- To: Member and Observer States of the UN Human Rights Council
- CC: UN High Commissioner for Human Rights UN Special Rapporteur on the situation of human rights in Myanmar

20 February 2025

Open letter: UN Human Rights Council must take concrete action to support the Myanmar people's efforts to build a rights-protecting future

Your Excellencies,

We—the undersigned 121 Myanmar, regional, and international civil society organizations (CSOs) call on the United Nations Human Rights Council (UNHRC) to adopt a meaningful and robust resolution, during the UNHRC's 58th regular session, that protects the human rights of the Myanmar people, supports their ongoing efforts to build federal democracy, impedes the military junta's capacity to conduct airstrikes and other atrocities across the country, and advances accountability through all possible avenues.

We welcome the UNHRC resolution adopted on 4 April 2024, which recognizes the junta's escalating violence against civilians and its increasing violations of international law. We further welcome that the crisis in Myanmar remains high on the Council's agenda. We recognize, nonetheless, that the resolution falls short in adequately addressing the extreme severity of the human rights and humanitarian crisis in Myanmar—now in its fifth year.

Of utmost concern is the Myanmar military junta's reported <u>plan</u> to hold an election this year or <u>next</u> <u>year</u>—in spite of the absence of any legitimacy or legal basis to do so, as well as its lack of effective control of Myanmar's territory. This sham election represents the junta's exit strategy from its failed coup, aimed to silence the people's will for federal democracy, claim power, and once again legitimize and normalize military tyranny in Myanmar. The junta has already begun deploying its violence against civilians in order to hold its sham election—by, for example, using armed personnel to intimidate civilians into participating in its sham census last year. The UNHRC must unequivocally reject the junta's plans for this sham election. The Council must put a spotlight on and take steps to prevent the deployment of violence and other coercive tactics used to force people into participating in this farcical exercise.

Today, the people of Myanmar—through the National Unity Government (NUG), the National Unity Consultative Council, and federal units including ethnic councils—are building federal democracy from the ground up, including by establishing local government administrations; developing policies on transitional justice, gender equality, and minority rights; and providing public services, including healthcare and education. These efforts are all in pursuit of an inclusive and peaceful Myanmar where protection of human rights and access to justice are a reality for all people and all communities. We urge the UNHRC to demonstrate its recognition of and support for the Myanmar people's tireless efforts and immeasurable sacrifices to build inclusive federal democracy in the face of the military junta's relentless violence. We further urge the UNHRC to recognize and support the efforts of the NUG, as the legitimate interim government of Myanmar, together with the people of Myanmar to establish inclusive federal democracy in the country.

For the past four years, the military junta has deliberately carried out widespread and systematic atrocities, including, but not limited to, airstrikes, extrajudicial killings, massacres, sexual and genderbased violence, arson attacks, mass arbitrary arrests, and torture against civilians throughout Myanmar. Since its failed coup attempt, the junta has arbitrarily arrested at least 28,600 people; killed more than 6,200, including <u>more than 2,200</u> by airstrikes; and <u>committed</u> more than 310 massacres. According to the UN, more than 3.5 million people <u>are internally displaced</u> as of 17 February 2025. Since the coup attempt, an estimated 142,800 people <u>have fled</u> from Myanmar to other countries in the Asia-Pacific region as of 31 December 2024. These statistics are most likely a gross underestimation of the true magnitude of displacement.

Over the last two years in particular, the junta <u>has escalated</u> its airstrikes on civilian communities and infrastructure, bombing internally displaced person (IDP) camps, schools, hospitals and other medical facilities, and places of worship and other religious sites. In 2024, the junta <u>conducted</u> 2,504 airstrikes—averaging nearly seven airstrikes per day, and representing a nearly 104% increase compared to its total airstrikes in 2023. On 31 December 2024, the junta <u>launched</u> two airstrikes on an IDP camp in Loikaw Township, Karenni State, killing multiple civilians, including women and children. Over the last two months, the junta has begun using paramotors to <u>attack</u> and <u>kill</u> civilians, targeting their villages and homes—resulting in more than a dozen deaths since December 2024.

In this context, we welcome the UNHRC's rightful recognition, in last year's resolution, of the serious human rights and humanitarian implications of the junta's airstrikes and other atrocity crimes. However, as the junta continues to increase its aerial attacks on civilians with complete impunity, we strongly urge the UNHRC to call for a comprehensive global arms embargo and targeted sanctions on aviation fuel as a necessary step to save lives in Myanmar. The reality remains that any transfer, sale, or diversion of arms, munitions, aviation fuel, and other military equipment to the junta is aiding and abetting its war crimes, crimes against humanity, and other crimes under international law. With Myanmar people's lives in increasing danger, we have repeatedly called for the international community to sanction the supply of aviation fuel for military purposes and impose a global arms embargo in order to diminish the military junta's capacity to bomb civilian communities nationwide. It is incredibly disheartening that our calls continue to go unheeded, with media reports indicating that <u>Russia</u> and <u>China</u> have supplied the Myanmar military with combatant drones over the past year.

We further welcome the UNHRC's continued <u>emphasis</u> on regular monitoring and reporting on the situation in Myanmar, including by the High Commissioner's forthcoming report on "pathways to fulfil the people of Myanmar's aspirations for human rights protection, accountability, democracy and a civilian government," as well as the continuing mandate of the Special Rapporteur. These are essential to keeping the situation in Myanmar in the international spotlight and urging the international community to take more concrete action.

Nevertheless, the need remains for the Council to strengthen efforts to ensure justice and accountability without further delay. With the utmost urgency, the UNHRC must lead the call for the referral of the situation in Myanmar to the International Criminal Court (ICC) or the establishment of a criminal prosecutorial body on Myanmar by the UN General Assembly or the UN Security Council. Furthermore, we urge the Council to welcome the declaration submitted by the NUG in 2022 under Article 12(3) of the Rome Statute at the ICC accepting the Court's jurisdiction over international crimes committed in Myanmar since 1 July 2002.

We further urge the UNHRC to call for UN Member States, agencies, and mechanisms to provide financial, political, and technical support for ongoing universal jurisdiction efforts, including in Argentina. We also call on Member States, in particular States Parties to the Rome Statute, to take concrete action to advance justice and accountability by referring the crisis in Myanmar to the ICC under Article 14 of the Rome Statute, as <u>called for</u> by the UN Special Rapporteur on the situation of human rights in Myanmar.

In a critical step towards accountability and objective documentation of the situation in Myanmar, the Global Alliance of National Human Rights Institutions (GANHRI) <u>removed</u> the accreditation status of the junta-controlled Myanmar National Human Rights Commission (MNHRC) from its global human rights network as of 31 December 2024. The MNHRC's removal—which follows almost four years of consistent efforts by local, regional, and international civil society—reflects its complicity in the junta's widespread and systematic human rights violations, in blatant non-compliance with the Paris Principles. We call on the UNHRC to recognize GANHRI's decision regarding the MNHRC as a significant development towards a rights-protecting future in Myanmar.

We remain disappointed and alarmed by the UN's deference to the Association of Southeast Asian Nations (ASEAN), including its failed Five-Point Consensus (5PC), as a realistic pathway to addressing the crisis in Myanmar. ASEAN's misguided reliance on the failed 5PC, despite the junta's blatant disregard thereof, only emboldens the junta to continue its violence against the Myanmar people—eroding any confidence in ASEAN to stop the junta's campaign of terror, protect human rights, provide humanitarian aid, and save lives. ASEAN's ongoing engagement with and support for the junta has also allowed the proliferation of transnational organized crime within and across Myanmar's borders, threatening the security and stability of the region and putting people around the world at risk. The UN can no longer hide behind ASEAN as a substitute for taking direct, concrete action to protect the Myanmar people. The UNHRC must strongly recommend and assist ASEAN to move beyond the 5PC in order to <u>achieve a Myanmar people-led and people-centered solution</u> to the crisis.

The UNHRC must fully support the Myanmar people's efforts in laying the foundations of bottom-up federal democracy and their "aspirations for human rights protection, inclusivity, accountability, democracy and a civilian government." We call for increased international support for justice initiatives, including for the Council to seek all possibilities for the establishment of a special tribunal to prosecute crimes committed in Myanmar.

For further information, please contact:

- Mulan, Blood Money Campaign; <u>bloodmoneycampaign21@protonmail.com</u>
- Nai Aue Mon, Human Rights Foundation of Monland; auemon@rehmonnya.org
- Salai Za Uk Ling, Chin Human Rights Organization; <u>zauk@chinhumanrights.org</u>
- Khin Ohmar, Progressive Voice; <u>info@progressive-voice.org</u>

Signed by 121 civil society organizations, including two organizations that have chosen not to disclose their names:

- 1. 8888 Generation (New Zealand)
- 2. Action Committee for Democracy Development (ACDD)
- 3. Ah Nah Podcast Conversations with Myanmar
- 4. All Burma Democratic Front in New Zealand
- 5. ALTSEAN-Burma
- 6. Anti Dictatorship in Burma DMVPA
- 7. Arakan Youth Peace Network
- 8. Asia Democracy Network (ADN)
- 9. Asian Cultural Forum on Development (ACFOD)
- 10. Asian Forum for Human Rights and Development (FORUM-ASIA)
- 11. Association of Human Rights Defenders and Promoters (HRDP)
- 12. Athan Freedom of Expression Activist Organization
- 13. Auckland Kachin Community NZ
- 14. Auckland Zomi Community

- 15. Aung San Suu Kyi Park Norway
- 16. Blood Money Campaign (BMC)
- 17. Burma Action Ireland
- 18. Burma Human Rights Network (BHRN)
- 19. Burmese Community Group (Manawatu, NZ)
- 20. Burmese Rohingya Organisation UK
- 21. Burmese Rohingya Welfare Organisation New Zealand
- 22. Chin Community in Norway
- 23. Chin Community of Auckland
- 24. Chin Human Rights Organization (CHRO)
- 25. CIVICUS: World Alliance for Citizen Participation
- 26. Civil Rights Defenders (CRD)
- 27. CRPH & NUG Supporters Ireland
- 28. CRPH Funding Ireland
- 29. CRPH Support Group, Norway and members organizations
- 30. Defend Myanmar Democracy (DMD)
- 31. Democracy Youths Myanmar
- 32. Democratic Youth Council (DYC)
- 33. Doh Atu Ensemble pour le Myanmar
- 34. Educational Initiatives Prague
- 35. Equality Myanmar (EQMM)
- 36. Federal Myanmar Benevolence Group (NZ)
- 37. Future Light Center (FLC)
- 38. Generation Wave (GW)
- 39. German Solidarity Myanmar e.V.
- 40. HTY Scout Channel
- 41. Human Rights Educators Network (HREN)
- 42. Human Rights Foundation of Monland (HURFOM)
- 43. India for Myanmar
- 44. Info Birmanie
- 45. Information & Scout News (Hlaing)
- 46. Inter Pares
- 47. Justice Movement for Community-Innlay
- 48. K'cho Ethnic Association (Europe)
- 49. Kachin Association Norway
- 50. Kachin Women's Association Thailand (KWAT)
- 51. Kamayut Scout Channel
- 52. Karen Human Rights Group (KHRG)
- 53. Karen Peace Support Network (KPSN)
- 54. Karenni Human Rights Group (KnHRG)
- 55. Karenni National Women's Organization (KNWO)
- 56. Karenni Society New Zealand
- 57. Kyae Lak Myay
- 58. Kyauktada Strike Committee (KSC)
- 59. La Communauté Birmane de France
- 60. Magway Region Human Rights Network
- 61. Mayangone News
- 62. Metta Campaign Mandalay
- 63. Myanmar anti-military coup movement in New Zealand
- 64. Myanmar Catholic Community In Norway
- 65. Myanmar Community Group Christchurch New Zealand

- 66. Myanmar Community Group Dunedin New Zealand
- 67. Myanmar Community in Norway
- 68. Myanmar Engineers New Zealand
- 69. Myanmar Gonye (New Zealand)
- 70. Myanmar Hindu Union
- 71. Myanmar People Alliance (Shan State)
- 72. Myanmar Students' Union in New Zealand
- 73. Myanmar Tourism Committee
- 74. MyaYar Knowledge Tree
- 75. Nelson Myanmar Community Group New Zealand
- 76. Network for Human Rights Documentation Burma (ND-Burma)
- 77. New Myanmar Foundation
- 78. New Zealand Campaign for Myanmar
- 79. New Zealand Doctors for NUG
- 80. New Zealand Karen Association
- 81. New Zealand Zo Community Inc.
- 82. NLD Organization Committee (International) Norway
- 83. NOK Information & Scout Echo
- 84. North Dagon & East Dagon News
- 85. Norway Matu Community
- 86. Norway Rawang Community
- 87. Nyan Lynn Thit Analytica
- 88. Overseas Mon Association New Zealand
- 89. Progressive Voice (PV)
- 90. Pyithu Gonye (New Zealand)
- 91. Queers of Burma Alternative (QBA)
- 92. Rohingya Community in Norway
- 93. Rvwang Community Association New Zealand
- 94. Save Myanmar USA
- 95. Save Myanmar Fundraising Group (New Zealand)
- 96. Shan Community (New Zealand)
- 97. Sitt Nyein Pann Foundation
- 98. South Dagon Scouting Infos (SDG)
- 99. Southern Dragon Myanmar
- 100. Sujata Sisters Group (NZ)
- 101. Swedish Burma Committee (SBC)
- 102. Ta'ang Women's Organization (TWO)
- 103. Tamwe Nway Oo Channel
- 104. Thai Action Committee for Democracy in Burma (TACDB)
- 105. Thaketa & Dawbon Scout Channel
- 106. U.S. Campaign for Burma
- 107. Unitarian Universalist Service Committee
- 108. Volunteers in Myanmar
- 109. Women Advocacy Coalition Myanmar (WAC-M)
- 110. Women Lead Resource Center
- 111. Yangon Deaf Group
- 112. Youth Empowerment
- 113. Youth for Democratization of Myanmar (UDM)
- 114. Youth Scout For Democracy (YSD)
- 115. Zomi Christian Fellowship of Norway
- 116. Zomi Community Norway

- 117. ပြည်သူ့သပိတ်အင်အားစု 118. ယိမ်းနွဲ့ပါး
- 119. သမိုင်းသယ်ဆောင်သူများ