Mr. President,

Today, 24th October marks the 73rd anniversary of the founding of the United Nations. In Myanmar we celebrate the United Nations Day every year with special ceremony and public activities to promote awareness of the work of the United Nations. This is a day to celebrate, a day to cherish, a day to remember the past and to renew our noble commitment to building peace, development and human rights in the world, the responsibilities the founding fathers of the Organizations had entrusted upon us.

Sadly, though, we are gathering here in this august chamber in defiant of the purposes and principles of the Charter of our own organization, against the standing rules and procedures of the Council and against all logical and fairness of human conscience.

We are witnessing the erosion of moral and institutional integrity of the United Nations as a result of the blatant attempt by some members of the Council to hijack human rights issue for their political purpose.

My delegation has joined other Council members in our strong objection to this injustice and abuse of the established practice of the Security Council.

Mr. President,

When the Fact-Finding Mission (FFM) on Myanmar was established by the Human Rights Council in March 2017, we had objected the Mission because of our serious concerns particularly about the advisability of its establishment and the mandate itself. HRC resolution 34/22 mandated the Mission “to establish the facts and circumstances of the alleged recent human rights violations by military and security forces, and abuses, in Myanmar, in particular in Rakhine State with a view to ensuring full accountability for perpetrators and justice for victims”.

The mandate was very clear. It has already designated who should be “perpetrators” and who should be “victims”. Establishment of the FFM is flawed, biased and politically motivated with hidden agendas from its genesis.
We are also concerned that release of the report based on narratives and not on hard evidence will only serve to inflame tensions further and potentially hinder the Government’s efforts to create much needed social cohesion in Rakhine State. The one-sided report of the Mission has confirmed our concerns.

We have also raised previously in this chamber on August 28, our doubt about the sincerity of the FFM. Although the Mission was mandated to submit its report to the Human Rights Council on 18 September, it had released the unedited version of the report in a haste on 27 August 2018, just one day ahead of the UN Security Council’s public debate on the situation of Myanmar. The action called for our legitimate concerns about the objectivity, impartiality and credibility of the Mission.

The methodology of its investigation is also flawed as the report was prepared on results of interview to selected groups of displaced persons in Cox’s Bazaar and information gathered from some NGOs, INGOs and human rights group who have already set their pre-determined agenda on the issue. Therefore, the Mission’s report did not shed new lights on the problem but found to be identical with the reports of certain human rights groups with no accountability for their works.

Mr. President,

We have repeatedly explained the fact that the current humanitarian crisis in Rakhine State was ignited by the unprovoked and premeditated attacks against 30 police outposts and a military battalion headquarters by the Arakan Rohingya Salvation Army (ARSA) terrorist group in August 2017 and in Octer 2016.

The ARSA terrorists had massacred security personnel and hundreds of innocent civilians including a hundred Hindu villagers, other ethnic minorities and pro-government Muslims. The atrocities perpetrated by ARSA had made thousands of innocent ethnic population fled their villages to the other parts of Rakhine State. Likewise, it created a massive exodus of Muslims to the neighbouring country. It is crucial to bear in mind that the present crisis affected not only the Muslim community. When we talk about human rights, we should look at human rights of both communities.

However, we are dismayed by the fact that the Mission has deliberately and glaringly discounted ARSA terrorist atrocities which could even be interpreted by many as justifying or condoning the act of Muslim extremist terrorists.

The Mission in page 11 of its report (A/HRC/39/64, took a great courage to reluctantly and half-heartedly mention the atrocities committed by ARSA terrorist. In paragraph 54, it listed a few human rights violations of ARSA including “the killing of up to 100 Hindu men and women from Kha Maung Seik”. It continues “The Mission’s primary source information on the latter incident
(the killing of Hindus) corroborate the killing, but is inconclusive as to the perpetrator. Other militant or criminal groups were also active in the region and may also have been responsible for abuses”. Amazing! I am just bringing the naked truth of the report to the attention of distinguished members of the Council.

Mr. President,

Much has been talked about accountability. As you are well aware, the Government of Myanmar has established an Independent Commission of Enquiry (ICOE), led by Ambassador Rosario Manalo. The Commission will investigate allegations of human rights violations and related issues following the terrorist attacks on 9 October 2016 and 25 August 2017 by the Arakan Rohingya Salvation Army (ARSA) in Rakhine State with a view to seeking accountability and reconciliation. The Commission will conduct its mandate in the principles of independence, impartiality and objectivity, and will submit its report within a year.

We are willing and able to take on the accountability issues for any alleged human rights violation where there is sufficient evidence. We need to give time and space to the ICOE.

Mr. Marzuki has said that Myanmar has taken no action on alleged violation of human rights. In fact, legal actions had been taken against military and police officers and civilians who were found to be in breach of standard operating procedures and rules of engagement following the Inn Din incident. In addition, other administrative actions had also been taken against high ranking senior officers of Tatmadaw who were responsible for overseeing security operations in Rakhine.

Mr. President,

My delegation categorically rejects inference of “genocidal intent” on the legitimate counter terrorist actions by the security forces in Rakhine. The conclusion is made on unverified circumstantial evidences which has no sound legal proof.

The Government of Myanmar has resolutely rejected the ICC’s ruling of 6 September 2018 in connection with Rakhine State. Our position here is clear: Myanmar is not a party to the Rome Statute, and the Court has no jurisdiction over Myanmar whatsoever. The ICC decision was made on dubious legal grounds and applied to a situation where domestic remedies have not yet been exhausted.

Therefore, I want to make it clear that we will never accept any calls for referral of Myanmar to the ICC.

As I have stated earlier, we have demonstrated our willingness and ability to address accountability issue.

Putting accountability above all else without regard to other positive developments will only result untoward consequences. Unilateral coercive measures without regard to the objective
situation in Myanmar and imposition of politically motivated external pressure will be detrimental to the existing good will and cooperation of the Myanmar Government with the international community.

The situation in Rakhine in no way threaten international peace and security. The accusation is absurd and groundless. The report is full of prejudice totally unconstructive.

Mr. President,

In his UN Day message on 24 October, President U Win Myint reminds us that, “The value of the United Nations will be decided by how the organization and its member States utilize instruments at their disposal to promote peace, stability and harmony, and to mitigate harm and enmity. Objectivity, impartiality, professionalism, respect for national sovereignty- these are some of the keys to the success of the United Nations’ mission”.

I would like to remind the distinguished members of the Council that Myanmar is still in its critical juncture of transition to fully functioning democracy. Mr. Marzuki has said “ Patience will not help Myanmar’s democratization”. But, the opposite is true. It is not by revolution that we are building democracy. Our leader State Counsellor Daw Aung San Suu Kyi has chosen a peaceful path through national reconciliation and national consensus which requires tremendous patience and political wisdom.

The Special Envoy of the Secretary-General Ambassador Christine Burgena, in her end of mission statement to Myanmar on 20 October, stressed the need for patience and more trust building to advance the peace process toward a “home grown solution”.

We concur fully with the Special Envoy. Patience and trust building is key to the success of our common efforts to find viable and sustainable solution to the present humanitarian crisis and the whole issue of northern Rakhine. This is the way to lead us to realizing our ultimate national goal of building a truly democratic federal union.

Mr. President,

Before I conclude, I would like to bring to your attention the act of a gross contempt of all ethics and civility in the premises of the United Nations. Yesterday, these pamphlets on my country, Myanmar, were distributed in the Conference room 1, where the Third Committee was holding its plenary session to hear oral presentation of Special Rapporteur Prof. Yanghee Lee and Chair of the HRC FFM.

This is not the work of a disgruntle dissident or a human rights activist who does not care about rule and regulations. This is the act of a distinguished Chair of the International Fact Finding Mission who was appointed and mandated by UN HRC, one of the subsidiary bodies of the United
Nations General Assembly. We cannot fathom such hypocrisy can have a place in this august world body. This is a disgrace to the United Nations.

These pamphlets are total insult to a member of the United Nations and its leaders. It is a gross violation of Codes of Conducts of UN personnel. My Government condemned this action in strongest terms the strongest terms.

Hate speeches and provocation are now coming right into the UN conference room of the United Nations where we should all work together for peace and harmony and for tolerance.

Everyone has to be accountable for his action. History will judge you for what you said and what you have done in the Security Council. The people of Myanmar, no one else, will decide their own destiny.

I thank you.