

End of Mission Statement

Thomas Andrews

United Nations Special Rapporteur on the situation of human rights in Myanmar

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Thank you for being here today and thank you to the Government of Malaysia for welcoming me to your country. I am the United Nations Special Rapporteur on the situation of human rights in Myanmar and I am honored to be here.

I came to Malaysia last week at the invitation of the Ministry of Foreign Affairs and I am extremely grateful to the Ministry and to all those who have contributed to making my visit informative and meaningful. Malaysia is the first ASEAN Member State to welcome me. This will be the first of what I am planning to be a series of visits to the region so that I might have a greater understanding of the perspective and insights of those who have a great deal at stake in developments in Myanmar.

The primary objective of my mission was to gather information on the situation of human rights in Myanmar and better understand both the Malaysian and ASEAN responses to the crisis. Throughout the week here I've met with a number of Malaysian government officials, members of parliament, civil society leaders and individuals from diverse Myanmar communities who have fled the military's violence and persecution.

The crisis, triggered by a brutal military coup, has meant disaster for the people of Myanmar. Since the February 2021 military coup, the junta has carried out a campaign of violence, oppression and terror against the people of Myanmar. Junta forces have killed more than 2,000 civilians, arrested more than 14,000, displaced more than 700,000, driving the number of internally displaced persons in Myanmar to well over one million, and plunged the country into an economic and humanitarian crisis that threatens the lives and wellbeing of millions. The military's attacks on the people of Myanmar constitute crimes against humanity and war crimes. No one has been spared the impact of the military's violence.

I recently published a report on how children are being impacted by the junta's violent attempt at subjugating the people of Myanmar. Armed groups have killed or injured at least 382 children since the coup and the military and its allies are responsible for vast majority of these deaths and injuries. Since launching the coup, junta forces have arbitrarily detained more than 1,400 children and they have and tortured at least 142. Children have been beaten, cut and stabbed. They have been burned with cigarettes, forced to hold stress positions, subjected to mock executions, and sexually assaulted. Some have had their fingernails and teeth pulled out. At least 61 children are currently being held hostage by the junta. It is projected that an estimated 33,000 children will die preventable deaths this year alone merely because they have not received routine immunizations.

We knew prior to the coup what the Myanmar military and its commanders were capable of. The genocidal attacks against the Rohingya Muslim minority were directed by the man who led the military coup and now directs the military junta that is committing atrocities throughout Myanmar - Senior General Min Aung Hlaing.

I commend Malaysia for opening its doors to many of the Rohingya survivors who were fleeing those attacks, desperate to find a safe haven. Malaysia has a long history of taking in those fleeing persecution around the world. I have learned that there are over 104,000 Rohingya who are registered in Malaysia with untold numbers who are unregistered. I have met some of them on this trip to Malaysia.

My mission here provided me with a unique opportunity to sit face to face with dozens of the courageous men and women and children who fled the horrors that have engulfed many areas of Myanmar, including those who have recently arrived in Malaysia. They provided me with firsthand accounts of what they witnessed or directly experienced. These stories, without exception, emphasized the terror that is raging across the country.

I am grateful to the Shan, Kachin, Rohingya, Chin, Rakhine, and Burman refugees with whom I met here. I spoke with refugees who have been here for years and those who have been here for a matter of just weeks. What they have in common is that they have fled Myanmar for the very reasons that make people refugees, “owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion.” Nearly all face threats of death or detention if they were to return to Myanmar. Under no circumstances should anyone who has fled Myanmar be refouled back to Myanmar.

I have spoken with defectors from the Myanmar police, army, and navy who have witnessed their colleagues’ murder protesters and indiscriminately fire into villages. I have spoken with young people who witnessed their fellow protestors being shot and killed by junta forces.

I have spoken with protesters, including numerous members of the Civil Disobedience Movement, who were detained by junta forces. Many of these courageous individuals described being arrested and tortured, including being brutally beaten, subject to stress positions in detention and starved of food. One man was hit on the head so hard that he has now lost the use of one of his eyes. I spoke to a man who personally saw people who had been brutally beaten and killed while he was in detention. I heard from women and girls who were arrested and detained, one of them had her hair forcibly cut in an act of humiliation, others were beaten and subjected to sexual threats.

As I’ve repeated in all my reports, the situation in Myanmar is a human rights catastrophe. People who are fleeing Myanmar are desperately seeking to escape attacks, persecution and torture. They are desperate to save their lives and those of their family. They are refugees in the true meaning of the word, seeking safety beyond their own borders, for an uncertain future, including in Malaysia. They are literally running for their lives.

Those who fled Myanmar told me of the harrowing trips and conditions they braved to come here. They put their lives in the hands of so called “agents” and crossed the Myanmar-Thai border by foot, through the jungle, crossing rivers. They went days without food and water making their way to the Thai-Malaysia border, where they had to cross yet another jungle on foot. One woman told me how she trekked through the jungle all night long in total darkness, holding the hand of the person in front of her, unable to speak. Those that lost their way were abandoned in the jungle without food. Women carried their children for days on end. Another woman explained how she was forced to leave her younger children behind with relatives, for fear they would not survive the journey. I spoke with another who brought her elderly parents with her all the way to the Thai-Malaysia border, only to have the agent demand that she leave her parents behind in the jungle to fend for themselves while they continued on.

A brave young woman told me:

“You are walking on a path that you don’t know, towards a place you don’t know, and you could die on the way but you still go forward, because the persecution is worse behind you”

What is clear to me is the extreme vulnerability of refugees in Malaysia. Fleeing violence and conflict back home, they carry with them deep trauma, arriving with often no more than the clothes on their back and a desire for a safer life.

It is this very vulnerability that exposes them to further abuses. Without identity documentation, they fear approaching the Malaysian authorities for help if they are victims of crime, or violence or are subject to exploitation. This includes refugee women victims of domestic violence who may feel reluctant to report their cases. I received reports from many with whom I spoke of being targeted by unscrupulous police officers who extorted them for the little they have. Many fear to walk on the streets.

There is also a palpable fear by everyone from Myanmar who I spoke with of being sent to migration detention. On this point, I am limited in what I can say because I did not have access to Malaysian detention facilities. But I am not the only one. Since 2019 UNCHR has been denied access to these facilities. Families of those detained have no access to their relatives. I spoke to a refugee whose brother has been detained for 6 months. She does not know his condition nor when or even if he will be released. I was told that Rohingya refugees in detention are vulnerable of being detained indefinitely because they are stateless. I am deeply concerned by reports that hundreds of children may be in these facilities, including child victims of trafficking. Children should never be placed in migration detention facilities.

Education was another concern that was consistently raised during my trip here. I had the pleasure on World Refugee Day of participating in a roundtable on refugee education. I learned from current and former Malaysian government officials, as well as international organizations, that undocumented children are unable to attend public school in Malaysia. Instead, they receive primary education through community based learning centers. Secondary school education is out of reach for most if not all. I asked a 13-year-old girl what she wanted to be when she grew up. Without hesitation, she explained that she wanted to be a school teacher. I was later told that the girl had not yet been informed that she would very soon reach the end of the line for her education in Malaysia. University education is not accessible at all. Lack of education not only leads to hopelessness about the future, but also leads children and their families into cycles of further marginalization and negative coping mechanisms.

Community-based organizations are trying to fill this void with committed volunteers, many who are refugees themselves, working only with meager resources. Many have developed a system of community-based alternative learning centers. So long as public education remains unavailable to undocumented Myanmar children, the international community must step up to help fund these organizations, who are providing these essential services for Myanmar children.

Let me be clear, refugees from Myanmar are here because they were forced to come here. Their inability to return to their homes in Myanmar is directly linked to the military junta’s human rights violations and war against the people of Myanmar.

It is impossible to address issues related to those seeking refuge in Malaysia and other nations in the region without directly and effectively addressing the crisis inside of Myanmar.

Malaysia not only recognizes this fact, it has been willing, through the words and actions of Foreign Minister Saifuddin, to challenge ASEAN to reexamine their current policy on Myanmar. Foreign

Minister Saifuddin has called on ASEAN to move from a policy of “noninterference” to, in his words, one of “non-indifference.”

We are all familiar with ASEAN’s Five Point Consensus. Malaysia has given voice to the obvious fact that after more than one year, nothing has moved and since nothing has moved, more people are being killed and more people are being forced to flee the country.

Foreign Minister Saifuddin has implored his ASEAN colleagues to not wait for another year of inaction - to not **just talk** about the five-point consensus but create and engage **an action plan to move forward** – an action plan with a time-frame for implementation.

Malaysia has not only called for ASEAN to engage with the Myanmar National Unity Government, it has begun engaging with the National Unity Government’s Foreign Minister Zin Mar Aung.

Too much is at stake for Myanmar and its people to accept complacency and inaction by the international community. That is why the leadership being exhibited by Malaysia is so important. And why I am particularly pleased to have had the opportunity to travel here.

I am, again, very grateful for the opportunity to visit Malaysia. I look forward to working to support Malaysia’s foreign policy leadership on Myanmar, to affirm the human rights of a people under siege and to reduce the incredible scale of human suffering in Myanmar.

Thank you.