

United Nations Human Rights Council 47th Session

**Agenda Item 4: Interactive Dialogue with the Special Rapporteur
on Myanmar (oral progress report)**

Oral Statement

6 July 2021

The Law Council of Australia thanks the Special Rapporteur for his report, and strongly condemns the Tatmadaw's intimidation, harassment, arbitrary arrest and incommunicado detention of lawyers and judges since the coup d'état.

We have received credible reports of lawyers detained for challenging the legality of their client's detention, and for filing legitimate cases the Tatmadaw considers undesirable. Judges at all levels of courts have been dismissed without valid cause, and some unlawfully detained.

Myanmar's lawyers are entitled to consult with their clients freely and confidentially, without intimidation, improper interference or sanctions. They have rights to freedom of expression, association and assembly, and are entitled to participate in public discussion on matters relating to law and human rights.

This is a deliberate and coordinated effort to impede Myanmar's lawyers from undertaking their professional duties – against a backdrop of an already fragile judicial system and at a time when the rule of law is under unprecedented assault. Meanwhile, the military is filling judicial vacancies with dozens of loyalists.

We express solidarity with Myanmar's lawyers and judges seeking to uphold the rule of law, defend the rights of the Burmese people, and maintain hard-fought progress in building accountable, effective justice institutions.

**Statement delivered by Dr Jacoba Brasch QC,
President of the Law Council of Australia**