

HUMAN RIGHTS COUNCIL – 51st SESSION

Interactive dialogue with the head of the Independent Investigative Mechanism for Myanmar

12 September 2022

Mr. Nicholas Koumjian, Head of the Independent Investigative Mechanism for Myanmar (IIMM), reported that since the last address to the Council, serious international crimes in Myanmar have intensified. The people of Myanmar continue to suffer because of the lack of accountability for those who believe they answer to no law. Since the coup in February 2021 there is increasing evidence of crimes against humanity and war crimes, including sexual and gender-based violence and crimes against children.

Mr. Koumjian reported that the Mechanism faces many challenges in collecting evidence, due to denied access to crime scenes and witnesses in the country. Despite these challenges, he noted significant progress thanks to individuals, NGOs and other entities that have shared valuable evidence. The Mechanism has prepared 67 evidential and analytical packages to share with judicial authorities, including for proceedings at the International Criminal Court and the International Court of Justice. He called on all states committed to ending the severe violence in Myanmar to support the Mechanism's work. He stated that perpetrators of the most serious international crimes committed in the country must know we are united in our efforts to break the cycle of impunity and to ensure that those responsible for such crimes will face justice.

In his conclusive remarks, Mr. Koumjian affirmed that under international law, the lack of due process could amount to an international crime. The main challenge for the Mechanism was reaching those who had evidence. Achieving this required cooperation from States in the region. The Mechanism had conducted voluntary interactions and needed the support of States to operate on territories hosting witnesses of human rights abuses. The Mechanism does not have the resources to provide all the psychosocial and medical support that victims and witnesses needed and requested the support of States in this regard. The Mechanism is committed to providing judges of a case dealing with genocide with the most accurate evidence. The time that the Mechanism has to share evidence with courts was limited, and so it is redoubling efforts to collect evidence within the required timeframe.

Interactive dialogue

30 country delegations took the floor during the interactive dialogue. **The majority of countries** strongly condemned human rights abuses, violations and the systematic crimes against humanity in Myanmar. In particular, the reports of systematic sexual and gender based violence and crimes against and affecting children was appalling. Considering the consequences of the military takeover in February 2021 and the human rights situation especially for minority groups, speakers including the **Nordic-Baltic countries, Canada, Malawi, Switzerland, Luxembourg, the EU, Malaysia, New Zealand** and **Romania** underlined the importance of a well-functioning accountability Mechanism and encouraged all parties to cooperate with it and to commit to a political solution to this serious multidimensional crisis. **Venezuela** stated that politically motivated mandates of the Mechanism do not create the climate necessary for genuine dialogue and cooperation in the protection of human rights and referred to the Universal Periodic Review as the most suitable mechanism for this context.

NGOs commended the progress of the IIMM despite the limited resources, lack of access to Myanmar, and intensifying conflict, and condemned the human rights abuses and violations taking place since the military coup. **FIDH** encouraged UN Member States to recognize and exercise universal jurisdiction to promote accountability for serious international crimes committed by Myanmar's military against the Burmese people. The **ICJ** called on all States to further support the work of the IIMM, by

cooperating with it fully, ensuring sufficient funding, facilitating its secure access to victims and witnesses, and working to secure a jurisdictional venue to try crimes under international law.

Delegations that took the floor during the Interactive Dialogue (30 country delegations):

Egypt, European Union, Finland (on behalf of Nordic-Baltic Countries), France, Italy, Luxembourg, Malaysia, Namibia, Netherlands, New Zealand, Romania, Switzerland, Venezuela, Pakistan (on behalf of the Islamic Organization), Australia, Ireland, Japan, China, U.S., United Kingdom, Indonesia, Bangladesh, Timor Leste, Belgium, The Gambia, Iran, Türkiye, Malawi, Canada, Armenia.

NHRIs and NGOs that took the floor (9):

Asian Forum for Human Rights and Development, Centre pour les Droits Civils et Politiques - Centre CCPR, International Commission of Jurists, International Federation for Human Rights Leagues, International Organization for the Elimination of All Forms of Racial Discrimination, iuventum e.V., Jubilee Campaign, Lawyers' Rights Watch Canada, Meezaan Center for Human Rights.

To watch full meeting refer to [UN Web TV](#).