



Lawyers' Rights Watch Canada

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Item: Item 4: Interactive Dialogue, Special Rapporteur on Myanmar (Oral Update)

Speaker: Catherine Morris

A Joint Oral Statement to the 42nd Regular Session of the UN Human Rights Council by the Asian Legal Resource Centre (ALRC) and Lawyers' Rights Watch Canada (LWRC)

Myanmar & Bangladesh: Rights, dignity, and future of genocide survivors at stake

Mr. President,

The Asian Legal Resource Centre and Lawyers' Rights Watch Canada thank the Special Rapporteur for her oral update. The Council is well aware of the grave human rights violations in Myanmar perpetrated by the Tatmadaw and other state- and non-state actors. Reports¹ of the Special Rapporteur and the two other international mandates reiterate the international crimes² against Rohingya, and violence against ethnic minorities in Shan, Kachin, and Karen states. Without effective international accountability, impunity continues. We join the calls to Contracting Parties to the Genocide Convention to refer Myanmar to the International Court of Justice to seek accountability and reparations.³

Bangladesh has received applause for hosting around a million refugees who have fled their homes in Myanmar's Rakhine State. We are alarmed by Bangladesh's plan to forcibly relocate 100,000 refugees, currently in makeshift camps in Cox's Bazar, to a remote, flood-prone island in the Bay of Bengal.⁴ Bangladesh's foreign minister has

¹ Report of the independent international fact-finding mission on Myanmar, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G19/236/74/PDF/G1923674.pdf?OpenElement>

² Report of the Independent Investigative Mechanism for Myanmar, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G19/235/11/PDF/G1923511.pdf?OpenElement>

³ See, e.g., The Sentinel Project, International legal options for addressing the Rohingya genocide in Myanmar and humanitarian crisis in Bangladesh, 13 August 2019, <https://reliefweb.int/report/myanmar/international-legal-options-addressing-rohingya-genocide-myanmar-and-humanitarian>; Open letter signed by Canadian Senators, civil society organizations and individuals to Canada's Minister of Foreign Affairs urging Canada to initiate proceedings against Myanmar in the International Court of Justice (ICJ), 25 June 2019, <http://www.peacemakers.ca/publications/Letter%20to%20Freeland%20on%20Rohingya,%20June%2025,%202019-EN.pdf>; Lawyers' Rights Watch Canada and Peacemakers Trust, Canada's obligation to hold Myanmar accountable for genocide: Briefing note, 13 June 2019, <https://www.lrwc.org/myanmar-canadas-obligation-to-hold-myanmar-accountable-for-genocide-pass-senate-motion-476-briefing-note/>.

⁴ Bangladesh to UN: 'Support Rohingya island relocation or leave the country', DW, 5 September 2019, <https://www.dw.com/en/bangladesh-to-un-support-rohingya-island-relocation-or-leave-the-country/a-50284651>

reportedly threatened to “expel the UN agencies” that do not agree with its relocation plan.⁵ These threats come amid government-sponsored media hate campaigns against Rohingya refugees and internet blackouts curtailing the right to information of refugees in Cox’s Bazar. There are reports of at least 34 extrajudicial killings of Rohingya refugees in the past two years by Bangladesh security forces.⁶

These realities necessitate urgent, effective action by the Council and all States, including:

1. Access to justice for victims of international crimes and genocide;
2. Citizenship rights and all other fundamental rights and freedoms for Rohingya people;
3. Protection of refugees from hate crimes, violence including sexual violence, and extrajudicial killing; and
4. Protection from forced relocation or forced repatriation.

Thank you, Mr. President.

UN Web TV Video Link: *(Please scroll down on the list of speakers on the right-hand side and click on clip number XX to find Asian Legal Resource Centre)*

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The Asian Legal Resource Centre (ALRC) works towards the radical rethinking & fundamental redesigning of justice institutions in Asia, to ensure relief and redress for victims of human rights violations, as per Common Article 2 of the International Conventions. Sister organisation to the Asian Human Rights Commission, the ALRC is based in Hong Kong & holds general consultative status with the Economic & Social Council of the United Nations.

Lawyers’ Rights Watch Canada (LRWC) is a committee of lawyers and other human rights defenders who promote international human rights and the rule of law through advocacy, education and legal research. LRWC is a volunteer-run NGO in Special Consultative Status with the Economic and Social Council of the United Nations.

⁵ *Ibid.*

⁶ Bangladesh bans mobile phone access in Rohingya camps, <https://asiancorrespondent.com/2019/09/bangladesh-bans-mobile-phone-access-in-rohingya-camps/>; Bangladesh: Internet Blackout on Rohingya Refugees: Shutdown Hinders Emergency Response, Risk Lives, Human Rights Watch, 13 September 2019, <https://www.hrw.org/news/2019/09/13/bangladesh-internet-blackout-rohingya-refugees>, Bangladesh: Clampdown on Rohingya Refugees, Human Rights Watch, 7 September 2019, <https://www.hrw.org/news/2019/09/07/bangladesh-clampdown-rohingya-refugees>.