



Human Rights  
Institute

Organization: Lawyers' Rights Watch Canada  
Item 6: General Debate, Universal Periodic Review  
Date: 30 September 2022  
Speaker: Renée Mulligan

## **Oral Statement to the 51st Session of the UN Human Rights Council from Lawyers' Rights Watch Canada (LRWC) and the International Bar Association's Human Rights Institute, , NGOs in special consultative status**

### **Myanmar junta's continued access to resources facilitates impunity for atrocities and destruction of the rule of law**

Mr. President

Lawyers' Rights Watch Canada and the International Bar Association's Human Rights Institute regret that the military coup in Myanmar has continued to preclude an Interactive Dialogue on its 3<sup>rd</sup> Cycle UPR outcome.<sup>1</sup>

The military junta continues to receive funding, trade and weapons<sup>2</sup> that support its widespread atrocities<sup>3</sup> and facilitate its systematic abuse of laws and legal institutions to suppress dissent and secure impunity for its crimes.

Lawyers and human rights defenders are increasingly at grave risk<sup>4</sup> as the junta suppresses their legitimate reporting of human rights violations through threats, arbitrary detention,<sup>5</sup> enforced disappearances, torture, and unfair military trials with lack of adequate access to lawyers. Lawyers representing defenders and political prisoners lack adequate access to their clients and are subjected to gag orders, threats, and arbitrary detention.<sup>6</sup>

We call on all States, and this Council, to fulfil recommendations of the Special Rapporteur and the OHCHR,<sup>7</sup> withdraw from the junta all forms of support or legitimacy, and seek a Security Council arms embargo, targeted economic sanctions, and a referral to the International Criminal Court.

Thank you.

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<sup>1</sup> Universal Periodic Review – Myanmar, 3<sup>rd</sup> Cycle, <https://www.ohchr.org/en/hr-bodies/upr/mm-index>. See the UPR submission of Lawyers for Lawyers and Lawyers' Rights Watch Canada, February 2020, file:///C:/Users/Catherine/Downloads/Joint-UPR-submission-Myanmar-L4L-LRWC-July-2020.pdf or <https://www.lrwc.org/myanmar-submission-to-the-un-universal-periodic-review-by-lawyers-for-lawyers-and-lawyers-rights-watch-canada-joint-submission/>

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<sup>2</sup> Several States have continued to facilitate supply of, lethal weaponry to the Myanmar military including **China, India, and Japan** (all members of this Council), as well as **Russia and Serbia**. OHCHR, Progress made and remaining challenges with regard to the recommendations of the independent international fact-finding mission on Myanmar, A/HRC/51/41, 7 September 2022, para 28,

[https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/regularsession/session51/2022-09-16/A\\_HRC\\_51\\_41\\_auv.docx](https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/regularsession/session51/2022-09-16/A_HRC_51_41_auv.docx). Also see the Interactive Dialogue with the Special Rapporteur, *infra* note 6.

<sup>3</sup> *Ibid*, OHCHR, para 15.

<sup>4</sup> OHCHR, Myanmar: UN experts urge more help for human rights defenders in push for accountability, 16 September 2022, <https://www.ohchr.org/en/press-releases/2022/09/myanmar-un-experts-urge-more-help-human-rights-defenders-push-accountability>.

<sup>5</sup> According to the Assistance Association for Political Prisoners (AAPP), more than 12,300 civilians are now arbitrarily detained, including jurists, defenders, journalists, parliamentarians, and even children held as proxies for their parents. Assistance Association for Political Prisoners, AAPP, <https://aappb.org/?lang=en>. Among those detained are 33 lawyers, AAPP, <https://airtable.com/shrXiq3K1879QmNNB/tblC5yh720x2FBSJ5>. Extrajudicial killings continue, now amounting to more than 2,200 persons. AAPP, <https://aappb.org/?lang=en>.

<sup>6</sup> International Bar Association's Human Rights Institute (IBAHRI), *Crackdown on Human Rights Defenders, Opposition, and the Right to a Fair Trial in Myanmar*, 2 September 2022, <https://www.ibanet.org/document?id=IBAHRI-Myanmar-Report-2022>; Raquel Saavedra and Kingsley Abbott (International Commission of Jurists), "Symposium on Myanmar and International Indifference: Support for Lawyers in Myanmar Remains Paramount Since the Coup," *Opinio Juris*, 1 September 2022, <http://opiniojuris.org/2022/09/01/symposium-on-myanmar-and-international-indifference-support-for-lawyers-in-myanmar-remains-paramount-since-the-coup/>; "Justice denied as regime targets activists' lawyers," *Frontier Myanmar*, 30 August 2022, <https://www.frontiermyanmar.net/en/justice-denied-as-regime-targets-activists-lawyers/>; International Commission of Jurists, Accountability and independence of legal profession must be ensured in Myanmar, ICJ, 14 June 2022, <https://www.icj.org/accountability-and-independence-of-legal-profession-must-be-ensured-in-myanmar-un-statement/>.

<sup>7</sup> Human Rights Council, Interactive Dialogue, Special Rapporteur on Human Rights in Myanmar, 21 and 22 September 2022, <https://media.un.org/en/asset/k1c/k1ce2ho7yu> and <https://media.un.org/en/asset/k1b/k1b6ycq30h>, and press conference 22 September 2022, <https://media.un.org/en/asset/k1a/k1auj3ltnb>; OHCHR, Progress made and remaining challenges with regard to the recommendations of the independent international fact-finding mission on Myanmar, A/HRC/51/41, [https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/regularsession/session51/2022-09-16/A\\_HRC\\_51\\_41\\_auv.docx](https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/regularsession/session51/2022-09-16/A_HRC_51_41_auv.docx)