

Accountability for atrocities in Myanmar 'cannot be expected' within its borders – UN investigator

Continued denial of the facts and evidence of gross human rights violations by Myanmar is a clear indication of the country's "lack of interest" in establishing a fully functioning democracy based on individual rights and freedoms, two United Nations independent experts have underscored.

"Myanmar stands at a crossroads," said Marzuki Darusman, the Chair of the Independent International Fact-Finding Mission on the country, told journalists at the UN Headquarters, in New York, on Wednesday.

It can choose to acknowledge the serious human rights violations and honour the call for accountability, or it can continue on its present path of self-destruction, he added.

In September, the Fact-Finding Mission issued a hard-hitting report concluding that the widespread and systematic violence against Myanmar's minority Muslim Rohingya community by the *Tatmadaw* (Myanmar's armed forces) and other security forces amounted to "the gravest crimes under international law."

Even now, atrocities continue to be committed in Myanmar, and the remaining Rohingya community continues to suffer ... it is an ongoing genocide – *Marzuki Darusman*

Mr. Darusman also spoke strongly against a "hardened position" adopted by the Myanmar Government, its "continued denials" and "attempts to shield itself [citing] national sovereignty" as the greatest obstacles to ensuing accountability, rule of law and respect for human rights in the country.

That response by the Government "only strengthens the case" that the international community needs to act as "accountability cannot be expected from national processes", he continued.

In its report, the Fact-Finding Mission also called on the UN Security Council to refer Myanmar to the International Criminal Court (ICC), or to an ad hoc tribunal for investigations and prosecutions for the crimes.



UNHCR/Andrew McConnell

Rohingya refugees cross the Naf River (at the border of Bangladesh and Myanmar) to reach refugee camps in Bangladesh after fleeing their homes in Myanmar.

Time to impose targeted, individual sanctions against top officials

Mr. Darusman reiterated the call inside the 15-member Council on Wednesday afternoon: “Unless impunity is addressed, violence and its associated atrocity crimes will continue to occur,” he said.

The head of the Fact-Finding Mission also called on Council members to impose “targeted, individual sanctions” against those most responsible for serious crimes under international law, noting that the report identified six of *Tatmadaw*’s most senior Generals, with command responsibility for the “clearance operations” in Rakhine state, starting with its Commander-in-Chief.

“They must cease to benefit from all international support, both intuitively and personally. This includes an arms embargo on Myanmar and a prohibition of all transactions with *Tatmadaw*-affiliated enterprises,” he urged.

Discussion over the Mission’s report went ahead after an objection on the subject was defeated by a vote of 9 in favour of the discussion, 3 against and 3 abstentions.

Continuing harassment of human rights defenders and journalists

Speaking alongside Mr. Darusman at the press conference, Yanghee Lee, the UN Special Rapporteur on the human rights situation in Myanmar, called on the Security Council “to come together” and refer the country to the

International Criminal Court (ICC) without any delay.

She also said that harassment of lawyers, journalists and human rights defenders continues, and voiced concern over prevailing impunity in the country.

The civilian Government in Myanmar “can do a lot” to address the situation, said Ms. Lee, adding: “but they are either tacitly or explicitly choosing not to do anything.”



UN Photo/Evan Schneider

Special Rapporteur on the human rights situation in Myanmar Yanghee Lee (left) speaks to the press at the UN Headquarters in New York. To her left is Marzuki Darusman, the chair of the Independent International Fact-Finding Mission on the country.

Every relevant UN organ and entity ‘must act’ to end cycles of violence in Myanmar

While in New York, the chair of the Fact-Finding Mission also appealed to the General Assembly to support preparations for prosecution during its current session.

“We welcome the decision of the Human Rights Council to establish an Independent Mechanism to immediately begin preparing for prosecution and we call on the General Assembly to fully support it,” said Mr. Darusman.

“If the cycles of violence are to be stopped and if the United Nations Charter is to have any meaning, every relevant [UN] organ and entity must act.”

The [final report](#) of the Fact-Finding Mission was presented to the General Assembly on Tuesday.

The [Independent International Fact-Finding Mission on Myanmar](#) was established by the Geneva-based Human Rights Council, in March 2017, to look into the alleged human rights violations by military and security forces, and abuses, in Myanmar, in particular in Rakhine State.

UN Special Rapporteurs and independent experts are appointed by the Human Rights Council to examine and report back on a specific human rights theme or a country situation. The positions are honorary, and the experts are not UN staff, nor are they paid for their work.

[Funding boost for sustainable development data agreed at UN conference](#)

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Named the Dubai Declaration, the agreement aims to mobilize domestic and international funds, and activate more effective data partnerships.

Speaking at the Forum, [Liu Zhenmin](#), UN Under-Secretary-General for Economic and Social Affairs, said that he hoped the Declaration will help to shape the way forward to promote more and better funding for data and statistics: “The immediate next steps will be translating those ideas into action and ensuring that we maximize the effectiveness of funding for sustainable development data, as this is crucial to fulfil the data needs of the 2030 Agenda.”



IISD/ENB | Kiara Worth

Liu Zhenmin, Under-Secretary-General of the UN Department of Economic and Social Affairs (DESA), addressing the UN World Data Forum in Dubai, United Arab Emirates. 22 October 2018.

Highlights

Beyond the launch of the Dubai Declaration and discussions around funding for data, several important topics were discussed.

A new [guide](#) to help countries to better integrate data from different sources was announced at the Forum. If countries can use tools that allow these sources can “talk” to each other, they can gain useful insights to allow for better monitoring and policy-making.

A lack of trust in data was identified as a major challenge: 70% of the expert audience at the Forum believe there is a crisis in public trust, with many blaming a lack of data literacy, highlighted as an important area of work for the data community, along with ensuring the relevance, openness and quality of data, to improve lives.

At a session organized by [Data2x](#), a collaboration led by the [UN Foundation](#), the potential impact data-related stories can have was demonstrated by an example from Vietnam, where the results of a survey on domestic violence shocked authorities into enacting new legislation and awareness-raising campaigns which have become a model across Asia.

The World Data Forum hosted over 2,000 data experts from more than 100 countries from 22-24 October, with the participation of governments, national statistical offices, the private sector and academia, international organizations and civil society groups.

The next Forum will take place in the Swiss capital Bern from 18-21 October 2020.

Those who produce food are among world's hungriest – UN rights expert

Agricultural workers have the hardest time accessing food for themselves, and are often excluded from national labour and social protection frameworks, a United Nations independent human rights expert said on Tuesday.

“Agricultural workers, including women, children and migrants and plantation workers, are increasingly faced with low wages, part-time work, informality, and a lack of social and economic protections,” said Hilal Elver, the UN Special Rapporteur on the right to food, as she presented her [annual report](#) to the UN General Assembly’s Third Committee.

Agricultural workers make up approximately one third of the world’s workforce – over a billion people – and often work in industrialized food systems which focus on increasing food production and maximizing profitability, at the expense of workers.

According to the Rapporteur, more than 170,000 agricultural workers are killed doing their jobs every year; the risk of a fatal accident is twice as high in food production than in other sector.

Those working on farms or plantations, face “regular exposure pesticides and to long hours spent in extreme temperatures without adequate access to water,” said Ms. Elver, and migrant workers are particularly vulnerable as they face “more severe economic exploitation and social exclusion than other agricultural workers” and “lack the fundamental protections otherwise extended to citizens”.

The human rights expert noted that “employers are more likely to consider migrant workers as a disposable, low-wage workforce, silenced without rights to bargain collectively for improved wages and working conditions.”

Children are also extremely vulnerable: about 108 million of them face the same dangers through agricultural work due to insufficient risk-prevention and lack of control measures. More than two thirds of the child labour workforce employed in the broader agricultural sector.

The human rights expert urged governments to take action “to ensure that the people who produce our food do not go hungry, and that their fundamental rights are fully respected.”

“Labour rights and human rights are interdependent, indivisible, and mutually inclusive”, she stated, adding that “the full enjoyment of human rights and labour rights for agricultural workers is a necessary precondition for the realization of the right to food.”

States bear the primary duty to respect, protect and fulfill the right to food of agricultural workers under international human rights law and to regulate the national and extraterritorial behaviours of the private sector.

“It is time for States to step up, and take swift and urgent action to hold accountable those who commit human rights violations against agricultural workers and to prevent further violations”, the expert concluded.

[UN Security Council hails ‘courage’ of Afghan voters; calls for perpetrators of violence to be held accountable](#)

Welcoming Saturday’s parliamentary elections in Afghanistan, the United Nations Security Council called for continued engagement with electoral institutions and urged that any complaints over the vote should be channelled through established legal and constitutional mechanisms.

In a press statement on Tuesday, the members of the Security Council “commended the participation and courage” of Afghans for their participation in the vote, including women’s engagement in the elections “both as voters and candidates.”

The members “reiterated their continued support for the Afghan Government and people of Afghanistan in their efforts to develop sustainable democratic institutions” added the statement.

In addition, they reiterated the important role of national electoral institutions, including the Independent Election Commission and the Electoral Complaints Commission, and urged them to “redouble efforts” to ensure the integrity, neutrality and transparency of the electoral process. That should include detection and prevention of fraud and careful monitoring of results.

They also took note of the situation in Kandahar, where the ballot was postponed due to security incidents until this coming weekend, saying it was important that the vote goes ahead.

In the statement, the members also “condemned in the strongest terms” the actions of those who sought to disrupt the elections and emphasized that violence, or threat of violence in any form, was unacceptable.

“Perpetrators of such acts must be held to account and brought to justice,” said the joint statement from Council members.

Half the population of Yemen at risk of famine: UN emergency relief chief

Around 14 million people in Yemen, or half the total population of the country, are facing “pre-famine conditions,” said the UN Under-Secretary-General for Humanitarian Affairs, in a briefing to the Security Council on Tuesday.

[Mark Lowcock](#), who is also Emergency Relief Coordinator, said that the UN assessment, which revises September’s estimate of 11 million at risk, is based on recent survey work and analysis, and categorizes “pre-famine conditions,” as meaning those who are entirely reliant on external aid for survival.

Famines, said Mr. Lowcock, are a rarity in the modern world, and whilst this is a positive sign of progress, it is also what makes the Yemen situation so shocking.

Although it is difficult to confirm how many are dying from starvation, or starvation-related disease, the relief chief said that health workers are pointing to a rising number of deaths linked to food-related factors, with one aid agency estimating at the end of 2017 that 130 children were dying every day from extreme hunger and disease: nearly 50,000 during the course of a year.

However, many deaths are hidden: “Only half of health facilities are functioning, and many Yemenis are too poor to access the ones that are open. Unable to reach care, people often die at home. Very few families report these deaths; their stories go unrecorded.”

Mr. Lowcock said the situation in Yemen is now far more serious than in 2017, when warnings of famine led to a dramatic scaling up of the UN coordinated relief effort, because of the large number of people at risk.

Beyond those at risk of famine, the emergency food assistance on which many millions have been reliant for years is only enough to survive, Mr. Lowcock said, adding that their immune systems were literally collapsing, making them – especially children and the elderly – more likely to succumb to malnutrition, cholera and other diseases.

The Special Envoy reported little progress on two key issues exacerbating the crisis: fighting around the town of Hudaydah, which is choking aid and commercial operations, and the collapse of the economy.

On the first point, intense fighting, shelling and air strikes have continued to hit Hudaydah in recent days, leading to more than half a million having to

leave their homes. Over 5,000 separate violations of international humanitarian law by all parties to the conflict have been recorded since May, including mass civilian casualties.

Humanitarian aid is being severely hampered by delays in issuing visas, restrictions on imports of equipment and cargo and other obstructions, and Mr. Lowcock warned that the relief effort will simply be overwhelmed if the fighting does not cease.

The economic situation is dire, with gross domestic product cut by half since 2015, over 600,000 jobs lost, and more than 80 per cent of the population living below the poverty line. Mr. Lowcock called for an urgent and substantial injection of foreign exchange, and for payments to pensioners and key public sector workers to resume.

Mr Lowcock called for urgent action in five areas: a cessation of hostilities in and around all the infrastructure and facilities on which the aid operation and commercial importers rely, protection of the supply of food and essential goods across the country, a larger and faster injection of foreign exchange into the economy, increased funding and support for the humanitarian operation, and finally for all belligerents to engage fully with the UN to end the conflict.