

Statement by H.E. U Maung Wai
Permanent Representative of Myanmar
(Position of Myanmar on the draft resolution No. A/HRC/28/L.21/Rev.1)
28th Session of the Human Rights Council
Geneva, 27 March 2015

Mr. President,

At the outset, my delegation reiterates our principled position against country specific resolutions which lead to confrontations, contrary to the purposes and principles of the Charter of the United Nation, of developing friendly relations among nations and achieving international cooperation in promoting and protecting human rights for all.

We are disappointed that the European Union has once again tabled a draft resolution by selectively targeting Myanmar under the pretext of human rights.

OP 2 and OP 7 of the draft resolution L.21/Rev.1 include language that intervenes in the sovereign matters such as the constitution, political and judicial systems which fall within the domestic jurisdiction of Myanmar. There is no one-size-fits-all constitution in the world. Adequate measures are now in place for the free, fair and transparent general elections. Prejudging its outcome is unwarranted on any grounds. The OPs show a clear example of politicization under the name of human rights. Therefore, we reject these intrusive elements as contained in OP 2 and OP 7.

OP 6 and OP 8 contained unverifiable accusations and sweeping allegations. These are the clear example of subjectivity. And therefore we strongly reject OP 6 and OP 8.

My delegation is disappointed with the elements contained in OP 9. They are far from the reality. Individual comments against another individual should not be generalized.

In Rakhine State, there is no recurrence of inter-communal violence since 2012. Expressions about intimidation and threats to UN and other humanitarian workers are totally unfounded. The truth is that the security, cooperation, and momentum there is at its peak today. As such many descriptions contained in OP 10 do not reflect the reality, and they are very misleading. Therefore, we reject OP 10.

We strongly reject the use of terminology "Rohingya" contained in OP 10 and OP 11. The people of Myanmar do not and will not recognize such terminology since it has never existed in our ethnic history. We further reject the call to allow for self-identification. Continued use of that invented, false term does not help in addressing the issue, but further undermines our efforts to resolve the issue. Desire of the peoples of a sovereign state should be respected, and their concerns should be duly recognized.

With regard to OP 11, several independent investigations were carried out and took legal actions against those who committed crimes in Rakhine State and stringent implementation of their findings are continuing. We do not see that further investigation is necessary. Therefore, my delegation rejects OP 11.

We oppose the elements with religious tones, and the draft resolution should not try to divide Myanmar's pluralist society.

In connection with OP 14, the opening of the OHCHR Country Office in Myanmar must be based on mutually acceptable terms and conditions. A take-it or leave-it approach shall not work with a Sovereign State. Sovereign decisions must be respected.

Myanmar's reforms in the four-year time have contributed greatly to the people's better enjoyment of human rights and fundamental freedoms, significantly in the areas of freedom of expression, freedom of association and peaceful assembly. The achievements make Myanmar stand proudly in the region and beyond. Applying different norms on countries set another clear example of double standards.

Since the resolution is imbalanced, politicized and failed to adequately recognize the progress achieved and cooperation extended by Myanmar, we dissociate ourselves from the resolution.

Due to the time constraint, we are not able to touch other OPs and it does not mean elements contained there are acceptable to our delegation.

Mr. President

Before concluding, my delegation would like to express our deep appreciation to a number of delegations for their tireless efforts to make the draft resolution more balanced. We will continue our endeavours in the field of promotion and

protection of human rights in the best interests of our own people. It is our hope that our continued engagement with the European Union will pave a way for a genuine cooperation.

I thank you, Mr. President.
