



**Statement in response to the report of the UN Special Rapporteur
on the situation of human rights in Myanmar to the UN General Assembly**

Myanmar¹

23 October 2021

Myanmar welcomes the report² of the United Nations (UN) Special Rapporteur on the situation of human rights in Myanmar, Mr. Thomas Andrews, to the UN General Assembly. Myanmar also extends its gratitude to the Special Rapporteur for his tireless commitment to its people.

In his oral presentation to the General Assembly on 22 October 2021,³ the Special Rapporteur spoke of the illegal military junta's "gross and unrelenting violations of human rights", its "probable crimes against humanity and war crimes", and its "ferocious indiscriminate attacks against entire villages".

Tragically, these atrocities were already well known to the international community, and indeed to the General Assembly. The Special Rapporteur's report, complementing his earlier reports to the UN Human Rights Council, catalogues junta crimes that include murder, torture, sexual violence, arbitrary detention, attacks against healthcare workers, the arrest of human rights defenders and journalists, the dismantling of due process protections, the indiscriminate bombing and shelling of towns and villages, the use of human shields, sieges and mass arson, the destruction and looting of homes, schools and places of worship, the blocking of arterial roads, and the cutting off of civilian access to food, water and medicine.

Collectively, these crimes comprise a perfect storm of widespread and systematic violations, with not even children spared.

The Special Rapporteur also reports on the continued human rights violations against the Rohingya, whose existence the junta continues to deny and who have been kept 'disenfranchised through their unresolved legal status, institutional discrimination, human rights abuses, restrictions on their movement and limited access to livelihoods and essential services.'⁴

The answer to a simple question posed by the Special Rapporteur continues to compound these atrocities. *Do UN Member States care enough to take the necessary action to make a difference?* To date, the people of Myanmar have been delivered a resounding "no".

¹ National Unity Government of the Republic of the Union of Myanmar.

² A/76/314 of 2 September 2021.

³ <https://drive.google.com/file/d/1vD0jy4lfc0GjY9R9i3XyAVmsFOEDbPXF/view>.

⁴ A/76/314 at para. 68.

Myanmar has arrived at a watershed moment. The military junta is amassing troops in country's north and northwest, including Chin State and Sagaing Region, in preparation for an escalation of the slaughter. To the Special Rapporteur, "we are very likely on the eve of yet another catastrophe", with the junta's tactics "ominously reminiscent of those employed by the military before its genocidal attacks against the Rohingya in Rakhine State in 2016 and 2017."

This campaign could see atrocities on an unprecedented scale in modern Myanmar. As the Special Rapporteur has warned, "we should all be prepared, as the people in this part of Myanmar are prepared, for even more mass atrocity crimes." A determined, unflinching international response is required to prevent them.

Myanmar strongly supports the Special Rapporteur's call on UN Member States to target the junta's "three needs" – weapons, money, and legitimacy – and adds to it a fourth: impunity. Impunity is fuelling the military's atrocities and it must be cut.

Accordingly, Myanmar in turn makes the following calls:

(a) International community

- Partner with the National Unity Government (NUG), Ethnic Armed Organisations, Myanmar civil society, international humanitarian organisations and States of the region to support the urgent delivery of humanitarian assistance to conflict-affected regions and other locations of acute need in Myanmar. Use should be made of land corridors, air and sea, and neighbouring countries.

(b) Security Council

- Convene an urgent Plenary Meeting on the humanitarian and political situation in Myanmar. This should culminate in a resolution that stops the flows of arms and funds to the military junta and that cuts impunity.

(c) General Assembly

- Adopt a follow-up to resolution 75/287, in consultation with the NUG and Myanmar civil society. This resolution should include a specific address of the human rights and humanitarian situations, prioritise the delivery of humanitarian assistance, demand the restoration of democracy and the release of political prisoners, and give full support to accountability efforts.
- Formally recognise the NUG as the legitimate representative of the Republic of the Union of Myanmar to the United Nations.

(d) United Nations

- The UN Secretary-General must, as a priority, formally confirm the new UN Special Envoy on Myanmar and appoint a new UN Resident Coordinator, in consultation with the NUG and Myanmar civil society.
- UN agencies, funds and programmes should strengthen their partnership with the NUG and Myanmar civil society in the delivery of humanitarian assistance, while avoiding any actions that could legitimise the illegal military junta.

- The UN Country Team should work to a common, updated Human Rights Strategy consistent with the UN Secretary-General's *Call to Action for Human Rights*, while taking concrete actions to implement the recommendations set out in the *Rosenthal Report*.⁵

⁵ G. Rosenthal, 'A Brief and Independent Inquiry into the Involvement of the United Nations in Myanmar: 2010 to 2018', May 2019.