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BURMA | Concerns Surrounding Tolerance, Respect During Elections

The disenfranchisement of a significant proportion of the population in Burma, and ongoing human rights violations including discrimination against religious and ethnic minorities, are among the issues of concern ahead of the national elections Nov. 8.

Despite being the first openly-contested democratic elections in Burma since 1990, the process is inherently flawed as a result of clauses in the constitution which bar pro-democracy leader Aung San Suu Kyi from the presidency, guarantee the military 25 percent of seats in parliament and give the military control over the appointment of various ministers of key departments such as Home Affairs and Border Affairs.

In addition, an estimated 20 percent of the population is believed to be deliberately disenfranchised. The Rohingya Muslim people have been completely denied a vote, while displaced people in Burma's ethnic areas are also excluded and most Muslim candidates have been disqualified. For the first time since independence, there will not be a Muslim MP in parliament.

There are concerns that the election results will serve to highlight growing ethnic and religious divides in Burma and that a new, democratic government will be hamstrung when it comes to ending long-term human rights violations.

The United Nations (UN) Special Rapporteur on human rights in Myanmar (Burma), Yanghee Lee, has expressed concern about the influence of extreme religious nationalist movements in the political process, lack of action to tackle hate speech that could amount to incitement to hatred against minorities, institutionalized discrimination against the Rohingya, and discriminatory laws aimed at "protecting race and religion" which do not conform with Myanmar's human rights obligations.

"There is a clear need for continued legislative and constitutional reform to bring the country's legal framework in line with international human rights laws and standards," she said.

In a submission for Burma's Universal Period Review at the UN on Nov. 6, Christian Solidarity Worldwide (CSW) outlined the lack of legal protection for religious and ethnic minorities, the abuse of laws intended to protect religion from insult and the poor treatment of Special Rapporteurs and human rights defenders.

A letter appealing for tolerance and for the elections to be as free and fair as the flawed constitution will permit was signed by democratically elected representatives and dignitaries from around the world. Signatories including the former President of Timor-Leste, Nobel Laureate Jose Ramos-Horta; former Prime Minister of Norway, Kjell Magne Bondevik; the former First Ladies of the Maldives and Timor-Leste; the former Foreign Minister of the Maldives; the daughter of the former President of Indonesia, Speaker of the House of Commons John Bercow MP and several members of the UK and European parliaments, have called on the international community to monitor the election and transition that follows.

CSW's Chief Operating Officer Andy Dipper said, "The election on Sunday represents a truly historic opportunity for the people of Burma and has the potential to lead to change, but it is at the same time an inherently flawed process in a flawed constitutional framework. The international community must not overlook the continuing and very serious violations of human rights in Burma, including allegations made recently by legal experts of possible genocide against the Rohingyas. These violations should be investigated by a United Nations inquiry, and the truth established, so that whoever forms the next government of Burma can then work with the international community to address these concerns. We hope that the remaining two days before the election, polling day and the days following it are peaceful and that this election can truly represent the stepping-stone to democracy and human rights which we all wish to see."