

**Statement by Ambassador Htin Lynn, Permanent Representative of Myanmar at
the Interactive Dialogue on the Human Rights Situation in Myanmar**

(March 13, 2017)

Mr. President, Madam Special Rapporteur, Dear Colleagues,

- In response to the report and the oral presentation made by the Special Rapporteur, I would like to make the following points:
- It is important to underline that despite our objection to country specific resolutions, Myanmar has been receiving successive Special Rapporteurs. The length of stay in the country is also incrementally extended in light of her agenda. Access to most of the places requested was facilitated despite security constraints on the ground.

Mr. President,

Let me focus on the recommendations in the Report.

- Firstly, Myanmar does not accept the idea of a **Commission of Inquiry** as we are seriously addressing the allegations nationally. We dismiss the term “crime against humanity” as it is envisaged based on unverified, intentional and one-sided allegations. It should be used with great prudence and wisdom, and can only be founded on legal and judicial determinations. However, our rejection of a Commission of Inquiry does not mean that we condone impunity.
- Secondly, our genuine cooperation with the Special Rapporteur, the Office of the High Commissioner and the Council should not be met with disproportionate attention of the Council through additional activities. We are making every effort to address human rights challenges in conflict areas in the country. Achieving peace is essential to facilitate better protections.
- On **Rule of Law and Democratic Space**, Myanmar has enacted, amended or revoked a total of 20 laws since the new Government took office in March last year. Such legal reform covers rule of law and democratic space, good governance, and better economic environment.
- One of the important missions of the present democratic government is protection of the **fundamental rights of its citizens**. The 1975 State Protection Law and the 1950 Emergency Provisions Act were revoked. *The Pyidaungsu Hluttaw* enacted the Citizen’s Private Security and Protection Law on 8th March 2017. Under this new law, no one will be detained for more than 24 hours without permission of a court. Provisions penalizing for non-compliance are also included in the law.
- As a multicultural pluralistic society where all people's values are respected, Myanmar has always been against dissemination of hate speech and incitement

of violence. A draft law countering **Hate Speech** with international standards has been under scrutiny of all stakeholders including parliamentarians.

- [It is worth mentioning that there are six Christian, five Islamic and three Hindu associations recognized officially in Myanmar. The Ministry of Religious Affairs and Culture supports and promotes their activities.]

Mr. President,

- The situation in **Rakhine State** is very complicated in nature and thus requires complicated answers. It also requires greater understanding by the international community. The Advisory Commission led by former UN Secretary-General Kofi Annan is effectively working now to find sustainable solutions. The Commission will soon be publishing an interim report while its final one is due in August this year.
- National verification process is a key to address statelessness and citizenship. A new radio station is broadcasting in Myanmar, Rakhine and Bengali languages. It provides information on this process to increase wider participation of all concerned.
- In response to provocative deadly violent attacks of October 9, the security forces has to launch operations to restore peace, and maintain law and order in Northern Rakhine State. Such operations have now ceased and curfew has been eased earlier this month. Humanitarian access has also been gradually extended into affected areas. In addition to WFP and other agencies, the needy in both communities are receiving humanitarian aids and assistance from Indonesia, Malaysia, Thailand, Turkey and others.
- To probe into allegations in the Flash Report by the OHCHR, members of Myanmar Presidential Investigation Commission for whose capacity is being enhanced to meet with international standards, visited 20 villages in Rakhine State described in the report from 10 to 17 February, 2017. They will soon be visiting Bangladesh to interview people who had entered Bangladesh. We will also be inviting those who believe their rights have been violated to travel to Myanmar under international protection and practices to give evidence in the legal proceedings. There is no reason for reprisals of criminal nature for the Government. At least 13 victims who were killed or seriously hurt in several cases are those who worked for and cooperated with the Government.
- With regard to joint SR-Government benchmarks, annexed to the report, they are already with relevant stakeholders of the country. I am sure the Special Rapporteur has received initial feedbacks on some of them during her visit.

Mr. President,

- Human rights challenges are common to all nations in the world. Myanmar is no exception. Many persistent challenges have been with Myanmar for

decades. They cannot be solved by the new democratic Government which is in office for barely a year. The situation in Rakhine State is one of them.

- The International Community, the United Nations and its agencies should support Myanmar in its efforts in promoting democracy and human rights in a fair, constructive and objective manner. Myanmar needs your understanding, assistance and patience.
- Thank you, **Mr. President**.
