



Republic of the Union of Myanmar

National Unity Government

Ministry of Human Rights



**Statement on the Report on serious crimes of international concern committed
by the illegal military junta submitted to 49th session of Human Rights Council**

16 March 2022

Ministry of Human Rights of the National Unity Government submitted the Report on serious crimes of international concern committed by the illegal military junta to 49th session of United Nations Human Rights Council.

Myanmar calls on the UN Human Rights Council to take urgent and deliberate action to address the escalating atrocities in the country when it meets to discuss the human rights situation on 18 and 21 March.

The military junta's failed attempt to seize control in a coup d'état on 1 February 2021 has plunged Myanmar into human rights, humanitarian, political and economic crises. This grave deterioration has been accompanied by escalating atrocities and acts of terror.

In a report addressed to the Human Rights Council, Myanmar's Ministry of Human Rights sets out emblematic incidents of military atrocities across the country, including massacres and unlawful killings, indiscriminate airstrikes and artillery attacks, large scale arson and destruction of civilian property, and the use of deadly force against peaceful protesters. It also provides information on the humanitarian situation, with the junta's violence having displaced more than half a million people since its failed coup, driving up needs to critical levels.

The Ministry of Human Rights finds that there are reasonable grounds to believe that the junta's ongoing atrocities constitute war crimes and crimes against humanity. They form a widespread and systematic pattern of attacks against civilians directed by and conducted in the knowledge of the junta's senior leadership. Similar conclusions have already been reached by the UN High Commissioner for Human Rights, the Special Rapporteur on the situation of human rights in Myanmar, and the Head of the Independent Investigative Mechanism for Myanmar. Indeed, junta leader Min Aung Hlaing has long been known to the Human Rights Council. In September 2018, the Independent International Fact-Finding Mission on Myanmar called for him to be investigated and prosecuted for genocide, crimes against humanity and war crimes directed against the Rohingya and other ethnic communities.

The people of Myanmar repeat their demands for renewed and coordinated international action to stop the atrocities and to hold the perpetrators, including the junta's leaders, to account.

The Human Rights Council's discussions on Myanmar must culminate in the adoption of a stronger resolution that:

- Requests the UN Secretary-General to explore the feasibility of the establishment by the General Assembly or the Human Rights Council of an ad hoc tribunal to support accountability for alleged violations of international law in Myanmar and to advise on its potential scope, powers, composition and its relationship with existing international, regional, and national courts and mechanisms
- Requests the Security Council to refer the situation in Myanmar to the ICC, and condemns the military junta's continuing atrocities, which constitute crimes under international law
- Requests the Security Council to commence proceedings to list the Myanmar junta as a terrorist organization
- Requests all States to enforce a comprehensive arms embargo against the Myanmar armed forces, including the transfer of weapons, munitions, and dual-use and other military equipment
- Renews and strengthens the mandate of the Special Rapporteur on the situation of Human Rights in Myanmar
- Increases the human and financial resources available to the Office of the High Commissioner for Human Rights and the Special Rapporteur on the situation of human rights in Myanmar to enable an expanded focus on the human rights situation in Myanmar, commensurate to the scale of the crisis and gravity of crimes
- Calls upon the Association of Southeast Asian Nations (ASEAN) and the United Nations Country Team (UNCT) in Myanmar to prioritise humanitarian access to affected populations, including in partnership with the National Unity Government, and requests neighbouring States to facilitate humanitarian access across their land borders with Myanmar
- Repeats its demand for the immediate and unconditional release of all political prisoners and persons who have been arbitrarily detained, charged, arrested, convicted or sentenced on specious grounds, in particular since 1 February 2021
- Condemns the historic systematic and institutionalized discrimination against members of ethnic and religious minorities in Myanmar, in particular relating to the Rohingya; supports the safe, voluntary, dignified and sustainable return of all refugees to Myanmar; and promotes the rights of all Myanmar communities to equal access to services and opportunities

- Requests all business enterprises operating in Myanmar and the home States of those enterprises to ensure that their activities do not contribute to or cause human rights violations or abuses in Myanmar, and to suspend all business relationships with the Myanmar armed forces or any enterprise owned or controlled by them or their individual members
- Calls on the General Assembly, including its Credentials Committee, to formally confirm the credentials of representatives of the National Unity Government as the representatives of Myanmar to the seventy-sixth and subsequent sessions of the General Assembly
- Requests the UNCT in Myanmar to report on progress made in the implementation of the recommendations set out in the Rosenthal Report, and on its actions to comply with the Engagement Guidelines to ensure that legitimacy is not granted to the military junta.