



Republic of the Union of Myanmar

National Unity Government

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UNITED NATIONS HUMAN RIGHTS COUNCIL

50th session

**Panel discussion on the root causes of human rights violations and abuses against
Rohingya Muslims and other minorities in Myanmar**

The Republic of the Union of Myanmar welcomes the panel discussion on the root causes of human rights violations and abuses against Rohingya Muslims and other minorities in Myanmar, and extends its appreciation to the UN High Commissioner for Human Rights and to the distinguished panellists.

Over 2016 and 2017 in Rakhine State, thousands of Rohingya were killed and disappeared in military operations. Rape and sexual violence, including mass gang rape, were used as part of a deliberate strategy to intimidate, terrorise or punish the Rohingya as a tactic of war. Hundreds of villages were razed.

Years later, over a million Rohingya remain displaced not only from their villages and homes, but from the country to which they belong.

Nor were these crimes limited to the Rohingya or Rakhine State. As the UN Fact-Finding Mission on Myanmar found, military atrocities were also directed against ethnic groups in Kachin and Shan States.

Today's distinguished panellists identified dehumanisation, exclusion, hate speech, the denial of identity and citizenship, socially-engineered discrimination, and historic impunity as root causes of these atrocity crimes.

The Republic of the Union of Myanmar, as represented by the National Unity Government, acknowledges with great shame that historic exclusionary and discriminatory policies, practices and rhetoric against the Rohingya and other ethnic groups laid the ground for such atrocities.

The historic impunity enjoyed by the Myanmar military has since enabled its leadership to commit countrywide atrocities at the helm of an illegal military junta. The targeted few have become the many.

Myanmar's new Federal Democracy Charter envisages a nation founded on peace, justice, equality, human rights, and the protection of minorities. In the words of the High Commissioner, "[i]f there is one ray of hope, it is the transformative discussions about the future of Myanmar that have begun within and between various ethnic, religious and social divides." But without action, the Charter's

words are empty. Acting on the commitments made in its *Policy Position on the Rohingya in Rakhine State*, Myanmar will:

- submit a motion to its legislature – the Committee Representing Pyidaungsu Hluttaw – seeking the repeal of the *Race and Religion Protection Laws* of 2015
- prioritise the amendment or replacement of the *Citizenship Law of 1982* with a law that bases citizenship on birth in Myanmar or birth anywhere as a child of Myanmar citizens
- ensure that all new national laws and policies are developed in consultation with the Rohingya and other minority communities and their representatives
- advocate for the formal acceptance of Myanmar's Article 12(3) Declaration under the *Rome Statute*, granting the International Criminal Court jurisdiction with respect to international crimes committed in the country since 1 July 2002
- cooperate with the International Court of Justice in *The Gambia v. Myanmar* case under the *Genocide Convention*, and accept and fully comply with whatever the Court decides
- continue to share evidence and materials with the Independent Investigative Mechanism for Myanmar
- support states that exercise universal jurisdiction to prosecute individuals for atrocity crimes committed in Myanmar.

Myanmar will also partner with ethnic organisations, affected communities and their representatives, neighbouring states and UN entities to create conditions conducive for the voluntary return in safety and dignity of Rohingya and all other Myanmar communities driven from their homes and villages by multiple waves of violence.

The sustainability of these actions, however, remains contingent on democracy being cemented, on violence being stopped, and on impunity being ended.

Myanmar therefore welcomes the High Commissioner's call for "dialogue and engagement with the National Unity Government and ethnic organisations" and repeats its earlier request for the Human Rights Council and UN member states to bring creativity to their efforts to secure accountability, to prevent the flow of arms to the junta, to starve junta-controlled financial holdings and business interests, to formally list the junta as a terrorist organisation, and to strengthen OHCHR's mandate and resources.

National Unity Government