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39th session of the Human Rights Council
Interactive Dialogue with
the Special Rapporteur on the situation of human rights in Myanmar
18 September 2018

Intervention by H.E. Mr. Peter Matt,
Ambassador, Permanent Representative of the Principality of Liechtenstein

Mr. President,

We thank the Fact Finding Mission on the situation of human rights in Myanmar for their presentation and are appalled by their horrifying report. We are shocked by the atrocities documented by the Fact Finding Mission in Kachin, Rakhine and Shan States. It is more pertinent than ever that Myanmar cooperate not only with the Fact Finding Mission but also with the Special Rapporteur. We reiterate the need to grant them unconditional access without delay.

Given that the efforts undertaken by Myanmar are so far a clear indication of unwillingness to ensure accountability, the international community has an obligation to pursue other options. For reasons of principle, we think that an International Criminal Court referral discussion is urgently needed in the Security Council. At the same time we are facing a new situation that has been created through the ruling of the International Criminal Court Pre-Trial Chamber asserting jurisdiction over deportation crimes via Bangladesh. Through this ruling, state parties to the Rome Statute have now the option to refer the situation to the Court and thus speed-up the process leading to a formal ICC investigation. What are the views of the Fact Finding Mission on this new accountability option?

Since a joint state referral to the ICC would only focus on deportation-related crimes against the Rohingya, we believe an Accountability-Mechanism for Myanmar is also needed. Such a Mechanism would be complementary to an ICC investigation and would focus on the whole country and on all atrocities committed in Myanmar. The soon to be established Accountability-Mechanism should have similar functions as the IIIM for Syria in order to be able to collect, consolidate, preserve and analyse evidence of the atrocities committed in Myanmar as well as to be able to prepare files in order to facilitate and expedite fair and independent criminal proceedings. We would like to seek the views of the Fact Finding Mission on how these two accountability avenues could best complement each other in practical terms.

I thank you!