



# General Assembly

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## Human Rights Council

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**Human rights situations that require the Council's attention**

### **Written statement\* submitted by Centre pour les Droits Civils et Politiques - Centre CCPR, a non-governmental organization in special consultative status**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[16 August 2024]

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\* Issued as received, in the language of submission only.



## **Myanmar: People of Myanmar Require Urgent and Stronger Actions from the International Community**

Three and half years since the coup, the human rights and humanitarian crisis in Myanmar has been constantly deteriorating under the military rule. The junta has no intention or ability to forge peace and stability or uphold democracy, the rule of law and protection of human rights, but pursuing own interest and enriching themselves on the cost of the lives of millions of people in Myanmar. Calls from the international community, including the High Commissioner and the Special Rapporteur, resolutions of the Security Council, Human Rights Council and the General Assembly and the 5 Point Consensus of ASEAN were blatantly ignored by the junta, which continues its atrocity against civilians including airstrikes and indiscriminate shelling on civilian targets such as schools, monasteries and hospitals. Armed conflict is intensifying and expanding in the country, and more and more civilians are trapped, targeted and even used as human shields by warring parties. Recent reports of the killings of Rohingya civilians once again highlights the extremely grim situation they are facing. Already dire humanitarian situation created by the junta including its atrocity against civilians and blocking of aid is further complicated by extreme weather and natural disasters such as heat waves, heavy rain and flooding. The state of emergency was extended for the sixth time by the junta.

Freedom of expression, including the freedom to seek, receive and impart information, and people's ability to communicate, which were already restricted by the junta since the coup, has now been significantly infringed through the ban on VPN and blocking of Signal imposed by the junta. The ban allows security personals to randomly check people at check points and public places, whereby also extorting money, intimidating and in some cases, arbitrarily arresting them. Despite the draconian Cyber Security Law not yet being enacted, it is unofficially enforced, severely and disproportionately restricting the freedom of expression and used as a tool to arbitrarily detain innocent civilians and junta's opponents.

Concerns are mounting amid the reports of the deployment of soldiers recruited under the problematic Conscription Law, to the frontlines, just after three months of their recruitment. It was also reported that the junta was arbitrarily blocking young men women from going abroad and also preparing the conscription of women. For example, in Tanintharyi, Bago and Ayeyarwady Regions, the local authority has reportedly started compiling lists of women eligible for conscription. Similarly in Yangon, local authorities reportedly started collecting names of eligible women. It is feared that more and more young population in Myanmar are embroiled in the conflict, deprived of their rights and lives.

In a desperate attempt to secure own resources including foreign reserves, the junta has imposed a number of coercive measures, including arbitrarily control of commodity prices, imposition of inadequately fixed foreign currency exchange rate, mandatory currency conversion for exporters as well as imposition of requirement for Myanmar nationals living and working in Thailand to pay income tax, and by doing so, driven the country's finance and economy into disastrous situation. The value of Myanmar Kyat has been drastically depreciating since the coup and the prices of various commodity items drastically increasing. As measures taken have not brought about the "results" the junta was expecting, it has also started targeting private business sectors, such as gold and rice traders as well as in property sector, accusing them of "illegal trading", "foreign currency speculation", "destabilising the market", "causing economic disruption" and "hindering economic development" of the country, which will further exacerbate already dire situation of economy and finance in Myanmar. It was recently also reported that the junta ordered estimated 250,000 Myanmar migrant workers, who are in Thailand under the labour scheme between Thai and Myanmar governments, must pay a quarter of their salary or at least 6,000 baht thorough banks and agencies owned by or connected to the junta with artificially low rate before renewing their paperwork to stay in Thailand. Failure to do so will result in losing their permit from the junta to work in Thailand. All these measures imposed by the junta coupled with the economic crisis in the country as well as the enforcement of the Conscription Law make Myanmar migrant workers extremely vulnerable to exploitation and other human rights abuses as more and more people are likely to become irregular migrants.

## **Complete Collapse of Domestic Justice System and the Need for Accountability**

The rule of law and domestic justice system has completely collapsed under the junta. The domestic justice system is now not only dysfunctional and failing to protect rights of individuals but is instrumentalised by the junta to oppress and persecute its opponents and even individuals exercising their fundamental rights to protest against atrocity and military dictatorship in peaceful manner. Domestic laws, in particular the Penal Code, the Counter-Terrorism Law and the Weapon Law, are arbitrarily enforced to arrest and convict those who are accused of involvement and support in the anti-coup movement. The numbers are only increasing; with over 20,000 being detained.

The courts under the control of the junta are only carrying out pro forma process and judges are merely following the order from the top to convict arrested individuals quickly, regardless of actual evidence and without any due process. With the total absence of the rule of law, corruption is ripe and law enforcement officers including the police and prison personnel are frequently asking for bribes or extorting money on any possible occasion. Torture is rampant, especially during arrests and interrogation. Detainees are often denied of their rights to have access to lawyers, family members, or food, safe drinking water, medicines and medical treatment. Brutal assault against detainees, including women, and death in custody are regularly reported. Defence lawyers have been working under an enormously challenging conditions constantly facing threats, intimidation, including from judges and the police, and various security risks.

At the same time, while the military and its affiliates has been the perpetrator in the majority of the cases of grave violation of international human rights and humanitarian law, especially since the coup, cases are reported and concerns are also growing over the protection of human rights in the areas under the control of other actors, needless to say in the conflict zones, where many civilians were caught between warring parties and the rule of law has been severely weakened, if not absent.

The role of international accountability mechanisms is therefore ever more important to end the culture of impunity in the absence of functioning domestic judicial system to ensure accountability. In this context, efforts of all States need to be urgently increased not only in enhancing the process of ongoing cases concerning Rohingyas at the International Criminal Court, International Court of Justice, and in Argentina, but also to initiate accountability process for grave violation of international human rights and humanitarian law since the coup. The Independent Investigative Mechanism for Myanmar (IIMM) is carrying out precious work in investigating cases and collecting evidence. However, all the evidence collected must actually be used to hold perpetrators accountable. While the calls for the release of all arbitrarily detained must continue, the international community should also seek concrete actions to assist and protect defence lawyers and to enable visits and monitoring of prisons and other places of detention by independent actors, including IIMM and ICRC, in the areas controlled by the junta as well as in those under the control of others.

## **The United Nations Cannot Fail the People of Myanmar (again)**

The will of the people of Myanmar was made clear in the 2020 election and through persistent resistance against the junta since the coup. The junta does not need any assistance but must be held accountable for its actions. While people of Myanmar urgently need and continuously wait for decisive and concrete actions to realise peace and democracy in Myanmar, it is just regrettable that so many countries remain silent and inactive. Much more deplorable is the fact that there are even some States, including the very members of the Human Rights Council, that continue insisting on the principle of non-interference and portraying Myanmar's crises as internal affairs. Lastly, such inaction is exactly giving the green light to the junta to continue grave human rights violations with total impunity.