MYANMAR

Statement by Ambassador Hau Do Suan,
Permanent Representative of the Republic of the Union of Myanmar to the United Nations at the Open Debate on Protection of Civilians in Armed Conflicts
(New York, 23 May 2019)

Madame President,

First of all, allow me to express my heartfelt congratulations to you for chairing this important session of the Council. As a fellow ASEAN member, Myanmar takes pride in the very successful and commendable Indonesian presidency for the Month of May.

I would also like to thank Secretary-General Antonio Guterres, President of the ICRC Peter Maurer and the NGO representative Mr. Federico Borello, for their briefings.

My delegation aligns itself with the statements from ASEAN and NAM.

Madame President,

It is most fitting to hold this Open Debate marking the 20th anniversary of the adoption of the Security Council resolution 1265 on the protection of civilians in armed conflict, and also in the context of the 70th anniversary of the adoption of the 1949 Geneva Convention. In the past twenty years, the Council has adopted 13 presidential statements on the protection of civilians to strengthen countries efforts. We welcome all the steps taken by the Council to address the challenges pertaining to the protection of civilians.

Madame President,

Armed conflicts wrought civilian casualty, sufferings, and insecurity. Armed conflicts make a lasting negative impact on political stability, peace and security, the rule of law, and sustainable economic and social development of a country. Therefore, focusing on conflict prevention, resolution, and sustainable building peace are the most fundamental and crucial steps necessary for ending the suffering of the innocent civilian population during armed conflicts. Prevention is the best protection. We must promote dialogue and engagement, and facilitate the settlement of the conflict through political means in good faith.

While the primary responsibility of protection of civilians in armed conflict lies in the hands of respective governments and conflicting armed groups, it is also

important that the international community support the efforts of the states in a constructive manner, especially in accordance with the principles of respect for sovereignty, territorial integrity and political independence.

Madam President,

Myanmar is a country born with internal armed conflicts. We know too well about the cost of armed conflict and the value of peace and stability. Therefore, we place peace at the heart of our democratic nation-building endeavor. Myanmar believes that sustainable peace is the only way to end the plight of all affected societies by the armed conflicts. Peace is also essential to sustainable development and perpetuity of democracy and human rights.

Therefore, the Government has pushed forward a peace process with ethnic armed organizations through the signing of the Nation-wide Ceasefire Agreement (NCA), and holding of the Union Peace Conferences to end internal armed conflicts. Building a lasting peace requires political will, courage, and determination. It cannot be achieved overnight. But, peace is the ultimate solution to conflicts and the collateral damage affecting the civilian population.

Madam President,

We recognize that taking preventive measures is the most effective way to protect the most vulnerable people in armed conflicts, especially women and children. In this regard, the Government of Myanmar is actively cooperating with SRSG on Sexual Violence in Conflict and SRSG on Children and Armed Conflict. The Government established inter-ministerial Committees to implement national action plans to prevent and address conflict-related violations on women and children.

Training workshops have been held in collaboration with the respective SRSG offices and with the UN agencies to impart awareness and knowledge among security personnel on violations against women and children.

We are encouraged by the on-going constructive engagement and cooperation with the two offices of the SRSGs to prevent and eliminate violations against women and children in armed conflict.

Madam President,

My delegation believes that domestic legal and judicial systems must be the primary recourse for prosecuting human rights violations. In this connection, states need to strengthen their own legal and judicial institutions to establish an effective rule of law and promote a safer environment for their citizens. The international community can play an important role by providing necessary legal and technical

support to the States in their institutional capacity building efforts. Myanmar has undertaken important legal reforms, particularly revising the Child Rights Law and the Prevention and Protection of Sexual Violence against Women Law to be in conformity with international norms and standards.

The Government of Myanmar has adopted a strong policy of not condoning any human rights abuse. In line with this commitment, the Government has established an Independent Commission of Enquiry (ICoE) to investigate all allegations of human rights violations following ARSA terrorist 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. Anyone found guilty of committing atrocity will be punished according to law.

The Tatmadaw (Military) has also formed its own Investigation Tribunal to verify the allegation of violations. The Government of Myanmar is willing and able to address the accountability issue. Undue external interference will be counter-productive and will only be detrimental to Myanmar's effort in enforcing the rule of law, peace, and national reconciliation.

Madame President,

I would like to state in unequivocal term that Myanmar will never accept any measure that violate the sovereignty and territorial integrity of our country such as creation of a "safe zone" for Muslim population inside Myanmar territory as proposed by Bangladesh Prime Minister, and just repeated by Bangladesh Representative a few minutes ago in this Chamber.

Bangladesh's incessant attempt to destroy our bilateral efforts to solve the humanitarian problems of Rakhine State and its action to demonize the Government and people of Myanmar will not contribute to solving the problem in Rakhine State, but will only create further polarization and prolong the suffering of the people.

Madame President,

Armed conflicts displaced persons, deprived their normal livelihood and their basic human rights. Even the very essential humanitarian assistance cannot reach to the affected population under the circumstances of active hostilities. It is necessary to build trust and understanding among all the stakeholders, including the government, non-state actors, and the aid providers to enable humanitarian access to the needy civilian population. It is crucial that the provision of humanitarian assistance be made in accordance with the four humanitarian principles without politicization.

I would like to take this opportunity to express our appreciations to the UN Agencies, ASEAN, NGOs - particularly ICRC and CSOs for providing humanitarian

assistance to the people affected by armed conflicts. The role of CSOs is also crucial in facilitating agreements. Recently, the Myanmar Government's National Reconciliation and Peace Centre (NRPC) and the Kachin Humanitarian Concern Committee (KHCC) have successfully discussed the way forward in ensuring the displaced person in Kachin State to return to their homes safely and with dignity, addressing humanitarian needs and closing of IDP centers.

Madame President,

The role of peacekeepers is increasingly important in the protection of civilians in conflict. While the protection of civilians is an important task of a peacekeeping operation, it needs to be strictly in accordance with the specific mandate for the country concerned.

Each mandate should adhere to the core principles of the UN Peacekeeping and the UN Charter. The mandate of the peacekeeping operation to protect civilians is no substitute for the security responsibility and obligations of the States concerned.

Madame President,

As long as there is armed conflict, there will always be the civilian casualty. There will be collateral damage and alleged human rights violations will continue. Silencing the guns and achieving durable peace will ultimately end the suffering of innocent civilians, mainly women and children, who bear the brunt of these predicaments.

Myanmar is committed to ending the decades-long internal armed conflict by peaceful means through political dialogues. We are striving to create an enabling political environment to establish a fully functioning democracy by initiating constitutional amendment process.

The Government and people of Myanmar have fixed their eyes on the national mission of building a peaceful, prosperous, and democratic federal union. Peace and reconciliation will be at the core of this endeavour. We shall not be astray from our chosen path to peace and democracy under any circumstances or any form of challenges.

We hope that the international community will be able to contribute constructively for peace, development, and democracy in Myanmar so that all our people will be free from conflicts and live together in peace and harmony, enjoying human rights, justice and equality.

I thank you.

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