

HRC - 29th Special session on the human rights implications of the crisis in Myanmar - EU Statement

Statements on behalf of the EU

Geneva, 12/02/2021 - 10:52,

Madame President,

I have the honour to speak on behalf of the European Union.

The Candidate Countries Turkey, the Republic of North Macedonia*, Montenegro* and Albania*, and the EFTA country Liechtenstein, member of the European Economic Area, as well as Georgia align themselves with this statement.

We welcome that the Human Rights Council addresses the grave political events that are taking place in Myanmar, which threaten to reverse ten years of democratic transition. We are deeply concerned about the human rights implications. To remain silent about violations of fundamental human rights, such as freedom of opinion and expression, religion or belief, and association and assembly, is not an option. Therefore, we decided to request the President of the Human Rights Council to convene this Special Session jointly with the United Kingdom. Not least, this session is a crucial opportunity for the Council to contribute to the prevention of further human rights violations.

The European Union condemns in the strongest terms the military coup carried out in Myanmar and all violations and abuses of human rights and fundamental freedoms. This unacceptable and illegitimate seizure of power abruptly turned back the clock of history in Myanmar. The path towards democracy, which had started in 2011, and the will of the people as expressed in the November elections, have been reversed and disrespected, once again, by the military power who has also resorted to violence against members of the public. The will of the people must be restored. We are deeply concerned by the arbitrary arrests and by restrictions on freedom of opinion and expression, the right to peaceful assembly and freedom of the media. Human rights must be respected. Violence shall be prevented.

The coup is an unacceptable attempt to forcibly overturn the will of the people of Myanmar. Through their high turnout, the people of Myanmar expressed their strong belief in the democratic process in the general election on 8 November 2020. The election marked an important milestone in the country's democratic transition. Any allegation of voting irregularities has to be settled within the proper legal and administrative channels. Overturning the choice of the people of Myanmar by force is illegal, against the principles of democracy and takes the country backwards.

The European Union welcomes the Press Statement by the UN Security Council and fully supports the engagement of UN Special Envoy Schraner Burgener. It also welcomes the statement by the ASEAN Chairman and encourages regional engagement in this crisis.

The EU has been a steadfast supporter of Myanmar's civilian and democratic transition, its peace process and national reconciliation, and its inclusive socio-economic development. We call upon the military regime to:

- 1) immediately and without any conditions, release the President of the Republic, the State Counsellor and all those who have been arrested and detained, including journalists, media workers and human rights defenders
- 2) exercise maximum restraint, ensure unimpeded telecommunications, and respect human rights and fundamental freedoms, including freedom of expression online and offline, freedom of assembly and association, including the freedom to demonstrate peacefully and the freedom of the press and the rule of law,
- 3) immediately end the state of emergency,
- 4) restore the legitimate civilian government,

- 5) open the newly-elected Parliaments, with the participation of all elected representatives, and
- 6) proceed with the subsequent elections of the President and Vice-Presidents, the appointments of the new government.
- 7) end the use of excessive force and guarantee the safety of all peaceful protesters.
- 8) ensure the right to freedom of association, peaceful assembly and refrain from the use of excessive force in line with international law.
- 9) ensure unfettered humanitarian access to all conflict-affected areas and vulnerable communities

We stand ready to support dialogue with all key stakeholders who wish to resolve the situation in good faith.

The EU is following the developments closely, including the continuing impunity. Accountability for past and ongoing serious human rights violations in Myanmar must be ensured. The EU calls on Myanmar to fully implement the provisional measures following the International Court of Justice's order in the case lodged by The Gambia against Myanmar on the application of the Genocide Convention as is compulsory under international law. The EU also takes note of the International Criminal Court authorization of the Prosecutor to investigate alleged crimes within the Court's jurisdiction.

The EU would like to recall the role and ongoing mandate of the Independent Investigative Mechanism for Myanmar (IIMM) in ensuring justice and accountability and calls upon all States and entities, including private corporations, to offer their full cooperation.

The EU also calls on Myanmar to fully cooperate with and provide unfettered access to human rights mandate holders including the Special Rapporteur on Myanmar, the Independent Investigative Mechanism on Myanmar and the Office of the High Commissioner for Human Rights and ensure humanitarian access to all parts of the country.

Thank you.

* The Republic of North Macedonia, Montenegro and Albania continue to be part of the Stabilisation and Association Process.