

**Statement by H.E. Mr. Htin Lynn, Permanent Representative of Myanmar
at the consideration of the draft resolution on the Situation of Human
Rights in Myanmar (March 23, 2018)**

Mr. President,

- On our march to a democratic society, Myanmar faces daunting challenges in peace, national reconciliation and development. Maintenance of rule of law and providing security for all in Rakhine State and addressing the humanitarian situation there, are particular concerns to Myanmar today.
- As repatriation is an immediate step, the Government has done necessary preparations for reception. We have sent back a list of people, we were able to verify as we received complete information in conformity with the agreed prescribed form for repatriation. We are ready to receive them back any time.
- A MOU between Myanmar and UNDP plus UNHCR for their respective role in development and repatriation is in the making. Third round of discussion will take place next week with a view to finalizing it as soon as possible.
- While we do not abdicate our responsibility, as a responsibility member of the international community, our focus should be on the way forward in finding sustainable solution to Myanmar's challenges.
- At this difficult juncture, we should be concentrating our efforts to help Myanmar with humanitarian assistance and capacity-building to alleviate and end the suffering of all including internally and externally displaced population.

Mr. President,

- Let me explain our position on the draft resolution L.43.
 - o **PP7** mentions “ethnic cleansing”. Following the Government's efforts to facilitate first-hand information, diplomatic corps and

UN agencies have already visited area and witnessed that most of the Muslim population and their villages remain intact and they are assuming daily livelihoods as before. If ethnic cleansing is happening, why many have chosen to continue to reside there? The answer is depending on whom you ask!

- **PP12** expresses ongoing intimidation and violence. There is no basis to this allegation. We took representatives from diplomatic corps and UN agencies to Maungtaw area and up to the border on 6, 9 and 15 February. We also took media to Maungtaw for 6 times since January this year. Again, they have witnessed the active resumption of normal livelihoods including vibrant markets activities in Maungtaw.
- **OP7** is holding the military and security forces accountable for security, human rights and humanitarian situation in Maungtaw areas in Rakhine State. In fact, threat, reprisal, instigation, false hope, forced recruitments and slaughtering dozens of Hindus by ARSA played a critical role in abrupt change of daily lives of all people, there. Immediate and primary causes and their effects should be analyzed more closely in a balanced and unbiased manner.
- **OP9** is factually flawed as there is no curfew order in the whole of Rakhine State. It is in effect only in three townships of Maungtaw region. As security improves, curfew order was lifted yesterday in three village-tacks in Yathaytaung.
- The usage of “no man’s land” in **OP11** is technically incorrect. In fact, some group of displaced persons are temporarily sheltering themselves in our territory along the boundary line not in a place so-called no man’s land. This terminology flaw is uncompromising and infringing on our territorial integrity. That cannot be compromised.

- With regard to **OP13**, Myanmar has never rejected the allegations. What we have said all along was that if clear evidence is provided, we shall take action against any perpetrator.
- **OP23** on land confiscations is unreasonable. The present government is returning most of the past-confiscated land.

Mr. President,

- **OP8** is the most intrusive. The situation in Myanmar is linked to the authority of the Security Council and thereon to ICC. There must be concrete evidence and legal determinations to constitute a crime related to violations of international human rights law. The notion of this paragraph is a threat and a direct challenge to the State sovereignty of Myanmar.

Mr. President,

- Although we see some paragraphs acknowledging and welcoming the efforts made by the government of Myanmar, the aforementioned factually-flawed, intrusive, sovereignty-infringing paragraphs have surpassed them. More importantly, Myanmar is against country-specific resolutions as a principle.
- Against this background, Myanmar cannot accept L.43 and reject it categorically.
