

AMNESTY INTERNATIONAL: BACKGROUNDER

Myanmar: Constitutional referendum flouts human rights

Despite the devastating consequences of Cyclone Nargis, which killed tens of thousands of people and displaced nearly a million more, Myanmar's government held a national referendum regarding a new constitution on May 10.

Even as hundreds of thousands of its citizens struggle for basic shelter, food and health care, Myanmar's government prioritized acceptance of the new constitution, a document that Amnesty International views as an effort to undermine respect for human rights and to entrench military rule and impunity. The government has rescheduled elections for May 24 in the areas most affected by the storm, including in Yangon (Rangoon), the former capital and the country's most populous city.

Amnesty International has called on Myanmar's government to cooperate with the international community in providing immediate relief to the neediest populations without regard for political considerations. In this context, Amnesty International urges the international community, and particularly Myanmar's neighbours, to keep their focus on assisting Myanmar's beleaguered population and view the constitutional referendum process as another sign of the government's disregard for the well-being of its own people.

Amnesty International urges the international community not to endorse in any way the draft constitution, which flouts international human rights standards. As such, it must be radically reformed or replaced, through a transparent, intimidation-free and truly inclusive process, with a draft constitution that fully protects international human rights. Unless and until this is done, the draft constitution and the process accompanying it will be instruments that perpetuate human rights violations and should not be recognized by the international community as a positive step.

Myanmar's government announced in February that it had completed the drafting of a new constitution, and had scheduled a referendum on May 10 for it to be accepted. Amnesty International says it is deeply concerned that, rather than attempting to introduce the rule of law and respect for human rights to Myanmar, this constitutional process seeks to perpetuate and legitimize the government's continuing human rights abuses and ensure impunity for both past and future violations. The organization is further concerned that, notwithstanding the obvious flaws in the drafting process and the proposed constitution, it has nevertheless been described as a positive or meaningful process on several occasions, both regionally and within the wider international community.