

HUMAN RIGHTS COUNCIL – 56th SESSION

Interactive dialogue on the progress oral report of the Special Rapporteur on the situation of human rights in Myanmar

04 July 2024

Mr. Thomas Andrews, Special Rapporteur on the situation of Human Rights in Myanmar, informed the Council that in the past few months, there have been many disturbing reports of massacres by junta foot soldiers. Many victims have been shot point-blank after being interrogated. Women, children, and elders have been among those killed. Then, mentioning his conference paper titled **“Courage amid Crisis”**, he reported that the threat of sexual and gender-based violence is a dark shadow that follows women, girls, and LGBT people in Myanmar. Junta forces are responsible for widespread rape and other sexual crimes. The junta has launched a systematic campaign to attack women's human rights defenders and to dismantle the organizations and networks that support women, girls, and LGBT people. However, women and LGBT leaders are advancing a revolution within a revolution, working within emerging governance structures to upend patriarchal hierarchies, demand accountability, and guarantee equality and justice for future generations.

He expressed concern about the reports that link Arakan Army soldiers to human rights violations against Rohingya civilians and the humanitarian situation for both Rakhine and Rohingya people is extremely dire. Additionally, he was concerned about credible reports I have received that Bangladesh Border Guards have pushed Myanmar civilians back into Myanmar. I am also concerned with reports of the deportation of Myanmar refugees who had sought shelter in India and of the imminent deportation of even more.

Further, he reported outcomes from the report **“Banking on the Death Trade”**, which identified 16 foreign banks that facilitated transactions related to military procurement by the junta. The junta and its cronies have worked to obscure the specific nature of these transactions including by setting up military front companies. Banks have described the difficulty of conducting due diligence under these conditions. In light of the inadequacy of even enhanced due diligence, I am urging financial institutions to stop facilitating transactions with banks that are controlled by the military junta - Myanmar state-owned banks. He urged governments to sanction these junta-controlled banks, including the Myanmar Economic Bank.

In his conclusive remarks, the SR stressed that sanctions could work. It has been observed a one-third reduction in the flow of weapons using the international banking system into Myanmar as a direct result of governments standing up like Canada, the United States, others imposing sanctions, targeted effective sanctions. It is very important to fully assess and consider the implementation of targeted sanctions so that the impact on innocent people is fully considered and taken into account. The most straightforward and effective way to do that due diligence is to stop doing business with any bank connected to the military state-owned banks. The other side of that coin is the impact of economic sanctions on the country, upon them and their families, their jobs. He then, focused on the importance of accountability for those responsible for gross human rights violations. He called upon the Security Council to revisit this question so that a reference can be made to the International Criminal Court. In conclusion, he affirmed that in light of the current trajectory in Myanmar, it is imperative that the international community support those laying the foundation for a new Myanmar - a democratic, rights-respecting Myanmar. This includes support for organizations of courageous women and LGBT people who are advancing human rights while holding all accountable, including the resistance movement.

Interactive dialogue

33 delegations took the floor during the interactive dialogue, most of which reiterated their concern about the ongoing and increased human rights violations in Myanmar, including the humanitarian situation and the safety of civilians and children currently residing in IDP camps. They condemned the repressive actions of the Myanmar military. All violence against civilians must cease and the arbitrarily detained must be free.

Norway stressed the multifaceted crisis with reports of severe human rights violations and abuses including torture and forced disappearances, severe threats to the safety and physical integrity of children, sexual and gender-based violence, and forced recruitment not least in Rakhine state. **The EU, Kuwait, and Pakistan** were extremely concerned by reports of illegal cons corruption including of women and the use of Rohingya as human shields by the Myanmar military, in particular, and the other armed actors. There must be accountability for all atrocities committed in Myanmar. They urged all parties to the conflict to protect Rohingya Muslims and to ensure their integrity and security. Sustainable repatriation of Rohingyas to Myanmar is the only durable solution to this crisis, stressed **France. Türkiye**, recognizing the Rohingyas as one of the most persecuted groups in the world, affirmed that the international community has the responsibility to find a lasting solution to the crisis. It is imperative to allow access to the region for an immediate and unhindered flow of humanitarian assistance.

Continuous engagement and meaningful political dialogue are important to ensure the democratic aspirations of the people of Myanmar are fulfilled. **Malaysia** affirmed that targeted sanctions need to be fully assessed and considered especially when measures such as unilateral coercive measures could hinder the enjoyment of human rights for the people of Myanmar. This could also impact the delivery of life-saving humanitarian assistance to those in need. The relevant discussions in the council should contribute to political and social stability, peace, and reconciliation and avoid exacerbating conflicts. **China** firmly opposed the reference to the so-called conference room papers in the report which unjustifiably accuses sovereign states of normal arms trade. It urged the SR to discharge his duties objectively and impartially in strict accordance with his mandate and to desist from smears and double standards. **Belarus** noted the ongoing politicization and abuse of the HRC's mandate in Myanmar, especially considering it is being carried out without the consent of the countries concerned. **The Russian Federation** agreed on a non-politicized approach to discussions of the situation in Myanmar. It condemned the practice of a number of states using multilateral fora and the HRC, in particular, to put pressure on Naypyidaw and drive up confrontation in the country. Attempts to put pressure on the sovereign state, including through unilateral coercive measures, are counterproductive and only make it harder for the country to tackle the challenges it faces.

NGOs unanimously affirmed that the situation on the ground for civilians is desperate. The junta seeks to justify its atrocities with laws that violate international law, including the deployment of conscription laws to force thousands of civilians to join its attacks against other civilians and forcing Rohingya conscripts to attack Rohingya communities. They condemned in the strongest terms both arbitrary arrests and detentions, torture and other ill-treatment including sexual violence, summary and extrajudicial executions, and enforced disappearance; and mortar and artillery shelling and ground raids of civilian areas, including IDP camps and civilian infrastructure, such as hospitals, schools, religious sites and private homes by the Myanmar Armed Forces; and called for end impunity by ensuring the establishment of an international mechanism to hold perpetrators of atrocity crimes accountable.

Delegations that took the floor during the Interactive dialogue (33 country delegations):

Norway (on behalf of the Nordic-Baltic States), EU, Pakistan (on behalf of the OIC), Belgium (on behalf of 28 countries of the GoF CAAC), Liechtenstein, Türkiye, USA, Canada, Kuwait, Republic of Korea, Japan, Indonesia, Chechia, Slovenia, Italy, Luxembourg, France, Bangladesh, Malaysia, China, Albania, Belarus, Bulgaria, UK, Ghana, Venezuela, South Africa, Mauritania, Thailand, Malawi, LAO PDR, Gambia, Russian Federation.

NHRIs and NGOs that took the floor during the Interactive dialogue (10):

Lawyers Rights Watch Canada, Edmund Rice International, Centre for Civil and Political Rights, Human Rights Now, Law Council, International Commission of Jurists, International Bar Association (IBAHRI), Humanists International, Asian Forum for Human Rights and Development, Amnesty International.

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