



Reports on the 45th session of the UN Human Rights Council

Item 2: Enhanced interactive dialogue on the situation of Rohingya Muslims and other minorities in Myanmar – 14 September 2020

Ms. Michelle Bachelet – High Commissioner for Human Rights:

Three years have passed since the military operations in Rakhine created a **terrible human rights crisis**. The situation of many hundreds of thousands of **Rohingya refugees** and internally displaced people remains unresolved. In 2019, the Fact-Finding Mission on Myanmar concluded that Myanmar incurred State responsibility under the prohibition against **genocide and crimes against humanity**, as well as for other violations of international human rights law and international humanitarian law.

Currently, people from the Rakhine, Chin, Mro, Dagnet and Rohingya communities are increasingly affected by the **armed conflict in Rakhine and Chin States**, including through disappearances and extra-judicial killings of civilians; massive civilian displacement; arbitrary arrests, torture and deaths in custody; and the destruction of civilian property. **Civilian casualties** have also been increasing.

The OHCHR regrets that the **complex travel authorization process** obstructs **access for humanitarian actors**. The socio-economic **impact of Covid-19** has been devastating for workers and migrant returnees.

The **November elections** are an important opportunity for all parties to demonstrate their commitment to democratic norms. The vast majority of **Rohingya will be prevented from participating** in the elections, since they have effectively been stripped of their previously recognized rights to vote and stand for office. Instances of **hate speech**, including **Islamophobic messages**, are rampant.

Mr. Kyaw Moe Tun – Representative of Myanmar (country concerned):

The government is putting all its efforts in **containing the Covid-19 pandemic**, which exacerbated all the existing challenges to set up a democratic and peaceful environment in Myanmar. Still, many **positive changes** have been implemented in Myanmar and showed our commitment to establish peace.

The issue of the Rakhine state is central for Myanmar and the **repatriation of Rohingya refugees** is our priority. We reiterate that Myanmar is doing all its efforts to ensure accountability. We have been working closely with all the **UN agencies** to facilitate the repatriation of the refugees in Rakhine state.

Many challenges remain in Myanmar, but the government is resolute to overcome these long and complex challenges. Myanmar is committed to implement positive changes in its country.

Ms. Khin Ohmar - Chairperson of the Advisory Board of Progressive Voice:

Despite the COVID-19 pandemic and the UN Secretary-General's **call for a global ceasefire**, the civil war in Myanmar has reached an **intensity not seen in decades**. Grave international crimes continue to be committed in the Rakhine state by the **same perpetrators that committed genocide** against the Rohingya.

In Rakhine State alone, the total **number of IDPs has reached over 200,000**. The IDPs situation is exacerbated by the restrictions enacted in **response to the COVID-19 pandemic**. Without ending the armed conflict, the government's supposed comprehensive pandemic response plan is unrealistic.

Conflict related human rights violations, including indiscriminate shelling of villages, arbitrary arrest and detention, torture, extrajudicial killing, rape, continue to mount in Rakhine State. Reported cases of rape by Myanmar military soldiers of women points to the continuing **use of rape as a weapon of war**.

The government continues to target activists, human rights defenders and media to silence their voices and while **democratic space shrinks**, **hate speech** has escalated to dangerous heights.

The **upcoming 2020 elections** presents increasing challenges. Rohingyas are disenfranchised from voting or standing for elections due to the discriminatory 1982 citizenship law, and there is a large population, Muslims, refugees and IDPs in Rakhine, Chin, Kachin and Shan who will also be unable to vote.



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Enhanced interactive dialogue

24 delegations took the floor during the enhanced interactive dialogue.

Most of the delegations emphasized the **need for investigation and accountability** for the grave human rights violations committed in Myanmar. It was also widely shared that the human rights situation of the Rohingya people was a terrible human rights crisis that needed to be resolved through **impartial and independent investigation mechanisms**.

A vast majority of the delegations declared that the priority was now the **safe and dignified return of the Rohingya populations** in the Rakhine state.

Decisions and recommendations from international mechanism and courts such as the **International Court of Justice**, the **International Criminal Court**, the **Independent Investigative Mechanism for Myanmar** and the **Fact-Finding Mission**, must be **respected and implemented** by the government of Myanmar (European Union, Pakistan on behalf of OIC, France, Japan, Senegal, Bangladesh, Ireland, Denmark on behalf of Nordic and Baltic countries, Armenia, Libya)

Several delegations called for **peaceful, inclusive and transparent elections** (European Union, France, Japan, Indonesia, Senegal, Denmark on behalf of Nordic and Baltic countries).

Humanitarian access in conflict affected areas must be ensured (France, Australia, Malaysia, Ireland, United Kingdom, Egypt, Armenia).

The **Covid-19 pandemic** is exacerbating the human rights and humanitarian crisis in Myanmar (Pakistan on behalf of OIC, France, Tunisia)

Bangladesh's role in the Rohingya crisis, welcoming a high number of Rohingya refugees within its borders was commended (Jordan, Japan, Libya).

Issues raised by Civil Society Organizations:

3 Non-Governmental-Organizations (NGOs) took the floor during the Enhanced Interactive Dialogue.

They emphasized the importance of a **safe and dignified return of the Rohingya populations** in the Rakhine state. (*Forum Asia, Lutheran World Federation, Next Century Foundation*).

It was also shared that the **upcoming elections in Myanmar** should be held in a peaceful and transparent way and should include the Rohingya populations (*Forum Asia, Lutheran World Federation, Next Century Foundation*).

Forum Asia and the *Lutheran World Federation* raised concerns about the **discriminatory laws and policies** imposed by the government, as well as the restrictions on freedom of speech and movement.

Next Century Foundation raised the issue of **restoring the citizenship rights of the Rohingya people**.

Delegations that took the floor during the Interactive Dialogue (24 delegations):

Human Rights Council members: Denmark (*on behalf of Nordic and Baltic Countries*), Pakistan (*on behalf of the OIC*), Libya, Indonesia, Bangladesh, Venezuela, Australia, Senegal, Armenia, Japan.

Observer states: European Union, Tunisia, Russian Federation, United Kingdom, Egypt, Myanmar, China, France, Jordan, Ireland, Democratic People's Republic of Lao, Saudi Arabia, Malaysia, India, Philippines,

Civil Society Organizations that took the floor during the Interactive Dialogue (3 NGOs):

Forum Asia, Lutheran World Federation, Next Century Foundation