MYANMAR

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Statement by Ambassador Hau Do Suan,
Permanent Representative of the Republic of the Union of Myanmar
at the Security Council Open Briefing Session on Myanmar
(New York, 28 February 2019)

Mr. President,

I would like to congratulate you for chairing this important meeting and for the successful and commendable Equatorial Guinea's presidency of the Council for the month of February.

I thank Ambassador Christine Burgener for the objective and comprehensive briefing this afternoon.

In the spirit of cooperation with the United Nations and as a demonstration of our desire to addressing the issue of Rakhine, we agreed to the appointment of the Special Envoy. We have provided her with all necessary support in discharging her mandate. We appreciate her tireless efforts and dedication in undertaking her mandate with objectivity and impartiality. The Special envoy has made five official visits to Myanmar in the last 9 months since her appointment. Her office in Nay Pyi Taw has been fully functioning now. We will continue to work closely with her in our effort to resolving the issues particularly relating to the situation in Rakhine State.

Mr. President,

Soon after taking state responsibilities, the NLD government has set high priority to bring sustainable peace, stability and development in Rakhine. We have been implementing most of the recommendations of the Rakhine Advisory Commission led by late Dr. Kofi Annan which was set up by the Government voluntarily even before the humanitarian crisis took place as a result of ARSA terrorist attacks. In the process of implementation, we identified five priority areas covering issues of citizenship, freedom of movement, closure of IDP camps, education and health. We are also finalizing a strategy for closure of the remaining IDP camps.

The National Verification Card (NVC) is the necessary step in the citizenship application process. It is a proof of residency in Rakhine State and facilitates freedom of movement. The application of NVC is totally voluntary.

Due to the present security condition, access has been restricted in some areas in Northern Rakhine. However, humanitarian supplies can be delivered through the ICRC as well as the authorities of the Rakhine State.

In tandem with maintenance of peace and stability and provision of humanitarian assistance, the Government has been implementing a number of projects to provide socio-economic development of the people in Rakhine. Development is the best solution to ending communal conflicts. In this regard, the Rakhine State Investment Fair was held recently to generate job opportunities, income and long term development.

Mr. President,

The most urgent task of the Government at hand is to commence the repatriation process as soon as possible to resolve the humanitarian situation. We are ready to receive verified returnees in a voluntary, safe and dignified manner in

accordance with the bilateral agreements and arrangements with Bangladesh. We have proposed recently to Bangladesh side to resume the Joint Working Group meeting in April. We are confident that we can make the repatriation plan a success if we both act strictly in compliance with the agreements.

On the other hand, we have been working with the UNDP and UNHCR to create conducive conditions in accordance with the trilateral MoU. We have agreed to implement 35 Quick Impact Projects as soon as the security condition permits. Another 36 QIPs are under consideration. The QIP assessments will also be extended to other designated villages in northern Rakhine.

Moreover, we are also working with ASEAN to facilitate the repatriation process. We have invited ASEAN-AHA Centre to dispatch a needs assessment team to identify possible areas of cooperation in Rakhine State to assist the repatriation. The ToR of the Needs Assessment Team was agreed during the visit of the ASEAN Secretary-General to Myanmar in December last year. ASEAN-Emergency Response and Assessment Team (ERAT) will be sent to Rakhine as soon as possible. The presence of the ASEAN assessment team at the repatriation process will enhance trust and confidence of the returnees.

Mr. President,

While we are engaging constructively with the United Nations in our effort to resolve the multitude of challenges we are facing as a nascent democracy, some groups and countries in the UN system continue to exploit various UN systems to exert discriminatory and illegitimate political pressures on Myanmar with malicious intent. One vivid example, among many others, is the establishment of the Independent Investigative Mechanism (IIM) on Myanmar by the Human Rights Council. This action is yet another step to take in a series of unprecedented

discriminatory scrutinization on a member State. We had strongly objected the establishment of the IIM. The reasons are simple. The IIM was set up beyond the Council's mandate. It represents selectivity, discriminatory and double standard practice of the UN human rights body. Besides, its ToR is very intrusive on a sovereign country's domestic jurisdiction. It would only serve political purpose of those who wish to exploit the HRC for their political agenda. Such intrusive measures without the consent of the country concerned will only further polarize different communities and will exacerbate tensions.

Mr. President,

Some members of the Council in this Chamber have just made reference to the report of the HRC Fact Finding Mission (FFM) in connection with the accountability issue. In this respect, I would like to reiterate our firm position as I did before in this very Chamber on 24 October last year, that Myanmar has categorically objected FFM since its establishment. We also reject its narrative based report.

The FFM report was totally biased and one-sided. Its investigation targeted only Myanmar security forces and excluded violations committed by the Arakan Rohingya Salvation Army (ARSA). The report was prepared mainly on the result of interviews, and information gathered from some NGOs and human rights groups. Above all, the report fully adheres to the stories of Muslim displaced persons while rejecting any contradicting evidences. The FFM ignored reports revealing the massacres by the ARSA and discounted its atrocities. Most importantly, the conclusions of the report are politically motivated with the aim of creating maximum damage to the image of the country and its leadership of Myanmar.

ARSA is alive and active. On 25 February, news media reported the news of the death of one of the top ARSA military commanders, Nurul Alam in a gun fight with Bangladesh Rapid Action Battalion (RAB) at Muchuni camp in Cox's Bazar. Bangladesh local media also reported recently of abduction, murders, disappearances

and rape committed by members of ARSA in 30 camps of Ukhia and Teknaf border in Cox's Bazar. They are also threatening people who wanted to go back to Rakhine.

Mr. President,

The Government of Myanmar has repeatedly stated that it will not condone human rights violations and will take action against perpetrators according to the law if the allegations are supported by sufficient evidence.

Therefore, the Government of Myanmar has established an Independent Commission of Enquiry (ICoE) to investigate all allegations of human rights violations following ARSA terrorists attacks in August 2017 in northern Rakhine. The mandate of the Commission is to seek accountability and reconciliation. The Commission is carrying out its mandate with independence, impartiality and objectivity.

The ICoE will investigate allegations of human rights violations based on hard evidences. Therefore, it will gather all information and analyze evidences by setting up a sub-committee. It is seeking technical support of external experts in such areas as information and communication, legal, forensic and criminal investigation. Each member of the Commission will also appoint their own supporting staff and experts.

The Commission has publicly invited submission on the allegation of human rights violation. The deadline for the submissions had been extended from 31 January 2019 to 28 February 2019 (today).

The Commission has received over 40 submissions concerning allegation of human rights abuse. The Commission is also requesting access to the refugees camps in Cox's Bazar in Bangladesh. We urge the Government of Bangladesh to facilitate the Commission's visit to the camps to meet with the alleged victims of abuse. The Commission's work will be evidence based. Therefore, the international community should support the work of the Commission. ICOE will submit its interim report to

the Office of the President in March, and the final report will be submitted towards the end of the year.

The Government of Myanmar is willing and able to address accountability issue. Therefore, we strongly reject any move to bring the issue to international judicial system.

With this firm commitment and also with the spirit of cooperation with the United Nations, the Government of Myanmar has signed the Joint Communiqué with SRSG on Sexual Violence in Conflict to prevent and address the conflict-related sexual violence. The Government of Myanmar has recently facilitated the visit of SRSG Ms. Patten.

We have also been working closely with the Office of the SRSG on Children and Armed Conflict. The Inter-Ministerial Committee on the Protection and Prevention of Six Grave Violation has been established and training on Six Grave Violations had been conducted in December last year.

Mr. President,

The issue of Rakhine is not an issue of religious persecution as wrongly portrayed by massive media campaign against Myanmar. Myanmar is a multi-ethnic and multi-religious country where different faiths, including the majority of Muslim population live in harmony across the country for centuries.

The issue of Rakhine State is a political and economic issue involving prolonged cross border illegal migration since colonial time, poverty, lack of rule of law and national security. The issue of Northern Rakhine is not a threat to international peace and security.

The recent outbreak of fighting in northern Rakhine State ignited by the Arakan Army's attacks against three police outposts has further complicated the situation. It also highlighted the urgent need to achieve nation-wide ceasefire agreement under the on-going national peace process.

We are fully aware of the urgency to solve the humanitarian problems. But we want to seek your understanding of the practicality and possibilities on the ground. There are huge physical as well as psychological barriers that hinder implementation of the repatriation, building peace and stability and development efforts. It takes time and patience as well as courage to build trust and confidence among different communities in Rakhine. We want to resolve the issue as quickly than anyone else.

While the primary responsibility to address the situation in Rakhine rests with the Government and People of Myanmar, objective and constructive contribution and support of the international community is crucial for the success of Myanmar's national efforts.

I wish to express our sincere appreciations to all our friends who are helping and supporting us in various ways to resolve the challenges in Rakhine at this critical juncture.

We shall continue to work in good faith with the United Nations and with all our friends to end the suffering of the people of Rakhine and rebuild the State into a land of peace, harmony and prosperity for all communities.

Thank you.

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