



MYANMAR

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**Statement by Ambassador Kyaw Moe Tun, Permanent Representative of the
Republic of the Union of Myanmar to United Nations
agenda Item 83: The rule of law at the national and international levels
at the Sixth Committee of the Seventy-Eighth session of UN General Assembly**

(New York, 18 October 2023)

Mr. Chair,

I wish to thank the Secretary-General for his report on strengthening and coordinating the United Nations rule of law activities.

Myanmar aligns with the statements of ASEAN and NAM, respectively.

Mr. Chair,

The rule of law is the foundation for every society to be able to live in peace and pursue development. Peace and harmony are maintained by the rule of law. Democracy, human rights and justice are preserved and protected by the rule of law through effective, inclusive and accountable institutions. The maintenance of the rule of law at the national levels is fundamental to the prevention of conflicts, which contributes to the international peace and security.

Unfortunately, as the Secretary-General notes in his report, we are seeing a global decline in the rule of law and a backsliding of democracy and women's rights. There has been a series of unconstitutional changes of government which are never a sustainable solution to any political, economic or social disputes.

I wish to reiterate that the illegal overthrow of a democratically elected government is a flagrant violation of the rule of law and represents blatant denial of the people's rights to elect their government. The United Nations must be unequivocal in denouncing such

actions as the UN Secretary-General stated the military coup is not acceptable in the modern world.

The international community must do everything they can to reverse the course and help restore the rule of law and justice in countries especially those in conflict and post-conflict situations. In this regard, we strongly support UN efforts to strengthen the rule of law institutions and promote accountability at the national and international levels.

Mr. Chair,

The rule of law at the national level is not a tool to oppress the people. It is a legal guarantee that protects everyone's fundamental rights and provides justice within the society. Separation of powers, equal enforcement, independent adjudication, due process, legal certainty, accountability, avoidance of arbitrariness and procedural and legal transparency are among the key principles of the rule of law.

However, in my country Myanmar the inhumane military perpetrated an illegal coup against the civilian government democratically elected by the people of Myanmar in 2021. Since then, the illegal junta has been systematically destroying the rule of law by every possible means to control the people who resoundingly reject their illegal coup.

They issued so-called laws at their will and removed legal safeguards that protect people's rights. Law enforcement became a tool for repression under the direction of the illegal junta. Lawless acts such as open murders of peaceful protesters, arbitrary arrests of people, torture of detainees, execution of democracy activists, brutal massacres, indiscriminate aerial attacks against the civilian towns and villages and whole-sale burning of civilian homes are perpetrated by the military and police forces in a widespread and systematic manner.

No one is held accountable because these acts are committed with the knowledge and approval of the junta leadership. No court independently adjudicates the law. Their sham secret military tribunals became a factory of death sentences that were handed down to

political activists. What is happening in Myanmar is the intentional destruction of the rule of law by the military junta with long-enjoyed impunity.

As a result, the people have been suffering tremendously and lives have been upended.

Just on October 9, the military attacked an IDP camp in Laiza in Kachin state, killing at least 30 civilians including 13 children.

These horrifying crimes are blatant violations of international law, particularly international human rights and humanitarian law. We are glad that the UN Independent Investigative Mechanism for Myanmar significantly expanded its collection of information and evidence. We believe that they will play an important part in our transitional justice process in the future.

Mr. Chair,

In conclusion, the military junta's continued disregard for the rule of law and international law has serious implications on the regional peace and stability. Transnational organized crime is now on the rise along the borders. Children, women and girls especially among nearly 2 million internally displaced people in Myanmar are extremely vulnerable to those crimes particularly human trafficking.

To restore peace, the rule of law and justice in Myanmar, the illegal military junta must be ended. A federal democratic union with inclusive and accountable security and justice institutions must be established.

That is exactly what the National Unity Government of Myanmar has been working for together with the ethnic resistance organizations and peoples' defence forces. They invite and stand ready to work with the United Nations, ASEAN, neighbours, countries within the region and beyond which want to see sustainable peace and development in Myanmar.

I thank you.
