To: Member States of the United Nations General Assembly

CC: The United Nations Secretary-General

17 October 2023

## Open Letter: The UN General Assembly must take decisive action to hold the military junta accountable for atrocities in Myanmar

Your Excellencies,

We – 440 Myanmar, regional, and international civil society organizations – call on Member States of the United Nations General Assembly (UNGA) to take immediate and decisive action to hold the Myanmar military accountable under international law through all possible avenues.

We welcome the <u>report</u> of the UN High Commissioner for Human Rights which provided corroborated evidence of the military junta's intensifying brutality – particularly airstrikes, the burning of villages, and mass killings. In addressing the worsening crisis in Myanmar, High Commissioner Volker Türk <u>described</u> the junta's actions as "inhumanity in its vilest form," emphasizing that there is "no reason to believe that the military will...break the cycle of impunity that has characterized its operations for decades." It is clear that the military has continued and will continue to commit genocide, crimes against humanity, and war crimes against the people of Myanmar unless it is held accountable under international law. We thus express our strongest support for the High Commissioner's call for the UN Security Council (UNSC) to refer "the full scope of the current situation in Myanmar to the International Criminal Court (ICC)."

Nearly one year after its adoption in December 2022, we remain extremely disappointed by the insubstantial <u>Security Council resolution 2669</u> on Myanmar. With this resolution, the Council has utterly failed to uphold its responsibilities under Chapter VII of the UN Charter and to ensure justice and accountability by failing to refer the current crisis in Myanmar to the ICC.

Despite the resolution's demand of "an immediate end to all forms of violence throughout the country," since its adoption, the junta has <u>launched</u> at least 965 airstrikes.¹ This amounts to a 150% increase in airstrikes following the resolution.² These aerial bombardments, often combined with attacks by ground troops, are one reason why at least 4,149 people have been <u>killed</u>, as of 17 October 2023, and over 1.7 million have been internally <u>displaced</u>³ since the coup attempt. One of the latest attacks is as recent as 9 October 2023, when the junta once again <u>launched</u> an artillery bombardment on an internally displaced persons (IDP) camp: this time in Munglai Hkyet Village in Kachin State. The attack killed at least 29 people, including 13 children, and injured at least 57 people. Among the displaced, elderly women, pregnant women, and children have the most vulnerabilities, which are severely exacerbated by the lack of sufficient food, water, shelter, and other necessities. Moreover, the military – which has long used rape

<sup>&</sup>lt;sup>1</sup> The number of airstrikes since the Security Council resolution has been calculated using Nyan Lynn Thit Analytica's monitoring of airstrikes between the resolution on 21 December 2022 and 22 September 2023.

<sup>&</sup>lt;sup>2</sup> Using Nyan Lynn Thit Analytica's data on airstrikes, the percentage increase of airstrikes since the Security Council resolution has been calculated by comparing the average number of airstrikes per day between 1 February 2021 and 20 December 2022 with the average number of airstrikes per day between 21 December 2022 and 22 September 2023.

<sup>&</sup>lt;sup>3</sup> This number from the United Nations Office for the Coordination of Humanitarian Affairs (OCHA) is a likely under-estimation. The actual numbers reported by local responders with direct access to communities indicate a far higher estimate than that reported by OCHA.

as a weapon of war – continues, with blanket impunity, its widespread sexual and gender-based violence, particularly against women and girls, in detention and in areas of its scorched-earth campaigns.

Further, in flagrant disregard of the resolution's call for "full, safe and unimpeded humanitarian access to all people in need," the junta continues to weaponize humanitarian aid by blocking, seizing, and destroying lifesaving supplies from displaced communities that have suffered from its heinous crimes. Even in natural disasters, such as the devastating Cyclone Mocha, the junta has proven its total disregard for human lives by blocking humanitarian access to affected communities across western Myanmar.

As the Myanmar human rights and humanitarian crisis further escalates, we express our greatest disappointment in the UN's deferral of its responsibilities to the Association of Southeast Asian Nations (ASEAN) and its futile <a href="Five-Point Consensus">Five-Point Consensus (5PC)</a> over the past 29 months. The regional bloc and its current approach have utterly failed to take concrete measures to end the crisis, serving only to deter tangible action by the international community. In fact, ASEAN itself has explicitly requested UN support in addressing the crisis. To address Myanmar's multi-faceted crisis, the UN must stop hiding behind the failed 5PC and take concrete actions to assume its responsibility to protect the people of Myanmar.

Excellencies, the loss of lives of the people of Myanmar at the hands of this ruthless military must not continue, and justice for the victims and survivors cannot wait. The Myanmar military's decades-long impunity, and thus its systematic and widespread violence, will continue to prevail – and thousands of lives will continue to be lost – unless and until the military faces prosecution and is held to account for its genocide, war crimes and crimes against humanity.

Thus, it is with great urgency that we once again call on the UNGA and its individual Member States to strongly recommend the UNSC utilize all political and technical instruments at its disposal, namely a resolution on Myanmar under Chapter VII of the UN Charter. Such a resolution must necessitate the referral of the crisis in Myanmar to the ICC or the establishment of an ad hoc tribunal; robust, coordinated, and targeted economic sanctions on the Myanmar military and linked entities; and a comprehensive arms embargo to end the flow of weapons, jet fuel, and dual-use technology to the junta. Equally, we urge the UNGA to further recommend its Member States, agencies, and mechanisms to stop lending legitimacy to the junta; impose new and further coordinated, targeted economic sanctions; cut the flow of arms; and provide financial, political, and technical support for accountability efforts under universal jurisdiction, including in Argentina, Germany, and Turkey.

With Myanmar's crisis reaching the point of unfathomable devastation, we look to the leadership of UN Member States to immediately actualize a UNSC resolution. If the resolution is vetoed by China or Russia, the people of Myanmar fully anticipate the UNGA's adoption of the resolution, following in the footsteps of the decisive resolution on Ukraine promptly adopted by the same body in 2022.

Alongside a united call for a resolution, UN Member States must act immediately to ensure the response to the worsening humanitarian catastrophe across Myanmar is sufficient, effective, and harmless for affected populations. Member States must cease any partnership with the junta for the provision of aid, while increasing political and financial support through cross-border channels for locally led, frontline humanitarian responders — many of whom are women who serve and lead their communities in these roles in spite of great personal risks.

Now is the time for the UNGA and its Member States to fulfill their responsibility to the people of Myanmar. The UNGA and its Member States must ensure justice and accountability through all possible

avenues, strengthen locally led humanitarian assistance, and unequivocally support the Myanmar people's will for federal democracy.

## For more information, please contact:

- Khin Ohmar, Progressive Voice; info@progressive-voice.org
- Grace, Myaung Youth Network; gracecelly2021@gmail.com
- Maw Pray Myar, Karenni National Women's Organization; praymyarmaw@gmail.com
- Nai Aue Mon, Human Rights Foundation of Monland; auemon@rehmonnya.org
- Saw Nanda Hsue, Karen Human Rights Group; hsue@khrg.org

## Signed by 440 civil society organizations, including 71 who have chosen not to disclose their name:

- 1. 5/ of Zaya State Strike
- 2. 8888 Generation (New Zealand)
- 3. Action Against Myanmar Military Coup (AAMMC) Sydney
- 4. Action Committee for Democracy Development (Coalition of 14 grassroots networks)
- 5. Action Committee of Basic Education Students (ACBES)
- 6. Active Youths Kalaymyo
- 7. Ah Nah Podcast Conversations with Myanmar
- 8. All Arakan Students' & Youth' Congress
- 9. All Arakan Youth Organization Network
- 10. All Aung Myay Thar San Schools Strike Force
- 11. All Burma Democratic Front in New Zealand
- 12. All Burma Federation of Student Unions (Monywa District)
- 13. All Burma Indigenous People Alliance
- 14. All Burma Student Democratic Front Australia Branch
- 15. All Young Burmese League (AYBL)
- 16. Alliance of Students' Union Yangon (ASU-Yangon)
- 17. ALTSEAN-Burma
- 18. Anti Dictatorship in Burma DC Metropolitan Area.
- 19. Anti-coup Forces Coordination Committee (ACFCC Mandalay)
- 20. Anti-Junta Alliance Yangon-AJAY
- 21. Anti-Myanmar Dictatorship Movement
- 22. Anti-Myanmar Military Dictatorship Network (AMMDN)
- 23. Arakan CSO Network
- 24. ASEAN Parliamentarians for Human Rights (APHR)

- 25. Asia Justice and Rights (AJAR)
- 26. Asian Forum for Human Rights and Development (FORUM-ASIA)
- 27. ASORCOM Alternative Solutions for Rural Communities
- 28. Assistance Association for Political Prisoners
- 29. Association of Human Rights Defenders and Promoters
- 30. Athan Freedom of Expression Activist Organization
- 31. Auckland Kachin Community NZ
- 32. Auckland Zomi Community
- 33. Aung San Su Kyi Park, Norway
- 34. Australia Burma Friendship Association, Northern Territory
- 35. Australia Karen Organization WA Inc.
- 36. Australia Myanmar Doctors, Nurses and Friends
- 37. Australia Myanmar Youth Alliance (AMYA)
- 38. Australian Burmese Muslim Organisation
- 39. Australian Chin Community (Eastern Melbourne Inc)
- 40. Australian Karen Organisation (AKO)
- 41. AWDO (Nagphe)
- 42. A-Yar-Taw People Strike
- 43. Ayeyarwaddy West Development Organisation (AWDO)
- 44. Bamar Community Tasmania
- 45. Basic Education General Strike Committee (BEGSC)
- 46. Basic Education Worker Unions Steering Committee (BEWU-SC)
- 47. Blood Money Campaign
- 48. BMT counselling
- 49. Boat People SOS
- 50. Burma Academy
- 51. Burma Action Ireland
- 52. Burma Campaign UK
- 53. Burma Canadian Network, Peace for Burma (Vancouver-Canada)
- 54. Burma Civil War Museum
- 55. Burma Human Rights Network (BHRN)
- 56. Burma Lawyers' Council (BLC)

- 57. Burma Support
- 58. Burmese Community South Australia
- 59. Burmese Community Development Collaboration (BCDC)
- 60. Burmese Community Group (Manawatu, NZ)
- 61. Burmese Community Support Group (BCSG)
- 62. Burmese Friendship Association
- 63. Burmese Medical Association Australia (BMAA)
- 64. Burmese Rohingya Organisation UK
- 65. Burmese Rohingya Welfare Organisation New Zealand
- 66. Burmese Women's Union (BWU)
- 67. Campaign for a New Myanmar
- 68. Canberra Karen Association
- 69. CAN-Myanmar
- 70. CDM Medical Network (CDMMN)
- 71. Chanmyatharzi Township People's Strike
- 72. Chaung Oo Township Youth Strike Committee
- 73. Chin Community South Australia
- 74. Chin Community in Norway
- 75. Chin Community of Auckland
- 76. Chin Community of Western Australia Inc.
- 77. Chin Community Tasmania
- 78. Chin Human Rights Organization
- 79. Chin Youth Organization
- 80. Chindwin (West) Villages Women Strike
- 81. CIVICUS: World Alliance for Citizen Participation
- 82. Civil Information Network (CIN)
- 83. Civil Rights Defenders
- 84. Civil Society Organizations Coordination Committee (Monywa)
- 85. Coalition Strike Committee Dawei
- 86. Co-operative University Mandalay Students' Strike
- 87. CRPH & NUG Supporters Ireland
- 88. CRPH Funding Ireland

- 89. CRPH Support Group, Norway and members organizations
- 90. CRPH, NUG Support Team Germany Deutschland
- 91. CRPH/NUG support group Australia
- 92. CSOs Nexus Consortium Tanintharyi
- 93. Daung Sitthe Strike
- 94. Dawei (Ashaetaw) Women Strike
- 95. Dawei Youths Revolutionary Movement Strike Committee
- 96. Democracy for Burma
- 97. Democracy, Peace and Women's Organization
- 98. Democratic Party for a New Society, Norway
- 99. Democratic Youth Council
- 100. Depayin Township Revolution Steering Committee
- 101. Depayin Women Strike
- 102. Dhobama (2021 Generation)
- 103. Doh Atu Ensemble pour le Myanmar
- 104. East Bago Former Political Prisoners Network
- 105. Educational Initiatives Prague
- 106. Equality Myanmar
- 107. Ethnic Youth General Strike Committee (Mandalay)
- 108. Falam Community South Australia
- 109. Families and Friends of LGBTIQA+ in Myanmar (PFLAG-Myanmar)
- 110. Federal Corner
- 111. Federal Myanmar Benevolence Group (NZ)
- 112. Federation of General Workers Myanmar (FGWM)
- 113. Former Political Prisoners and New Generation Group Monywa
- 114. FORUMCIV Sweden
- 115. Free Burma Campaign (South Africa)
- 116. Free Rohingya Coalition
- 117. Future Light Center
- 118. Future Thanlwin
- 119. Gangaw Women Strike
- 120. Gender Equality Network

- 121. General Strike Collaboration Committee (GSCC)
- 122. General Strike Committee of Basic and Higher Education (GSCBHE)
- 123. General Strike Committee of Nationalities (GSCN)
- 124. Generation Wave
- 125. Global Myanmar Spring Revolution
- 126. Grass-root People
- 127. Human Rights Educators Network
- 128. Human Rights Foundation of Monland
- 129. Incorporated Organization Shilcheon Bulgyo
- 130. Industrial Training Centre (ITC) Family Sydney
- 131. Industries Strike
- 132. Info Birmanie
- 133. Initiatives for International Dialogue (IID)
- 134. Inle Federal Democracy Moment (IFDM)
- 135. Inle Woman Union (IWU)
- 136. Inlihtan Peninsula Tenasserim
- 137. Institute for Asian Democracy
- 138. Integria, z.u. Prague
- 139. Inter Pares
- 140. International Association, Myanmar-Switzerland (IAMS)
- 141. International Campaign for the Rohingya
- 142. JASS (Just Associates)
- 143. JMC Inn Lay
- 144. Joint Action Committee for Democracy in Burma (JACDB)
- 145. Justice 4 Myanmar Hope & Development
- 146. Justice For Myanmar
- 147. Kachin Association Australia
- 148. Kachin Association Norway
- 149. Kachin Association of Australia WA Inc.
- 150. Kachin Student Union
- 151. Kachin Women Association Thailand
- 152. Kachin Women Network

- 153. Kalay Township Strike Committee
- 154. Kalay Women Strike
- 155. Karen Community South Australia
- 156. Karen Human Rights Group
- 157. Karen Peace Support Network
- 158. Karen Swedish Community (KSC)
- 159. Karenni Association Norway
- 160. Karenni Civil Society Network
- 161. Karenni Community of Western Australia Inc.
- 162. Karenni Federation of Australia
- 163. Karenni Human Rights Group
- 164. Karenni National Women's Organization
- 165. Karenni Society New Zealand
- 166. Kayah State Students Union
- 167. Kayan New Generation Youth
- 168. Kayin Community Tasmania
- 169. K'cho Ethnic Association
- 170. Keng Tung Youth
- 171. Korean Civil Society in Support of Democracy in Myanmar (106 organizations nationwide)
- 172. Kyae Lak Myay
- 173. Kyain Seikgyi Spring Revolution Leading Committee
- 174. Kyauktada Strike Committee
- 175. La Communauté Birmane de France
- 176. Latpadaung Region Strike Committee
- 177. Legal Aid for Human Rights
- 178. LGBT Alliance
- 179. LGBT Alliance Myanmar (Kalay Region)
- 180. LGBT Alliance Myanmar (Kyaukse Region)
- 181. LGBT Community Yangon
- 182. LGBT Union Mandalay
- 183. MAGGA Initiative
- 184. Magway People's Revolution Committee

- 185. Maharaungmyay Township People's Strike
- 186. Mandalar University Students' Strike
- 187. Mandalay Alliance Coalition Strike
- 188. Mandalay Medical Family (MFM)
- 189. Mandalay Regional Youth Association Revolution Core Group
- 190. Mandalay Strike Force (MSF)
- 191. Mandalay Women Strike
- 192. Mandalay Youth Strike
- 193. Mandalay-based People's Strike
- 194. Mandalay-Based University Students' Unions (MDY\_SUs)
- 195. Matu Burma Foundation
- 196. Matu Chin Community South Australia
- 197. MayMyo Strike Force
- 198. Metta Campaign
- 199. Milk Tea Alliance Friends of Myanmar
- 200. Min Hla Farmers Group
- 201. Minbu Farmers Group
- 202. Mindat Chin Community NSW
- 203. Mindat Community South Australia
- 204. Mizo Community South Australia
- 205. Mon Association Norway
- 206. Mon Families Group
- 207. Mon National Council (MNC)
- 208. Monywa Amyint Road Strike Leading Committee
- 209. Monywa LGBT Strike
- 210. Monywa People's Strike Steering Committee
- 211. Monywa Women Strike
- 212. Monywa-Amyint Road Women Strike
- 213. Multi-Religions Strike
- 214. Muslim Youth Network
- 215. Mya Taung Strike
- 216. Myanmar Accountability Project

- 217. Myanmar Anti-Military Coup Movement in New Zealand
- 218. Myanmar Baptist Churches in Norway
- 219. Myanmar Buddhist Community of South Australia
- 220. Myanmar Campaign Network
- 221. Myanmar Catholic Community In Norway
- 222. Myanmar Community Coffs Harbour (MCC)
- 223. Myanmar Community Group Christchurch New Zealand
- 224. Myanmar Community Group Dunedin New Zealand
- 225. Myanmar Community in Norway
- 226. Myanmar Cultural Research Society MCRS
- 227. Myanmar Democracy and Peace Committee (Australia)
- 228. Myanmar Democratic Movement (MDM)
- 229. Myanmar Diaspora Group Finland
- 230. Myanmar Engineering Association of Australia (MEAA)
- 231. Myanmar Engineers New Zealand
- 232. Myanmar Gonye (New Zealand)
- 233. Myanmar Hindu Community Norway
- 234. Myanmar Institute of Information Technology Students' Strike
- 235. Myanmar Labor Alliance (MLA)
- 236. Myanmar Muslim Organization Norway
- 237. Myanmar People Alliance (Shan State)
- 238. Myanmar People Residing in Canberra
- 239. Myanmar Refugee Policy Group
- 240. Myanmar Students' Association Australia (MSAA)
- 241. Myanmar Students' Union in New Zealand
- 242. Myanmar Teachers' Federation
- 243. Myaung Youth Network
- 244. Myingyan Civilian Movement Committee
- 245. Nelson Myanmar Community Group New Zealand
- 246. Netherlands Myanmar Solidarity Platform
- 247. Network for Human Rights Documentation Burma (ND-Burma)
- 248. Network of University Student Unions Monywa

- 249. New Zealand Doctors for NUG
- 250. New Zealand Karen Association
- 251. New Zealand Zo Community Inc.
- 252. NLD Organization Committee (International) Norway
- 253. NLD Solidarity Association (Australia)
- 254. No Business With Genocide
- 255. No.12 Basic Education Branch High School (Maharaungmyay) Students' Union
- 256. Norway Falam Community
- 257. Norway Matu Community
- 258. Norway Rawang Community
- 259. NRFF New Rehmonnya Federated Force
- 260. NSW Karenni (Kayah) Communities
- 261. Nyan Lynn Thit Analytica
- 262. OCTOPUS (ရေဘဝဲ)
- 263. Overseas Mon Association New Zealand
- 264. Padauk Finland Myanmar Association
- 265. Pale Township People's Strike Steering Committee
- 266. Parents, Families and Friends of LGBTIQA+ in Myanmar (PFLAG Myanmar)
- 267. Patriotic War Veterans of Burma (PWVB)
- 268. Perth Myanmar Youth Network
- 269. Political Prisoners Network Myanmar
- 270. Progressive Karenni People Force (PKPF)
- 271. Progressive Voice
- 272. Pwintphyu Development Organisation
- 273. Pyi Gyi Tagon Strike Force
- 274. Pyit Taing Htaung Social Club
- 275. Pyithu Gonye (New Zealand)
- 276. Queensland Kachin Community (QKC)
- 277. Queensland Myanmar Youth Collective (QMYC)
- 278. Queensland Rohingya Community
- 279. Rangoon Scout Network RSN
- 280. Red Campaign Nirvana Exhortation Group

- 281. Remonya Association of WA (Mon Community)
- 282. Representative Committee of University Teacher Associations (RC of UTAs)
- 283. Rohingya Community in Norway
- 284. Rural Community Development Society
- 285. Rvwang Community Association New Zealand
- 286. Samgha Sammaga-Mandalay
- 287. Save and Care Organization for Ethnic Women at Border Areas
- 288. Save Myanmar USA
- 289. Save Myanmar Fundraising Group (New Zealand)
- 290. Save Myanmar San Francisco
- 291. Seinpann Strike
- 292. Shan Community (New Zealand)
- 293. Shan MATA
- 294. Shwe Pan Kone People's Strike Steering Committee
- 295. Shwe Youth Democratic Alliance (SYDA)
- 296. Sitt Nyein Pann Foundation
- 297. Social Garden
- 298. Southcare Medical Centre
- 299. Southern Youth Development Organization (SYDO)
- 300. Spring Friends
- 301. Spring Sprouts
- 302. Spring Traveller
- 303. Student Voice
- 304. Sujata Sisters Group (NZ)
- 305. Support for Myanmar
- 306. Support Group for Democracy in Myanmar (Netherlands)
- 307. Swedish Burma Committee
- 308. Swedish Foundation for Human Rights
- 309. Swiss Burma Association (ASB)
- 310. Sydney Friends for Myanmar Unity
- 311. Synergy Social Harmony Organization
- 312. Ta Mar Institute of Development

- 313. Ta'ang Women's Organization
- 314. Tamar Institute of Development
- 315. Tanintharyi MATA
- 316. Tanintharyi Nationalities Congress
- 317. Taze Strike Committee
- 318. Taze Women Strike
- 319. Tenasserim Student Unions' Network
- 320. Thakhin Kodaw Mhine Peace Network (Monywa)
- 321. Thayat Chaung Women Strike
- 322. The 88 Generation Peace and Open Society (Monywa)
- 323. The Commission for the Disappeared and Victims of Violence (KontraS)
- 324. The Helpers for Perfect Democracy (HPD)
- 325. The Institution of Professional Engineers Myanmar (IPEM)
- 326. The Ladies
- 327. The Mindanao Peacebuilding Institute Foundation, Inc. (MPI)
- 328. Twitter Team for Revolution (TTFR)
- 329. U.S. Campaign for Burma
- 330. Union of Karenni State Youth (UKSY)
- 331. United Myanmar Community of South Australia
- 332. University Students' Unions Alumni Force
- 333. Victorian Burmese Care Community (VBCC)
- 334. Victorian Myanmar Youth (VMY)
- 335. Volunteers in Myanmar
- 336. We Pledge CDM (Australia)
- 337. Western Australia Myanmar Community (WAMC)
- 338. Western Australia Myanmar Democratic Network (WAMDN)
- 339. Wetlet Revolution Leading Committee
- 340. Wetlet Township Women Strike
- 341. White Coat Society Yangon (WCSY)
- 342. Women Activists Myanmar (WAM)
- 343. Women Advocacy Coalition Myanmar
- 344. Women Alliance Burma (WAB)

- 345. Women's League of Burma
- 346. Women's Peace Network
- 347. Yadanabon University Students' Union (YDNBUSU)
- 348. Yadanar Foundation
- 349. Yangon Women Strike
- 350. Yasakyo Township People's Strike Steering Committee
- 351. Yinmarpin and Salingyi All Villages Strike Committee
- 352. Youth for Democratization of Myanmar (UDM)
- 353. Youth Heart Beams
- 354. Zo Community South Australia
- 355. Zomi Association Australia Inc.
- 356. Zomi Christian Fellowship of Norway
- 357. Zomi Community South Australia
- 358. Zomi Community Queensland
- 359. ကန့်ဘလူမြို့နယ် အထွေထွေသပိတ်
- 360. ကရင်နီပြည်စစ်ဘေးရှောင်ကူညီစောင့်ရှောက်ရေးကွန်ယက်
- 361. ခုနစ်စဉ်ကြယ်အဖွဲ့
- 362. ဒို့မြေကွန်ရက် LIOH
- 363. နားဆင်သူများအဖွဲ့
- 364. ပဉ္စမမဏ္ဏိုင်
- 365. ပွင့်ဖြူလယ်ယာမြေကွန်ရက်
- 366. မျက်မှောက်ခေတ်
- 367. မျိုးဆက်-Generations
- 368. ယောဒေသစစ်ဘေးရှောင်ကူညီရေးအဖွဲ့
- 369. ရပ်ဝန်းသစ် (Yat Wun Thit)