

## The Asia Pacific Partnership for Atrocity Prevention (APPAP) Members Statement on Myanmar's Amendments to Laws

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*The Asia Pacific Partnership for Atrocity Prevention (APPAP) is an alliance of organisations working to promote human rights and support atrocity prevention in the region.*

Members of the Asia Pacific Partnership for Atrocity Prevention (APPAP) join other human rights advocates in condemning ongoing amendments to various laws, implemented by the ruling military junta in Myanmar, which are being used to violate human rights.

A proposed cybersecurity decree that sought to strengthen the government's power in Myanmar by restricting, blocking and punishing online expression, has been sidelined by the junta. This proposed decree called for the retention of user data, allowing the Telecommunications Minister access to private information.

While this decree has not progressed, over the last few weeks a number of changes to established laws have effectively replicated the agenda of this proposed cybersecurity decree. These include amendments to: Law Protecting the Privacy and Security of Citizens (amended 13 February 2021); Ward or Village Tract Administration Law (amended 13 February 2021); Penal Code (amended 14 February 2021); and Electronic Transactions Law (amended 15 February 2021).

In a country where speech and expression are already strictly curtailed by the junta, these changes further limit freedoms and threaten protestors with long periods of detention. Given the ongoing violence that has been escalating since the coup began, these amendments are enabling further violations of human rights and the commission of atrocity crimes.

These laws violate human rights by:

- 1) increasing the surveillance of the population, to monitor and arbitrarily arrest anyone who speaks out against the military;
- 2) ensuring any dissenters who are arrested remain in custody for indefinite periods of time;
- 3) preventing the free flow of information that could be critical of, and detrimental to, its rule;
- 4) arresting dissenters and protesters without the need for a warrant;
- 5) accessing personal data and demanding information from service providers.

Curtailing freedom of speech, and threatening opposition movements with imprisonment, removes open dialogue, replacing it with biased propaganda that serves the junta's agenda, including segregation and ostracisation, and the real threat of hate speech directed at opposition groups, or groups the junta wish to disempower or marginalise from Myanmar's society. In turn, this could lead to an outbreak of atrocity crimes.

These amendments contravene international human rights laws, including [Article 19 of the International Covenant on Civil and Political Rights](#) to which Myanmar is not a signatory, and undermine the right to self-determination under [Article 1 of the International Covenant on](#)



[Economic, Social and Cultural Rights](#), which Myanmar ratified in 2017. APPAP signatories call for these amendments to be reversed, and freedom of speech and expression to be respected.

APPAP urges the Myanmar military to:

1. Immediately repeal the amendments to legislation and allow freedom of speech;
2. Allow private access to mobile phone and internet communications without fear of arrest;
3. Allow social media access to all citizens on any platform of choice without fear of arrest;
4. Stop the spread of hate speech that could lead to incitement of violence, and refer to the International Court of Justice's [unanimous recommendation of January 2020](#), to take all measures to prevent the commission of genocide.

APPAP calls on ASEAN, the United Nations, and other international government bodies to:

1. Realise the amending of these laws to be violations of human rights;
2. Work with CSOs and NGOs to monitor the situation in regards to freedom of speech;
3. Liaise with social media companies to ensure disinformation campaigns by the Myanmar military and related parties are monitored and curtailed, especially those that involve hate speech and incitement to violence;
4. Ensure this issue is put before the UN Human Rights Council for consideration, and;
5. Work with global civil society organisations to continue to apply vocal opposition to these amendments, and any further amendments to laws by the junta that are intended to violate human rights.

For further information, please contact:

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