowed to make telephone contact with their families.

68. Medical doctors who are psychiatrists should be appointed to treat prisoners who are suffering from mental disorders.

69. Prisoners should not be transferred to prisons far away from their homes, but should be held in prisons where their families can make prison visits easily.

70. With regard to the health of prisoners on hunger strike, they should be treated in accordance with instructions and procedures issued by the Ministry of Home Affairs and Prison Department relating to hunger strike in prisons. It is recommended that health care should be provided by the prison doctor or doctors from district, township medical hospitals under the Ministry of Health. They should make daily medical checkups, keep complete medical records and authorized persons should provide instructions to fulfill the needs of the prisons.

71. In the whole country, there are only (3) prisons for under age prisoners age 16 years to 18 years. As the number of underage youth committing crimes have increased, jails for underage youths in State and Region capitals should have additional dormitories constructed and additional vocational training provided.

72. It is recommended that in training schools for youth under the Directorate of Social Welfare, the trainees should be allowed to meet with their families, allowed written communication, provided with health care and sufficient medicine and necessary budget.

73. With regard to complaints on human rights violations the Myanmar National Human Rights Commission conduct investigations and sent the findings with recommendation to the Ministry and Region/State Governments concerned. It is recommended that in accordance with the Myanmar National Human Rights Commission Law, replies should be made within 30 days and follow up with further replies on the progress.'

Activities of the International Relations Division

Formation

74. According to the Plenary meeting (8/2014) of the MNHRC held on 7 October 2014, the International Relations Division is supervised by the following Commissioners:

- | | | |
|-----|---------------|--------|
| (a) | U Nyunt Swe | Member |
| (b) | Dr. Myint Kyi | Member |

75. There were altogether (5) staff members in the International Relations Division including one Deputy Director, one Assistant Director, one Human Rights Officer, Senior Staff Level clerk and one Junior Staff Level to carry out the functions.

76. The International Relations Division has been carrying out the activities related to Human Rights bodies under United Nations, liaise and cooperate with UN agencies and organizations, cooperate with international and regional human rights organizations, cooperate with other National Human Rights Institutions, undertake travel arrangements of the Chair and Commission Members for visits overseas related to Human Rights matters and also arrange for overseas travel of the Commission staff members; take notes of discussions during the courtesy calls on the Chair and members by foreign diplomats and representatives of UN agencies, international organizations and other bodies.

Taking part in the Universal Periodic Review on the situation of human rights (UPR)

77. According to the UN system, all UN Member States have been reviewed once in 4 1/2 years and Myanmar was reviewed for its second cycle of the UPR process in November 2015. The MNHRC provided assistance, in its independent capacity, in the process of drafting of the National Report by the State which was submitted to the United Nations. The MNHRC met with civil society organizations and sought their advice for the UPR National Report and conveyed them to the Drafting Committee. Moreover, Commission submitted its own report to the United Nations including its recommendations on the activities of the State in order to promote and protect of human rights.

Cooperation with Southeast Asia National Human Rights Institutions Forum (SEANF)

78. Southeast Asia National Human Rights Institutions Forum (SEANF) is a Forum that is comprised of National Human Rights Institutions from Indonesia, Malaysia, Myanmar, Philippines, Thailand and Timor Leste. After becoming the full-fledged member of the SEANF on 12 September 2012, the MNHRC has been actively participating in the Forum's activities.

79. During 2015, the Human Rights Commission of Malaysia (SUHAKAM) took the Chairmanship of the Forum and held two Technical Working Group Meetings and one Annual Meeting as follows:-

(a) **1st Technical Working Group Meeting of SEANF**

1st Technical Working Group Meeting of SEANF was held in Kuala Lumpur, Malaysia from 28 to 29 January 2015. Representatives from Indonesia, Timor Leste, Philippines, Thailand and Malaysia attended this TWG meeting and Commissioner U Nyunt Swe and Assistant Director U Zay Yar Linn participated in this meeting. At the meeting, the representatives discussed on

SEANF Permanent Secretariat, Role of SEANF vis-à-vis ASEAN, SEANF's Role in Promoting Business & Human Rights, possible initiatives by SEANF members on the Rights of Older Persons, Roles of NHRIs in Conflict Situations and the activities and challenges of SEANF members in implementing the domestication of international standards. At this meeting, it was also agreed that the Workshop on Business and Human Rights to be held in Kuala Lumpur from 15 to 16 June 2015, 2nd Technical Working Group Meeting of SEANF to be held from 17 to 18 June and Annual Meeting of SEANF to be held in Malaysia from 29 to 30 September 2015.

(b) **SEANF Workshop on Business and Human Rights**

SEANF Workshop on Business and Human Rights was held in Kuala Lumpur, Malaysia from 15 to 16 June 2015 and representatives from Indonesia, Timor Leste, Philippines, Thailand and Malaysia attended this Workshop and Commissioner U Nyunt Swe and Assistant Director U Zay Yar Linn participated in this workshop. At this workshop, the representatives overviewed the UN guiding principles on Business and Human Rights and discussed on the role of NHRIs in promoting the implementation of these guiding principles. Dr. Claire O' Brien, thematic expert from Danish Institute of Human Rights (DIHR), who was invited by the Human Rights Commission of Malaysia (SUHAKAM), presented the Guidelines in developing a national action plan on business and human rights and the experiences of European countries in the development of their national action plan as well as lessons learned (good practices and challenges).

(c) **2nd Technical Working Group Meeting of SEANF**

2nd Technical Working Group Meeting of SEANF was held in Kuala Lumpur, Malaysia from 17 to 18 June 2015 and representatives from Indonesia, Timor Leste, Philippines, Thailand and Malaysia attended this TWG meeting and Commissioner U Nyunt Swe and Assistant Director, U Zay Yar Linn participated in this meeting. At the meeting, the representatives mainly discussed on the SEANF Permanent Secretariat and agreed to put this issue in the agenda of Annual Meeting. At this meeting, the representatives also discussed on Developments within ASEAN, updates by SEANF Members on thematic projects, SEANF's role in promoting and protecting the rights of refugees, asylum seekers and victims of trafficking in Southeast Asia, Roles of NHRIs in addressing early and forced marriage, SEANF's role in promoting the abolition of the death penalty and Role of NHRIs in Protecting Human Rights Defenders.

(d) **SEANF letter on the rights of refugees, asylum seekers and victims of trafficking in Southeast Asia to Heads of State/ Government concerned**

As a member of SEANF, the MNHRC joined other members of the sub-regional organization in submitting a joint letter of appeal to the respective Heads of State/ Government of the members of SEANF on the rights of refugees, asylum seekers and victims of trafficking in Southeast Asia. The initiative took place during the Chairmanship of SEANF by the Malaysian Human Rights Commission.

(e) The 12th Annual Meeting of the SEANF

Chairman U Win Mra, and Commissioner U Nyunt Swe participated in 12th Annual Meeting of the SEANF which was held in Putrajaya, Malaysia from 29 to 30 September 2015. The meeting was held by two sections such as the discussion on the role of NHRIs in promotion and protection of human rights and the 12th Annual Meeting of the SEANF. Totally (108) representatives attended this meeting including the representatives from SEANF Members NHRIs, Government Departments, UN Agencies, NGOs, Academic Institutions and Media. In the second part of the meeting, the representatives discussed on the way forward for SEANF, establishment of SEANF Permanent Secretariat, thematic human rights issues such as human rights and climate change, business and human rights, National Human Rights Action Plan, Post 2015 Sustainable Development Goals, Abolition of Death Penalty and the rights of refugees, asylum seekers and victims of trafficking. After the Annual Meeting, SUHAKAM handed over the Chairmanship of the SEANF to the Myanmar National Human Rights Commission (MNHRC).³ Moreover, the SEANF members also issued a SEANF Communiqué ahead of the 27th ASEAN Summit containing recommendations on various human rights issues such as International Human Rights Mechanisms, ASEAN Human Rights Instruments and Mechanisms, National Human Rights Institutions and Mechanisms, Civil and Political Rights, Business and Human Rights, Economic and Social Rights, Marginalize and vulnerable groups, rights to development and post 2015 sustainable development goals and human rights and climate change.

Cooperation with Asia Pacific Forum (APF) of National Human Rights Institutions

80. In 2013, the MNHRC drew up and adopted the 2014-2016 Strategic Plan with five objectives with the assistance of APF and MNHRC adopted and implemented yearly work plan in order to achieve the above-mentioned objectives. Chairman and Members of the MNHRC participated in the activities organized by APF. Chairman U Win Mra and member U Khin Maung Lay, participated in the Annual Meeting of APF held in Mongolia from 26 to 28 August 2015.

Communication with ICC

81. International Coordinating Committee for NHRIs (ICC) is an organization that is formed with the NHRIs from various nations with the support of the United Nations. The Sub-Committee on Accreditation of ICC accepts the applications for accreditation from NHRIs and accords status to them. The MNHRC submitted its application for accreditation to ICC on 1 July 2015.

Cooperation with Raoul Wallenberg Institute (RWI)

82. RWI is an institution that offers financial assistance to the MNHRC in its human rights promotion and education activities since the establishment of MNHRC. Regarding the MNHRC's human rights promotion and education activities, capacity building for Commissioners and staff members of the Commission, the MNHRC

³ The Myanmar National Human Rights Commission is holding the chairmanship for SEANF in 2016

has drawn up the 2012-2016 Work Plans in cooperation with RWI and carried out human rights activities with the financial support of Swedish International Development Agency (Sida). At the moment, in cooperation with RWI, the MNHRC is planning to draw up the 2016-2018 Work Plan for human rights promotion and education activities.

Cooperation with National Human Rights Commission of Mongolia (NHRCM)

83. The MNHRC signed an MOU with National Human Rights Commission of Mongolia (NHRCM) on 27 August 2015 for better cooperation between the two Commissions for sharing experience and information, sharing of human rights education methods, staff exchange programme in human rights promotion and protection sectors.

Meeting with Local and International Organization

84. During 2015, representatives from the following local and international organizations came and met with the Myanmar National Human Rights Commission to know the activities of the Commission and for some to find out possible areas of cooperation:

(a) Meeting with United Nations Organizations

- (1) Chairman received the delegation from UNICEF, Myanmar on 14 January 2015.
- (2) Chairman and Commissioners met with the Special Rapporteur for Human Rights Situation in Myanmar, Ms. Yang Hee Lee on 16 January 2015.
- (3) Commissioners received the delegation from UN Women on 26 February 2015.
- (4) Commissioners received the delegation from UN Women on 30 March 2015.
- (5) Commissioners received the delegation from UN Women on 22 April 2015.
- (6) Chairman and Commissioners met with the representatives from UN CRPD Committee on 13 May 2015.
- (7) Chairman met with the Programme Specialist from UNFPA on 27 May 2015.
- (8) Commissioners met with the representatives from UN Women on 3 August 2015.
- (9) Chairman and Commissioners met with the Special Rapporteur for Human Rights Situation in Myanmar, Ms. Yang Hee Lee on 4 August 2015.
- (10) Commissioners received the representative from UN Women on 26 August 2015.
- (11) Chairman and two Commissioners met with UN Resident and Humanitarian Coordinator on 7 October 2015.
- (12) Chairman and Commissioners met with Senior HR Officer from OHCHR on 20 October 2015.
- (13) Commissioners received Policy Officer from UNAIDS on 22 October 2015.
- (14) Chairman and Commissioners received Senior HR Officer from OHCHR on 4 December 2015.
- (15) Chairman and Commissioners met with Senior HR Officer from OHCHR on 30 December 2015.

(b) Meeting with International Organizations

- (1) Chairman and Commissioners received the representatives from JICA Myanmar on 20 February 2015.
- (2) Commissioners met with the representatives from Danish Institute for Human Rights (DIHR) on 22 February 2015.
- (3) Chairman received the representatives from Friedrich Naumann Foundation (FNF) on 9 February 2015.
- (4) Commissioner met with Senior Advisor from Danish Institute for Human Rights (DIHR) and Program and Outreach Manager from Myanmar Center for Responsible Business (MCRB) on 24 February 2015.
- (5) Chairman and Commissioners met with Senior Advisor from Danish Institute for Human Rights (DIHR) on 17 March 2015.
- (6) Chairman and Commissioners received Programme Coordinator from Raoul Wallenberg Institute (RWI) on 22 April 2015.
- (7) A Commissioner received International Legal Advisor Myanmar from International Commission of Jurist (ICJ) on 19 May 2015.
- (8) A Commissioner received International Programme Officer from Norwegian Center for Human Rights, University Oslo on 28 May 2015.
- (9) Chairman and Commissioners met with Deputy Director from Amnesty International on 3 June 2015.
- (10) Commissioners met with Legal Researcher, Myanmar from International Commission of Jurist (ICJ) on 30 June 2015.
- (11) Commission staff received the representatives from Korean Human Rights Commission on 29 July 2015.
- (12) Chairman and a Commissioner received Senior Researcher from Indonesia Center for Strategic and International Studies (CSIS) on 4 August 2015.
- (13) Commissioners met with Professor from MONASH University, Australia on 18 August 2015.
- (14) Chairman and a Commissioner met with the representatives from AHR on 4 September 2015.
- (15) Chairman and a Commissioner received Programme Coordinator from RWI on 7 October 2015.
- (16) Chairman and Commissioners received Project Managers from InDevelop Organization on 16 October 2015.

- (17) A Commissioner met with the representative from Lutheran World Federation on 2 November 2015.
- (18) Chairman received the representatives from South and Southeast Asia Correspondent Bureau on 6 November 2015.
- (19) Chairman and a Commissioner received representatives from Forum- ASIA on 17 November 2015.
- (20) A Commissioner received Assistant Professor from NUS, Singapore on 30 November 2015.

(c) **Meeting with Ambassadors**

- (1) Chairman and a Commissioner met with Charge'd Affairs of Philippine Embassy on 7 January 2015.
- (2) Chairman and a Commissioner met with the Ambassador of Australian Embassy on 16 March 2015.
- (3) Chairman and a Commissioner met with the Israel Ambassador on 18 March 2015.
- (4) Chairman met with the Brazil Ambassador on 4 May 2015.
- (5) Chairman and a Commissioner received the delegations led by French Ambassador at large for Human Rights on 19 May 2015.
- (6) A Commissioner met with the Deputy Head of Mission from Australian Embassy on 5 August 2015.
- (7) Chairman met with the Israel Ambassador on 21 September 2015.
- (8) Chairman and a Commissioner met with the representatives from New Zealand Embassy and Netherlands Embassy on 8 October 2015.
- (9) Chairman and a Commissioner met with the Brazil Ambassador on 8 October 2015.
- (10) Chairman and a Commissioner met with the Legal Adviser from EU Legal Network on 8 October 2015.
- (11) Chairman and a Commissioner met with the Minister Counselor from Korean Embassy on 22 October 2015.
- (12) Chairman met with French Ambassador on 27 October 2015.
- (13) Chairman and a Commissioner met with the representatives from New Zealand Embassy and Netherlands Embassy on 25 November 2015.

(d) **Meeting with Local Organizations**

- (1) A Commissioner received the delegations from Yangon Justice Centre on 16 March 2015.

- (2) A Commissioner received the delegations from Myanmar Council of Persons with Disabilities on 9 April 2015.
- (3) Commissioners met with the Country Programme Coordinator of Chin Human Rights Organization on 23 June 2015.
- (4) Chairman and Commissioners received the delegations from Karan Human Rights Organization on 1 July 2015.
- (5) Commissioners met with the Upper Consultant of Emerging Market Consulting (EMC) on 19 August 2015.
- (6) Chairman and a Commissioner met with the Students who were studying Political Science and International Relations on 1 September 2015.
- (7) Chairman and a Commissioner met with the Business Manager of BG Group on 3 November 2015.

(e) **Meeting with the Local and International Media**

- (1) Chairman was interviewed by the Voice Journal on 21 May 2015.
- (2) Chairman was interviewed by the journalist from Al Jazeera English Media on 9 October 2015.

Members' Attendance of International Seminars and Workshops

85. By attending meetings, seminars and trainings, going on study trips to other Human Rights Commissions and Institutions, the Commissioners gained experiences and good practices on promotion and protection of human rights.

In 2015, the Commission participated in the following workshops and training programmes:

- (a) Commissioner U Soe Phone Myint attended Business and Human Rights Consultation Session and the ASEAN Next-Gen CSR Forum in Indonesia on 4-5 February 2015.
- (b) Commissioner Dr. Nyan Zaw attended APF-UNDP Workshop on the role of NHRIs in promoting and protecting the rights of LGBTI in Asia- Pacific in Thailand on 24-27 February 2015.
- (c) Commissioner U Nyunt Swe attended the 28th UN Human Rights Council Meeting in Geneva, Switzerland on 2-8 March 2015.
- (d) Chairman U Win Mra and Commissioner U Khin Maung Lay attended the Evaluation and Planning Meeting with Southeast Asian NHRIs in Thailand on 9-10 March 2015.
- (e) Commissioner U Yu Lwin Aung visited to observe the children rights activities in Sweden on 9-11 March 2015.

- (f) Commissioner Dr. Daw Than Nwe attended Regional Consultation workshop on Strengthening AICHER's Protection Mandate by Exploring Strategies to Protect Women and Girls from violence in ASEAN in Philippine on 29 March 2015.
- (g) Commissioner Dr. Nyan Zaw attended Rights Conference in Philippine on 24-25 March 2015.
- (h) Commissioners Dr. Daw Than Nwe, U Soe Phone Myint, Deputy Director Dr. Daw Khine Khine Win and Deputy Director U Thura Kyaw attended Workshop on Business, Human Rights and the Environment for Southeast Asia National Human Rights Institutions in Thailand on 8-10 April 2015.
- (i) Commissioner Dr. Daw Than Nwe lectured Human Rights Law in Myanmar at Nagoya University in Japan on 13-19 April 2015.
- (j) Commissioner Dr. Myint Kyi and Deputy Human Rights Officer Daw Mie Mie San Aung attended ITP 282, UNSCR 1325, Women Peace and Security Training Programme Myanmar in Sweden on 11-29 May 2015.
- (k) Commissioner Dr. Daw Than Nwe attended Embassy of Sweden's Regional Workshop; Partner in Rights Promoting Regional Environmental Sustainability and Human Rights through innovative Relationship between Business, Civil Society and Government in Thailand on 27-28 May 2015.
- (l) Commissioner U Soe Phone Myint attended Workshop on the Prevention of Torture in Indonesia on 10-11 August 2015.
- (m) Commissioners Dr. Daw Than Nwe and U Soe Phone Myint attended Workshop on Development of ASEAN Legal Instruments on Human Rights in Philippine on 14-15 September 2015.
- (n) Commissioner Daw Mya Mya attended Conference on Freedom of religion or Belief in Southeast Asia in Thailand on 30 September to 1 October 2015.
- (o) Vice Chairman U Sit Myaing attended NHRIs Special Session on the Rights of Older Persons in Korea on 26-28 October 2015.
- (p) Commissioner Dr. Daw Than Nwe attended ASEAN Responsible Business Forum in Malaysia on 27-29 October 2015.
- (q) Commissioners Dr. Myint Kyi and Dr. Daw Than Nwe attended 5th Regional Meeting on Human Rights and Agribusiness in South East Asia in Philippine on 5-6 November 2015.
- (r) Commissioner U Khin Maung Lay attended AICHR-SOMTC Joint Workshop on Human Rights-based Approach to combat Trafficking in Persons, Especially Women and Children in Indonesia on 5-6 November 2015.
- (s) Commissioners U Zaw Win and U Nyunt Swe attended Blended Learning Course on Human Rights and the Environment 2015 in Thailand On 23-27 November 2015.

- (t) Vice Chairman U Sitt Myaing attended AICHR Regional Dialogue on the Mainstreaming of the Rights of Persons with Disabilities in the ASEAN Community and the Bangkok Human Rights Dialogue: Impacts from ASEAN Integration on Children in Thailand on 1-4 December 2015.

Staffs' Attendance of International Seminars, Workshops and training

86. The Commission Staffs attended the following trainings in 2015 -

- (a) Deputy Human Rights Officers Daw Htet Htet Aung and Daw Mie Mie San Aung attended Regional Conference on the Equal Status and Human Rights of Women in Southeast Asia in Thailand on 23-25 March 2015.
- (b) U Zaw Lwin Htoo, Assistance Director, attended Pilot Regional Blended Learning Course on Investigation and Documenting Torture in Philippine on 20-24 April 2015.
- (c) Dr. Daw Khine Khine Win, Deputy Director, attended Pilot Blended Learning Course on UN Declaration on the Rights of Indigenous People in Bangladesh on 4-8 May 2015.
- (d) Staff member Daw Su Su Hlaing attended Workshop on Business and Human Rights in Thailand on 4-8 May 2015.
- (e) Acting Director General U Phone Kywe took part in the study mission to Mongolia organized by Ministry of Foreign Affairs from 18-23 March 2015.
- (f) Assistant Librarian U Saw Harrison and Staff member U Ye Htet Ko attended Conference for Human Rights Libraries in South and Southeast Asia (2015) in Thailand on 19-21 May 2015.
- (g) 15 staff members from MNHRC attended Human Rights Policy Development (Myanmar) in Korea on 11-24 October 2015.

Recommendation on International Relations

87. One of the principle functions of the NHRIs is to promote and protection human rights in accordance with international human rights standards. The main responsibilities of international relations are to enhance the image of the Commission by studying the best practices of the international organizations and of other countries, including the United Nations, domestic application of these best practices and to make known the positive activities of the Commission to the international community.

88. The Commission is a member of Southeast Asia National Human Rights Institution Forum (SEANF) and also an associate member of Asia Pacific Forum (APF). In 2015, MNHRC applied for accreditation in the International Coordinating Committee (ICC) which was established by United Nations.

89. During 2015, the Myanmar National Human Rights Commission assisted the Government in line with the provisions prescribed in the Myanmar National Human Rights Commission Law, the submission of report for Universal Periodic Review on an independent basis. Likewise, MNHRC will assist the Government in its independent capacity in the process of reporting to Treaty Bodies to which Myanmar is a state party.

90. The MNHRC recommends the Government to take into its consideration the recommendations made by MNHRC to the Government in its independent capacity.

Activities of the Administrative and Finance Division

Formation

91. Formation of the Commission's Executive Committee and Function

(a) The Executive Committee headed by Chairman has been formed with the following;

- | | | |
|-----|----------------|-------------------------|
| (1) | U Win Mra | Chairman |
| (2) | U Sit Myaing | Vice Chairman |
| (3) | U Yu Lwin Aung | Member |
| (4) | U Nyunt Swe | Member |
| (5) | U Phone Kywe | Acting Director General |

(b) The work of the Office of the Commission has been carried out by assigning the responsibilities to the Director (Planning) as Acting Director General, under the supervision of the Planning and Administrative Executive Committee.

Administration Matters

92. The Commission's executive committee convened 15 meetings during 2015 and decisions have been made on management and financial matters. To implement the decisions, responsibilities have been assigned to a team led by the Acting Director General composed of a Director of the Administration and Finance Division, 2 Assistance Directors, 2 Human Rights Officers, 1 Deputy Human Rights Officer, 2 Senior Staff Members, and 5 Junior Staff Members, totaling 30 staff members.

93. In 2015, twelve Commission Plenary Meetings and seven Commission Special Plenary Meetings were convened.

(a) Commission Plenary Meetings (regular)

- | | | | |
|------|----------------------------|-----------|------------|
| (1) | Commission Plenary Meeting | (1/2015) | 26.1.2015 |
| (2) | Commission Plenary Meeting | (2/2015) | 27.2.2015 |
| (3) | Commission Plenary Meeting | (3/2015) | 26.3.2015 |
| (4) | Commission Plenary Meeting | (4/2015) | 30.4.2015 |
| (5) | Commission Plenary Meeting | (5/2015) | 25.5.2015 |
| (6) | Commission Plenary Meeting | (6/2015) | 30.6.2015 |
| (7) | Commission Plenary Meeting | (7/2015) | 28.7.2015 |
| (8) | Commission Plenary Meeting | (8/2015) | 20.8.2015 |
| (9) | Commission Plenary Meeting | (9/2015) | 11.9.2015 |
| (10) | Commission Plenary Meeting | (10/2015) | 19.10.2015 |
| (11) | Commission Plenary Meeting | (11/2015) | 19.11.2015 |
| (12) | Commission Plenary Meeting | (12/2015) | 18.12.2015 |

(b) Commission Special Plenary Meetings

(1)	Special Plenary Meeting	(1/2015)	11.5.2015
(2)	Special Plenary Meeting	(2/2015)	15.5.2015
(3)	Special Plenary Meeting	(3/2015)	2.6.2015
(4)	Special Plenary Meeting	(4/2015)	20.7.2015
(4)	Special Plenary Meeting	(5/2015)	29.7.2015
(5)	Special Plenary Meeting	(6/2015)	7.8.2015
(6)	Special Plenary Meeting	(7/2015)	26.10.2015

Staff Matters

94. Under the Commission Law section 51, sub-section (a), the strength of the staff in the office of the Commission was 42 at the end of 2014. In February 2015, a Human Right Officer was appointed, and in March, a Director was appointed. A peon and a gardener have also been appointed. The appointments were made through the system of competition by the selection committee.

95. Likewise, 2 Human Right Officer in May, 11 Junior Staff Members and a driver in June, and 2 peons in July, have been appointed through competitive selection system by the selection committee members assigned by the Commission. One disabled lower level clerk was appointed in September 2015, thus, a total of 22 permanent staff of the Commission has been appointed in 2015.

96. An officer from the Ministry of Home Affairs seconded since the commencement of the formation of commission and a staff member for a total of 2 staffs have continued with their duty assignment at the Commission. Then, 1 lower level clerk in Jan 2015, 1 Director in March, 1 Deputy Director in April, 1 Assistant Director in September and 1 driver (Level 3) in December have resigned from the jobs due to health conditions leaving a 59 permanent staff and 2 additional staffs, a total of 61 staffs still in service at the end of December 2015.

97. In February, 2015 a Senior Staff Member was promoted to the Deputy Human Rights Officer post and 9 Junior Staff Member were promoted to Senior Staff Members. 2 Senior Staff Members were promoted to deputy human rights officers post in April, 2015. 1 Deputy Director was promoted to the Director post in Aug. Also in 2015, 3 Assistant Directors were promoted to Deputy Directors, 3 Human Rights Officers were promoted to Assistant Directors, 1 Assistant Librarian was promoted as Librarian and 4 Deputy Human Rights officers were promoted to Human Rights Officers posts.

98. At the Central Institute of Civil Service (Phaung Gyi) training courses, a Deputy Director had successfully attended course No. 51 of Medium Level Officer Management Training Course that was convened in November and 4 Deputy Human Rights Officers attended course No. 63 of Lower Officer basic training course convened in December and 2 Upper level clerks attended training course No 149 for the staff.

99. As of 31 December 2015, permanent staffs and additional staffs appointed in the commission's office are as follows;

Sr.	Rank	Permanent	Additional	Total	Remark
1	Director	2	-	2	
2	Deputy Director	4	-	4	
3	Assistant Director	5	1	6	Attached from the Ministry of Home Affairs
4	Human Rights Officer	9	-	9	
5	Liberian	1	-	1	
6	Deputy Human Rights Officer	4	-	4	
7	Senior Staff Member	9	1	10	Attached from the Ministry of Home Affairs
8	Junior Staff Member	12	-	12	
9	Driver (3)	4	-	4	
10	Peon	5	-	5	
11	Cleaner	1	-	1	
12	Security	2	-	2	
13	Gardening Worker	1	-	1	
	Total	59	2	61	

Financial Matters

100. In the process of making preparation and drafting the financial procedure of the Commission, the expenditure of the fiscal year, was estimated and drawn in advance and submitted to the President Office. The expenses are drawn out on a quarterly basis to be used. The above-cited financial procedure will come into force and be implemented accordingly once it is enacted.

101. From Jan 2015 until Dec, expenditure of the commission had to be submitted and claimed from the President Office once every three months and for the expenditure of the 2014-2015 fiscal year such as from April 2014 until March 2015, the expenses incurred had been inspected by Auditor General Office of Yangon Region in August 2015. The findings of AGI office, has been forwarded to the Auditor General Office of Yangon Region within a month's time and it has also been submitted to the President Office and the Office of the Auditor General of the Union. The quarterly allotment expenditures are as follows;

Sr.	Name of Month	Allotment	Expenditure	
(a)	Jan, Feb, March	136573000	136139893	433107
(b)	April, May, Jun	162640340	160178730	2461610
(c)	Jul, Aug, Sept	191819350	179451227	12368123
(d)	Oct, Nov, Dec	175353000	173594733	1758267
	Total	666385690	649364583	17021107

Setting up procedures

102. In accordance with the Commission Law section 24, sub-section (a), that the functions of the commission are independent; under sub-section (b), financial management and administration affairs are also independent, under section 51, sub-section (a), establish staff organization structure and appoint staff as required under sub-section(b), stipulation of entitlement, rules and regulations referring to staff affairs of the Commission; and under section 70 that the Commission may issue necessary notifications and procedures, staff and financial procedures of the Commission⁴ have been issued.

103. In drafting the financial procedures, it was prepared with advice from the experts of from the Ministry of Finance and the Office of the Auditor General. A coordination meeting was convened at the Commission's office on 15.5.2015 and as per suggestions, the necessary amendments were made. The draft on "The Financial Procedure relating to the Myanmar National Human Rights Commission" was sent to the Finance Ministry for comments and remarks. The Ministry of Finance gave 15 comments, suggestions and amendments.

104. On finding that the amendments and suggestions of the Ministry of Finance did not affect the independence of the performance of the Commission contained in the Commission Law section 24, the amended draft containing the suggestions was sent again to the Ministry of Finance. The Ministry of Finance responded by stating that it has no particular remarks to be given on the amended draft.⁵

105. As stated in para 5 of the financial procedure of the Commission, the budget for the 1 fiscal year of the Commission, has to be submitted and claimed from the parliament and necessary arrangements have been made to submit the claim in accordance with the requirements set forth under para 6 of the Financial Procedure.

Submission and Claiming of Supporting Fund of the Commission for 2016-2017 Fiscal Year

106. Under the approval of the President Office, the budget (grant) of the Commission for 2016-2017 fiscal years has been coordinated and informed to the Ministry of Finance on 9.11.2015 for submission and disbursement from the parliament via the Ministry of Finance. Accordingly, Dr. Lin Aung, Deputy Minister for Finance and Daw Lei Lei Thein, Deputy Minister for National Planning and Economic Development and U Yu Lwin Aung formed a team with the member of Deputy Director General from the Union Attorney General's Office, Director General from the Office of Auditor General of the Union and Department of Budget and discussed on 17.11.2015 at the Ministry of Finance of Nay Pyi Taw.

⁴ The Staff Affairs Procedure relating to the Myanmar National Human Rights Commission has been issued in Jan 2016.

⁵ The Financial Procedure relating to the Myanmar National Human Right Commission has been issued in Jan 2016.

107. Under the decision of the Coordination Meeting, the budget (grant) for the 2016-2017 fiscal year has been submitted to the Union Government Meeting No. 27/2015 held on 24.12.2015 by the Ministry of Finance through the Treasury Department, Ministry of Finance as in the case of the Government of the State/ Region.

108. As such, for the budget (grant) for 2016-2017 fiscal year for the Commission, coordination has been made via the Ministry of Finance for submission to different levels of the Parliament in accordance with the Commission Law.

Pension Scheme for the Commission Staff

109. In order to provide guarantee for the future of the staff members of the Commission and the requirement to establish a pension system for the staff, pension scheme for the retired staff members has been drawn and inserted in the financial procedure set up in November 2014. After that, 7 Commissioners including of Vice-Chairman convened a meeting on 15.5.2015. (1)Deputy Director General from the Ministry of Finance, (2)Directors, (1)Director from the Office of the Auditor General of the Union and (2) Deputy Directors attended the Coordination Meeting on the Drawing and Preparation of the Financial Procedure of the Commission, and in accordance with the agreement it has been mentioned in para 6, sub-para (g) of the procedure that the funding contribution of the pension for the Commission staff shall be inserted, calculated, drawn and claimed from the supporting fund (budget).

110. For the 2016-2017 fiscal year, the budget has been submitted and claimed for pension contribution of the Commission staffs with 5.2 lakh per month, for a total of 62.4 lakh. The Ministry of Finance submitted it to the Cabinet meeting No. 27/2015 held on 24-12-2015 which approved the submission without any cut.

111. The pension scheme for the staff was submitted to the Executive Committee Meeting No. 15/2015 and by decision of the meeting contained in para 16, sub-para (e), it was decided to continue to work to have the approval of the scheme from all concerned at different levels.⁶

Social Security System for the Staff

112. In order to prevent difficulties at the time of experiencing problems, such as ill-health, maternity, operational injury and death, for the entire working people, inclusive of government staff, social security scheme has been implemented since 1956 in Myanmar. According to ILO maxim, Social Security is a right to be enjoyed by people. In accordance with this maxim regarding the enjoyment of social security benefit views of the staff members were sought in January 2015.

113. As the staff concurred, the Executive Committee Meeting No. 4/ 2015 held on 3.3.2015 discussed the matter and by decision 6(d), it was decided to submit to the President Office for the social security contribution to be used from the grant fund..

⁶ On April 7, 2016, retired pension scheme of the Commission's office staffs has submitted and distributed to the respective divisions. Implementation will be made as of 2016-2017 fiscal year.

114. Regarding the 3% of the Pension Scheme to be used from the grant fund beginning 2015-2016 budget year, permission was sought on 3-3-2015 from the President's Office. In making the submission to the President's Office detailed calculations were given. The President's Office granted permission. Since May 2015, the staff has enjoyed the social security scheme.

Suggestions of Administration and Finance Division

115. According to the sanctioned strength, there are 60 officials and 107 clerical staff members for a total of 167 members. However, due to lack of office space, the strength on 31 December 2015 was (22) officials and (39) clerical staff for a total of (61). Although there should be (5) Directors, there are only (2) Directors. Instead of (6) Deputy Directors, there are only (4) of them. There are (7) Assistant Directors instead of (12). There are (9) Heads of Branch instead of (35). There are (3) Deputy Heads of Branch instead of (23). Although there should be a total of (29) senior clerical staff and junior clerical staff, there are only (21). Due to lack of office space, the vacancies cannot be filled up and the Commission has to carry out its work only with the existing strength.

116. On 24th September 2014, subsequent to formation of the new Commission, due to hope and expectations domestically and international community on the Commission for the progress of human rights, activities for rights educational and promotional work of the Commission and protection activities have increased. In 2014, only workshop in the States and human rights educational talks in the townships were made. In 2015, in addition to above activities, community-based workshops, human rights educational talks at the Union level organizations and lectures at the National Defense College and the Central Institute of Civil Service have been given.⁷

117. Despite enhancement of such activities, there are only 26 instead of the sanctioned strength of 83 in the Administration and Finance Division. Despite 16 to be appointed in the Human Rights Policy and Legal Division, there are only 5 persons. Despite the need to appoint 38 persons in the Human Rights Protection Division, there are only 13 persons. Despite the need to appoint 14 in the International Relations Division, there are only 5 persons. Despite 16 persons to be appointed in the Human Rights Promotion and Education Division, there are only 12 persons.

118. As such, despite the requirement to appoint the staff to meet with the sanctioned strength, there are limitations due to inadequateness of office space. At present, the space is congested as the Commission is located in the same compound where training courses are conducted by MDRI and CSIS. In addition, it is difficult to undertake security measures as there are many people going in and out of the building compound. For the aforementioned reasons the Commission has suggested either to permit the use of all the buildings within the compound or to permit construction of an extension office building within the compound.

⁷ In addition to the above functions, the human rights education talks have been giving to the Military officers present at the General Staff Colleague, Company Commander Course and battalion Commander Course in 2016. Moreover, arrangement has been made in give lecture on human rights education to the Myanmar Army Commands, Myanmar Police force and police security supervision officer.

119. In order to implement the activities of the Commission throughout the nation in a quick and effective manner in 2016-2017 budget year, permission has been granted to open three branch offices in Nay Pyi Taw Council, Mandalay Region and another suitable State, with each branch office to be manned with one Head of Branch, one senior clerical staff and one junior clerical staff respectively. All necessary assistance should be extended by the authorities concerned for the opening of the branch offices of the Commission.

The Statements of the Myanmar National Human Rights Commission

120. The following statements of the commission were published through the Commission's website www.mnhrc.org.mm and the media:-

- (a) Press statement on the inquiry of riots of 22nd December 2014 at Latpadaungtaung Copper Mine Project in Salingyi Township,(Statement No.1/2015)
- (b) Press Release by the Myanmar National Human Rights Commission on the Armed Conflict in Laukkai Area (Statement No 2/2015)
- (c) The Press Statement regarding the visit to Insein Central Prison by the Myanmar National Human Rights Commission (Statement No.3/ 2015)
- (d) Statement by the Myanmar National Human Rights Commission relating to agreement by the two sides on the draft text on the Nationwide Ceasefire Agreement (draft)(Statement No 4 /2015)
- (e) The Myanmar National Human Rights Commission Statement on the visit by the Myanmar National Human Rights Commission team to the prisons and detention centers in Sittwe and Buthidaung townships in Rakhine State (Statement No 5/2015)
- (f) Statement of the Myanmar National Human Rights Commission with regard to the case involving the death of Ko Aung Naing (a) Ko Aung Kyaw Naing (a) Ko Par Gyi (Statement No 6 /2015)
- (g) Statement by the Myanmar National Human Rights Commission with regards to the visit to Maing-Sat prison in Shan State(Statement No.7/2015)
- (h) The Myanmar National Human Rights Commission Statement regarding visit to Mandalay, Naung Cho, Hsi Paw and Lashio Townships Prisons and Labour Camps (Statement No. 8/2015)
- (i) The Myanmar National Human Rights Commission Statement with respect to the students and supporters detained in Thayarwaddy Prison,(Statement No 9/2015)
- (j) Statement of the Myanmar National Human Rights Commission (Statement No10/2015)
- (k) Statement regarding application of bail for the (4) student demonstrators of Yadanarbon University, Mandalay Region to appear for the examination (Statement No11/2015)

- (l) Statement with regards to the apprehension and detention of the demonstrators protesting for the reform of National Education Law at Latpadan on 10 March 2015 Myanmar National Human Rights Commission (Statement No12/2015)
- (m) Statement by Myanmar National Human Rights Commission on the occasion of the Nationwide Ceasefire Agreement between the Government of the Republic of the Union of Myanmar and eight Ethnic Armed Organizations (Statement No13/2015)
- (n) Statement regarding the visit to the Prison and Police lockup of Kaw Thaug Township and Myeik Township situated in Tanintharyi Region (Statement No14/2015)
- (o) The Myanmar National Human Rights Commission (Statement No15/2015)
- (p) Statement by the Myanmar National Human Rights Commission on the occasion of the International Human Rights Day which falls on 10 December 2015 (Statement No16/2015)
- (q) Statement by the Myanmar National Human Rights Commission on the Treatment upon the prisoners who demonstrated with hunger-strike in Mying-Gyan Prison (Statement No 17/2015)
- (r) News of Ma Than Than Ei, an under-aged housemaid tortured by her employer
- (s) News of Ma Aye Aye Mhwe, a housemaid tortured by her employer

Conclusion

In order to foster respect for Human Rights in Myanmar and to provide better fulfillment for violations of Human Rights, the Commission has undertaken necessary measures in policy and legal matters, human rights promotion and education, human rights protection, International and regional cooperation in accordance with the mandate provided in the Commission Law.



The group photo of the Workshop on Business and Human Rights which was organized by Myanmar National Human Rights Commission (MNHRC) in collaboration with Danish Institute of Human Rights (DIHR)



Commissioner Dr. Daw Than Nwe participated in the Coordination Meeting of the law on the Prevention of Violence against Women (Draft)



Vice Chairman U Sit Myaing facilitated at the Grass Root level workshop on human rights in Pyinmana township



Commissioner U Yu Lwin Aung conducts human rights talks at the Office of the Commander in Chief (Army), Ministry of Defence



The group photo of SEANF Annual Meeting organized in Malaysia



Group photo of members of the MNHRC with the Special Rapporteur on the human rights situation of Myanmar Ms. Yang Hae Lee during her call at the commission



Commissioners U Zaw Win and Dr. Nyan Zaw met with the prisoners in Kaw-Thaung Prison



Commissioners U Zaw Win, U Nyunt Swe and Daw Mya Mya inspected the food for prisoners at Htone-Bo Labour Camp

Statement Showing types of Cases in Respective States and Regions During 2015

No	List of Case	Yan gon	Manda lay	Irra waddy	Ba go	Sa gaing	Ma gway	Shan	Mon	Ra khine	Nay Pi Taw	Ka chin	Kayin	Tanin thary	Chin	Kayah	Total
1	Land issues	123	170	60	56	41	37	30	20	29	24	15	8	10	3	0	626
2	Others	64	23	12	16	5	5	7	5	0	6	0	1	3	0	0	147
3	Judiciary	52	22	24	7	4	6	4	8	4	4	1	4	1	0	0	141
4	Pension+ Government Staff	17	22	19	4	6	4	1	5	7	3	4	0	0	0	0	92
5	Police Cases	16	26	7	9	2	4	5	1	0	1	0	1	1	0	0	73
6	Administrative Cases	4	20	11	4	5	0	4	1	1	1	1	1	0	0	0	53
7	Municipal Cases	30	3	2	2	1	0	1	3	1	0	1	0	0	0	0	44
8	Financial Cases	14	1	6	4	6	1	0	1	0	1	2	0	0	0	0	36
9	Women Cases	3	7	3	1	1	3	0	0	0	0	2	0	0	0	0	20
10	Labour Cases	4	2	1	1	1	1	0	5	0	0	0	0	0	0	0	15
11	Religious Affairs Cases	0	3	0	1	1	1	0	1	2	0	0	0	0	0	0	9
12	Torture	2	0	0	0	2	0	0	0	0	0	2	0	0	0	0	6
13	Cases within the prison	3	2	0	0	0	0	0	0	0	0	0	0	0	0	0	5
14	Child Cases	1	1	0	2	0	0	0	0	0	0	0	0	0	0	0	4
15	Lawyer License	2	0	0	1	0	0	0	0	0	0	0	0	0	0	0	3
16	Military	0	0	0	0	0	0	0	0	0	0	3	0	0	0	0	3
17	Closed Cases	0	1	0	1	0	1	0	0	0	0	0	0	0	0	0	3
18	Dam Intersection of the Irrawaddy	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	2
19	Human Trafficking	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	2
20	Child Soldier	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	2
21	Migrant Workers	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	1
Total		335	306	148	110	75	63	52	50	44	40	31	15	15	3	0	1287

**Statement Showing types of Cases Received from Ministries concerned and Relevant Departments in Respective States and Regions
During 2015**

No	List of Cases	Yan gon	Man dalay	Irrawa ddy	Nay Pyi Taw	Mon	Ma gway	Ba go	Ka chin	Shan	Sa gaing	Ra khine	Ka yin	Tanin thary	Chin	Ka yah	Total
1	Land issues	38	22	22	10	13	12	6	3	10	9	6	2	3	0	0	156
2	Others	12	6	3	1	5	0	4	1	0	2	1	0	0	0	0	35
3	Judiciary	13	7	2	0	1	3	3	1	1	1	1	1	0	0	0	34
4	Police Cases	6	9	2	3	0	2	2	6	0	0	0	1	0	0	0	31
5	Pension+ Government Staff	3	5	0	1	1	0	2	0	0	1	2	0	0	0	0	15
6	Administrative Cases	1	7	1	1	0	0	1	0	3	0	0	0	0	0	0	14
7	Financial Cases	2	1	3	0	0	0	1	0	0	1	0	0	0	0	0	8
8	Cases within the prison	2	0	0	4	0	0	0	2	0	0	0	0	0	0	0	8
9	Human Trafficking	0	1	1	0	0	5	1	0	0	0	0	0	0	0	0	8
10	Foreign Cases	0	0	0	8	0	0	0	0	0	0	0	0	0	0	0	8
11	Religious Affairs Cases	3	2	0	0	0	0	0	0	0	0	1	0	0	0	0	6
12	Women Cases	2	1	0	0	2	0	0	1	0	0	0	0	0	0	0	6
13	Military	0	0	2	1	2	0	1	0	0	0	0	0	0	0	0	6
14	Foreign Cases	0	3	0	0	0	0	0	0	0	0	1	0	0	0	0	4
15	Municipal Cases	3	1	0	0	0	0	0	0	0	0	0	0	0	0	0	4
16	Torture	2	0	0	0	0	0	0	1	0	0	0	0	0	0	0	3
17	Sailor	2	0	0	0	1	0	0	0	0	0	0	0	0	0	0	3
18	Lawyer License	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
	Total	90	65	36	29	25	22	21	15	14	14	12	4	3	0	0	350

Remark: Replies received for the cases before 2015 are 170, within 2015 are 180 and 350 replies are received in total.

No	Departments Concerned	Land	Legal	Financial	Prison	Administrator Cases	Pension + Service Personnel	Municipal	Religious Affairs	Police	Human Trafficking	Women	Torture	Child	Military	Foreign	Others	Total
Law Offices																		
35	Office of the Attorney General		2															2
Commission, Committees and Councils																		
36	Yangon City Development Committee (YCDC)	3						2										5
37	Mandalay City Development Committee (YCDC)							1										1
38	Nay Pyi Taw Council	2																2
39	Thilawa Special Economic Zone	1																1
Organizations																		
40	State Sanggha Maha Nayaka Council								1									1
41	Central Body for Suppression Trafficking in Person										4	1					1	6
42	Yangon Region Police Force Commander		1															1
43	Myanmar Peace Center												1					1
44	AAA Cement Company																1	1
45	Myanmar Tower Company																1	1
46	Shwe Than Lwin Company	1																1
		95	19	4	2	7	7	5	1	9	4	4	2	1	1	4	15	180

No	Ministries	Land issues	Others	Pension+ Government Staff	Police Cases	Judiciary	Administrative Cases	Women Cases	Financial Cases	Municipal Cases	Religious Affairs Cases	Total
15	Magwae Region		1									1
16	Mandalay Region	16	2		1	2			1			22
17	Rakhine State	1										1
18	Yangon Region	13	4							1	1	19
19	Shan State	4										4
20	Ayeyarwaddy Region	8	2	7								17
Supreme Courts												
21	Thayarwaddy Township Court					1						1
Party, Commission, Committees and Councils												
23	Union Solidarity and Development party	1										1
24	Yangon City Development Committee (YCDC)	1	1									2
25	Land Administration Committee	1										1
Organizations												
26	Asia World Co, Ltd		1									1
	Total	75	17	9	4	3	3	3	2	2	1	119

Remark: 288 complaints were sent to the respective Ministries, State and Region Office and 86 replies were received within 30 days and 94 replies were received after 30 days, 180 replies were received in total. 119 replies had not received yet.