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**INTERNATIONAL COMMISSION OF JURISTS' SUBMISSION TO THE UNIVERSAL
PERIODIC REVIEW OF THE REPUBLIC OF THE UNION OF MYANMAR**

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Introduction

1. The International Commission of Jurists (ICJ) welcomes the opportunity to contribute to the Human Rights Council's (HRC) Universal Periodic Review (UPR) of the Republic of the Union of Myanmar (Myanmar).
2. In this submission, the ICJ wishes to draw the attention of the HRC and its Working Group on the UPR to the organization's concerns regarding the lack of accountability and redress and the resulting continued culture of impunity for widespread human rights violations in Myanmar, particularly those involving members of Myanmar's Defence Services.¹ The lack of accountability and redress is entrenched in Myanmar's domestic legal system and relevant institutions. Myanmar has also refused to cooperate with United Nations mandates and other international accountability mechanisms with mandates that cover Myanmar by seeing these initiatives as antithetical, rather than complementary, to achieving justice and accountability.
3. The submission concludes with accompanying recommendations.

Lack of Accountability for Serious Human Rights Violations

4. Since the second UPR cycle, Myanmar has witnessed a further deterioration of its human rights situation despite the advent of its first democratically elected government in November 2015. Impunity for serious human rights violations remains commonplace. Members of the Myanmar Police Force and the Myanmar Armed Forces are generally tried in court martial proceedings for charges that are commonly not disclosed,² proceedings that are generally closed to the public and whose judgments cannot be challenged in civilian courts.
5. Investigations into unlawful killings routinely lack the independence, impartiality and effectiveness necessary to establish the truth and to provide accountability and redress. The rights of victims and their families are rarely respected, including the right to access information concerning the violations and accountability processes, and the right to remedies and reparations.

(a) Myanmar National Human Rights Commission

6. Despite Myanmar's expressed commitment to establish a national human rights institution in line with the Paris Principles during the second UPR cycle,³ the Myanmar National Human Rights Commission (MNHRC) has not attained "A" accreditation from the Global Alliance of National Human Rights Institutions.⁴ The MNHRC continues to suffer from a lack of independence and effectiveness in performing its mandate to promote and protect the human rights of all persons in Myanmar.
7. There is a lack of equitable representation among past and present commissioners in terms of religion, ethnicity, gender and age. Most commissioners are male, over 60 years of age, and come from military backgrounds. The present membership of the commission also does not feature civil society representation. Further, the appointment process is often conducted with little to no transparency and public participation.⁵

8. Structural impediments also exist that undermine the independence and effectiveness of the MNHRC. Its establishment under ordinary legislation, rather than constitutional provision, renders the institution vulnerable to abolition or restructuring by the government of the day through the ordinary legislative amendment procedure. Although the establishment of a national human rights institution through ordinary legislation is not of itself indicative of a lack of independence, there are strong imperatives to accord constitutional protection to a national human rights institution in a country transitioning from decades of authoritarian rule, where human rights norms have yet to take root.⁶ There is also no provision in the 2014 enabling law guaranteeing funding in an amount sufficient to enable the MNHRC to effectively carry out its mandate.⁷
9. The MNHRC has the primary mandate to investigate alleged human rights violations and abuses whether upon complaint or on its own initiative. Despite this authority, it has not proactively investigated allegations of serious human rights violations since its establishment, with a few exceptions, such as the killing of journalist Ko Par Gyi while in military custody. In any event, the MNHRC's investigation of Ko Par Gyi's death was also mired in irregularities.⁸
10. The MNHRC has not initiated any substantive or credible investigation into allegations disclosing credible evidence of widespread and systematic human rights violations perpetrated in recent years by soldiers largely against persons from ethnic minorities, despite such allegations being recorded in detail, including in the reports of the UN Independent International Fact-Finding Mission on Myanmar and the UN Special Rapporteur on the situation of human rights in Myanmar.⁹ It has remained relatively silent on widely reported killings, rape, torture and mass displacement of hundreds of thousands of Rohingya in 2016-2017 as well as reported killings, displacement and arrests of individuals from Rakhine, Chin, Kachin, Shan and other ethnic minorities.
11. Under the 2014 enabling law, the MNHRC's express objectives are to "safeguard the fundamental rights of Myanmar citizens" and to protect human rights contained in international human rights treaties and the Universal Declaration of Human Rights. Importantly, international human rights law, including human rights treaties to which Myanmar is a party, such as the International Covenant on Economic, Social and Cultural Rights, the Convention on the Rights of the Child and the Convention on the Prevention and Punishment of the Crime of Genocide, protect all persons regardless of citizenship.
12. Despite the above, the MNHRC has not made demonstrable efforts to protect the rights of other ethnic minorities.¹⁰ The filing of a complaint with the MNHRC requires the presentation of a national registration card,¹¹ notwithstanding the fact that the very notion of citizenship in the country – and accordingly, who is granted national registration cards – raises serious human rights concerns.¹²
13. The MNHRC has interpreted its mandate narrowly, such that it defers to findings made by other national authorities, for example, the military, and it considers any case currently pending or decided by a court, particularly military courts, as outside its investigative jurisdiction.¹³ For example, in the MNHRC's investigation of the killing of journalist Ko Par Gyi while in military custody, deeming that it was not part of its mandate as a national human rights institution, the MNHRC deferred to the court martial proceedings and confined its findings to institutional weaknesses, rather than making a determination that human rights violations were likely committed by members of the military.¹⁴
14. The MNHRC is also constrained by its limited powers in the exercise of its investigative mandate. Its power to compel the disclosure of documents exclude "classified documents" and information affecting the national security and defence

of the State.¹⁵ As these exceptions are broadly defined in practice and not subject to review by civilian courts, the MNHRC is effectively precluded from looking into a wide range of human rights violations taking place in areas of the country affected by armed conflict, such as the human rights situation in Rakhine state.

(b) Role of Courts

15. Upholding the rule of law, judicial independence and separation of powers has been a key objective of Myanmar since the second UPR cycle.¹⁶ However, the judiciary in Myanmar still lacks independence and judges are not accustomed to holding the Government accountable. The executive branch, particularly the military and the police, continue to wield undue influence on the judiciary. This is a major obstacle to the rule of law, and to accountability for crimes, including gross human rights violations.¹⁷
16. Instead of strengthening the judiciary, court martial proceedings adjudicate cases concerning military personnel, and almost exclusively deal with any prosecutions related to human rights violations involving the military. Court martial hearings are not open to the public, and there is a lack of transparency regarding such judicial proceedings and their outcomes. In exceedingly rare instances, members of the public were permitted to attend some military court proceedings.¹⁸ Most such proceedings, however, are shrouded in secrecy. Certain provisions under the 2008 Myanmar Constitution,¹⁹ as well as national laws such as the 1959 Defence Services Act and 1995 Myanmar Police Force Maintenance of Discipline Law shield security forces from public criminal prosecutions in civilian courts, and deny victims and their families of the right to truth about human rights violations.
17. With respect to other cases that come before civilian courts, judges often render decisions based on orders coming from government officials.²⁰ The bulk of Supreme Court justices formerly served in the military, and some judges may feel allegiance to the military and/or police and fail to act impartially and independently.
18. Victims of gross human rights violations, as with other victims of crime, can decide whether to join criminal proceedings and claim compensation before the criminal courts or to pursue a separate civil claim against the alleged perpetrator in the civil courts. Yet in practice, prosecutors rarely if ever accept petitions from victims of gross human rights violations to initiate criminal proceedings. Courts rarely if ever allow a civil claimant to bring such as case before a judge.

(c) Commissions of Inquiry

19. Rather than leave the investigation and prosecution of human rights violations to permanent civilian institutions such as the MNHRC and the judiciary, the State tends to set up *ad hoc* commissions of inquiry when particular incidents generate international scrutiny. Incidents relating to the armed conflict in Rakhine state have often been allocated to such bodies. ²¹
20. In December 2016, the Government established an Investigation Committee whose tasks include establishing facts and identifying violations of law related to armed attacks on government security forces in Rakhine state in October 2016, and into allegations of human rights abuses and violations by security forces during subsequent 'clearance operations'.²² Its interim report released in January 2017 dismissed allegations of sexual violence, including rape by security forces, made by Rohingya women.²³ Such allegations were subsequently found to be credible by investigators from the UN Office of the High Commissioner for Human Rights (OHCHR) who interviewed 220 people who had recently crossed from

Myanmar into Bangladesh.²⁴ When a delegation of Committee members visited a refugee camp in Bangladesh, the Commission reportedly dismissed refugees' accounts of recent atrocities in Rakhine state.²⁵ A final report, many times delayed, was published on 6 August 2017. The report was generally dismissive of previous reporting by the OHCHR, and the recommendations failed to include measures to effectively prosecute crimes.²⁶

21. In May 2018, the Government formed the Independent Commission of Enquiry (ICOE) to investigate the allegations of human rights violations and related issues following the second wave of violence in Rakhine state in August 2017. However, the independence and impartiality of its members have been called into question.²⁷ The ICOE released an executive summary of its final report in January 2020, which made certain selective admissions, including that war crimes and serious human rights violations may have been committed during the 2017 "clearance operations" in Rakhine state.²⁸ It also explicitly rejected any genocidal intent in these incidents.²⁹ The final report, which was not made publicly available, was transmitted to the Attorney General and the Commander-in-Chief of the Defence Services, suggesting that military courts would have jurisdiction over at least some of the cases.³⁰
22. These bodies have limited fact-finding, recommendatory mandates and little to no authority or capacity to direct the implementation of their recommendations; their investigators are given limited powers. In many instances, key members of the investigation team have been neither independent nor impartial. These commissions also serve to undermine public trust in permanent civilian institutions, such as the MNHRC and the judiciary, and do not strengthen the effectiveness of these institutions to address gross human rights violations and provide effective redress to victims.
23. These ad hoc inquiries also have an unclear relationship with the judiciary. The findings of these inquiries have not led to prosecutions in courts, although some cases relating to the ICOE report may be prosecuted in civilian courts.³¹ In most instances, military courts continue the investigation of cases transmitted to it by such ad hoc commissions.
24. Following the ICOE report, the military, pursuant to a court martial proceeding, found a senior army official, an army officer and a soldier to have not followed the rules of engagement in the killing of 19 Rohingya in Gutar Pyin village in August 2017. Nothing else was disclosed beyond this information, including any crime found to have been committed as well as the punishment meted to the soldiers. To justify the lack of transparency, the military invoked "security" and "esprit de corps" as reasons.³² Such lack of domestic prosecution by civilian courts weakens rather than enhances the ability and willingness of Myanmar's institutions to achieve genuine accountability and justice for victims.

(d) State cooperation with United Nations and other mechanisms

25. In contrast to the second UPR cycle, wherein Myanmar reported its cooperation with United Nations mechanisms,³³ and following the second wave of violence in Rakhine state in August 2017, Myanmar has denied access to the UN Special Rapporteur on the situation of human rights in Myanmar since December 2017 and failed to cooperate with her throughout the rest of her tenure.³⁴
26. Myanmar has also refused to cooperate with other UN mandates and international accountability mechanisms such as the Fact-Finding Mission on Myanmar, the Independent Investigative Mechanism on Myanmar and the International Criminal Court.³⁵

International Human Rights Instruments

27. Although Myanmar is now a party to the International Covenant on Economic, Social and Cultural Rights and the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, it has yet to become a party to other core human rights treaties that it expressly committed to becoming a party to, such as the International Covenant on Civil and Political Rights.³⁶ It is also not a party to other treaties such as the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Convention for the Protection of All Persons from Enforced Disappearance, and the International Convention on the Elimination of All Forms of Racial Discrimination.

Recommendations

In light of the above-mentioned concerns, the ICJ calls upon the Working Group on the UPR as well as the HRC to make the following recommendations to the Myanmar authorities:

On the MNHRC

- (i) Investigate proactively all allegations of serious violations including crimes under international law;
- (ii) Amend the 2014 MNHRC Law to strengthen the authority of the MNHRC, including its powers to compel the disclosure of documents, and to secure its financial independence, as well as guarantee protection to “all persons” in Myanmar, not just to citizens;
- (iii) Remove the requirement to present national registration cards before a complaint can be accepted by the MNHRC and similar requirements with discriminatory impact;
- (iv) Reform procedures and practices to respect the right of victims and their family members to participate in and be informed of the progress of an investigation, and provide necessary protection from harassment or other ill treatment.

On the role of the courts

- (v) Repeal or amend the 1959 Defence Services Act to bring it in line with international human rights law and standards, including to ensure that serious human rights violations perpetrated by soldiers may only be prosecuted in civilian courts;
- (vi) Ensure that trials are independent and conducted by impartial courts applying international fair trial standards.

On commissions of inquiry

- (i) Publish the full report of the findings of these commissions of inquiry, including the methodology used for the reports.

On State cooperation with United Nations and other mechanisms

- (i) Issue an open invitation to and cooperate with the Special Rapporteur on the situation of human rights in Myanmar, the Office of the High Commissioner for Human Rights as well as the UN Independent Investigative Mechanism on Myanmar;

- (ii) Cooperate with the International Criminal Court.

On international human rights law

- (i) Become a party to the International Covenant on Civil and Political Rights, the Convention Against Torture and other core human rights treaties to which Myanmar is not yet a party.

ENDNOTES

¹ The term “defence services” is based on Section 337 of the 2008 Constitution, which provides that the “main armed force for the Defence of the Union is the Defence Services.” However, the Myanmar Police Force effectively comes under the authority of the Defence Services as one of four departments of the Ministry of Home Affairs, whose minister is nominated by the Commander-in-Chief of the Defence Services who is the “Supreme Commander of all armed forces” under Section 20(c) of the 2008 Constitution. See also Section 1(g), Schedule One of the 2008 Constitution, Sections 17(b), 232(b)(ii), 234(b), 235(c)(ii), 2008 Constitution of the Republic of the Union of Myanmar; International Commission of Jurists, “Achieving Justice for Gross Human Rights Violations: A Baseline Study,” January 2018, p. 16-18. See also Kim Joliffe, “Democratising Myanmar’s security sector: Enduring legacies and a long road ahead,” Saferworld, November 2019.

² The court martial proceedings involving three army personnel implicated in the mass killing of Rohingya in Gutar Pyin Village in Rakhine state is emblematic of the closed nature of court martial proceedings. The military announced that the three army personnel were tried “for not following the rules of engagement” without however disclosing the violations allegedly committed under Myanmar law, the factual and legal bases for the conclusion, as well as any sanction meted out. It is also not clear whether prosecution in civilian courts would follow. The military justified its refusal to disclose such information on the basis of national security and “esprit de corps”. See Kyaw Phyoo Tha, “Myanmar Military Faulted for Information Blackout on Massacre Prosecutions,” *The Irrawaddy*, 2 July 2020.

³ Human Rights Council, “National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21: Myanmar,” 5 August 2015, A/HRC/WG.6/23/MMR/1, para. 25, 138.

⁴ In 2015, the MNHRC was first accredited by the then-International Coordinating Committee of National Human Rights Institutions (since renamed to the Global Alliance of National Human Rights Institutions (GANHRI)). The GANHRI is a formal association constituting most national human rights institutions from around the world and which has for its mandate the accreditation of national human rights institutions in line with the Principles Relating to the Status of National Institutions (Paris Principles), adopted by the UN General Assembly in 1993. It undertakes many of its promotional activities in collaboration with UN institutions. The GANHRI reviews the accreditation of national human rights institutions every five years, classifying them as one of three grades of accreditation: “A” for those fully compliant with the Paris Principles; “B” for partial compliance; and “C” for noncompliance. Pursuant to the review by the GANHRI, the MNHRC was found to be only “partially compliant” with the Paris Principles, and therefore was given a “B”, rather than an “A” status, which remains current. In its assessment, GANHRI highlighted seven areas that must be addressed for the MNHRC to be fully compliant with the Paris Principles, including: reforms to the selection and appointment process of commissioners; the need for commissioners to take a broad and active interpretation of their mandate, particularly in situations of internal unrest or armed conflict; the need for greater diversity and pluralism in its composition; and the need for ensured adequate funding and financial independence from the government. See UN General Assembly, National institutions for the promotion and protection of human rights, UN Doc. A/Res/48/134 (1993); Report and Recommendations of the Session of the Sub-Committee on Accreditation, International Coordinating Committee of National Human Rights Institutions, (2015). GANHRI, “Chart of the Status of National Institutions accredited by the Global Alliance of National Human Rights Institutions: Accreditation status as of May 2019,” p. 9.

⁵ See Human Rights Council, Report of the Special Rapporteur on the situation of human rights in Myanmar,” 4 March 2020, A/HRC/43/59; International Commission of Jurists, “Four Immediately Implementable Reforms to Enhance Myanmar’s National Human Rights Commission,” 12 November 2019.

⁶ In Southeast Asia, the national human rights institutions of Indonesia, Malaysia, Myanmar and Thailand were established by ordinary legislation. In contrast, the national human rights institutions of East Timor and the Philippines were established under their respective Constitutions. Significantly, the constitutional creation of the national human rights institution in East Timor and the Philippines was influenced by the political transition that both countries were emerging from at the time of the national human rights institution’s creation, as a measure to ensure structural independence and as

a symbol of the government's commitment to uphold human rights. See International Commission of Jurists, "Four Immediately Implementable Reforms to Enhance Myanmar's National Human Rights Commission," 12 November 2019.

⁷ International Commission of Jurists, "Four Immediately Implementable Reforms to Enhance Myanmar's National Human Rights Commission," 12 November 2019.

⁸ International Commission of Jurists, "An Unlawful Killing: How Ko Par Gyi's Death Highlights Barriers to Justice in Myanmar," April 2020, p. 25; International Commission of Jurists, "Myanmar: Five years without justice for journalist Ko Par Gyi's death highlights need to reform 1959 law that facilitates military impunity," 4 October 2019.

⁹ The MNHRC has only examined crimes allegedly committed by the Arakan Rohingya Salvation Army, without a corresponding investigation into possible crimes committed by members of Myanmar's Defence Services despite credible reports on the matter. See Myanmar National Human Rights Commission, "Statement by the Myanmar National Human Rights Commission No. (1/2018)," 9 January 2018, <http://www.mnhrc.org.mm/en/6336-2118/>; Myanmar National Human Rights Commission, "Statement by the Myanmar National Human Rights Commission with regard to the terrorist attacks that occurred in Maung Daw and Buthidaung townships of Rakhine State," Statement No. (11/2017), 3 October 2017, <http://www.mnhrc.org.mm/en/statement-by-the-myanmar-national-human-rights-commission-with-regard-to-the-terrorist-attacks-that-occurred-in-maung-daw-and-buthidaung-townships-of-rakhine-state-statement-no-112017/>; Soe Min Htaik and Aung Min Thein, "No evidence that military violated human rights of Bengalis: MNHRC," Eleven Myanmar, 16 November 2019; See also, Human Rights Council, "Report of the detailed findings of the Independent International Fact-Finding Mission on Myanmar," 17 September 2018, A/HRC/39/CRP.2; Human Rights Council, "Sexual and gender-based violence in Myanmar and the gendered impact of its ethnic conflicts," 22 August 2019, A/HRC/42/CRP.4; Human Rights Council, "The economic interests of the Myanmar military," 5 August 2019, A/HRC/42/CRP.3; Human Rights Council, Report of the Special Rapporteur on the situation of human rights in Myanmar," 4 March 2020, A/HRC/43/59; Human Rights Council, Report of the Special Rapporteur on the situation of human rights in Myanmar," 5 March 2019, A/HRC/40/68.

¹⁰ The MNHRC has remained silent despite the year-long internet shutdown in Rakhine and Chin states, the Order from the Ministry of Transport and Communications to restrict access to specific websites including ethnic news media outlets, and reports of the Myanmar military destroying COVID-19 relief efforts initiated by ethnic armed organizations, including burning down COVID-19 screening posts, launching an attack on a COVID-19 awareness activity and refusing to hold a ceasefire in Rakhine and Chin states, the latter event forcing the mass displacement of ethnic minorities. See International Commission of Jurists, "Myanmar: ICJ sets out legal deficiencies of in Ministry of Transport and Communications Order to block access to specific websites," 3 July 2020; International Commission of Jurists, "Year-long Internet shutdown must be brought to an end," 20 June 2020; International Commission of Jurists, "COVID-19 and Human Rights: Upholding the Right to Health in Myanmar's Conflict Areas," 30 April 2020; Joint Statement, "Myanmar: Myanmar National Human Rights Commission Must Ensure Human Rights are Protected amid COVID-19 Pandemic," 27 May 2020.

¹¹ Myanmar National Human Rights Commission, "The Statement of the Myanmar National Human Rights Commission on the status of its handling of complaints," 30 March 2020. <http://www.mnhrc.org.mm/en/s22020eng/>

¹² International Commission of Jurists, "Citizenship Law and Human Rights in Myanmar: Why Law Reform is Urgent and Possible: A Legal Briefing," June 2019; See International Commission of Jurists, "Myanmar: ICJ convenes workshop on reforming 1982 Citizenship Law," 3 September 2018; International Commission of Jurists, "Myanmar: ICJ convenes panel discussion on citizenship and human rights in Myanmar," 24 June 2019.

¹³ Section 37, Myanmar National Human Rights Commission Law (2014).

¹⁴ International Commission of Jurists, "An Unlawful Killing: How Ko Par Gyi's Death Highlights Barriers to Justice in Myanmar," April 2020, p. 25; International Commission of Jurists, "Myanmar: Five years without justice for journalist Ko Par Gyi's death highlights need to reform 1959 law that facilitates military impunity," 4 October 2019.

¹⁵ Section 36, Myanmar National Human Rights Commission Law (2014).

¹⁶ Human Rights Council, "National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21: Myanmar," 5 August 2015, A/HRC/WG.6/23/MMR/1, para. 31-33, 112.

¹⁷ International Commission of Jurists, "Achieving Justice for Gross Human Rights Violations: A Baseline Study," January 2018.

¹⁸ In 2016 it was reported that families of civilians killed in Shan state were permitted to view a court martial for soldiers prosecuted in relation to the killings: see Ko Kan Thar, "Myanmar Soldiers Admit to Killing Villagers During Court Martial in Shan State," Radio Free Asia, 11 August 2016.

¹⁹ Articles 20(b) and (c), 338, 339, 2008 Constitution of the Republic of the Union of Myanmar.

- 20 International Commission of Jurists, "Handbook on Habeas Corpus in Myanmar," 2016, p. 20.
- 21 See International Commission of Jurists, "Myanmar: Questions and Answers on Human Rights Law in Rakhine State: A Briefing Note," November 2017.
- 22 Republic of the Union of Myanmar, President Office Notification No. 89/2016, 1 December 2016.
- 23 Wai Mar Tun, "Myanmar Investigation Commission Says it Cannot Verify UN Report on Rakhine Violence", Radio Free Asia, 14 February 2017.
- 24 Office of the High Commissioner for Human Rights, "Report of OHCHR mission to Bangladesh: Interviews with Rohingya fleeing from Myanmar since 9 October 2016," 3 February 2017.
- 25 Abdul Aziz, "Rohingya refugees claim Myanmar delegation dismissed tales of violence," Dhaka Tribune, 20 March 2017.
- 26 Republic of the Union of Myanmar, "Summary Report of the Investigation Commission for Maungdaw in Rakhine State," 6 August 2018.
- 27 The Chairperson of the ICOE did not initially appear to view accountability as part of its mandate, suggested by comments at the 16 August 2018 press conference that "there will be no blaming of anybody, no finger-pointing of anybody... saying you're accountable." At the same event, a question about how alleged human rights violations by the military would be investigated was met with two minutes of silence, followed by a muddled answer from the Chairperson that failed to address the question. See ICOE Press conference, Nay Pyi Taw, 16 August 2018. <http://www.informationcommittee.gov.mm/en/independent-commission-enquiry-holds-press-conference>. In April 2018, another ICOE member Dr. Aung Tun Thet, formerly a member of the Investigation Committee on Maungdaw, stated that, "whatever has happened in Rakhine State is not systematic, and that Myanmar is now working for their repatriation clearly demonstrates that there was no intention of ethnic cleansing." Rezaul Karim and Porimol Palma, "'Not my concern': in an interview with Star, top Myanmar official downplays ethnic cleansing allegation, but admits Rohingya torture," The Daily Star, 20 April 2018.
- 28 Independent Commission of Enquiry, Executive Summary <https://www.president-office.gov.mm/en/?q=briefing-room/news/2020/01/21/id-9838>.
- 29 Independent Commission of Enquiry, Executive Summary <https://www.president-office.gov.mm/en/?q=briefing-room/news/2020/01/21/id-9838>; Independent Commission of Enquiry, Press Release, 20 January 2020. <https://www.icoe-myanmar.org/icoe-pr-final-report>.
- 30 "Investigation team into alleged crimes in Rakhine hold first meeting," 15 February 2020. <https://www.globalnewlightofmyanmar.com/investigation-team-into-alleged-crimes-in-rakhine-hold-first-meeting/>.
- 31 "Investigation team into alleged crimes in Rakhine hold first meeting," 15 February 2020. <https://www.globalnewlightofmyanmar.com/investigation-team-into-alleged-crimes-in-rakhine-hold-first-meeting/>.
- 32 Kyaw Phyoo Tha, "Myanmar Military Faulted for Information Blackout on Massacre Prosecutions," The Irrawaddy, 2 July 2020; The Irrawaddy, "Myanmar Military to Probe Two Alleged Massacres by Troops in Rakhine," 21 February 2020.
- 33 Human Rights Council, "National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21: Myanmar," 5 August 2015, A/HRC/WG.6/23/MMR/1, para. 97-99.
- 34 Human Rights Council, Report of the Special Rapporteur on the situation of human rights in Myanmar," 4 March 2020, A/HRC/43/59, Annex 1. <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=22553>
- 35 Republic of the Union of Myanmar President's Office, "Gov't. rejects UN Rakhine investigation." <https://www.president-office.gov.mm/en/?q=issues/rakhine-state-affairs/id-7428>; Ministry of Foreign Affairs, Press Statement, 6 August 2019. <https://www.globalnewlightofmyanmar.com/myanmar-foreign-ministry-issues-press-statement-on-ffms-report/>; Government of the Republic of the Union of Myanmar Ministry of the Office of the State Counsellor, Press Release, 9 August 2018. <https://www.president-office.gov.mm/en/?q=briefing-room/statements-and-releases/2018/08/09/id-8937>
- 36 Human Rights Council, "National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21: Myanmar," 5 August 2015, A/HRC/WG.6/23/MMR/1, para. 24; See https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?CountryID=119&Lang=EN