

MYANMAR NATIONAL HUMAN RIGHTS COMMISSION



STRATEGIC PLAN 2020-2024

CONSULTATION DRAFT

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Foreword

This is the Commission's Strategic Plan for 2020 - 2024. The First Plan, adopted after the establishment of the Commission by the Government's notification No.34/2011 of 5 September 2011 covered the period from 2014 - 2016. The present Commission was reconstituted by the enabling law on 24 September 2014.

In consonance with the functions spelt out in the mandate of the enabling law, the Commission has endeavoured to the best of its ability to promote and protect the fundamental rights of the citizens of the Republic of the Union of Myanmar.

The Commission also endeavoured to implement the Strategic Plan of the MNHRC for 2014-2016 facilitated by the APF Secretariat based on the following five strategic goals:-

1. To increase awareness of and support for human rights
2. To assist and encourage parliament and government to ensure that all laws, policies and programs are human rights compliant
3. To monitor and investigate human rights violations and assist victims to obtain remedies
4. To initiate and encourage the development of human rights law and mechanisms internationally and domestically
5. To develop the MNHRC's structures, processes and to train staff so that it is as effective an NHRI as possible

Even after 2016, before the successor plan could be adopted, the Commission assiduously carried out the 2014-2016 Strategic Plan and was able to positively contribute towards the establishment of the Myanmar Society in which human rights are respected, promoted, protected and fulfilled.

In November 2018, the Commission, after consultations with APF, agreed that a Capacity Assessment will provide the Commission with the information needed to further strengthen the MNHRC's promotion and protection of human rights.

The Capacity Assessment was undertaken between Monday 5 and Friday 16 November 2018 facilitated by UNDP, OHCHR and APF. All the Commissioners and the staff members, totalling 86 in all, took part in the assessment.

The Capacity Assessment came up with the recommendations for the Commission to develop a 3-5 year strategic plan with wide consultations, among Commissioners and staff and with external stakeholders, including clear targets of achievement and a transparent process for implementation, monitoring and evaluation.

It is therefore my pleasure now to invite your comments on the Myanmar National Human Rights Commission's draft Strategic Plan 2020-2024 which, when finalised, will serve as a useful guideline in performing the functions for the realization of the goals set forth in the Plan.

Win Mra
Chairperson
Myanmar National Human Rights Commission

Introduction:

Development of the Strategic Plan 2020-2024

The strategic planning process undertaken by the MNHRC is based on two principles:

- Good strategic planning involves the whole organisation, enabling each person to contribute her or his views and building an organisation-wide ownership of and commitment to the plan and its implementation.
- Good strategic planning is open to the ideas and concerns of external stakeholders, both recognising their expertise and experience and inviting them to share in developing the future of the organisation.

The MNHRC strategic planning process has three stages:

1. development of a draft strategic plan through a participatory process with Commissioners and senior managers
2. broad consultation on the draft, internally with all staff and externally with key stakeholders – civil society organisations, government agencies at national and regional levels
3. revision of the draft strategic plan and adoption of the final plan and development of the first year's work plan to implement it.

The planning has drawn significantly on the findings and recommendations of the comprehensive capacity assessment that the MNHRC undertook in November 2018.

This Consultation Draft Document represents stage 1 of the strategic planning process. It is being circulated widely seeking comments and suggestions for the MNHRC's 2020-2024 Strategic Plan.

This draft strategic plan sets out the MNHRC's proposed Vision and Mission Statement. It identifies six Goals. Each goal has one or more objectives, identifies strategic interventions (major initiatives), target groups, activities and indicators. The final plan, taking account of the consultations, will include more specific timelines.

Annual work plans will be developed, the first for 2020 immediately following the finalisation of this strategic plan.

Consultations

The MNHRC welcomes your comments and suggestions on the goals, objectives, strategic interventions, the targets identified and the activities and indicators.

Do you agree with them? How can they be improved? What would you add?
What would you delete?

Myanmar National Human Rights Commission: Mandate & Functions

Establishment and status

The MNHRC was originally established on 5 September 2011 under an executive Notification (No. 34/2011) by the then President Thein Sein, with 15 commissioners. Initially dependent on an allocation from the President's Office budget. Since 2016 it has been allocated its own State budget line.

The MNHRC was placed on a statutory legal basis following the adoption in March 2014 of the Myanmar National Human Rights Commission Law (No. 21/2014, hereafter "MNHRC Law"), and 11 Commissioners were appointed under the new Law on 24 September 2014 for a five-year term. In October 2016 four Commissioners resigned. Three replacements were appointed in April 2018.

Mandate, powers and functions

As stipulated under Section 22 of the MNHRC Law, the MNHRC has the following powers and functions:

- (a) human rights education and promoting public awareness of human rights;
- (b) recommending to the Government the international human rights instruments to which Myanmar should become a party;
- (c) reviewing existing laws and proposed bills for consistency with the international human rights instruments to which the State is a party and recommending the legislation and additional measures to be adopted for the promotion and protection of human rights;
- (d) assisting the Government in respect of its preparation of reports to be submitted to international human rights monitoring mechanisms;
- (e) investigating complaints of human rights violations including conducting inquiries and site visits;
- (f) inspecting prisons, jails, detention centres;
- (g) consulting and engaging with CSOs, unions, and other organisations, private sector, academic institutions, and other national, regional and international human rights mechanisms including UPR;
- (h) submitting annual and (as an when necessary) special reports to the Parliament, Government or President, as appropriate;
- (i) carrying out anything incidental or conducive to the implementation of any functions of the Commission.

For these purposes, "human rights" is defined (Section 2(c)) as the rights of citizens enshrined in the Constitution, as well as human rights contained in the Universal Declaration of Human Rights and in international human rights instruments applicable to the State (currently CRC, CEDAW, CRPD and ICESCR).

Accreditation status

The Sub-Committee on Accreditation (SCA) of the Global Alliance of National

Human Rights Institutions (GANHRI) reviewed the MNHRC's accreditation status in November 2015. It was accredited with B status.

In recommending that it be accredited with B status, the GANHRI Sub-Committee on Accreditation stated:

"The SCA welcomes the establishment of the NHRC in law. It commends the NHRC for its continuing efforts to promote human rights despite the challenging context in which it operates, noting in particular the NHRC coordinating program to educate key stakeholders in the application of human rights."

The SCA then identified a range of issues that had to be addressed if the MNHRC was to achieve A status. It encouraged the MNHRC to interpret its mandate in a broad, liberal and purposive manner, and to promote and protect human rights of all. A number of the SCA recommendations have since been implemented by the MNHRC.¹

International relationships

The MNHRC is a member of the South East Asia National Institutions Forum (SEANF); an associate member of the Asia Pacific Forum of National Human Rights Institutions (APF); and a member of the Global Alliance of National Human Rights Institutions (GANHRI).

Summary of activities 2014-2019

The first strategic plan covered 2014 to 2016. The goals and activities identified in that plan remained the basis for the MNHRC's work until now.

Those goals were:

- Goal 1:** Increase awareness of and support for human rights
- Goal 2:** Assist and encourage parliament and government to ensure that all laws, policies and programs are human rights compliant
- Goal 3:** Monitor and investigate human rights violations and assist victims to obtain remedies
- Goal 4:** Initiate and encourage the development of human rights law and mechanisms internationally and domestically
- Goal 5:** Develop the MNHRC's structures, processes and staff so that it is as effective an NHRI as possible

¹<https://nhri.ohchr.org/EN/AboutUs/GANHRIAccreditation/Documents/SCA%20FINAL%20REPORT%20-%20NOVEMBER%202015-English.pdf>

Current context:

SWOT analysis

During the capacity assessment Commissioners, staff and external stakeholders discussed the strengths and weaknesses of the MNHRC and the challenges it faces. As part of this strategic planning, Commissioners and directors completed a further detailed analysis of the MNHRC's strengths and weaknesses; and identified the opportunities and threats it faces.

In summary, the strengths identified were

- MNHRC statute
- Status of Chairperson as Union Minister, Commissioners as Deputy Ministers
- Committed staff who want to learn more and do more
- Improved financial independence – separate budget line
- Beginning establishment of branch offices
- Relationship with Parliament
- Awareness-raising & human rights education in all regions and states
- Detention monitoring & improved conditions
- Election monitoring
- Respect for MNHRC complaints processes by Government agencies
- President's responsiveness to legal and policy recommendations
- Member of National Level Committees on Women, Child Rights, Disability Rights & Human Trafficking & Rule of Law
- Engagement with UPR
- Membership of SEANF, APF & GANHRI

Weaknesses included

- Lack of gender balance and limited diversity among Commissioners
- Still some gender imbalance in staff management positions
- Lack of diversity among staff
- Difficulty recruiting and retaining well qualified staff
- Lack of policy research capacity

MNHRC also:

- Has a limited public profile
- Uses limited promotion and awareness raising methodologies and materials
- Receives few complaints from states
- Has limited collaboration with civil society organisations and NGOs.

There are significant factors in the external environment that impact on the functioning of the MNHRC and constitute the challenges that the MNHRC is facing. Myanmar is a country in transition to democracy. There is a low level of understanding about human rights. In many cases people are fearful of the repercussions if they complain or speak out against authorities.

Within Myanmar there are many internally displaced persons (IDPs), people from conflict zones, people in border areas and stateless persons who are most marginalized. The MNHRC recognizes the importance of working on these issues and building the trust of the general public.

Priority issues

Commissioners and staff identified the following as critical human rights issues in Myanmar:

- Discrimination based on gender, ethnicity, religion
- Social disharmony due to conflicts and religious disharmony
- Torture
- Violation of women's rights and freedoms. (Domestic violence, sexual violence, exploitation of underage girls)
- Violation of children's rights (exploitation, forced labour,street kids)
- Violation of environmental rights
- Lack of knowledge about human rights by school children and general public
- Poor working conditions and lack of labor rights /business and human rights issues
- Senior citizens' health care
- Issues of migrant workers from Myanmar working in other countries and other country nationals working in Myanmar.
- Rights of persons with disabilities (sexual violence, voting rights)
- Economic, social and cultural rights of people.
- Trafficking in persons

Vision, Mission, Goals & Plan

Vision

"Myanmar society in which human rights are respected, promoted, protected and fulfilled."

Mission statement

"To achieve our vision we work proactively to build respect for human dignity, liberty and equality through the promotion and protection of human rights."

Goals

1. Inspire greater public trust and confidence in MNHRC
2. Create a human rights culture in Myanmar through education and awareness raising
3. Reduce human rights violations in Myanmar
4. Protect and promote human rights through ratification of international human rights treaties
5. Protect and promote human rights through engagement with international human rights mechanisms and organisations
6. Develop a team of staff of well-qualified committed personnel at all levels of MNHRC

The **goals** represent the broad, long-term outcomes the MNHRC is working for.

The **objectives** state the medium-term aims of the MNHRC. The **strategic interventions** are the major actions the MNHRC will undertake to achieve the objectives. The **target groups** identify where the MNHRC will focus those strategic interventions. The **activities** list how the strategic interventions will be implemented. The **indicators** explain how the MNHRC will monitor whether the strategic objectives and the activities are achieving the objectives.

1.2 Raise the Public Profile of MNHRC for transparency and accountability

Develop and implement an Advocacy and Communications Strategy for the Commission	Media, general public and Priority target groups	Establishment of a communications /media unit within the MNHRC and appoint a communications/media specialist Conduct advocacy training for Commissioners and senior staff of MNHRC	Monitoring media coverage of MNHRC and human rights issues Number and outcomes of advocacy interventions by MNHRC
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GOAL 2 – Create a human rights culture in Myanmar through education and awareness raising

2.1 OBJECTIVE - MNHRC’s education and promotion activities enhance the knowledge, skills, understanding and capacity of the people and institutions to respect human rights and improve the human rights situation in Myanmar

STRATEGIC INTERVENTIONS	TARGETS [Rights holders& Duty Bearers]	ACTIVITIES	INDICATORS
Development of human rights education strategy and annual implementation plans	CSOs Government Agencies Academics	Consult with CSOs, government agencies and academics in developing the human rights education plan Develop a yearly human rights education work plan to include <ul style="list-style-type: none"> • Training & awareness raising program for general public, government agencies and academics • Teacher training on modern learner centered adult education methodologies for staff members involved in promotion • Regular meetings with media 	Strategy, plans and reports on implementation are published Annual Report of MNHRC provides data on activities and

			evaluations undertaken
Development of human rights education manuals for different target audiences and materials including audio visuals in all major Myanmar languages and in diverse formats	Military, Police, Judiciary, General Public , Children , Young people , PWD , People in conflict situations and IDPs	<p>Dissemination of human rights information in the states, regions, autonomous regions and grassroots level through</p> <ul style="list-style-type: none"> *HR talks/dialogues with public in townships *HR talks/dialogues with public in grassroots levels *Training workshops on HR *Government Agencies in regions, states, districts & townships: *human rights basic courses and advanced courses for the general public * workshops for local CRC , CEDAW and CRPD committees *human rights education TOTs * Lectures on human rights: <ul style="list-style-type: none"> - Central Institute of civil Servants -Military Training Schools -General Staff College -National Defense College -Police Training Institutions -Training schools under Ministry of Home Affairs *Production of audio visual materials for awareness of public *Community awareness through commemoration of international days *Translation and dissemination of UDHR and other HR materials into major ethnic languages 	<p>Number in each category of activities conducted</p> <p>Brief summary reports on activities and their outcomes</p> <p>Annual Report of MNHRC includes evaluation of the impact of activities undertaken</p>
Human rights theme competitions at school levels	students	<p>Human rights competitions at school level:</p> <ul style="list-style-type: none"> - painting, essay, poem, elocution, song competitions <p>Establishment of a child rights section at MNHRC</p>	<p>Number of school competitions</p> <p>Annual Report of MNHRC includes</p>

			<p>evaluation of the impact of school engagements</p> <p>Presence of a child rights section in MNHRC</p>
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GOAL 3 – Reduce human rights violations in Myanmar

3.1 OBJECTIVE - MNHRC’s targeted and effective complaints handling and monitoring activities contributes to human rights protection and reduction of human rights abuses

STRATEGIC INTERVENTIONS	TARGET GROUPS Rights holders & Duty Bearers	ACTIVITIES	INDICATORS
Conducting systematic monitoring visits	<p>Prisons & Detention Centres</p> <p>Home for the Aged</p> <p>IDP Camps</p> <p>Youth Training Schools</p> <p>Facilities for Persons with Mental Illnesses</p> <p>conflict zones</p>	<p>Inspection, inquiries</p> <p>Review and make recommendations to relevant ministries</p> <p>Roundtable discussion with Authorities</p> <p>Recommendations to revise legal instruments (Jail Manual)</p>	MNHRC recommendations resulting from monitoring visits are increasingly accepted and implemented
Holding public inquiry on grave and large scale human rights violations and issuing of public reports	Crisis-affected people, Workers, Farmers, Cultivators, Persons with disability, Women and Children	Conducting analysis of specific human rights issues and selected cases	Results of survey of persons involved in complaints including complainants and respondents
Review existing	Prioritise victims of	Investigate	Proportion of

complaints investigation processes and develop a plan to provide greater access and confidence for people to complain	human rights abuses in states and regions in conflict	complaints received in person, through letters, emails, website and on human situations published in media Conduct field investigations when required and take prompt actions	complaints that are resolved within timelines set for complaint handling
Building a mechanism to continue a closer and systematic engagement with strategic stakeholders who could support efforts of reducing human rights violations	Parliamentarians, Government Entities and Government Officials, Media, Civil Society Organizations	Conducting workshops, meetings and dialogues	Improved cooperation with stakeholders
Put in place a follow-up mechanism to monitor Government implementation of MNHRC recommendations	Parliamentarians Media CSOs Government officials	Liaise with Government Agencies to ensure the timely and effective implementation of recommendations	Percentage of MNHRC recommendations implemented by government entities is increased
Establish a data base on human rights violations	MNHRC Commissioners and staff	Systematically record and analyse data including from human rights violations and from visits to places of detention	Publication of twice yearly reports on data collected
3.2 Universal human rights principles and standards are included in national legislation, policies and programs			
Providing advice to President,		Reviewing legislation, policy proposals and programs and making	The percenta

Government Ministries and Parliaments on HR		submissions Holding workshops	ge of national laws in compliance with human rights standards and principles is increased
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GOAL 4 – Protect and promote human rights through ratification of international human rights treaties

4.1 OBJECTIVE - Strengthening of Myanmar’s human rights situation by effective domestic implementation of ratified international human rights instruments

STRATEGIC INTERVENTIONS	TARGET GROUPS Rights holders & Duty Bearers	ACTIVITIES	INDICATORS
Reviewing international human rights instruments not yet ratified/acceded by Myanmar	Government	priority given to ICCPR and UNCAT Issue recommendations to Government to accede to UNCAT	MNHRC recommendations and views are taken into consideration and accepted by Parliament, Government and ratified
		Convention on the Rights of Migrant Workers Issue recommendations to Government to accede to Convention on Migrant Workers	
Building Government and officials support for ratifications of	Government	Advocacy with Government, officials and	MNHRC recommendations and views are taken

international human rights instruments		relevant Ministries by conducting workshops with the support of international and regional institutions	into consideration and accepted by Parliament, Government and human rights treaties are ratified
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GOAL 5 - Protect and promote human rights through engagement with international human rights mechanisms and organisations

5.1 Objective - Consulting, engaging and cooperating with international human rights mechanisms and organisations to strengthen promotion and protection of human rights in Myanmar

STRATEGIC INTERVENTIONS	TARGET GROUPS Rights holders & Duty Bearers	ACTIVITIES	INDICATORS
Engage with UN Universal Periodic Review and with Special Procedures, Rapporteurs and Working Groups	Parliamentarians, Government Officials and personnel from Civil Society Organizations and Academics	Information sharing with government and civil society about the work of the UPR and Special Procedures, especially related to Myanmar Training for key personnel in government and civil society on UPR, and Special Procedures and on engagement with the same Follow up on Government implementation of recommendations and advocate with Government on implementation of any pending recommendations	MNHRC meets deadlines for engaging with UPR and contributes to relevant Special Procedures, Rapporteurs and Working Groups
Engage with	Parliamentarians,	Information sharing with	Monitoring

UN Human Rights Treaty Bodies	Government Officials and personnel from Civil Society Organizations and Academics	<p>government and civil society about different Treaty Bodies and their functions, especially related to Myanmar</p> <p>Training for key personnel in government and civil society on different UN Treaty Bodies and engagement with the same</p> <p>Follow up on Government implementation of Concluding Observations of different Treaty Bodies and advocate with Government for implementation of any pending Observations</p>	report on implementation of international human rights treaty body recommendations published annually
Play an active role in international and regional human rights fora	GANHRI APF SEANF	<p>Attend international/regional human rights fora</p> <p>Provide summary reports of outcomes/decisions of such fora to Parliament and public</p>	<p>Number of fora attended</p> <p>Number of reports released by MNHRC on such fora</p>
GOAL 6 - Develop a team of staff of well-qualified committed personnel at all levels of MNHRC			
6.1 OBJECTIVE- Recruiting and training to have well-qualified committed staff			
STRATEGIC INTERVENTIONS	TARGET GROUPS Rights holders & Duty Bearers	ACTIVITIES	INDICATORS
Development of an effective human resource framework and plan	All MNHRC staff	Capacity building and professional development, prioritizing office skills and human rights knowledge (domestic/international)	<p>Commissioners' capacity enhanced</p> <p>The quality of MNHRC's activities are enhanced</p> <p>Improvement in individual</p>

			performance records
Recruiting and retaining qualified staff to the full capacity of 305 by 2023	Commissioners & senior managers	<p>Establish job descriptions, duties and functions for each staff member</p> <p>Training given for specific duties and functions and human rights knowledge</p> <p>Provision of necessary office equipment depending on the increased number of staff</p> <p>Creation of opportunities for suitable salaries, entitlements, social security, welfare and career development</p> <p>Modernisation of procedures for staff welfare</p> <p>Provision of recognition for efficient performance of staff</p>	<p>Staff take more responsibility in human rights investigations, promotion and protection activities</p> <p>Sufficient numbers of well qualified staff with relevant experiences apply for MNHRC positions advertised</p>
Increased involvement of staff in the planning, implementation and monitoring of the Commissions' Strategic Plan and programs	MNHRC Commissioners & staff	<p>Regular staff meetings</p> <p>MNHRC annual work plan published with calendar dates for planning activities and monitoring reviews</p>	All staff have annual individual work plans that relate to the MNHRC strategic goals
Proactively engage in resource mobilization to obtain the required financial resources from state budget and technical assistance from	Parliament, Government and international partner organizations	<p>Develop annual work plan with accompanying proposed budget</p> <p>Advocate to Government and Parliament for more resources for human rights promotion and protection activities</p>	Increased funding achieved for human rights promotion and protection activities; and new state and regional offices

international partners			
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