**53rd session of the Human Rights Council (19 June – 14 July 2023)**

**Panel discussion on the measures necessary to find durable solutions to the Rohingya crisis and to end all forms of human rights violations and abuses against Rohingya Muslims and other minorities in Myanmar**

*Concept note (as of 15 June 2023)*

|  |  |
| --- | --- |
| **Date and venue:** | **21 June 2023, 11 a.m. to 1 p.m. (UTC+2)Room XX, Palais des Nations, Geneva, and online platform (Zoom)** *(will be broadcast live and archived on* [*https://media.un.org/en/webtv*](https://media.un.org/en/webtv)*)* |
| **Objectives:** | The panel discussion provides an opportunity for members and observers of the Human Rights Council, including United Nations agencies and funds, experts as well as other relevant stakeholders including representatives of Rohingya Muslims and other minorities in Myanmar to:1. explore effective measures to end all forms of human rights violations and abuses against Rohingya Muslims as well as other minorities in Myanmar;
2. identify potential measures to operationalize durable solutions to the Rohingya crisis with particular emphasis on sustainable return in safety and dignity.
 |
| **Chair:**  | H.E. Mr. Václav Bálek, President of the Human Rights Council |
| **Opening statement:**  | **Ms. Nada al-Nashif**, United Nations Deputy High Commissioner for Human Rights |
| **Panellists:** | * **Ms. Yasmin Ullah**, Chair of the Board at Alternative ASEAN Network on Burma (ALTSEAN-Burma)
* **Ms. Chris Lewa**, Founder of the Arakan Project
* **Mr. Kyaw Win**, Executive Director of Burma Human Rights Network
* **Mr. Mohshin Habib**, Adjunct Professor at Laurentian University
 |
| **Mandate:**  | In its [resolution 50/3](http://undocs.org/A/HRC/RES/50/3) of 7 July 2022, the Human Rights Council decided to hold at its fifty-third session a panel discussion on the measures necessary to find durable solutions to the Rohingya crisis and to end all forms of human rights violations and abuses against Rohingya Muslims and other minorities in Myanmar. The Human Rights Council also requested the High Commissioner to submit a report on the panel discussion to the Council at its fifty-fifth session.  |
| **Outcome:****Format:**  | The panel discussion aims at identifying and further addressing the root causes of violations and abuses against Rohingya Muslims and other minorities in Myanmar, including by exploring durable solutions to the Rohingya crisis. A summary of the panel discussion will be presented in a written report at the Council’s its fifty-fifth session.The panel discussion will be limited to two hours. The opening statement and initial presentations by the panellists will be followed by a two-part interactive discussion and conclusions from the panellists. A maximum of one hour will be set aside for the podium, which will cover the opening statement, panellists’ presentations and their responses to questions and concluding remarks. The remaining hour will be reserved for two segments of interventions from the floor, with each segment consisting of interventions from 12 States and observers, 1 national human rights institution and 2 non-governmental organizations. Each speaker will have two minutes to raise issues and to ask panellists questions. Panellists will respond to questions and comments during the remaining time available.The list of speakers for the discussion will be established through the online inscription system and, as per practice, statements by high-level dignitaries and groups of States will be moved to the beginning of the list. Delegates who have not been able to take the floor due to time constraints will be able to upload their statements on the online system to be posted on the HRC Extranet. |
| **Background:** | Violations and abuses against ethnic and religious minorities in Myanmar affect the entire spectrum of civil, cultural, economic, political, and social rights. The Rohingya, both in Rakhine State and seeking refuge in other countries, continue to be subject to institutionalized and long-standing persecution that perpetuate a cycle of marginalization, systemic discrimination and poverty, which have led to serious violations and abuses of their human rights, including their mass forced displacement. They continue to be deprived of citizenship rights and civil documentation, restrictions on freedom of movement and restrictions on access to health and education services, as well as to livelihood opportunities. Long-standing armed conflicts have also continued to lead to serious violations and abuses of the human rights of ethnic minorities in other states, including extrajudicial killings, arbitrary arrest and detention, torture, forced labour, sexual and gender-based violence, and extensive forced displacement. Since 1 February 2021, Myanmar has been caught in a downward spiral of violence, impacting further on Rohingya and other minorities, and causing further refugee movements to neighbouring countries and internal displacement within Myanmar. In June 2022, in line with the Council's [resolution 47/1](https://undocs.org/A/HRC/RES/47/1), OHCHR organized a panel discussion at its fiftieth session on the root causes of human rights violations and abuses against Rohingya Muslims and other minorities in Myanmar. Throughout the panel discussion, as described in the summary report ([A/HRC/52/22](https://undocs.org/A/HRC/52/22)), the lack of accountability for the human rights violations against the Rohingya and other minorities and the continuing impunity enjoyed by the Tatmadaw were identified as the main root causes of the crisis. Addressing the root causes of discrimination and human rights violations against ethnic and religious minorities in Myanmar, ensuring accountability for serious crimes committed and supporting long-term grass-roots initiatives aimed at strengthening intercommunity and interreligious dialogues, addressing hate speech and providing human rights education to young people were essential to achieve durable peace and to build a society on the basis of the principles of equality and non-discrimination. At the international level, efforts to ensure legal accountability are ongoing at the International Court of Justice (brought by the Gambia against Myanmar) and the International Criminal Court. Meanwhile, steps to this end have also been taken at the national level in third States, including Argentina, Germany, Indonesia, and Turkey.From August to November 2022, the fighting between the Tatmadaw and the Arakan Army in Rakhine State further exposed the Rohingya community to grave risks and violations. Battles were fought in and around Rohingya villages, resulting in casualties and displacement. OHCHR also received credible reports of the use of sexual violence against Rohingya women and girls by both parties. Further restrictions on movement and humanitarian access, imposed by the Tatmadaw during this period, significantly affected the Rohingya community and exacerbated their longstanding protection risks and vulnerabilities. As a result of the systemic discrimination, crippling restrictions and rising hardships, an increasingly large number of Rohingya are taking immense risks to flee the country. According to the Office of the United Nations High Commissioner for Refugees, in 2022 alone, 3,545 Rohingya — a 360 per cent increase from the number in 2021 — attempted dangerous sea journeys to other countries in order to seek protection, security, family reunification and livelihoods, with 348 of them believed to have died or gone missing at sea. Those intercepted or rescued at sea and returned to Myanmar face imprisonment. The number of Rohingya arrested for unauthorized travel doubled in 2022 to around 2,000 cases. The gravity of the situation has also drawn the attention of the Security Council. At the end of 2022, while expressing concern at the recent developments in Myanmar and underlining the risks that the Rohingya situation poses for the wider region, the Security Council adopted its first resolution on the situation in Myanmar underscoring, among others, the need to address the root causes of the crisis in Rakhine State, and to create conditions necessary for the voluntary, safe, dignified and sustainable return of Rohingya refugees and internally displaced persons. |
| **Background documents:** | * Report of the United Nations High Commissioner for Human Rights on the situation of of human rights in Myanmar since 1 February 2022 ([A/HRC/52/21](https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/sessions-regular/session52/advance-version/A_HRC_52_21_AdvanceEditedVersion.docx), March 2023)
* Report of the United Nations High Commissioner for Human Rights on the summary of the panel discussion on the root causes of human rights violations and abuses against Rohingya Muslims and other minorities in Myanmar ([A/HRC/52/22](https://undocs.org/A/HRC/52/22), December 2022)
* [Security Council resolution 2669 (2022)](http://undocs.org/S/RES/2669%20%282022%29) of 21 December 2022
* [Human Rights Council resolution 50/3](http://undocs.org/A/HRC/RES/50/3) of 7 July 2022 on the situation of human rights of Rohingya Muslims and other minorities in Myanmar
* Report of the United Nations High Commissioner for Human Rights on the situation of of human rights in Myanmar since 1 February 2021 ([A/HRC/49/72](http://undocs.org/A/HRC/49/72), March 2022)
* [Human Rights Council resolution 47/1](https://undocs.org/A/HRC/RES/47/1) of 12 July 2021 on the situation of human rights of Rohingya Muslims and other minorities in Myanmar
* Report of the United Nations High Commissioner for Human Rights on the situation of human rights of Rohingya Muslims and other minorities in Myanmar ([A/HRC/43/18](https://undocs.org/A/HRC/43/18), November 2020)
 |