



Asian Forum for Human Rights and Development
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38th Regular Session of the UN Human Rights Council
Item 4: Interactive Dialogue with the Special Rapporteur on the situation of human rights in Myanmar
Oral Statement Delivered by Khin Ohmar on behalf of Asian Forum for Human Rights and Development (FORUM-ASIA)

Wednesday, 27 June, 2018

Mr. President, we welcome the Special Rapporteur's update. The Myanmar government and military have failed to genuinely address serious international concerns.

The situation of Rohingyas remains perilous as more refugees continue to arrive. The recent MoU between UN High Commissioner for Refugees (UNHCR), UN Development Programme (UNDP) and Myanmar on the repatriation of Rohingya refugees, as leaked to the media, does not address root causes of the crisis, particularly: citizenship and ethnic identity. The parties to the agreement have not publicly disclosed the contents of the MoU nor involved Rohingya refugees and civil society groups in the repatriation planning, calling into question sustainable, safe and secure returns. Rohingyas should be consulted as they are best placed to ensure that their concerns and conditions for rehabilitation, reintegration and rebuilding of their destroyed homes and villages are addressed and genuinely reflected. Unless root causes are fully addressed and accountability and justice are established, a safe and dignified return of Rohingyas will not be possible

Serious allegations of gross violations continue as the human rights and humanitarian situation in Kachin and northern Shan States worsened in recent months. The ongoing military offensive has seen civilians indiscriminately targeted and used as human shields and minesweepers. Internally displaced persons have been blocked from accessing refuge and humanitarian aid while their property is pillaged and destroyed. Those who fled to safety have recounted mass atrocity crimes by the Myanmar security forces including rape, torture and extrajudicial killings. This has come alongside restrictions on civil society monitoring the situation. At least 47 human rights defenders were charged under the repressive Peaceful Assembly and Association law in central Myanmar while 3 Kachin peace activists were charged in Myitkyina with defamation by the military for organizing peaceful protests demanding safe passage for IDPs. The Myanmar Government has not taken steps to end military offensives or provide much needed humanitarian aid and has even announced plans to close IDP camps in Kachin, Shan, Karen and Rakhine States.

Mr. President we welcome the Rapporteur's recommendation for an accountability mechanism that investigates, collects and documents evidence for criminal prosecution and provides victim support while also monitoring and reporting. We urge the Council to consider this as an urgent first step until a full-fledged international justice and accountability mechanism is set up either through the ICC or the UN General Assembly and its subsidiary organs.

Thank You