

**Myanmar's Response on the Interactive Dialogue on the United Nations High Commissioner for Human Rights' report on Myanmar at the 52nd Session of the Human Rights Council
(Geneva, 6 March 2023)**

- The Human Rights Council (HRC) held an Interactive Dialogue (ID) with the United Nations High Commissioner for Human Rights on his report contained in Document No. A/HRC/52/21 on 6 March 2023 in the absence of the country concerned against the principles of constructive international dialogue and cooperation.
- The said report was shared with Myanmar only two days before the Interactive Dialogue although it is required to give adequate time for the country concerned to make its response. Furthermore, the Office failed to publish the Government's observations on the report. All of such acts seriously question the professionalism and transparency of the Office.
- Myanmar acknowledges the invitation of the High Commissioner for Myanmar's inputs and slightly highlighting the violence committed by the so-called CRPH, NUG and PDF for the first time in the document of the United Nations. Nonetheless, it is disappointed to note that the report evidently waters down the terrorist acts committed by the terrorist groups which have claimed 5,155 innocent civilians including 150 children, 129 civil servants, 69 teachers, and 15 health staff, 732 administrators from 1 February 2021 to 15 February 2023. These violent acts were well documented and share with all diplomatic missions in Yangon and the United Nations Counter-Terrorism Committee Executive Directorate (UNCTED).
- The High Commissioner made sweeping allegations against the Government and its security forces by citing some incidents, however, it is undeniable that all such incidents were happened with the involvement of and provocation of armed groups. For instance, A Nang Pa incident was taken place in KIA Brigade -9 which is not accessible for villagers or civilians and the KIA itself released the list of its deceased members along with their ranks.

- Regarding the humanitarian access, various UN agencies and international organizations (IOs), international non-governmental organizations (INGOs) have been enjoying access to different parts of Myanmar as they have maintained field presence in States and Regions of Myanmar. Additionally, Myanmar has facilitated over 40 field visits of seven United Nations agencies in 2021 and 2022 to different places including Rakhine State, Shan State, Kachin State, Kayah State, Kayah State, Mon State, Chin State and Magyway Region.

- On the matter of repatriation of 500,000 displaced persons from Rakhine State following terrorist attacks by ARSA aka Aqa Mul Mujahideen in 2017, Myanmar has been upholding the bedrock of bilateral agreements between the two states made on 2017 and 2018 respectively. The Bengali students who passed the Matriculation exam have been admitted to the respective Universities. There is no restriction on choosing certain subjects for the university. The selection of the preferred subject is based on the academic result of the student's matriculation exam. A total of 239 Bengali students registered for regular courses for 2022-2023 academic year. Regarding the term "Rohingya", Myanmar reiterates its position that it does not recognize the politically created term "Rohingya" that has never existed in legal and historical records of Myanmar.

- Concerning with boat people, Myanmar is always in the position to help and assist any vessel in distress. Myanmar Navy rescued a drifting boat with a total of 154 persons including 123 adults (83 males and 40 females) and 31 children (23 boys and 8 girls). According to the disclosure of the said persons, the boat was departed from Bangladesh to Indonesia and human trafficking is the root cause of the problem.

- International laws provide clear guidance when it comes to defining what qualifies as a crime against humanity or an international offense; however, these definitions must be applied carefully in each case before any conclusion can be reached with certainty. Myanmar concerns about the High Commissioner's conclusions without

proper reasoning and verification. This raises many questions about how such decisions are arrived at and their implications of them for international law enforcement. Therefore, simply relying on unsubstantiated claims do not meet legal standards for determining criminal responsibility.

- Myanmar strongly objects the High Commissioner's reference to the Security Council to refer the situation before International Criminal Court. All the sweeping allegations contained in the report are mainly related to domestic matters under the pretext of human rights and there is no concrete evidence to support the claims in addition to the fact that the developments in Myanmar are solely internal affairs and do not post any risk to international peace and security. Therefore, the recommendation is totally irrelevant and Myanmar categorically rejects it.
- The Myanmar Mission's official website provides an excellent source of detailed observations on the report.
- In conclusion, the Government of Myanmar is resolute to bring the country back to multi-party democratic system and has been upholding the principles and purposes of the Charter of the United Nations. The practice of an intrusive approach and unconstructive assessment would only lead to further confrontation, divisions and it would not be helpful to normalization of the situation of the country. Myanmar, therefore, asserts its firm objection against the irrelevant recommendations made by the High Commissioner and intrusive comments by some countries during the Interactive Dialogue.

**Permanent Mission of the Republic of the Union of Myanmar to the United Nations Office
and other International Organizations**

GENEVA
