

Human Rights Council 54th Session

Agenda Item 2: Interactive Dialogue on the Report of the Independent Investigative Mechanism for Myanmar

September 11, 2023

Statement from Southeast Asia Sexual Orientation, Gender Identity and Expression Caucus (ASC), Inc.

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Excellency:

This statement is issued jointly with local LGBTQ organizations from Myanmar.

We welcome the report of the IIMM as it sheds light on the sexual and gender-based violence faced by the transgender (hijra) Rohingya community. However, there is lack of data on sexual abuse targeting the LGBTQ community in Myanmar both who are still inside the country and those who fled for safer places. One reported case involved an exile Myanmar LGBTQ activist who was arrested and severely raped by five police authorities in Thailand.

The contribution of LGBTQ human rights defenders in restoring democracy cannot be underestimated. Nonetheless, their visibility and involvement in peaceful protests resulted in crackdown on activists and organizations. Myanmar LGBTQ organizations reported 12 cases of deaths, 74 arrests, and thousands fled to nearby countries.

The junta's deliberate actions to identify and arrest LGBTQ individuals were motivated by their perception of a connection between LGBTQ rights and the democratic agenda. Concerningly, LGBTQ activists in custody have faced sexual violence, including harassment, genital harm, and rape by military personnel.

A research involving more than 200 LGBTQ victims of human rights violations revealed that more than 60 per cent decided not to report cases due to fear of retaliation, and 50 per cent due lack of trust in the domestic justice system under the Military administration.

We urge the Council to improve the mechanism's engagement with Myanmar LGBTQ human rights defenders. UN agencies and humanitarian actors must incorporate survivor-centered approaches in ensuring inclusion of the rights and well-being of LGBTQ persons affected by the crisis in Myanmar.

Thank you, Excellency.