



# MYANMAR

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**Statement by Ambassador Kyaw Moe Tun, Permanent Representative of the  
Republic of the Union of Myanmar to United Nations  
under agenda Item 78: Crimes against Humanity,  
at the Sixth Committee of the Seventy-Eighth session of UN General Assembly  
(New York, 12 October 2023)**

**Mr. Chair,**

Since this is the first time my delegation takes the floor, I wish to congratulate you, Mr. Chair, and the other Bureau members for your election.

Myanmar thanks the International Law Commission for the draft articles on the prevention and punishment of crimes against humanity as well as for its recommendations which we support.

**Mr. Chair,**

The General Assembly has recognized that crimes against humanity are among the most serious crimes of concern to the international community as a whole. The Assembly, particularly this Committee, has taken important steps forward in its consideration of the ILC's recommendations. Last year, we set in motion a process for substantive exchanges for a two-year span. We hope the Committee would be able to take a decision next year as stipulated in the resolution 77/249.

We firmly believe that crimes against humanity must be prevented and all perpetrators must be held accountable. The absence of an international convention dedicated to the prevention and punishment of these crimes has long been a gap in international criminal justice system that prevents the most serious crimes of international concern. The development of such a convention on this matter will not only contribute to

the international community's efforts to prevent atrocity crimes and combat impunity, but also help improve criminal justice system at the national levels.

The international consensus is that crimes against humanity must be prevented and punished along with genocide and war crimes. It is understandable at this stage that there are differing views on some aspects of the draft articles as well as concerns over potential abuses and politically motivated applications. However, these issues should not prevent the process from moving forward toward the drafting of a convention. Instead, the concerns should be addressed through inclusive, transparent and constructive negotiations.

**Mr. Chair,**

Reality is that the convention is urgently required within the global community, and it holds particular significance for a nation like Myanmar, where the military operates with impunity, committing brutal acts.

It is vitally important for all of us to work together to end the culture of impunity for perpetrators.

**Mr. Chair,**

In Myanmar, since the illegal military coup in February 2021, the military junta has been conducting a campaign of brutal violence against the people of Myanmar across the country. As their failing coup has been met with resolute rejections from the people, their brute assaults against the civilian populations continue with the aim of subjugating them.

Last year, the United Nations Independent Investigative Mechanism for Myanmar states that the scale and manner crimes are committed in Myanmar since the coup constitutes a widespread and systematic attack against a civilian population. Again in this year's report, the Mechanism reaffirms that "there is strong evidence indicating that serious international crimes are being inflicted against the people in Myanmar. There is also strong evidence that crimes against humanity have been committed, including rape in detention among others."

Two weeks ago at the Human Rights Council, the UN High Commissioner for Human Rights laid out three specific military tactics deployed by the illegal military junta to systematically attack the civilian population. These are indiscriminate airstrikes, mass killings, and large-scale and intentional burning of civilian homes and buildings.

Recently, on almost midnight of 9 October, the military junta conducted aerial attacks on Munglai Hkyet IDP Camp in Laiza, Kachin State, killing 30 civilians including 13 children and injuring many as well as destroying a school, a hospital, a church and homes

So far, the military junta has murdered over 4,100 civilians since the coup. About 1.7 million people have been driven out of their homes by the military indiscriminate attacks on the civilian population since the coup. The total number of IDPs is now nearly 2 million. Multiple massacres have been committed by the military forces across the country. There have been arbitrary executions of democracy activists following the secret sham military trials. According to the OCHA, nearly 75,000 civilian properties are estimated to be burnt down or destroyed.

These ongoing widespread atrocities in Myanmar are being committed by the military junta with the sense of impunity. The international community, particularly the Security Council, must address the military impunity in Myanmar in order to create conditions for a sustainable solution to the current crisis.

Given the mounting evidence of atrocity crimes including crimes against humanity and war crimes being committed in Myanmar, the Security Council should refer the situation to the International Criminal Court, as the Council did so twice in the past.

The UN High Commissioner for Human Rights has repeatedly urged the UNSC to refer the situation of Myanmar to the ICC. Sadly and painfully, those calls have not been taken seriously yet.

**Mr. Chair,**

On our part, the National Unity Government declared to the ICC of the acceptance of its jurisdiction in accordance with Article 12 (3) of the Rome Statute as an effort to find justice for the victims. The people of Myanmar are awaiting action from the ICC

The situation of my country is an example of why combating impunity is a necessity not only to provide justice for victims who suffered from the heinous crimes, but also to prevent such crimes anywhere else.

Clearly, the people of Myanmar urgently need the international legal protection from the military junta's international crimes.

**Mr. Chair,**

In conclusion, I wish to remind that, with every moment passes by, every moment that the international community takes no action, the sufferings of the Myanmar people continue. On other word, no concrete action from the UN will indirectly encourage the inhumane military junta to commit further atrocities against innocent civilians in Myanmar.

So, I urge the UN in particular the UNSC to respect the aspiration of the people of Myanmar and make sure that the UN does not fail Myanmar and not leave the people of Myanmar alone in this world striving towards justice and protection from crimes against humanity.

I thank you.

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