



United Nations Human Rights Council 52nd Session

Agenda Item 4: Interactive Dialogue with Special Rapporteur on the Situation of Human Rights in Myanmar

Oral Statement

20 March 2023

The Law Council of Australia and the International Bar Association Human Rights Institute condemn the Myanmar military's weaponisation of the legal system to entrench its power, conceal human rights abuses, and avoid accountability.

Two years after the unlawful military coup, the junta has arrested over 20,000 civilians and activists.¹

The junta has expanded the scope of serious criminal offenses including incitement, treason, and terrorism, increased penalties, and removed protections against unlawful search, seizure and detention.²

Sham trials before military-controlled courts flout basic international fair trial standards at all stages of proceedings, and police and law officers reportedly demand lawyers pay bribes in exchange for access to their clients and case documents, lesser charges and sentences.³

At least 144 people have been sentenced to death in closed summary proceedings before military tribunals, including 42 *in absentia*.⁴ We note with grave concern reports of 920 deaths in military custody and the military engaging in widespread extra-judicial killings with impunity.⁵

We urge the international community to intensify pressure on the junta to uphold the right to a fair trial, commute all death sentences and release all persons unlawfully detained.

Delivered by Mr Luke Murphy, President of the Law Council of Australia.

¹ Assistance Association for Political Prisoners (AAPP), *Daily Briefing in Relation to the Military Coup* 9 March 2023 (9 March 2023) <<https://aappb.org/?p=24411>>

² A State of Collapse: *The Experience of Lawyers Seeking Justice in Post-Coup Myanmar* (Report, September 2022) 10

<https://www.academia.edu/86369434/A_State_of_Collapse_The_Experience_of_Lawyers_Seeking_Justice_in_Post_coup_Myanmar>.

³ Ibid 30-33.

⁴ *Situation of human rights in Myanmar since 1 February 2022: Report of the United Nations High Commissioner for Human Rights*, UN Doc A/HRC/52/21 (2 March 2023) [46]

⁵ Ibid [24].