

Lawyers' Rights Watch Canada

**United Nations Human Rights Council
34th Regular Session, 27 February to 24 March 2017
Agenda Item 4**

Joint NGO Oral Statement in the Interactive dialogue with the Special Rapporteur on the situation of human rights in Myanmar

MYANMAR: NEED FOR AN INTERNATIONAL COMMISSION OF INQUIRY, AND AN INDEPENDENT, SELF-GOVERNING LEGAL PROFESSION

13 March 2017

Mr President,

The International Commission of Jurists, joined by the International Bar Association's Human Rights Institute and Lawyers' Rights Watch Canada, welcome the Special Rapporteur's report and the recommendation for a Commission of Inquiry to investigate persecution of Rohingya and other minorities in Rakhine State.

Since 9 October 2016, Myanmar's security forces have reportedly targeted Rohingya during "clearance operations" which have no basis in law. Attacks against women, men, and children allegedly have involved extrajudicial killings; enforced disappearances; torture and other ill-treatment including rape and other sexual violence; hundreds of arbitrary arrests and detentions; forced displacement; and looting and destruction of homes, food and other property.

To date, authorities in Myanmar appear to have been unwilling or unable to investigate abuses or hold perpetrators accountable. Several national investigation commissions have lacked impartiality and independence. National judicial and law enforcement authorities lack capacity and independence to address this situation. Accordingly, we urge Council to adopt a resolution at this session establishing an international, independent Commission of Inquiry to assess facts, identify causes and perpetrators, and issue recommendations including remedies for victims.

The recent killing of lawyer U Ko Ni, who strongly advocated against religious discrimination and for inter-communal peace, must be subject to a prompt, impartial and effective investigation capable of identifying all those responsible and holding them accountable in a fair trial. It also underscores the urgent need for an independent and self-governing legal profession in Myanmar, enabled to uphold human rights and the rule of law without fear.

Thank you.

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