

Lawyers' Rights Watch Canada

NGO in Special Consultative Status with the Economic and Social Council of the United Nations

Organization: Lawyers' Rights Watch Canada

Item: Item 4: Interactive Dialogue: Special Rapporteur on Human Rights in Myanmar

Date: 11 March 2021

Speaker: Catherine Morris

Oral Statement to the 46th Session of the UN Human Rights Council from Lawyers' Rights Watch Canada (LRWC), NGO in Special Consultative Status

Thank you Mme President;

Lawyers' Rights Watch Canada commends the Special Rapporteur's tireless efforts¹ to uphold the rights of the people of Myanmar.

Millions² of women, men and youth throughout the country have risen up in nonviolent resistance to the unlawful military coup of February 1st.

Evidence of crimes against humanity by the Tatmadaw is mounting daily with reports of brutal and systematic extrajudicial killings of peaceful protestors, more than 2,000³ arbitrary detentions or charges, and numerous cases of torture and suspected enforced disappearance. Detainees include elected members of parliament, civil society members, civil servants, journalists, teachers, medics, students, and lawyers.⁴ Detainees held incommunicado are denied access to lawyers and are subjected to unfair proceedings and heightened risk of torture and ill-treatment.

At the February 12th Special Session, certain members of this Council⁵ suggested incorrectly that this situation is an internal matter for Myanmar. We call on all Council members to recognize that evidence of crimes against humanity requires all States to exercise *erga omnes* responsibility.

We urge all Council members:

- To call a halt to arms transfers and to impose targeted sanctions against Tatmadaw business interests; and
- To seek a Security Council global arms embargo and referral of the situation to the International Criminal Court.

Thank you.

References

¹ Human Rights Council, Report of the Special Rapporteur on the situation of human rights in Myanmar, Thomas H. Andrews, A/HRC/46/56, 4 March 2021, available at: https://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session46/Documents/A_HRC_46_56.pdf.

² *Ibid*, para 5 and 16.

³ See Assistance Association of Political Prisoners in Burma, Daily Briefing, Detention and Fatality Lists in Relation to Military Coup, scroll down for daily updates at: <https://aappb.org/>.

⁴ *Supra* note 1, para 53.

⁵ See e.g., statements at the 29th Special Session of the Human Rights Council made by China (<http://webtv.un.org/meetings-events/human-rights-council/watch/1st-meeting-29th-special-session-of-human-rights-council/6231616959001#player>), and Russia (<http://webtv.un.org/meetings-events/human-rights-council/watch/1st-meeting-29th-special-session-of-human-rights-council/6231616959001#player>).