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Myanmar: Note on Police Force Law

On 25 March 2022, the military regime ruling Myanmar enacted the Myanmar Police Force Law, which replaced several laws previously governing Myanmar's police forces. The new Law introduced structural changes to Myanmar's police forces which raise concerns about further militarisation of the police in Myanmar, already a problem. It also introduces a raft of new criminal restrictions, including many that directly restrict freedom of expression and assembly, as well as giving the police significantly expanded powers that again raise serious freedom of expression and assembly concerns. These rules are analysed in detail in a Note on Myanmar Police Force Law released today by the Centre for Law and Democracy (CLD).

"The military regime has once again shown its disregard for Myanmar's obligations under international human rights law, including by introducing sweeping provisions which criminalise peaceful expression and assembly," said Toby Mendel, Executive Director of CLD. "The new Myanmar Police Force Law is part of a longer-term effort by the regime to exert control over those living in Myanmar, including through quasi-military powers where these are deemed to be useful."

Some of the key points made about the Myanmar Police Force Law in the Note are:

- It contains unjustifiable, sweeping provisions criminalising a failure to provide "valid" reasons for being in various otherwise innocuous locations.
- It contains disproportionate and vague nuisance provisions, as well as illegitimate restrictions on fundraising and advertising.
- It criminalises a wide range of actions in the face of police behaviour that go well beyond what is necessary to prevent bystanders from interfering with police actions.
- The Law grants significantly overbroad powers to the police while also illegitimately limiting access to remedies against police abuses.

The police laws that the Myanmar Police Force Law replaced were already out of date and contained several provisions that were inconsistent with international standards. Thus, while there was a genuine need to replace this legislation, the Myanmar Police Force Law is not the solution and should be repealed. At such time as democracy returns to Myanmar, a new policing law should be enacted following a proper consultative process involving all interested stakeholders.

CLD's Note on the Myanmar Police Force Law can be found in English <u>here</u> and in Burmese <u>here</u>.

An English translation of the Law can be found <u>here</u>.

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