



Karen Human Rights Group

Documenting the voices of villagers in rural Burma

Karen Human Rights Group's Statement on COVID-19 and Blocking of Ethnic News Websites

The decision to block ethnic news sites in Myanmar is a violation of the right to freedom of expression. This ban is an extreme and unjustified measure and must be lifted immediately. Access to information is especially important at the moment due to the COVID-19 crisis; news agencies and websites are key sources for people to get daily updates on the situation which can help to prevent the spread of the virus.

In late March, the Ministry of Transport and Communications ('MOTC') directed telecommunications operators to block access to 221 websites. Initially, the MOTC directed telecommunications operators to block 207 websites that, according to Myanmar authorities, contain adult content, depict child sexual abuse, or contribute to misinformation. However, on March 23rd, the MOTC ordered the operators to block an additional 14 websites it accused of spreading 'fake news'. The banned websites include ethnic media outlets such as Development Media Group, Narinjara, and Karen News, as well as several Rohingya news sites.

The Myanmar government has not provided any legal basis for such action. However, according to Telenor the government has invoked section 77 of the Telecommunications Law. According to this section, the MOTC, 'may, when an emergency situation arises to operate for public interest, direct the licensee to suspend a Telecommunications Service, to intercept, [or] not to operate any specific form of communication'. The government has not provided any information on the emergency situation that has required such a ban, nor has it given any justification as to why these particular websites were banned.

The Telecommunications Law must be amended so that it is in line with international standards. In accordance with Article 19 ICCPR, any limitation on the right to freedom of expression must be prescribed by law, must pursue a legitimate aim, and must be necessary and proportional. The Telecommunications Law has allowed for a blanket ban on ethnic media outlets; this is neither proportional nor necessary. Furthermore, the government has not provided transparent legal basis for this ban, which means it is not prescribed by law as this requires the law to be formulated with sufficient precision in order for the law to be applied fairly.

Such an outright ban is inconsistent with international human rights law; it lacks transparency and justification. Some of the websites blocked by the MOTC are news outlets reporting issues that the Myanmar government and Tatmadaw fail to report or address.

Furthermore, the Myanmar government itself has often used different means of communication to misinform the public on pressing issues and the history of Myanmar.

In Rakhine State and Chin State where the Arakan Army and the Tatmadaw are engaging in a deadly conflict, the Myanmar government has shut down all mobile internet traffic in nine townships. This means the civilians in the conflict area can neither access nor share information on what is happening. This shutdown is in direct violation of freedom of information and freedom of expression.

The spread of the novel coronavirus has caused worldwide panic with cases being confirmed all around the world. Despite this, in some parts of Myanmar, the Tatmadaw is still attacking ethnic armed groups and civilians living in areas controlled by Ethnic Armed Organizations (EAOs). On March 26th and 27th, the Karen National Union and the Karenni National Progressive Party (KNPP) consecutively requested the Myanmar government and the Tatmadaw to declare a nationwide ceasefire to focus on national reconciliation and on collectively combating the pandemic. The Tatmadaw True News Information Team's Secretary Brig-Gen Zaw Min Tun said that such requests are "not practical". KHRG condemns the statements made by Brig-Gen Zaw Min Tun; such a statement shows that the Tatmadaw is more concerned with its own militaristic goals than with the peace process in Myanmar or the safety of civilians. Continuing to carry out attacks during the pandemic of COVID-19 shows the Tatmadaw's complete disregard for the wellbeing and rights of the civilians and IDPs displaced by the conflicts.

KHRG calls for the Myanmar government to lift the censorship on all news outlets as an outright ban without any clear justification is a violation of international human rights law and the right to freedom of expression. Furthermore, the Myanmar government must stop the mobile internet shutdown in the nine townships in Rakhine State and Chin State. Finally, KHRG urges the Myanmar government and the Tatmadaw to declare a ceasefire and cooperate with other EAOs to combat the COVID-19 pandemic.

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