

**Myanmar's observations on the report of the United Nations High Commissioner for Human Rights on the situation of human rights in Myanmar since 1 February 2021  
(A/HRC/53/52)**

- Reference is made to paragraphs under the titles Introduction and methodology and Legal Framework. The Government of the Republic of the Union of Myanmar provided the verified information as requested by the Office of the High Commissioner for Human Rights, regrettably, the OHCHR has failed to incorporate the inputs in the report and intentionally misled the audience by covering up the terrorist acts, inciting hatred and violence committed by the so-called CRPH, NUG and the PDFs.
- Myanmar repeatedly reminds the duplication of mandates created by the EU. The report which focuses on humanitarian affairs, mainly covered by a specific UN Office also shows repetition of work going beyond the mandate of the High Commissioner for Human Rights.
- Although OHCHR has stated that they had interviewed 53 interlocutors with 43 formal consultations, it did not mention the process of consultations and it was found that there is lack of clarification on the criteria of the interviewers and the interviewees under the pretext of "credibility assessment in accordance with OHCHR's standard methodology". While discharging its activities, OHCHR should oblige its professionalism and its report which is to be submitted to the Human Rights Council should not be based on the emotional narratives of the fabricated sources which mostly were coming from anti-government elements.
- Even though OHCHR stated that it submitted questionnaires to Myanmar, verified facts provided by the Government have been excluded which made the report one-sided and distorted the truth.

- Additionally, OHCHR consistently fails to make Myanmar's response visible though it is strictly required for the Special Procedure Mandate holders to reflect the State's responses fairly on the allegations of human rights. What makes it worse is that the Human Rights Council recently decided to hold the Interactive Dialogues on Myanmar in the absence of country-concerned which is in direct contradiction to the principles of international cooperation and dialogue.
- Reference is made to paragraph 14, the alleged figures by OHCHR based on the so-called AAPP which mainly produces numbers not reliable facts. To date, due to the terrorists acts of CRPH, NUG and PDF terrorists, 5,846 innocent people including 187 young children, 77 teachers, 69 members of the Sangha, 807 village and ward administrators and 148 other public services personnel, 17 medical service personnel, members of political parties and veterans have lost their lives. Moreover, the figures relating the internally displaced people are highly exaggerated. It is also important to highlight that the number of displaced persons is inaccurately inflated by stating more than 1.1 million living in Bangladesh camps. With the officially registered lists of family households in Rakhine State which are taken door to door annually by the relevant authorities, the number of people who left Rakhine State from Bangladesh after the 2016 and 2017 incidents is just around half a million people.
- References are made to paragraphs 15, 16 and 17, the figure of the population in need of humanitarian assistance formulated by a certain United Nations agency is vastly exaggerated as it included the numbers of the population who are neither displaced nor affected but the ordinary people in slum areas to attract donors.
- References are made to paragraphs 18, 19, 20, 21 and 22 in connection with humanitarian access and registration, 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. With regard to registration, domestic law in Myanmar is similar to that of other countries to ensure transparency and accountability of the non-governmental organizations. Some organizations including certain United Nations (UN) agencies, have secured access to all parts of the country but benefit only 0.5 percent of the population per targeted townships while some other organizations spent a large administrative cost of up to 70 percent of the project cost. The Organization Registration law is not more restrictive and importantly, enacting law falls within the domestic jurisdiction of the country.

- Reference is made to paragraphs under the title Freedom of movement: travel authorizations and checkpoints. Myanmar has facilitated over 46 field visits of UN agencies: WFP, UNDP, UNICEF, UNOPS, UNFPA and ICRC to different places including Rakhine State, Shan State, Kachin State, Kayin State, Kayah State, Mon State, Mandalay Region and Magway Region and 62 field visits of the donor communities in 2021, 2022 and 2023. Against this backdrop, alleging denial of humanitarian access is not rational. 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.
- Myanmar Government has been constructively cooperating with friendly countries and the UN agencies in the provision of humanitarian assistance. It is regrettable to note that the United Nations agencies in Myanmar have been put under pressure from the UN System which is excessively influenced by certain donor countries. Many UN agencies have been barred from meaningfully engaging and cooperating with the Government and it poses tremendous challenges in Myanmar's cooperation with the United Nations.

- References are made to paragraphs 23, 24, 25 and 26, every country sets up a regime for banking, finance, exports/imports and procurement and Myanmar is no exception. The banking system in Myanmar is regulated by the Central Bank of Myanmar and the regulations are made to formulate the monetary policy of the country. The ID check is the routine procedure for every banking system in all countries around the world. Exports/Imports and procurement policy is also important to prevent illegal market and smooth flow of the commodities to and from the country. The medicine and essentials items of commodities are prioritized by the Government for the people in need.
  
- References are made to paragraphs 27, 28, 29, 30, 31 and 32, visa policy and regulations of Myanmar are maintained like other countries. There are no restrictions for freedom of movement within the country to all Myanmar citizens as well as foreigners including diplomats and NGO staff so long as the security conditions permit. The bribery and corruption cases have been seriously handled by the Government of Myanmar and complaints can be filed as phone numbers and postal addresses to do so are easily available in public areas.
  
- References are made to paragraphs 33, 34, and 36, since OHCHR fails to reflect the facts provided by the Government, kindly consult some of the following attacks against humanitarian actors to have a balanced view:
  - A medical team with Kutkai Township Medical Services Department Head Dr. Wint WintMyaing, three midwives and one driver went to Monesi Village of Kutkai Township in Shan State for vaccination on 14 December 2021. On their way back home, the terrorists brutally attacked and killed Dr. Wint Wint Myaing.
  - Daw Chan Mya Nyein, the nurse and her husband from Chanmyathazi Township of Mandalay Region were assassinated by PDF terrorists on 12 December 2021.

- A truck carrying food items for displaced persons was seized by the terrorists in Kayah State.
- The terrorists attacked the convoy carrying representatives of AHA Centre and diplomats from Indonesia and Singapore Embassies on their way to Yayphyu Village of Hsihseng Township in Shan State (South) from Taunggyi to provide humanitarian assistance to temporarily displaced persons on the morning of 7 May 2023.
  
- The Myanmar Government will continue facilitating the delivery of broader humanitarian assistance to the people in an equitable and non-discriminatory manner while giving special consideration to the safety and security of humanitarian personnel.
  
- Reference is made to paragraph 35, the report biasedly presented two incidents that happened in November 2021 and April 2023. With regard to the clinic, it is essential to acquire a license to operate such clinics and the report covered up the fact that the individuals were released shortly although it was widely reported in media. In connection with Pazigyí incident, the report intends to mislead the audience by portraying it as if military brutally attack on innocent civilians who are attending the inauguration ceremony of the community building. Actually, it is not an inauguration ceremony for community building, but the opening of the headquarters of NUG/CRPH and the PDF terrorist groups. Therefore, in order to prevent collateral damage, the Tamadaw (Armed Forces) carefully calculated the distance between the village and the said stronghold, and carried out counter-terrorism operation by air with maximum restraint.
  
- References are made to paragraphs 38, 39, 40 and 41. A total of 1284 telecommunication towers across Myanmar including in Kachin State, Chin State, Sagaing Region and Mandalay Region were destroyed by the PDFs terrorist group's arson attacks starting from February 2021 until September

2022. In addition, 10 Branch Offices, 5 Business Centres, 5 Showrooms and 2 Head/ Technical Offices, total 22 entities were destroyed. The damage to some Base Transceiver Stations (BTS) inflicted a halt of telecommunication services in a broad area since they are connected to 5 to 10 telecommunication towers. Connections are interrupted repeatedly along the line where the Fibre Optic Cable lines connecting the BTSs were destroyed. Repair works of the Fibre Optic Cable lines were delayed due to terrorist attacks and it caused a long period of connection loss. For those reasons, around 1.5 million population suffers the connection loss.

- Reference is made to paragraphs under the title “Military’s four cuts strategy”. To protect civilians is a responsibility and obligations of the State. Since taking the state’s responsibility, the State Administration Council (SAC) has been exercising maximum restraint in the face of terrorism with minimal force while taking the necessary counter-terrorism operations and has been taking defensive measures only when the lives and properties of the people are threatened by terrorist groups or its forces are under attack. As such, Myanmar does not accept groundless accusations as it strictly follows the rules of engagement-ROE and serves duties not to harm the people. At the absence of verifiable facts such as the accurate date and place, Myanmar cannot provide information in connection with sweeping allegations reported happened in “a village” or in “villages”.
- With regard to humanitarian assistance to those in need, the Government of Myanmar has adopted a policy of no one left behind in addressing the challenges. In line with the Point 4 of the ASEAN Five-Point Consensus, the Myanmar Task Force and authorities have been cooperating with the ASEAN Humanitarian Assistance and Disaster Management Centre (AHA Centre) to facilitate the provision of Humanitarian Assistance to Myanmar through the AHA Centre. The Government has also been cooperating with MRCS, Local NGOs and

international organizations as they play a crucial role in delivering assistance to the needy population without any political interference and manipulation.

- Reference is made to paragraph 43. Rakhine State is where most of the United Nations Agencies including UNDP, UNWomen, UNICEF, UNOPS, UNHCR, WFP, IOM, INGOs and NGOs have been operating as the UN agencies and INGOs have maintained their field offices including in Sittway, Ann, Yathaetaung, Maungdaw, Mrauk-U, Kyauktaw, Myanponand Minpyar. From 2021 to 2023, the Rakhine State Government has granted over sixty travel authorizations to WFP and over 80 travel authorizations to INGOs while ICRC was allowed to travel for over 500 times.
  
- References are made to paragraphs 48, 49 and 50 regarding landmines and unexploded ordnances. Although the report mentioned that “anti-military armed groups are manufacturing landmines and homemade improvised explosive devices”, putting the blame on the Tatmadaw without any proven facts by mentioning “responsibility for use of mines mainly to the military” is tantamount to spreading outright disinformation. Terrorist groups built bunkers and fired holes in the areas of monasteries, schools, clinics in the villages and laid landmines as obstacles around the villages and such information were occasionally published. The Ministry of Social Welfare, Relief and Resettlement established the Mine Risk Education Working Group which comprises of relevant Ministries, UN Agencies, and national and international organisations to reduce the risk of landmines and explosive ordnance and to educate people who live in high-risk areas. From the ASEAN perspectives, Myanmar has been actively participating in the ASEAN Regional Mine Action Centre (ARMAC) since its inception in May 2016.
  
- References are made to paragraphs 52, 53, 54, 55, 56 and 57. The report repeatedly omits the reasons behind the impacts and implications caused by the

instigation and social punishment of the so-called Civil Disobedience Movement – CDM in Health Sector. In Myanmar, COVID-19 positive rates have reached its peak during a third wave in July 2021 and some unethical healthcare personnel chose to abandon the patients who are nothing to do with politics while some others were forced to do so through social media by online shaming and imposing life-threats. Medical staff from both Tatmadaw and retired and responsible doctors joined forces in place of those who had neglected their duties. Myanmar received COVID-19 vaccine doses from its own purchases and contributions of the neighbouring countries Myanmar puts on the record that the United Nations failed to provide any assistance during the severe third wave COVID-19 particularly World Health Organization did not provide a single dose of vaccines. Such acts clearly prove that humanitarian principles of humanity, neutrality, impartiality and independence are not applied by the United Nations which supposed to uphold the principles and exercise in practice. Additionally, OHCHR largely omits such significant failure of the United Nations in its report which mainly highlights humanitarian matters which demonstrates the actions of the organizations contradict its words.

- References are made to paragraphs 58, 59, 60, 61 and 64, regarding the impact on the right to adequate food. The report only includes sweeping accusations against the security forces without verifiable information of incidents such as exact places, dates, times and identities of accused persons. Myanmar is not in the position to clarify information of alleged incidents. In Myanmar, the security forces are obliged to strictly follow military directives, the Defense Services Act and domestic laws and applicable international laws while mechanisms are put in place to ensure accountability in case of violations.
- References are made to paragraphs 63, 64, 65, 66 and 67, regarding the conclusions of the report. In view of certain verifiable incidents mentioned in the report were armed attacks by the terrorist groups and it is very common to see

that the report labelled the members of such groups as civilians and covered up the atrocities committed by the so-called PDFs. At the same time, the report intentionally fails to incorporate the level of access enjoyed by different organizations including the United Nations agencies to reach its intended conclusions. Therefore, Myanmar categorically rejects one-sided and biased conclusions including elements contained in paragraph 64.

- References are made to paragraphs 68, 70 and 71. Myanmar rejects the intrusive recommendations based on highly politicized conclusions under the pretext of human rights. Furthermore, Myanmar strongly opposes the reference to the Security Council Resolution and International Criminal Court. The recommendations go beyond the mandate of the Human Rights Council and there is no concrete evidence to support the claims that the security forces commit international crimes in addition to the fact that the developments in Myanmar are solely internal affairs and do not pose any risk to international peace and security. The intrusive recommendation is totally irrelevant and interferes the internal affairs of Myanmar. Therefore, Myanmar categorically rejects them.
  
- Due to time constraints, Myanmar could not make its comments on the remaining paragraphs. This does not mean that Myanmar agrees with these paragraphs; rather, it simply means that there was insufficient time to provide feedback.

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