MYANMAR

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Statement by Ambassador Hmway Hmway Khyne,

Deputy Permanent Representative

at the Second Formal Meeting of the Fifth Committee

on Agenda Item – 135: Proposed Programme Budget for 2020

New York

8 October 2019

Mr. Chair,

I would like to take the floor with regard to the proposed programme budget for the so-called Independent Investigative Mechanism for Myanmar under Section 8: Legal Affairs contained in the document A/74/6 (Sect.8) entitled Proposed Programme Budget for 2020 and related reports of the ACABQ and the Committee of Programme and Coordination (CPC) contained in the documents A/74/7 and A/74/16 respectively.

I wish to thank Mr. Antonio Guterres, Secretary-General of the United Nations, and the Chairs of the Advisory Committee and the Committee on Programme and Coordination for introducing their reports.

My delegation is fully aware of the scope and responsibilities of the Fifth Committee; therefore doesn't intend to stage a thematic debate on human rights issues here. However, my delegation wishes to express its absolute reservation concerning the Independent Investigative Mechanism for Myanmar in the proposed programme budget for 2020.

Mr. Chair,

From the very beginning, Myanmar categorically rejected establishment of that Mechanism and made it crystal clear that it will not cooperate with the Mechanism because it is just another product of a series of highly polarized, partial and discriminative resolutions on Myanmar adopted by the Human Rights Council. It is no more than an addition to the already duplicate and resources-wasting scrutinizing human rights mechanisms on a single Member State.

Myanmar Government and Myanmar people place high regard in the work of the United Nations. Cooperation with the United Nations has been and will continue to be one of the basic tenets of our foreign policy.

As our leaders expressed it clearly, we do not fear international and UN scrutiny. However, we have no choice but to reject multiple unjust and blatant attempts to exert unwarranted political pressures on Myanmar with many groundless accusations under the pretext of human rights.

At least 7 mechanisms focusing on Myanmar, including the International Fact-Finding Mission (FFM) and the Special Rapporteur, with a total spending of over USD 35 million from the precarious Regular Budget resources and with their flawed investigation methodologies have resulted in countless one-sided biased reports full of sensational narratives. Many of them went far beyond their mandates and demonstrated hostility towards the democratically elected government and the peace-loving people of Myanmar. The contents of the reports constitute flagrant violations of the sovereignty of Myanmar. The Independent Investigative Mechanism is another attempt to stamp unverified narratives compiled by the FFM and prepare files for future tribunals which Myanmar will never accept.

The proposed budget for the Mechanism for 2020 alone is over USD 15 million, amounting to a total of nearly USD 27 million just for two years since its establishment. The proposed amount for 2020 represents nearly 26 % of total resources in the whole field of legal affairs of the United Nations. It is proposed that the Mechanism would require 62 staff 100 % funded by the Regular Budget. And we do not know how many more years this Mechanism will continue to exist.

Mr. Chair,

One of the main responsibilities of the Fifth Committee is to ensure sufficient resources to implement delivery of mandates in the most effective and efficient way. However, my delegation would like to remind the Committee that addressing a long-rooted and complex

situation requires cooperation and full understanding of the realities of the situation. Just allowing several redundant mechanisms of questionable impartiality to utilize scarce resources of the United Nations will not solve the problem. It is a waste. Such disproportionate spending for Myanmar should rather be used to complement the ongoing efforts for repatriation process. Without the consent and cooperation of the country concerned, no mechanism would produce any tangible results.

My delegation wishes to reiterate that the Government of Myanmar is not opposed to accountability for any wrong doing and sincerely sympathizes with all those who have been affected by the problems in Rakhine state. We are willing and capable of tackling the accountability issue. However, as opposed to the planning assumption mentioned in the proposed programme plan, Myanmar will not engage with the Mechanism because we do not accept double standards and, selective and discriminatory application of human rights.

This practice of integrating results of the politicized country-specific resolutions of the Human Rights Council into the legal affairs of the United Nations undermines both the UN system and the system of international law. Our legitimate concerns are also fully shared by several delegations in the Committee on Programme and Coordination, who clearly expressed their strong opposition and disagreement with the inclusion of the Mechanism in the proposed programme budget.

Therefore, while fully supporting the UN's works on protection and promotion of human rights, my delegation strongly believes that the Committee should take it into serious consideration in the following consultations to end this practice of time and resource wasting on duplicate, unjustifiable and discriminatory mechanisms for a single member country.

I thank you, Mr. Chair.

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