Organization: Lawyers' Rights Watch Canada
Item 2: Interactive dialogue on the report of the Independent Investigative Mechanism for Myanmar (A/HRC/54/19)
Date: 11 September 2023
Speaker: Renée Mulligan

Oral Statement to the 54th Session of the UN Human Rights Council from Lawyers' Rights Watch Canada (LRWC), International Bar Association's Human Rights Institute (IBAHRI), Lawyers for Lawyers (L4L), and The Law Society of England and Wales (LSEW), NGOs in special consultative status

Myanmar: Junta's destruction of the rule of law impedes the Independent Investigative Mechanism for Myanmar

Mr. President,

Lawyers' Rights Watch Canada, the International Bar Association's Human Rights Institute, Lawyers for Lawyers, and The Law Society of England and Wales, thank the Investigative Mechanism for its crucial work,[1] including engagement with civil society who face escalating danger of persecution amid the junta's brazen and indiscriminate attacks on civilians.

Those reporting violations risk reprisals, including judicial harassment and arbitrary detention with denial of legal representation and other fair trial rights. Lawyers, whose training equips them to gather evidence of violations, face restrictions,[2] intimidation, surveillance, threats, fabricated charges, and arbitrary detention.[3] Lawyers are denied

[1] Report of the Independent Investigative Mechanism for Myanmar, A/HRC/54/19, 30 June 2023, https://undocs.org/en/A/HRC/54/19
[2] See, e.g., Centre for Law and Democracy Report, Analysis of the Organisation Registration Law, August 2023, https://www.law-democracy.org/live/wp-content/uploads/2023/08/Myanmar.NGO-Law-Analysis.final_.Aug23.pdf.
[3] Human Rights Watch, "Our Numbers Are Dwindling": Myanmar's Post-Coup Crackdown on Lawyers, 8 June 2023, https://www.hrw.org/report/2023/06/08/our-numbers-are-dwindling/myanmars-post-coup-crackdown-lawyers.

access to Myanmar's numerous forcibly disappeared clients.[4] At least 38 lawyers[5] are themselves arbitrarily detained, including dismaying reports of severe torture.

We urge the Council to ensure adequate resources for the Investigative Mechanism to fulfil its mandate. We urge all Council members, observer States, UN bodies, ASEAN members, and corporations to:

- halt any statements or actions that legitimize the junta;
- ensure protection of those fleeing violations in Myanmar; and
- promote a strong Security Council resolution for an arms embargo, sanctions, and referral to the International Criminal Court.

Thank you.

[4] Aung San Suu Kyi's appeal dismissed by junta's high court: The democracy icon's whereabouts is a mystery, RFA, 31 August 2023, https://www.rfa.org/english/news/myanmar/suu-kyi-appeal-08312023163530.html; LRWC, The global problem of enforced disappearances: "Outside all protection of the law," Written statement to the UN Human Rights Council, submitted August 2023 to the 54th session, Annex, available at: https://www.lrwc.org/enforced-disappearances-outside-all-protection-of-the-law-hrc54/

[5] Assistance Association for Political Prisoners (AAPP), Daily Briefing, https://aappb.org/?cat=109.