



37th Regular Session of the UN Human Rights Council
Item 4: Interactive Dialogue with the UN High Special Rapporteur on the Situation of Human Rights in Myanmar and the Independent International Fact Finding Mission on Myanmar
Oral Statement Delivered by Kyaw Winon behalf of
Asian Forum for Human Rights and Development (FORUM-ASIA)

Monday, 12 March 2018

Mr. President,

We welcome the Special Rapporteur's report and the Fact Finding Mission's statement and share their concerns. Given these concerns and those recently expressed by the UN High Commissioner for Human Rights, UN Assistant Secretary General and the UN Secretary General, there should be no doubt that Burma/Myanmar is one of the most concerning human rights situations in the world – one where ethnic cleansing continues even as indicators of genocide surface. It is imperative that this Council and the international community address issues of accountability in the strongest possible terms – any shortfall will deeply affect the credibility of the UN and the international human rights architecture.

We welcome the Special Rapporteur's call for a field based structure in Cox's Bazar to investigate and document violations; and urge that this be considered by the Council in conjunction with the High Commissioner's call for a UN mechanism to prepare and expedite criminal proceedings in courts against perpetrators. The Council should also urge all options for independent accountability processes including the International Criminal Court.

We echo the Special Rapporteur's views that the current situation in Rakhine state is worse than what it was before 25th August 2017. It is impossible for refugees to return in safety and dignity in these conditions. Such a return may only be possible when the full citizenship and identity of the Rohingya are recognised by law and after all discriminatory laws, regulations and practices that target the Rohingya are abolished. We call on this Council to echo these preconditions.

We share the experts' concern on the escalating violence in Kachin, Shan and other conflict affected states. We echo the view that the peace process appears to be losing momentum. Increased troop deployment in ceasefire zones led to intensifying conflict and displacement while public consultations intended to feed into the Panglong Conference have been actively suppressed. We fear that the Nationwide Ceasefire Agreement is being used to window-dress serious violations. The Council should express concern on this and note the close connections between violations in these states and in Rakhine State – which indicate wider patterns that often reportedly involve the same military personnel.

We ask the experts if they have come across such patterns that cut across Rakhine and other states in their work.

Lastly, it is essential that the UN responds to the crisis in Myanmar in a coordinated manner in Geneva and New York. To this end we ask the experts to elaborate on how all UN bodies seized of the matter, including the UN Security Council, could utilise their expertise to further accountability.

Thank You