



MYANMAR

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**Statement by His Excellency U Kyaw Tint Swe, Union Minister for
the Office of the State Counsellor at the High-Level Segment of the
43rd Session of the Human Rights Council**

(Geneva, 26 February 2020)

Mr. Vice President,

May I first of all congratulate you on your election as President of the Human Rights Council.

I feel privileged in making my statement to the Council on the 75th year of the founding the United Nations. The international community looks to the United Nations as the heart of multilateralism. For Myanmar cooperation with the United Nations is a cornerstone of our Foreign Policy.

This year also marked the 27th anniversary of the adoption of the Vienna Declaration and Programme of Action, where member states agreed that promotion and protection of all human rights is the legitimate concern of the international community. It was also agreed that States have the duty for promotion, protection of human rights and fundamental freedoms, thus, reinforcing the principle of exhaustion of domestic remedies.

Mr. Vice President,

Myanmar believes that peace and security, development and enjoyment of human rights are intertwined. For a country that has to endure internal conflicts for 70 years, achievement of national reconciliation and peace is our topmost priority. By embracing the culture of political dialogue, we are able to bring the ethnic armed groups (EAOs) to the negotiating table. Ten of the EAOs have signed the Nationwide Ceasefire Agreement (NCA). To achieve our aspiration of a Democratic Federal Union, we have convened Union Peace Conference-21st Century Panglong. During the last three sessions, the government and EAOs are able to agree on 51 basic principles, which are now incorporated in the Union Peace Accord. The 4th session of the Union Peace Conference is scheduled in first 4 months of this year. We have achieved much, but there is still a long way to go before we attain our goal of a Democratic Federal Union.

Mr. Vice President,

For our democratically elected government, the issue of Rakhine poses a huge challenge. The situation in Rakhine has deep historical roots. We fully share the concern of the international community over the conflict in Rakhine, which affects all communities. We had taken concrete steps to resolve the issue first by setting up a Central Committee for the Implementation of Peace and Development in Rakhine State, chaired by our State Counsellor, and subsequently established the Advisory Commission on Rakhine chaired by Dr. Kofi Annan. The ARSA attacks of 2016, 2017 were deliberate attempts to derail our efforts to bring social cohesion, reconciliation, peace and development to Rakhine. These attacks triggered the current humanitarian crisis. We fully sympathize with all those who have been affected. We had signed an

agreement with Bangladesh for the repatriation of verified displaced persons to Rakhine, under voluntary, safe and dignified conditions. The priority now is to expedite repatriation. We encourage Bangladesh to show genuine political will, committed efforts and cooperation by strictly adhering to the signed agreement.

Mr. Vice President,

The government of Myanmar firmly stands for principles which are cornerstone of international legal order. To bring accountability to the violent events in Rakhine, we established the Independent Commission of Enquiry (ICOE). The Commission had submitted the Final Report on 20th of January. The report of the commission, based not on narratives, but on interviews of close to 1,500 witnesses, came out with findings and recommendations for further investigation and prosecution. The government had studied the report and the President Office issued a statement that instructions were given to the Attorney General for further investigation and prosecution. of any property destruction, looting or other serious crimes. Likewise, Tatmadaw, Myanmar Defence Services have announced that the Office of the Judge Advocate General will take action with military justice procedures. if there is credible evidence of any commission of offence by members of Tatmadaw. I wish to stress that Myanmar is both willing and able to deal with accountability.

Mr. Vice President,

As we celebrate the 75th year of the founding of the United Nations, the Human Right Council should take stock of where it is and where it is heading. The Human Rights Council was created to address the weakness and failings of the Human Rights Commission. As my country's Permanent Representative in New York, I took part in the

negotiations. The member states created the Universal Periodic Review (UPR) process, which I believe is the best mechanism to address human rights challenges based on equal footing and equal voice. This year, during the 37th session of the working group of UPR, Myanmar will have its third review.

At the time when the Human Rights Council was created, the international community had high hopes and aspirations. We dreamed of a Human Rights Council where all human rights are treated equally; where the realisation of the right to development is given due priority; where sovereignty of nations are upheld, ensuring equality of action and scrupulously avoiding double standards. We dreamed of a Council that would avoid the mistakes of the past by not allowing unwieldy mandates or unilaterally extending its power without accompanying due diligence. We dreamed of a Human Rights Council where no nation is made to feel its value is decided by the degree of material wealth and political influence it can muster. Regretfully this dream has not been realized.

Mr. Vice President,

Dreams do not become reality unless we work to make it happen. The United Nations Charter places Human Rights in the context of international cooperation. Let us all cooperate so that our dreams will be fulfilled and Human Rights Council will truly become a beacon of hope, working in concert for common good - the enjoyment of Human Rights for everyone.

I, thank you.